



8 December 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 13 December 2021 at 6.00pm.**

You are requested to attend.

Yours sincerely

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

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

For any queries please contact Member Services:

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

AGENDA FOR PLANNING COMMITTEE – December 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: **LA03/2021/0950/O**

Proposed infilling of a single dwelling at Lands between 43b and 43e Nutts Corner Road, Crumlin

3.2 Planning Application No: **LA03/2020/0339/F**

Erection of replacement dwelling and garage plus demolition of existing dwelling at 22 Belfast Road, Aughnamullan, Crumlin

3.3 Planning Application No: **LA03/2021/0791/F**

Dwelling and garage (change of house type and garage, alteration to access from T/2003/0037/F) at 15m south of No. 31 Lurgan Road and to the rear of 10 Cherryvalley Road, Crumlin

3.4 Planning Application No: **LA03/2021/0897/O**

Outline planning for 2 no. proposed new infill dwellings and detached garages at lands between 12a and 12c Drum Road, Kells

3.5 Planning Application No: **LA03/2019/1049/O**

Proposed new dwelling on a farm at Site 75m west of 19 Loup Road, Moneyglass

3.6 Planning Application No: **LA03/2021/0993/O**

Proposed site for infill dwelling and domestic garage at 40m East of 9a Creggan Road, Cranfield, Randalstown

3.7 Planning Application No: **LA03/2021/0805/F**

Dwelling and Garage 120m west of 44 Rickamore Road Upper, Templepatrick

3.8 Planning Application No: **LA03/2021/0896/F**

Construction of a new large glazed entrance on the Six Mile Water Riverside elevation and internal reconfiguration at 55-59 High Street, Antrim

PART TWO – Other Planning Matters

3.9 Draft Rates Estimates Update 2022/23 – Presentation

3.10 Delegated Planning Decisions and Appeals November 2021

3.11 Proposal of Application Notifications

3.12 Dfl – Permitted Development Rights in relation to Avian Flu

4. Any Other Business

PART ONE – Decisions on Enforcement Cases – In Confidence

3.13 Enforcement Case: LA03/2020/0311/CA - **In Confidence**

**REPORT ON BUSINESS TO BE CONSIDERED AT THE MEETING OF THE
PLANNING COMMITTEE ON 13 DECEMBER 2021**

PART ONE

PLANNING APPLICATIONS

COMMITTEE ITEM	3.1
APPLICATION NO	LA03/2021/0950/O
DEA	AIRPORT
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE OUTLINE PLANNING PERMISSION
PROPOSAL	Proposed infilling of a single dwelling
SITE/LOCATION	Lands between 43b and 43e Nutts Corner Road, Crumlin, BT29 4SQ
APPLICANT	A. Johnson
AGENT	PJ Design
LAST SITE VISIT	14th October 2021
CASE OFFICER	Ashleigh Wilson Tel: 028 903 Ext 40429 Email: ashleigh.wilson@antrimandnewtownabbey.gov.uk
<p>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal www.planningni.gov.uk</p>	
SITE DESCRIPTION	
<p>The application site is located within the countryside at British Road, Aldergrove, outside any designated settlement as defined in the Antrim Area Plan 1984 – 2001.</p> <p>The application site is accessed via an existing laneway serving Nos. 43b and 43e Nutts Corner Road. The laneway is defined to the east by an existing timber post and wire fence and is defined to the west where it abuts the roadside by a 1.8-metre-high wooden fence and beyond this by a timber post and wire fence and vegetation of approximately 5 – 6 metres in height. The application site itself is covered in mature vegetation and bound on all sides by this vegetation where it abuts No. 43e at the northeastern boundary and No. 43b at the northwestern boundary. The southern and southeastern boundaries of the site abut existing fields to the rear. The area is rural in character with two existing rural dwellings situated adjacent to the site.</p>	
RELEVANT PLANNING HISTORY	
<p>Planning Reference: T/2006/0406/F Location: Between 43B & 43E Nutts Corner Road, Crumlin BT29 4SQ Proposal: Stables & Storage Shed Decision: Permission Refused (03.01.2007)</p> <p>Planning Reference: T/2003/1313/O Location: 45D Nutts Corner Road, Crumlin. Proposal: Site for detached house & garage Decision: Appeal Dismissed (09.08.2005)</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.

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

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

CONSULTATION

Council Environmental Health Section – No objection

Northern Ireland Water – No objection

Department for Infrastructure Roads- Amendments required

Belfast International Airport – No objection

Defence Infrastructure Organisation: LMS – No objection

DAERA Industrial Pollution Radiochemical Inspectorate – No objection

REPRESENTATION

Two (2) neighbouring properties were notified and one (1) letter of objection has been received. 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 laneway is seriously pot-holed and is a safety risk to pedestrians and vehicles.
- The laneway is unable to cope with additional traffic if it is not improved / altered (which has been omitted from Question 12 on the P1 form).
- The area common to the existing properties has a very tight turning circle and many delivery drivers require the additional land to complete a turn.
- In winter the potholes on the laneway flood which exacerbates the situation.

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
- 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 determination of the proposal. The application site is 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'.

Policy CTY 1 of PPS 21 sets out a range of types of development which in principle are considered to be acceptable in the countryside and that will contribute to the aims of sustainable development. Policy CTY 1 indicates that the development of a small gap site within an otherwise substantial and continuously built up frontage is such a form of acceptable development in accordance with Policy CTY 8 'Ribbon Development'.

Policy CTY 8 states that planning permission will be refused for a building which creates or adds to a ribbon of development. It does however state that an exception will be permitted for the development of a small gap site sufficient only to accommodate up

to a maximum of two houses within an otherwise substantial and continuously built-up frontage and provided this respects the existing development pattern along the frontage in terms of size, scale, siting and plot size and meets other planning and environmental considerations.

Policy CTY 8 defines a substantial and built-up frontage as including a line of three (3) or more buildings along a road frontage without accompanying development to the rear. In this case, the application site is at the end of an existing laneway with the access lane also serving two existing dwellings, Nos. 43b and 43e Nutts Corner Road. While each of these dwellings have detached garage buildings, these are set behind the building line of the dwellings and are subordinate in size to the dwellings reading as ancillary buildings.

No. 43b Nutts Corner Road is located to the northwest of the application site with its frontage facing in an easterly direction onto the laneway. No. 43e Nutts Corner Road is situated to the northeast of the application site with a frontage in a westerly direction onto the laneway. The application site therefore fails to meet criteria (a) in that there are only two existing buildings and neither building shares the same common frontage. The application site therefore does not form part of an otherwise continuously built-up frontage for the purposes of Policy CTY 8.

The applicant's supporting statement (Document 01, date stamped 16th November 2021) provides details of three (3) applications which have been granted planning permission under Policy CTY 8 (Planning References LA03/2018/0794/O, LA03/2017/0578/O on Glenavy Road, Crumlin and LA03/2016/0890/O at Corrstown Road, Upper Ballinderry approved by the Planning Appeals Commission). It is considered that these applications are not comparable to the current application site as the existing dwellings in these cases are considered to share a common frontage.

In these circumstances, the application site does not constitute the exceptional development of a small gap site, acceptable in accordance with Policy CTY 8 and it is considered that the proposal would create a ribbon of development in conflict with Policy CTY 8 of PPS 21. Therefore, the development proposal cannot meet the remaining tests of Policy CTY 8 which requires the proposal to respect the existing development pattern in terms of size, scale, siting and plot size, and satisfy other environmental requirements.

In respect of a dwelling within an existing cluster, paragraph 6.73 of the SPPS and Policy 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 of 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. There are only two dwellings within close proximity to the site. Furthermore, the policy requires that the cluster is associated with a focal point such as a community building or is located at a crossroads. The proposal is situated at the end of a laneway and is not associated with a focal point. Therefore, it

is considered that the proposal does not meet the requirements of Policy CTY 2a of PPS 21.

The proposal does not represent one of the types of development considered to be acceptable in principle in the countryside. Policy CTY 1 of PPS 21 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 nearby settlement. There was no evidence submitted with the application to demonstrate that the proposal is essential. It is therefore also contrary to Policy CTY 1 of PPS 21.

Impact on Character and Appearance of the Area

Criterion (d) of Policy CTY 14 'Rural Character' repeats the Policy CTY 8 test and states that a building, which creates or adds to a ribbon of development, can cause a detrimental change to, or further erode the rural character of an area. Ribbon development can occur even where development does not have frontage to a road. Paragraph 5.33 of the justification and amplification text of Policy CTY 8 states that buildings sited back, staggered or at angles and with gaps between them can still represent ribbon development, if they have a common frontage or if they are visually linked.

Paragraph 5.34 of Policy CTY 8 states that many frontages in the countryside have gaps between houses or other buildings that provide relief and visual breaks in the developed appearance of the locality and that help to maintain rural character. It is considered that the application site provides such a visual break in the existing development in the area. The proposal is therefore considered contrary to criteria (d) of Policy CTY 8 and Policy CTY 14 of PPS 21 and will therefore have a detrimental impact on the character of the rural area.

Policy CTY 13 'Integration and Design of Buildings in the Countryside' 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. Criterion (a) of the policy indicates that a new building will be unacceptable if it is a prominent feature in the landscape. Given the significant natural screening to the northwestern roadside boundary and the existing vegetation along the northeastern site boundary, including vegetation to the wider field boundary to the east 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 and wider surroundings. However, this does not overcome the concerns regarding the creation of ribbon development, and it is therefore considered that the proposal fails to comply with Policy CTY 14 of PPS 21.

Neighbour Amenity

As the application seeks outline permission, limited details have been provided regarding the proposed design, however, a site location plan has been provided. It is considered that a dwelling could be appropriately designed, along with the retention

of existing vegetation for the site to ensure that the privacy and amenity of the existing properties are not negatively impacted upon. The Environmental Health Section of the Council has been consulted and has raised no objection to the proposal. The proposed dwellings are located approximately less than 100 metres from the boundary of an existing operational installation (poultry farm) which is regulated by the Inspectorate under the Pollution, Prevention & Control (Industrial Emissions) Regulations (Northern Ireland) 2013 i.e. PPC Permit Number P0048/04A, Roy Moses. A number of other IPRI regulated poultry farms are also in close proximity. DAERA Industrial Pollution Radiochemical Inspectorate has been consulted and has stated that due to the close proximity of the proposed dwellings to the boundary of the permitted site there is the potential for occupants of the proposed dwellings to suffer periodic loss of amenity due to dust, odour, noise etc., even with appropriate control measures (i.e. use of "Best Available Techniques (BAT)) being implemented at the PPC site however, this could be added as an informative should planning permission be forthcoming.

Access

Policy AMP 2 of Planning Policy Statement 3: Access, Movement and Parking (PPS 3), states that planning permission, will only be granted for a development proposal involving direct access onto a public road where such access will not prejudice road safety. Paragraph 5.15 indicates that good visibility is essential for the safety and convenience of all road users. Development Control Advice Note 15: Vehicular Access Standards (DCAN 15), sets out the current standards for sight lines.

The proposed access arrangement is to be taken from the existing laneway. A letter of objection has been received with regards to safety and amenity concerns about the inadequacy of the laneway to cope with the additional traffic. However, it is not considered that significant damage to the laneway would arise from the proposal. The issue of the existing standard of the laneway and its future condition is a civil matter between the private parties responsible for the private laneway and therefore determining weight cannot be attributed to this.

Consultation was carried out with DfI Roads and it was indicated that amendments were required. It was highlighted that the required visibility splay on the critical side of the access is not in place and that the red line on the location plan should be amended to include the visibility splays of 2.4m x 140m in both directions fully triangulated; Question 12 of the P1 form amended to read 'alteration of an existing access to a public road' and in addition it was also noted that the applicant has not indicated control of all the lands so notice is to be served on the third party land owners and completion of Certificate C of the P1 form for the land required to provide the 2.4m x 140m visibility splay. This additional information was not requested as the proposal was considered unacceptable in principle and so as to not put the applicant to unnecessary nugatory work.

Other Matters

Belfast International Airport

Belfast International Airport was consulted, however, given the limited information on this outline application, BIA was able to advise that a building not exceeding nineteen (19) metres can go up in this area without infringing on the protected surface (i.e. on the assumption that the ground level is 87.00m above ordnance datum). Should planning permission be forthcoming it will be necessary to reconsult Belfast International Airport at Reserved Matters stage and an informative can be added to

advise that the landscaping scheme included in the proposal should not increase the risk of bird strikes to aircraft operating at the aerodrome.

