



12 May 2021

Committee Chair: Alderman T Campbell

Committee Vice-Chair: Councillor S Flanagan

Committee Members: Aldermen – F Agnew, P Brett and J Smyth
Councillors – J Archibald-Brown, H Cushinan, R Kinnear,
R Lynch, M Magill, R Swann and B Webb

Dear Member

MEETING OF THE PLANNING COMMITTEE

A meeting of the Planning Committee will be held in the **Council Chamber, Mossley Mill on Monday 17 May 2021 at 6.00pm.**

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

Yours sincerely

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

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

For any queries please contact Member Services:

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

AGENDA FOR PLANNING COMMITTEE – MAY 2021

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

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

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

PART ONE - Decisions on Planning Applications

3.1 Planning Application No: LA03/2020/0862/F

Proposed erection of a Training Unit associated with The Bridge Association Charity, comprising a mix uses such as classrooms, workshop, canteen, kitchen, gym, office and staff room including a new access onto Kilbegs Road, inclusion of a Waste Water Treatment Works and all associated works on lands adjacent to Kilbegs Industrial Estate and approximately 60m southwest of Unit 22 The Junction, Antrim

3.2 Planning Application No: LA03/2020/0882/F

Change of use of land from agricultural to sports playing field. Proposal includes 1m high perimeter fence, emergency access point onto Creggan Road and ancillary footpaths around the edge of pitch. Ball stop netting (13m high) will be erected behind goalposts at either end of the pitch on land at 134 Staffordstown Road (Adjacent to eastern boundary of existing playing field), Randalstown

3.3 Planning Application No: LA03/2020/0889/O

Site for infill dwelling on land adjacent to 62 Slievetrue Road, Carrickfergus

3.4 Planning Application No: LA03/2021/0085/O

Site for infill dwelling on land 45m southwest of 15 British Road, Aldergrove, Crumlin

3.5 Planning Application No: LA03/2021/0087/O

Site for infill dwelling on land 100m northwest of 11 British Road, Aldergrove, Crumlin

PART TWO – Other Planning Matters

- 3.6 Delegated planning decisions and appeals April 2021
- 3.7 Proposal of Application Notifications

- 3.8 Correspondence from Lisburn and Castlereagh City Council and Mid and East Antrim Borough Council – Submission of Draft Plan Strategy documents to DfI
- 3.9 Coastal Forum Working Group Minutes
- 3.10 Planning Application LA03/2018/1116/RM – Notice of Opinion by DfI
- 4. Any Other Business

PART TWO – Other Planning Matters – In Confidence

- 3.11 Enforcement Case: LA03/2020/0109/CA

PART ONE – Decisions on Enforcement Cases – In Confidence

- 3.12 Enforcement Case: LA03/2021/0063/CA

COMMITTEE ITEM	3.1
APPLICATION NO	LA03/2020/0862/F
DEA	ANTRIM
COMMITTEE INTEREST	MAJOR DEVELOPMENT
RECOMMENDATION	GRANT PLANNING PERMISSION
PROPOSAL	Proposed erection of a Training Unit associated with The Bridge Association Charity, comprising a mix uses such as classrooms, workshop, canteen, kitchen, gym, office and staff room including a new access onto Kilbegs Road, inclusion of a Waste Water Treatment Works and all associated works.
SITE/LOCATION	Lands adjacent to Kilbegs Industrial Estate and approximately 60m southwest of Unit 22 The Junction, Antrim
APPLICANT	The Bridge Association
AGENT	TSA Planning
LAST SITE VISIT	6 May 2021
CASE OFFICER	Barry Diamond Tel: 028 9034 0407 Email: barry.diamond@antrimandnewtownabbey.gov.uk
<p>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal www.planningni.gov.uk</p>	
SITE DESCRIPTION	
<p>The application site is located within the development limits of Antrim Town as defined within the Antrim Area Plan 1984-2000. Specifically, the application site comprises 1.3 acres of unzoned land on a vacant site within a wider area that has a mixture of retail, warehousing and residential development.</p> <p>The application site has a road frontage on two sides and is defined along the northeastern, northwestern and southeastern boundaries by fencing while the southwestern boundary is undefined. The majority of the site appears to have been filled at some point in the past to a depth of 0.5 metres and the site has been colonised with a mixture of weeds and grasses which offers no ecology value. The level of the site drops by 0.5 metres in the southwestern portion of the site.</p> <p>The surrounding area is characterised by a mixture of uses as part of the overall Junction/Enkalon and Randalstown Road areas. To the northeast of the site is the junction complex, to the southwest is the Massereene Business Park and to the southeast is a furniture store.</p>	
RELEVANT PLANNING HISTORY	
None	
PLANNING POLICY AND GUIDANCE	
Under the provisions of the Planning Act (Northern Ireland) 2011, all decisions must be taken in accordance with the provisions of the Local Development Plan unless material considerations indicate otherwise.	

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

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

Antrim Area Plan 1984 – 2001: The application site is located on unzoned land within the settlement of Antrim. The Plan offers no specific policy or guidance pertinent to this proposal.

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

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

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

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

PPS 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.

Department for Infrastructure Roads - No objection subject to conditions.

Department for Infrastructure Rivers - No objection subject to Schedule 6 Consent for any discharges to watercourses, although highlights that there is a low risk of flood inundation in the event of reservoir failure.

Department for Communities Historic Environment Division (Historic Monuments Section) - No objection.

Northern Ireland Environment Agency: Water Management Unit - Water Management Unit is content, subject to the applicant addressing issues with sewerage disposal.

Northern Ireland Environment Agency: Natural Environment Division - No objection.

Northern Ireland Environment Agency: Regulation Unit - No objection subject to conditions.

Northern Ireland Water- No objection.

REPRESENTATION

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

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Policy Context and Principle of Development
- Design and Impact on the Character of the Area.
- Natural Heritage
- Archaeology
- Contaminated Land
- Neighbour Amenity
- Parking and Road Safety
- Flood Risk
- Sewerage and Waste Water

Policy Context and Principle of Development

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

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

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

The application site is located within the settlement limit of Antrim in AAP and comprises unzoned white lands as part of the wider Enkalon Estate.

The proposal seeks full planning permission for the erection of a two storey training unit associated with The Bridge Association Charity comprising a mix of uses, including classrooms, workshops, canteen, kitchen, gym, office and staff room. The

proposal includes a new access onto Kilbegs Road as well as a Waste Water Treatment Works and associated ancillary works. In addition, horticultural storage and growing facilities in the form of polytunnels are proposed as part of the development.

The Bridge Association is a not for profit organisation that provides vocational training opportunities for adults with learning or physical disabilities. The charity provides practical and educational training opportunities in tandem with personal development opportunities and social skills building programmes. The proposed facility is therefore considered to fall within Class D1 of the Planning (Use Classes) Order (Northern Ireland) 2015. Although the surrounding area is made up of a number of retail, warehousing and employment uses, the applicant already operates an existing facility within the Enkalon estate approximately 560 metres to the southeast of the application site. The use is therefore established in the area and it is considered that the replacement and re-siting of this facility within the same locality does not raise any significant issues relating to the principle of development.

As a consequence, the principle of development is considered acceptable provided that the development can comply with the provisions of the SPPS and the following PPSs which provide the relevant regional policy context for consideration of the proposal on a site specific basis;

- PPS 2: Natural Heritage;
- PPS 3: Parking and Movement;
- PPS 6: Planning, Archaeology and the Built Heritage
- PPS 15: Planning and Flood Risk.

Design and Impact on the Character of the Area.

There are a number of design elements to the proposed development, including the main building, polytunnels and the associated works such as fencing and parking. The main building has three components, a two storey element with a pitched roof which is set to the front of the site, a single storey flat roof middle section and a single storey pitched roof section set to the rear of the site.

The two storey section is the most visible part of the proposal. It is 8.95 metres in height, is finished in facing brick to the walls with cladded panelling to the roof. In the context of the surrounding area the building has similar external finishes and dimensions to other buildings in the area. There are however, 5 No. large vertical glazed windows across the front elevation which add a more contemporary design feature and architectural interest to the building. The flat roofed middle section is single storey in height with a roof top terrace. It is finished in painted render and once again vertical windows are included on both side elevations giving the design a more contemporary feel and adding interest to the building. The remaining single storey pitched roof section to the rear of the site is finished in render with cladding to the roof and has a more industrial appearance similar to the other buildings in the area.

Car parking is proposed to be located to the front of the site which is similar to other developments in the area with a landscaped section separating the car parking from the Randalstown Road. Further landscaping is proposed along the boundary of the site which runs parallel to the Massereene Business Park estate road. The introduction of landscaped areas along the principle elevations facing onto the

public roads, especially the Randalstown Road, will help to soften the impact of the two storey building and the areas of hardstanding.

There is a small kiosk building proposed to the front of the site with a limited height of 3 metres. Whilst this is to be finished in timber cladding, as opposed to the facing brick proposed on the main building where it fronts onto the Randalstown Road, it is considered that this small ancillary building will not negatively impact on the visual impact of the scheme.

Three (3) No. polytunnels are proposed on the site as indicated on the site plan. Two of the polytunnels proposed measure 30m by 10m and 5m in height. The dimensions of the third polytunnel proposed are somewhat smaller measuring 12m by 12m with a height of 5m.

Polytunnels by their very nature can detract from the visual appearance of an area, given that they are of temporary construction and generally finished in a heavy grade plastic. In the context of the more permanent buildings in the surrounding area the proposed polytunnels have the potential to detract from the visual appearance and character of the area. The two larger polytunnels are positioned to be gable ended to the road with a limited width of 10 metres, whilst their rounded appearance and limited height will help reduce their visual impact. A fence has been proposed between the polytunnels and the car park area to screen views from the Randalstown Road and the car park area. The polytunnels are some 30 metres in length, however, given they run parallel with the main building this will help restrict views of them. On balance, it is considered that they will not significantly detract from the visual appearance of the area.

It is proposed to erect a fence around the boundaries of the site which is considered acceptable and conforms with the general layout of the other buildings in the Enkalon Industrial Estate. This fence is indicated to be two metres in height.

Natural Heritage

An ecological evaluation and statement has been prepared in combination with a Northern Ireland Biodiversity checklist by Ayre Environmental Consulting Ltd on behalf of the applicant. The evaluation identifies that there are no designated sites within 100 metres of the site, although there is a watercourse within 50 metres which could provide a hydrological connection to Lough Neagh. Given the significant buffer which exists between the application site and the watercourse it is considered that there is no risk to the designated site. Given that the site is an area of raised ground it has limited ecological value and there is no potential for the site to support protected species. DAERA Natural Environment Division has been consulted and has raised no objections to the proposed development.

Archaeology

Following consultation on this application, HED (Historic Monuments) section has advised that it is content with the proposal on the basis of the information provided and that it accords with the archaeological policy provisions of the SPPS and PPS 6. It is therefore considered that there are no significant archaeological concerns with the development proposal at this location.

Contaminated Land.

The application site does not appear to have any former uses although it lies between the Enkalon Industrial Estate and Kilbegs Business Park and in addition there was a waste recycling plant within 200 meters of the application site. A Preliminary Risk Assessment was carried out by RSK on behalf of the applicant which included the sinking of four separate boreholes for ground water and ground gas monitoring. Along with other desk top studies and site walkovers it was concluded that the site was classified as very low risk. NIEA – Regulation Unit and the Council's Environmental Health Section were both consulted in relation to the potential for contamination to adversely affect the site and for the development to create pathways which may affect other existing development or natural features. Both consultees have indicated that they are satisfied with the level of information provided and have no objections to the proposed development subject to conditions relating to unknown sources of contamination being found during the development phase. Given the findings of the Preliminary Risk Assessment and the views expressed by the consultees, it is considered that the proposed development will have no significant impact on human health or the environment in the context of the existing ground conditions.

Neighbour Amenity

The application site is located within an area of mixed use with retail, warehousing and employment uses predominating in the locality. The introduction of the proposed development onto the application site, is likely to bring an element of noise during construction, however, this will occur during normal working hours and will only arise over the short term. The increase in traffic flows along the Randalstown Road will be a longer term issue, however, this is a moderately trafficked road at present, serving both the Enkalon and Kilbegs Business Park and it is considered that the traffic movements in themselves would not give rise to any significant amenity issues in the context of the surrounding land uses.

The proposed building has a two storey element which is positioned to the front of the site along the Randalstown Road. Whilst there are windows in the first floor there is a separation distance of 40 metres to the nearest adjoining building. Given the separation distances it is considered that the proposal will not give rise to any significant overlooking or overshadowing.

The Council's Environmental Health Section was consulted and has not raised any concerns with the proposal in terms of noise or odour.

Parking and Road Safety

There are two access and egress points proposed. The main entrance for employees and visitors is taken off the Randalstown Road and provides access to the car parking area which is located at the front of the site adjacent to the Randalstown Road. The second access is taken off the adjoining estate road and provides access to the rear of the building for delivery/service vehicles. There are a total of 34 car parking spaces provided. DfI Roads has been consulted on the application and has raised no objections on road safety or parking grounds. It is therefore considered that the road network can safely handle the extra vehicular traffic the proposal will generate. Satisfactory arrangements are provided for access, parking, drainage and waste disposal that are considered to comply with the policy provisions of PPS3 Access, Movement and Parking.

Flood Risk

Dfl Rivers has been consulted on the application and the accompanying Flood Risk and Drainage Assessment submitted by McCloy consulting on behalf of the applicant. Dfl Rivers advise that there are no watercourses which are designated under the terms of the Drainage (Northern Ireland) Order 1973 within this site. With regard to the Flood Risk and Drainage Assessment, Dfl Rivers has stated that while not being responsible for the preparation of the document, it accepts its logic and has no reason to disagree with its conclusions.

