

# Table of Representees for Application: LA03/2022/0449/O

| Title | Forename    | Surname   | Address   | Date Received | Document Ref |
|-------|-------------|-----------|---|---------------|--------------|
|       | William     | Moorehead | 8, Whinburn Close, Antrim, Antrim, Northern Ireland, BT41 1PZ   | 30/06/2022    |              |
|       | Billy       | Morehead  | 8, Whinburn Close, Antrim, Antrim, Northern Ireland, BT41 1PZ   | 30/06/2022    |              |
|       |             |           |   |               |              |
|       | Chloe       | Mercer    | 18, Hawthornden, Antrim, Antrim, Northern Ireland, BT41 2BD     | 30/06/2022    |              |
|       | John        | Todd      | 38, Caulside Park, Antrim, Antrim, Northern Ireland, BT41 2DR   | 30/06/2022    |              |
|       | David       | Moore     | 4, Elmdale Flats, Antrim, Antrim, Northern Ireland, BT41 2DB    | 30/06/2022    |              |
|       | Sarah       | Fleming   | 20, Limetree Close, Antrim, Antrim, Northern Ireland, BT41 1NH  | 30/06/2022    |              |
|       | E           | Quigley   | 24, Caulside Park, Antrim, Antrim, Northern Ireland, BT41 2DR   | 30/06/2022    |              |
|       | Jamie       | Porter    | 6, Caulside Park, Antrim, Antrim, Northern Ireland, BT41 2DR    | 30/06/2022    |              |
|       | Bertie      | Rankin    | 3, Ravenswood, Antrim, Antrim, Northern Ireland, BT41 2DG       | 30/06/2022    |              |
|       | Natasha     | Truesdale | 21, Caulside Park, Antrim, Antrim, Northern Ireland, BT41 2DR   | 30/06/2022    |              |
|       | Sharon      | Truesdale | 4, Beechgrove, Antrim, Antrim, Northern Ireland, BT41 2BW       | 30/06/2022    |              |
|       | Christopher | Melvin    | 10, Elmdale, Antrim, Antrim, Northern Ireland, BT41 2DD         | 30/06/2022    |              |
|       | Gemma       | Leacock   | 17, Hawkswood, Antrim, Antrim, Northern Ireland, BT41 2DE       | 30/06/2022    |              |
|       | Jamie       | Martin    | 17, Parkhall Road, Antrim, Antrim, Northern Ireland, BT41 1BU   | 30/06/2022    |              |
|       | H           | Paine     | 13, Hazeldene Flats, Antrim, Antrim, Northern Ireland, BT41 2BB | 30/06/2022    |              |
|       | Grant       | Whiteside | 19, Elmdale, Antrim, Antrim, Northern Ireland, BT41 2DD         | 30/06/2022    |              |
|       | Emma        | Turk      | 19, Elmdale, Antrim, Antrim, Northern Ireland, BT41 2DD         | 30/06/2022    |              |
|       | Chloe       | Black     | 10, Firfields, Antrim, Antrim, Northern Ireland, BT41 4DJ       | 30/06/2022    |              |
|       | Derek       | Watson    | 6, Thorndale Close, Antrim, Antrim, Northern Ireland, BT41 1QE  | 30/06/2022    |              |
|       | Tony        | McCann    | 134, Caulside Park, Antrim, Antrim, Northern Ireland, BT41 2DT  | 30/06/2022    |              |
|       | Daniel      | Hughes    | 134, Caulside Park, Antrim, Antrim, Northern Ireland, BT41 2DT  | 30/06/2022    |              |
|       | Tracey      | Woods     | 7, Elmdale, Antrim, Antrim, Northern Ireland, BT41 2DD          | 30/06/2022    |              |
|       | Maisie      | Moore     | 52, Caulside Park, Antrim, Antrim, Northern Ireland, BT41 2DR   | 30/06/2022    |              |

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|-------|-----------|-----------|--|---------------|--------------|
|       | Joanne    | Brimley   | 6, Limetree Avenue, Antrim, Antrim, Northern Ireland, BT41 1NR   | 30/06/2022    |              |
|       | Alan      | Doole     | 131, Caulside Park, Antrim, Antrim, Northern Ireland, BT41 2DT   | 30/06/2022    |              |
|       | Ashley    | McCullagh | 5, Chaines Court, Antrim, Antrim, Northern Ireland, BT41 1ND     | 30/06/2022    |              |
|       | John      | McCreight | 1, Hillview, Antrim, Antrim, Northern Ireland, BT41 2BT          | 30/06/2022    |              |
|       | Michele   | Melvin    | 10, Elmdale, Antrim, Antrim, Northern Ireland, BT41 2DD          | 30/06/2022    |              |
|       | Grace     | White     | 3, Maplehill Terrace, Antrim, Antrim, Northern Ireland, BT41 2BY | 30/06/2022    |              |
|       | Colin     | Woods     | 28, Caulside Park, Antrim, Antrim, Northern Ireland, BT41 2DR    | 30/06/2022    |              |
|       | William   | Miller    | 179, Craighill, Antrim, Antrim, Northern Ireland, BT41 1QQ       | 30/06/2022    |              |
|       | Fiona     | Laverty   | 38, Ashgrove, Antrim, Antrim, Northern Ireland, BT41 2BL         | 30/06/2022    |              |
|       | Agnes     | Goodman   | 3, Ashgrove, Antrim, Antrim, Northern Ireland, BT41 2BL          | 30/06/2022    |              |
|       | Adam      | Boyd      | 6, Hawthornden, Antrim, Antrim, Northern Ireland, BT41 2BD       | 30/06/2022    |              |
|       | David     | Murray    | 239, Bush Manor, Antrim, Antrim, Northern Ireland, BT41 2UR      | 30/06/2022    |              |
|       | William   | McMullan  | 12, Beechgrove, Antrim, Antrim, Northern Ireland, BT41 2BW       | 30/06/2022    |              |
|       | Joyce     | McComb    | 20, Cedarhill, Antrim, Antrim, Northern Ireland, BT41 2BS        | 30/06/2022    |              |
|       | Thomas    | McComb    | 20, Cedarhill, Antrim, Antrim, Northern Ireland, BT41 2BS        | 30/06/2022    |              |
|       | George    | Melvin    | 3, Elmdale, Antrim, Antrim, Northern Ireland, BT41 2DD           | 30/06/2022    |              |
|       | LeeAnn    | Stewart   | 4, Ashgrove, Antrim, Antrim, Northern Ireland, BT41 2BL          | 30/06/2022    |              |
|       | Alan      | Thompson  | 26, Ashgrove, Antrim, Antrim, Northern Ireland, BT41 2BL         | 30/06/2022    |              |
|       | J         | Gallagher | 35, Beechgrove, Antrim, Antrim, Northern Ireland, BT41 2BW       | 30/06/2022    |              |
|       | Conor     | Magill    | 18, Farmhill, Antrim, Antrim, Northern Ireland, BT41 1NW         | 30/06/2022    |              |
|       | Caroline  | Mitchell  | 7, Craighill, Antrim, Antrim, Northern Ireland, BT41 1PR         | 30/06/2022    |              |
|       | Gemma-Lee | Hamilton  | 18, Farmhill, Antrim, Antrim, Northern Ireland, BT41 1NW         | 30/06/2022    |              |
|       | Toni      | Hamilton  | 7, Craighill, Antrim, Antrim, Northern Ireland, BT41 1PR         | 30/06/2022    |              |
|       | Dorothy   | Thomson   | 92, Caulside Park, Antrim, Antrim, Northern Ireland, BT41 2DS    | 30/06/2022    |              |

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|-------|----------------|------------|---|---------------|--------------|
|       | Ken            | Thomson    | 92, Caulside Park, Antrim, Antrim, Northern Ireland, BT41 2DS     | 30/06/2022    |              |
|       | Diane          | Thomson    | 87, Caulside Park, Antrim, Antrim, Northern Ireland, BT41 2DS     | 30/06/2022    |              |
|       | Michelle       | Black      | 75, Caulside Park, Antrim, Antrim, Northern Ireland, BT41 2DS     | 30/06/2022    |              |
|       | Sophie         | Beckett    | 10, Craighburn, Antrim, Antrim, Northern Ireland, BT41 1PN        | 30/06/2022    |              |
|       | Owner/Occupier |            | 10, Craighburn, Antrim, Antrim, Northern Ireland, BT41 1PN        | 30/06/2022    |              |
|       | Helen          | Reidy      | 12, Caulside Park, Antrim, Antrim, Northern Ireland, BT41 2DR     | 30/06/2022    |              |
|       | Sarah          | Nicoletti  | 11, Maplehill, Antrim, Antrim, Northern Ireland, BT41 2BX         | 30/06/2022    |              |
|       | Jane           | Banks      | 24, Ravenswood, Antrim, Antrim, Northern Ireland, BT41 2DG        | 30/06/2022    |              |
|       | Chris          | Wilgaus    | 8, Sprucefield, Antrim, Antrim, Northern Ireland, BT41 2BH        | 30/06/2022    |              |
|       | Kathy          | Woods      | 34, Caulside Park, Antrim, Antrim, Northern Ireland, BT41 2DR     | 30/06/2022    |              |
|       | Owner/Occupier |            | 1, Cedarhill, Antrim, Antrim, Northern Ireland, BT41 2BS          | 30/06/2022    |              |
|       | Colin          | Hamilton   | 7, Craighill, Antrim, Antrim, Northern Ireland, BT41 1PR          | 30/06/2022    |              |
|       | Courtney       | Fullerton  | 18, Farmhill, Antrim, Antrim, Northern Ireland, BT41 1NW          | 30/06/2022    |              |
|       | Nicole         | Hamilton   | 304, Rathmore Gardens, Antrim, Antrim, Northern Ireland, BT41 1JQ | 30/06/2022    |              |
|       | Jordan         | Barrow     | 42, Ashgrove, Antrim, Antrim, Northern Ireland, BT41 2BL          | 30/06/2022    |              |
|       | Audrey         | Barrow     | 90, Caulside Park, Antrim, Antrim, Northern Ireland, BT41 2DS     | 30/06/2022    |              |
|       | Kenneth        | Barrow     | 90, Caulside Park, Antrim, Antrim, Northern Ireland, BT41 2DS     | 30/06/2022    |              |
|       | Sandra         | McGarry    | 5, Mill House Mews, Antrim, Antrim, Northern Ireland, BT41 2UF    | 30/06/2022    |              |
|       | Paul           | Rutherford | 42, Ashgrove, Antrim, Antrim, Northern Ireland, BT41 2BL          | 30/06/2022    |              |
|       | Jamie          | Myles      | 5, Caulside Park, Antrim, Antrim, Northern Ireland, BT41 2DR      | 30/06/2022    |              |
|       | Jayne          | Leacock    | 31, Hawkswood, Antrim, Antrim, Northern Ireland, BT41 2DE         | 30/06/2022    |              |
|       | Chris          | McKnight   | 2, Willowdale, Antrim, Antrim, Northern Ireland, BT41 2BZ         | 30/06/2022    |              |
|       | Gareth         | Douglas    | 23, Caulside Park, Antrim, Antrim, Northern Ireland, BT41 2DR     | 30/06/2022    |              |
|       | James          | Donnelly   | 37, Hawkswood, Antrim, Antrim, Northern Ireland, BT41 2DE         | 30/06/2022    |              |

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|       | Linda    | White     | 5, Hillview, Antrim, Antrim, Northern Ireland, BT41 2BT | 30/06/2022    |              |
|       | Corrina  | McCreight | 8, Ashgrove, Antrim, Antrim, Northern Ireland, BT41 2BL | 30/06/2022    |              |



**PLANNING REFERENCE: LA03/2022/0449/O**

PROPOSED FILLING STATION AND RETAIL DEVELOPMENT AT  
BALLYCRAIGY ROAD, ANTRIM

OBJECTION ON BEHALF OF CENTRA ISLANDBAWN



June 2022

## 1.0 INTRODUCTION

1.1 This submission is on behalf of Centra Islandbawn. It sets out the reasons why planning permission should be refused for this inappropriate development.

1.2 The main grounds for the objection relate to:

- Local Plan and SPPS Policy;
- local character;
- residential safety and amenity; and
- road safety.

1.3 It should be noted that the Council's Planning Department previously recommended refusal of a full application for a petrol station and retail development on this site in 2017 – LA03/2017/0279/F. The Committee Report was unanimously endorsed by Members, and set out the following refusal reasons:

- 1. The retail element of the proposal is contrary to the policy provisions contained in the Antrim Area Plan 1984 - 2001 and the Strategic Planning Policy Statement as it has not been demonstrated that, if approved, it would not have an adverse impact on the vitality and viability of existing centres within the catchment nor has a sequential test been undertaken or a site specific need for the proposal been established.**
- 2. The proposed petrol filling station is considered unacceptable as it has not been demonstrated that there is a need for such a facility at this site in an area that is already well served by such facilities.**
- 3. The proposal is contrary to the policy provisions contained in the Strategic Planning Policy Statement and Policy DES2 of the Planning Strategy for Rural Northern Ireland as, if approved, it would have a unacceptable impact on the local appearance and townscape character of this part of the Ballycraig Road by introducing development of a scale, mass, form and arrangement that would be prominent and conspicuous in the street scene.**

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Planning committee minutes 18/09/2017

- 4. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement as, if approved, it would introduce a non-conforming use that (a) is out of character with this primarily residential area; and (b) would cause unacceptable damage to the residential amenity of adjacent properties by reason of noise, nuisance and general disturbance.**

- 1.4 Whilst the Applicants appealed the previous application, they subsequently withdrew their appeal at the Hearing.
- 1.5 The Applicants now claim to have now addressed the previous concerns. However neither the application site, its context, or the nature of the proposed development have changed. Accordingly, it would therefore be irrational for the Council to do anything other than refuse this new proposal.

## **2.0 SITE AND SURROUNDINGS**

- 2.1 The application site is located on Ballycraigy Road, about 3 km east of Antrim town centre. The site was formerly occupied by a single dwelling, but this has been demolished. Mature trees along the site frontage have been removed, but substantial stands of tall conifers remain around the side and rear boundaries.
- 2.2 This part of Ballycraigy Road has a residential character, with dwellings having been designed to sit well back from the busy road. Opposite the application site, and at a lower level, is a local community centre, recreational facilities, and children's play area. The community hall is a popular venue for both adult and children's activities, including a playgroup, cub and scout meetings, ballet lessons etc.

## **3.0 PROPOSED DEVELOPMENT**

- 3.1 This new outline application proposes a petrol filling station and an associated retail unit, with a gross floorspace of '*circa 140 square metres*'.
- 3.2 The proposal is only outline, although it is accompanied by a block plan which provides a good indication of how it is proposed to develop the site. There will be a single access point, with several pump islands in the centre of the site and a retail unit at the southern end. Parking provision for 27 cars is shown, in addition to the pump islands.

## **4.0 GROUNDS OF OBJECTION**

- 4.1 The principal grounds of objection relate to Local Plan and SPPS policy; local character; residential safety and amenity; and road safety.

### i) Local Plan and SPPS Policy

- 4.2 The local development plan is the Antrim Area Plan (AAP), adopted in 1989. The site is not zoned for any specific purpose in this Plan.
- 4.3 The AAP refers to Antrim town as the District's principal shopping town. **It states that the Department's policy is to strengthen the dominance of central areas by concentrating future commercial developments there.** Major commercial development will therefore be discouraged outside these areas, although it does indicate that some small scale 'corner shop type' units will continue to be acceptable where appropriate (para 8.2).
- 4.4 Paragraph 16.27 refers to neighbourhood centres in Antrim. It identifies Ballycraigy, Greystone and Parkhall. These centres act as the focal point of their neighbourhoods, providing services such as hairdressers, sub-post offices, newsagents and general grocers. However the Plan notes that these centres have become rather dull and unattractive, and the Department's policy is to give sympathetic consideration to compatible alternative uses such as light industrial workshops or community based uses.
- 4.5 Since the Plan was published the Ballycraigy local centre has been demolished. However it is clear that the proposed development is not in Antrim town centre, nor is it in or adjacent to one of the identified neighbourhood centres.
- 4.6 The SPPS was published in September 2015. It has superseded previous expressions of retail policy under PPS5.
- 4.7 At the heart of the SPPS is a 'town centre first' approach for retailing and other main town centre uses. These are defined as including '*cultural and community facilities, retail, leisure, entertainment and business uses*'. The Applicant attempts to argue that this is not a 'town centre type use' as it is a petrol filling station and is therefore ***sui generis***.
- 4.8 Whilst an **automated** PFS would not necessarily be regarded as a main town centre use, this proposal is **not** for an automated petrol filling station. It includes a free standing retail unit of 140m<sup>2</sup>. More tellingly however, it includes 27 parking spaces

around the site boundaries – this level of provision is nearly three times the number of spaces that would normally be required for a small neighbourhood shop of 140m<sup>2</sup> as presented. In addition, the Supporting Statement suggests that the development will employ 25 people. On the basis of this evidence it would seem that the outline presentation may be something of a 'trojan horse' and that the ultimate objective could be to increase the retail element substantially (as was previously proposed in 2017).

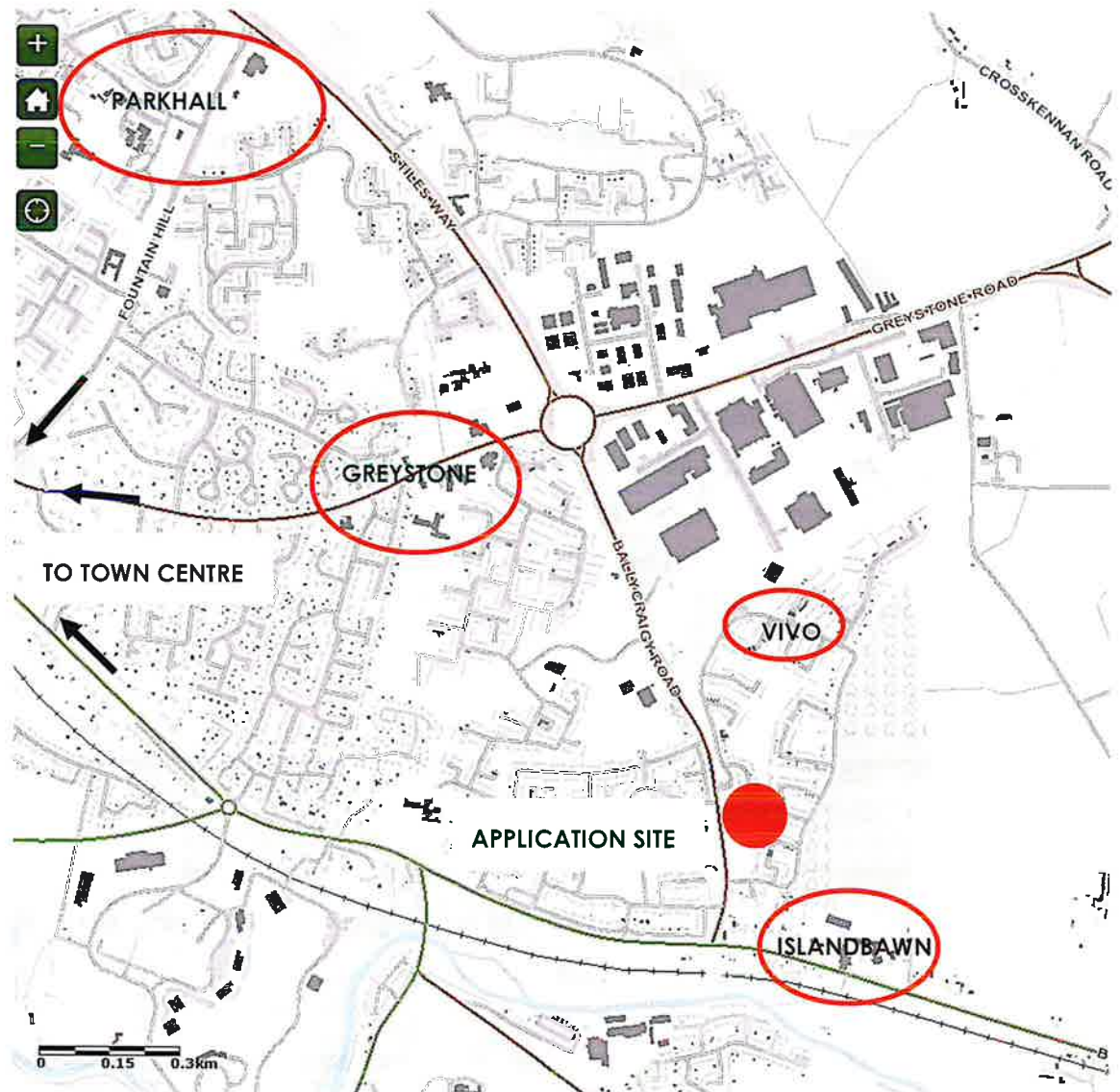
4.9 The SPSS states clearly in paragraph 6.280 that a sequential test will be applied to 'main town centre uses' which are not in an existing centre and are not in accordance with an up to date local development plan. Planning authorities will require applications for main town centre uses to be considered in the following order of preference:

- Primary retail core;
- Town centre;
- Edge of centre; and
- Out of centre.

4.10 Plainly the policy intention is to ensure that retail developments, even if modest in individual terms, are not allowed to cumulatively erode the role of the town centre and established neighbourhood facilities.

4.11 The applicant's submission attempts to address sequential considerations. It also seeks to provide an assessment of need. One of the arguments used is that the former Ballycraig centre has gone and so there is now an increased need for a new facility. However this argument is self-defeating, as plainly the Ballycraig centre is unlikely to have closed if there was sufficient local need to keep it going. Furthermore, there has not been a lot of new house building in this part of Antrim.

4.12 There is an established neighbourhood centre at Greystone, a small retail Vivo outlet at Caulside Park, and Centra Islandbawn on Belfast Road. The location of these is shown below:



Location of Existing Neighbourhood Retail Centres in south and east Antrim town.

4.13 The above map demonstrates that the local community in the eastern part of Antrim is already adequately served with local retail outlets. This was noted by the Council in its previous refusal when it stated that *'this area is already well served'*. **In this context, there is no definable need for an additional neighbourhood retail facility.**

4.14 As there is no definable need, this proposal fails to comply with the SPPS,.

#### ii) Local Character

4.15 The proposed development is located on the site of a former dwelling. The site is adjoined on two sides by residential development, and on the southern side by an



area of amenity open space. Opposite the site is a community centre with well equipped children's play areas and a nursery school. Clearly, this is a mature residential area. The site context, and the characteristic set back of buildings from the road is illustrated below:



- 4.16 It is unfortunate that most of the roadside trees have been felled. If the proposed development was to proceed, this would involve removal of all of the remaining vegetation and the entire site being occupied by hardstanding and buildings, and enclosed by an unsympathetic timber fence.
- 4.17 Generous open space and planted areas are evident along Ballycraigy Road, with houses well set back to enhance their amenity and outlook. The application site makes an important contribution to the local character. The proposal to place a petrol filling station (with associated canopy, fencing, parking, shops etc) in this location would completely destroy the spacious landscape character.
- 4.18 The application provides no details of signage, but if approved, applications for illuminated totem signs and other clutter will be inevitable.



**Views along Ballycraigy Road. Note the set back of buildings and the landscaped corridor. The application site is highlighted in the lower photograph.**

- 4.19 The proposal is clearly contrary to the SPPS principles which seek to support good design and positive place making. In addition, Policy DES2 of PSRNI requires development in towns to make a positive contribution to townscape and be sensitive to the character of the area. As stated previously by Council in its recommendation on LA03/2017/0279/O the proposed development will be detrimental to local character and therefore fails to comply with the SPPS and Policy DES2.



### iii) Impact upon Residential Safety and Amenity

- 4.20 The site lies adjacent to a number of residential properties, and is particularly close to the rows of terraced dwellings in Abbeyfield:



- 4.21 Notably, none of the plans submitted by the applicant show the detailed relationship between the proposed development and the adjacent houses, especially with regard to levels etc. Nevertheless, it is clear that the commercial activity, including parking, turning, and fuel deliveries will be only a few metres from private gardens and habitable rooms.
- 4.22 All vegetation will be removed and car parking will be separated from the gardens of houses by only about 2 metres. This will inevitably result in noise, nuisance and disturbance, especially as the proposed facility is likely to be open from early morning until late into the evening. Service vehicles will be particularly noisy and disruptive as they manoeuvre in and out of the site.
- 4.23 The impact of signage, forecourt and car park lighting will also be intrusive. No lighting details have been provided by the applicant.
- 4.24 Smells from fuel and harmful emissions from vehicles is another factor of concern, especially with so many vehicles being brought into close proximity to homes and

amenity spaces. Fuel tanks and vent pipes will be only a few metres from the nearest houses in Abbeyfield. In this context the Council's Petroleum Licensing officer, NI Fire Service, and HSENI must be consulted for their advice on the safety of the proposed development.

#### **iv) Access, Parking and Servicing**

- 4.25 Ballycraigy Road is already a busy transport route within Antrim. The development of a new petrol filling station and retail outlet will generate significant traffic movements. As it is in such close proximity to a community centre, playground and extensive housing areas, it is likely to lead to unacceptable hazards for road users and pedestrians. In particular, it is likely to encourage children to cross the road from the community centre and Ballycraigy estate.
- 4.26 It is noted that the block plan illustrates a pedestrian crossing point. However this is staggered from the access to the playground, and therefore it is likely that pedestrians will not use it, but will attempt to cross at a point nearer the proposed access, where they will have to negotiate three lanes of traffic. This is not considered acceptable.
- 4.27 **No tracking drawings** have been provided to demonstrate that service vehicles, and especially large fuel tankers, will be able to enter and leave the site safely.

#### **v) Sewage Disposal**

- 4.28 It is noted that a Drainage Assessment has been provided, to rectify an omission in the previous application. Whilst this indicates that storm water can be accommodated, the response from NI Water dated 27 April 2022 indicates that there are network capacity issues for sewage. It is noted that the Block Plan shows a commercial foul plant within the curtilage but no details are provided – this must be carefully assessed to establish whether this is a viable and appropriate solution.

### **5.0 CONCLUSIONS**

- 5.1 It is evident that this proposal for a PFS and retail outlet is not in an appropriate location within Antrim.

- 5.2 The development will inevitably cause significant detriment to residential amenity and townscape character. The proposal cannot fulfil the policy requirements of the SPPS as there is simply no evidence that another retail facility is needed in this part of Antrim.
- 5.3 The Council is respectfully requested to refuse permission.
- 5.4 We must reserve the right to comment further upon receipt of consultation responses and/or additional information.

**DONALDSONPLANNING**

**June 2022**

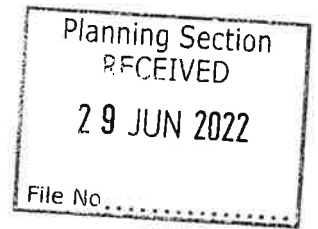
The Planning Officer

Planning Section

Antrim and Newtownabbey Borough Council

Mossley Mill

Newtownabbey.



From:

Name:

Address:

Your Ref: LA03/2022/0449/O

Dear Sir/ Madam

Ref Objection Letter

I am a resident living close to the proposed development at 11 Ballycraig Road and will be objecting to this development because:

If allowed the petrol station and retail units will completely change the character of the area which currently has established large green open spaces either side of the proposed development. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement as, if approved, it would introduce a non-conforming use that (a) is out of character with this primarily residential area; and (b) would cause unacceptable damage to the residential amenity of adjacent properties by reason of noise, nuisance and general disturbance.

It would impact on appearance and townscape character of the Ballycraig Road by introducing a development that is not residential that would be prominent and conspicuous in the street scene.

I am also greatly concerned with how this development will affect the highway safety of both road users and pedestrians, in particular young children. The site is opposite a busy play park and community centre that is busy from morning to late evening Monday to Saturday, with the park also open on a Sunday. Children will now have to contend with traffic on the Ballycraig road, traffic emerging from Newpark and Caulside Estate, Ballycraig Estate, The community centre and now a busy petrol filling station. At peak times traffic can build up at the junction with Belfast Road and continue back as far as the bus stop north of the site. Pedestrians crossing will have to move between stopped or slow-moving traffic.

There is no business need for such a development that would justify changing a residential site to a commercial site. We currently have a Vivo grocery convenience store within the housing estate serving the residence of Newpark, Caulside and Ballycraig housing estates. There's two Neighbourhood retail hubs within a very short walking distance, Islandbawn Stores and Greystone. Shops include two grocery stores, two post offices, a petrol filling station, butchers, a chip shop, two

off licenses and a hardware store. We are well catered for when it comes to convenience retailing and this development could jeopardise these existing retail hubs.

It is with great hope the Council refuse this application.

Yours faithfully

Signed:

Date:

# Comments for Planning Application LA03/2022/0449/O

## Application Summary

Application Number: LA03/2022/0449/O

Address: 11 Ballycraigy Road Antrim BT41 2BD

Proposal: Proposed petrol filling station and retail unit with parking and associated development, alterations to Ballycraigy Road to provide right hand turning lane, and alterations to pedestrian crossing arrangement.

Case Officer: Wilson, Ashleigh

## Customer Details

Name: Mrs Elizabeth O'Connor

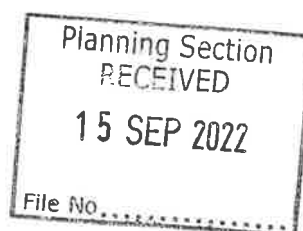
Address: 15 Abbeyfield Park, Ballycraigy, Antrim, Antrim BT41 2DH

## Comment Details

Commenter Type: Solicited

Stance: Customer objects to the Planning Application

Comment: Application for petrol filling station had already been submitted in March 16th 2017 with much disapproval from the community and were denied permission. This area already has three different shopping places with one already supplying fuel. All three are within walking distance so from this you know they are not far apart from one shop to another. This will put a strain on these existing businesses. Ballycraigy road is already very busy. The extra volume of traffic will have a negative impact on the air quality and not forgetting noise pollution for residents living in close proximity of proposed new development. Antrim already has five filling stations within I'm sure a five mile radius of proposed development. Do we really need another! The map indicates a tennis court opposite the grounds in question but in fact it is a childrens play park and Muckamore Community Centre which also runs a preschool play group. The children frequenting this park are not always accompanied by an adult. Since when did children always choose the safest way to cross a road. I have witnessed children just running across the Ballycraigy road over to the play park ignoring the pedestrian island already in place. When I first applied for planning permission to extend my property it was rejected, stating it would not be in keeping with the surrounding area. How will and extensive build such as the one proposed be in keeping with the surrounding area? More housing is needed, outdoor activities, but certainly not yet another petrol station in Antrim. For such a small town we have more than our fair share of petrol stations. I was against this proposal the first time and still feel the same now.



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Case Officer: Wilson, Ashleigh



## Customer Details

Name: Ms K O'Connor

Address: 15 Abbeyfield Park, Antrim, Antrim BT41 2DH

## Comment Details

Commenter Type: Solicited

Stance: Customer objects to the Planning Application

Comment: I strongly object to these plans. It is right on my door step and will directly and negatively affect me.

## Already Been Refused

Identical plans were submitted in March 2017 by Solo Direct Ltd. With much disapproval from the community and were denied. All reasons for refusal still stand.

## Children's Safety

Proposed Solo petrol station would be directly opposite a play school and children's play park. The Ballycraigy road would be hectic with traffic entering and emerging from the shop and fuel pumps. Very young children run to and from the park across this road. It was positioned with the intention that children would be safe to come and go when playing.

## Air Quality and Sound Pollution

Newpark is a peaceful residential area on the outskirts of Antrim with lots of greenery. Building a filling station will bring exhaust fumes and traffic to pollute the air and turn it into a busy, noisy area.

## Lack Of Need

There are already 5 filling stations in our small Antrim town. There is no further need for grocery shopping or fuel in this area.

There are already 3 shops and one filling station within 1 mile of the proposed Solo Station.

Vivo - Caulside Park

Spar - Greystone Road

## Centra & Petrol Station - Belfast Road

### Not in Keeping With The Area

A Solo Station is not in keeping with the residential area of Newpark and Ballycraigy.

I submitted plans for a front, ground floor extension to my home in Abbeyfield Park. I was told it would not be in keeping with the area and had to scale the plans back. That decision would be called into question if a huge petrol station was then placed 3 houses down, at the bottom of my street.





Planning Section  
Mossley Mill  
Carnmoney Road North  
Newtownabbey  
BT36 5QA

Dear Sir/Madam,

Planning Reference Number: LA03/2022/0449/0

**Re: Proposed Petrol Filling Station, 11 Ballycraigy Road, Antrim**

I am writing to record my support for the above planning application for the following reasons:

- The proposal will enhance road safety on the Ballycraigy Road by introducing a traffic island and other safety measures to reduce speeds
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- The proposal will bring economic development through new investment to the area
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- The proposal will improve our locality and residential amenity by providing much-needed facilities in Ballycraigy.
- The proposal will bring in additional rates to the local council

For the reasons outlined in this letter I would encourage the Planning Department to consider the strong benefits for the local area associated with this planning application.

Name: Tina Toher

Address:

2 Theroway

Antrim

Signature: [Redacted]

Date: 19/05/22



Planning Section  
Mossley Mill  
Carnmoney Road North  
Newtownabbey  
BT36 5QA

Dear Sir/Madam,

Planning Reference Number: *LA03/2022/0449/0*

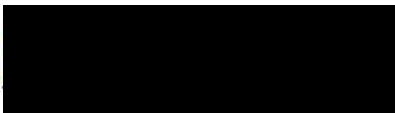
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- The proposal will bring in additional rates to the local council

For the reasons outlined in this letter I would encourage the Planning Department to consider the strong benefits for the local area associated with this planning application.

Name:



Address:

*21 Abbeyfield PK*

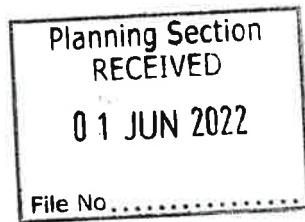
*Newark*

*Antrim BT41 2DH*

Signature:



Date: *19<sup>th</sup> May '22*



Planning Section  
Mossley Mill  
Carnmoney Road North  
Newtownabbey  
BT36 5QA

Dear Sir/Madam,

Planning Reference Number: *LA03/2022/10449/0*

**Re: Proposed Petrol Filling Station, 11 Ballycraigy Road, Antrim**

I am writing to record my support for the above planning application for the following reasons:

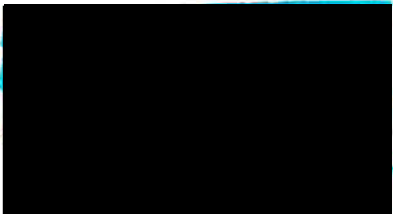
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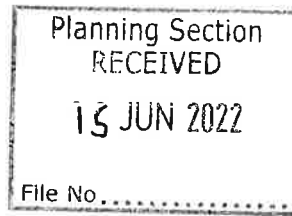
Name: *Colin Surgenor*

Address:

*50 Abbeyfield Park*  
*New Park*  
*Antrim*

Signature: 

Date: *19-5-22*



Planning Section  
Mossley Mill  
Carnmoney Road North  
Newtownabbey  
BT36 5QA

Dear Sir/Madam,

Planning Reference Number: *LA03/2022/0449/0*

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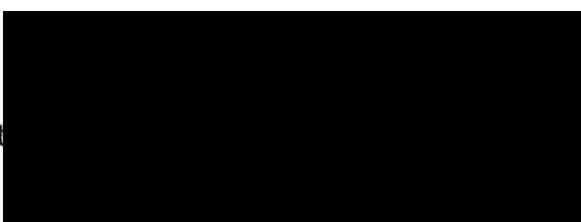
For the reasons outlined in this letter I would encourage the Planning Department to consider the strong benefits for the local area associated with this planning application.

Name: *ELIZABETH CAMPBELL*

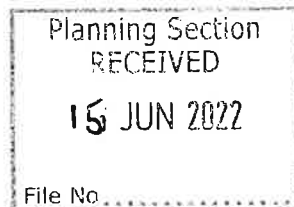
Address:

*44 ABBEYFIELD PARK*

*BT41 2PH*

Signature: 

Date: *19/5/22*



Planning Section  
Mossley Mill  
Carnmoney Road North  
Newtownabbey  
BT36 5QA

Dear Sir/Madam,

Planning Reference Number: *LA03/2022/0449/0*

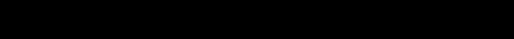
**Re: Proposed Petrol Filling Station, 11 Ballycraigy Road, Antrim**

I have discussed the proposed new petrol filling station with the site developer and have I viewed the outline proposals.

I support the development because I think it will greatly benefit the locality.

As someone who lives close to the site, I trust the Council will give significant weight to my support for the application.

Yours faithfully,

Name: 

Address:  
*10 Ballycraigy Drive*  
*Antrim*

Signature:  Date: *18.5.22*



Planning Section  
Mossley Mill  
Carnmoney Road North  
Newtownabbey  
BT36 5QA

Dear Sir/Madam,

Planning Reference Number: *LA03/2022/0449/0*

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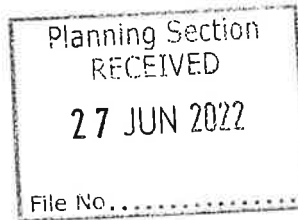
As someone who lives close to the site, I trust the Council will give significant weight to my support for the application.

Yours faithfully,

Name: *NOEL WARD*

Address: *1, ABBEYFIELD PARK - NEW PARK*  
*BT41 2DH*

Signature:  Date: *19.5.22*



Planning Section  
Mossley Mill  
Carnmoney Road North  
Newtownabbey  
BT36 5QA

Dear Sir/Madam,

Planning Reference Number: LA03/2022/0449/0

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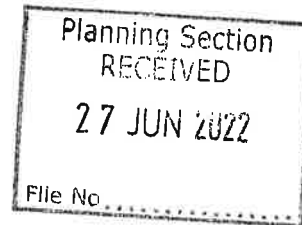
Yours faithfully,

Name: ADRIAN ROWE

Address: 4 CRAIGBURN ANTRIM BT41 1PN

Signature:  Date: 19/05/22

Planning Section  
Mossley Mill  
Carnmoney Road North  
Newtownabbey  
BT36 5QA



Dear Sir/Madam,

Planning Reference Number: *LA03/2022/0449/0*

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- The proposal will bring in additional rates to the local council

For the reasons outlined in this letter I would encourage the Planning Department to consider the strong benefits for the local area associated with this planning application.

Name: *CAROL WARD*

Address:

*1. ABBEYFIELD PARK*

*Newpark Antrim BT41 2OH*

.....

Signature: 

Date: *19-5-22*



Planning Section  
Mossley Mill  
Carnmoney Road North  
Newtownabbey  
BT36 5QA



Dear Sir/Madam,


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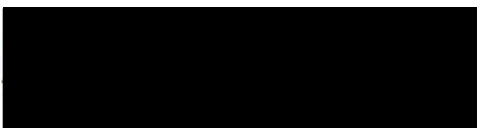
Name: 

Address:

2 ABBEYFIELD PARK

ANTRIM.

BT41 2DH.

Signature: 

Date: 19/5/22

## Ashleigh Wilson

---

**From:** Planning Section  
**Sent:** 04 July 2022 15:38  
**To:** Ashleigh Wilson  
**Subject:** FW: 11 ballycraigy Road, Antrim BT412BD

Ashleigh

Please see below, I have printed this on your desk.

Thank you  
Jennifer

### Planning Section

T: 0300 123 66 77

---

**From:** jacqui smith [REDACTED]  
**Sent:** 04 July 2022 15:21  
**To:** Planning Section <planning@antrimandnewtownabbey.gov.uk>  
**Subject:** Re: 11 ballycraigy Road, Antrim BT412BD

You don't often get email from [REDACTED] [Learn why this is important](#)

Regarding the proposed filling station, please remove my details for refusal, as I have spoke with a few of my elderly neighbours and I am now all for the petrol station as I think it will be a great asset, please also update my address details

Or if you can tell me how I can do this, that would be appreciated.

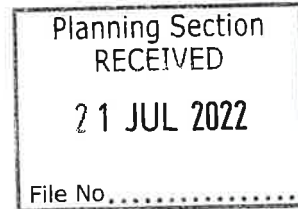
Thank you

Name jacqui smith  
52 limetree avenue, Ballycraigy BT411NP

Old address: 11 craighill, Antrim BT411pr

Sent from my Galaxy

Planning Section  
Mossley Mill  
Carnmoney Road North  
Newtownabbey  
BT36 5QA



Dear Sir/Madam,

Planning Reference Number: **LA03/2022/0449/0**

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For the reasons outlined in this letter I would encourage the Planning Department to consider the strong benefits for the local area associated with this planning application.

Name: **ARON DAVIDSON**

Address:

**7 B BEEFIELD PARK**

**ANTRIM**

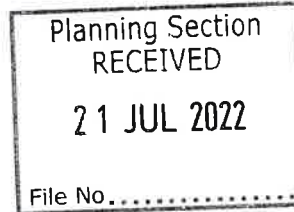
**BT41 2DL**

Signature



Date **15/5/22**

Planning Section  
Mossley Mill  
Carnmoney Road North  
Newtownabbey  
BT36 5QA



Dear Sir/Madam,

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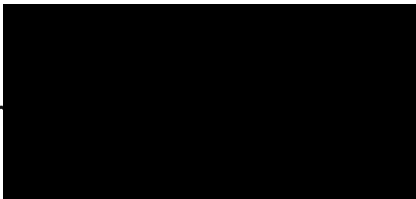
For the reasons outlined in this letter I would encourage the Planning Department to consider the strong benefits for the local area associated with this planning application.

Name: Annie Jones

Address:

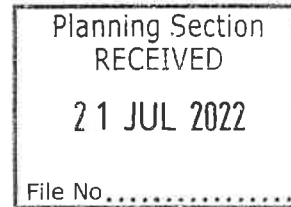
8 Abbeyfield Park

.....  
.....

Signature 

Date: 19-5-22

Planning Section  
Mossley Mill  
Carnmoney Road North  
Newtownabbey  
BT36 5QA



Dear Sir/Madam,

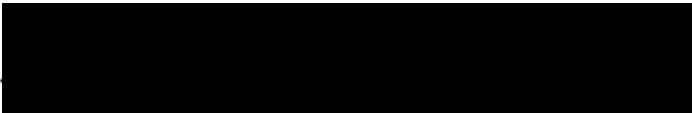
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Name: 

Address:

*3 Abbeyfield Park  
Newpark*

*Antrim BT41 2DH*

Signature: .....

Date: .....



