



17 January 2018

Chair: Councillor P Brett

Vice Chair: Councillor J Bingham

Committee Members: Aldermen – F Agnew, T Campbell, J Smyth and R Swann
Councillors - H Cushinan, B Duffin, T Hogg, D Hollis, M Magill
and W Webb

Dear Member

MEETING OF THE PLANNING COMMITTEE

A meeting of the Planning Committee will be held in the **Council Chamber, Mossley Mill on Monday 22 January 2018 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:

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AGENDA FOR PLANNING COMMITTEE – JANUARY 2018

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

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

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

PART ONE

Decisions on Enforcement Cases

- 3.1 Enforcement Case: LA03/2016/0165/CA - In Confidence

Decisions on Planning Applications

- 3.2 Planning Application No: LA03/2015/0014/F
- 3.3 Planning Application No: LA03/2017/0061/F
- 3.4 Planning Application No: LA03/ 2017/0458/F
- 3.5 Planning Application No: LA03/2017/0492/F
- 3.6 Planning Application No: LA03/2017/0133/F
- 3.7 Planning Application No: LA03/2015/00249/F
- 3.8 Planning Application No: LA03/2017/0855/F
- 3.9 Planning Application No: LA03/2017/0962/A
- 3.10 Planning Application No: LA03/2017/0429/A

PART TWO

Other Planning Matters

- 3.11 Delegated planning decisions and appeals November 2017
- 3.12 Proposal of Application Notices
- 3.13 Quarterly Planning Statistics
- 3.14 Proposed Listing – Straid Congregational Church

**REPORT ON BUSINESS TO BE CONSIDERED AT THE MEETING OF THE
PLANNING COMMITTEE ON 22 JANUARY 2018**

**PART 1 PLANNING APPLICATIONS AND RELATED DEVELOPMENT
MANAGEMENT AND ENFORCEMENT ISSUES**

COMMITTEE ITEM	3.2
APPLICATION NO	LA03/2015/0014/F
DEA	ANTRIM
COMMITTEE INTEREST	MAJOR DEVELOPMENT
RECOMMENDATION	GRANT PLANNING PERMISSION

PROPOSAL	Proposed development of 393 residential units comprising of apartments, townhouses, semi-detached and detached dwellings along with mixed use facilities comprising of 2 no. retail units and crèche. Also included new access points off Belmont Road, along with associated garages, landscape features and all other associated site works.
SITE/LOCATION	Lands at Belmont Road, approx. 20m south of Greenvale Road and Belmont Cemetery, Antrim
APPLICANT	Antrim Construction Company
AGENT	Alan Patterson Design
LAST SITE VISIT	3 rd November 2017
CASE OFFICER	Michael O'Reilly Tel: 028 9034 0424 Email: michael.oreilly@antrimandnewtownabbey.gov.uk

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

SITE DESCRIPTION
<p>The application site equates to approximately 22 hectares and is located on lands at Belmont Road, approximately 20m south of Greenvale Road and Belmont Cemetery, Antrim.</p> <p>This is an urban location within the settlement limit of Antrim and zoned for Phase 2 residential development as identified in the adopted Antrim Area Plan 1984 – 2001.</p> <p>The application site comprises of a series of agricultural fields, the topography of which falls by approximately 11 metres from north to south over a distance of 360 metres with several undulations and one drumlin face running towards the river. A stream runs north to south from the Cemetery towards the river. There are several copses of trees of varying maturity and heights distributed throughout the application site as well as tracts of hedgerow defining several individual fields.</p> <p>The northern boundary of the application site is contiguous with the Belmont Road. To the immediate north of this are the Cemetery and residential properties at Greenvale Road. The southern boundary abuts the Six Mile Water River with the Mill Race defining the south-western boundary. The Pig Innovation Centre, a facility contained within Greenmount Agricultural College, is located approximately 300 metres to the south west. Antrim Technology Park abuts the application site to the east.</p>

A portion of the application site lies within the flood plain of the Six Mile Water River. The Six Mile Water River is hydrologically connected to Lough Neagh which is located less than 1 kilometre to the west. Lough Neagh / Lough Beg is a designated RAMSAR site, Special Protection Area and Area of Special Scientific Interest.

RELEVANT PLANNING HISTORY

Planning Reference: T/2014/0492/O

Location: Lands at Belmont Road, approx 20m South of Greenvale Road and Belmont Cemetery, Antrim,

Proposal: Residential development and local facilities

Decision: Withdrawn 05.07.2016

PLANNING POLICY

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

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

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

Antrim Area Plan 1984 – 2001 (AAP): The application site is within the settlement limit of Antrim Town and comprises all the lands associated with a Phase 2 zoned housing site at this location.

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

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

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

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

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

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

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

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

CONSULTATION

NI Water – No objection.

DfI Rivers Agency – No objection.

Shared Environmental Services

No objection subject to condition.

Council Environmental Health Section – No objection.

DAERA Natural Environment Division:

Inland Fisheries - No objection.

Drainage and Water - No objection.

Natural Heritage and Conservation - No objection subject to conditions.

DfC Historic Environment Division - Additional information sought with regard to the proposed Archaeological Programme of Works.

DfI Roads (formerly Transport NI) – No objection subject to conditions.

REPRESENTATION

One hundred and four (104) neighbouring properties were notified and seventy seven (77) letters of objection have been received. A petition of objection with 390 signatures has also 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:

- Lack of public involvement with the zoning of land and the development process
- Access to/from Belmont Road is difficult due to existing volume of traffic. The proposed development will increase level of traffic, create dangerous junctions and increase likelihood of accidents;
- Unacceptable visual impact to the Six Mile Water due to the scale of development in close proximity to the river corridor;
- Loss of rural character, trees, hedgerows and valuable green space;
- Loss of Six Mile Water River as a leisure facility;
- The application site is prone to flooding and the development is contrary to PPS15;
- A precautionary approach should be applied to this proposal as it is not regionally significant;
- Due to the gradient of the land, the level of hardstanding and change to the natural drainage regime, the increased speed, flow and volume of water running off the site will be channelled into the volatile Six Mile Water River and increase the likelihood of flooding, particularly at Dublin Road, Riverside and Massereene Street;
- Suitability of heavy engineering drainage solution to accommodate volume of water running off site;
- No evidence provided of cumulative impact of this proposal in drainage terms;
- The proposal is contrary to the EU's Water Framework and Habitats Directives as it will have an adverse environmental impact to the Six Mile Water River which is hydrologically connected to Lough Neagh/Lough Beg ASSI, SPA RAMSAR and hosts a broad range of EU protected species and is a key point for fish migration;
- There will be an unacceptable loss of habitat for other EU protected species including the otter, bat and badger as development will encroach the riverbank and will result in loss of habitat and displace natural heritage interests;
- The application site includes good stands of NI Biodiversity Strategy Priority Habitat and Species that will be lost.
- The proposal will have an unacceptable impact on water quality during the construction and operational phase due to building contaminants and general waste making its way into Six Mile Water river; and
- The proposal will have an unacceptable impact on archaeological remains at the site.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Principle of Development
- Quality of Development
- Neighbour amenity
- Noise Impact
- Odour Impact
- Air Quality Impact
- Transport Impact
- Ecology Impact
- Hydrology and Drainage Impact
- Built Heritage Impact
- Neighbourhood Facilities Impact
- Socio-Economic Impact
- Other Matters

Principle of Development

Section 45 (1) of the Planning Act (NI) 2011 requires the Council, in dealing with a planning application, 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 Planning Act states that where 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) operates as the local development plan for the area where the application site is located. The application site is located within the settlement limit of Antrim as identified in the AAP places and comprises lands zoned for residential development.

Paragraph 5.10 of AAP states that the approach of the planning authority will be to encourage orderly growth in the residential sectors of each settlement and that particular attention will be given to environmental considerations concerning the size, siting and layout of proposed residential developments. Paragraph 8.2 indicates that, in addition to a town centre limit being identified for Antrim to meet future shopping floor space needs, some small scale corner shop type units will continue to be acceptable where appropriate.

This proposal is for a housing development accompanied by some small scale neighbourhood facilities and this is therefore consistent with the provisions of the local development plan. As a consequence it is considered that the principle of development of the site has been established and the details of the scheme stand to be considered against prevailing regional planning policy. These are addressed below.

Quality of Development

Planning consent is being sought for 393 residential units consisting of apartments, townhouses, semi-detached and detached dwellings with associated new access points to the Belmont Road, site works and landscaping.

The layout and arrangement of the proposed development is characterised by a range of individual character areas interspersed with larger nodes of development such as the apartment buildings and civic hub at the Belmont Road and also the apartment block adjacent to the Six Mile Water River. In addition prominent and easily accessible areas of integral open space form an important element of the proposal.

This hierarchy of spaces and places are linked by a network of roads of varying sizes and finishing materials providing a legible and easily understood movement pattern through the development. Primary estate roads are supplemented by bicycle lanes promoting a shift to more sustainable forms of transport and which link with the network of dedicated pedestrian footpaths providing for alternative movement patterns through the development.

Within the development there are 27 different house types proposed including detached, semi-detached and terraced town house units as well as several apartment blocks. These are all of varying and complementary design appearance

with high quality finishing materials and it is considered that the mix of house types proposed will provide choice and help cater for the differing needs of the community.

The retail units and crèche comprising the proposed civic hub are also considered to provide a unique and high quality design appearance that will complement the main body of development. A small number of apartments are located above the retail units.

Throughout the development all dwellings proposed are orientated to provide a positive outlook towards the street with dwellings at corner plots being either double fronted or canted to address each road frontage and thereby contribute to the quality of the street scene while increasing surveillance and personal safety.

Along the Belmont Road frontage development comprises dwelling houses, one of the apartment areas and the civic hub. All buildings are set back from the Belmont Road with a proposed landscape framework edging the development along the entire length of the road frontage. It is considered that the range of building types combined with the quality of design appearance and finishing materials will help create a strong impression in the street scene that will be softened by the proposed landscaping.

Proposed areas of passive and active open space are distributed throughout the development. Passive open space areas located within the main body of the development and provide for the retention of either large and mature single trees or larger linear copses and mature hedgerows. The road network or dedicated pedestrian footpaths are located in close proximity to these passive areas causing these landscape features to be prominent in the street scene adding to the overall character and quality of the development. Other passive open space areas are located to the margins of the application site, particularly along the edge of the Six Mile Water River corridor and the Mill Race. The two areas of proposed active open space are located in close proximity to the two main apartment areas at either side of the development in easily accessible locations which are well supervised. The close proximity of the overall development to the Six Mile Water River provides an additional recreational facility which based on the layout proposed will be readily accessible to proposed residents. It is considered the amount, distribution and quality of these varying forms of open space provision which are to be provided as an integral feature of the scheme complies with the provisions of planning policy.

Within the main body of development there are several undulations in topography and one drumlin face located at the western side of the application site. Given this change in levels and in order to avoid development being positioned in the 1:135 year event flood plain the proposal involves a degree of profiling and grading of land. This is proposed in a way that seeks to be sympathetic to the topographical character of these areas and as a result the proposal succeeds in avoiding large retaining walls with graded embankments provided at the foot of the rear private amenity space areas experiencing greater variation in topographical levels. Information submitted with the application demonstrates that where retaining walls are necessary they do not exceed 0.9 metres in height which is considered acceptable having regard to published guidance.

Creating Places emphasises that greater consideration should be given to the relationships between housing on sloping sites. It is noted that there are several locations within the development where the back to back relationship of proposed development relates to dwellings with differing finished floor levels. In all examples the depths of private amenity space areas are in excess of the 10 metres suggested in Creating Places as being generally acceptable for individual dwellings on level sites and in most cases the overall back to back separation distances range between 22 - 28 metres. A Boundary treatment of fencing 1.8 metres in height is proposed along the common boundary between the properties in question. As a result it is considered, on balance, that acceptable back to back relationships will exist that will avoid significant adverse overlooking or dominance and consequently the quality of the development will not be unduly affected. Neighbour amenity is discussed in more detail later in the report.

There are a range of rear garden sizes providing private amenity space areas for the proposed dwellings which is consistent with the guidance set out in Creating Places and which are of an appropriate arrangement and quality. In-curtilage parking is also provided for each dwelling which is also consistent with published guidance. In addition DFI Roads have raised no concerns in relation to the proposed parking arrangements.

For the reasons set out above it is considered that the layout and arrangement of buildings, hard standing, open space and private amenity space areas will provide for a quality and sustainable residential environment compliant with the provisions of planning policy. The design and architectural appearance of buildings overall is considered to be of an acceptable standard which will provide for quality street scenes and multiple character areas throughout the development.

Neighbour Amenity

The layout submitted demonstrates a range of plot sizes and garden areas/private amenity space areas consistent with the guidance set out in Creating Places. The proposed dwellings are for the most part family dwellings with at least three bedrooms where the provision of private amenity space, in the region of 70 sq.m, is indicated in the guidance as being appropriate.

Whilst it is accepted the private amenity space areas proposed are of an appropriate size it is nevertheless considered that potential future extensions or additions secured through the use of Permitted Development rights may result in overdevelopment of the rear and side garden spaces in some locations within the site which would significantly erode their usefulness as an amenity space.

There are also locations within the site where potential future extensions to dwellings may give rise to unacceptable residential amenity impacts to other dwellings due to the difference in topographical levels. Furthermore, there are parts of the site where dwellings are positioned in relatively close proximity to trees to be retained within the proposed layout. In these cases potential future additions may result in an unacceptable impact to these trees. Given the proximity of some dwellings to the Antrim Technology Park future extensions could create potential for noise disturbance. This matter is set out in more detail below.

For these reasons, it is proposed that Permitted Development rights should be removed by way of a planning condition from one hundred and seventy seven (177) plots. These are numbered 1, 2, 4 - 8, 10 - 12, 12a, 14 - 25, 28, 30, 32, 36, 37, 38, 40 - 43, 45 - 51, 53, 55, 61 - 68, 71, 72, 74, 76, 77, 79, 91, 94 - 96, 104 - 107, 109 - 111, 113 - 116, 118 - 122, 126 - 129, 134 - 136, 138, 139, 168 - 172, 177, 181 - 187, 192, 201, 202, 206, 219 - 223, 228, 229, 242, 245, 248 - 251, 255, 256, 258 - 270, 274, 276 - 279, 284, 291, 294, 299, 300, 302 - 304, 309 - 311, 313 - 326, 375, 376, 378 - 381, 383 - 393 inclusive.

Noise Impact

The Antrim Technology Park lies to the east of the application site with Schrader Electronics abutting the common boundary. A Noise Impact Assessment undertaken as part of the Environmental Statement accompanying the application indicates that mitigation measures are required to be incorporated into the design of the scheme to reduce the noise impact arising from the Technology Park on proposed housing along the eastern boundary of the development site.

The mitigation measures proposed consist of a 2.4 metre high acoustic barrier in the form of a close boarded timber fence along the eastern boundary of the site with the Technology Park to reduce noise impact in gardens / private amenity spaces. In addition, upgraded acoustic glazing and mechanical ventilation is proposed for the bedrooms of dwellings at this location to minimise noise intrusion indoors.

The Council's Environmental Health Section concurs with the findings of the ES and has recommended that conditions be attached to any approval to ensure delivery of the mitigation measures proposed. As a result it is considered that the prospective noise impacts have been adequately addressed and it is concluded, subject to the mitigation measures proposed, that these will not have a detrimental impact on the residential amenity of proposed residents.

Odour Impact

An Odour Impact Assessment (OIA) submitted as part of the Environmental Statement indicates there are no odour generating activities within the application site. The assessment does however consider the relationship between the residential amenity of proposed residents and the operation of the Pig Innovation Centre (PIC) located approximately 280 metres to the southwest of the site.

For its part, the PIC has lodged an objection to the proposal on the grounds that allowing a residential development beside an existing intensive pig research centre is wholly unsuitable and that this type of activity may expose prospective residents to odours even when the centre is operating within prescribed limits.

The OIA indicates that based on metrological data there is potential for prevailing wind conditions to allow for odour to migrate across the application site for approximately twenty percent (20%) of the year. Subjective odour assessments were undertaken when prevailing weather conditions were most likely to allow for odours to migrate across the application site. The conclusion of these assessments was that odours from the PIC site were not detected at the proposed development site that could be deemed to have the potential to give rise to significant nuisance, or to significant impairment of, or significant interference on the environment of future residents.

The OIA also noted that 2 complaints of malodour have been received by the Council relating to the PIC from dwellings located closer to the facility than the nearest dwelling within the proposed development. Neither complaint was substantiated as causing nuisance or a residential amenity impact.

Following consultation on the OIA, the Council's Environmental Health Section has indicated that it has no objection in principle to the proposal based on the information relating to odour emissions from the PIC.

It is considered the relationship of the facility with the proposed development will not cause an unacceptable impact to the residential amenity of proposed residents nor will there be an unacceptable impact to the wider receiving environment. The proposal is therefore considered to be acceptable in this regard and the PIC objection is not considered to be determining.

Air Quality Impact

The Environmental Statement submitted with the application indicates that during the operational phase of the development no exceedances of air quality standards at receptors along the Belmont Road/Dublin Road/Belfast Road are anticipated and that traffic created by this development will have a negligible impact on the air quality of adjacent roads. As a consequence the ES concludes that no mitigation is required.

The Council's Environmental Health Section has not raised any concerns on this matter and as such it is considered this aspect of the development is acceptable.

With respect to the construction phase of the development the ES recommends mitigation measures as there will be associated air quality and dust impacts typical of residential development. Mitigation measures consistent with best practice are described as reducing the potential for construction dust nuisance to a negligible impact. These include;

- Storage of fine, dry materials within buildings or in areas that are either enclosed or shielded from the wind;
- Handling areas maintained in a clean fashion in order to reduce dust emissions;
- Daily site walkover to inspect the perimeter and check for dust deposition on fencing and trees close to the site edge; and
- Provision of mechanical road sweepers to clean hard standing areas and to clean mud and debris from works vehicles from the public highway.

The ES concludes that, subject to best practice mitigation techniques as described above, air quality near the application site is not at risk of a significant environmental impact during the construction phase. These measures are incorporated in the Construction Method Statement submitted with the ES accompanying the application. The Council's Environmental Health Section has again not raised any concerns on this matter and as such it is considered this aspect of the development is acceptable.

Transport Impact

A Transport Assessment has been submitted to accompany the proposal which proposes 3 new vehicular access points along the frontage of the application site onto the Belmont Road. Belmont Road itself is to be widened and turning lanes provided. Following consultation, DFI Roads has offered no objection to this element of the proposal.

Whilst an objection has raised concerns that the proposal will cause difficulties for those accessing and exiting the development at Greenvale, this is not considered to be determining, as the positioning of the new turning lanes is considered as assisting with filtering traffic safely off the main carriageway and into the respective developments with no conflicting manoeuvres.

In relation to the capacity of the local road network to accommodate the scale of the proposed development the Transport Assessment has concluded that the road network can operate within capacity and that no detrimental impact will result if planning permission is granted. Survey work undertaken in support of this conclusion relates to the capacity of the network at the junction of the Belfast Road with the Ballycraigy Road, Oldstone Road, Belmont Road and the Dublin Road. The Dublin Road has also been assessed in relation to its junction with Castleway.

Whilst concerns have been raised in objections regarding local network capacity DFI Roads has indicated that it is content with the findings of the Transport Assessment and this aspect of the proposal. It is therefore considered that the road network can safely accommodate the traffic generated by the development and the point of objection made in regard this matter is again not considered to be determining.

The Transport Assessment describes the existing public transport links in proximity to the application site and concludes that it is well served and of good quality with 4 bus stops in close proximity and 1 bus stop located along the site frontage itself to the Belmont Road.

The layout of the development itself has been designed to provide a legible and easily understood movement. Primary estate roads are supplemented by bicycle lanes promoting a shift to more sustainable forms of transport and these link with a network of dedicated pedestrian footpaths providing for alternative movement patterns through the development.

Overall it is considered that the scheme is acceptable and accords with the provisions of planning policy and that there will no adverse cumulative traffic impacts associated with other committed development or pending applications.

Ecology Impact

Badgers

Badgers are a European Protected Species. The Environmental Statement identifies that within the confines of the application site there are two badger setts; Sett A and Sett B. The proposed layout of development has been designed to respect Sett B, which is located in the southeastern corner of the application site and adjacent to a steep embankment running to the Six Mile Water River. A 25 metre buffer zone has been provided to ensure appropriate foraging lands for any badger activity with

direct linkage to the Six Mile Water River and Greenmount lands to the south of and beyond the application site where a much larger sett has been identified.

Sett A is located further to the west and at the foot of a tract of hedgerow. It has been determined as an inactive outlier sett that will be permanently closed via a licence granted by DAERA Natural Environment Division (NED). In its consultation response, NED acknowledges that site development will take place in 3 phases and has advised that prior to the commencement of development of Phases 2 and 3 an updated badger survey and appropriate mitigation plan should be submitted to and agreed in writing with the Council in order to ensure adequate protection of this protected species. The applicant has indicated he is content with this position and shall also provide stock proof fencing along the boundary of Phase 1 with Phase 2 prior to the commencement of development of Phase 1.

It is considered, subject to the imposition of appropriately worded planning conditions requiring the submission of updated badger surveys and mitigation together with the provision of stock proof fencing relevant to each phase of development, that the proposal will not have an unacceptable adverse impact on badgers, an EU protected species.

Bats

Bats are a European Protected Species. Information contained within the Environmental Statement indicates that bats utilise the Six Mile Water River and tracts of hedgerow running perpendicular to the river corridor that are located within the application site for foraging and commuting.

The hedgerows within the application site are to be retained in order to ensure the continued utility derived by bats from these natural features. During the course of application processing a proposed pedestrian footpath that was positioned adjacent to the river corridor has been removed and dwellings and road infrastructure have been drawn further away from the river corridor. This will assist in mitigating potential adverse impacts upon bats.

In addition NED has recommended the submission of a lighting plan to include details of specifications, intensity and locations of any lights (including light spillage) in order to assess any potential impact this may have to bats. This matter can be appropriately addressed through the imposition of a planning condition to the effect that prior to the commencement of each phase of development these details shall be submitted to and agreed in writing with the Council to ensure no unacceptable adverse impact to this EU protected species. Taking account of these matters it is considered sufficient protection for bats will be secured.

Waterborne Ecological Interests

Information within the Environmental Statement (ES) indicates that the Six Mile Water River is an important Salmonoid fishery, containing significant spawning and nursery areas for Atlantic Salmon, Brown and Dollaghan Trout, each of which are EU protected species. In addition to this the European Eel, River Lamprey, Brook Lamprey, Minnow, Three-spined stickleback, Gudgeon, Roach and White Clawed Craw Fish, a globally endangered species, are also present within the river corridor. Each of these are also EU protected species.

In its consultation response DCAL Inland Fisheries indicates that the ES adequately describes the composition, extent and status of fish populations and fisheries habitats in the vicinity of the proposed development. The consultation response also indicates that the potential negative impacts of both the construction and operational phases of development have been satisfactorily identified and evaluated, including the release of various contaminants to the aquatic environment. Inland Fisheries concludes that provided all recommended mitigation measures are followed the risk of waterborne pollutants, including high volumes of suspended solids, entering the Six Mile Water River will be minimised.

Inland Fisheries also commented that design changes made during the processing of the application will have a positive impact on the protection of the Six Mile Water River and its fishery during both the construction and operational phases of the development. Inland Fisheries concludes that subject to all mitigation measures outlined in the Fisheries Assessment of the ES being observed no further mitigation is required. Mitigation measures proposed during the construction phase of the development include;

- Avoidance – During the construction phase a 10 metre wide buffer zone will be established around/adjacent to all watercourses and surface water drains to prevent damage to watercourses and their habitats arresting the entry of suspended solids to the watercourses;
- Run-off Control Measures – Interceptor drains and diversion channels will be used to collect water either 'up gradient' of works to collect clean water and 'down gradient' of works to collect dirty water in settlement ponds;
- In-line Controls – Check dams will be introduced into clean and dirty water interceptor drains and diversion channels that will help sediment settle;
- Treatment Systems – Settlement ponds will receive dirty water to allow suspended solids to settle out and will be constructed down gradient of works during the construction phase. All dirty water will be channelled to these settlement ponds; and
- Silt Fencing – Silt fencing sieves out particulates entrained in the overland flow of water with particles unable to pass through the fencing.