With regard to FLD 5 Development in Proximity to Reservoirs the site lies within the inundation zone for Potterswall Dam which is located approximately 3.36 km to the northeast of the site. Dfl Rivers has indicated that the Dam has condition assurance and in any case the application site is only at a low risk of being affected by flood inundation in the event of a reservoir failure. Given the significant distance of the site from the reservoir coupled with its condition assurance this matter is not considered determining in this case.

Sewerage and Waste Water

Northern Ireland Water (NIW) has previously indicated that there are capacity and network issues with the Waste Water Treatment Works in Antrim and in this respect the applicant has indicated that they intend to install a private sewerage treatment plant to service the development. The Council's Environmental Health Section has indicated that the installation of this plant is unlikely to give rise to any noise or odour issues and as a consequence no assessments on these issues are required. NIEA Water Management Unit (WMU) has indicated that a Consent to Discharge (CTD) will be required for the proposed non-mains sewerage disposal plant. It has also advised that there is no guarantee that this consent would be forthcoming as this can only be properly ascertained on submission of a CTD application. This is becoming a more common feature for applications in the Antrim area and as a consequence a pre-commencement condition for the provision of appropriate sewage disposal is considered necessary in this case.

CONCLUSION

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

- The principle of the development is considered acceptable.
- There is no significant impact on the visual amenity or character and appearance of the area.
- There are no significant concerns relating to archaeology.
- There is no significant impact on neighbour amenity.
- There are no road or public safety concerns with this proposal.
- There are no significant flood risks with this proposal.
- Means of sewage disposal can be addressed through the imposition of an appropriately worded planning condition

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

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

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

2. No works or other development hereby permitted shall take place until either (a) a main sewerage connection is agreed with NI Water; or (b) consent to discharge for a private waste treatment plant to serve the development is granted by the Department for Agriculture, Environment and Rural Affairs under the Water (NI) Order 1999 and a copy of such consent is submitted to the Council. If the development is to be served by a private waste treatment plant no building shall not be occupied until the plant has been installed and is operational.

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

3. The vehicular accesses, including visibility splays and any forward sight distance, shall be provided in accordance with Drawing No. 19 bearing the date stamp 4th December 2020, prior to the commencement of any other development hereby permitted. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250mm above the level of the adjoining carriageway and such splays shall be retained and kept clear thereafter.

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

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

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

5. The development shall not become operational until the hard surfaced areas have been constructed and permanently marked in accordance with the approved drawing No. 19 bearing date stamp 4th December 2020 to provide adequate facilities for parking, servicing and circulating within the site. No part of these hard surfaced areas shall be used for any purpose at any time other than for the parking and movement of vehicles.

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

6. If during the development works, new contamination or risks to the water environment are encountered which have not previously been identified, works should cease and the Planning Authority shall be notified immediately. This new contamination shall be fully investigated in accordance with the Land Contamination: Risk Management (LCRM) guidance available at <https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks>. In the event of unacceptable risks being identified, a remediation strategy shall be

agreed with the Planning Authority in writing, and subsequently implemented and verified to its satisfaction.

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

7. After completing all remediation works under Condition 5 and prior to occupation of the development, a verification report needs to be submitted in writing and agreed with the Planning Authority. This report should be completed by competent persons in accordance with the Land Contamination: Risk Management (LCRM) guidance available at <https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks>. The verification report should present all the remediation and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and achieving the remedial objectives.

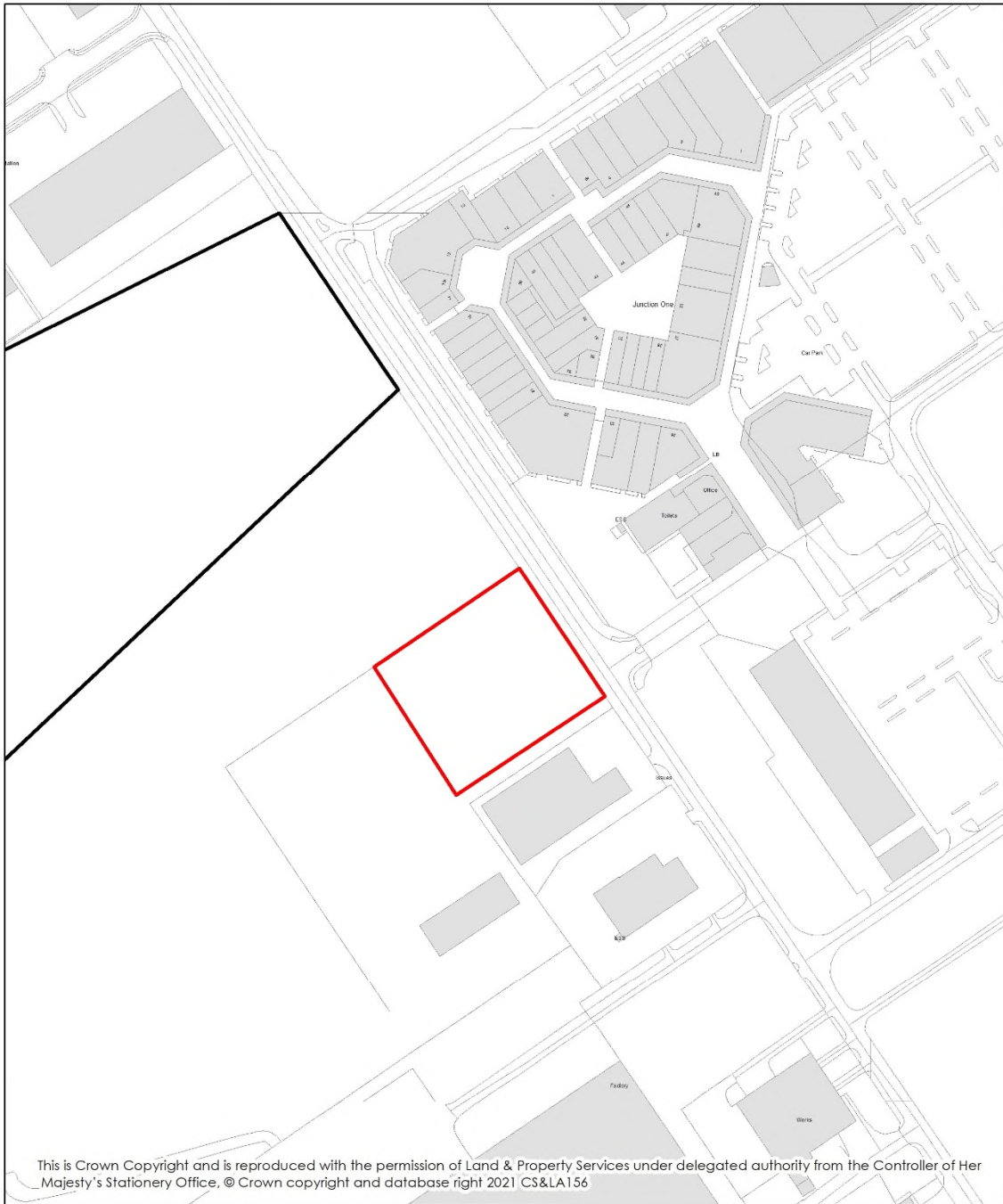
Reason: Protection of environmental receptors to ensure the site is suitable for use.

8. The proposed planting scheme indicated on drawing No. 15 date stamped 04-DEC-2020 shall be completed within six months of first use of the development hereby permitted, or by the end of the first planting season (November to March) following first use, whichever comes first. The proposed planting shall be retained thereafter at a minimum height of 4 metres.

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

9. The 2m high close boarded fence detailed on stamped approved Drawing No. 15B dated 5 May 2021 shall be erected at the site as indicated in orange on Drawing No. 15B within one month following the completion of any of the polytunnels hereby approved and shall be retained during the lifetime of the permission.

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



Location Map

Application Reference: LA03/2020/0862/F

Location: Lands adjacent to Kilbegs Industrial Estate and approximately 60m southwest of Unit 22 The Junction Antrim

Proposal: Proposed erection of a Training Unit associated with The Bridge Association Charity.

0 50 100 Metres



 Site Boundary



COMMITTEE ITEM	3.2
APPLICATION NO	LA03/2020/0882/F
DEA	DUNSILLY
COMMITTEE INTEREST	MAJOR DEVELOPMENT
RECOMMENDATION	GRANT PLANNING PERMISSION
PROPOSAL	Change of use of land from agricultural to sports playing field. Proposal includes 1m high perimeter fence, emergency access point onto Creggan Road and ancillary footpaths around the edge of pitch. Ball stop netting (13m high) will be erected behind goalposts at either end of the pitch.
SITE/LOCATION	134 Staffordstown Road (Adjacent to eastern boundary of existing playing field), Randalstown, Co. Antrim
APPLICANT	Kickham's GAC Creggan
AGENT	Stephen McKay
LAST SITE VISIT	14 April 2021
CASE OFFICER	Kieran O'Connell 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	
<p>The application site is located in the countryside as identified in the Antrim Area Plan 1984-200. Specifically, the application site is located on lands adjacent to No.134 Staffordstown Road with the proposed new pitch to be located to the east of the existing playing field and Creggan GAA club house.</p> <p>The application site comprises the existing community hall, 3g playing pitch and associated flood lights, car park, club house/changing facilities and one full sized grass GAA pitch associated with the existing GAA Club. Within the larger site the additional playing pitch is proposed to be located on the eastern side adjacent to the Creggan Road. This part of the site is largely agricultural ground with field boundaries defined by hedgerows.</p> <p>The character of this area is largely defined by the settlement of Creggan to the north while to the south, east and west of the application site the area is largely agricultural in nature with isolated dwellings located along extended laneways. A new build housing development has recently been granted planning permission on land adjacent to and west of the community hall and 3G playing pitch.</p>	
RELEVANT PLANNING HISTORY	
<p>Planning Reference: T/2008/0120/F Location: Kickhams GAC, Staffordstown Road, Randalstown Proposal: Proposed all-weather sand dressed training pitch with 2.4m fencing along with 6m high ball-stop netting and floodlights 12m high. Decision: Permission Granted (29.05.2008) Planning Reference: T/2007/0017/F</p>	

Location: Kickhams GAC, Staffordstown Road, Randalstown
Proposal: New Clubhouse and 13m high ballstop netting for Kickhams Gaelic Athletic Club, Creggan, Randalstown.
Decision: Permission Granted (02.07.2007)

Planning Reference: T/2004/1238/F
Proposal: Change of use from Agricultural land to 2 Outdoor Pitches (Class 16: Assembly and Leisure) (ancillary to the existing facilities)
Location: Lands Adjacent to Kickhams GAC, Staffordstown Road, Randalstown.
Decision: Permission Granted (02.03.2005)

PLANNING POLICY AND GUIDANCE

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

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

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

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

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

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

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

PPS 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 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.

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 as no floodlighting is proposed for the new development, Environmental Health have no issues of concern.

Department for Infrastructure Roads - No objection subject to conditions

Department for Infrastructure Rivers - No objection subject to schedule 6 Consent and a requirement that all flood management and mitigation measures proposed, are completed in full in order to safeguard against flood risk to the development and elsewhere.

Department for Communities Historic Environment Division – Historic Monuments Section - No objections

Department for Communities Historic Environment Division – Historic Buildings - No objections

Northern Ireland Environment Agency: Water Management Unit - Water Management Unit is content, subject to the applicant referring and adhering to standing advice with any required statutory permissions being obtained and conditions

Northern Ireland Environment Agency: Natural Environment Division - Natural Environment Division has considered the impacts of the proposal on designated sites and other natural heritage interests and, on the basis of the information provided, has no concerns subject to conditions

Shared Environmental Services (SES) - SES advises the project would not have an adverse effect on the integrity of any European site either alone or in combination with other plans or projects subject to condition.

REPRESENTATION

Ninety four (94) neighbouring properties were notified and no letters of representation have been received.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Policy Context and Principle of Development
- Natural Heritage, Archaeology and Built Heritage
- Design and Appearance

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

Policy Context and Principle of Development

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

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

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

The application site is located within the rural area and proposes the development of a new football field associated with the Creggan GAA facilities which have developed in recent years adjacent to the settlement of Creggan-Cranfield. There are no specific operational policies relevant to the determination of the application in the plan.

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

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

- PPS 8: Open Space, Sport and Outdoor Recreation;
- PPS 2: Natural Heritage;
- PPS 3: Parking and Movement;
- PPS 6: Planning, Archaeology and the Built Heritage
- PPS 8: Open Space, Sport and Outdoor Recreation; and
- PPS 15: Planning and Flood Risk.

The Strategic Planning Policy Statement for Northern Ireland (SPPS) has a subject policy entitled Open Space, Sport and Recreation, this policy is less prescriptive than policy in PPS 8. In accordance with Paragraph 1.2 of the SPPS, the weight accorded to the retained policy (PPS 8) should not be lessened in the transitional period.

Policy OS 3 advises that development of proposals for outdoor recreational use in the countryside will be permitted where all the following criteria are met. These are discussed further in detail below.

- (i) there is no adverse impact on features of importance to nature conservation, archaeology or built heritage;
- (ii) there is no permanent loss of the best and most versatile agricultural land and no unacceptable impact on nearby agricultural activities;

- (iii) there is no adverse impact on visual amenity or the character of the local landscape and the development can be readily absorbed into the landscape by taking advantage of existing vegetation and/or topography;
- (iv) there is no unacceptable impact on the amenities of people living nearby;
- (v) public safety is not prejudiced and the development is compatible with other countryside uses in terms of the nature, scale, extent and frequency or timing of the recreational activities proposed;
- (vi) any ancillary buildings or structures are designed to a high standard, are of a scale appropriate to the local area and are sympathetic to the surrounding environment in terms of their siting, layout and landscape treatment;
- (vii) the proposed facility takes into account the needs of people with disabilities and is, as far as possible, accessible by means of transport other than the private car; and
- (viii) the road network can safely handle the extra vehicular traffic the proposal will generate and satisfactory arrangements are provided for access, parking, drainage and waste disposal.