Planning Section  
Mossley Mill  
Carnmoney Road North  
Newtownabbey  
BT36 5QA

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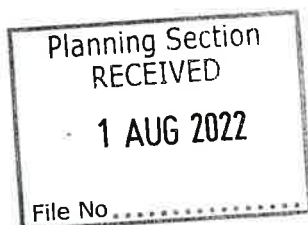
Name: **PULENG MUVINI**

Address:

**13 ABBEYFIELD PARK**  
**ANTRIM**  
**BT41 2DH**

Signature: 

Date: **19/5/22**



Planning Section  
Mossley Mill  
Carnmoney Road North  
Newtownabbey  
BT36 5QA

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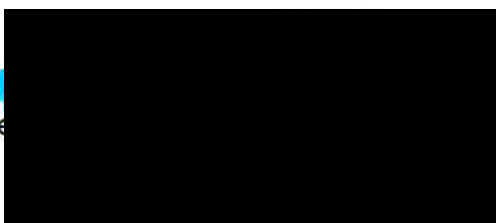
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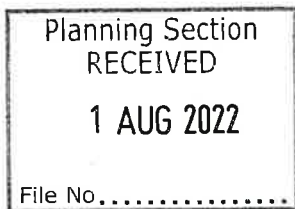
Name: Samuel McLean

Address: 12 Abby Field PK  
BT41 2EH

Signature



Date: 19/5/22



Planning Section  
Mossley Mill  
Carnmoney Road North  
Newtownabbey  
BT36 5QA

Dear Sir/Madam,

Planning Reference Number: *LA03/2022/0449/0*

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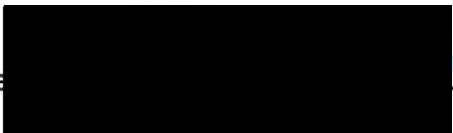
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Name: 

Address:

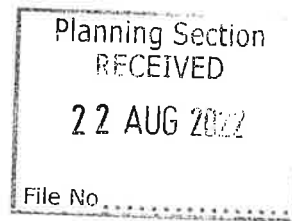
*15 Abbeyfield Park*  
*Antrim*

Signature: 

Date: *19/5/22*



Planning Section  
Mossley Mill  
Carnmoney Road North  
Newtownabbey  
BT36 5QA



Dear Sir/Madam,

Planning Reference Number: *LA03/2022/0449/0*

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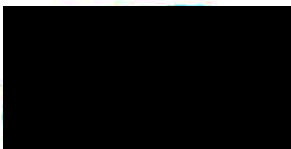
For the reasons outlined in this letter I would encourage the Planning Department to consider the strong benefits for the local area associated with this planning application.

Name: *John McIntosh*

Address:

*22 ABBEYFIELD PARK*

Signature...



Date: *19/5/2022*

Planning Section  
Mossley Mill  
Carnmoney Road North  
Newtownabbey  
BT36 5QA



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Name:.....

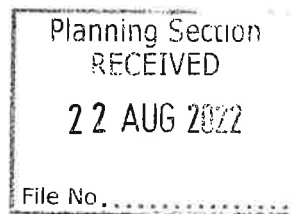
Address:

*34 ABBEYFIELD PK.*

Signature.....

Date: *19/5 22*

Planning Section  
Mossley Mill  
Carnmoney Road North  
Newtownabbey  
BT36 5QA



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For the reasons outlined in this letter I would encourage the Planning Department to consider the strong benefits for the local area associated with this planning application.

Name: *Rebekah Baillie*

Address:

*28 abbeyfield park*

*BT41 2DH*

.....

Signature

A black rectangular box redacting the signature of the sender.

Date: *17.5.22*



Planning Section  
Mossley Mill  
Carnmoney Road North  
Newtownabbey  
BT36 5QA

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Name: Miss Imelda Elliott

Address:

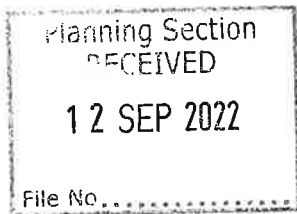
48 Abbeyfield Park, New Park

Antrim

Co Antrim BT41 2DH

Signature

Date: 19<sup>th</sup> May 2022



Planning Section  
Mossley Mill  
Carnmoney Road North  
Newtownabbey  
BT36 5QA

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Name: *Bella McEhill*

Address:

*50 Abbeyfield Park*  
*New Park*  
*Antrim*

Signature: 

Date: *19/5/22*



Planning Section  
Mossley Mill  
Carnmoney Road North  
Newtownabbey  
BT36 5QA

Dear Sir/Madam,

Planning Reference Number: LA03/2022/0449/0

**Re: Proposed Petrol Filling Station, 11 Ballycraigy Road, Antrim**

I am writing to record my support for the above planning application for the following reasons:

- The proposal will enhance road safety on the Ballycraigy Road by introducing a traffic island and other safety measures to reduce speeds
- The proposal will develop an existing derelict and unused site
- The proposal will bring economic development through new investment to the area
- The proposal will create jobs during construction and jobs during the operation of the PFS
- The proposal will improve our locality and residential amenity by providing much-needed facilities in Ballycraigy.
- The proposal will bring in additional rates to the local council

For the reasons outlined in this letter I would encourage the Planning Department to consider the strong benefits for the local area associated with this planning application.

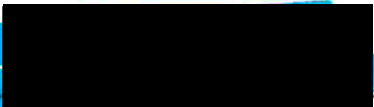
Name: J. MURDOCK

Address:

38 ABBEYFIELD PARK

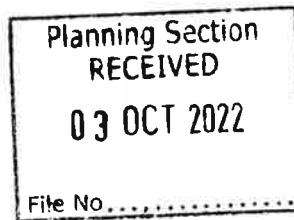
NEWPARK

ANTRIM BT41 2DH

Signature: 

Date: 19/5/22

Planning Section  
Mossley Mill  
Carnmoney Road North  
Newtownabbey  
BT36 5QA



Dear Sir/Madam,

Planning Reference Number: *LA03/2022/0449/0*

**Re: Proposed Petrol Filling Station, 11 Ballycraigy Road, Antrim**

I am writing to record my support for the above planning application for the following reasons:

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- The proposal will bring in additional rates to the local council

For the reasons outlined in this letter I would encourage the Planning Department to consider the strong benefits for the local area associated with this planning application.

Name: *PAULA McCullough*

Address:

*56 Linetree Avenue*

*Ballycraigy*

*BT41 1P7*

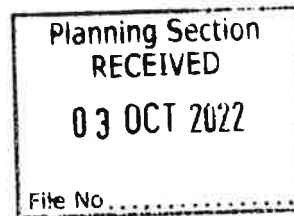
Signature:

A black rectangular box redacting the signature.

Date: *19/5/22*



Planning Section  
Mossley Mill  
Carnmoney Road North  
Newtownabbey  
BT36 5QA



Dear Sir/Madam,

Planning Reference Number: *LA03/2022/0449/0*

**Re: Proposed Petrol Filling Station, 11 Ballycraigy Road, Antrim**

I am writing to record my support for the above planning application for the following reasons:

- The proposal will enhance road safety on the Ballycraigy Road by introducing a traffic island and other safety measures to reduce speeds
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- The proposal will bring in additional rates to the local council

For the reasons outlined in this letter I would encourage the Planning Department to consider the strong benefits for the local area associated with this planning application.

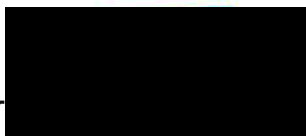
Name: *M. Seckwin*

Address:

*33 Limoges Avenue*

*BT41 1NP*

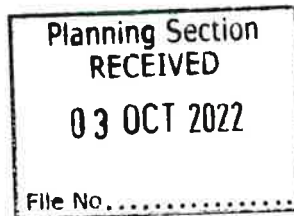
Signature



Date

*30/5/22*





Planning Section  
Mossley Mill  
Carnmoney Road North  
Newtownabbey  
BT36 5QA

Dear Sir/Madam,

Planning Reference Number: *LA03/2022/0449/0*

**Re: Proposed Petrol Filling Station, 11 Ballycraigy Road, Antrim**

I have discussed the proposed new petrol filling station with the site developer and have I viewed the outline proposals.

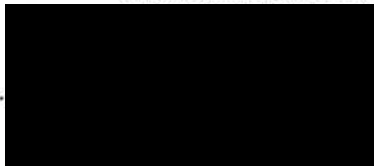
I support the development because I think it will greatly benefit the locality.

As someone who lives close to the site, I trust the Council will give significant weight to my support for the application.

Yours faithfully,

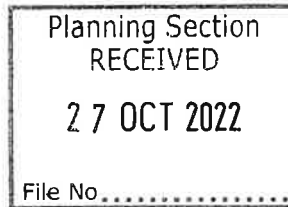
Name: *Jacqui Smith*

Address:  
*52 Limetree Ave*  
*Ballycraigy*  
*Antrim, BT41 1NP*

Signature: 

Date: *19/05/22*

Planning Section  
Mossley Mill  
Carnmoney Road North  
Newtownabbey  
BT36 5QA



Dear Sir/Madam,

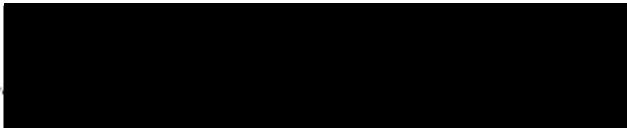
Planning Reference Number: *LA03/2022 10449/0.*

**Re: Proposed Petrol Filling Station, 11 Ballycraigy Road, Antrim**

I am writing to record my support for the above planning application for the following reasons:

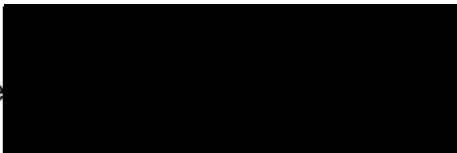
- The proposal will enhance road safety on the Ballycraigy Road by introducing a traffic island and other safety measures to reduce speeds
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- The proposal will improve our locality and residential amenity by providing much-needed facilities in Ballycraigy.
- The proposal will bring in additional rates to the local council

For the reasons outlined in this letter I would encourage the Planning Department to consider the strong benefits for the local area associated with this planning application.

Name: 

Address:

*19 ASPENBURN NEWPARK*

Signature 

Date: *19/5/22*

Planning Section  
Mossley Mill  
Carnmoney Road North  
Newtownabbey  
BT36 5QA



Dear Sir/Madam,

Planning Reference Number: **LA03/2022/0449/0**

**Re: Proposed Petrol Filling Station, 11 Ballycraigy Road, Antrim**

I am writing to record my support for the above planning application for the following reasons:

- The proposal will enhance road safety on the Ballycraigy Road by introducing a traffic island and other safety measures to reduce speeds
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- The proposal will bring in additional rates to the local council

For the reasons outlined in this letter I would encourage the Planning Department to consider the strong benefits for the local area associated with this planning application.

Name: **MRS CAROLINE FERGUSON**

Address:

**25 LIMETREE AVENUE**  
**BALLYCRAIGY**  
**ANTRIM**

Signature:



Date: **19/05/22**



Planning Section  
Mossley Mill  
Carnmoney Road North  
Newtownabbey  
BT36 5QA

Dear Sir/Madam,

Planning Reference Number: *LA03/2022/0449/0*

**Re: Proposed Petrol Filling Station, 11 Ballycraigy Road, Antrim**

I am writing to record my support for the above planning application for the following reasons:

- The proposal will enhance road safety on the Ballycraigy Road by introducing a traffic island and other safety measures to reduce speeds
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- The proposal will bring in additional rates to the local council

For the reasons outlined in this letter I would encourage the Planning Department to consider the strong benefits for the local area associated with this planning application.

Name: .....

Address: .....

*19 Ashburn  
New Park*

*Antrim*

*BT 41 2 B.G.*

Signature: .....

Date: *19/5/22*

Planning Section  
Mossley Mill  
Carnmoney Road North  
Newtownabbey  
BT36 5QA



Dear Sir/Madam,

Planning Reference Number: *LA03/2022/0449/0*

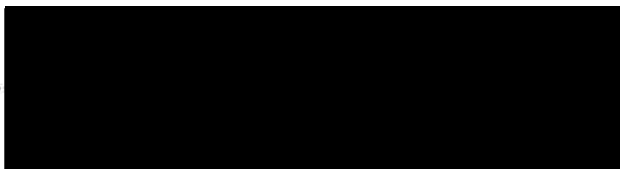
**Re: Proposed Petrol Filling Station, 11 Ballycraigy Road, Antrim**

I am writing to record my support for the above planning application for the following reasons:

- The proposal will enhance road safety on the Ballycraigy Road by introducing a traffic island and other safety measures to reduce speeds
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For the reasons outlined in this letter I would encourage the Planning Department to consider the strong benefits for the local area associated with this planning application.

Name: .....

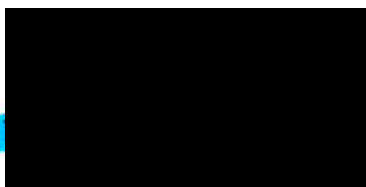


Address: .....

*Q9 Limetree Avenue*

.....  
.....  
.....

Signature: .....



Date: .....

*19/5/22*

Planning Section  
Mossley Mill  
Carnmoney Road North  
Newtownabbey  
BT36 5QA



Dear Sir/Madam,

Planning Reference Number: *LA03/2022/0449/0*

**Re: Proposed Petrol Filling Station, 11 Ballycraigy Road, Antrim**

I am writing to record my support for the above planning application for the following reasons:

- The proposal will enhance road safety on the Ballycraigy Road by introducing a traffic island and other safety measures to reduce speeds
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- The proposal will bring in additional rates to the local council

For the reasons outlined in this letter I would encourage the Planning Department to consider the strong benefits for the local area associated with this planning application.

Name: *Jamie Venugopal*

Address:

*23 ASPEN BURN, BT41 2BG*

.....

.....

Signature: 

Date: *19/05/22*

Planning Section  
Mossley Mill  
Carnmoney Road North  
Newtownabbey  
BT36 5QA



Dear Sir/Madam,

Planning Reference Number: *LA03/2022/0449/0*

**Re: Proposed Petrol Filling Station, 11 Ballycraigy Road, Antrim**

I am writing to record my support for the above planning application for the following reasons:

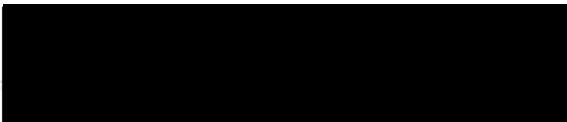
- The proposal will enhance road safety on the Ballycraigy Road by introducing a traffic island and other safety measures to reduce speeds
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- The proposal will bring in additional rates to the local council

For the reasons outlined in this letter I would encourage the Planning Department to consider the strong benefits for the local area associated with this planning application.

Name: 

Address:

*13 Aspinall newtown*

Signature: 

Date: *19/5/22*

## Kathryn Bradley

---

**From:** Imelda Elliott [REDACTED]  
**Sent:** 22 September 2022 14:59  
**To:** Planning Section  
**Subject:** Re: 11 Ballycraigy Road; Antrim; BT41 2BD

You don't often get email from [REDACTED] [Learn why this is important](#)

Your reference: LA03/2022/0449/O

Hi; I'm writing to you in reference to your proposal of petrol and filling station and retail units with parking and associated development etc. I'm all for your new development of petrol filling station and retail units etc. You have my backing on this development. I hope you get the go head with planning permission on this development. Good luck.

Yours sincerely  
Imelda Elliott  
48 Abbeyfield Park  
Newpark  
Antrim  
BT41 2DH

On Thu, 22 Sep 2022, 14:34 Imelda Elliott, [REDACTED] wrote:

Hi, I'm writing to you in reference to the planning permission to the proposal of the petrol filling station and retail unit with parking and associated development. I give my full support to this development being built. I'm looking forward to it built & good for the community. Especially for the elderly; who can't walk too far; it would be beneficial to them. I hope you get full planning for this business.

Your Reference no is:  
LA03/2022/0449/O

Many thanks  
Imelda Elliott  
48 Abbeyfield Park  
Antrim  
BT41 2DH



# Table of Representees for Application: LA03/2022/0449/O

| Title | Forename       | Surname   | Address  | Date Received | Document Ref |
|-------|----------------|-----------|--|---------------|--------------|
|       | Sarah          | Fleming   | 20, Limetree Close, Antrim, Antrim, Northern Ireland, BT41 1NH   | 29/06/2022    |              |
|       | John           | Todd      | 38, Caulside Park, Antrim, Antrim, Northern Ireland, BT41 2DR    | 29/06/2022    |              |
|       | Chloe          | Mercer    | 18, Hawthornden, Antrim, Antrim, Northern Ireland, BT41 2BD      | 29/06/2022    |              |
|       | Billy          | Morehead  | 8, Whinburn Close, Antrim, Antrim, Northern Ireland, BT41 1PZ    | 29/06/2022    |              |
|       | William        | Moorehead | 8, Whinburn Close, Antrim, Antrim, Northern Ireland, BT41 1PZ    | 29/06/2022    |              |
|       | Gemma          | Leacock   | 17, Hawkswood, Antrim, Antrim, Northern Ireland, BT41 2DE        | 29/06/2022    |              |
|       | Sharon         | Truesdale | 4, Beechgrove, Antrim, Antrim, Northern Ireland, BT41 2BW        | 29/06/2022    |              |
|       | Grant          | Whiteside | 19, Elmdale, Antrim, Antrim, Northern Ireland, BT41 2DD          | 29/06/2022    |              |
|       | David          | Murray    | 239, Bush Manor, Antrim, Antrim, Northern Ireland, BT41 2UR      | 29/06/2022    |              |
|       | Owner/Occupier |           | 1, Cedarhill, Antrim, Antrim, Northern Ireland, BT41 2BS         | 29/06/2022    |              |
|       | Jayne          | Leacock   | 31, Hawkswood, Antrim, Antrim, Northern Ireland, BT41 2DE        | 29/06/2022    |              |
|       | Colin          | Woods     | 28, Caulside Park, Antrim, Antrim, Northern Ireland, BT41 2DR    | 29/06/2022    |              |
|       | William        | McMullan  | 12, Beechgrove, Antrim, Antrim, Northern Ireland, BT41 2BW       | 29/06/2022    |              |
|       | Conor          | Magill    | 18, Farmhill, Antrim, Antrim, Northern Ireland, BT41 1NW         | 29/06/2022    |              |
|       | George         | Melvin    | 3, Elmdale, Antrim, Antrim, Northern Ireland, BT41 2DD           | 29/06/2022    |              |
|       | Toni           | Hamilton  | 7, Craighill, Antrim, Antrim, Northern Ireland, BT41 1PR         | 29/06/2022    |              |
|       | Linda          | White     | 5, Hillview, Antrim, Antrim, Northern Ireland, BT41 2BT          | 29/06/2022    |              |
|       | Gareth         | Douglas   | 23, Caulside Park, Antrim, Antrim, Northern Ireland, BT41 2DR    | 29/06/2022    |              |
|       | Tracey         | Woods     | 7, Elmdale, Antrim, Antrim, Northern Ireland, BT41 2DD           | 29/06/2022    |              |
|       | Grace          | White     | 3, Maplehill Terrace, Antrim, Antrim, Northern Ireland, BT41 2BY | 29/06/2022    |              |
|       | LeeAnn         | Stewart   | 4, Ashgrove, Antrim, Antrim, Northern Ireland, BT41 2BL          | 29/06/2022    |              |
|       | Thomas         | McComb    | 20, Cedarhill, Antrim, Antrim, Northern Ireland, BT41 2BS        | 29/06/2022    |              |
|       | Caroline       | Mitchell  | 7, Craighill, Antrim, Antrim, Northern Ireland, BT41 1PR         | 29/06/2022    |              |
|       | Dorothy        | Thomson   | 92, Caulside Park, Antrim, Antrim, Northern Ireland, BT41 2DS    | 29/06/2022    |              |

# Table of Representees for Application: LA03/2022/0449/O

| Title | Forename  | Surname    | Address   | Date Received | Document Ref |
|-------|-----------|------------|---|---------------|--------------|
|       | Sandra    | McGarry    | 5, Mill House Mews, Antrim, Antrim, Northern Ireland, BT41 2UF    | 29/06/2022    |              |
|       | Chris     | Wilgaus    | 8, Sprucefield, Antrim, Antrim, Northern Ireland, BT41 2BH        | 29/06/2022    |              |
|       | Alan      | Thompson   | 26, Ashgrove, Antrim, Antrim, Northern Ireland, BT41 2BL          | 29/06/2022    |              |
|       | Jamie     | Porter     | 6, Caulside Park, Antrim, Antrim, Northern Ireland, BT41 2DR      | 29/06/2022    |              |
|       | Ashley    | McCullagh  | 5, Chaine Court, Antrim, Antrim, Northern Ireland, BT41 1ND       | 29/06/2022    |              |
|       | William   | Miller     | 179, Craighill, Antrim, Antrim, Northern Ireland, BT41 1QQ        | 29/06/2022    |              |
|       | Gemma-Lee | Hamilton   | 18, Farmhill, Antrim, Antrim, Northern Ireland, BT41 1NW          | 29/06/2022    |              |
|       | Daniel    | Hughes     | 134, Caulside Park, Antrim, Antrim, Northern Ireland, BT41 2DT    | 29/06/2022    |              |
|       | Joyce     | McComb     | 20, Cedarhill, Antrim, Antrim, Northern Ireland, BT41 2BS         | 29/06/2022    |              |
|       | Tony      | McCann     | 134, Caulside Park, Antrim, Antrim, Northern Ireland, BT41 2DT    | 29/06/2022    |              |
|       | Joanne    | Brimley    | 6, Limetree Avenue, Antrim, Antrim, Northern Ireland, BT41 1NR    | 29/06/2022    |              |
|       | Helen     | Reidy      | 12, Caulside Park, Antrim, Antrim, Northern Ireland, BT41 2DR     | 29/06/2022    |              |
|       | Colin     | Hamilton   | 7, Craighill, Antrim, Antrim, Northern Ireland, BT41 1PR          | 29/06/2022    |              |
|       | Nicole    | Hamilton   | 304, Rathmore Gardens, Antrim, Antrim, Northern Ireland, BT41 1JQ | 29/06/2022    |              |
|       | Paul      | Rutherford | 42, Ashgrove, Antrim, Antrim, Northern Ireland, BT41 2BL          | 29/06/2022    |              |
|       | Ken       | Thomson    | 92, Caulside Park, Antrim, Antrim, Northern Ireland, BT41 2DS     | 29/06/2022    |              |
|       | Jordan    | Barrow     | 42, Ashgrove, Antrim, Antrim, Northern Ireland, BT41 2BL          | 29/06/2022    |              |
|       | Courtney  | Fullerton  | 18, Farmhill, Antrim, Antrim, Northern Ireland, BT41 1NW          | 29/06/2022    |              |
|       | Chris     | McKnight   | 2, Willowdale, Antrim, Antrim, Northern Ireland, BT41 2BZ         | 29/06/2022    |              |
|       | Maisie    | Moore      | 52, Caulside Park, Antrim, Antrim, Northern Ireland, BT41 2DR     | 29/06/2022    |              |
|       | David     | Moore      | 4, Elmdale Flats, Antrim, Antrim, Northern Ireland, BT41 2DB      | 29/06/2022    |              |
|       | Bertie    | Rankin     | 3, Ravenswood, Antrim, Antrim, Northern Ireland, BT41 2DG         | 29/06/2022    |              |
|       | Emma      | Turk       | 19, Elmdale, Antrim, Antrim, Northern Ireland, BT41 2DD           | 29/06/2022    |              |
|       | J         | Gallagher  | 35, Beechgrove, Antrim, Antrim, Northern Ireland, BT41 2BW        | 29/06/2022    |              |

# Table of Representees for Application: LA03/2022/0449/O

| Title | Forename       | Surname   | Address   | Date Received | Document Ref |
|-------|----------------|-----------|---|---------------|--------------|
|       | John           | McCreight | 1, Hillview, Antrim, Antrim, Northern Ireland, BT41 2BT         | 29/06/2022    |              |
|       | Jamie          | Martin    | 17, Parkhall Road, Antrim, Antrim, Northern Ireland, BT41 1BU   | 29/06/2022    |              |
|       | James          | Donnelly  | 37, Hawkswood, Antrim, Antrim, Northern Ireland, BT41 2DE       | 29/06/2022    |              |
|       | Corrina        | McCreight | 8, Ashgrove, Antrim, Antrim, Northern Ireland, BT41 2BL         | 29/06/2022    |              |
|       | Derek          | Watson    | 6, Thorndale Close, Antrim, Antrim, Northern Ireland, BT41 1QE  | 29/06/2022    |              |
|       | Agnes          | Goodman   | 3, Ashgrove, Antrim, Antrim, Northern Ireland, BT41 2BL         | 29/06/2022    |              |
|       | Diane          | Thomson   | 87, Caulside Park, Antrim, Antrim, Northern Ireland, BT41 2DS   | 29/06/2022    |              |
|       | Sarah          | Nicoletti | 11, Maplehill, Antrim, Antrim, Northern Ireland, BT41 2BX       | 29/06/2022    |              |
|       | Michelle       | Black     | 75, Caulside Park, Antrim, Antrim, Northern Ireland, BT41 2DS   | 29/06/2022    |              |
|       | Owner/Occupier |           | 10, Craighburn, Antrim, Antrim, Northern Ireland, BT41 1PN      | 29/06/2022    |              |
|       | Kathy          | Woods     | 34, Caulside Park, Antrim, Antrim, Northern Ireland, BT41 2DR   | 29/06/2022    |              |
|       | H              | Paine     | 13, Hazeldene Flats, Antrim, Antrim, Northern Ireland, BT41 2BB | 29/06/2022    |              |
|       | Sophie         | Beckett   | 10, Craighburn, Antrim, Antrim, Northern Ireland, BT41 1PN      | 29/06/2022    |              |
|       | Audrey         | Barrow    | 90, Caulside Park, Antrim, Antrim, Northern Ireland, BT41 2DS   | 29/06/2022    |              |
|       | E              | Quigley   | 24, Caulside Park, Antrim, Antrim, Northern Ireland, BT41 2DR   | 29/06/2022    |              |
|       | Adam           | Boyd      | 6, Hawthornden, Antrim, Antrim, Northern Ireland, BT41 2BD      | 29/06/2022    |              |
|       | Christopher    | Melvin    | 10, Elmdale, Antrim, Antrim, Northern Ireland, BT41 2DD         | 29/06/2022    |              |
|       | Chloe          | Black     | 10, Firfields, Antrim, Antrim, Northern Ireland, BT41 4DJ       | 29/06/2022    |              |
|       | Alan           | Doole     | 131, Caulside Park, Antrim, Antrim, Northern Ireland, BT41 2DT  | 29/06/2022    |              |
|       | Jane           | Banks     | 24, Ravenswood, Antrim, Antrim, Northern Ireland, BT41 2DG      | 29/06/2022    |              |
|       | Kenneth        | Barrow    | 90, Caulside Park, Antrim, Antrim, Northern Ireland, BT41 2DS   | 29/06/2022    |              |
|       | Jamie          | Myles     | 5, Caulside Park, Antrim, Antrim, Northern Ireland, BT41 2DR    | 29/06/2022    |              |
|       | Natasha        | Truesdale | 21, Caulside Park, Antrim, Antrim, Northern Ireland, BT41 2DR   | 29/06/2022    |              |
|       | Michele        | Melvin    | 10, Elmdale, Antrim, Antrim, Northern Ireland, BT41 2DD         | 29/06/2022    |              |

## Table of Representees for Application: LA03/2022/0449/O

| Title | Forename | Surname | Address  | Date Received | Document Ref |
|-------|----------|---------|--|---------------|--------------|
|       | Fiona    | Lavery  | 38, Ashgrove, Antrim, Antrim, Northern Ireland, BT41 2BL | 29/06/2022    |              |
|       | Stephen  | Smyth   |  | 09/08/2022    |              |

# Table of Representees for Application: LA03/2022/0449/O

| Title | Forename       | Surname   | Address  | Date Received | Document Ref |
|-------|----------------|-----------|--|---------------|--------------|
|       | Sarah          | Fleming   | 20, Limetree Close, Antrim, Antrim, Northern Ireland, BT41 1NH   | 29/06/2022    |              |
|       | John           | Todd      | 38, Caulside Park, Antrim, Antrim, Northern Ireland, BT41 2DR    | 29/06/2022    |              |
|       | Chloe          | Mercer    | 18, Hawthornden, Antrim, Antrim, Northern Ireland, BT41 2BD      | 29/06/2022    |              |
|       | Billy          | Morehead  | 8, Whinburn Close, Antrim, Antrim, Northern Ireland, BT41 1PZ    | 29/06/2022    |              |
|       | William        | Moorehead | 8, Whinburn Close, Antrim, Antrim, Northern Ireland, BT41 1PZ    | 29/06/2022    |              |
|       | Gemma          | Leacock   | 17, Hawkswood, Antrim, Antrim, Northern Ireland, BT41 2DE        | 29/06/2022    |              |
|       | Sharon         | Truesdale | 4, Beechgrove, Antrim, Antrim, Northern Ireland, BT41 2BW        | 29/06/2022    |              |
|       | Grant          | Whiteside | 19, Elmdale, Antrim, Antrim, Northern Ireland, BT41 2DD          | 29/06/2022    |              |
|       | David          | Murray    | 239, Bush Manor, Antrim, Antrim, Northern Ireland, BT41 2UR      | 29/06/2022    |              |
|       | Owner/Occupier |           | 1, Cedarhill, Antrim, Antrim, Northern Ireland, BT41 2BS         | 29/06/2022    |              |
|       | Jayne          | Leacock   | 31, Hawkswood, Antrim, Antrim, Northern Ireland, BT41 2DE        | 29/06/2022    |              |
|       | Colin          | Woods     | 28, Caulside Park, Antrim, Antrim, Northern Ireland, BT41 2DR    | 29/06/2022    |              |
|       | William        | McMullan  | 12, Beechgrove, Antrim, Antrim, Northern Ireland, BT41 2BW       | 29/06/2022    |              |
|       | Conor          | Magill    | 18, Farmhill, Antrim, Antrim, Northern Ireland, BT41 1NW         | 29/06/2022    |              |
|       | George         | Melvin    | 3, Elmdale, Antrim, Antrim, Northern Ireland, BT41 2DD           | 29/06/2022    |              |
|       | Toni           | Hamilton  | 7, Craighill, Antrim, Antrim, Northern Ireland, BT41 1PR         | 29/06/2022    |              |
|       | Linda          | White     | 5, Hillview, Antrim, Antrim, Northern Ireland, BT41 2BT          | 29/06/2022    |              |
|       | Gareth         | Douglas   | 23, Caulside Park, Antrim, Antrim, Northern Ireland, BT41 2DR    | 29/06/2022    |              |
|       | Tracey         | Woods     | 7, Elmdale, Antrim, Antrim, Northern Ireland, BT41 2DD           | 29/06/2022    |              |
|       | Grace          | White     | 3, Maplehill Terrace, Antrim, Antrim, Northern Ireland, BT41 2BY | 29/06/2022    |              |
|       | LeeAnn         | Stewart   | 4, Ashgrove, Antrim, Antrim, Northern Ireland, BT41 2BL          | 29/06/2022    |              |
|       | Thomas         | McComb    | 20, Cedarhill, Antrim, Antrim, Northern Ireland, BT41 2BS        | 29/06/2022    |              |
|       | Caroline       | Mitchell  | 7, Craighill, Antrim, Antrim, Northern Ireland, BT41 1PR         | 29/06/2022    |              |
|       | Dorothy        | Thomson   | 92, Caulside Park, Antrim, Antrim, Northern Ireland, BT41 2DS    | 29/06/2022    |              |

# Table of Representees for Application: LA03/2022/0449/O

| Title | Forename  | Surname    | Address   | Date Received | Document Ref |
|-------|-----------|------------|---|---------------|--------------|
|       | Sandra    | McGarry    | 5, Mill House Mews, Antrim, Antrim, Northern Ireland, BT41 2UF    | 29/06/2022    |              |
|       | Chris     | Wilgaus    | 8, Sprucefield, Antrim, Antrim, Northern Ireland, BT41 2BH        | 29/06/2022    |              |
|       | Alan      | Thompson   | 26, Ashgrove, Antrim, Antrim, Northern Ireland, BT41 2BL          | 29/06/2022    |              |
|       | Jamie     | Porter     | 6, Caulside Park, Antrim, Antrim, Northern Ireland, BT41 2DR      | 29/06/2022    |              |
|       | Ashley    | McCullagh  | 5, Chain Court, Antrim, Antrim, Northern Ireland, BT41 1ND        | 29/06/2022    |              |
|       | William   | Miller     | 179, Craighill, Antrim, Antrim, Northern Ireland, BT41 1QQ        | 29/06/2022    |              |
|       | Gemma-Lee | Hamilton   | 18, Farmhill, Antrim, Antrim, Northern Ireland, BT41 1NW          | 29/06/2022    |              |
|       | Daniel    | Hughes     | 134, Caulside Park, Antrim, Antrim, Northern Ireland, BT41 2DT    | 29/06/2022    |              |
|       | Joyce     | McComb     | 20, Cedarhill, Antrim, Antrim, Northern Ireland, BT41 2BS         | 29/06/2022    |              |
|       | Tony      | McCann     | 134, Caulside Park, Antrim, Antrim, Northern Ireland, BT41 2DT    | 29/06/2022    |              |
|       | Joanne    | Brimley    | 6, Limetree Avenue, Antrim, Antrim, Northern Ireland, BT41 1NR    | 29/06/2022    |              |
|       | Helen     | Reidy      | 12, Caulside Park, Antrim, Antrim, Northern Ireland, BT41 2DR     | 29/06/2022    |              |
|       | Colin     | Hamilton   | 7, Craighill, Antrim, Antrim, Northern Ireland, BT41 1PR          | 29/06/2022    |              |
|       | Nicole    | Hamilton   | 304, Rathmore Gardens, Antrim, Antrim, Northern Ireland, BT41 1JQ | 29/06/2022    |              |
|       | Paul      | Rutherford | 42, Ashgrove, Antrim, Antrim, Northern Ireland, BT41 2BL          | 29/06/2022    |              |
|       | Ken       | Thomson    | 92, Caulside Park, Antrim, Antrim, Northern Ireland, BT41 2DS     | 29/06/2022    |              |
|       | Jordan    | Barrow     | 42, Ashgrove, Antrim, Antrim, Northern Ireland, BT41 2BL          | 29/06/2022    |              |
|       | Courtney  | Fullerton  | 18, Farmhill, Antrim, Antrim, Northern Ireland, BT41 1NW          | 29/06/2022    |              |
|       | Chris     | McKnight   | 2, Willowdale, Antrim, Antrim, Northern Ireland, BT41 2BZ         | 29/06/2022    |              |
|       | Maisie    | Moore      | 52, Caulside Park, Antrim, Antrim, Northern Ireland, BT41 2DR     | 29/06/2022    |              |
|       | David     | Moore      | 4, Elmdale Flats, Antrim, Antrim, Northern Ireland, BT41 2DB      | 29/06/2022    |              |
|       | Bertie    | Rankin     | 3, Ravenswood, Antrim, Antrim, Northern Ireland, BT41 2DG         | 29/06/2022    |              |
|       | Emma      | Turk       | 19, Elmdale, Antrim, Antrim, Northern Ireland, BT41 2DD           | 29/06/2022    |              |
|       | J         | Gallagher  | 35, Beechgrove, Antrim, Antrim, Northern Ireland, BT41 2BW        | 29/06/2022    |              |

# Table of Representees for Application: LA03/2022/0449/O

| Title | Forename       | Surname   | Address   | Date Received | Document Ref |
|-------|----------------|-----------|---|---------------|--------------|
|       | John           | McCreight | 1, Hillview, Antrim, Antrim, Northern Ireland, BT41 2BT         | 29/06/2022    |              |
|       | Jamie          | Martin    | 17, Parkhall Road, Antrim, Antrim, Northern Ireland, BT41 1BU   | 29/06/2022    |              |
|       | James          | Donnelly  | 37, Hawkswood, Antrim, Antrim, Northern Ireland, BT41 2DE       | 29/06/2022    |              |
|       | Corrina        | McCreight | 8, Ashgrove, Antrim, Antrim, Northern Ireland, BT41 2BL         | 29/06/2022    |              |
|       | Derek          | Watson    | 6, Thorndale Close, Antrim, Antrim, Northern Ireland, BT41 1QE  | 29/06/2022    |              |
|       | Agnes          | Goodman   | 3, Ashgrove, Antrim, Antrim, Northern Ireland, BT41 2BL         | 29/06/2022    |              |
|       | Diane          | Thomson   | 87, Caulside Park, Antrim, Antrim, Northern Ireland, BT41 2DS   | 29/06/2022    |              |
|       | Sarah          | Nicoletti | 11, Maplehill, Antrim, Antrim, Northern Ireland, BT41 2BX       | 29/06/2022    |              |
|       | Michelle       | Black     | 75, Caulside Park, Antrim, Antrim, Northern Ireland, BT41 2DS   | 29/06/2022    |              |
|       | Owner/Occupier |           | 10, Craighburn, Antrim, Antrim, Northern Ireland, BT41 1PN      | 29/06/2022    |              |
|       | Kathy          | Woods     | 34, Caulside Park, Antrim, Antrim, Northern Ireland, BT41 2DR   | 29/06/2022    |              |
|       | H              | Paine     | 13, Hazeldene Flats, Antrim, Antrim, Northern Ireland, BT41 2BB | 29/06/2022    |              |
|       | Sophie         | Beckett   | 10, Craighburn, Antrim, Antrim, Northern Ireland, BT41 1PN      | 29/06/2022    |              |
|       | Audrey         | Barrow    | 90, Caulside Park, Antrim, Antrim, Northern Ireland, BT41 2DS   | 29/06/2022    |              |
|       | E              | Quigley   | 24, Caulside Park, Antrim, Antrim, Northern Ireland, BT41 2DR   | 29/06/2022    |              |
|       | Adam           | Boyd      | 6, Hawthornden, Antrim, Antrim, Northern Ireland, BT41 2BD      | 29/06/2022    |              |
|       | Christopher    | Melvin    | 10, Elmdale, Antrim, Antrim, Northern Ireland, BT41 2DD         | 29/06/2022    |              |
|       | Chloe          | Black     | 10, Firfields, Antrim, Antrim, Northern Ireland, BT41 4DJ       | 29/06/2022    |              |
|       | Alan           | Doole     | 131, Caulside Park, Antrim, Antrim, Northern Ireland, BT41 2DT  | 29/06/2022    |              |
|       | Jane           | Banks     | 24, Ravenswood, Antrim, Antrim, Northern Ireland, BT41 2DG      | 29/06/2022    |              |
|       | Kenneth        | Barrow    | 90, Caulside Park, Antrim, Antrim, Northern Ireland, BT41 2DS   | 29/06/2022    |              |
|       | Jamie          | Myles     | 5, Caulside Park, Antrim, Antrim, Northern Ireland, BT41 2DR    | 29/06/2022    |              |
|       | Natasha        | Truesdale | 21, Caulside Park, Antrim, Antrim, Northern Ireland, BT41 2DR   | 29/06/2022    |              |
|       | Michele        | Melvin    | 10, Elmdale, Antrim, Antrim, Northern Ireland, BT41 2DD         | 29/06/2022    |              |

# Table of Representees for Application: LA03/2022/0449/O

| Title | Forename    | Surname        | Address   | Date Received | Document Ref |
|-------|-------------|----------------|---|---------------|--------------|
|       | Fiona       | Lavery         | 38, Ashgrove, Antrim, Antrim, Northern Ireland, BT41 2BL                              | 29/06/2022    |              |
|       | Stephen     | Smyth          |   | 09/08/2022    |              |
|       |             | Owner/Occupier | 6, Dunamoy Drive, Antrim, Antrim, Northern Ireland, BT41 1LD                          | 09/08/2022    |              |
|       | Valerie     | McConnell      |   | 09/08/2022    |              |
|       |             | Owner/Occupier | 36, BALLYSCULTY ROAD, ANTRIM, ANTRIM, Northern Ireland, BT41 4TL                      | 09/08/2022    |              |
|       | John Martin | Griffin        | 67, Caulside Park, Antrim, Antrim, Northern Ireland, BT41 2DS                         | 09/08/2022    |              |
|       | James       | Russell        | 78, Old Ballyrobin Road, Antrim, Muckamore, Antrim, Northern Ireland, BT41 4TJ        | 09/08/2022    |              |
|       | Elizabeth   | Martin         | 22, Limetree Close, Antrim, Antrim, Northern Ireland, BT41 1NH                        | 09/08/2022    |              |
|       | Marian      | Beggs          | 67, Caulside Park, Antrim, Antrim, Northern Ireland, BT41 2DS                         | 09/08/2022    |              |
|       | Brian       | Tomelty        | 69, Dunadry Road, Antrim, Dunadry, Antrim, Northern Ireland, BT41 4QJ                 | 09/08/2022    |              |
|       | Samantha    | Nicholl        | 116, Craighill, Antrim, Antrim, Northern Ireland, BT41 1QQ                            | 09/08/2022    |              |
|       | Gary        | Dickson        | 82, Rathkyle, Antrim, Antrim, Northern Ireland, BT41 1LQ                              | 09/08/2022    |              |
|       | Emily       | Lavery         | 14, Sprucefield, Antrim, Antrim, Northern Ireland, BT41 2BH                           | 09/08/2022    |              |
|       | Aimee       | Wilson         | 1, Carnall Gardens, Antrim, Antrim, Northern Ireland, BT41 1DP                        | 09/08/2022    |              |
|       | Conor       | Ewart          |   | 09/08/2022    |              |
|       | Peter       | Lynch          | 56 Belfast Road, Antrim, BT41 1PG   | 09/08/2022    |              |
|       | Sharon      | McNicholl      | 78, Muckamore Garden Village, Antrim, Ballycraigy, Antrim, Northern Ireland, BT41 1NB | 09/08/2022    |              |
|       | Conor       | Magill         | 18, Farmhill, Antrim, Antrim, Northern Ireland, BT41 1NW                              | 09/08/2022    |              |
|       | Luke        | Hamilton       | 4, Craighill, Antrim, Antrim, Northern Ireland, BT41 1PR                              | 09/08/2022    |              |
|       | Neill       | Bushe          | 10, Hillview, Antrim, Antrim, Northern Ireland, BT41 2BT                              | 09/08/2022    |              |
|       | Terry       | Stavin         | 56, Tower Way, Antrim, Antrim, Northern Ireland, BT41 1EP                             | 09/08/2022    |              |
|       | Joanne      | Heaney         | 370, Firmount Drive, Antrim, Antrim, Northern Ireland, BT41 1JH                       | 09/08/2022    |              |
|       | Craig       | Allan          | 6, Mill House View, Antrim, Antrim, Northern Ireland, BT41 2WE                        | 09/08/2022    |              |
|       | Ian         | Rodgers        | 224, Jordanstown Road, Newtownabbey, Antrim, Northern Ireland, BT37 0NA               | 09/08/2022    |              |
|       | June        | Law            | 25, LIMETREE CLOSE, ANTRIM, ANTRIM, Northern Ireland, BT41 1NH                        | 09/08/2022    |              |