During the operational phase of the development it is indicated that water from impermeable surfaces will be delivered to a box culvert via a storm water system and gradually discharged. The box culvert will also act as a sediment trap for suspended solids, allowing them to settle before water is discharged, under controlled flow, from the culvert to the watercourse.

Given the conclusion of Inland Fisheries it is considered that the mitigation measures proposed within a Construction Method Statement accompanying the ES will be sufficient to avoid a significant adverse impact to waterborne ecological interests.

Summary

Based on the above assessment of the environmental information contained within the Environmental Statement accompanying the application and the consultation responses received from NED and Inland Fisheries it is considered that the development overall will not have any unacceptable ecology impacts and as a result it therefore complies with the provisions of the Strategic Planning Policy Statement and PPS2.

Hydrology and Drainage Impact

The Drainage Assessment contained within the Environmental Statement identifies that a portion of the application site lies within the flood plain of the Six Mile Water River. In its consultation response the Rivers Agency identifies that the extent of the recorded flood plain is greater than the predicted 1:100 year flood plain with a return period of 1:135 years. Rivers Agency also advises that while not a requirement of planning policy this should be taken into consideration when finalising the layout of the proposed development and the finished floor levels of individual dwellings. In response to these comments the adjustments were made to the layout of the development, finished floor levels of proposed housing and the location of road infrastructure. The aerial extent of both the 1:100 year flood plain and the 1:135 year flood plain have now been satisfactorily demonstrated as not being subject to built development.

It is also proposed that surface water from the developed site will be discharged into the Six Mile Water River at a green field run-off rate of 10 litres per second per hectare. Given the application site area of 22.3 hectares a run-off rate of 223 litres per second per hectare is proposed. A Schedule 6 Consent to Discharge has been granted by Rivers Agency to this effect.

The impermeable area of the developed site is indicated in the Drainage Assessment as being 86,478 square metres. The present standard for surface water attenuation, as accepted by both Rivers Agency and NI Water, requires underground storage to attenuate a 1 in 30 year rainfall event with an allowance of 10% for future climate change. However, the scheme proposes an underground storage system that will attenuate surface water from a 1 in 30 year rainfall event with a 20% allowance for climate change which is in excess of the prescribed standards. The required storage volume on site for a 30 year storm event with a 20% allowance for climate change would be approximately 1891 cubic metres. It is intended that this will be achieved through the introduction of a hydrobrake at the downstream end of the proposed storm water infrastructure and the provision of a 138 metre x 5 metre x 2.75 metre box culvert that will be buried in the ground and therefore 'hidden' from the flood plain. The box culvert, including the hydrobrake fitted manhole, will be designed to have sealed covers to ensure that the full storage volume is available during a flood event. The applicant has advised that with regard to phasing of the proposed surface water attenuation system, the hydrobrake fitted manhole will be installed at the start of Phase 1 with a sufficient length of box culvert installed to receive the 1 in 30 year rainfall event plus 20% allowance for climate change from the first phase of development. As future phases proceed, the appropriate length of box culvert will be added with each phase to ensure that at any given time the extent of the proposed development will have sufficient surface water attenuation installed.

The Drainage Assessment therefore concludes that the predicted pluvial flooding at the application site will be dealt with by the proposed surface water drainage infrastructure, that mitigation proposed will provide an increased level of protection to the development from flooding and will not increase the risk of flooding elsewhere.

DFI Rivers Agency has offered no objections to the logic and conclusions offered within the submitted Drainage Assessment. It is considered therefore that the proposal will not cause flooding of the application site or exacerbate flooding issues elsewhere. The proposal is therefore compliant with the provisions of PPS15.

Built Heritage Impact

While there are no archaeological sites recorded within the application site itself, it is nevertheless considered to be archaeologically sensitive given the level of identified archaeological monuments and industrial heritage sites located nearby and the site's proximity to the Six Mile Water River corridor.

An Archaeological Programme of Works (APOW) was provided within the Environmental Statement accompanying the application. Since receipt of its consultation response the applicant has worked directly with Historic Environment Division (HED) to prepare an updated APOW which has subsequently been agreed with HED. On foot of this an excavation licence to commence test trenching was subsequently granted by HED and based on this some archaeological work has been undertaken on site.

In view of the potential for archaeological remains to be found at this large site it is necessary to impose a condition precluding other site works or built development until an agreed Programme of Works has been implemented. This will fulfil the policy requirements of PPS 6 and provide for the identification and evaluation of any archaeological remains within the site through excavation recording or by preservation of remains with a report to be prepared to this effect.

Neighbourhood Facilities Impact

To serve the needs of the proposed housing development the application proposes a small scale neighbourhood facility, referred to in the scheme as a civic hub, comprising two small retail units, each measuring just over 75 square metres and a crèche to accommodate some 40 children.

The Antrim Area Plan advises that some small scale corner shop type units will be acceptable beyond the town centre in appropriate locations and it is considered the retail units proposed which are relatively small in size fulfil this role. Notwithstanding the sequential test for retail development outlined in the Strategic Planning Policy Statement it is also considered these small units will assist in meeting local needs arising from the new development and have a negligible effect on Antrim Town Centre.

Similarly the crèche proposed will help provide an easily accessible source of child care to serve both the new development and the existing residential development at Greenvale. Together with the retail units it will help provide a planned civic hub for the development and it has been designed to minimise any detrimental impact on the amenity of the adjacent dwellings and apartments proposed.

The inclusion of these facilities within the scheme is considered to be a positive aspect of the scheme and will assist in its overall sustainability as a new community develops. The use of retail units proposed will be restricted by planning condition to Class A1 retailing use and additionally planning conditions will be imposed to prevent the amalgamation of the units into one larger unit and to their control the hours of operation and that of the crèche.

Socio-Economic Impact

The applicant has indicated that the provision of an additional 400 dwellings will have a beneficial impact on the Borough. It could ultimately increase the local population by some 1000 people increasing the critical mass of Antrim in line with the Regional Development Strategy.

Employment will be created during the construction phase ranging from builders to surveyors and solicitors. The applicant considers that the development will eventually generate in excess of £350,000 per annum in rates and estimates that as 60% of the proposed residents are envisaged as being employed approximately £11 million of earnings will help to sustain existing shops and local services.

It is accepted that the development scheme will afford certain economic benefits to both Antrim and the entire Council area and therefore this is a matter that weighs in favour of the proposal.

Other Matters

An objection has been raised with regard the lack of public involvement with the zoning of the application site and the development process.

The zoning of this site as a residential zoning was confirmed by the Department of the Environment in 1989. No objections were received to the zoning at that time and all procedures in place at that time were followed.

Regarding the concern raised regarding the development process, the current application has been advertised and neighbour notified in accordance with normal procedures. The objector is clearly aware of the application, has availed of the opportunity to comment on it and for these reasons it is considered that they have not been prejudiced in any way.

It is noted also that whilst the planning application was submitted prior to the legislative requirement to undertake pre-application community consultation on major planning applications which came into effect in July 2015 the applicant did nevertheless undertake a voluntary public consultation in June 2016. This consisted of a presentation of proposals on the concourse of Junction One supplemented with signage and a leaflet drop at retail outlets on the day. The applicant has advised the presentation incorporated display boards providing information on house types and apartment design, construction methods, habitats and ecological protections and flood attenuation. Separate advertising in the Antrim Guardian and Antrim Times was also undertaken.

For the reasons set out above it is not considered that public participation in the planning process has fallen short of legislative requirements in either regard and on this basis the objection as made is not considered to be determining.

CONCLUSION

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

- The principle of residential development at this site is consistent with the land use zoning identified in the adopted Antrim Area Plan 1984 – 2001 and the layout and overall quality of the proposal is considered acceptable.

- The proposal provides for an acceptable level of residential amenity for proposed residents.
- It is considered the proposed development will not be subject to any unacceptable impacts by reason of odour emanating from the Pig Innovation Centre located within Greenmount College.
- It is considered there will be no unacceptable impact to air quality as a consequence of the development.
- The local road network can accommodate the proposal and the internal arrangements for access and parking are considered acceptable.
- Ecological interests on and adjacent to the application site will not be unacceptably impacted upon by the proposal.
- No built development is proposed with the flood plain of the Six Mile Water River and surface water attenuation is considered as reducing the potential for the site to flood or exacerbate flooding elsewhere.
- The proposal will not have an unacceptable impact on archaeological interests.
- The provision of the small-scale neighbourhood facilities is considered a positive element of the scheme.
- There scheme overall will deliver certain economic benefits for the Council area.

RECOMMENDATION : GRANT PLANNING PERMISSION

PROPOSED CONDITIONS

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

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

2. The vehicular access, including visibility splays and any forward sight distance, shall be provided in accordance with Drawing Nos.129/2, 130/2, 131/2, 132/2, 133/2 & 134/2 bearing the date stamp 28th July 2017, prior to the commencement of any other development hereby permitted. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250mm above the level of the adjoining carriageway and such splays shall be retained and kept clear thereafter.

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

3. The Council hereby determines that the width, position and arrangement of the streets, and the land to be regarded as being comprised in the streets, shall be as indicated on Nos.129/2, 130/2, 131/2, 132/2, 133/2 and 134/2 bearing the date stamp 28th July 2017.

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

4. No other development hereby permitted shall be occupied until the works necessary for the improvement of a public road have been completed in accordance with the details outlined blue on Drawing Numbers 129/2,130/2,131/2 & 132/2 date stamped 28th July 2017.

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

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

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

6. A final construction method statement associated with each phase of development shall be submitted to and agreed in writing with the Council by the appointed contractor at least eight weeks prior to the commencement of any development approved herein.

The final construction method statement associated with each phase of development shall reflect all the mitigation and avoidance measures to be employed and the development shall be carried out in accordance with the mitigation and avoidance measures, unless otherwise agreed in writing by the Council.

Reason: To ensure that the appointed contractor undertaking the work is well informed of all the risks associated with the proposal and to provide effective mitigation ensuring there are no adverse impacts on the integrity of the Six Mile Water River and Lough Neagh and Lough Beg SPA/RAMSAR site.

7. Prior to the commencement of any phase of development, a construction and landscaping programme shall be submitted to and agreed in writing with the Council. This shall identify;

(a) The provision of areas of open space and equipped children's play areas based on the provisions of drawings 103/2, 104/2, 105/2, 106/2 and 107/2, date stamped received 28th July 2017, the type of play equipment, its specification, its location and when it will be made operational.

(b) The retention of existing trees and hedgerows and details of any necessary protective fencing and its location based on the provisions of drawings 103/2, 104/2, 105/2, 106/2 and 107/2, date stamped received 28th July 2017.

(c) The provision of new landscaping to include the location, numbers, species and sizes of trees and shrubs to be planted based on the provisions of drawings 103/2, 104/2, 105/2, 106/2 and 107/2, date stamped received 28th July 2017.

Reason: To ensure the orderly development of the site and to ensure the provision of necessary open space and equipped children's play areas, the retention of existing landscaping and the provision of new landscaping.

8. The scheme of planting associated with each phase of development required under Condition 7C shall be carried out during the first planting season after the commencement of each phase of development.

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

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

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

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

10. No part of the development hereby permitted shall become operational / be occupied until a landscape management and maintenance plan associated with each phase of development and based on the provisions of the 'Landscape Schedule of Works', Document 09/2, date stamped received 28th July 2017, has been submitted to and approved in writing by the Council.

The plan shall set out the period of the plan, long term objectives, management responsibilities, performance measures and maintenance schedules for all areas of landscaping and open space. The landscape management plan shall be carried out as approved. Any changes or alterations to the approved landscape management arrangements shall be submitted to and agreed in writing by the Council.

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

11. No retained tree, as indicated in drawings 103/2, 104/2, 105/2, 106/2 and 107/2, date stamped received 28th July 2017, shall be cut down, uprooted or destroyed or have its roots damaged within the root protection area nor shall arboriculture work or tree surgery take place on any retained tree without the written consent of the Council.

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

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

12. The surface water drainage regime identified in drawing 141/1 shall be carried out in accordance with the proposed attenuation tank phasing identified in drawing 141/2, both of which are date stamped received 23rd November 2017, and shall be completed and made operational prior to the occupation of any dwelling associated with each phase of development.

Reason: To ensure post development run-off rates do not exceed pre-development run-off levels and to limit the risk to future occupiers of dwellings.

13. Except as otherwise agreed in the written scheme of works, no site works of any nature or development shall take place until a programme of archaeological work has been implemented, in accordance with a written scheme and programme prepared by a qualified archaeologist, submitted by the applicant and approved by the Council. The programme should provide for the identification and evaluation of the archaeological remains within the site, for mitigation of the impacts of the development through excavation recording or by preservation of remains and for the preparation of an archaeological report.

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

14. Access shall be afforded to the site at all reasonable times to any archaeologist nominated by the Council to observe the operations and to monitor the implementation of archaeological requirements.

Reason: to monitor programmed works in order to ensure that identification, evaluation and appropriate recording of any archaeological remains, or any other specific work required by condition, or agreement is satisfactorily completed.

15. No site works of any nature or development shall take place within either Phase 2 or Phase 3 of development, as indicated in drawing 2989-050-04-007, date stamped received 26th February 2016, prior to the submission and agreement in writing of the Council of updated badger surveys and any necessary mitigation measures required for each phase.

Reason: In order to ensure development associated with each phase does not have an adverse impact to badgers, a European Protected Species.

16. Prior to the commencement of any development associated with each phase of development, as indicated in drawing, 2989-050-04-007, date stamped received 26th February 2016, a lighting plan and schedule shall be submitted to and agreed in writing with the Council. The lighting plan and schedule shall include details of the locations, specifications of lighting infrastructure and any light spillage associated with each light.

Reason: In order to ensure development associated with each phase does not have an adverse impact to bats, a European Protected Species.

17. Notwithstanding the provisions of the Planning (General Permitted Development) Order (Northern Ireland) 2015 (or any Order revoking and/or re-enacting that

Order) the retail units identified in drawings 102/1 and 102/2, date stamped received 14th September 2017, shall only be used for the purposes specified in Class A1 of the Schedule to The Planning (Use Classes) Order (Northern Ireland) 2015 and for no other purpose.

Reason: To enable the Council to retain control over the uses of the site so as not to prejudice the continued vitality and viability of existing retail centres and in the interests of adjacent residential properties.

18. The retail floorspace of each of the retail units hereby approved, as identified in drawings 102/1 and 102/2, date stamped received 14th September 2017, shall not exceed 77 square metres when measured internally and shall not be amalgamated into a single retail unit without the prior permission in writing of the Council.

Reason: To enable the Council to exercise control over the nature, range and scale of the retailing and leisure activity to be carried out at the site and to ensure compliance with the objectives and policies for retailing and town centres.

19. The retail units identified in Drawings 102/1 and 102/2, date stamped received 14th September 2017 shall not be operational at any time between 23:00-07:00 hours nor shall they receive deliveries between these times.

Reason: To ensure the amenity of nearby residential properties is protected.

20. The Crèche identified in 102/1 and 102/2, date stamped received 14th September 2017 shall only be used for the purpose specified in the application and for no other purpose within Class D1 of the Schedule to The Planning (Use Classes) Order (Northern Ireland) 2015.

Reason: To enable the Council to retain control over the use of the building in the interests of adjacent residential properties.

21. The Crèche identified in Drawing 102/1 and 102/2, date stamped received 14th September 2017, shall not be operational at any time between 21:00 – 07:00 hours nor shall it receive deliveries between these times.

Reason: To ensure the amenity of nearby residential properties is protected.

22. Notwithstanding the provisions of the Planning (General Permitted Development) Order (Northern Ireland) 2015, or any Order revoking and/or re-enacting that Order, no extension or enlargement (including alteration to roofs) shall be made to the dwelling houses(s) hereby permitted on plots; 1, 2, 4, 5, 6, 7, 8, 10 to 25 inclusive, 28, 30, 32, 36, 37, 38, 40, 41, 42, 43, 45 to 51 inclusive, 53, 55, 61 to 68 inclusive, 71, 72, 74, 76, 77, 79, 91, 94, 95, 96, 104, 105, 106, 107, 109, 110, 111, 113, 114, 115, 116, 118 to 122 inclusive, 126, 127, 128, 129, 134, 135, 136, 138, 139, 168 to 172 inclusive, 177, 181 to 187 inclusive, 192, 201, 202, 206, 219 to 223 inclusive, 228, 229, 242, 245, 248, 249, 250, 251, 255, 256, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 274, 276, 277, 278, 279, 284, 291, 294, 299, 300, 302, 303, 304, 309, 310, 311, 313 to 326 inclusive, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324,

325, 326, 375, 376, 378, 379, 380, 381 and 383 to 393 inclusive, without the grant of a separate planning permission from the Council.

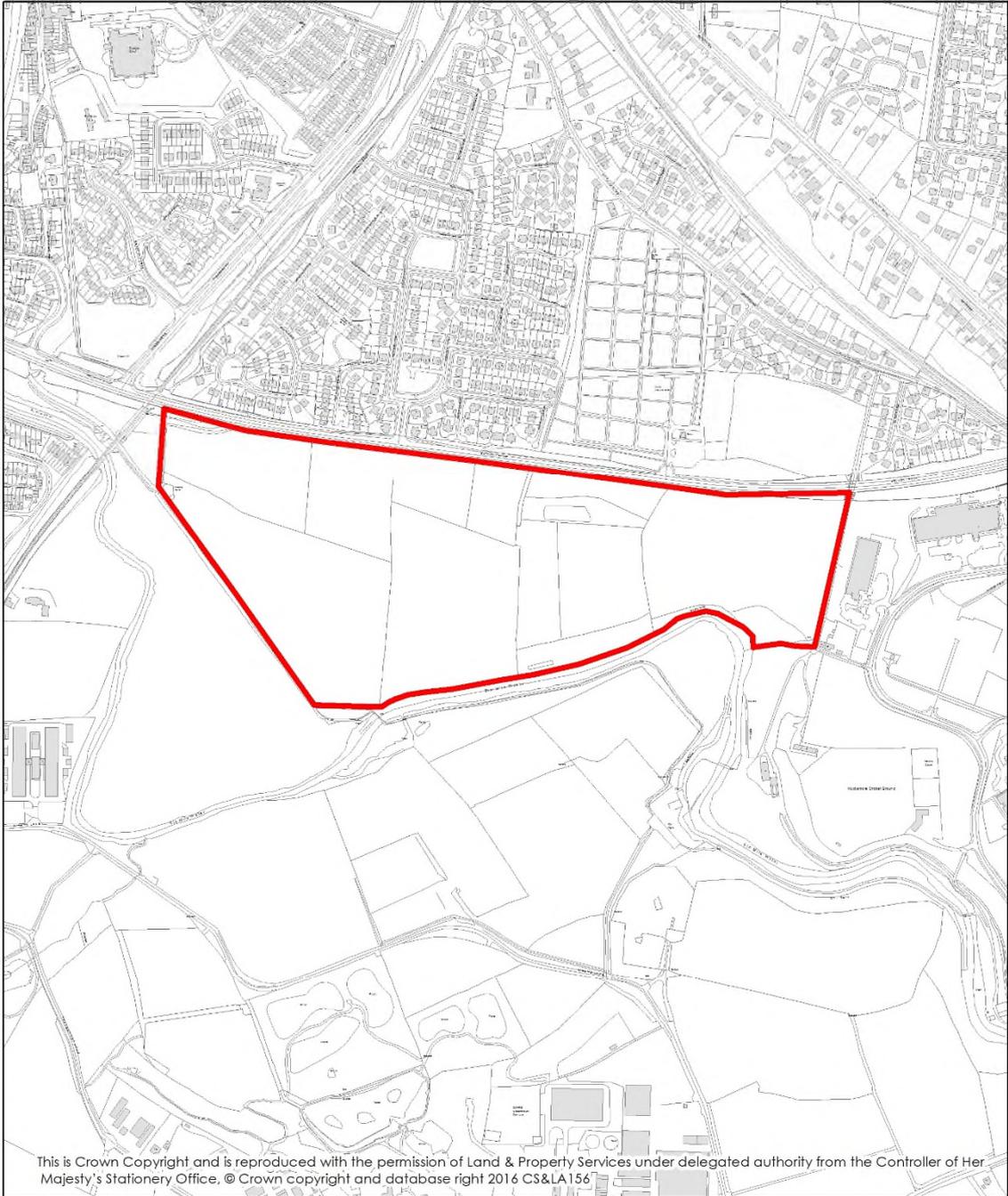
Reason: The further extension of this (these) dwelling(s) requires detailed consideration to safeguard the amenities of proposed residents.

23. No site works of any nature or development shall take place within Phase 3 of development, as indicated in 2989-050-04-007, date stamped received 26th February 2016, prior to the submission and agreement in writing of the Council of the details of the necessary acoustic fencing positioned at the eastern boundary of the site and the mechanical ventilation and type of glazing to be utilised for dwellings on plots 10, 12, 12a, 14, 15, 16, 17, 18, 19, 20 and 21.

Reason: In order to ensure these dwellings are not subject to unacceptable levels of noise associated with the operation of Antrim Technology Park.

24. Secure bicycle parking facilities to serve the retail units and Crèche shall be provided in accordance with a programme to be submitted to and agreed in writing by the Council. The programme shall detail the number, location, arrangement and specification of the necessary secure bicycle parking in accordance with guidance set out in the DOE Planning document 'Parking Standards' (February 2005).

Reason: To ensure the adequate provision of secure bicycle parking facilities to serve the development.

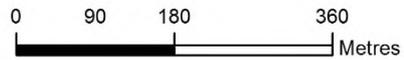


Location Map

Application Reference: LA03/2015/0014/F

393 residential units, 2 no. retail units and crèche,
 new access points off Belmont Road
 and all other associated site works.
 Lands at Belmont Road, Antrim

 Site Boundary



For Information Only



COMMITTEE ITEM	3.3
APPLICATION NO	LA03/2017/0061/F
DEA	THREEMILEWATER
COMMITTEE INTEREST	MAJOR DEVELOPMENT
RECOMMENDATION	GRANT PLANNING PERMISSION

PROPOSAL	Proposed residential development of 92 dwellings (comprising 28 no. detached dwellings, 58 no. semi-detached dwellings and 6 no. apartments) and garages, open space, landscaping, proposed right hand turning lane and all associated site works.
SITE/LOCATION	Lands 100m east of Aspen Park, Monkstown Road, Newtownabbey
APPLICANT	Brayfield Developments Ltd
AGENT	TSA Planning
LAST SITE VISIT	14th February 2017
CASE OFFICER	Johanne McKendry Tel: 028 903 Ext 40420 Email: johanne.mckendry@antrimandnewtownabbey.gov.uk

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

SITE DESCRIPTION

The application site comprises zoned housing land within the development limits of Metropolitan Newtownabbey to the eastern side of the Monkstown Road. The site is a former factory site which extends to approximately 3.60 ha (8.89 acres). The former factory buildings have been demolished and some rubble and hardstanding areas remain on the site. Much of the site has become overgrown and is entirely fenced off with palisade fencing approximately 2.2 metres in height. The site has a 140 metre frontage to the Monkstown Road. Whilst the land level drops approximately 3 metres from road level it is generally flat within the site.

The existing Schlumberger factory building, which is accessed via Cloughfern Avenue abuts the site to the southeast and the former Nortel factory buildings abuts the site to the south. Opposite the application site to the west, lies residential development at Aspen Park. An electricity sub-station and Monkstown Wood abuts the site to the north.

RELEVANT PLANNING HISTORY

Planning Reference: U/2001/0570/O
Location: Lands at Monkstown Road, Newtownabbey
Proposal: Mixed use development including housing and class 3 business use
Decision: Permission Granted (08.08.2003)

Planning Reference: U/2004/0655/RM
Location: Lands east of Aspen Park and north of Nortel Factory on Monkstown Road, Newtownabbey

Proposal: Mixed use development comprising of 228 apartments, 20 dwellings and 3 No. class B1 business/office units comprising a total of 21 units
Decision: Permission Granted (15.07.2006)

Planning Reference: U/2006/0338/F

Location: Lands east of Aspen Park and north of Nortel Factory on Monkstown Road, Newtownabbey.

