



16 June 2021

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 Monday 21 June 2021 at 6.00pm.**

Planning Committee Members are requested to attend the meeting in the Chamber, any other Members wishing to attend may do so via Zoom.

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:

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AGENDA FOR PLANNING COMMITTEE – JUNE 2021

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: LA03/2020/0564/F

Proposed pig finisher unit to include an air scrubber, 6 no. feed bins, slurry store/reception tank, concrete hardstanding yard, other ancillary development and upgrade to existing access on lands approximately 150m north west of 140 Steeple Road Kells

3.2 Planning Application No: LA03/2021/0091/F

Two storey side and rear extension at 8 Lismara Court, Newtownabbey

3.3 Planning Application No: LA03/2021/0020/F

Two storey extension to the rear, single storey extension to the side and existing ridge raised at 14 Glenariff Park, Newtownabbey

3.4 Planning Application No: LA03/2021/0074/F

Amalgamation of existing retail units within shopping centre to create larger unit, demolition of c.56m of north-eastern facade (facing Council car park) and replacement with new facade and associated hard landscaping work at Castle Mall, 26 Market Square, Antrim

3.5 Planning Application No: LA03/2021/0076/DCA

Amalgamation of existing retail units within shopping centre to create larger unit, demolition of c.56m of north-eastern facade (facing Council car park) and replacement with new facade and associated hard landscaping work at Castle Mall, 26 Market Square, Antrim

3.6 Planning Application No: LA03/2020/0419/F

Erection of 4 bedroom infill dwelling on land between No. 32 and No. 38 Carnvue Road, Glengormley, Newtownabbey

- 3.7 Planning Application No: LA03/2021/0167/O
Erection of 2 no. infill dwellings, including 1 new and 1 amended access from Seven Mile Straight, hard and soft landscaping, parking/turning and associated works on land between 149 and 151 Seven Mile Straight, Ballytweedy, Muckamore, Antrim
- 3.8 Planning Application No: LA03/2021/0062/O
Site for a dwelling and domestic garage (infill) on land approximately 25m South East of 17 Mount Shalgus Lane, Randalstown
- 3.9 Planning Application No: LA03/2020/0673/F
Proposed farm shed for the shelter & housing of animals along with machinery storage Approx. 130m SE of 31 Lenagh Road, Randalstown
- 3.10 Planning Application No: LA03/2020/0515/O
Site for dwelling and garage on a farm on land 20m North of 135 Castle Road, Randalstown
- 3.11 Planning Application No: LA03/2020/0778/F
Extension to existing storage unit at 17 Carnanee Road, Templepatrick, Ballyclare
- 3.12 Planning Application No: LA03/2020/0824/O
Site for proposed 1 no. 1 ½ storey dwelling in the side garden of 3 Hydepark Lane, Mallusk, Newtownabbey
- 3.13 Planning Application No: LA03/2020/0789/F
Change of use of domestic garage to dog grooming parlour at 34 Magherabeg Road, Randalstown
- 3.14 Planning Application No: LA03/2020/0532/F
Retrospective application for an outdoor ice-cream kiosk and bar serverly to existing beer garden, including low level wall and new steps at 129 Antrim Road, Belfast
- 3.15 Planning Application No: LA03/2020/0771/F
Retrospective permission for a change of use from coffee shop to hot food take away at 484C Antrim Road, Newtownabbey

PART TWO – Other Planning Matters

- 3.16 Delegated planning decisions and appeals May 2021
- 3.17 Proposal of Application Notifications May 2021
- 3.18 Historic Buildings Council 20th Annual Report
- 3.19 DAERA Public Consultation Report – Marine Plan for Northern Ireland
- 3.20 Independent Examination into LDP Draft Plan Strategy
- 3.21 NILGA Briefing to Committee for Infrastructure: Review of the Planning Act
- 3.22 Publication of Annual Housing Monitor 2020-21
- 3.23 Local Development Plan Working Group Updates

4. Any Other Business

PART TWO – Other Planning Matters – In Confidence

3.24 Replacement of the NI Planning Portal – Progress Update

PART ONE – Decisions on Enforcement Cases – In Confidence

3.25 Enforcement Case: LA03/2020/0301/CA

PART ONE

DECISIONS ON PLANNING APPLICATIONS

COMMITTEE ITEM	3.1
APPLICATION NO	LA03/2020/0564/F
DEA	DUNSILLY
COMMITTEE INTEREST	MAJOR DEVELOPMENT
RECOMMENDATION	GRANT PLANNING PERMISSION
PROPOSAL	Proposed pig finisher unit to include an air scrubber, 6 no. feed bins, slurry store/reception tank, concrete hardstanding yard, other ancillary development and upgrade to existing access.
SITE/LOCATION	Lands approx. 150m north west of 140 Steeple Road Kells
APPLICANT	Mr R Park
AGENT	Clyde Shanks Ltd
LAST SITE VISIT	February 2021
CASE OFFICER	Barry Diamond Tel: 028 9034 0407 Email: barry.diamond@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 countryside outside the development limits of any settlement designated in the Antrim Area Plan 1984-2000. The site is located at Edenvale Farm, No. 140 Steeple Road, approximately 2km to the southeast of the villages of Kells/Connor and 7.5km north of Antrim.</p> <p>The application site is set to the northwest of the existing farm complex and occupies an elevated position in the landscape on a hill known locally as 'Bruce's Hill'. The site is relatively flat and some excavation works have taken place at some point in the past. The topography of the landscape continues to rise to the southwest reaching a summit point approximately 150 metres beyond the application site boundary. In contrast the land falls relatively steeply to the northeast towards the Steeple Road. There is an existing hedge approximately 1.5 metres in height to the southern and western boundaries with the remaining boundaries being undefined. The adjoining agricultural fields have traditional hawthorn or mixed species hedges delineating the boundaries with mixed species trees sporadically located along the field boundaries.</p> <p>The site is set back up an existing private laneway which accesses the applicant's dwelling and farm. The existing farm complex comprises approximately 113 acres of agricultural land and does not appear to have any animals at present. The farm complex appears to have been a beef cattle enterprise with some lambing pens evident.</p> <p>The nearest residential property to the proposed development would appear to be 148 Steeple Road which is approximately 200 metres from the site. Although the application site lies completely within the Antrim and Newtownabbey Borough Council Area including all associated development, it is acknowledged that the</p>	

boundary with Mid and East Antrim Council lies approximately 400 metres to the north of the application site.

RELEVANT PLANNING HISTORY

None

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, 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 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 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.

NI Water – No objection

DARD Countryside Management Inspectorate Branch - Confirmed that the applicant has a farm business since 2007.

DAERA Historic Environment Division – No objection

DAERA Industrial Pollution & Radiochemical Inspectorate - No objection

DAERA Water Management Unit & Inland Fisheries – No objection

DAERA Natural Environment Division – No objection.

DfC - Historic Environment Division – No objection.

Public Health Agency – No response received.

Shared Environmental Service – No objection subject to conditions

DfI Roads – No objection subject to conditions

DFI Rivers – No objection subject to a condition.

REPRESENTATION

Six (6) neighbouring properties were notified and no letters of objection/support have been received. As the proposal was for an intensive livestock installation the neighbour notification procedure carried out by the Council was extended to include any occupied properties within 250 metres of the application site.

The application falls within the category of a Major planning application as defined by the Planning (Development Management) Regulations (Northern Ireland) 2015 and as such was subject to Pre-Application Community Consultation carried out on behalf of the applicant. It is noted that at the community consultation event that there were approximately 30 people in attendance with a range of support and concerns expressed at the meeting.

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
- Design and Appearance
- Impact on Character and Appearance of the Area

- Neighbour Amenity
- Land Spreading
- Human Health
- Archaeology and Built Heritage
- Natural Heritage
- Traffic, Transport and Road Safety
- Flood Risk and Drainage
- Other Matters

Preliminary Matters

The planning application is accompanied by an Environmental Impact Statement and an associated access clarification document. The Planning Section is satisfied that the information submitted fulfils the legal requirements set out in the Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2017 and as a consequence comprises a valid Environmental Statement.

This application has been subject to the normal application procedures such as neighbourhood notification, consultation with statutory agencies, site inspection and as a Major Application is subject to determination by the Planning Committee.

Policy Context and Principle of Development

Section 45 (1) of the Planning Act (NI) 2011 requires that regard should be made to the Local Development Plan, so far as material to the application. Section 6 (4) of the Planning Act also states that where, in making any determination, regard should be made to the Local Development Plan that the determination must be made in accordance with the plan unless material considerations indicate otherwise.

The adopted Antrim Area Plan 1984-2000 identifies the application site as being within the countryside outside of any settlement limit. 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) introduced in September 2015 is a material consideration in determining the application. The SPPS states that a transitional period will operate until such times as a Plan Strategy for the whole of the council area has been adopted. During the transitional period planning authorities will apply existing policy contained within identified policy documents together with the SPPS. Planning Policy Statement 21: Sustainable Development in the Countryside (PPS21) is a retained policy document under SPPS and provides the appropriate policy context. Paragraph 1.12 of the SPPS states that any conflict between the SPPS and any retained policy must be resolved in the favour of the provisions of the SPPS.

Policy CTY1 of PPS21 sets out the range of types of development which in principle are considered to be acceptable in the countryside, one of those being agricultural and forestry developments in accordance with Policy CTY 12. Paragraph 5.56 of the justification and amplification of Policy CTY 12 'Agricultural and Forestry Development' indicates that the determining criteria for an active and established business will be that set out under Policy CTY 10. Paragraph 6.73 of the SPPS also contains policy in respect of agriculture and forestry development. The latter, essentially, reiterates elements of Policy CTY 12.

The applicant has an active and established farm business with an existing pig farm at Ballynure. This proposal is an extension of that business to limit the outsourcing of the latter stage of the process to other finisher units on other farms in Northern Ireland. Given that the proposal is for the development of a pig finisher unit on an existing farm holding in the rural area, it is considered that the proposal satisfies Policies CTY 12 of PPS 21. It is therefore considered that the principle of the piggery unit on this site is acceptable but stands to be considered on its individual merits against regional planning policy. These matters are addressed 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 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, Environment and Rural Affairs (DAERA).

The proposal falls within the scope of the Pollution Prevention Control Regulations for Northern Ireland as the installation will have a total capacity which exceeds the threshold for intensive pig units. The scheme will require a permit under the Pollution Prevention and Control (Industrial Emissions) Regulations (NI) 2013 (The PPC(IE) Regulations). The purpose of this regime is to ensure an integrated approach to controlling pollution from industrial sources. In this case the applicant is required to have a Pollution Prevention Control Permit demonstrating that it will have an acceptable environmental impact, including: (a) impacts of odour, ammonia, noise and dust emissions on sensitive local receptors; and (b) sustainable utilisation of manures produced from the proposed installation. DAERA Land Soil and Air: Industrial Pollution and Radiochemical Inspectorate has advised that the applicant will be required to apply for and obtain a Pollution Prevention and Control (PPC) permit prior to commencement of development should planning permission be forthcoming.

A PPC permit sets conditions so as to achieve a high level of protection for the environment. These conditions are based on 'Best Available Techniques' (BAT) which

balance the costs to the operator against the benefits to the environment. PPC aims to prevent emissions and waste production and where this is not practicable, reduce them to acceptable levels. Where PPC permits are granted subsequent monitoring of any condition contained in it rests with the regulatory authority.

The PPC permit manages practices including:

- General management of the site;
- Accident management plan;
- Energy efficiency;
- Disposal of waste products;
- Operating techniques;
- Selection and use of feed;
- House design and management;
- Livestock numbers and movements;
- Slurry spread and manure management on and off site;
- Emissions monitoring;
- Emissions to water, air or land;
- Odour; and
- Noise and vibration.

While it is acknowledged that planning control is not an appropriate means of regulating the detailed characteristics and day to day operation of this proposal it is accepted that certain matters relevant to a pollution control authorisation may be material planning considerations. As a consequence advice has been sought from a variety of consultation bodies on key aspects of the scheme and their responses are reflected in this report.

Design and Appearance

The proposal seeks full planning permission for a pig finisher unit to house 6,200 pigs, including an air scrubber, 6 no. feed bins, slurry store/reception tank, concrete hardstanding yard, other ancillary development and upgrade to existing access. The unit will consist of 2 sheds capable of housing 3,100 pigs each. The other ancillary development includes a swale and field drain, generator, incinerator and oil tanks, NIE kiosk, perimeter fencing, landscaping and upgrade of the existing access with the Steeple Road.

The proposed development consists of two pig finishing units running parallel to each other and sharing the same air scrubber system which is located at the northwestern end of the buildings. The piggery units are approximately 117.1 metres in length by 56.08 metres in width and 6.89 metres in height. The buildings are finished in a smooth concrete wall with a Juniper green cladding to the roof. Grading and earthworks are proposed to provide level floor areas for the two piggery units at + 126.1 metres with a 900mm deep underground tank with a capacity for 5,290m³ as indicated by the cross sections on Drawing No. 05 date stamped 21st August 2020. The site is being artificially lowered to accommodate the development although there is a small amount of infilling required to the rear of the site. The excavation works will assist in the visual integration of this site on an elevated and sloping site.

It is proposed to install an air scrubber to the northwestern elevation of the building which is an odour abatement system and is designed to significantly reduce the ammonia and odour from the proposed piggery units. The two stage air scrubbing

system includes an acid wall which assists in the separation of dust and ammonia followed by a bio filter consisting of a root wood pile which is retained in steel cages. The bio filter is exposed along the piggery units northwestern gable, however, it has a limited height of 4 metres. The bio filter is positioned at the furthest point from the Steeple Road and is obscured from view by the proposed piggery building.

While the two buildings make up the majority of the development there are a number of ancillary elements which may have a visual impact. There are 6 No. feed bins located to the front of the proposed piggery units. The 6 No. bins are grouped immediately adjacent to one another to reduce their visual impact. These bins are the tallest structures associated with the development at a height of 11.01 metres. Each of the feed bins will be constructed on a concrete base, comprising galvanised steel outer sheeting. Each feed bin has the capacity to store 35 tonnes of feed. The slurry associated with the proposed piggery units is collected in a below ground reception tank before being pumped to an above ground slurry store which is approximately 31.26 metres in diameter and a height of 6 metres.

Other development includes a standby generator for use in the event of a power failure which will be housed in a small steel container. This is to be located to the front of the piggery units. Within the same area are 2 No. oil tanks, an NIE Kiosk cabinet and an incinerator. The purpose of the incinerator is for the disposal of animal carcasses. This matter has been considered as part of the Air Quality Impact Assessment and it is noted that the incinerator will operate at 950 degrees centigrade which will effectively deodorise all material emissions. Additionally the use of the incinerator will be limited to the disposal of carcasses from the application site and this should form a condition of the grant of any planning permission should planning permission be forthcoming.

As part of the proposed development a new bespoke drainage network, sized and aligned to suit the development, will be constructed. It is proposed to introduce a swale measuring 1-metre-deep by 2 metres wide with a linear length of 254m. This should achieve a storage capacity of 274.01m³. The swale will then drain to a field drain which will include a 300mm perforated pipe at its base. This will be filled with stone to the surface and is proposed to collect surface water from the last bay of the swale and return it to the farmland through infiltration from the field drain.

Impact on Character and Appearance of the Area

Criterion (b) of Policy CTY 12 in PPS 21 states that a proposal for new agricultural buildings should be appropriate to its location in terms of character and scale; whilst criterion (c) requires that such buildings should visually integrate into the local landscape and requires that additional landscaping is provided as necessary. Policy CTY 13 further reiterates the requirement for development proposals to integrate into the landscape.

With regard to the visual impact and the integration of the proposed development the applicant has submitted a Landscape and Visual Impact Assessment (Chapter 11 Environmental Statement) along with a number of photomontages to aid consideration of these matters (Figures 11.5.1 to 11.5.4 – Viewpoints 1 to 5 in Appendix 11.3). In addition to this several site visits have been undertaken to the site and surrounding areas to determine the extent of the visual impact from the surrounding road network.

The Landscape and Visual Impact Assessment undertaken has determined that the proposed development is expected to have a slight/negligible impact upon areas surrounding the site such as the Scroggystown and Fernisky Townlands. Beyond these areas and taking into account the Tardree and Six Mile Water slopes Landscape Character Areas, the impacts of the development are considered to be negligible. Although the site is elevated in the landscape the localised views of the site from public vantage points are restricted by roadside hedgerows and intervening field boundaries. Overall it is considered that the proposed development is considered acceptable from a visual amenity perspective.

Neighbour Amenity

Policy CTY 12(e) of PPS 21 indicates that a proposed agricultural development 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. Policy CTY12 is generally permissive in respect of agricultural development and in this case, as indicated in a recent Planning Appeal Commission decision (reference 2015/A0005), the applicant need only demonstrate, in evidential terms on the balance of probabilities, that the proposal would be unlikely to result in harm to interests of acknowledged importance which would include the amenity of neighbours and the environment.

In this instance the applicant within their Environmental Statement and associated information has provided assessments based on the potential noise, air quality and odour impacts. In assessing these issues the Planning Section has consulted the Council's Environmental Health Section and DAERA's Environment Agency.

The Council's Environmental Health Section (EHS) has indicated no objections to this proposal and has referred the matters to the regulator as a Pollution Prevention Control Permit will be required to demonstrate that the proposals will be managed in a manner that will have an acceptable environmental impact, including impacts from noise, dust, odour and ammonia on sensitive local receptors.

The Noise Report in Chapter 6 of the Environmental Statement concludes that there are no likely significant noise impacts associated with the proposed development which will not exceed background noise levels.

In relation to odour the proposed pig houses seek to use the Best Available Technology, by installing a biologically controlled air scrubber technology which operates under pressure and extracts waste air from the 2 units, pushing it through a 'scrubber' removing dust particles, odour and ammonia before releasing the purified air into the atmosphere. It is anticipated that the scrubbers will produce 704m³/yr of nitrogen rich water which will be stored in an underground tank located under the scrubber unit. In addition to the nitrogen rich water the proposed development will produce 12,056m³ of slurry and 43m³ of washings. These by-products will be land-spaced in accordance with the Slurry and Nutrient Management Plan (Chapter 15 of the Environmental Statement).

The nearest sensitive receptor to the site is approximately 235 metres away and the report predicts that there will be a minimal impact at any of the nearby receptors given the mitigation measures proposed and the distances from the proposed

development. EHS has indicated no determining concerns in relation to potential noise or odours generated from the facility subject to the provision of conditions to be attached to any planning approval granted.

DAERA's Industrial Pollution and Radiochemical Inspectorate has indicated, that at the time of consultation, the applicant had not applied for a PPC permit for this farm.

Other sources of noise and disturbance include that caused by traffic and transport to and from the site as well as that during 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 so significant as to cause a significant loss of amenity to third parties.

The land spreading of manure has the potential to significantly impact upon the residential amenity of residents and a land bank of agricultural land has been provided in Chapter 15 of the Environmental Statement. This matter while relevant to neighbour amenity is dealt with separately below.

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.

Land Spreading

The number of pigs on site will produce approximately 12,056m³ of slurry, 43m³ of washings. In addition, 704m³ of nitrogen rich water will be produced by the scrubber system which is stored separately.

In order to comply with the Nitrates Directive, and as noted in the Nutrient Management Plans associated with this application, the total amount of slurry spread per hectare will not exceed 170kg.N/ha. As a result, the application of slurry will only take place for 2-3 hours per field, a maximum of 3 times per year and will be spread on land in NI amounting to approximately 243.55 hectares.

The land spreading technique (trailing shoe method) reduces ammonia emissions by approximately 60% and is considered to represent best practice in demonstrating a commitment to improving environmental performance of farms and to achieve high environmental standards.

Details of the various farm holdings and individual fields have been provided in Chapter 15 Slurry and Nutrient Management and these have been the subject of consultation with the Environment Health Section of the Council, DAERA and SES. The spreading of slurry on agricultural land is a common practice and none of the consultees have raised any objections to the proposal to spread slurry on the fields identified either individually or cumulatively.

Human Health

The Public Health Agency (PHA) were consulted on the application, however, they have no direct remit in setting standards or providing guidance for the appropriate operation of facilities. Unfortunately, at the time of writing there has been no response from PHA within the statutory response time. The comments by PHA on other

similar projects within the Borough have been reviewed as these provide a clear indication of the likely issues that could be raised.

PHA has previously stated that facilities such as intensive livestock installations have a potential to cause adverse health effects from exposure to particulate matter (PMT), ammonia, general dust and other emissions. However, the main concern of PHA in relation to such facilities is the potential for bio-aerosol releases from pig rearing and associated activities such as land spreading. It is an important public health consideration that the risk of spread of both viral and bacteriological (including antibiotic resistant strains) communicable diseases to the adjacent human population is minimised.

It is proposed to install an air scrubber system to the northwestern elevation of the building with an external bio filter which will be used to extract waste air from the pig units removing dust particles, odour and ammonia before releasing the purified air into the atmosphere at acceptable levels. The existing farm is naturally ventilated therefore the use of the scrubber technology is considered to represent a considerable betterment.

The most up-to-date guidance (2016) in respect of bio-aerosol assessments and intensive farming states that a bio-aerosol risk assessment is only required if there are receptors within 100m of the farm. However, a bio-aerosol risk assessment has been prepared in this instance to consider receptors within 250m of the farm.

Within Chapter 12 'Population and Human Health' of the Environmental Statement, the applicant contends that all slurry, nitrogen rich water and wash water will be land spread in Northern Ireland. It is stated that bio-aerosol emissions include bacteria levels, enterobacteriae levels and aspergillus fumigatus levels associated with the housing of the pigs, storage of slurry and also landspreading activities. All of the air generated from the housing of pigs will be passed through the air scrubbing system before being expelled into the atmosphere.

The maximum 8-hour limit levels for each type of bioaerosol emission are as follows: bacteria = 1,000 cfu/m³; enterobacteriae = 300 cfu/m³; and aspergillus fumigatus = 500 cfu/m³. The highest bio-aerosol emissions would be experienced at the applicant's property. Of the third party properties included for assessment, the residential property located at 138a Steeple Road (250m away) will experience the second highest bio-aerosol emissions which have been assessed as being: bacteria = 12.03 cfu/m³; enterobacteriae = 0.61 cfu/m³; and aspergillus fumigatus = 8.35 cfu/m³. Nonetheless, all levels are significantly below the respective limit levels as a result of all of the measures being implemented by the development.

On the basis of the information provided and a lack of any information to the contrary it is considered that there are no significant concerns in relation to human health that would warrant a refusal of the application.

Archaeology and Built Heritage

The Historic Environment Division: Historic Monuments (HED: HM) has reviewed the Cultural Heritage chapter (Chapter 14) of the submitted Environmental Statement. There are no known archaeological monuments within the application site, however, there are some 14 monuments within 2 kilometres of the application site.

While the Cultural Heritage chapter recommends further archaeological investigation on site, HED: HM is of the opinion that no further work is required and on this basis it is considered that the proposal is satisfactory to SPPS and PPS 6 archaeological policy requirements.

Natural Heritage

The applicant engaged John O'Neill Associates to undertake an Ecological Impact Assessment of the proposed development, the findings of which are included in Chapter 10 of the Environmental Statement. DAERA's Natural Environment Division (NED) provides the Council with expert advice regarding the impact of developments on natural habitats and wildlife issues.

With regard to the impact on designated sites, the application site and/or land spreading locations are within 7.5 km of the following sites (hereafter referred to as designated sites) which are of international and national importance and are protected by Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) and The Environment (Northern Ireland) Order 2002: Lough Neagh & Lough Beg SPA/RAMSAR; Antrim Hills SPA; Tardree Quarry ASSI; Sandy Braes ASSI and Shanes Castle ASSI. There is no hydrological connection to any of the designated sites given the distance of the proposed development from any watercourse.

With regards to nitrogen emissions, NED has acknowledged there are significant challenges in permitting agricultural expansion in areas where the critical loads and levels are currently exceeded. NED has considered the proposal, including any direct/indirect impacts on associated farm activities and is content that the proposal is in line with DAERA's operational protocol on nitrogen emissions.

NED has considered the impacts of the proposal on the designated sites and advises that due regard is given to its recommendations when undertaking a Habitats Regulations Assessment to ensure compliance with the requirements of the Habitats Regulations and The Environment (Northern Ireland) Order 2002.

An assessment of the site for the presence of protected species was carried out and it was determined that the site showed no evidence of forming suitable habitat other than for breeding birds. It is indicated that no hedge removal will be undertaken during the bird breeding season.

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 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 any European site. This analysis is conditional on the following mitigation measures: (a) the air scrubber system proposed is installed and maintained throughout the life of the facility; and (b) the number of pigs do not exceed 6,200 (finisher pigs)). SES has advised that the activity in association with the proposals of this nature is regulated by the Industrial Pollution and Radiochemical Inspectorate of DAERA.

Traffic, Transport and Road Safety

Chapter 9 of the Environmental Statement assesses the transport issues associated with the proposed pig finisher unit. The application site accesses the Steeple Road via an existing 4 metre wide concrete laneway which serves the existing farm complex. It is indicated that the proposed development will generate an additional 10 traffic movements per day including staff. It is estimated that there will be 3 HGV's per day, (3 arrivals & 3 departures). This adds to the existing traffic flows on the Steeple Road which are estimated to be 1192 vehicle movements per day, effectively an increase of 0.8% which is considered to be negligible.

The proposed access to the site is positioned to enable 2.4 metres x 90 metres visibility splays in both directions with a 90 metre forward sight distance. In addition, the existing laneway will be widened to 6 metres for the first 20 metres with a 10 metre radii. This is a significant improvement on the existing access arrangement which is extremely restricted to the left hand side and is estimated to be only 2 by 14 metres.

Turning areas for HGV's are located in front of the piggery unit and to the side of the slurry store with 25 metre turning radii being achieved in both instances. There is no formal parking areas provided within the site, however, given the amount of hard standing areas and the adjoining farm complex it is anticipated that any staff and visitor car parking can be easily accommodated. It is considered that the aforementioned access arrangements are in accordance with DCAN15 and will deliver significant betterment relative to the existing arrangements.

With regards to traffic, transport and road safety, DfI Roads was consulted as the competent authority in relation to these matters and has indicated no objections to the proposal in terms of road safety and in terms of trips generated by the development.

Flood Risk and Drainage

The applicant as part of the Environmental Statement has submitted information relating to the hydrology and drainage of the application site and the surrounding area. They have assessed the potential environmental impact of the proposed development on the water environment related to the relevant hydrology and drainage matters and how any impacts would be mitigated. The assessment has been undertaken to demonstrate that the proposed development will not be subject to flooding and to examine the potential for the development works to safely discharge the increased surface water runoff without increasing the risk of flooding within the site or elsewhere.

DfI Rivers and the Water Management Unit & Inland Fisheries of DAERA have been consulted and neither has expressed any determining concerns in relation to drainage and the associated impact on watercourses.

DfI Rivers has confirmed there are no watercourses which are designated under the terms of the Drainage (Northern Ireland) Order 1973 within this site but state the site may be affected by undesignated watercourses of which they have no record. Given the elevation of this site and the surrounding topography, it is considered unlikely that there are any significant watercourses. In respect of Policy FLD1 'Development in Fluvial and Coastal Flood Plains' of PPS15, DfI Rivers

has confirmed that the Flood Hazard Map (NI) indicates that the development does not lie within the 1 in 100 year fluvial or 1 in 200 year coastal flood plain.

Given the increased areas of hard standing, including buildings there will be an inevitable increase in the rate of surface water run-off. In normal circumstances it is a requirement to achieve greenfield run-off rates, i.e. the level of run-off likely to occur in the absence of any building works. In order to maintain the existing run-off rate it is proposed to introduce a swale measuring 1 metre deep by 2 metres wide with a linear length of 254m. This should achieve a storage capacity of some 275m³. The swale will then drain to a field drain which will include a 300mm perforated pipe at its base.

DfI Rivers has stated that in relation to development and surface water it accepts the logic of the submitted Drainage Assessment by Flood Risk Consulting, (Chapter 7 of the Environmental Statement) 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.

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 the applicant referring and adhering to standing advice and any relevant statutory permissions being obtained.

With regards to matters relating to flooding and drainage it is considered that there will not be an increase in the level of flood risk associated with this development.

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 noise disturbance, and odour is considered acceptable;
- There is no evidence to suggest human health will be adversely impacted by this proposal;
- There are no determining concerns with regard to the associated land spreading;
- There are no natural heritage concerns with regard to the proposal;
- There is no determining concern in relation to matters pertaining to traffic generation or road safety;
- There are no flood risk or drainage concerns associated with this 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 vehicular access, including visibility splays and any forward sight distance, shall be provided in accordance with Drawing No. 03/1 bearing the date stamp 27th November 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 gradient(s) of the access road shall not exceed 4% (1 in 25) over the first 10m outside the road boundary. Where the vehicular access crosses a footway, the access gradient shall be between 4% (1 in 25) maximum and 2.5% (1 in 40) minimum and shall be formed so that there is no abrupt change of slope along the footway.

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

4. Prior to any of the piggery units becoming operational the Schema Schulz Two Step Air Scrubber System, as detailed in the Environmental Statement Chapter 3 submitted 21/08/2020, must be installed and be operational. Thereafter it must be maintained by an authorised expert throughout the operational lifetime of the facility.

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

5. The applicant shall not deviate from the proposed slurry export arrangements, as detailed in Environmental Statement Chapter 15 submitted 21/08/2020, without the prior written consent of the Council.

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

6. The roof, wall, and façade system to each of the 2 sheds housing the pigs shall be capable of providing a sound reduction index of at least 25dB R_w.

Reason: In order to protect amenity at nearby residential receptors from adverse impacts of noise.

7. All HGV vehicles operating within the site shall be fitted with wide band reversing alarms.

Reason: In order to protect amenity at nearby residential receptors from adverse impacts of noise.

8. The category and number of pigs present shall not exceed 6,200 fattening pigs.

Reason: In order to protect amenity at nearby residential receptors from adverse impacts of odour and to ensure the project will not have an adverse effect on the integrity of any European site.

9. The internal air to the 2 pig houses shall be continually operated under negative pressure (with the exception of periods of maintenance) with all internal air ducted into the air purification scrubber system located at the end of the houses as outlined with drawing stamped drawing No. 5 and date stamped 21st August 2020.

Reason: In order to protect amenity at nearby residential receptors from adverse impacts of odour.

10. The air purification scrubber system serving the 2 pig houses shall have ventilation rates not less than the values stated within the table below:

House	Exit Velocity	Total vol. flow(m³/s)	Total vol. flow (m³/hr)
1&2	0.247	11.11	40,000

Reason: In order to protect amenity at nearby residential receptors from adverse impacts of odour.

11. Prior to each of the pig houses becoming operational, full technical details of the proposed air purification scrubber system to be used in the pig houses along with its operating procedures shall be submitted in writing to the Council for approval. The proposed air purification scrubber system must be operated in accordance with the technical specification of the manufacturer and any other specifications as required in writing by the Council. The air purification scrubber system will be operated and maintained in accordance with the specification during the lifespan of the facility.

Reason: In order to protect amenity at nearby residential receptors from adverse impacts of odour.

12. Once any of the piggery units becomes operational, the developer must undertake at least 6 months validation monitoring of aerial emissions from the site. This must be submitted to the council within a period of 1 year of commencement of operation of the facility.

Reason: In order to protect amenity at nearby residential receptors from adverse impacts of odour.

13. In the event that the validation monitoring referred to in condition 12 finds emission levels exceeding the values indicated within the odour report prepared by Irwin Carr Ltd, the developer shall remove all pigs from the facility within a time frame to be agreed with the Council. Measures for the reduction of emissions to levels specified in the air quality impact assessment must be agreed in writing with the Council and introduced prior to restocking of the sheds.

Reason: In order to protect amenity at nearby residential receptors from adverse impacts of odour.

14. A rigid air tight cover shall be installed to the external slurry store and shall only be removed for cleaning and maintenance purposes.

Reason: In order to protect amenity at nearby residential receptors from adverse impacts of odour.

15. All drainage works identified on drawing 03/1 dated the 27-NOV-2020 and as described in Environmental Statement Chapter 7 submitted 21/08/2020 shall be completed prior to the development becoming operational.

Reason: To ensure that there is a suitable form of drainage for the development and to prevent an increase in surface water runoff discharging through overland flow.