# Table of Representees for Application: LA03/2022/0449/O

| Title | Forename | Surname    | Address  | Date Received | Document Ref |
|-------|----------|------------|--|---------------|--------------|
|       | Gary     | Paine      | 50, Limetree Avenue, Antrim, Antrim, Northern Ireland, BT41 1NP                | 09/08/2022    |              |
|       | Janine   | Brownlees  | 88, Seven Mile Straight, Antrim, Muckamore, Antrim, Northern Ireland, BT41 4TQ | 09/08/2022    |              |
|       | Eoin     | Devine     | 411, LISNARAGH ROAD, PLUMBRIDGE, TYRONE, Northern Ireland, BT79 8AF            | 09/08/2022    |              |
|       | Eleanor  | Fee        | 18, Sprucefield, Antrim, Antrim, Northern Ireland, BT41 2BH                    | 09/08/2022    |              |
|       | David    | Griffin    |  | 09/08/2022    |              |
|       | Danny    | Hutton     | 8a, Greenview Way, Antrim, Antrim, Northern Ireland, BT41 4EG                  | 09/08/2022    |              |
|       | Alister  | Woods      | 8, Greenvale Park, Antrim, Town Parks, Antrim, Northern Ireland, BT41 1SG      | 09/08/2022    |              |
|       | Darryl   | Ritchie    | 3, LINEN GREEN, ANTRIM, ANTRIM, Northern Ireland, BT41 1QU                     | 09/08/2022    |              |
|       | B        | Monaghan   | 19, Downfine Park, Belfast, Antrim, Northern Ireland, BT11 8NU                 | 09/08/2022    |              |
|       | E        | Patterson  | 36, Hollowburn Road, Antrim, Antrim, Northern Ireland, BT41 1NQ                | 09/08/2022    |              |
|       | Ashleigh | Ward       | 1c, West Street, Ballycarry, Antrim, Northern Ireland, BT38 9HS                | 09/08/2022    |              |
|       | Gillian  | Miller     | 30, LINEN GREEN, ANTRIM, ANTRIM, Northern Ireland, BT41 1QU                    | 09/08/2022    |              |
|       | Jane     |            | 18, Sprucefield, Antrim, Antrim, Northern Ireland, BT41 2BH                    | 09/08/2022    |              |
|       | Neil     | Morrison   | 133, Craighill, Antrim, Antrim, Northern Ireland, BT41 1PT                     | 09/08/2022    |              |
|       | Lisa     | Mathieson  | 133, Craighill, Antrim, Antrim, Northern Ireland, BT41 1PT                     | 09/08/2022    |              |
|       | Liam     | Berry      | 29, GREENVALE MANOR, ANTRIM, ANTRIM, Northern Ireland, BT41 1SB                | 09/08/2022    |              |
|       | Lisa     | Cosgrove   | 12, Devon Court, Antrim, Antrim, Northern Ireland, BT41 2SA                    | 09/08/2022    |              |
|       | Brian    | Dodd       |  | 09/08/2022    |              |
|       | Irene    | McCullagh  | 33, Hollowburn Road, Antrim, Antrim, Northern Ireland, BT41 1NQ                | 09/08/2022    |              |
|       | Robert   | McCullough | 33, Hollowburn Road, Antrim, Antrim, Northern Ireland, BT41 1NQ                | 09/08/2022    |              |
|       | C        | Dodd       | 23, Seven Mile Straight, Antrim, Muckamore, Antrim, Northern Ireland, BT41 4QH | 09/08/2022    |              |
|       | Dorothy  | Holmes     | 32, Woodgreen, Antrim, Antrim, Northern Ireland, BT41 1NN                      | 09/08/2022    |              |
|       | Carol    | McCourt    | 24, Fernwood Park, Antrim, Antrim, Northern Ireland, BT41 1QF                  | 09/08/2022    |              |
|       | Linda    | Allison    | 1, Muckamore View, Antrim, Muckamore, Antrim, Northern Ireland, BT41 2EU       | 09/08/2022    |              |
|       | John     | Craig      |  | 09/08/2022    |              |

# Table of Representees for Application: LA03/2022/0449/O

| Title | Forename  | Surname        | Address   | Date Received | Document Ref |
|-------|-----------|----------------|---|---------------|--------------|
|       | Gareth    | Shannon        | 6, Rockfield Heights, Connor, Antrim, Northern Ireland, BT42 3LH                    | 09/08/2022    |              |
|       | Stephen   | Doone          | 3, Derryola Island Lane, Craigavon, Antrim, Northern Ireland, BT67 0DN              | 09/08/2022    |              |
|       | David     | Burns          | 229, Belvedere Manor, Lurgan, Armagh, Northern Ireland, BT67 9NZ                    | 09/08/2022    |              |
|       | Jordan    | McVicker       |   | 09/08/2022    |              |
|       | Curtis    | Moorehead      | 2, Finbank Court, Belfast, Antrim, Northern Ireland, BT9 6QU                        | 09/08/2022    |              |
|       | Jeff      | Watt           | 40, Grasmere, Coleraine, Londonderry, Northern Ireland, BT52 2DJ                    | 09/08/2022    |              |
|       | Uel       | Moore          | 41, Moylena Road, Antrim, Antrim, Northern Ireland, BT41 4PA                        | 09/08/2022    |              |
|       | Christine | Barnes         | 50, Limetree Avenue, Antrim, Antrim, Northern Ireland, BT41 1NP                     | 09/08/2022    |              |
|       | Mark      | Rea            | 234, Seven Mile Straight, Crumlin, Nutts Corner, Antrim, Northern Ireland, BT29 4YS | 09/08/2022    |              |
|       | Mark      | Rodgers        | 40, Linen Green, Antrim, Antrim, Northern Ireland, BT41 1QU                         | 09/08/2022    |              |
|       | Helen     | Close          | 6, Aspenburn, Antrim, Antrim, Northern Ireland, BT41 2BG                            | 09/08/2022    |              |
|       | G         | Crawford       | 5, Ballycraigy Drive, Antrim, Antrim, Northern Ireland, BT41 1NE                    | 09/08/2022    |              |
|       | Clodagh   | Brady          | 24, Crossreagh Drive, Antrim, Antrim, Northern Ireland, BT41 1LJ                    | 09/08/2022    |              |
|       | Alan      |                | 15, Hawthornden, Antrim, Antrim, Northern Ireland, BT41 2BD                         | 09/08/2022    |              |
|       |           | Owner/Occupier | 94, Firfields, Antrim, Antrim, Northern Ireland, BT41 4DL                           | 09/08/2022    |              |
|       | Rory      | Devine         | 411, LISNARAGH ROAD, PLUMBRIDGE, TYRONE, Northern Ireland, BT79 8AF                 | 09/08/2022    |              |
|       |           | Owner/Occupier | 120, Belfast Road, Antrim, Muckamore, Antrim, Northern Ireland, BT41 2BA            | 09/08/2022    |              |
|       |           | Owner/Occupier | 25, Hood Court, Antrim, Antrim, Northern Ireland, BT41 4HW                          | 09/08/2022    |              |
|       | Gareth    | Robinson       | 35, O'Neill Road, Newtownabbey, Antrim, Northern Ireland, BT36 6BZ                  | 09/08/2022    |              |
|       | Matthew   | Cooper         | 4, The Old Mill, Antrim, Dunadry, Antrim, Northern Ireland, BT41 4QF                | 09/08/2022    |              |
|       | Mark      | Robinson       | 14, Thistlewood Crescent, Antrim, Antrim, Northern Ireland, BT41 1QD                | 09/08/2022    |              |
|       | Sarah     | Mitchell       | 2, Willowdale, Antrim, Antrim, Northern Ireland, BT41 2BZ                           | 09/08/2022    |              |

# Table of Representees for Application: LA03/2022/0449/O

| Title | Forename | Surname    | Address   | Date Received | Document Ref |
|-------|----------|------------|---|---------------|--------------|
|       | Elwin    | Cunningham | 42, Stiles Farm, Antrim, Antrim, Northern Ireland, BT41 1LR             | 10/08/2022    |              |
|       | Evan     | Bushe      | 4, Ross Grove, Antrim, Muckamore, Antrim, Northern Ireland, BT41 2FB    | 10/08/2022    |              |
|       | Jamie    | Lavery     | 38, Ashgrove, Antrim, Antrim, Northern Ireland, BT41 2BL                | 10/08/2022    |              |
|       | Justin   | Agnew      |   | 10/08/2022    |              |
|       | Daniel   | Blaney     | 7, Dunore Road, Crumlin, Aldergrove, Antrim, Northern Ireland, BT29 4DZ | 10/08/2022    |              |
|       | ross     | McGuigan   | 173, Brantwood Gardens, Antrim, Antrim, Northern Ireland, BT41 1HT      | 10/08/2022    |              |
|       | Eve      | Devine     | 5, LINEN GREEN, ANTRIM, ANTRIM, Northern Ireland, BT41 1QU              | 10/08/2022    |              |
|       | Natasha  | McKay      | 4, Grainger'S Gate, Antrim, Antrim, Northern Ireland, BT41 4RQ          | 10/08/2022    |              |
|       | Hannah   | Gordon     | 5, FARRANFLUGH LANE, RANDALSTOWN, ANTRIM, Northern Ireland, BT41 2NQ    | 10/08/2022    |              |
|       | Jane     | Speirs     | 21, Craigfad Drive, Antrim, Antrim, Northern Ireland, BT41 1LL          | 10/08/2022    |              |
|       | Helen    | Graham     | 12, Carnbeg Square, Antrim, Antrim, Northern Ireland, BT41 4RH          | 10/08/2022    |              |
|       | Darren   | McCullough | 33, Hollowburn Road, Antrim, Antrim, Northern Ireland, BT41 1NQ         | 10/08/2022    |              |
|       | Davinia  | Speirs     | 21, Craigfad Drive, Antrim, Antrim, Northern Ireland, BT41 1LL          | 10/08/2022    |              |
|       | Andrew   | Boyd       | 87, Carnbeg Dale, Antrim, Antrim, Northern Ireland, BT41 4RE            | 10/08/2022    |              |
|       | Colette  | Cunningham | 42, Stiles Farm, Antrim, Antrim, Northern Ireland, BT41 1LR             | 10/08/2022    |              |
|       | Carol    | McElroy    | 31, Limetree Avenue, Antrim, Antrim, Northern Ireland, BT41 1NP         | 10/08/2022    |              |
|       | Emma     | McGuigan   | 173, Brantwood Gardens, Antrim, Antrim, Northern Ireland, BT41 1HT      | 10/08/2022    |              |
|       | Chelsea  | Hayton     | 25, Carnbeg Square, Antrim, Antrim, Northern Ireland, BT41 4RH          | 10/08/2022    |              |

The planning Officer.

The Planning Section,

Antrim and Newtownabbey Borough Council,

Mossley Mill,

Newtownabbey

Your reference: LA03/2022/0449/O

**From:**

Name:

Address:



**Reference:** Objection to proposed development at 11 Ballycraig Road, Antrim.

Dear Sir/ Madam,

I am an employee of Newpark Vivo which is a community store within the Newpark and Caulside housing estates. The proposed development is within 400 metres of the shop at the entrance to the estate.

Very little if anything has changed from the previous application to put a filling station and shop on this site when it was recommended for refusal by John Linden, Head of Planning, to the planning committee. Some of the reasons for refusal was because there was no need for such a facility and it would have an adverse impact on the vitality and viability of existing centres within the catchment area.

The area has two other well established retail hubs within a very short distance of the proposed development at Islandbawn Stores and Greystone Road. Islandbawn Stores is only 500 metres away and already has an existing petrol filling station as well as a post office, butchers, off license and Hardware store. Greystone retail Hub is only 800 metres away from the site and houses a large spar store, post office, butchers and deli, an off licence and fast-food outlet. These existing centres are protected by the policy provisions contained in Antrim Area Plan 1984-2001 and SPPS Policy.

It is quite clear there is no business need for such a development that would jeopardise some jobs and probably mine. Granting permission to such a proposal puts at great risk existing retail hubs and there is no evidence that would suggest there is a need, or the area is lacking of any services that it proposes to provide.

I would be grateful that you accept this as my formal objection to this application.

Yours faithfully, \_\_\_\_\_

Sign:

Date:



The planning Officer.

The Planning Section,

Antrim and Newtownabbey Borough Council,

Mossley Mill,

Newtownabbey

Your reference: LA03/2022/0449/O

**From:**

Name:

Address:

**Reference:** Objection to proposed development at 11 Ballycraigy Road, Antrim.

Dear Sir/ Madam,

I am an employee of Centra Islandbawn which is a community store within walking distance of Ballycraigy and Newpark Estates. The proposed development is within 500 metres of the shop at the entrance to the estate.

Very little if anything has changed from the previous application to put a filling station and shop on this site when it was recommended for refusal by John Linden, Head of Planning, to the planning committee. Some of the reasons for refusal was because there was no need for such a facility and it would have an adverse impact on the vitality and viability of existing centres within the catchment area.

The area has two other well established retail hubs within a very short distance of the proposed development at Vivo Stores in Newpark and Greystone Road. Vivo Newpark is a local community store 500 metres away and has your every day essentials. Greystone retail Hub is only 800 metres away from the site and houses a large spar store, post office, butchers and deli, an off licence and fast-food outlet. These existing centres are protected by the policy provisions contained in Antrim Area Plan 1984-2001 and SPPS Policy.

It is quite clear there is no business need for such a development that would jeopardise some jobs and probably mine. Granting permission to such a proposal puts at great risk existing retail hubs and there is no evidence that would suggest there is a need, or the area is lacking of any services that it proposes to provide.

I would be grateful that you accept this as my formal objection to this application.

Yours faithfully,

Sign:

Date:

# Table of Representees for Application: LA03/2022/0449/O

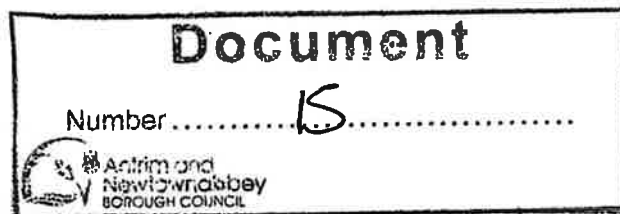
| Title | Forename   | Surname   | Address  | Date Received | Document Ref |
|-------|------------|-----------|--|---------------|--------------|
|       | Bethany    | Shephard  |  | 30/06/2022    |              |
|       | James      | Adger     | 80, Lisnevenagh Road, Ballymena, Shankbridge, Antrim, Northern Ireland, BT42 2LL | 30/06/2022    |              |
|       | Chloe-Anne | Crawford  | 20, Cornwall Close, Antrim, Antrim, Northern Ireland, BT41 2SS                   | 30/06/2022    |              |
|       | Sandra     | McCreight | 1, Hillview, Antrim, Antrim, Northern Ireland, BT41 2BT                          | 30/06/2022    |              |
|       | Audrey     | Herron    | 132, Caulside Park, Antrim, Antrim, Northern Ireland, BT41 2DT                   | 30/06/2022    |              |
|       | Noelene    | Gribbin   | 4, CORNMILL, RANDALSTOWN, ANTRIM, Northern Ireland, BT41 4GX                     | 30/06/2022    |              |
|       | Linda      | Barrow    | 42, Ashgrove, Antrim, Antrim, Northern Ireland, BT41 2BL                         | 30/06/2022    |              |
|       | Greta      | Woods     | 28, Caulside Park, Antrim, Antrim, Northern Ireland, BT41 2DR                    | 30/06/2022    |              |
|       | Clare      | McCann    | 134, Caulside Park, Antrim, Antrim, Northern Ireland, BT41 2DT                   | 30/06/2022    |              |
|       | Caoimhe    | Lee       | 100, Caulside Park, Antrim, Antrim, Northern Ireland, BT41 2DS                   | 30/06/2022    |              |



TLT NI LLP  
River House  
48-60 High Street  
Belfast BT1 2BE  
T +44 (0)333 006 0600  
tlt.com

Our ref 301R/AR12/097716/000002  
Your ref LA03/2022/0874/F

Antrim And Newtownabbey Borough Council  
Local Planning Office  
Mossley Mill  
Newtownabbey  
BT36 5QA



**By email**

Direct tel +443330060967  
Direct fax +443330060011

Date 24 November 2022  
Email Andrew.Ryan@TLTsolicitors.com

Dear Sirs

**LA03/2022/0874/F - Proposed factory, ancillary office area, storage, parking and other ancillary works; Lands 40m south of 6 Causide Drive New Park Industrial Estate Antrim BT41 2DU**

We refer to the above planning application for which we act on behalf of the applicant.

We understand that two individuals have submitted objections to the above application that relate specifically and solely to a complaint that the relevant persons did not receive a 'Pre-Consultation Notification Letter'.

This complaint relates to a notification issued by post to residents within an area of 200m from the application site issued in accordance with the pre-application community consultation requirements under Planning (Development Management) Regulations (Northern Ireland) 2015 (as amended at the relevant time by Planning (Development Management) (Temporary Modifications) (Coronavirus) Regulations (Northern Ireland) 2020) (the "Development Management Regulations").

Further details on the notification process undertaken are provided in the Pre-Application Community Consultation ("PACC") Report issued on behalf of the application dated October 2022. A copy of the letter sent to the relevant residents is set out at Annex 4 of that report. We understand that copies of the notification letter were sent to the addresses of the complainants (which feature in the list of recipients also in Annex 4 of the PACC Report), however no record would exist of whether or not the letters were in fact received as we understand that they were sent by first class post.

**For what comes next**

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Members: Katharine Kimber | Andrew Ryan | Richard Houllston | Judith Allen | Kevin Murphy | Fergal Maguire | Jason Byrne | John Wood | Stuart McBride | Caroline MacLaughlin

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The complaint letters state that the "Planning Application should be void" or "rejected" as "the PAN Submission has not been carried out as stated".

Section 27(5) of the Planning Act (NI) 2011 prescribes that a Proposal of Application Notice ("PAN") shall be provided to persons that may be specified in regulations. Regulation 4 (c) of the Development Management Regulations states that the Proposal of Application Notice must *inter alia* provide "an account of what consultation the prospective applicant proposes to undertake, when such consultation is to take place, with whom and what form it will take".

The Development Management Regulations (as amended at the relevant time) stated at regulation 5;

(2) *The prospective applicant must—*

- (a) *[omitted]*
- (b) *publish in a newspaper circulating in the locality in which the proposed development is situated a notice containing—*
  - (i) *a description of, and the location of, the proposed development,*
  - (ii) *details as to how (including by what electronic means) further information may be obtained concerning the proposed development,*
  - (iii) *[omitted],*
  - (iv) *a statement explaining how, and by when, persons wishing to make comments to the prospective applicant relating to the proposal may do so, and*
  - (v) *a statement that comments made to the prospective applicant are not representations to the council or as the case may be the Department and if the prospective applicant submits an application there will be an opportunity to make representations on that application to the council or as the case may be the Department at a later stage.*

The submitted PAN 1 form dated 24 November 2021 states under the heading "Please specify details of any other consultation methods including distance from site for notifying neighbouring properties (e.g. 100m, 200m etc) and method of notification (please include date, time and with whom)";

*"Neighbour notification letters to be issued to neighbouring properties within 200 metres of the site boundary setting out details of consultation process and where the magazine can be viewed and confirming the availability of the online video webinar. Contact address, phone and email details will be included in letters confirming when and where feedback can be provided and how a hard copy of the magazine can be obtained.*

*The neighbour notification letters will be issued at least one week before the magazine goes live on 10th January 2022".*

With regard to who must be notified, the obligation therefore in the Development Management Regulations is simply to provide "an account of what consultation the prospective applicant proposes to undertake", and this is fulfilled by the completed section of the PAN 1 form. There is no specific statutory requirement within the Development Management Regulations that persons within a specified distance from the application site are notified by letter or otherwise.

Notwithstanding the above we recognise that the purpose and intent of the Development Management Regulations is to ensure that adequate and meaningful public consultation takes place prior to a planning application being submitted. This is reflected in Development





Management Practice Note 10 ("DPMN 10") which recognises at paragraph 1.2 that "*Where applicants engage in meaningful pre-application consultation, local communities can be better informed about development proposals and have an opportunity to contribute their views before a formal planning application is submitted*". However, in the absence of a specific statutory provision mandating that every person within a 200m radius *must* be informed in writing, the nature of that requirement necessarily falls back on what can be considered reasonable and proportionate in the circumstances.

Under s50 of the Planning Act, a council must decline to determine an application if "*in the opinion of the council... compliance with section 27 was required as respects the development and... there has not been such compliance*". Whether compliance with section 27 of the Act has occurred is therefore a matter of judgment for the Council. This was confirmed by the Northern Ireland High Court in *GRG's Application* [2019] NIQB 24 in which McCloskey J stated (at para 92) that the decision-maker's task was one of "*evaluative assessment*" subject only to the principles of *Wednesbury* irrationality. The judge also noted (para 83) that the requirements of s27 of the Planning Act also exist within a broader contextual framework (emphasis added);

***"The new, discrete statutory regime on which the spotlight falls in these proceedings does not exist in isolation. Rather, it co-exists with the separate statutory regimes relating to, inexhaustively but in particular, environmental impact and protected habitats. It further co-exists with other provisions of the main primary and subordinate legislation, in particular those relating to advertisement, neighbour notification, objections and, where appropriate, amended development proposals."***

It is now clear that the complainants are aware of the planning application. They are therefore entitled, prior to any final decision being made, to make further submissions with regard to the nature of the proposal and its potential impacts. The question therefore arises as to whether any prejudice has accrued to the complainants. Manifestly it has not; if the complainants wish to make representations in relation to the substance of the application, they remain free to do so. The question of prejudice has arisen in numerous cases relating to planning applications, but has only become a determining factor in circumstances where a potentially impacted person was not aware of a proposal until after a final decision was issued (see for example *Warner Chilcott UK Ltd and Caridian BCT NI Ltd's Application* [2011] NIQB 137). This is clearly not the case here and a court would be slow to interfere with a decision of a planning authority where any material concerns have been considered prior to a final decision being issued. To date we are not aware that the complainants have raised any such issues.

At its height, the complainants did not receive a pre-application notification letter which we are instructed by the applicant's agents was posted out in accordance with the list in Annex 4 of the PACC Report. The reason for non-receipt is unknown. The statutory requirement for notification set out in the Development Management Regulations – to publish the proposal in a newspaper circulating in the locality – was fulfilled, and the applicant's agents issued notification letters as set out in the PAN form. Such actions were reasonable and proportionate in the circumstances to ensure as many residents as possible in the area were notified. If the complainants did not receive the notification letter, in our view this would not amount in any event to a failure to comply with section 27 of the Planning Act.

Nevertheless, the complainants have now become aware of the application and are still in a position to make their concerns (if any) known through submitting objections to the planning application. No prejudice has therefore accrued, and accordingly the Council is entitled to continue to lawfully determine the application.

We trust that the above is of assistance.



Yours faithfully



**Andrew Ryan**  
**Partner**  
**For TLT NI LLP**

Lights at night,noise pollution at night, privacy issues,affect of property value.

Building closer and closer to residential areas that have been here for years prior. I have always objected to any attempt similar to this as there have been multiple in the past. Green spaces are rare and there are children that enjoy that area and if the aim is to expand another site should've been selected by this company so that they wouldn't be encroaching on our doorsteps.

Object to this proposal as my children play in this area. The noise and lighting is already an issue without the factory coming closer to our home. The council needs to take this into consideration and understand that if this development comes closer to the houses our privacy will be invaded

Shared Environmental Service  
Silverwood Business Park  
190 Raceview Road  
Ballymena  
Co. Antrim  
BT42 4HZ

21/12/2022

**Planning Reference:** LA03/2022/0642/F

**Location:** Lands at 1 Enkalon Industrial Estate, Randalstown Road, to the north and east of Oriel Lodge / 29 Ra

**Proposal:** Proposed residential development of 74 no. dwellings (comprising 31 no. detached, 36 no. semi-detached dwellings, 5 no. Chalet Bungalows and 2 no. apartments), including solar panels, garages, open space and landscaping, access, internal road network and all associated site and access works

**Consultation:** This planning application was considered in light of the assessment requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) by Shared Environmental Service on behalf of Antrim and Newtownabbey Borough Council which is the competent authority responsible for authorising the project. The assessment which informed this response is attached at Annex A.

**Outcome:** Following an appropriate assessment in accordance with the Regulations and having considered the nature, scale, timing, duration and location of the project, 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.

In reaching this conclusion, SES has assessed the manner in which the project is to be carried out including any mitigation. This conclusion is subject to the following mitigation measures being conditioned in any approval:

1. A final Construction Environmental Management Plan (CEMP); agreed with the appointed Contractor, must be submitted to and agreed by the Planning Authority prior to any construction works commencing on site. The final CEMP must identify all potential risks to Lough Neagh and Lough Beg SPA/Ramsar site and Reas Wood + Farr's Bay SAC. The final CEMP must incorporate all of the pollution prevention measures detailed in the Outline CEMP. The final approved CEMP shall be adhered to and implemented throughout the construction period in accordance with the approved details, unless otherwise agreed in writing by the Council
2. No development should take place on-site until the method of sewage disposal has been agreed in writing with Northern Ireland Water (NIW) or a Consent to discharge has been granted under the terms of the Water (NI) Order 1999.

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

**Advice for planner:** Antrim and Newtownabbey Borough Council is advised to review the appropriate assessment provided by SES and if agreed, adopt the appropriate assessment. In recording the appropriate assessment in the planning report, the following statement may then be included:

*Antrim and Newtownabbey Borough Council in its role as the competent Authority under the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended), and in accordance with its duty under Regulation 43, has adopted the HRA report, and conclusions therein,*

*prepared by Shared Environmental Service, dated 21/12/2022. This found that the project would not have an adverse effect on the integrity of any European site.*

[sharedenvironmentalservice@midandeantrim.gov.uk](mailto:sharedenvironmentalservice@midandeantrim.gov.uk)

## ANNEX A

### Habitats Regulations Assessment

Carried out by Shared Environmental Service, adopted by Antrim and Newtownabbey Borough Council.

**Date Completed:** 21/12/2022

**Planning Reference:** LA03/2022/0642/F

**Location:** Lands at 1 Enkalon Industrial Estate, Randalstown Road, to the north and east of Oriel Lodge / 29 Ra

**Proposal:** Proposed residential development of 74 no. dwellings (comprising 31 no. detached, 36 no. semi-detached dwellings, 5 no. Chalet Bungalows and 2 no. apartments), including solar panels, garages, open space and landscaping, access, internal road network and all associated site and access works

#### Assessment stage completed

- ☐ 1. Assessment resulting in exemption
- ☐ 2. Assessment resulting in elimination
- ☐ 3. Assessment demonstrating no likely significant effect
- ☐ 4. Interim Assessment to inform e.g. EIA determination, PAD
- ☐ 5. Further information requested
- ☐ 6. Draft appropriate assessment referred to SNCB
- ☐ 7. Appropriate assessment complete, no adverse effect on site integrity without conditions
- ☒ 8. Appropriate assessment complete, no adverse effect on site integrity with conditions to mitigate
- ☐ 9. Appropriate assessment complete, adverse effect on site integrity

#### Summary of findings

**Appropriate Assessment Outcome:** The appropriate assessment has concluded that provided the mitigation measures detailed in the assessment are implemented prior to the construction phase the proposal will not have an adverse effect on the site integrity of Lough Neagh and Lough Beg SPA/Ramsar or Rea's Wood and Farr's Bay SAC.



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### Abbreviations/Glossary

|      |                                     |      |                                    |
|------|-------------------------------------|------|------------------------------------|
| AESI | Adverse effect on site integrity    | NIW  | Northern Ireland Water             |
| Dfi  | Department of Infrastructure        | PAD  | Pre-application discussion         |
| EIA  | Environmental Impact Assessment     | RLB  | Red line boundary                  |
| HRA  | Habitats Regulations Assessment     | SAC  | Special Area of Conservation       |
| LSE  | Likely significant effect           | SES  | Shared Environmental Service       |
| NA   | Not applicable                      | SPA  | Special Protection Area            |
| NIEA | Northern Ireland Environment Agency | SNCB | Statutory Nature Conservation Body |

|            |   |
|------------|---|
| Mitigation | For the purposes of this report ‘mitigation’ includes measures to avoid, cancel or reduce effects |
|------------|---|

## STAGE ONE ASSESSMENT

*Note, in light of the April 2018 ruling of the European Court of Justice Case C323/17 (People over Wind and Sweetman), a cautious approach has been taken. Stage One Assessment does consider essential features and characteristics of the project but does not consider measures envisaged to avoid or prevent what might otherwise have been significant adverse effects on the integrity of European Sites. Assessment will therefore progress to Stage Two Appropriate Assessment unless there is certainty that it can be exempted, eliminated or screened out at Stage One. Incorporated and additional measures to avoid or reduce significant adverse effects will be assessed at Stage Two Appropriate Assessment.*

### A. Description and potential effects of the proposal

| Description                               |   |  |
|---|---|--|
| <i>Heading</i>                            | <i>Short description</i>  | <i>Comment</i>   |
| Proposal                                  | Proposed residential development of 74 no. dwellings (comprising 31 no. detached, 36 no. semi-detached dwellings, 5 no. Chalet Bungalows and 2 no. apartments), including solar panels, garages, open space and landscaping, access, internal road network and all associated site and access works |  |
| Location                                  | Lands at 1 Enkalon Industrial Estate, Randalstown Road, to the north and east of Oriel Lodge / 29 Ra  |  |
| Type of Development                       | Housing - Multiple  |  |
| Size and Scale                            | 3.61 ha   | Taken from P1 Form   |
| Land-take                                 | None in any European Site   |  |
| Resource requirements (water etc.)        | Mains water   | Taken from P1 Form   |
| Emission (disposal to land, water or air) | Surface water to discharge to Steeple Burn  | Taken from Drainage Assessment by TJK Consulting submitted in July 2022. |
|   | Foul sewage to mains  | Taken from P1 Form   |
| Excavation requirements                   | Foundations and associated site works   |  |
| Transportation requirements               | Construction of a new access to a public road   | Taken from P1 Form   |
| Duration                                  | Not specified   |  |
| Frequency                                 | Not specified   |  |

|  |   |  |
|--|---|--|
| Timing   | Not specified   |  |
| Other  |   |  |
| <b>Considerations for Assessment</b>                       |   |  |
| Are sea defences proposed/required?                        | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No   |  |
| Will there be in river/sea works?                          | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No   | Minor works for surface water outfall  |
| Is piling required?  | <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Not applicable |  |
| Is site within a flood plain?                              | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No   | Drainage Assessment by TJK Consulting submitted in July 2022. DfI Rivers in their response dated 16/08/22 confirm that the site does not lie within the 1 in 100 year fluvial or 1 in 200 coastal flood plain.   |
| Is site within 30m of Otter SAC river bank?                | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No   |  |
| Could there be contaminated land?                          | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No   | <p>A Generic Quantitative Risk Assessment (GQRA) by RSK Ireland was submitted in July 2022. The Preliminary Risk Assessment identified potential risks to shallow groundwater associated with potentially reduced quality made ground and contamination associated with off-site and on site sources. Following a Quantitative Risk Assessment it was concluded that the site does not pose an unacceptable risk to controlled water receptors.</p> <p>NIEA Regulation Unit in their response (dated 20/10/22) have no objection to this application provided conditions and informatives are attached to any decision notice.</p> |
| Has NIW confirmed capacity for stormwater/sewage to mains? | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Not applicable | NI Water in their response dated 10/08/22 recommend refusal as the receiving foul sewerage network has reached capacity. A Waste water Impact Assessment WwIA has been submitted and is still being considered as per NI Water response dated 25/10/22. A condition is recommended to ensure no adverse effects on any European site resulting from foul sewage.   |
| <b>Potential Effects</b>                                   |   |  |
| <i>Development Phase</i>                                   | <i>Type</i>   | <i>Comment</i>   |
| Pre-construction   | Not applicable  |  |
| Construction   | Hydrological Link - Indirect  | Steeple Burn traverses the northern boundary of the application site and is hydrologically linked to Lough Neagh and Lough Beg SPA/Ramsar site approximately 1.23km downstream. There is potential for construction related contaminants to enter Steeple Burn and travel to the designated sites.   |

|   |   |  |
|---|---|--|
| Operation   | Development - Waste Water   | <p>NI Water in their response dated 10/08/22 recommend refusal of the application as the receiving foul sewer network has reached capacity.</p> <p>Further NI Water response dated 25/10/22 indicate that a WwIA has been submitted and is still being considered. A condition is recommended to ensure no adverse effects on any European site resulting from foul sewage.</p> <p>DfI Rivers in their response dated 14/11/2022 acknowledge receipt of Schedule 6 response dated 16/09/22. DfI Rivers note that the Drainage Assessment has demonstrated that the design and construction of a suitable drainage network is feasible. DfI Rivers requests that potential flood risk from exceedance of the network, 1 in 100 year event is manage by way of a condition. The condition as proposed by DfI Rivers Agency regarding surface water exceedances is not considered necessary for the purpose of protecting European sites.</p> |
| Decommissioning   | Not applicable  |  |
| Restoration and aftercare   | Not applicable  |  |
| Unintended events   | Not applicable  |  |
| <b>Assumptions</b>  |   |  |
| <i>Assumption/s</i>   | <i>Impact on potential effects</i>  | <i>Comment</i>   |
| Under the terms of Schedule 6 of the Drainage (Northern Ireland) Order 1973 the applicant must submit to DfI Rivers, for its consent for any proposal to carry out works which might affect a watercourse such as culverting, bridging, diversion, building adjacent to or discharge of storm water, etc. | Culverting, instream works and stormwater discharge must be authorised by DfI Rivers to ensure that the hydrological properties of the watercourse are not altered in a manner that may become significant. | As a Competent Authority, DfI Rivers will be responsible for HRA on Schedule 6 applications where this links to European sites. Failure to obtain such consent prior to carrying out such proposals is an offence under the aforementioned Order, which may lead to prosecution or statutory action as provided for.   |
| Only clean, uncontaminated water will be discharged to surface waters or groundwater.   | Clean water does not pose a risk of an effect on hydrologically linked European sites.  | Surface water is considered 'clean' water. It is an offence under the Water (Northern Ireland) Order 1999 to discharge or deposit, whether knowingly or otherwise, any poisonous, noxious or polluting matter so that it enters a waterway or water in any underground strata. Conviction of such an offence may incur a fine of up to £20,000 and / or three months imprisonment.   |
| <b>Information gaps</b>   |   |  |
| <i>Information gap</i>  | <i>Pathway/Receptor</i>   | <i>Comment</i>   |

|      |  |  |
|------|--|--|
| None |  |  |
|------|--|--|

## B. Overview of sites potentially affected

| Site Selection  |  |   |  |   |
|---|--|---|--|---|
| Proposal type   |  |   |  | Site/s potentially affected   |
| Ammonia emitting project?   | <input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No | If yes is development within 7.5km of European site?            | <input type="checkbox"/> Yes<br><input type="checkbox"/> No            | Select Site<br>Select Site<br>Select Site   |
| Wind turbine/s  | <input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No | If yes is it within NIEA consultation zone for a European site? | <input type="checkbox"/> Yes<br><input type="checkbox"/> No            | Select Site<br>Select Site<br>Select Site   |
| All developments – is it hydrologically connected to a European site? | <input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No | If yes could it have a conceivable impact on any European site? | <input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No | Lough Neagh and Lough Beg SPA<br>Lough Neagh and Lough Beg Ramsar Site<br>Rea's Wood and Farr's Bay SAC |
| Could project increase disturbance to site selection features?        | <input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No | If yes detail:  |  | Select Site<br>Select Site<br>Select Site   |
| Any other potential impacts on European sites?                        | <input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No | If yes detail: Development- wastewater                          |  | Lough Neagh and Lough Beg SPA<br>Lough Neagh and Lough Beg Ramsar Site<br>Rea's Wood and Farr's Bay SAC |

| Site name                             | Relative Location of proposal | Pathway               | Comment |
|---------------------------------------|-------------------------------|-----------------------|---------|
| Lough Neagh and Lough Beg SPA         | 1.23km                        | Hydrological indirect |         |
| Lough Neagh and Lough Beg Ramsar Site | 1.23km                        |                       |         |
| Rea's Wood and Farr's Bay SAC         | 1.73km                        |                       |         |

## C. Outcome Stage One

|                 |
|-----------------|
| Proposal exempt |
|-----------------|

|  |  |
|--|--|
| Is the entire project directly connected with or necessary to the management of all the European site(s) potentially affected and listed above?  | <input type="checkbox"/> Yes – project exempt<br><input checked="" type="checkbox"/> No – further consideration                              |
| If 'Yes' justify   | <a href="#">Click here to enter text.</a>  |
| <b>Proposal eliminated</b>   |  |
| Can any conceivable effect on any European site be objectively ruled out?  | <input type="checkbox"/> Yes – project eliminated<br><input checked="" type="checkbox"/> No – further consideration                          |
| If 'Yes' justify why eliminated  | <a href="#">Click here to enter text.</a>  |
| <b>Likely Significant Effect</b>   |  |
| Considering the project as proposed, and in the absence of any incorporated or additional measures to avoid, cancel or reduce the effects on a European site, could there be a likely significant effect (LSE) on one or more site selection features of any site? | <input type="checkbox"/> No – assessment completed<br><input checked="" type="checkbox"/> Yes – Progress to Stage Two Appropriate Assessment |

## STAGE TWO APPROPRIATE ASSESSMENT

This appropriate assessment further assesses effects on European sites and features and takes account of the evidence listed in the final section 'Evidence Used to Inform Assessment'.