Proposal: Mixed use commercial/community building comprising of 5 No. shop units, pharmacy, doctors surgery, opticians/ dentists, restaurant, 60 bed nursing home and 8 No. offices

Decision: Application Withdrawn (09.11.2006)

Planning Reference: U/2006/0392/F

Location: Lands east of Aspen Park & north of Nortel Factory on Monkstown Road, Newtownabbey

Proposal: Erection of Housing development comprising of 288 No. apartments & 39 No. townhouses

Decision: Application Withdrawn (09.11.2006)

Planning Reference: LA03/2015/0243/O

Location: The former Nortel site and adjacent vacant lands at 229-333 Monkstown Industrial Estate, Doagh Road, Newtownabbey

Proposal: Demolition of existing buildings to facilitate the regeneration of the former Nortel Factory and adjacent zoned residential lands to provide mixed use development comprising housing, food store, business units (B1a, B1b, B1c and B2) to include office, research and development, call centre, light industry, new and upgraded accesses onto Monkstown/Doagh Road and all site and access works

Decision: Application Withdrawn (20.01.2017)

PLANNING POLICY

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

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

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

Belfast Urban Area Plan: The site is located within the development limits of Metropolitan Newtownabbey. The Plan offers no specific guidance on this proposal.

Draft Belfast Metropolitan Area Plan (2004): The site is located within Metropolitan Newtownabbey and identified as housing land via zoning reference 04/13. The northern boundary of the site abuts an area of existing open space, the Three Mile Water Local Landscape Policy Area (MNY 53) and a Site of Local Nature Conservation Importance (MNY 56/01)

Belfast Metropolitan Area Plan 2015 (published Sept 2014): This version of BMAP also identifies the application site as housing land via zoning reference MNY 04/25. The northern boundary of the site abuts an area of existing open space, the Three Mile Water Local Landscape Policy Area (MNY 45) and a Site of Local Nature Conservation Importance (MNY 31/07).

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

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

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

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

CONSULTATION

Council Environmental Health Section – No objection subject to conditions.

NI Water – No objection

DfI Roads – No objection subject to conditions.

Northern Ireland Environment Agency: Drinking Water Inspectorate – No objection

Northern Ireland Environment Agency: Water Management Unit – No objection subject to conditions

Northern Ireland Environment Agency: Waste Management Unit – No objection subject to conditions

Northern Ireland Environment Agency: Natural Heritage – No objection

Historic Environment Division – No objection

Shared Environmental Services – No objection subject to conditions

Rivers Agency – No objection subject to condition and informatives

Belfast City Airport – No objection

Northern Ireland Electricity - No response provided. However the Council's Environmental Health Section liaised with NIE previously when providing its response.

REPRESENTATION

Fifty (50) neighbouring properties were notified and thirteen (13) letters of objection from five (5) addresses have been received. The full representations made regarding this proposal are available for Members to view online at the Planning Portal (www.planningni.gov.uk).

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

- Proximity of housing to manufacturing processes at neighbouring factory;
- Road safety and traffic management;
- Noise pollution;
- Impact on privacy;
- Visual impact; and
- Impact on services.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

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

Principle of Development

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

The Belfast Urban Area Plan 2001 (BUAP) and the draft Belfast Metropolitan Area Plan (BMAP) are the relevant plans for the application site. The application site is located within Metropolitan Newtownabbey in both plans. Whilst the site is not zoned for any purpose in BUAP, it is identified as a zoned housing site in both the draft Belfast Metropolitan Area Plan BMAP (2004) and the 2014 version of the plan. Whilst it is acknowledged, following recent litigation, that BMAP remains in draft form it is the Council's policy that significant weight should be afforded to the 2014 version of the document in assessing proposals. As indicated above this plan identifies the site under Housing Zoning MNY 04/25 'Housing Land at Monkstown Road, adjacent to Monkstown Industrial Estate'. As such it is considered the principle of housing development on this site has been met and the details of the scheme stand to be considered against prevailing regional planning policy. These are addressed below.

The Strategic Planning Policy Statement (SPPS) indicates that where any conflict between the SPPS and any policy retained exists, under the transitional arrangements it must be resolved in the favour of the provisions of the SPPS. The SPPS indicates that sustainable development should be permitted, having regard to material considerations, unless the proposed development will cause demonstrable harm to interests of acknowledged importance. The SPPS also promotes good design and seeks to make more efficient use of urban land without town cramming. The Regional Development Strategy for Northern Ireland 2035 (RDS) sets out regional strategic objectives for housing in settlements, including: manage housing growth to achieve sustainable patterns of residential development; support urban and rural renaissance; and strengthen community cohesion. The RDS does not provide operational planning policy for development management decisions and in this case the application falls to be considered under PPS7.

Density

Policy LC 1: Protecting Local Character, Environmental Quality and Residential Amenity of the second addendum to PPS7 deals with the issue of density within residential areas. It states that the proposed density should not be significantly higher than that found in the established residential area. The first Key Site Requirement (KSR) in respect of Zoning MNY 04/13 states that any proposed housing development on the site shall be a minimum gross density of 20 dwellings per hectare. The density as proposed is approximately 24 dwellings per hectare, which meets with the KSR and is in keeping with the local character and other residential schemes in the area.

Design and Impact on the Character and Appearance of the Area

The current policy direction is to make more efficient use of urban land, however the policy cautions that overdeveloped and unsympathetic schemes will not be acceptable in established residential areas and that schemes should be sensitive in design terms to people living in the existing neighbourhood and to local character. Para 4.34 of the SPPS indicates that one of the keys to successful place-making is the relationship between different buildings and the relationship between buildings and streets and the compatibility of a development with its immediate and wider context, and the settlement pattern of a particular area.

Although imaginative and innovative forms of housing are encouraged, this is qualified in existing residential areas with the need for harmony and sensitivity to avoid significant erosion of environmental quality, amenity and privacy. PPS7 reiterates the need for sensitivity and in Policy QD1 the test is expressed as

'unacceptable damage to local character, environmental quality or residential amenity'.

The proposed scheme consists of 92 dwellings, comprising 28 detached dwellings, 58 semi-detached dwellings and 6 apartments. Although the block plan, Drawing No. 04/4 date stamped 22nd November 2017, shows sites numbered up to Site 93, the dwelling on Site 68 was omitted from the plan and therefore there are no discrepancies regarding proposed dwelling numbers. There are a mix of house types proposed and the majority of dwellings have garages proposed within their curtilages. The proposed access to the development, including a new right hand turn lane, will be taken from Monkstown Road and pedestrian links from the proposed development to the adjacent Three Mile Water LLPA are also provided, which meets with the second and third KSRs of Zoning MNY 04/25.

Policy OS 2 of PPS 8 states that open space for public use is only required for new residential developments of 25 or more units or on sites of one hectare or more. As the site is approximately 3.82 hectares and a total of 92 residential units are proposed there is a requirement for shared open space within the development and the residents of each property will be responsible for maintenance of its landscaping. The development incorporates approximately 3,600sqm of open space in the form of communal gardens at the central areas of the site, the inclusion of soft landscaped areas throughout the site and tree planting at the site frontage on Monkstown Road. The landscaped areas equate to approximately 9.5% of the total site area which is just shy of the required 10% threshold set out within PPS 8. The proposed level of shared open space is considered acceptable due to Monkstown Wood being located immediately adjacent to the application site to the north. Amenity value will also be enhanced with two pedestrian connections through to the woodland walk in the adjacent Monkstown Wood, which complies with Policy OS 2 of PPS 8 in that it promotes and re-establishes linkages between the application site and existing urban open space, which provides places for both recreation and exercise alongside opportunities for pedestrian and cycle routes.

Guidance in Creating Places recommends that each dwelling should have an average of 70sqm of private amenity provision, behind the building line. The provision of rear private amenity space ranges greatly between individual plots. The lowest provision of amenity space is 42sqm which excludes a landscape buffer area of 32sqm and the highest provision of amenity space is 134sqm. Over one third of the proposed dwellings have under 70sqm of amenity space but all of those dwellings are located within close proximity to the central area of open space within the proposed development and have easy access to the woodland park adjacent to and north of the application site. The average provision of rear private amenity space throughout the proposed development is approximately 73sqm, which complies with the guidance set out within Creating Places. There is a walled garden containing a shared amenity area of approximately 200sqm for the proposed apartment building, which equates to approximately 33sqm of private communal open space per apartment which exceeds the recommended area of between 10sqm and 30sqm set out within Creating Places. It is therefore considered that this aspect of the scheme is acceptable and will provide a variety of garden sizes and communal amenity areas throughout the development.

Although in the context of the area these garden sizes are considered adequate, it is considered necessary and appropriate to impose a planning condition removing permitted development rights for future extensions to a number of the proposed sites, including sites 10-14, 17-19, 26-31, 34-37, 42, 43, 48, 57, 58, 64, 65, 70-82 and 89. It is considered that the condition is necessary to ensure that the impact of future development is properly considered via a planning application as some of the gardens are more restrictive than others.

There are a mix of residential dwelling types proposed within the development. All the proposed dwellings comprise of two storeys, while the apartment building is three storey and is sited to frame the public space. A number of dwellings have been provided with dual aspects in order to help turn the corners within the development and provide frontages to the internal estate road, namely sites 4, 6, 17, 34, 39, 49, 55, 59, 66, 71, 81, 85, 87, 89 and 93. These house types aim to provide an attractive outlook to the development when viewed from the internal estate roads and pedestrian footpath links. The dwellings abutting the northern boundary are designed to front and overlook the adjacent pedestrian access to the neighbouring woodland park.

The finishes to the residential units include a mix of smooth self-coloured render and stone walls, select facing brick or smooth self-coloured render all over or a mix of select facing brick and smooth self-coloured render. Black uPVC windows with brick detailing to openings and precast concrete cills, black uPVC rear doors and GRP front doors are proposed with black concrete interlocking roof tiles with matching ridge tiles, black uPVC fascia, soffit and rainwater goods and facing brick chimneys. The finishing materials of the residential units are in keeping with the character of the locality.

Adequate and appropriate provision is made for parking within the development with each dwelling having in-curtilage parking. Tree and shrub planting is proposed throughout the internal layout of the proposed development which helps to soften the visual impact of the development. The landscaped site frontage will provide a positive visual impression along Monkstown Road. A 4-5 metre wide buffer area of planting is proposed around the shared site boundaries with the NIE electricity substation at the northern section of the site and along the southern site boundary that is shared with industrial land uses to the south. A landscape buffer of 8 metres is proposed along the eastern site boundary that is shared with the Schlumberger factory site. The landscape buffers are proposed to help mitigate possible noise nuisance from the adjacent commercial/industrial properties.

Neighbour Amenity

The proposed residential development does not abut any adjacent housing. The proposed internal residential layout has been designed in accordance with guidance in Creating Places in terms of appropriate separation distances. The layout of the proposed dwellings has been designed and arranged to ensure that the proposed properties will be unaffected by the existing industrial uses to the east and south and the proposed landscaped buffers and acoustic boundary fencing along the eastern and southern site boundaries will further mitigate against any potential noise nuisance from adjacent industrial land uses, which complies with the fourth KSR of Zoning MNY 04/25.

In terms of the design and layout, the proposed development will not create conflict with adjacent land uses and it is considered that the separation distance between the proposed properties should prevent any significant impact in terms of overlooking, loss of light, overshadowing, noise or other disturbance. It is considered that the proposal respects both the existing and approved development within the area and will not have a detrimental impact in terms of neighbour amenity.

Flood Risk

The application site is not directly affected by any fluvial flooding from nearby watercourses, however, the extent of hardstanding within the proposed development has the potential to create increased surface water runoff which may give rise to increased flood risk. The submitted Drainage Assessment (DOC 11 date stamped 24th February 2017) states, 'The site drainage has been designed in accordance with 'Sewers for Adoption Northern Ireland, 1st Edition' as required by NI Water. The system has been designed not to flood any part of the site in a 1 in 30 year return period design storm and to ensure a freeboard of 300mm. Should a storm event occur which exceeds the design criteria, the site has been designed to direct all overland flow towards the road network which will then convey the flow through the site to the nearby watercourse. No new or existing properties are at increased risk of flooding from overland flow.' DfI Rivers has stated that it accepts the logic of the Drainage Assessment and furthermore, the applicant has received Schedule 6 consent to discharge a maximum of 314.6 litres per second of storm water to the designated Three Mile Water. Subsequently, DfI Rivers has no objection to the proposed development from a drainage or flood risk perspective.

Road Safety

A right hand turn lane has been proposed that will assist the flow of traffic along Monkstown Road thereby providing a suitable access arrangement. DfI Roads has been consulted on the application and has raised no objections to the proposed access arrangements subject to conditions which require the road and any infrastructural improvements to be brought up to an adoptable standard. Adequate movement and parking has been provided within the development for the proposed residential units.

Other Matters

Archaeology

The application site is located on the site of a demolished factory. NIEA Historic Environment Division (HED) reviewed the submitted archaeological programme of works and has stated that it is not necessary to conduct archaeological testing due to the significant amount of development and landscaping previously undertaken on the application site. HED is content that the proposal meets with archaeological policy requirements and no further archaeological mitigation is required.

Natural Heritage and Conservation

NIEA Natural Environment Division (NED) considered the submitted Biodiversity Checklist (DOC 12 date stamped 24th March 2017) and has stated that it is content with the conclusions of the report and considers that the proposed development will not have an impact on designated sites, priority habitats or protected species.

Shared Environmental Service (SES) considered the proposed development in light of the assessment requirements of Regulation 43 (1) of the Conservation (Natural

Habitats, etc) Regulations (Northern Ireland) 1995 (as amended). It has stated that the proposal is hydrologically linked to Belfast Lough SPA/Ramsar, Belfast Lough Open Water SPA and East Coast Marine (Proposed) SPA via the Three Mile Water River, which are sites of national and international importance protected by the above legislation. Having considered the nature, scale, timing, duration and location of the project SES has stated that provided potential contamination mitigation is conditioned in any planning approval, the proposal will not have an adverse effect on site integrity of any European site.

Noise

The proposed housing development is on a brownfield site in close proximity to a number of high level noise sources. A noise impact assessment (Doc 03/1 date stamped 3rd July 2017) outlined a number of mitigation measures to protect the proposed development from sound sources, namely the Schlumberger factory to the east of the site, the former Nortel factory to the south, the electricity substation to the north, and the road traffic noise to the west. The Council's Environmental Health Section (EHS) reviewed the assessment and has recommended a number of planning conditions to protect the proposed dwellings within the proposed development from potential noise emanating from external sources. It should be noted that major re-development of the former Nortel factory to the south is likely to require planning permission and resulting noise issues would be dealt with during the ensuing planning consultation process. The likely noise impact of a development can only be assessed based on information available at the time.

Contaminated Land

A contaminated land report (DOC 09 date stamped 19th January 2017) outlined a number of remedial works and EHS has stated that provided contamination mitigation is conditioned in any planning approval, it has no objection to the development proposal.

Impact on Services

Concerns were raised regarding the impact of the proposed development on services provided to residents of Aspen Park. It is not clear what services the objector is referring to, however, should the concerns relate to infrastructure, both DFI Roads and NI Water have been consulted with respect to the development proposal and have expressed no objections.

CONCLUSION

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

- The principle of housing on this site is considered to be acceptable.
- The design, layout and appearance of the proposed development is considered acceptable.
- There is no adverse effect on existing or proposed properties in terms of residential amenity, loss of light, overshadowing, noise or other disturbance;
- There are no road safety concerns regarding the proposal;
- There is no flood risk associated with this development;
- The proposal will not have an adverse effect on site integrity of any European site; and
- The proposal will not have a detrimental impact on other natural heritage interests.

RECOMMENDATION :	GRANT PLANNING PERMISSION
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PROPOSED CONDITIONS

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

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

2. A final Construction Method Statement, agreed with the appointed contractor, must be submitted to the Council at least eight weeks prior to any works commencing. This must identify all potential risks to the adjacent watercourses and designated sites and appropriate mitigation to eliminate these risks. Appropriate areas for the storage of construction machinery, fuels/oils, refuelling areas, must be identified. The Construction Method Statement shall include a section on proposed mitigation measures to be implemented during construction and the development shall be carried out in accordance with the mitigation measures, unless otherwise agreed in writing by the Council.

Reason: To ensure that the appointed contractor undertaking the work is well informed of all the risks associated with the proposal and to provide effective mitigation ensuring there are no adverse impacts on the integrity of Belfast Lough SPA/Ramsar, Belfast lough Open Water SPA and East Coast Marine (Proposed) SPA.

3. The development hereby permitted shall not be occupied until the remediation measures detailed within Document 09 'Environmental Site Assessment and Generic Quantitative Risk Assessment Lands at Monkstown Road Newtownabbey, January 2017' have been fully implemented and verified to the satisfaction of the Council.

There shall be no amendments or deviations from the remediation measures and the validation and verification details contained within Document 09 without the prior written approval of the Council.

Verification documentation shall be submitted in the form of a verification report, to the Council. The report shall describe all the remediation and monitoring works undertaken and shall demonstrate the effectiveness of the works in managing and remediating all the risks posed by contamination.

Reason: To ensure that risks from land contamination both during the construction phase and to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risk to workers, neighbours and other offsite receptors.

4. If, during the development works, a new source of contamination and risks are found which had not previously been identified, works should cease and the Council's Planning Section shall be notified immediately. Any new contamination shall be fully investigated in accordance with the Model Procedures for the Management of Land Contamination (CLR11).

Should an unacceptable risk to human health be identified, a remediation strategy shall be submitted to be agreed with the Council before being implemented.

Reason: To ensure that risks from land contamination both during the construction phase and to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risk to workers, neighbours and other offsite receptors.

5. Notwithstanding what is indicated on the 'Landscape Proposals' plan, Drawing Number 08/3 date stamped 22nd November 2017 and the 'Boundaries Layout' plan, Drawing Number 82 date stamped 22nd December 2017, no dwelling shall be occupied until a 2.4 metre high barrier is installed within the site as presented in figure D of Document 03/01 'Inward Sound Level Impact Assessment' date stamped 3rd July 2017. The barrier shall have a surface weight of not less than 15kg/m², be of solid construction (i.e. no holes or gaps for sound to pass through), and so if it is a fence it should be of the ship-lapped design. No development shall take place until detailed elevation drawings of the proposed acoustic fence have been submitted to and approved by the Council. Development shall be carried out in accordance with the approved plans.

Reason: To enable the Council to consider in detail the proposed development of the site and in order to preserve the amenity of the proposed dwellings.

6. The approved dwellings on Site Nos. 42, 43, 44, 45, 46, 47, 48, 51, 52 and 62 shall be located no closer to the eastern site boundary than the distances shown within the 'Proposed Site Plan', Drawing Number 04/4 date stamped 22nd November 2017.

Reason: In order to preserve the amenity of the proposed dwellings.

7. All bedrooms to dwellings within the areas outlined within Figure F of Document 03/01 'Inward Sound Level Impact Assessment' date stamped 3rd July 2017 shall be fitted with glazing including frames, capable of achieving sound reductions from outside to inside, dB_{Tra}, of at least those specified within Figure F.

Reason: In order to ensure a suitable night-time noise environment is achieved within bedrooms of the dwellings.

8. All bedrooms to dwellings within the areas outlined within Figure F of Document 03/01 'Inward Sound Level Impact Assessment' date stamped 3rd July 2017 shall be fitted with passive and mechanical ventilation, in addition to that provided by open windows, capable of achieving a sound reduction from outside to inside, dB_{Tra}, of at least those specified within Figure F.

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

9. All rooms (excluding bedrooms) to dwellings within the site shall be fitted with glazing including frames, capable of achieving sound reductions from outside to inside, dB_{Tra}, of at least those specified within Figure E of Document 03/01 'Inward Sound Level Impact Assessment' date stamped 3rd July 2017.

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

10. All rooms (excluding bedrooms) to dwellings within the site shall be fitted with passive and mechanical ventilation, in addition to that provided by open windows, capable of achieving a sound reduction from outside to inside, dB_{Tra}, of at least those specified within Figure E of Document 03/01 'Inward Sound Level Impact Assessment' date stamped 3rd July 2017.

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

11. All dwellings identified within area H of figure B of Document 03/01 'Inward Sound Level Impact Assessment' date stamped 3rd July 2017 shall be fitted with a ceiling / roof construction in excess of 47dB _{Tra}, achieved by ceilings to night-time living spaces being constructed with boards having a total surface mass of 24kg/m² or greater and shall be fixed to the support joists by means of a "resilient" bar system. Any penetrations through the ceiling boards shall be made good by fully lining with plaster or with an acoustic sealant.

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

12. Notwithstanding what is indicated on the 'Boundaries Layout' plan, Drawing Number 82 date stamped 22nd December 2017, no dwelling hereby permitted shall be occupied until a 1.8 metre high barrier is installed along the southern boundary of the site, as indicated in yellow. The barrier shall have a surface weight of not less than 15kg/m², be of solid construction (i.e. no holes or gaps for sound to pass through), and so if it is a fence it should be of the ship-lapped design.

Reason: In order to preserve amenity of the proposed dwellings.

13. Prior to the occupation of any dwelling on the site a noise report shall be submitted to the Council demonstrating compliance with conditions 5-12.

Reason: In order to preserve the amenity of the proposed dwellings.

14. All soft and hard landscaping incorporated in the stamped approved landscape plan, Drawing No. 08/3 date stamped 22nd November 2017, shall be completed in accordance with these plans and the appropriate British Standard or other recognised Codes of Practice in the first available planting season following commencement of the development or before occupation of the first residential unit in the development, whichever is the later.

Reason: To ensure the provision of a high standard of landscape and adequate amenity space, consistent with Planning Policy Statement 7 'Quality Residential Environments'.

15. The open space and amenity areas indicated on the stamped approved Drawing No. 09/2 date stamped 22nd November 2017 shall be managed and maintained in accordance with the Landscape Management Plan, Document 02 received on 19th January 2017 and any changes or alterations to the approved landscape management arrangements shall be submitted to and agreed in writing by the Council.

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

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

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

17. Notwithstanding the provisions of the Planning (General Permitted Development) Order (Northern Ireland) 2015, or any Order revoking and/or re-enacting that Order, no extension or enlargement (including alteration to roofs) shall be made to the dwellings hereby permitted and no buildings shall be erected within the curtilage of the dwellings hereby permitted Sites 10-14, 17-19, 26-31, 34-37, 42, 43, 48, 57, 58, 64, 65, 70-82 and 89 without the grant of a separate planning permission from the Council.

Reason: The further extension of or erection of buildings within the curtilage of these dwellings requires detailed consideration to safeguard the amenities of the surrounding area.

18. The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992

The Council hereby determines that the width, position and arrangement of the streets, and the land to be regarded as being comprised in the streets, shall be as indicated on Drawing Number 83 bearing the date stamp 22nd December 2017.