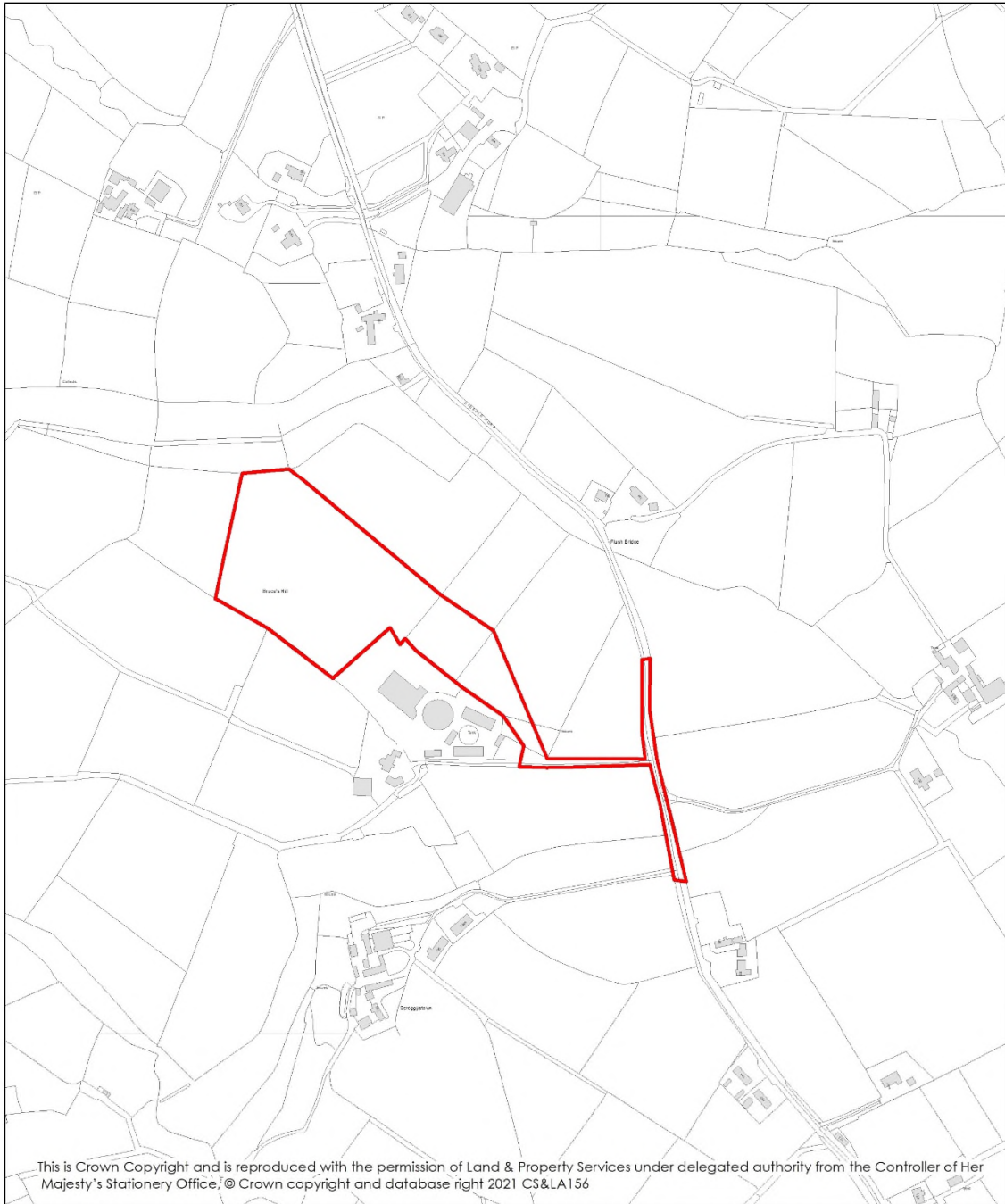
16. All existing trees outlined in green on stamped approved drawing 03/1 date stamped the 27-NOV-2020 shall be allowed to grow on and retained at a height of at least 5 metres. All hedges outlined in green shall be retained at a height of at least 1.5 metres. The trees and hedges shall be retained during the lifetime of the development.

Reason: In the interests of visual amenity.

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

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

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



Location Map

Reference: LA03/2021/0564/F

Location: Lands approx. 150m north west of
140 Steeple Road, Kells

Proposal: Proposed pig finisher unit to include an air scrubber, 6 no.
feed bins, slurry store/reception tank, concrete hardstanding yard,
other ancillary development and upgrade to existing access

 Site Boundary

0 60 120
Metres



COMMITTEE ITEM	3.2
APPLICATION NO	LA03/2021/0091/F
DEA	MACEDON
COMMITTEE INTEREST	LEVEL OF OBJECTION
RECOMMENDATION	GRANT PLANNING PERMISSION
PROPOSAL	Two storey side and rear extension
SITE/LOCATION	8 Lismara Court, Newtownabbey
APPLICANT	T Collins
AGENT	H R Jess Limited
LAST SITE VISIT	29 March 2021
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 8 Lismara Court, Newtownabbey which is within the development limits of Metropolitan Newtownabbey as defined in the Belfast Urban Area (BUAP) and is within the development limit of Metropolitan Newtownabbey as defined by the draft Belfast Metropolitan Area Plan published 2004 (dBMAP). The site is also located within the Hazlebank/Abbeylands Area of Townscape Character (ATC) under zoning MNY 32 and the Belfast Metropolitan Area (BMA) and the Coastal Area under Zoning COU 3.</p> <p>The site is located within a small residential cul-de-sac characterised by a mix of large two storey dwellings occupying large plots and comprising different dwelling designs and finishes. The site hosts a two storey detached dwelling with a single storey southern side projection and single storey western front projection comprising of a double integral garage. The dwelling is finished in red facing brick with white render and brown roof tiles.</p> <p>The application site lies approximately 2.5 metres lower than neighbouring property No. 6 Lismara Court and approximately 1 metre lower than No. 7 Lismara Court. The land within the site slopes significantly in an easterly direction from the western boundary towards the shoreline of Belfast Lough. Access to the dwelling is to the west comprising a tarmac driveway with car parking provision. The application site is bounded by Belfast Lough to the east and by the M5 Motorway and A2 Shore Road to the west. Hazlebank coastal path runs along the eastern boundary of the site.</p> <p>The northern boundary separates the site with the neighbouring property at No. 399 Shore Road and comprises a brick wall staggering in height from 1.5 metres to 3 metres. Mature hedging and trees at a height of approximately 3 metres screen the brick wall. The eastern boundary slopes significantly away from the host dwelling and comprises a 3 metre high wall which runs adjacent to the Hazlebank coastal path. Mature vegetation is situated behind the wall at various heights. The southern</p>	

boundary divides the site with neighbouring property No. 7 Lismara Court and to the front is a low brick wall some 0.4 metres in height and to the rear mature hedging at 2 metres in height. The western boundary comprises of the site access as is undefined. The neighbouring property No. 6 Lismara Court is positioned to the southwest and is separated from the site by a 2 metre brick wall and 1-metre-high decorative metal railing.

RELEVANT PLANNING HISTORY

Planning Reference: U/2003/0405/F
 Location: 8 Lismara Court, Newtownabbey
 Proposal: Erection of single and two storey extensions to rear of existing dwelling
 Decision: Permission Granted 20/06/2007

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 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.

Belfast Urban Area Plan (BUAP): The application site is located within the Belfast Urban Area settlement limit. The Plan offer no specific policy or guidance pertinent to this proposal.

Draft Belfast Metropolitan Area Plan (Published 2004) (dBMAP): The application site is located within the settlement limit of Metropolitan Newtownabbey, within the Hazlebank/Abbeylands ATC (Zoning MNY 32) and BMA Coastal Area (Zoning COU 3). The Plan states that development proposals within ATC designations will be assessed in accordance with the Addendum to Planning Policy Statement 6 (APPS 6): 'Areas of Townscape Character' and that proposals within the BMA Coastal Area will be assessed under Policy COU 4 of the Plan.

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

Addendum to PPS 6 'Areas of Townscape Character': sets out planning policy and guidance relating to ATCs for demolition of buildings, new development and the control of advertisements.

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

Department for Infrastructure Rivers – No objection subject to informatives.

REPRESENTATION

Four (4) neighbouring properties were notified, and three (3) letters of objection have been received from three (3) 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:

- The proposal is not in proportion with the application site;
- The proposal will diminish the character of the neighbourhood and detract from the local environment;
- The two-storey side extension is out of balance with the proportions of the site, is overbearing and aesthetically displeasing and will have a deleterious effect on visual amenity on surrounding properties,
- The proposal needs to be revised to a two-storey extension only to the rear;
- The need for an environmental assessment;
- Concerns regarding persistent noise, construction traffic and mess associated with nearby developments that utilise the same road access;
- Concerns over the original development Lismara Court not built with planning permission and building control, with specific mention of the foundations not being installed properly, which may not be capable of supporting the proposal;
- Concerns regarding existing road and sewerage infrastructure and the ability to support the additional expansion;
- The original houses in Lismara Court appear to be proud of the normal hill line which is a detriment to the environment, landscape and disregards privacy; such proposal would breach further the hill line requirements.

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
- Impact on the Area of Townscape Character
- Impact on the Belfast Metropolitan Area (BMA) Coastal Area
- Amenity Space, Parking and Manoeuvring
- 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 purportedly adopted Belfast Metropolitan Area Plan 2015 (BMAP 2015) was for a period deemed to be the statutory development plan for this area, however the purported adoption of the Plan by the then Department of the Environment in 2014 was subsequently declared unlawful by the Court of Appeal on 18th May 2017. Consequently, the Belfast Urban Area Plan (BUAP) remains the statutory Local Development Plan (LDP) for the area. The provisions of draft NAP and the draft Belfast Metropolitan Area Plan (dBMAP) are also a material consideration in this application.

The application site is located within the development limits of the Belfast Urban Area as defined within the Belfast Urban Area Plan (BUAP) and within the development limits of Metropolitan Newtownabbey as defined in the draft Belfast Metropolitan Area Plan published 2004 (dBMAP). The application site is also located within the Hazlebank/Abbeylands ATC (Zoning MNY 32) and the BMA Coastal Area (Zoning COU 3).

The Hazelbank/Abbeylands area contains early to mid-nineteenth century large, detached two-storey properties, some of which are listed and reflect the former distinct Georgian/Victorian townscape. These dwellings are set within generous mature landscaped grounds, adjacent to the dramatic Belfast Lough shoreline topography.

Designation MNY 32 states that the key features of the area which will be taken into account when assessing development proposals include:

- The early and mid-nineteenth century large, detached properties set within a mature landscape setting, adjacent to the dramatic shoreline topography; and
- The large, two storey dwelling including Woodbank (1810) (listed), Lismara (1850) (renamed Abbeydene in 1948) (listed), Hazlebank (early 1800s) and Abbeylands (late 1890s), which reflect the former distinct Georgian/Victorian townscape, and which have good views out across Belfast Lough.

The Belfast Lough Shore within Metropolitan Newtownabbey is recognised as an area of international nature conservation importance and is designated as the following: Belfast Lough Ramsar Site; Belfast Lough Special Protection Area (SPA); Inner Belfast Lough Area of Special Scientific Interest (ASSI) and Outer Belfast Lough Area of Special Scientific Interest (ASSI). These areas of nature conservation importance are designated under the BMA Coastal Area under zoning COU 3. Policy for the control of development within the designated BMA Coastal Area is Policy COU 4 as contained in Part 3, Volume 1 of dBMAP.

Given that the proposal is for a two-storey side and rear extension the main policy provision for this proposal is APPS 7 'Residential Extensions and Alterations'. Policy EXT

1 of APPS7 indicates that planning permission will be granted for a proposal to extend or alter a residential property where all of the following criteria are met:

- (a) the scale, massing, design and external materials of the proposal are sympathetic 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 taken into account when assessing proposals against the above criteria. Other relevant policies associated with this proposal is also provided by APPS 6 'Areas of Townscape Character', and PPS 15 'Planning and Food risk' which will be considered below.

Scale, Massing, Design and Appearance

The application seeks full planning permission for a two storey side and rear extension to provide a living room and larger kitchen/dining room on the groundfloor and on the first floor a study, and two (2) new bedrooms equipped with ensuites and walk in wardrobes. The two storey side extension results in an increase to the ridge height of the existing single storey side projection from 4.8 metres to 8 metres in height and comprises of a hipped roof maintaining the same ridge line as the existing dwelling. On the first floor, two (2) west facing windows are present, which serve an ensuite and walk-in wardrobe. The existing window associated with the stairwell has been extended in height to 2 metres.

The two storey rear extension incorporates the side extension and extends some 3.6 metres and 4 metres eastwards from the rear wall plate at a length of approximately 15.4 metres. The proposal comprises of a flat roof finished in dark grey trolac membrane and is positioned at differing heights; one element of the extension is 6.8 metres in height and the other is 5.8 metres in height. The proposal is centred on a veranda which is accessible via glass sliding doors from the dining/kitchen area and is finished in oak coloured aluminium. The veranda totals approximately 20 sqm and extends out some 3.6 metres from the eastern wall plate at a length of 5.8 metres. The total height from ground level is 3.1 metres of which 0.4 metres is associated with an underbuild, accommodating the sloping land levels.

On the southern side elevation abutting the neighbouring property No. 7 Lismara Court, no glazing is proposed on the first floor and only the ground floor corner window associated with the living room is present, which is adequately screened by the current boundary treatment. The eastern elevation to the rear is largely glazed on both the upper and lower levels and considered not to be a detriment to any neighbouring properties as no neighbouring properties abut the site to the east, only that of Belfast Lough. The northern elevation abutting the neighbouring property No. 399 Shore Road comprises of four (4) additional windows, all of which are vertical in nature. Two (2) are located on the first floor, one of which comprises of obscure

glazing and two on the ground floor. The northern boundary treatment adequately screens these additional windows thus preventing any overlooking or loss privacy.

Concerns were raised by objectors that the proposal is not in proportion with the application site. Policy indicates that in urban contexts proposals should not overdevelop the site in terms of massing, plot size and proximity to boundaries. The application size is approximately 2,060sqm and the proposal has a footprint of approximately 240 sqm, therefore it is evident that the proposal has not over developed the site and thus remains proportionate in scale.

Objections were raised that the proposal will diminish the character of the neighbourhood and detract from the local environment affecting the overall visual amenity for surrounding properties. The proposal is to be finished in smooth render painted white, with black vertical sheeted timber cladding present to the front, side, and rear. The proposal also comprises of black slate/tiles to match the existing, black uPVC windows/doors and rainwater goods. The rear eastern elevation faces towards Belfast Lough and is largely glazed on both the upper and lower levels. Whilst the objectors may consider the finishes to be uncharacteristic, the introduction of the timber cladding against white render walls provides a naturalistic finish. Given the location of the application site and with the neighbouring property at No. 7 Lismara Court and additional residential properties along this stretch of shoreline exhibiting similar external finishing materials, it is considered that the proposal complements the host dwelling and will not diminish the character of the neighbourhood or detract from the local environment.

An objection stated that the two storey side extension would appear overbearing and aesthetically displeasing and that a revised application should be submitted for a two storey extension to the rear only. As part of the planning process the Council considers the principle of development, determines if a site is suitable for development and assesses the specific development proposals. The Council has no remit in respect of what an applicant wishes to submit for assessment.

The side element of the proposal seeks to increase the ridge height above the existing single storey side projection from 4.8 metres to 8 metres in height and seeks to continue the same hipped ridge line as the host dwelling. No increase in the footprint is proposed. The side extension of the proposal is on the western elevation and forms part of the frontage. Policy states that extensions or alterations to the front of a property require great care as this is most visible to public view. It is therefore important that works are in proportion with the host dwelling including its fenestration, roof design and pitch. The proposed fenestration on the first floor is aligned and in symmetry with that of the existing creating a balanced appearance. Extensions are often set down from existing ridgelines so as not to compromise the appearance of the areas character. Although this proposal seeks to continue the same hipped ridge line of that of the existing dwelling, in this context the continuation of the ridgeline appears in proportion with that of the host dwelling and does not appear to be an obvious addition.

Much of the proposal is to the rear of the host dwelling facing outwards over Belfast Lough. The objectors view is not restricted by the proposed side extension, instead it is a change of view from that which exists at present, and it is not considered that the change of view is detrimental to the outlook of the existing dwellings. Whilst there will

be some short-range views from the coastal path, the main views will be long range views predominately from Belfast Lough. From the Shore Road there will be no views of the proposed extension. Given that the associated views will be predominately long range views and that the building line of the proposal remains in line with neighbouring plots, it is considered that the proposal is not likely to create an overbearing visual impact and on balance is acceptable in this case. Overall, it is considered that the design, layout and appearance of the proposal is acceptable in terms of scale, proportions and massing and will not detract from the appearance and character of the surrounding area.

Neighbour Amenity

The proposal is positioned some 8 metres south of the common boundary with No. 7 Lismara Court, some 18 metres north of the common boundary with No. 399 Shore Road and some 22 metres west of neighbouring property No. 6 Lismara Court. No neighbours abut the application to the east (rear). Given that the topography of the lands declines significantly eastwards and that the proposal remains behind the building line of existing neighbouring dwellings, overlooking and overshadowing will not be significant. It is considered that the proposal will have no detrimental impact on residential amenity by way of overlooking, overshadowing, loss of light or dominance due to the proposed separation distances and existing boundary treatments.

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 because the proposal will not involve the loss of any vegetation.

Amenity Space, Parking and Manoeuvring

A total area of approximately 297sqm remains within the front curtilage of the dwelling, including the provision of a double garage, therefore 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. Overall, there are no road safety concerns regarding the proposal.

Impact on the Area of Townscape Character

The APPS 6 'Areas of Townscape Character' (ATC) sets out planning policy and guidance relating to ATC's for demolition of buildings and new development. ATCs exhibit a distinct character normally based on their historic built form or layout. For the most part this derives from the cumulative impact of the area's buildings, their setting, landscape and other locally important features.

Policy ATC 2 'New Development in an Area of Townscape Character' of APPS 6 states that only development proposals in an ATC where the development maintains or enhances its overall character and respects the built form of the area, will be permitted; and any trees, archaeological or other landscape features which contribute to the distinctive character of the area are protected and integrated in a suitable manner into the design and layout of the development.

The proposal comprises of high standard finishes which are considered sympathetic to the area's qualities and are an acceptable addition to the host dwelling. It is

considered that the scale and design of the proposed development will not result in an adverse impact on the character and appearance of the Hazlebank/Abbeylands ATC or the surrounding area.

Impact on the BMA Coastal Area

Policy COU 4 states that planning permission will only be granted to development proposals where the proposed development is of such national or regional importance as to outweigh any detrimental impact on the coastal environment, or it can be demonstrated that any proposal will not harm the qualities of the coastal landscape while still protecting nature conservation value.

The proposal is for a two-storey side and rear extension to an existing dwelling and thus is not of national or regional importance, therefore the proposal must not harm the qualities of the coastal landscape and associated nature conservation value. The host dwelling is positioned at a height of approximately 15 metres above the Belfast Lough shoreline and although it is set back some 73 metres from said shoreline, it is evidently visible from public views mainly along the Hazlebank coastal path and from Belfast Lough.

The proposal seeks to mirror that of neighbouring property No. 7 Lismara Court where permission was granted under planning reference U/2003/0405/F to construct a two storey extension on its eastern elevation. It is considered that the proposal is subordinate to the dwelling and is not of such a scale as to have a detrimental impact on the coastal landscape or its nature conservation value. Whilst it is recognised that the proposal will create a change in public view from the coastal landscape, such a view is considered not to be undesirable especially when balanced with neighbouring No. 7 Lismara Court. The proposal is therefore considered to be an acceptable addition to the coastal landscape.

Other Matters

Flood risk

In relation to Policy FLD1 'Development in Fluvial Flood Plains' of the Revised PPS 15 'Planning and Flood Risk' and as indicated on the Flood Map (NI) the application site does not lie within the 1 in 100 year fluvial flood plain nor is it affected by surface water flooding. The application site has a marginal area along the eastern boundary which lies within the 1 in 200 year coastal flood plain. DfI Rivers were consulted on 30th March 2021 and have raised no objection to the proposal.

Noise and Disturbance

Concerns were raised with regards to noise and disturbance from other nearby on-going housing developments that utilise the same road access as Lismara Court with particular impact on No. 399 Shore Road. Although there is potential for noise nuisances during the construction phase of developments, this should not arise outside reasonable times and would be temporary in nature. Given the context of development some noise and disturbance is to be expected, however, this is likely to be at a low level associated with the daily living requirements of the occupiers of dwellings.

Infrastructure Provision

Concerns were raised with whether the existing road and sewerage infrastructure had the ability to support the proposal. The proposal is for a two-storey extension to

an existing dwelling and will utilise the existing road and sewerage network. The proposal does not require either a new access or alteration to the existing access onto the public road. Whilst additional traffic may be experienced to and from the application site because of the two (2) additional bedrooms, this is likely to be at a low level associated with the daily living requirements of the occupiers of dwellings. The proposal is not of such a scale to warrant any concern relating to the sewerage network and its capacity.

Environmental Assessment

An objection was raised concerning the need to conduct an environmental assessment on the proposal. The Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2015 sets out the types of development and thresholds to determine whether an EIA is necessary. Schedule 1 lists the developments for which environmental assessment is mandatory. Schedule 2 lists, with thresholds/criteria, development for which environmental assessment is required if it has significant environmental effects. Schedule 3 lists the selection criteria to be considered to determine whether a development listed in Schedule 2 should be subject to an environmental impact assessment. Schedule 4 lists matters for inclusion in an environmental statement. Schedule 5 lists the extent of the revocations imposed by these Regulations.

Household extensions and alterations do not fall within any of the above-mentioned Schedules and therefore an EIA is not necessary or required to accompany this application.

Adequate Permissions

Concerns were raised over the Lismara Court development not being built with planning permission or to proper building control regulations, especially relating to the foundations, which may not be capable of supporting the proposal. Lismara Court a development comprising of six (6) houses was granted permission for three (3) dwelling under planning reference U/1983/0404 and then under planning reference U/1986/0277 for a further three (3) dwellings. This evidently indicates that planning permission was obtained for the development.

The issue concerning the status of the existing foundations and the capability of them to support the proposal is not in the remit of planning, but of the Council's Building Control Section (BCS). All ground conditions are checked by BCS prior to construction which ensures that the foundations are sufficient to carry the load of the proposal.

Compliance with Requirements

An objection was submitted stating that the existing dwelling breaches normal hill line requirements and such proposal would breach further the hill line requirements which would be detrimental to the environment, landscape and disregards privacy. Each planning application received by the Council is assessed on its own merits, with a decision being made based on the development plan relevant policies, the development plan prevailing at that time and other material considerations. No such policy relating to hill line requirements exists within the suite of extant planning policies and the proposal has been assessed under all the relevant policies contained in APPS 6, APPS 7 and PPS 15, to which the proposal has met all relevant requirements.

CONCLUSION

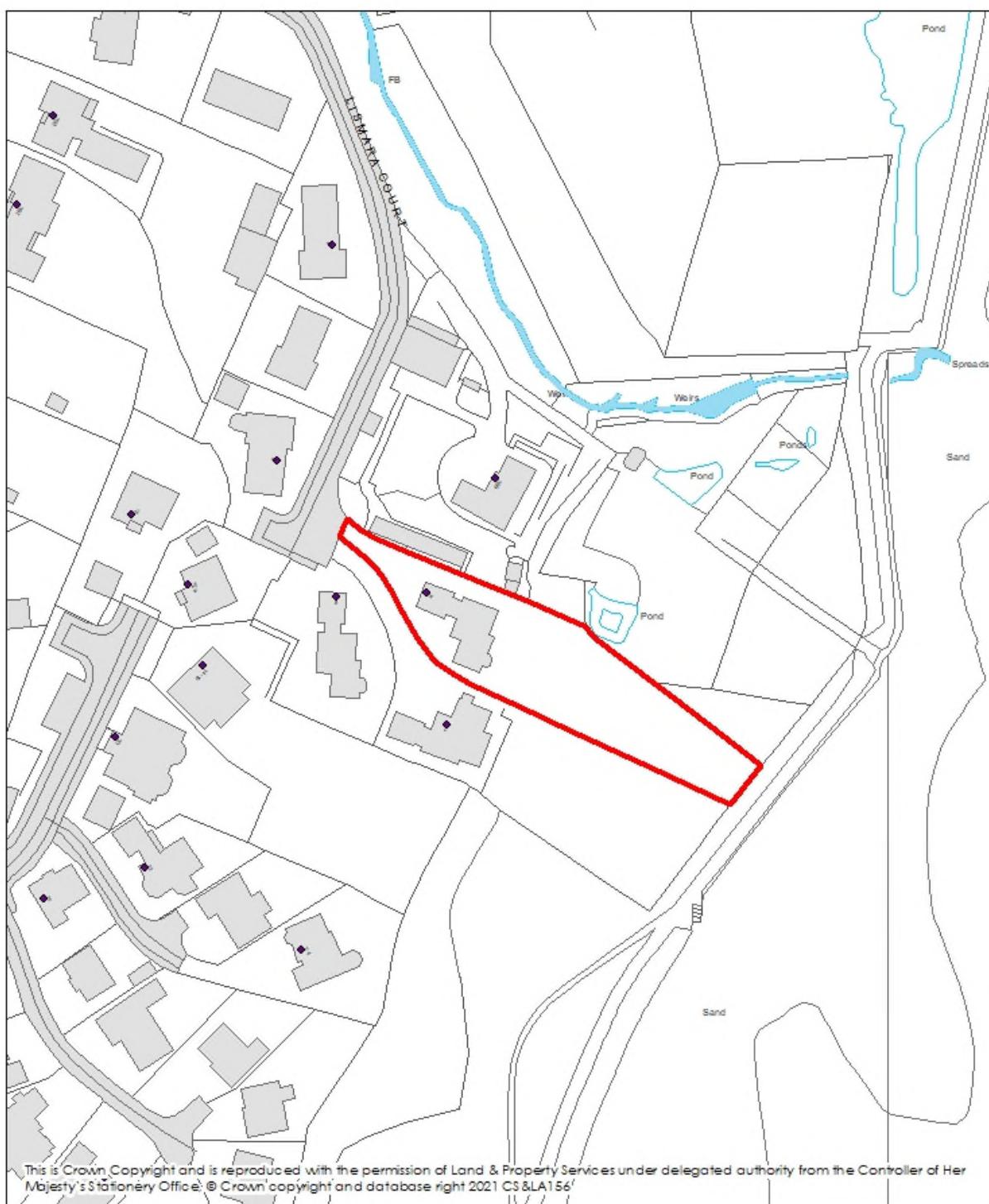
The following is a summary of the main reasons for the recommendation:

- The principle of the development is considered acceptable;
- The scale, massing, design and appearance of the proposal is considered acceptable;
- 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;
- The proposal will not have a detrimental impact on the Hazlebank/Abbeylands ATC or BMA Coastal area; and
- Sufficient space remains within the curtilage of the property for recreational and domestic purposes.

RECOMMENDATION**GRANT PLANNING PERMISSION****PROPOSED CONDITION**

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.




Site Location Plan

Application Reference: LA03/2021/0091/F

Application Description: Two Storey Side and Rear Extension

Application Address: 8 Lismara Court, Newtownabbey. BT37 9SW



 Site boundary

Scale 1: 1,250

COMMITTEE ITEM	3.3
APPLICATION NO	LA03/2021/0020/F
DEA	MACEDON
COMMITTEE INTEREST	LEVEL OF OBJECTION
RECOMMENDATION	GRANT PLANNING PERMISSION
PROPOSAL	Two storey extension to the rear, single storey extension to the side and existing ridge raised
SITE/LOCATION	14 Glenariff Park, Newtownabbey, BT37 0RT
APPLICANT	Mr Nick McCormack
AGENT	Arca Design
LAST SITE VISIT	26th March 2021
CASE OFFICER	Alicia Leathem Tel: 028 90340416 Email: alicia.leathem@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 No. 14 Glenariff Park, Newtownabbey, within the development limits of Metropolitan Newtownabbey as defined in the Belfast Urban Area Plan (BUAP) and the draft Belfast Metropolitan Area Plan (dBMAP).</p> <p>The application site comprises a single storey detached dwelling known as 14 Glenariff Park. The existing dwelling has a front projection and integral garage with a pitched roof and single storey rear sunroom. The boundaries to the site are defined by a mix of 1.8 metres close boarded timber fencing and mature hedgerow approximately 2 metres in height to the rear boundaries whilst the front boundary is defined by a 1 metre high rendered wall. A small enclosed garden area is located to the front of the dwelling with a larger enclosed garden to the rear. An area of hardstanding for parking is located to the front of the dwelling.</p> <p>The application site is located within a predominantly residential area comprising of a similar house types to the exiting dwelling to one section of Glenariff Park and a mix of house types to the northeastern section of Glenariff Park.</p>	
RELEVANT PLANNING HISTORY	
<p>Planning Reference: U/1994/4092 Location: 14 Glenariff Park, Newtownabbey, BT37 0QW Proposal: Erection of a conservatory. Decision: Permitted Development</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, 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 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.

Belfast Urban Area Plan and Draft Belfast Metropolitan Area Plan (dBMAP): The application site is located within the settlement limit of Metropolitan Newtownabbey 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.

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

CONSULTATION

No consultations were carried out.

REPRESENTATION

Six (6) neighbouring properties were notified, and eight (8) letters of objection have been received from three (3) 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, which relate to the proposed shed element of the development proposal, is provided below:

- Two storey element out of character with the residential area;
- Overlooking, loss of privacy;
- Overshadowing, loss of light;
- Impact on residential amenity (dominance and loss of privacy);
- Inaccurate plans;
- Devaluation of property.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Preliminary Matters
- Scale, Massing, Design, Appearance and Character
- Neighbour Amenity
- Impact on Trees and Environmental Quality of the Area
- Amenity Space, Parking and Manoeuvring
- Other Matters

Preliminary Matters

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

The purportedly adopted Belfast Metropolitan Area Plan 2015 (BMAP 2015) was for a period of time deemed to be the statutory development plan for this area, however the purported adoption of the Plan by the then Department of the Environment in 2014 was subsequently declared unlawful by the Court of Appeal on 18th May 2017. As a consequence, the Belfast Urban Area Plan (BUAP) remains the statutory Local Development Plan (LDP) for the area. The provisions of draft NAP and the draft Belfast Metropolitan Area Plan (dBMAP) are also a material consideration in this application.

The application site is located within the urban settlement limit of Metropolitan Newtownabbey as defined within the BUAP and dBMAP. There are no specific operational policies or other provisions relevant to the determination of the application contained in this Plan or the draft BMAP.

The Strategic Planning Policy Statement for Northern Ireland (SPPS) is also 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). Taking into account the transitional arrangements of the SPPS, retained APPS 7 provides the relevant policy context for consideration of the proposal.

Policy EXT 1 of APPS7 indicates that planning permission will be granted for a proposal to extend or alter a residential property where all of the following criteria are met:

- (a) the scale, massing, design and external materials of the proposal are sympathetic 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 taken into account when assessing proposals against the above criteria.

Scale, Massing, Design, Appearance and Character

The application seeks full planning permission for an extension to the existing dwelling in the form of a two storey rear extension, a single storey side extension and the increase in the ridge height in order to provide additional accommodation on the first floor.

The first element of the proposal is to raise the ridge height of the existing single storey dwelling. The existing dwelling has a ridge height of 5.2 metres from existing ground level, and the proposal seeks to raise this by 0.5 metres resulting in a ridge height of 5.7 metres above finished ground level. The subject dwelling is located at Glenariff Park which in terms of the streetscape can effectively be split into two distinct sections. The first section when you enter Glenariff Park consists of single storey dwellings all of a similar house type and design and reflective of the subject dwelling. The exception to this is No. 4 Glenariff Park which has carried out alterations including an increase in the ridge height and a box dormer to the rear granted permission under application U/2013/0129/F.

Following through Glenariff Park to the northeastern section the design and appearance of the dwellings significantly change to chalet bungalows and 1½ storey dwellings with high angle pitched roofs and box dormers on the roof plain. The subject dwelling is located centrally between the mix of house types and styles and is located as a focal point when you enter Glenariff park. Letters of objection raised concern that the proposal would be out of character with the wider area. Given the location of the dwelling on the streetscape and the mix of house types to the east of the subject dwelling it is considered that the increase in ridge height will not appear out of keeping with the existing buildings in the streetscape and will not detract from the character or appearance of the area.

