



14 June 2023

Committee Chair: Councillor R Foster
Committee Vice-Chair: Councillor H Cushinan

Committee Members: Aldermen – T Campbell, M Magill and J Smyth
Councillors – J Archibald-Brown, A Bennington,
S Cosgrove, S Flanagan, R Kinnear, AM Logue and
B Webb

Dear Member

MEETING OF THE PLANNING COMMITTEE

A meeting of the Planning Committee will be held in the **Council Chamber, Mossley Mill on Monday 19 June 2023 at 6.00 pm.**

You are requested to attend.

Yours sincerely

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

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

PLEASE NOTE: Refreshments will be available from 5.00 pm

For any queries please contact Member Services:

Tel: 028 9448 1301/028 9034 0107

memberservices@antrimandnewtownabbey.gov.uk

AGENDA FOR PLANNING COMMITTEE – JUNE 2023

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

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

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

PART ONE - Decisions on Planning Applications

3.1 Planning Application No: LA03/2022/0356/F

Proposed erection of a new post-primary school, ancillary accommodation with associated hard and soft play areas, provision of new and reconfigured sports facilities to the south of Bridge Road, replacement of floodlighting for 3G pitch, parking, landscaping, site works and access arrangements from Doagh Road at lands at Threemilewater Playing Fields, Doagh Road, Newtownabbey.

3.2 Planning Application No: LA03/2021/0739/F

Demolition of existing shed on the site. Proposed residential development comprising of 10 x 2 storey semi-detached dwellings and 2 x 2 storey town houses, associated infrastructure, carparking and landscaping at Site 10m East of 10 and 19 Glenabbey Drive 10m East of 20 and 23 Glenabbey Avenue 10m East of 26 and 53 Glenabbey Crescent Newtownabbey BT37 0YT.

3.3 Planning Application No: LA03/2022/0094/F

Demolition of existing detached dwelling and development of the site to create (4) four detached dwelling units with garages, including associated site works at 862 Antrim Road, Templepatrick, Ballyclare, BT39 0AH.

3.4 Planning Application No: LA03/2023/0060/F

Installation of a 20m telecoms street pole with antenna and associated ancillary equipment cabinets at area of adopted footpath outside 147 Jordanstown Road, Newtownabbey.

3.5 Planning Application No: **LA03/2022/0979/F**

Erection of stables and hay and machinery shed at 150m East of 36A Speerstown Road, Moorfields, Ballymena.

3.6 Planning Application No: **LA03/2023/0158/F**

Retention of an external storage area for 3no. wind turbine towers, associated blades and 2no. stacked storage units, on redundant concrete hardstand and temporary 1.8-metre-high fencing (Temporary permission for a period of 3 years) at approximately 37m south of 55a Nutts Corner Road, Crumlin.

3.7 Planning Application No: **LA03/2023/0283/F**

New dwelling and integral garage and associated siteworks (CTY 2a and CTY 8) at lands approximately 90 metres northeast of 89 Tildarg Road, Kells.

3.8 Planning Application No: **LA03/2023/0171/F**

Covered livestock pen (retrospective application) 65m to the north-east of 5e Ballyquillan Road Aldergrove Crumlin BT29 4DD.

3.9 Planning Application No: **LA03/2023/0070/F**

Ground floor side extension with two storey rear extension and internal works and new front porch at 8 Gleneden Park, Jordanstown, Newtownabbey, BT37 0QL

3.10 Planning Application No: **LA03/2023/0038/F**

Boundary fence (retrospective) at 12 Merville Mews, Newtownabbey, BT37 9SP.

PART TWO – Other Planning Matters

3.11 Delegated Planning Decisions and Appeals April & May 2023

3.12 Local Development Plan (LDP) – Quarterly Steering Group Meeting

3.13 Correspondence from the Department of Infrastructure (DfI) Revised Scheme of Delegation under the Planning Act (Northern Ireland) 2011 and the Planning (Development Management) Regulations (Northern Ireland) 2015 as amended

3.14 Correspondence from the Department for Infrastructure (DfI) – Revised Statement of Community Involvement under the Planning Act (Northern Ireland) 2011 and the Planning (Statement of Community Involvement) Regulations (Northern Ireland) 2015

3.15 Correspondence from the Department for Infrastructure - Statutory Rule "The Planning (General Permitted Development) (Amendment) Order (Northern Ireland) 2023" (S.R 2023 No.95)

- 3.16 Belfast City Council (BCC) Correspondence, Belfast Local Development Plan – Plan Strategy and Draft Supplementary Planning Guidance
- 3.17 Publication of the Annual Housing Monitor Report 2023
- 3.18 Department for Infrastructure (DfI) Initial Stakeholder Engagement Review of Planning (Development Management) Regulations (NI) 2015
- 3.19 Department for Infrastructure (DfI) Public Consultation on Review of Strategic Planning Policy Statement of Renewable and Low Carbon Energy
- 3.20 Royal Town Planning Institute (RTPI) NI Planning Conference 2023

PART ONE - Decisions on Enforcement Cases - In Confidence

- 3.21 Enforcement Case U/2007/0030/CA - In Confidence
- 3.22 Enforcement Case LA03/2023/0106/CA – In Confidence

**REPORT ON BUSINESS TO BE CONSIDERED AT THE MEETING OF THE
PLANNING COMMITTEE ON 19 JUNE 2023**

PART ONE

PLANNING APPLICATIONS

COMMITTEE ITEM	3.1
APPLICATION NO	LA03/2022/0356/F
DEA	THREEMILEWATER
COMMITTEE INTEREST	MAJOR DEVELOPMENT
RECOMMENDATION	GRANT PLANNING PERMISSION
PROPOSAL	Proposed erection of a new post-primary school, ancillary accommodation with associated hard and soft play areas, provision of new and reconfigured sports facilities to the south of Bridge Road, replacement of floodlighting for 3G pitch, parking, landscaping, site works and access arrangements from Doagh Road
SITE/LOCATION	Lands at Three Mile Water Playing Fields, Doagh Road, Newtownabbey
APPLICANT	Trustees of Abbey Community College
AGENT	Turley
LAST SITE VISIT	19 th May 2022
CASE OFFICER	Ashleigh Wilson Tel: 028 903 Ext40429 Email: ashleigh.wilson@antrimandnewtownabbey.gov.uk
Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Northern Ireland Planning Portal https://planningregister.planningsystemni.gov.uk	
SITE DESCRIPTION	
<p>The application site is located within the development limit of the Belfast Urban Area as indicated within Belfast Urban Area Plan (BUAP). The site is zoned as 'Lands reserved for landscape, amenity or recreation use' (N5) within BUAP.</p> <p>Within draft BMAP (published 2004) the application site is located within the settlement limit of Metropolitan Newtownabbey. The site is defined as an area of existing open space and is also located within Three Mile Water Local Landscape Policy Area (MNY 53). Along the Three Mile Water River, which abuts the site to the northeast is a Site of Local Nature Conservation Importance (2S). A Community Greenway is also indicated within the plan abutting the northeastern boundary of the site and between the site along Bridge Road (MNY 56). The site is accessed off Doagh Road which is a protected route within the settlement limit.</p> <p>The application site comprises the Three Mile Water Playing Fields situated along the Doagh Road. The application site is split into two sections separated by Bridge Road and is used for sports facilities and includes 3no. grass playing fields, one (1) floodlit sports pitch, three (3) tennis courts, one (1) basketball court and associated car parking and changing facilities. The area to the northwest has a grassed area which is open onto the Doagh Road at the southwestern boundary of the application site.</p> <p>The remaining boundaries of the application site are defined by a paladin fence measuring approximately 2.5 metres in height. Tall, mature trees are located at the corner of Doagh Road and Bridge Road and a further row of trees are set back off the Doagh Road across the front of the site, parallel to the southwestern boundary. Existing trees are also located along the rear, northeastern boundary.</p>	

The area comprises a range of uses including the existing Three Mile Water Playing Fields and Three Mile Water River Park. Existing residential development is abutting and opposite the site and also behind the river to the northeast of the site. An existing factory building is located on the Doagh Road to the southwest of the site.