### D. Scoping Appropriate Assessment

| Sites and Features which will be further assessed |           |                            |  |
|---|-----------|----------------------------|--|
| Site  | Feature/s | Development Phases         | Potential Impacts  |
| Lough Neagh and Lough Beg SPA                     | All       | Construction and Operation | <p>Potential for polluting discharges generated at the construction phase entering Steeple Burn. Pollutants could be conveyed downstream and cause adverse impacts on site features.</p> <p>Potential for future adverse impacts to features if the foul sewer network cannot feasibly accommodate additional flows.</p> |
| Lough Neagh and Lough Beg Ramsar Site             |           |                            |  |
| Rea's Wood and Farr's Bay SAC                     |           |                            |  |

### E. Assessment of Mitigation Measures

| Detail of mitigation measures included in Construction Environmental Management Plan (OCEMP) – Redvale Consultancy – June 2022   |   |  |
|--|---|--|
| Measure  | Impact on potential effects   | Comment  |
| <p><b>Suspended Solids</b></p> <p>The excavations required for foundations and drainage should only be kept open for as short a period as possible.</p> <p>Any water build up in excavations or trenches to be pumped to a suitable soakaway area which will allow the water to percolate into the soil and therefore remove any solids, or if this is not possible, sedimented water should be pumped to settlement tanks. No water will be pumped directly into the existing drainage system or watercourse.</p> | <p>Silt pollution can harm water quality, damage and kill aquatic life by smothering and suffocation and can cause flooding by blocking culverts and channels. The measures proposed will help prevent silt entering the aquatic environment beyond the site.</p> | <p>Environmental protection during the construction works will be delivered through the implementation of a Construction Environmental Management Plan (CEMP) as set out in the Outline CEMP report. The oCEMP sets out how the commitments will be translated into actions in the field and the means by which they will be monitored and verified. SES is content with the measures proposed. A detailed Final CEMP to be approved by the Planning Authority will be submitted by the appointed contractor at least 8 weeks prior to the</p> |

|   |   |  |
|---|---|--|
| All access roads and site roads will be regularly cleaned with a road sweeper   |   | commencement of construction to ensure effective implementation. |
| <b>Protection of Steeple Burn</b><br>It is proposed to erect a protection/buffer zone on the southern side of Steeple Burn to prevent any material storage, parking of plant, fuel storage etc within 10m of the Burn. Any areas where a 10m buffer is not possible, a site fence/barrier will be put in place to prevent any accidental run off into the Burn.   | Land buffer zones are an industry proven mitigation measure for prevention of polluting discharges entering waterways.  |  |
| <b>Heavy Metals and Hydrocarbons</b><br>All refuelling of plant will take place in a designated area on site, away from any watercourse. A spill kit will be kept on site at all times and staff will be trained in their use. No spillage of any material will be washed into any drain and no detergents will be used to clean any affected area  | Hydrocarbons, Chemicals, substances and spillages have the potential to cause serious pollution if they enter the aquatic environment. The measures outlined adjacent can help to prevent adverse effects on qualifying features of any European sites. |  |
| <b>Use of Cement</b><br>To reduce the risk of pollution occurring all concrete pours will be carefully planned and specific procedures adopted as required. This will be brought to site in self-discharging lorries directly into the foundations.<br>Smaller amounts for grouting may be mixed on site as well as larger amounts of cement mortar for bricklaying. Regardless of the amount, the aim will be to prevent cementitious material entering the Steeple Burn or any drains or gullies. Wash out materials and spillages will; be contained in a designated wash out pit, more than 10m from Steeple Burn and lined with an impermeable membrane. | Concrete, cement and grouts are very alkaline and corrosive and can cause serious pollution to water. The identified measures can prevent concrete from entering the aquatic environment  |  |



| Assessment of mitigation measures   |  |  |  |   |   |   |
|---|--|--|--|---|---|---|
| List measures to avoid or reduce adverse effects on site integrity.   | Type of measure  | Explain how the measures will avoid or reduce the adverse effects on site integrity.   | Provide evidence of how they will be implemented and by whom.  | Provide evidence of the degree of confidence in their likely success  | Provide time-scale, relative to the project when they will be implemented | Explain the proposed monitoring scheme and how any mitigation failure will be addressed |
| 1. Final CEMP.  | <input type="checkbox"/> Incorporated<br><input checked="" type="checkbox"/> Additional<br><input checked="" type="checkbox"/> Condition | This will ensure that all proposed mitigation of the proposal for works in or near watercourses will be assessed to ensure no potential impact to European Sites downstream. | The Contractor will be responsible for ensuring that the contents of the CEMP is satisfactory. It will be assessed prior to construction works to ensure all essential mitigation is incorporated. | Mitigation and control measures to address the impact of suspended sediments associated with construction activities will follow good work practices and sound principles, best practice and relevant guidelines (Pollution Prevention Guidelines). | At least 8 weeks prior to construction works.                             | Enforced by current planning legislation.   |
| 2. No development should take place on-site until the method of sewage disposal has been agreed in writing with Northern Ireland Water (NIW) or a Consent to discharge been granted under the terms of the Water (NI) Order 1999. | <input type="checkbox"/> Incorporated<br><input checked="" type="checkbox"/> Additional<br><input checked="" type="checkbox"/> Condition | This will ensure that sewage disposal is appropriately monitored to ensure no impacts to features of connected European sites.   | Contractor must ensure appropriate consents are in place prior to commencement of works.   | This will ensure that sewage disposal is appropriately monitored to ensure no impacts to features of connected European sites. Water Management Unit is the Competent Authority to ensure that Water Framework Directive Standards are met.         | Prior to construction works.  | Enforced by current planning legislation.   |

## F. Assessment of Sites and Features

| Lough Neagh and Lough Beg SPA   |               |  | Pathway/s: Hydrological (indirect)  |   |       |
|---|---------------|--|---|---|-------|
| Overall Objective   |               | To maintain each feature in favourable condition   |   |   |       |
| Feature   | Status        | Feature Objective  | Construction  | Operation   | Other |
| Qualifying Feature  | cited feature | To maintain or enhance the population of the qualifying species. To maintain or enhance the range of habitats utilised by the qualifying species. To ensure that the integrity of the site is maintained; To ensure there is no significant disturbance of the | Potential impacts   |   |       |
| Bewick's Swan - Winter (F), Goldeneye, Pochard, Tufted Duck - Winter (F), Waterbird |               |  | Suspended sediment due to run-off from stripped construction areas and excavations may have a negative impact on water quality, water dependant habitats and aquatic ecology. | Surface water - DfI Rivers in their response dated 14/11/2022 acknowledge receipt of Schedule 6 response dated 16/09/22. Surface water is clean and therefore not a source of pollution effects. DfI Rivers will be responsible for ensuring that | NA    |

|                         |  |   |  |  |  |
|-------------------------|--|---|--|--|--|
| Assemblage - Winter (F) |  | species and to ensure that the following are maintained in the long term. Population of the species as a viable component of the site. Distribution of the species within site. Distribution and extent of habitats supporting the species structure, function and supporting processes of habitats supporting the species. | <p>Fuels, oils, cement mixings, washings and sediment/ spoil all could enter the onsite watercourses. These contaminants will alter the water quality of the freshwater entering into the European designated site, impacting upon the suitability of the habitat for the qualifying features.</p> <p>A Generic Quantitative Risk Assessment (GQRA) by RSK Ireland was submitted in July 2022. The Preliminary Risk Assessment identified potential risks to shallow groundwater associated with potentially reduced quality made ground and contamination associated with off-site and on site sources. Following a Quantitative Risk Assessment it was concluded that the site does not pose an unacceptable risk to controlled water receptors.</p> <p>NIEA Regulation Unit in their response (dated 20/10/22) have no objection to this application provided conditions and informatives are attached to any decision notice.</p> <p>NIEA NED in their response dated 20/10/22 acknowledge the submission of the Drainage Assessment and oCEMP. NIEA NED agree with the conclusion of the oCEMP that the proposal is unlikely to have any significant impact upon any protected species in designated sites.</p> | <p>the rate of discharge/flow is HRA compliant via Schedule 6 consent (see assumptions in section A).</p> <p>NI Water in their response dated 10/08/22 recommend refusal of the application as the receiving foul sewer network has reached capacity.</p> <p>Further NI Water response dated 25/10/22 indicate that a WwIA has been submitted and is still being considered.</p> <p>Potential for future adverse impacts to features if the foul sewer network cannot feasibly accommodate additional flows.</p> |  |
|-------------------------|--|---|--|--|--|

|   |                      |  |   |   |    |
|---|----------------------|--|---|---|----|
|   |                      |  |   |   |    |
|   |                      |  | <b>Impact of mitigation on potential effects.</b>   |   |    |
|   |                      |  | The mitigation measures detailed in Part E (Final CEMP) will ensure risks to all European designated sites are avoided. | Adherence to the recommended mitigation condition for sewerage provision will negate any potential for operational pollution effects. | NA |
| <b>Condition Assessment</b>   |                      |  | <b>Residual impacts</b>   |   |    |
| Unfavourable  |                      |  | No AESI   | No AESI   | NA |
| <b>Qualifying Feature</b>   | <b>cited feature</b> | To maintain or enhance the population of the qualifying species. To maintain or enhance the range of habitats utilised by the qualifying species. To ensure that the integrity of the site is maintained; To ensure there is no significant disturbance of the species and to ensure that the following are maintained in the long term. Population of the species as a viable component of the site. Distribution of the species within site. Distribution and extent of habitats supporting the species structure, function and supporting processes of habitats supporting the species. | <b>Potential impacts</b>  |   |    |
| Common Tern - Breeding (F), Great Crested Grebe (wintering), Scaup - Winter (F), Whooper Swan |                      |  | As above  | As above  | NA |
|   |                      |  | <b>Impact of mitigation on potential effects.</b>   |   |    |
|   |                      |  | As above  | As above  | NA |
| <b>Condition Assessment</b>   |                      |  | <b>Residual impacts</b>   |   |    |
| favourable  |                      |  | No AESI   | No AESI   | NA |
| <b>Qualifying Feature</b>   |                      |  | <b>Potential impacts</b>  |   |    |

|  |                                   |  |   |          |    |
|--|-----------------------------------|--|---|----------|----|
| Coot, Gadwall, Great Cormorant - Winter (A), Greylad Goose, Little Grebe, Mallard, Shelduck, Shoveler, Teal, Wigeon, Great Crested Grebe (Breeding), Mute Swan (says on table dropped) | <b>Cited - Assemblage element</b> |  | As above  | As above | NA |
| <b>Condition Assessment</b>  |                                   |  | <b>Impact of mitigation on potential effects.</b> |          |    |
| None given   |                                   |  | As above  | As above | NA |
|  |                                   |  | <b>Residual impacts</b>                           |          |    |
|  |                                   |  | No AESI   | No AESI  | NA |
| <b>Qualifying Feature</b>  | <b>New Qualified Feature</b>      | To maintain or enhance the population of the qualifying species. To maintain or enhance the range of habitats utilised by the qualifying species. To ensure that the integrity of the site is maintained; To ensure there is no significant disturbance of the species and to ensure that the following are maintained in the long term. Population of the species as a viable component of the site. Distribution of the species within site. Distribution and extent of habitats supporting the species structure, function and supporting processes of habitats supporting the species. | <b>Potential impacts</b>                          |          |    |
| Golden Plover, Great Crested Grebe (passage)   |                                   |  | As above  | As above |    |
|  |                                   |  | <b>Impact of mitigation on potential effects.</b> |          |    |
|  |                                   |  | As above  | As above | NA |
| <b>Condition Assessment</b>  |                                   |  | <b>Residual impacts</b>                           |          |    |
| Favourable   |                                   |  | No AESI   | No AESI  | NA |
| <b>Qualifying Feature</b>  |                                   |  | <b>Potential impacts</b>                          |          |    |

|                             |   |  |   |          |    |
|-----------------------------|---|--|---|----------|----|
| Lapwing                     | <b>New Qualified – Assemblage Feature</b> | To maintain or enhance the population of the qualifying species. To maintain or enhance the range of habitats utilised by the qualifying species. To ensure that the integrity of the site is maintained; To ensure there is no significant disturbance of the species and to ensure that the following are maintained in the long term. Population of the species as a viable component of the site. Distribution of the species within site. Distribution and extent of habitats supporting the species structure, function and supporting processes of habitats supporting the species. | As above  | As above | NA |
|                             |   |  | <b>Impact of mitigation on potential effects.</b> |          |    |
| <b>Condition Assessment</b> |   |  | As above  | As above | NA |
| None given                  |   |  | <b>Residual impacts</b>                           |          |    |
|                             |   |  | No AESI   | No AESI  | NA |

|  |  |   |   |       |
|--|--|---|---|-------|
| Lough Neagh and Lough Beg Lough Ramsar |  | Pathway/s: Hydrological (indirect)  |   |       |
| Overall Objective                      |  | Not published - assumed to be to maintain or enhance the population of the qualifying species, to maintain or enhance the distribution, extent, structure, function and supporting processes of the qualifying habitats.  |   |       |
| Criterion                              | Qualifying Feature/s   | Construction  | Operation   | Other |
| 1                                      | A particularly good representative example of natural or near-natural wetlands, common to more than one biogeographic region. The site is the largest freshwater lake in the United Kingdom. Lough Neagh a relatively shallow body of water supporting beds of submerged aquatic vegetation fringed by associated species-rich damp grassland, reedbeds, islands, fens, marginal swampy woodland and pasture. Other interesting vegetation types include those | Potential impacts   |   |       |
|  |  | Suspended sediment due to run-off from stripped construction areas and excavations may have a negative impact on water quality, water dependant habitats and aquatic ecology.<br><br>Fuels, oils, cement mixings, washings and sediment/ spoil all could enter the onsite watercourses. These contaminants will alter the water quality of the freshwater | Surface water - Dfl Rivers in their response dated 14/11/2022 acknowledge receipt of Schedule 6 response dated 16/09/22. Surface water is clean and therefore not a source of pollution effects. Dfl Rivers will be responsible for ensuring that the rate of discharge/flow is HRA compliant via | NA    |

|  |   |  |  |    |
|--|---|--|--|----|
|  | associated with pockets of cut-over bog, basalt rock outcrops and boulders, and the mobile sandy shore. | <p>entering into the European designated site, impacting upon the suitability of the habitat for the qualifying features.</p> <p>A Generic Quantitative Risk Assessment (GQRA) by RSK Ireland was submitted in July 2022. The Preliminary Risk Assessment identified potential risks to shallow groundwater associated with potentially reduced quality made ground and contamination associated with off-site and on site sources. Following a Quantitative Risk Assessment it was concluded that the site does not pose an unacceptable risk to controlled water receptors.</p> <p>NIEA Regulation Unit in their response (dated 20/10/22) have no objection to this application provided conditions and informatics are attached to any decision notice.</p> <p>NIEA NED in their response dated 20/10/22 acknowledge the submission of the Drainage Assessment and oCEMP. NIEA NED agree with the conclusion of the oCEMP that the proposal is unlikely to have any significant impact upon any protected species in designated sites.</p> | <p>Schedule 6 consent (see assumptions in section A).</p> <p>NI Water in their response dated 10/08/22 recommend refusal of the application as the receiving foul sewer network has reached capacity.</p> <p>Further NI Water response dated 25/10/22 indicate that a WwIA has been submitted and is still being considered.</p> <p>Potential for future adverse impacts to features if the foul sewer network cannot feasibly accommodate additional flows.</p> |    |
|  |   | <b>Impact of mitigation on potential effects.</b>  |  |    |
|  |   | The mitigation measures detailed in Part E (Final CEMP) will ensure risks to all European designated sites are avoided.  | Adherence to the recommended mitigation condition for sewerage provision will negate any potential for operational pollution effects.  | NA |
|  |   | <b>Residual impacts</b>  |  |    |

|          |  |   |          |    |
|----------|--|---|----------|----|
|          |  | No AESI   | No AESI  |    |
| <b>2</b> | Supports an appreciable assemblage of rare, vulnerable or endangered species or sub-species of plant or animal or an appreciable number of individuals of any one of these species. The site supports over 40 rare or local vascular plants which have been recorded for the site since 1970; the most notable are eight-stamened waterwort <i>Elatine</i> hydropiper, marsh pea <i>Lathyrus palustris</i> , Irish lady's tresses <i>Spiranthes romanzoffiana</i> , alder buckthorn <i>Frangula alnus</i> , narrow small-reed <i>Calamagrostis stricta</i> and holy grass <i>Hierochloe odorata</i> . The Lough and its margin are also home to a large number of rare or local invertebrates, including two aquatic and two terrestrial molluscs, a freshwater shrimp <i>Mysis relicta</i> , eight beetles, five hoverflies, seven moths and two butterflies. Of the rare beetles recorded two, <i>Stenus palposus</i> and <i>Dyschirius obscurus</i> , have their only known Irish location around the Lough. The Lough also supports twelve species of dragonfly. | <b>Potential impacts</b>                          |          |    |
|          |  | As above  | As above | NA |
|          |  | <b>Impact of mitigation on potential effects.</b> |          |    |
|          |  | As Above  | As above | NA |
|          |  | <b>Residual impacts</b>                           |          |    |
|          |  | No AESI   | No AESI  | NA |
| <b>3</b> | This site is of special value for maintaining the genetic and ecological diversity of a region because of the quality and peculiarities of its flora and fauna. The site regularly supports substantial numbers of individuals from particular groups of waterfowl which are indicative of wetland values, productivity and diversity. In addition, this site is of special value for maintaining the genetic and ecological diversity of Northern Ireland because of the quality and peculiarities of its flora and fauna. A large number of plants and animal species are confined or almost confined to this area within Northern Ireland.  | <b>Potential impacts</b>                          |          |    |
|          |  | As above  | As above | NA |
|          |  | <b>Impact of mitigation on potential effects.</b> |          |    |
|          |  | As Above  | As above | NA |
|          |  | <b>Residual impacts</b>                           |          |    |
|          |  | No AESI   | No AESI  | NA |
| <b>4</b> | This site is of special value as the habitat of plants or animals at a critical stage of their biological cycles. The site supports an important assemblage of breeding birds including the following species with   | <b>Potential impacts</b>                          |          |    |
|          |  | As above  | As above | NA |
|          |  | <b>Impact of mitigation on potential effects.</b> |          |    |

|   |   |   |          |     |
|---|---|---|----------|-----|
|   | which occur in nationally important numbers: great crested grebe <i>Podiceps cristatus</i> , gadwall <i>Anas strepera</i> , pochard <i>Aythya ferina</i> , tufted duck <i>Aythya fuligula</i> , snipe <i>Gallinago gallinago</i> and redshank <i>Tringa totanus</i> . Other important breeding wetland species include shelduck <i>Tadorna tadorna</i> , teal <i>Anas crecca</i> , shoveler <i>Anas clypeata</i> , lapwing <i>Vanellus vanellus</i> and curlew <i>Numenius arquata</i>                | As Above  | As above | NA  |
|   |   | <b>Residual impacts</b>                           |          |     |
|   |   | No AESI   | No AESI  | NA  |
| 5 | 86639 waterfowl   | <b>Potential impacts</b>                          |          |     |
|   |   | As above  | As above | NA  |
|   |   | <b>Impact of mitigation on potential effects.</b> |          |     |
|   |   | As Above  | As above | N/A |
|   |   | <b>Residual impacts</b>                           |          |     |
|   |   | No AESI   | No AESI  | NA  |
| 6 | Tundra swan, <i>Cygnus columbianus bewickii</i> , Whooper swan, <i>Cygnus cygnus</i> , Common pochard, <i>Aythya ferina</i> , Tufted duck, <i>Aythya fuligula</i> , Greater scaup, <i>Aythya marila marila</i> , Common goldeneye, <i>Bucephala clangula clangula</i> .   | <b>Potential impacts</b>                          |          |     |
|   |   | As above  | As above | NA  |
|   |   | <b>Impact of mitigation on potential effects.</b> |          |     |
|   |   | As Above  | As above | NA  |
|   |   | <b>Residual impacts</b>                           |          |     |
|   |   | No AESI   | No AESI  | NA  |
| 7 | The site supports a population of pollan <i>Coregonus autumnalis</i> , one of the few locations in Ireland and one of the two known locations in the UK (the other is Lower Lough Erne). It is one of the most important species in Ireland in terms of faunal biodiversity since it occurs nowhere else in Europe, and the Irish populations are all well outside the typical range – the Arctic Ocean drainages of Siberia, Alaska and north-western Canada, where it is known as the Arctic cisco. | <b>Potential impacts</b>                          |          |     |
|   |   | As above  | As above | NA  |
|   |   | <b>Impact of mitigation on potential effects.</b> |          |     |
|   |   | As Above  | As above | NA  |
|   |   | <b>Residual impacts</b>                           |          |     |
|   |   | No AESI   | No AESI  | NA  |



| Rea`s Wood and Farr`s Bay SAC   |       |  | Pathway/s: Hydrological (indirect)   |   |       |
|---|-------|--|--|---|-------|
| Overall Objective   |       | The Conservation Objective for this site is:<br>To maintain (or restore where appropriate) the Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> ( <i>Alno-Padion</i> , <i>Alnion incanae</i> , <i>Salicion alvae</i> ) to favourable condition.  |  |   |       |
| Feature   | Grade | Feature Objective  | Construction   | Operation   | Other |
| Qualifying Feature  | B     | Maintain and expand the extent of existing swamp woodland. (There is an area of wetland and damp grassland which have the potential to develop into carr woodland)<br>Maintain and enhance swamp woodland species diversity and structural diversity<br>Maintain the diversity and quality of habitats associated with the swamp woodland, e.g. fen, swamp, especially where these exhibit natural transition to swamp woodland.<br>Seek nature conservation management over adjacent forested areas outside the ASSI where there may be potential for woodland rehabilitation.<br>Seek nature conservation management over suitable areas immediately outside the ASSI where there may be potential for woodland expansion. | Potential impacts  |   |       |
| Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> ( <i>Alno-Padion</i> , <i>Alnion incanae</i> , <i>Salicion albae</i> ) |       |  | The extent and structural diversity of woodland will not be threatened by the proposed development as it is located over 1.5 km from the SAC. However, species diversity and quality of habitat within the swamp woodland could be adversely affected by a significant deterioration of water quality. | Deterioration in water quality may impact on this feature.  | NA    |
| Conservation Status   |       |  | Impact of mitigation on potential effects.   |   |       |
|   |       |  | The mitigation measures detailed in Part E (Final CEMP) will ensure risks to all European designated sites are avoided.  | Adherence to the recommended mitigation condition for sewerage provision will negate any potential for operational pollution effects. | NA    |
| Condition Assessment  |       |  | Residual impacts   |   |       |
|   |       | No AESI  | No AESI  | NA  |       |

## G. Assessment of In Combination Effects

|  |  |  |
|--|--|--|
| <b>Are there any residual insignificant effects on site integrity?</b> | <input checked="" type="checkbox"/> No<br><input type="checkbox"/> Yes | <b>Comment:</b> No effects alone subject to adherence with the proposed conditions |
|--|--|--|

## H. Outcome of Appropriate Assessment

| Site  | Residual effect following application of mitigation measures?           | Comment  |
|---|---|--|
| Lough Neagh and Lough Beg SPA<br>Lough Neagh and Lough Beg Ramsar Site<br>Rea's Wood and Farr's Bay SAC | <input checked="" type="checkbox"/> No adverse effect on site integrity | The appropriate assessment has concluded that provided the mitigation measures detailed in the assessment are implemented prior to the construction phase the proposal will not have an adverse effect on the site integrity of Lough Neagh and Lough Beg SPA/Ramsar or Rea's Wood and Farr's Bay SAC. |

|  |   |   |
|--|---|---|
| Taking account of the assessment above, including any incorporated and additional mitigation measures, could there be an adverse effect on site integrity for any site from the proposal alone or in combination with other projects or plans? |   | <input checked="" type="checkbox"/> No AESI – summarise outcome and record any conditions required to ensure mitigation is implemented<br><input type="checkbox"/> Yes AESI – <a href="#">detail here</a> . |
| <b>Recommendation</b>  | The appropriate assessment has concluded that provided the mitigation measures detailed in the assessment are implemented prior to the construction phase the proposal will not have an adverse effect on the site integrity of Lough Neagh and Lough Beg SPA/Ramsar or Rea's Wood and Farr's Bay SAC.  |   |
| <b>Conditions to ensure mitigation is implemented</b>  |   |   |
| Are any conditions required to ensure that the proposal and mitigation measures are adhered to?  |   | <input checked="" type="checkbox"/> Yes – complete next section and add condition/s<br><input type="checkbox"/> No – assessment complete  |
| <b>Condition Number</b>  | <b>Detailed Conditions</b>  |   |
| 1.   | A final Construction Environmental Management Plan (CEMP); agreed with the appointed Contractor, must be submitted to and agreed by the Planning Authority prior to any construction works commencing on site. The final CEMP must identify all potential risks to Lough Neagh and Lough Beg SPA/Ramsar site and Reas Wood + Farr's Bay SAC. The final CEMP must incorporate all of the pollution prevention measures detailed in the Outline CEMP. The final approved CEMP shall be adhered to and implemented throughout the construction period in accordance with the approved details, unless otherwise agreed in writing by the Council |   |
| 2.   | No development should take place on-site until the method of sewage disposal has been agreed in writing with Northern Ireland Water (NIW) or a Consent to discharge has been granted under the terms of the Water (NI) Order 1999.  |   |

## EVIDENCE USED TO INFORM ASSESSMENT

| Title                       | Date       | Source              | Comment      |
|-----------------------------|------------|---------------------|--------------|
| Application Documents       | 21/12/2022 | NI Planning Portal  |              |
| Conservation Objectives     | 21/12/2022 | NIEA Website        |              |
| ArcView Spatial Information | 21/12/2022 | Spatial NI and NIEA |              |
| Representations             | 21/12/2022 | NI Planning Portal  | None to date |

| Information gap/s | What is the impact of these? |
|-------------------|------------------------------|
| None              |                              |
| Uncertainties     | What is the impact of these? |
| None              |                              |

| Consultation with Statutory Nature Conservation Body (SNCB) |   |
|---|---|
| Was the SNCB consulted?                                     | <input checked="" type="checkbox"/> Yes – provide date and advice below<br><input type="checkbox"/> Not necessary as Stage One found appropriate assessment not required  |
| Date  | Advice  |
| 20/10/2022  | <p><b>Water Management Unit (WMU)</b></p> <p><b>Summary</b> – Water Management Unit has considered the impacts of the proposal on the surface water environment and on the basis of the information provided is content with the proposal strictly subject to: The proposal complies with Flood Risk Policy FLD 4. Conditions. The DAERA Standing advice. Any relevant statutory permissions being obtained.</p> <p><b>Considerations:</b></p> <p>Water Management Unit has considered the impacts of the proposal on the surface water environment and on the basis of the information provided is content with the proposal strictly subject to:</p> <ul style="list-style-type: none"> <li>• The proposal complies with Planning Policy Statement 15: Planning and Flood Risk Policy FLD 4.</li> </ul> <p>And subject to</p> <ul style="list-style-type: none"> <li>• Conditions</li> <li>• The applicant referring and adhering to DAERA Standing advice</li> <li>• Any relevant statutory permissions being obtained.</li> </ul> <p><b>Condition:</b> Once a contractor has been appointed, a final Construction Environmental Management Plan (CEMP) should be submitted to NIEA Water Management Unit, at least 4 weeks prior to the commencement of construction to ensure effective avoidance and mitigation methodologies have been planned for the protection of the water environment.</p> <p><b>Reason:</b> To ensure effective avoidance and mitigation measures have been planned for the protection of the water environment. In addition the recommended conditions and informatives set out in DAERA Standing Advice Multiple Dwellings.</p> <p><b>All DAERA Standing advice referred to in this response unless otherwise stated can be found at the following link <a href="http://www.daera-ni.gov.uk/water-environment-standingadvice">www.daera-ni.gov.uk/water-environment-standingadvice</a></b></p> <p><b>Explanatory Note:</b></p> <p>Water Management Units response is on the basis that no culverting of watercourses is to take place. If this is not the case clarification should be provided and Water Management Unit re-consulted.</p> <p>Water Management Unit is concerned that the sewage loading associated with the above proposal has the potential to cause an environmental impact if transferred to Antrim Milltown Waste Water Treatment Works (WWTW). Water Management Unit would therefore recommend that the NIPP Case Officer consult with Northern Ireland Water Limited (NIW) to determine if both the WWTW and associated sewer network will be able to cope with the additional load or whether they would need to be upgraded.</p> |

|   |
|---|
| <p>If NIW indicate that the WWTW and associated sewer network is able to accept the additional load, with no adverse effect on the WWTW or sewer network's ability to comply with their Water Order Consents, then Water Management Unit would have no objection to this aspect of the proposal.</p> <p>If NIW advise it is not possible to connect the proposed development to mains sewer then alternative arrangements will be required and a Discharge Consent issued under the terms of the Water (NI) Order 1999 will be required for the discharge of sewage effluent from the proposed development.</p> <p>The applicant must refer and adhere to the relevant precepts contained in DAERA Standing Advice Pollution Prevention Guidance Details of mitigating measures to address the environmental impacts on the aquatic environment should be presented in a final CEMP.</p> <p>Provision of a detailed CEMP must demonstrate that best practice and appropriate mitigation will be applied during the construction, deconstruction, and operational phases of the application. This should include pollution prevention measures to protect groundwater and all waterways.</p> <p>Best practice and appropriate mitigation must be applied in accordance with NIEA's published pollution prevention guidance. Final CEMP should:</p> <ul style="list-style-type: none"> <li>• Identify the perceived risks to the aquatic environment e.g. from cement, concrete, grout, fuels/ oil/ hydrocarbons and suspended solids,</li> <li>• Identify potential pollution pathways,</li> <li>• Identify the mitigation measures employed to minimise the risk of pollution to any waterway (as defined by the Water (NI) Order 1999) e.g.</li> <li>• Safe refuelling, handling and storage practices for earth stockpiles and secondary containment for chemicals, oil, fuels etc.</li> <li>• Emergency spill procedures should be addressed and should include the NIEA pollution hotline 0800 80 70 60 along with a timeframe for response. For example "any spillages / pollution incidents should be reported to the NIEA water pollution hotline within 30 minutes of the incident occurring unless it is not safe to do so"</li> </ul> <p>The final CEMP must demonstrate adherence of working practices to the precepts contained in relevant PPG's. e.g. PPG5 Works in, near or liable to affect watercourses and PPG6 Working at Demolition and Construction sites.</p> <p>The CEMP should include all necessary pollution prevention measures to protect the water environment during the development of this proposal.</p> <p>The applicant must refer and adhere and the CEMP must reflect all the relevant precepts contained in DAERA Standing Advice Pollution Prevention Guidance.</p> <p>The applicant must refer and adhere to all the relevant precepts contained in DAERA Standing Advice Multiple Dwellings The applicant should note discharge consent, issued under the Water (Northern Ireland) Order 1999, is required for any discharges to the aquatic environment and will be required for site drainage during the construction phase of the development. Any proposed discharges not directly related to the construction of the development, such as from septic tanks or wash facilities, will also require separate discharge consent applications. The applicant must refer and adhere to the relevant precepts in DAERA Standing Advice Discharges to the Water Environment.</p> <p><b><u>Drinking Water Inspectorate</u></b></p> |
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**Summary** – A development must not impact on either the quality or sufficiency of a private water supply. Taking into account the scale, type, location and the potential impacts the proposal may have on private water supplies, a developer should as appropriate: (i) undertake searches and investigations; and, (ii) follow the Standing Advice / Guidance, as detailed within Considerations.

#### **Regulation Unit (RU)**

**Summary** – Regulation Unit Land and Groundwater Team would have no objection to this application provided Conditions and Informatives as detailed below are attached to any Decision Notice.

#### **Considerations**

A Generic Quantitative Risk Assessment (GQRA) has been provided by RSK Ireland (RSK) in support of this application. RSK report no unacceptable risk to controlled water receptors at the site. Regulation Unit (RU) Land and Groundwater Team would have no objection to this application provided Conditions and Informatives as detailed below are attached to any Decision Notice.

#### **Explanatory note**

The comments below are not exhaustive but serve to capture key points in support of the Regulation Unit (RU) position outlined above. These comments are made on consideration of:

- RSK Ireland Ltd (RSK) 'Preliminary Risk Assessment and Generic Quantitative Risk Assessment – Randalstown Road, Antrim – Ferrard Phase 6' dated 7th July 2022. Report ref: 604150-R1 (00).
1. The priorities of the RU in assessing this planning application are to consider the potential for contamination to be present at the site that could impact on environmentally sensitive receptors including groundwater and surface water.
  2. A Generic Quantitative Risk Assessment (GQRA) has been provided by RSK in support of this application. The GQRA is informed by the findings of a Preliminary Risk Assessment (PRA). RSK report that the site comprises of a temporary (non-operational) Covid-19 testing facility, undeveloped land and two warehouses. Two concrete-covered silos are also present and these are suspected to extend below ground and are connected with former industrial activity on and around the site. The proposal is to construct seventy four dwellings and associated landscaping and access. The development represents phase 6 of the Ferrard development.
  3. The PRA identifies superficial geology as comprising of Raised Beach Deposits of sand and gravel with some Alluvium to the south of the site and Till to the west and east. Bedrock geology is recorded as comprising of the Upper Basalt Formation. RSK report that a nearby historical borehole progressed to 18 meters below ground level (mbgl) did not encounter bedrock. RSK further report that the bedrock is classified as having high to moderate yields and groundwater vulnerability is classified as '2' (low). The Steeple Burn runs along the northern boundary of the site and discharges to Lough Neagh located at c.970 m from the site,
  4. RSK identify potential onsite sources of land contamination as made ground and asbestos containing materials (ACM). RU note the presence of two onsite silos that will require decommissioning and verification if they contain contaminants. Potential off-site sources are identified as: made ground; chemical works; unspecified works and; historic works / factories. RSK present a Preliminary Conceptual Site Model (CSM) that identifies five potential pollutant linkages with a risk classification of moderate or moderate / low. Key environmental receptors are identified as perched and shallow groundwater, bedrock groundwater and surface waters.

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| <p>5. RSK present a GQRA informed by data from soil, groundwater and ground gas samples collected from six boreholes and five trial pits in 2022. Boreholes were progressed to a maximum depth of 5.5 mbgl. Data from a 2021 intrusive site investigation involving one borehole and five trial pits is also considered. All boreholes were fitted with groundwater monitoring equipment. Ground conditions encountered are detailed as comprising of a sequence of made ground then sandy / silty clay and peat. Bedrock was not encountered. Groundwater was encountered across the site and level monitoring indicates a continuous groundwater body present within superficial deposits underlying the made ground. Groundwater flow direction is anticipated to be in a westerly direction.</p> <p>6. A total of six groundwater samples were collected and analysed for a range of contaminants of concern. Concentrations determined were then screened against Generic Assessment Criteria (GAC) protective of the water environment and human health. RSK report low level GAC exceedances for copper and nickel. No other GAC values were exceeded. These exceedances are not considered to be significant by RSK due to the low levels recorded and RSK consider that shallow groundwater underlying the site is not of reduced quality and therefore does not pose an unacceptable risk to controlled waters.</p> <p>7. RSK identify unacceptable risk to human health due to a hotspot of TPH soil contamination and present a remedial strategy to mitigate this risk. It should be noted that Antrim and Newtownabbey Borough Council is the authoritative body with respect to environmental health matters and we would ask that you ensure they have an opportunity to comment on all relevant information.</p> <p>8. RU have considered the RSK report and support the conclusions and recommendations. Based on the information provided, RU would have no objection to this application provided Conditions and Informatives as detailed below are attached to any Decision Notice, should the application be approved. A Quantitative Risk Assessment (QRA) may be needed to assess the remedial requirements for any unforeseen contamination identified at the site during development. Conditions are provided below to ensure effective management of any associated risks to the water environment.</p> <p><b>Conditions</b></p> <p>Wording for proposed conditions concerning the management of land contamination are provided below and should you wish to discuss or have further clarity then do not hesitate to get in touch with the Regulation Unit (RU) Land and Groundwater Team.</p> <p><b>1. The development hereby permitted shall not commence until all storage silos (and associated infra-structure) have been investigated for the presence of contaminating material. In the event that the silos contain contaminating material they should be fully decommissioned in line with Pollution Prevention Guidance (PPG27) and the quality of surrounding soils and groundwater verified. Should any additional contamination be identified during this process, Conditions 2 and 3 will apply.</b></p> <p><b>Reason: Protection of environmental receptors to ensure the site is suitable for use.</b></p> <p><b>2. 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: <a href="https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks">https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks</a>. 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.</b></p> |
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**3. After completing any remediation works required and prior to occupation of the development, a verification report needs to be submitted in writing and agreed with the 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 waste materials and risks and in achieving the remedial objectives.**

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

#### **Natural Environment Division (NED)**

**Summary** - NED is in agreement with the ecologist that further information is required with regard to a building with bat roosting potential

#### **Summary of Position**

NIEA, Natural Environment Division (NED) has concerns with this proposal and considers that, in the absence of further information and/or amendments, the proposal would be contrary to the Habitats Regulations, Planning Policy Statement 2: Natural Heritage and the Strategic Planning Policy Statement for Northern Ireland in that the development would be likely to harm bats and insufficient information has been submitted to establish otherwise.

#### **Considerations**

Please note that this proposal is subject to the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) (known as the Habitats Regulations).

The application site is hydrologically connected to the Steeple Burn which flows into the Lough Neagh and Lough Beg Special Protection Area (SPA) and Ramsar, and Lough Neagh Area of Special Scientific Interest (ASSI).

The site is likely to be used by bats, a European protected species under the Habitats Regulations, which may be impacted by the proposal.

The site contains hedgerows and is in close proximity to a river which are Northern Ireland Priority Habitats (NIPH)

The site contains breeding birds, including Barn swallows (*Hirundo rustica*), which are protected under the Wildlife (Northern Ireland) Order 1985 (as amended).

NED acknowledges receipt of the Preliminary Ecological Appraisal (PEA) date stamped 27/07/2022, and the Outline Construction Environmental Management Plan (OCEMP), date stamped 14/07/2022, by Antrim and Newtownabbey Borough Council and the associated documents and drawings uploaded to the NI planning portal.

Please note that this is a desk-based response.

#### **Explanatory note**

The proposal is for a residential development of 74 dwellings including solar panels, garages, open space and landscaping, access, internal road network and all associated site and access works.

The site contains mostly hardstanding with patches of rough, ranked grassland and tall ruderals, areas of concrete where short perennials/ephemerals have colonised, mature tree lines and scrub. Steeple Burn runs along the northern border of the site.

The surrounding habitat contains industrial, residential and other urban development with a patch of woodland priority habitat to the south of the site.

**Designated Sites**

NED has considered the impacts of the proposal on designated sites and based on the information provided is content with the proposal with recommendations outlined below.

**Considerations**

The application site is hydrologically linked to the following national, European and international designated sites:

- Lough Neagh & Lough Beg SPA Ramsar, Rea's Wood and Farr's Bay SAC, which are designated under the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended);
- Lough Neagh ASSI, which is declared under the Environment Order (Northern Ireland) 2002.

In accordance with the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended), the Competent Authority should ensure an assessment is carried out to determine if the proposal, either alone or in combination, is likely to have a significant effect on a European site and the qualifying features, in line with the site conservation objectives.

NED has considered the proposal and highlights the following as potential impacts on the designated sites;

**Potential Impacts:** Degradation and disturbance of Lough Neagh & Lough Beg SPA Ramsar and Lough Neagh ASSI features and the respective supporting habitats, due to contaminated run-off during the construction and operational phases of the development.

**Designated Site Considerations:** NED has considered the relevant documents and drawings to date (18/08/2022) uploaded to NI Planning Portal (NIPP) for the proposed development regarding the proposed residential development of 74 no. dwellings (comprising 31 no. detached, 36 no. semi-detached dwellings, 5 no. Chalet Bungalows and 2 no. apartments), including solar panels, garages, open space and landscaping, access, internal road network and all associated site and access works. The proposal is hydrologically connected to the designated sites via the Steeple Burn watercourse which is located along the Northern red line boundary (RLB) of the site and flows from east to west, joining the Plasket's Burn located approx. 300m west of the site. The Plasket's Burn then flows in a southerly direction discharging into Lough Neagh approx. 1km South-West of the site. Lough Neagh includes designations, Lough Neagh ASSI, Lough Neagh & Lough Beg SPA/Ramsar, and Rea's Wood and Farr's Bay SAC.

Lough Neagh & Lough Beg SPA has been designated for its qualifying features: Waterbird assemblage, winter-breeding birds, and breeding birds. Lough Neagh ASSI has been designated for its qualifying features: Waterbird assemblage, winter-breeding birds, invertebrate assemblage, higher plant assemblage, freshwater and estuarine fish assemblage, and breeding bird assemblage. Rea's Wood and Farr's Bay has been designated for its qualifying feature: Alluvial forests and *Alnus glutinosa* and *Fraxinus excelsior* (Alno-Padion, *Alnion incanae*, *Salicion albae*).

NED note from the P1 Form (date stamped 14/07/2022) that the applicant intends to dispose of surface and foul water via mains. NED are content with these.

NED are cognisant of several Otter records within the watercourse(s) discharging into Lough Neagh that are hydrologically connected downstream to the proposal. The closest of these is approx. 400m downstream of the Southern RLB. NED note from the PEA (date stamped 27/07/2022) that the Steeple Burn provides sub-optimal habitat for transit but is devoid of foraging



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|            | <p>resources and is unsuitable for refuge; the site provides marginal terrestrial habitat. Impacts on the aquatic environment may indirectly affect any downstream Otter feature population structure through interference with key components of their ecology. NED also note from the PEA that the new development will require public amenity (street) lighting. The Otters wooded stream corridor on the North-Western RLB may be vulnerable to additional inappropriate lighting. No holts or physical evidence of otter activity were found during site survey including survey of the stream corridor. NED are content with the appropriate mitigation measures are provided from page 13 under 'Assessment &amp; Mitigation/Recommendations'.</p> <p>NED acknowledge receipt of the Drainage Assessment (date stamped 14/07/2022) and note appropriate mitigation measures outlined within.</p> <p>NED acknowledge receipt of the oCEMP (date stamped 14/07/2022) and note further appropriate mitigation outlined. Existing trees along part of the South-West RLB will be retained and protected during the development. NED agree with the conclusion that the proposal is unlikely to have any significant impact upon any protected species in designated sites, with very limited potential impacts to loss of bird nesting habitat and disturbance of breeding birds during the construction phase of the development provided the outlined mitigation measures are adhered to.</p> <p>Recommendations</p> <p>NED would advise the following are considered:</p> <ol style="list-style-type: none"> <li>1. NED are content with the details and mitigation provided in the Outline Construction Environmental Management Plan (date stamped 14/07/2022) and Drainage Assessment (date stamped 14/07/2022) and, unless there is a substantial change to these, are content if it is implemented it will mitigate against any potential impacts on the protected sites.</li> </ol> <p>NED will recommend the appropriate conditions and informatives in the final response.</p> |
| 13/12/2022 | <p><b>Natural Environment Division (NED)</b></p> <p><b>Summary</b> - NED 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. Informatives are provided.</p> <p>Considerations Please note that this proposal is subject to the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) (known as the Habitats Regulations).</p> <p>The application site is hydrologically connected to the Steeple Burn which flows into the Lough Neagh and Lough Beg Special Protection Area (SPA) and Ramsar, and Lough Neagh Area of Special Scientific Interest (ASSI).</p> <p>The site is used by bats, a European protected species under the Habitats Regulations, which may be impacted by the proposal. The site contains hedgerows and is in close proximity to a river which are Northern Ireland Priority Habitats (NIPH) The site contains breeding birds, including Barn swallows (<i>Hirundo rustica</i>), which are protected under the Wildlife (Northern Ireland) Order 1985 (as amended).</p> <p>NIEA, Natural Environment Division (NED) 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.</p> <p>NED acknowledges receipt of the Bat survey report, date stamped 14/11/2022 by Antrim and Newtownabbey Borough Council, and have considered the contents.</p> <p>Please note that this is a desk-based response.</p> <p><b>Explanatory note</b></p>   |

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|   | <p>The proposal is for a residential development of 74 dwellings including solar panels, garages, open space and landscaping, access, internal road network and all associated site and access works.</p> <p><b><u>Designated Sites</u></b></p> <p>Please refer to the previous NED response for considerations and advice with regard to the potential impacts of the proposal on designated sites.</p> <p>NED would advise the following are considered:</p> <ol style="list-style-type: none"> <li>1. NED are content with the details and mitigation provided in the Outline Construction Environmental Management Plan (date stamped 14/07/2022) and Drainage Assessment (date stamped 14/07/2022) and, unless there is a substantial change to these, are content if it is implemented it will mitigate against any potential impacts on the protected sites.</li> </ol> <p><b>Conditions</b></p> <ol style="list-style-type: none"> <li>1. No development activity, including ground preparation or vegetation clearance, shall take place until a final Construction and Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Planning Authority. The approved CEMP shall be implemented in accordance with the approved details and all works on site shall conform to the approved CEMP, unless otherwise agreed in writing by the Planning Authority. The CEMP shall include the following: <ol style="list-style-type: none"> <li>a. Construction methodology and timings of works, including the construction of the storm outfall pipe and all mitigation to avoid impact to the watercourse;</li> <li>b. Pollution Prevention Plan; including suitable buffers between the location of all construction works, storage of excavated spoil and construction materials, any refuelling, storage of oil/fuel, concrete mixing and washing areas and any watercourses or surface drains present on or adjacent to the site;</li> <li>c. Site Drainage Management Plan; including Sustainable Drainage Systems (SuDS), foul water disposal and silt management measures;</li> <li>d. Water Quality Monitoring Plan;</li> <li>e. Environmental Emergency Plan;</li> <li>f. Mitigation to avoid impact to protected and priority species including avoidance of the bird breeding season during any vegetation clearance and demolition of the buildings, directional lighting to avoid the adjacent watercourse and all other recommendations from the Preliminary Ecological Appraisal (PEA) date stamped 27/07/2022.</li> </ol> </li> </ol> <p>Reason: To protect Northern Ireland priority habitats and species and to prevent likely significant effects on the Lough Neagh and Lough Beg Special Protection Area (SPA) and Ramsar, and Lough Neagh Area of Special Scientific Interest (ASSI).</p> |
| <p><b>Does the HRA outcome fully reflect this advice?</b></p> | <p>Yes, insofar as their comments relate to European sites.</p>   |



Statutory Planning  
Consultation Response

This consultation response is valid for 18 months from date of return

Planning Application Reference:

LA0320220642F

Address:

Lands at 1 Enkalon Industrial Estate, Randalstown Road to the north and east of Oriel Lodge / 29 Randalstown Road, north east of No. 28 Castlewater Gardens and south east of Steeple Burn, Antrim

Type of Application:

Housing Development

Application Classification:

Multi-Unit

Change of Use:

No

Number of Units (if available):

74

Date Issued by Planning Portal:

14/12/2022

Date of Return:

04/01/2023

Valid/extant Planning Ref:

N/A

Overall Planning Application Recommendation

Based on the responses stated below, NI Water recommends that this planning application is:  
Approved with Standard Planning Conditions.