The second element relates to the erection of a two storey rear return to provide an extension to the living/kitchen area and additional accommodation for two bedrooms, hallway and bathroom on the first floor. The two storey extension extends 2.8 metres from the rear wall of the dwelling with a width of 13.3 metres and a ridge height of 5.5 metres. The proposed two storey extension has a flat roof and includes the footprint of an existing sunroom which is to be demolished. The rear extension includes 4 additional windows along the first floor, one of which is a long vertical hallway window and a change in fenestration on the ground floor with one large window and sliding doors replacing four existing windows. Letters of objection raised concerns with the two storey element not being subordinate to the existing bungalow. As this element of the proposal is located entirely to the rear of the existing dwelling where limited public views are experienced. Furthermore, although the rear extension is two storey in nature the ridge height is 5.5 metres and sits below the main section of the dwelling and does not break the ridge line.

The third element of the proposal relates to a single storey side extension to the southern gable elevation to provide accommodation for a dining room and utility room. The side extension is set back 4.9 metres from the front elevation and extends out 3.3 metres from the gable wall with a depth of 6.9 metres and a ridge height of

4.3 metres from existing ground level. The proposed side extension has a pitched roof with roof lights and a door and window to the southern gable serving the utility room.

Other amendments to the existing dwelling include proposed changes to the fenestration on the front elevation, which includes replacing a larger living room window with a smaller window and replacing the bedroom and porch windows with a larger entrance way. The proposal also includes the internal reconfiguration of rooms to allow for the first floor extension and hallway. Finishes to the proposed extension are a mix of render and facing brick to match the existing dwelling along with two sections of timber cladding; one section to the front elevation and one to the rear. Timber cladding currently forms part of the existing finishes to the upper section of the front projection.

For the reasons outlined above it is considered that the overall proposal in terms of 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.

Neighbour Amenity

Policy EXT 1 of the addendum to PPS 7 – Alterations and Extensions also requires that the proposal does not unduly affect the privacy or amenity of neighbouring residents. Neighbouring residential properties are located to the front, rear and either side of the existing property. Letters of objection raised concerns in relation to overlooking and loss of privacy, overshadowing and loss of light.

As indicated above one element of the proposal includes a two storey rear extension which extends out by 2.8 metres from the rear wall of the existing dwelling with a ridge height of 5.5 metres. This results in the rear wall of the dwelling coming closer to the properties to the rear. The existing sunroom to the rear is to be demolished as a result of the proposal. No. 21 Glen Road is located to the rear of the existing dwelling and has a back-to-back relationship with the subject dwelling. A separation distance of 23.5 metres at its narrowest point is provided from the rear wall of the proposed extension to the rear wall of No.21 Glen Road with a separation distance of 10.5 metres at its narrowest point between the rear wall of the extension and the common boundary.

No.19 Glen Road is located to the rear of the exiting dwelling and the orientation of No.19 results in a gable to rear relationship. Concerns were raised in relation to the submitted drawings and the omission of a side extension with a habitable room not being annotated in relation to No. 19 Glen Road. Following a site inspection by the case officer including a visit to the neighbouring property, it is noted that the side extension measures approximately 4 metres in width. Therefore, a separation distance of approximately 13.7 metres as indicated by the occupant of No.19 Glen Road exists from the gable wall of the side extension of No. 19 and the rear wall of the proposed extension with a separation distance ranging between 8.5 metres and 10.5 metres from the rear wall of the proposed extension and the common boundary. It is worth noting that the section of the proposed extension that is within closest proximity to No. 19 Glen Road is single storey.

It is considered that given the boundary treatment which includes a 1.8 metre high close boarded timber fence and a 2 metre high mature hedgerow to the rear of the

existing dwelling there will be no overlooking from the ground floor windows. It is acknowledged that the proposal introduces four additional windows on the first floor; two serving bedrooms and two opaque windows, one serving a hallway and one serving a bathroom. Although the proposal is a two storey extension, the ridge height is 5.5 metres and is not reflective of the average height of a full two storey dwelling. Within an urban environment some degree of overlooking is unavoidable. However, in this case the extent of overlooking is not considered unacceptable given the separation distances achieved and the gable to rear relationship with No.19 Glen Road. Additionally, any potential overlooking to No.19 Glen Road would be indirect and at an oblique angle from a bedroom which is considered to be a low-occupancy room. No additional windows are proposed on the first floor front or gable elevations therefore there will be no increase in overlooking to the existing dwellings to the front or on either side.

Concerns were also raised by objectors in relation to the impact of the height increase and the two storey rear extension in relation to overshadowing and loss of light on properties to the rear and No. 12 Glenariff Park to the southeast. As outlined above the proposal includes an increase in ridge height of 0.5 metres from 5.2 metres to 5.7 metres. It is considered that given the siting of the proposed extension in relation to the natural path of the sun, the potential for any overshadowing is limited and will not unduly affect the amenity of the neighbouring properties.

Impact on Trees and Environmental Quality of this Area

It is considered that the proposal will not cause unacceptable loss of, or damage to, trees or other landscape features which contribute significantly to local environmental quality as there are no trees in the direct vicinity of the extension and there has been no indication that any existing trees will need to be removed.

Amenity Space, Parking and Manoeuvring

The proposal results in a loss of amenity space however a sufficient space remains within the curtilage of the dwelling for recreational and domestic purposes, including the parking and manoeuvring of vehicles.

Other Matters

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

CONCLUSION

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

- The scale, massing, design and appearance of the proposal is considered acceptable;
- The proposal will not unduly affect the privacy or amenity of neighbouring residents;

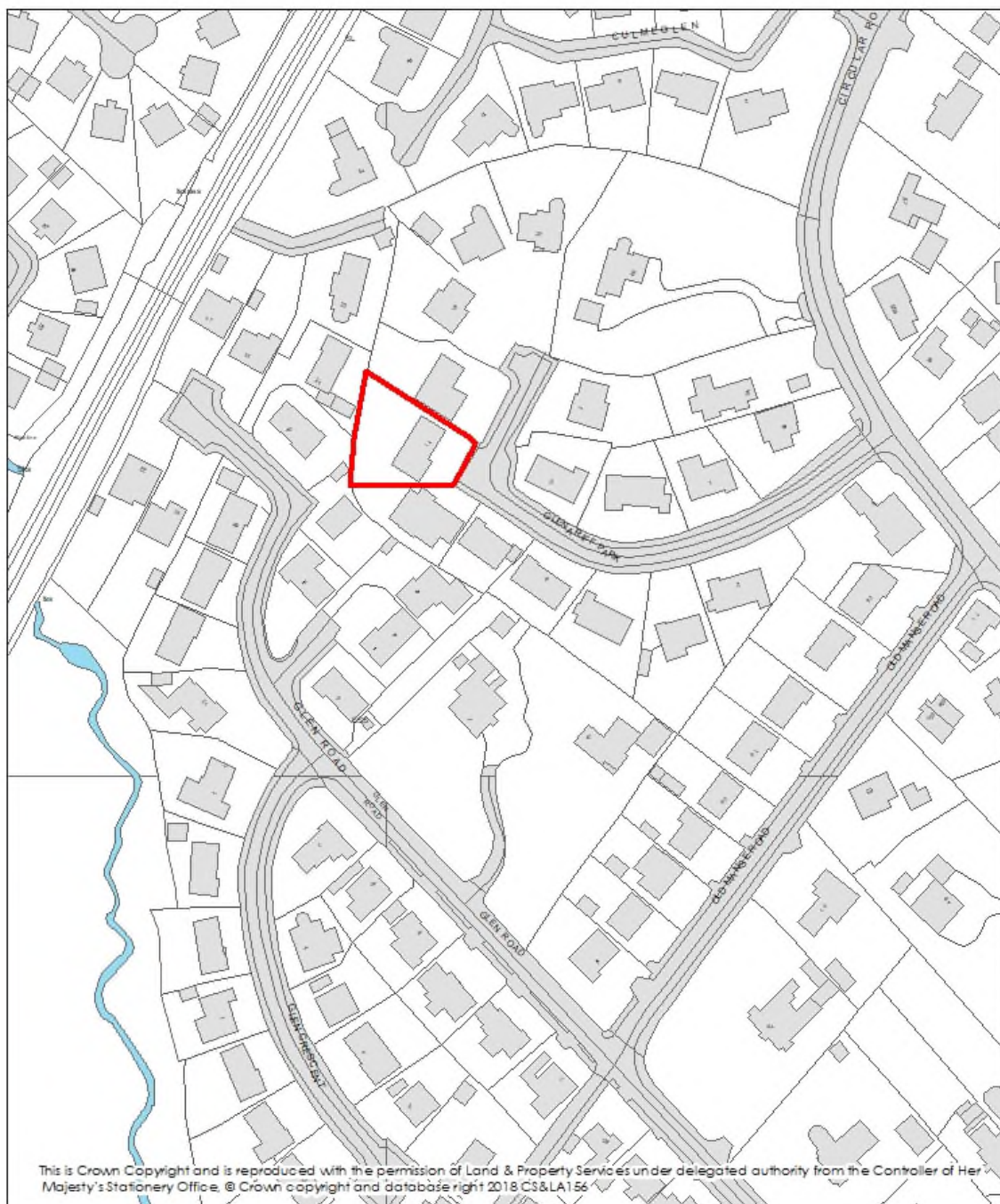
- The proposal will not have a detrimental impact on trees or the environmental quality of the area;
- Sufficient space remains within the curtilage of the property for recreational and domestic purposes including the parking and manoeuvring of vehicles; and
- The other matters raised within the representations received have been duly considered and have not been found to be unacceptable and do not warrant a refusal of planning permission.

RECOMMENDATION	GRANT PLANNING PERMISSION
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PROPOSED CONDITION

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.




Site Location Plan

Application Reference: LA03/2021/0020/F

Two storey extension to rear,
single storey extension to side
and existing ridge raised

14 Glenariff Park
Newtownabbey, BT37 0RT



 Site boundary



COMMITTEE ITEM	3.4
APPLICATION NO	LA03/2021/0074/F
DEA	ANTRIM
COMMITTEE INTEREST	COUNCIL INTEREST
RECOMMENDATION	GRANT PLANNING PERMISSION
PROPOSAL	Castle Mall, 26 Market Square, Antrim, BT41 4DN
SITE/LOCATION	Amalgamation of existing retail units within shopping centre to create larger unit, demolition of c.56m of north-eastern facade (facing Council car park) and replacement with new facade and associated hard landscaping work
APPLICANT	Edinburgh House Estates
AGENT	Place Lab Limited
LAST SITE VISIT	11/03/2021
CASE OFFICER	Kieran O'Connell Tel: 028 903 40423 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 Antrim Town Centre and the designated Conservation Area.</p> <p>Specifically, the application site is located within Castle Mall, 26 Market Square, Antrim and includes units 1-9 which back onto the existing car park and service access areas. At the time of site inspection the majority of the retail units were either closed or vacant.</p> <p>Due to the nature and location of the redline boundary of the application there is no specific boundary definition. The southern most boundary is internal to the shopping centre and includes shop units 1-9 in addition to the circulation spaces outside of these units. Each of the units has a standard shop front internal to the shopping centre with only a service access to the individual shops on the northern boundary of the application site (facing the car park).</p> <p>The location forms the 'rear' elevation of units within Castle Mall, adjacent to a service road and is highly visible to the main extensive public car park which lies adjacent. This facade is comprised of a mansard roof arrangement in dark grey fibre tiles and rough cast white render to the walls. The facade has numerous access doors, fenced off areas with bin stores and metal railings, with air-conditioning units and ventilation grills on the walling. There is also a small extension to this elevation, identified as the rear of unit 3.</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, 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 Town. The application site is also within Antrim town centre. Para 8.1 of the plan indicates that Antrim Town is the principle shopping town within the plan area. The plan states that the Department's policy (at that time) was to strengthen the dominance of the central areas by concentrating future commercial development within the town centre limits.

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.

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

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

CONSULTATION

Council Environmental Health Section

No objection

Council Conservation Officer

No objection

Northern Ireland Water

No objection

Department for Infrastructure Roads

No objection subject to informatives.

REPRESENTATION

Sixty (60) neighbouring properties were notified and no letters of representation have been received.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Preliminary Matter
- Policy Context and Principle of Development
- Design Layout and Impact on the Conservation Area
- Neighbour Amenity
- Road Safety and Parking.

Preliminary Matter

This application is being brought before the Planning Committee as part of the application site involves minor amendments to the foot path to create level surfaces for access and egress for shopping trolleys and those with mobility disabilities. Part of the land where these works are to be undertaken are within the Council's ownership and as a consequence the application is required to come before the Planning Committee for consideration.

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 of Antrim in AAP and within the 'Commercial Core' of Antrim town centre and Conservation Area. The site is also within an existing retail shopping centre with a high level of vacancy. Paragraph 8.2 (page 8) of the AAP indicates that the policy in this area was to strengthen the dominance of the town centres by concentrating further commercial development here.

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

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

- PPS 3: Parking and Movement; and
- PPS 6: Planning, Archaeology and Built Heritage

Within this policy context, it is considered the principle of a retail development within an existing shopping centre within Antrim town centre is acceptable. 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.

The principle of retailing within the Castle Mall which is located within Antrim Town Centre is long established. The thrust of the SPPS (para 6.270) is to promote town centres as the primary location for retailing. Para 6.271 of the SPPS further reiterates this point stating that the regional objective for towns and retailing is to secure a town centre first approach for the location of future retailing and other main town centres uses. As this application is within the town centre of Antrim, it is considered that this proposal complies with the policy provisions of the SPPS and is likely to help revitalise the existing Castle Mall and further enhance the function and vitality of Antrim town centre.

Design, Layout and Impact on the Conservation Area.

Section 104(11) of the Planning Act (Northern Ireland) 2011 states:

Where any area is for the time being designated as a conservation area, special regard must be had, in the exercise, with respect to any buildings or other land in that area, of any powers under this Act, to the desirability of-

- (a) Preserving the character or appearance of that area in cases where an opportunity for enhancing its character and appearance does not arise;
- (b) Enhancing the character or appearance of that area in cases where an opportunity to do so does arise.

This approach is reiterated within paragraph 6.18 of the Strategic Planning Policy Statement for Northern Ireland (SPPS) and paragraph 7.3 of PPS 6 which goes on to add that, accordingly, there will be a general presumption against the grant of planning permission for development or conservation area consent for demolition of an unlisted building, where the proposal would conflict with this principle.

Policy BH 12 in PPS 6 relates to new development in a conservation area. Criterion (a) of Policy BH12 of PPS 6 required development in a conservation area to preserve or enhance the character of the area. However, Section 104 of the 2011 Act and the related policy provisions of the SPPS take precedence over criterion (a).

The scheme proposes the demolition of a section of the existing false mansard roof (circa 56m) including the small extension to unit 3 and is to be replaced with a new

frontage and additional entrance way to the Castle Mall which will provide direct access onto the carpark.

Internally the design is considered acceptable and generally comparable to the existing centre and has little to no impact on the Conservation Area. From the exterior, the northern elevation which faces onto the carpark is fairly nondescript, devoid of architectural detailing and generally turns its back to the public road, carpark and is highly visible from Castle Way. The introduction of a frontage on this elevation assists in opening up Castle Mall and will bring a significant visual improvement to this part of the town.

Overall it is considered that the scale massing and design of the proposal is acceptable and will improve the overall character and quality of this area and the Conservation Area.

Neighbour Amenity

Given the location within the existing Castle Mall it is considered that there will be no significant impact upon residential properties within the wider area.

Road Safety and Parking

As the proposal does not include any additional floor space and having regard to its town centre location and proximity to an existing car park it is considered that there are no road safety or parking concerns as a consequence of this development. DfI Roads also have no objections to this proposal.

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 are considered acceptable;
- There are no residential amenity concerns with this proposal;
- There are no road safety or parking concerns with the proposal; and
- There are no concerns with respect to impact on the Conservation Area of Antrim.

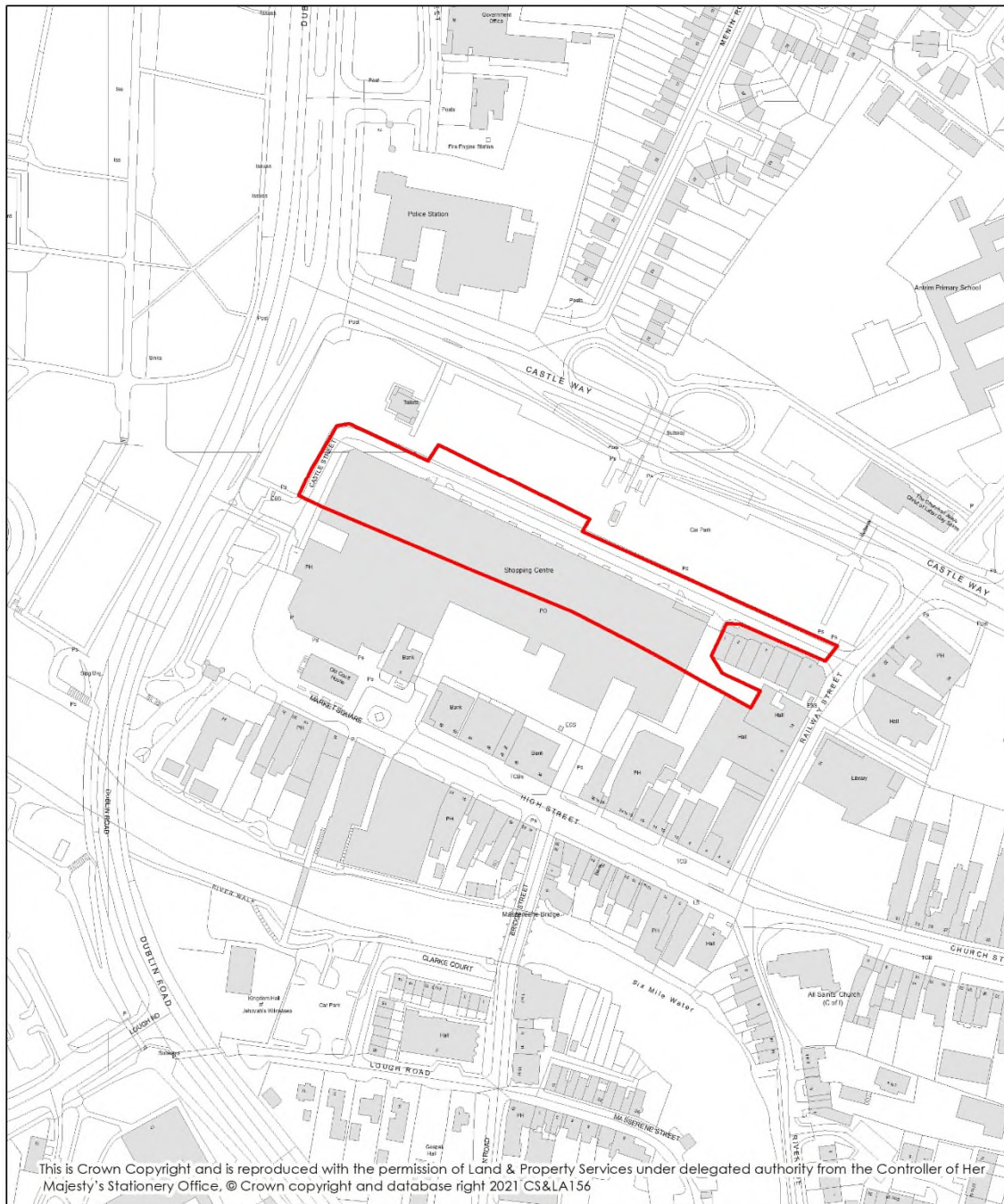
RECOMMENDATION

GRANT PLANNING PERMISSION

PROPOSED CONDITION

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.



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Location Map

Reference: LA03/2021/0074/F

Location: Castle Mall 26 Market Square Antrim

Proposal: Amalgamation of existing retail units within shopping centre to create larger unit, demolition of c.56m of north-eastern facade (facing Council car park) and replacement with new facade and associated hard landscaping work

Site Boundary

0 60 120
Metres



COMMITTEE ITEM	3.5
APPLICATION NO	LA03/2021/0076/DCA
DEA	ANTRIM
COMMITTEE INTEREST	COUNCIL INTEREST
RECOMMENDATION	GRANT PLANNING PERMISSION
PROPOSAL	Amalgamation of existing retail units within shopping centre to create larger unit, demolition of c.56m of north-eastern facade (facing Council car park) and replacement with new facade and associated hard landscaping work
SITE/LOCATION	Castle Mall, 26 Market Square, Antrim BT41 4DN
APPLICANT	Edinburgh House Estates
AGENT	Place Lab Limited
LAST SITE VISIT	11/03/2021
CASE OFFICER	Kieran O'Connell Tel: 028 903 40423 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 Antrim Town Centre and the designated Conservation Area.</p> <p>Specifically, the application site is located within Castle Mall, 26 Market Square Antrim and includes units 1-9 which back onto the existing car park and service access areas. At the time of the site inspection the majority of the retail units were either closed or vacant.</p> <p>Due to the nature and location of the redline boundary of the application site there is no specific boundary definition. The southernmost boundary is internal to the shopping centre and includes shop units 1-9 in addition to the circulation spaces outside of these units. Each of the units has a standard shop front internal to the shopping centre with only a service access to the individual shops on the northern boundary of the application site (facing the carpark).</p> <p>The location forms the 'rear' elevation of units within Castle Mall, adjacent to a service road and is highly visible to the main extensive public car park which lies adjacent. This facade is comprised of a mansard roof arrangement in dark grey fibre tiles and rough cast white render to the walls. The facade has numerous access doors, fenced off areas with bin stores and metal railings, with air-conditioning units and ventilation grills on the walling. There is also a small extension to this elevation, identified as the rear of unit 3.</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, 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 Town. The application site is also within Antrim town centre, para 8.1 of the plan indicates that Antrim Town is the principle shopping town within the plan area. The plan states that policy is to strengthen the dominance of the central area by concentrating future commercial development within the town centre limits.

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.

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

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

CONSULTATION

Council Conservation Officer

No objection

REPRESENTATION

No neighbouring properties were notified and no letters of representation have been received.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Preliminary Matter
- Policy Context and Principle of Development
- Design and Appearance
- Impact on Character and Appearance of the Area

Preliminary Matter

This application is being brought before the Planning Committee as part of the application site involves minor amendments to the foot path to create level surfaces for access and egress for shopping trolleys and those with mobility disabilities. Part of the land where these works are to be undertaken are within the Council's ownership and as a consequence the application is required to come before the Planning Committee for consideration.

In advance of the application coming before the Planning Committee, Officers have consulted with DfI Planning under Section 89 of the Planning Act (NI) 2011 advising that it is intended to grant Conservation Area Consent to demolish minor elements of the rear façade of Castle Mall to facilitate the overall development. DfI Planning has advised that it does not consider it necessary for the Demolition Consent Application to be referred to it for determination and it can therefore be determined as presented.

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 of Antrim in AAP and within the 'Commercial Core' of Antrim town centre and the Antrim Conservation Area. The site is also within an existing retail shopping centre with a high level of vacancy. Paragraph 8.2 (page 8) of the AAP indicates that the policy in this area was to strengthen the dominance of the town centres by concentrating further commercial development here.

In recognition of the intrinsic importance of Conservation Areas, the Planning Act (Northern Ireland) 2011 makes specific policy provisions for the protection of these important aspects of our built heritage.

The proposal involves the demolition of part of an existing building exceeding 115 cubic metres and therefore requires Conservation Area Consent under Section 105 (2) the 2011 Planning Act.

Furthermore, Section 104(11) of the Planning Act (Northern Ireland) 2011 states:

Where any area is for the time being designated as a conservation area, special regard must be had, in the exercise, with respect to any buildings or other land in that area, of any powers under this Act, to the desirability of-

- (c) Preserving the character or appearance of that area in cases where an opportunity for enhancing its character and appearance does not arise;
- (d) Enhancing the character or appearance of that area in cases where an opportunity to do so does arise.

This approach is reiterated within paragraph 6.18 of the Strategic Planning Policy Statement for Northern Ireland (SPPS) and paragraph 7.3 of PPS 6 which goes on to add that, accordingly, there will be a general presumption against the grant of planning permission for development or conservation area consent for demolition of an unlisted building, where the proposal would conflict with this principle. It states that this general presumption should only be relaxed in exceptional circumstances where it is considered to be outweighed by other material considerations grounded in the public interest.

Impact on the Conservation Area

The scheme proposes the demolition of a section of the existing false mansard roof (circa 56m) including the small extension to unit 3 and is to be replaced with a new frontage and additional entrance way to the Castle Centre which will provide direct access onto the carpark. This is a welcome addition to this elevation as it facilitates a shop frontage onto a bland and unattractive frontage which offers no positive contribution to the Conservation Area or the Castle Mall itself. The proposal is considered to represent an enhancement on what presently exists on this elevation.

The Council's Conservation Officer agrees with this view stating 'The proposal involves the alteration of a part of the existing elevation of the Castle Mall which does not exhibit any architectural or historic merit and therefore does not make a material contribution to the character and appearance of the Conservation Area at this location. The location also has little relationship with the main focus of the Conservation Area which is centred on High Street and Fountain Street.'

With regard to the potential impact on Antrim Conservation area it is considered that this proposal will improve the overall character and quality of this area and therefore it is considered that this proposal complies with Section 104 (11) of the 2011 Planning Act, the policy provisions of the SPPS para 6.18/6.19 and the policy provisions of PPS 6 Policies BH 12 and BH14.

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 are considered acceptable.
- There is no concern with the impact on the Conservation Area of Antrim with the proposal improving this part of the Conservation Area.

RECOMMENDATION

GRANT PLANNING PERMISSION

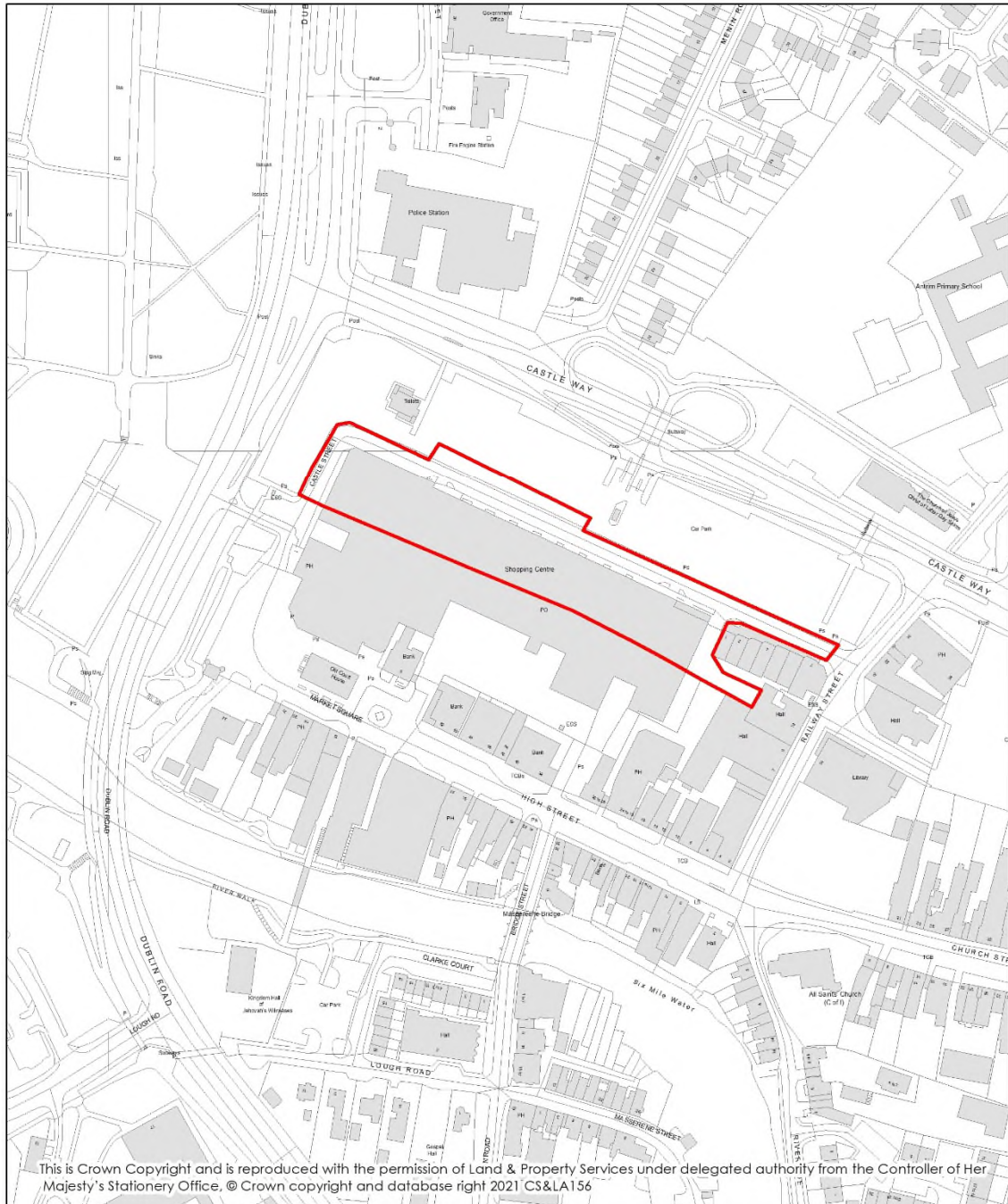
PROPOSED CONDITIONS

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

Reason: As required by Section 105 of the Planning Act (Northern Ireland) 2011.

2. The works and structural alterations hereby permitted shall not be carried out otherwise than as part of the completion of the development approved under planning permission reference: LA03/2021/0074/F and such demolition, structural alteration and development shall be carried out without interruption and in complete accordance with the details indicated on Drawing Numbers 03 date stamped 28/01/2021 and on Drawing No. 04/1 and 05/1 date stamped received 18th March 2021.

Reason: To ensure the demolition works and structural alteration are followed by immediate rebuilding and to maintain and enhance the character of the Antrim Conservation Area.



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Location Map

Reference: LA03/2021/0076/DCA

Location: Castle Mall 26 Market Square Antrim

Proposal: Amalgamation of existing retail units within shopping centre to create larger unit, demolition of c.56m of north-eastern facade (facing Council car park) and replacement with new facade and associated hard landscaping work

Site Boundary

0 60 120
Metres



COMMITTEE ITEM	3.6
APPLICATION NO	LA03/2020/0419/F
DEA	GLENGORMLEY URBAN
COMMITTEE INTEREST	LEVEL OF OBJECTION
RECOMMENDATION	GRANT PLANNING PERMISSION
PROPOSAL	Erection of 4 bedroom infill dwelling
SITE/LOCATION	Land between No. 32 and No. 38 Carnvue Road, Glengormley, Newtownabbey, BT36 6RA
APPLICANT	Laura Rossborough
AGENT	Nest Architects
LAST SITE VISIT	14th August 2020
CASE OFFICER	Alicia Leathem Tel: 028 90340416 Email: alicia.leathem@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 Nos. 32 and No. 38 Carnvue Road, Newtownabbey, on unzoned lands within the settlement limit of Metropolitan Newtownabbey as defined within the Belfast Urban Area Plan (BUAP) and both versions of draft Belfast Metropolitan Area Plan (dBMAP).</p> <p>The application site comprises part of the garden areas associated with No. 32 Carnvue Road and No. 29 Carnvue Avenue, which have been subdivided to form the proposed plot. The application site encompasses part of the side garden area of No. 32 Carnvue Avenue and part of the rear garden area of No. 29 Carnvue Avenue. The site fronts onto Carnvue Road with the topography of the site being flat. The application site is defined by a mature hedgerow approximately two metres in height along the eastern boundary. The northern boundary is defined by a low level wall and hedgerow above, whilst the southern and eastern boundaries remain undefined. Access to the site is achieved via Carnvue Road.</p> <p>The site is located within a residential area with a mix of house types and styles.</p>	
RELEVANT PLANNING HISTORY	
<p>Planning Reference: U/1981/0473 Location: Site 4 and 4A Carnvue Road, Newtownabbey. Proposal: Erection of pair of semidetached dwellings. Decision: Permission Refused (06.01.1982)</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, 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 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.

Belfast Urban Area Plan: The application site is located within the settlement limit of Metropolitan Newtownabbey as designated by these Plans which offer no specific policy or guidance pertinent to this proposal.

Draft Newtownabbey Area Plan and Draft Belfast Metropolitan Area Plan: The application site is located within the settlement limit of Metropolitan Newtownabbey 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 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.