RELEVANT PLANNING HISTORY

Planning Reference: LA03/2021/0949/PAN

Location: Lands at Three Mile Water Playing Fields, Doagh Road, Newtownabbey, BT37 9PA

Proposal: Proposed erection of a new post-primary school, ancillary accommodation and sports facilities with associated hard and soft play areas, parking, landscaping, site works and access arrangement from Doagh Road

Decision: PAN Acceptable (22.10.2021)

Planning Reference: LA03/2020/0804/PAD

Location: Lands at Three Mile Water Playing Fields, Doagh Road, Newtownabbey

Proposal: Proposed erection of a new post-primary school building, ancillary accommodation and sports facilities with associated hard and soft play areas, parking, landscaping, site works and access arrangement from Doagh Road

Decision: PAD Concluded (28.05.2021)

Planning Reference: LA03/2018/1043/PAD

Location: Three Mile Water playing fields, Doagh Road, Newtownabbey, BT37 9PA,

Proposal: Proposed new build post-primary school for 820 no. pupils as a replacement for the existing Abbey Community College on the Monkstown Road. Development to include the provision of an approx. 12000sqm building over two floors, car parking and road access for buses, staff and parents, 3no. grass pitches, 1 no. synthetic pitch and 5 no. synthetic tennis courts. Site to be split across Bridge Road with the building and majority of parking and pitches located to the site of the existing playing fields, with a small car park and 2 no. pitches located across Bridge Road

Decision: PAD Concluded (12.08.2019)

Planning Reference: U/2014/0390/F

Location: Lands at Three Mile Water Playing Fields, Doagh Road, Newtownabbey

Proposal: Proposed changing pavilion, stand, 3G pitches of various sizes, fencing, floodlights, dugouts, viewing shelters, toilet blocks and new vehicle entrance

Decision: Permission Granted (19.08.2015)

Planning Reference: U/1990/0012/O

Location: Land between Doagh Road and Hawthorne Road, Monkstown

Proposal: Provision of a conservation area / park.

Decision: Permission Granted (07.08.1990)

Planning Reference: U/1987/0546/F

Location: Three Mile Water Playing Fields, Doagh Road, Glengormley

Proposal: Erection of pre-fabricated sports changing facilities

Decision: Permission Granted (24.11.1987)

Planning Reference: U/1978/0519/F

Location: Doagh Road / Bridge Road, Ballyduff

Proposal: Playing Fields

Decision: Permission Granted (27.10.1980)

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.

Belfast Urban Area Plan (BUAP): The application site is located within the development limit of Belfast Urban Area. The site is zoned as 'Lands reserved for landscape, amenity or recreation use' (N5)

Draft Belfast Metropolitan Area Plan (Published 2004) (dBMAP): The application site is located within the settlement limit of Metropolitan Newtownabbey. The site is an area of existing open space. It is also located within Three Mile Water Local Landscape Policy Area (MNY 53). Along the Three Mile Water River and abutting the site to the northeast is a Site of Local Nature Conservation Importance (2S). A Community Greenway is also indicated within the plan abutting the northeastern boundary of the site and between the site along Bridge Road (MNY 56). The site is accessed off Doagh Road which is a protected route.

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

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

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

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

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

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

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

CONSULTATION

Council Environmental Health Section

No objection, subject to conditions.

Northern Ireland Water

No objection.

Department for Infrastructure Roads

No objection, subject to conditions.

Department for Infrastructure Rivers

No objection.

Department for Communities Historic Environment Division

No objection, subject to conditions.

DAERA: Water Management Unit

No objection, subject to the proposal complying with PPS 15, Policy FLD 4 'Artificial Modification of Watercourses' and a proposed condition.

DAERA: Natural Environment Division

No objection, subject to conditions.

Northern Ireland Electricity

No objection.

Shared Environmental Services

No objection, subject to a condition.

REPRESENTATION

Fifty-Four (54) neighbouring properties notified and five (5) letters of objection have been received. The full representations made regarding this proposal are available for Members to view online at the Planning Portal:

<https://planningregister.planningsystemni.gov.uk>

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

- Why can't the school be built on the existing school site;

- Loss of public visual amenity;
- Loss of views;
- Layout and density of the building;
- Design, appearance and materials of the proposed building;
- Dominance;
- Loss of trees / landscaping;
- Road safety concerns;
- Poor road surfacing;
- Limited access;
- Increased traffic;
- Proposed development will exacerbate an already dangerous crossroads at Bridge Road/Doagh Road junction; and
- Noise

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

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

Preliminary Matters

Environmental Impact Assessment

As the development falls within Category 2, 10 (a) The carrying out of development to provide for industrial estate development projects and Category 2, 10 (c) The carrying out of development to provide for urban development projects, including the construction of shopping centres and car parks, of the Environmental Impact Assessment Regulations (Northern Ireland) 2017, the Council is obliged under Regulation 12 (1) of these Regulations to make a determination as to whether an application is or is not EIA development. An EIA screening determination was carried out and it was determined that the planning application does not require to be accompanied by an Environmental Statement.

Pre-Application Notice

The application falls within the category of a Major planning application as defined by the Planning (Development Management) Regulations (Northern Ireland) 2015 and as such was subject to a Pre-Application Community Consultation carried out on behalf of the applicant.

To comply with the pre-application notification requirements of Section 27 of the Planning Act (NI) 2011 the applicant submitted a Proposal of Application Notice (PAN) on 5th October 2021 (ref: LA03/2021/0949/PAN). Residents within a 200-metre radius of the site were provided with details of the proposed development and advised of the online consultation arrangements which were to replace the community consultation public event temporarily suspended due to the Covid-19 Emergency. Elected Members for the District Electoral Area, relevant MPs and MLAs, residents and local businesses were included in the consultation. A number of comments were made during the consultation process. The planning application was

received following expiration of the 12-week period following submission of the PAN thus satisfying the requirements of Section 27 of the 2011 Act.

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. As a consequence, the Belfast Urban Area Plan (BUAP) operates as the Local Development Plan (LDP) for the area. The provisions of the draft Belfast Metropolitan Area Plan (dBMAP) are also a material consideration in this application.

The application site lies within the settlement limit of Metropolitan Newtownabbey in both Plans. The proposal seeks full planning permission for the proposed erection of a new post-primary school, ancillary accommodation and sports facilities with associated hard and soft play areas, parking, landscaping, replacement of floodlighting for 3G pitch, site works and access arrangements from Doagh Road. The new school facilities are proposed to replace the existing Abbey Community College which is located around 500m east of the proposed site at Monkstown Road, Newtownabbey.

There are a number of elements to discuss when assessing the principle of development for the proposal. The proposal is for educational/community facilities and this element, in general, is covered first. The following section considers the SPSS which places a school (community use) as a town centre use and requires a needs and sequential assessment for any town centre use located outside a town centre boundary. Finally, the application site is currently used as an area of existing open space which planning policy, BUAP and dBMAP seek to protect, and therefore this matter is also discussed below along with the designation of the site within a Local Landscape Policy Area (LLPA).

Proposed educational and community facilities

The provision and improvement of educational facilities is a core element and objective within key central government frameworks and strategies such as the draft Programme for Government 2016-2021 and the Regional Development Strategy 2035.

The Belfast Urban Area Plan (2001) states that the urban area is already well provided for in terms of total school places, however, in some instances there will be a need to replace, modernise or extend existing school facilities. The BUAP states that where new sites are required, land will be identified by individual site assessment or by the preparation of local plans.

Policy CF 2 of Part 3, Volume 1 of dBMAP states that planning permission will be granted for education facilities within the Metropolitan Development Limit providing certain criteria are met, including: there being no adverse effect on the built heritage or nature conservation interest or on the visual or residential amenity of those living in close proximity to the site; that the proposal does not prejudice the comprehensive development of surrounding lands particularly on zoned sites; that the proposals are in keeping with the size and character of the settlement and its surroundings; and where necessary additional infrastructure will be provided by the developer and there are satisfactory arrangements for access, parking, drainage and sewage disposal. It is considered the proposal complies with these matters which are discussed within the relevant sections in more detail below.

The plan goes on to state that unforeseen demands for new community facilities may arise and a flexible approach is required in considering such development within the development limits in order to make the most effective use of existing facilities, infrastructure, utilities and resources. It is therefore considered that the proposed use for a school and sports pitches is not at odds with the statutory and draft Development Plans for the area.