CONCLUSION

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

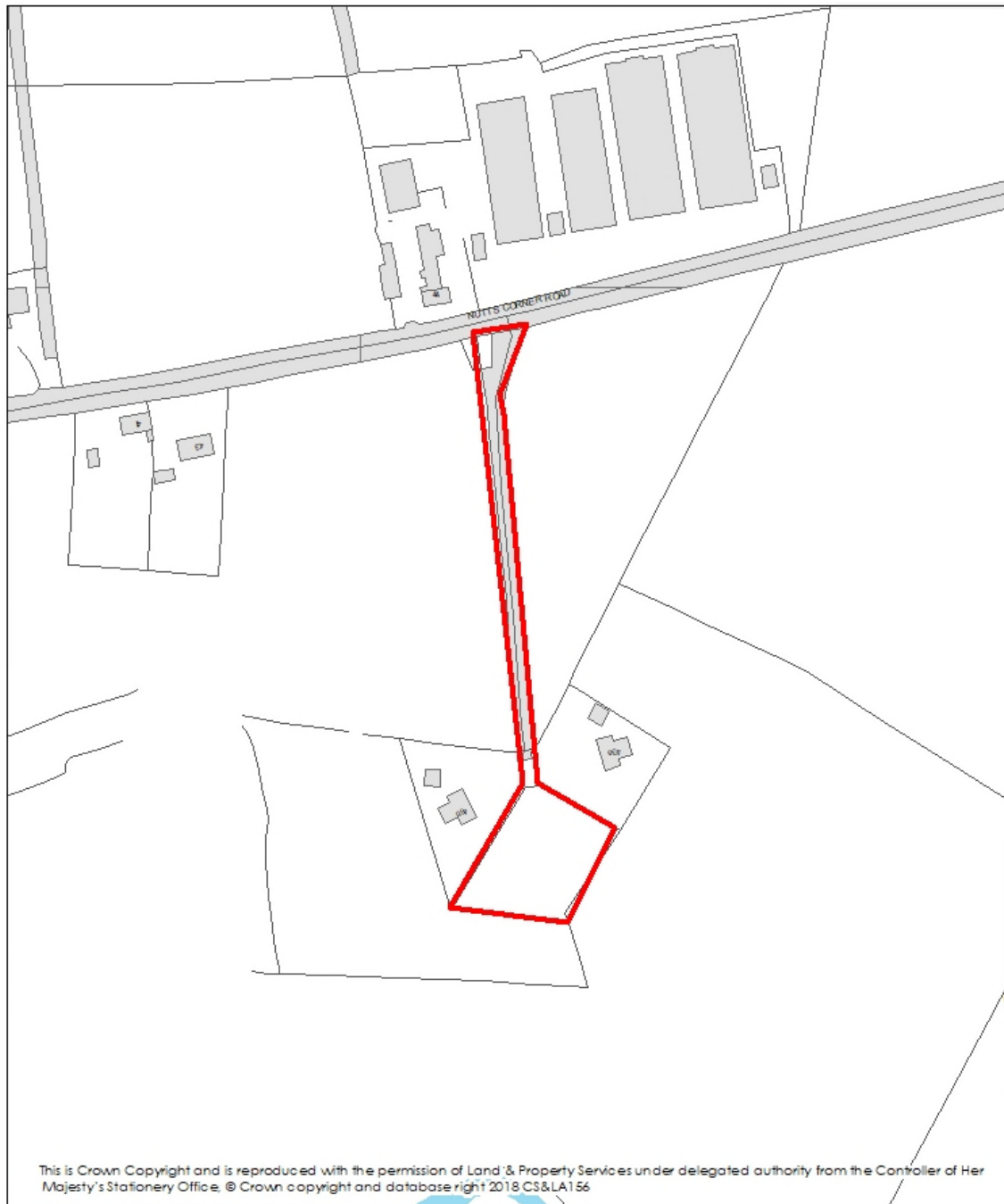
- The principle of the development is considered unacceptable as the proposal is contrary to the provisions of the SPPS, Policy CTY 1 and Policy CTY 8 of PPS 21 as no infill opportunity exists at this location;
- The proposal constitutes ribbon development that will cause a detrimental change to and further erode the rural character of the area;
- The dwelling, if permitted would not have a detrimental impact on the amenity of the neighbouring properties;
- There is insufficient information to demonstrate that a safe and suitable means of access for the proposed development can be achieved.

RECOMMENDATION

REFUSE OUTLINE PLANNING PERMISSION

PROPOSED REASONS OF REFUSAL

1. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement and Policy CTY 1 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 Policy CTY 8 and Policy CTY 14 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the building would, if permitted, result in ribbon development resulting in suburban style build up when viewed with the existing dwellings on the laneway.
4. The proposal is contrary to the provisions of the Strategic Planning Policy Statement and Policy AMP2 of Planning Policy Statement 3, Access, Movement & Parking, and Development Control Advice Note 15 Vehicular Access Standards as there is insufficient information to demonstrate that a safe and suitable means of access for the proposed development can be achieved.




Site Location Plan

Application Reference: LA03/2021/0950/O

Proposed infill dwelling

Lands between 43b & 43e, Nutts Corner Road,
Crumlin, BT29 4SQ

0 40 80 Metres

 Site boundary



COMMITTEE ITEM	3.2
APPLICATION NO	LA03/2020/0339/F
DEA	AIRPORT
COMMITTEE INTEREST	ADDENDUM REPORT
RECOMMENDATION	GRANT PLANNING PERMISSION

PROPOSAL	Erection of replacement dwelling and garage plus demolition of existing dwelling
SITE/LOCATION	22 Belfast Road, Aughnamullan, Crumlin, BT29 4TQ
APPLICANT	Mr & Mrs Beattie
AGENT	G T Design
LAST SITE VISIT	17th June 2020
CASE OFFICER	Ashleigh Wilson Tel: 028 9034 0407 Email: ashleigh.wilson@antrimandnewtownabbey.gov.uk

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

BACKGROUND

At the Planning Committee meeting of the 17th August 2020 a decision was taken by the Committee to defer the application to allow for the submission of an amended design.

Following the Planning Committee meeting five (5) letters of objection were received from one (1) objector. The objection letters were uploaded on the Planning Portal and a summary of the key points of objection, which were not addressed within the Committee Report, and consideration of the issues raised is provided within this Addendum report.

Amended plans were received on 13th November 2020 indicating a revised house design. A tree survey report (Document 04, date stamped 13th November 2020) was also received along with a tree survey plan (Drawing 07/2, date stamped 30th April 2021).

In light of the biodiversity concerns raised within the objection letters a Biodiversity Checklist and a Preliminary Ecological Assessment, was completed by a qualified environmental consultant. DAERA Natural Environment Division (NED) were consulted on the Biodiversity Checklist and Preliminary Ecological Assessment, (Document 03 date stamped 13th November 2020). NED requested the submission of a detailed bat survey given the risk of roosting bats within the stone building which is to be replaced. A Bat Survey (Document 05, date stamped 10th September 2021) was then submitted.

An assessment of the amended proposal and the additional information received is provided within this Addendum report.

REPRESENTATION

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

- No notification from the Council or the applicant of the proposal;
- Impact on bio-diversity including badgers, bats, protected birds;
- Openings have been blocked up impacting on wildlife surveys;
- Impact on trees;
- Concern of historical and archaeological Interest on site;
- The house has been lived in unlawfully for more than 5 years with no planning permission and if allowed would set a precedent for this;
- There was a previous refusal on the site but new plans have been allowed to be submitted;
- The proposed build is on a greenfield site with no existing or prior outline planning permission;
- No need to build at this site;
- Contrary to Policy CTY 3;
- Concerns regarding scale and design which is out of keeping with the area;
- Impact on public views.

CONSULTATION

DAERA Natural Environment Division – No objection, subject to conditions

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Natural Heritage
- Design and Appearance
- Impact on Character and Appearance of the Area
- Impact on Trees and Environmental Quality
- Neighbour Amenity
- Other Matters

Natural Heritage

PPS 2 sets out the planning policies for the conservation, protection and enhancement of our natural heritage. In safeguarding biodiversity and protected species, the Council recognises its role in enhancing and conserving our natural heritage and should ensure that appropriate weight is attached to designated sites of international, national and local importance; priority and protected species and to biodiversity and geological interests with the wider environment.

Priority Species

DAERA's Biodiversity Checklist has been implemented as a guide to identify any potential adverse impacts on designated sites, priority and protected species and habitats. The Biodiversity Checklist and Preliminary Ecological Assessment, Document 03 date stamped 13th November 2020, identifies the stone building as having low to moderate bat roosting potential and found signs of nesting and roosting birds within the building. The trees on the site were assessed as having either negligible or low bat roosting potential. DAERA: Natural Environment Division (NED) were consulted and responded on 03 December 2020 requesting the submission of a further bat emergence/re-entry survey.

A further Bat Survey (Document 05, date stamped 10th September 2021) was received and NED were reconsulted and raised no objection, subject to conditions.

Objections to the proposal have been received with regards to the impact on bats and birds and it was raised that openings had been sealed within the buildings on the site which would affect survey results. These objections were forwarded to NED and they noted within the consultation response that openings on the barn have been sealed with wooden panels and advised that no works are undertaken on any buildings until adequate surveys for bats and other wildlife have been carried out to ensure compliance with the Habitats Regulations and the Wildlife (NI) Order 1985 (as amended). In this case, NED accepts the submitted survey and it is considered that, based on the available information to date, the proposal is unlikely to impact roosting bats however, NED have recommended informatives be added to any decision notice with regards to the use of lighting as part of the development.

The Preliminary Ecological Assessment included a survey for other protected species and no evidence of these species were found. On the basis of the information submitted, it is unlikely that the proposed development will have any significant impact on other protected species. However, informatives can be added drawing the applicant's attention to the Wildlife (Northern Ireland) Order 1985 (as amended) with regards to badgers and birds.

Priority Habitat

Concerns have been raised through letters of objection regarding the impact of the proposed development on trees. The majority of the trees are outside the ownership and control of the applicant (Trees 1 – 9 as noted on Drawing No. 07/2, date stamped 30th April 2021). The hedgerow with trees along the northern and southern boundaries of the site have been classified as priority habitat. Hedgerows have a significant biodiversity value which relates not only to the plant species present within the hedgerow, but also their wider value for foraging, providing shelter, and corridors for movement of a large numbers of species, including bats. They also provide valuable nesting habitat and song posts for breeding birds.

Drawings submitted with the application indicate the retention of the majority of the trees and hedgerow on the site boundaries, and NED recommend it is a condition of any planning approval that hedgerows are retained as indicated on the submitted drawings. The proposal will entail the felling of trees on the site and NED would recommend that these trees are replaced with native species, to enhance the biodiversity of the site. Further landscaping details can be provided prior to the commencement of development on the site.

NED has advised that the application site may contain nesting birds, protected by the Wildlife (NI) Order 1985 (as amended) (known as the Wildlife Order). The vegetation and buildings on the site have the potential to support breeding birds, and the PEA has stated that signs of nesting birds were noted within building B. Under the Wildlife (Northern Ireland) Order 1985 (as amended) it is an offence to intentionally or recklessly, take, damage or destroy the nest of any wild bird while the nest is in use or being built. Any works should be carried out outside the bird breeding season (which occurs from 1st March to 31st August) or checked prior to works by an ecologist with suitable protective measures taken should any nest be found. A condition can be attached to any decision notice, should planning permission be forthcoming.

NED notes that a Tree survey report has been submitted with the application (Doc 04, date stamped 13th November 2020), and a further drawing (Drawing 07/2 – Tree Survey Plan, date stamped 30th April 2021) which indicates the root protection areas for trees on the site. NED recommend that a condition be attached to any planning approval that all trees are retained and protected, however, the majority of the trees lie outside the applicants control as indicated on the submitted drawing and report. NED also notes that the submitted report refers to the removal of ivy from trees. NED would recommend the retention of ivy to retain biodiversity within the site as ivy is an important food source for pollinating insects and it can also provide habitat for roosting bats. While ivy is commonly considered to be detrimental to the health of a tree, this is only the case when a tree is already in poor condition. It is considered that the control of ivy on trees would not meet the legal tests for a planning conditions.

Design and Appearance

Objections were received that there was no 'need' for the proposal and that it was contrary to Policy CTY 3 however, the policy stipulates that planning permission will be granted for a replacement dwelling subject to the proposal complying with five criteria. The proposed replacement dwelling is sited within the curtilage of the existing dwelling and overlaps the spatial footprint of the existing dwelling as shown in Drawing No. 04/2 date stamped 30th November 2020.

The objections received raised concerns particularly with regards to the size and scale of the proposed dwelling. Policy CTY 3 stipulates that the overall size of the new dwelling should allow it to integrate into the surrounding landscape and not have a visual impact significantly greater than the existing building. The site is currently occupied by a one and a half storey, stone building, an adjacent single storey prefabricated dwelling which has been on site for in excess of five (5) years and is therefore immune from enforcement action. There is an agricultural outbuilding located in the northwestern corner of the application site.

The amended proposal remains as a two-storey dwelling with an integral garage sited approximately 62 metres from the public road and orientated to face south-westwards. The proposed dwelling has a maximum length of approximately 24 metres and a maximum depth of approximately 15 metres. The proposed dwelling has a revised roof type which has a maximum ridge height of approximately 7.7 metres from finished floor level and has a varied roof profile which reduces the bulky appearance of the dwelling initially proposed. The revised proposal retains a similar ground floor plan which consists of two front porches, an entrance hall with cloakroom and w/c, a study, a dining room, open plan kitchen and living area, a utility room and a double garage with w/c. The first floor plan has been reduced and rearranged to include three bedrooms, a gallery and a bathroom. The first floor of the garage provides a den with en-suite which is externally accessible as shown in Drawing No. 02/2 date stamped 13th November 2020. The overall size of the proposed dwelling is larger than the existing dwelling however, it is considered that the site can accommodate the increased size of the proposed dwelling. The dwelling is broken up with varying roof heights and exhibits rural characteristics including vertical emphasis to the windows and chimneys located along the ridge. The finishes include a render finish to walls and stone cladding elements (whinstone). The proposed design is considered acceptable and it is considered that the proposed dwelling would not have a visual impact significantly greater than the existing dwelling as discussed in more detail below.

Impact on Character and Appearance of the Area

Policy CTY13 of PPS21 requires the proposal to visually integrate into the surrounding landscape. Given the orientation of the building, the visibility of the 24-metre-wide principal elevation means that the visibility of the replacement building will increase from that of the existing. However, the mass of the dwelling is broken up and the proposal is set back approximately 62 metres from the public road.

When approaching the site from Nutts Corner, travelling in an easterly direction, there are sufficient levels of integration to ensure the proposal will not have a significant visual impact. Along the southwestern boundary, three trees are existing and are to be retained (shown as 10, 11 and 12 on Drawing 07/2).

There are 4 existing trees along the northeastern boundary of the application site (6-9 on Drawing 07/2) and all but one of these trees are to be retained. A number of the trees to be retained would appear from the tree survey to have restricted root growth from the existing hardstanding and buildings and two of these trees to be retained are to be reduced in height by five (5) metres. It is considered however that the remaining trees will provide a sufficient backdrop in order to provide an adequate level of integration for the proposed dwelling.

The trees along the southeastern boundary of the application site are relatively close to the southeastern side elevation of the dwelling and two out of five of these trees are proposed to be removed. The tree survey states that provided the proposed development is carried out within the footprint of the existing buildings and the existing hard surfaces are not disturbed there is no threat to the root systems or the health of the tree. Given the proximity of the proposed dwelling to the trees there is likely to be some impact on the trees however, Drawing 07/2, date stamped 30th April 2021 indicates that the proposed development is entirely outside the Root Protection Area (RPA). As the Tree Survey states that the existing buildings and hard surfaces have acted as a barrier to root growth. Trees 1 and 2 as indicated in Drawing No. 07/2 are to be reduced in height by 4 - 5 metres however, these trees are approximately 17 metres in height and so will be of sufficient size to provide sufficient levels of integration. Tree 5 is indicated to be retained and will be reduced in height by 4 metres to an overall height of approximately ten (10) metres. Despite there being some views into the site when travelling in a westerly direction approaching the site, it is considered that overall the proposed dwelling can integrate sufficiently into the surrounding landscape.