CONSULTATION

Council Environmental Health Section – No objections

Northern Ireland Water – No objections

Department for Infrastructure Roads- No objections, subject to conditions

REPRESENTATION

Eleven (11) neighbouring properties were notified and seven (7) letters of objection have been received from four (4) properties. The full representations made regarding this proposal are available for Members to view online at the Planning Portal: (www.planningni.gov.uk).

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

- Impact on the structural stability and utilities of existing dwelling.
- Overshadowing/loss of light/dominance.
- Overlooking.
- Devaluation of property.
- Road safety and access arrangement, removal and relocation of speed ramp.
- Out of character for area, including design and finishes.
- Size of site and scale of property.
- Site history.
- Impact on sewage works.

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

Preliminary Matters

This application was previously on the Agenda for the January 2021 Planning Committee, however it was withdrawn by Officers prior to Member consideration in order to clarify the Northern Ireland Water position in relation to sewage network capacity. This issue is addressed in the detail of the report below.

The design and layout of the proposed scheme was amended during the processing of the application. A number of issues raised within the objection letters relate to the initial scheme. The assessment of the development proposal below is based on the amended scheme, with all relevant concerns raised by objectors included within the assessment.

Policy Context and Principle of Development

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

The purportedly adopted Belfast Metropolitan Area Plan 2015 (BMAP 2015) was for a period of time deemed to be the statutory development plan for this area, however

the purported adoption of the Plan by the then Department of the Environment in 2014 was subsequently declared unlawful by the Court of Appeal on 18th May 2017. As a consequence, the Belfast Urban Area Plan (BUAP) remains the statutory Local Development Plan (LDP) for the area. The provisions of the draft Belfast Metropolitan Area Plan (dBMAP) are also a material consideration in this application.

The application site lies within unzoned lands within the settlement limit of Metropolitan Newtownabbey as defined within the BUAP and both versions of dBMAP. The application site comprises of part of the garden areas associated with No. 32 Carnvue Road and No. 29 Carnvue Avenue. The proposal seeks full planning permission for the erection of a detached dwelling. Given the site is located within an established residential area and not zoned for any particular use within BUAP or draft BMAP the principle of housing on this site is considered to be acceptable subject to the development complying with all other policy and environmental considerations.

The Strategic Planning Policy Statement (SPPS) indicates that sustainable development should be permitted, having regard to material considerations, unless the proposed development will cause demonstrable harm to interests of acknowledged importance. The SPPS also promotes good design and seeks to make more efficient use of urban land without town cramming. Planning Policy Statement 7: Quality Residential Environments and PPS 7 (Addendum): Safeguarding the Character of Established Residential Areas are retained policies under the SPPS and provide the appropriate policy context.

Layout and Impact on Character and Appearance of the Area

The Strategic Planning Policy Statement emphasises 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 PPS 7 states that planning permission will only be granted for new residential development where it is demonstrated that the proposal will create a quality and sustainable residential environment. Policy QD 1 goes on to state that all proposals for residential development will be expected to conform to nine criteria.

In addition, paragraph 7.08 of supplementary planning guidance document 'Creating Places' advises that it will not be acceptable to increase building density by simply 'cramming' development. The layout of the proposed residential development is therefore a key factor in determining the acceptability both in terms of its contribution to the amenity of the local neighbourhood and wider streetscape.

The proposal seeks full planning for the erection of a detached two storey dwelling located between No. 32 and No. 38 Carnvue Road and comprises part of the garden areas associated with No. 32 Carnvue Road and No. 29 Carnvue Avenue. The proposed dwelling is located centrally within the site and has been designed to have a gable frontage onto the Carnvue Road. The main section of the dwelling is a two storey dwelling with a ridge height of 7.2 metres from ground level with a single storey outshot to the eastern elevation. The proposed dwelling has a pitched roof with the single storey outshot having a flat roof. A letter of objection raised concerns in relation to the finishes being out of keeping with the surrounding area. The proposed finishes include buff facing brick to the lower section with a white render

finish to the upper section and black roof tiles, which are in keeping with the finishes of the neighbouring properties.

Policy QD 1 of PPS 7 also requires adequate provision for private open space as an integral part of the development. Supplementary planning guidance 'Creating Places' advises that an average provision of 70sqm per house, or greater, is acceptable. 'Creating Places' goes on to state that 'for any individual house, an area of less than around 40sqm will generally be unacceptable'. The provision of private amenity space for the proposed dwelling is in excess of 100sqm. In addition, the proposal provides a garden area to the front elevation of the dwelling with an area of hardstanding to provide two in curtilage parking spaces. The subdivision of the plot reduces the private amenity space of both No. 32 Carnvue Road and No. 29 Carnvue Avenue, the remaining provision for both these properties is in excess of 70sqm. The illustrations on Drawing No. 02/1 and Drawing No. 03/1 date stamped 30th October 2020 would suggest that the site boundaries are to be defined by a hedgerow, however, no detailed landscaping plan has been provided. It is considered that a condition should be imposed on the grant of any planning permission requiring a landscaping plan to be submitted and approved by the Council prior to the commencement of development.

Policy QD 1 also requires that the proposed development respects the surrounding context and is appropriate to the character of the area. In addition, the Addendum to Planning Policy Statement 7 'Safeguarding the Character of Established Residential Areas' is applicable as the application site is located within an established residential area and does not fall within any of the exceptions. Policy LC 1 of the Addendum requires that the pattern of development is in keeping with the overall character and environmental quality of the established residential area. The streetscape along Carnvue Road consists of a mix of house types and styles. The existing properties to the north, south and east of the application site are single storey detached dwellings whilst the dwellings to the immediate west are made up of two storey detached and semi-detached dwellings.

Letters of objection have raised concerns that the proposal is out of keeping with the character of the area due to the size of the site and the scale of the proposed dwelling, that being a two storey dwelling proposed to be sited adjacent to a single storey dwelling. It is accepted that the proposed dwelling is a two storey dwelling adjacent to single storey properties to the north and east, however, this arrangement is reflective of the existing relationship between No. 32 and No. 38 Carnvue Road. Additionally, the single storey outshot to the eastern elevation of the proposed dwelling helps to bridge the relationship between the proposed and the existing dwellings. The design of the proposed dwelling being gable fronted on to the road is reflective of the existing design features of the adjacent dwelling No. 38 Carnvue Road. Furthermore, the proposed plot size is similar to that of the adjacent plots, whilst the building line respects the existing building line along this section of the streetscape.

Overall, it is considered that the layout, scale and design of the proposed dwelling is acceptable and reflective of the design of the adjacent property. The proposal respects the existing pattern of development and is in keeping with the overall character and appearance of the wider residential area. The proposal is therefore considered to comply with the provisions of the SPSP, QD1 and LC1.

Neighbour Amenity

Criterion (h) of Policy QD1 requires that there is no unacceptable adverse effect on existing or proposed properties in terms of overlooking, loss of light, overshadowing, noise or other disturbance. In this case, as outlined above, the proposed dwelling is located in close proximity to existing residential dwellings to the north, west and east along Carnvue Road and to the south at Carnvue Avenue. Paragraph 7.21 of supplementary planning guidance 'Creating Places' advises that; adequate spacing needs to be provided between buildings for privacy purposes and where the development abuts the private garden areas of existing properties, a separation distance greater than 20 metres will generally be appropriate to minimise overlooking.

As outlined above the application site is the result of a subdivision of the plots hosting properties at No. 32 Carnvue Road and No. 29 Carnvue Avenue. The southern boundary of the application site abuts the rear boundary of No. 29 Carnvue Avenue. The orientation of the proposed dwelling results in No. 29 Carnvue Avenue and the proposed dwelling having a back-to-back relationship. A separation distance of 6.6 metres at its narrowest point extending to 8.4 metres at its widest point is provided from the rear wall of the proposed property to the common boundary. There is a 18.4 metre separation distance from the rear wall of the proposed property to the rear wall of the existing property at 29 Carnvue Avenue. It is accepted that the overall separation distance falls short by 1.6 metres of the space requirements outlined within 'Creating Places'. However, the back-to-back separation distance is reflective of the existing separation distance between the properties to the west along Carnvue Road and Carnvue Avenue. Additionally, the applicant for the application resides at No. 29 Carnvue Avenue.

The orientation of the proposed dwelling results in a gable-to-gable relationship with the adjacent dwelling at No. 38 Carnvue Road to the west. A separation distance of 4.2 metres between the opposing gable walls has been provided. One window is proposed on the ground floor western elevation and no windows are proposed on the first floor western gable elevation. An existing mature hedge approximately 2 metres in height defines the western site boundary. Taking into consideration the path of sunlight, the gable-to-gable relationship, the lack of first floor windows and the existing boundary treatment, it is considered that the proposal will not give rise to any significant overlooking or overshadowing. It is concluded that the proposal will not result in any significant negative impacts on the amenity of No. 38 Carnvue Road.

Similarly, the property to the east at No. 32 Carnvue Road has a gable-to-gable relationship with the proposed dwelling, with one being single storey and the other two storey. The single storey outshot along the eastern elevation helps to bridge the gap in height between the two properties and mitigates against any potential domineering impact. Additionally, the path of sunlight prevents any significant overshadowing. One window is proposed on the first floor of the eastern elevation, however, this is to serve a non-habitable room and will be finished in opaque glass.

Residential properties are also located opposite the site, however, a public road separates these properties from the proposed dwelling. In addition, a separation distance of over 50 metres exists between the front and side elevations of the existing dwellings and the front elevation of the proposed dwelling. The separation distance is

considered adequate to prevent any significant negative impacts on the existing dwellings opposite the site.

The proposed block plan indicates a hedgerow along the rear and eastern boundary; however, it is considered that in the interests of residential amenity a condition should be imposed requiring a 1.8 metre close boarded fence along the rear boundary and the eastern boundary to be set back from the building line of the front elevation. Additionally, it is considered reasonable to impose a condition requiring the retention of the mature hedgerow along the western boundary.

For these reasons it is considered that the proposal complies with criterion (h) of Policy QD 1 in that the design and layout will not create conflict with the adjacent neighbouring properties along Carnvue Road, Carnvue Avenue or Wynnland Road.

Access, Movement and Parking

Letters of objection raised concerns in relation to the proposed access arrangement, namely, the removal and relocation of the existing speed ramp, which is currently located adjacent to the proposed access, and the subsequent impact on road safety. The need for the speed ramp is not disputed, however, Drawing No. 02/1 date stamped 30th October 2020 indicates that the existing speed ramp will be relocated to the satisfaction of DfI Roads. Consultation was carried out with DfI Roads who raised no objections to the proposal or the relocation of the existing speed ramp, subject to a condition being included on any planning approval, requiring the relocation of any road hump to be completed prior to the commencement of development.

Other Matters

Disposal of sewerage and surface water

A concern was raised in relation to the impact on the existing sewage works. Consultation was carried out with Northern Ireland Water (NIW) who initially indicated that Whitehouse Waste Water Treatment facility was available to serve this proposal. However, following clarification NIW subsequently advised that connection from this proposal is not available at present as the development site is located upstream of an Unsatisfactory Intermittent Discharge. NIW has indicated that they can consider proposals in one of three instances; like for like development; extant previously approved development and where the development will offer a reduced loading on the sewer network, which may include storm separation and/or attenuation.

In this case the applicant has proposed a reduced loading by separating the storm water and sewer drains from the adjacent property that is in their ownership. NIW has indicated that it is satisfied the proposed reduced loading is an acceptable solution in this instance subject to the imposition of appropriate conditions

Other Matters

Concerns were raised in relation to the impact of construction works on the structural stability and utilities (satellite dish) of the adjacent property at No. 38 Carnvue Road. The proposal will require separate building control consent which will deal with all matters relating to the construction of the proposed dwelling. The responsibility lies with the developer to ensure that the proposed works do not impinge on the safety and structural stability of the adjacent properties.

One of the issues raised by an objector relates to the planning history with regards to a previous refusal of planning permission for a dwelling on the application site, which led the neighbouring residents to believe that no development would be permitted to be carried out on the application site. A previous planning application on the site under reference U/1981/0473 for the erection of two semi-detached dwellings was refused planning permission on 6th January 1982. The previous application was for a different development proposal and assessed by the former DOE Planning under a different policy context. Additionally, each planning application received by the Council is assessed on its own merits, with a decision being made based on the the development plan prevailing at that time and other material considerations.

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

CONCLUSION

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

- The principle of the development is acceptable.
- The layout, scale and design of the proposed dwelling is acceptable and reflective of the design of the adjacent property.
- The proposal respects the existing pattern of development and is in keeping with the overall character and appearance of the wider residential area.
- The design and layout will not create conflict with the adjacent neighbouring properties both along Carnvue Road and Carnvue Avenue.
- The proposal to reduce the loading on the existing sewer network will provide sufficient headroom to allow the development to connect to the public sewer.
- The proposal does not raise any concerns in relation to road safety.

RECOMMENDATION

GRANT PLANNING PERMISSION

PROPOSED CONDITONS

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 works or other development associated with the dwelling hereby permitted shall take place until a main sewerage connection is agreed in writing with NI Water and a copy of this agreement is submitted to the Council. Consequent upon this, the dwelling hereby approved shall not be occupied until it is connected to the mains sewerage.

Reason: to ensure an adequate means of sewage disposal is provided and to ensure protection of the aquatic environment

3. The vehicular access, including visibility splays and any forward sight distance, shall be provided in accordance with Drawing No.02/1 date stamped 30th October 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.

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

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

5. The relocation of any road hump affected by the development hereby approved, including the provision of all plant and materials and installation of same, must be completed prior to the commencement of the development hereby approved. These works will be carried out entirely at the developer's expense and in accordance with details to be submitted to and agreed with the Council.

Reason: To ensure the provision of safe traffic management, for road safety and convenience of traffic and pedestrians.

6. The dwelling hereby permitted shall not be occupied until car parking has been provided in accordance with approved Drawing No. 02/1 date stamped 30th October 2020 and this shall be permanently retained thereafter.

Reason: To ensure adequate (in-curtilage) parking in the interests of road safety and the convenience of road users.

7. Notwithstanding the detail on Drawing No. 02/1 date stamped 30th October 2020, the dwelling hereby permitted shall not be occupied until a 1.8 metre close boarded timber fence has been erected along the southern and eastern boundaries as indicated in orange on Drawing No. 02/1 date stamped 30th October 2020.

Reason: In the interest of visual amenity and to ensure the provision, establishment and maintenance of a high standard of landscape and to ensure the proposal is in keeping with the character of the rural area.

8. The existing hedgerow and vegetation along the western boundary of the site as indicated in green on the approved Drawing No. 02/1 date stamped 30th October 2020 shall be permanently retained at a minimum height of two metres, unless necessary to prevent danger to the public in which case a full explanation along with a scheme for compensatory planting shall be given to the Council in writing prior to their removal.

Reason: In the interest of residential amenity.

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

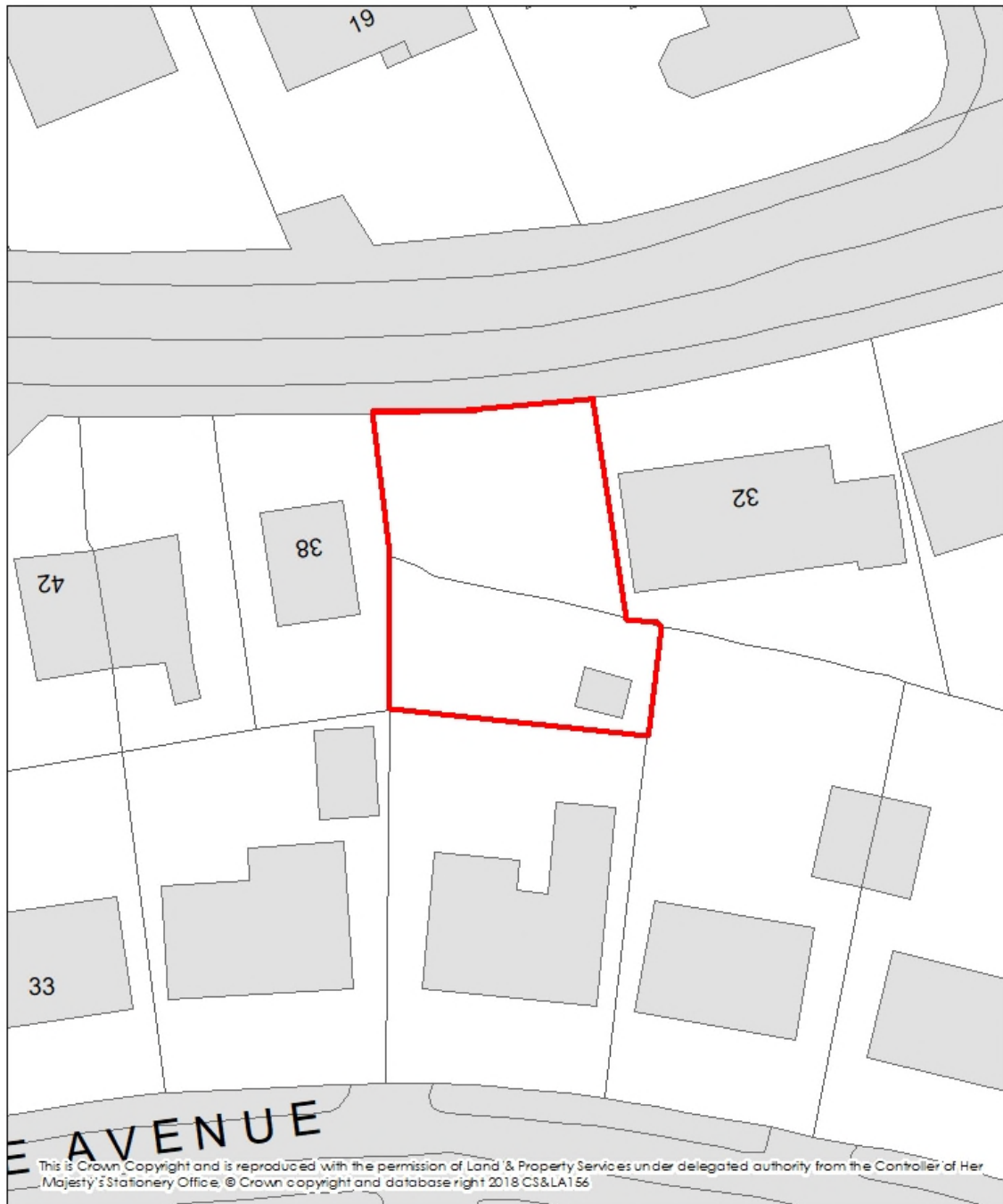
Reason: To ensure the continuity of amenity afforded by existing trees.

10. The dwelling hereby permitted shall not be occupied until a landscaping scheme has been submitted to and approved by the Council showing the location, numbers, species and sizes of trees and shrubs to be planted. The scheme of planting as finally approved shall be carried out during the first planting season after the commencement of the development.

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

11. 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.



Location Map


Application Reference: LA03/2020/0419/F

Land between 32 & 38 Carnvue Road, Glengormley
Newtownabbey, BT36 6RA

Proposed 4 bedroom infill dwelling

 Site Boundary



20 10 0
 Metres

For Information Only



COMMITTEE ITEM	3.7
APPLICATION NO	LA03/2021/0167/O
DEA	AIRPORT
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE OUTLINE PLANNING PERMISSION
PROPOSAL	Erection of 2 no. infill dwellings, including 1 new and 1 amended access from Seven Mile Straight, hard and soft landscaping, parking/turning and associated works
SITE/LOCATION	Land between 149 and 151 Seven Mile Straight, Ballytweedy, Muckamore, Antrim, BT41 4QY
APPLICANT	Mr J Lyttle
AGENT	Pragma Planning and Development Consultants Ltd
LAST SITE VISIT	16th April 2021
CASE OFFICER	Alicia Leathem Tel: 028 90340416 Email: alicia.leathem@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. 149 and No. 151 Seven Mile Straight, Antrim and within the countryside as defined within the Antrim Area Plan 1984-2001 (AAP).</p> <p>The application site is a road frontage site located to the western side of the Seven Mile Straight, extending 120 metres across the frontage and 95 metres in depth at its widest point. The application site includes a cut out of two agricultural fields and part of the existing access lane serving No. 151a Seven Mile Straight. Boundaries to the site are defined by a ranch style fence along the northeastern boundary (roadside) a mix of ranch fencing and estate railing along the northwestern boundary and a mix of well-established hedgerow and trees define the southwestern and southeastern boundaries. The topography of the land rises gradually from the northwest to the southeast.</p> <p>The application site is located within the rural area with a large number of detached dwellings in the immediate vicinity.</p>	
RELEVANT PLANNING HISTORY	
<p>Planning Reference: LA03/2020/0728/F Location: 151 Seven Mile Straight, Ballytweedy, Antrim Proposal: Retention of established domestic curtilage and retention of sand school for private domestic use only Decision: Permission Granted (10.12.2020)</p> <p>Planning Reference: LA03/2018/0780/O Location: Lands 20 metres east of 151a and west of 151 Seven Mile Straight Antrim</p>	

Proposal: Site for 1 no. dwelling with detached double garage, connection to existing access and all associated site works.

Decision: Withdrawn

Planning Reference: T/2003/0357/O Appeal Ref: 2004/A272

Location: Approximately 50m West of 151 Seven Mile Straight, Antrim.

Proposal: Site of dwelling and garage.

Decision: Appeal dismissed

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 objections

Northern Ireland Water – No objections

Department for Infrastructure Roads- No objections

Department for Communities Historic Environment Division – No objections

REPRESENTATION

Eight (8) neighbouring properties were notified and two (2) letters of objection have been received from two (2) 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:

- Principle of development.
- Flooding from run off due to the topography of the site.
- Drainage.
- Ribbon development.
- Overlooking.
- Light nuisance.

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 Character and Appearance of the Area
- Neighbour Amenity
- 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 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 AAP identifies 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 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 frontage to the road if the plot in which it stands abuts or shares a boundary with the road.

The application site is located along the Seven Mile Straight. The applicant has included a conceptual layout on Drawing Number 01 indicating the footprint of two proposed dwellings on the application site between property Nos. 149 and 151 Seven Mile Straight, both of these properties have a frontage onto the Seven Mile Straight. In addition, Nos. 155a and 153 Seven Mile Straight located to the southwest of the application site also have frontages onto the Seven Mile Straight. The applicant indicates on Drawing Number 01 and within the 'Planning Analysis and Concept Statement', Document 01, that other properties known as No. 155 and No. 157 also make up the substantial and built up frontage. However, property Nos. 155 and 157 do not have a frontage onto the Seven Mile Straight and therefore are not counted as forming part of the substantial and continuously built up frontage. Nevertheless, as indicated above it is accepted that property Nos. 155a, 153, 151 and 149 do have a frontage onto the road. It is therefore accepted that the application site is located within an otherwise substantial and continuously built up frontage therefore satisfying the first element of CTY 8.

The second element of CTY 8 requires the gap site to be a small gap sufficient only to accommodate a maximum of two dwellings. As outlined above the conceptual layout on Drawing Number 01 indicates the footprint of the two properties with plot 1 to the west having a frontage of 90 metres whilst plot 2 to the east has a plot frontage of 15 metres. The justification and amplification text at paragraph 5.34 is clear that the gap site is between houses or other buildings, as such for the purposes

of policy the gap between the buildings at No. 149 and 151 Seven Mile Straight constitutes the gap site. The overall gap that exists between the said buildings measures 135 metres which is considered to be a large gap sufficient to accommodate more than 2 dwellings whilst respecting the existing pattern of development in terms of size, scale, siting and plot size.

The third element of CTY 8 requires that the proposal respects the existing development pattern along the frontage in terms of size scale, siting and plot size. As outlined above it is considered that the proposal could accommodate more than two dwellings whilst respecting the existing pattern of development. The frontage of the proposed plots measure 90 metres and 15 metres. The aforementioned properties that constitute the substantial and continuously built up frontage, are property Nos. 151, 153 and 155a located to the northwest, each of these properties have a frontage of 30 metres, 40 metres and 50 metres respectively. Property No. 149 is located to the southeast and has a frontage of 50 metres. The proposed plot frontages of 90 metres and 15 metres are in contrast to the plot frontages within the substantial and continuously built up frontage. The proposal therefore fails to satisfy the third element of CTY 8.

The fourth element of the policy CTY 8 requires that the proposal meets other planning and environmental requirements, which are discussed in more detail below; however, given the reasons outlined above, there is no infill opportunity in accordance with Policy CTY 8.

The development has also been assessed in respect of a dwelling within an existing cluster. Paragraph 6.73 of the SPPS and CTY 2a of PPS 21 refers to 'new dwellings in existing clusters' and states that provision should be made for a dwelling at an existing cluster of development which lies outside a farm provided it appears as a visual entity in the landscape; and is associated with a focal point; and the development can be absorbed into the existing cluster through rounding off and consolidation and will not significantly alter its existing character, or visually intrude into the open countryside. Policy CTY 2a goes further and requires in addition to the above criteria that the cluster of development consists of four or more buildings (excluding ancillary buildings) of which at least three are dwellings and the application site provides a suitable degree of enclosure and is bounded on at least two sides with the development in the cluster.

In this case the proposal is for two dwellings as opposed to a single dwelling required by Policy CTY 2a. Additionally, the application site is not associated with a focal point and is not bounded on at least two sides by development in the cluster. Furthermore, the visual relationship of the surrounding buildings is such that the 'cluster' of development does not read as a visual entity in the landscape due to the interspersed relationship and dense vegetation. The proposal therefore fails to comply with the provisions of Policy CTY 2a.

As the proposed development does not comply with the policy criteria set out in Policies CTY 8 or CTY 2a, it does not represent one of the types of housing development considered acceptable in principle in the countryside. Policy CTY 1 advises that other types of development will only be permitted where there are overriding reasons why it is essential and could not be located in the nearby settlement. No overriding reasons were presented to demonstrate how the proposal

is essential and why it could not be located in a settlement. The proposal therefore fails Policies CTY 1, CTY 2a and CTY 8 of PPS 21.

Impact on Character and Appearance of the Area

All dwellings in the countryside must integrate in accordance with the policy requirements of the SPPS and policies CTY 13 and 14 of PPS 21. As the application seeks outline permission, no details have been provided regarding the proposed design or layout of the dwellings; however, an indicative layout has been provided. Drawing No. 01 indicates the footprint and layout of the proposed dwellings and the access arrangement. Public views of the site are achieved when travelling along the Seven Mile Straight in a northern and southern direction. 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 boundaries to the site are defined with ranch style fencing with the exception of the southern and western boundaries which are defined by a mix of trees and hedgerows. The lack of landscaping defining the site results in the application site appearing open and exposed. In addition, the topography of the land rises gradually from north to south and no existing or proposed levels have been provided, albeit an indicative section is included on Drawing Number 01. According to the sections the southwestern area of the site sits approximately 4.5 metres above the lower section of the site. Given the rise in the topography and the open and exposed nature of this road frontage site, the proposed development and in particular the dwelling on site 1 to the southwestern section of the application site would appear as a prominent feature in the landscape. Additionally, the site is unable to provide a suitable degree of enclosure and would rely on the use of new landscaping for integration which is contrary to the provisions of CTY 13.

Policy CTY 8 and Policy CTY14 indicates that development which creates or adds to a ribbon of development will be unacceptable. The addition of two dwellings on the application site, which would be visually linked with the existing dwellings, would represent a linear form of development resulting in a ribbon of development, therefore having an unacceptable impact on the character of this area. Policy CTY 14 also requires that any proposal respects the traditional pattern of settlement exhibited in that area, as outlined above it is considered that for the aforementioned reasons including plot sizes and frontages that the proposal fails to respect the traditional pattern of development.

Furthermore, Policy CTY 14 emphasises that any proposal which causes a detrimental change to or further erodes the rural character of the area will be resisted. This stretch of the Seven Mile Straight appears sub-urbanised in context of the rural environment which is a result of the surrounding development. Taking into consideration the existing development along this stretch of the Seven Mile Straight, the application site provides an important visual break in the built up appearance of the area and should be maintained in order to help resist the further erosion of the rural character.

Neighbour Amenity

As the application seeks outline permission, limited details have been provided regarding the proposed design, however, an indicative layout is indicated on the block plan on Drawing Number 01. It is considered that given the orientation of the proposed dwellings and the resulting relationship between the neighbouring

properties and the separation distances, that the dwellings could be appropriately designed for the site to ensure that the privacy and amenity of the existing properties to the north, east and west are not negatively impacted upon. Concerns were raised in relation to overlooking and light nuisance from traffic to the site. It is considered that adequate separation distances are achieved to prevent any significant negative impacts on the neighbouring dwellings.

Access, Movement and Parking

The proposal includes two separate access arrangements for the two dwellings. Access to the dwelling on plot one to the west is achieved directly from the Seven Mile Straight whilst access to the dwelling on plot 2 to the eastern section is via a shared access serving No. 151a Seven Mile Straight which then branches off. The proposal includes changes to the current access arrangement. DfL Roads was consulted on the proposal, and it raised no objections subject to the development being in accordance with the RS 1 form at reserved matters stage should outline planning permission be granted.

Other Matters

Letters of objection raised concerns in relation to flooding to the neighbouring properties from surface water run off due to the topography of the adjacent lands and the subsequent impact on the objectors property if the land is developed. The flood risk map does not indicate pluvial flooding as a constraint. The developer should take into account the site levels and ensure adequate drainage measures are put in place. Letters of objection also addressed concerns in relation to the principle of development in this rural area and the infilling of two dwellings when a previous application was dismissed at appeal for one dwelling. The principle of two dwellings has been assessed above in accordance with Planning Policy CTY 8.

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 Policy CTY 1, CTY 2a and CTY 8 of PPS 21.
- The proposal will result in a ribbon of development and does not respect the traditional pattern of development.
- The proposal will infill a gap which provides an import visual break in this rural area and result in a suburban style build-up of development when viewed with existing and approved buildings.
- The proposal would rely on the use of new landscaping for integration.
- It has not been demonstrated that an acceptable access arrangement can be achieved.

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 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 a cluster

dwelling in accordance with CTY 2a and an infill dwelling in accordance with CTY 8 of PPS 21.

2. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy CTY 8 and Policy CTY 14 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that a dwelling on this site does not respect the traditional pattern of development in the area, and would, if permitted, create a ribbon of development resulting in a suburban style of build-up, further eroding the rural character of the area.
3. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy CTY 13 and of Planning Policy Statement 21, in that the site lacks long established natural boundaries and relies on the use of new landscaping for integration.



Site Location Plan


Application Reference: LA03/2021/0167/O

Erection of 2 no. infill dwellings,
including 1 new and 1 amended
access from Seven Mile Straight
, hard and soft landscaping,
parking/turning and associated works

Land between 149 and 151 Seven Mile Straight
Ballytweedy, Muckamore, Antrim

0 60 120
Metres



 Site boundary



COMMITTEE ITEM	3.8
APPLICATION NO	LA03/2021/0062/O
DEA	DUNSILLY
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE OUTLINE PLANNING PERMISSION
PROPOSAL	Site for a dwelling and domestic garage (infill)
SITE/LOCATION	Approx 25m South East of 17 Mount Shalgus Lane, Randalstown
APPLICANT	Mr Eamon Robb
AGENT	CMI Planners
LAST SITE VISIT	19 th April 2021
CASE OFFICER	Simon Russell Tel: 028 903 40427 Email: simon.russell@antrimandnewtownabbey.gov.uk
<p>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal www.planningni.gov.uk</p>	
SITE DESCRIPTION	
<p>The application site is located in the countryside approximately 25 metres southeast of No.17 Mount Shalgus Lane, Randalstown outside of any settlement defined in the Antrim Area Plan 1984-2001.</p> <p>It comprises an irregular portion of land and forms part of a larger agricultural field. The site has a plot frontage of approximately 54 metres at its widest point, 20 metres along its narrowest point (northwestern section) and a depth of some 56 metres. It is located on the western side of Mount Shalgus Lane, immediately to the south of a two storey detached dwelling (No.17).</p> <p>The northern boundary of the site is defined by 1.1-metre-high D-rail wooden fencing. Some overgrown vegetation and overhanging branches belonging to No.17 had encroached into parts of the lands along the north and northeastern corners of the site. The eastern roadside boundary is defined by a mixture of vegetation, interspersed with mature trees. An agricultural gate located in the southeastern corner provides access into the site. Post and wire fencing with mature trees set behind line the southern boundary. The western boundary is undefined as it currently forms part of larger agricultural field which runs behind Nos. 11 and 17 Mount Shalgus Lane.</p> <p>At time of inspection, a rectangular shaped, flat roofed corrugated iron structure (with floodlighting attached to its northern gable) was sitting on a flat area of gravel hardstanding in the southeastern corner of the site. Post and wire fencing had been erected around the area of hardstanding, with an agricultural gate providing access into the agricultural field which rises in southwesterly direction to the rear of the site.</p> <p>Access is taken via an existing agricultural gate onto Mount Shalgus Lane, a private laneway which provides access to a number of detached dwellings, farms, Randalstown Forest and the World of Owls visiting centre. The site is located at the</p>	

end of a linear stretch of road along Mount Shalgus Lane just before it swings sharply in an easterly direction.