SPPS

The SPPS, Para 5.72, states that 'Planning Authorities should be guided by the principle that sustainable development should be permitted, having regard to the Local Development Plan and all other material considerations, unless the proposed development will cause demonstrable harm to interests of acknowledged importance'.

The SPPS sets out policies for Town Centres and Retailing and seeks to secure a 'town centre first' approach for the location of future retailing and other main town centre uses. A footnote goes on to define "town centre uses" as including "cultural and community facilities, retail, leisure, entertainment and businesses". The proposed development is a community facility and therefore is a town centre use and the provisions of the SPPS require that an assessment of need is carried out and a sequential assessment undertaken. These are discussed below.

Need

Paragraph 6.282 of the SPPS states that in the absence of an up-to-date Local Development Plan, an assessment of need that is proportionate to the proposal should be provided.

Document No. 14, date stamped 20th September 2022 and Document 17, date stamped 14th November 2022, submitted by the applicant in support of the application, addresses the need for the relocation of the school to the application site. The documents state that the existing site extends to 2.15 hectares in size and is significantly in deficit to the requirements of a school with enrolment of 820 pupils. The reports state that due to the constrained size of the site there are no outdoor sports facilities or soft play space and that the size of hard play areas is insufficient with the school having to rent off site sports facilities from the Council in order to provide opportunities for outdoor sports. The supporting information states that internally the classrooms and ancillary accommodation are undersized and teaching spaces do not meet requirements of the Disability Discrimination Act (DDA) having a significant impact on staff and pupil accessibility within the school.

The supporting information highlights the level of under provision, as set out within the Schedule of Accommodation (SOA) for Secondary Schools from the Department of Education Building Handbook, which indicates that the level of under provision amounts to 935 square metres of teaching space and 2,786sqm overall. The overall site area measures approximately 2.15ha in size which is significantly below the recommended area of 6.81ha which highlights a deficiency of 1,370 square metres of hard play space and no playing fields or tennis courts within the curtilage of the school grounds. The constrained size of the site also contributes to an under provision in car parking of 33no. spaces.

Document No.14 indicates that due to the existing site being constrained on all sides by development, there is not enough space to meet the floorspace requirements whilst also providing the necessary play spaces and parking. A further point raised within Document 17 is that due to the age of construction, overall layout and universal accessibility provision plus identified maintenance issues, the existing school facility has a suitability score significantly below the Building Handbook Benchmark.

Objection letters from neighbouring properties raised concerns with the principle of the relocation of the school and asked why the school cannot be built on the existing school site. It is considered that the above information sufficiently demonstrates the need for the relocation of the school, however, the SPPS also requires that a sequential assessment is carried out with regards to the proposed location outside the town centre.

Sequential Assessment

The SPPS requires that development proposals for a main town centre use which are not located in an existing centre and are not in accordance with an up-to-date LDP should demonstrate that there are no other sequentially preferable sites and states that applicants will be expected to identify and fully demonstrate why alternative sites are not "suitable, available and viable". The PAC have taken the view (in reporting on the Magherafelt Retail Inquiry, drew attention to the Supreme Court decision on Tesco v Dundee City Council [2012] regarding the interpretation of the term 'suitable) that the term suitable could only be read as requiring an assessment of sites suitable for the development proposed by the applicant and not suitable from the perspective of the Planning Authority.

The SPPS states that applications for main town centre uses should be considered in the following order: primary retail core, town centres, edge of town centre and out of centre locations. The application site occupies a position at the bottom of this hierarchy and comprises a site in an out of centre location, outwith any designated primary retail core, town centre, local or district centre or edge of centre location.

Metropolitan Newtownabbey is unique in that it does not have a defined town centre but the closest primary retail core to the site is Belfast which is approximately six (6) miles to the southeast and the closest town centre is Ballyclare which is approximately seven (7) miles to the northwest. It is also worth noting that the existing Abbey Community College is outside any town centre or edge of centre location.

Document No. 17, date stamped 14th November 2022 'Sequential Assessment' sets out the catchment, however, it states that the application of a catchment area

relates to a retail development as it captures a number of metrics (population, spend per head etc.) which are then used to assess the retail impact of a development and it is not therefore readily transferable to the development of a school with no further guidance within the SPPS on how the catchment for the full range of main town centre uses should be determined. Notwithstanding this, the applicant defines the catchment area by the area which pupils are drawn from by using postcode data to identify where the current pupils of the school reside.

To inform the assessment of available and viable sites, the applicant has used the criteria that the location be within the catchment area of the school, has a minimum overall site size of 6.81 hectares and has also considered the proximity to existing schools.

It is noted within Document No.17, date stamped 14th November 2022, that there are no town centres within the catchment of the proposed school. It states that Ballyclare is the closest however, it is 8km distant from the application site.

Glengormley Local Centre is located approximately 2.8km southwest of the site and Abbeycentre District Centre is located approximately 3.25km away. The applicant has, for completeness, considered all three centres, despite lying on the periphery of the catchment area.

Document 17 states that there are no available sites within Ballyclare Town Centre or on the edge of centre location, i.e. within 300 metres of the town centre boundary as land is generally developed for alternative uses and any land that is undeveloped is in use as public open space. In addition, the town is served by two (2) existing post primary schools located on the edge of town centre and there is no need for a further school within this location.

Glengormley is designated as a local centre in draft BMAP stating that it is a traditional local shopping centre. It is stated within Document No.17 that the provision of a school in the centre would not complement the role and function of the local centre, that there are no available sites of a sufficient size to accommodate the proposal nor are there any sites within 300 metres of the local centre boundary as this is generally undeveloped or is in use as public open space. In addition, Glengormley also benefits from an integrated post primary school and there is no need for a further post primary school to serve this area of Newtownabbey.

Abbeycentre is designated as a district centre within dBMAP and again, Document No.17 states that the provision of a school in the centre would not complement the role and function of the district shopping centre. It is further stated that there are no available sites which are of sufficient size to accommodate the proposal within the district centre boundary or that isn't undeveloped or used as public open space.

Retail Impact

The SPPS also requires that all applications for retail or town centre type developments above a threshold of 1000sqm which are not proposed in a town centre should be required to undertake a full assessment of retail impact as well as need. SPPS Paragraph 6.290 sets out a number of matters to be considered in assessment of impact and Paragraph 6.291 states that where an impact on one or more of these is considered significantly adverse or where, in balancing the overall impacts of each of the criteria, the proposed development is judged to be harmful, then it should be refused. It is considered that the provision of a school at this location

will not have a significant retail impact on the town centres or other centres within close proximity given that the existing Abbey Community College is not within a town centre or edge of town centre location.

In conclusion, the catchment of the school is not within a town centre or other centre location. The existing Abbey Community College school, which the proposal seeks to replace, is not within a town centre or edge of centre location. In essence this is an off-site replacement school which needs to be constructed within its catchment in order to properly service the local population and has to be located where it is needed. It is considered that sufficient detail has been provided to satisfy the provisions of the SPPS in this regard and it is considered that the proposed school would not have a significant impact on the existing centres.

Loss of Open Space

The application site is an area of existing open space within the Borough. BMA Open Space, Sport and Outdoor Recreation Strategy comprises the protection of existing open space. The provision of parks contributes to the amenity and character of an area and improves quality of life by providing important 'green lungs', health benefits, visual breaks and wildlife habitats in built up areas. Open space provides opportunities for physical recreation. The contribution of open space and facilities is enhanced by community greenways and it is important that these are protected from development as once lost they cannot easily be replaced.

Policy R1 of BUAP 'Protection of Existing Open Spaces' states 'In exceptional circumstances the Department may permit development on open spaces where it is satisfied that it is in the public interest taking into account such factors as: alternative recreation facilities accessible to the local population or users of the particular facility; and alternative need for recreation or open space use.

Policy OS 1 within Part 3, Volume 1 of the dBMAP states that planning permission will not be granted for alternative uses or inappropriate forms of development on land identified for the provision of open space. The SPPS contains a subject policy dealing with Open Space, Sport and Outdoor Recreation and at paragraph 6.205 states "There will be a policy presumption against the loss of open space to competing land uses in Local Development Plans (LDPs) irrespective of its physical condition and appearance. Any exception to this general approach should only be appropriate where it is demonstrated that redevelopment would bring substantial community benefit that outweighs the loss of the open space; or where it is demonstrated that the loss of open space will have no significant detrimental impact". Para 5.5 states that in such cases, applicants will generally be expected to demonstrate that their proposals are supported by the local community.