Policy CTY14 of PPS21 requires that any new building in the countryside does not cause a detrimental change to, or further erode the rural character of an area. A new building will be unacceptable where it is unduly prominent in the landscape, results in a suburban style build-up of development, fails to respect the traditional settlement pattern exhibited in the area or contributes to ribbon development. Whilst the proposal is on an elevated site which increases its visibility, it does utilise some of the natural characteristics of the existing site including the landscaped backdrop which helps reduce prominence.

Overall, it is considered that the proposal would not have a significant detrimental impact on the character and appearance of the rural area and complies with Policy CTY 13 and 14 in this regard.

Impact on Trees and Environmental Quality

Concerns regarding the proximity of the proposed dwelling to the trees located along the eastern site boundary was raised at the Planning Committee meeting held on 17th August 2020. The objection letter received on 7th September 2020 reiterated concerns of the proposal causing damage to the root systems of the trees and further concerns were raised that trees could be 'accidentally' damaged during construction works. These trees are not protected by a Tree Preservation Order and the tree survey indicates that given the restricted root growth of the trees that all works are outside the Root Protection Area. However, it is accepted that the trees along the eastern side boundary are particularly close to the proposed dwelling. A condition is proposed to ensure the retention of the trees.

Neighbour Amenity

No neighbouring properties abut the application site. The nearest neighbouring dwelling is located at No. 24 Belfast Road which is approximately 80 metres southeast of the proposed dwelling and therefore it is not impacted significantly by the proposed dwelling.

Other Matters

Access

There is an existing unaltered access serving the site which is onto a designated protected route (Belfast Road). Whilst new accesses are not normally permitted onto a protected route, this proposal is for a replacement dwelling with an existing access which cannot utilise an access onto an adjoining minor road. DfI Roads has been consulted on the proposed means of access and has offered no objections to the proposal.

Features of Archaeological Interest

The objection letter received on 28th October 2020 queried if the Council had examined the site for any archaeological or historical interest given that the site is located on a hill and it is suggested that it could indicate a man-made structure such as burial grounds. The application site is not located within the statutory buffer of an archaeological site or monument and the Department for Communities Historic Map Viewer does not show any identified sites of historic value within the application site. The Department for Communities Historic Environment Division (HED) have not been consulted on this application.

Neighbour Notification

The objector raised concerns that they were not notified of the proposal. The objectors dwelling does not abut the site and therefore was not required to be neighbour notified, however, the objector was subsequently corresponded with throughout the following relevant stages of the planning process and was notified of all subsequent plans and additional information that was submitted in respect of the development proposal. It is not considered that any prejudice has been caused.

Unlawful Development

It has been raised through letters of objection received that the house has been lived in unlawfully for more than 5 years with no planning permission and if permission was granted this would set a precedent. The dwelling is immune from enforcement action and meets the relevant replacement criteria under Policy CTY 3 and the principle of

development has been considered acceptable within the original Committee Report.

Previous Refusal on the Site and Proposal on a Greenfield Site

Concerns have been raised that the proposal was initially rejected and plans have been allowed to be resubmitted. The application was deferred at the previous Planning Committee meeting to allow for the submission of amended plans. It has also been raised through letters of objection that the proposal is built on a greenfield site with no previous outline planning permission. The application seeks full planning permission and therefore there is no requirement to have a previous outline approval on the site.

CONCLUSION

As a result of the changes made and additional information submitted, the previous recommendation to refuse planning permission has been changed and the recommendation is to grant planning permission.

RECOMMENDATION

GRANT PLANNING PERMISSION

PROPOSED CONDITIONS

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

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

2. The existing trees and hedgerows on the site shall be retained as indicated on Drawing 04/2 – Site Layout, date stamped 30th November 2020.

Reason: To ensure the maintenance of screening to the site and to protect habitats and maintain biodiversity within the site.

3. The existing hedgerow and vegetation along the southwestern boundary of the site as indicated on the approved plan 07/2, date stamped 30th April shall be retained at a minimum height of 10 metres and trees within the hedgerow, as agreed in writing with Antrim and Newtownabbey Borough Council, shall be allowed to grow on.

Reason: To ensure the maintenance of screening to the site and to protect habitats and maintain biodiversity within the site.

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

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

5. No works on the buildings or vegetation clearance shall take place between 1 March and 31 August inclusive, unless a competent ecologist has undertaken a detailed check for active bird's nests immediately before works commence and

provided written confirmation that no nests are present/birds will be harmed and there are appropriate measures in place to protect nesting birds. Any such written confirmation shall be submitted to the Council within 6 weeks of works commencing.

Reason: To protect breeding birds.

6. Prior to works commencing on site, all trees shall be retained and protected as indicated on Drawing 07/2 date stamped 30th April 2021 by Antrim and Newtownabbey Borough Council, and in accordance with the submitted Tree Survey report, date stamped 13th November 2020 by Council. No retained tree shall be cut down, uprooted or destroyed, or have its roots damaged within the crown spread nor shall arboricultural work or tree surgery take place on any retained tree other than in accordance with the approved plans and particulars, without the written approval of the Council. Reason: To protect the biodiversity value of the site and in the interest of visual amenity.

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

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

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

8. Notwithstanding the provisions of the Planning (General Permitted Development) Order (Northern Ireland) 2015, or any Order revoking and re-enacting that Order, no extension or enlargement (including additions to roofs) shall be made to the dwellings hereby permitted, or any detached building erected, without the express permission in writing of the Council.

Reason: The further extension of these dwellings or erection of detached buildings requires detailed consideration to safeguard existing vegetation.



Site Location Plan

Planning Application Reference: LA03/2020/0339/F

Location: 22 Belfast Road Aughnacullen,
Crumlin

Proposal: Erection of replacement dwelling and
garage plus demolition of existing dwelling

0 30 60 120
Meters



COMMITTEE ITEM	3.3
APPLICATION NO	LA03/2021/0791/F
DEA	AIRPORT
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE PLANNING PERMISSION
PROPOSAL	Dwelling and Garage (change of house type and garage, alteration to access from T/2003/0037/F)
SITE/LOCATION	15m south of No. 31 Lurgan Road and to the rear of 10 Cherryvalley Road, Crumlin
APPLICANT	Mr McCallion
AGENT	D.M. Kearney Design
LAST SITE VISIT	22nd September 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 within the countryside outside any settlement limit as designated in the Antrim Area Plan 1984 – 2001.</p> <p>The site is located opposite and approximately 15 metres south of No. 31 Lurgan Road, and to the rear of No. 10 Cherryvalley Road, in the northwestern corner of a larger agricultural field that falls away from the Lurgan Road towards the western boundary. This western boundary is defined by a cluster of mature trees, with a thick hedge running along the northern boundary, whilst the southern and eastern boundaries are undefined and open to the host field.</p> <p>The application site is accessed via a proposed new laneway which abuts the northern site boundary. Mature hedging and trees define the eastern roadside boundary of the site. Foundations of a previously approved dwelling have been dug and poured in the centre of the application site.</p> <p>The surrounding area is rural in character, characterised by single dwellings and small clusters of development set back off the public road.</p>	
RELEVANT PLANNING HISTORY	
<p>Planning Reference: T/2003/0037/F Location: 300m West of 30 Lurgan Road, Crumlin Proposal: Bungalow and detached garage Decision: Permission granted (28.04.2003)</p> <p>Planning Reference: LA03/2019/0906/LDP Location: 300m West of 30 Lurgan Road, Crumlin Proposal: Completion of bungalow and detached garage in compliance with planning approval T/2003/0037/F</p>	

Decision: Consent refused (11.12.2019)

Planning Reference: LA03/2020/0227/LDP

Location: 300m West of 30 Lurgan Road, Crumlin

Proposal: Bungalow and detached garage (Completion of development approved under application T/2003/0037/F)

Decision: Consent refused (01.05.2020)

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, which in this case is the Antrim Area Plan 1984 – 2001. Account will also be taken of the relevant provisions of the 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 guidance on this proposal.

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

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

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

CONSULTATION

Department for Infrastructure Roads – Amendments required

REPRESENTATION

Four (4) neighbouring properties were notified, and one (1) letter of representation has been received.

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

- The objector's garden is directly northwest of the application site; it is at a lower level and is already poorly drained and waterlogged over the autumn and into spring. Additional surface water created by the proposed dwelling will further exacerbate the wetness of the garden area and surrounding low lying fields.
- Since the original planning was approved, stricter controls have been introduced for the installation of septic tanks, and the proposal should adhere to this legislation.

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 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 the AAP. There are no specific operational policies or other provisions relevant to the determination of the application contained in the Plan.

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

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

Full planning permission was granted on this application site in April 2003. A Planning Strategy for Rural Northern Ireland (PSRNI) operated as the policy provision at that

time and allowed for a dwelling in the countryside where it was of an appropriate design and could be satisfactorily integrated with its surroundings.

The applicant started building work on the application site by digging and pouring foundations for the dwelling approved in April 2003. In order to demonstrate that these works were lawful, a Certificate of Lawfulness for the commencement of development was submitted by the applicant in November 2019. Assessment of this application found that although the digging and pouring of foundations occurred within the time period of the permission granted under T/2003/0037/F, the applicant did not comply with the pre-commencement conditions relating to the provision of the vehicular access, including visibility splays and any forward sight line, and therefore, the Council could not certify that the works were lawful.

A second Certificate of Lawfulness was submitted by the applicant in April 2020. Again, the applicant was attempting to demonstrate that the development works on the application site were carried out prior to the expiration of planning granted under T/2003/0037/F. This second Certificate application was accompanied by a number of affidavits referring to the creation of the approved access point prior to the expiration of planning.

Google imagery contradicts the information accompanying both Certificate of Lawfulness applications, as it shows an intact roadside hedge, indicating that the approved access point located in the northeastern corner of the site was never created, thereby supporting the Council's assertion that the pre-commencement condition relating to the provision of the access prior to any other development works, was not complied with. Furthermore, Google images show vehicle tracks accessing the application site from an existing field gate to the south of the approved access, again demonstrating that the approved access arrangement was not in place before the digging and pouring of foundations took place.

As part of this current application, the agent submitted a letter from the Ballymena Divisional Planning Office dated 10th March 2009, which refers to a Reserved Matters application on a different application site. This letter states five 'material operations' that would constitute the commencement of development, one of which is 'the digging of a trench which is to contain the foundations, or part of the foundations for any building'. The agent argues that this letter and the advice provided within, is relevant to this application site as it was issued by the Divisional Planning Office covering the Crumlin area at that time. The agent contends that the applicant has carried out a 'material operation' and has also complied with the other points listed, and so he has lawfully commenced development.

While the Council does not dispute that the applicant has dug and poured foundations, it has found on two separate occasions that a pre-commencement condition requiring the provision of the access has not been complied with. As a result, the permission granted under application T/2003/0037/F has not been lawfully commenced and is no longer a valid permission.

In light of this, on 8th October 2021, the agent was requested to submit a supporting statement demonstrating how the current proposal meets with the policy criteria of PPS 21 for development in the countryside. This information was due by 18th October 2021; however, no further information has been received.

Policy CTY 2a of PPS 21 indicates that planning will be granted for an individual dwelling sited within an existing cluster of buildings where a number of criteria can be met. The application site is bounded on two sides by existing development, it lies outside of a farm, and provides a suitable degree of enclosure, however, it is not associated with a focal point such as a social or community building or facility, nor is it located at a crossroads. Furthermore, there is little visual awareness of these dwellings sited to the west of the site due to the existing mature vegetation along this boundary, and so the cluster of existing development is not seen as a visual entity. For these reasons, it is considered that the proposal does not meet the criteria of Policy CTY 2a.

The applicant has been unable to provide 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 the Lurgan Road, set back approximately 180 metres from the public road, and accessed via a new driveway that runs along the northern boundary. The land falls slightly from the public road in a westerly direction and so the application site is at a marginally lower level than the Lurgan Road. Both the northern and western boundaries of the site are defined by mature vegetation, which provide a suitable backdrop for the development and allow for the integration of the proposed dwelling and garage.

The proposed dwelling is single storey, with a ridge height of 5.8 metres to finished floor level. It comprises two rectangular elements; one to the front of the site orientated parallel to the Lurgan Road that contains a kitchen/dining area, lounge and snug, with a second to the rear accommodating all the bedrooms and a bathroom and positioned at an angle to the front section; a central component connects the two. Proposed finishes include dark natural slates with a grey zinc clad link roof, smooth rendered walls, and natural cedar sheeting to the right elevation of the central component. There are two large areas of glazing on the front elevation of the proposed dwelling, one centrally located to serve the kitchen/dining/living area, and a second to the left side that serves the snug. These large windows tend to dominate this elevation and fail to provide a vertical emphasis and balance to the overall design of the dwelling.

The proposed garage is also single storey, measuring 6 metres to finished floor level, and has an attached carport, resulting in an overall length of 15.5 metres and a gable depth of 7.5 metres. It is located to the front and northeast of the new dwelling, with external finishes to match the proposed dwelling.

The new dwelling has been reoriented slightly to sit parallel to the Lurgan Road, and it has been sited closer to the southern boundary of the application site, when

compared to the development previously approved under application T/2003/0037/F.

Despite the juxtaposition of the two main elements comprising the proposed dwelling and the large areas of glazing on the front elevation, it is considered that the overall layout and appearance of the development would be acceptable subject to amendments to the front elevation of the proposed dwelling. DfI Roads has advised that visibility splays of 2.4 x 120 metres are required, and that the roadside hedge needs to be removed and relocated behind these splays; facing back or trimming the existing hedge is not sufficient. It is considered that the removal of this hedge will open up views of the front elevation in particular, when approaching the site from the north, and amendments are required to ensure the design of the proposed dwelling is appropriate for both the application site and the surrounding area.