The surrounding area is rural in character with a number of detached dwellings located to the north of the site located on the western side of Mount Shalgus Lane surrounded by agricultural lands. A group of dwellings and a farm are located to the northeast on the other side of Mount Shalgus Lane.

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 designed 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 objections.

Northern Ireland Water – No objections.

Department for Infrastructure Roads- No objections.

REPRESENTATION

One (1) neighbouring property was notified and no letters of objection 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 and 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 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 the determination of the proposal. The application site is located outside any settlement limit defined in the AAP and is located within the countryside. No specific zoning is applied to the site within the plan and no specific mention is made of this type of 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. One such document is Planning Policy Statement 21 'Sustainable Development in the Countryside'. Taking into account the transitional arrangements of the SPPS, retained 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 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 on 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. According to Drawing No.01 and Document No.01 the buildings that the applicant contends make up the substantial and continuously built up frontage are Nos.11, 17 Mount Shalgus Lane to the north and the rectangular shaped corrugated iron structure (which the agent refers to as a "shed" in their correspondence), which is located in the southeastern corner of the application site, approximately 44 metres to the southeast of the dwelling at No.17. It is considered that the dwellings at Nos.11 and 17 present a frontage onto Mount Shalgus Lane.

A planning history search has revealed that the rectangular corrugated iron structure on the application site does not benefit from planning permission, nor has the applicant sought to regularise the structure through a Certificate of Lawfulness. These concerns were raised with the applicant's agent and as a consequence four (4) no. aerial photographs from Google Earth dated 05/2012, 12/2015, 06/2019 and 09/2020 were submitted in an attempt to demonstrate that this structure has been on site (and not moved within or removed from the site) for over 5 years and thus would be immune from enforcement action under Section 132 of the Planning Act (Northern Ireland) 2011.

The imagery presented by the agent does show a rectangular structure located in the southeastern section of the site. However, this is considered inconclusive given that further analysis of available historical imagery from Google Earth and World Imagery Wayback indicates that the structure in question was removed from the site in and around August 2019. This has also been confirmed in a witness statement from a planning officer from the Planning Section in Antrim and Newtownabbey Borough Council who regularly passes the site by car. Furthermore, it would appear from this historical imagery that the area of gravel hardstanding, on which the structure is currently located, was constructed in the last couple of years. Therefore, it is reasonable to conclude that this structure would have had to have been removed from the site to accommodate the laying of this new area of gravel hardstanding. On this basis, the said structure is considered unauthorised and unlawful and therefore cannot be counted as one of the three buildings for the purposes of this policy assessment. It is therefore considered that the application site is not part of an otherwise continuously built up frontage for the purposes of CTY 8 and the proposal subsequently fails criterion (a) of the policy.

The second element of Policy CTY 8 requires that the gap site is small, sufficient only to accommodate up to a maximum of two houses. The applicant's agent contends that the gap between the dwelling at No.17 Mount Shalgus Lane and the "shed" on the application site measures 32 metres and is comparable to the gap presented between existing buildings along this stretch of Mount Shalgus Lane in the immediate vicinity of the site. Based on the applicant's site location plan (Drawing No.0, scale 1:2500) which was submitted with the application, the gap measures 30 metres between No.11 and 17. Using measuring tools available from Ordnance Survey Northern Ireland (OSNI) Spatial NI, the proposed gap between the shed and No.17 was calculated to measure 37 metres, while the gap between Nos.17 and No.11 measures approximately 29 metres. While the plot frontage measures approximately 54 metres at its widest point, it is considered that the gap between the buildings is small enough to accommodate a single detached dwelling within the application site. If the Committee concurs with the applicant's argument that the structure located within the application site forms a lawful building which can be considered in the policy test as one of the three buildings in a continuously and built up frontage, then the gap between the structure and No.17 is considered a small gap as defined by the policy to satisfy the requirements of criterion (b).

No other evidence has been submitted 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.

Design, Layout, Integration and Impact on Character 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 dwelling will not cause a detrimental change to, or further erode the rural character of an area.

As this application seeks outline planning permission, no details have been provided regarding the proposed design or layout of the dwelling. However, given the context of the site and its immediate area, a storey and a half dwelling of a modest scale and size is considered the most appropriate form of development to use for the purposes of assessment.

Policy CTY 13 states 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 benefits from mature vegetation along its southern and eastern boundaries. Although some of the roadside vegetation along the eastern boundary will need to be removed to accommodate the new access point onto Mount Shalgus Lane, it is considered that appropriate augmented and supplementary planting could be sought at reserved matters stage to compensate for any loss of vegetation, if the Council were minded to approve the application.

Limited views of the site are achieved when travelling south along Mount Shalgus Lane due to existing mature vegetation along its roadside and between the existing plot boundaries. Views are experienced on approach from the east however due to the topography of the site and surrounding mature field boundaries to the rear of the site, it is considered that a suitably designed building would integrate into the surrounding landscape. As this application is for outline planning permission no details have been submitted regarding the proposed design or layout.

It is considered that the proposed dwelling would have a suitable degree of enclosure and would not have a prominent location in the landscape. While the test is not one of invisibility, it is rather an assessment of the extent to which the development of the proposed site will blend unobtrusively with the immediate area and wider surroundings. However, this does not overcome the concerns regarding the absence of a viable infill opportunity and therefore subsequent creation of ribbon development.

Due to the failure to comply with Policy CTY 8 which has been discussed above; and the subsequent creation of ribbon development which would result in a detrimental change to, and further erode, the rural character of the area, the proposal fails to comply with criterion (d) of Policy CTY 14 of PPS21.

Therefore, for the reasons outlined above it is considered that the proposal fails to meet the requirements of the SPPS and Policies CTY 8 and CTY 14 of PPS 21.

Neighbouring Amenity

As the application is for outline planning permission, no specific details of a house type or design have been submitted. However, it is considered that a dwelling could be appropriately designed for the site to ensure that the privacy and amenity of the existing property to the north are not negatively impacted upon.

Access

According to Question No.12 on the P1 application form, the proposal seeks to construct a new access onto Mount Shalgus Lane (a private laneway). DfI Roads were consulted on the application and offered no objections to the principle of these arrangements.

CONCLUSION

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

- The principle of the development is considered unacceptable as the proposal is contrary to the provisions of the SPPS, Policy CTY 1 and Policy CTY 8 of PPS 21 as no infill opportunity exists at this location; and
- No evidence has been advanced that the proposed development could not be located in a settlement.

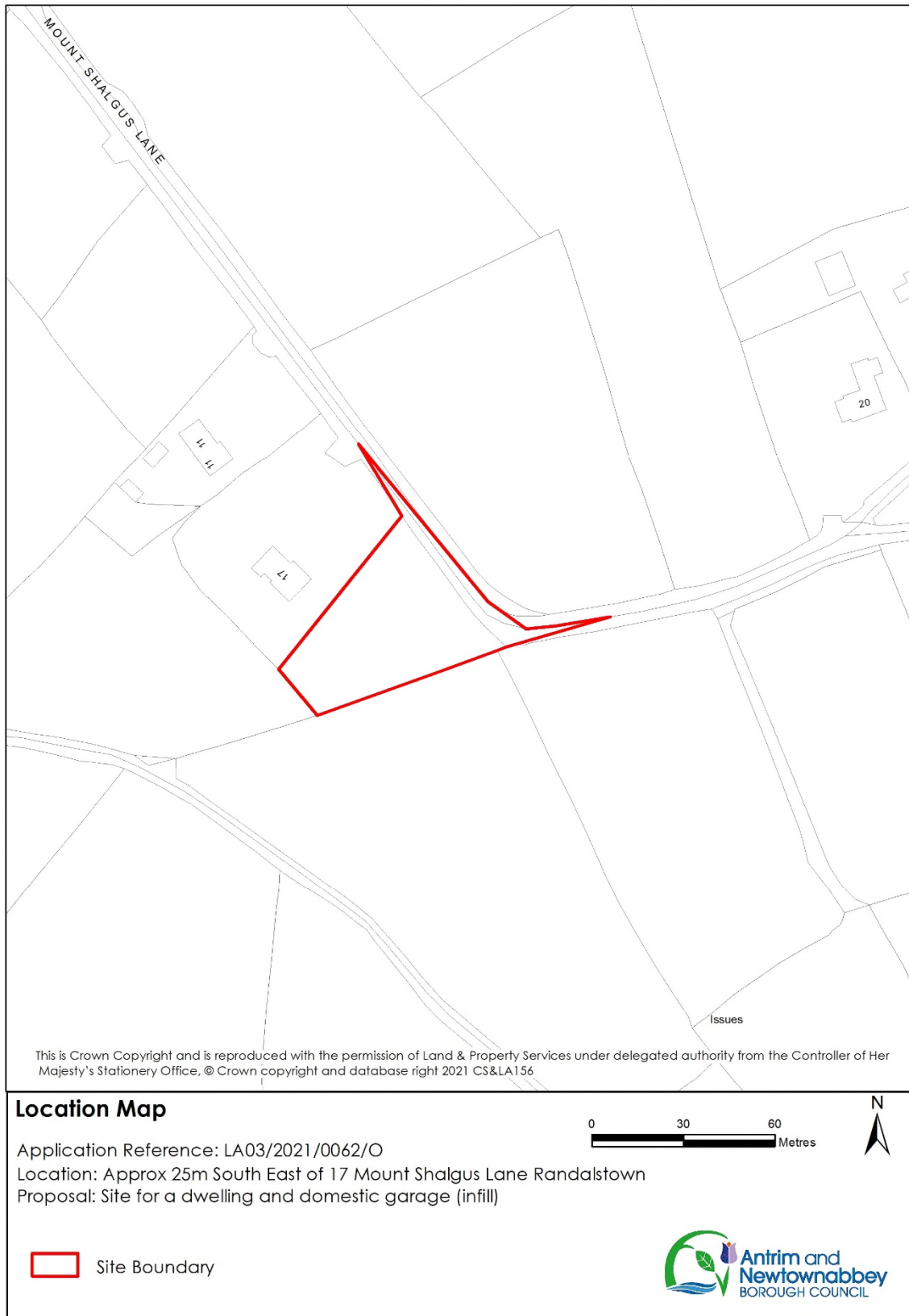
RECOMMENDATION	REFUSE OUTLINE PLANNING PERMISSION
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PROPOSED REASONS OF REFUSAL

1. The proposal is contrary to the policy 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.

2. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement 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.
3. 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 the building would, if permitted, result in ribbon development resulting in a suburban style build up when viewed with the existing dwellings along Mount Shalgus Lane.



COMMITTEE ITEM	3.9
APPLICATION NO	LA03/2020/0673/F
DEA	DUNSILLY
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE PLANNING PERMISSION
PROPOSAL	Proposed farm shed for the shelter & housing of animals along with machinery storage
SITE/LOCATION	Approx. 130m SE of 31 Lenagh Road, Randalstown
APPLICANT	Mr Damien Heffron
AGENT	CMI Planners Ltd
LAST SITE VISIT	15 th December 2020
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 approximately 130m southeast of 31 Lenagh Road, Randalstown. The site is located within the rural area outside of any settlement limit as designated with the Antrim Area Plan (AAP) 1984-2001.</p> <p>The site is currently defined as an agricultural field, with an agricultural access in the northeast corner. The northeastern and southeastern boundaries are defined by mature hedgerows and trees ranging from 4-6m in height while the northwestern and southwestern boundaries are currently undefined.</p> <p>To the northeast of the site is a shared private laneway while to the southeast there are a number of large farm buildings with dwellings beyond. North of the site is 31B Lenagh Road, which is shown within blue lands on the site location plan, as is the applicant's property, 31A Lenagh Road, 94m north of the proposed siting of agricultural building as part of the proposal. No.31 Lenagh Road is located approximately 130m northwest of the site. The topography of the site rises only gradually from the laneway in a southerly direction onto the site.</p>	
RELEVANT PLANNING HISTORY	
<p>Planning Reference: LA03/2017/0177/F Location: 40m & 90m South East of No. 31 Lenagh Road, Randalstown, Co. Antrim, Proposal: Proposed infill/gap site for 2No dwellings and domestic garage based on policy CTY 8 Decision: Permission refused PAC dismissed (18.01.2018)</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>	

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

Department for Infrastructure Roads- No objection subject to conditions

DAERA - Farm business has been in existence for more than six years. No subsidy payment scheme claimed in the last six years.

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 and Appearance
- Neighbour Amenity
- Impact upon Character 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 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.

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.

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 provides for agricultural and forestry development where the following five specific criteria apply;

- (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.

(a) it is necessary for the efficient use of the agricultural holding or forestry enterprise;

The applicant has an established farm business ID, which DAERA: Countryside Management Branch confirmed has been in operation since 16th May 2005. DAERA

has also confirmed that a subsidy payment scheme has not been claimed by the applicant in any of the last six years. Evidence was requested from the applicant to show the applicant's farming activity over the past six years. A significant amount of evidence was received in the form of receipts for farming material and a copy of a flock book. The dates of evidence range from October 2014, through to May 2019. Evidential receipts show the purchase of:-

- Grass seed
- Fertiliser
- Barbed wire
- Field gate
- Posts
- Drains cleaned out
- Weeds killed

The evidence above is attached to the applicant Damian Heffron on receipts. The copy of the flock book is dated 19th February 2021 and shows that the farm business attributed to Mr Heffron holds 24no. sheep at present. It is considered that the evidence provided proves that the farm business is established and active in accordance with Policy CTY 10 of PPS 21 which states that "agricultural activity" refers to the keeping of animals for farming purposes or maintaining the land in good agricultural and environmental condition.

The applicant has stated that the proposed building is necessary for the shelter and housing of animals along with machinery storage. The applicant has confirmed that there are no other buildings currently on the farm holding and therefore he requires this new building. Given the ownership of 24 no. sheep and the active nature of the farm, it is fair to say that the principle of a farm shed on the holding is acceptable.

(b) in terms of character and scale it is appropriate to its location;

The proposed farm shed measures 14.3m in length and has a width of 9.1m. It has a maximum height of 5.9m above ground level. The building will have a low angle pitched roof and a single large roller door on the front elevation. The top half of the building is finished in grey cladding, with the lower half finished in sand/cement render. The overall design, character and scale of the building is appropriate for the location and the surrounding area given the location of two large agricultural sheds approximately 30m southeast of the site (outside of the control of the applicant).

(c) it visually integrates into the local landscape and additional landscaping is provided as necessary;

There would be limited visual public interest in the site if approved. Mature vegetation along the northeastern boundary screens distant views of the site from Lenagh Road (140m east). Views will be possible along the shared laneway at the access point, however, these would be limited on approach from both directions due to the large agricultural buildings to the southeast and the mature vegetation along the northeastern boundary. The northwestern and southwestern boundaries are currently undefined, the planting of a hedgerow is proposed. It is considered the proposal would integrate into the local landscape.

(d) it will not have an adverse impact on the natural or built heritage; and

There will be no adverse impact upon the natural or built heritage by way of this development.

(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.

The closest neighbouring property outside of the red and blue lines is No. 31 Lenagh Road, approximately 110m northwest of the proposed agricultural building. No. 31B Lenagh Road is shown within the blue line on the location plan and is located approximately 56m northeast of the proposed building, however a land registry check shows this site falls outside the ownership of the applicant Mr Damian Heffron and within the ownership of a Mr Sean O'Connor and Ms Fiona Heffron. The Council's Environmental Health Section (EHS) was consulted on the proposal and responded with no objections. It is considered unlikely therefore there will be a detrimental impact upon the amenity of neighbouring residential dwellings by way of this development.

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;

There are no suitable existing buildings on the holding that can be used;

The applicant has stated that there are no other existing farm buildings on the holding that could be utilised for the proposed use, the Council can find no evidence to contradict this statement.

The design and materials are sympathetic to the locality and adjacent buildings;

The design and materials of the building are typically agricultural and the design is sympathetic to the rural nature of the surrounding area.

The proposal is sited beside existing farm buildings;

It is considered that the proposed agricultural building is not sited beside any existing farm buildings on the holding. No. 31A Lenagh Road and associated domestic garage appears to be the only buildings on the farm holding. No.31A is located approximately 94m north of the proposed building. This is considered a significant distance. The perception of separation is furthered by the fact that the proposed building would be accessed via a separate laneway and access from No.31A. The mature hedge along the northeastern boundary of the site also significantly reduces any appearance of intervisibility.

The applicant has put forward the case that the closest building on the farm to the site is actually his daughter's property No. 31B Lenagh Road, 56m northeast of the proposed building. This property is shown within blue lands and under the ownership of the applicant, however, as previously stated, a land registry check has shown that land occupied by No.31B is owned by a Mr Sean O'Connor and Ms Fiona Heffron. This ownership took effect from 24th July 2019. Therefore it must be assumed that this property is outside the ownership of the farm business owner.

An email from the agent dated 23rd February 2021 stated that the daughter is an "active member of the farm". An email was sent from the Planning Section to the agent on 23rd April 2021 seeking clarification on the applicant's daughter's role on

the running of the farm business with a response date of the 27th April, however, no further correspondence was received. In addition, there has been no confirmation from the owner of No. 31B that they have any active role in the farm. Furthermore no evidence of farming, as received from the applicant, has the name of his daughter on any receipts presented. It is therefore considered that No. 31B lies outside of the farm business and cannot be used to cluster with the proposed building.

Policy CTY 12 however, does allow for the exceptional consideration of an alternative site away from existing farm or forestry 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 applicant /agent has not provided evidence as to why the proposed location is essential for the efficient functioning of the business. An email received from the agent dated 23rd February 2021 states that the location was chosen as it is adjacent to neighbouring farm buildings where it is unlikely to have an effect upon neighbouring properties. However, no further justification has been provided as to why this is the case, nor has the agent explored any other sites closer to the buildings on the farm to assess their potential impact, if any, upon nearby residential properties.

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 fails this part of Policy CTY 12.

Design and Appearance

Policy CTY 13 of PPS 21 states that planning permission may be granted for a building in the countryside where it can be visually integrated into the surrounding landscape and is of an appropriate design.

The design, scale, size and massing of the proposed building is typical of a farm shed; it has a ridge height of 5.9m above ground level at its highest point, grey metal cladding to the roof and upper walls and render to the lower walls. The design and external materials are reflective of the existing agricultural buildings in the surrounding area. The appearance of the shed therefore is considered acceptable and meets with Policy CTY 13.

Neighbour Amenity

The closest neighbouring property outside of the red and blue lines is No. 31 Lenagh Road, approximately 110m northwest of the proposed agricultural building. No. 31B Lenagh Road is shown within the blue line on the location plan and is located approximately 56m northeast of the proposed building, however, it has been found that this dwelling falls outside the ownership of the applicant. The Council's Environmental Health Section (EHS) was consulted on the proposal and responded with no objections. It is considered unlikely therefore there will be a detrimental impact upon the amenity of neighbouring residential dwellings by way of this development.

Impact upon Character and Appearance of the Area

Policy CTY 8 of PPS 21 states that planning permission will be refused for a building which creates or adds to a ribbon of development. Paragraph 5.32 states that ribbon development is detrimental to the character, appearance and amenity of the countryside.

An application was made under LA03/2017/0177/F for 2 no. infill dwellings on a larger section of the field within which the currently application lies. That application was refused and subsequently appealed. The Planning Appeals Commission (PAC) dismissed the appeal on a number of reasons, upholding the Council's decision. One of these reasons was that the application site was not a small gap site and could have accommodated more than 2no. dwellings. The PAC found that the appeal site provided an extensive visual break between existing development which needed to be retained to protect rural character.

The current application site is located within the southeastern section of that appeal site. The PAC considered that due to the agricultural buildings and Nos.33 and 33C southeast of the site; and buildings including dwellings 29, 29A and 31 to the northwest, there was a substantial built up frontage along the laneway serving the appeal site (and the current application site). However, having taken the view that the current site (and the larger field in which it sits) provides an important visual break in the countryside, it is considered that the proposed development will lead to the loss of this visual break and add to a ribbon of development that exists to the southeast and therefore is contrary to Policy CTY 8 and CTY 14 of PPS 21.

In addition to this it is also recognised that if the agricultural building were to be approved, the remaining field to the northwest would be significantly reduced in width (from a width of 110m from application LA03/2017/0177/F to a potential width of 70m) thereby opening up the potential of a gap site being created on that land. That would have the consequences of completely closing the visual break that the current site and adjoining field provides.

Other Matters

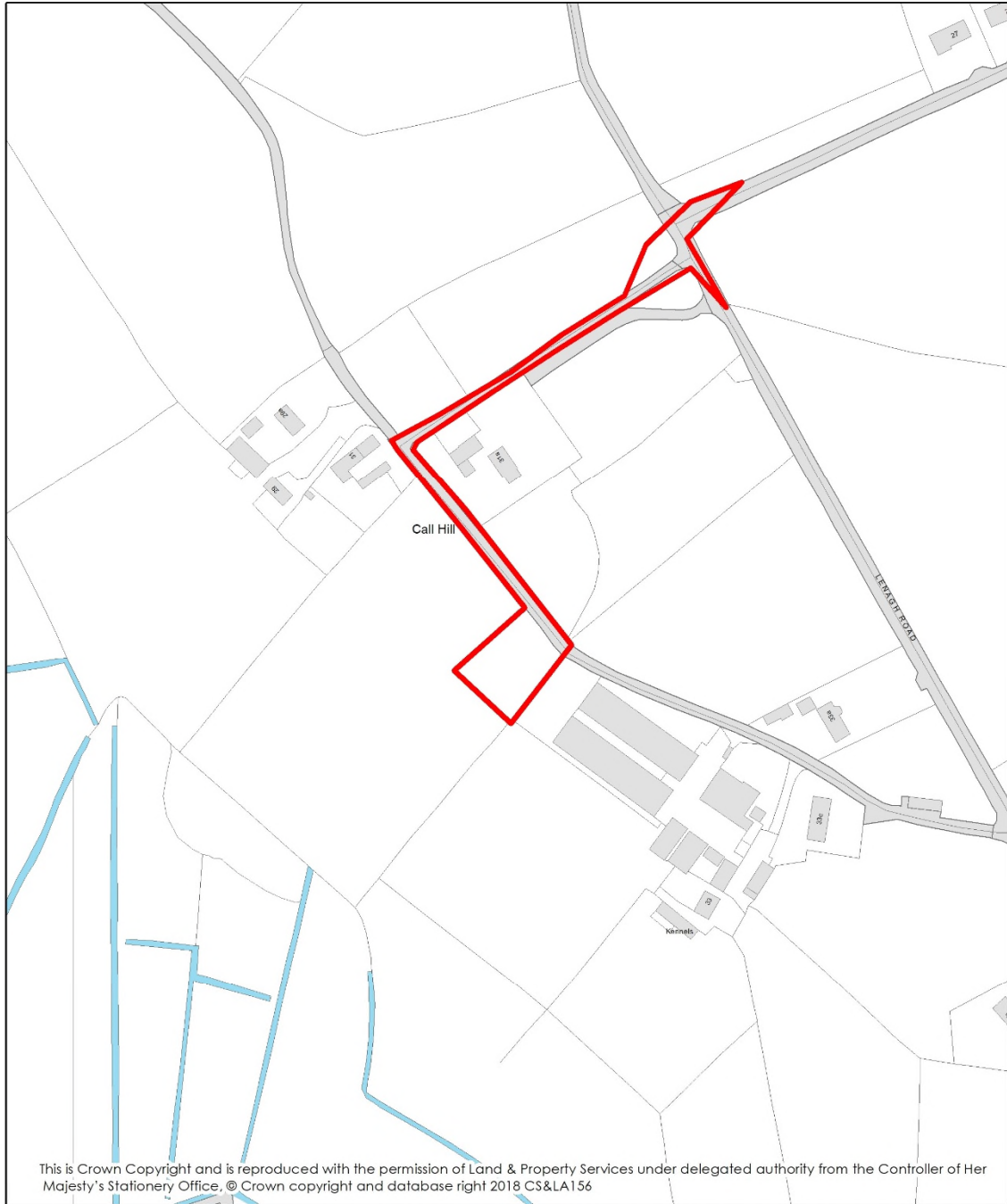
DfI Roads was consulted on the proposal and has responded with no objection subject to conditions. No objections or other representations have been received.

CONCLUSION

The following is a summary of the reasons for recommendation:

- The principle of development has been established insofar as it has been proven that the business is currently active and established.
- The scale and design of the proposed building is acceptable.
- The proposal is contrary to Policy CTY 12 in that the proposed building is not located beside existing farm buildings.
- The proposal is contrary to Policy CTY 8 as it would add to a ribbon of development if approved and would result in the partial loss of an important visual break in the countryside.
- The proposal is contrary to Policy CTY 14 as the proposal would add to a ribbon of development.
- No objections or representations have been received towards the proposal.

RECOMMENDATION	REFUSE PLANNING PERMISSION
PROPOSED REASONS OF REFUSAL	
<ol style="list-style-type: none"> 1. The proposal is contrary to the policy provisions of the Strategic Planning Policy statement and Policies CTY 8 and CTY 14 of Planning Policy Statement 21 Sustainable Development in the Countryside, in that the development, if approved, would add to a ribbon of development along a private laneway. 2. 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, if approved, would not be sited beside existing farm buildings. 	

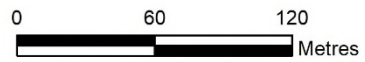


Site Location Plan

Application Reference: LA03/2020/0673/F

Proposed farm shed

Approx 130m SE of 31 Lenagh Road
Randalstown



 Site boundary



COMMITTEE ITEM	3.10
APPLICATION NO	LA03/2020/0515/O
DEA	DUNSILLY
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE OUTLINE PLANNING PERMISSION
PROPOSAL	Site for dwelling and garage on a farm.
SITE/LOCATION	20m North of 135 Castle Road, Randalstown.
APPLICANT	Mr Clifford Stewart
AGENT	CMI Planners Ltd
LAST SITE VISIT	26 March 2021
CASE OFFICER	Michael O'Reilly Tel: 028 90340424 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 20 metres north of 135 Castle Road, Randalstown which is within the countryside as identified in the adopted Antrim Area Plan 1984 – 2001.</p> <p>The application site has been formed by the subdivision of a larger agricultural field. The field is accessed from a laneway some 400 metres long which accesses the A6 Castle Road to the south.</p> <p>The northern boundary of the application site is physically undefined in the landscape although the northern field boundary runs contiguous with the M22 Motorway. The southern boundary is partially defined by a short linear stand of hedgerow and trees and following this the remainder of the boundary is physically undefined in the landscape. The eastern boundary is characterised by a linear copse of tall and mature deciduous trees. The western boundary is defined by a typical field hedgerow approximately 1.5 metres in height and that contains the agricultural access to the field.</p> <p>On approach in a northerly direction along the laneway the application site becomes visible after the dwelling and outbuildings located at No.135 Castle Road. These are located immediately adjacent to and south of the application site.</p> <p>When approaching the application site westbound on the M22 motorway the same linear belt of trees that define the eastern edge of the application site changes direction and continues to define a portion of the northern boundary of the field in which the application site is located. This linear copse of trees largely screens views towards and into the site for the majority of this edge of the field. The tree belt ends abruptly at which point views into the site are achievable, albeit for a short distance. The tree belt begins again after approximately 60 metres. When approaching the site travelling eastbound on the M22 some fleeting views of the application site are</p>	

achievable prior to the gap in the tree belt at which time the application site is exposed to view.

RELEVANT PLANNING HISTORY

Planning Reference: T/2004/0307/O
Location: North East of 135 Castle Road, Randalstown
Proposal: Site of Retirement Bungalow
Decision: Permission Refused: 17.01.2006

PLANNING POLICY AND GUIDANCE

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

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 – Indicate that given the close proximity of the application site to the M22 motorway the applicant should consider appropriate acoustic design measures to mitigate road traffic noise in order to protect amenity and provide for a suitable internal noise environment.

Northern Ireland Water – No objection.

Department for Infrastructure Roads- No objection subject to conditions.

DAERA Countryside Management Inspectorate Branch – Advise that the farm business identified on the P1C form has been in existence for more than 6 years. The farm ID was allocated in 19/11/1991 and is a category 1 farm.

DAERA advise that the farm business has not claimed payments through the Basic Payment Scheme or Agri Environment scheme in each of the last 10 years.

DAERA further advise the application site is not on land for which payments are currently being claimed by the farm business and stated that prior to 2020, the proposed site was located on land associated with another farm business.

REPRESENTATION

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

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Policy Context and Principle of Development
- Farm Business
- Impact on Character and Appearance of the Area

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 CTY1 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 'Dwellings on Farms' in accordance with Policy CTY10. Policy CTY1 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 head note of Policy CTY10 states that planning permission will be granted for a dwelling house on a farm where all of the three listed criteria can be met. The consideration of these criterion based tests is set out below.

Farm Business

The first criterion of Policy CTY10 requires that the farm business is currently active and has been established for at least six (6) years.

In its consultation response DAERA indicates that although the farm business has been in existence for more than six (6) years no farm payments have been made for the farm in any of those years and that prior to 2020 the field in which the application site is located was associated with another farm business.

In order to demonstrate that the farm business has been active for the necessary period of six (6) years as stated in Policy CTY10 the agent has provided a series of pieces of documentary evidence. Given that the development proposal which is the subject of this planning application was made valid on 4th August 2020 the six (6) year period dates back to 4th August 2015.

For the year 2020 the agent has provided three (3) pieces of evidence. The first is a handwritten receipt from William Wilson Plant Hirer and Contractor (WWPHC). The bill refers to the applicant's address and it is noted that the bill states "Work adjacent 135 Castle Road." The bill refers to the clearing of sheughs and the hiring of a digger. This information has not been signed by a person identifiable as a representative of WWPHC. Additionally, it appears that reference to the year 2020 has been altered from the year 2014 such that this piece of documentation is material to the assessment of this proposal. It is considered the information provided is neither specific nor conclusive and it appears that the date of receipt has been altered.

The second piece of evidence provided is from Smith's Irons. The document is hand written on lined paper, is not addressed to the applicant, does not refer to the applicant's holding, there is no listed business address or contact details for the business nor has the purported bill been signed by a person identifiable as a representative of Smith's Irons. An internet search did not provide any listings for Smith's Irons and no other corroborating evidence with respect to the alleged business has been provided.

The third piece of evidence submitted is a letter from DAERA addressed to the applicant. Within this letter it is set out that the farm business trading name and address have been updated. There is reference to a herd, however, in the letter there is no details of the herd, where it might be located or how it relates to the farm business being active. There is no other form of indication from the agent with

respect to this letter as to how it demonstrates that the farm holding is in active use. The information is therefore neither specific nor conclusive.

For the year 2019 two (2) bills of sale addressed to the applicant and dated 31/5/19 and 5/9/19 respectively have been provided and which refer to CMA Argi Contracts (CMA) carrying out mowing services, providing 50 bales of hay and providing slurry. This information is not recorded as being specific to the applicants holding. There is no listed business address or contact details on either bill of sale and neither of the two receipts have been signed by a person identifiable as a representative of CMA. An internet search did not provide any listings for CMA. The agent has elsewhere indicated that this business is located at 46 Greenan Road, Randalstown and that the contractor is content to support the applicant. Notwithstanding the offer of the contractor it is considered that the information provided is neither specific nor conclusive.