Draft BMAP indicates that 5.68Ha of open space in the form of pitches is provided at Three Mile Water Playing Fields and that the wider Three Mile Water Linear Park at Doagh Road comprises 73.54Ha of open space. The total school site including the pitches to the south of the application site and outdoor play areas associated with the school is 8.7Ha.

Para 5.10 of Policy OS 1 states that all proposals for the alternative use of open space will be assessed with regards to their effect on the amenity, character and

biodiversity of the area and the wider locality and taking into account the needs of future generations.

In light of the above, the applicant has submitted supporting information (Document 14/1, date stamped 21st October 2022), outlining how the proposal is considered to justify the loss of open space in this instance. The policy does not give any specific guidance as to what constitutes a 'substantial' benefit, nor does it state what exactly the term 'community' means. Judgement is therefore required to be exercised by the decision maker.

The proposal is split into two sections by Bridge Road. The northern section is proposed to comprise of the school building with associated infrastructure and facilities including a grassed sports pitch and tennis courts. The southern section is proposed to be redeveloped and reconfigured for enhanced sports facilities. The applicant has indicated (email dated 29th March 2023) that a lease and licence agreement for the sports facilities to the southern section of the site will be drawn up to allow the Council to rent the sports facilities during the evenings and weekends and therefore will be available for use by the public. The proposed facilities on the southern section include two grass pitches and one synthetic pitch along with three tennis courts and a parking area.

The applicant's architect has confirmed (email dated 2nd May 2023) that the total site is 87,000 square metres, of which the school is 9,407 square metres, roads and parking is 10,804 square metres and the open space is 66,789 square metres.

It is stated within Document No.14/1 that the proposal seeks to redevelop a site which is located in a largely residential area from which the school draws a significant proportion of its catchment and as such is within a reasonable walking distance; is well served by public bus services and, in addition, the school has a strong community ethos with the existing facilities used by community and sports groups outside of normal school hours. The new and enhanced facilities will continue to provide a valuable resource for the continued benefit of a range of community and recreational uses.

Document No. 14/1 states that the school building is also proposed to provide sports facilities including a sports hall, multipurpose room, changing facilities, and equipment stores. The school has also been designed to provide dedicated learning facilities which will create a positive and conducive learning environment for children with additional or specific educational needs. Hard play spaces are proposed around the school building and between the projections of the built form to supplement the formal sports facilities and encourage outdoor play during breaks in the school day. The play spaces are accessed directly from the building. A landscape feature is also proposed to be formed through banking of the land to the south of the school building for interest and any loss of any trees is proposed to be compensated through the put-back of an extensive landscaping programme.

The community benefit of the proposal has also been attributed weight in the assessment of the loss of the open space. The need for the proposed new school for the area has been outlined above. Document No.14/1 states that the existing school facilities are substandard in terms of space requirements which is causing significant pressure on the school's ability to continue to deliver a modern curriculum and support a high level of educational attainment; it lacks sufficient hard and soft play

areas for pupils within the confines of the site and due to the existing site being constrained on all sides by development, there is not enough space to meet the floorspace requirements whilst also providing the necessary play spaces and parking.

The proposed location of the site in a predominantly residential urban area, and approximately 500m from the existing school site, ensures the school remains centrally located within the catchment area which it serves and is accessible to all members of the community; and the existing school is located at a busy staggered crossroads traffic junction with substandard access and parking arrangements which is considered a significant constraint of the existing school site.

With regards to the justification for the loss of the open space, it is also outlined within Document No.14/1 that:

- Sufficient land is available on the application site to deliver the school facilities in an accessible location whilst also redeveloping and improving the existing sports facilities for use by both the school and wider public;
- The school has a strong community ethos with the existing facilities used by the community and sports groups outside of normal school hours. The school places significant value on the connection with the local communities it serves and with the new facilities will continue to be a valuable resource providing substantial continued benefits for the local community through the facilitation of a range of community and recreational uses;
- The site currently functions as a Council-operated sports facility comprising a range of pitches and courts with areas of leftover underutilised space across both the northern and southern sections of the site;
- The proposed redevelopment will condense the majority of the sports facilities onto the southern section of the site, with the exception of one grassed playing field to the north of the proposed school building, to make better use of spaces which have remained unused and unmaintained for a significant number of years;
- The gravel pitch has historically been used for hockey and athletics, however, it has not been used for either purpose for a number of years which coincides with the provision of the high-quality facilities at Ulster University Jordanstown Campus and the 3G pitch on the site;
- The site currently provides 5 sports pitches (3 grass, 1 synthetic, 1 gravel), 3 tennis courts and a basketball court and the redevelopment proposals will deliver 4 new sports pitches (3 grass and 1 synthetic) and 5 new tennis courts alongside the high quality indoor facilities within the school. The applicant contends that the replacement and enhancement of the existing facilities will result in nil detriment to the quality of the open space provision to serve the local community;
- The proposed sports facilities will be leased by the Council following construction and will therefore remain highly accessible to the wider public. The provision of a new access from Doagh Road and on-site parking provision will assist in making this area of the site more accessible to all; and

- An extensive public consultation process was undertaken and it is considered the level of objection corroborates the strong level of support for the project that was indicated through the pre-application community consultation process.

Having considered the applicant's supporting information it is accepted that there will be an impact on the existing provision of open space provided through the construction of the school building and associated development. However, it is considered that the principle of development is acceptable as the community benefits of the development, advocated by the applicant, through the enhancement of sporting facilities and publicly available open space at the southern side of the site coupled with the community benefit of providing a fit for purpose school for the area are considered to outweigh the loss of the open space in this instance. The proposal is considered to satisfy the provisions of the Belfast Urban Area Plan, the SPPS and Policy OS 1 of PPS 8 in this regard. It is considered that a condition is necessary to secure the facilities being leased by the Council in order to ensure there is upgraded and adequate community facilities in accordance with PPS 8 (Condition 8).

Policy for the control of development within a Community Greenway is contained in Policy OS 2 as set out in Part 3, Volume 1 of dBMAP. Policy OS 2 states that planning permission will not be granted for development either within or adjacent to a Community Greenway which would prejudice the retention, enhancement or further development of an identified route. Where appropriate, development proposals shall include open space linkages to designated Community Greenways. The route to the Three Mile Water adjacent to the site from Doagh Road is to be retained and a buffer is retained between the river and the application site boundary and therefore the proposal is not considered to conflict with this policy.

Policy OS 4 of Part 1, Volume 3 of dBMAP states that planning permission will only be granted for major non-residential development proposals where satisfactory provision is made for the development and maintenance of integral open space. As set out above the pitches will provide open space along with grassed areas to the front of the site along Doagh Road. It is considered the proposal includes a sufficient provision of open space.

Local Landscape Policy Area (LLPA)

The site is located within the draft Three Mile Water Local Landscape Policy Area (MNY 53). The features that are noted within draft BMAP include archaeological sites and monument and their surroundings; an area of local amenity importance including Three Mile Water Playing Fields, and a number of pedestrian cycle routes; an area of local nature conservation interest comprising an extensive river corridor linking Belfast Lough Shoreline to Mossley Mill pond, with extensive areas of woodland including Three Mile Water Conservation Park and Monkstown Wood Woodland Trust.

In accordance with PPS 6 Planning, Archaeology and the Built Heritage, LLPAs are designated to help protect those areas within and/or adjoining settlements which are considered to be of greatest amenity value, landscape quality or significance and are therefore worthy of protection from undesirable or damaging development including archaeological sites, river banks and associated public access, attractive

vistas, and other areas of local amenity importance and areas of local nature conservation importance.

There have been a large number of decisions taken by the Planning Appeals Commission (PAC) that indicate, whilst the emerging policy provisions of draft BMAP remain material considerations in the determination of planning applications, reliance on specific policies, designations or zonings of the purportedly adopted BMAP to refuse development proposals is misplaced (e.g. Appeal Reference 2019/A0113).