Natural Heritage, Archaeology and Built Heritage

Policy OS3 of PPS 8, criterion (i) requires proposals for outdoor recreational use in the countryside to have no adverse impact on features of importance to nature conservation, archaeology or built heritage. These matters are considered separately below.

Natural Heritage

This planning application was considered in light of the assessment requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) by Shared Environmental Service (SES) on behalf of the Council which is the competent authority responsible for authorising the project.

Following the submission of an Appropriate Assessment in accordance with the Regulations and having considered the nature, scale, timing, duration and location of the project, SES has advised that the project would not have an adverse effect on the integrity of any European site either alone or in combination with other plans or projects.

In reaching this conclusion, SES has assessed the manner in which the project is to be carried out including any mitigation and recommends that a final detailed Construction Environmental Management Plan (CEMP) be submitted prior to the commencement of development. This is considered to be a reasonable condition and is standard practice on sites close to European Protected Sites such as Lough Neagh or with hydrological linkage to such sites via watercourses.

NIEA: Natural Environment Division has considered the impacts of the proposal on designated sites and other natural heritage interests and, on the basis of the information provided, has no concerns subject to conditions.

NIEA Water Management Unit has indicated that they are content with the proposal subject to: the applicant referring and adhering to standing advice; any required statutory permissions being obtained; and adhering to the CEMP conditions.

Overall it is considered that there are no natural heritage concerns with this proposal.

Archaeology and Built Heritage

As part of the processing of this application, consultation was undertaken with the Historic Environment Division (HED) which has provided advice and guidance on the proposed development in relation to impacts on archaeology and built heritage.

There is one listed building in proximity to the development site, a thatched cottage at the junction of the Staffordstown Road with Creggan Road. The listed buildings database entry notes the listed structure (HB20 03 007 124) as:

A good example of a thatched vernacular house. It retains most of its original exterior appearance and enjoys a pleasant setting in a prominent position on the Staffordstown Road, facing west, about three miles south of Randalstown. It is of mid-19th Century origin.

HED Historic Buildings section has advised that the proposal satisfies SPPS 6.12 (Development proposals impacting on Setting of Listed Buildings) of the Strategic Planning Policy Statement for Northern Ireland (SPPS): Planning for Sustainable Development and BH11 (Development affecting the Setting of a Listed Building) of the Department's Planning Policy Statement 6: Planning, Archaeology and the Built Heritage.

In its response HED Historic Buildings has indicated that any potential adverse impact by the proposal on the setting of the listed cottage is mitigated by its current setting. This is based on the actual distance between the building itself and the proposal and the existing high level agricultural structures which already limit views from the listed building as well as the existing flood lighting associated with the wider GAA facility. In view of the existing local verdant setting and in particular the hedged site boundary along the Creggan Road, HED Historic Buildings has requested landscaping conditions.

HED (Historic Monuments) has advised, on the basis of the information provided, that it is content the proposal is in accordance with the SPPS and PPS 6 archaeological policy requirements. It is therefore considered that there are no archaeological concerns with this development proposal at this location.

Overall it is considered that there is no adverse impact on features of importance to nature conservation, archaeology or built heritage. The proposal is considered to accord with the policy provisions of PPS2, PPS 6 and PPS 8 Policy OS3 criterion (i)

Impact on Character and Appearance of the Area

The application site is located on agricultural land adjacent to the settlement of Creggan/Cranfield and adjacent to an existing playing pitch and community facility. It is considered that the additional playing pitch and associated infrastructure around the pitch will not have a significant adverse impact on the visual amenity or the character of the local landscape. Whilst it is acknowledged that the proposed catch nets and goal posts associated with the new pitch may be seen from surrounding local vantage points it is considered that these are not significant features and will be absorbed into the landscape by virtue of the existing surrounding development. In addition, it is not anticipated that there will be a significant loss of the best and most versatile agriculture lands and there are unlikely to be any significant impact on nearby agricultural activities as a consequence of this

development. Consequently, it is considered that the 2nd and 3rd criterion of Policy OS3 are complied with.

It is acknowledged that the proposed new emergency access along the Creggan Road will necessitate the removal of part of the existing hedgerow along this stretch of road, but a new hedgerow is indicated to be provided behind the sight splays and it is considered this matter can be addressed by condition should approval be forthcoming.

Neighbour Amenity

Policy OS 4 'Intensive Sports Facilities' of PPS8 indicates that a range of facilities are considered acceptable within urban areas subject to there being no unacceptable impact on residential amenity by reason of its siting, scale, extent, frequency or timing of the sporting activities proposed, including any noise or light pollution likely to be generated.

It is considered that the additional playing pitch will have no significant impact on the residential amenity of nearby residential properties. While the additional pitch will likely result in an intensification of use within the Creggan GAC grounds it is unlikely to be to a significant degree particularly as no flood lighting is proposed with this development, thereby restricting the use of the pitch to daylight hours. In addition, the Council's Environmental Health Section has raised no issues of concern with the proposal.

Public Safety

It is considered that there are no significant public safety concerns with this proposal. DfI Roads has been consulted and has expressed no significant concerns from a road safety or parking perspective. In addition to the existing access arrangements to Creggan GAC, the applicant has also indicated that an emergency services access is to be provided onto the Creggan Road to further enhance public safety at the site. Furthermore, it is considered that the nature, scale and frequency and timing of the recreational activities is unlikely to be at such an extent that public safety will be compromised.

Needs of people with Disabilities

Criterion (vii) of Policy OS3 within PPS 8 requires that the proposed facility takes into account the needs of people with disabilities and is, as far as possible, accessible by means of transport other than the private car. The proposal provides disability access to the site and will form part of a larger GAA complex which is a focal point within the Creggan community which is readily accessible to patrons.

Parking and Road Safety

As indicated above, DfI Roads has been consulted on the application and has no objections on road safety or parking grounds. It is therefore considered that the road network can safely handle the extra vehicular traffic the proposal will generate. Satisfactory arrangements are provided for access, parking, drainage and waste disposal which can be put in place and therefore comply with both the policy provisions of PPS3 Access, Movement and Parking and criterion (viii) of policy OS3 of PPS 8.

Flood Risk

DfI Rivers has been consulted on the application and the accompanying Drainage Assessment by McLarnan and McCann dated 24th November 2020. DfI Rivers advise that there are no watercourses which are designated under the terms of the Drainage (Northern Ireland) Order 1973 within this site, although an undesignated watercourse traverses the site from the northern to the southern boundary. With regard to the Drainage Assessment DfI Rivers has stated that, while not being responsible for its preparation, it accepts its logic and has no reason to disagree with its conclusions and recommends one condition be imposed on any grant of permission requiring the developer to ensure that all the flood management and mitigation measures proposed in the Drainage Assessment, are completed in full.

With regard to Policy FLD4 - Artificial Modification of watercourses of PPS 15, the applicant has indicated their intention to divert an existing undesignated culvert. DfI Rivers note that a Schedule 6 application for culvert diversion works, which is required under the terms of the Drainage (Northern Ireland) Order 1973, has not yet been approved. While Schedule 6 Consent has not been approved at the time of writing a copy of the Schedule 6 application and drawing submitted to DfI Rivers has been provided. As a culvert already exists on the site, it is considered that there is no fundamental reason why the proposed realignment could not be facilitated in order to enhance the playing facilities provided by Creggan GAC and this aspect of the scheme is therefore considered acceptable in principle.

With regard to the long term management of the culvert, sufficient space appears to have been left for the provision for future maintenance of the diverted culvert and is therefore considered to be in accordance with Section 6.32 of Policy FLD 2 of PPS 15.

CONCLUSION

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

- The principle of the development is considered acceptable.
- There are no significant concerns relating to the built heritage or archaeology.
- There is no significant impact on the character and appearance of the area.
- There is no significant impact on neighbour amenity.
- There are no road or public safety concerns with this proposal.
- There are no significant flood risks with this proposal.

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. All flood management and mitigation measures proposed in Document No. 05 'Kickhams Creggan GAC Drainage Assessment' shall be completed and adhered to in full.

Reason: To safeguard against flood risk to the development and elsewhere.

3. The vehicular accesses, including visibility splays and any forward sight distance, shall be provided in accordance with Drawing No. 06 bearing the date stamp 15th March 2021, prior to the commencement of any other development hereby permitted. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250mm above the level of the adjoining carriageway and such splays shall be retained and kept clear thereafter.

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

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

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

5. The playing pitch hereby permitted shall not become operational until hard surfaced areas have been constructed and permanently marked in accordance with the approved drawing No. 06 bearing date stamp 15th March 2021 to provide adequate facilities for parking, servicing and circulating within the site. No part of these hard surfaced areas shall be used for any purpose at any time other than for the parking and movement of vehicles.

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

6. The materials of the works hereby permitted shall be constructed in accordance with the approved plans No. 04 & 05 date stamped 26/11/2020 and drawing No. 07 & 08 date stamped 29/04/2021.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 80 of The Planning Act (NI) 2011.

7. The existing hedgerow and vegetation as indicated on drawing No. 06 date stamped 15/03/2021 shall be retained at a minimum height of 2 metres and trees within the hedgerow retained at a minimum height of 5 metres and allowed to grow on or as otherwise agreed in writing with the Council.

Reason: To ensure the maintenance of screening to the site and to ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 80 of The Planning Act (NI) 2011 and in the interests of biodiversity and natural heritage.

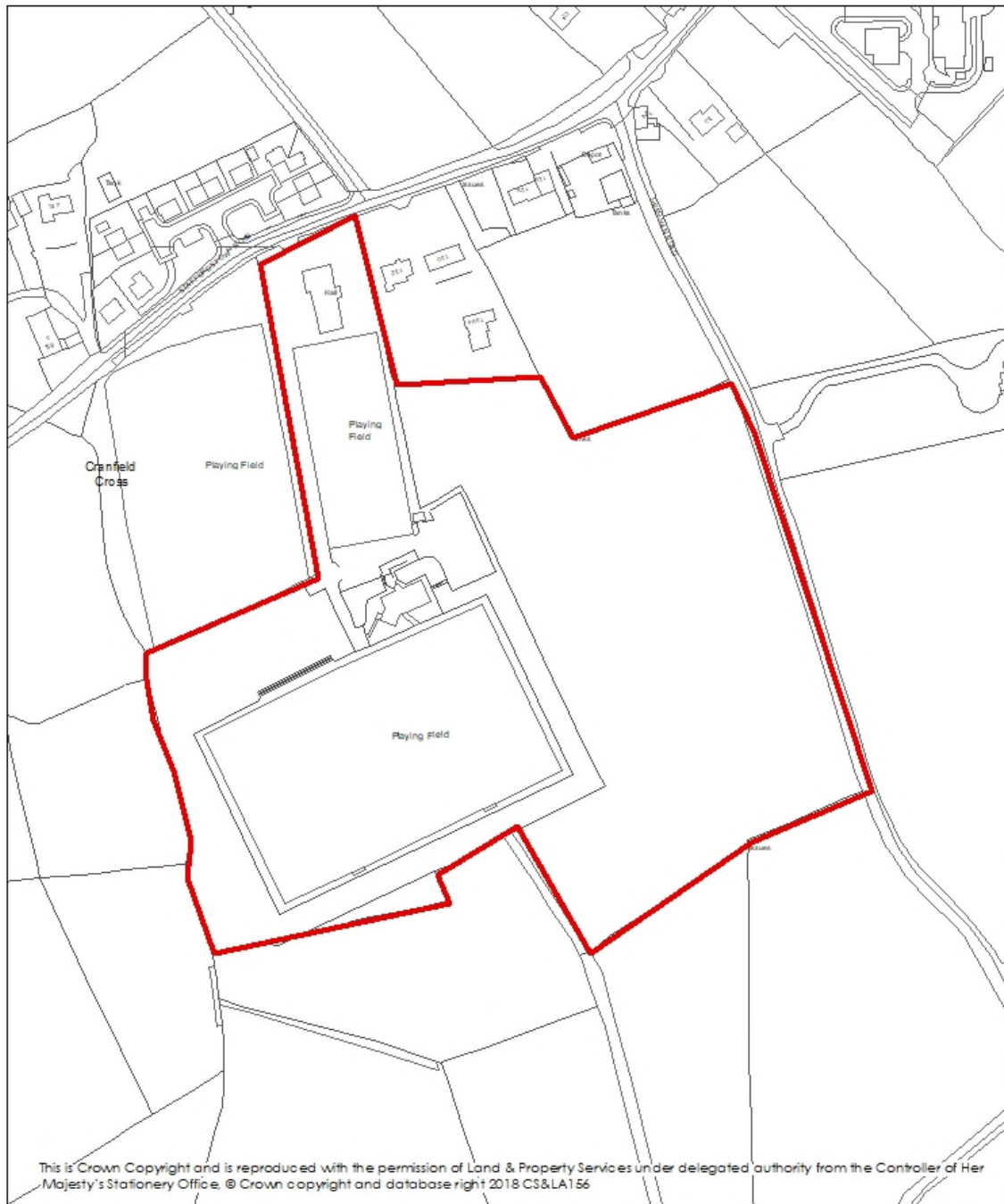
8. The proposed planting scheme indicated on drawing No. 06 date stamped 15/03/2021 shall be completed within six months of first use of the development hereby permitted, or by the end of the first planting season (November to March) following first use, whichever comes first.