For the year 2018 two (2) bills of sale have been provided along with a soil analysis form. The first bill is from William Wilson Plant Hirer and Contractor (WWPHC). The bill is addressed to the applicant and refers to the cutting of hedges and the hiring of a tractor and hedge cutter. This information is not recorded as being specific to the applicants holding nor has it been signed by a person identifiable as a representative of WWPHC. Additionally, the bill is dated Saturday 3rd January 2018. There was no Saturday 3rd January 2018. It appears that reference to the year 2018 has been altered from the year 2015 when there was a Saturday 3rd January and such that this piece of documentation is material to the assessment of this proposal. It has been noted above that the agent has elsewhere indicated that this business is located at 46 Greenan Road, Randalstown and that the contractor is content to support the applicant. Notwithstanding the offer of support from the contractor it is considered that the information provided is neither specific nor conclusive and it again appears that dates have been altered.

The second piece of information for the year 2018 is presented as a bill of sale from JM Fencing addressed to the applicant for the supply of chicken wire and posts and is dated 10th October 2018. This information is not recorded as being specific to the applicants holding and has not been signed by a person identifiable as a representative of JM Fencing. This purported bill is hand written on a piece of lined paper and has no listed business name or address. An internet search did not provide any listings for JM Fencing. The agent has elsewhere indicated that this business is located at 32 Main Street, Randalstown and that the contractor is content to support the applicant. Notwithstanding the offer of support from the contractor it is considered that the information provided is neither specific nor conclusive.

The soil analysis form is from NRM Laboratories and is dated 18.01.2018. Reference in the documents to the fields that were surveyed are consistent with the fields identified in the farm maps as comprising the farm holding. In the survey results the fields are recorded as being used for grazing and grass production. While it is accepted that this documentation is specific to the agricultural holding it does not indicate that active farming of the holding is or has taken place and is therefore considered not to be conclusive.

For the years 2015, 2016 and 2017, six (6) bills of sale were issued and addressed to the applicant from CMA Argi Contracts. Two (2) bills issued for each year and

generally relating to the months of June and September. The bills refer to CMA carrying out mowing services, providing bales of hay and providing slurry. As per the earlier assessment of information provided by the applicant from CMA in 2019 and as set out above, it is again noted that the information provided for these years:

- Is not recorded as being specific to the applicants holding.
- There is no listed business address or contact details on either bill of sale.
- None of the receipts have been signed by a person identifiable as a representative of CMA Argi Contracts.
- An internet search did not provide any listings for CMA Argi Contracts; and
- The agent has elsewhere indicated that this business is located at 46 Greenan Road, Randalstown and that the contractor is content to support the applicant.

Notwithstanding the offer of support from the contractor it is considered that the information provided is neither specific nor conclusive.

The sixth and final year relevant to the assessment of whether or not active farming has occurred on the holding is 2014 with the appropriate date being the 4th August of that year. For the year 2014 two (2) bills of sale have been provided. The first is from CMA Argi Contracts (CMA) and the second is from William Wilson Plant Hirer and Contractor (WWPHC).

The CMA bill refers to the provision of slurry. The same critique of the determining weight in the decision making process can be attributed to the bills from CMA for other years associated with demonstrating active farming on the holding as set out above remains the same for the year 2014. It is considered that the information provided is neither specific nor conclusive.

With reference to the WWPHC bill it is addressed to the applicant and refers to the hiring of a digger and field drainage. This information is not recorded as being specific to the applicants holding nor has it been signed by a person identifiable as a representative of WWPHC. It is considered the information provided is neither specific nor conclusive.

In summary, it is considered that the entirety of the information provided by the applicant to demonstrate that active farming has occurred on the holding for at least six (6) years is neither specific nor conclusive and is not therefore persuasive. It is also noted that in several examples of important dates on submitted bills of sale appear as having been altered in order to support the planning application. It is considered that it has not been demonstrated that the farm business is active and has been established for at least 6 years in accordance with the requirements of criterion (a) of Policy CTY10 of PPS21.

Criterion (b) of Policy CTY10 of PPS21 requires that no dwellings or development opportunities outwith settlement limits have been sold off from the farm holding within 10 years of the date of the application. The planning application was made valid on the 4th August 2020 and the ten (10) year timeframe dates back to 4th August 2010. The farm business map submitted with the planning application is dated 2014 and relates to two (2) fields. The first is the field in which the application site is located and the second field is immediately west and across Castle Road. A planning history

search demonstrates that no development opportunities have either been secured or disposed of in these two fields.

It is noted that the applicant had previously applied for planning permission for a site for a retirement bungalow on the same lands as the application site dating back to 2004. The site location plan accompanying that planning application identified that the applicant, at that time, owned or controlled lands comprising six (6) fields to the north of the M22 motorway. While these fields are not identified as being within the applicants holding in his 2014 farm business map it is nonetheless noted that no development opportunities were either secured or disposed of in those fields. It is considered that the applicant has met with criterion (b) of Policy CTY10 of PPS21.

The third criterion, criterion (c), of Policy CTY10 of PPS21 requires that the new building is 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. Given that the application site is located adjacent to the existing farm buildings it is considered that should planning permission be granted, suitably worded planning conditions with respect to the siting of the dwelling and garage and their curtilage would ensure that the dwelling and garage are sited to visually link/cluster with the buildings on the farm. It is therefore considered that criterion (c) of Policy CTY10 of PPS21 can be met.

Overall, while it is considered that criteria (b) and (c) of Policy CTY10 of PPS21 have or otherwise can be complied with, criterion (a), that which relates to the demonstration that the farm business is currently active and has been established for at least 6 years, has not been satisfied. This is the case as little information has been provided and it is neither specific to the farm holding relevant to the assessment of this planning application nor conclusive that active farming has taken place for the required period. Additionally, it has been noted above that several dates appear as having been altered in order to support the development proposal.

Impact on Character and Appearance of the Area

Policy CTY13 of PPS21 is entitled 'Integration and Design of Buildings in the Countryside.' The policy head note states that planning permission will be granted for a building in the countryside where it can be visually integrated into the surrounding landscape and it is of an appropriate design. The policy headnote goes on to state that a new building will be unacceptable subject to seven (7) criterion.

With reference to criterion (a), (b) and (c) it is noted that the application site has two defined boundaries and will have a backdrop of buildings provided a suitably worded condition is attached to the grant of planning permission should it be forthcoming. While there would be views of the proposed dwelling when travelling eastbound on the M22 motorway in proximity to the application site, these would be short lived due to the speed of traffic on the road.

Criterion (e) refers to the design of the building being inappropriate for the site and its locality. As an application for outline planning permission only a site location plan has been submitted for consideration. Notwithstanding this matter however, it is considered that should planning permission be granted, a suitably worded planning condition could ensure that an appropriately designed dwelling, consistent with rural vernacular architecture, is provided for on the application site.

The remaining criterions to be considered are (d), (f) and (g). Criterion (d) refers to ancillary works associated with the development not integrating with their surroundings. As an outline planning application only the principle of the development is being tested at this time. It is therefore unclear what, if any, ancillary works would be required to serve the development. It is considered, however, that this matter could be assessed at Reserved Matters stage, should planning permission be granted. Criterion (d) is therefore considered as not being relevant to the assessment of this development proposal at this time.

Criterion (f) refers to the development failing to blend with the landform, existing trees, buildings, slopes and other natural features which provide a backdrop. It is considered that given the application site is largely flat the introduction of a dwelling and a garage would be able to blend with the landform. Additionally, existing trees and buildings in proximity to the application site would likely not be affected by this development proposal and it is therefore considered that the development proposal would likely be able to comply with this criterion.

Criterion (g) refers to farm dwellings being visually linked or sited to cluster with an established group of buildings on the farm. Given that the application site is adjacent to the existing farm buildings associated with this holding it is considered that this criterion has been complied with.

In summary, it is considered that this aspect of the development proposal is in accordance with the provisions of Policy CTY13 of PPS21.

Policy CTY14 of PPS21 is entitled 'Rural Character'. The policy headnote 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. Policy CTY14 contains five (5) criterion based tests that require compliance for a new building to be considered acceptable.

Criterion (b) refers to the development being unacceptable where it would result in a suburban style build-up of development when viewed with existing and approved buildings. Given that the proposed buildings would visually link with other existing buildings it is considered that the development proposal would read as a cluster of development which would comply with criterion (b) of Policy CTY14.

Criterion (c) refers to a new building being unacceptable where it does not respect the traditional pattern of settlement exhibited in the area. In this case it is noted that existing dwellings along the laneway leading to the application site are all located immediately adjacent to the edge of the laneway. It is considered that should planning permission be granted a suitably worded planning condition could be imposed requiring that the proposed development be sited to reflect this settlement pattern characteristic and for this reason it is considered that criterion (c) could be complied with.

Criterion (e) requires that the impact of ancillary works (with the exception of necessary visibility splays) would not damage rural character. It has been noted above under the consideration of Policy CTY13 that as this development seeks outline planning permission only the principle of the development is being tested at this time. It is therefore unclear what, if any, ancillary works would be required to serve the

development. It is considered however that this matter could be assessed at Reserved Matters stage, should planning permission be granted. Criterion (e) is therefore considered as not being relevant to the assessment of this development proposal at this time.

Criterion (d) of Policy CTY14 refers to a new building being unacceptable if it would create or add to a ribbon of development. The policy headnote of Policy CTY8 of PPS21 states that planning permission will be refused for a building which creates or adds to a ribbon of development. Paragraph 5.33 of the Justification and Amplification section of the policy states that a 'ribbon' does not necessarily have to be served by individual accesses nor have a continuous or uniform building line. Buildings sited back, staggered or at angles and with gaps between them can still represent ribbon development, if they have a common frontage or they are visually linked. In this case both No's 131 and 135 Castle Road are located at the road edge of the eastern side. No 131 Castle Road is to the south of No.135 Castle Road. As the principle of development is being sought for a farm dwelling and garage further north of No.135 Castle Road it is considered that the grant of planning permission for the development proposal could add to the existing ribbon of development. This could be mitigated however by setting the dwelling back behind the existing buildings and restricting the curtilage of the dwelling so that it does not have a road frontage.

Overall, it is considered that the proposal is contrary to the policy provisions of Policies CTY1 & CTY10 PPS21 and the relevant provisions of the SPPS for the reasons set out above and several draft refusal reasons are provided to this effect.

CONCLUSION

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

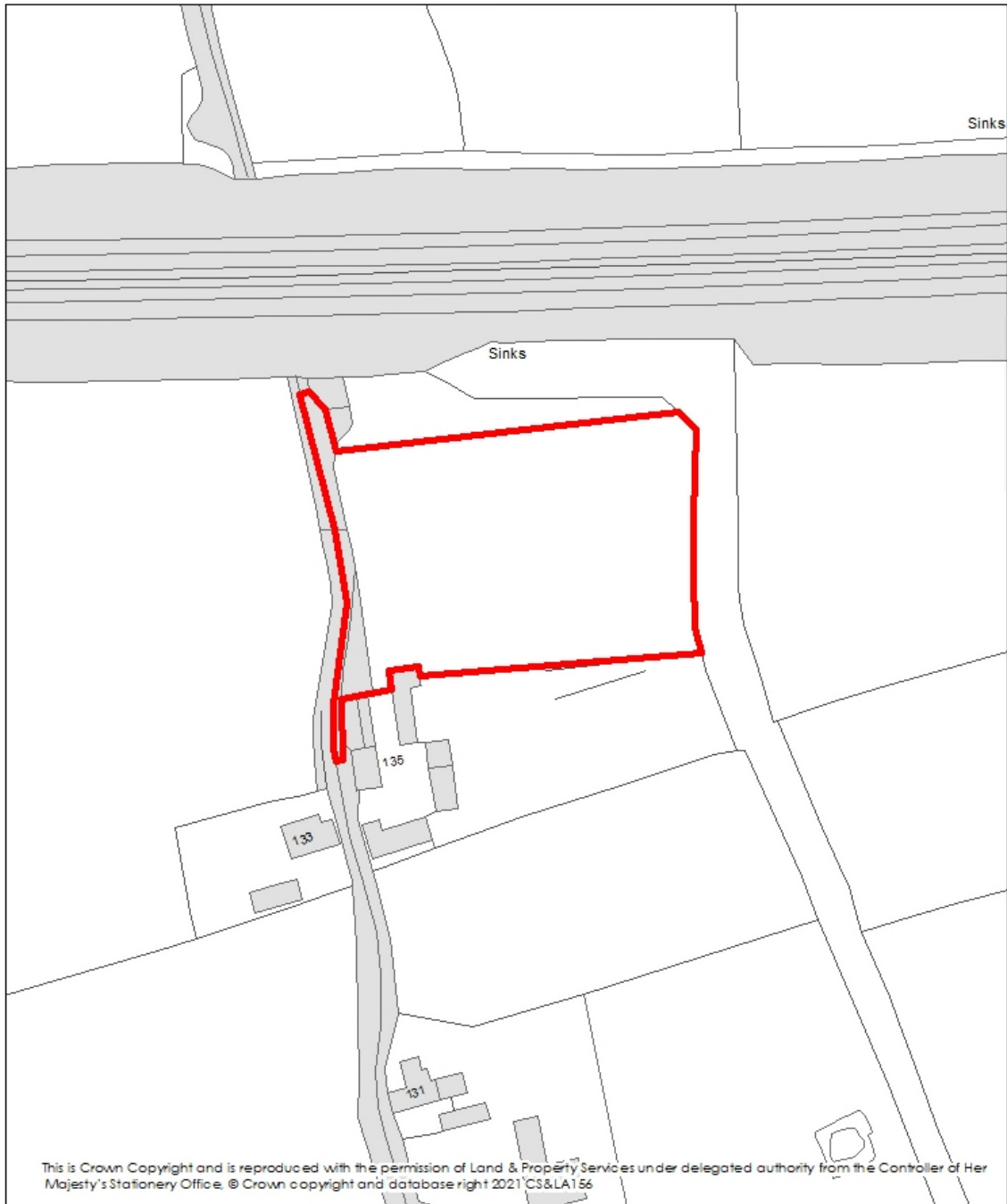
- The principle of the development is not established as it has not been demonstrated that the farm business is currently active and has been established for at least 6 years.
- The development proposal will integrate into the landscape.
- The siting of the dwelling proposed could be conditioned to ensure that it will not result in ribbon development nor have an unacceptable impact to the character of the countryside.

RECOMMENDATION

REFUSE OUTLINE 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.



LA03/2020/0515/O

20m North of 135 Castle Road, Randalstown

Site of Dwelling and Garage on Farm



Site Boundary

Scale: 1:1,250



COMMITTEE ITEM	3.11
APPLICATION NO	LA03/2020/0778/F
DEA	AIRPORT
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE PLANNING PERMISSION
PROPOSAL	Extension to existing storage unit
SITE/LOCATION	17 Carnanee Road, Templepatrick, Ballyclare, BT39 0BZ
APPLICANT	Mr Andrew Taylor
AGENT	Big Design Architecture
LAST SITE VISIT	27th January 2021
CASE OFFICER	Alicia Leathem Tel: 028 90340416 Email: alicia.leathem@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 countryside outside any settlement limit as defined by the Belfast Urban Area Plan (BUAP) and draft Belfast Metropolitan Area Plan (dBMAP).</p> <p>The application site is a road frontage site and forms part of a wider economic development site known as Taylor Transport. The application site includes an existing building located along the western boundary. The existing building has the appearance of an industrial style building with the lower section finished in blockwork with the upper section finished in corrugated tin cladding.</p> <p>The application site includes a large area of hardstanding and provides the access to the wider site. Boundaries to the site are defined by palisade security fencing and mature trees along the western boundary, a wall approximately 2 metres in height and security gates define the northern boundary, the eastern boundary is defined by a wall approximately 2 metres in height whilst the southern boundary is undefined.</p> <p>The wider site consists of a large area of hard standing, additional buildings and a residential property to the immediate east. The site is accessed utilising an existing approved access (U/2013/0139/F) from the Carnanee Road, approximately 40 metres northwest of the existing farm dwelling; the access follows a one-way system, to exit the site onto the Carnanee Road, approximately 130 metres east of the site entrance.</p>	
RELEVANT PLANNING HISTORY	
<p>Planning Reference: LA03/2016/0540/F Location: 17 Carnanee Road, Templepatrick, Proposal: Retention of existing storage building for transport and distribution business Decision: Permission Granted (16.09.2016)</p>	

Planning Reference: U/2013/0139/F

Location: Taylor Haulage Yard, 17 Carnanee Road, Templepatrick,

Proposal: Alterations and improvements to existing access to the public road, including a new exit

Decision: Permission Granted (22.10.2013)

Planning Reference: U/2014/0377/F

Location: 19 Carnanee Road, Templepatrick,

Proposal: Retrospective application for an agricultural shed.

Decision: Permission Granted (27.05.2015)

Planning Reference: U/2012/0071/F

Location: 17 Carnanee Road, Templepatrick,

Proposal: Retrospective application for area of yard associated with existing transport business (to be used as articulated trailer park)

Decision: Permission Granted (21.02.2013)

Planning Reference: U/2001/0337/F

Location: 17 Carnanee Road, Templepatrick,

Proposal: Change of use of storage and vehicle garage to premises for grading peat moss and garden bark, including area for external storage.

Decision: Permission Refused (06.03.2002)

Planning Reference: U/1998/0268/F

Location: 17 Carnanee Road, Templepatrick,

Proposal: Change of use from storage and distribution depot to milling and refining of wood bark and peat for retailing purposes.

Decision: Application Withdrawn

Planning Reference: U/1992/0221/F

Location: Taylor Transport, 17 Carnanee Road, Templepatrick,

Proposal: Erection of frontage wall.

Decision: Permission Granted (03.08.1992)

Planning Reference: U/1984/0345/F

Location: 17 Carnanee Road, Templepatrick,

Proposal: Erection of garage/store

Decision: Permission Granted (12.11.1984)

Planning Reference: U/1982/0149/F

Location: 19 Carnanee Road, Templepatrick,

Proposal: Change of use from agricultural building to storage and vehicle garage.

Decision: Permission Granted (21.01.1983)

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

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

CONSULTATION

Council Environmental Health Section – No objection subject to conditions

Department for Infrastructure Roads- No objection

REPRESENTATION

One (1) neighbouring property was 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
- 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 purportedly adopted Belfast Metropolitan Area Plan 2015 (BMAP 2015) was for a period of time deemed to be the statutory development plan for this area, however the purported adoption of the Plan by the then Department of the Environment in 2014 was subsequently declared unlawful by the Court of Appeal on 18th May 2017. The adopted Belfast Metropolitan Area Plan 2015 (BMAP) previously operated as the statutory development plan for this area, but the adoption of the Plan in 2014 was subsequently declared unlawful by the Court of Appeal on 18th May 2017. 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.

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) states that the reuse of rural buildings and appropriate redevelopment and expansion proposals for industrial and business purposes will normally offer the greatest scope for sustainable economic development in the countryside. The SPPS goes on to state that proposals may occasionally involve the construction of new buildings. However, the SPPS goes on to warn that the level of new buildings for economic development purposes outside settlements must be restricted in the interests of rural amenity and wider sustainability objectives. The SPPS also states that a transitional period will operate until such times as a Plan Strategy for the whole of the Council area has been adopted. Therefore, Planning Policy Statement 21 'Sustainable Development in the Countryside' (PPS21) and Planning Policy Statement 4 'Planning and Economic Development' (PPS4) are applicable in this case.

Policy CTY 1 of PPS 21 refers to a range of types of development considered acceptable in the countryside. One such development is industrial and business uses in accordance with PPS 4. The proposal seeks full planning permission for an extension

to existing storage unit and consequently the planning history of the application site is considered an important material consideration in this instance. It is accepted that an existing use known as Taylor Transport has been established on the site. Policy PED 2 of PPS 4 states that proposals for economic development uses in the countryside will be permitted in accordance with the provisions of certain stated policies. The applicant within their supporting statement, Document 01 dated 24th May 2021, contends that the proposal is acceptable as the expansion of an established economic development use in accordance with Policy PED 3 'Expansion of an Established Economic Development Use in the Countryside'. Policy PED 3 requires that the scale and nature of the proposal does not harm the rural character or appearance of the local area and there is no major increase in the site area of the enterprise and that any expansion will normally be expected to be accommodated through the reuse or extension of existing buildings on the site.

As indicated above an established use known as Taylor Transport currently exists on the site. The Supporting Statement, Document 01 dated 24th May 2021 details that due to the Covid-19 pandemic and the importing and exporting difficulties as a result of Brexit that new and unforeseen economic pressures have been placed on the business and that the need for additional storage has become paramount for the survival of the business. It also states that genuine hardship will be caused by the business not being able to provide larger storage capacity as an integral part of the long established existing haulage and transport business.

There are a number of existing buildings on the wider Taylor Transport site within an area of hardstanding for an associated yard area. The application site has been subject to a proliferation of planning applications; therefore, the planning history of the application site is considered an important material consideration in this instance. Most notably the most recent permission LA03/2016/0540/F granted full planning permission for the retention of existing storage building for transport and distribution business. Condition 02 of planning approval LA03/2016/0540/F requires that the building shall be used only for storage and distribution associated with the operation of Taylor Transport and shall be run in conjunction with that business and for no other purpose without the express written consent of the Council.

It is acknowledged that Policy PED 3 does not specifically stipulate a need for a proposed expansion; however, paragraph 5.12 makes reference to the fact that many established enterprises will over time need to expand. As such, additional information was requested from the applicant as to the reason why other buildings on the site could not be utilised, which would negate the need for the proposed building. The supporting information contained within Document 01 fails to address why the adjacent buildings could not be utilised. A previous enforcement case by the Council's Planning Enforcement Section has dealt with the cessation of an unauthorised use of a car sales operating from the site under case reference LA03/2017/0076/CA; furthermore, during the case officers site visit it was apparent that a number of separate uses, including a fuel depot and wind energy facility, was operating from the site. It is therefore evident that capacity for storage space required for Taylor Transport exists within other buildings on this site.

Furthermore, notwithstanding the fact that the proposal is required as an ancillary use to Taylor Transport it is nonetheless a storage and distribution use. Paragraph 5.11 of Policy PED 2 states that development proposals relating to large scale storage and

distribution use will, in general, be more tightly controlled in the countryside than proposals for other economic development uses. It is considered that such proposals are usually more difficult to absorb into the countryside without detrimental impact on rural amenity and their capacity for generating employment is generally less than other uses.

Although it is accepted that Policy PED 3 allows for the expansion of existing buildings on the site and the applicant contends within their supporting statement that the extension respects the scale, design and materials of the existing building in order to meet the criteria of Policy PED 3. Drawing Number 02/1 date stamped 29th March 2021 shows the elevations and floorplans of the proposed building. However, as indicated on Drawing Number 02/1 the proposal does not read as an extension to the existing building in terms of the internal arrangement but rather as a separate building. A section of the floor plan indicates a change in the internal wall measuring 2.4 metres, the agent has indicated verbally that this is an opening between the two buildings, it is considered that the width of this opening of 2.4 metres would be restrictive to the internal movement of vehicles or goods.

For the reasons outlined above it is considered that insufficient evidence has been provided to demonstrate that the proposed additional storage space is critical to allow for the expansion of an established use or indeed is a necessary response to address the current economic or logistical pressures that have been placed on the existing business as indicated within Document 01 dated 24th May 2021. It is therefore considered that the principle of development has not been established.

Layout, Design and Appearance

Policy PED 3 of PPS 4 requires that the expansion of an established economic development use in the countryside will be permitted where the scale and nature of the proposal does not harm the rural character or appearance of the local area and there is no major increase in the site area of the enterprise, with Policy PED 9 requiring all proposals for economic development to comply with a number of criteria.

The proposed building extends 18.4 metres in width from the northern gable wall of the existing building with a width of 12.4 metres and has a ridge height of 7.2 metres. The roof line is an extension of the existing roof line and includes roof lights. The proposed building has two roller shutter doors to the front elevation and a single pedestrian door on the northern gable elevation. The finishes of the proposal building are to match the existing building, that being facing block to the lower section and dark grey corrugated tin to the upper section and the roof. It is considered that the design and appearance is reflective of the buildings on the wider site and typical to that of industrial buildings.

Policy PED 9 requires that appropriate boundary treatment and means of enclosure are provided and that any areas of outside storage proposed are adequately screened from view. In this case there are no areas of outside storage proposed. The application site forms part of a larger economic site which is enclosed by a large wall approximately 2 metres in height and security fencing along the front elevation. The parcel of land where the building is located is currently utilised for parking of lorry trailers, the applicant has indicated that parking of these trailers will be moved to the south of the site within the established curtilage. The proposed site layout plan, Drawing No 02/1 dated 29th March 2021 indicates that the western boundary is to be

augmented with additional landscaping, as indicated above no landscaping plan or details have been provided, however a condition may be imposed requiring a landscape plan be submitted and agreed with the Council prior to development commencing.

Given the rural location and the road frontage nature of the application site, it is considered that if planning permission is forthcoming a condition should be imposed limiting outside storage areas. The proposed location of the building is within the curtilage of the existing site and as such there is no increase in the site area.

Overall, it is considered that the scale and design of the proposed building will not harm the rural character or appearance of the area.

Impact on Character and Appearance of Area

As outlined above PED 3 of PPS 4 requires that the expansion of an established economic development use in the countryside will be permitted where the scale and nature of the proposal does not harm the rural character or appearance of the local area; additionally, Policy PED 9 requires that there are satisfactory measures to assist with integration and the proposal is compatible with the surrounding land uses.

The application site is a road frontage site located within the rural area along the Carnanee Road and the proposed building effectively extends development closer to the Carnanee Road. Critical views of the site are experienced when travelling along the Carnanee Road in a western direction whilst views in an eastern direction are limited due to existing trees and vegetation along the western site boundary. The proposed site layout plan, Drawing No 02/1 dated 29th March 2021 indicates that this boundary is to be augmented with additional landscaping, as indicated above no landscaping plan or details has been provided, however a condition may be imposed requiring a landscape plan be submitted and agreed with the Council prior to development commencing. Although the building extends towards the Carnanee Road it is set to the rear of the existing boundary wall and will read as part of the overall existing economic site. The design and appearance of the proposed building is proportionate to the existing building and will not create negative impacts in relation to integration or rural character.

Policy PED 9 of PPS 4 also requires that any proposal is compatible with the surrounding land use. As outlined above, the application site is located adjacent to an established economic use in the rural area and the proposal is for an expansion of this use therefore the proposal is compatible with adjacent land uses.

For the reasons outlined above it is considered that the proposal is compatible with the adjacent land use and satisfactory measures have been provided to assist with integration which will ensure that the proposal will not harm the rural character of the area.

Neighbour Amenity

The application site is situated immediately to the west of a residential dwelling at 19 Carnanee Road which is associated with the business; no other dwellings are located in close proximity to the site. Policy PED 9 requires that the amenities of nearby residents are not harmed, and no noise nuisance is created. The proposal is for the expansion of an established economic use on the site, and it is considered that the

increase in noise levels and general disturbance will not be so significant to harm the amenities of any nearby residents. Additionally, the Council's Environmental Health Section was consulted on the proposal and raised no objections subject to a condition being imposed requiring that the building is used for storage purposes only.

Access, Movement and Parking

Policy PED 9 requires that the existing road network can safely handle any extra vehicular traffic. DfL Roads was consulted on the proposal and raised no objection subject to the entrance and exit arrangement being in accordance with the PAC decision 2013/A0163 (Planning reference U/2013/0139/F). It is therefore considered that the existing road network can safely handle any extra vehicular traffic and sufficient space within the application site is provided for parking and manoeuvring of vehicles.

CONCLUSION

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

- The principle of development has not been established;
- The design, appearance and layout of the proposal is considered appropriate for the site and surrounding area;
- The scale and nature of the proposal will not harm the rural character or appearance of the area;
- The proposal will not result in unacceptable adverse impacts on neighbouring properties;
- Adequate provision is made for parking and manoeuvring of vehicles.

RECOMMENDATION

REFUSE PLANNING PERMISSION

PROPOSED REASON OF REFUSAL

1. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy PED 2 of Planning Policy Statement 4 'Economic Development in the Countryside' and Policy PED 3 of PPS 4 'Planning and Economic Development', in that the proposal fails to demonstrate the need for the expansion of the established economic development at this rural location.



Site Location Plan

Application Reference: LA03/2020/0778/F

Extension to existing storage unit

17 Carnanee Road
Templepatrick
Ballyclare
BT39 0BZ

0 60 120
Metres



 Site boundary



COMMITTEE ITEM	3.12
APPLICATION NO	LA03/2020/0824/O
DEA	AIRPORT
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE OUTLINE PLANNING PERMISSION
PROPOSAL	Site for proposed 1 no. 1 ½ storey dwelling
SITE/LOCATION	Side garden of 3 Hydepark Lane, Mallusk, Newtownabbey
APPLICANT	Ken Lowry and Deborah Hewitt
AGENT	N/A
LAST SITE VISIT	17 February 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 outside of any settlement limit as designated in both the Belfast Urban Area Plan (BUAP) and the draft Belfast Metropolitan Area Plan (BMAP) and falls within the countryside.</p> <p>The site is located to the northwest of No. 3 Hydepark Lane, in the side garden area of this existing property. It is a relatively flat site, bounded to the northeast by a hedge of approximately two metres in height; to the southwest by a one metre high block wall, with a post fence along the northwest boundary. The southeastern boundary is partially defined by the side elevation of a shed associated with No. 3 Hydepark Lane, with the remainder of this boundary currently undefined.</p> <p>The surrounding area is rural in character, characterised by single dwellings with small clusters of outbuildings within their curtilage.</p>	
RELEVANT PLANNING HISTORY	
<p>Planning Reference: U/2009/00178/F Location: 3 Hydepark Lane, Mallusk, Newtownabbey Proposal: Erection of temporary sectional shed for storage Decision: Permission granted (17.09.2009)</p> <p>Planning Reference: U/2006/0704/O Location: 3 Hydepark Lane, Mallusk, Newtownabbey Proposal: One detached chalet type bungalow Decision: Permission refused (06.06.2007) Appeal: Dismissed (21.07.2009)</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, most planning applications will continue to be assessed against the provisions of the extant adopted Development Plans for the Borough (the Belfast Urban Area Plan, the Carrickfergus Area Plan and the Antrim Area Plan). Account will also be taken of the Draft Newtownabbey Area Plan and its associated Interim Statement and the emerging provisions of the Belfast Metropolitan Area Plan (which has reverted to the Draft Plan stage) together with relevant provisions of Planning Policy Statements (PPSs) which contain the main operational planning policies for the consideration of development proposals.

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

Draft Newtownabbey Area Plan and Draft Belfast Metropolitan Area Plan: 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.

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

REPRESENTATION

One (1) neighbouring property was 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
- Other Matters

Policy Context and Principle of Development

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

The purportedly adopted Belfast Metropolitan Area Plan 2015 (BMAP 2015) was for a period of time deemed to be the statutory development plan for this area, however the purported adoption of the Plan by the then Department of the Environment in 2014 was subsequently declared unlawful by the Court of Appeal on 18th May 2017. As a consequence, the Belfast Urban Area Plan (BUAP) remains the statutory Local Development Plan (LDP) for the area. The provisions of draft NAP and the draft Belfast Metropolitan Area Plan (dBMAP) are also a material consideration in this application.

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. This application was submitted without any additional information that would allow for it be granted planning permission under PPS 21.

On 26th January 2021, the applicant was requested to submit sufficient information demonstrating how the application site met with the policies of PPS 21. This letter was followed up with a telephone call to Ms Hewitt on 8th February 2021, during which the types of development acceptable in the countryside were discussed. Ms Hewitt was advised that without any accompanying statement of case for this application, it would most likely be refused.

On 10th February, a three week extension of time to submit additional information for the application was requested in writing by Ms Hewitt. No further information has since been received and the applicant has been unable to provide any overriding reasons why the development is essential and could not be located in a settlement. To conclude, there is no policy support for the proposal in Policy CTY 1 and the principle of development is not 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 located along Hydepark Lane, which is a narrow country lane serving three other dwellings and their associated outbuildings and sheds, and the site is situated in the side garden of No 3. When travelling along Hydepark Lane on approach to the application site from the north, there are long views of the site, over a distance of approximately 180 metres. The northeastern boundary is defined only by a low hedge, which is unable to offer a suitable degree of enclosure for the building to integrate into the landscape. In this regard, the proposed development is contrary to CTY 13.

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.

The application site is located in the countryside, where the surrounding area is relatively rural in nature, characterised by single dwellings with associated outbuildings and sheds. In this case, the proposed dwelling is sited at the end of a line of four existing buildings that all front onto Hydepark Lane; the dwelling house at No. 3, a detached garage, an agricultural shed, and a single storey steel framed building. It is considered that by permitting the erection of a new dwelling on the application site, this ribbon of development will be further extended, thereby reinforcing a localised sense of build-up in the rural area and creating a pattern of development which fails to respect the surrounding traditional settlement pattern. The resultant pattern of development is considered to be detrimental to the character, appearance and amenity of the countryside and contrary to CTY 14.