Notwithstanding the above, the policy for the control of development in Local Landscape Policy Areas is contained in Policy ENV 3 of Part 3, Volume 1 of the Plan which 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. The policy also states that where riverbanks are included within LLPA's, planning permission will only be granted where access is provided to the river corridor as part of the development proposals.

The area abutting the northeastern boundary of the site along the Three Mile Water River is a Site of Local Nature Conservation Importance. The proposed boundaries to the application site include 2.4-metre-high perimeter fencing. The existing path leading to the river corridor is immediately to the northwest of the site, outside the application site boundary, and is to be retained. A buffer is maintained between the river and the application site.

It is considered that, while it is accepted that the proposed school will introduce a change to this draft Local Landscape Policy Area, this must be balanced with the demonstrated community need for the proposal and the limited weight that could be given to a draft plan designation. It is considered any impacts are outweighed by the proposed enhancement of the existing sports facilities and wider community benefit of providing a fit for purpose school for the area and, in addition, DAERA Natural Heritage has raised no objection to the proposal.

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

Paragraph 4.23 – 4.30 of the SPPS relates to good design. It states that good design identifies and makes positive use of the assets of a site and the characteristics of its surroundings to determine the most appropriate form of development.

The application site is split into two sections with Bridge Road separating the two areas. The main entrance to the school is taken from Doagh Road and also includes pedestrian accesses to the site from Doagh Road and Bridge Road. The northwestern section of the site includes a new school building which is set back some fourteen (14) metres from the southwestern, Doagh Road boundary. The proposed school building is two storeys in part with the majority being single storey in height. The footprint of the building is irregular in shape and is broken up with varying heights and projections.

The main entrance to the school is positioned on the northwestern elevation which spans approximately 141 metres in length at the longest point and is two storeys in height, with a further raised roof above allowing light into a middle corridor. Views of

this elevation will be apparent when approaching the site travelling in a southeasterly direction along the Doagh Road, however, long views will be restricted due to the existing vegetation along this stretch of the Doagh Road. While some vegetation will be removed along the Doagh Road, additional planting is proposed to seek to soften the visual impact of the proposed development.

The southwestern elevation facing the Doagh Road at the closest point is approximately 42 metres in width and this section is linked to a wider section of the building set behind this, measuring approximately 101 metres in width. The widest section of the building is the rear block, furthest away from the Doagh Road, measuring approximately 138 metres.

From the Bridge Road, the existing topography rises away from the road. however, the proposal involves cutting into the existing ground level with the proposed building located on a similar level to the road. The proposed building is situated approximately 45 metres back from the road edge and the existing riverside vegetation beyond the northeastern boundary of the site, coupled with the proposed planting, will seek to soften the visual impact of the proposal from this aspect.

The proposed finishes of the school include white self-coloured render, grey clay facing brick, natural stone, rain screen cladding panels, standing seam aluminium roof, grey polyester powder coated aluminium windows, translucent glazing panels and coloured glass. The existing area comprises a mix of red brick, render and dash finishes to the residential properties, however, existing factory buildings within close proximity opposite the site introduce a variety of finishes and large areas of glazing. It is considered the proposed finishes are acceptable.

A small glass house is located behind the school building at the northeastern end of the site. A maintenance building is also proposed closest to the Bridge Road. Within the site, abutting the Doagh Road is a grassed area and beyond this is the proposed car parking for the school. Beyond the car park, one pitch and two courts are located in the northwestern corner of the application site as well as the bus drop off area.

The second section of the site lies to the southeast of Bridge Road. Proposed on this southeastern section of the site are 3no. courts closest to the Doagh Road, an area of parking to the southeast of the tennis courts, one synthetic pitch and two grass pitches. Sections through the site have been provided to indicate the level differences across the site. There is some six (6) metres difference across the site in parts and this has resulted in the proposal requiring a significant level of cutting across the site. The most significant area of cutting is approximately 4 metres lower than existing ground level to facilitate the school building. The cutting will result in the proposed school building sitting at a lower level than the Doagh Road which will reduce the prominence of the building. The agent has advised that the site level changes ensure the development can be constructed to deliver a wholly accessible scheme.

From the road the building will be set approximately 2.5 metres below the road level. At the highest part the building is approximately eleven (11) metres from proposed ground level. It is considered, due to the existing difference in levels across the site,

that the level of cutting is acceptable in this instance and that the scale and massing of the building would not have a significant detrimental visual impact.

Concerns have been raised through letters of objection with regards to the loss of trees and landscaping as a result of the proposal. Drawing No. 22/3, date stamped 3rd April 2023, indicates the tree retention and removal within the site. A total of one hundred and seven (107) trees and seven (7) groups of woodland vegetation are proposed to be removed to facilitate the proposal.

44no. trees and 9no. groups of woodland vegetation are to be retained. The planting plan (Drawing No. 21/4, date stamped 23rd March 2023) indicates that a total of 1159 trees are to be planted ranging from 60cm – 600cm. Further shrubs and woodland areas are proposed to be planted. It is considered that the proposed planting for the site is sufficient and, although these will take time to mature, it is considered they will compensate for the loss of trees.

The proposal includes replacement floodlighting to the synthetic pitch. The existing 6 No. floodlights are to be replaced by 6 No. floodlights. PPS 8, Policy OS 7 'The Floodlighting of sports and recreational facilities' is the relevant policy context to assess such floodlighting. The policy requires that there is no adverse impact on the visual amenity or character of the locality. Given there are existing floodlights around the perimeter of this pitch and the positioning is changing only slightly, it is considered the floodlights will not have a significant visual impact.

The proposed boundary treatments include 2.4-metre-high perimeter fencing indicated on all boundaries of the application site including along Bridge Road and Doagh Road. Concerns were raised with the applicant's agent with regards to the visual impact of the fencing along this stretch of the Doagh Road. The applicant's agent has made the case that the key issue with having any other form of boundary treatment is from a security standpoint. The agent has advised that introducing planting in front of the fencing would create potential breach points of the boundary by providing opportunities to climb any landscaping to scale the fencing. A requirement to provide visibility into and out of the school grounds to enable passive surveillance, in accordance with Secured by Design Requirements, also restricts the type of boundary planting which could be used to hedging of a maximum 500mm in height or trees with a minimum ground to canopy clearance of 2m to provide for 'clear natural surveillance'.

The applicant has advised that stepping the fencing back from the footpath would also create an undefended area within the school's ownership. This creates a significant management, control and liability risk. Due to the regrading of the land adjacent to the footpath along this boundary, moving the boundary fencing further into the site would also require the introduction of a retaining solution and further engineering along the full extent of the boundary at the back of the footpath. A strip of hardstanding would also be required behind the planting as the fencing is required to be grounded on hard surfacing.

The proposed plans have been amended to introduce additional tree planting behind the fence line. The additional trees are proposed in a linear form and appropriately spaced to facilitate surveillance whilst also ensuring the canopy can close over without causing undue conflict once matured.

Views of the site will be apparent when travelling in both directions along Doagh Road approaching the site. These will be relatively short views due to the existing landscaping along the Doagh Road. While there will be a change visually as a result of the proposal, it is considered that the layout and design of the building is sufficiently broken up and the finishes are considered acceptable. It is considered that the proposed building will not appear dominant or have an unacceptable visual impact on the character or appearance of the area. Proposed planting and grassed areas to the front of the site will help to soften the visual impact of the proposal and the proposed trees will, in time, soften the proposed fencing along the roadside.

Neighbour Amenity

A number of residential dwellings are located within close proximity to the site including opposite the site at Doagh Road and to the south of the site at Nos.357 and 367 Doagh Road. The Three Mile Water River separates the application site from the dwellings to the northeast.

Noise

With regards to the noise impact associated with the proposed development, objection has been received in this regard from occupants of neighbouring properties. The drawings submitted show the location of the kitchen and plant room towards the rear of the proposed building at the northeastern side of the application site closest to the river.