The proposed planting shall be retained thereafter at a minimum height of 2 metres and trees within the hedgerow retained at a minimum height of 5 metres and allowed to grow on or as otherwise agreed in writing with the Council

Reason: To ensure the maintenance of screening to the site and to ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 80 of The Planning Act (NI) 2011 and in the interests of biodiversity and natural heritage.

9. The applicant/appointed contractor shall submit a final detailed Construction Environmental Management Plan (CEMP) to the Council, for consultation with NIEA, for the protection of watercourses, at least 8 weeks prior to the commencement of works on site. The final CEMP shall contain all the mitigation as described in the Outline Construction Environmental Management Plan, dated 15/03/2021. The approved CEMP shall be implemented strictly in accordance with the approved details, unless otherwise agreed in writing by the Council.

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



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Location Map

Application Reference: LA03/2020/0882/F
 Location: 134 Staffordstown Road
 (Adj to eastern boundary of existing playing field)
 Randalstown.

Proposal: Change of use of land from
 agricultural to sports playing field.

Site Boundary



1:2,500



COMMITTEE ITEM	3.3
APPLICATION NO	LA03/2020/0889/O
DEA	BALLYCLARE
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE OUTLINE PLANNING PERMISSION
PROPOSAL	Site for infill Dwelling
SITE/LOCATION	Adjacent to 62 Slievetrue Road, Carrickfergus
APPLICANT	Mr William Weatherup
AGENT	CMI Planners
LAST SITE VISIT	16 th April 2021
CASE OFFICER	Simon Russell Tel: 028 903 40427 Email: simon.russell@antrimandnewtownabbey.gov.uk
<p>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal www.planningni.gov.uk</p>	
SITE DESCRIPTION	
<p>The application site is located in the countryside immediately adjacent to No.62 Slievetrue Road, Carrickfergus outside of any settlement defined in the Belfast Metropolitan Area Plan 2015. The site is located on the eastern slopes of Slievetrue Hill and comprises part of a larger agricultural field with a frontage of approximately 60 metres along the Slievetrue Road and a depth of some 58 metres. The application site lies on the western side of Slievetrue Road, immediately to the north of a single storey detached dwelling (No. 62) with agricultural buildings to the rear. A single detached dwelling (No.74 Slievetrue Road) lies approximately 65m to the north of the site, separated by an agricultural field.</p> <p>The southern boundary is defined by post and wire fencing with an electricity pylon situated in the southwestern corner. The eastern roadside boundary is currently defined by a 2-metre high mature hedgerow, set behind a grass verge (interspersed with electricity poles), and an agricultural gate (southeastern corner) which currently provides access into the site. The western and northern boundaries of the site are currently undefined as the site forms part of a larger agricultural field. The topography rises away from the road in a westerly direction, with no discernible backdrop when travelling along the Slievetrue Road.</p> <p>The site lies opposite Bens Road which provides access into Woodburn Forest to the east. The surrounding area is characterised by a number of farm clusters and dispersed single detached dwellings surrounded by agricultural lands.</p>	
RELEVANT PLANNING HISTORY	
<p>Planning Reference: U/2014/0148/O Location: Approx 35m North of 62 Slievetrue Road, Ballyclare Proposal: 2 No. proposed dwellings Decision: Permission refused (15.08.2014)</p>	

PLANNING POLICY AND GUIDANCE

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

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

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

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

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

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

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

CONSULTATION

Council Environmental Health Section – No objection.

Northern Ireland Water – No Objection.

Department for Infrastructure Roads- No Objections, subject to conditions.

REPRESENTATION

Three (3) neighbouring properties were notified and two (2) letters of objection have been received from two (2) properties. The full representations made regarding this proposal are available for Members to view online at the Planning

Portal (www.planningni.gov.uk).

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

- Proposal is contrary to policies CTY1 and CTY8 of PPS21.
- The proposed site is not a "small gap site sufficient to accommodate a maximum of two houses".
- The proposed site does not respect the existing development pattern along the frontage in terms of size, scale, siting and plot size.
- Unclear from the application if the existing (agricultural) field access is to remain or be closed.
- Public safety concerns about the creation of a new residential access onto the Slievetrue Road due to the narrow road width and number of vehicles which park along this stretch of the road.
- Concerns regarding the removal of the existing roadside hedge to facilitate the proposed access (impact on the character of the area).
- Insufficient detail submitted with the application (lack of detail on dwelling type, siting and whether proposal is for single or double infill).
- Concern about existing overhead 11kv power lines which traverse the site.
- Previous planning history on the site for a double infill which was refused by the DOE under U/2014/0148/O.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

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

Policy Context and Principle of Development

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

The purportedly adopted Belfast Metropolitan Area Plan 2015 (BMAP) previously operated as the statutory development plan for this area, however the adoption of the Plan in 2014 was subsequently declared unlawful by the Court of Appeal on 18th May 2017. Up until the publication of draft BMAP (dBMAP) in 2004 and its purported adoption in 2014, the draft Newtownabbey Area Plan 2005 (dNAP) and associated Interim Statement published in February 1995 provided the core development plan document that guided development decisions in this part of the Borough.

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

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

From the outset it is important to note the planning history of the application site (as raised also by the objectors). The applicant was previously refused outline planning permission by the then DOE Planning in 2014 under ref. U/2014/0148/O for a double infill (2 dwellings). The application was refused on the grounds that the site was not considered a small gap site sufficient to accommodate up to a maximum of two houses within an otherwise substantial and continuously built up frontage. The applicant did not exercise their right of appeal with the Planning Appeals Commission. Whilst this decision was taken by the previous planning authority and is not therefore binding on the Council, it nevertheless represents an important material consideration in the determination of the current proposal.

The current application (LA03/2020/0889/O) is seeking planning permission for a single infill dwelling on the southern portion of the same site which was previously refused planning permission. It is important to note that the policy context since the refusal of the 2014 application has not changed in any significant way with the introduction of the Strategic Planning Policy Statement in 2015. Furthermore, the policies provisions of PPS 21 on which the previous application was assessed still remain in place and these are considered to be the most important material consideration in the determination of this current application.

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

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

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

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

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

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

The first element of Policy CTY 8 requires that a substantial and continuously built up frontage exists. According to Drawing No.01 the buildings that the applicant contends make up the substantial and continuously built up frontage are Nos.60, 62 Slievetrue Road to the south and No.74 to the north. It is considered that these dwellings do comprise a substantial and continuously built up frontage and therefore the proposal complies with criterion (a) of the policy.

The application site is separated from No. 74 Slievetrue Road by a section of an agricultural field. Whilst the plot frontage of the application site measures approximately 60 metres, the gap as measured from building to building, i.e. between the existing dwelling at No.62 and 74 Slievetrue Road is approximately 146 metres and as such, it is considered that the gap (between No.62 and No.74) could easily accommodate at least three 3 dwellings based on the average plot widths existing in the immediate area (which average some 35m). The 146m gap is therefore significant and it is not considered to be a small gap site sufficient to accommodate a maximum of two (2) dwellings as per the policy requirements of CTY8.

No other evidence has been submitted to suggest that the proposal falls to be considered under any other category of development that is noted as acceptable in principle in the countryside in accordance with Policy CTY 1 of PPS 21. Furthermore it is not considered that there are any other overriding reasons as to why this development is essential at this location and could not be located within a settlement.

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

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

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

Policy CTY 13 states that a new building in the countryside will be unacceptable where the site lacks long established natural boundaries or is unable to provide a suitable degree of enclosure. Whilst the application site has a mature hedgerow along its eastern roadside boundary, it is considered much of this will need to be removed to facilitate sight lines. Furthermore, the application site lacks established boundaries along its western and northern boundaries as the site is effectively cut out and forms part of the larger agricultural field. The southern boundary of the site is defined by post and wire fencing with sections of a mature hedge set behind, this boundary does little to help absorb the proposed development into the landform.

Critical views are obtained when travelling along the Slievetrue Road in a southerly direction, where the proposed dwelling will be openly viewed as having a limited sense of enclosure due to the topography of the land and lack of natural vegetation cover along the western and northern boundaries. The removal of a portion of the roadside boundary and the lack of any other significant natural boundaries on the site means that even a modest dwelling would fail to integrate to a satisfactory level and it is therefore considered that the proposal fails to comply with CTY 13 of PPS 21.

Policy CTY 14 states that planning permission will be granted for a building in the countryside where it does not cause a detrimental change to, or further erode the rural character of an area. It is considered that the development of a dwelling on the application site would be visually linked with the existing buildings to the south (Nos. 60 and 62) and would lead to a build-up of development in the area when read with other existing development. It is considered that the resultant roadside dwelling abutting the Slievetrue Road would effectively create a linear ribbon of development. This ribbon development is considered suburban in character and uncharacteristic of this rural area and should be avoided. Furthermore, a dwelling on the application site is likely to create an additional opportunity for further linear development along this stretch of the Slievetrue Road which will consequently lead to the further deterioration of the rural character in this area.

Due to the failure to comply with Policy CTY 8 which has been discussed above, it is considered that the proposed development would create a ribbon of development which would result in a detrimental change to, and further erode, the rural character of the area. The proposal therefore fails to comply with criterion (d) of Policy CTY 14 of PPS21.

For the reasons outlined above it is considered that the proposal fails to meet the requirements of the SPPS and Policies CTY 8, CTY 13 and CTY 14 of PPS 21.

Neighbouring Amenity

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

Other Matters

Concerns have been raised by the objectors as to whether the existing (agricultural) field access is to remain or be closed if planning permission is forthcoming.

According to Question No.12 of the P1 application form, the proposal seeks to construct a new access onto the Slievetrue Road. Public safety concerns were also

raised in relation to the creation of a new residential access onto the Slievetrue Road due to the narrow road width and number of vehicles which park along this stretch of the road. Concerns were also raised with regard to any removal of the existing roadside hedging to facilitate the proposed access (including its impact on the character of the area). DfI Roads were consulted on the application and offered no objections to the principle of the scheme subject to compliance with the RS1 form at reserved matters stage should planning permission be forthcoming. As this application seeks outline planning permission, the principle of an access onto the Slievetrue Road from a road safety perspective is considered acceptable. If approval is forthcoming, the applicant would be required to provide detailed drawings to comply with the RS1 form at reserved matters stage, where the acceptability of any proposed access (through further consultation with DfI Roads), and whether the applicant wishes to retain or close the exiting agricultural access will be considered.

Concerns were also raised with regard to the lack of detail relating to the siting, dwelling type and whether the proposal is for single or double infill. The applicant has indicated in Question No.11 on their P1 form that the proposal is for an "infill dwelling". As previous indicated, the application is seeking to establish the principle for a single infill dwelling through the submission of this outline planning permission. Therefore, details relating to siting, design and layout (including any potential impact on NIE overhead lines and their associated pylons) would stand to be assessed at reserved matters stage if permission were forthcoming.

As a consequence, the concerns raised in representations are not deemed to be determining at this stage.

CONCLUSION

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

- The principle of the development is considered unacceptable as the proposal is contrary to the provisions of the SPPS, Policy CTY 1 and Policy CTY 8 of PPS 21 as no infill opportunity exists at this location;
- The proposal constitutes ribbon development that will cause a detrimental change to and further erode the rural character of the area;
- The proposal will not integrate into the surrounding landscape; and
- No evidence has been advanced that the proposed development could not be located in a settlement.

RECOMMENDATION

REFUSE OUTLINE PLANNING PERMISSION

PROPOSED REASONS OF REFUSAL

1. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement and Policy CTY1 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement.
2. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement and fails to meet with the provisions for an infill dwelling in accordance with Policy CTY 8 of Planning Policy Statement 21, Sustainable

Development in the Countryside, in that the application site does not comprise a small gap within a substantial and continuously built up frontage.

3. The proposal is contrary to the provisions of the Strategic Planning Policy Statement and Policy CTY 13 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that a dwelling on this site, if permitted, would fail to integrate into the countryside.
4. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement and Policies CTY 8 & 14 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the building would, if permitted, result in ribbon development resulting in a suburban style build up when viewed with the existing dwellings along Slievetrue Road.



Location Map

Application Reference: LA03/2020/0889/O
 Location: Adj to 62 Slievetrue Road, Carrickfergus
 Proposal: Site for Infill Dwelling



 Site Boundary



COMMITTEE ITEM	3.4
APPLICATION NO	LA03/2021/0085/O
DEA	AIRPORT
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE OUTLINE PLANNING PERMISSION
PROPOSAL	Site for infill dwelling
SITE/LOCATION	45m southwest of 15 British Road, Aldergrove, Crumlin.
APPLICANT	Colin McCabe
AGENT	Park Design Associates
LAST SITE VISIT	24th March 2021
CASE OFFICER	Ashleigh Wilson Tel: 028 903 Ext 40429 Email: ashleigh.wilson@antrimandnewtownabbey.gov.uk
<p>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal www.planningni.gov.uk</p>	
SITE DESCRIPTION	
<p>The application site is located within the countryside at British Road, Aldergrove, outside any designated settlement as defined in the Antrim Area Plan 1984 – 2001.</p> <p>The application site is bound to the northeast by a post and wire fence with mature trees and vegetation interspersed along this boundary. The southwestern and southeastern site boundaries are undefined as the site forms part of a larger field. The northwestern roadside boundary is defined by tall, mature trees with a grass verge in front. The topography of the land within the application site is relatively flat.</p> <p>The area is rural in character with a number of dwellings within close proximity to the application site. No. 15 British Road abuts the site to the northeast.</p>	
RELEVANT PLANNING HISTORY	
<p>Planning Reference: T/1987/0331/O Location: British Road, Aldergrove Proposal: Site of dwelling Decision: Permission Refused (10.10.1987)</p> <p>Planning Reference: T/1998/0481/O Location: Adjacent to 15 British Road, Aldergrove Proposal: Site of dwelling and garage Decision: Permission Refused (31.12.1998)</p>	
PLANNING POLICY AND GUIDANCE	
<p>Under the provisions of the Planning Act (Northern Ireland) 2011, all decisions must be taken in accordance with the provisions of the Local Development Plan unless material considerations indicate otherwise.</p> <p>Until the Council adopts its new Local Development Plan, planning applications will continue to be assessed against the provisions of the extant adopted Development</p>	

Plans for the Borough, which in this case is the Antrim Area Plan 1984 -2001. Account will also be taken of the relevant provisions of Planning Policy Statements (PPSs) which contain the main operational planning policies for the consideration of development proposals.