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

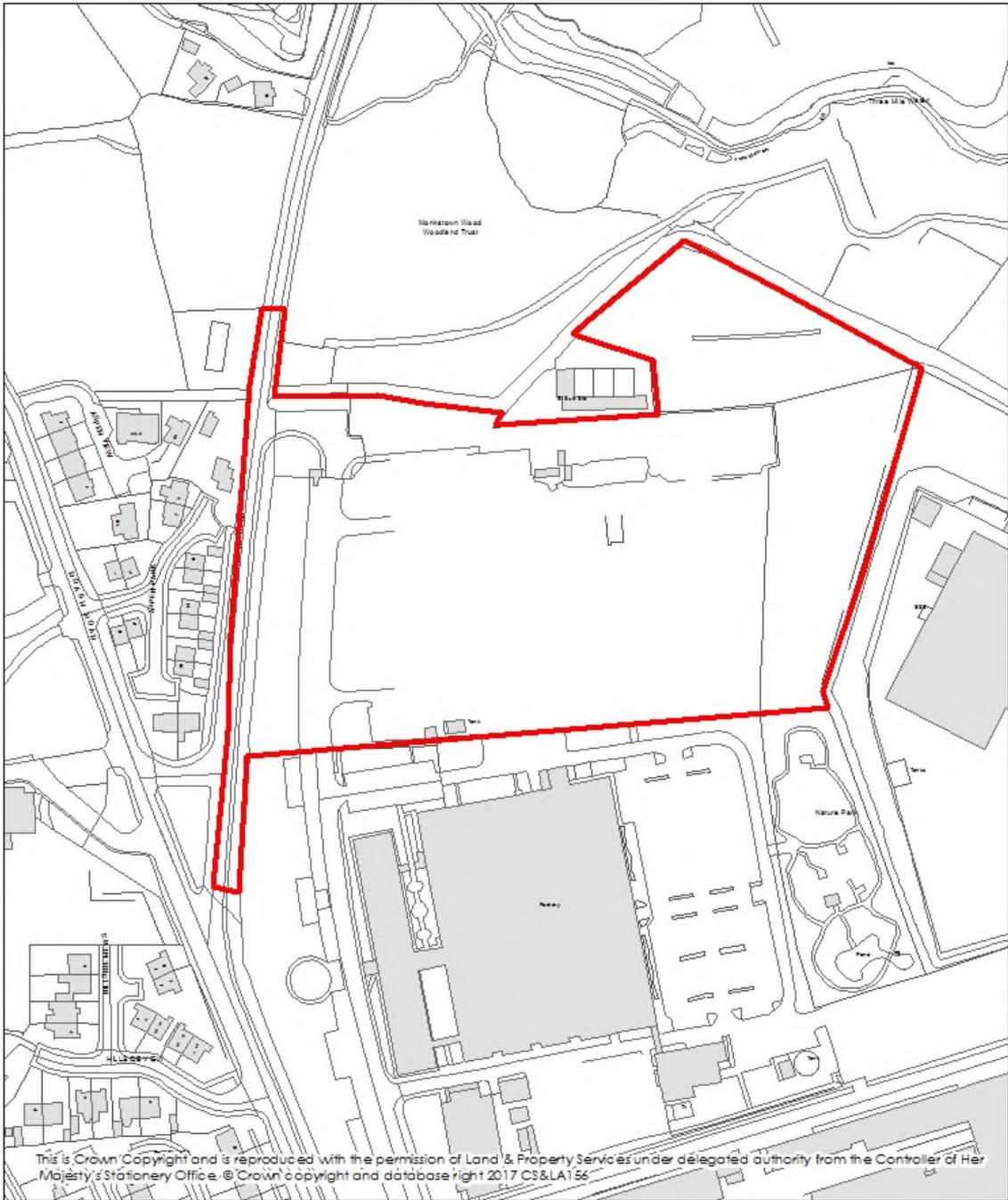
19. The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992

No other development hereby permitted shall be occupied until the works necessary for the improvement of a public road have been completed in accordance with the details outlined blue on Drawing Numbers 83 date stamped 22nd December 2017. The Council hereby attaches to the determination a requirement under Article 3(4A) of the Private Streets (Northern Ireland) Order 1980 that such works shall be carried out in accordance with an agreement under Article 3 (4C).

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

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

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



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Location Map

Application Reference: LA03/2017/0061/F

Proposed residential development of 92 dwellings

Lands 100m east of Aspen Park, Monkstown Road, Newtownabbey

 Site Boundary



For Information Only



COMMITTEE ITEM	3.4
APPLICATION NO	LA03/2017/0458/F
DEA	ANTRIM
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE PLANNING PERMISSION

PROPOSAL	Erection of 3 No. two storey dwellings.
SITE/LOCATION	Junction of Greystone Road/Ashgreen 50m north of Greystone Road, Antrim.
APPLICANT	Mr Damien Heffron
AGENT	J E McKernan & Son
LAST SITE VISIT	6 th October 2017
CASE OFFICER	James Cairns Tel: 028 903 40403 Email: james.cairns@antrimandnewtownabbey.gov.uk

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

SITE DESCRIPTION

The application site is located within the development limits of Antrim Town as defined within the Antrim Area Plan 1984 – 2001. The site comprises approximately 0.30 hectares of land situated at the junction of the Greystone Road and Ashgreen, and 50 metres north of No. 25 Greystone Road (Ashville House).

The northern boundary of the site is defined by a wooden fence, which is overgrown with vegetation. A combination of hedgerow and post and wire fence forms the western boundary of the site, within which a line of mature trees is located. The eastern boundary, adjacent to Ashgreen, is defined by a post and wire fence and hedgerow. The southern boundary of the site is currently open, and leads into lands associated with No. 25 Greystone Road (Ashville House), however, it is apparent that a wooden fence, which previously defined the boundary, has been dismantled.

RELEVANT PLANNING HISTORY

Planning Reference: T/2001/0938/O
Location: Junction of Greystone Road and Ashgreen, approx. 50m North of 25 Greystone Road, Antrim.
Proposal: Site of Residential Development.
Decision: Permission Granted 13.12.2002

Planning Reference: T/2004/0101/F
Location: Junction of Greystone Road and Ashgreen, Approx. 50m North of 25 Greystone Road, Antrim.
Proposal: Residential development comprising 2 no dwelling units incorporating attached granny flat annex to house type B.
Decision: Permission Granted 04.01.2005

Planning Reference: T/2005/0117/O

Location: Junction of Greystone Road & Ashgreen, 50m North of, 25 Greystone Road, Antrim.

Proposal: Site of 9 no. Apartments with associated Car Parking and Communal Gardens.

Decision: Application Withdrawn 02.08.2006

Planning Reference: T/2007/0302/O

Location: Junction of Greystone Road/Ashgreen, 50m North of 25 Greystone Road, Antrim.

Proposal: Site of 6 number apartments with 9 No. car parking spaces & associated landscaping.

Decision: Permission Granted 04.03.2009

Planning Reference: LA03/2015/0563/F

Location: Junction of Greystone Road and Ash Green 50m north of 25 Greystone Road, Antrim.

Proposal: Erection of 4 no. semi-detached dwellings together with 7 no. communal car parking spaces and associated landscaping.

Decision: Permission Refused 21.06.2016

Planning Reference: LA03/2016/0811/F

Location: Junction of Greystone Road and Ashgreen 50m north of 25 Greystone Road, Antrim.

Proposal: Erection of 3 no. detached dwellings

Decision: Application Withdrawn 20.01.2017

PLANNING POLICY

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

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

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

Antrim Area Plan 1984 – 2001: The proposal site is located within the development limits of Antrim Town. The Plan offers no specific guidance on this proposal.

SPPS – Strategic Planning Policy Statement for Northern Ireland: sets out that Planning Authorities should be guided by the principle that sustainable development should be permitted, having regard to the local development plan and other material

considerations unless the proposed development will cause demonstrable harm to interests of acknowledged importance.

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

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

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

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

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

CONSULTATION

Council Environmental Health Section – No objections, subject to informatives.

NI Water – No objections, subject to informatives.

DFI Roads – No objections.

Northern Ireland Environment Agency: Water Management Unit – No objections, subject to appropriate conditions and informatives.

Northern Ireland Environment Agency: Natural Environment Division – No objections.

Historic Environment Division – No objections.

REPRESENTATION

Nine (9) neighbouring properties were notified and six (6) letters of objection have been received from, or on behalf of three (3) properties, all of which are within the neighbour notification scheme. One (1) petition of objection has been received containing twenty-eight (28) signatures and one (1) petition of support has also been received, containing twenty-three (23) signatures. The full representations made regarding this proposal are available for Members to view online at the Planning Portal (www.planningni.gov.uk).

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

- The height of the proposed dwellings, and the potential that this may have with regard to overlooking and overshadowing upon No. 2 Ashgreen.

- Impact upon the character of the area.
- Proximity of proposed access to junction of Greystone Road and Ashgreen, and the impact that this may have on traffic congestion, road safety, and access to the driveway of No. 2 Ashgreen in particular.
- Impact upon an adjacent listed building, namely Ashville House (25 Greystone Road).
- Overdevelopment of the site.
- Land ownership issues.
- Impact upon protected trees.
- Impact upon flora and fauna.
- Inaccuracies on submitted plans.

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

- The development will enhance the area, which is currently an eyesore.
- The undeveloped site is being used for fly tipping and anti-social behaviour.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Principle of Development
- Density, Siting and Impact on Trees subject to Tree Preservation Order
- Design, Appearance and Impact on the Character of the Area
- Impact on Neighbour Amenity
- Impact on the Setting of the Listed Building (Ashville House)
- Access, Parking and Road Safety
- Other Matters

Principle of Development

Section 45 (1) of the Planning Act (NI) 2011 requires that regard should be made to the Local Development Plan, so far as material to the application. Section 6 (4) of the Planning Act also states that where, in making any determination, regard should be made to the Local Development Plan and the determination must be made in accordance with the plan unless material considerations indicate otherwise. The Antrim Area Plan (AAP) is the statutory Local Development Plan for the proposal, in that the application site lies within the development limits of Antrim Town.

With regard to the planning history of the site, T/2004/0101/F permitted 2 No. dwelling units on the site, whilst T/2007/0302/O permitted 6 No. apartments with 9 No. car parking spaces. Whilst these planning approvals have expired, it is considered that the principle of development for residential use is acceptable within the development limits of Antrim, subject to the proposal meeting the detailed policy criteria addressed in the paragraphs below.

Density, Siting and Impact on Trees subject to Tree Preservation Order

Policy LC 1 (Protecting Local Character, Environmental Quality and Residential Amenity) within the second addendum to Planning Policy Statement (PPS) 7 deals with the issue of new development within residential areas. It states that the proposed density of new development should not be significantly greater than that found in the established residential area. As indicated above, the planning history of the site (T/2007/0302/O and T/2004/0101/F) respectively permitted 6 No. apartments and 2 No. dwellings on the site. The proposed development seeks planning

permission for the erection of 3 No. detached dwellings with associated car parking provision.

Within the site, there are numerous mature trees, which are subject to protection by way of a Tree Preservation Order (TPO/2007/0068). It is considered that these trees make a significant contribution to the setting of Ashville House, a listed building, and the overall character and appearance of the entrance to Ashgreen, as well as adding an amenity value at this location.

'Creating Places' emphasises that the quality of a residential environment will be enhanced by well-considered landscape design. The retention of existing vegetation and new planting can contribute to people's health, wellbeing and quality of life both of potential residents and existing residents in the immediate area. It will also increase biodiversity and help to raise awareness of, and appreciation for, the environment. Good, well-considered landscape design is fundamental to the creation of high quality and attractive surroundings that will be satisfying places in which to live.

Paragraph 4.11 of Development Control Advice Note (DCAN) 8: Housing in Existing Urban Areas advises that new development should respect the architectural, streetscape and landscape character of the area, and follow the established character in terms of the landscape structure and the presence of trees.

Paragraph 6.192 of the SPPS states that planning permission should only be granted for a development proposal which is not likely to result in an unacceptable adverse impact upon natural heritage features worthy of protection, which includes trees and woodland. Paragraph 6.193 provides an exception to this policy where a development proposal which is likely to result in an unacceptable adverse impact on, or damage to, habitats, species or natural heritage features may only be permitted where the benefits outweigh the value of the habitat, species or feature. It is considered that the proposed development is not of significant importance or value to meet this exception test.

During the processing of the application, concerns were raised with the applicant in relation to overdevelopment of the site, and with regard to the proximity of the proposed dwellings to the protected trees and the impact that this would have upon those trees and on the prospective occupiers of the dwellings with regard to the usable private amenity space provided. A revised scheme was submitted in October 2017, together with an amended tree survey and report (Document No. 01/1), which saw no reduction in the footprint of the original dwellings, but instead repositioned the proposed dwellings slightly further to the west of the site. The dwellings on Sites 2 and 3 moved one (1) metre to the west, whilst the proposed dwelling on Site 1 moved approximately 1.6 metres.

There are significant inconsistencies between the Tree Survey and Report (Document 01/1) and the proposed site layout (Drawing No. 02/2). According to the tree survey, the proposed development will involve the removal of a beech tree and horse chestnut tree (Nos. 2 and 3), which have already been felled due to their condition. No further trees are identified for removal. However, Drawing No. 02/2 indicates that three trees will be removed, including those referenced in the tree report, however, a sycamore tree (No. 4) is required to be removed in order to facilitate access to the

site. Furthermore, it is noted that the Tree Constraints Plan, which forms part of the Tree Survey and Report, shows the layout of a previous development proposal on the site (LA03/2015/0563/F), which was refused on June 2016.

It is noted that the previous tree report recommended that a fourth tree be felled. This is a beech tree (No. 10), which was recommended for felling in order to clear overhead cables. This was referenced in the previous site layout plan. However, neither the tree survey nor the current site layout plan make any reference to the planned felling of this tree.

According to Drawing No. 02/2, the scheme proposes the removal of Tree Nos. 02, 03 and 04 along the eastern boundary of the site. As referred to above, Tree Nos. 02 and 03 have already been felled due to their condition. Three new trees will be planted along the eastern boundary, however, this is a reduction from that originally proposed. Planning guidance states as a rule of thumb, the amenity distance from trees should be a minimum of 6 metres to the front and rear elevations, and 3 metres to the side gables, with consideration also given to future growth and larger tree species. It is recommended that for larger and more heavily shading trees, such as beech, this should be increased to 10 metres. According to the site layout plan, the proposed dwelling at Site 1 is outside the 10 metre buffer zone of the beech tree (Tree No. 1). However, the gardens associated with this dwelling are in close proximity to the root protection zone Tree No. 1. This is also the case for Tree Nos. 14 – 17, 3No. sycamore trees and a cherry tree. Whilst Drawing No. 02/2 indicates the installation of protective barriers in relation to the trees, it is considered that the proximity of the construction works to the trees (and root protection zones), would still present an unacceptable risk to the trees on the site, and in close proximity to it.

Overall, it is considered that the proposal represents an overdevelopment of the site, and would, if permitted, detrimentally impact upon the existing trees on the site, and immediately outside the site, which are protected by a Tree Preservation Order. It is also considered that the proposed development is not of significant importance or value to meet the exception test as outlined in the SPPS.

Design, Appearance and Impact on the Character of the Area

Paragraph 6.137 of the SPPS advises that, within established residential areas, it is imperative to ensure that the proposed density of new housing development, together with its form, scale, massing and layout will respect local character and environmental quality as well as safeguarding the amenity of existing residents. This is complemented by Policy QD1 of PPS 7, which states that, in established residential areas, proposals for housing development will not be permitted where they would result in unacceptable damage to the local character, environmental quality or residential amenity of these areas.

The application site is located within an established residential area, which is characterised by residential properties set in a cul-de-sac layout, with Ashville House (25 Greystone Road) at the rear of the site, orientated to face south and accessed via a private laneway from the Greystone Road. It is considered that these properties provide the local context and established character upon which the proposal will be assessed.

The planning history of the site identifies that planning permission was previously granted by DOE Planning for two detached properties, orientated to face north towards the Greystone Road. Outline planning permission was subsequently granted by DOE Planning for 6 No. apartments which were to be located centrally within the site in order to avoid any potential impact upon existing trees located around the boundaries of the site (reference: T/2007/0302/O).

The current proposal involves the erection of 3No. detached dwellings, two of which (Sites 2 and 3) are orientated to face north towards the Greystone Road. The proposed dwelling on Site 1 is orientated to face east onto Ashgreen. The gross floorspace of the dwellings proposed in the current application amounts to approximately 420sqm, which is over 30% larger than those approved under T/2004/0101/F. It is considered that the siting and position of the proposed dwellings do not lend themselves to an appropriate design solution that works well within the constraints of the site and would be at odds with neighbouring properties. The proposal is therefore considered to be contrary to Policy QD1 of PPS 7 in that the layout of the proposed residential development does not draw upon the positive aspects of the character and appearance of the surrounding area.

It is considered however that the design of the proposed dwellings is acceptable. It is proposed that the dwellings are to be finished in an acceptable palette of materials ranging from dash/smooth render external walls, black uPVC double glazed windows, and a roof finished in blue/black flat tiles or natural slate. Chimneys are to be positioned off the ridge line, and set in from the gable, which is considered acceptable in this case.

The proposed dwellings are considered to be acceptable in principle as they are of a similar height to that approved under T/2004/0101/F. The plans indicate that the dwellings will have a finished floor level of 48.40m, which is approximately 0.8m higher than that approved under the 2004 approval. Whilst the heights of the dwellings are acceptable, it is considered that the siting of the proposed development is unacceptable on this restricted site as it will have a detrimental impact on the protected trees, which are located in close proximity to the dwellings and associated works.

The proposed dwellings are shown to have a total floor area that meets the minimum house size requirements as set out in Annex A of the Addendum to PPS 7 (Safeguarding the Character of Established Residential Areas), which recommends that three bedroom dwellings should have a total floor area of at least 80 – 85sqm.

With regard to private amenity space and landscaped areas, 'Creating Places' indicates that for a development on a green-field site, the average space standard should be around 70sqm per dwelling unit or greater. In the case of individual houses, where proposed private amenity space is less than 40sqm, this will generally be unacceptable. According to Drawing 02/2, the private amenity space for the individual dwellings ranges from 96sqm to 135sqm, which would meet the requirements of the policy guidance.

Impact on Neighbour Amenity

Policy QD1 of PPS 7 makes provision for the protection of neighbouring properties in relation to overlooking, loss of light, overshadowing, noise or other disturbance.

Concerns have been raised by the occupier of No. 2 Ashgreen with regard to overlooking/loss of privacy and overshadowing/loss of light. The application originally sought the removal of four (4) trees, three of which are located along the eastern boundary of the site. However, two (2) of these trees (Tree Nos. 2 and 3) have already been removed due to their condition. It is considered that the removal of these trees, and that of Tree No. 4 (to facilitate access into the site) results in the opening up of views into the site from Nos. 1 and 2 Ashgreen. However, it is considered that the proposed development will have no undue impact on the amenity of these properties in terms of overshadowing and overlooking given the appropriate separation distance (in excess of 20m) between the dwelling on Site 1 and Nos. 1 and 2 Ashgreen.

It is considered that the residential properties on the northern, western and southern sides of the proposal site have a sufficient separation distance to ensure that there will not be a significant impact on their residential amenity by way of noise, nuisance or other disturbance.

Impact on the Setting of the Listed Building (Ashville House)

The Department for Communities' Historic Environment Division (HED) was consulted with regard to the potential impact of the proposed development upon the setting of the listed building to the south of the site. HED offered no objections to the proposal as the principle of development had already been found to be acceptable, and given the appropriate separation distance between the proposal and the listed building. In addition, HED has advised that the proposal would not adversely affect the listed gates and gate screen associated with Ashville House.

It is therefore considered that the proposal is unlikely to have an adverse impact on the setting of the listed building.

Access, Parking and Road Safety

The proposal seeks to utilise a new access onto Ashgreen, which was previously approved under T/2007/0302/O. The plans indicate that a new hedge is to be planted along the eastern boundary behind the visibility splays onto Ashgreen. Tree Nos. 2 and 3 have already been removed due to poor condition. Tree No. 4, a sycamore tree, is also identified for removal in order to gain access to the site. The proposed development also comprises a 2m wide pavement along its eastern boundary with Ashgreen.

Concerns have been raised in objection letters with regard to a number of roads-related issues. These include, the proximity of the proposed access to the junction of Greystone Road and Ashgreen; the impact of the proposal on traffic congestion, road safety; and the impact upon the means of access to the driveway of No. 2 Ashgreen in particular.

DFI Roads (formerly Transport NI) was consulted in relation to the implications of the proposed development on roads. DFI Roads has offered no objection to the proposal, subject to sign off by DFI of a Private Streets Drawing (PSD).

Other Matters

Issues have been raised by a neighbouring resident concerning parts of the proposed development being carried out on lands not under the ownership of the

applicant. In addition, there is a degree of ambiguity with regard to the boundary associated with the proposed development, particularly along the driveway of No. 25 Greystone Road (Ashville House).

Certificate C on the P1 form has been signed to indicate that the applicant is not in sole ownership of the lands as identified by the red line of the application site. The certificate indicates that those parties affected by the proposed right hand visibility splay have been notified.

It should be noted that land ownership disputes are a matter to be resolved between parties involved, and that where planning permission is granted, the applicant must ultimately be in control of all the land necessary to undertake the development proposed. As such, no determining weight is afforded to this matter.

An objection letter raised concerns that the proposed development will result in the destruction of protected trees and natural habitat for local wildlife. The issue relating to the loss of protected trees has been discussed above. The Department of Agriculture, Environment and Rural Affairs' Natural Environment Division (NED) were consulted with regard to the application, and offered no objections with regard to the potential impacts of the proposal upon designated sites and other natural heritage interests. It is therefore considered that the proposed development is unlikely to have a detrimental impact upon local wildlife.

CONCLUSION

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

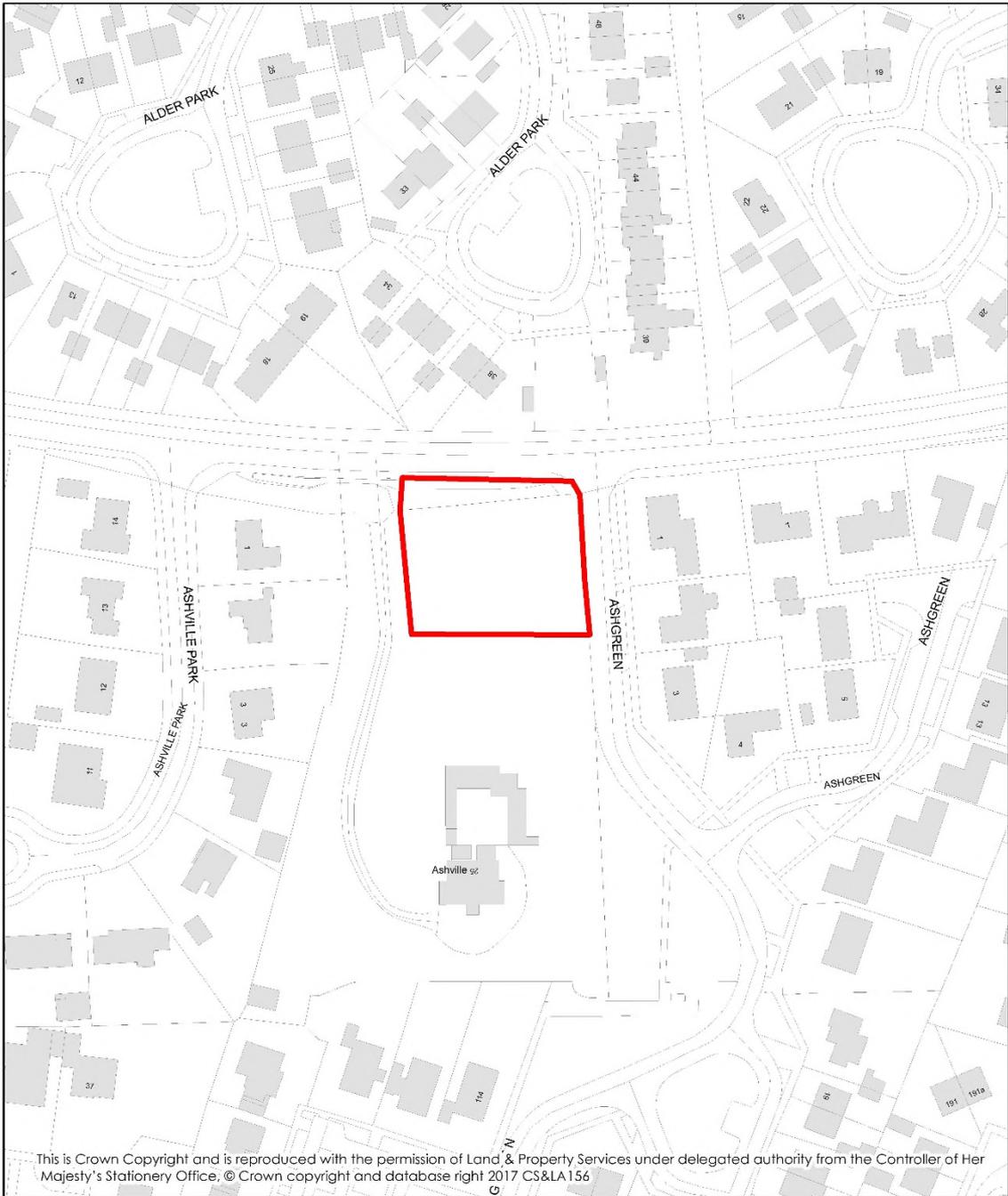
- Given the planning history of the site, and its location within the development limits of Antrim Town, it is considered that the principle of development has been established;
- The proposal represents an overdevelopment of this restricted site;
- The design and layout of the proposal is not characteristic of its surroundings, does not respond adequately to the characteristics of the site itself, and would therefore result in an unacceptable impact upon the character and appearance of the area; and,
- The design and layout of the proposed development will result in an unacceptable risk to visually significant trees which are protected by a Tree Preservation Order.