1. Is comment necessary in relation to Water and Sewerage Services?

Yes

Wastewater Service

2. Is connection to public foul sewerage system required?

Yes

3. Receiving Wastewater Treatment Works:

Antrim Milltown WwTW

3a. Status of receiving Wastewater Treatment Works:

WwTW-01: There is available capacity at the Waste Water Treatment Works.

The above information will only be valid for a maximum period of 18 months from the date of this consultation response. Should Planning Approval not be granted within this period, a re-consultation will be required to review public sewerage availability and to confirm NI Water’s recommendation of this development proposal.



Statutory Planning  
Consultation Response

4. Is the proposed development in close proximity of a Wastewater Treatment Works or Wastewater Pumping Station?

Not Applicable

5. Is a public foul sewer in close proximity and available to serve this proposal?

FS-08: For the reasons detailed below NI Water recommend that this application for planning approval should be Approved with Condition.

There is a public foul sewer within 20m of the proposed development boundary.

The receiving foul sewerage network has reached capacity. The public system cannot presently serve this development proposal without significant risk of environmental harm and public dis-amenity including pollution, flooding and detrimental impact on existing properties.

NI Water and the applicant have agreed a downstream engineering solution to mitigate the foul capacity issue and allow connection for this development proposal. This solution is to be fully funded and delivered by the applicant.

Approval of this application should be conditional upon;

1. No development shall be commenced until the developer has entered into an agreement with NI Water under Article 161 of the Water and Sewerage Services (Northern Ireland) Order 2006.

2. That no development shall proceed beyond sub-floor construction until the foul sewerage network engineering solution as shown on solution design drawing to mitigate the downstream foul capacity issue as agreed with NI Water is provided by the developer to the satisfaction of NI Water. The development shall not be occupied until the developer has complied with all of the requirements set out in the agreement entered into with NI Water under Article 161 of the Water and Sewerage Services (Northern Ireland) Order 2006.

Reason: To ensure a practical solution to sewage disposal from this site is possible.

The above information will only be valid for a maximum period of 18 months from the date of this consultation response. Should Planning Approval not be granted within this period, a re-consultation will be required to review public sewerage availability and to confirm NI Water’s recommendation of this development proposal.



Statutory Planning  
Consultation Response

5a Is a public foul sewer traversing the development site?

Yes

NIW public sewer/s traversing the proposed development site. No construction to be made, trees planted or other obstruction made within 3 metres (or 1.5 times the depth; whichever is greater) of sewers. A diversion may be necessary. The applicant is advised to obtain a records map from NIW and establish the exact location of the infrastructure within the site, and how it may affect the proposal. Further Consultation with NIW Developer Services [developerservices@niwater.com](mailto:developerservices@niwater.com) is required at an early design stage. Further information, guidance notes and applications can be downloaded from NIW website at <https://www.niwater.com/services-for-developers/homeowners/close-proximity/sewer/>.  
REASON: To prevent disturbance / damage to existing sewers and in the interest of public safety.

6. Is a connection to public surface system required?

No

6a. Is a public surface water sewer in close proximity and available to serve this proposal?

Not Applicable



Statutory Planning  
Consultation Response

6b. Is a public surface water sewer traversing the development site? No

Not Applicable

Water Supply Service

7. Is connection to public water supply required? Yes

7a. Is a public water supply in close proximity and available to serve this proposal?

WS-01: There is a public water main within 20m of the proposed development boundary which can adequately service these proposals.

An application to NI Water is required to obtain approval to connect.  
Applications and guidance notes can be found at [www.niwater.com](http://www.niwater.com) at the following link - <https://www.niwater.com/services-for-developers/multi-unit-developments/water-services/new-water-connections/>

The above information will only be valid for a maximum period of 18 months from the date of this consultation response. Should Planning Approval not be granted within this period, a re-consultation will be required to review public water supply availability and to confirm NI Water's recommendation of this development proposal.

7b. Is a public water supply traversing the development site? No

Not Applicable



Statutory Planning  
Consultation Response

Site Specific Comments

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| Trade Effluent:                               | Not applicable. |
| Grease Trap Installation:                     | Not applicable. |
| Oil/Petrol Chemical Interceptor Installation: | Not applicable. |

NI Water would make the following site specific additional comments:

NI Water has recommend that this planning application should be Approved with Condition (see No.5 - FS-08). There is a public foul sewer which crosses the site (see No.5a).

Standard Planning Conditions

Planning Authority should refer to the following Standard Planning Conditions:

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| No development shall be commenced until a Sewer Adoption Agreement has been authorised by NI Water to permit a connection to the public sewer in accordance with the Water and Sewerage Services (Northern Ireland) Order 2006 and Sewerage Services Act (Northern Ireland) 2016<br><u>REASON:</u> To prevent pollution and to ensure public safety. To ensure compliance with the Water and Sewerage Services (Northern Ireland) Order 2006 and the Sewerage Services Act (Northern Ireland 2016). |
| A formal water / sewer connection application must be made for all developments [prior to occupation], including those where it is proposed to re-use existing connections.<br><u>REASON:</u> To prevent pollution and to ensure public safety. To ensure compliance with the Water and Sewerage Services (Northern Ireland) Order 2006 and the Sewerage Services Act (Northern Ireland 2016).  |
| All services within the development should be laid underground.<br><u>REASON:</u> In the interests of visual amenity.   |
| Development shall not be occupied until the foul water drainage works on-site and off-site have been submitted to and approved by the relevant authority and constructed by the developer in line with approved design.<br><u>REASON:</u> In the interest of public health.   |
| Development shall not be occupied until the surface water drainage works on-site and off-site have been submitted, approved and constructed by developer and the relevant authority.<br><u>REASON:</u> To safeguard the site and adjacent land against flooding and standing water.   |
| Statutory water regulations are in force, which are designed to protect public water supplies against contamination, undue consumption and misuse. All internal plumbing installation must comply with the current Water Supply (Water Fittings) Regulations (Northern Ireland).<br>Applicants should contact NI Water's Water Fittings Regulations team via <a href="mailto:waterline@niwater.com">waterline@niwater.com</a> if they have any queries.   |





Statutory Planning  
Consultation Response

Additional Informatives

To ensure compliance with the Water and Sewerage Service (NI) Order 2006 (as amended Water and Sewerage Services Act (Northern Ireland) 2016), consultation with NI Water is essential at an early design stage with regard to the following matters;

Foul and Surface Sewerage  
Requirements:

Where the sewers within the proposal serves two or more properties the developer must enter into an Agreement for Adoption of Sewers under Article 161 of the above Order. Sewers must be designed to meet the criteria as set out in the current Sewers for Adoption Northern Ireland specification. A connection to the public sewer will not be permitted until the Article 161 Agreement has been authorised by NI Water.

Water Supply Requirements:

If your proposal is for more than 1 property it may be eligible for the provision of a public watermain. Single property if accessed directly from a public road / area. For multiple properties each must have an individual supply direct from the proposed public watermain under Article 76 of the above order.

Septic Tank Emptying:

For single properties where there is no sewer NI Water provide an annual septic tank desludge/emptying service. Further information is available by contacting Waterline on 03457 448800 or [waterline@niwater.com](mailto:waterline@niwater.com) . Desludge/emptying request is also available via NIW Self Service Portal at <https://selfservice.niwater.com/DesludgeOpen>

The following may also apply:

Upon receipt of this statutory consultation and to discuss any areas of concern, the applicant is advised to contact Waterline on 03457 440088 or [waterline@niwater.com](mailto:waterline@niwater.com). Alternatively, guidance notes and application forms are available to download from NI Water website at <https://www.niwater.com>

If during the course of developing the site the developer uncovers a pipe not previously evident, NI Water should be contacted immediately via Waterline 03457 440088. NI Water will carry out an investigation, and, provide guidance and direction in respect of any necessary measures to deal with this issue.

Overall Planning Application Recommendation

Based on the responses stated below, NI Water recommends that this planning application is:

Approved with Standard Planning Conditions.

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| Issued on behalf of NI Water to: | Antrim and Newtownabbey Borough Council  |
| Issued by:                       | Robert O'Hare  |
| Email:                           | <a href="mailto:InfrastructurePlanning@niwater.com">InfrastructurePlanning@niwater.com</a> |
| Telephone Number:                | 03457 440088   |





Mr N Woodside  
54A Templepatrick Rd  
Ballyclare  
BT39 9TX

Ref: Planning Application LA03/2022/0752/0

To whom it may concern;

The land has been in the Woodside family for three generations and I want to pass it onto my son at some point, this will be the fourth generation.

I can confirm this dwelling house, yard and outbuildings has played an integral part in the farming operation here since my grandfather purchased it back in the 1950's.

The original dwelling was a single story and was extended to two stories. The upper story was used to store approximately 200 bales of hay.

The old dwelling house was used to house fattening pigs.

The yard itself was used as a midden for storage of cow and pig manure

The stand-alone building or byre at the top of the yard housed 10 suckler cows over the winter months.

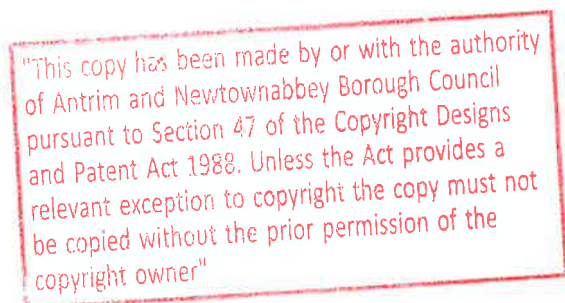
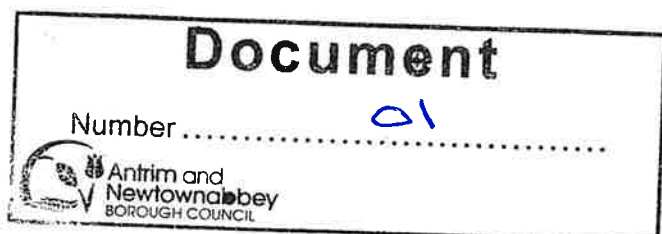
In the late 70's and as a 'modernisation plan', the byre was converted into two pig pens and an underground slurry store added at the bottom of the yard linked to all the pig pens via underground slurry passage and slatted floor sections inside the pens. The yard was also concreted and a bulk feed bin added. The feed bin has since been removed.

Over the following years the newly concreted yard was used to store clamp silage and then baled silage with approximately 300 bales per year stored. Some farm machinery would have been stored on the yard during the spring and early summer months until first cut silage was baled.

The last fat pigs left the site about 10 years ago but the yard and slurry tank are still used for storing machinery, baled silage, hard manure and slurry overflow form tanks in the main farm yard further up the lane.

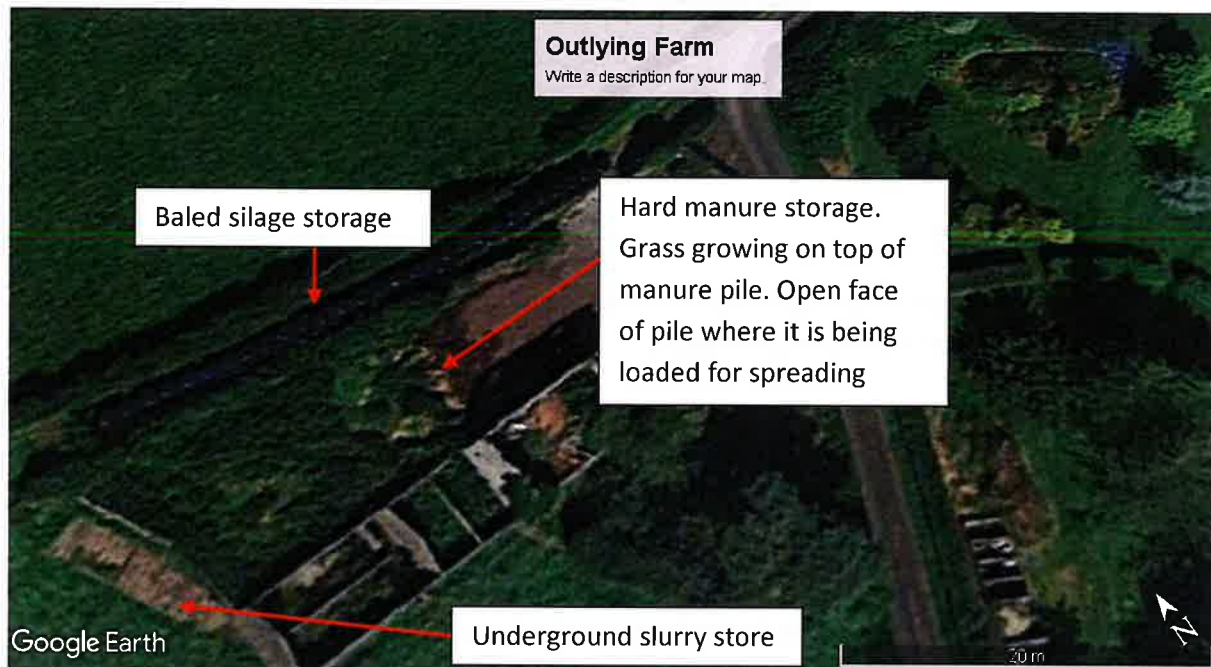
Baled silage was in the yard approximately 4 weeks ago but was sold and collected by the purchaser.

**LA03 / 2022 / 0752**

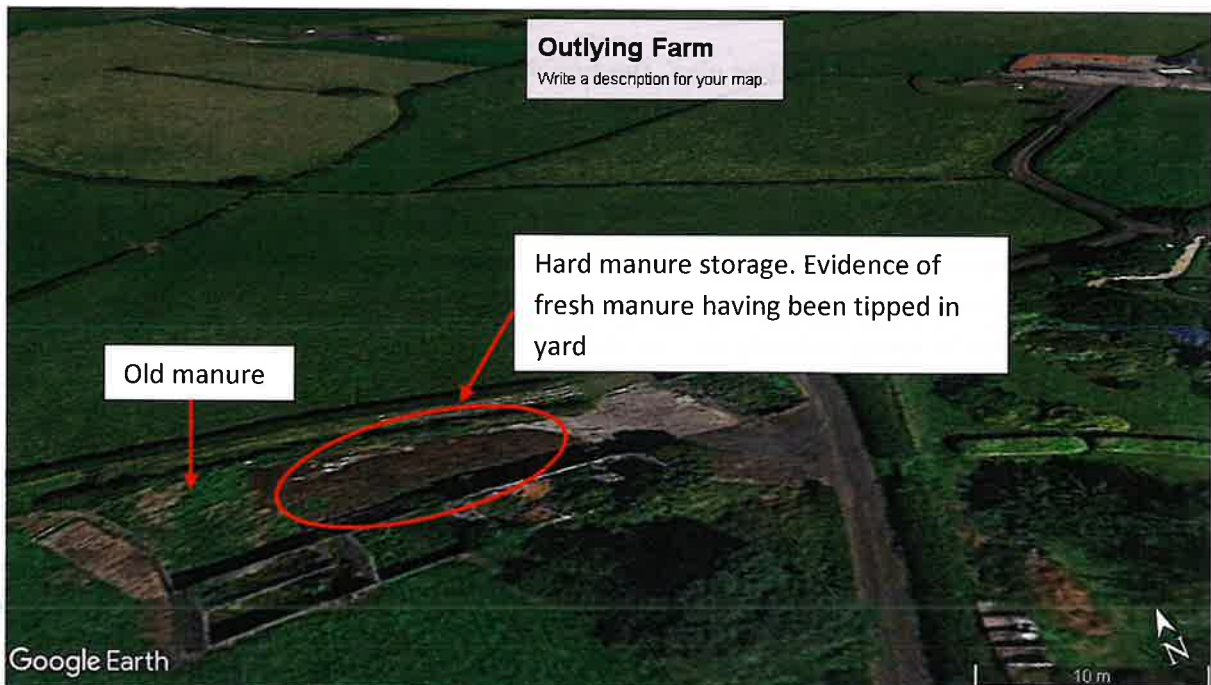


Supporting photographs from Google Earth Pro from 2016 to 2021

**April 2016** , Hard manure and baled silage storage



**July 2017**, Hard manure storage, slurry tank at bottom of yard also used to store main farm yard slurry to take advantage of optimum weather/growing conditions



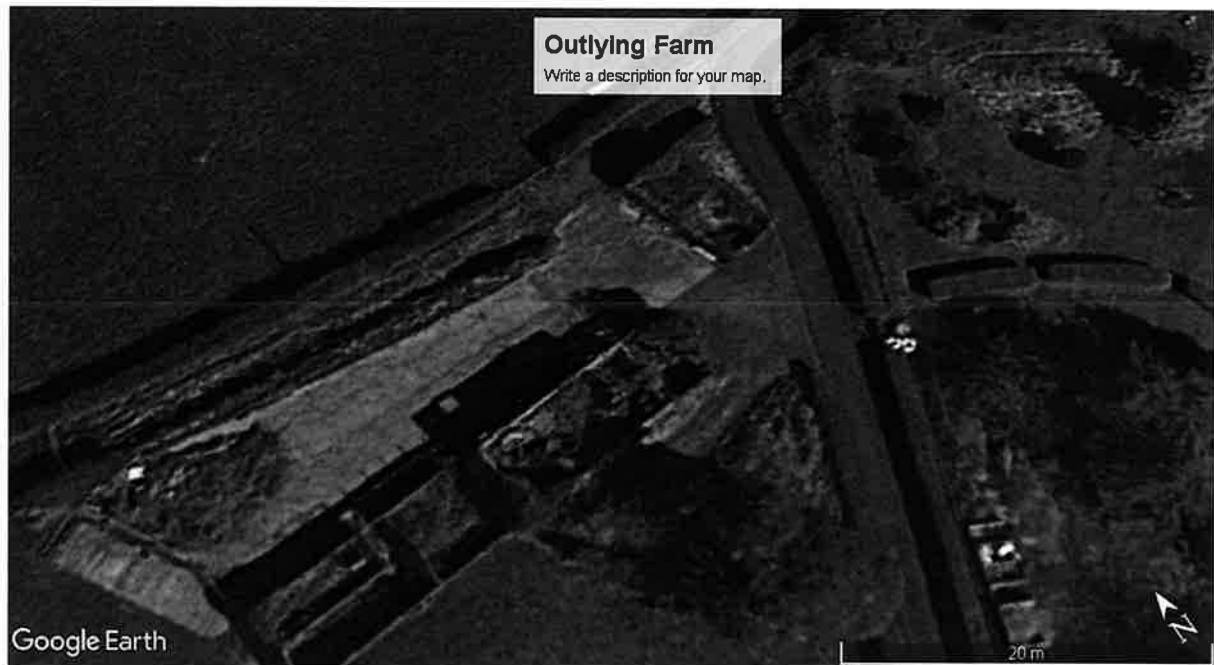
**July 2021**, baled silage storage and remains of hard manure storage



April 2021, jeep and trailer loading sheep.



April 2021, hard manure storage







Gareth McShane  
Antrim & Newtownabbey  
Mossley Mill  
Carnmoney Road North  
NEWTOWNABBEY  
BT36 6QA

Academy House  
121a Broughshane Street  
Town Parks  
BALLYMENA  
BT43 6HY

Tel: 0300 200 7848

Email: [DAREADirect.Ballymena@daera-ni.gov.uk](mailto:DAREADirect.Ballymena@daera-ni.gov.uk)

## Consultee Response

1. Planning Application Reference Number
2. Has the farm business Id identified on **Form P1C** been in existence for more than 6 years? ☒ Yes ☐ No
3. What date was the farm business Id allocated?
4. What category is the farm business Id?
5. Has the farm business claimed payments through the Basic Payment Scheme or Agri Environment scheme in each of the last 6 years? ☒ Yes ☐ No
6. If 'No' to the above, which years (if any) out of the last 6, have claims been made?
7. Is the application site on land for which payments are currently being claimed by the farm business? ☐ Yes ☒ No

Comments

Checked by

Date

**Sustainability** at the heart of a living, working, active landscape valued by everyone.

If you are deaf or have a hearing difficulty you can  
contact the Department via the Next Generation Text  
Relay Service by dialling 18001 + telephone number.





## ENVIRONMENTAL HEALTH SECTION

|                             |  |
|-----------------------------|--|
| PLANNING APPLICATION NUMBER | LA03/2022/0752/O                                     |
| LOCATION                    | 150m south west of 54 Templepatrick Road, Ballyclare |
| PROPOSAL                    | Site for new dwelling and garage on a farm (CTY10)   |
| COUNCIL REF:                | 3874/22  |

### Comments:

There are no Environmental Health objections to this application.

### Informative:

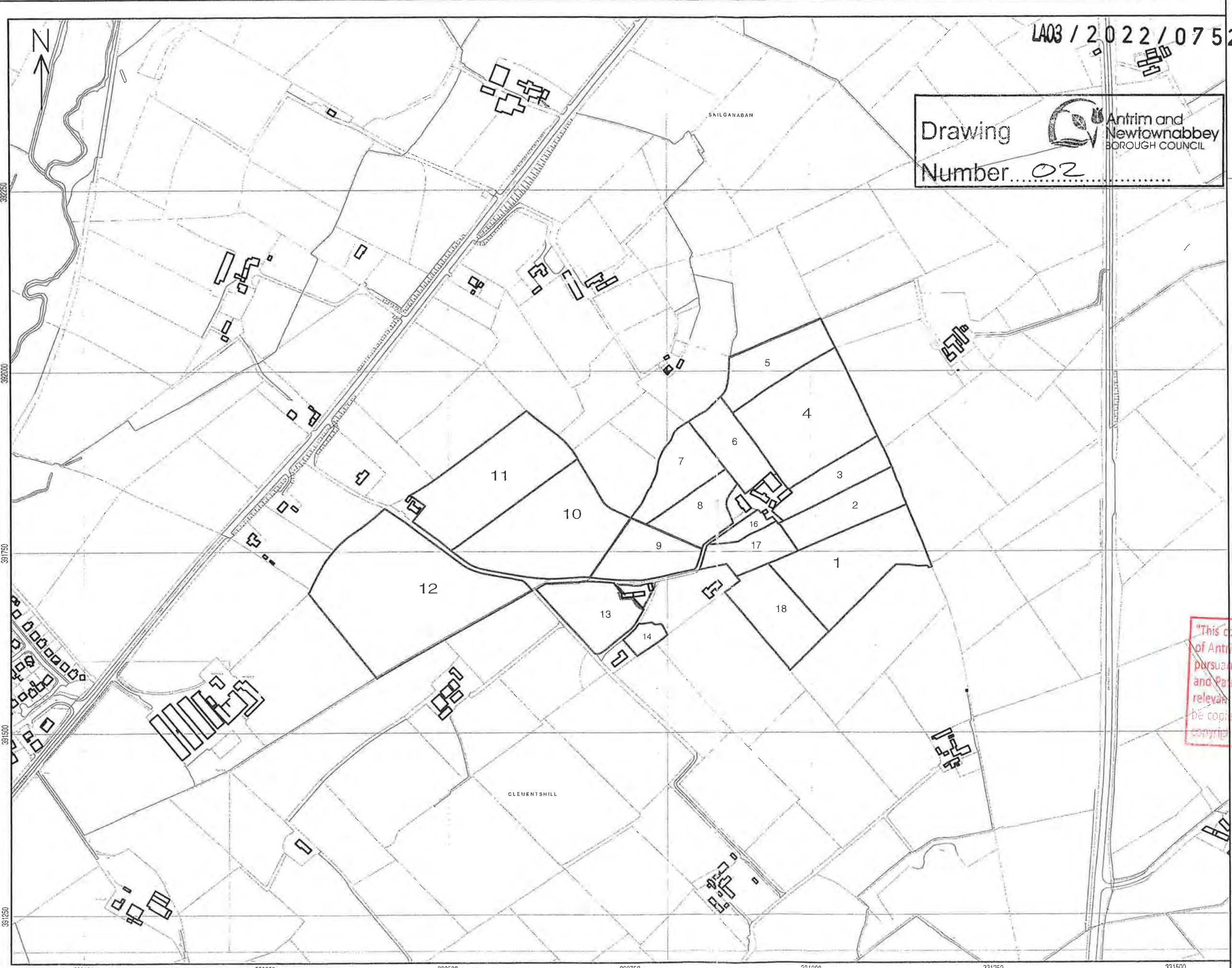
Farms have the potential to cause public health nuisances from odour, noise, dust and pests. Environmental Health recommends that the proposed dwelling is situated a minimum 75m from farm buildings. The applicant should be made aware that occupants of the proposed dwelling may experience noise, odour, dust and pests from the nearby farm.

**NOTE:** Any consultation response provided by the Environmental Health Section is based on:

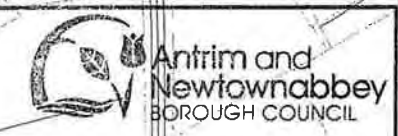
- information supplied by the applicant, and,
- other information currently available.

Submitted by Colette Kelly on behalf of the Principal Environmental Health Officer  
Date: 13 September 2022





Drawing  
Number... 02



LA03 / 2022 / 0752

MR JAMES WOODSIDE  
54 TEMPLEPATRICK ROAD  
BALLYCLARE  
CO ANTRIM  
BT39 9TX

Total Area (Ha): 19.71  
Grid Ref (of centre of page): 1J307918

Field Attributes

| Field Nb. | Area (Ha) | Type |
|-----------|-----------|------|
| 1         | 1.76      | LL   |
| 2         | 0.84      | LL   |
| 3         | 0.67      | LL   |
| 4         | 2.08      | LL   |
| 5         | 0.89      | LL   |
| 6         | 0.69      | LL   |
| 7         | 0.80      | LL   |
| 8         | 0.68      | LL   |
| 9         | 0.80      | LL   |
| 10        | 2.22      | LL   |
| 11        | 2.02      | LL   |
| 12        | 3.57      | LL   |
| 13        | 0.85      | LL   |
| 14        | 0.16      | LL   |
| 16        | 0.17      | LL   |
| 17        | 0.52      | LL   |
| 18        | 0.99      | LL   |

Planning Section  
RECEIVED  
17 AUG 2022  
File No.....

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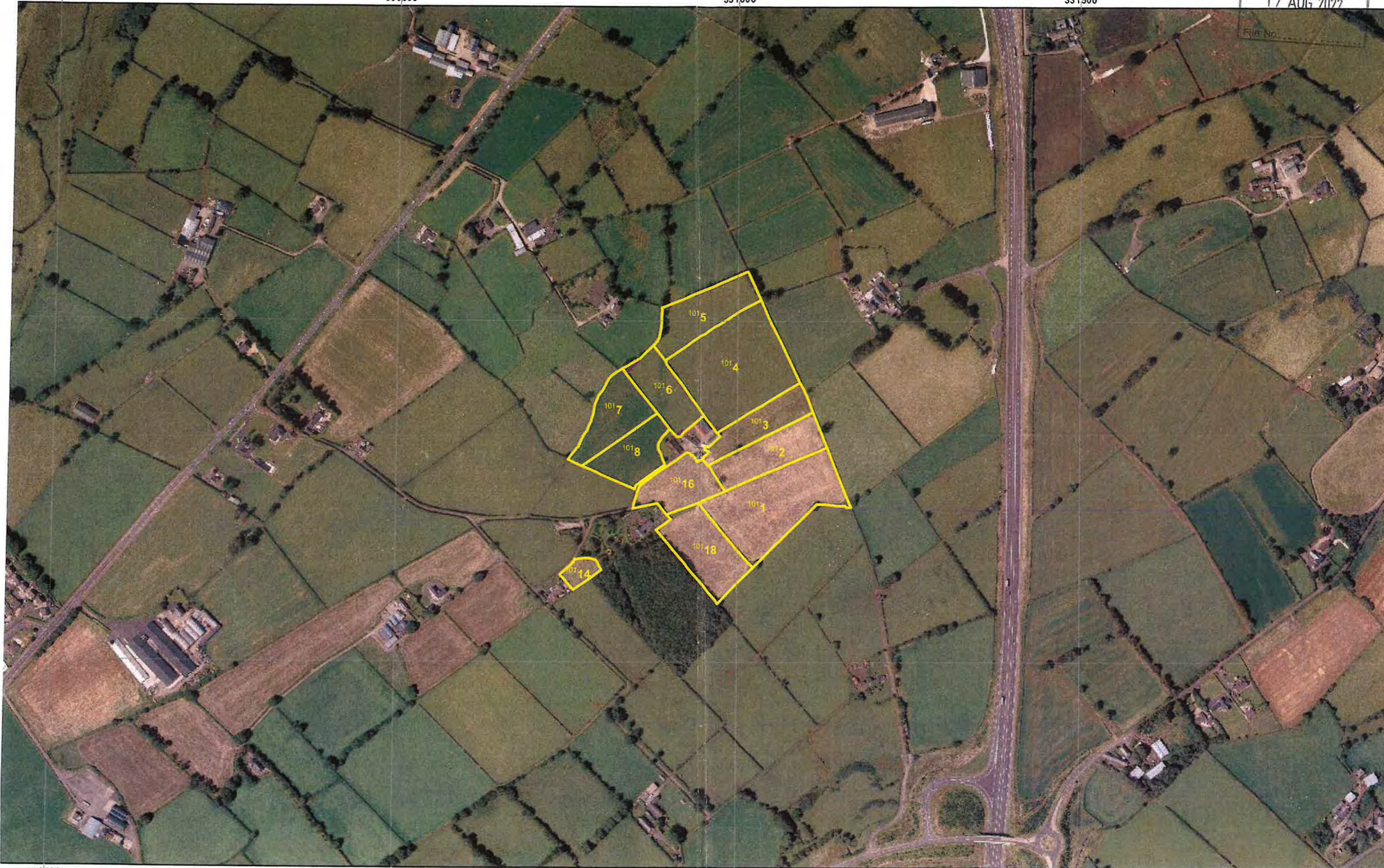


330000

330500

331000

331500



330000

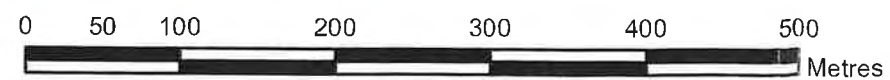
330500

331000

331500

**Field Boundaries**

- Verified
- Unverified, Unclear
- X Field to be deleted
- X Ineligible Features



Scale: 1:5,000

Printed: 12/01/2022

Photo Date(s): 23/07/2019

Page 2 of 2

DAERA maps do not convey legal owners



Historic Environment Division  
Ground Floor, 9 Lanyon Place  
Town Parks  
Belfast  
BT1 3LP

Tel: 028 9082 3100  
Email:  
HEDPlanning.General@communities-ni.gov.uk

Date: 26 September 2022

Dear Sir/Madam

Planning Application Ref.: LA03/2022/0752/O  
Location: 150m south west of 54 Templepatrick Road  
Ballyclare  
Proposal: Site for new dwelling and garage on a farm (CTY10)

**The Planning (General Development Procedure) Order (NI) 2015**

*As amended by The Planning (General Development Procedure) (Amendment) Order (Northern Ireland) 2016*

Thank you for your consultation on the above application, received by DfC on 08/09/2022

Historic Environment Division (HED) has reviewed the details of the application and provides summary comments as follows:

| Archaeology and Built Heritage  |
|---|
| <p>HED Historic Monuments:<br/>The buildings to be replaced are present on the First Edition Ordnance Survey Maps. However, they are currently in ruinous state. Therefore, HED (Historic Monuments) has assessed the application and on the basis of the information provided is content that the proposal is satisfactory to SPPS and PPS 6 archaeological policy requirements.</p> |

Should you seek further clarification on any of the issues raised in this response, please do not hesitate to contact the HED Planning Team.

Kind Regards

Historic Environment Division

**Issued on behalf of Department for Communities**



Department for

**Infrastructure**

An Roinn

**Bonneagair**

[www.infrastructure-ni.gov.uk](http://www.infrastructure-ni.gov.uk)

Antrim & Newtownabbey Planning Office

Network Planning  
Northern Division  
County Hall  
182 Galgorm Road  
Ballymena  
BT421QG

**Planning Authority Case Officer:** Gareth McShane  
**Planning Application Ref:** LA03/2022/0752/O  
**Date consultation received:** 08/09/2022  
**Date of Reply:** 20/09/2022  
**LOCATION:** 150m south west of 54 Templepatrick Road, Ballyclare.  
**PROPOSAL:** Site for new dwelling and garage on a farm. (CTY10).

If the proposal meets the requirements of Planning Authorities Protected Routes Policy for intensification of an existing access? DfI Roads advise the following to be included with any formal approval given;

### **CONDITION:-**

- A scale plan and accurate site survey at 1:500 (minimum) shall be submitted as part of the reserved matters application showing the access location to be constructed and other requirements in accordance with the attached RS1 form.

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

**DfI Roads Case Officer:** Patrick McErlane  
Network Planning

**Issued on behalf of the Divisional Planning Manager**





# DfI Roads

## DETAILED REQUIREMENTS FOR PUBLIC ROAD ACCESS

Form RS 1

PLANNING REF: LA03/2022/0752/O

LOCATION: 150m south west of 54 Templepatrick Road, Ballyclare.

The detailed access requirements for the above proposal are set out in the box below. A plan of not less than 1/500 scale incorporating these requirements must be submitted as part of the Reserved Matters application.

1. Layout to be in accordance with Diagram 2 overleaf.
2. Visibility Splays  $X = 4.5$  metres,  $Y = 160$  metres . To edge of carriageway. (Or the tangent point).
3. Width of Access 4.8 metres minimum for first 5m outside the road boundary.
5. Forward Sight Distance = 160 metres, both horizontally and vertically.
6. Minimum radii (if different from diagram) \_
7. Gradient of the access shall not exceed 1:12.5 (8%) over the first 5 metres outside the road boundary.
- Access position: To provide the above standards and in accordance with concept sketch layout plan.
- Other requirements: **Car parking to comply with current standards.**
0. SIGNED Development Control Manager                      DATE 20<sup>th</sup> September 2022.
1. The proposed access details shall also be in accordance with Development Control Advice Note 15 (2<sup>nd</sup> Edition) "Vehicular Access Standards" some portions of which are reproduced below for convenience.

Notes to be adhered to and detailed where appropriate.

### VISIBILITY SPLAYS

1. The area within visibility splays (both those beside the minor road and those required for forward visibility) must be cleared to provide a surface no higher than some 250 mm above the level of the adjacent carriageway and shall be retained and kept clear thereafter. Any pole or column materially affecting visibility must also be removed. No work shall commence on site until the visibility splays have been provided.
2. The line of any new fence or wall must be positioned behind the visibility splays. It is recommended that any new trees or shrubs be planted at least 3.0 m back from the visibility splays to allow for future growth and some species will require additional set back. All existing planting must be kept trimmed behind visibility splays.

### DRAINAGE

3. Drainage shall be provided where necessary to prevent water from the access flowing onto the public road. Similarly the existing road drainage must be accommodated where appropriate and measures must be taken to prevent road surface water from flowing onto the access. The appropriate drainage arrangements must be detailed on the plan.
4. Any open drains in the road verge shall be piped to the satisfaction of DFI Roads Service. Open drains behind the fence/hedge line shall be piped to the satisfaction of the Department for Infrastructure – Rivers Agency.

### GRADIENT

5. Where the vehicular access crosses a footway, the access gradient shall be between 4% (1:25) maximum and 2.5% (1:40) minimum and shall be formed so that there is no abrupt change of slope along the footway.

### GATES/SECURITY BARRIERS

6. Entrance gates, where erected, should be sited at least 5 metres from the edge of the carriageway. Where this is not possible, they shall be sited so that when open they do not project over the footway, verge, or carriageway.
7. In the case of industrial premises or other major accesses, gates or security barriers shall be located at a distance from the edge of the carriageway that will allow the largest vehicle likely to use the access to stop clear of the carriageway when the gates or barriers are closed.

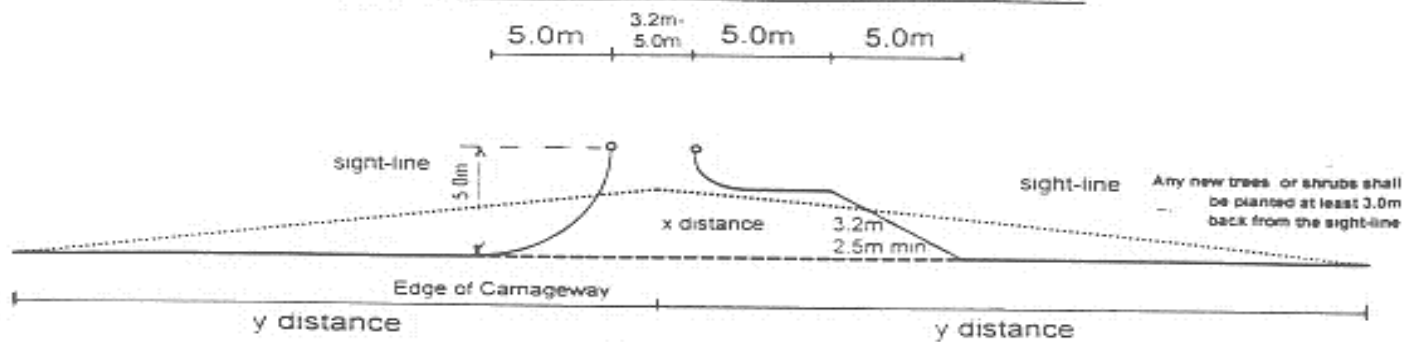
### PARKING/TURNING

8. The required vehicle parking and turning areas to be provided within the curtilage of the site.

### SEPTIC TANKS

9. Position of the septic tank to be shown. Drainage must not be discharged directly towards the public road or into any drain leading to the public road.

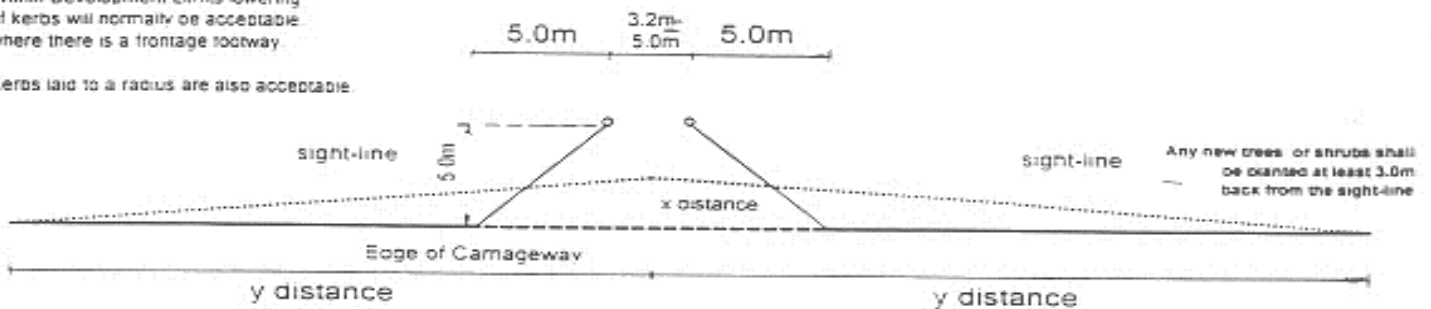
**DIAGRAM 1 : ACCESS FOR SINGLE DWELLING Option A**



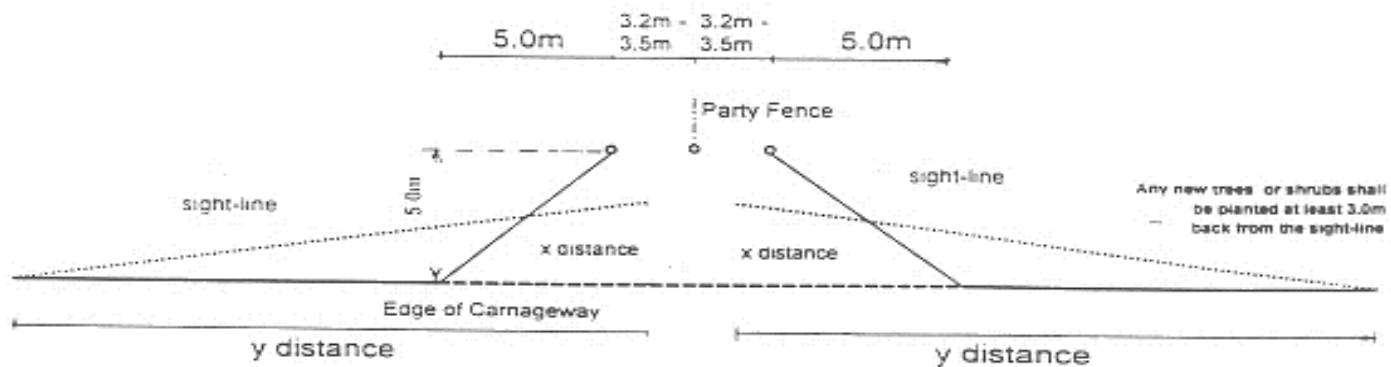
**DIAGRAM 2 : ACCESS FOR SINGLE DWELLING Option B**

Within Development Limits lowering of kerbs will normally be acceptable where there is a frontage footway.

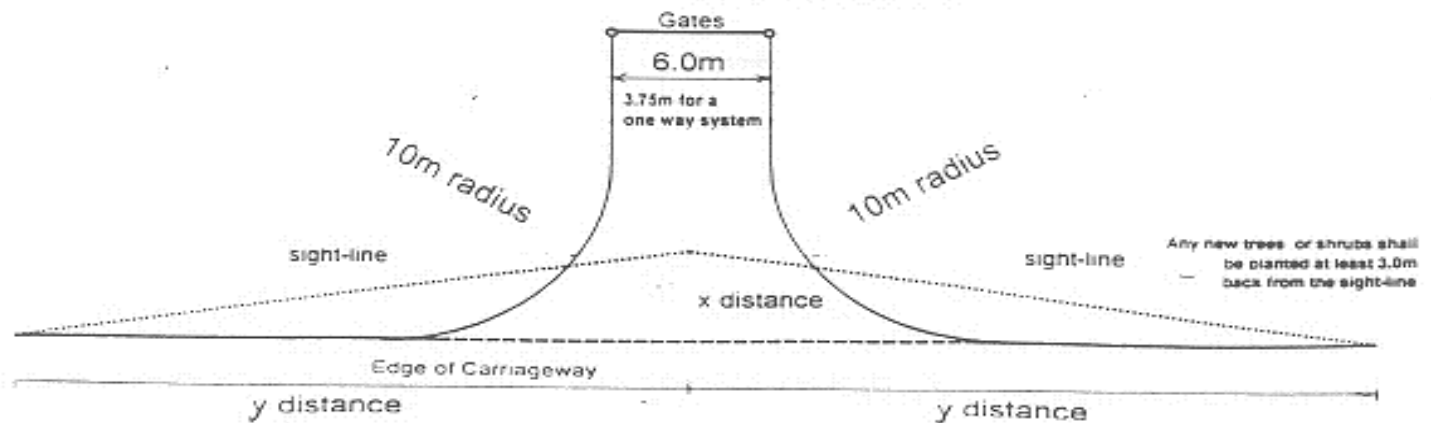
Kerbs laid to a radius are also acceptable.