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

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

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

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

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

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

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

CONSULTATION

Council Environmental Health Section – No objection.

Northern Ireland Water – No objection.

Department for Infrastructure Roads- No objection, subject to condition.

Department for Infrastructure Rivers – Further information requested.

Belfast International Airport – Further consultation required at Reserved Matters stage.

Defence Infrastructure Organisation: LMS – No objections.

REPRESENTATION

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

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Policy Context and Principle of Development
- Impact on Character and Appearance of the Area
- Neighbour Amenity
- Flood Risk
- Access
- Other Matters

Policy Context and Principle of Development

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

The Antrim Area Plan 1984-2001 (AAP) currently operates as the statutory local development plan for the area where the application site is located, and regional planning policy is also material to determination of the proposal. The application site is outside any settlement limit defined in the AAP and is located within the countryside. No specific zoning is applied to the site within the plan and no specific mention is made of this type of proposal.

The Strategic Planning Policy Statement for Northern Ireland (SPPS) is material to all decisions on individual planning applications. The SPPS sets out the transitional arrangements that will operate until the Council has adopted a Plan Strategy for the Borough and it retains certain existing Planning Policy Statements. One such document is Planning Policy Statement 21 'Sustainable Development in the Countryside'.

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

Policy CTY 8 states that planning permission will be refused for a building which creates or adds to a ribbon of development. It does however state that an exception will be permitted for the development of a small gap site sufficient only to accommodate up to a maximum of two houses within an otherwise substantial and continuously built-up frontage and provided this respects the existing development pattern along the frontage in terms of size, scale, siting and plot size and meets other planning and environmental considerations.

In the context of this application, the site comprises a portion of a roadside field with a frontage to the public road. The southwesterly portion of this field is the subject of a separate planning application under planning reference LA03/2021/0087/O for a second infill dwelling which is currently under consideration.

An existing dwelling, No. 15 British Road abuts the northeastern boundary of the application site. This dwelling is set some 20 metres off the road on a similar sized plot to

the current application site with its curtilage extending to the road. Beyond No. 15 British Road to the north is No. 17 British Road, set approximately 20 metres off the road and again with a similar size plot to the application site.

To the south of the application site, beyond the 'gap' which comprises the current application site and the associated application LA03/2021/0087/O, is No. 11 British Road which is set back off the road by approximately 120 metres. A gated access to this property abuts the British Road with a landscaped area, to both the northeast and southwest of the access road. The access and landscaped grass areas either side measures approximately 28 metres wide along British Road and is defined by a maintained hedge of approximately 1.5 metres in height.

Policy CTY 8 of PPS21 defines a substantial and built-up frontage as including a line of three (3) or more buildings along a road frontage without accompanying development to the rear. While the access laneway to No. 11 reaches the British Road, along with a landscaped area of grass to either side of the access, it is considered that these maintained grass areas along the laneway do not form a roadside frontage for the building which is significantly setback from the road. The defined curtilage of the dwelling extends approximately thirty (30) metres in front of the dwelling however, is set back approximately 90 metres from the British Road. It is considered that No. 11 British Road does not have a frontage onto the road due to its setback from it and the configuration of the plot. This dwelling therefore does not form part of an otherwise continuously built-up frontage for the purposes of Policy CTY 8. Consequently, it is considered that the proposal fails to meet criteria (a) and criteria (b) of Policy CTY 8 as detailed above, as the application site does not represent a small gap as defined by the policy, and the proposal is not an exception to the policy presumption against ribbon development. Therefore, the development proposal cannot meet the remaining tests of Policy CTY 8 which requires the proposal to respect the existing development pattern in terms of size, scale, siting and plot size, and satisfy other environmental requirements.

The proposal does not represent one of the types of development considered to be acceptable in principle in the countryside. Policy CTY 1 of PPS 21 goes on to state that other types of development will only be permitted where there are overriding reasons why that development is essential and could not be located in a nearby settlement. There was no evidence submitted with the application to demonstrate that the proposal is essential. It is therefore also contrary to Policy CTY 1 of PPS 21.

Impact on Character and Appearance of the Area

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

The removal of some of the mature vegetation along the site frontage to allow for the access point and visibility splays would result in a dwelling on the application site being read together with Nos. 11, 15 and 17 British Road. Critical transient views are evident

when travelling in both directions along the stretch of British Road between No. 11 and No. 17 British Road.

Paragraph 5.34 of Policy CTY 8 states that many frontages in the countryside have gaps between houses or other buildings that provide relief and visual breaks in the developed appearance of the locality and that help to maintain rural character. It is considered that the application site provides such a visual break in the existing development pattern in the area.

The infilling of this critical gap is considered to be detrimental to the rural character of the area as the development proposal will result in the creation of a linear form of ribbon development along the British Road, which is at odds with the present dispersed settlement pattern. The proposal is therefore considered contrary to criteria (d) of Policy CTY 8 of PPS 21 and will therefore have a detrimental impact on the character of the rural area.

Policy CTY 13 'Integration and Design of Buildings in the Countryside' of PPS 21 states that planning permission may be granted for a building in the countryside where it can be visually integrated into the surrounding landscape and is of an appropriate design. Criterion (a) of the policy indicates that a new building will be unacceptable if it is a prominent feature in the landscape. Given the significant natural screening to the northwestern and northeastern site boundaries, including vegetation to the wider field boundary to the east of the site it is considered that a suitably designed building would integrate into the surrounding landscape. As this application is for outline planning permission no details have been submitted regarding the proposed design or layout.

It is considered that the proposed dwelling would have a suitable degree of enclosure and would not have a prominent location in the landscape. While the test is not one of invisibility, it is rather an assessment of the extent to which the development of the proposed site will blend unobtrusively with the immediate and wider surroundings. However, this does not overcome the concerns regarding the creation of ribbon development, and it is therefore considered that the proposal fails to comply with Policy CTY 14 of PPS 21.

Neighbour Amenity

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

Flood Risk

The Strategic Layer of Flood Maps (NI) indicates fluvial flooding affecting part of this site. This information is taken from the Strategic Flood Map and not from DfI Rivers detailed modelled Flood Map, in such cases the applicant should undertake a detailed Flood Risk Analysis to accompany the application to accurately plot the extent of the floodplain at this location and indicate which parts of the site may be suitable for development. In this case this information has not been requested as the principle of development has not been established and to request the information would lead to unnecessary expense to the applicant.

Flood Maps (NI) also indicates part of the site may be subject to surface water (pluvial) flooding. Should permission be forthcoming the applicant could be advised through an informative to appoint a competent professional to carry out their own assessment of flood risk and to construct in a manner that minimises flood risk to the proposed development and elsewhere.

The applicant indicates that surface water discharges from the site will be to soakaways. Again, if permission is forthcoming the applicant could be advised through an informative that 'consent to discharge' will be required from DAERA Water Management Unit.

Access

The proposed access arrangement is onto the British Road. Consultation was carried out with DfI Roads who requested additional information to show extended sightline provision. This information was submitted by the applicant and it is considered that the access arrangement is acceptable subject to compliance with the RS1 form at reserved matters stage should planning permission be forthcoming. It is therefore considered that the proposal is compliant with Policy AMP 2 of PPS 3.

Other Matters

Belfast International Airport

It is noted that the proposed development is approximately 1.1 km from one of Belfast International Airport's runways and Environmental Health Section has advised that any future occupiers may experience noise disturbance from air traffic movements. Should planning permission be forthcoming an informative could be placed on any future decision to advise the applicant that due consideration should be given to the design and orientation of the proposed dwelling to ensure that the potential for an adverse impact on amenity from air traffic movements is minimised. The applicant may wish to increase acoustic performance of the building elements, to include, acoustically attenuated mechanical ventilation, glazing, roof and blockwork, to ensure that occupiers are suitably protected from any adverse impact arising from air traffic movements.

With the limited information submitted with an outline application Belfast International Airport has advised that a building to the maximum height of 20.00 metres would be acceptable on this site without infringing on the protected surface (i.e. on the assumption that the ground level is 48.00m above ordnance datum). However, Belfast International Airport cannot comment further until additional details are provided at Reserved Matters stage should planning permission be forthcoming.

CONCLUSION

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

- The principle of the development is considered unacceptable as the proposal is contrary to the provisions of the SPPS, Policy CTY 1 and Policy CTY 8 of PPS 21 as no infill opportunity exists at this location;
- The proposal constitutes ribbon development that will cause a detrimental change to and further erode the rural character of the area;
- The dwelling, if permitted would not have a detrimental impact on the amenity of the neighbouring properties;
- There are no road safety concerns regarding the proposal.

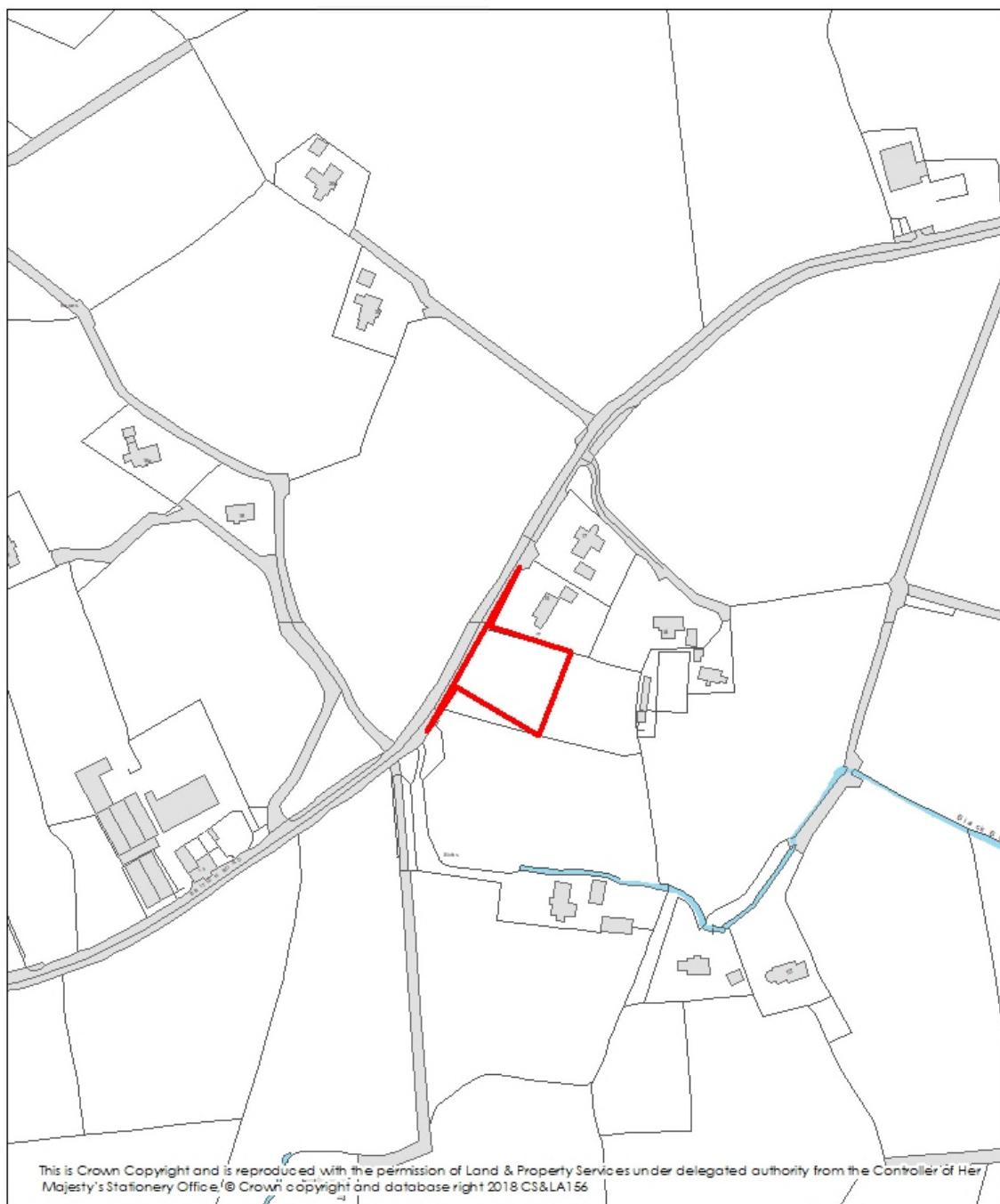
- It has not been demonstrated that the proposal will not increase the risk of flooding to this site.