RECOMMENDATION : REFUSE PLANNING PERMISSION

PROPOSED REASON(S) OF REFUSAL

1. The proposal is contrary to the provisions of the Strategic Planning Policy Statement, Policy QD1 of Planning Policy Statement 7 (PPS 7), Quality Residential Environments, and Policy LC1 of the second Addendum to PPS 7, Safeguarding the Character of Established Residential Areas, in that the proposed development represents an overdevelopment of the site as:
 - a) it does not respect the surrounding context and is considered to be inappropriate to the character of the site in terms of layout, scale and massing of buildings, structures and landscaped and hard surfaced areas;
 - b) it will have a detrimental impact on the character of this area in that the layout does not draw on the best of local traditions in terms of its form, materials and detailing;

- c) the layout of the proposed development on this restricted site will have a detrimental impact on the protected trees in the vicinity of the site; and,
- d) the proposed development would result in a pattern of development that is not in keeping with the overall character and environmental quality of the established residential area.



Location Map

Application Reference: LA03/2017/0458/F

Erection of 3No. Two Storey Dwellings.

Junction of Greystone Road/Ashgreen, 50m North of 25 Greystone Road, Antrim.

 Site Boundary



For Information Only



COMMITTEE ITEM	3.5
APPLICATION NO	LA03/2017/0492/F
DEA	DUNSILLY
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE PLANNING PERMISSION

PROPOSAL	Housing development 4 no. dwellings (all bungalows) on unused orchard land. (Existing residential property to be retained and unchanged as part of development).
SITE/LOCATION	17 Junction Road, Milltown, Antrim, BT41 4NP.
APPLICANT	Hamilton Kennedy
AGENT	Adam Joyce Architect
LAST SITE VISIT	4 July 2017
CASE OFFICER	James Cairns Tel: 028 903 40403 Email: james.cairns@antrimandnewtownabbey.gov.uk

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

SITE DESCRIPTION

The application site is located at 17 Junction Road, Milltown and consists of 0.75 hectares of land comprising an existing residential property and a large garden area, which was previously used as an orchard.

The majority of the application site is located within the development limits of Milltown, as defined in the Antrim Area Plan 1984 – 2001. A small part of the site, opposite No. 16 Junction Road, to the west of the existing watercourse, is located outside the defined development limits. It is noted that these lands (outwith the development limits) currently form part of the existing gardens to the front of No. 17. Furthermore, no development is proposed on these lands other than alteration to the existing access into the site.

The northern boundary of the site is formed by a substantial line of mature trees, which surround a watercourse at this location. This watercourse runs along the northern boundary of the site and along its western boundary adjacent to the Junction Road, which is defined by a combination of stone wall, hedgerow and mature tree line. The eastern and southern boundaries of the site are defined by a line of mature trees.

The surrounding area consists of low density housing, comprising a mixture of single and two-storey dwellings of various designs and materials. The lands immediately to the south of this proposal has extant planning approval (LA03/2015/0567/F) for 16 No. two-storey semi-detached and detached dwellings.

RELEVANT PLANNING HISTORY

Planning Reference: T/1991/0250
Location: Junction Road, Milltown, Antrim.
Proposal: Bungalow and Garage.

Decision: Permission Granted (03.10.1991)

Planning Reference: T/1989/0487

Location: Junction Road, Milltown, Antrim.

Proposal: Site of Dwelling and Garage.

Decision: Permission Granted (06.12.1989)

Planning Reference: T/1989/0486

Location: Junction Road, Milltown, Antrim.

Proposal: Site of Dwelling and Garage.

Decision: Permission Granted (06.12.1989)

PLANNING POLICY

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

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

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

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

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

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

Addendum to PPS 7: Safeguarding the Character of Established Residential Areas: sets out planning policy and guidance on the protection of local character,

environmental quality and residential amenity within established residential areas, villages and smaller settlements. It also sets out policy on the conversion of existing buildings to flats or apartments and contains policy to promote greater use of permeable paving within new residential developments.

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

CONSULTATION

Council Environmental Health Section – No objections.

NI Water – No objections.

DFI Roads – Proposal is unacceptable in its current form.

NIEA: Water Management Unit – No objections subject to conditions

NIEA: Natural Environment Division – Without further information and amendments, the proposed development would be likely to have an adverse effect on designated sites.

Historic Environment Division – No objections.

DFI Rivers – Part of the proposed development is located within the Q100 Strategic Flood Plain. Proposal requires amendment to exclude all development from this area.

Shared Environmental Services – Further information required – as requested by NIEA: Natural Environment Division.

REPRESENTATION

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

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Principle of Development
- Design, Layout and Appearance
- Flood Risk
- Impact upon the Natural Environment
- Access, Parking and Road Safety
- Other Matters

Principle of Development

Section 45 (1) of the Planning Act (NI) 2011 requires that regard should be made to the Local Development Plan, so far as material to the application. Section 6 (4) of the Planning Act also states that where, in making any determination, regard should be made to the Local Development Plan that the determination must be made in accordance with the plan unless material considerations indicate otherwise. The Antrim Area Plan (AAP) is the statutory local development plan for the proposal, in that the application site lies within the development limits of Milltown.

Planning permission was previously granted on the site (T/1989/0487 & T/1991/0250) for the erection of a dwelling and garage in the northern portion of the site, whilst a much earlier permission (T/1989/0486) granted outline approval for a dwelling and garage at a central point in the current application site.

It is considered that, owing to the location of the site within the development limits of Milltown, together with its planning history, that the principle of development for residential use is acceptable subject to the proposal meeting the detailed policy criteria addressed in the paragraphs below.

Design, Layout and Appearance

Policy QD1 of Planning Policy Statement 7 (PPS 7) 'Quality Residential Environments' states that planning permission will only be granted for new residential development where it is demonstrated that the proposal will create a quality and sustainable residential environment. This is qualified in existing residential areas with the need for harmony and sensitivity to avoid significant erosion of environmental quality, amenity and privacy. PPS 7 reiterates the need for sensitivity and in Policy QD1 the test is expressed as 'unacceptable damage to local character, environmental quality or residential amenity.'

The application proposes four (4) detached bungalows in the south of the site which are positioned in an arc of development which is served by the existing driveway, which will be augmented to retain the access to the existing property and provide access to the proposed dwellings.

The proposed development comprises two similar house types. House Type 01 (Units 2, 3 & 4), as detailed in Drawing No. 06, has a ridge height of approximately 5.5 metres, and an eaves height of 2.3 metres. A small porch extends some 1.5 metres from the front elevation of the dwelling. The rear elevation of these proposed dwellings includes a rear door, which allows access into the garden from the utility room and a set of patio doors leading from the kitchen/dining room.

House Type 02 (Unit 1), as detailed in Drawing No. 05, is identical to House Type 01 in terms of ridge and eaves height, and the small porch. As was the case with House Type 01, a set of patio doors provides access into the rear garden from the kitchen/dining room. Access from the utility room is taken from the side (southern) elevation of the dwelling. Notwithstanding the variation in the internal layout and siting of the 'rear' door, the only other difference in this instance is a small projection to the side (southern) elevation of Unit 1, which incorporates a second living room window, and endeavours to provide a dual aspect to the proposed dwelling given its proximity to the public road.

In terms of materials used, all of the houses are finished in facing brick, with white uPVC glazing with a precast surround. Front and rear doors are uPVC with side panels and a precast surround that matches the surround of the windows. The roof is formed from concrete roof tile. Neither the submitted floor plans, nor elevations provide an indication of the colour of the facing brick or the concrete roof tiles. However, images within the Design Concept Statement (Document No. 01) suggest that the facing brick will be red in colour, and the roof tiles dark grey/black.

Drawing No. 03/1 indicates that each of the proposed dwellings, will have an associated garage to the side. No floor plans or elevations have been provided in relation to the proposed garages. Should planning permission be forthcoming a condition should be attached to the grant of planning permission requiring the brick to be a red brick and with blue/black roof tiles. An additional informative should state that no elevations of any garages has been provided and they will require a separate consent.

Overall, it is considered that the proposal respects the surrounding context and is appropriate to the character of the site in terms of layout, scale, massing, appearance of buildings, structures and landscape and hard surfaced areas. The proposed development is in accordance with the policy provisions of the Strategic Planning Policy Statement (SPPS) and Policy QD1 of Planning Policy Statement 7 (PPS 7) 'Quality Residential Environments, and Policy LC1 of the Addendum to PPS 7: 'Character of Residential Areas' and the associated guidance within 'Creating Places'.

Flood Risk

A Flood Risk Report (Document 03) was prepared by MCL Consulting on behalf of the applicant. This report has been reviewed by DFI Rivers and they have stated that whilst there is a history of surface water flooding on the site, this is confined to the area immediately surrounding the existing watercourse, and does not encroach on any area where the proposed dwellings will be sited. They have however identified that part of the site is located within the Q100 fluvial floodplain, including an area where one of the proposed dwellings (Unit 1) is located.

Whilst NI Water expressed no objections to the proposed development, DFI Rivers highlighted that the Flood Risk Report states, 'it is the sole responsibility of the architect to ensure that all housing and development is situated outside the floodplain in accordance with the Rivers Agency Flood Map. The agent has agreed to move any development accordingly'. Subsequently, DFI Rivers has requested that the proposed site layout is amended to demonstrate that all housing and development is located outside the floodplain.

Policy FLD 1 Development in Fluvial and Coastal Flood Plains of Planning Policy Statement 15: Planning and Flood Risk, states that development will not be permitted within the 1 in 100 year (Q100) fluvial flood plain unless the applicant can demonstrate that the proposal constitutes an exception to the policy. The application does not fall within any of the exceptions outlined in Policy FLD 1.

In its current form, it is considered that the proposed development, owing to its location within the flood plain, will not only be at risk of flooding itself, but it will add to the risk of flooding elsewhere. Furthermore, the cumulative impact of piecemeal development within the flood plain is likely to undermine its natural function in accommodating and attenuating flood water. It is therefore considered that the proposal, in its current form, and in the absence of an amended site layout, is contrary to Policy FLD 1 of PPS 15.

Impact upon the Natural Environment

Following initial consultation with Natural Environment Division (NED), concerns were raised with the proposed development due to the potential impact on Northern

Ireland priority habitat or priority species. It was considered all rivers and streams are NI Priority habitat regardless of their current conservation status, and are susceptible to subtle changes around them. Furthermore, hedgerows are also classified as NI Priority habitat, which are known to provide foraging, resting and breeding opportunities for a range of species including bats, badgers and wild birds. In order to address these concerns, NED requested that a Biodiversity Checklist be completed by the applicant, this was submitted (Document No. 02) together with a Preliminary Ecological Assessment (Document No. 04).

Policy NH 1 within Planning Policy Statement 2: Natural Heritage (PPS 2) relates to European and Ramsar Sites, and states that planning permission will only be granted for a development proposal that, either individually or in combination with existing and/or proposed plans or projects, is not likely to have a significant effect on a European Site or a listed or proposed Ramsar site.

The application site is hydrologically linked to nearby designated sites, namely Lough Neagh and Lough Beg Special Protection Area (SPA) and RAMSAR site, and Lough Neagh Area of Special Scientific Interest (ASSI). NED was consulted in relation to the Biodiversity Checklist and Preliminary Ecological Assessment, and expressed concern with the proposal in relation to its potential impact upon these designated sites.

The proposed dwelling at Plot No. 1 is located within 5 metres of the Millburn Stream, which presents a significant potential for contaminated run-off to enter the stream, particularly during the construction phase of the development. No details of pollution prevention measures to be employed during construction have been provided.

In the absence of details relating to pollution prevention measures, it is considered that the proposed development is likely to have a significant impact upon the integrity of the nearby European and Ramsar sites, particularly given the hydrological linkage between the application site and the designated sites referred to above.

Policy NH 2 within PPS 2 relates to wildlife species protected by law and states that planning permission will only be granted for a development proposal that is not likely to harm a European protected species. Accordingly, development proposals are required to be sensitive to all protected species and development proposals should be sited and designed to protect them and their habitats and prevent deterioration and destruction of their breeding sites or resting places.

The Preliminary Ecological Assessment states that the stream may be used by otters. Furthermore, the proposal identifies a buffer of less than 5 metres to the stream and there are plans to cut back and remove vegetation that borders the stream. As otters are a European protected species under the Habitats Regulations, they are afforded a strict level of protection. NED requested that, in order to minimise the potential impacts of the proposed development on otters, a 10 metre planted (native species) buffer should be maintained between the stream and any development on the site. Furthermore, Shared Environmental Services (SES) was also consulted in relation to this application and concurred with NED; recommending that additional information is submitted in relation to the potential impact on the natural environment.

It is considered that the proximity of the proposed development to the Millburn Stream is unacceptable due to the potential impact upon any species protected by European or National legislation, and the failure of the proposal to incorporate appropriate mitigation measures designed to safeguard protected species and associated habitats. In addition, measures are necessary to prevent deterioration and destruction of breeding sites and resting places.

Access, Parking and Road Safety

Policy AMP 2 within Planning Policy Statement 3: Access, Movement and Parking (PPS 3) relates to access to public roads. Policy AMP 2 states that planning permission will only be granted for a development proposal involving direct access, or the intensification of an existing access, onto a public road where it complies with a number of criteria.

The proposal seeks to utilise the existing access into the site, which will be altered to ensure that it complies with appropriate standards relative to the type of development. DFI Roads was consulted in regard to the proposed development and requested on a number of occasions that visibility splays are detailed and that the 'random rubble wall' is shown behind the visibility splays. Although the visibility splays were annotated as requested the random rubble wall still remains in front of the required visibility splays.

Paragraph 5.15 of Policy AMP 2 states that applicants are expected to have control over the land required to provide the requisite visibility splays and ensure that they are retained free of any obstruction. In this regard, whilst the lands are under the control of the applicant, it is considered that the stone wall will restrict visibility and will impact upon the safety and convenience of all road users.

Other Matters

Upon receipt of the application in May 2017, it was evident that there were significant issues relating to flood risk and natural heritage interests. These matters were promptly brought to the attention of the agent in June 2017 in order to afford their client the opportunity to amend the proposed development accordingly and to allow for the preparation and timely submission of additional documentation. The information requested on this occasion included a Flood Risk Assessment (and associated amendment to the layout of the proposed development), and a Biodiversity Checklist.

A further comprehensive request for additional information was issued to the agent on 11 July 2017, with a deadline for submission within two weeks, which was subsequently extended to 31 July 2017. This request reiterated the requirement for a Flood Risk Assessment (FRA), amended site layout, and a Biodiversity Checklist, and invited the submission of a Design Concept Statement, landscaping details and amended plans to address comments made by DFI Roads in relation to visibility splays.

Despite requesting this information in June, July and August, and repeating these requests in September and October, it was not until 30 October 2017 that all of the information was received, when the agent also confirmed that the layout of the proposed development would not be amended from that already submitted. As a

result of the Biodiversity Checklist, a Preliminary Ecological Appraisal was also received by Planning Section on 2 November 2017.

By this stage, the agent had been advised that failure to submit the information would result in a recommendation being made on the basis of the details currently presented.

It is considered that, in the context of continuously missed submission deadlines, the agent has been afforded ample opportunity to amend the proposal and to submit additional information required to address concerns raised throughout the processing of this application.

CONCLUSION

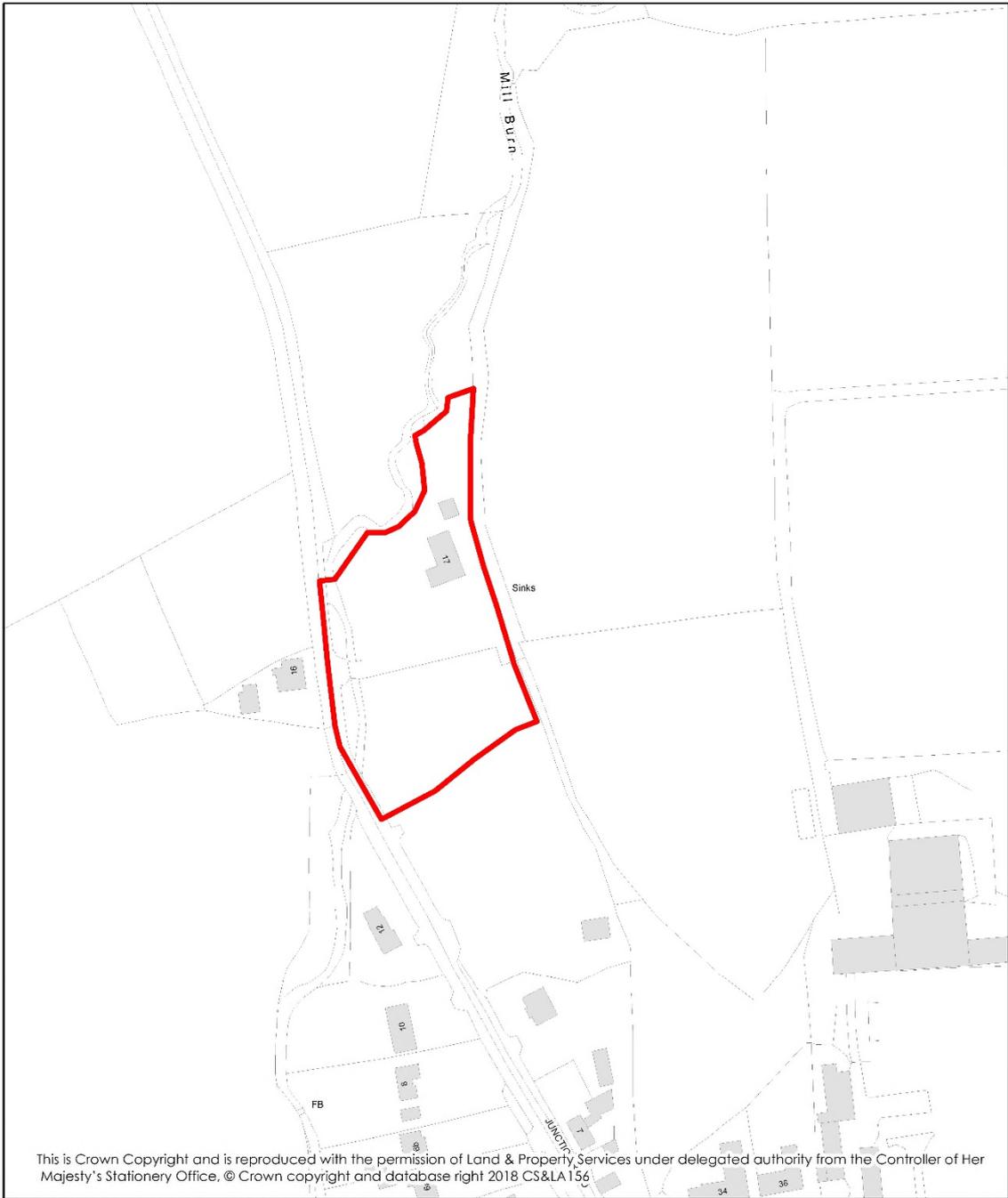
The following is a summary of the main reason(s) for the recommendation:

- Owing to its location within the flood plain, it is considered that the proposed development will result in a heightened risk of flooding, not only on the site itself, but also at other locations along the river corridor.
- In the absence of details relating to pollution prevention measures and in consideration of the potential risk for contaminated run-off, the proposed development is likely to have a significant impact upon the integrity of nearby designated sites.
- The proximity of the proposed development to the Millburn Stream will result in a detrimental impact upon Protected Species.
- The proposed development fails to incorporate required visibility splays resulting in a detrimental impact upon the safety and convenience of all road users.

RECOMMENDATION : **REFUSE PLANNING PERMISSION**

PROPOSED REASONS OF REFUSAL

1. The proposal is contrary to the provisions of the Strategic Planning Policy Statement and Policy FLD 1 of Planning Policy Statement 15 in that the proposed development would, if permitted, be located within the Q100 fluvial flood plain, and would be at risk from flooding and is likely to increase the risk of flooding elsewhere.
2. The proposal is contrary to the provisions of the Strategic Planning Policy Statement (SPPS) and Policies NH 1 and NH 2 of Planning Policy Statement 2: Natural Heritage in that the proposed development would, if permitted:
 - a) adversely affect the integrity of nearby designated sites, namely Lough Neagh and Lough Beg Special Protection Area (SPA) and RAMSAR site, and Lough Neagh Area of Special Scientific Interest (ASSI); and,
 - b) result in a detrimental impact upon Protected Species.
3. The proposal is contrary to the provisions of the Strategic Planning Policy Statement and Policy AMP 2 of Planning Policy Statement 3 (PPS 3) in that the proposed development would, if permitted, prejudice safety and convenience of all road users since visibility from the proposed access cannot be provided to an adequate standard.



Location Map

Application Reference: LA03/2017/0492/F

Housing Development of 4 No. Dwellings.

17 Junction Road, Milltown, Antrim.

 Site Boundary



For Information Only



COMMITTEE ITEM	3.6
APPLICATION NO	LA03/2017/0133/F
DEA	AIRPORT
COMMITTEE INTEREST	MAJOR DEVELOPMENT
RECOMMENDATION	GRANT PLANNING PERMISSION

PROPOSAL	3 No. Industrial Units providing floorspace for classes B1 (c) Research and Development, B2 Light Industrial, B3 General Industrial.
SITE/LOCATION	Lands west of the B101 Nutts Corner to Dundrod Road (and located immediately south of Lidl Distribution Warehouse), Dundrod Road, Nutts Corner
APPLICANT	Tamar (Selby) Ltd
AGENT	Inaltus Limited
LAST SITE VISIT	7 th November 2017
CASE OFFICER	Kieran O'Connell Tel: 028 903 Ext 40423 Email: Kieran.oconnell@antrimandnewtownabbey.gov.uk

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

SITE DESCRIPTION

The application site is located on the west side of the Dundrod Road, approximately 400 metres south of the Nutts Corner Roundabout and forms part of the former NIE Training Centre and ancillary buildings. The mix of buildings range from single storey to two storey in height. The site has a frontage of approximately 270 metres along the Dundrod Road. The NIE training Centre contained a wide range of buildings and uses including, training and teaching blocks, conference facilities, administration offices, works shops, catering facilities, testing areas and parking and storage areas.

Land within the site is generally flat but rises very gradually from the northwest to the southeast. The southwestern boundary is undefined and the northwestern boundary is defined by a chain link fence and mature Leylandii trees. The southeastern boundary is defined by an established hedge and trees and the northeast boundary is defined by a chain link fence and mature trees 6-15 metres in height.

The original use of the application site and lands to the west and south were a former airfield. Land northwest of the site beyond Dundrod Road is mainly agricultural, with a single dwelling located opposite the site at No. 10 Dundrod Road. The Lidl distribution warehouse is located immediately adjacent to and northwest of the site.

RELEVANT PLANNING HISTORY

Planning Reference: T/1974/0269

Location: Aughnamullan, Antrim.