**DIAGRAM 3 : ACCESS FOR PAIRED DWELLINGS**



**DIAGRAM 4 : OTHER ACCESSES**



## Planning Application Consultation (DC) Checklist

(To be returned via Planning Portal with Initial Consultation Response)

|  |                           |   |                  |
|--|---------------------------|---|------------------|
| Priority Road Name →                         | T'patrick Rd, Ballyclare. | Planning Ref →  | LA03/2022/0752/O |
| Application suitable for fast track process? | No                        | Site visited?   | Yes              |
| Transport Assessment Required?               | No                        | Note: Site visit not normally required for fast track process when:<br>- plans contain sufficient information, or<br>- site is known to case officer. |                  |

| Visibility Splays and Forward Sight Distances (DCAN 15):                              |                  |                    |                         |
|---|------------------|--------------------|-------------------------|
| Traffic speed (85%ile) on priority road →   | 59/60 mph        | Estimated/drive-by |                         |
| Speed limit →   | 60 mph           |                    |                         |
| Road Width (m) →  | 7.5m             | Verge Width (m) →  | Varies                  |
| Access  | Requirement (m)↓ | Available?         | Comment                 |
| X-distance →  | 4.5m             | Yes                |                         |
| Y-distance →  | 160m             | Yes                | Within verge both sides |
| Forward sight distance  | 160m             | Yes                |                         |
| Reasons for variations from standards, if required e.g. preservation of trees/hedges: |                  |                    |                         |
|   |                  |                    |                         |

| Infrastructure:                              | Comment / Required Standard ↓ |                      |
|--|-------------------------------|----------------------|
| Does 'Creating Places' apply?                | No                            |                      |
| Private Streets Determination required?      | No                            |                      |
| Additional infrastructure required?          | No                            |                      |
| Technical/Geotechnical Assessment reqd?      | No                            |                      |
| Car parking provision?                       | Yes                           | To be detailed at RM |
| DMRB relaxation/departure from standard?     | No                            |                      |
| Street furniture to be moved/removed?        | No                            |                      |
| Addnl street lighting required (RSPPG E072)? | No                            |                      |
| Gradients OK?                                | Yes                           |                      |
| Surface water and drainage provision OK?     | No                            | To be provided.      |



**Site Sketch:**

See plans.

Has 3<sup>rd</sup> Party Comment been received and considered?

No

**DfI Roads Recommendation on Application** (Case Ref:LA03/2022/0752/O)

|   | Tick (✓) | Reason   |
|---|----------|--|
| No objection to the proposal            |          |  |
| No objection, subject to Conditions     | ✓        | Visibility is within verge both sides (grass long) |
| No objection, with Informatives         |          |  |
| Further details required from applicant |          |  |
| Further analysis required               |          |  |
| Not acceptable                          |          |  |
| Additional comments, if any?            |          |  |

|   | Name                    | Grade      | Signature | Date     |
|---|-------------------------|------------|-----------|----------|
| <b>Case Officer:</b>  | <u>Patrick McErlane</u> | <u>PTO</u> |           | 20-09-22 |
| <b>Supervisory Officer:</b><br>(Required for all PS determined sites and 5% of all other sites) |                         |            |           |          |

Statutory Planning  
Consultation Response

This consultation response is valid for 18 months from date of return

Planning Application Reference:

LA0320220752O

Address:

150m SW of 54 Templepatrick road, Ballyclare

Type of Application:

Single Unit

Application Classification:

Single-Unit

Change of Use:

No

Number of Units (if available):

1

Date Issued by Planning Portal:

08/09/2022

Date of Return:

23/09/2022

Valid/extant Planning Ref:

Overall Planning Application Recommendation

Based on the responses stated below, NI Water recommends that this planning application is:  
Approved with Standard Planning Conditions and response specific conditions.

1. Is comment necessary in relation to Water and Sewerage Services?

Yes

Wastewater Service

2. Is connection to public foul sewerage system required?

No

3. Receiving Wastewater Treatment Works:

Not Applicable

3a. Status of receiving Wastewater Treatment Works:

Not Applicable



Statutory Planning  
Consultation Response

4. Is the proposed development in close proximity of a Wastewater Treatment Works or Wastewater Pumping Station?

Not Applicable

5. Is a public foul sewer in close proximity and available to serve this proposal?

Not Applicable

Statutory Planning  
Consultation Response

5a Is a public foul sewer traversing the development site?

No

Not Applicable

6. Is a connection to public surface system required?

No

6a. Is a public surface water sewer in close proximity and available to serve this proposal?

Not Applicable

No



Statutory Planning  
Consultation Response

6b. Is a public surface water sewer traversing the development site?

Not Applicable

Water Supply Service

7. Is connection to public water supply required?

Yes

▼

7a. Is a public water supply in close proximity and available to serve this proposal?

WS-01: There is a public water main within 20m of the proposed development boundary which can adequately service these proposals.

An application to NI Water is required to obtain approval to connect.  
Applications and guidance notes can be found at [www.niwater.com](http://www.niwater.com) at the following link - <https://www.niwater.com/services-for-developers/multi-unit-developments/water-services/new-water-connections/>

The above information will only be valid for a maximum period of 18 months from the date of this consultation response. Should Planning Approval not be granted within this period, a re-consultation will be required to review public water supply availability and to confirm NI Water’s recommendation of this development proposal.

7b. Is a public water supply traversing the development site?

No

▼

Not Applicable



Statutory Planning  
Consultation Response

Site Specific Comments

Trade Effluent:

Not applicable.

Grease Trap Installation:

Not applicable.

Oil/Petrol Chemical Interceptor  
Installation:

Not applicable.

NI Water would make the following site specific additional comments:

Proposed site for single dwelling under CTY10. Watermain available to serve the site.

Standard Planning Conditions

Planning Authority should refer to the following Standard Planning Conditions:

No development shall be commenced until a Sewer Adoption Agreement has been authorised by NI Water to permit a connection to the public sewer in accordance with the Water and Sewerage Services (Northern Ireland) Order 2006 and Sewerage Services Act (Northern Ireland) 2016

REASON: To prevent pollution and to ensure public safety. To ensure compliance with the Water and Sewerage Services (Northern Ireland) Order 2006 and the Sewerage Services Act (Northern Ireland 2016.

A formal water / sewer connection application must be made for all developments [prior to occupation], including those where it is proposed to re-use existing connections.

REASON: To prevent pollution and to ensure public safety. To ensure compliance with the Water and Sewerage Services (Northern Ireland) Order 2006 and the Sewerage Services Act (Northern Ireland 2016.

All services within the development should be laid underground.

REASON: In the interests of visual amenity.

Development shall not be occupied until the foul water drainage works on-site and off-site have been submitted to and approved by the relevant authority and constructed by the developer in line with approved design.

REASON: In the interest of public health.

Development shall not be occupied until the surface water drainage works on-site and off-site have been submitted, approved and constructed by developer and the relevant authority.

REASON: To safeguard the site and adjacent land against flooding and standing water.

Statutory water regulations are in force, which are designed to protect public water supplies against contamination, undue consumption and misuse. All internal plumbing installation must comply with the current Water Supply (Water Fittings) Regulations (Northern Ireland).

Applicants should contact NI Water's Water Fittings Regulations team via [waterline@niwater.com](mailto:waterline@niwater.com) if they have any queries.

Statutory Planning  
Consultation Response

Additional Informatives

To ensure compliance with the Water and Sewerage Service (NI) Order 2006 (as amended Water and Sewerage Services Act (Northern Ireland) 2016), consultation with NI Water is essential at an early design stage with regard to the following matters;

|   |   |
|---|---|
| Foul and Surface Sewerage Requirements: | Where the sewers within the proposal serves two or more properties the developer must enter into an Agreement for Adoption of Sewers under Article 161 of the above Order. Sewers must be designed to meet the criteria as set out in the current Sewers for Adoption Northern Ireland specification. A connection to the public sewer will not be permitted until the Article 161 Agreement has been authorised by NI Water.                     |
| Water Supply Requirements:              | If your proposal is for more than 1 property it may be eligible for the provision of a public watermain. Single property if accessed directly from a public road / area. For multiple properties each must have an individual supply direct from the proposed public watermain under Article 76 of the above order.   |
| Septic Tank Emptying:                   | For single properties where there is no sewer NI Water provide an annual septic tank desludge/emptying service. Further information is available by contacting Waterline on 03457 448800 or <a href="mailto:waterline@niwater.com">waterline@niwater.com</a> . Desludge/emptying request is also available via NIW Self Service Portal at <a href="https://selfservice.niwater.com/DesludgeOpen">https://selfservice.niwater.com/DesludgeOpen</a> |

The following may also apply:

|   |
|---|
| Upon receipt of this statutory consultation and to discuss any areas of concern, the applicant is advised to contact Waterline on 03457 440088 or <a href="mailto:waterline@niwater.com">waterline@niwater.com</a> . Alternatively, guidance notes and application forms are available to download from NI Water website at <a href="https://www.niwater.com">https://www.niwater.com</a> |
| If during the course of developing the site the developer uncovers a pipe not previously evident, NI Water should be contacted immediately via Waterline 03457 440088. NI Water will carry out an investigation, and, provide guidance and direction in respect of any necessary measures to deal with this issue.  |

Overall Planning Application Recommendation

Based on the responses stated below, NI Water recommends that this planning application is:

|  |
|--|
| Approved with Standard Planning Conditions and response specific conditions. |
|--|

|                                  |  |
|----------------------------------|--|
| Issued on behalf of NI Water to: | Antrim and Newtownabbey Borough Council  |
| Issued by:                       | Ronan Higgins  |
| Email:                           | <a href="mailto:InfrastructurePlanning@niwater.com">InfrastructurePlanning@niwater.com</a> |
| Telephone Number:                | 03457 440088   |



# Application for permission to develop land

## Official Use

Application No.

LA03/2022/0752/0

Fee Received

£

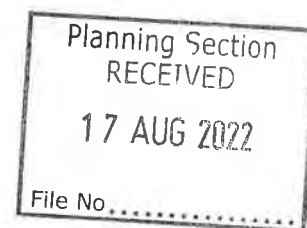
Receipt No.

**Please read the notes below first – for additional guidance please see the “Explanatory Notes on Applying for Planning Permission, Approval of Reserved Matters and Other Planning Consents” and “Notes on Completion of Form P1” on the DfI website (<https://www.infrastructure-ni.gov.uk/>) or discuss any queries with your local planning office.**

Please note that when you submit a planning application the information, including plans, maps and drawings, will appear on the Planning Register which is publicly available and, along with other associated documentation (with the exception of personal telephone numbers, email addresses or sensitive personal data), will also be published on the internet on the Public Access site (<http://epicpublic.planningni.gov.uk/publicaccess/>). The Department for Infrastructure and the 11 Councils will process your information in line with the General Data Protection Regulations (GDPR) requirements. A copy of the full Privacy Statement is available at [www.infrastructure-ni.gov.uk/dfi-privacy](http://www.infrastructure-ni.gov.uk/dfi-privacy). To request a hard copy, please contact the relevant Data Protection Officer as listed in the statement.

**Important: This form should NOT be used for the following types of application:**

- Householder Application (see form PHD)
- Section 54 - Develop land without compliance with conditions (see form RVC1)
- Listed Building Consent (see form LB1)
- Conservation Area Consent (see form PCAC1)
- Advertisement Consent (see form A1)
- Certificate of Lawful Development (see forms LDC1 or LDC2)



## 1a. Applicant's name and address

## 1b. Agent's name and address (if any)

|           |                       |           |                |
|-----------|-----------------------|-----------|----------------|
| Name:     | Mr J Woodside         | Name:     | RJStudio       |
| Address:  | 54 Templepatrick Road | Address:  | 1 Sloans Court |
|           |                       |           | Queen Street   |
| Town:     | Ballyclare            | Town:     | Ballymena      |
| Postcode: | BT399TX               | Postcode: | BT422BD        |
| Tel:      |                       | Tel:      | 07711677900    |
|           |                       | Ref. No.: |                |

## About the Application Site

2. Give the full postal address of the site to be developed (outline in red on site location map and give townland if known)

150M South West of 54 Templepatrick Road Ballyclare

3. What is the area of the site in hectares? 0.45 approx.

4. State the present use of the land / buildings (if vacant state last use and date last use ceased)

old dwelling and sheds - extension of existing farmyard



## About your Development Proposal

5. Please give details of the proposed development, including purpose for which the land / buildings are to be used. (It is vital that a full and accurate description of the proposal is provided. Give as much detail as possible including number of houses / apartments etc)

~~new dwelling and garage - dwelling on farm CTY 10~~  
**Site for new dwelling and garage on a farm (CTY 10)**

6. Do the current proposals involve: (tick as appropriate)

|   |                                     |                                      |                          |
|---|-------------------------------------|--------------------------------------|--------------------------|
| new buildings                                 | <input checked="" type="checkbox"/> | alteration or extension of buildings | <input type="checkbox"/> |
| change of use                                 | <input type="checkbox"/>            | retention of development             | <input type="checkbox"/> |
| development without complying with conditions | <input type="checkbox"/>            | other operational development        | <input type="checkbox"/> |

### 7. Pre-Application Discussion

Have you received any pre application advice from your local council in relation to this proposal?

Yes ☐ No ☒ If Yes please provide Reference No:

### 8. Major Development

Does the proposal involve a class of development listed in the Schedule of The Planning (Development Management) Regulations (Northern Ireland) 2015?

Yes ☐ No ☐

If Yes has a Proposal of Application Notice been submitted for this development?

Yes ☐ No ☐ If Yes please provide Reference No:

If a Proposal of Application Notice has been submitted, has a Pre-Application Community Consultation report been submitted along with this application?

Yes ☐ No ☐

**NOTE: Failure to submit a Pre-Application Community Consultation Report with any Major development will result in your application being returned.**

9. Is this a temporary permission? Yes ☐ No ☒

If yes, please state how long the permission is required for and why:

10. Please tick the appropriate box below to indicate the type of application:

- Outline permission ☒
- Full permission ☐
- Renewal\* ☐
- Reserved Matters\* ☐

\* Please provide the reference number of the previous application and date when permission was granted

Ref. No.:

Date:

11. Are you aware of a previous application for a similar proposal on this site? No ☒ Yes ☐

If **Yes**, give Ref No. of previous application

12. Do the access arrangements for this development involve: (tick as appropriate)

- Use of an existing unaltered access to a public road? ☐
- Construction of a new access to a public road? ☐
- Alteration of an existing access to a public road? ☒

Is the access for:

Vehicular Use

☐

Pedestrian Use

☐

Both

☒

**NOTE: If you propose to construct a new access or alter an existing one you must include full drawings with your application.**

13. Do you own or control any adjoining land?

Yes

☒

No

☐

If **Yes**, outline in blue on site location map

14. Are you aware of the existence on the application site of any wildlife protected under the Wildlife (NI) Order 1985 (as amended)? Refer to the Department of Agriculture, Environment and Rural Affairs website ([www.daerani.gov.uk](http://www.daerani.gov.uk))

Yes

☐

No

☒

If **Yes**, what species?

15. Is there a **public** right of way within or adjoining the site of the proposed development?

Yes

☐

No

☒

If **Yes**, show in green on your site location map

16. What is the source of the water supply?

Mains

☒

Other

☐

If **Other**, please specify

17. How will the surface water be disposed of?

soakaways

18. How will foul sewage be disposed with?

Mains

☐

Septic Tank

☒

Other

☐

If **Other**, please specify

### 19. Assessment of Flood Risk

Is the site within an area of known risk of flooding?

Yes

☐

No

☒

**NOTE: If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application may be determined. You may wish to contact your local planning office for advice on what information may be required.**

20. Does the application relate to a proposal for a dwelling for a on a farm? (tick yes or no)

Yes

☐

No

☒

If Yes, form P1C must be completed

**If your application relates to Non Residential Development please complete questions 21-25, if not go to question 26**

21. In the case of industrial development, give a brief description of the process, products and type of plant and machinery to be operated.

22. What is the anticipated daily water requirement?

m<sup>3</sup>

23. What is the nature, volume and proposed means of disposal of any trade effluents or trade refuse?

24. Please detail floorspace as indicated below

| Floorspace uses | Existing area (m <sup>2</sup> ) |     | Proposed addition or replacement (m <sup>2</sup> ) |     | Total |     |
|-----------------|---------------------------------|-----|--|-----|-------|-----|
|                 | Gross                           | Net | Gross  | Net | Gross | Net |
| Production      |                                 |     |  |     |       |     |
| Sales           |                                 |     |  |     |       |     |
| Offices         |                                 |     |  |     |       |     |
| Storage         |                                 |     |  |     |       |     |
| Ancillary uses  |                                 |     |  |     |       |     |
| Total           |                                 |     |  |     |       |     |

25. Indicate in the grids below answers to the following

| Average No. of vehicles at premises daily from | Existing | Expected increase | Total |
|--|----------|-------------------|-------|
| Staff  |          |                   |       |
| Visitors/Customers                             |          |                   |       |
| Goods  |          |                   |       |

| Average No. of persons attending premises daily | Existing | Expected increase | Total |
|---|----------|-------------------|-------|
| Employees                                       |          |                   |       |
| Others Attending*                               |          |                   |       |
| Total   |          |                   |       |

\* Others attending include visitors, customers, diners, spectators, pupils etc.

## 26. Council Employee / Elected Member Interest

Are you / the applicant / applicant's spouse or partner, a member of staff within the council or an elected member of the council?

Yes ☐ No ☒

Or are you / the applicant / the applicant's spouse or partner, a relative of a member of staff in the council or an elected member of the council or their spouse or partner?

Yes ☐ No ☒

If you have answered yes, please provide details (name, relationship and role):

## Planning Application Certificate

27. - Fill in ONE of the following certificates as required under Section 42 of the Planning Act (Northern Ireland) 2011. This form constitutes a statement of ownership, not proof of ownership.
- If you are applying for Approval of Reserved Matters following a grant of outline permission a certificate is NOT required.

### CERTIFICATE A

I hereby certify that the accompanying application is made by or on behalf of MR J WOODSIDE  
(Please use BLOCK LETTERS)

Who is in actual possession of every part of the land to which the said application relates and is entitled to  
\*a fee simple ~~absolute/a fee tail/a life estate/a tenancy of which at least 40 years remain unexpired in the~~  
~~land~~. \*You **must** delete words which do not apply.

Signature of ~~applicant~~/agent [REDACTED] Date 12.08.2022

or

### CERTIFICATE B

I hereby certify that the accompanying application is made by or on behalf of \_\_\_\_\_  
(Please use BLOCK LETTERS)

Who is the trustee of a trust or settlement which affects every part of the land to which the accompanying application relates and that at the date of the application:

- (a) a beneficiary under the trust or settlement is in the actual possession of every part of the land; and  
(b) no person other than a beneficiary under the trust or settlement is entitled to enter into the actual possession of any part of the said land within a period of 40 years.

Signature of applicant/agent \_\_\_\_\_ Date \_\_\_\_\_

or

### CERTIFICATE C

I hereby certify that the §requisite notice of the accompanying application has been given by or on behalf of \_\_\_\_\_ (Please use BLOCK LETTERS)

to any person, who at the beginning of the period of 21 days ending with the date of the said application was, in relation to all or any part of the land affected by the application:

- (a) a person then in actual possession;  
(b) the trustee of a trust or settlement where a beneficiary under the trust or settlement was in actual possession and no person other than such a beneficiary was entitled to enter into actual possession within a period of 40 years; and  
(c) a person [not being a person falling within (a) or (b)] entitled to enter into actual possession within a period of 40 years.

The persons upon whom notice was served are:

| Name and Address | Interest | Date of service of notice |
|------------------|----------|---------------------------|
| _____            | _____    | _____                     |
| _____            | _____    | _____                     |
| _____            | _____    | _____                     |

Signature of applicant/agent \_\_\_\_\_ Date \_\_\_\_\_

§ Copies of the requisite notice (Form P2A) may be obtained from your local planning office

or

**CERTIFICATE D**

1. I hereby certify that the person making the accompanying application:

(a) is unable to issue a certificate in accordance with either Section 42(1)(a) or (b) of the Planning Act (Northern Ireland) 2011;

(b) has made due enquiries and is of the opinion that he is unable to issue a certificate which would satisfy the requirements of Section 42(1)(c) of the said Act for the following reasons;

(c) has given the requisite notice of the application to the undermentioned persons who, at the beginning of the period of 21 days ending with the date of the said application, were in the actual possession of all or part of the land to which the application relates, namely:

Name and Address:

Date of service of notice:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. Notice of the said application has been published in the \_\_\_\_\_ on \_\_\_\_\_ and a copy of the newspaper in which the notice appeared is enclosed.

Signature of applicant/agent \_\_\_\_\_ Date \_\_\_\_\_

§ Copies of the requisite notice (Form P2A) may be obtained from your local planning office.

**WARNING:** Any person who knowingly or recklessly issues this certificate containing a statement which is false or misleading is guilty of an offence and liable on summary conviction to a fine.

## Statutory Neighbour Notification of Planning Application

*You are not required to notify the occupiers listed below. This will be done by the Council, or as the case may be, the Department for Infrastructure.*

**28.** Please give the address of any identified occupiers of buildings on neighbouring land. An 'identified occupier' is the occupier of premises within a 90 metre radius of the boundary of the proposed application site, provided they adjoin the application site. 'Neighbouring land' is land which directly adjoins the application site, or which would adjoin it but for an entry or road less than 20 metres in width. Where identified occupiers of a building on neighbouring land have to be notified and the building is in multiple occupation give the addresses of all occupiers.

|             |  |             |  |
|-------------|--|-------------|--|
| a) Address: |  | b) Address: |  |
|             |  |             |  |
| Town:       |  | Town:       |  |
| Postcode:   |  | Postcode:   |  |
| c) Address: |  | d) Address: |  |
|             |  |             |  |
| Town:       |  | Town:       |  |
| Postcode:   |  | Postcode:   |  |
| e) Address: |  | f) Address: |  |
|             |  |             |  |
| Town:       |  | Town:       |  |
| Postcode:   |  | Postcode:   |  |
| g) Address: |  | h) Address: |  |
|             |  |             |  |
| Town:       |  | Town:       |  |
| Postcode:   |  | Postcode:   |  |
| i) Address: |  | j) Address: |  |
|             |  |             |  |
| Town:       |  | Town:       |  |
| Postcode:   |  | Postcode:   |  |

*If there is not enough space please list any additional addresses on a separate sheet.*

## Fee Payable

**29.** Please read 'Planning Fees Explanatory Notes for Applicants' available on the [DfI website](#) and submit the correct fee as set out in the scale of fees in the current Fee Regulations.

Please give details of the fee category/ies

2

I enclose a cheque / postal order no.

telephone/Nigel-07703293565

for the sum of £

433.00

Cheques or postal orders should be made payable to your relevant council, or as the case may be, the Department for Infrastructure and crossed 'Not negotiable, A/C Payee only'.

**30.** Sections 4 and 5 of the 'Planning Fees Explanatory Notes for Applicants' provide further information on the fee exemptions/reductions that are available to applicants, **subject to certain conditions**, and the **evidence** which is required to be submitted.

Do you qualify for a reduced or nil fee? (tick as appropriate)

- ☐ The application is for the extensions / alterations to a disabled person's dwelling house to improve access, safety or comfort.
- ☐ The application is for the carrying out of works for the purpose of providing a means of access for disabled persons to a public building.
- ☐ The application relates to the provision of community facilities (including sports grounds) and playing fields and has been made by, or on behalf of, a non-profit making club, society or other organisation.
- ☐ The application is to renew planning permission where the existing approval has not yet expired and therefore a reduced fee of 25% of the normal fee applies.  
If **Yes**, please provide the Ref No. of the existing approval:

## Declaration

The information \*I / we have given in this Form P1 and accompanying plans is correct and complete to the best of my knowledge and belief.

\*I / We apply for planning permission for the development described in this application and the accompanying plans.

Signature of \*~~Applicant~~/Agent  Date 12.08.2022

\* Delete as appropriate



## Checklist

It is very important that you check to ensure that all of the requirements listed have been satisfied before submitting your application. Please note that failure to comply may result in your submission being returned or the processing of the application being delayed until all relevant information is submitted

### Forms

Please tick the boxes to indicate enclosures

Have all forms been completed fully, with the correct number of copies all duly signed and dated?

☒

Have you completed the certificate of ownership section with the appropriate parts deleted? (Only one section A, B, C or D should be fully completed. If required, please refer to page 3 of "Explanatory Notes on Applying for Planning Permission, Approval of Reserved Matters and other Planning Consents")

☒

Have you listed all of the neighbours who should be notified?

☒

### Plans/Drawings

Have you included Ordnance Survey based site location plans to scale, clearly showing the site outlined in red, ensuring that lands required for access to the public road and for the septic tank are included within the red line?

☒

Have you submitted the required number and type of fully annotated detailed drawings to an appropriate scale?

Site Location Plan (x 4 copies)

☒  
☐  
☐

Site layout/Block Plan (x 4 copies)

Floor Plans (x 4 copies)

Elevations (x 4 copies)

Cross Sections (x 4 copies)

Existing & Proposed Levels (x 4 copies)

☐  
☐  
☐

### Fee

Have you enclosed the correct fee?

☒

Have you enclosed all necessary supplementary documents? (e.g. supporting information so as to avail of nil fee)

☐

### Reserved Matters

If you are applying for Reserved Matters approval following the grant of Outline permission, are all the conditions of the Outline approval met? (If not, the Reserved Matters approval cannot be sought and Full permission should be sought instead)

☐

## Fee

With most planning applications a fee is payable. It is essential that the correct fee is enclosed to avoid your application being returned. Please refer to 'Planning Fees Explanatory Notes for Applicants'.

**You should note that during processing, further information and details may be requested to enable us to determine your application.**

## Supplementary Forms

Answer Questions (i) to (iii) below to check if you need to include supplementary forms with your planning application. If you answer 'No' go to the next Question. If you answer 'Yes' complete the appropriate supplementary form. All supplementary forms are available on the DfI website (<https://www.infrastructure-ni.gov.uk/>)

If you do need supplementary forms, tick the boxes below when you've completed them.

(i) Does your proposal involve the carrying out of any quarrying/mineral extraction?

No ☒ Yes ☐ Form P1B (2 copies) ☐

(ii) Is your proposal for a dwelling on a farm?

No ☒ Yes ☐ Form P1C (3 copies) ☐

(iii) Does your proposal relate to a creche / day nursery, or nursery / residential home?

No ☒ Yes ☐ Form P1D (2 copies) ☐

If you need any supplementary forms, fill them in **BEFORE** completing the rest of this form. Please use blue or black ink to fill in your planning application forms and complete all sections in BLOCK letters.

**NOTE:** For certain types of development certain additional information may be required e.g. a Transport Assessment, Flood Risk Assessment etc.

## Additional Applications

When proposing to undertake a development there may be other forms of planning control to consider. Answer Questions (iv) - (vii) below to check if you need to submit an additional application. If you answer 'Yes' complete the appropriate application and submit it to the relevant local Area Planning Office, or as the case may be, the Department.

(iv) Does your proposal relate to the alteration or demolition of a listed building?

No ☒ Yes ☐

Submit an application for Listed Building Consent, using Form LB1

(v) Does your proposal relate to the demolition of a building within a Conservation Area?

No ☒ Yes ☐

You may need to submit an application for Conservation Area Consent, using Form PCAC1

(vi) Does your proposal involve the use or storage of any Hazardous Substances, which are subject to the controls set out in the Planning (Hazardous Substances) (No. 2) Regulations (Northern Ireland) 2015?

No ☒ Yes ☐

Submit an application for Hazardous Substances Consent

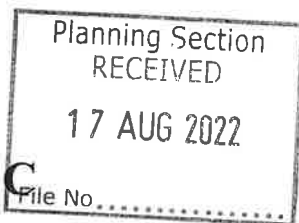
(vii) Does your proposal involve the display of any advertisements?

No ☒ Yes ☐

You may need to submit an application for Advertisement Consent using Form A1

**NOTE:** You may also need to apply for approval under the Building Regulations, on forms available from your local Council.

**Form P1C**



| Official Use            |                  |
|-------------------------|------------------|
| Application No.:        | LA03/2022/0752/0 |
| Date Received:          | _____            |
| DAERA ID No.:           | _____            |
| DAERA Confirmed (date): | _____            |

## PLANNING APPLICATION FOR A DWELLING ON A FARM

Please note that when you submit a planning application the information, including plans, maps and drawings, will appear on the Planning Register which is publicly available and, along with other associated documentation (with the exception of personal telephone numbers, email addresses or sensitive personal data), will also be published on the internet on the Public Access site (<http://epicpublic.planningni.gov.uk/publicaccess/>). The Department for Infrastructure and the 11 Councils will process your information in line with the General Data Protection Regulations (GDPR) requirements. A copy of the full Privacy Statement is available at [www.infrastructure-ni.gov.uk/dfi-privacy](http://www.infrastructure-ni.gov.uk/dfi-privacy). To request a hard copy, please contact the relevant Data Protection Officer as listed in the statement.

In addition to the information provided on the P1 planning application form, the following information should be submitted when applying for planning permission for a dwelling on a farm under Policy CTY 10 of Planning Policy Statement (PPS) 21: Sustainable Development in the Countryside.

For the purposes of this policy, 'active farming' under CTY 10 of PPS 21 refers to the production, rearing or growing of agricultural products including harvesting, milking, breeding animals and keeping animals for farming purposes, or maintaining the land in good agricultural and environmental condition. This is in line with EU and DAERA legislation.

**It is important that you provide sufficient information with your application to allow us to determine it as soon as possible**

Applicants should note that there is no requirement under Policy CTY 10 to be a full time farmer or to prove the economic viability of a farm.

What must be demonstrated in terms of the above definition is that the farm business is currently active and has been established for at least 6 years.

An applicant may apply for a house on an active farm even though they are not the owner of the land. **However, they must provide the relevant details of the farm business on this form which should be signed by the owner(s) of the business to confirm the details are correct.**

It must also be noted that planning permission relates to the land and development cannot be carried out without permission from the actual landowner.

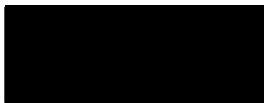
Please read policy CTY 10 – Dwellings on Farms fully before completing this form

**Please**

- **fully complete and send 3 copies of the form.**
- **send 3 copies of 1/2500 location plan showing clearly the site outlined in red**
- **send 3 copies of up-to-date business owned maps to the scale of 1/10,000 showing clearly:**
  - **All land owned**
  - **All land taken in lease/conacre**
  - **Position of the established group of buildings on the farm;**
  - **Position of any other farm buildings**

(The information provided below will be verified by the Department of Agriculture, Environment and Rural Affairs [DAERA])

Q1.

|   |  |                                |
|---|--|--------------------------------|
| (a) Name and address of applicant   | MR JAMES WOODSIDE<br>54 TEMPLEPATRICK ROAD<br>BALLYCLARE<br>BT 39 9TX                |                                |
| (b) Name and address(es) of the owner(s) of the active farm business  | MR JAMES WOODSIDE<br>54 TEMPLEPATRICK ROAD<br>BALLYCLARE<br>BT 39 9TX                |                                |
| (c) When was this farm business established?  | 21 <sup>ST</sup> NOVEMBER 1939   |                                |
| (d) Do you have a DAERA (formerly DARD) Farm Business Identification Number?                                      | YES<br><input checked="" type="checkbox"/>   | NO<br><input type="checkbox"/> |
| (d) (i) If YES, please enter your DAERA Farm Business Identification Number (this number should begin with a "6") |  |                                |
| (d) (ii) Enter date of allocation   | 19 <sup>TH</sup> NOVEMBER 1991   |                                |
| (e) Do you submit a Single Farm Payment or other farm subsidies to DAERA (formerly DARD)?                         | YES<br><input checked="" type="checkbox"/>   | NO<br><input type="checkbox"/> |

**THIS SECTION SHOULD BE COMPLETED IN ALL CASES**

- Q2. In order to establish the length of time the farm business has been active it will be necessary to provide any other DAERA (formerly DARD) Applicant Reference Numbers and any other evidence in support of your application.**

NOT APPLICABLE.

- Q3. Is there any other relevant information of an active farm business that you wish to submit? If so, please attach or detail below or mark "NOT APPLICABLE"**

NOT APPLICABLE

- Q4. In terms of an active equine business is there any relevant information that you wish to submit? If so, please attach or detail below or mark "NOT APPLICABLE"**

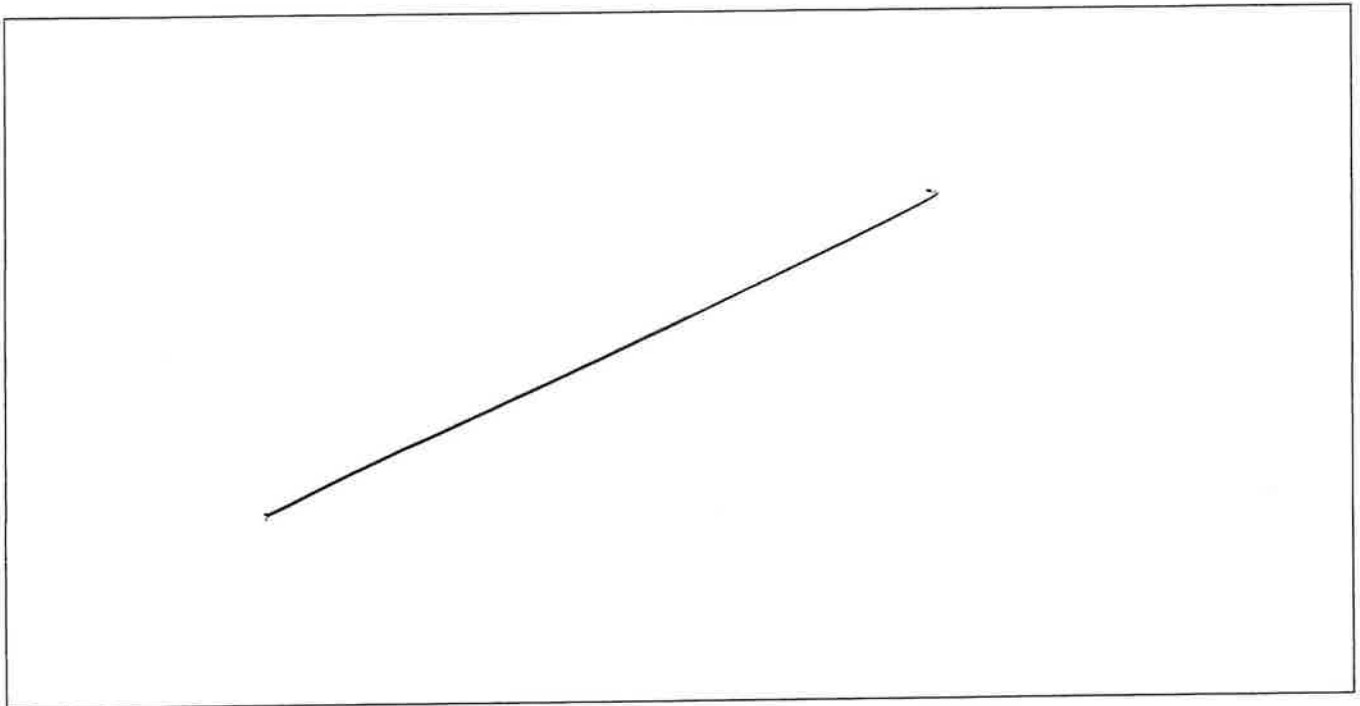
NOT APPLICABLE

- Q5. Please provide details of any dwellings or development opportunities sold off from the farm holding since 25 November 2008.**

NOT APPLICABLE

**Q6. Where the proposal is for an alternative site (in relation to CTY 10 criterion (c)) please provide:**

- (1) information to demonstrate that no other site is available; and**
- (2) either (a) demonstrable health and safety reasons or (b) verifiable plans to expand the farm business at the existing building group(s).**



I / ~~we~~ hereby confirm that the information provided in this form is accurate

**Signature(s) of applicant:** \_\_\_\_\_

**Name (Block Capitals):**

JAMES WOODSIDE

**Date:**

20th July 2022

If the owner of the farm business is different from the applicant please complete the following section:

**Signature(s) of Owner:** \_\_\_\_\_

**Name (Block Capitals):**

JAMES WOODSIDE

**Date:**

20th July 2022



Department for

**Infrastructure**

An Roinn

**Bonneagair**

[www.infrastructure-ni.gov.uk](http://www.infrastructure-ni.gov.uk)

## **DfI Rivers Planning Advisory & Modelling Unit**

Antrim and Newtownabbey  
Local Planning Office  
Mossley Mill  
Carnmoney Road North  
Newtownabbey  
BT36 5QA

44 Seagoe Industrial Estate  
CRAIGAVON  
Co. Armagh  
BT63 5QE  
Tel: 028 38 399118

Your Ref: LA03/2022/0752/O

Our Ref: IN1-22-11080

Date: 27<sup>th</sup> September 2022

Dear Sir/Madam,

### **Re: Site for new dwelling and garage on a farm (CTY10)**

With reference to your consultation dated 8<sup>th</sup> September 2022, DfI Rivers Planning Advisory & Modelling Unit (PAMU) having considered the proposal in line with the revised Planning Policy Statement 15 "Planning and Flood Risk" dated September 2014 has the following comments regarding the proposal:

There are no watercourses which are designated under the terms of the Drainage (Northern Ireland) Order 1973 within this site. An undesignated watercourse traverses the access lane leading to the site location. The site may be affected by other undesignated watercourses of which we have no record.

**FLD1 - Development in Fluvial and Coastal Flood Plains** – The Flood Hazard Map (NI) indicates that the development does not lie within the 1 in 100 year fluvial or 1 in 200 year coastal flood plain.

**FLD2 - Protection of Flood Defence and Drainage Infrastructure** – Not applicable to this site based on the information provided.

**FLD3 - Development and Surface Water** - In accordance with revised PPS 15, Planning and Flood Risk, FLD 3, Development and Surface Water (Pluvial) Flood Risk outside Flood Plains, a Drainage Assessment is required **if** an additional hard-standing of 1000m<sup>2</sup> or greater is to occur.

Where a Drainage Assessment is not required but there is potential for surface water flooding as indicated by the surface water layer of the Strategic Flood Map, it is the developer's responsibility to assess the flood risk and drainage impact and to mitigate the risk to the development and any impacts beyond the site.



The private soakaways system proposed have no outlet and drainage is via percolation through the soil strata. Commenting on the efficacy of the proposed soakaways system is outside DfI Rivers area of knowledge and expertise.

DfI Rivers advises the Planning Authority to engage the services of those who are expert in this area to provide an assessment of this proposal.

The effectiveness and function of the proposed attenuation method is reliant on the soakaways system being designed and constructed in accordance with the correct industry specifications and having a long-term maintenance programme in place to ensure its ongoing function.

**FLD4 - Artificial Modification of watercourses** – Not applicable to this site based on the information provided.

**FLD5 - Development in Proximity to Reservoirs** – Not applicable to this site.

**Under the terms of Schedule 6 of the Drainage (NI) Order 1973, any proposals either temporary or permanent, in connection with the development which involves interference with any watercourses such as culverting, bridging, diversion, building adjacent to or discharging storm water etc requires the written consent of DfI Rivers. This should be obtained from the Eastern Regional Office at Ravarnet House, Altona Road, Largymore, Lisburn BT27 5QB.**

### **Planning Informatives**

In addition to the foregoing points, DfI Rivers PAMU would recommend that planning informatives as follows should be included in any planning decisions.

Informative Numbers: E01, E02, E03, & E06

I trust you find the foregoing helpful and should you require any further information or clarification please contact me at the above address.

Please quote our reference number above on any future correspondence.

Anthony Harbinson  
**Planning Advisory & Modelling Unit**



Department for

**Infrastructure**

An Roinn

**Bonneagair**

[www.infrastructure-ni.gov.uk](http://www.infrastructure-ni.gov.uk)

ACEmap®

Single

Printed: 09/05/2022

Customer Ref:

Centre Point (Easting, Northing): 330576, 391813

Scale: 1:2,500

Order no. ORD118924

Plan No. 09704SW

Planning Section  
RECEIVED

17 AUG 2022

File No. 330999

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Drawing

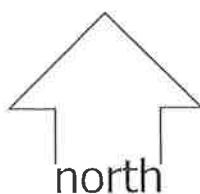
Number 01



LA03 / 2022 / 07 52

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LOCATION  
PLAN



ROY GREER  
MCIAT

**studio**  
architectural design studio

01 SLOANS COURT QUEEN STREET  
BALLYMENA BT42 2BD

telephone 07711677900  
e-mail roy@rjstudio.biz  
scale 1/2500 date 08/2022

150m south west of  
54 templepatrick road ballyclare  
DWELLING AND GARAGE

LOCATION PLAN  
2213LP

map at the time of publication. Land & Property Services cannot, however, accept  
attention, the amendment of any future publication as appropriate shall be entirely  
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Offer of support to Planning Reference : LA03/2022/0609/F

The Planning Department state that we have not provided sufficient information under Refusal Reason 1 to confirm the building is necessary

Rebuttal: The need for the shed was outlined in the Statement of Case, however at no time did Planning Department ever come back to us for more information. DAERA have confirmed in their consultation response that my father is a category 1 farmer, meaning that while he is a small farmer it is still a full time occupation amounting to at least 1900 hours per year. Without the shed there would be no means to secure his machinery which is an ongoing security issue for all farmers given the continued rise of robberies in the farming and rural community. He has four tractors, a cattle trailer, a silage trailer, an open sided trailer and other machinery including ploughs. Should the proposal be refused there would also be no facilities to undertake livestock handling for such means as TB testing, calving and animal treatment which would create an animal welfare issue. Similarly biosecurity would be an issue without the shed, as cattle would have to be transported to another farm. Finally without the shed there would be significantly increased transport risks and costs by having to move livestock to another farm that had cattle handling facilities. Therefore, the sustainability of my fathers farm enterprise is dependent on having such a facility as this shed.