Given the existing mature vegetation along two of the site boundaries, the slightly lower level of the site, and its set back location from the public road, it is considered that the overall development will not be a prominent feature in the landscape.

Given the design of the front elevation of the dwelling a reason for refusal relating to design should be attached to any decision notice.

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 and characterised by single dwellings and small clusters of development set back off the public road. In this case, the proposed dwelling is sited approximately 180 metres back from the Lurgan Road, and 15 metres south of No. 31 Lurgan Road, which is operating as a children's private day nursery. The proposed development will be intermittently viewed with No. 31 when travelling in a northerly direction along the Lurgan Road, while the buildings at No. 31 limit public views when travelling south.

The resultant settlement pattern of development of two adjoining buildings is typical of the surrounding area, and as the new development will only be viewed with one other building, and from one direction, it will not result in a suburban style build-up of development. No. 31 Lurgan Road on its own does not constitute a ribbon of development and if permitted, the proposed dwelling will not add to or create a ribbon of development. For these reasons, it is considered that the proposed dwelling on this application site will not cause a detrimental change to the rural character of the area.

Other Matters

Access and Road Safety

DfI Roads was consulted in relation to the proposed access arrangements and requested a number of amendments in relation to the provision of visibility splays of 2.4 x 120 metres. As the principle of development cannot be established, the applicant was not requested to submit these amendments in order not to incur any further expense.

Drainage

The objector raised concerns regarding the proposed method of foul sewage disposal and the ability of the surrounding land to absorb any additional discharge from the new dwelling. The discharge of effluent from single dwellings is dealt with under the Water (Northern Ireland) Order 1999 and the applicant will require consent to discharge sewage waste to any waterway, or soakaway. Such consent is issued by the Department of Agriculture, Environment and Rural Affairs.

CONCLUSION

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

- The principle of the development is not acceptable.
- Amendments are required to the front elevation of the proposed dwelling.
- A safe access has not been provided.

RECOMMENDATION

REFUSE PLANNING PERMISSION

PROPOSED REASONS OF REFUSAL

1. The proposal is contrary to the SPPS and Policy CTY 1 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 CTY 13 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the design of the proposed dwelling is inappropriate for the site and its locality.

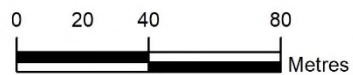


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Location Map

Application Reference: LA03/2021/0791/F

15m south of No. 31 Lurgan Road and to the rear of
10 Cherryvalley Road, Crumlin



Dwelling and Garage (change of house type and garage,
alteration to access from T/2003/0037/F)

 Site Boundary

For Information Only



COMMITTEE ITEM	3.4
APPLICATION NO	LA03/2021/0897/O
DEA	DUNSILLY
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE OUTLINE PLANNING PERMISSION
PROPOSAL	Outline planning for 2 no. proposed new infill dwellings and detached garages.
SITE/LOCATION	Lands between 12a and 12c Drum Road, Kells, Ballymena, BT42 3NN
APPLICANT	Mal McDonnell
AGENT	ACE Architectural Services
LAST SITE VISIT	6 th October 2021
CASE OFFICER	Michael Tomlinson Tel: 028 903 40442 Email: Michael.tomlinson@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 lands between 12a and 12c Drum Road, Kells. This is a countryside location beyond any settlement development limits as identified in the Antrim Area Plan 1984-2001.</p> <p>The application site is located approximately 170 metres along a shared private concrete laneway that provides primary access to the Drum Road for Nos. 12a and 12c Drum Road. This laneway provides a secondary means of access to No. 18 Drum Road and the equine business associated with that property.</p> <p>The northeastern boundary of the application site has a frontage onto the concrete laneway, with the northeastern edge of the laneway defining this boundary onsite. The southeastern boundary abuts a section of laneway that provides access to No. 12c Drum Road from the main section of the laneway. This boundary is defined by the laneway itself. The southwestern boundary that abuts a field is physically defined onsite by a continuous 1.5-metre-tall d-rail fence. The northwestern boundary that abuts No. 12a Drum Road, at the time of site visit, was defined by a row of 1.5 metre round fence posts. The topography of the application site rises from the northeast in a southwestern direction.</p> <p>There are 5 no. dwelling houses within 200 metres of the application site as well as several outbuildings. From the application site, Nos. 12a and 12c Drum Road are the only visible buildings within the immediate area.</p>	
RELEVANT PLANNING HISTORY	
<p>Planning Reference: T/2003/0594/O Location: 120 Metres North East of 14 Drum Road, Kells. Proposal: Site of dwelling. Decision: Permission Granted (08.10.2003)</p>	

Planning Reference: T/2003/0793/O
Location: 130m East of 14 Drum Road, Kells.
Proposal: Site of dwelling.
Decision: Permission Granted (15.10.2003)

Planning Reference: T/2004/0380/O
Location: 90m North East of 18 Drum Road, Kells.
Proposal: Site of dwelling.
Decision: Permission Refused (08.11.2005)

Planning Reference: T/2006/0107/F
Location: Adjacent to 18 Drum Road, Kells.
Proposal: Dwelling and garage.
Decision: Permission Granted (09.05.2006)

Planning Reference: T/2006/0745/RM
Location: 20m North East of 14 Drum Road, Kells.
Proposal: Dwelling with integral garage.
Decision: Permission Granted (06.12.2006)

Planning Reference: T/2006/0771/RM
Location: 130m east of 14 Drum Road, Kells.
Proposal: Dwelling and garage.
Decision: Permission Granted (04.01.2007)

Planning Reference: T/2009/0432/O
Location: 110m East of 14 Drum Road, Kells.
Proposal: Site of dwelling and garage (infill).
Decision: Permission Refused (27.09.2010)

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 development 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 subject to informatives.

Northern Ireland Water – No objection.

Department for Infrastructure Roads- No objection subject to the access arrangement being modified to account for the required visibility splays.

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

Policy Context and Principle of Development

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

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

The Strategic Planning Policy Statement for Northern Ireland (SPPS) is material to all decisions on individual planning applications. The SPPS sets out the transitional

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

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

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

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

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

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

In this instance, the applicant is seeking to create 2 no. dwellings within the lands between Nos. 12a and 12c Drum Road. The frontage in this instance is being taken off the private laneway that No. 12a Drum Road has a frontage onto of approximately 40 metres. Along this laneway, there is access to No. 12c Drum Road, of which the nearest (northeastern) boundary is approximately 50 metres setback from the laneway and the curtilage of the dwelling does not have a frontage with the laneway. The other building that takes access off the laneway is an agricultural building that is associated with the equestrian development to the south of the application site. This building is setback approximately 40 metres from the laneway. It is noted in this instance, of the 3 no. buildings that have an access along this section

of laneway, the only building that has a physical boundary and abuts the laneway is No. 12a Drum Road. The other two buildings are set back from the laneway and do not have a physical boundary with the laneway, rather they can only access onto it. It is considered that for this reason, the proposal does not meet with criteria (a) of CTY 8.

With regard to criterion (b), the gap in this instance is approximately 85 metres and has been measured from the two closest points of the dwelling houses associated with 12a and 12c Drum Road. Should a valid infill opportunity be created at this location, it is considered that the application site is small, sufficient only to accommodate up to a maximum of two houses and therefore it is considered that criterion (b) has been complied with.

The application site will abut No. 12a Drum Road along its southeastern boundary and will have a frontage of approximately 40 metres. The proposed frontage of site 1 as identified in Drawing No. 01, date stamped received 9th September 2021, will be approximately 40 metres and the plot frontage of site 2 is approximately 35 metres. The plot depths of No. 12a Drum Road and the application site is approximately 48 metres. Drawing No. 01 further illustrates that the two proposed dwellings and detached garages are consistent in size and are broadly comparable to the sizes and scales of both No. 12a and 12c Drum Road. The illustrations in Drawing No. 01 show that the proposed dwellings are sited and orientated towards the private laneway. It is therefore considered that the proposed development is closely comparable to the neighbouring dwelling at No. 12a Drum Road in terms of plot size, siting and size. Furthermore, the application site is broadly comparable to No. 12c Drum Road in terms of size and scale of the proposed development. It is considered therefore that the application site does respect the existing development pattern and therefore meets with the requirements of criterion (c) 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 requisites 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 residential 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

Policy CTY 13 of PPS 21 is entitled 'Integration and Design of Buildings in the Countryside'. The policy headnote states that planning permission will be granted for a building in the countryside where it can be visually integrated into the countryside and it is of an appropriate design. The policy headnote continues by stating that a new building will need to comply with seven criteria.

Criteria (a) of Policy CTY 13 is consistent with the requirement of Criteria (a) of Policy CTY 14. These criteria require that new buildings are not a prominent feature in the landscape. Drawing No. 01, date stamped received 9th September 2021, shows the proposed dwellings sited approximately in the centre of the application site and the two garages are expressed along the southwestern boundary of the application site. It is noted that this is an outline application and there are no detailed design drawings submitted in support of the application. It is considered that given the topography of the application site being located approximately 150 metres along a private laneway, with no public view along the Drum Road, that the proposal meets with the requirement of criteria (a) of CTY 13 and CTY 14.

The application site is an open agricultural field with no long established natural boundaries to enclose the application site as required by criterion (b) of CTY 13. The existing boundaries onsite consists of d-rail fencing, or are undefined. It is therefore considered that a suitable degree of enclosure cannot be provided for the buildings to integrate into the countryside area. In this instance the proposed development would require a significant amount of new landscaping to treat the boundaries of the application site in order to secure adequate integration into the countryside, contrary to the requirements of criterion (c) of CTY 13.

Criterion (d) of CTY 13 is consistent with the requirement of criterion (e) of Policy CTY 14, which requires the ancillary works to integrate with their surroundings. It is considered that the proposed development would not require a substantial level of ancillary works that would have a significant impact on the surrounding area and therefore meets with the requirements of criteria (d) of CTY 13 and (e) of CTY 14.

Criterion (e) of CTY 13 relates to the design of the building and its appropriateness for the site and its locality. It is noted that this is an outline application that does not have any supporting designs showing the appearance of the proposed dwellings. Such matters are normally reserved to a subsequent detailed design stage should outline planning permission be forthcoming.

Criteria (f), requires any new buildings to blend with the landform, existing trees, buildings, slopes and other natural features. The proposed development would blend with the landform, buildings and slopes of the application site. Due to there being a lack of established natural boundaries as per the requirement of criterion (b), there are no trees within or defining the boundaries of the application site.

Policy CTY 14 of PPS 21 is entitled 'Rural Character'. The policy headnote states that planning permission will be granted for building in the countryside where it does not cause a detrimental change to, or further erode the rural character of an area. The policy headnote continues by stating that a new building will be unacceptable subject to five criteria. Two of which (criteria (a) and (e)) have been discussed previously.

Criterion (b) requires new buildings not to result in a suburban style build-up of development when viewed with existing and approved buildings respectively. Due to the topography of the lands, the application site is not visible from the public road and despite there being no existing established boundaries within the application site, the other buildings within the surrounding area are well distanced and intermittent landscaping between them provides a visual break. It is considered therefore that the application site meets with the requirements of criterion (b) and will not result in a suburban style build-up.

Criterion (c) requires the new buildings to respect the traditional pattern of settlement exhibited in that area, while criterion (d) states that 'a new building will be unacceptable where it creates or adds to a ribbon of development'. It is considered that for the reasons stated in the above sections, the proposal fails to meet with criteria (c) and (d) and the requirements of Policy CTY 8 as it does not respect the traditional settlement pattern of the area and would create a ribbon of development and therefore is unacceptable in this location.

Neighbour Amenity

The closest neighbouring dwelling is No. 12a Drum Road which lies to the northwest of the application site. From the closest point of this neighbouring dwelling to the northwestern corner of the proposed siting location of the dwelling in site 1 is approximately 12 metres. It is noted that the ground floor openings on the southeastern gable elevation that is orientated towards the application site, serve a car port and a back door to the dwelling, which do not allow views into this neighbouring dwelling from the application site. The other windows on this elevation are on the first floor and these openings would not create an opportunity for overlooking from the application site. It is noted that this is an outline planning application and no detailed design drawings have been provided, however it is accepted that two suitably designed dwellings could be appropriately sited within the application site to safeguard the privacy and amenity of this neighbour.

No. 12c Drum Road is located approximately 30 metres from the southern corner of application site. It is considered that the separation distance between this neighbour and the application site, and the siting location of No. 12c Drum Road on higher lands would not give rise to any significant impact on this neighbour.

Access, Movement and Parking

The proposal seeks to take access of the existing private laneway. DfI Roads have been consulted and have stated that the required 2.4m x 70m visibility splay for the access has not been demonstrated from the concrete lane and its junction with the public road. The centre line of the access is to be moved to the north to achieve visibility in both directions. Due to the principle of development not being established on site for the reasons set out above, the amendments required by DfI Roads were not requested from the agent as this would incur unnecessary cost to the applicant for the creation and submission of these amendments.