Proposal: Nutts Corner Training Centre Phase 2 Development Administration/Dining

Decision: Permission Granted (30.09.1974)

Planning Reference: T/1975/0317
Location: Nutts Corner Training Centre, Aughnamullan
Proposal: Residential Block Phase 3
Decision: Permission Granted (09.02.1976)

Planning Reference: T/1997/0504
Location: NIE Training and Conference Centre, Nutts Corner, Crumlin
Proposal: Change of Use from residential block with training and conference centre to residential accommodation
Decision: Permission Granted (02.12.1997)

Planning Reference: T/2003/1166/O
Location: Former SX3 Training Complex, Dundrod Road, Nutts Corner
Proposal: Site of training facility for NI Fire Authority
Decision: Permission Granted (23.01.2005)

Planning Reference: T/2004/0847/F
Location: Former Training Centre, Dundrod Road, Nutts Corner, Crumlin
Proposal: Erection Of Warehouse & Distribution Unit Containing Data Processing Showroom, Storage and Ancillary Office With Associated Car Parking & Right Turn Lane
Decision: Permission Granted (06.07.2005)

Planning Reference: T/2008/0239/F
Location: Lands off the B101 Nutts Corner to Dundrod Road between the Lidl Warehouse and the CITB Training Centre
Proposal: Construction of sites for industrial development (only classes B1(c) Research and Development, B2 Light Industrial, B3 General Industrial and B4 Storage and Distribution as set out in Part B of Planning Use Classes Order (NI) 2004 (B4 use to supersede previous approval T/2004/0847/F in regard to storage and distribution)
Decision: Permission Granted (06.08.2009)

PLANNING POLICY

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

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

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

Antrim Area Plan 1984 – 2001: The Plan identifies the applications site as being within the rural area of Antrim. Paragraph 25 of the AAP highlights the policies in place for this area and discussed below under the principle of development.

Nutts Corner Antrim Policy Guidance Note (Jan1999): This guidance was never formerly adopted however, it was discussed with Antrim Borough Council at its Planning Committee Meeting on 26th January 1995. As the document was never adopted, it contains no planning policies which are material to this application site.

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

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

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

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

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

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

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

CONSULTATION

Council Environmental Health Section – No objection subject to conditions

Shared Environmental Services – No objection subject to conditions.

Defence Infrastructure Organisation LMS – No objection

NI Water – No objection

DfI Roads – No objection subject to conditions.

Historic Environment Division – No objection subject to conditions

Dfi Rivers – Rivers Section has indicated that it has reviewed the Flood Risk and Drainage Assessment (date September 2017) and agrees with its logic and has no reason to disagree with its conclusions and recommends a number of informatives.

NIEA Waste Management Land & Groundwater Team - No objection subject to conditions

NIEA Regulation Unit Land & Groundwater Team - No objection subject to conditions

NIEA Water Management Unit – No objection subject to conditions

NIEA Natural Heritage – No objection subject to conditions

Belfast International Airport – No objection

REPRESENTATION

Twenty one (21) 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:

- Flooding concerns
- Foul water drainage concerns

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Principle of Development
- Design and Impact on Character and Appearance of the Area
- Compatibility with Adjacent Land Uses
- Neighbour Amenity
- Natural and Built Heritage
- Flood Risk
- Waste
- Road Safety and Infrastructure

Principle of Development

The application site lies within the rural area of Antrim and adjacent to the Nutts Corner Roundabout. The Antrim Area Plan 1984-2001 (AAP) paragraph 25.2 identifies the Nutts Corner area as not being suitable for industrial/commercial activities since Water Service has indicated that it could only supply limited quantities of water to this area, which would be insufficient for the needs of industrial processing. Water supply has not been raised as a constraint in this case and the proposal cannot be ruled out on that basis.

The AAP at Paragraph 25.3 states that, any substantial development would add to the danger and inconvenience of traffic in the vicinity of the roundabout. It is interpreted that 'substantial development' means development that results in substantial traffic generation. Having considered DFI Roads consultation response it is considered that the development proposal will not generate substantial traffic.

Paragraph 25.4 of the AAP encourages large-scale industrial uses to locate in Antrim where there are available sites. That said the AAP does not explicitly rule them out in the Nutts Corner area and merely states a preference to be located within Antrim. The proposal falls within the description of 'industrial development', and extends to approximately 4.5Ha and has a total net floor area of approximately 5600sqm. As such the proposal falls within the major category of development as outline in The Planning (Development Management) Regulations (Northern Ireland) 2015. The development is within the Nutts Corner area adjacent to a variety of commercial, business and industrial uses, while the application site itself may also have had some commercial element to it in the past as the former NIE training centre. In addition, planning approval has previously been granted on this site under LA03/2008/0239/F for industrial development (only classes B1 (c) Research and Development, B2 Light Industrial, B3 General Industrial and B4 Storage and Distribution) as set out in Part B of Planning Use Classes Order (NI) 2004.

The Strategic Planning Policy Statement for Northern Ireland (SPPS) states that a transitional period will operate until such times as a Plan Strategy for the whole of the Council area has been adopted. The retained policies contained within Planning Policy Statement 21 (PPS21) 'Sustainable Development in the Countryside and Planning Policy Statement 4' 'Planning and Economic Development' (PPS4) are applicable in this case. There is no conflict between the provisions of the Strategic Planning Policy Statement for Northern Ireland (SPPS) and those of retained policy regarding the issues relevant in this application.

Policy CTY 1 of PPS 21 refers to a range of types of development considered acceptable in the countryside. One such development is industrial and business uses in accordance with PPS 4. This application site does not fall neatly within any of the policies contained within PPS 4. While this is a major development in the countryside (Policy PED 5) it is considered that the policies most appropriate for assessing this application against are Policy PED 4 Redevelopment of an established Economic Development Use in the Countryside due to the former use of the site as an NIE Training Centre and Policy PED 9 of General Criteria for Economic Development.

In light of the above it is considered that the principle of development is acceptable, subject to assessment of the matters below.

Design and Impact on Character and Appearance of the Area

It is considered that the redevelopment of the former NIE training site will not have an adverse impact on the character and quality of this area as the proposed scale of development is not such that it will significantly alter the character of this area. The scale and massing of the buildings are considered to be proportionate to the site and wider area particularly given the scale of the Lidl building adjacent to the site. The redevelopment of the application site will assist in bringing a largely redundant site back into use and will assist in revitalising this area.

In visual terms, Units 1 & 2 are set back from the Dundrod Road by 44m and follow the building line of the adjacent Lidl building. Unit three (3) is tucked into the rear of unit 2 and will largely be obscured by units 1&2 and by the Lidl building when travelling southeast from the Nutts Corner roundabout. While travelling north west towards the Nutts Corner roundabout the development is largely screened from the Dundrod Road by other commercial buildings (known as Nutts Corner Business Park) and

mature roadside vegetation. The retention of the existing vegetation at the roadside along with the additional planting assists with the integration of the development into this area. There are no areas of outdoor storage indicated on the drawings which could have some impact on the visual amenity of the area.

Overall it is considered that the proposed site layout, building design, associated infrastructure and landscaping arrangements are of a high quality which will not result in a significantly greater visual impact than that which is already present within this site or within the wider area.

Compatibility with Adjacent Land Uses

The application site while located within the countryside is surrounded by a variety of uses including commercial, industrial, and residential uses. Given the extent of the application site, the setback from the public road and separation distances to the adjacent land uses it is considered that the proposal is compatible with surrounding land uses and will not have a detrimental impact on them or their function.

Neighbour Amenity

With regard to the impact on adjacent residential properties, it is considered that the proposed development will not have a significant adverse impact on residential properties by way of noise and disturbance. The Council's Environmental Health Section has been consulted and has indicated no objections following the submission of a noise report outlining the impacts on nearby residential properties. The Council's Environmental Health Section has requested that a condition be imposed in relation to noise levels associated with the development and this is considered appropriate.

Natural and Built Heritage

It is considered that the proposed development will not adversely affect features of the natural or built heritage. The Historic Environment Division: Historic Monuments (HED: HM) has indicated that the application site is in close proximity to Aughnamullan bivallate rath (ANT 059:017). This is a monument of regional importance and is protected by Policy BH1 of PPS 6. The application site is also located within the extent of the former airfield of RAF Nutts Corner. This is included in the Defence Heritage Project maintained by the Department, and is protected by Policy BH2 of PPS 6.

HED: HM is content that the proposal satisfies PPS 6 policy requirements, subject to conditions for the agreement and implementation of a developer-funded programme of archaeological works. This is to identify and record any archaeological remains in advance of new construction, or to provide for their preservation in situ. It is considered that there are no archaeological concerns with the development of the site and conditions are recommended in line with HED:HM comments.

Natural Heritage

NIEA Natural Environment Division has indicated no objection to this proposal. In addition, Shared Environmental Services has considered the proposed development in light of the requirements of Regulation 43 (1) of the Conservation (Natural Habitats) Regulations (Northern Ireland) 1995 as amended and has indicated that there are no objections in relation to these matters. In light of the above consultation responses, it is considered that there are no natural heritage concerns relating to this proposal.

Flood Risk

The applicant has provided flood risk and drainage assessments with their proposal. DfI Rivers has indicated that it has reviewed the assessments and has no objections to the proposal. It is considered that there are no significant concerns regarding drainage/flooding.

Waste

It is considered that appropriate measures can be put in place to deal with any emission or effluent. NI Water has no public foul or surface water infrastructure within the vicinity of this proposed development. NI water has indicated that the proposed wastewater treatment works serving this proposed development would be private and the responsibility of the developer. The applicant has indicated that they intend to provide the wastewater treatment plant in the southwestern corner of the application site (drawing 03/2). It is therefore considered that this aspect of waste is considered to be acceptable.

While no end users have been identified for the proposed industrial units, waste from light industrial uses, should largely be restricted to refuse collections, while general industrial developments will be controlled by the Pollution Prevention Control (PPC) Regime. A PPC permit sets conditions to achieve a high level of protection for the environment. These conditions are based on 'Best Available Techniques' (BAT) which balances the costs to the operator against the benefits to the environment. PPC aims to prevent emissions and waste production and where this is not practicable, reduce them to acceptable levels. In light of the controls in place, it is considered that potential waste is not a determining concern in this instance.

Road Safety and Infrastructure

DfI Roads has been consulted on matters pertaining to road safety access and parking and has no objection to this proposal. Adequate access arrangements, parking and manoeuvring areas have been provided. It is considered that the existing road network can safely handle any extra vehicular traffic that the proposal will generate.

CONCLUSION

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

- The principle of the development is considered acceptable and is supported by the planning history of the site.
- The design layout and appearance of the proposed development is acceptable and will not have a detrimental impact on the character and appearance of this area.
- It is considered that the proposed development is compatible with adjacent land uses.
- There are no significant concerns with regard to the impact on the residential amenity of adjoining properties by way of noise and disturbance.
- There are no natural or built heritage concerns with this proposal.
- There are no flood and drainage risks associated with this development.
- There are no determining concerns regarding waste.
- There are no road safety concerns.

RECOMMENDATION :	GRANT PLANNING PERMISSION
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PROPOSED CONDITIONS

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

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

2. The existing natural screenings of the site, as indicated in green, on approved drawing ref 06/2, date stamped received 04/12/2017 shall be retained unless necessary to prevent danger to the public in which case a full explanation along with a scheme for compensatory planting shall be submitted to and agreed in writing with the Council.

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

3. The proposed planting indicated on drawing No. 06/2 date stamped 04/12/2017 shall be carried out in the first planting season following the completion of any of the Units (1-3) hereby approved.

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

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

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

5. Except as otherwise agreed in the written scheme of works, no site works of any nature or development shall take place until a programme of archaeological work has been implemented, in accordance with a written scheme and programme prepared by a qualified archaeologist, submitted by the applicant and approved by the Council. The programme should provide for the identification and evaluation of the archaeological remains within the site, for mitigation of the impacts of the development through excavation recording or by preservation of remains and for the preparation of an archaeological report.

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

6. Access shall be afforded to the site at all reasonable times to any archaeologist nominated by the Council to observe the operations and to monitor the implementation of archaeological requirements.

Reason: to monitor programmed works in order to ensure that identification, evaluation and appropriate recording of any archaeological remains, or any other specific work required by condition, or agreement is satisfactorily completed.

7. A suitable buffer of at least 10 metres must be maintained between the location of all construction works including refuelling, storage of oil/fuel, concrete mixing and washing areas, storage of machinery/material/spoil etc and the watercourse on site which is hydrologically linked to Lough Neagh Area of Special Scientific Interest, Lough Neagh and Lough Beg Special Protection Area and Lough Neagh and Lough Beg RAMSAR site.

Reason: To prevent damage through loss of habitat and pollution to designated sites.

8. The noise levels outside of any building hereby approved shall not exceed 52dB $L_{Ar, 1hr}$ daytime and 42dB $L_{Aeq, 1hr}$ night-time.

Reason: To control the noise levels from the development at noise sensitive locations.

9. There shall be no external storage of goods and materials associated with any part of this development.

Reason: In the interest of visual and residential amenity.

10. Details of the proposed Waste Water Treatment Plant shall be submitted to and agreed in writing with the Council prior to any unit hereby approved becoming operational.

Reason: To ensure the provision of adequate sewerage treatment infrastructure to serve the proposed development and in the interests of public health

11. In the event that any previously unidentified contamination is encountered during redevelopment works, which had not been previously identified, works should cease and the Planning Authority notified immediately. Any new contamination should be fully investigated in accordance with the Model Procedures for the Management of Land Contamination (CLR11). In the event of unacceptable risks being identified, a remediation strategy should be presented to the Council in writing for approval and subsequently implemented and verified to its satisfaction.

Reasons: To ensure that the development is suitable for use and that all risks to human health and environmental receptors are managed and to mitigate against the environmental effects of the proposal.

12. After completing the remediation works under Condition 9; and prior to occupation of the development, a verification report needs to be submitted in writing and agreed with Council. This report should be completed by competent persons in accordance with the Model Procedures for the Management of Land Contamination (CLR11).

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

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

13. The vehicular access, including visibility splays and any forward sight distance, shall be provided in accordance with Drawing No. 08 bearing the date stamp 22nd November 2017, prior to the commencement of any other development hereby permitted. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250mm above the level of the adjoining carriageway and such splays shall be retained and kept clear thereafter.

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

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

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

15. The Council hereby determines that the width, position and arrangement of the streets, and the land to be regarded as being comprised in the streets, shall be as indicated on Drawing No. 08 bearing the date stamp 22nd November 2017.

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

16. No other development hereby permitted shall be commenced until the works necessary for the improvement of a public road have been completed in accordance with the details outlined blue on Drawing Number 08 bearing the date stamp 22 November 2017.

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

17. No unit shall become operational until hard surfaced areas have been constructed and permanently marked in accordance with the approved drawing No 08 bearing date stamp 22nd November 2017 to provide adequate facilities for parking, servicing and circulating within the site. No part of these hard surfaced areas shall be used for any purpose at any time other than for the parking and movement of vehicles.

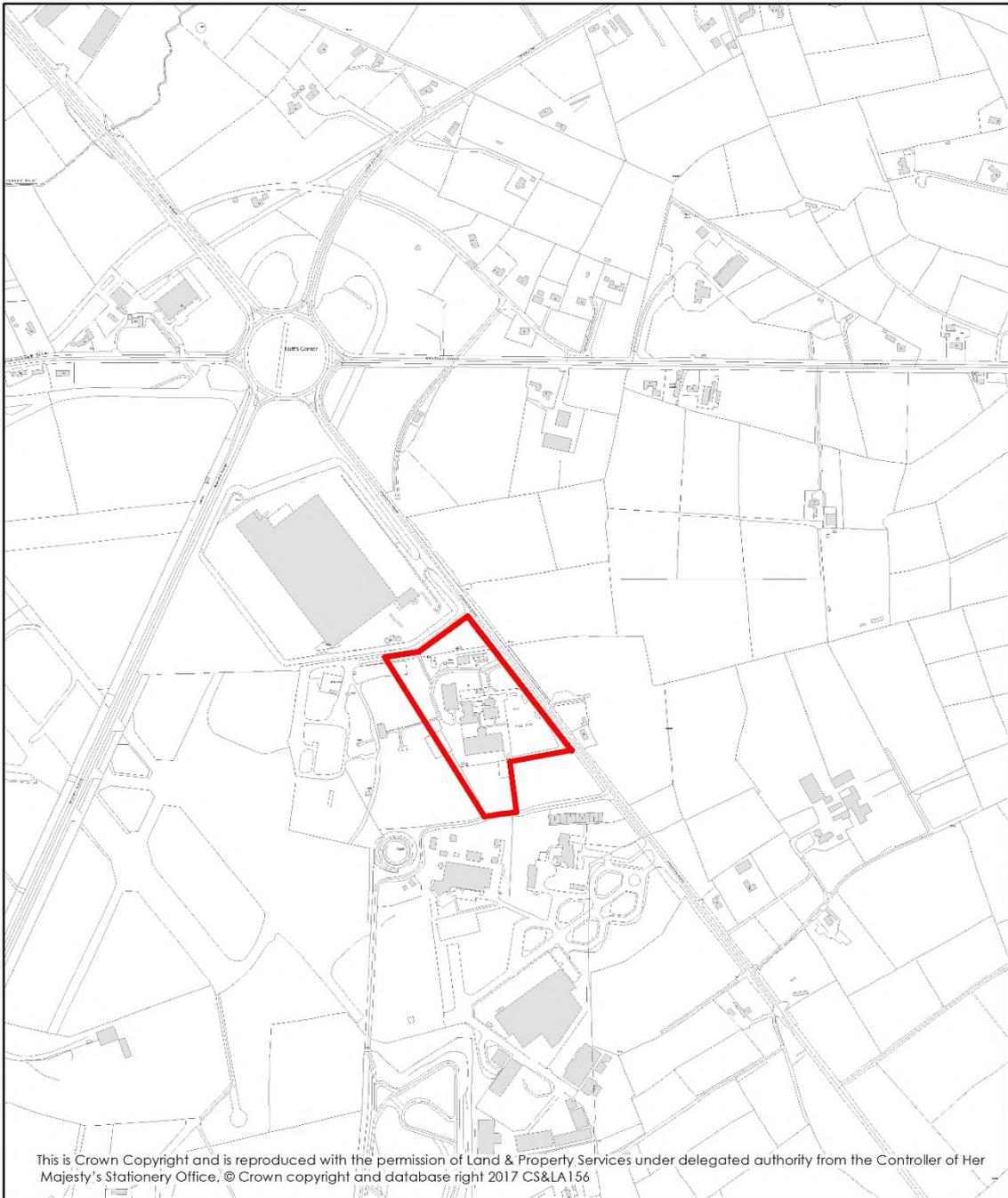
Reason: To ensure that adequate provision has been made for parking, servicing and traffic circulation within the site.

18. No other development hereby permitted shall be commenced until the road works indicated on Drawing No 08 bearing the date stamp 22 November 2017 have been fully completed in accordance with the approved plans.

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

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

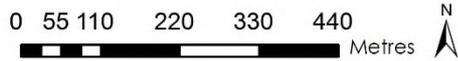
Reason: To facilitate the convenient movement of all road users and the orderly progress of work in the interests of road safety.



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Location Map

Application Reference: LA03/2017/0133/F



3no. Industrial Units on lands west of the B101 Nutts Corner to Dundrod Road (and located immediately south of Lidl Distribution Warehouse), Dundrod Road, Nutts Corner

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 Site Boundary



COMMITTEE ITEM	3.7 ADDENDUM REPORT
APPLICATION NO	LA03/2015/0249/F
DEA	AIRPORT
COMMITTEE INTEREST	ADDENDUM TO COMMITTEE REPORT
RECOMMENDATION	GRANT PLANNING PERMISSION

PROPOSAL	Erection of 23 wheelchair accessible complex needs bungalows, staff accommodation and ancillary office, communal unit, landscaping, car parking, associated site works and access arrangements from Abbey Road, Muckamore
SITE/LOCATION	Lands immediately north of 16 Abbey Road and west of 8 Abbey Gardens, Muckamore, Antrim
APPLICANT	Triangle Housing Association Ltd
AGENT	Turley
LAST SITE VISIT	6 th October 2017
CASE OFFICER	Barry Diamond Tel: 028 903 40407 Email: barry.diamond@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

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

This planning application was previously presented to the Planning Committee on the 19th September 2016 and 23rd January 2017. On both occasions the application was deferred to allow the applicant further time to make further changes to the proposed development.

The applicant has since amended the proposal in line with the guidance provided by officers. The housing layout has been altered to ensure that the corner units do not look into the gable walls of other residential units or their respective rear amenity spaces. A suitable means of access and adequate parking has been provided along with a landscaping plan. DfI Roads were consulted with the amended layout and have raised no issues with the proposed layout and have agreed to adopt the estate road should planning permission be granted. The paladin fencing to the rear of each individual unit and the pathway which encircles the development remains. The applicant maintains that the pathway provides a calming atmosphere for the residents and is a necessary part of their treatment and care. The paladin fence to the rear of the units allows residents to have a calming view of the countryside from within their back garden areas. These elements may not normally be acceptable for private housing developments due to the impact on the privacy of the units, however, it is considered that given that the proposal is for a residential care facility and given the complex needs of the residents of this facility that it would be considered acceptable in this instance.

Objections to the proposed development have been raised by a professor based in the Ulster University who specialises in development disabilities. The objections express concerns that the proposed development does not offer a good quality of life for people with disabilities. It is not a matter for the Council to arbitrate on whether the accommodation is suitable for people with disabilities, rather it must decide on whether the layout of the accommodation provides a quality residential environment.

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

A lack of proper consultation about local residents raised some concern amongst some objectors. The Council has carried out its statutory advertising and neighbourhood notification requirements and has re-notified residents of any changes to the application during its processing. There is little information on the level of local consultation carried out by the developer and while the Council would encourage early and meaningful engagement between residents and the developers, the Council has no powers to insist upon it.

One objector raised concerns with the medical and mental health of the future residents. While the Council can give special consideration to the need for such a facility at this particular location, the Council cannot seek to impose a moral standard on which persons it considers should receive treatment and which should not, that is a matter for the Health Trust. Special controls and safeguard where applicable may need to be taken by the developer or managing agent of the facility to ensure the protection of patients/clients and the protection of existing residents in the area.

The use of the site by Irish Hare was also raised and a survey was carried out by the applicant to assess the potential for various flora and fauna on the site. While the use of the land for Irish Hare was not of particular concern, it was discovered that the proposed development could affect a badger sett and foraging bats. Consultation with DAERA – Natural Heritage was carried out and they proposed conditions to protect the badger site during construction and the preparation of a lighting plan to mitigate any impact on foraging bats prior to any development commencing.

The principle of development in this case was previously considered acceptable due to the need for this facility which was being constructed in close proximity to the Muckamore Hospital site. As a private residential housing development of this scale would not normally be allowed in the countryside it is considered appropriate to impose a condition to restrict the occupancy of the units to a residential care facility.

The layout of the development indicates a proposed paladin fence beyond the red line of the application site. As this fence lies outside the application site, it lies outside the scope and consideration of this application and does not form part of the decision making process. An informative should be attached to the grant of any planning permission to advise the developer that the proposed fence lies outside this application and may require separate consent.

Given the amended layout to the scheme, the additional information to justify the proposed pathway and paladin fencing to the rear boundary of the dwellings, the new information regarding the impact on protected species, it is considered that the proposal would warrant approval.

CONCLUSION

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

- The principle of development is acceptable.
- The layout of the proposed development is considered acceptable.
- The proposal will not cause any road safety concerns.
- There is no significant impact on protected species.

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 Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992.

The Council hereby determines that the width, position and arrangement of the streets, and the land to be regarded as being comprised in the streets, shall be as indicated on Drawing number 11/2 bearing the date stamp 11 MAY 2017.

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

3. The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992

No other development hereby permitted shall be occupied until the works necessary for the improvement of a public road have been completed in accordance with the details outlined blue on Drawing number 11/2 bearing the date stamp 11 MAY 2017. The Council hereby attaches to the determination a requirement under Article 3(4A) of the Private Streets (Northern Ireland) Order 1980 that such works shall be carried out in accordance with an agreement under Article 3 (4C).

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

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

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

5. The development hereby approved shall be operated and occupied solely as a residential care facility as defined in Class 3 (a) & (b).