The nearest sensitive receptor appears to be located approximately 88m to the north east of the site boundary at Bridge Road. Based on this separation distance and further to consultation with Environmental Health Section (EHS), it is considered that a Noise and Odour Impact Assessment is not required for the proposed kitchen extraction and plant. It is noted on Drawing Number 12/1, date stamped 3rd April 2023, that roller shutter doors are to be fitted to the plant room and the switch room on the northeastern façade. A condition has been proposed to ensure these are kept in the closed position at all times other than for access and egress and when maintenance is being undertaken, in order to minimise noise from this location.

With regards to noise associated with the proposed playing pitches, EHS has been consulted and has noted that pitches currently exist at the development site, with no restriction on operating hours. It is therefore considered overly restrictive to condition the proposed hours of use for the pitches. Having reviewed the available information, EHS are satisfied that noise impact from the proposed development can be suitably controlled, subject to the attachment of conditions. Informatives have also been provided by EHS with regards to the ball stop fencing to minimise rattling noise from ball impacts.

Lighting

The application was amended during the processing of the application to include lighting. Policy OS 7 'The Floodlighting of sports and recreational facilities' requires that there is no unacceptable impact on the amenities of people living nearby. It goes on to advise that care must be taken to ensure that floodlighting will not cause unacceptable harm to amenity and where floodlighting is proposed to an existing facility, a number of issues need to be considered. This includes the potential for increased use of the facility, light pollution and increased traffic and noise

generation. Such issues are particularly relevant where the proposed floodlighting is close to residential properties. (Para 5.52, pg. 35).

The Institute of Lighting Professionals (ILP) has a Guidance Note for the Reduction of Obtrusive Light. This guidance establishes a measure for lighting levels with various categorisation of light levels. This categorisation ranges from sparsely populated areas to heavily populated areas. The applicant submitted a Lighting Impact Assessment Report, Project: New 3G Pitch, prepared by ISD, Document Number 20, date stamped 14th February 2023. The report references the Institution of Lighting Professionals (ILP) Guidance Note 01/21, The Reduction of Obtrusive Light. The report identifies the area in question as being within Environmental Zone E3, Suburban, Medium District Brightness, typical of small town centres or suburban locations. Submitted Drawing Number 37, date stamped 15 February 2023, shows the maximum vertical illuminance as 0.41lx at 357 Doagh Road and 0.05 lux at No.367 Doagh Road. These values are below the limits for Zone E3 for both day time and night time hours. It is noted from the report that the artificial lighting to the 3G pitch will not operate during night time hours.

The applicant also submitted an External Lighting Impact Assessment Report, Document Number 21, date stamped 14th February 2023. This report relates to lighting installed to the school buildings site and includes the internal roadway and car parking areas. The roadway and carpark lighting is to be controlled separately and the report states that the proposed lighting to the car parks and roadway will not operate between the hours of 23:00 and 07:00 hours, therefore night time amenity will be protected at nearby sensitive receptors.

The applicant submitted updated drawings showing the dining area extended, resulting in some external lighting moving towards residential property at Doagh Road. The residential properties are however, partially screened by further school buildings. Updated Drawing Number 36/1, date stamped 3rd February 2023 indicates that amenity at the residential units will not be adversely impacted as a result. EHS has been consulted and has raised no objection with regards to light impact on neighbouring properties.

It is considered there is sufficient separation and perimeter boundary treatments to ensure there is no significant detrimental impact by way of overlooking or overshadowing to neighbouring properties from the proposed development.

Objection has been received regarding the loss of views as a result of the proposal. It is considered that the neighbours view is not restricted by the proposed development, instead it is a change of view from that which exists at present and it is not considered that the change of view is detrimental to the outlook of the existing dwelling.

It is considered the proposed development of a school and associated development along with the sports facilities proposed are compatible with the surrounding residential, industrial, and open space uses within the immediate area. Taking the above into consideration, as well as the consultation response from EHS raising no objection, subject to conditions, it is considered that the proposal will not have a detrimental impact on the residential amenity of neighbouring properties.

Natural Heritage

Bats are a European protected species under the Habitats Regulations, which may be impacted by the proposal. The site contains hedgerows which are a Northern Ireland Priority Habitats (NIPH) and is in close proximity to a river. The surrounding habitat contains residential areas and the Three Mile Water SLNCl which consists of woodland, grassland and a stream. A Preliminary Roost Assessment (PRA) was carried out on the buildings and trees at the site. All buildings were of negligible bat roost potential (BRP). The majority of trees were negligible BRP, apart from four trees which were classified as low BRP due to ivy growth. These trees are to be felled for this development. NED is in agreement with the ecologist that, as a matter of good practice, a check for bats is carried out immediately prior to removal and the trees are soft felled.

Lighting is proposed to the 3G pitch on the southern side of the application site. Additionally, lighting is proposed within the site. With regards to the impact on bats, Drawings 35/1 External Lighting; 36/1 External Lighting Layout; Document No. 25 External Lighting Summary; Ecologists email dated 23rd March 23; and Document No. 26 Ecologists Statement date stamped 27th March 2023 have been submitted. NED has been consulted with this information and is content with the lighting plans and timing restrictions to avoid hours of darkness in spring and summer. It is considered that the proposed lighting will not have a significant impact on the wildlife corridor habitat.

A Preliminary Ecological Assessment survey has been carried out in 2018 and again in 2020 for this site. This identified limited ecological features within the proposed construction area (i.e. amenity grass pitches, hard standing etc.) and stated that the type and extent of habitats was unchanged between the survey dates. NED initially requested further surveys for badger and otter given the length of time that had passed since the surveys were carried out.

Document No.22, date stamped 14th February 2023 was submitted from the applicant's ecologist. The document sets out that although previous surveys on the site were more than 2 years old, the habitats directly impacted by the proposed works – i.e. existing sports pitches and hard standing are not suitable for use by badgers or otters and the applicant contends that an updated survey is not considered necessary to establish this.

In addition, the applicant has confirmed that Continuous Flight Auger (CFA) piling methodology is to be used. A plan enclosed within Document 22 'Piling Proximity Plan' identifies the location where piling is proposed (shown by red dots). The closest distance between a piling location and the river corridor to the east is approximately 50m. A further email from the applicant's ecologist, Soltysbrewster (dated 27th March 2023) confirmed that "the use of the site as sports pitches has continued and, on this basis, no change in the habitat features would be anticipated. NED, in its response dated 25th April 2023, notes the CFA piling is vibration free and therefore will not impact or disturb protected species such as badgers and otters within 100m of the site.

The ecological surveys submitted with the application, have exceeded the shelf life of 12 months that such reports should have (as set out within DAERA guidance), therefore further clarification was requested from NED to confirm that despite the

surveys (bat/badger/otter) being over two years old NIEA are content that there is sufficient knowledge about the protected species either on or around the application site and that the surveys meet with NIEA guidance.

NED responded stating that it is acknowledged that the surveys submitted in support of this application are over 2 years old, however, the original surveys found little evidence of badgers/otters present at the site, and subsequent checks at the site have confirmed that this is unlikely to change significantly. NED is content that sufficient survey effort has taken place and is therefore content to accept these surveys. In addition, the CEMP details pre-construction checks that will be carried out to identify any potential changes in activity which is recommended to be included as a condition. NED are therefore content that, provided the pre-construction surveys and precautionary mitigation outlined in the oCEMP is implemented, the proposed development is unlikely to impact otters or badgers.

It was found in a recent court case that a condition could not redeem a legally flawed grant of planning permission as all planning conditions are based on the premise that the relevant development will be fully constructed. However, this case differs in that there was limited ecological activity found at the time of the surveys undertaken and therefore it is considered that the information with regards to protected species is sufficient in this case and the condition proposed by NED is appropriate (Condition 21)

There is suitable habitat for nesting birds in the trees and vegetation present at the site. As breeding birds are protected under Article 4 of the Wildlife (Northern Ireland) Order 1985 (as amended), in order to avoid potential offences through killing/injury of nesting birds and/or their young and/or the destruction/damage of their active nests, any clearance of vegetation or demolition of buildings/structures should be undertaken outside the bird nesting season, which runs from 1st March to 31st August inclusive.

An Outline Construction Environmental Management Plan (OCEMP), Document No. 13, date stamped 04th September 2022 has been submitted. This includes suitable buffers between construction works and the watercourse and any drains present at the site, as requested in the previous NED response, dated 15th June 2022.