RECOMMENDATION

REFUSE OUTLINE PLANNING PERMISSION

PROPOSED REASONS OF REFUSAL

1. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement and Policy CTY 1 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement.
2. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement and fails to meet with the provisions for an infill dwelling in accordance with Policy CTY 8 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the application site does not comprise a small gap within a substantial and continuously built up frontage.
3. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement and Policies CTY 8 and 14 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the building would, if permitted, result in ribbon development resulting in a suburban style build up when viewed with the existing dwellings on the British Road.
4. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement and Policy FLD 1 of Planning Policy Statement 15: Planning and Flood Risk (PPS 15) in that the proposed development is located partially within a fluvial floodplain and it has not been demonstrated that the proposed development would not be at risk from flooding itself or would not increase the risk of flooding elsewhere.



Site Location Plan

Application Reference: LA03/2021/0085/O

Site for infill dwelling

45m South West of 15 British Road
Aldergrove
Crumlin



 Site boundary



COMMITTEE ITEM	3.5
APPLICATION NO	LA03/2021/0087/O
DEA	AIRPORT
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE OUTLINE PLANNING PERMISSION
PROPOSAL	Site for infill dwelling
SITE/LOCATION	100m northwest of 11 British Road, Aldergrove, Crumlin
APPLICANT	Colin McCabe
AGENT	Park Design Associates
LAST SITE VISIT	24th March 2021
CASE OFFICER	Ashleigh Wilson Tel: 028 903 Ext 40429 Email: ashleigh.wilson@antrimandnewtownabbey.gov.uk
<p>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal www.planningni.gov.uk</p>	
SITE DESCRIPTION	
<p>The application site is located within the countryside at British Road, Aldergrove, outside any designated settlement as defined in the Antrim Area Plan 1984 – 2001.</p> <p>The application site is irregular in shape and comprises a portion of a larger agricultural field. The application sites only defined boundary is a 22 metre stretch where the site abuts the British Road, partially defined by mature trees and hedging with the remainder defined by a box hedge with timber fencing and matching timber agricultural gate. The application site is split across two fields with a row of trees currently running through the site from British Road defining the existing field boundary. Further south of the site is a narrow strip of land within the field for a 'laneway to be left to allow access to the back of fields' which widens out adjacent to a stream running beyond the southern boundary of the application site. Beyond this is the landscaped area and access laneway to No. 11 British Road.</p> <p>The area is rural in character with a number of dwellings within close proximity to the application site.</p>	
RELEVANT PLANNING HISTORY	
<p>Planning Reference: T/1987/0331/O Location: British Road, Aldergrove Proposal: Site of dwelling Decision: Permission Refused (10.10.1987)</p> <p>Planning Reference: T/1998/0481/O Location: Adjacent to No. 15 British Road, Aldergrove Proposal: Site of dwelling and garage Decision: Permission Refused (31.12.1998)</p>	

PLANNING POLICY AND GUIDANCE

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

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

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

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

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

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

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

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

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

CONSULTATION

Council Environmental Health Section – No objection.

Northern Ireland Water – No objection.

Department for Infrastructure Roads- No objection, subject to condition.

Department for Infrastructure Rivers – Further information requested.

Belfast International Airport – Further consultation required at Reserved Matters stage.

Defence Infrastructure Organisation: LMS – No objections.

REPRESENTATION

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

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Policy Context and Principle of Development
- Impact on Character and Appearance of the Area
- Neighbour Amenity
- Flood Risk
- Access
- Other Matters

Policy Context and Principle of Development

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

The Antrim Area Plan 1984-2001 (AAP) currently operates as the statutory local development plan for the area where the application site is located, and regional planning policy is also material to determination of the proposal. The application site is outside any settlement limit defined in the AAP and is located within the countryside. No specific zoning is applied to the site within the plan and no specific mention is made of this type of proposal.

The Strategic Planning Policy Statement for Northern Ireland (SPPS) is material to all decisions on individual planning applications. The SPPS sets out the transitional arrangements that will operate until the Council has adopted a Plan Strategy for the Borough and it retains certain existing Planning Policy Statements. One such document is Planning Policy Statement 21 'Sustainable Development in the Countryside'.

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

Policy CTY 8 states that planning permission will be refused for a building which creates or adds to a ribbon of development. It does however state that an exception will be permitted for the development of a small gap site sufficient only to accommodate up to a maximum of two houses within an otherwise substantial and continuously built-up frontage and provided this respects the existing development pattern along the frontage in terms of size, scale, siting and plot size and meets other planning and environmental considerations.

In the context of this application, the site comprises a portion of two roadside fields with a frontage to the public road. A further portion of the northeasterly portion of the field is the subject of a separate planning application under planning reference LA03/2021/0085/O for a second infill dwelling which is currently under consideration.

Beyond these application sites to the north are two existing dwellings, No. 15 and No. 17 British Road which are both set approximately 20 metres off the road within a curtilage which abuts the British Road. To the south of the application site is a small strip of land left to allow access to the remaining field behind the application site. Beyond this strip of land for access is No. 11 British Road which is set back off the road by approximately 120 metres. A gated access to this property abuts the British Road with a landscaped area, to both the northeast and southwest of the access road. The access and landscaped grass areas either side measures approximately 28 metres wide along British Road and is bound along the roadside with a maintained hedge of approximately 1.5 metres in height.

Policy CTY 8 defines a substantial and built-up frontage as including a line of three (3) or more buildings along a road frontage without accompanying development to the rear. While the access laneway to No. 11 reaches the British Road, along with a landscaped area of grass to either side of the access, it is considered that these maintained grass areas along the laneway do not form part of a frontage of the building rather they constitute the access to it. The defined curtilage of the dwelling extends approximately thirty (30) metres in front of the dwelling however, is set back approximately 90 metres from British Road. It is considered that No. 11 British Road does not have a frontage onto the road due to its setback from it and the configuration of the plot. This dwelling therefore does not form part of an otherwise substantial and continuously built-up frontage for the purposes of Policy CTY 8. Consequently, it is considered that the proposal fails to meet criteria (a) and criteria (b) of Policy CTY 8 as detailed above, as the application site does not represent a small gap as defined by the policy, and the proposal is not an exception to the policy presumption against ribbon development. Therefore, the development proposal cannot meet the remaining tests of Policy CTY 8 which requires the proposal to respect the existing development pattern in terms of size, scale, siting and plot size, and satisfy other environmental requirements.

The proposal does not represent one of the types of development considered to be acceptable in principle in the countryside. Policy CTY 1 of PPS 21 goes on to state that other types of development will only be permitted where there are overriding reasons why that development is essential and could not be located in a nearby settlement. There was no evidence submitted with the application to demonstrate that the proposal is essential. The proposal is therefore also contrary to Policy CTY 1 of PPS 21.

Impact on Character and Appearance of the Area

The SPPS paragraph 6.70 and Policy CTY 13 'Rural Character' stipulates that permission will be granted for a building in the countryside where it can be visually integrated into the surrounding landscape and is of an appropriate design. The policy also requires such proposals to meet a number of stated criteria. As the application seeks outline permission, no details have been provided regarding the proposed design or layout of the dwelling.

The application site is split across two fields and will involve some loss to the vegetation which currently defines the boundary between the two fields (as indicated in brown on Drawing Number 02, date stamped 27th January 2021). While there is currently a defined roadside boundary, this is the only defined boundary to the application site and some of this will need to be removed to facilitate the access point and visibility splays. Given the lack of enclosure for the site it is considered that the proposal would fail to meet the policy criteria relating to lack of enclosure and consequently fails to comply with Policy CTY 13.

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

The removal of some of the mature vegetation along the site frontage to allow for the access points would result in a dwelling on the application site being read together with Nos. 11, 15 and 17 British Road. Critical transient views are evident when travelling in both directions along the stretch of British Road between No. 11 and No. 17 British Road.

Paragraph 5.34 of Policy CTY 8 states that many frontages in the countryside have gaps between houses or other buildings that provide relief and visual breaks in the developed appearance of the locality and that help to maintain rural character. It is considered that the application site provides such a visual break in the existing development in the area.

The infilling of this critical gap is considered to be detrimental to the rural character of the area as the development proposal will result in the creation of a linear form of ribbon development along the British Road, which is at odds with the present dispersed settlement pattern. The proposal is therefore considered contrary to criteria (d) of Policy CTY 8 of PPS 21 and will therefore have a detrimental impact on the character of the rural area.

Neighbour Amenity

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

Flood Risk

The Strategic Layer of Flood Maps (NI) indicates fluvial flooding affecting part of this site. This information is taken from the Strategic Flood Map and not from DfI Rivers detailed modelled Flood Map, in such cases the applicant should undertake a detailed Flood Risk Analysis to accompany the application to accurately plot the extent of the floodplain at this location and indicate which parts of the site may be suitable for development. In this case this information has not been requested as the

principle of development has not been established and to request the information would lead to unnecessary expense to the applicant.

Flood Maps (NI) also indicates part of the site may be subject to surface water (pluvial) flooding. Should permission be forthcoming the applicant could be advised through an informative to appoint a competent professional to carry out their own assessment of flood risk and to construct in a manner that minimises flood risk to the proposed development and elsewhere.

The applicant indicates that surface water discharges from the site will be to soakaways. Again, if permission is forthcoming the applicant could be advised through an informative that 'consent to discharge' will be required from DAERA Water Management Unit.

Access

The proposed access arrangement is onto the British Road. Consultation was carried out with DfI Roads who requested additional information to show extended sightline provision. This information was submitted by the applicant and it is considered that the access arrangement is acceptable subject to compliance with the RS1 form at reserved matters stage should planning permission be forthcoming. It is therefore considered that the proposal is compliant with Policy AMP 2 of PPS 3.

Other Matters

Belfast International Airport

It is noted that the proposed development is approximately 1.1 km from one of Belfast International Airport's runways and Environmental Health Section has advised that any future occupiers may experience noise disturbance from air traffic movements. Should planning permission be forthcoming an informative could be placed on any future decision to advise the applicant that due consideration should be given to the design and orientation of the proposed dwelling to ensure that the potential for an adverse impact on amenity from air traffic movements is minimised. The applicant may wish to increase acoustic performance of the building elements, to include, acoustically attenuated mechanical ventilation, glazing, roof and blockwork, to ensure that occupiers are suitably protected from any adverse impact arising from air traffic movements.

With the limited information submitted with an outline application Belfast International Airport has advised that a building to the maximum height of 20.00 metres would be acceptable on this site without infringing on the protected surface (i.e. on the assumption that the ground level is 48.00m above ordnance datum). However, Belfast International Airport cannot comment further until additional details are provided at Reserved Matters stage should planning permission be forthcoming.

CONCLUSION

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

- The principle of the development is considered unacceptable as the proposal is contrary to the provisions of the SPPS, Policy CTY 1 and Policy CTY 8 of PPS 21 as no infill opportunity exists at this location;
- The proposal constitutes ribbon development that will cause a detrimental change to and further erode the rural character of the area;

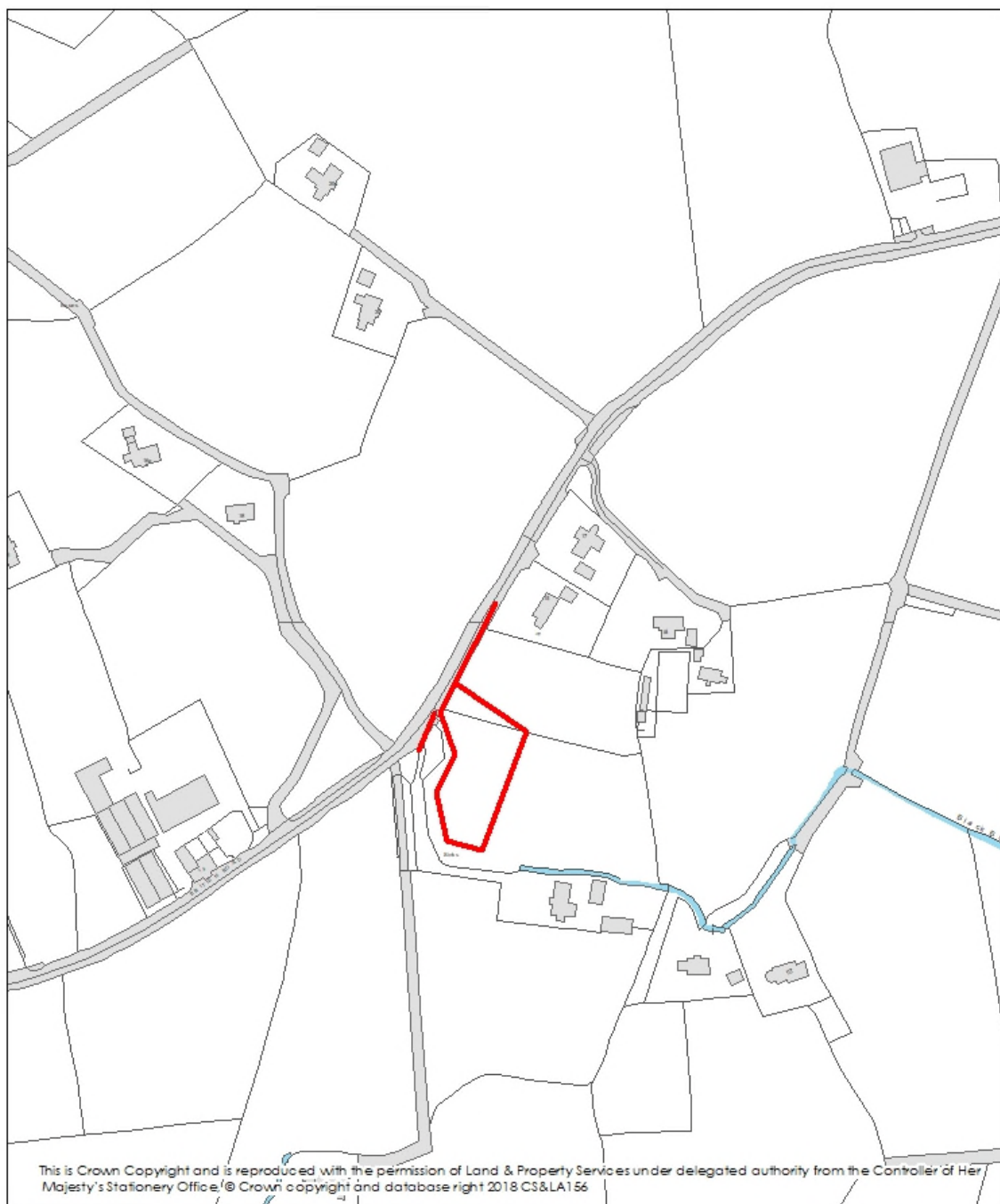
- The dwelling, if permitted would not have a detrimental impact on the amenity of the neighbouring properties;
- There are no road safety concerns regarding the proposal.
- It has not been demonstrated that the proposal will not increase the risk of flooding to this site.