CONCLUSION

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

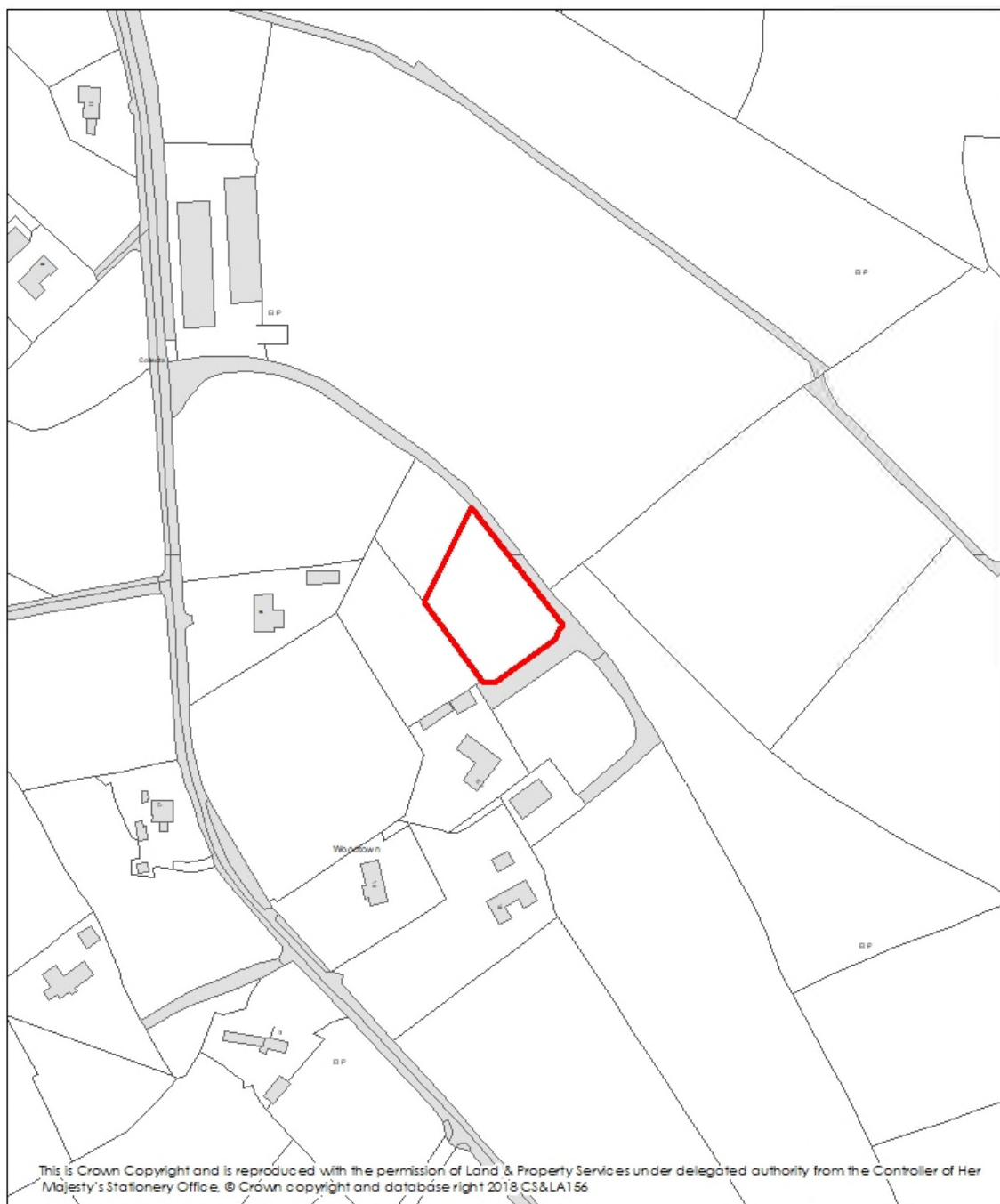
- The principle of the development cannot be established as the proposal fails to fulfil the policy requirements of Policy CTY 1, CTY 2a and CTY 8 of PPS 21.
- The proposal will result in a ribbon of development and does not respect the traditional pattern of development.
- The proposal would rely on the use of new landscaping for integration.
- Two suitably designed dwellings on the application site would not have a significant detrimental impact on neighbour amenity.
- Access arrangements for the laneway could, if altered, provide safe access onto the public road.

RECOMMENDATION

REFUSE OUTLINE PLANNING PERMISSION

PROPOSED REASONS OF REFUSAL

1. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement and Policy CTY1 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement and it fails to meet with the provisions for an infill dwelling in accordance with CTY8 of PPS21.
2. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement and Policy CTY2a of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the proposal is not considered to meet the criteria for a dwelling within an existing cluster of development.
3. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement and Policies CTY 8 and CTY14 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that two dwellings on this site would, if permitted, create a build-up of development in this area and add to a ribbon of development that will result in a detrimental change to, and erode, the rural character of the countryside.
4. 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: LA03/2021/0897/O

Outline planning for 2 no proposed new infill dwellings and detached garages (in accordance with PPS 21, CTY 8)

Lands between 12a and 12c Drum Road
Kells, Ballymena, BT42 3NN



COMMITTEE ITEM	3.5
APPLICATION NO	LA03/2019/1049/O
DEA	DUNSILLY
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE OUTLINE PLANNING PERMISSION
PROPOSAL	Proposed new dwelling on a farm
SITE/LOCATION	Site 75m west of 19 Loup Road, Moneyglass
APPLICANT	Ms Mary Duffin
AGENT	Martin Kearney
LAST SITE VISIT	November 2021
CASE OFFICER	Lindsey Zecevic Tel: 028 90340214 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 to the west of 19 Loup Road, Moneyglass which is within the countryside outside of any settlement as defined by Antrim Area Plan 1984-2001.</p> <p>The application site is located within a large agricultural field, across the road from the existing farm buildings at No. 19 Loup Road. The applicant is proposing to use the existing access that services Nos. 18 and 20 Loup Road. The site is defined to the east and north by the Loup Road by a post and wire fence. The southern and western boundaries are defined by mature hedgerows and vegetation.</p> <p>The surrounding area is rural in character, with isolated farmsteads, however, there are a number of residential dwellings set back from the public road.</p>	
RELEVANT PLANNING HISTORY	
No relevant planning history.	
PLANNING POLICY	
<p>Under the provisions of the Planning Act (Northern Ireland) 2011, all decisions must be taken in accordance with the provisions of the Local Development Plan unless material considerations indicate otherwise.</p> <p>Until the Council adopts its new Local Development Plan, most planning applications will continue to be assessed against the provisions of the extant adopted Development Plans for the Borough (the Belfast Urban Area Plan, the Carrickfergus Area Plan and the Antrim Area Plan). Account will also be taken of the Draft Newtownabbey Area Plan and its associated Interim Statement and the emerging 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.</p>	

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

Antrim Area Plan 1984 - 2001: The application site is located outside any settlement 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.

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

CONSULTATION

Council Environmental Health Section – No objections.

NI Water – No objections.

DFI Roads – No objections.

Department for Agriculture, Environment and Rural Affairs – “Proposed site located on land associated with another business”

REPRESENTATION

Five (5) neighbours were notified and no letters of representation have been received.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

The main issues to be considered in the determination of this application area:

- Policy Context and Principle of Development
- Integration and Character and Appearance of Area
- Neighbour Amenity
- Access, Parking and Road Safety

Policy Context and Principle of Development

Section 45 (1) of the Planning Act (NI) 2011 requires the Council, in dealing with an application for planning permission, to have regard to the Local Development Plan,

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

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

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

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

Policy CTY 1 of PPS 21 indicates that there are certain types of development which are 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. Policy CTY 10 Dwellings on Farms indicates that planning permission will be granted for a dwelling on a farm where all of the following criteria can be met;

- (a) the farm business is currently active and has been established for at least 6 years;
- (b) no dwellings or development opportunities out-with settlement limits have been sold off from the farm holding within 10 years of the date of the application. This provision will only apply from 25 November 2008; and
- (c) 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. Exceptionally, consideration may be given to an alternative site elsewhere on the farm, provided there are no other sites available at another group of buildings on the farm or out-farm, and where there are either:
 - demonstrable health and safety reasons; or
 - verifiable plans to expand the farm business at the existing building group(s).

Criterion (a) – Farm activity and establishment

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

The Department for Agriculture Environment and Rural Affairs - Countryside Management Branch Inspectorate (DAERA) was consulted as part of the application. DAERA has responded confirming that the Farm Business ID identified on the P1C form has been in existence for more than 6 years, however, the business has not claimed Single Farm Payment (SFP) and that the site proposed for a farm dwelling in this application is located on land associated with another business.

The applicant has submitted a letter from her accountant indicating that Cavanagh Kelly "act as accountant and tax advisors for the above named clients (Mary Duffin {applicant} and Clara Duffin) from 2006.

The above clients have been declaring farming income and expenses including repairs such as hedge cutting and general maintenance on a Partnership Tax Return from 2006 to date."

The applicant has also submitted the following information to demonstrate that the applicant has maintained the land in good agricultural condition for the last six years;

- a. An accounting spreadsheet – Partnership Conacre for the year ended 5 April 2019. This spreadsheet details outgoings from the partnership including hedge cutting and repairs, fence and digger work and water rates.
- b. Metred water statements dated 01 November 2017 – 30 April 2018, 01 May 2015- 31 October 2015 – these water statements have been issued to Miss Mary Duffin and the supply address is given as 19 Loup Road, Toomebridge.
- c. Three invoices addressed to M Duffin, Moneyglass;
 - i. Fence repairs and drainage to lower field – dated 10.10.2014.
 - ii. Hedge cutting, drain clearing and trimming on all fields. Purchase and repair of broken windows on sheds. Repair fence front field. Removal of waste. – Not dated.
 - iii. Hedge cutting/tree felling and trimming on all fields. Removal of same – Not dated.

The three invoices are copies and not the originals, dates have been added by another person to the two originally undated invoices. None of the invoices are specific to any location.

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

Criterion (b) – sites previously sold off

Policy CTY 10 goes on to advise that planning permission granted under this policy will only be forthcoming once every 10 years. For the purposes of this policy 'sold off' means any development opportunity disposed of from the farm holding to any other person including a family member.

The applicant has confirmed that no dwellings or development opportunities have been sold-off from the farm holding. A search of the business ID and a history search of the applicant's name and farm maps has found no recent planning permissions. It is therefore considered that the application meets the relevant policy requirements identified under criterion (b).

Criterion (c) – siting requirements

It would appear that the applicant currently resides in No. 19 Loup Road which lies 75m east of the proposed host site, across the Loup Road. There are five stone agricultural style buildings surrounding No 19, the two to the northwest appear to be vacant and in a state of disrepair and the three to the south are in a good state of repair. South of these buildings, also within the applicant's landownership, is an area of grass that appears to be maintained as a garden. Siting the dwelling at the opposite site of the Loup Road will result in no visual linkage with the existing farm dwellings.

The policy advises that;

“Exceptionally, consideration may be given to an alternative site elsewhere on the farm, provided there are no other sites available at another group of buildings on the farm or out-farm, and where there are either:

- demonstrable health and safety reasons; or*
- verifiable plans to expand the farm business at the existing building group(s).”*

No information has been provided to the Council regarding any health and safety concerns or plans to expand the farm business. It is considered that there are more appropriate sites within the applicant's ownership for this proposal.

Overall, it is considered that the proposal fails to meet Policy CTY1 and CTY 10 of PPS 21 in that it has not been demonstrated that the farm is currently active and established and the proposal is not visually linked to the existing farm buildings and as such the principle of the development is not acceptable.

Integration and Character and Appearance of Area

As the application seeks outline permission limited details have been provided in relation to the design and appearance of the dwelling proposed. The SPPS paragraph 6.70 states that all development in the countryside must integrate into its setting and respect rural character. Policies CTY 13 and CTY 14 of PPS 21 states that planning permission will be granted for a building in the countryside where it can be visually integrated into the surrounding landscape and it is of an appropriate design. A new building will be unacceptable where it would be a prominent feature in the landscape or would fail to integrate into the landscape.

In this case the application site abuts the public road with the topography of the site being generally flat. The site benefits from clearly defined boundaries to the west and south with mature trees and hedgerows. The northern and eastern boundary is defined by a post and wire fence, however the northern boundary does benefit from the mature vegetation running along the access between Nos. 18 & 20 Loup Road. Critical views of the site are limited due to the existing vegetation and the curve of the Loup Road on approach to the site.

It is considered the proposal meets Policy CTY 13 of PPS 21 as a dwelling on the proposed site will integrate with the surrounding landscape.

Neighbour Amenity

The closest residential dwelling to the application site is located at 19 Loup Road. A dwelling on the site proposed will have little impact on neighbouring properties, in

terms of loss of privacy, overlooking and loss of light. The Environmental Health Section was consulted and offered no objections to the proposal.

Access, Parking and Road Safety

DfI Roads has been consulted and has raised no objection to the principle of the proposed access and it is therefore considered that the proposal is compliant with Policy AMP 2 of PPS 3.

CONCLUSION

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

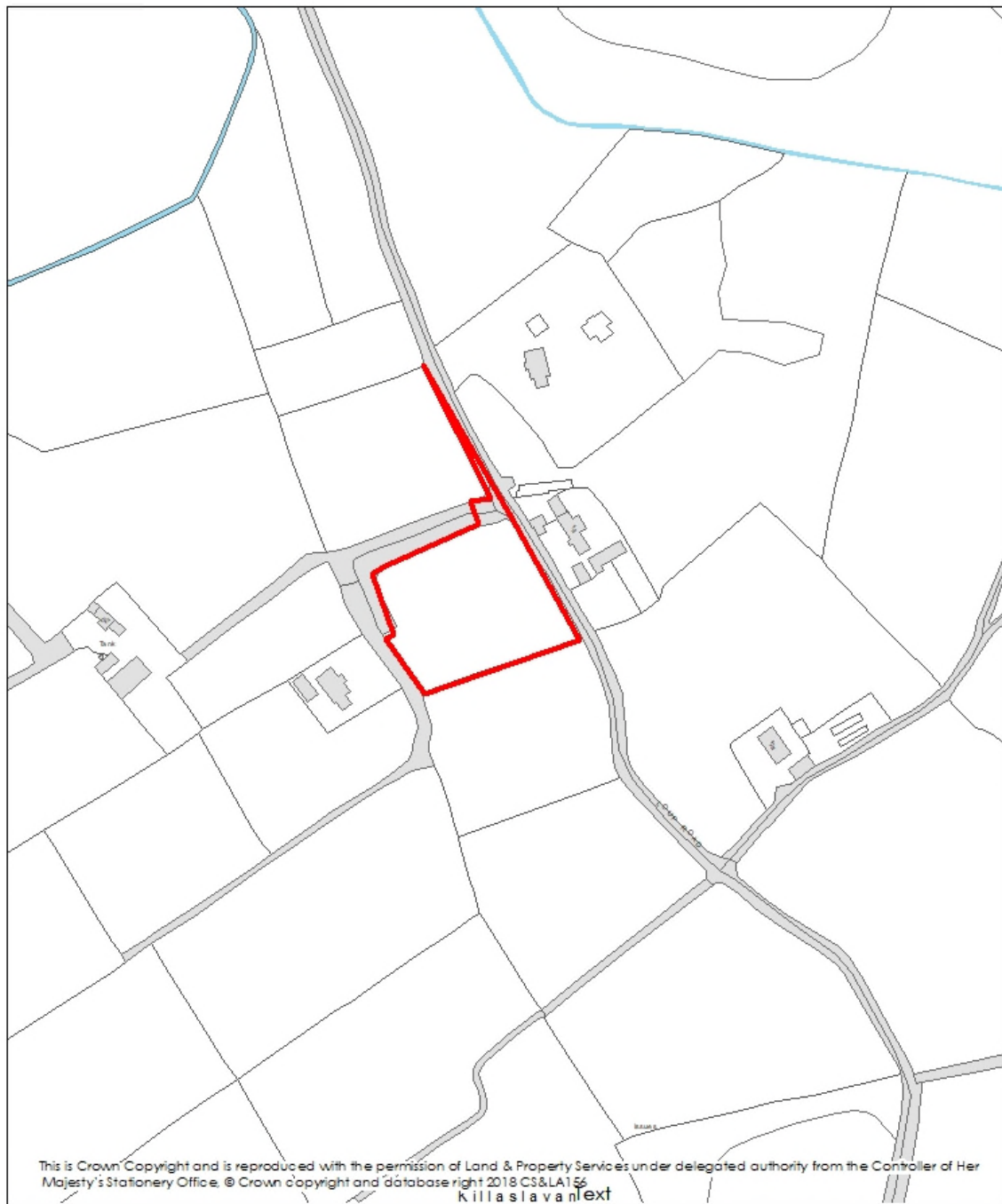
- The principle of the development has not been established;
- The proposed site for a farm dwelling is not visually linked or sited to cluster with an established group of buildings on the farm holding;
- The dwelling, if permitted would not have a detrimental impact on the amenity of the neighbouring properties; and
- There are no road safety concerns regarding the proposal.