Storm water at the south of the site is proposed to discharge into the Three Mile Water, which is located approximately 20 metres from the main development site and is hydrologically connected to Belfast Lough SPA, Ramsar Site and Outer Belfast Lough ASSI. It is considered that any potentially significant impacts to the watercourse and designated sites downstream can be minimised provided the mitigation outlined in the oCEMP is implemented (Condition 21)

DAERA Natural Environment Division and Shared Environmental Services has been consulted and has raised no objection to the proposal subject to condition. It is therefore considered that the proposed development would not have a detrimental impact on protected species, priority habitats or designated sites and is in accordance with PPS 2 'Natural Heritage' in this regard.

Flood Risk and Drainage

A Flood Risk Statement and Preliminary Drainage Assessment (Document No. 08

0, date stamped 4th May 2022) has been provided. The designated watercourse known as the Three Mile Water flows just outside of the northeastern site boundary. DfI Rivers Flood Map (NI) indicates that the development does not lie within the 1 in 100 year or Climate Change fluvial floodplain. All development is approximately 4.2m above the Q100 +Climate Change flood level (49.68m) of the Three Mile Water River. Hence DfI Rivers would have no specific reason to object to the proposed development under sub-policy FLD 1 of Planning Policy Statement 15.

The designated watercourse known as the Three Mile Water flows just outside of the northeastern site boundary. Policy FLD 2 states that the Planning Authority will not permit development that would impede the operational effectiveness of flood defence and drainage infrastructure or hinder access to enable their maintenance. Also paragraph 6.32 states where a new development proposal is located beside a watercourse it is essential that an adjacent working strip is retained to facilitate future maintenance by DfI Rivers. The working strip should have a minimum width of five (5) metres, but up to 10 metres where considered necessary, and be provided with clear access and egress at all times. The proposed site plan (Drawing No. 02/3, date stamped 23rd March 2023) is deemed to satisfy this Policy FLD 2.

The Drainage Assessment (Document 08, date stamped 4th May 2022) provides evidence that 54 l/s of surface water from the northern part of the site is to discharge to the existing NI Water Limited (NIW) infrastructure. This equates to 10l litres per second per hectare. Some NI Water infrastructure is proposed to be diverted/re-aligned within the site. Although Whitehouse Waste Water Treatments Works catchment is operating at capacity, NI Water has no objection to this proposal as it is approved on a like for like basis as this proposal will replace the existing Abbey Community College campus. NI Water states that storm water discharge to the northern area of the campus is limited to 10 litres/sec/ha.

It is proposed that the surface water run-off discharge from the southern site area is attenuated and restricted to a discharge run-off rate of 33 l/s for up to 100-year rain storm events. Discharge is proposed to the Three Mile Watercourse. A Schedule 6 Consent for discharge has also been provided from DfI Rivers Area Office for a discharge rate of 33 l/s. It is proposed to attenuate surface water within oversized drainage infrastructure and geocell storage for up to a 100-year storm event and limit/restrict the discharge rate to 33 l/s using a vortex prior to discharge. The "Drainage Design" will be installed to meet the standards of the NI Water Sewers for Adaption 1st Edition for a 30-year storm event including an allowance for climate change.

The application proposes to dispose of foul sewage to a NIW sewer. NIW has advised that there is a public foul sewer within 20m of the proposed development boundary which can adequately service these proposals. DAERA Water Management Unit has been consulted and has stated that if NIW are content that both the receiving Waste Water Treatment Works (WWTW) and the associated sewer network for this development can take 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 has no objection to this aspect of the proposal. A condition has been recommended with regards to the submission of a Final Construction Environmental Management Plan to ensure effective avoidance and mitigation measures have been planned for the protection of the water environment.

DAERA Water Management Unit has advised that the impacts proposal on the surface water environment have been considered and on the basis of the information provided is content with the proposal strictly subject to the proposal complying with Planning Policy Statement 15: Planning and Flood Risk Policy FLD 4 'Artificial Modification of Watercourses' and subject to conditions.

DfI Rivers has been consulted and has confirmed that Policy FLD 4 and FLD 5 of PPS 15, is not applicable to this proposal. DfI Rivers is content that the Drainage Assessment has demonstrated that the design and construction of a suitable drainage network is feasible. It indicates that the 1 in 100-year event could be contained through the addition of an underground online attenuation system, when discharging at existing green field runoff rate, and therefore there will be no exceedance flows during this event. Further assessment of the drainage network will be made by NI Water prior to adoption.

No objection has been received from any statutory consultee including NI Water, DAERA and Rivers Agency with regards to drainage and flood risk. It is considered that the development will not increase the risk of flooding and is in accordance with PPS 15 Revised.

Impact on Features of Archaeological Importance

The applicant has submitted an Archaeological Impact Assessment (AIA) (Document No.11, date stamped 8th April 2022). The AIA has identified low-moderate potential for archaeological survival within the application area. The application site is also adjacent to former industrial archaeological sites. Historic Environment Division (Historic Monuments) has been consulted and is content that the proposal satisfies PPS 6 policy requirements, subject to conditions for the agreement and implementation of a developer-funded programme of archaeological works. This is to identify and record any archaeological remains in advance of new construction, or to provide for their preservation in situ, as per Policy BH 4 of PPS 6. It is therefore considered that the proposal will not have a detrimental impact on features of archaeological importance.

Access, Movement and Parking

With regards to transportation the SPPS aims to secure improved integration with land-use planning, to facilitate safe and efficient access, movement and parking. The SPPS sets out a number of policy objectives for transportation.

Planning Policy Statement 3 'Access Movement and Parking' is the relevant policy context. Two vehicular accesses are proposed off Doagh Road, one accessing the northern section of the site with visibility splays of 4.5 metres by 120 metres and one accessing the southern section with visibility splays of 4.5 metres by 90 metres.

The proposal includes a new ghost island junction on B59 Doagh Road, at the existing Three Mile Water Playing Fields, to provide vehicular access to the proposed school development. This requires widening of the existing central reservation to create an appropriate turning lane (3.0m wide), and a southbound lane to create a new through lane (3.0m wide). The footpath adjacent to the reconfigured southbound lane will be realigned accordingly and widened to two (2) metres along the extent

of the new junction. The overall effective widening (distance into the development site) is approximately 1.4 metres.

The northern most pedestrian crossing must be relocated to facilitate construction of the new junction. This will be moved approximately 9.5m closer to the Doagh Road – Ballyfore Road junction. The proposed site access will require the removal of one (1) pedestrian refuse island along Doagh Road however, there are two adjacent refuge islands located within 200 metres of the site access.

On the southern side of the application site a new simple junction is proposed on B59 Doagh Road, to provide vehicular access to the sports pitches. This will require the relocation of the existing bus shelter in agreement with Translink. The proposed access at the southern site will improve pedestrian connectivity to the playing fields, which were previously only accessible via the underpass from the northern site.

Objections have been received regarding the additional traffic attracted to the site, the poor road surfacing and limited access. Further concerns raised included that the proposed development will exacerbate an already dangerous crossroads at Bridge Road/Doagh Road junction.

The Transport Assessment (Document 10, date stamped 8th April 2022) (TA) states that the recent road safety history in the vicinity of the development has highlighted that 7 slight collisions, 0 serious collisions and 0 fatal collisions have occurred over a five-year period, although no common causation factors have been identified. The TA states that proposals have been developed to minimise the impact on road safety by providing sufficient car parking for site users so that there is no risk of overspill onto the surrounding road network. It states that the development is well situated in relation to the local highway network and benefits from its close proximity to the strategic road network and good links to Belfast, Antrim, and Larne.

In addition, the TA states that due to the nature of the development proposals, it is anticipated that the majority of trips to/ from the site will be made via private car. However, it has been noted that high-quality pedestrian footways are provided along the frontage of the site on both carriageways of Doagh Road. The footway provides street lighting and dropped kerbs at adjacent accesses to facilitate movement for those with mobility impairments; existing pedestrian refuge islands are located adjacent to the site access allowing pedestrians to cross Doagh Road safely, while waiting clear of traffic; Signal-controlled pedestrian crossings are located approximately 450m east of the site, at the Bridge Road/ Monkstown Road/ Jordanstown Road Junction, giving priority to pedestrians when the light is called.