RECOMMENDATION

REFUSE OUTLINE PLANNING PERMISSION

PROPOSED REASONS OF REFUSAL

1. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement and Policy CTY 1 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement.
2. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement and fails to meet with the provisions for an infill dwelling in accordance with Policy CTY 8 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the application site does not comprise a small gap within a substantial and continuously built up frontage.
3. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement and Policies CTY 8 and 14 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the building would, if permitted, result in ribbon development resulting in a suburban style build up when viewed with the existing dwellings on the British Road.
4. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement and Policy FLD 1 of Planning Policy Statement 15: Planning and Flood Risk (PPS 15) in that the proposed development is located partially within a fluvial floodplain and it has not been demonstrated that the proposed development would not be at risk from flooding itself or would not increase the risk of flooding elsewhere.
5. The proposal is contrary to the provisions of the Strategic Planning Policy Statement and Policy CTY 13 of Planning Policy Statement 21, Sustainable Development in the Countryside as, if approved, is unable to provide a suitable degree of enclosure for the building to integrate.




Site Location Plan

Application Reference: LA03/2021/0087/O

Site for infill dwelling

100m North West of 11 British Road
Aldergrove
Crumlin



 Site boundary



PART TWO

OTHER PLANNING MATTERS

ITEM 3.6

P/PLAN/1 DELEGATED PLANNING DECISIONS AND APPEALS

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

One appeal was allowed during April by the Planning Appeals Commission (PAC) in relation to the non-determination of an application for a residential development of 32 units in the south eastern portion of the former Craighill Quarry, Ballycorr Road, Ballyclare (reference: LA03/2020/0117/F) and a copy of this decision is also **enclosed**.

As reported to the April Planning Committee meeting, the application for a residential development of 7 units at Lenamore Drive (reference LA03/2020/0349/F) refused at the March Planning Committee is shown on the PAC website as having been appealed. However, at time of writing this report, the Council has still not received formal notification of this appeal from the PAC.

Members may also wish to note that the PAC has dismissed two linked appeals for a proposed new cemetery site on lands at Carnaghliss and Quarterland Roads within the Lisburn and Castlereagh City Council area which is close to the boundary with this Council. A copy of this decision is also **enclosed** for information

RECOMMENDATION: that the report be noted.

Prepared by: John Linden, Head of Planning

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

ITEM 3.7

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

Prospective applicants for all development proposals which fall into the Major development category under the 2011 Planning Act are required to give at least 12 weeks' notice to the Council that an application for planning permission is to be submitted. This is referred to as a Proposal of Application Notice (PAN). Three PANs were registered during April 2021 the details of which are set out below.

PAN Reference:	LA03/2021/0344/PAN
Proposal:	Proposed erection of a residential apartment development with retail provision at ground floor and associated development
Location:	Lands at 333-335 Antrim Road, Glengormley
Applicant:	Mr Kenneth Campbell
Date Received:	16 April 2021
12 week expiry:	9 July 2021

PAN Reference:	LA03/2021/0364/PAN
Proposal:	Proposed new 7no classroom primary school and nursery unit for Gaelscoil Eanna, associated site works, infrastructure and landscaping, with access from Hightown Road
Location:	Lands approx. 245m south of the existing St Enda's GAC clubhouse, Hightown Road, Glengormley
Applicant:	Gaelscoil & Naiscoil Eanna
Date Received:	21 April 2021
12 week expiry:	14 July 2021

PAN Reference:	LA03/2021/0374/PAN
Proposal:	Construction of 1 no. bridge access over existing railway line to replace 2no. existing manually operated user worked crossings, includes associated access to public road, associated earthworks and ancillary development
Location:	Lands to the south of Belfast Road between 127 and 163 lands to south of existing railway line and north and north/west of 159 Belfast Road, Muckamore, Antrim
Applicant:	Translink
Date Received:	22 April 2021
12 week expiry:	15 July 2021

Under Section 27 of the 2011 Planning Act obligations are placed on the prospective developer to consult the community in advance of submitting a Major development planning application. Where, following the 12 week period set down in statute, an application is submitted this must be accompanied by a Pre-Application

Community consultation report outlining the consultation that has been undertaken regarding the application and detailing how this has influenced the proposal submitted.

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

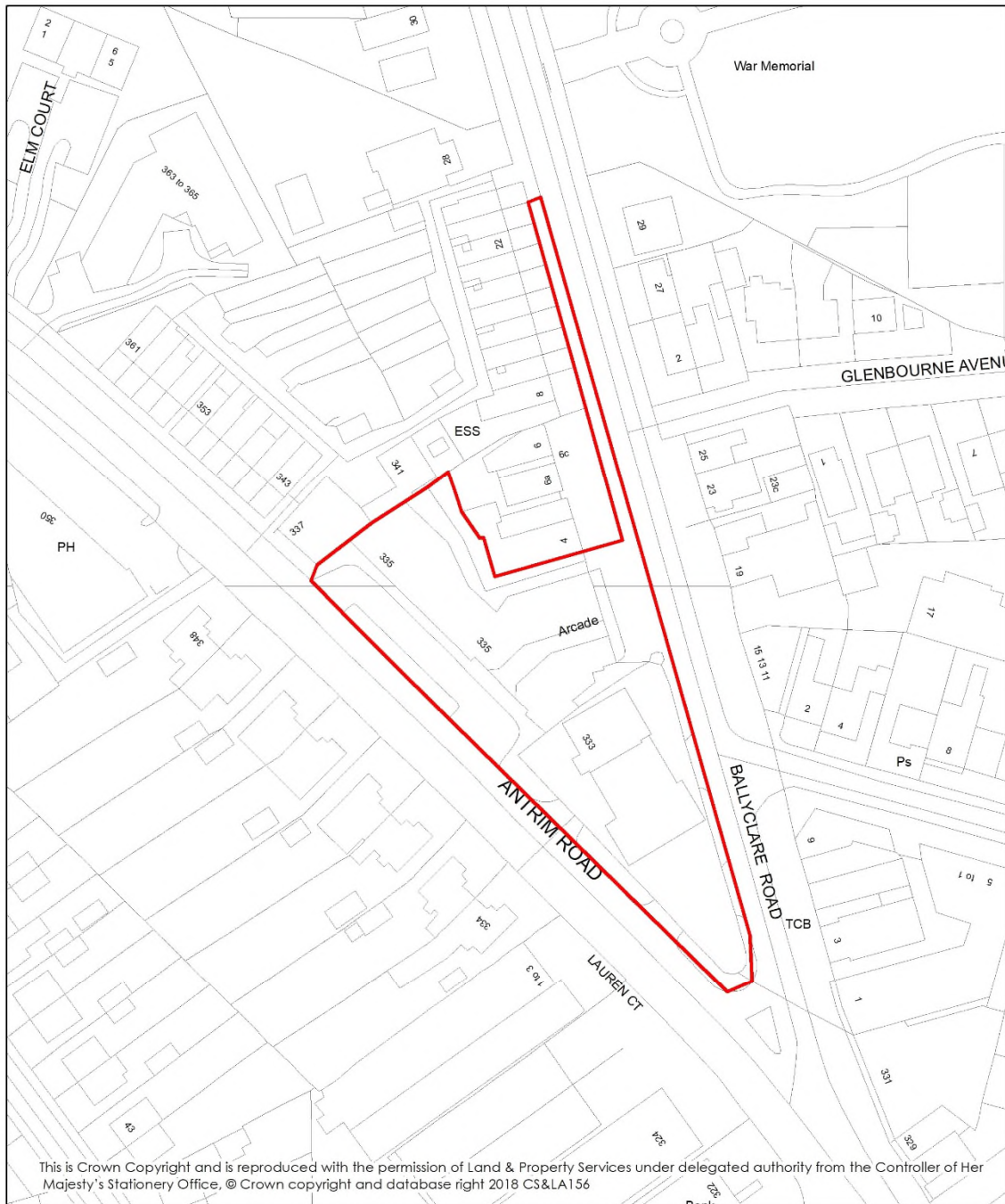
The Planning (Development Management) (Temporary Modifications) (Coronavirus) (Amendment) Regulations (Northern Ireland) 2021 temporarily amend the Planning (Development Management) Regulations (Northern Ireland) 2015 and will now apply until 30 September 2021. As with the previous Regulations applicants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

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

RECOMMENDATION: that the report be noted.

Prepared by: John Linden, Head of Planning

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



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Location Map

PAN Reference: LA03/2021/0344/PAN

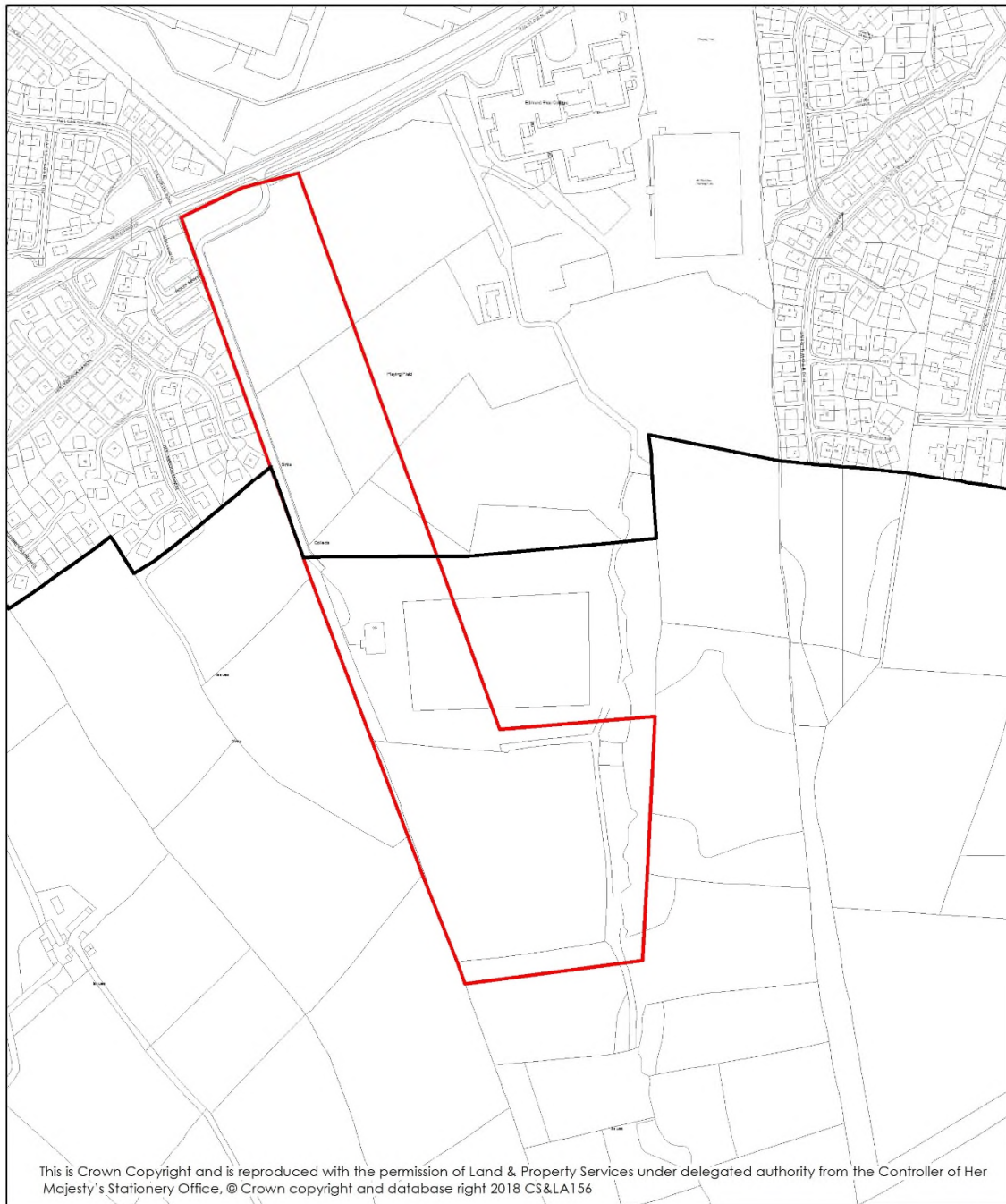
Location: Lands at 333 - 335 Antrim Road, Glengormley

Proposal: Proposed erection of a residential apartment development with retail provision at ground floor