Further amplification of the reason this shed is essential to continue as an active farm business that has existed for over 41 ears:

My father will be [REDACTED]

[REDACTED] Farming uhas been his life long passion and now more than ever working in the fresh air provides him with the lifeline he requires as [REDACTED]

If this shed is to be removed he now faces the stress of:

- 1) A two hour return journey from Straid to Islandmagee
- 2) The physical effort required to load an entire herd for veterinary testing, loading and transporting sick animals and cows with calving difficulties, causing unnecessary stress to the animals themselves
- 3) The daily commutes required to check on the health of sick livestock

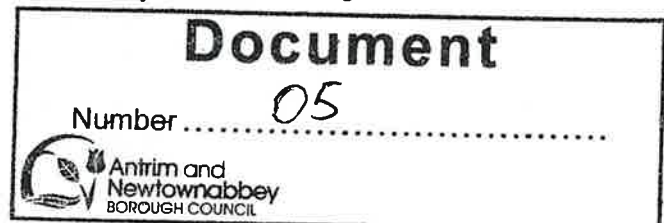
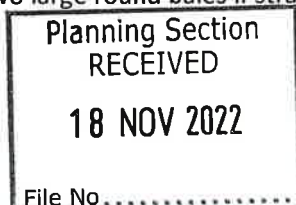
It makes no sense to subject a sick animal to a long journey in a cattle trailer when the more humane course of action is to simply walk it into the shed in Irish Hill Road, which has cattle handling facilities, on the land on which it is grazing.

My fathers herd number is [REDACTED] farm business ID [REDACTED]

My father breeds pedigree Irish Moiled, Dexter, Belted Galloway and Highland cattle. At present he has 20 cattle of which 14 are in calf. This agricultural shed provides firstly essential storage for farm feed and equipment.

At present it contains:

- 100 bales if hay and two large round bales if straw
- Animal fees
- A cattle crush
- A cattle trailer
- An open trailer
- A car cattle trailer
- Four tractors (a tractor with front loader, a tractor for ploughing, a tractor with cement mixer and a classic tractor that my father has restored)
- A tractor tipping trailer



These pedigree cattle are hardy outdoor cattle however this shed plays an essential part of their welfare.

Compulsory veterinary testing is carried out in the shed and at times of TB outbreaks in the area the cattle cannot be taken to other farms for fear of biosecurity. Cattle must be properly contained in a cattle crush to ensure safety of both vets and handlers. To ensure the welfare of sick animals this shed is also important. At calving time the shed is essential in difficult births when vets may also be in attendance. Without this facility the welfare of the cattle and the safety of those working with the animals will be severely compromised.

His house at [REDACTED] has no facilities to care for or handle animals. The amount of machinery and equipment that my father has means it requires a shed of this size. The shed he has at [REDACTED] is only large enough to store one of his smaller trailers with no room for anything else.

The shed at Islandmagee was structurally damaged over a year ago and is not safe to enter as can be seen from aerial maps.

**Second refusal Reason – would not be sited beside existing farm buildings**

Rebuttal:

Firstly, within Policy there is no definition of what constitutes Farm Buildings / Sheds

My father has farm buildings already erected on the farm, in this field for over 5 years, (not enforceable by the Planning Department) in the form of 2 no. hen sheds, together with two small wooden sheds.

This building is an agricultural building for the main storage of agricultural machinery, animal feed, and fertilisers, medical equipment, livestock handling etc. The shed built in 2019 replaced sheds erected in 2017. Please refer to maps at the end of this document.

Secondly, many farmers erect farm buildings on their outer farms, this is not unusual.

The proposal therefore meets with the requirements of CTY10 being an active farm for more than 6 years and CTY12 that it is sited beside existing farm buildings.

**Refusal of this application would undoubtedly cause hardship to my father and also affect his wellbeing, and limiting his farming business activity and I would wish the Planning Department & Council to take this also as a material consideration.**

My father has been an active farmer for well over 41 years. He has a current Farm Business Number [REDACTED] assist my father regularly at weekends, occasionally during the week and tend to the farm at times when my father is away on holiday. While it is not my profession it is something that I enjoy helping with and something that my daughter has shown a keen interest in. The retention of the shed as part of a working and sustainable farming enterprise would be a great means to encourage her into this profession. Having the shed located within 5 minutes drive of my father's place of residence is also a key safety issue. As much of his work during the day is lone working, having him close to the house reduces the risk of him not receiving treatment should an injury occur and gone untreated for a longer period of time. This is a real concern with my father having suffered a dislocated shoulder on two occasions as well as other serious injuries over the years suffer while farming. The farm is well received by locals in Strad village who enjoy seeing the rare breeds that my father specialized in, such as Highland Cattle, Dexters, Moyles and Belted Galloways.

My father moved the principal farm buildings and animals to Irish Hill Road in order to be close at hand to the animals in compliance with Welfare of Animals Act (NI) 2011 s.9. and The Welfare of Farm Animals Regulations (NI) 2012 sched 1.

The need to have his main farm buildings and animals closer to his farm dwelling [REDACTED] as he could no longer manage his farm at Islandmagee. My father has had farm buildings on this site for over 5 years since purchasing the lands. This building has been established 3+ years and if it had been 5 years, Planning would not have been able to action enforcement and only became noticed by the Planning Department as a result of a previous Planning application in which my father was unaware that he needed planning, as he believed that as a farmer he had permitted development rights, but when notified that he needed Planning, he immediately made this Planning application.

This agricultural building was erected in 2019 and was not noticed by the Planning Department and only became aware of this because of a previous Planning application. The farm building is well integrated into its surroundings and is adjacent to a number of farm buildings that have existed on the site for over 5 years.

PPS21 has no legal status, but is a Policy. This has been repeatedly stated by the courts with Northern Ireland's leading judge on Planning, Judge Treacy stated in a Judicial Review on the principle of Planning that **"Planning Policy is not the law, but one of many material considerations"**

He also goes on to state: "Of course, the Planning Service **need not 'slavishly'** follow the policy. The policy is one of many under the Planning Policy Statement 21, which focuses on sustainable development in the countryside. Within PPS21 a number of like situations are grouped together, for example, proposals for dwellings on farms. The policy indicates the preferred approach to these like cases in order to achieve the broader social and environmental goals relating to development in the countryside. However, the policy itself, and **much case law on this and similar issues, acknowledges that no policy can take into account** the myriad considerations that may arise in individual fact scenarios that arise in the broad policy area. **No planning policy can anticipate the personal, environmental and logistical circumstances of all the individual planning applications made under the policy that need to be considered**". "

The 2015 Strategic Planning Policy Statement – 2015 (SPPS) the hierarchy, sets out the Councils overall approach to development. Paragraph 3.8 is particularly relevant in that it states clearly that there is a **presumption in favour of development**.

**"The guiding principle for planning authorities in determining planning applications is that sustainable development should be permitted, having regard to the development plan and all other material considerations, unless the proposed development will cause demonstrable harm to interests of acknowledged importance"**

Furthermore the aims of SPPS and PPS21 is to support the farming community.

In summary the shed is essential for the use of an active and established agricultural holding. It is sited beside existing farm building. The shed is crucial to the efficient operation of a farm business as it contains the only cattle handling facilities that my father owns. It is required for his and any other workers safety in order to work with cattle ie testing, calving, PD testing, tagging and dosing. It also provides a safe and humane area to treat sick cattle or newly born calves and their mothers. The extent of storage required is not available at No 9 Belfast Road for all the farm equipment owned. The shed at Islandmagee has no cattle handling facilities, its roof has collapsed over a year ago and the health and safety implications and animal welfare issues associated with travelling and transporting animals back and forward to Islandmagee is a significantly increased risk. Travelling daily on multiple occasions to Islandmagee will also increase costs and would make the farm business very inefficient. It is located adjacent to existing sheds that have existed for over 5 years and was the best area to locate the shed due to the site topography and replaced sheds erected in 2017.



Map showing buildings from 2017 (red outline)



Map showing buildings from 2017 (red outline)



Map showing hen houses and sheds built in 2017 and image captured early 2018 (red outline) machinery (blue outline)



Map showing hen houses and sheds built in 2017 and image captured early 2018 (red outline) machinery (blue outline)





Map showing new shed built in 2019 and image captured early 2020 (red outline) machinery (blue outline), sheds near tree removed and replaced by new shed



Image showing the roof collapsed of the shed in Islandmagee which happened in winter 2020. This shed is the last building my father owns in Islandmagee and this does not have nor has ever had any cattle handling facilities. All these sheds were sold when he left Islandmagee and bought the land in Straid.





Image showing tractor and trailer inside shed





Image showing shed erected in 2017 which were part of a larger cluster of sheds replaced by the larger shed in 2019. These sheds are part of a larger compound as shown on the aerial photos.





Image showing inside of shed with hay stored, crush and tractor, timber from previous shed used to create hay loft





Image showing shed moved from cluster of sheds when new shed built in 2019





Image of front of new shed





Image showing inside of shed with cattle pens to the left





# Farmwise

Your essential guide to health and safety in agriculture



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This book provides guidance that is relevant to everyone working on farms: employers, employees and the self-employed. It will help you achieve good standards of health and safety, and reduce injuries and ill health by identifying causes, eliminating hazards and controlling risks.

It covers the management of health and safety – principally for those responsible for running the farming or horticultural business – as well as outlining the specific risks of working in your industry and giving you easy-to-follow, practical advice to keep you safe and healthy at work.

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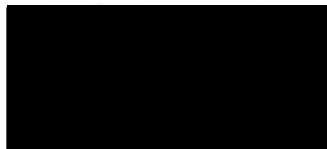
# Foreword

Since *Farmwise* was first produced, in 1992, it has reached a wide audience in the agricultural industry. This latest edition continues to provide practical advice and guidance to help you achieve good standards of health and safety – and reduce injuries and ill health.

The persistently high rates of fatal incidents and work-related ill health in the industry are of real concern to HSE, the representative industry bodies and many farmers. HSE is continually working to use new technologies and innovative methods of communication to improve, target and deliver key health and safety messages and guidance to those working in the industry.

Injuries and illness can ruin lives and businesses. Solutions are often simple and cheap and the people best placed to make farms safer are farmers and their employees. Health and safety is a fundamental requirement of a sustainable farming business and should be regarded as an essential part of farm business management. Unwise risk-taking is an underlying problem in the industry and those working on their own are especially vulnerable.

I hope you find the time to read the sections relevant to you, your business or your place of work. HSE's efforts alone will not build a safer and healthier industry. It is for everyone in agriculture and the wider food chain to play their part. I hope this booklet encourages you to tackle health and safety in your workplace today and in the future.



**Rick Brunt**

Head of Vulnerable Workers, Agriculture, Waste and Recycling Unit  
Health and Safety Executive

# Introduction

In the last ten years, almost one person a week has been killed as a direct result of agricultural work. Many more have been seriously injured or made ill by their work.

This booklet has been prepared by the Health and Safety Executive (HSE) to help you to:

- effectively manage health, safety and welfare;
- comply with the law;
- carry out the risk assessments that you must do, eg under the Management of Health and Safety at Work Regulations 1999;
- work safely and healthily.

The guidance in this booklet is relevant to everyone working on farms, whether employer, employee or self-employed, and will help you identify the causes of injuries and ill health, eliminate hazards and control risks. The first part covers managing health and safety and is primarily aimed at those responsible for running the farming or horticultural business (partners, directors and sole traders) but will also be of interest to others.

The other sections cover specific risks in your industry and give you easy-to-follow, practical advice to keep you safe and healthy at work.

In this booklet:

- 'must' indicates a definite legal requirement;
- 'dos and don'ts', 'shoulds' and 'should nots' and other recommendations represent good practice to help you do what is reasonably practicable;
- 'think about', 'consider' and similar phrases contain a tip or hint which may not amount to a precise legal requirement but indicate an approach to a health and safety problem which ought to be considered;
- 'reasonably practicable' means that the degree of risk in a particular job or workplace needs to be balanced against the time, trouble, cost and physical difficulty of taking measures to avoid or reduce the risk. In other words, if you can show that a particular risk is insignificant in relation to the effort needed to reduce it, you need do no more;
- a 'safeguard' is a means of reducing risk to health and/or safety.

The booklet forms the basis of health and safety advice for agriculture. You will find further advice in the series of Agriculture Information Sheets (AIS), as well as other, more general, HSE publications. Each section contains references to some of the other most relevant HSE publications. You can also look at HSE's agriculture website: [www.hse.gov.uk/agriculture](http://www.hse.gov.uk/agriculture).





# 1 Benefits of preventing incidents

People have a right to return home from work safe and sound. Good farmers and employers recognise the benefits of reducing incidents and ill health among their workers, and are aware of the financial and other reasons to aim for and maintain good standards of health and safety.

The personal costs of injury and ill health can be devastating. Life is never the same again for family members left behind after a work-related death, or for those looking after someone with a long-term illness or serious injury caused by their work.

Managing risks in a sensible way protects you, your family, your workers and your business and can bring the following benefits:

- a reduction in injuries and ill health and the resulting financial and personal costs;
- improved productivity, good morale and a happier, healthier workforce;
- better farming practice to help develop a sustainable farming business;
- the ability to carry out weather-critical operations at the right time;
- reduced sickness payments and recruitment/training costs for replacement workers;
- reduced loss of output resulting from experienced and competent workers being off work;
- longer life for equipment and machinery;
- less chance of damage to machinery, buildings and product;
- lower insurance premiums and legal costs;
- less chance of enforcement action and its costs, eg the cost of dealing with an incident and/or fines;
- reduced risk of damage to the reputation of the business.

## Injuries and ill health in agriculture

Farming is a hazardous industry. Farmers and farm workers work with potentially dangerous machinery, vehicles, chemicals, livestock, at height or near pits and silos. They are exposed to the effects of bad weather, noise and dust. The risks also include family members working at the farm and children living at the farm.

Agricultural work can also be physically demanding and the repetitive nature of the work causes a range of health problems, including severe back pain.

Around 430 000 people work in agriculture, which includes farming and use of the countryside. This is less than 1.5% of the working population, yet agriculture has one of the highest fatality rates of all industries and is responsible for between 15% and 20% of all deaths to workers in Britain each year.

## The costs and causes of death and injury

The total annual cost of injuries (in farming, forestry and horticulture) to society is estimated at £190 million<sup>1</sup> and around two-thirds of that is due to reportable injuries (£130 million), with fatalities accounting for around another third (£55 million).

The most common causes of death are:

- transport – being struck by moving vehicles;
- being struck by a moving or falling object, eg bales, trees etc;
- falls from height;
- asphyxiation or drowning;
- contact with machinery;
- injury by an animal;
- being trapped by something collapsing or overturning;
- contact with electricity, nearly two-thirds of which involves overhead power lines (OHPs).

Many more injuries are non-fatal. Less than half of reportable injuries across all industry sectors are reported each year; far fewer for agriculture, forestry and fishing. Surveys suggest that only 16% of the most serious injuries to agricultural workers, reportable by law, are actually reported. HSE estimates up to 10 000 injuries annually are unreported. Each one involves costs to the injured person and to the business.

The most common causes of non-fatal injuries are:

- handling, lifting or carrying;
- slip, trip or fall on the same level;
- being struck by moving, including flying or falling, objects;
- falls from height;
- contact with machinery;
- being injured by an animal.

People working in the industry can also be permanently disabled by ill health. Breathing in dusts, handling loads, being exposed to noise or vibration, using chemicals and working with animals can all cause ill health, with symptoms that can take years to develop. In some cases this can result in premature death.

Many do not consult their doctor unless seriously ill, so levels of ill health are unclear. However, in agriculture:

- about 12 000 people suffered from an illness which was caused or made worse by their current or most recent job;
- musculoskeletal injury (back pain, sprains or strains) is over three times the rate for all industries;
- the number of people affected by asthma is twice the national average;
- about 20 000 people are affected by zoonoses (diseases passed from animals to humans) each year.

Workers may be exposed to extreme heat, cold, high humidity and radiation from direct and prolonged exposure to the sun (all of which imposes stress on the worker). They may also be exposed to excessive vibration, noise, or may have to work in uncomfortable positions for long periods and handle a wide range of chemicals such as fertilisers or pesticides.

Following the advice in this booklet will help reduce the risk of suffering a work-related injury or ill health.

<sup>1</sup>Source: *Costs to Britain of workplace injuries and work-related ill health: 2010/11 update* HSE 2010.



## 2 Organising for health and safety

As farmers and growers, you use management systems to make

### The law

The Health and Safety at Work etc Act 1974 (HSWA) and the Management of Health and Safety at Work Regulations 1999 place duties on companies and individuals to make sure that adequate provision is made for health and safety at work. Employers must ensure, so far as is reasonably practicable, the health, safety and welfare of employees and any others who may be affected by what they do.

sure that crops and animals are kept healthy and productive, and to enable you to stay in business. You plan what to plant and when, assess the risks of diseases and other incidents that may spoil the crop or animal. You control any problems, monitor growth, decide when to harvest, and store products in a way that ensures they stay fresh. You also work out how successful you have been and come up with improvements.

Managing health and safety is no different – you need to manage it to make sure that you, your workers, family members and others are kept safe at work. This advice is aimed at directors and managers but should also help supervisors and owners of small businesses.

If you follow the five steps in this section they should help you to manage health and safety properly, comply with the law and protect your workers and your business.



### Step 1: Set your policy

You need a policy to set out your action plan on health and safety to improve standards in the workplace. It must be in writing if you employ five or more people, and needs to be carefully prepared, well thought out, up to date and based on real commitment.

Your policy should:

- be specific to your farm;
- state your general aims for your employees' health and safety. You, as the employer, should sign and date the policy to show clearly your commitment to it;
- accept that overall responsibility for health and safety rests with you, as the employer;
- outline the various responsibilities particular people have for making the policy a reality;
- describe the systems and procedures in place for ensuring the health and safety of your employees;
- set out how you will let your workers know about it, eg by giving them a copy and checking that they follow the rules and instructions in it;
- be reviewed from time to time and revised if your organisation changes or there are new hazards;
- be supported by enough money, people and time to put it into action;
- influence all your activities, including selecting people, equipment and materials, and the way work is done.

### Step 2: Organise your workers

To make your policy work you need to get everyone involved. There are four parts to this 'positive health and safety culture', based on good business management practice:

- **Communication:** Provide information about hazards, risks and precautions to employees and contractors; discuss health and safety regularly; and lead by example to let everyone know that health and safety is important.
- **Co-operation:** Consult your workers and any representatives; involve workers in planning how to do the work and review how things have gone, working out safe methods and solving problems.
- **Competence:** Assess the qualities and skills needed to carry out jobs safely, particularly for especially dangerous work; make sure all employees, including managers and temporary workers, are adequately instructed and trained; and arrange for access to advice and help.
- **Control:** Demonstrate your commitment and provide clear direction; identify people responsible for particular health and safety jobs; and make sure everyone understands their responsibilities and the consequences if they do or do not carry them out.

### Step 3: Plan and set standards

Planning is the key to making sure that your health and safety efforts really work and involves setting objectives and standards, assessing risks (see section 3 'Risk assessment') and developing a positive health and safety culture.

Management standards are set to show how plans or actions can be consistently delivered. You probably set standards every day to achieve best performance yields on your farm.

Your health and safety standards will set out what people will do to make your policy work and control risk. They should identify who does what, when and with what result.

### Step 4: Check how you are doing

You can check how successful you are in managing health and safety in two ways:

- Before things go wrong, by finding out whether you are achieving the standards you have set with regular inspection and monitoring. This can be with spot checks or thorough inspections.
- After things go wrong, by investigating damage to property, injury, ill health and working out why the standards were not met.

### Step 5: Learn from experience

Monitoring allows you to review activities and decide how to improve performance. Audits, by your own workers or outsiders, can help you to see if your policy, organisation and systems are actually delivering the desired result.

Learn from your experiences and use what you learn from monitoring and auditing to improve your approach to managing health and safety. When you review your policy, pay particular attention to:

- how well you are complying with the law and any national standards that apply, eg British and European Standards for machinery guarding;
- how well you are complying with any management standards you set for yourself;
- whether you have identified anything missing from your health and safety arrangements that you may need to change or rectify;
- if you have achieved your objectives within given timescales;
- injury, illness and incidents and understanding the causes, trends and common features.

These indicators will show you where you need to improve.



#### Find out more

*Managing health and safety: Five steps to success* INDG275  
*Health and safety toolbox: How to control risk at work:*  
[www.hse.gov.uk/toolbox](http://www.hse.gov.uk/toolbox)



### 3 Risk assessment

#### The law

The Management of Health and Safety at Work Regulations 1999 place duties on employers and the self-employed to make a suitable and sufficient assessment of the risks to their own health and safety and that of others from the work they do. This includes employees, any casual workers, part-timers, trainees, customers or contractors. It will also include those who may be affected by work activities, eg neighbours, sales people, members of the public etc.

#### What is risk assessment?

Risk assessment is a careful look at what, in your business, could cause harm to people, so that you can decide whether you have taken enough precautions or should do more. The law does not expect you to eliminate risk, but to protect people as far as 'reasonably practicable'. Taking action based on your assessment is what matters.



#### How do I assess the risk?

Follow these five steps:

##### Step 1: What are the hazards?

A 'hazard' is anything that might cause harm, such as working from ladders, or electricity. The 'risk' is the chance that someone could be harmed by these hazards.

- Spot hazards by walking around your workplace and watching how people work.
- Learn from experience. Think carefully about any past incidents or illnesses as these can help you pick out the less obvious hazards.
- Ask people who work for you what they think. They may have spotted something you have not noticed.
- Check the manufacturer's instructions for equipment or data sheets for chemicals to help you spot the hazards.
- Don't forget to think about long-term health hazards as well as the more obvious safety hazards.

##### Step 2: Who might be harmed and how?

For each hazard you need to be clear about who might be harmed, eg employees, casual workers, members of the public, contractors and family, especially children. Think about the more vulnerable people, eg untrained or new workers, expectant mothers, visitors and maintenance workers.

Work out how they might be harmed and how, eg being killed by a bale or vehicle, injured by falling through a fragile roof, or suffering long-term health problems from breathing in grain dust.

**Step 3: Evaluate the risks and decide on precautions**

For each hazard you need to look at what you are already doing, the controls you have in place and the way the work is organised, and compare it to what is needed to comply with the law. HSE's website ([www.hse.gov.uk](http://www.hse.gov.uk)) contains lots of advice to help you do this. If there is a gap between what you are doing and what you should be doing, then you must take action.

For example, if you had an unguarded power take-off (PTO) shaft it would be no good to simply tell workers not to go near it. What you need to do to comply with the law is have a well-maintained and effective guard. In this case there is a big gap between what is in place and what should be in place. You would have to take action to install a new guard and then maintain it in good working order.

If you can, you must eliminate the hazard altogether, but if you cannot do this, then you must control the risks in the following order:

- Introduce a less risky option, eg switch to a less harmful chemical.
- Prevent access to the hazard, eg securely cover or fence a slurry pit or guard a machine.
- Organise work to reduce exposure to the hazard, eg put barriers between people and moving vehicles.
- Provide personal protective equipment (PPE), eg clothing or footwear.
- Provide welfare facilities, eg first aid and showers for removing contamination.

**Step 4: Put the results into practice**

A risk assessment is not an end in itself. It will not stop someone dying, being injured or made ill. This will only happen if you take action to deal with the hazards and risks you find.

If you find there are quite a few improvements needed, big and small, don't try to do everything at once. Deal with the most important things first, eg those that could kill, seriously injure or cause serious illness.

Make sure everyone who works on your farm knows about the results of your assessment and understands the controls you have put in place. Share information about hazards and risks with those who need it, eg tell contractors about asbestos in buildings.

If you employ five or more people then you must write down the significant findings of your assessment. Examples of completed risk assessments are on the HSE website: [www.hse.gov.uk](http://www.hse.gov.uk).

**Step 5: Check controls stay in place and review the assessment**

Regularly check your controls stay in place. You need to ensure you are still improving or at least not letting standards slip back.

No workplace remains the same. Sooner or later you will buy new equipment or change ways of working that might bring in new hazards. If there is a significant change you need to respond to it straight away and review your assessment.

Why not decide on an annual date to review your risk assessment, so that even if there have not been any significant changes during the year, you leave yourself some flexibility to anticipate change and ensure nothing is missed?

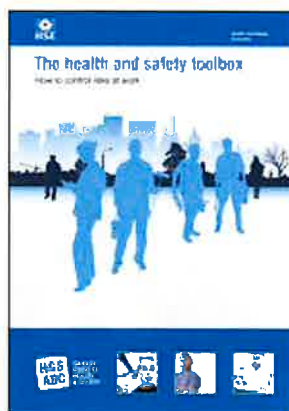
**Find out more**

Information on risk management at [www.hse.gov.uk/risk](http://www.hse.gov.uk/risk)  
*Health and safety toolbox: How to control risk at work:*  
[www.hse.gov.uk/toolbox](http://www.hse.gov.uk/toolbox)



# The health and safety toolbox

How to control risks at work



This is a free-to-download, web-friendly version of HSG268 (published 2014). You can order a printed version at [www.hse.gov.uk/pubns/books/hsg268.htm](http://www.hse.gov.uk/pubns/books/hsg268.htm) or visit the website at [www.hse.gov.uk/toolbox](http://www.hse.gov.uk/toolbox).

Packed with sound advice to put you on the right track, *The health and safety toolbox: How to control risks at work* covers the most common workplace hazards. It shows how most small to medium-sized businesses can put measures into place to control the risks.

The book is easy to use and will help you comply with the law and prevent workplace accidents and ill health. It's great value for those starting up or running a small business, or those who have been appointed as a safety representative in a larger organisation, or want additional advice on how to control workplace hazards. Whatever line of work you're in, it will help you run a safe and healthy workplace.

It replaces HSE's most popular guidance book *Essentials of health and safety at work* and builds on that title's success by including:

- case studies showing how accidents and cases of ill health have occurred, with helpful tips on how to avoid similar things happening in the future;
- simplified advice on key duties to make it easier for you to comply with the law and run your business;
- helpful lists of 'dos and don'ts' for key hazards which summarise the actions you need to take;
- updates on legal changes;
- detailed lists of useful websites and sources of advice.

## 19 Workplace transport

**Every year, there are accidents involving transport in the workplace, some of which result in people being killed.**

**People are knocked down, run over, or crushed against fixed parts by vehicles (eg HGVs, lift trucks and tractors), plant and trailers. People also fall from vehicles – whether getting on or off, working at height, or when loading or unloading.**

### CASE STUDY

A forklift truck operator was driving his truck in a yard that was poorly lit and did not have designated traffic lanes for either industrial trucks or vehicles. As the operator drove across the yard, a large industrial truck started to reverse into it.

The truck driver had checked his mirrors and, although the truck was fitted with reversing alarms, they failed to detect that the forklift was in its path. The truck hit the forklift, which tipped over onto its side.

The forklift operator, who was not wearing his seat belt, was trapped underneath. He was pronounced dead at the scene, despite the efforts of the plant emergency response team and the emergency medical service.

### How similar accidents could be avoided

- Better lighting in the yard
- Designated traffic lanes
- Reversing alarms that work effectively
- Wearing a seat belt

### What do I have to do?

Think about whether there is an easier, safer way of doing the job. Your risk assessment must consider all workplace transport activities such as loading and unloading. It will help if you:

- look carefully at all the vehicles and people moving round your workplace;
- mark the traffic and pedestrian movements on a plan so you can see where pedestrians and vehicles interact;
- identify improvements that will reduce the contact between pedestrians and vehicles;
- remember to include less frequent tasks, eg waste skip changes;
- make sure you consider delivery drivers as they are particularly vulnerable.



## CASE STUDY

While working on the construction of a new school, a maintenance engineer took a short cut across the vehicle route rather than using the pedestrian pathway.

As the building work was nearing completion, banksmen were not felt to be necessary for reversing vehicles. There were no barriers in place to prevent pedestrians crossing vehicle routes, and there were no signs to warn of the dangers of moving vehicles.

The maintenance engineer was struck by a reversing dumper truck whose driver had failed to see him behind the vehicle. The maintenance engineer died at the scene from multiple injuries.

### How similar accidents could be avoided

- Using adequately trained banksmen when needed, even when work is nearing completion
- Barriers in place to keep pedestrians and vehicles apart
- Signs warning of moving vehicles

## How can I do it?

Consider each of the following areas:

### Safe site

- Plan your workplace so that pedestrians are safe from vehicles.
- Provide a one-way system if you can.
- Provide separate routes for pedestrians and vehicles where possible.
- Avoid reversing where possible.
- Provide appropriate crossing points where pedestrians and traffic meet.
- Use 'Highway Code' signs to indicate vehicle routes, speed limits, pedestrian crossings etc.
- Make sure lighting is adequate where people and vehicles are working.
- Make sure road surfaces are firm and even.
- Make sure there are safe areas for loading and unloading.
- Try to provide separate car parking for visitors as they may not know your site.

### Safe vehicle

- Ensure vehicles are suitable for the purpose for which they are used.
- Maintain vehicles in good repair, particularly the braking system, steering, tyres, lights, mirrors and specific safety systems.
- Remove the need for people to climb up on vehicles where possible, eg by providing gauges and controls that are accessible from ground level.
- Reduce the risk of falling when people have to climb onto a vehicle or trailer by providing well-constructed ladders, non-slip walkways and guard rails where possible.
- Provide reversing aids such as CCTV where appropriate.
- Fit rollover protective structures and use seat belts where fitted.

### Safe driver

- Train lift truck operators.
- Reassess lift truck operators at regular intervals, eg every three to five years, or when new risks arise such as changes to working practices.
- Train drivers of other vehicles to a similar standard.
- Make sure all drivers are supervised (including those visiting the site).

### Find out more

More HSE advice on vehicles at work: [www.hse.gov.uk/workplacetransport](http://www.hse.gov.uk/workplacetransport)

*Workplace transport safety: A brief guide* Leaflet INDG199(rev2) HSE Books 2013  
[www.hse.gov.uk/pubns/indg199.htm](http://www.hse.gov.uk/pubns/indg199.htm)

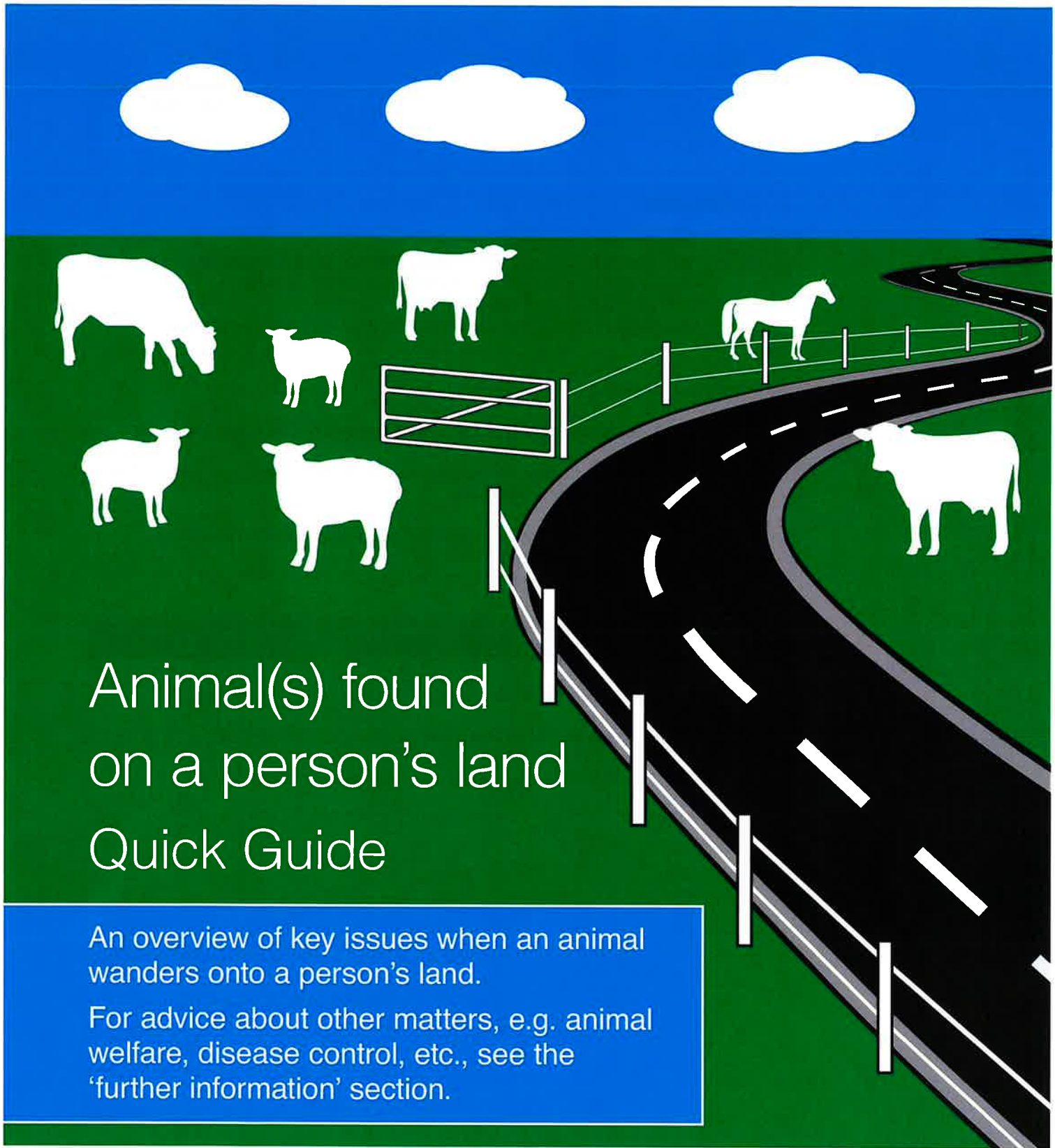
*Workplace transport safety: An employers' guide* HSG136 (Second edition)  
HSE Books 2005 ISBN 978 0 7176 6154 1  
[www.hse.gov.uk/pubns/books/hsg136.htm](http://www.hse.gov.uk/pubns/books/hsg136.htm)

### The law

Workplace (Health, Safety and Welfare) Regulations 1992, regulation 17

Provision and Use of Work Equipment Regulations 1998 (PUWER)

Lifting Operations and Lifting Equipment Regulations 1998 (LOLER)



## Animal(s) found on a person's land Quick Guide

An overview of key issues when an animal wanders onto a person's land.

For advice about other matters, e.g. animal welfare, disease control, etc., see the 'further information' section.

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## **The Animals (Northern Ireland) Order 1976 (Article 9)**

The 1976 Order provides for when livestock have strayed onto someone's land.

**“Livestock” includes cattle, horses, donkeys, sheep, pigs, goats, poultry, and domesticated deer.**

### **What to do if animals have strayed onto your land**

Anyone who finds any of these animals on their land can detain the animals.

**Straying livestock is not a matter for DAERA or Local Councils. The PSNI, should, however, be notified.**

### **Does the land owner/occupier have to look after an animal that has strayed onto his/her land? (Land owner/occupier rights)**

No. Although the land owner/occupier has the right to detain livestock that has strayed onto his/ her land, there is no obligation to detain.

Where a land owner/occupier decides to detain the straying livestock, he/she must treat the livestock with reasonable care and supply it with adequate food and water while it is detained.

**A land owner/occupier who detains livestock found on his/her land and then fails to treat it with reasonable care and supply it with adequate food and water could be liable to prosecution on welfare grounds.**

### **Livestock detained owner/keeper of the straying livestock is not known**

A land owner/occupier who detains livestock found on his/her land, where the owner/keeper is not known, must notify the PSNI within 48 hours.

The right of the land owner/occupier to detain the livestock ends if the livestock is claimed by its owner and the owner pays an amount to cover any damages caused and/or expenses incurred.

In most circumstances, after 14 days if no owner is identified, the land owner/occupier can then sell the livestock at a market or public auction. If this is not viable, he/she might consider contacting an animal welfare or re-homing charity.

### **Owner/keeper of the straying livestock is known**

If the land owner/occupier knows the person to whom the livestock belongs, he/she may detain that livestock but must notify the livestock owner within 48 hours.

The right of the land owner/occupier to detain the livestock ends if the livestock is then claimed by its owner and the owner pays an amount to cover matters such as damages caused and expenses incurred.

### **Livestock not detained**

Where a land owner/occupier chooses not to detain livestock found on his/her land and no-one is providing it with reasonable care or adequate food and water, the land owner/occupier might decide that a welfare issue may arise in the future.

The landowner may, therefore, wish to advise the body responsible for the enforcement of animal welfare - DAERA in the case of farmed animals or the Local Council in the case of other non-farmed animals such as horses/donkeys. The enforcement body will carry out an assessment and take appropriate action, if it decides that there is a welfare issue. See links below for contact details.

### **Can livestock be turned loose onto a road?**

**No** - under Article 93 of the Roads (NI) Order 1993, it is an offence for anyone to turn any horse, donkey, cattle, sheep, goat, pig or domesticated deer loose onto a road.



## Further information:

Your local DVO can advise on matters of identification, disease control, and welfare of farmed animals: [www.daera-ni.gov.uk/publications/daera-direct-regional-offices](http://www.daera-ni.gov.uk/publications/daera-direct-regional-offices)

Your Council can advise on matters of welfare of non-farmed animals:  
[www.nidirect.gov.uk/contacts/animal-welfare-local-councils](http://www.nidirect.gov.uk/contacts/animal-welfare-local-councils)

Details of the Animals (Northern Ireland) Order 1976:  
<http://www.legislation.gov.uk/nisi/1976/1040/contents>

Details of the Welfare of Animals Act (Northern Ireland) 2011:  
[www.legislation.gov.uk/nia/2011/16/contents](http://www.legislation.gov.uk/nia/2011/16/contents)

Quick Guide: “Animal Welfare”: [www.daera-ni.gov.uk/articles/introduction-animal-welfare](http://www.daera-ni.gov.uk/articles/introduction-animal-welfare)

Quick guide: “Animal(s) found wandering on the road”:  
[www.daera-ni.gov.uk/articles/introduction-animal-welfare](http://www.daera-ni.gov.uk/articles/introduction-animal-welfare)

ISBN: 978-1-84807-998-4



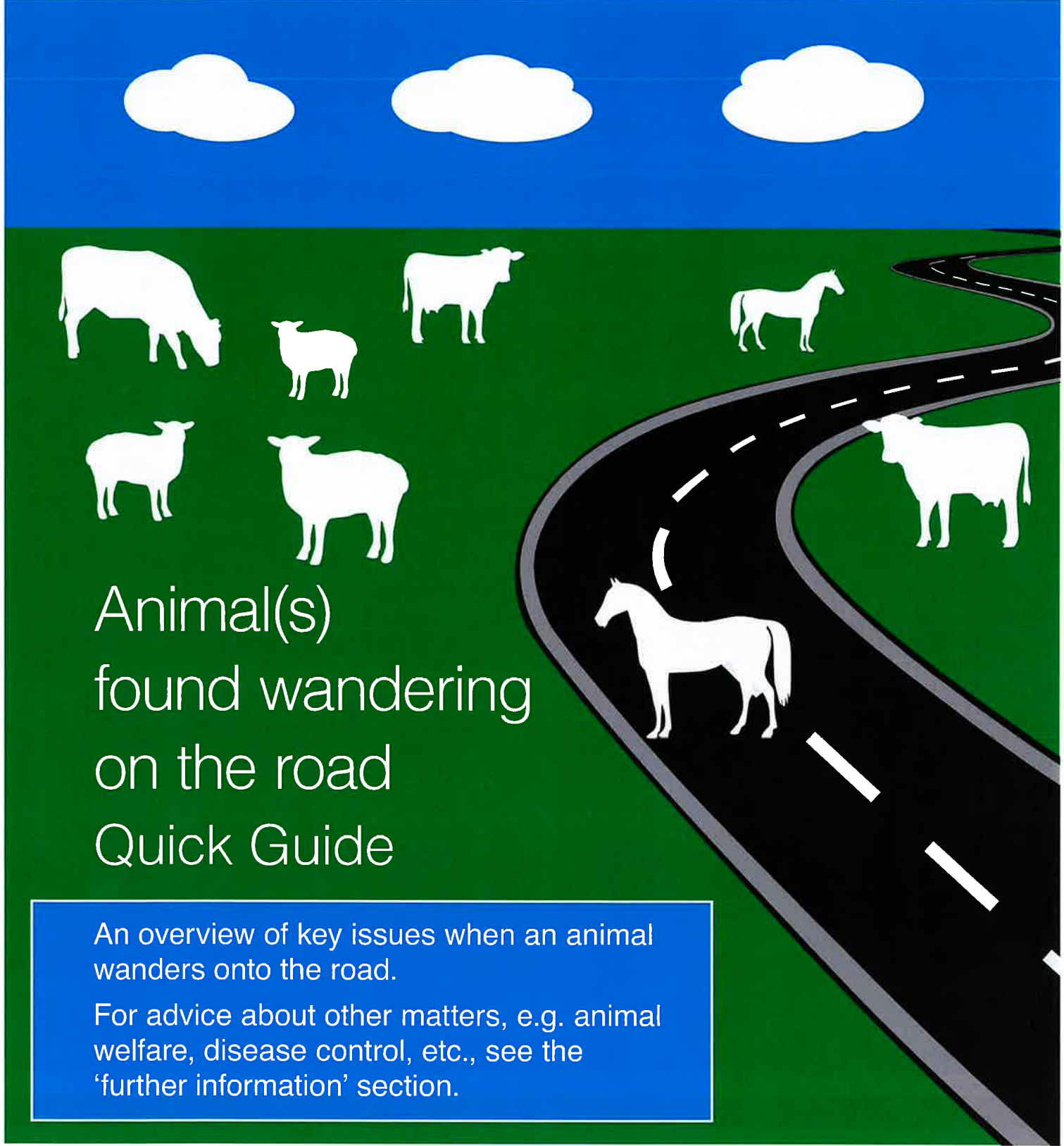
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# Animal(s) found wandering on the road Quick Guide

An overview of key issues when an animal wanders onto the road.

For advice about other matters, e.g. animal welfare, disease control, etc., see the 'further information' section.

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## **The Animals (Northern Ireland) Order 1976 (Article 10)**

The 1976 Order specifies that the Police Service of Northern Ireland (PSNI) is responsible for livestock found wandering on a public road.

**“Livestock” includes cattle, horses, donkeys, sheep, pigs, goats, poultry, and domesticated deer.**

### **What to do if animals are seen wandering on the road**

Anyone who finds any of these animals on a public road should contact the PSNI.

### **Role of the PSNI**

**When the PSNI receive a report of an animal wandering on the road and its owner is not known, they may impound the animal with their service provider whilst they attempt to trace the owner.**

Any individual who looks after the animal whilst the PSNI attempt to find the owner is entitled to seek payment to cover keeping and feeding the animal until that owner is located.

The PSNI will place a notice describing the animal and where it was found outside the nearest Police Station for 14 days. This gives the owner 14 days to come forward and claim the animal.

### **Owner found within 14 days**

If, within the 14 days, the owner has been found he/she is entitled to receive the animal back by paying to the PSNI the costs incurred for keeping and feeding the animal and for any expenses incurred. If the owner refuses or fails to pay, the animal will be sold.