Reason: The development is within the rural area where housing development is restricted to those developments which demonstrate a need to be in the countryside.

6. No development activity shall commence on site until a protection zone, clearly marked with posts joined with hazard warning tape, has been provided around each badger sett entrance at a radius of 25 metres (as shown on figure 2 of Document 8 date stamped 21 November 2017). No works, vegetation clearance, disturbance by machinery, dumping or storage of materials shall take place within that/those protection zone(s) without the written agreement of the Council. The protection zone(s) shall be retained and maintained until all construction activity has been completed on site.

Reason: To protect badgers and their setts on the site.

7. There shall be no works carried out within the badger protection zone prior to the granting of a Wildlife Licence.

Reason: To minimise the impact of the proposal on badgers.

8. No development activity shall commence until a Lighting Plan has been submitted to and approved in writing by the Council. The Lighting Plan shall be implemented in accordance with the approved details, unless otherwise agreed in writing by the Council. The Plan shall include the following:
 - a) Specifications of lighting to be used across the site.
 - b) All measures to mitigate for the impacts of artificial lighting on bats and other wildlife, including low lighting levels to be used across the site.
 - c) A map showing predicted light spillage across the site (isolux drawing).
 - d) Badger protection areas, wildlife corridors and retained hedgerows to be kept free from any artificial lighting.

Reason: To protect badgers and their setts on the site.

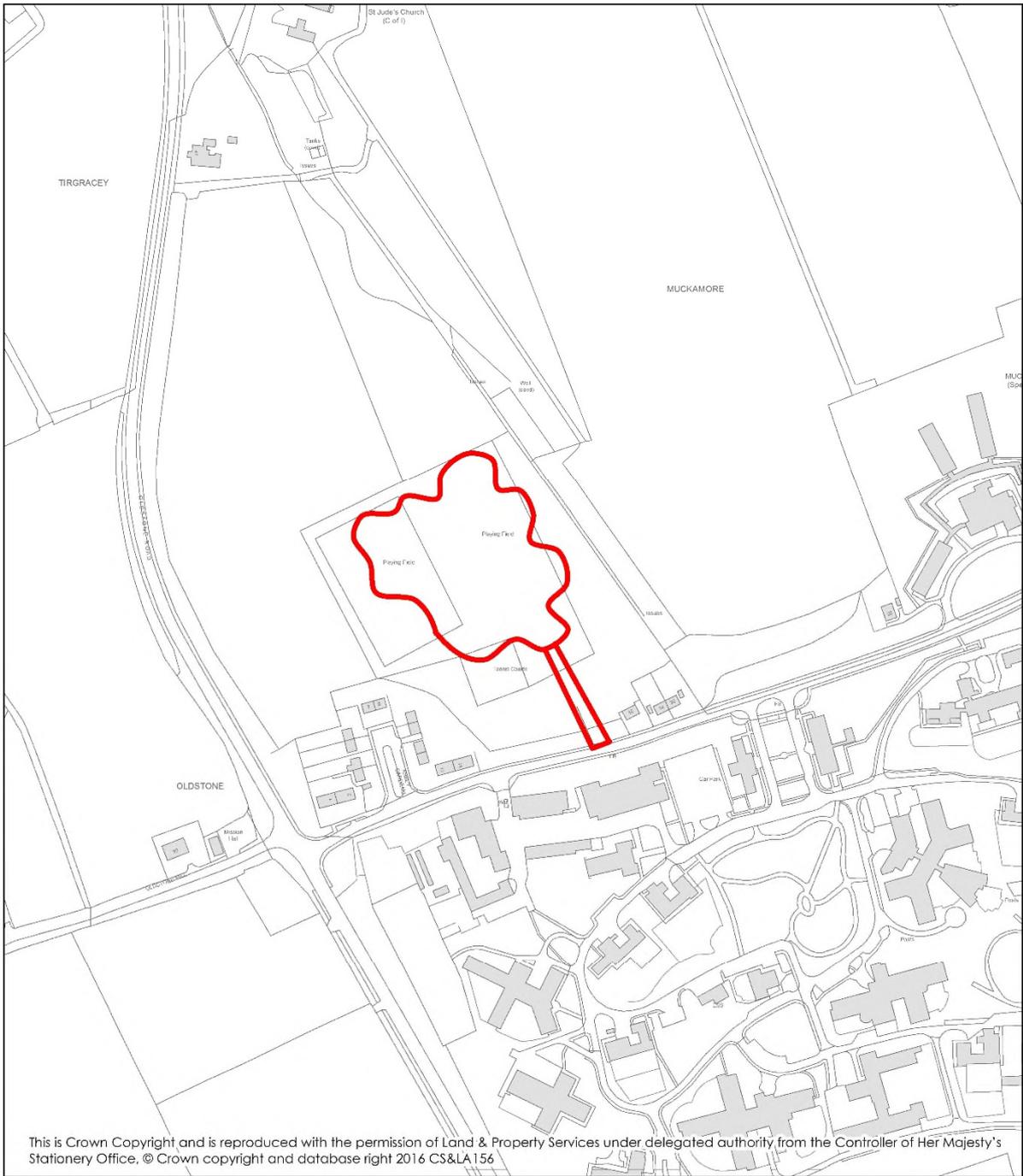
9. All soft and hard landscaping incorporated in the stamped approved landscape plan, Drawing No. 08/2 date stamped 30th October 2017, shall be completed in accordance with these plans and the appropriate British Standard or other recognised Codes of Practice in the first available planting season following

commencement of the development or before occupation of the first residential unit in the development, whichever is the later. The open space and amenity areas shall be managed and maintained by the developer.

Reason: To ensure the provision of a high standard of landscape and adequate amenity space, consistent with Planning Policy Statement 7 'Quality Residential Environments'.

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

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



Location Map

Application Reference: LA03/2015/0249/F

Erection of 23 wheelchair accessible complex needs bungalows on lands north of 16 Abbey Road and west of 8 Abbey Gardens, Muckamore

 **Site Boundary**



For Information Only



COMMITTEE ITEM	3.8
APPLICATION NO	LA03/2017/0855/F
DEA	AIRPORT
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE PLANNING PERMISSION

PROPOSAL	Proposed development of 2 detached dwellings and detached garages with associated landscaping, site works and access in accordance with PPS21 CTY8.
SITE/LOCATION	Lands between 9 & 15 Crosshill Road, Crumlin, BT29 4BQ
APPLICANT	Mrs G. Hagan
AGENT	AH Architect Ltd.
LAST SITE VISIT	03/11/2017
CASE OFFICER	Dominic McLaughlin Tel: 028 903 40214 Email: dominic.mclaughlin@antrimandnewtownabbey.gov.uk

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

SITE DESCRIPTION

The application site is located in the countryside outside the development limits of any settlement designated in the Antrim Area Plan 1984 – 2001. The site comprises an agricultural field located on lands between Nos. 9 and 15 Crosshill Road, which is to the northeast of the village of Crumlin.

The northern boundary of the application site, which abuts No. 15 Crosshill Road, includes a 3m wall, a 2m wooden fence, and a farm building associated with this property. The southern boundary, which abuts No. 9 Crosshill Road, consists of a 4m high mature hedge. The eastern boundary is defined by a 2m mature hedge with some semi-mature trees and the western or roadside boundary is defined by a 2m high mature hedge. The site slopes slightly in a northerly direction and is on a similar ground level to the public road to the east. There is an existing farm access to the northwest corner. The surrounding area is characterised by agricultural fields and rural dwellings.

RELEVANT PLANNING HISTORY

No relevant planning history.

PLANNING POLICY

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

Until the Council adopts its new Local Development Plan, most planning applications will continue to be assessed against the provisions of the extant adopted Development Plans for the Borough, which in this case is the Antrim Area Plan 1984 -

2001. Account will also be taken of the relevant provisions of Planning Policy Statements (PPSs) which contain the main operational planning policies for the consideration of development proposals.

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

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

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

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

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

CONSULTATION

Council Environmental Health Section - No objection.

NI Water - No objection

DfI Roads - Amended plans requested to show additional details including, full visibility splays for both accesses of 2.4 x 100m.

NIEA - No objection.

Belfast International Airport (BIA) - BIA objects to this application as the proposed structures lie within the airport's Inner Horizontal Surface and would exceed the maximum allowable height.

REPRESENTATION

Five (5) neighbouring properties notified and no letters of objection have been received.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

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

Principle of Development

Policy CTY1 of PPS21 sets out a range of types of development that in principle are considered to be acceptable in the countryside, including the development of a small gap site in accordance with Policy CTY8. Under this policy, an exception will be permitted for the development of a small gap site within an otherwise substantial and continuously built up frontage, provided this respects the existing development pattern along the frontage in terms of size, scale, siting, and plot size and meets other planning and environmental considerations.

Policy CTY8 describes a substantial and built up frontage to include a line of three (3) or more buildings along a road frontage, without accompanying development to the rear. In this case, the agent has indicated that the application site is a gap site between Nos. 9 and 15 Crosshill Road and that the substantial and built up frontage is provided by these two dwellings plus the outbuildings associated with No. 15 Crosshill Road. It is accepted that these buildings constitute development with frontages onto the road. Given the development to the north and south of the site, it is also accepted that the application site forms a gap in the frontage along this road, however, this is not the only factor to be considered.

It must be considered whether the space between the farm buildings to the north and the dwelling at No. 9 to the south constitutes a small gap in accordance with policy which could feasibly accommodate up to two dwellings while still respecting the existing development pattern. The application site encompasses a gap that is approximately 110m in extent between the existing buildings. It is considered that the overall gap could be readily subdivided into three plots while still respecting the plot size evident in the area. It is therefore considered that the application site does not comprise a small gap site within an otherwise substantial and continuously built up frontage. As such it is considered that the proposal does not meet the exception test set out in Policy CTY 8 and that the area between the existing buildings forms an important visual break in the countryside that should be retained.

Design and Appearance

Policy CTY 13 of PPS 21 states that planning permission may be granted for a building in the countryside where it can be visually integrated into the surrounding landscape and is of an appropriate design. Criterion 'a' of the policy indicates that a new building will be unacceptable if it is a prominent feature in the landscape.

Critical views of the site when approaching from the south are limited somewhat by the existing vegetation along the boundary with No. 9 Crosshill Road. On approach from the north, views are obscured to an extent by the outbuildings associated with No. 15. The natural boundary to the front of the application site consists of a 2m mature hedge however, the length of the site along with its close proximity to the public road means that views of the proposed dwellings will be available when travelling in both directions. Given that the proposed dwellings are sited approximately 20m back from the public road, aligned with the existing building line, it is considered that the proposed single storey dwellings would integrate on the site.

Neighbour Amenity

Given the position of the proposed dwellings, the location of neighbouring properties and the separation distance it is considered that the dwellings could be located on the site without any adverse impact arising on the privacy or amenity of any neighbouring properties.

Impact on Character and Appearance of the Area

Policy CTY14 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 an area. Criterion 'd' of the policy indicates that a new building will be unacceptable where it creates or adds to a ribbon of development.

The proposed development will result in two additional dwellings along this road frontage and will result in the creation of a linear form of development, which would create a ribbon of development along the road contrary to criterion 'd' of Policy. The application site provides a visual break in the developed appearance of the locality and the infilling of this gap will be detrimental to the rural character of the area due to the cumulative effect with the existing buildings and is significant in ensuring that the rural character of the area is not further eroded. If approved the dwellings would result in a suburban style build-up of development in the area and therefore be contrary to criterion 'b' of Policy CTY 14.

Other Matters

Belfast International Airport (BIA) has objected to the application under aviation safety. The proposed development lies within the 'Inner Horizontal surface' of the airport and the consultee has indicated that the maximum allowable height at this location is 107.78m AOD (above ordnance datum). Based on the ground level at this location (104.00m) BIA has worked out that the maximum allowable height of a structure at this location before it protrudes into the Inner Horizontal surface would be 3.78m which would be too restrictive to accommodate a modern dwelling.

DfI Roads have requested amended plans but these have not been requested from the applicant because the principle of development is considered to be unacceptable.

CONCLUSION

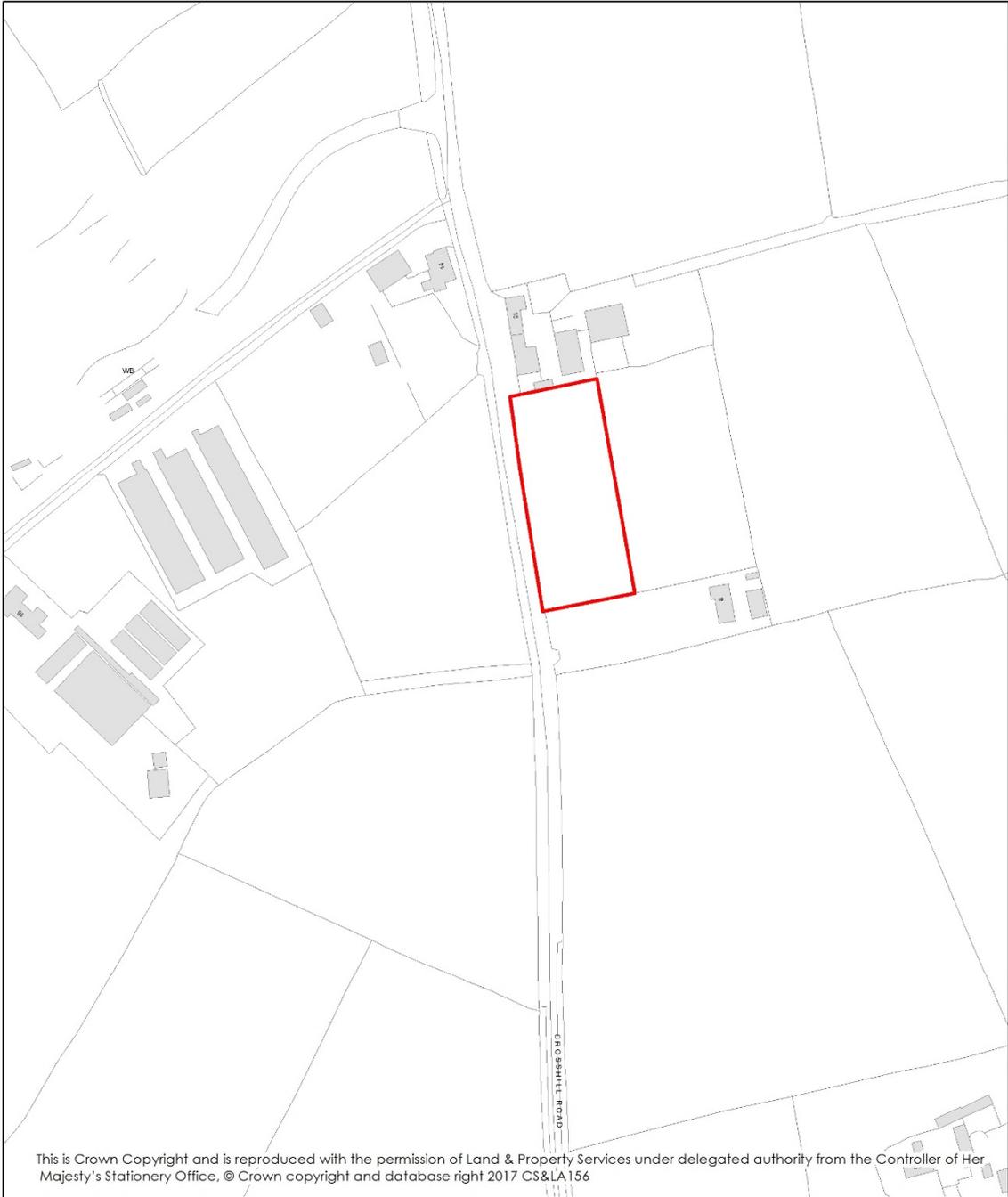
The following is a summary of the main reasons for the recommendation:

- The principle of the development is unacceptable as the proposal is not considered to constitute a gap site under Policy CTY8 of PPS21 and otherwise fails to meet any of the forms of development deemed acceptable under Policy CTY1 of PPS21.
- The design and appearance of the proposed dwellings on the site could be integrated into the landscape.
- The proposal fails to meet with Policy CTY14, as it will cause a detrimental change to, and further erode the rural character of the area due to a build-up of development.
- The proposed development would prejudice aviation safety at Belfast International Airport by protruding into the 'Inner Horizontal surface' of the airport.
- There is insufficient details to fully assess the impact on road safety.

RECOMMENDATION :	REFUSE PLANNING PERMISSION
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PROPOSED REASONS OF REFUSAL

1. The proposal is contrary to the provisions of 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 not be located within a settlement.
2. The proposal is contrary to the provisions of the Strategic Planning Policy Statement and Policy CTY8 of Planning Policy Statement 21, in that it;
(a) fails to meet the provisions for an infill dwelling as the application site does not comprise a small gap within a substantial and continuously built up frontage; and
(b) would result in the loss of an important visual break in the developed appearance of the locality.
3. The proposal is contrary to the provisions of the Strategic Planning Policy Statement and Policy CTY14 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the buildings would, if permitted, create a ribbon of development resulting in a suburban style of build-up, thereby resulting in a detrimental change to and further eroding the rural character of the area.
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.
5. The proposed development would prejudice aviation safety at Belfast International Airport by protruding into the 'Inner Horizontal surface' of the airport.



Location Map

Application Reference: LA03/2017/0855/F

2 no. detached dwellings

Lands between 9 and 15 Crosshill Road, Crumlin

Scale 1:2500 

 Site Boundary



COMMITTEE ITEM	3.9
APPLICATION NO	LA03/2017/0962/A
DEA	DUNSILLY
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE ADVERTISEMENT CONSENT

PROPOSAL	6 No. Banner Signs fixed to timber frames and set on existing grass level.
SITE/LOCATION	Chimney Corner Football Club, 51 Castle Road, Antrim, T41 4NA
APPLICANT	Chimney Corner Football Club
AGENT	N/A
LAST SITE VISIT	29.11.17
CASE OFFICER	Orla Burns Tel: 028 903 40408 Email: orla.burns@antrimandnewtownabbey.gov.uk

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

SITE DESCRIPTION

The application site is located within the countryside area and outside the development limits of Antrim as defined in the Antrim Area Plan 1984-2001.

The site comprises part of the Chimney Corner Football Club grounds. The eastern section of the northern boundary and the eastern and western boundaries are defined by mature hedging and trees whilst the southern boundary that abuts the Castle Road is physically undefined. The Shanes Castle estate, which is a registered Historic Park, Gardens and Demesne, is located to the south of the application site.

The locality is predominately rural in character with dispersed residential dwellings located along the Castle Road. The lands to the north and east of the site are primarily recreational with the Allen Park Golf Club, Antrim Hockey and a number of playing fields located here.

RELEVANT PLANNING HISTORY

Planning Reference: T/2006/0546/F
Location: Castle Road
Proposal: Proposed 2 No. 48 sheet freestanding advertising hoardings
Decision: Permission refused 15.09.2006

PLANNING POLICY

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

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

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

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

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

PPS17: Control of Outdoor Advertisements: sets out planning policy and guidance for the control of outdoor advertisements.

CONSULTATION

DfI Roads (formerly Transport NI) – No objections

REPRESENTATION

No neighbours were notified as the application is for advertisement consent and no neighbourhood notification or advertisement is required. No letters of representation have been received.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

The site is located in the countryside area outside the developments limits of Antrim. The application seeks advertisement consent for 6 signs along the Castle Road to the front of the Chimney Corner Football club grounds.

PPS17 encourages the provision of well-designed advertising which respects the location where it is displayed and which contributes to a quality environment. There is a particular need to protect the unique qualities and amenity of the countryside and important townscape features. PPS 17 advises that all advertisements should be assessed having regard to their impact on public safety and the visual amenity of the area.

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

- Impact on Character and Appearance of the Area
- Public Safety

Impact on Character and Appearance of the Area

Policy AD 1 of PPS17 states that consent will be given for the display of an advertisement where it respects amenity, when assessed in the context of the general characteristics of the locality. PPS 17 goes on to state that a large number of advertisements along a road can create clutter and be disruptive to the appearance and character of an area.

When preparing designs for new signage or advertisements, the opportunity should be taken to rationalise the number of signs in an area. There are already a small number of signs in the area which relate to the activity on the site such as announcement signs for Chimney Corner Football Club and Allen Park as well as some directional signage. The proposed signs do not relate to any business being carried on at the site, rather they are sponsorship signs relating to businesses which sponsor the Chimney Corner Football Club.

The proposed signs are located at a highly visible roadside location and the introduction of six banner signs displayed along the Castle Road would have a detrimental visual impact and create a clutter of advertising in this rural area. It is considered that the proliferation of commercial advertising signs at this rural location would be out of character with the area, contrary to Policy AD 1 of PPS 17.

Public Safety

The signage proposed along the roadside is to advertise local businesses in the area which sponsor the football club. Drivers are faced with a number of varied and competing distractions during any normal journey, including advertising hoardings, which are deliberately designed to attract attention. At all times drivers are required to take reasonable care to ensure their own and others' safety. This road does attract quite a lot of traffic from Antrim towards the M2 Motorway, however DfI Roads have no objections relating to public safety.

CONCLUSION

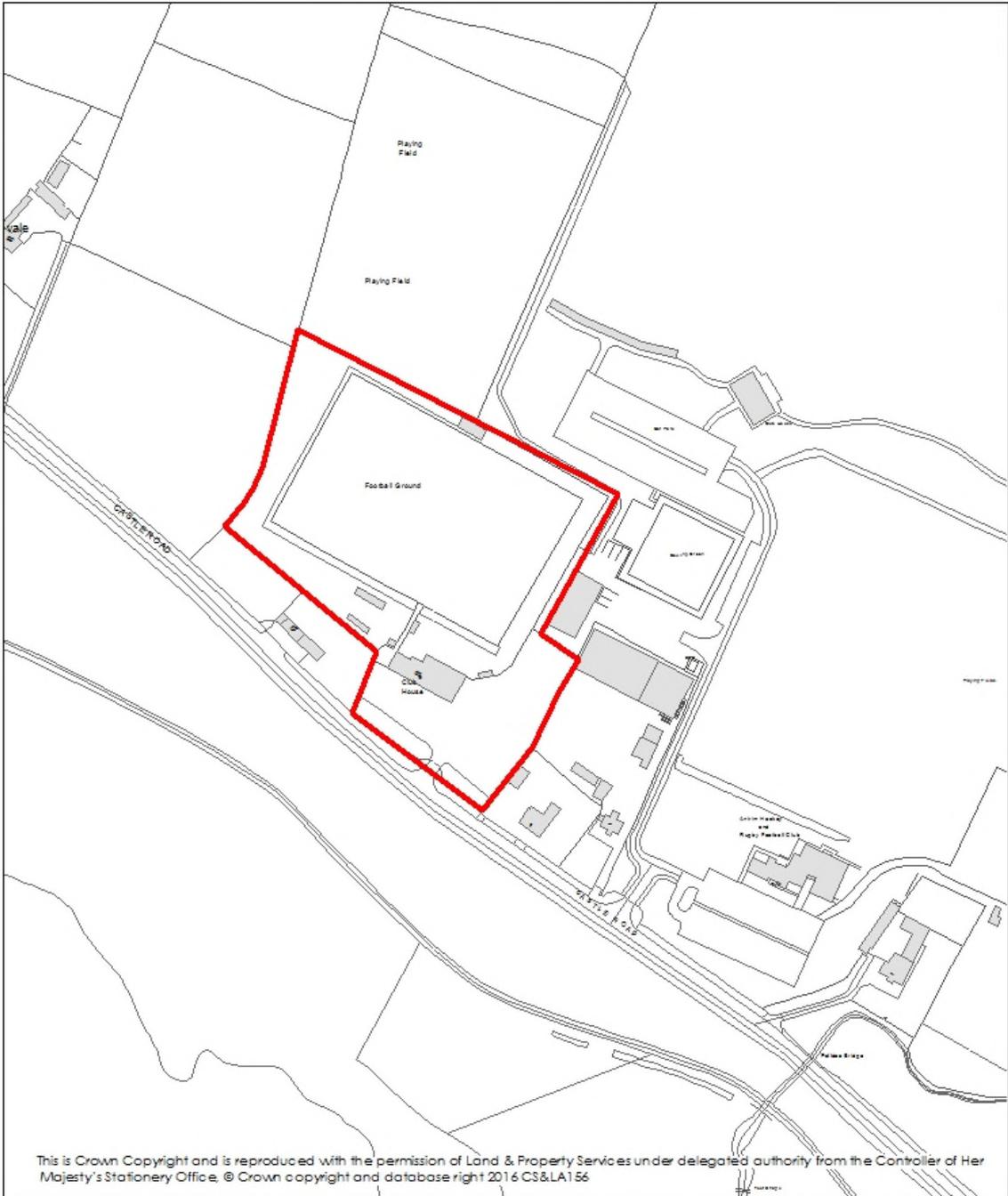
The following is a summary of the main reasons for the recommendation:

- The proposal will negatively impact the visual amenity and appearance of the area.
- No objection have been raised by DfI Roads in relation to public safety

RECOMMENDATION : REFUSE ADVERTISING CONSENT

PROPOSED REASON OF REFUSAL

1. The proposal is contrary to the provisions of the Strategic Planning Policy Statement and Policy AD1 of Planning Policy Statement 17: Control of Outdoor Advertisements, in that the proposed signage would result in an unacceptable detrimental impact on visual amenity on the area.