 Site Boundary

0 25 50
Metres





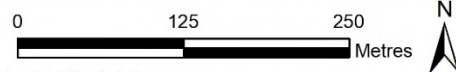
Location Map

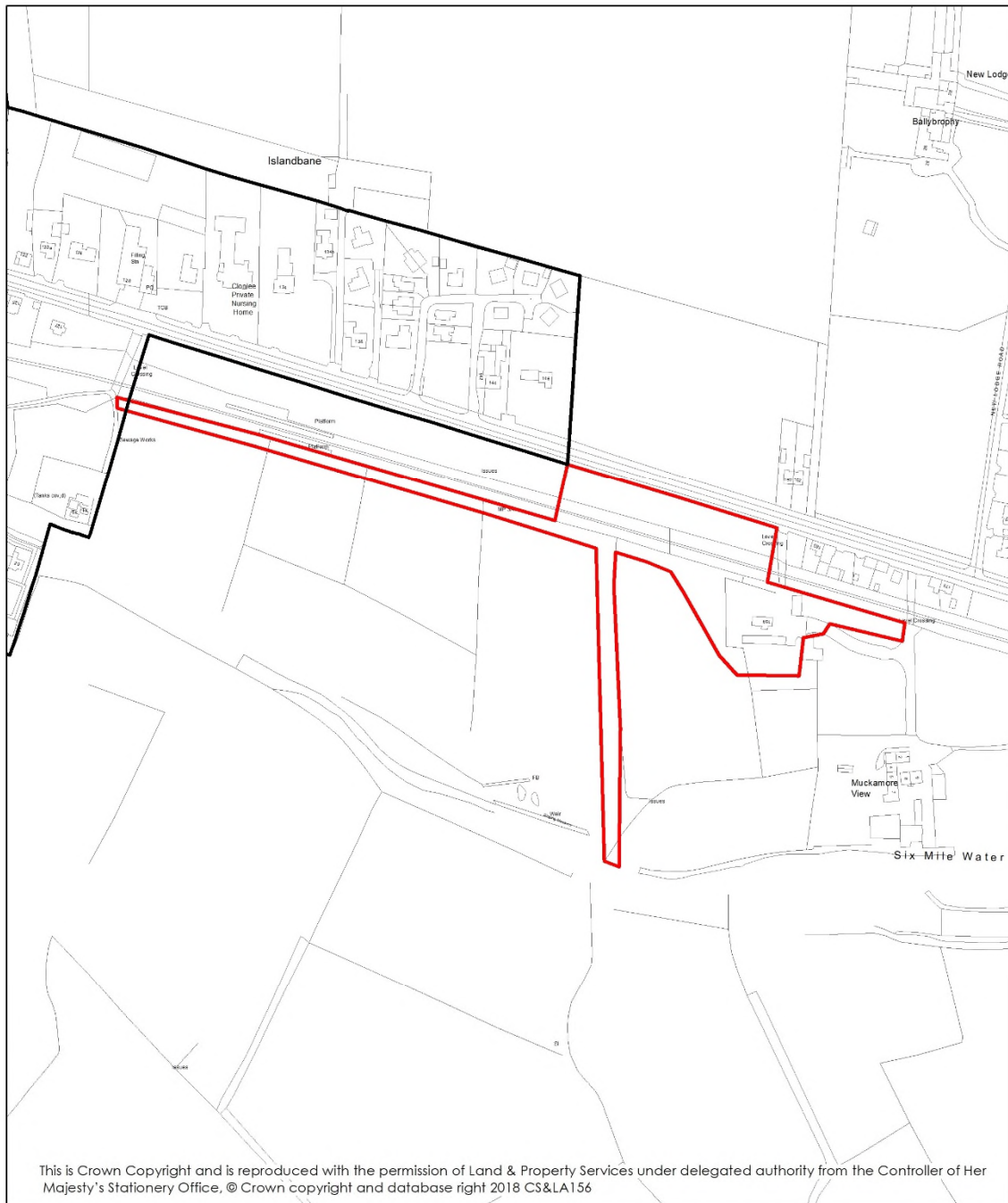
PAN Reference: LA03/2021/0364/PAN

Location: Lands approx. 245m south of the existing St Enda's GAC clubhouse, Hightown Road, Glengormley

Proposal: Proposed new 7no classroom primary school and nursery unit for Gaelscoil Eanna, associated site works, infrastructure and landscaping, with access from Hightown Road

 Site Boundary





Location Map

PAN Reference: LA03/2021/0374/PAN

Location: Lands to the south of Belfast Road between 127 and 163 lands to south of existing railway line and north and north/west of 159 Belfast Road Muckamore.

Proposal: Construction of 1 no. bridge access over existing railway line to replace 2no. existing manually operated user worked crossings.

 Site Boundary



ITEM 3.8

P/FP/LDP/53 LISBURN AND CASTLEREAGH CITY COUNCIL - SUBMISSION OF DRAFT PLAN STRATEGY TO DEPARTMENT FOR INFRASTRUCTURE.

P/FP/FP/54 MID AND EAST ANTRIM BOROUGH COUNCIL - SUBMISSION OF DRAFT PLAN STRATEGY TO THE DEPARTMENT FOR INFRASTRUCTURE

Neighbouring Councils are one of the main statutory consultees within the Local Development Plan (LDP) process and several have been progressing their LDP Draft Plan Strategy documents in recent months.

As Members are aware the Independent Examination into the Belfast City Council Draft Plan Strategy (DPS) recently concluded and the Report of the Planning Appeals Commission is now awaited. It is understood the Report on the DPS should be completed sometime in September/October 2021 at which time it will be sent by the Commission to the Department for Infrastructure (DfI).

In addition, both Lisburn and Castlereagh City Council (LCCC) and Mid and East Antrim Borough Council (MEABC) have now submitted their respective Draft Plan Strategies and associated documents to DfI for the purposes of causing an Independent Examination to be carried out.

The LDP submission documents for LCCC can be viewed on their website at www.lisburncastlereagh.gov.uk/LDP

The LDP submission documents for MEABC can be viewed on their website at www.midandeastantrim.gov.uk/ldp

A copy of correspondence from both Councils on this matter is **enclosed** for information.

RECOMMENDATION: that the report be noted.

Prepared by: Sharon Mossman, Principal Planning Officer

Agreed by: John Linden, Head of Planning

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

ITEM 3.9

P/FP/114 DAERA/DFI COASTAL FORUM WORKING GROUP

The most recent meeting of the Coastal Forum Working Group took place virtually on 27 April 2021 hosted by the Department for Infrastructure. Items for discussion included updates on the draft Coastal Forum Programme, the Coastal Management Baseline (LIDAR Project & Coastal Observatory) and the Peace Plus Programme Application.

A presentation was given to the Group by a representative from the National Trust regarding the Trust's Climate Mapping Tool.

A copy of the previous meeting minutes which took place on 26 January 2021 are **enclosed** for information. The next meeting of the Working Group is due to take place in late summer 2021 on a date to be confirmed.

RECOMMENDATION: that the report be noted

Prepared by: Sharon Mossman, Principal Planning Officer

Agreed by: John Linden, Head of Planning

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

ITEM 3.10

DEPARTMENT FOR INFRASTRUCTURE - NOTICE OF OPINION RELATING TO PLANNING APPLICATION REFERENCE LA03/2018/1116/RM - RESERVED MATTERS APPLICATION FOR THE NORTHERN SECTION OF BALLYCLARE RELIEF ROAD AND ASSOCIATED WORKS

The Department for Infrastructure (DfI) has written to the Council to advise that it has issued a Notice of Opinion that approval should be granted to the reserved matters application outlined below (copy of the DfI letter and the accompanying Notice of Opinion **enclosed**).

Application Reference: LA03/2018/1116/RM
Proposal: Northern Section of Ballyclare Relief Road and Associated Works.
Location: Lands adjacent to the north west of Ballyclare including lands bounded by Cogry Road/Rashee Road north of Ross Avenue/Clare Heights and north east and west of Ballyclare Rugby Club.
Applicant: Ballyclare Developments Ltd

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

Background

This Reserved Matters application is linked to a number of earlier applications that were being processed by the Department for Infrastructure and which have previously come before the Planning Committee regarding the ongoing development of lands to the West of Ballyclare including provision for the Ballyclare Relief Road.

As Members are aware a major residential development is currently underway on the area of land between the Templepatrick Road and Doagh Road which includes delivery of the first stage, i.e. the southern section, of the Ballyclare Relief Road. The current application relates specifically to the construction details of the northern section of the Ballyclare Relief Road.

Members will recall that a report came to the March 2021 meeting of the Planning Committee regarding a linked reserved matters application (reference: LA03/2020/0081/RM) for the development of some 703 dwellings which relies on delivery of the northern section of the Relief Road. This more recent application remains under consideration and, similar to the current application, the Department will be obliged to notify the Council of its opinion on the proposal prior to making a decision.

Current Application

Following earlier consultation by the Department on this application in February 2019, and the other associated applications in the intervening period, the Council had agreed not to provide a corporate view and this position was subsequently conveyed to the Department in writing.

Having now issued its opinion that approval should be granted to this reserved matters application the Department, as with the previous applications, has written to the Council to ascertain if it wishes to request an opportunity of appearing before and being heard by the Planning Appeals Commission on the current application. It should be noted that the Department has also written to the applicant in similar fashion.

If a hearing before the Planning Appeals Commission is requested by the Council or the applicant, the Department must take into account the report of this hearing. However, the final decision in relation to the application will rest with the Department.

On foot of the NOP now received there are in effect only two options available to the Council in responding to the Department:

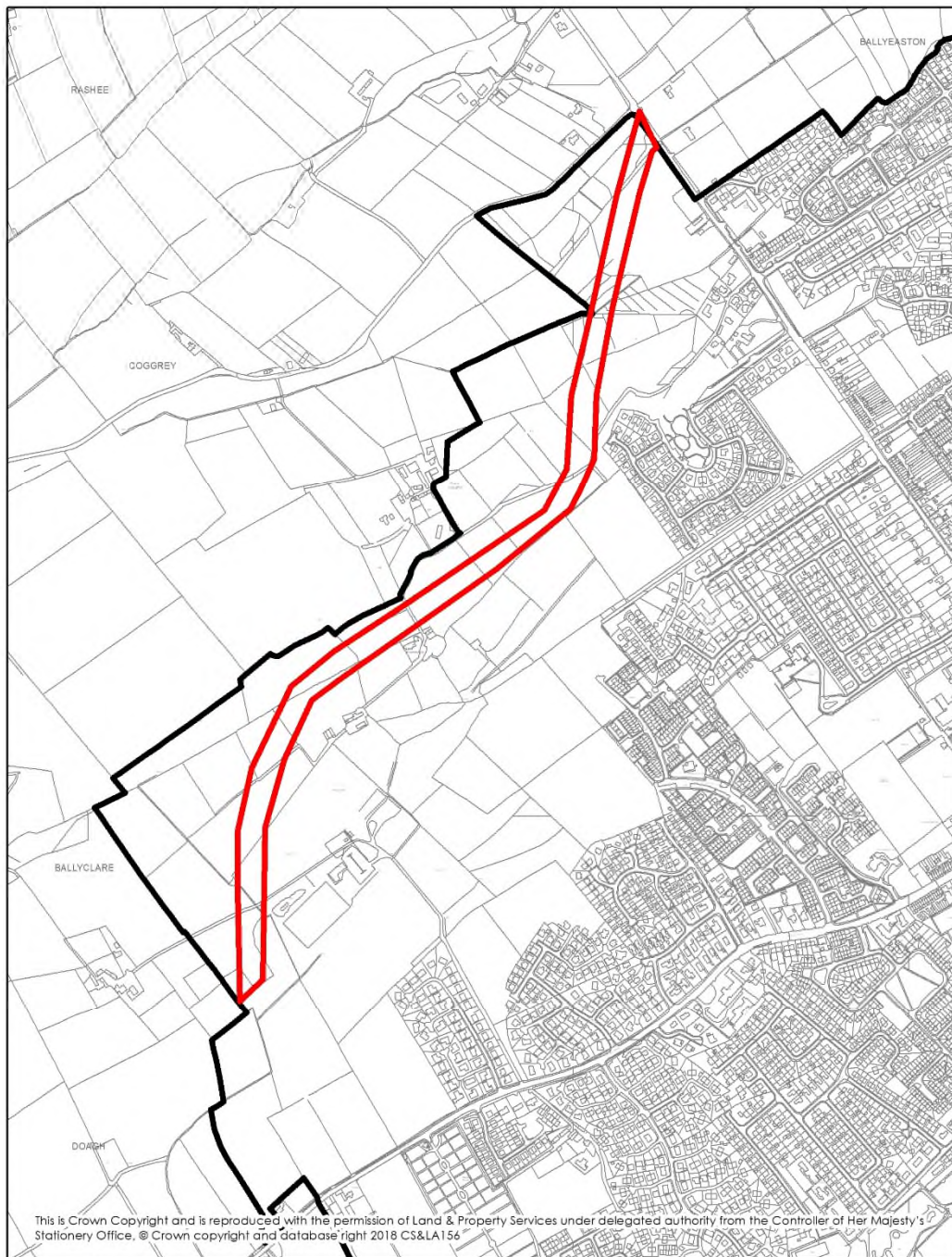
1. To request a hearing before the Planning Appeals Commission on the Department's Notice of Opinion; or.
2. To note the Department's Notice of Opinion and advise that the Council will not be seeking a Hearing before the Planning Appeals Commission.

In relation to the previous Notice of Opinions on the linked applications issued by the Department at this location, and as indicated above, the Council has to date noted these and resolved not to request a hearing on the applications.

Members' instructions are requested

Prepared by: John Linden, Head of Planning

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



Location Map

Application Reference: LA03/2018/1116/RM
Northern Section of Ballyclare Relief Road
and Associated Works



 **Site Boundary**