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 and established, nor would the proposed dwelling be visually linked with existing buildings on the farm.



Site Location Plan

Reference: LA03/2019/1049/O

Proposed new dwelling on a farm

Site 75m South West of 19 Loop Road Moneyglass

0 30 60 120
Meters



COMMITTEE ITEM	3.6
APPLICATION NO	LA03/2021/0993/O
DEA	DUNSILLY
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE OUTLINE PLANNING PERMISSION
PROPOSAL	Proposed site for infill dwelling and domestic garage
SITE/LOCATION	40m East of 9a Creggan Road, Cranfield, Randalstown, BT41 3LN
APPLICANT	Emmett McAuley
AGENT	CMI Planners Ltd.
LAST SITE VISIT	5 th November 2021
CASE OFFICER	Dani Sterling Tel: 028 903 40438 Email: dani.sterling@antrimandnewtownabbey.gov.uk
<p>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal www.planningni.gov.uk</p>	
SITE DESCRIPTION	
<p>The application site is located 40 metres east of 9a Creggan Road, Randalstown and within the rural area outside any designated settlement limits as defined in the Antrim Area Plan (1984-2001).</p> <p>The application site comprises a large section of an existing agricultural field. Land levels across the site fall gently in a southerly direction. The application site is set some 720 metres north of Lough Neagh and views of the Lough can be achieved from the site.</p> <p>This application site is set back approximately 480 metres from the Creggan Road and accessed via an existing shared laneway which also serves Nos. 7, 7a, a newly constructed dwelling to the east of the site and 9a Creggan Road and the farm complex associated with No. 9a.</p> <p>The northern boundary of the application which runs parallel to the laneway is defined by a post and wire fence. The eastern boundary lies adjacent to a dwelling recently constructed granted approval under LA03/2019/0049/F and is defined by a substantial row of mature trees varying in heights between 4-6 metres. The western boundary runs adjacent to neighbouring property No. 9a and its associated farm, this boundary is defined by mature trees to the northern portion some 7-8 metres in height and a maintained hedgerow to the southern part approximately 1.5 metres high.</p>	
RELEVANT PLANNING HISTORY	
<p>Planning Reference: LA03/2019/0049/F Location: 140m east of 9a Creggan Road, Cranfield, Randalstown, BT41 3LN, Proposal: Replacement dwelling and domestic garage Decision: Permission Granted (29.03.2019) Planning Reference: LA03/2017/0842/O</p>	

Location: 140m east of 9a Creggan Road, Cranfield, Randalstown, Antrim, BT41 3LN,
Proposal: Replacement dwelling and garage
Decision: Permission Granted 29.01.2018

PLANNING POLICY AND GUIDANCE

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

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

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

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

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

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

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

CONSULTATION

Council Environmental Health Section – No objection subject to comments regarding nearby farm buildings.

Northern Ireland Water- No objection

Department for Infrastructure Roads- No objection

REPRESENTATION

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

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Policy Context and Principle of Development
- Design, Layout and Impact on Character and Appearance of the Area
- Neighbour Amenity
- Movement, Access and Parking

Policy Context and Principle of Development

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

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

The 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 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 within this Plan.

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

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

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

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

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

The first element of Policy CTY 8 requires that a substantial and continuously built up frontage exists. In this case the application site comprises a large section of agricultural field between a dwelling currently under construction to the east granted approval in LA03/2019/0049/F which does not appear yet to have an identifiable address and dwelling No. 9a and associated farm buildings located to the west. The application site is accessed from a shared laneway off the Creggan Road that is already used to serve dwelling Nos. 7, 7a and 9a Creggan Road.

The agent has outlined on Drawing No. 01 date stamped 11th October that the buildings providing the substantial and continuously built up frontage include the newly constructed dwelling to the east, No. 9a and its associated farm buildings.

In this case it is not considered that the newly constructed dwelling to the east of the application site approved under LA03/2019/0049/F constitutes a frontage onto the shared laneway. Whilst it is not disputed that the access point to serve this dwelling is achieved from the shared laneway, the frontage of this neighbouring dwellinghouse does not extend up to the laneway edge. The lawfully established curtilage of this dwelling is set back some 44 metres from the laneway edge with only the access driveway extending up to the laneway. No subsequent application for the extension of the domestic curtilage has been submitted and therefore it is not considered that the adjacent dwelling to the east of the application site has an established frontage to the laneway. The section of land between the laneway and the approved site under LA03/2019/0049/F is considered to be agricultural land and therefore does not provide an established domestic frontage for this dwelling.

In addition, it is noted within Drawing No. 01 date stamped 11th October 2021 that the agent has relied upon farm buildings associated with No. 9a to create a justification for a substantial and continuously built up frontage at this location. It is acknowledged that the access used to serve the application site is a shared private laneway, however, the shared laneway ultimately ends at the point of entry to 9a Creggan Road and the associated farm complex. The laneway leads into an open concrete yard and does not extend beyond the farm complex with the exception of some grassed farm track lanes continuing west and south to adjacent fields. As a result the shared laneway is considered to terminate at the point of entry into No. 9a's agricultural holding as it becomes part of a concrete yard and any agricultural laneways accessing land are private. Therefore, the consideration is that the farm buildings associated with No. 9a cannot be used as part of a substantial and continuously built up frontage.

It is noted that with the exception of No. 9a's gable fronting the shared laneway before the termination of the laneway into the farm holding that the proposal does not meet the requirement of three buildings to provide a substantial and continuously built up frontage and as a result this application fails the first test of policy CTY8. Therefore, the infilling of this gap would create a form of ribbon development which is not acceptable within a countryside location.

The second element of policy CTY8 requires the gap site to be a small gap site sufficient only to accommodate a maximum of two dwellings. As already stated above, dwelling No. 9a is the only dwelling in the direct vicinity of the application site that is considered to have a frontage onto the shared laneway and as a result the principle of development cannot be established as a substantial and continuously built up frontage does not exist.

However, for the purposes of continuing the assessment of the application based on CTY 8 it is noted that No. 9a has a frontage width of 20 metres onto the shared laneway. Other dwellings nearby the application site are No. 7 and 7a Creggan Road which are sited some distance to the north and are not considered to visually link with the application site to constitute part of a substantial and continuously built up frontage. Notwithstanding this point, the frontage widths of these nearby neighbours would provide an indication of existing character and pattern of development in the vicinity of the application site. Therefore, 7a has a frontage width of 15 metres and No. 7 has a frontage width of approximately 49 metres and the large outbuildings located adjacent to No. 7 also fronting the private laneway have a frontage width of 47 metres. As already stated above the recently constructed dwelling directly to the east of the application site is not considered to constitute an established frontage onto the private laneway. The overall average frontage width in this case is approximately 33 metres.

The justification and amplification text at paragraph 5.34 of CTY8 is clear that the gap is between dwellings or other buildings, and not the frontage of the application site. The application site has a frontage width of 94 metres. The gap between dwelling No. 9a to the west of the application site and the recently constructed dwelling to the east measures 137 metres. Therefore, it is considered that giving due consideration to other frontages along the shared laneway that a gap of 137 metres is considered substantial as the resulting gap could accommodate at least three dwellings based on the average plot widths that exists in the immediate area. Therefore, the proposal is contrary to criterion (b) of CTY 8.

The third element of Policy CTY 8 states that the proposal should respect the existing development pattern along the frontage in terms of size, scale, siting and plot size. The overall length of the application site is some 94 metres. This is considered to create a substantially larger plot frontage than any other nearby dwelling. It is not considered that a dwelling at this location would be reflective of the character of the area and therefore the proposal is contrary to criterion (c) of CTY 8.

Overall, it is considered that the proposal does not comply with Policy CTY 8 in that there is not considered to be a substantial and continuously built up frontage at this location, the gap is not considered to constitute a small gap site and the resultant frontage for a dwelling within the application site would be substantially larger than any other nearby dwelling and would therefore not respect the existing development

pattern along the shared laneway. The justification and amplification section of policy CTY 8 further states that gaps between houses or other buildings that provide relief and visual breaks in the developed appearance of the locality help to maintain rural character. Therefore, it is considered that as the proposal is not an exception to ribbon development that the development of a dwelling at this location would be detrimental to the visual amenity and character of its countryside setting and is therefore not appropriate.

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

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

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

As the application seeks outline permission, no details have been provided regarding the proposed design or layout of the dwelling. 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. In this case the application site lacks established boundaries along the northern and southern boundaries and therefore relies on new planting to sensitively integrate the plot within the landscape.

The eastern and western boundaries of the application site are natural and established hedgerows with mature trees varying in height between 4-8 metres. The application site also benefits from being set back from the Creggan Road by some 480 metres and natural screenings are provided by intervening agricultural fields and mature landscaped field boundary definitions. Therefore, critical views of the application site would not be achieved from the public road. It is therefore accepted that a dwelling within the application site, subject to a low ridge height restriction and a suitable planting scheme could be sensitively integrated into the rural setting.

Policy CTY 8 and Policy CTY 14 indicates that development which creates or adds to a ribbon of development will be unacceptable. A dwelling on the application site will result in an additional dwelling along this stretch of a shared laneway which would be visually linked with the existing buildings and would represent a linear form of development creating a ribbon of development. Policy CTY 14 also emphasises that any proposal which causes a detrimental change to or further erodes the rural character of an area will be resisted. Therefore, this form of ribbon development is uncharacteristic of this rural area and the addition of a dwelling on this site would cumulatively lead to a suburban style of build-up.

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

Neighbour Amenity

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

Movement, Access and Parking

The proposal utilises a shared laneway accessed from Creggan Road that is used to serve Nos. 7, 7A and 9A Creggan Road and the recently constructed dwelling directly east of the application site. Consultation was carried out with DfI Roads who raised no objections to the proposal. Therefore, it is deemed that the access point to serve the site will not prejudice road safety or cause a significant inconvenience to traffic.

CONCLUSION

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

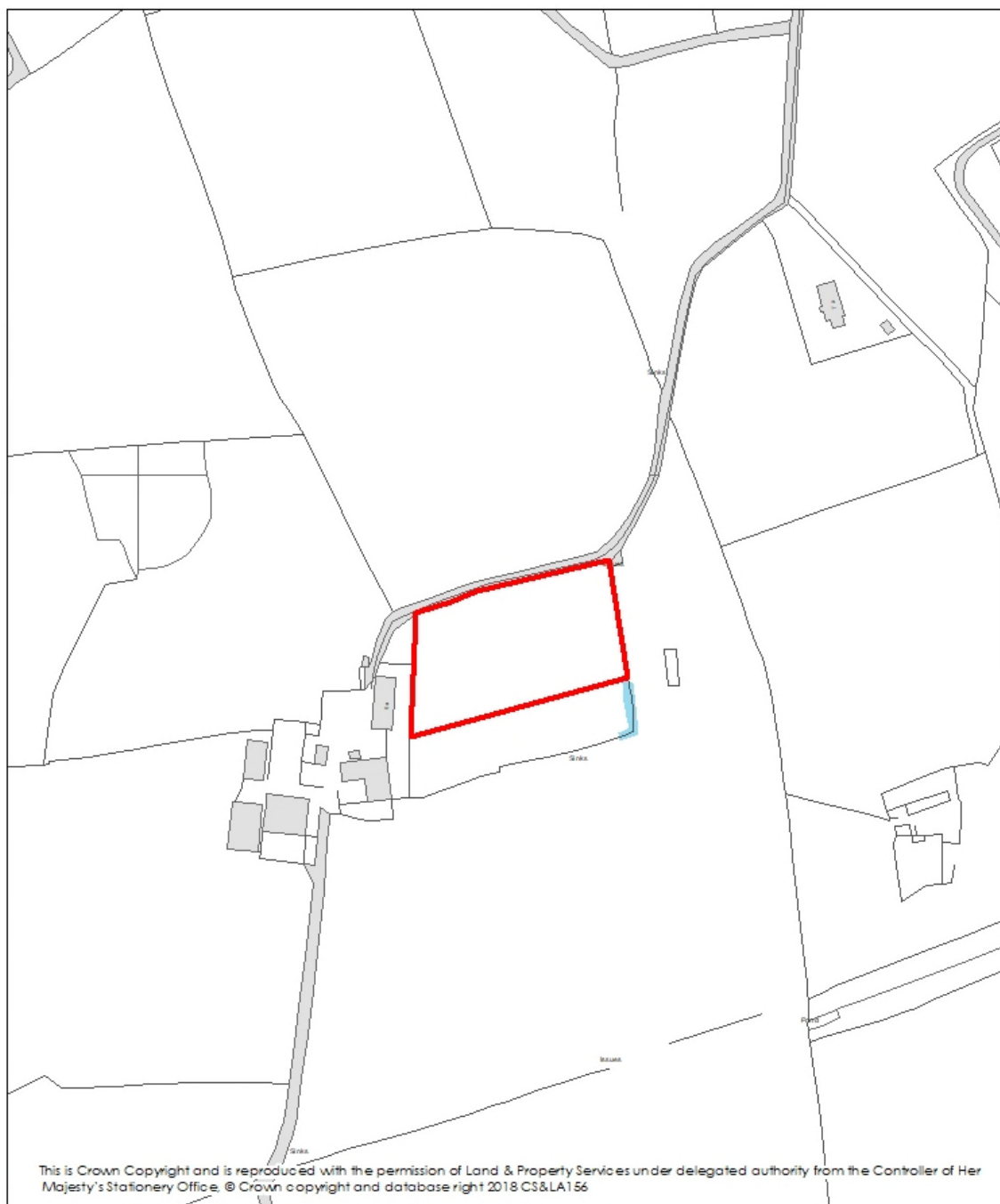
- The principle of the development cannot be established as the proposal does not comply with the policy requirements of CTY 8 of PPS 21.
- The proposal will result in a ribbon development and in a suburban style build-up of development contrary to CTY 8 and CTY 14.
- A dwelling could be successfully integrated into the application site due to the sufficient set back distance from the public road.
- There are no residential amenity concerns with the proposal.
- There are no road safety concerns with the proposal

RECOMMENDATION

REFUSE OUTLINE PLANNING PERMISSION

PROPOSED REASONS OF REFUSAL

1. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy CTY1 of PPS 21, Sustainable Development in the Countryside, in that there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement.
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 and 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 dwellings and not respect the existing pattern of development.