Location Map

Application Reference: LA03/2017/0962/A

Chimney Corner Football Club,
51 Castle Road,
Antrim, T4A 4NA

 Site Boundary



For Information Only



COMMITTEE ITEM	3.10
APPLICATION NO	LA03/2017/0429/A
DEA	ANTRIM
COMMITTEE INTEREST	COUNCIL INTEREST
RECOMMENDATION	GRANT ADVERTISEMENT CONSENT

PROPOSAL	Installation of 8 No. 6000mm wide x 1500mm high signage panels along boundary walls of the PSNI station.
SITE/LOCATION	Police Service of Northern Ireland Station, 24 Castle Way, Antrim
APPLICANT	Antrim And Newtownabbey Borough Council
AGENT	Karen Uprichard
LAST SITE VISIT	29/11/2017
CASE OFFICER	Kieran.oconnell@antrimandnewtownabbey.gov.uk Tel: 028 9034 0423 Email: Kieran.oconnell@antrimandnewtownabbey.gov.uk

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

SITE DESCRIPTION

The application site is located at the PSNI Station at 24 Castle Way in Antrim town. The proposed signage is to be located on the perimeter walls surrounding the police station extending from Castle Way to the Dublin Road.

This is largely a mixed use area with the Castle Mall located to the south and the fire station, restaurant, takeaway and bookmakers located to the north. Antrim Castle Gardens is located to the west of the application site.

RELEVANT PLANNING HISTORY

No relevant planning history

PLANNING POLICY

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

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

The Strategic Planning Policy Statement for Northern Ireland (SPPS) published in September 2015 confirms that until such time as a Plan Strategy for the whole of the

Council Area has been adopted the Council should continue to apply existing policy and guidance contained in retained PPSs and other relevant documents together with the provisions of the SPPS itself.

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

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

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 17: Control of Outdoor Advertisements: sets out planning policy and guidance for the control of outdoor advertisements.

CONSULTATION

DfI Roads (formerly Transport NI) - No Objection.

REPRESENTATION

No neighbours were notified as the application is for advertisement consent and no neighbourhood notification or advertisement is required. No letters of representation have been received.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Principle of Development
- Design and Appearance
- Neighbour Amenity

Principle of Development

There is no specific policy in the Antrim Area Plan that is material to this application. Planning Policy Statement 17 'Control of Outdoor Advertisements' (PPS 17) is a material consideration in this application. The application site is located in the designated Central Area of Antrim town, which is dominated by commercial developments. The application site comprises the Antrim PSNI station which is in proximity to the town centre.

It is considered that the security walls upon which the signage is proposed to be displayed are of sufficient size to absorb the impact of some signage. There are however a total of eight signs proposed and due to the close proximity to the Antrim Conservation Area which bounds the site there is a strong potential for the signage to have a detrimental impact on the amenity of the surrounding area. The proposed signage is to depict a variety of Council assets such as the Barbican Gate, Antrim Castle Gardens and a piece of community art work. It is considered that the proposed signage will make a positive contribution for citizens and tourism within the Borough. This positive impact therefore needs to be weighed against any possible negative impacts the signage may have on the visual amenity of the area.

It is considered that on balance that the signage would be acceptable, however, its positive contribution to the area versus its potential adverse impact may need to be reviewed. It is proposed to impose a temporary consent limited to two years which will afford Members the opportunity to revisit the impact of the proposed signage at this location and upon the setting of the Antrim Conservation Area.

Amenity

Policy AD 1 of PPS 17 states that ‘consent will be given for the display of an advertisement where (i) it respects amenity when assessed in the context of the general characteristics of the locality.’ In terms of the proposed sign, they are located along the security wall of the Antrim police station which is already of a significant scale and has the capacity to absorb some level of signage. It is considered that the proposed signage will make a positive contribution to tourism within the Borough. In addition, the number, size and scale of the proposed signage will not have a demonstrable impact on the amenity of residential properties in this area or the adjacent business premises as previously discussed.

Design and Appearance

The design and materials of the signage are considered acceptable. In addition it is considered that the size, scale, and siting of the signage is proportionate to the scale of the walls upon which they are proposed to be displayed. The proposed signage is to depict a variety of Council assets such as the Barbican Gate, Antrim Castle Gardens and a piece of community art work.

Public Safety

It is considered that there are no significant public safety concerns with the proposed advertisement. DfI Roads (formerly Transport NI) has no objection to the proposal from a road safety point of view.

CONCLUSION

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

- The principle of signage is considered acceptable for a temporary period.
- There is no significant impact on neighbour amenity or adjacent businesses.
- The design of the signage is considered acceptable.
- There are no public safety concerns.

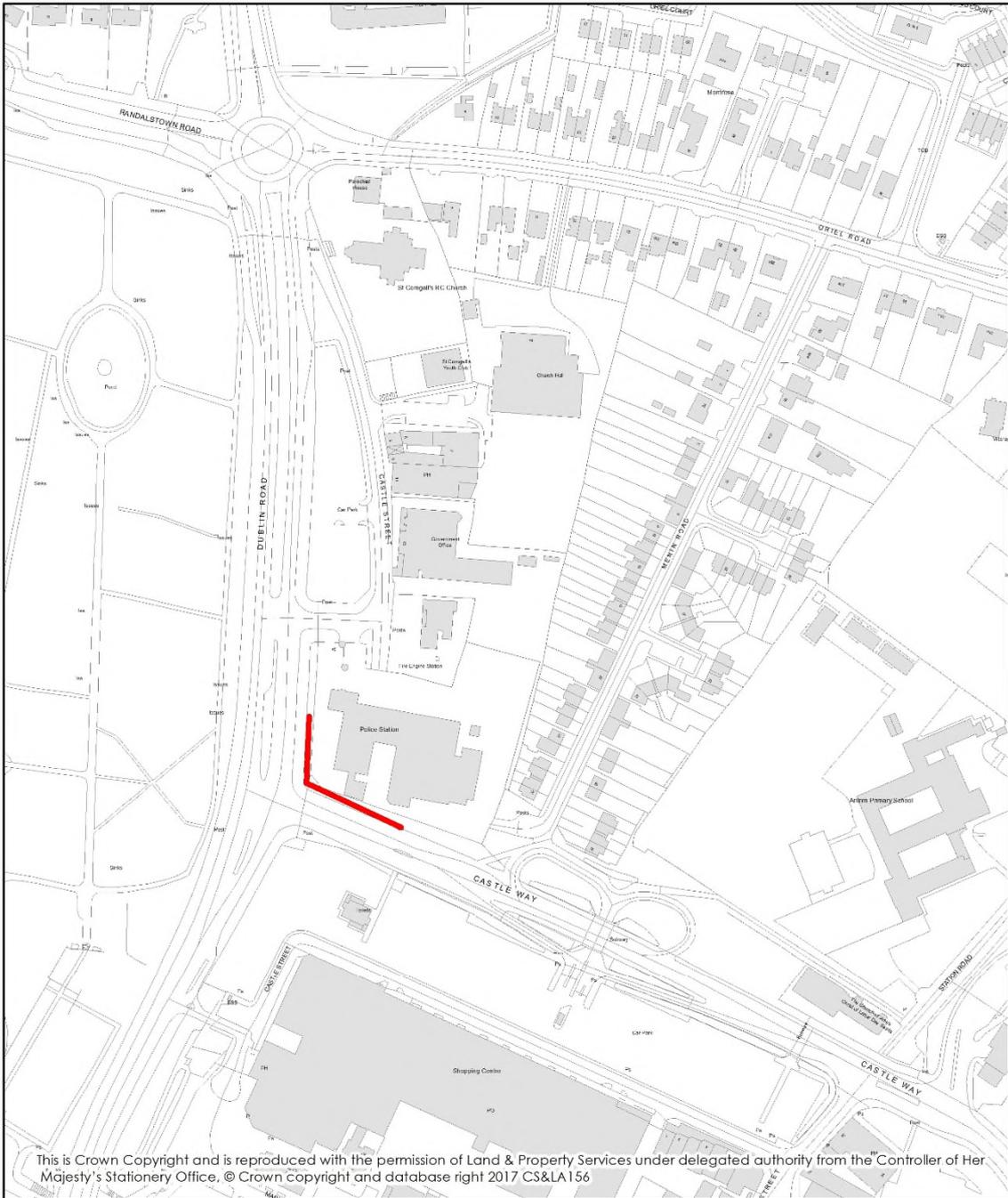
RECOMENDATION

GRANT ADVERTISEMENT CONSENT

PROPOSED CONDITION

1. The signage hereby permitted shall be removed and the site restored to its former condition on or before 31 January 2020.

Reason: To enable the Council to assess the impact the signage may have on the character and amenity of the area in the long term.



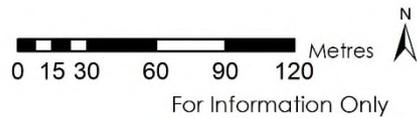
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Location Map

Application Reference: LA03/2017/0429/A

Erection of signage on Police
Service of Northern Ireland Station

 Site Boundary



**PART 2 FORWARD PLANNING MATTERS - LOCAL DEVELOPMENT
PLAN, PLANNING POLICY AND CONSERVATION**

OTHER PLANNING MATTERS

ITEM 3.11

P/PLAN/1 DELEGATED PLANNING DECISIONS AND APPEALS

A list of planning decisions issued by Officers during December 2017 under delegated powers is **enclosed** for Members attention together with information received this month on planning appeals.

RECOMMENDATION: that the report be noted.

ITEM 3.12

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

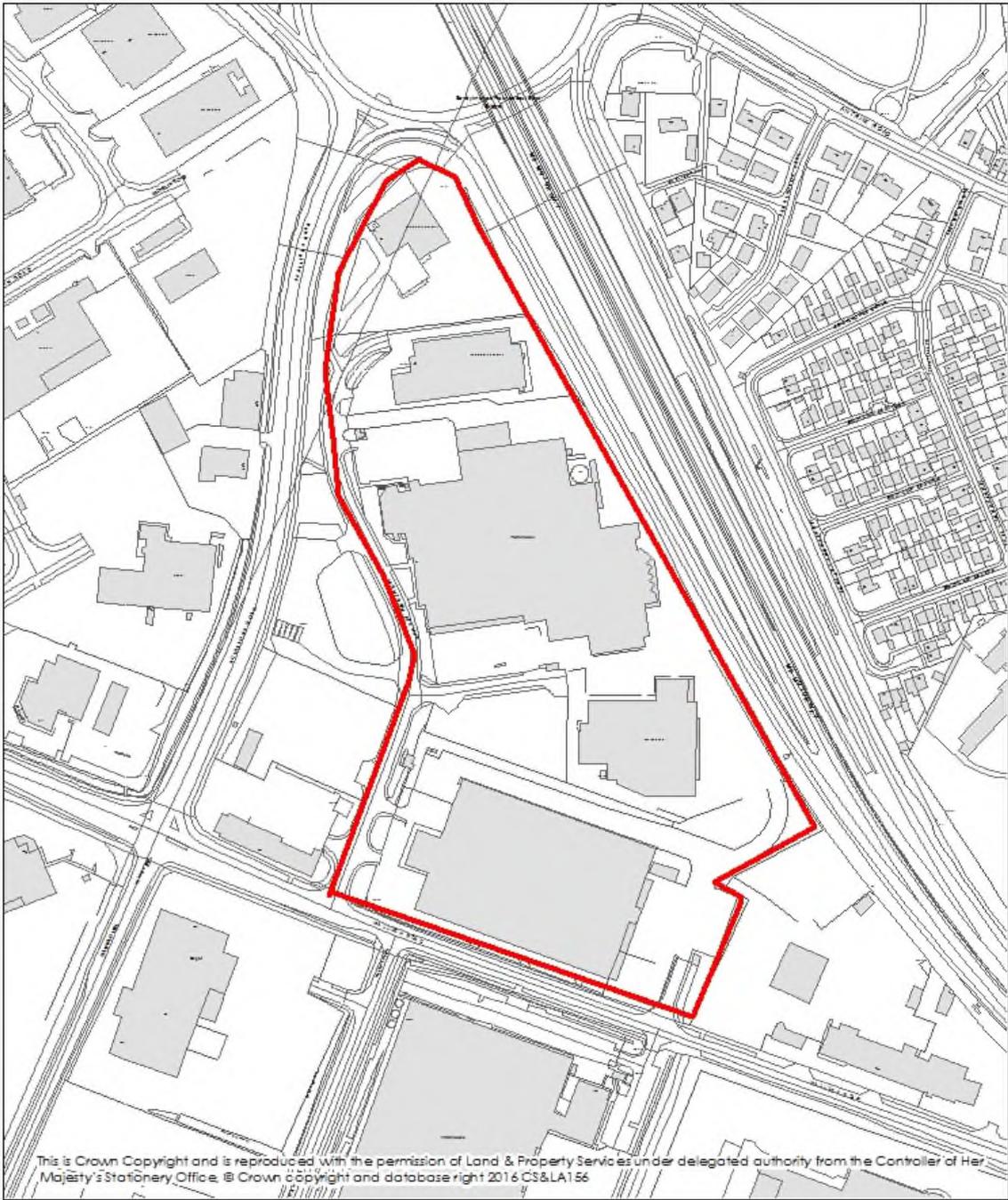
Members will be aware that prospective applicants for all development proposals which fall into the Major development category under the 2011 Planning Act are required to give at least 12 weeks notice to the Council that an application for planning permission is to be submitted. This is referred to as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

PAN Reference: LA03/2017/1053/PAN
Proposal: Storage and distribution warehousing, ancillary office and staff welfare accommodation and associated access and parking arrangements. The development will be part refurbishment of warehousing (retention of floorslates and steel structures with re-cladding), part demolition and rebuild and part new build extension. The development will include the construction of a new roof with a new raised roof-line over the main warehouse.
Location: 1-17 Hightown Avenue, Mallusk, Newtownabbey BT36 4RT
Applicant: John Henderson (Mallusk) Ltd
Date Received: 7 December 2017
12 week expiry: 1 March 2018

PAN Reference: LA03/2017/1111/PAN
Proposal: Redevelopment of garden centre site to deliver a new garden centre retail development and associated car parking, road/access works and landscaping
Location: Colemans Garden Centre, 6 Old Ballyclare Road, Templepatrick, Antrim BT39 0BJ
Applicant: Eastonville Traders Ltd
Date Received: 22 December 2017
12 week expiry: 16 March 2018

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

RECOMMENDATION: that the report be noted.



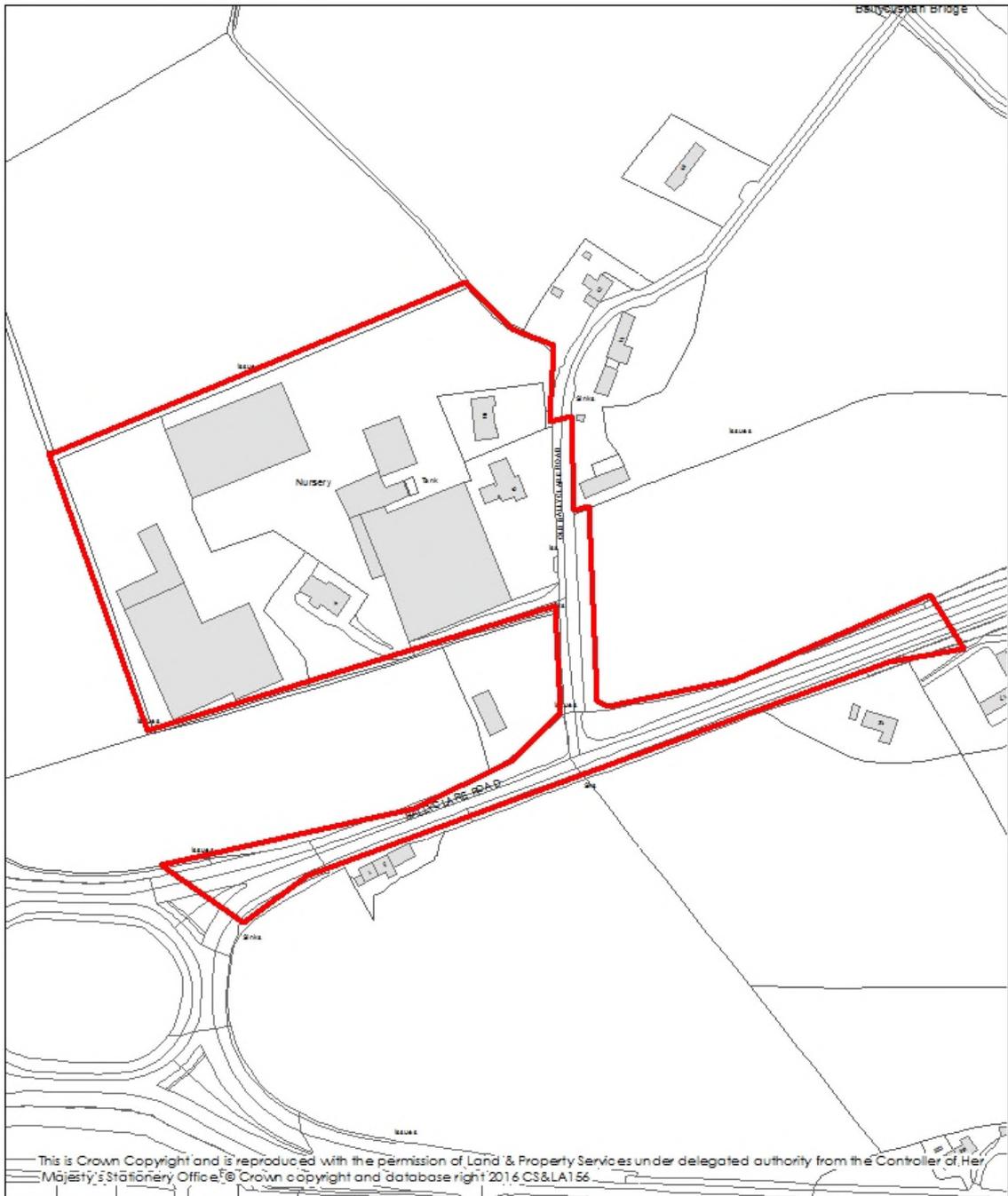
Location Map
Application Reference: LA03/2017/1053/PAN
 1-17 Hightown Avenue
 Mallusk
 Newtownabbey BT36 4RT

40 20 0 40
 Metres

For Information Only

 Site Boundary





Location Map

Application Reference: LA03/2017/1111/PAN

Colemans Garden Centre
 6 Old Ballyclare Road, Templepatrick
 Antrim BT39 0BJ

 Site Boundary



For Information Only



3.13

P/PLAN/1 - NORTHERN IRELAND PLANNING STATISTICS 2017/18 – SECOND QUARTERLY BULLETIN FOR THE PERIOD JULY – SEPTEMBER 2017

The second quarterly provisional planning statistics for 2017/18 produced by the Analysis, Statistics and Research Branch of the Department for Infrastructure (DfI), a copy of which is **enclosed**, were released on 14 December 2017.

The figures show that during the period from July to September 2017, the total number of planning applications received in Northern Ireland was 3,249, which is a reduction of some 100 applications to the previous quarter (April – June 2017) but up some 7% on the same quarter in 2016/17. The total number of decisions issued during this period was 3,101.

During this first quarter period a total of 185 new applications were received by Antrim and Newtownabbey Borough Council (a reduction of 16 applications from the first quarter last year and therefore below the NI trend) and 182 decisions were issued.

In relation to performance against statutory targets the Department for Infrastructure (DfI) figures show that the Council took on average 24.8 weeks to process and decide **Major** planning applications during the second quarter against the target of 30 weeks. As with the first quarter this performance continues to show a marked improvement on last year's overall Major performance and ranks among the top three of the 11 Councils and also reflects well against the average processing time of 51 weeks across all Councils. However, once again Members should note that these figures relate to a very small number of Major applications (only one application during the second quarter and three applications this year to date) and should therefore be interpreted with great care. A more realistic performance figure will only become apparent at year end and Members should be aware that a number of older Major applications were processed during the third quarter with several more older Major applications anticipated to come to Committee during the fourth quarter. This will clearly impact on the Council's Major performance target by year end.

The DfI figures show that the Council took on average 12.6 weeks to process and decide **Local** planning applications during the second quarter against the target of 15 weeks. This shows that the Planning Section is maintaining performance in average processing time and again ranks among the top three of the 11 Councils and reflects well against the average processing time of just over 16 weeks across all Councils.

In relation to enforcement the DfI figures highlight that the Council's planning enforcement team once again recorded the shortest time taken, 17.6 weeks, to process 70% of enforcement cases to target conclusion which compares favourably with the average processing time of 35 weeks across all Councils. The team's performance also ranked first in the proportion of cases brought to target conclusion within the performance target of 39 weeks.

RECOMMENDATION: that the report be noted.

ITEM 3.14

CONSULTATION BY THE DEPARTMENT FOR COMMUNITIES UNDER SECTION 80 (3) OF THE PLANNING ACT (NORTHERN IRELAND) 2011 – ADVANCE NOTICE OF LISTING OF STRAID CONGREGATIONAL CHURCH, MAIN STREET, STRAID

The Historic Environment Division of the Department for Communities (DfC) has written to the Council (copy enclosed) seeking views on the proposed listing of Straid Congregational Church, Main Street, Straid as a building of special architectural or historic interest.

The responsibility for including a building on the list of buildings of special architectural or historic interest rests with DfC subject to consultation with the relevant district council and the Historic Buildings Council (HBC). Any comments made will be taken into account by DfC in determining whether to list the building in question.

Once a building is listed by DfC then consent is subsequently required for its demolition and any works of alteration or extension in any manner which would affect its character as a building of special architectural or historic interest. This is referred to as "listed building consent" and it is an offence to carry such works without consent. Planning permission is also required in addition to listed building consent if the works involve "development".

In considering whether to grant planning permission for development which affects a listed building or its setting, and in considering whether to grant listed building consent for any works, the Council must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Members will also be aware that Officers served a Building Preservation Notice on Straid Congregational Church on 6 January 2018. A Building Preservation Notice (BPN) is a form of temporary listing which provides protection to an unlisted building for a period up to 6 months following its service, in effect treating it as if it were a listed building. The discretionary power for the Council to serve such a Notice is set out in Section 81 of the Planning Act (NI) and relates to any building which is not currently listed, where it appears that the building is of special architectural or historic interest and is in danger of demolition or of alteration in such a way as to affect its character as a building of such interest. In this case Officers acted expeditiously to serve a BPN having been made aware that the building in question was about to be demolished.

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

1. Provide a corporate view in support of the proposed listing.
2. Provide a corporate view opposing the proposed listing.
3. Provide no corporate view on the matter. In this case individual Members or parties may express support for or object to the proposed listing.

RECOMMENDATION: the Committee's instructions are requested.