Other Matters

Access and Road Safety

DfI Roads was consulted in relation to the proposed development and requested that the red line of the application site is amended to abut the public road. As the principle of development cannot be established, the applicant was not requested to amend the red line of the site and therefore did not incur any further expense.

CONCLUSION

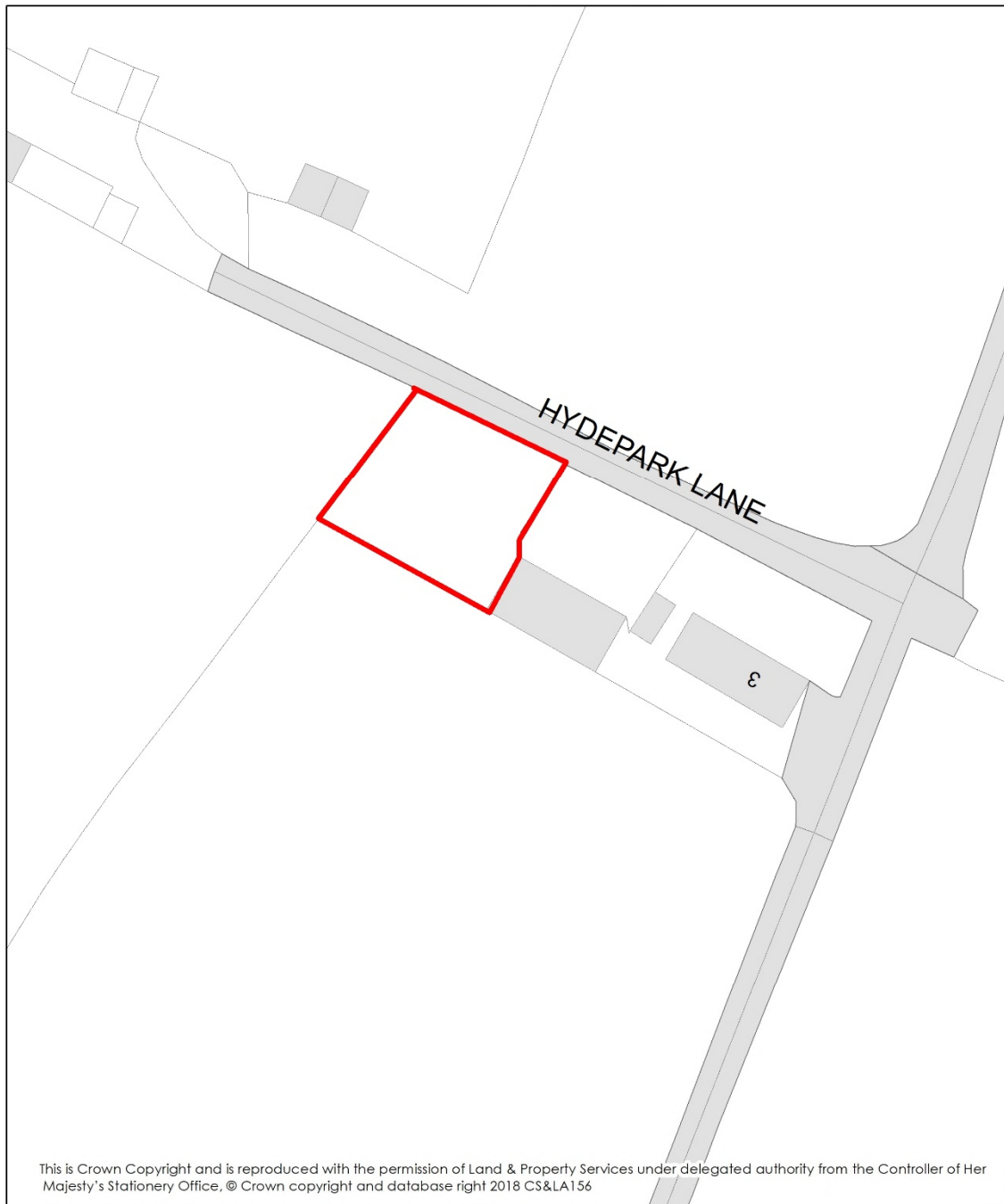
The following is a summary of the main reasons for the recommendation:

- The principle of the development is not acceptable;

- The site is unable to provide a suitable degree of enclosure for the building to integrate;
- The proposed development will add to a ribbon of development and result in a detrimental change to the rural character of the area.

RECOMMENDATION
REFUSE OUTLINE PLANNING PERMISSION
PROPOSED REASONS OF REFUSAL

1. The proposal is contrary to 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.
2. The proposal is contrary to Policy CTY13 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the proposed site is unable to provide a suitable degree of enclosure for the building to integrate into the landscape and therefore would not visually integrate into the surrounding landscape.
3. The proposal is contrary to Policy CTY14 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the building would, if permitted create or add to a ribbon of development and would therefore result in a detrimental change to the rural character of the countryside.



Location Map

Application Reference: LA03/2020/0824/O

Side garden of 3 Hydepark Lane, Mallusk

Site for proposed 1 no. 1 1/2 storey dwelling

0 10 20 Metres



For Information Only

 Site Boundary



COMMITTEE ITEM	3.13
APPLICATION NO	LA03/2020/0789/F
DEA	ANTRIM
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE PLANNING PERMISSION
PROPOSAL	Change of use of domestic garage to dog grooming parlour
SITE/LOCATION	34 Magherabeg Road, Randalstown
APPLICANT	Mr & Mrs M Rodgers
AGENT	Jackie Milliken
LAST SITE VISIT	5 th February 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 at 34 Magherabeg Road, Randalstown. The site is located within the rural area outside of any settlement limit as designated with the Antrim Area Plan (AAP) 1984-2001.</p> <p>The site hosts a large modern detached two-storey dwelling, with a detached garage close to the southern boundary, southwest of the dwelling. There is a large parking area to the front and side of the dwelling, with a large garden to the rear.</p> <p>All boundaries of the site are defined by timber close boarded fencing (1m to the sides and 2m to the rear) save for the roadside eastern boundary which is defined by 1m high ranch-style fencing. The topography of site rises gradually in an east to west direction.</p> <p>Surrounding lands are mostly defined by agricultural fields, however No.32 is a dwelling on adjacent lands south of the site. An old stone building associated with No.32 abuts the applicant's site along the southern boundary. This building comes within 1m of the existing garage on site proposed for conversion.</p>	
RELEVANT PLANNING HISTORY	
<p>Planning Reference: T/2014/0337/F Location: No's 34-36 Magherabeg Road, Ballymena, BT41 2PL, Proposal: Replacement one and half storey dwelling with garage Decision: Permission Granted (05.12.2014)</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 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.

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

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

CONSULTATION

Council Environmental Health Section – No objection subject to conditions

Department for Infrastructure Roads – No objection subject to conditions

REPRESENTATION

Two (2) 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
- Neighbour Amenity
- Compatibility with Adjacent Land Uses
- Natural and Built Heritage
- Flood Risk

- Road Safety and Parking
- Waste Management
- 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.

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.

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 in the countryside. One of these is the development of industry and business uses in accordance with PPS 4.

The application proposes the change of use from a domestic garage to a dog grooming parlour.

The most relevant section within PPS 4 is Policy PED 2; Economic Development in the Countryside. This policy outlines a number of scenarios where proposals for economic development in the countryside may be acceptable, these include:

- The expansion of an established economic development use;
- The redevelopment of an established economic development use;
- Major industrial development;
- Small rural projects; and
- Farm diversification projects.

All other proposals for economic development in the countryside will only be permitted in exceptional circumstances.

The proposal does not fall within any of the categories laid out above and therefore would only be acceptable in exceptional circumstances. The applicant has submitted information to support the case as to why the proposal should be considered acceptable. The reasons outlined include:

- The applicant wishes to work from home so she can raise her family;
- Create some additional income for the family on a part-time basis;
- Located within an existing building;
- The applicant would be the sole employee, with only a “few” customers per day;
- Garage well insulated;

- No evening hours;
- Proposal falls within "homeworking" as set out within Annex A of PPS 4;
- Not practicable or economical to run her business within the settlement limit.

It is considered having taken the supporting statement into account that none of the reasons put forward create an exceptional circumstance that would allow the proposal to be approved. Policy does not allow for the personal economic circumstances of the applicant to create an exceptional case, nor has there been an overriding reason put forward why the applicant must work from home rather than just a preference to work there.

The fact that only the applicant would be employed in the business again does not create an exceptional circumstance. In relation to noise and operational hours this will be dealt with in detail later in the report but does not constitute a principle of development in line with policy.

The supporting letter suggests that the proposal would constitute "homeworking" as set out within Annex A of PPS 4. Annex A is not an exhaustive list of acceptable uses and does not define what constitutes homeworking, however it does list a number of criteria that may lend themselves to the definition of homeworking. It is recognised that the proposal meets a number of the criteria listed, such as work being carried out by persons living in the residential unit (e.g. No 34), however the proposal in its current form would fail a number of the criteria. For instance, the proposal is not to be carried out within the existing dwelling but instead within a detached garage some 10m away from the dwelling house, thereby being self-sufficient as a business building. The use if approved would compete with the main use of the house (residential purposes) and would be less clear as a secondary use on site. The proposal relies on conditions from Environmental Health Section (EHS) and DfI Roads to ensure it will not have a significant impact upon neighbouring properties, thereby falling foul of homeworking guidance; and finally it can be said that it would attract more than occasional visitors, with 2-3 additional vehicles attending the site each day for appointments. From the above it is quite clear that the proposal would not constitute homeworking as laid out within PPS 4.

The applicant was questioned as to why the proposal could not be located within a nearby settlement limit. This was seemingly not explored in detail e.g. available units; and instead economic cost to the applicant was put forward as the primary reason.

On the basis of the submitted justification, it is considered that the proposal does not warrant an exceptional circumstance as highlighted within Policy PED 2 of PPS 4. There appears to be no substantive case as to why the development cannot be located within a nearby settlement and therefore is contrary to Policy PED 2 of PPS 4.

Design and Appearance

Part (j) of Policy PED 9 of PPS 4 states that such development should have a high-quality design and layout.

Minor external amendments are proposed to the existing garage to provide the dog grooming parlour. The only elevation to exhibit design changes will be the northeast elevation which faces towards the road, though set back approximately 35m. When the business would be open this elevation will see the existing double garage doors

lift up and replaced by two large windows with a door access. When the business is shut the existing double doors will be lowered, removing any visual change. The proposed openings will have sizes matching the current openings. Given the location of the proposed building which is set back significantly from the Magherabeg Road, it is considered that the proposed design of the proposal is acceptable and in accordance with part (j) of Policy PED 9 of PPS 4.

Neighbour Amenity

Parts (b) and (e) of Policy PED 9 of PPS 4 states that a proposal shall not harm the amenities of nearby residents or create a noise nuisance.

Given the potential for noise nuisance, the Council's EHS was consulted on the proposal. They received information from the applicant to confirm that the premises would only be used during the daytime with no evening appointments and that there would be no external holding pens/kennels.

Having taken the available information into account EHS offered no objections to the proposal subject to conditions prohibiting external pens/kennels or runs associated with the development. EHS also proposed to impose a condition prohibiting operation of the development, if approved, between the hours of 19:00hrs and 07:00hrs.

Given the above it is considered unlikely there will be a significant detrimental impact upon any neighbouring amenity, the proposal therefore complies with parts (b) and (e) of policy PED 9 of PPS 4.

Compatibility with Adjacent Land Uses

Part (a) of PED 9 states that the works shall be compatible with surrounding land uses. There is no evidence of other commercial businesses around the site, rather the surrounding lands are defined by residential properties or agricultural lands. EHS has confirmed that subject to conditions, there will be no adverse interference with the adjacent dwelling in relation to noise and DfL Roads offers no objections to the increase in road traffic or the intensification of the existing access. Therefore the proposed use is compatible with surrounding land uses.

Natural and Built Heritage

Part (c) of PED 9 states that works shall not adversely affect features of the natural or built heritage. In this case there are no features of natural or built heritage on the site and therefore no harm will be caused.

Flood Risk

The site is not located in an area at flood risk and will not cause or exacerbate flooding, in accordance with part (d) of PED 9.

Road Safety and Parking

In relation to road safety and parking Policy PED 9 states the following:-

- (g) the existing road network can safely handle any extra vehicular traffic the proposal will generate or suitable developer led improvements are proposed to overcome any road problems identified;
- (h) adequate access arrangements, parking and manoeuvring areas are provided; and

- (i) a movement pattern is provided that, insofar as possible, supports walking and cycling, meets the needs of people whose mobility is impaired, respects existing public rights of way and provides adequate and convenient access to public transport;

DfI Roads was consulted on the proposal and has responded with no objection subject to conditions and informatives.

Waste Management

The proposal is capable of dealing satisfactorily with any emission or effluent as no changes to drainage or waste management are proposed.

Other Matters

No objections or other representations have been received.

CONCLUSION

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

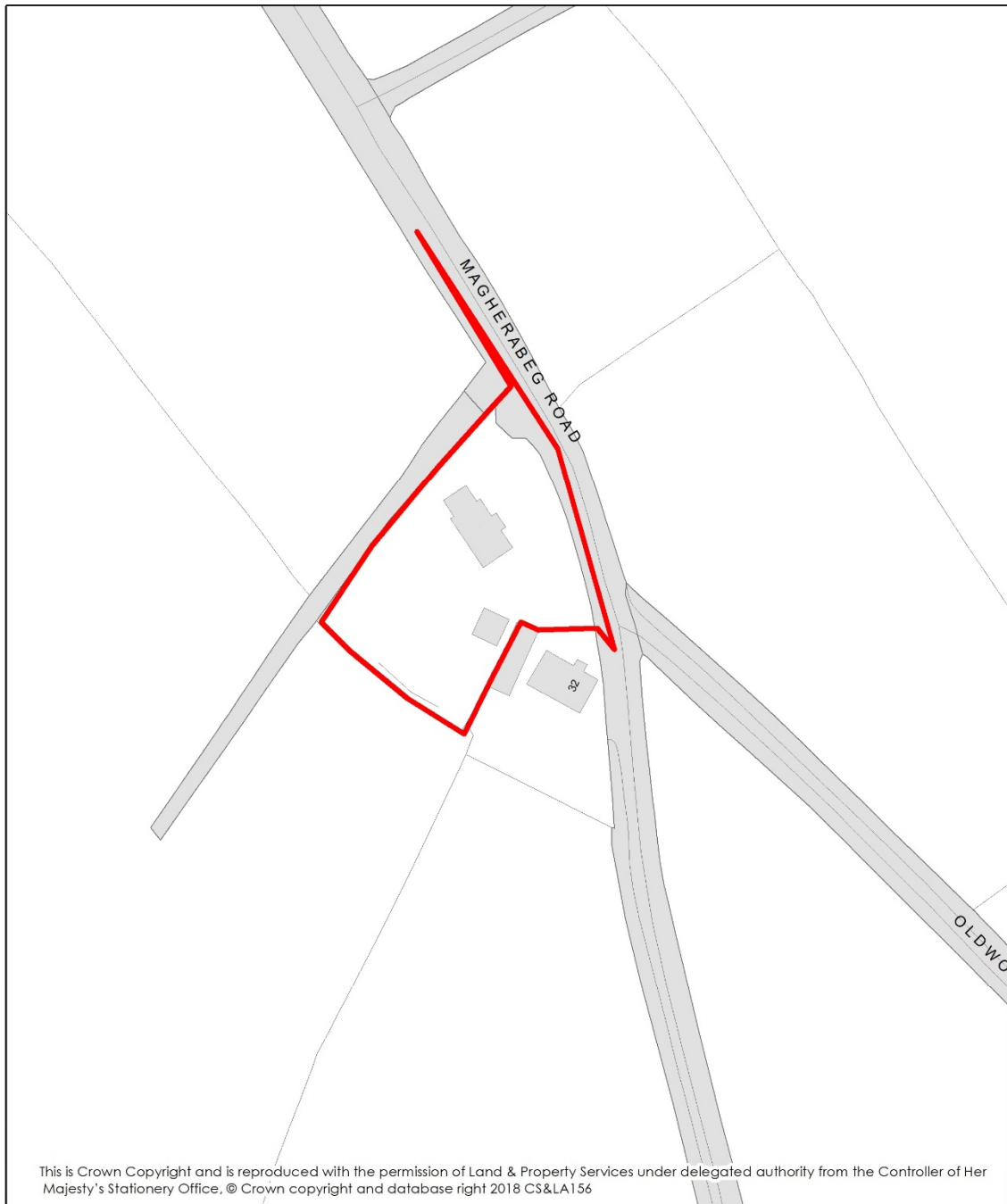
- The principle of development has not been established as an exception in accordance with Policy PED 2 of PPS 4.
- The design of the proposal is considered acceptable.
- There will be no significant detrimental impact upon neighbouring properties if EHS conditions (in relation to prohibiting external pens and evening operation) are adhered to.
- DfI Roads has no objection to the proposal.

RECOMMENDATION

REFUSE PLANNING PERMISSION

PROPOSED REASON OF REFUSAL

1. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and Policy PED 2 of Planning Policy Statement 4 "Planning and Economic Development" in that the principle of development has not been established in accordance with the criteria listed or as an exceptional circumstance.



Site Location Plan

Application Reference: LA03/2020/0789/F

Change of use of domestic garage
to dog grooming parlour

34 Magherabeg Road
Randalstown



 Site boundary



COMMITTEE ITEM	3.14
APPLICATION NO	LA03/2020/0532/F
DEA	GLENGORMLEY URBAN
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE PLANNING PERMISSION
PROPOSAL	Retrospective application for an outdoor ice-cream kiosk and bar servery to existing beer garden, including low level wall and new steps
SITE/LOCATION	129 Antrim Road, Belfast, BT36 7QS
APPLICANT	Bellevue Arms Ltd
AGENT	Paul McCollam
LAST SITE VISIT	21 October 2020
CASE OFFICER	Lindsey Zecevic Tel: 028 903 40214 Email: Lindsey.Zecevic@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 development limits of Metropolitan Newtownabbey as defined by the Belfast Urban Area Plan 2001 and draft Belfast Metropolitan Area Plan (published 2004).</p> <p>The site is occupied by The Bellevue Arms located at No. 129 Antrim Road, which lies to the southeast of Glengormley within a predominantly residential area. The existing building on the application site is a large two storey commercial building which operates as a public house and restaurant. The external finishes include smooth and rough render to the walls coloured green, white wooden doors and window frames and a hipped roof with dark concrete roof tiles. The building subject to this planning application has been constructed on site and is described in detail below.</p> <p>The southwestern boundary of the site, which abuts the Antrim Road, is defined by a 1 metre high metal fence and close boarded timber fencing. The northeastern (rear) site boundary is defined by a 2 metre high wooden fence. The southeastern boundary to the side of the subject building is also defined by a 2 metre high fence. There is a large car parking area to the north and east of the subject building.</p> <p>The surrounding area represents a mix of uses including residential apartments and commercial premises.</p>	
RELEVANT PLANNING HISTORY	
<p>Planning Ref: LA03/2019/0313/F</p> <p>Proposal: Retrospective change of use from outdoor areas to beer terrace, patio areas and internal change of use from deli to off sales.</p> <p>Location: The Bellevue Arms, 129 Antrim Road, Glengormley</p> <p>Decision: Granted Permission (18th July 2019)</p>	

Planning Ref: LA03/2017/0827/F

Proposal: Change of use from off sales to deli bar including alterations to existing layout and entrance area and new extension to front of building

Location: The Bellevue Arms, 129 Antrim Road, Glengormley

Decision: Granted Permission (6th December 2017)

Planning Ref: LA03/2017/0822/A

Proposal: Free standing hoarding adjacent to entrance

Location: The Bellevue Arms, 129 Antrim Road, Glengormley

Decision: Granted Permission (20th October 2017)

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 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.

Belfast Urban Area Plan (BUAP): The application site is located on unzoned land within the development limit of the Belfast Urban Area. Policy H7 Infill Housing applies.

Draft Belfast Metropolitan Area Plan (published 2004): The application site is located on unzoned land within the settlement limit of Metropolitan Newtownabbey.

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

PPS 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.

CONSULTATION

Council Environmental Health Section – No objection subject to conditions

Department for Infrastructure Roads – No objection

REPRESENTATION

Seven (7) 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 and Impact on Character and Appearance of the Area
- Neighbour Amenity
- Access, Movement 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 purportedly adopted Belfast Metropolitan Area Plan 2015 (BMAP 2015) was for a period of time deemed to be the statutory development plan for this area, however the purported adoption of the Plan by the then Department of the Environment in 2014 was subsequently declared unlawful by the Court of Appeal on 18th May 2017. As a consequence, the Belfast Urban Area Plan (BUAP) remains the statutory Local Development Plan (LDP) for the area. The provisions of the draft Belfast Metropolitan Area Plan (dBMAP) are also a material consideration in this application. Both of the relevant development plans identify the application site as being within the settlement limit of Metropolitan Newtownabbey.

The application site is an established public house and restaurant. The proposal seeks retrospective consent for an outdoor ice-cream kiosk and bar servery to the existing beer garden. The proposal represents an expansion to the outdoor facilities to be utilised in association with the existing use as a public house.

Planning Policy Statement 4 'Planning and Economic Development' (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 'General Criteria for Economic Development'.

In the context of this application the application building is currently an employment generating use situated within an urban location. Therefore, in principle the alterations to the existing premises are acceptable subject to all other policy and environmental considerations being met in line with PPS 4.

Design and Impact on Character and Appearance of the Area

The proposal seeks retrospective planning approval for an outdoor ice-cream kiosk and bar servery to the existing beer garden, including a low level wall and new steps.

The proposal is located adjacent the public footpath in a prominent location with open views when travelling in both directions along the Antrim Road as well as from the M2 motorway below. The building has been constructed in plywood and coloured yellow. The building measures approximately 6.8 metres by 2.1 metres and attains a maximum ridge height of 3.8 metres.

The Bellevue Arms Public House is a two storey, hipped roof building finished in rough cast render. Immediately adjacent is a modern three storey apartment block with pitched roof and render finishes. Further up the Antrim Road there is a mix of land uses including some commercial units that are functional in their design mixed in with more traditional semi-detached properties.

Given the nature of the structures on site, which have been erected since the onset of coronavirus, clarification was sought from the applicant as to whether a temporary permission was being sought for these. However, confirmation was subsequently received that the applicant is seeking full planning permission.

Paragraph 4.26 of the SPPS states design is an important material consideration in the assessment of all proposals and good design should be the aim of all those involved in the planning process and must be encouraged across the region. Furthermore, paragraph 4.27 states planning authorities will reject poor design, particular proposals that are inappropriate to their context, including schemes that are incompatible with their surroundings.

In the context of this application, it is considered that the type of structure and design of the proposal are not in keeping with the host building and furthermore it is considered that the proposal creates a significant visual impact within the street scene and is therefore contrary to the SPPS and Policy PED 9 of PPS 4.

Neighbour Amenity

Policy PED 9 of PPS 4 requires that any economic development use shall not harm the amenities of nearby residents. A number of residential properties are located in close proximity to the application site, namely, Lesley Lodge on the Antrim Road, located approximately 15 meters to the northwest of the site and to the rear of the premises residential properties are set approximately 36 metres away on O'Neill Road.

Following consultation with the Council's Environmental Health Section (EH), it advised that the proposed development could operate without adverse impact on residential amenity. However, it stated that given the proximity to neighbouring properties it is considered necessary to impose a noise mitigating condition.

Policy PED 9 requires that any proposal for economic use is compatible with the surrounding land uses. Given that the proposal is ancillary to the main use of the property as a Public House and Restaurant the proposal is considered an acceptable addition subject to a condition prohibiting the use of amplified speakers in order to preserve the current level of amenity enjoyed at the near-by noise sensitive receptors.

Access, Movement and Parking

Policy PED 9 also requires that adequate access arrangements, parking and manoeuvring areas are provided, and the existing road network can safely handle and additional vehicular activity. DfI Roads has been consulted and has raised no objections. Additionally, it is noted that a large car park is located to the rear of the property and the proposal will not reduce any existing parking spaces or manoeuvrability within the site.

Other Matters

It is considered that the proposal will not cause unacceptable loss of, or damage to, trees or other landscape features which contribute significantly to local environmental quality as there are no trees in the direct vicinity of the extension and there has been no indication that any existing trees will need to be removed.

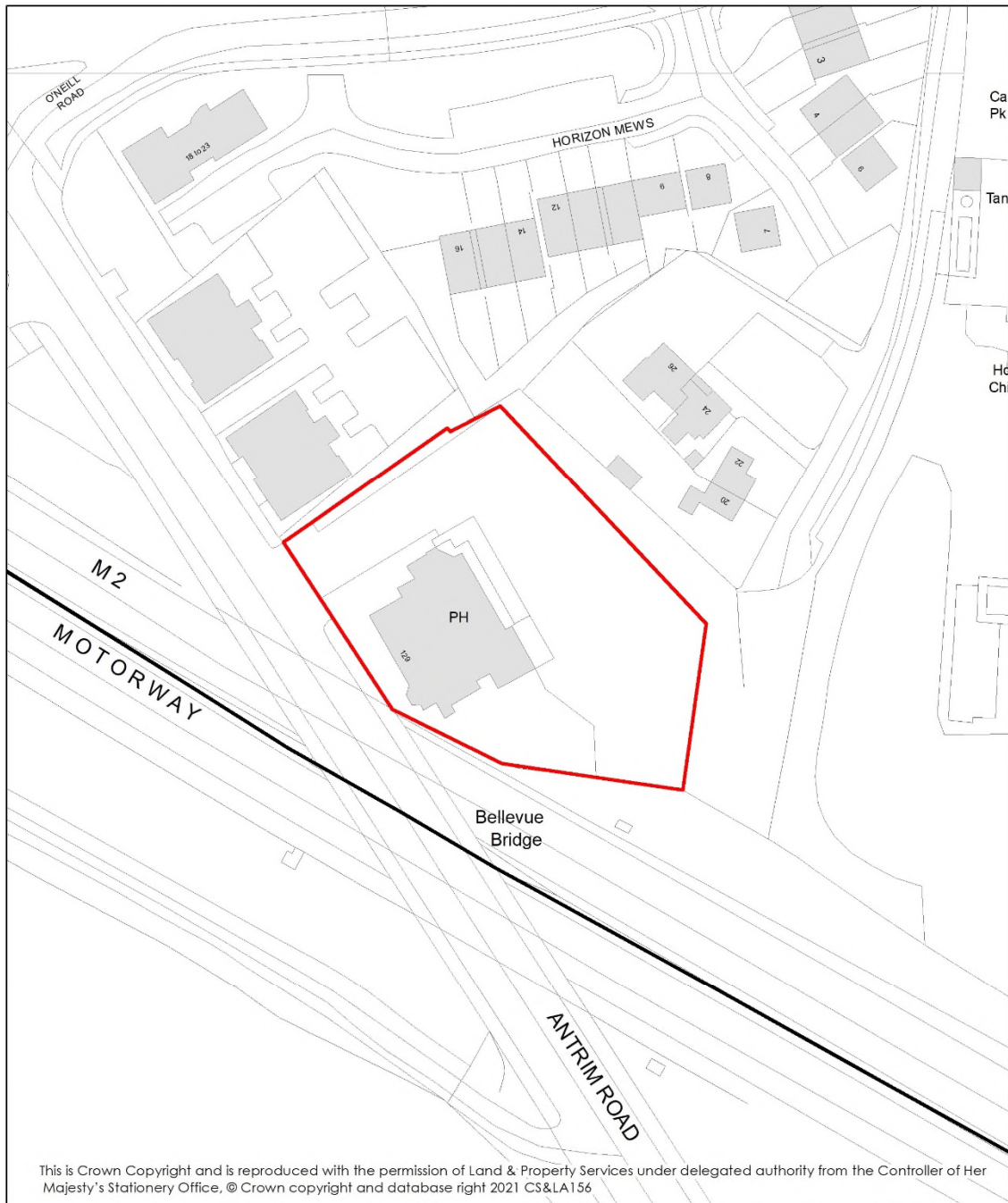
CONCLUSION

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

- The design, appearance and finishes of the proposal is considered unacceptable.
- It is considered that there will be no detrimental impact on neighbour amenity subject to a condition being attached to any approval.
- The proposal will not cause an unacceptable loss of trees nor damage the environmental quality of the area.
- Sufficient space remains within the site for the parking and manoeuvring of vehicles.

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

1. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy PES 9 of Planning Policy Statement 4 Planning and Economic Development, in that the design and appearance and finishes of the proposal are unacceptable and would detract from the character and appearance of the host building and the street scene.



Location Map

Reference: LA03/2020/0532/F

Location: Bellevue Arms, 129 Antrim Road, Newtownabbey
 Proposal: Retrospective application for an outdoor ice-cream kiosk and bar servery to the existing beer garden, including a low level wall and new stairs

 Site Boundary

0 20 40 Metres



COMMITTEE ITEM	3.15
APPLICATION NO	LA03/2020/0771/F
DEA	GLENGORMLEY URBAN
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE PLANNING PERMISSION
PROPOSAL	Retrospective permission for a change of use from coffee shop to hot food take away.
SITE/LOCATION	484C Antrim Road, Newtownabbey, BT36 5DA
APPLICANT	Jaleel Azfar
AGENT	Affordable Plans Online
LAST SITE VISIT	27th January 2021
CASE OFFICER	Alicia Leathem Tel: 028 90340416 Email: Alicia.leathem@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 No. 484c Antrim Road, Newtownabbey which is located within the settlement limit of Metropolitan Newtownabbey as defined in the Belfast Urban Area Plan (BUAP) and draft Belfast Metropolitan Area Plan (dBMAP).</p> <p>The application site comprises of a single storey commercial unit which forms part of a row of four terraced commercial units. The subject unit is occupied by 'Indian Express' hot food take away. An area of hardstanding is located to the front of the units which front onto the Antrim Road. The row of units is single storey pitched roof units with a typical commercial design, that being a large window and pedestrian door to the front elevation of each of the units with fascia signage above each unit.</p> <p>A petrol filling station is located to the west of the application site with residential properties located to the north, south and east of the application site.</p>	
RELEVANT PLANNING HISTORY	
<p>Planning Reference: U/2000/0134/F Location: 484b Antrim Road, Newtownabbey Proposal: Change of use from newsagent to taxi depot/ booking office. Decision: Permission Granted: 05.07.2000</p> <p>Planning Reference: U/2000/0081/A Location: 484 Antrim Road, Glengormley, Newtownabbey Proposal: Freestanding internally illuminated sign Decision: Consent Granted: 18.05.2000</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, 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 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.

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

Draft Newtownabbey Area Plan (dNAP): 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. The Plan offers no specific guidance on this proposal.

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

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

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.

Supplementary Planning Guidance: Development Control Advice Note 4: Restaurants, Cafes and Fast Food Outlets: is to give general guidance to intending developers, their professional advisors and agents in relation to proposals for restaurants, cafes and fast food outlets.

CONSULTATION

Council Environmental Health Section – Additional information requested in the form of a Noise and Odour Assessment

DfI Roads – No objections

REPRESENTATION

Four (4) neighbouring properties were notified, and no letters of objection 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, Appearance and Impact the Character and Appearance of the Area
- Residential Amenity
- 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 purportedly adopted Belfast Metropolitan Area Plan 2015 (BMAP 2015) was for a period of time deemed to be the statutory development plan for this area, however the purported adoption of the Plan by the then Department of the Environment in 2014 was subsequently declared unlawful by the Court of Appeal on 18th May 2017. As a consequence, the Belfast Urban Area Plan (BUAP) remains the statutory Local Development Plan (LDP) for the area. The provisions of draft NAP and the draft Belfast Metropolitan Area Plan (dBMAP) are also a material consideration in this application. The application site is located within the urban settlement limit of Metropolitan Newtownabbey as defined within the (BUAP) and dBMAP.

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). With regard to retailing, the SPPS advises that Paragraphs 6.267 - 6.292 of the Strategic Planning Policy Statement in relation to 'Town Centres and Retailing' incorporates a town centre first approach for retail and other main town centre uses however, acknowledge that there will, of course, be local retailing in other locations, outside of town centres.