Site Location Plan

Application Reference: LA03/2021/0993/O

Proposed site for infill dwelling and domestic garage

40m East of 9a Creggan Road, Cranfield,
Randalstown, BT41 3LN



COMMITTEE ITEM	3.7
APPLICATION NO	LA03/2021/0805/F
DEA	AIRPORT
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE PLANNING PERMISSION
PROPOSAL	Dwelling and Garage
SITE/LOCATION	120m west of 44 Rickamore Road Upper, Templepatrick, BT39 0JE
APPLICANT	Mr Hunter Kirk
AGENT	Big Design Archtiecture
LAST SITE VISIT	20th September 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>	
ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS	
<p>The application was previously presented to the October Planning Committee where a decision was taken by the Committee to refuse planning permission. Following the Committee meeting it became apparent that the site address provided by the applicant was not accurate.</p> <p>The site address was given as; "120m east of 44 Rickamore Road Upper, Templepatrick, BT39 0JE", however, the site address should actually have been; "120m west of 44 Rickamore Road Upper, Templepatrick, BT39 0JE."</p> <p>Given that the site address was not accurate, it was considered necessary to re-advertise the application to ensure that no prejudice was caused to any third party. A press advertisement was carried out and the neighbouring properties were notified with the more accurate site address. Following the advertisement and consultation process there has been no third party representation received and no further information submitted in support of the application.</p> <p>Given that there has been no change in circumstances other than the site address, it is not considered that there is any material change to the application which would warrant a change in opinion and the recommendation remains to refuse planning permission.</p>	
RECOMMENDATION	REFUSE PLANNING PERMISSION
PROPOSED REASONS OF REFUSAL	
<p>1. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy CTY 10 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the proposal is not visually linked or sited to cluster with an established group of buildings on the farm.</p>	

2. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy CTY 13 of Planning Policy Statement 21, in that the site lacks long established natural boundaries and relies on the use of new landscaping for integration and the ancillary works do not integrate with their surroundings and the proposal is not visually linked or sited to cluster with an established group of buildings on the farm.
3. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy CTY 14 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that a dwelling on this site results in a suburban style of build-up when viewed with existing and approved buildings and the impact of ancillary works would damage rural character.




Site Location Plan

Application Reference: LA03/2021/0805/F

120m East of Rickamore Road Upper
Templepatrick, BT39 0JE

Erection of dwelling & garage



 Site boundary



COMMITTEE ITEM	3.8
APPLICATION NO	LA03/2021/0896/F
DEA	ANTRIM
COMMITTEE INTEREST	COUNCIL APPLICATION/INTEREST
RECOMMENDATION	GRANT PLANNING PERMISSION
PROPOSAL	Construction of a new large glazed entrance on the Six Mile Water Riverside elevation and internal reconfiguration
SITE/LOCATION	55-59 High Street, Antrim, BT41 4AY
APPLICANT	Karl Construction Ltd
AGENT	Antrim and Newtownabbey Borough Council
LAST SITE VISIT	1 st October 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 at No. 55-59 High Street, Antrim and consists of a large existing commercial unit. This unit fronts onto both Antrim's High Street with 3 no. retail units and the rear elevation faces onto the Six Mile Water River. The application site lies within the development limits of Antrim Town as defined in the Antrim Area Plan 1984-2001, is within the Antrim Town Centre Area and the Conservation Area. The building appears as two storey from the High Street and has been generally modernised/maintained along this frontage. Given the topography of the application site there is a basement level which is evident from the rear of the building, were the building presents as 3 storeys.</p> <p>The rear elevation of the building that lies adjacent to the river has a number of window and door openings, these are mostly covered by roller shutter type doors or enclosed with metal caging. The building is finished in white render with grey coloured detailing on the front elevation (High Street) and with dark brown coloured brick details on the rear elevation (riverside).</p>	
RELEVANT PLANNING HISTORY	
<p>Planning Reference: LA03/2021/0894/F Location: Unit 4, Lower Ground Floor, 55-59 High Street, Antrim, BT41 4AY Proposal: Creation of a new entrance by converting an existing window into a door, and construction of a ramp and steps onto the Six Mile River Boardwalk to provide level access. Decision: Under Consideration</p> <p>Planning Reference: T/2015/0114/F Location: Basement of 55 High Street, Antrim Proposal: Change of use from a retail storage area into a mixed martial arts gym Decision: Permission Granted</p>	

Planning Reference: T/2014/0530/F

Location: 55-59 High Street, Antrim

Proposal: Alterations to high street frontage and new windows to rear elevation.

Decision: Permission Granted

Planning Reference: T/2015/0114/F

Location: Basement of 55 High Street, Antrim

Proposal: Change of use from a retail storage area into a mixed martial arts gym

Decision: Permission Granted

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. The Plan offers no specific guidance on this proposal.

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

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

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

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

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

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

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

CONSULTATION

No consultations were carried out on the application.

REPRESENTATION

Eleven (11) neighbouring properties were notified of the application and no letters of representation have been received.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Policy Context and Principle of Development
- Design, Appearance and Impact on the Character of the Conservation Area
- Neighbour Amenity
- Natural And Built Heritage
- Flood Risk
- Other Matters

Policy Context and Principle of Development

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

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

The 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).

As noted above the proposal is for the construction of a new large glazed facade on the Six Mile Water riverside elevation and internal reconfigurations within the building. It is considered that the principle of development is considered acceptable at this town centre location subject to it meeting all other relevant planning considerations.

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

The proposal involves mainly changes to the rear elevation of the subject building which fronts directly out onto the Six Mile Water. The proposal also incorporates a number of changes to the internal layout of the building.

The main external change to the rear elevation of the building is to provide a new large glazed entrance to connect the building to the river. This new entrance is designed to have floor to ceiling glazing including new window panels and a new door which will open directly out onto the existing boardwalk above the Six Mile Water river. The new entrance will have a rendered block work surround and all new windows and door openings will be aluminium framed. Two new window openings are to be created and a number of existing windows to be upgraded.

As noted above the application site falls within the Antrim Town Centre Conservation Area. Planning Policy BH 12 – New Development in a Conservation Area, of PPS 6 will be applicable to the scheme. This policy advises that alterations to a building which lies within or impacts on the Conservation Area will only be acceptable where a number of criteria are met. In this case, the applicable components of this criteria require the proposal to preserve or enhance the character of the area; use appropriate materials and detailing that respects the characteristics of adjoining buildings in the area and conform with the guidance set out in Conservation Area Guidance.

It is noted that the proposal includes a large portion of glazing surrounding the new entrance door and although the other works to include the alterations/upgrading of the windows are vertically emphasised and in general conformity with the existing building, this part of the proposal would be considered contemporary in its design approach. Although the large portion of glazing is considered relatively modern the details of the surrounding blockwork frame surrounding the entrance respects the design of the existing block work detailing on this rear elevation. It is noted that the Antrim Town Centre Conservation Area Design Guide states that modern design can be accepted in appropriate locations. Furthermore the Design Guide also recommends that consideration will be given to making the river banks more attractive and accessible. The materials and finishes proposed for the works are all complementary to what already exists on the application building ensuring that respect is being paid to the existing building and those in the surrounding locality.

Overall, the proposal is seeking to enhance the building and provide a more attractive and welcoming outlook to the Six Mile Water. It is considered to respect the characteristics of the surrounding area and it is considered acceptable in terms and general design and appearance. It is also considered acceptable in accordance with Policy BH 12 of PPS 6 in that it would respect the character and appearance of the Antrim Town Centre Conservation Area.

Neighbour Amenity

The dwellings at Clarke Court are the closest residential units to the site of the proposed works. These dwellings lie on the opposite side of the Six Mile Water approximately 45 metres from the application site boundary. Given the nature of the proposal together with the distant proximity of these dwellings it is considered that there would be no detrimental impact on the amenity experienced at these residential properties resultant from the proposal.

The other surrounding properties are all commercial in nature and given the location of the proposed works being on the rear elevation of the existing building and consisting externally as only elevational alterations, it is considered that there would be no detrimental impact on amenity of any other surrounding property.

Natural and Built Heritage

Given the location of the application site within the core of Antrim Town Centre and adjacent to the Six Mile Water corridor there are a number of archaeological features present in the area. However, given the nature of the proposal and that it does not involve the construction of any new buildings or indeed any ground works at all, it is considered that the proposal would not have any significant detrimental impact upon any built heritage features and would be in accordance with the policy provisions of PPS 6.

As the site is adjacent to the Six Mile Water there is the potential to impact on protected species utilising the river corridor. It is acknowledged that the proposal simply wishes to make internal changes to the building and alterations to the rear elevation and as a result there is no additional extensions or work that is likely to have any impact on the river or protected species.

Flood Risk

It is noted that the application site lies directly adjacent to the Six Mile Water and thus part of the application site appears in the fluvial floodplain. Again given the works will not extend the existing footprint of the building and relate to only elevational changes and internal alterations it is considered that there will be no impact on flood risk resultant from the proposal. The proposal is therefore compliant with the policy provision of PPS 15.

Other Matters

It is noted on the drawings that there is reference made to signage. This application is for planning permission only and an application for advertisement consent should be made separately for any proposed new signage. An informative advising of this will be attached to any approval.

CONCLUSION

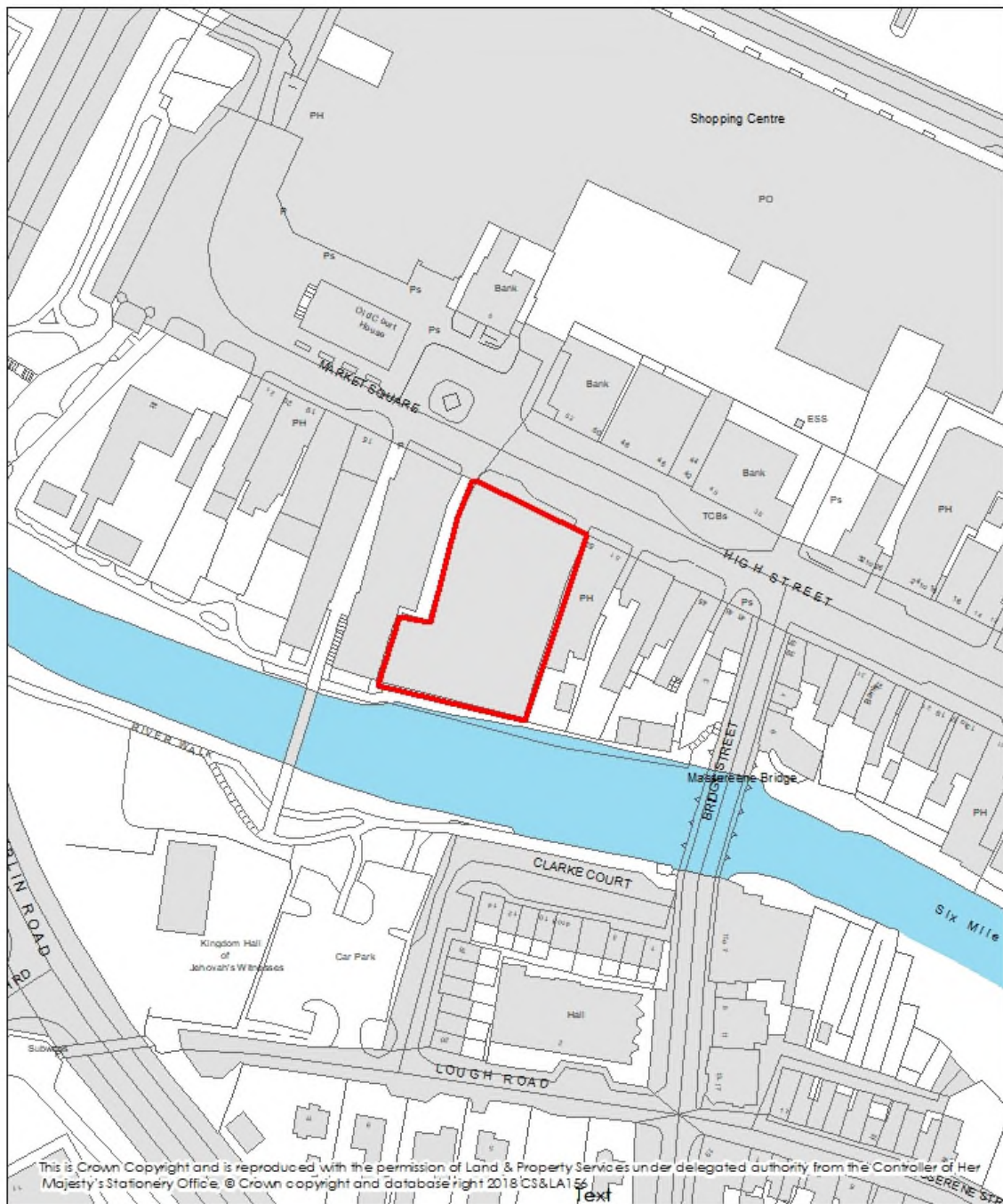
The following is a summary of the main reasons for the recommendation:

- The principle of the development is considered acceptable;
- The design and appearance of the proposal is considered acceptable;
- The proposal will not have a detrimental impact on the character and appearance of the Conservation Area;
- There will be no detrimental impact on neighbour amenity resultant from the proposal;
- The proposal will not have a significant detrimental impact on any built or natural heritage features;
- The proposal will not lead to an increased level of flooding at the application site or elsewhere.