## **Owner not found within 14 days**

If, after 14 days, no owner has been found the PSNI can authorise the animal to be sold. The PSNI will give the public 48 hours' notice of this sale by posting a notice outside the police station and also outside of the place of sale. The notice will include details of the sale, a description of the animal and details of where it was found.

Following the sale, the PSNI, will pay the expenses of the sale (if any) out of the proceeds and will pay to the person who kept the animal an agreed amount for keeping and feeding it.

## **Owner found within 6 months of sale of livestock**

If the owner is found within 6 months of the sale, the balance of the proceeds of the sale will be paid to him/her.

## **The Roads (Northern Ireland) Order 1993 (Article 93)**

The 1993 Order makes provision for animals on a road.

**It is an offence to turn loose onto a road: any horse, donkey, cattle, sheep, goat, pig or any domesticated deer.**

**Any owner or keeper of such an animal found wandering on a road, or lying at the side of the road, is guilty of an offence.**

Details of the Animals (Northern Ireland) Order 1976:

[www.legislation.gov.uk/nisi/1976/1040/contents](http://www.legislation.gov.uk/nisi/1976/1040/contents)

Details of the Roads (Northern Ireland) Order 1993:

[www.legislation.gov.uk/nisi/1993/3160/contents/made](http://www.legislation.gov.uk/nisi/1993/3160/contents/made)

Quick Guide: “Straying Animal(s) found on a person’s land”:

[www.daera-ni.gov.uk/articles/introduction-animal-welfare](http://www.daera-ni.gov.uk/articles/introduction-animal-welfare)

Details of the Welfare of Animals Act (Northern Ireland) 2011:

[www.legislation.gov.uk/nia/2011/16/contents](http://www.legislation.gov.uk/nia/2011/16/contents)

Quick Guide: “Animal Welfare”:

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25 NOV 2022

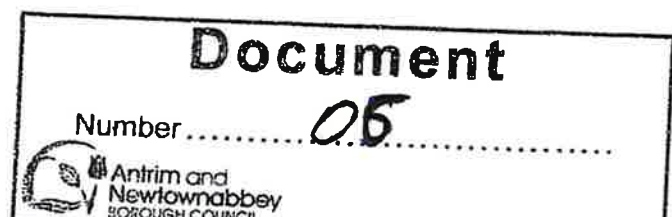
Information as to why the farm holding at Belfast Road cannot be expanded: No. ....

1. The current land at No 9 Belfast Road is 0.18Ha in area. Consisting of a residential property of plan area 320m<sup>2</sup>, two sheds, 50m<sup>2</sup> and 57m<sup>2</sup>, a polytunnel (3.5m x 6.5m) and front and rear lawns of 340m<sup>2</sup> and 200m<sup>2</sup> respectively. The drive to the rear and front of the property are constructed from 100mm of asphalt and then into decorative block paving.
2. Mr Wells breeds pedigree Irish Moiled, Dexter, Belted Galloway and Highland cattle. At present he has 20 cattle of which 14 are in calf. Therefore any expansion at No 9 Belfast Road would have to provide cattle handling facilities to carry out TB testing, calving, pregnancy testing and animal welfare including an area for new born calves and their mothers and sick animals.
3. In order to expand the farm holding at No 9 Belfast Road a shed would need to be large enough to house all the livestock that Mr Wells currently owns in order to undertake veterinary testing and at times when TB is in the area this will mean that cattle need to be kept within one location and not moved between tests. (which will be over a few days between test) and as there is not sufficient land at No 9 Belfast Road to keep cattle during this period this would mean the cattle would need to stay in a shed. It is therefore not practical to keep 20 cattle and 14 calves at No 9 Belfast Road for any period of time.
4. The expansion at No 9 Belfast Road would need to accommodate the following items that are located at Irish Hill Road:
  - 100 bales of hay each 1,050mm x 355mm x 460mm total 17m<sup>3</sup>
  - Two large round bales of straw 1.5m diameter x 1.8m high and two similar sized bales of silage each 250kg in weight requiring a forklift which is housed on the larger tractor
  - Animal feeds
  - A cattle crush
  - A cattle trailer
  - An open trailer (3.5m x 2m)
  - A car cattle trailer (4.75m x 2.4m)
  - Four tractors - a tractor with front loader (7m x 3m) a tractor for ploughing (4.5m x 2m), a tractor with cement mixer (5m x 2m) and a classic tractor that Mr Wells he is currently restoring (4m x 2m)
  - A tractor tipping trailer (10m x 2.8m)
  - 2 ploughs

Mr Wells also has a car and a pickup which are parked at No 9 Belfast Road and keeping further machinery and equipment (as listed above) at this premises would be impractical as he would have to continually move tractors or other machinery or equipment on a regular basis.

5. The layout at No 9 Belfast Road has not been designed as a farm dwelling but as a residential property. Having farm equipment, livestock and machinery constantly being brought to and from this property is impractical and unsafe especially as Mr Wells 4 grandchildren regularly visit with 2 grandchildren living next door.
6. Expansion to the front of No 9 Belfast Road is not practical as any building would stop daylight getting to the property and not be in keeping with the design of buildings where any shed would normally be to the rear.

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7. The entrance to No 9 Belfast Road has not been designed to accommodate anything larger than domestic vehicles and would need to be rebuilt. The increased traffic to No 9 Belfast Road would increase the risk of an accident on the busy entrance to the village of Ballynure. Due to the proximity and orientation of the entrance gates to the road you need to slow to under 10mph in order to safely make the maneuver. This has caused several near misses by traffic not able to judge that a slow turn into the properties along Belfast Road is required and intensification would increase this risk.
8. The two sheds at No 9 Belfast Road, house Mr Wells' ride on lawn mower, push mover, other gardening equipment, and wood that he uses to make things like tables, sheep hurdles and similar items which he enjoys doing in his spare time and therefore, there is no room for any other equipment to be housed in these sheds.
9. While a shed the same size as Irish Hill Road can be accommodated, taking up the entire rear lawn of No 9 Belfast Road, vehicle tracking has shown that even with a small agricultural vehicle and a horse box, able to only transport 3 cattle at a time, the maneuver cannot be accomplished. Similarly his larger tractor and trailer cannot undertake this maneuver as it is larger and with a larger turning radius than the 4x4 that the swept path analysis used.
10. A shed of similar size to Irish Hill Road is in comparison a small agricultural shed when compared to other agricultural sheds that are common in the country as shown in the image below, yet an expansion of any reasonable size at No 9 Belfast Road would leave the site constrained, impractical and unsafe.



*Figure 1: Image showing No 9 Belfast Road on the right and typical farm sheds to the left showing that practical space required for agricultural operations is not available.*



Figure 2: Image of larger tractor with forklifts on front and open trailer to rear





Figure 3: Image of tractor for ploughing



Figure 4: Image of tractor with cement mixer



*Figure 5: Image inside the most westerly shed at No 9 Belfast Road*





*Figure 6: Image of his pickup*

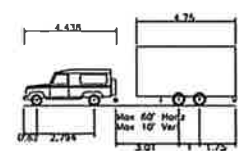
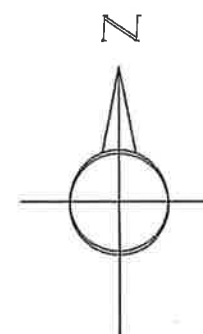


Figure 7: Image of his open trailer

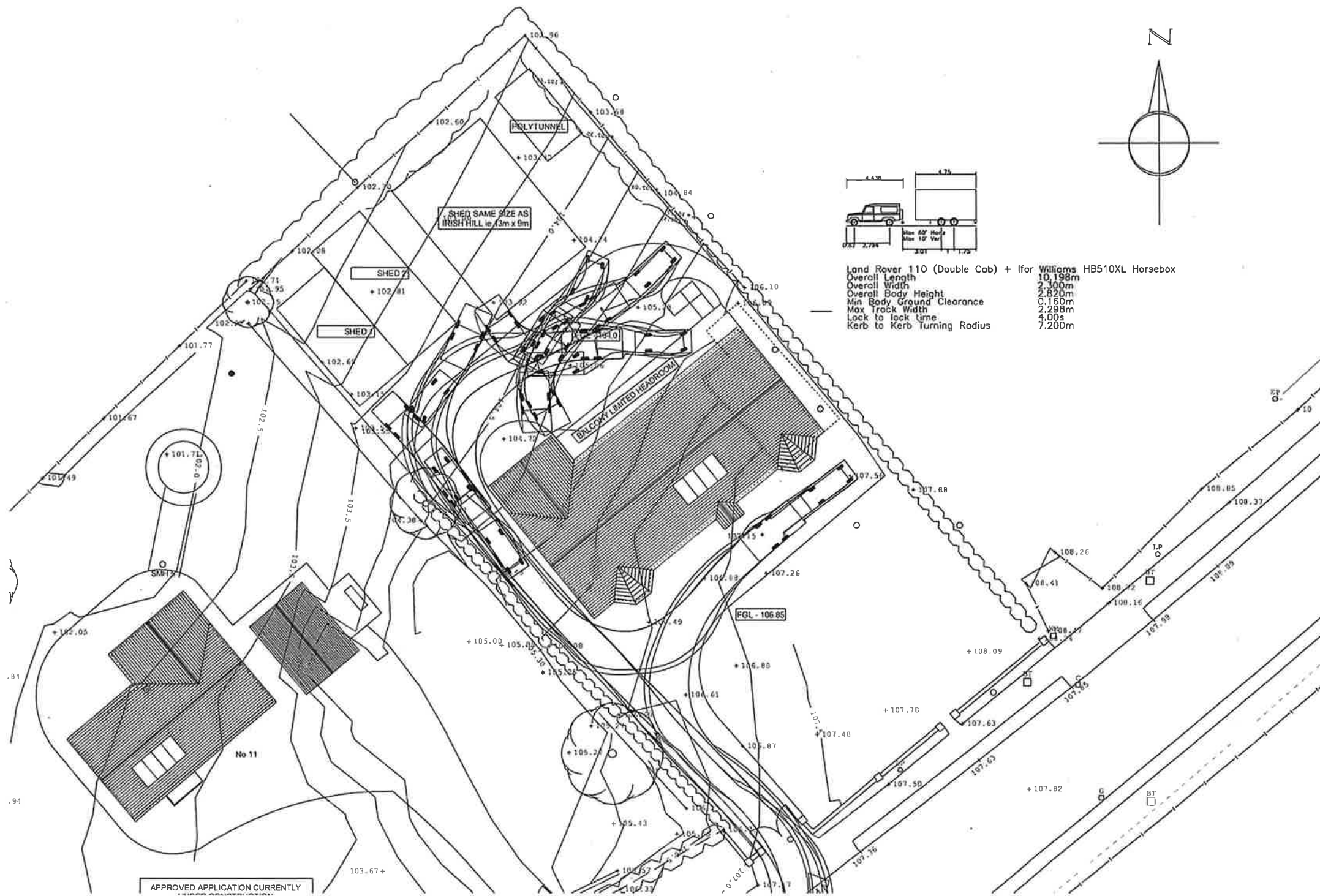




Figure 8. Image inside the most easterly shed at No 9 Belfast Road



Land Rover 110 (Double Cab) + Ifor Williams HB510XL Horsebox  
Overall Length 10.198m  
Overall Width 2.500m  
Overall Body Height 2.820m  
Min Body Ground Clearance 0.160m  
Max Track Width 2.298m  
Lock to lock time 4.00s  
Kerb to Kerb Turning Radius 7.200m



APPROVED APPLICATION CURRENTLY



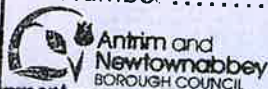
Gleno Veterinary Centre, 12 Ballyhone Road, Gleno, Larne, Co Antrim BT40 3LW  
Tel 028 2826 0602



Islandview Vet Clinic, 1 Glynn Road, Larne, Co Antrim BT40 3AY  
Tel 028 2827 2199

## Document

Number ..... 09



29<sup>th</sup> November, 2022

Gareth McShane  
Antrim and Newtownabbey Planning Development  
Mossley Mill  
Carrmoney Road North  
Newtownabbey  
BT36 5QA

Reference Mr William Wells

Dear Mr McShane,

I am writing regarding a client of my practice, Mr William Wells and planning issues with his shed on Irish Hill Road Straid.

Mr Wells has been a longterm client of Gleno Veterinary Centre for the last 32 years. He keeps a small herd of Highland and Dexter cattle. William used to own a farm in Islandmagee, but some years ago he moved to live in Ballynure and he owns agricultural land on Irish Hill Road, Straid.

Our practice visits William's farm regularly for herd health and for TB testing under contract with DAERA. Our visits require that farms have adequate facilities for the examination and treatment of animals and for the performance of TB testing. This is an important requirement for the health and safety both of my staff and William himself. William currently has an agricultural shed at his premises on the Irish Hill Road. Not only does the shed have the facilities we require for safe handling of animals, he can also have clean, dry storage of animal feed and a secure place for agricultural machinery which is required at the site for the operation of his business. The shed provides the facilities we need on site at the farm for TB testing which is now carried out every 4 months in this area, so it is imperative that we have a good cattle crush at the farm as it would be out of the question to transport the animals elsewhere, both for the welfare of all the animals in the herd and for the economics of the farm business. It would not be an option to take the cattle to a neighbouring farm for TB testing etc as this poses a serious biosecurity risk. The more movement there is of animals, the more spread of disease and TB is a very serious problem in the farming community at present. TB testing requires a good secure area where animals cannot escape or cause themselves or others any injury. It would not be suitable to carry out the test in a garden around a house (as has been suggested) both due to the danger to people if there happened to be an animal break away due to poor facilities near to a residential house and close to a very busy main road. The cattle crush in the existing shed is also necessary for treating sick animals safely, for calving purposes and other routine procedures such as pregnancy diagnosis or worming as examples.

The shed is unsuitable for over wintering stock as it has a concrete floor (not slats) and William's cattle are hardy outdoor rare breeds that can remain outside during the winter.

William has a shed in Islandmagee which is a state of such disrepair that it is unfit for use. For this reason it is totally unreasonable for him to take his cattle to this location. In addition, as I have already stated it is a health and safety



and animal welfare issue to transport the cattle for a 14mile, 2 hour return journey when there are adequate facilities in his shed in Straid. On many occasions the animals could be heavily pregnant so transport would be contraindicated. With the current global warming issues, unnecessary journeys like this should also be discouraged. If William had a sick animal to care for it would be impractical for him to have to travel to Islandmagee perhaps twice a day to monitor and administer treatment.

The shed in Straid is only 5 minutes from William's residence and not only is that much more convenient for him, but he has the added bonus of having the availability of help from family in friends which is much safer for him when working with animals, especially around calving time when the cows can be protective of their calves and can easily cause injury.

Should you require any further information about any of the points raised, please do not hesitate to contact me.

Yours sincerely,

A black rectangular box redacting the signature of R.J. Woodside.

R.J. Woodside MRCVS



ITEM 3.8 APPLICATION NO: LA03/2022/0609/F

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|                       |  |
|-----------------------|--|
| <b>PROPOSAL:</b>      | Retrospective application for retention of existing farm shed. |
| <b>SITE/LOCATION:</b> | 100m SW of 12a Irish Hill Road, Ballyclare, BT39 9NQ           |
| <b>APPLICANT:</b>     | Mr William Wells   |

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Joanne McKendry, Senior Planning Officer, introduced the Planning Report to the Committee and made a recommendation to refuse planning permission.

The undernoted public speaker addressed the Committee and responded to enquiries from Members as requested –

Simon Wells

In Support

Proposed by Councillor Webb

Seconded by Alderman Campbell that planning permission be refused.

On the proposal being put to the meeting 11 Members voted in favour, 0 against and 0 abstention, it was unanimously agreed

**that planning permission be refused for the following reasons:**

1. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy CTY1 and Policy CTY12 of Planning Policy Statement 21: Sustainable Development in the Countryside, in that the applicant has not provided sufficient information to confirm that the building is necessary for the efficient use of an active and established agricultural holding, in addition it has not been demonstrated that there are no alternative sites available at another group of buildings on the farm holding.
2. The proposal is contrary to the policy provisions of the Strategic Planning Policy statement and Policy CTY 12 of Planning Policy Statement 21 Sustainable Development in the Countryside, in that the development, if approved, would not be sited beside existing farm buildings.
3. The proposal is contrary to the SPPS as it has not been demonstrated that there are no risks to human health as the result of any contamination present on the application site.

*ACTION BY: Sharon Mossman, Deputy Director of Planning*

*Councillor Kinnear joined the meeting.*

**ITEM 3.9 APPLICATION NO: LA03/2022/0609/F**

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|                       |   |
|-----------------------|---|
| <b>PROPOSAL:</b>      | Retrospective application for retention of existing farm shed |
| <b>SITE/LOCATION:</b> | 100m SW of 12a Irish Hill Road, Ballyclare, BT39 9NQ          |
| <b>APPLICANT:</b>     | Mr William Wells  |

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Barry Diamond, Head of Planning Development Management (Interim) introduced the Planning Report and associated addendum report to the Committee and made a recommendation to refuse planning permission.

The undernoted public speaker addressed the Committee and responded to enquiries from Members as requested –

Simon Wells                      In Support/ Applicant

Proposed by Alderman Smyth

Seconded by Councillor Archibald-Brown that the application be deferred for a period of one (1) month to enable further information relating to the applicant's other premises be presented.

On the proposal being put to the meeting 7 Members voted in favour, 0 against and 0 abstentions, it was unanimously agreed

**that the application be deferred for a period of one (1) month to enable further information relating to the applicant's other premises be presented.**

*ACTION BY: Sharon Mossman, Deputy Director of Planning*



|   |   |
|---|---|
| <b>COMMITTEE ITEM</b>   | <b>3.8</b>  |
| <b>APPLICATION NO</b>   | <b>LA03/2022/0609/F</b>   |
| <b>DEA</b>  | <b>BALLYCLARE</b>   |
| <b>COMMITTEE INTEREST</b>   | <b>REFUSAL RECOMMENDED</b>  |
| <b>RECOMMENDATION</b>   | <b>REFUSE PLANNING PERMISSION</b>   |
| <b>PROPOSAL</b>   | Retrospective application for retention of existing farm shed.  |
| <b>SITE/LOCATION</b>  | 100m SW of 12a Irish Hill Road, Ballyclare, BT39 9NQ  |
| <b>APPLICANT</b>  | Mr William Wells  |
| <b>AGENT</b>  | W M McNeill   |
| <b>LAST SITE VISIT</b>  | 15 <sup>th</sup> July 2022  |
| <b>CASE OFFICER</b>   | Gareth McShane<br>Tel: 028 903 40411<br>Email: <a href="mailto:gareth.mcshane@antrimandnewtownabbey.gov.uk">gareth.mcshane@antrimandnewtownabbey.gov.uk</a> |
| <b>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 <a href="http://www.planningni.gov.uk">www.planningni.gov.uk</a></b>  |   |
| <b>SITE DESCRIPTION</b>   |   |
| <p>The application site is located approximately 100 metres southwest of 12a Irish Hill Road, Ballyclare, which is a countryside location beyond any development limits as defined within the Draft Belfast Metropolitan Area Plan 2004.</p> <p>The application site contains a single storey farm shed, measuring 14.4 metres in length and 9.2 metres in width, with a ridge height of 5 metres. A number of temporary structures are also located within the site, including a wooden shed for hay storage and a hen compound which contains three hen sheds. The farm shed is setback approximately 100 metres from the Irish Hill Road and is accessed via a shared laneway. The shed is located in the northeastern corner of the agricultural field, which is planted with indigenous trees measuring approximately 3-4 metres in height. The northern and eastern boundaries are defined by a post and wire fence, with the southern and western (roadside) boundaries defined by mature hedgerows measuring approximately 2 metres in height.</p> <p>The surrounding character is open countryside, with dwellings and outbuildings spread out intermittently.</p> |   |
| <b>RELEVANT PLANNING HISTORY</b>  |   |
| <p>Planning Reference: LA03/2022/0009/O</p> <p>Location: 140m south west of no 12A Irish Hill Road, Ballyclare,</p> <p>Proposal: Proposed dwelling and garage on a farm</p> <p>Decision: Application Withdrawn 10.05.2022</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 has reverted to the Draft Plan stage) together with relevant provisions of Planning Policy Statements (PPSs) which contain the main operational planning policies for the consideration of development proposals.

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

Draft Newtownabbey Area Plan 1984-2001: The application site is located outside any development limit and lies in the countryside as designated by these Plans which offer no specific policy or guidance pertinent to this proposal.

Draft Belfast Metropolitan Area Plan (2004): The application site is located outside any development limit and lies in the countryside within Local Landscape Policy Area (LLPA) SD 04. The Plan states that in designated LLPAs, planning permission will not be granted for development that would be liable to adversely affect those features, or combination of features, that contribute to environmental quality, integrity or character.

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

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

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

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

#### **CONSULTATION**

**Northern Ireland Environment Agency: Regulation Unit** - Regulation Unit Land and Groundwater Team have no objections to the retention of the development however the applicant has not provided information that ensures safe development and end-use of the site regarding land contamination.

**Department for Agriculture, Environment and Rural Affairs**- The Farm Business ID was allocated in November 1991. The business has not claimed payments through the Basic Payment Scheme or Agri Environment Scheme in each of the last six years.

**Environmental Health**- No objections to the proposal.

#### **REPRESENTATION**

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

#### **ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS**

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

- Policy Context and Principle of Development
- Design, Integration, and Impact on Rural Character
- 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 adopted Belfast Metropolitan Area Plan 2015 (BMAP) previously operated as the statutory development plan for this area, but the adoption of the Plan in 2014 was subsequently declared unlawful by the Court of Appeal on 18th May 2017. Up until the publication of draft BMAP (dBMAP) in 2004, the draft Newtownabbey Area Plan 2005 (dNAP) and associated Interim Statement published in February 1995 provided the core development plan document that guided development decisions in this part of the Borough.

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

afforded greater weight than dNAP in the decision-making process. Both of the relevant development plans identify the application site as being within the countryside and outside any development limit. There are no specific operational policies or other provisions relevant to the determination of the application contained in these Plans.

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

Policy CTY 1 of PPS 21 indicates that there are certain types of development acceptable in principle in the countryside and that will contribute to the aims of sustainable development. There are a number of cases when planning permission will be granted for non-residential development. One of these is agricultural development in accordance with Policy CTY 12.

Policy CTY 12 outlined that planning permission will be granted for development on an active and established agricultural or forestry holding where it is demonstrated that;

- a) it is necessary for the efficient use of the agricultural holding or forestry enterprise;
- b) in terms of character and scale it is appropriate to its location;
- c) it visually integrates into the local landscape and additional landscaping is provided as necessary;
- d) it will not have an adverse impact on the natural or built heritage; and
- e) it will not result in detrimental impact on the amenity of residential dwellings outside the holding or enterprise including potential problems arising from noise, smell and pollution.

In cases where a new building is proposed applicants will also need to provide sufficient information to confirm all of the following:

- a) there are no suitable existing buildings on the holding or enterprise that can be used;
- b) the design and materials to be used are sympathetic to the locality and adjacent buildings; and
- c) the proposal is sited beside existing farm or forestry buildings.

The Department for Agriculture, Environment and Rural Affairs (DAERA) advised in a consultation response dated 9<sup>th</sup> August 2022 that the associated farm has been in existence for more than 6 years, the farm ID having been allocated in November

1991. Their response also confirms that the farm business has not claimed payments through the Basic Payment Scheme or Agri Environment Scheme in each of the last 6 years.

Given that the farm business does not claim single farm payment, the applicant supplied evidence for the last six years (2016 – present) in order to display that the farm holding is active and established. This evidence includes invoices for poultry grain, piping, fencing supplies, vet invoices, animal feed and accountant fees. Herd Records were also provided which show movements into the business from 2017, 2018, 2019, 2020 and 2021. A letter from 'Glenn and Company – Accountants' confirms that they have been engaged to act for the applicant in his farming activity since 1989 and that all accounts have been submitted to HMRC.

Taking account of all evidence submitted, it can be considered that the applicant is currently active and has been established for at least six years.

The principle farm dwelling is located at 9 Belfast Road, Ballynure and contains a dwelling and two outbuildings. The applicant owns two further farmlands, one at 12a Irish Hill Road (application site), and another at Mullaghboy Road, Islandmagee (where an existing group of farm buildings are located).

Two further areas of land are rented, one at Logwood Road and another further up Irish Hill Road. The below table lists the extent of each farmland and their distance to the principle dwelling at 9 Belfast Road, Ballynure.

| <b>Lands</b>                        | <b>Distance to Principle Farm Holding (miles)</b> | <b>Extent of holding</b>                                  |
|-------------------------------------|---|---|
| <b>12a Irish Hill Road</b>          | 2.6   | 2 agricultural fields (approx. 8 acres)                   |
| <b>Mullaghboy Road, Islandmagee</b> | 14.4  | 3 agricultural fields and 2 farm sheds (approx. 10 acres) |
|                                     |   |   |
| <b>Logwood Road</b>                 | 4.1   | 1 agricultural field (approx. 3 acres)                    |
| <b>53 Irish Hill Road</b>           | 2.5   | 1 agricultural field (approx. 3 acres)                    |

In the statement of case, the agent states that the farm dwelling at 9 Belfast Road, Ballynure is of insufficient size to carry out farming. The statement continues that due to the applicants' personal circumstances, he has moved the principle farm buildings and animals to Irish Hill Road, closer to his home address (9 Belfast Road) than the holding at Islandmagee. This move was to be close at hand to the animals in compliance with the Animal Welfare Regulations. The building is to be used for the storage of agricultural machinery, feed and other miscellaneous items and will not be used for the storage of animals, who will be housed at Islandmagee during the winter months and at Irish Hill Farm during the summer months. It is noted that the applicant



sold a group of agricultural buildings at Islandmagee in 2014, while still retaining two agricultural sheds there.

As outlined within the statement of case, the applicant is to use the shed for the storage of materials and equipment. At the main farm holding at 9 Belfast Road, two outbuildings are located to the rear elevation of the property. A further two agricultural sheds are located at the Islandmagee holding. It is considered that given the size of the entire holding, a sufficient level of outbuildings are already provided.

Furthermore, insufficient evidence has been submitted by the applicant's agent to demonstrate that a new agricultural building at this location is necessary for the efficient use of the applicant's holdings, nor has sufficient information been submitted by the agent to demonstrate the proposal as being an exception to the policy. Having taken the above into account it is considered that there are no exceptional reasons why the proposed building is located away from existing farm buildings nor has it been demonstrated that the proposal is necessary for the efficient use of the agricultural holding.

On the evidence provided the principle of the agricultural building is not acceptable at this site as it does not fulfil the policy criteria as set out under Policy CTY 12 - Agricultural and Forestry Development.

#### **Design, Integration, and Impact on Rural Character**

Criteria (b) and (c) of Policy CTY12 requires that the building integrates into the local landscape and that it is appropriate in terms of character and scale for its location.

The agricultural shed measures 14.4m in length, 9.2m in width and has a ridge height of 5m. The walls and roof of the shed are finished in dark green corrugated sheeting, with the windows finished in translucent corrugated sheeting. A sliding door is located to the north elevation, with an additional door opening to the south elevation. Three windows are located to the west elevation, facing Irish Hill Road. The internal floor is concrete.

The agricultural shed is sat within a rural setting where it is common to view agricultural buildings. Given the current landform and existing tree coverage, the shed is completely screened from public views when travelling North along Irish Hill Road, and is only partially visible when travelling in the opposite direction. The development is also setback a considerable distance from the roadside boundary, with mature trees providing a backdrop for the development. It is considered that the building visually integrates into the local landscape and does not have an unacceptable impact on the character or appearance of the rural area.

Overall, it is considered the scale, design and siting is appropriate for the rural area and the agricultural building integrates with surrounding landscape and does not cause a detrimental change to the character of the rural area in accordance with Policies CTY 12, 13 and 14 of PPS 21.

**Neighbour Amenity**

The nearest residential property is located approximately 100 metres northeast of the application site, and is not within the applicants' farm holding. Given the considerable separation distance between the farm shed and neighbouring dwelling, it is considered that residential amenity will not be detrimentally affected by noise, odour, pests etc.

The Council's Environmental Health Section were consulted in relation to the proposal and offered no objection. One (1) neighbouring property was notified and no representations were received. It is therefore considered that the development will not result in an unacceptable impact on the amenity of any neighbouring properties.

**Other Matters**

Environmental Health were consulted regarding the impacts of the development and responded with no objections in principle to the proposal.

A Ground Investigation Report (Document 03 date stamped 23<sup>rd</sup> June 2022) was submitted with the application. Consultation was carried out with DAERA, Regulation Unit Land and Groundwater Team (RULGW) who indicated that whilst they have no objections to the retention of the building, no information has been provided to ensure safe development and end-use of the site. Given that the principle of development has not been established, this additional information has not been requested in order to prevent an unnecessary expense to the applicant.

**CONCLUSION**

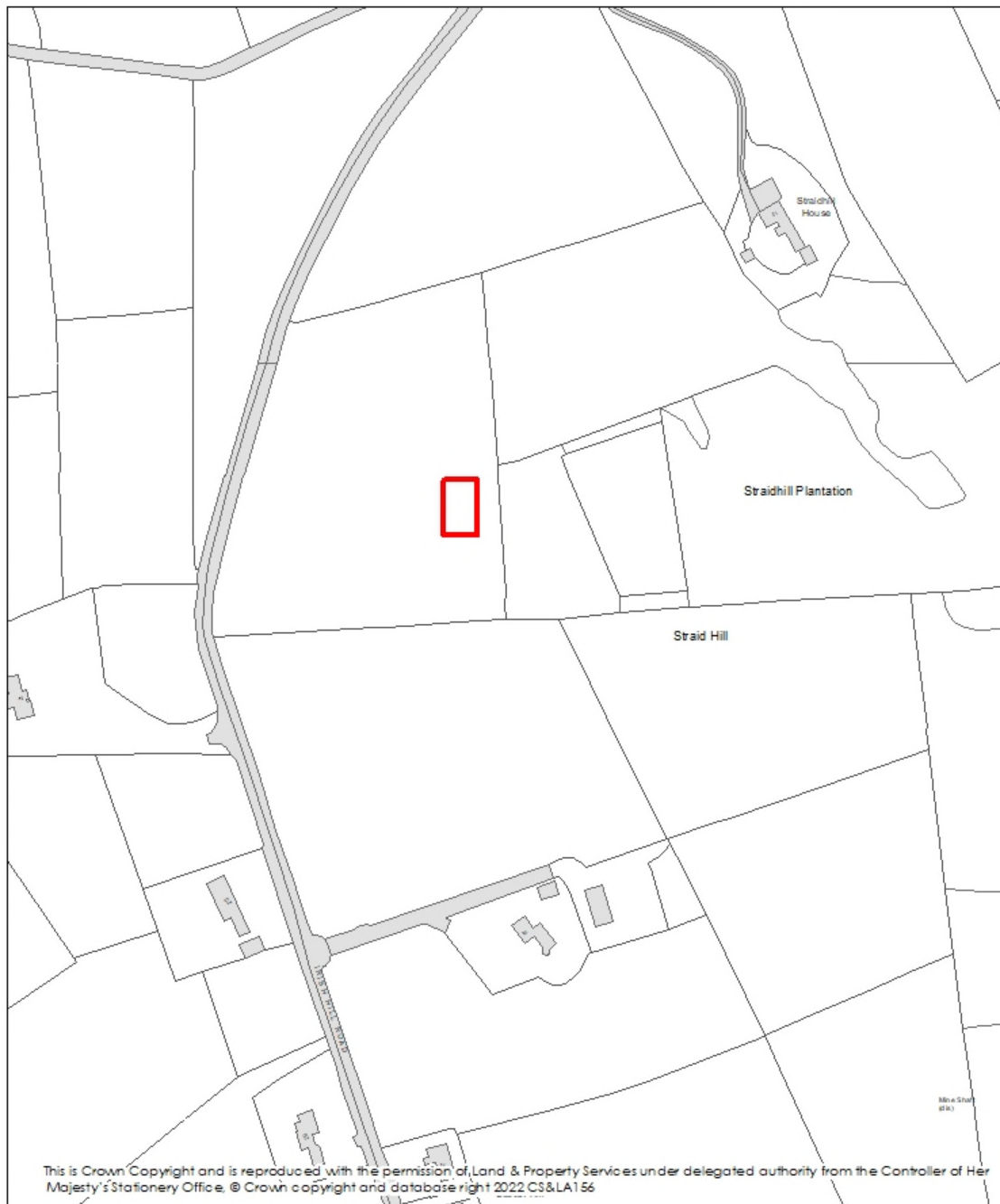
The following is a summary of the main reasons for the recommendation:

- The principle of development test has not been met as it has not been demonstrated that the proposed building is necessary for the efficient use of the agricultural holding or why the proposed building is located away from existing farm buildings;
- The design and appearance of the proposal is considered acceptable;
- The proposal is seen as meeting the requirements of Policies CTY 13 and CTY 14 of PPS 21; and
- The proposal will not unduly affect the privacy or amenity of neighbouring residents.

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

1. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy CTY1 and Policy CTY12 of Planning Policy Statement 21: Sustainable Development in the Countryside, in that the applicant has not provided sufficient information to confirm that the building is necessary for the efficient use of an active and established agricultural holding.

2. The proposal is contrary to the policy provisions of the Strategic Planning Policy statement and Policy CTY 12 of Planning Policy Statement 21 Sustainable Development in the Countryside, in that the development, if approved, would not be sited beside existing farm buildings.
3. The proposal is contrary to the SPPS as it has not been demonstrated that there are no risks to human health as the result of any contamination present on the application site.



Reference: LA03/2022/0609/F

Location: 100m SW of 12a Irish Hill Road, Ballyclare, BT39 9NQ

Proposal: Retrospective application for retention of existing farm shed

Scale: 1:2500



Site Location



|   |   |
|---|---|
| <b>COMMITTEE ITEM</b>   | <b>3.9</b>  |
| <b>APPLICATION NO</b>   | <b>LA03/2022/0609/F</b>   |
| <b>DEA</b>  | <b>BALLYCLARE</b>   |
| <b>COMMITTEE INTEREST</b>   | <b>ADDENDUM TO COMMITTEE REPORT</b>   |
| <b>RECOMMENDATION</b>   | <b>REFUSE PLANNING PERMISSION</b>   |
| <b>PROPOSAL</b>   | Retrospective application for retention of existing farm shed.  |
| <b>SITE/LOCATION</b>  | 100m SW of 12a Irish Hill Road, Ballyclare, BT39 9NQ  |
| <b>APPLICANT</b>  | Mr William Wells  |
| <b>AGENT</b>  | W M McNeill   |
| <b>LAST SITE VISIT</b>  | 15 <sup>th</sup> July 2022  |
| <b>CASE OFFICER</b>   | Gareth McShane<br>Tel: 028 903 40411<br>Email: <a href="mailto:gareth.mcshane@antrimandnewtownabbey.gov.uk">gareth.mcshane@antrimandnewtownabbey.gov.uk</a> |
| <p><b>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 <a href="http://www.planningni.gov.uk">www.planningni.gov.uk</a></b></p>   |   |
| <b>ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS</b>  |   |
| <p>At the October Planning Committee, the applicant's father submitted Document 04 'Offer of Support to Planning Reference LA03/2022/0609/F', date stamped 02 November 2022, which was not available to Members for consideration. The information submitted is in support of the application, and attempts to address the refusal reasons alongside providing aerial imagery of the wider agricultural holding and development at Irish Hill.</p> <p>In relation to refusal reason one it is stated that the need for the agricultural shed was outlined in the Statement of Case (SoC) which was taken into consideration in the assessment of the application. The agent states the refusal of the shed would result in there being no facilities for the storage of machinery or the undertaking of livestock handling, including TB testing, calving and animal treatment, thereby creating an animal welfare issue. Transport costs were highlighted, with the use of another farms cattle handling facilities being required. It is noted within the SoC that the applicant retains two farm sheds at Mullaghboy Road, Islandmagee, having sold off a number of other outbuildings in 2014. The information states the applicant no longer manages his farm at Islandmagee. No further information was provided regarding this point as to whether or not the applicant still has access to the farm sheds at this holding for cattle facilities.</p> <p>A number of personal circumstances are outlined within Document 04, and while the Council is sympathetic to these points, these matters are not part of the policy considerations under Policy CTY 12.</p> <p>Regarding refusal reason two, Document 04 states that two hens' sheds and two small wooden sheds are located within the Irish Hill Road holding. The agent states that there is no definition of what constitutes farm buildings/sheds. These stated buildings are considered temporary structures, with no foundations or permanent fixtures. Under the Planning Act (2011) "development" means the carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of</p> |   |



any material change in the use of any buildings or other land. For the purposes of this Act "building operations" includes:

- (a) demolition of buildings;
- (b) rebuilding;
- (c) structural alteration of or addition to buildings; and
- (d) other operations normally undertaken by a person carrying on business as a builder.

It is considered that the placement of a number of wooden sheds on the lands and the erection of temporary fence panels do not have the benefit of planning permission nor is there a Certificate of Lawfulness for these structures. As there is no evidence to show that these structures are lawful, they cannot be taken into account in the consideration of the application.

The submission in regards to refusal reason three states a condition can be attached or an updated version of the Preliminary Risk Assessment be submitted which displays no risks to human health as the result of any contamination present on the application site. As the principle of development has not been established, the Council did not wish to put the applicant to any further cost.

A number of aerial images were submitted from 2017 to 2020. These images display the position of the temporary shed structures and the application building, which is dated 2022. It is considered that the submitted information has not addressed the previous concerns, and therefore the reasons for refusal remain.

## **CONCLUSION**

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

- The principle of development has not been met as it has not been demonstrated that the proposed building is necessary for the efficient use of the agricultural holding or why the proposed building is not clustered with the other existing farm buildings;
- The design and appearance of the proposal is considered acceptable;
- The proposal is seen as meeting the requirements of Policies CTY 13 and CTY 14 of PPS 21; and
- The proposal will not unduly affect the privacy or amenity of neighbouring residents.

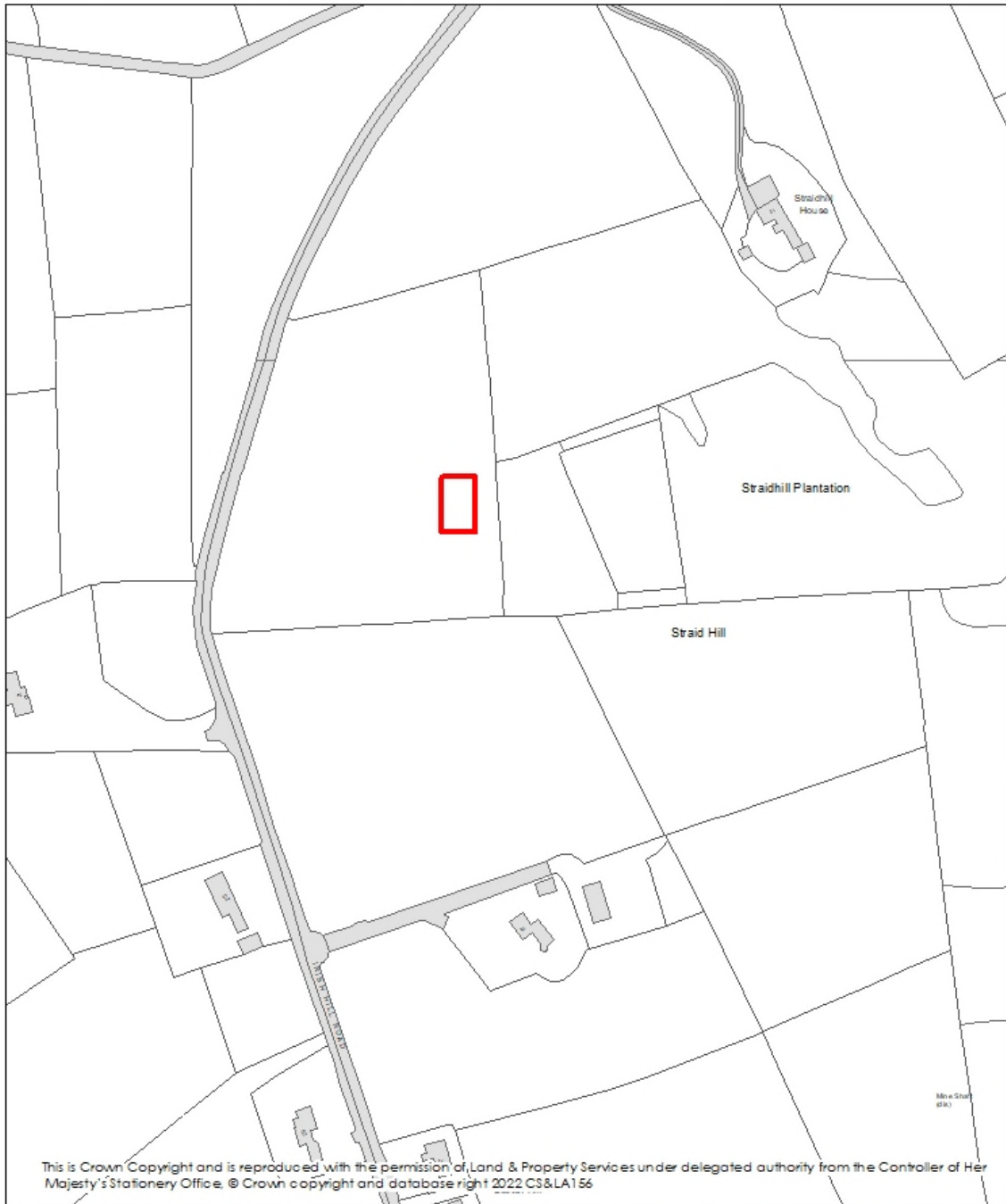
## **RECOMMENDATION**

## **REFUSE PLANNING PERMISSION**

## **PROPOSED REASONS FOR REFUSAL**

1. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy CTY1 and Policy CTY12 of Planning Policy Statement 21: Sustainable Development in the Countryside, in that the applicant has not provided sufficient information to confirm that the building is necessary for the efficient use of an active and established agricultural holding.
2. The proposal is contrary to the policy provisions of the Strategic Planning Policy statement and Policy CTY 12 of Planning Policy Statement 21 Sustainable Development in the Countryside, in that the development, if approved, would not be sited beside existing farm buildings.

3. The proposal is contrary to the SPPS as it has not been demonstrated that there are no risks to human health as the result of any contamination present on the application site.



Reference: LA03/2022/0609/F

Location: 100m SW of 12a Irish Hill Road, Ballyclare, BT39 9NQ

Proposal: Retrospective application for retention of existing farm shed

Scale: 1:2500



Site Location