The proposal is for retrospective change of use from a coffee shop to a takeaway for the sale of hot food for consumption off the premises which is defined as being a sui generis use within The Planning (Use Classes) Order (Northern Ireland) 2015. The application site is located at No. 484c Antrim Road, Newtownabbey and forms part of small group of four commercial units located at the Antrim Road adjacent to an

existing petrol filling station. It is acknowledged that the previous use was a coffee shop and as such a commercial use already exists at this site. Additionally, the change of use creates a floorspace of approximately 60sqm; consequently, the scale and nature of the proposal ensures that it will meet only local needs and is unlikely to have a detrimental impact on existing shops in the area.

Within the context of the planning policy and supplementary planning guidance and taking into account the context of the surrounding land use it is considered the principle of a change of use of the existing building from a coffee shop to a hot food take away would be acceptable subject to all other policy and environmental considerations which are discussed below.

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

There are no proposed changes to the external design of the building with the exception of a flue to the rear elevation. There are no alterations to the physical form, scale, massing or appearance of the building due to this development proposal. The windows, doors and surrounds are all being retained as existing. Internally, there is a customer service area, hot food preparation area, food preparation area, toilet and cold store. As there are no external changes to the building, the design and appearance will remain as is and is therefore acceptable. The applicant will be advised by way of informative that advertising consent will be required for the erection of any signage at the premises.

Residential Amenity

The nature of the proposal as a hot food take away can potentially give rise to a number of issues in relation to noise and odour that may impact the amenity of adjacent residents. Paragraph 4.11 of the SPPS states that there are a wide range of environment and amenity considerations, including noise and air quality, which should be taken into account when managing development. It cites the example of the planning system having a role to play in minimising potential adverse impacts, such as noise on sensitive receptors by means of its influence on the location, layout or design of new development. Paragraph 4.11 goes on to state the planning system can also positively contribute to improving air quality and minimising its harmful impacts. Additional strategic guidance on noise and air quality as material considerations in the Planning Process is set out Annex A of the SPPS is entitled 'Managing Noise and Improving Air Quality'.

Additionally, Development Control Advice Note 4 'Restaurants, Cafes and Fast Food Outlets' (DCAN4) provides general guidance relevant to the assessment of the development proposal. Paragraph 5.1 of DCAN4 states that applications for restaurants, cafes and fast food outlets generally give rise to a number of issues and objections which are specific to these particular categories of land use. As a result, the likely impact of such proposals on the character and amenity of the adjoining or surrounding area will be an important concern when determining applications.

As detailed above both the SPPS and DCAN 4 requires that when assessing applications for a hot food take away, a number of factors need to be taken into account, including noise disturbance and smells and fumes. As such consultation was carried out with the Council's Environmental Health Section (EHS). EHS acknowledged the proximity of residential properties with outdoor amenity space and as such requested a suitable noise and odour assessment be submitted for

consideration. EHS indicated within its consultation response dated 14th December 2020 the detail of information to be included in the requested assessments in relation to both noise and odour.

Following the request, the applicant submitted additional information, however, the submitted documents took the form of a brochure and manual relating to the extraction system that has possibly been installed at the premises and not a noise and odour assessment. The applicant was advised that the submitted documentation fell short of what was required, and discussions took place between the applicant's agent and EHS officers clarifying the detail that was required. Following this liaison, the applicant verbally indicated that it was his opinion that a Noise and Odour Assessment was not required, and the applicant highlighted that it has not been required for similar schemes in other Council jurisdictions. Confirmation and clarification were provided to the applicant as to the need for a noise and odour assessment given the nature of the proposal and the potential negative impacts on the adjacent neighbouring properties.

Subsequent to the above requests, a noise and odour assessment was requested from the applicant on numerous occasions (9th April, 21st April and 9th May 2021). The applicant's agent advised on 21st April that the applicant was in the process of submitting a letter to the Council, but no confirmation was given to the submission of the required assessment; in addition, no letter from the applicant has been received indicating otherwise.

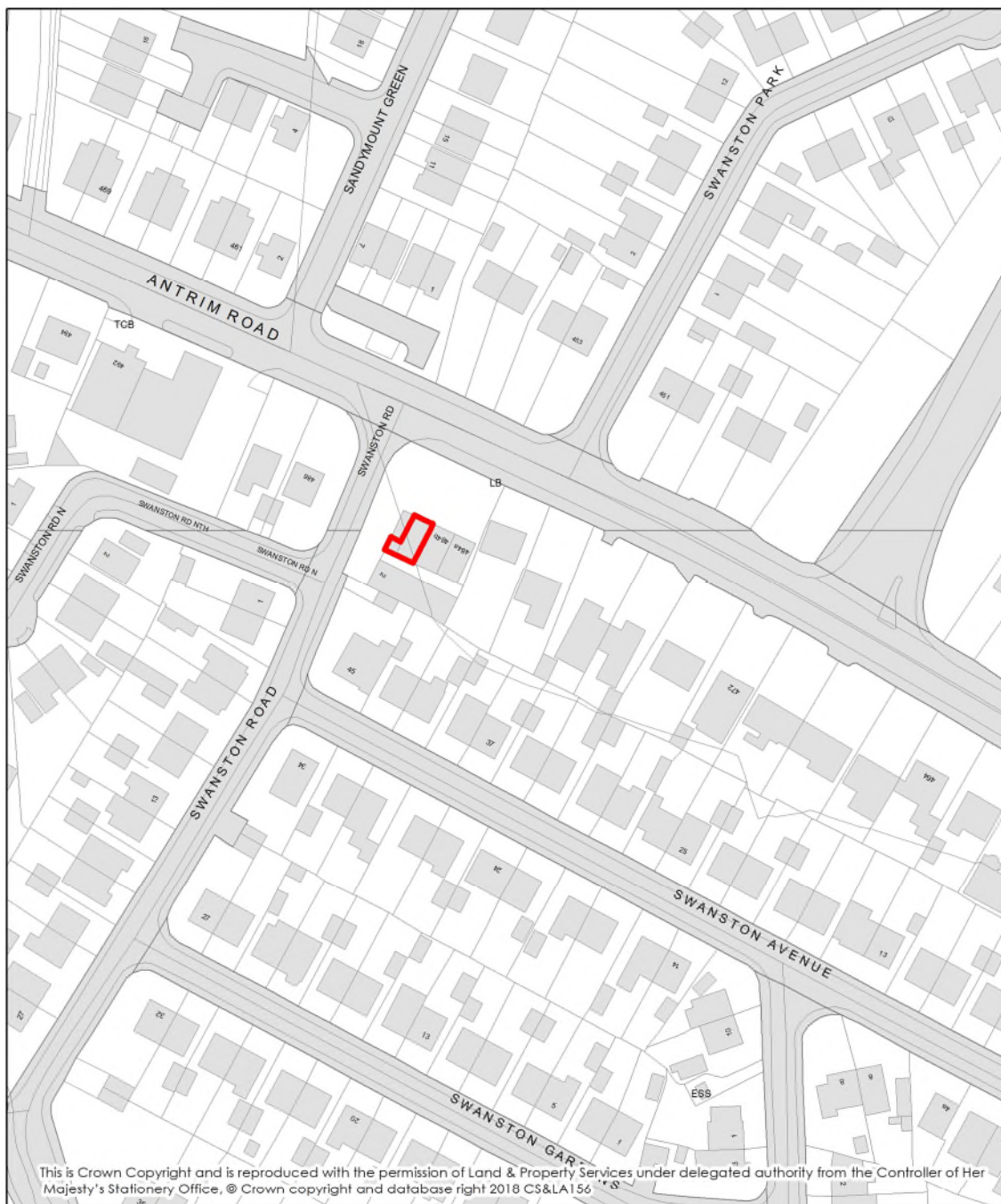
As such in the absence of the necessary supporting information it has not been demonstrated that the existing unauthorised business of a hot food take away will not have an adverse impact upon existing adjacent residents. Furthermore. Paragraph 5.2 of DCAN 4 states that the use of planning conditions is often paramount to the control of restaurants, cafés and fast-food outlets, particularly in relation to the above considerations. The impact of any proposals which would otherwise be rejected, may be mitigated by the imposition of such conditions. In the absence of a noise and odour assessment, it has not been demonstrated to what degree mitigation measures or indeed planning conditions would be necessary to offset any impacts associated with noise and odour being generated from the hot food take away.

For these reasons it is considered that the proposal has failed to demonstrate the requirements of the SPPS and supplementary guidance DCAN 4.

Access, Movement and Parking

Policy AMP 7 'Car Parking and Servicing Arrangements' of Planning Policy Statement 3 states that development proposals will be required to provide adequate provision for car parking and appropriate servicing arrangements. Car parking provision is currently available to the front of the building in the form of an enclosed area of hardstanding. Given the relatively small scale of the premises, the nature of the proposal being a takeaway service, it is anticipated that cars attracted to the premise can safely and conveniently be accommodated on-street. DfI Roads has offered no objection to the proposal, and it is therefore considered that the proposal is compliant with Policy AMP 7 of PPS 3.

CONCLUSION	
<p>The following is a summary of the main reasons for the recommendation:</p> <ul style="list-style-type: none">• The principle of the development has not been established;• The necessary noise and odour reports have not been provided to demonstrate that the proposal will not have an adverse impact on the residential amenity of adjacent residential properties;• Sufficient parking is available to serve the development.	
RECOMMENDATION	REFUSE PLANNING PERMISSION
PROPOSED REASON OF REFUSAL	
<p>1. The proposal is contrary to the provisions of the Strategic Planning Policy Statement as it has not been demonstrated that the proposal will not cause a detrimental impact to the residential amenity of adjacent residents, by way of noise and odour disturbance.</p>	

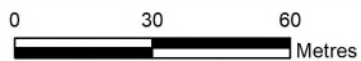



Site Location Plan

Application Reference: LA03/2020/0771/F

Change of use from coffee shop to
hot food take away (retrospective)

484C Antrim Road
Newtownabbey
BT36 4DA



 Site boundary



PART TWO

OTHER PLANNING MATTERS

ITEM 3.16

P/PLAN/1 DELEGATED PLANNING DECISIONS AND APPEALS

A list of planning decisions issued by Officers during May 2021 under delegated powers together with information relating to planning appeals is **enclosed** for Members information.

One appeal was allowed during May by the Planning Appeals Commission (PAC) in relation to the non-determination of an application for the proposed demolition of an existing dwelling and the erection of 2no. dwellings with garages at 6 Glenkeen Avenue, Jordanstown (reference: LA03/2020/0008/F) and a copy of this decision is also **enclosed**.

RECOMMENDATION: that the report be noted

Prepared by: John Linden, Head of Planning

Approved by: Majella McAlister, Deputy Chief Executive of Economic Growth

ITEM 3.17

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

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). Two PANs were registered during May 2021 the details of which are set out below.

PAN Reference:	LA03/2021/0478/PAN
Proposal:	Mixed use development comprising petrol filling station and local neighbourhood supermarket with apartments on first floor, nursing home and consequential modification to the housing layout approved under planning reference U/2008/0155/RM and realignment to access road serving St Enda's Gaelic Athletic Club and Gaelscoil Eanna
Location:	Land to the south of Hightown Road and immediately east of Holly Manor and nos 20-30 (evens) Hollybrook Manor, Glengormley
Applicant:	Conway Estates Limited
Date Received:	14 May 2021
12 week expiry:	6 August 2021

PAN Reference:	LA03/2021/0501/PAN
Proposal:	Proposed alterations to Factory Outlet Centre to accommodate new Dobbies Garden Centre with associated restaurant/cafe, foodhall, soft play area, and in-store concessions areas (including core gardening, cookshop, pet and bird care, gifting and seasonal products). Development to also include demolition of units 9-16 and 38-40 to facilitate new polytunnels and external garden furniture/plant area; and the covering over of the existing external concourse area to provide a new Atrium Mall, with all associated site works
Location:	Units 9-40, The Junction Retail and Leisure Park, 111 Ballymena Road, Antrim
Applicant:	Episo 4 Antrim S.a.r.l
Date Received:	20 May 2021
12 week expiry:	12 August 2021

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.

As part of its response to Coronavirus, the Department for Infrastructure (DfI) introduced an amendment to subordinate legislation during 2020 to temporarily remove the requirement for a public event as part of the pre application community consultation (PACC). The initial Departmental Regulations were subsequently extended on 1 October 2020 and more recently the Infrastructure Minister, Nichola Mallon, announced on 9 March that the temporary suspension of the PACC requirement was being further extended in light of continuing restrictions associated with coronavirus.

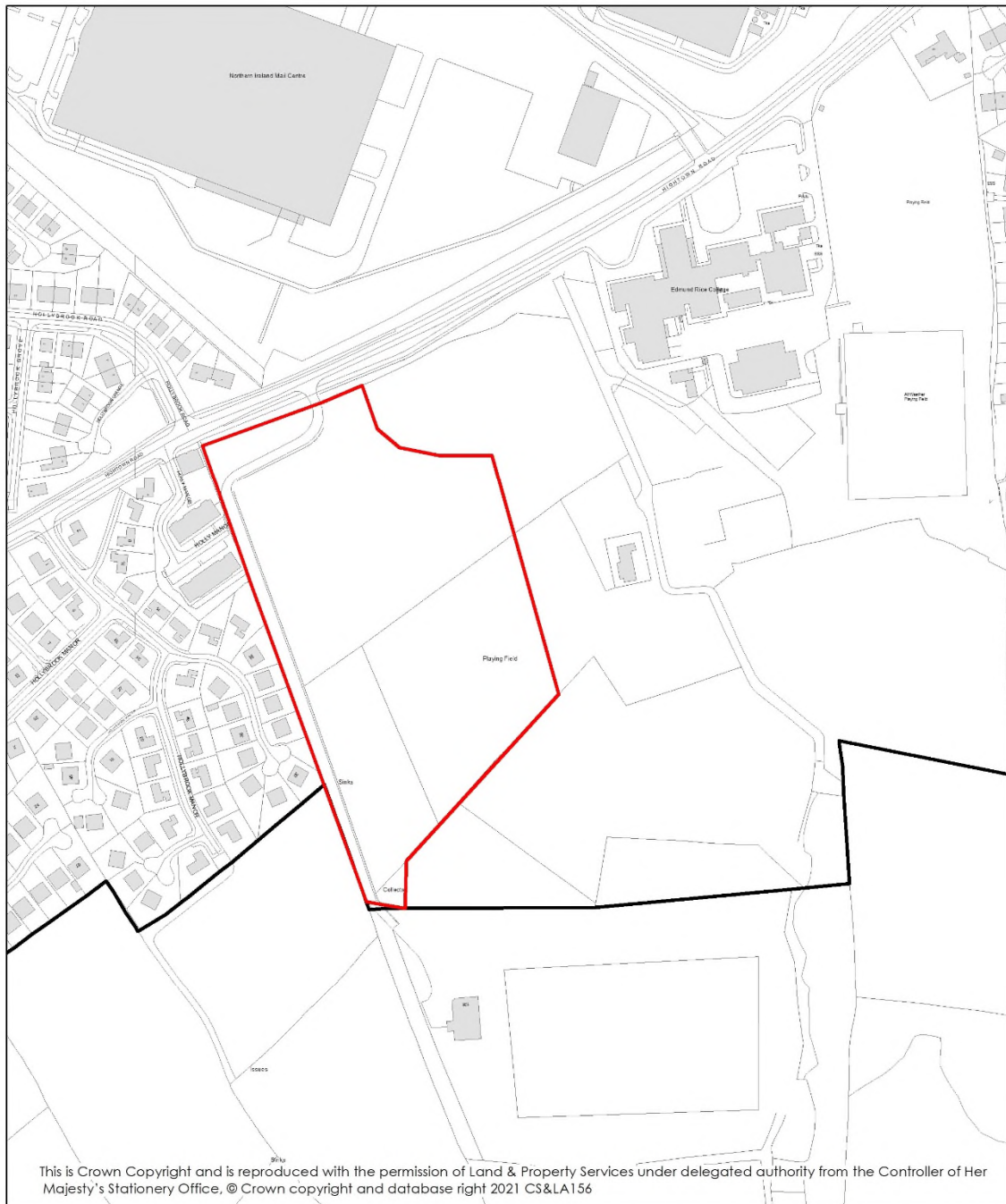
The Planning (Development Management) (Temporary Modifications) (Coronavirus) (Amendment) Regulations (Northern Ireland) 2021 temporarily amend the Planning (Development Management) Regulations (Northern Ireland) 2015 and will now apply until 30 September 2021. As with the previous Regulations applicants will still need to comply with other requirements to ensure communities are aware of and can input to major development proposals for their areas. However, this temporary change will allow major planning applications to continue to be submitted during the COVID-19 outbreak.

Guidance issued by the Department indicates that specific detail should be included in the PAN application indicating what consultation methods the prospective applicant is proposing to ensure that the local community is able to access, and comment on, information about a proposed development, despite the absence of a PACC public event.

RECOMMENDATION: that the report be noted.

Prepared by: John Linden, Head of Planning

Approved by: Majella McAlister, Deputy Chief Executive of Economic Growth



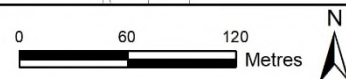
Location Map

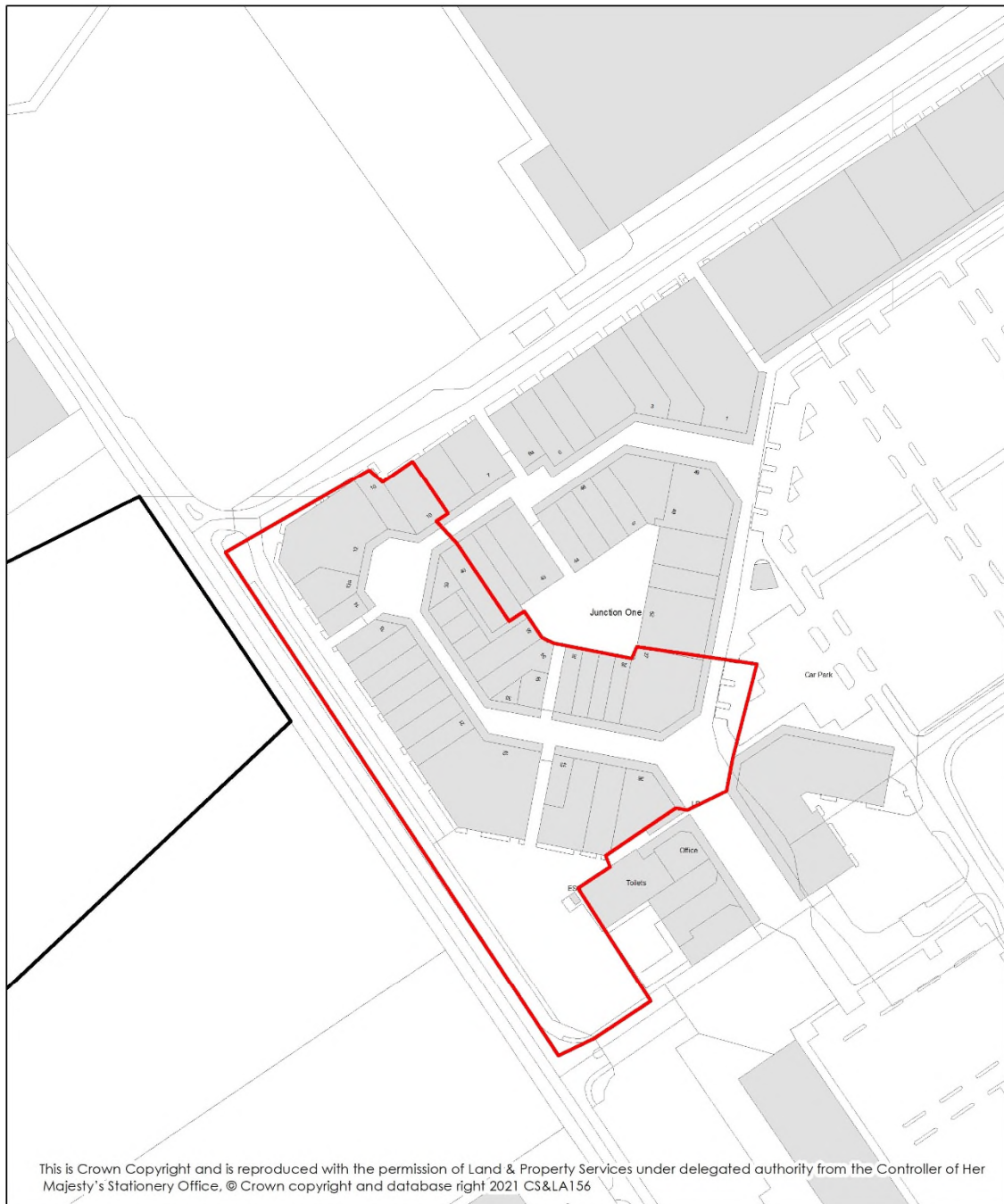
PAN Reference: LA03/2021/0478/PAN

Location: Land to the south of Hightown Road and immediately east of Holly Manor and nos 20-30 (evens) Hollybrook Manor Glengormley

Proposal: Mixed use development comprising petrol filling station and local neighbourhood supermarket with apartments on first floor and nursing home.

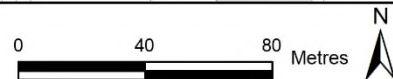
 Site Boundary





Location Map

PAN Reference: LA03/2021/0501/PAN
 Location: Units 9-40 The Junction Retail and Leisure Park
 111 Ballymena Road Antrim.
 Proposal: Proposed alterations to Factory Outlet Centre
 to accommodate new Dobbies Garden Centre
 and associated development.



Site Boundary



ITEM 3.18

P/PLAN/1 NORTHERN IRELAND HISTORIC BUILDINGS COUNCIL REPORT 2016-20.

The Historic Buildings Council, an Advisory Council to the Department for Communities, has forwarded a copy of its 20th report covering the period 2016-20 which can be accessed at the following link.

<https://www.communities-ni.gov.uk/sites/default/files/publications/communities/historic-buildings-council-2016-2020-report.pdf>

The Historic Buildings Council is established under Article 198 of the Planning Act (Northern Ireland) 2011. Its function is:

- to keep under review, and from time to time report to the Department on, the general state of preservation of listed buildings; and
- to advise the Department on such matters relating to the preservation of buildings of special architectural or historic interest as the Department may refer to it.

The council is made up of 15 members including the Chair, who possess a wide range of expertise and experience in architecture, architectural history, planning, industrial heritage, building conservation and structural engineering throughout Northern Ireland.

As indicated in the cover letter accompanying the Report (copy **enclosed**), it consists of a number of articles written mainly by members of the council who have been given latitude to report on issues they wish to raise. The Chairman, Marcus Patton, had oversight of the whole document and is responsible for the keynote essay at the start which summarises the work of the council and the main issues which have emerged.

Officers, having reviewed the Report, would advise that it is thought provoking with the Chair confirming that the role of the council is not simply to rubber stamp the work of the Department for Communities, but to seek to raise the standards for looking after Northern Ireland's built heritage. Members may also wish to note that one of the articles covers the Building Preservation Notice served by this Council for Straid Congregational Church prior to its formal listing.

RECOMMENDATION: that the report be noted.

Prepared by: John Linden, Head of Planning

Approved by: Majella McAlister, Deputy Chief Executive of Economic Growth

ITEM 3.19

P/FP/LDP/85 DRAFT MARINE PLAN FOR NORTHERN IRELAND, PUBLIC CONSULTATION REPORT PUBLICATION – SUMMARY OF RESPONSES (APRIL 2021)

Members are reminded that between 18 April - 15 June 2018, the Department of Agriculture, Environment and Rural Affairs (DAERA) undertook public consultation on the draft Marine Plan for Northern Ireland (MPNI). The consultation was hosted on DAERA's website and information was provided to all stakeholders.

The Marine and Coastal Access Act (2009) and the Marine Act (Northern Ireland) 2013 sets out the statutory basis for the preparation of marine plans and the framework for marine planning system in Northern Ireland. DAERA is the Marine Planning Authority for Northern Ireland.

DAERA has now published a Public Consultation Report which provides a summary of all responses received from a range of stakeholders, a copy of which can be viewed at the link below.

<https://www.daera-ni.gov.uk/publications/public-consultation-report-summary-responses>

This report will be used by DAERA to inform further work in developing marine planning in Northern Ireland. As the Council continues to progress its Local Development Plan, Draft Plan Strategy, Officers within the Forward Planning Team will continue to engage with DAERA regarding the preparatory work required in advance of the final publication of the MPNI.

RECOMMENDATION: that the report be noted.

Prepared by: Sharon Mossman, Principal Planning Officer

Agreed by: John Linden, Head of Planning

Approved by: Majella McAlister, Deputy Chief Executive of Economic Growth

ITEM 3.20

P/FP/4 INDEPENDENT EXAMINATION INTO LOCAL DEVELOPMENT PLAN DRAFT PLAN STRATEGY

Members are reminded that the Council submitted its Local Development Plan (LDP) Draft Plan Strategy (DPS) and its supporting documentation to the Department for Infrastructure (DfI) on 8 March 2021 seeking it to cause an Independent Examination (IE) on the Plan Strategy document.

Following the Council's original submission, DfI requested some minor additional information in relation to the Council's original soundness report. As a result, Officers from the Forward Planning Team responded with the following additional information:

- (1) The original Soundness Report has been updated and superseded with an updated version which now includes a list of errata and a Soundness Report Addendum (May 2021);
- (2) Appendix 1 of Section 4 of the Council's DfI Submission section has been updated and superseded with Appendix 1A in order to signpost the public to this latest soundness related information; and
- (3) Updated Submission of Documents List (May 2021).

These additional documents are now available on the Council's website and have been uploaded onto the iPad drop box for Member access.

Following submission of these additional/amended supporting documents to DfI, the Council received confirmation on 1 June 2021 that the Department would be writing to the Planning Appeals Commission (PAC) to cause an Independent Examination of the Council's DPS. Following this, the PAC wrote to the Council on 3 June 2021 to confirm that DfI are causing an IE of the Council's DPS (copy **enclosed**). Hearing dates for the IE have remain to be determined and the Council will be advised of these in due course by the PAC.

Further updates will be provided to Members as the DPS progresses through to IE and the dates for this are set.

RECOMMENDATION: that the report be noted.

Prepared by: Sharon Mossman, Principal Planning Officer

Agreed by: John Linden, Head of Planning

Approved by: Majella McAlister, Deputy Chief Executive of Economic Growth

ITEM 3.21

P/PLAN/1 NILGA BRIEFING TO THE COMMITTEE FOR INFRASTRUCTURE ON THE REVIEW OF THE PLANNING ACT (NI) 2011

Following submission of its response to the Department for Infrastructure (DfI) on the review of the Planning Act (NI) 2011, NILGA, as the representative body for Local Government in Northern Ireland, was invited to brief members of the Assembly Committee for Infrastructure on this matter on 26 May 2021. A link to the NILGA response to DfI is attached below for Members information.

<https://www.nilga.org/media/2265/final-nilga-response-to-the-2021-review-of-the-planning-act-14042021.pdf>

NILGA was represented at the briefing by their head of policy and governance, Karen Smyth, and Councillor Steven Corr from Belfast City Council who is the current chair of the NILGA place-shaping and infrastructure policy and learning network. John Linden, the Council's Head of Planning, also attended to provide professional support to NILGA.

Members will note there was a wide ranging discussion with the Committee in relation to key aspects of the planning function in Northern Ireland. Many of the points raised and matters discussed based on NILGA's submission also link to the submission made by this and other Councils in response to the Department's call for evidence in relation to the current review of Planning legislation.

In summary the key areas that the briefing focussed on were;

- the need for additional powers to transfer to Councils in relation to place-shaping functions e.g. regeneration and local transport powers;
- the need for the review to address the delays being experienced in progressing Local Development Plans through to adoption;
- the need to reduce the overall number of statutory consultations required in relation to the preparation of Local Development Plans – in particular the plethora of consultations needed with UK telecommunications undertakers, most of which do not engage in the process;
- the need to provide additional powers to ensure that applications are front loaded at the time of submission e.g. powers to introduce local validation lists;
- the need to remove the mandatory requirement for a Pre-Determination Hearing to be held by Councils on those cases that have already been considered by Councils where the Department decides not to call in such applications;
- the need for the Department to provide clear, succinct and practical policy and advice supported where necessary by legislation as to how Councils can take forward the issue of developer contributions through the planning process;
- ways of improving planning enforcement;
- how the planning system can assist in meeting the infrastructure deficit across Northern Ireland and in particular consideration of the difficulties currently being experienced with lack of waste Water Treatment capacity; and
- the need for adequate resources to be provided to Councils to undertake their planning function, including a reasonable increase in planning fees to

match inflation at least together with a review of what types of applications should incur a fee e.g. Non-Material Changes and applications to Discharge planning conditions.

The briefing session before the Infrastructure Committee was reported by Hansard and a link to the draft Hansard report for 26 May is attached below for Members attention. It should be noted that this is subject to corrections and the final version of the report will be published on the Hansard web pages on 18 June 2021.

<http://aims.niassembly.gov.uk/officialreport/minutesofevidence.aspx?&cid=11>

RECOMMENDATION: that the report be noted.

Prepared by: John Linden, Head of Planning

Approved by: Majella McAlister, Deputy Chief Executive of Economic Growth

ITEM 3.22

P/FP/LDP/19 PUBLICATION OF THE ANNUAL HOUSING MONITOR REPORT 2020-21

Members will recall that the Annual Housing Monitor for the Borough is undertaken by the Forward Planning Team in order to inform the Local Development Plan process and gain an understanding of the amount of housing land supply that remains available across the 30 settlements in the Borough.

The Monitor takes account of all sites within settlements, where the principle of housing has been established. As a result, it includes details of the number of dwellings approved on unzoned sites (whether through extant or expired permissions), as well as information on the number of dwellings approved or that could be provided on zoned housing land. Information from Building Control commencements and completions are inputted into the survey and used to inform the results of the Monitor.

The 2021 Monitor, a copy of which is **enclosed**, covers the period 1 April 2020 to 31 March 2021 and indicates that there is remaining potential for some 10,868 dwelling units and 477 hectares of housing land within the settlements of the Borough. Some 489 dwellings were completed during this period, which compares favourably to the 530 units built in the 2019/2020 reporting period, once the disruption caused by the Coronavirus (COVID-19) lockdowns are taken into account.

Details for the individual sites are set out in a series of maps and associated tables. It is intended that the findings of the 2021 survey will now be made publically available on the Council's website.

RECOMMENDATION: that the report be noted.

Prepared by: Sharon Mossman, Principal Planning Officer

Agreed by: John Linden, Head of Planning

Approved by: Majella McAlister, Deputy Chief Executive of Economic Growth

ITEM 3.23

P/FP/LDP/4 LOCAL DEVELOPMENT PLAN WORKING GROUP UPDATES

Belfast Metropolitan Area Spatial Working Group

The most recent meeting of the Metropolitan Area Spatial Working Group took place virtually on 26 May 2021 hosted by Mid and East Antrim Borough Council. Items for discussion included an update from each council regarding individual Draft Plan Strategy preparation.

A presentation was given to the group by a representative from The Department for Infrastructure, Transport Planning Modelling Unit (TPMU) regarding progress of the Belfast Metropolitan Transport Study (BMTS).

A copy of the agreed previous meeting minutes which took place on 12 February 2021 are **enclosed** for information. The next meeting of the Working Group is due to take place in late summer 2021, hosted by Belfast City Council (date tbc).

Belfast Climate Commission/Resilient Belfast Working Group: Climate Action Readiness Assessment

The Belfast Climate Commission and the City's Resilience and Sustainability Board are working in partnership to achieve a step change in the City's carbon emissions in this decade. In December 2020, the Commission published the 'Net Zero Carbon Roadmap for Belfast', a report to identify the scale and nature of reductions in carbon emissions required, and the report concluded that, at our current rate of emissions, the City has a remaining carbon budget of just nine years.

Officers from the Council's Forward Planning Team participated in two multi-agency 'Transport Readiness Assessment' workshops on 25 May 2021 and 9 June 2021. Once complete, the assessment will inform strategies and plans for the activities of the Commission and Board in the short, medium and longer term, whilst also providing a clear and transparent evidence base against which progress can be tracked and the effectiveness of different interventions can be assessed.

RECOMMENDATION: that the report be noted.

Prepared by: Sharon Mossman, Principal Planning Officer

Agreed by: John Linden, Head of Planning

Approved by: Majella McAlister, Deputy Chief Executive of Economic Growth