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

Planning Applicant Reference: LA03/2021/0896/F

55-59 High Street, Antrim

Construction of a new large glazed entrance on the Sixmile Water Riverside elevation and internal reconfigurations

0 15 30 60
Meters



PART TWO

OTHER PLANNING MATTERS

ITEM 3.9

FI/FIN/11 DRAFT RATES ESTIMATES UPDATE 2022/23

An update on the 2022/23 Estimates for the Planning Department will be presented at the meeting.

RECOMMENDATION: that the presentation be noted.

Prepared by: Richard Murray, Head of Finance

Agreed by: John Balmer, Deputy Director of Finance

Approved by: Majella McAlister, Deputy Chief Executive Economic Growth & Planning

ITEM 3.10

P/PLAN/1 DELEGATED PLANNING DECISIONS AND APPEALS

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

No appeals were decided by the Planning Appeals Commission (PAC) for the Council area during the month of November.

RECOMMENDATION: that the report be noted.

Prepared by: Sharon Mossman, Deputy Director of Planning (Interim)

Approved by: Majella McAlister, Director of Economic Development & Planning

ITEM 3.11

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). Three PANs were registered during November 2021 the details of which are set out below.

PAN Reference:	LA03/2021/1054/PAN
Proposal:	Erection of single storey Class B3 General Industrial unit (with support offices), together with associated car parking/service yard provision and landscaping
Location:	Lands adjacent to 6 Caulside Drive, Antrim BT41 2DU
Applicant:	Jan's Holdings
Date Received:	4 November 2021
12 week expiry:	27 January 2022

PAN Reference:	LA03/2021/1084/PAN
Proposal:	Additional hard rock quarrying of a previously quarried area, extending across the un-filled portions of the site, creating a large, benched quarry void. Subsequent progressive infilling of the enlarged void with inert wastes, to tie into the existing profile of the "old site"
Location:	Hightown Quarry and Landfill 59 Upper Hightown Road Newtownabbey BT14 8RR
Applicant:	Macwill Services
Date Received:	16 November 2021
12 week expiry:	8 February 2022

PAN Reference:	LA03/2021/1108/PAN
Proposal:	Proposed metal beverage can manufacturing facility to include c. 58,000 sq. metres of floor space to include production, warehousing, office, and staff welfare accommodation together with ancillary maintenance and production processing facilities; plant equipment and structures; site preparation works, including regrading of site levels; access & parking and associated landscaping. Access to the site provided via Global Point Avenue along with internal circulation, associated staff car park, and loading/unloading areas. Installation of photovoltaic panels on the roof.
Location:	Lands at Global Point Business Park Global Point Avenue Newtownabbey BT36 5PY
Applicant:	Ardagh Group Ltd
Date Received:	22 November 2021
12 week expiry:	14 February 2022

Under Section 27 of the 2011 Planning Act obligations are placed on the prospective developer to consult the community in advance of submitting a Major development

planning application. Where, following the 12-week period set down in statute, an application is submitted this must be accompanied by a Pre-Application Community consultation report outlining the consultation that has been undertaken regarding the application and detailing how this has influenced the proposal submitted.

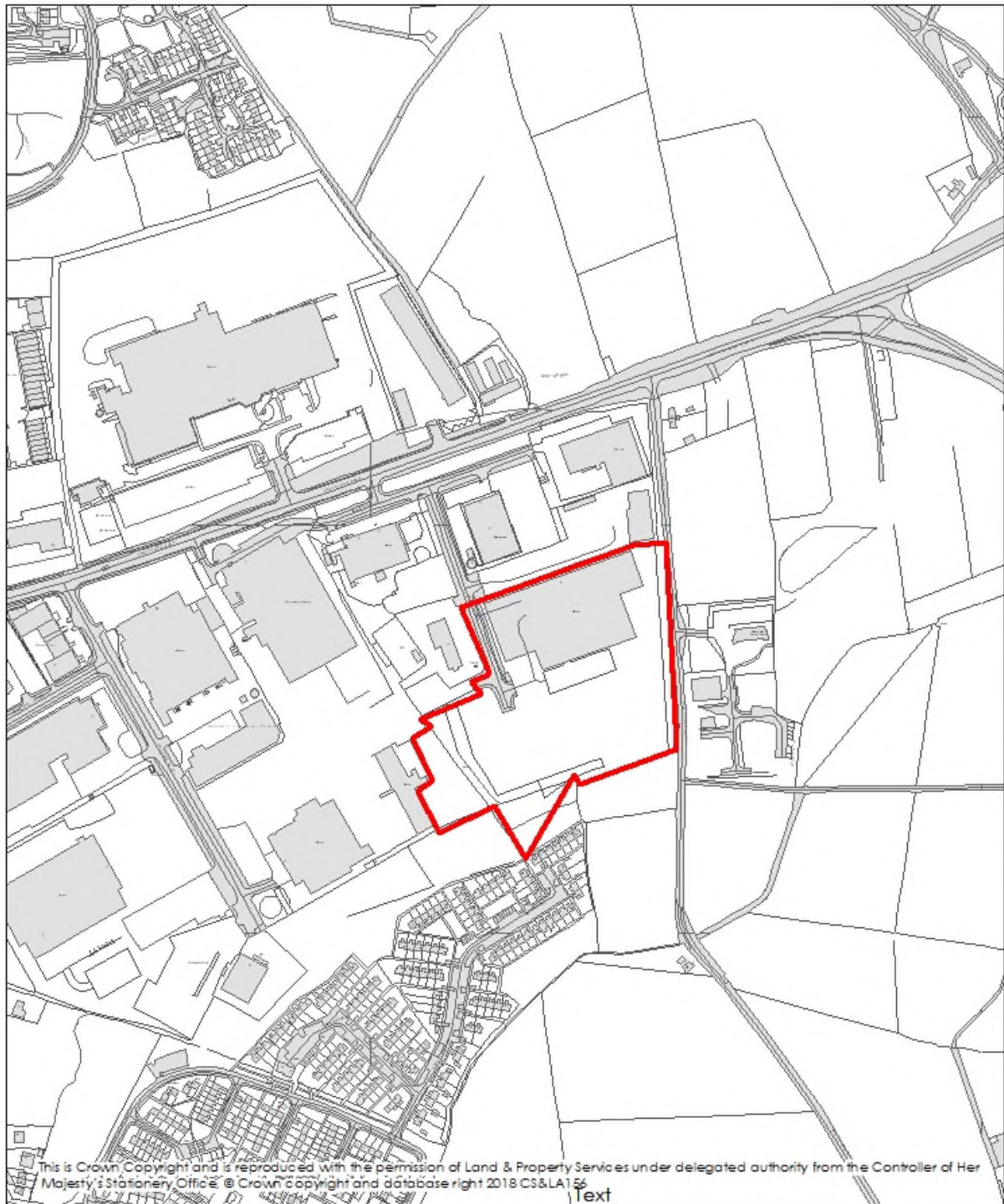
As part of its response to Coronavirus, the Department for Infrastructure (DfI) introduced an amendment to subordinate legislation to temporarily remove the requirement for a public event as part of the pre application community consultation (PACC). The initial Departmental Regulations were subsequently extended and given the ongoing pandemic The Planning (Development Management) (Temporary Modifications) (Coronavirus) (Amendment No.2) Regulations (Northern Ireland) 2021 which came into effect on 1 October 2021, have temporarily amended The Planning (Development Management) Regulations (Northern Ireland) 2015 and therefore the temporary relaxation of pre-application community consultation requirements during Coronavirus emergency period now apply until 31 March 2022. 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: Sharon Mossman, Deputy Director of Planning (Interim)

Approved by: Majella McAlister, Director of Economic Development and Planning



Site Location Plan

Planning Application Reference: LA03/2021/01054/PAN

Lands adjacent to 6 Caulside Drive, Antrim

Erection of single storey Class B3 General Industrial unit (with support offices),

0 65 130 260
Meters





Site Location Plan

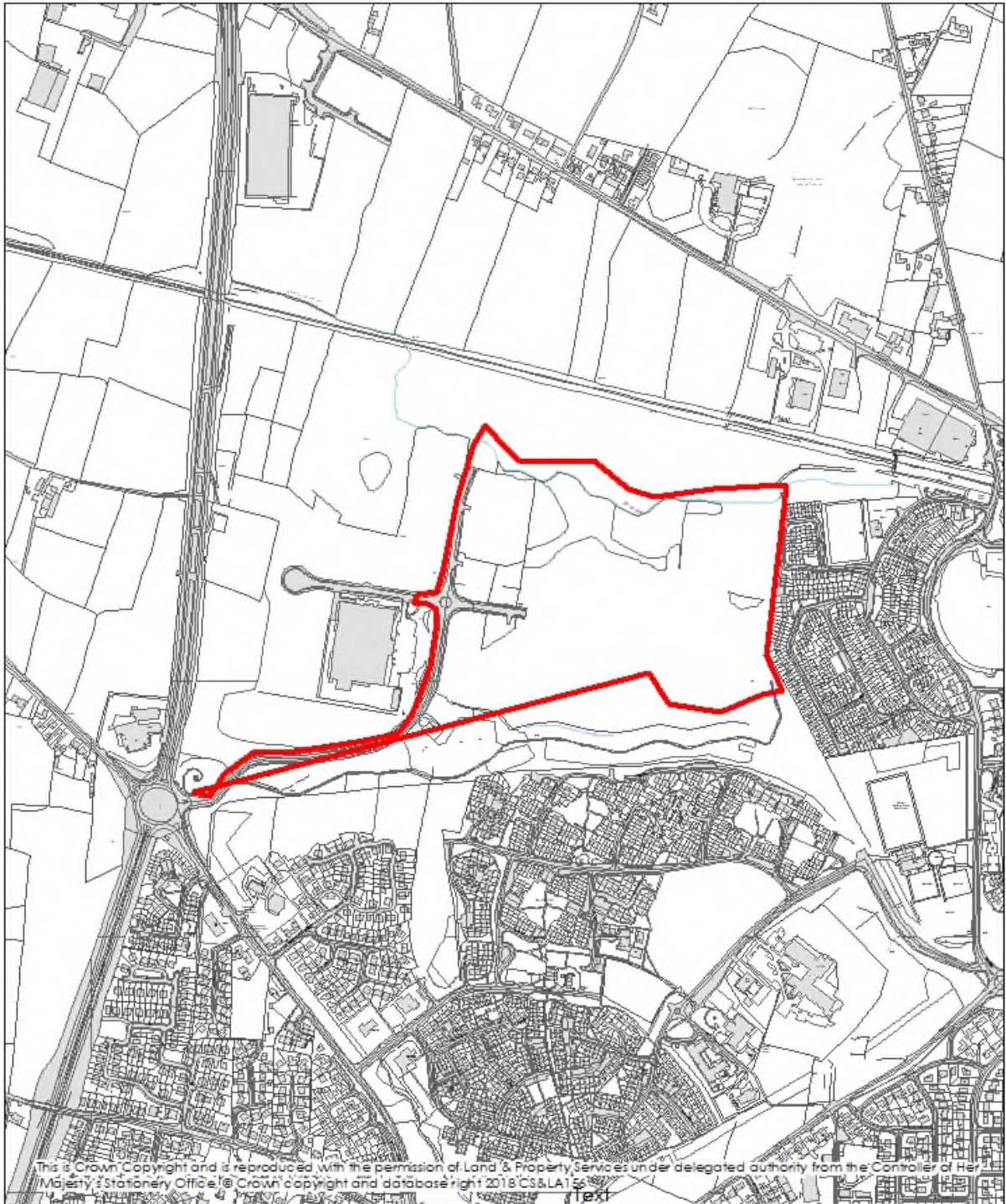
Planning Application Reference: LA03/2021/01084/PAN

Hightown Quarry and Landfill, 59 Upper Hightown Road, Newtownabbey

Additional hard rock quarrying of a previously quarried area, extending across the un-filled portions of the site, creating a large, benched quarry void. Subsequent progressive infilling of the enlarged void with inert wastes, to tie into the existing profile of the "old site"

0 135 270 540 Meters





Site Location Plan

Planning Application Reference: LA03/2021/1108/PAN

Lands at Global Point Business Park
Global Point Avenue
Newtownabbey

Proposed metal beverage can manufacturing facility
and associated works

0 105 210 420
Meters



ITEM 3.12

P/PLAN/01 DEPARTMENT FOR INFRASTRUCTURE – PLANNING AND AVIAN FLU

The Department for Infrastructure (Dfi), as a result of the recent announcement regarding avian influenza and poultry, has written to all Councils (**enclosed**) as a reminder, to advise that there are permitted development rights to permit the erection of buildings necessary for the purposes of housing poultry and other captive birds to protect them from avian influenza. These rights require the developer to notify the Council within 14 days of commencing development and to remove the development once the need for it has ended, or the requirement to keep birds indoors is removed, whichever is the sooner.

RECOMMENDATION: that the correspondence is noted.

Prepared by: Sharon Mossman, Deputy Director of Planning (Interim)

Approved by: Majella McAlister, Director of Economic Development and Planning