An internal pedestrian zebra crossing will be located adjacent to the proposed car park. This will ensure the proposal is suitable for use by those with mobility impairments. Internal footways will connect with the existing footways; the surrounding roads are of sufficient surfacing and width to accommodate single file cyclists safe from approaching vehicular traffic as the development site is bound by National Cycle Network Route 93 which provides cycle linkages throughout the UK and Ireland.

The TA states that scheduled school bus services will provide safe travel directly to/ from the school and that pupils will alight the school buses within the internal layout

of the site. The site benefits from public bus stops located in close proximity to the site with the nearest bus stop to the site located approximately 70 metres southeast of the site access and serves metro routes 1, 13 and 14 which provide connections to Belfast and Glengormley.

A further Transport Assessment Addendum (Document 15, date stamped 25th October 2022) (TAA) provides further clarification with regards to the southern section of the site and states that the existing facilities to the northern section of the site will be relocated to the southern section of the site and so will be used to accommodate staff and pupils already at the school. It states that any public or community use of the pitches will generally occur outside of the peak school times, in the evenings and weekends. It also provides clarification on the derivation of base traffic flows, an explanation of proposed trip rates, a reassessment of development traffic distribution and trip assignment, clarification of the proposed development traffic percentage impacts on the local road network; revised modelling analysis of local junctions and clarification on the use of sustainable modes of transport at the proposed site. Car parking is proposed within the northern section of the site for the school and to the southern side for the sports facilities. A total of 194 parking spaces are broken up into eighty-nine (89) spaces adjacent to the school building, nine of which are for disability parking; twenty-seven (27) spaces are proposed within a 'parent drop off' area; eighteen (18) spaces are proposed as overflow parking adjacent to the bus drop off area; and ten (10) parking spaces are located at the end of the service access. The southern section of the site provides for a further fifty (50) parking spaces. Cycle shelters are proposed with a total capacity of seventy-two bicycles.

The above information has been considered and DfI Roads has been consulted and has raised no objection, subject to conditions. It is therefore considered that the proposed development complies with Planning Policy Statement 3, 'Access, Movement and Parking'.

With regards to the proposed floodlighting, PPS 8, Policy OS 7 'The Floodlighting of sports and recreational facilities' requires that public safety is not prejudiced. In addition, street lighting is proposed within the application site. DfI Roads has been consulted and has raised no objection to the proposal in this regard. It is considered that the proposed lighting associated with the development will not have a detrimental impact on public safety.

Other matters

Contamination

During Pre-Application Discussions (PAD) stage (LA03/2020/0804/PAD), the applicant submitted a Preliminary Risk Assessment. The report identified potential pollutant linkages associated with former development and land uses within the immediate environs of the application site. The report recommended that an intrusive investigation be undertaken, to include the collection of soil and ground water samples and ground gas monitoring to allow an updated Generic Quantitative Risk Assessment (GQRA) to be completed.

A Phase 2 Generic Quantitative Risk Assessment (Document Number 09, stamped 'Planning Section Received 08 Apr 2022') (GQRA) has been submitted. An intrusive investigation was undertaken comprising 11 no. Boreholes and 4 no. Trial Pits. Soil and groundwater samples were laboratory analysed and 6 no. rounds of ground gas

monitoring was undertaken. The results indicated no obvious impact or risk associated with the site. Results of ground gas monitoring undertaken classed the site as Characterisation Situation 1 (CS1), very low risk and the report concluded that no specific gas protection measures were required and overall, the site is considered suitable for the proposed use as a school. The report also recommended that if new contamination was found during development works, that activity should cease, and the new contamination should be fully investigated in accordance with Land Contamination: Risk Management Guidelines (LCRM). EHS and NIEA Regulation Unit has been consulted and has raised no objection to the proposal subject to conditions.

Northern Ireland Electricity (NIE) Infrastructure

Existing low voltage overhead lines run along the application site boundary and there is an existing low voltage underground cable which traverses the site, providing service to an existing building. NIE Networks has been consulted with the proposal and information submitted and has no objection to make to the planning application based on the application and associated documentation that has been submitted.

CONCLUSION

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

- The principle of development is considered acceptable;
- The community benefit of the school and the enhancement of the sports facilities at the site are considered to outweigh the loss of open space;
- No significant harm will result to neighbouring amenity as a result of the development;
- There will be no significant impact on the ecological and archaeological interests as a result of the development;
- The design and layout of the proposal will not have a significant detrimental impact on the character and appearance of the area;
- There will be no significant drainage or flood risk concerns as a result of the proposed development; and
- There will be no significant access or road safety concerns as a result of the proposed development.

RECOMMENDATION

GRANT PLANNING PERMISSION

PROPOSED CONDITIONS

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

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

2. No site works of any nature or development shall take place until a programme of archaeological work (POW) has been prepared by a qualified archaeologist, submitted by the applicant and approved in writing by the Council. The POW shall provide for:
 - The identification and evaluation of archaeological remains within the site;
 - Mitigation of the impacts of development through licensed excavation recording or by preservation of remains in-situ;

- Post-excavation analysis sufficient to prepare an archaeological report, to publication standard if necessary; and
- Preparation of the digital, documentary and material archive for deposition.

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

3. No site works of any nature or development shall take place other than in accordance with the programme of archaeological work approved under Condition 2.

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

4. A programme of post-excavation analysis, preparation of an archaeological report, dissemination of results and preparation of the excavation archive shall be undertaken in accordance with the programme of archaeological work approved under Condition 2. These measures shall be implemented and a final archaeological report shall be submitted to the Council within 12 months of the completion of archaeological site works, or as otherwise agreed in writing with the Council.

Reason: To ensure that the results of archaeological works are appropriately analysed and disseminated and the excavation archive is prepared to a suitable standard for deposition.

5. All fuel storage tanks (and associated infra-structure) must be fully decommissioned and removed in line with current Guidance for Pollution prevention (GPP 2) and the Pollution Prevention Guidance (PPG27) and the quality of surrounding soils and groundwater verified. Should contamination be identified during this process, Conditions 6 and 7 will apply.

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

6. If during the development works, new contamination or risks are encountered which have not previously been identified, works should cease and the Council shall be notified immediately. This new contamination shall be fully investigated in accordance with the Land Contamination: Risk Management (LCRM) guidance available at <https://www.gov.uk/guidance/landcontamination-how-to-manage-the-risks>

In the event of unacceptable risks being identified, a remediation strategy shall be agreed with the Council in writing, and subsequently implemented and verified to its satisfaction.

Reason: Protection of environmental receptors to ensure the site is suitable for use and to control any risk to human health arising from land contamination.

7. After completing the remediation works under Condition 6; and prior to occupation of the development, a verification report shall be submitted in writing

and agreed with the Council. 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/landcontamination-how-to-manage-the-risks>.

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

Reason: Protection of environmental receptors to ensure the site is suitable for use and to control any risk to human health arising from land contamination.

8. Prior to the school becoming operational, details of the lease and licence agreement for the sports facilities hatched yellow as indicated on Drawing No. 03/1, date stamped 23rd March 2023 shall be submitted to and agreed in writing with the Council. The playing pitches shall be operated in accordance with the lease and licence agreement.

Reason: To ensure there is upgraded and adequate community facilities in accordance with Planning Policy Statement 8 'Open Space, Sport and Outdoor Recreation'.

9. The sports facilities to the northwest of the school building, detailed on Drawing Number 02/3 date stamped 23rd March 2023, shall be used for school use only.

Reason: In order to protect amenity at nearby sensitive receptors.

10. The vehicular access, including visibility splays and any forward sight distance, shall be provided in accordance with Drawing Number 19/3, date stamped 3rd April 2023, prior to the commencement of any other development hereby permitted. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250mm above the level of the adjoining carriageway and such splays shall be retained and kept clear thereafter.

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

11. No other development hereby permitted shall become operational until the roadworks indicated on Drawing Number 19/3 date stamped 3rd April 2023 have been fully completed in accordance with the approved plans.

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

12. The Council hereby determines that the width, position and arrangement of the streets, and the land to be regarded as being comprised in the streets, shall be as indicated on Drawing Number 19/3 date stamped 3rd April 2023.

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

13. No other development hereby permitted shall be occupied until the works necessary for the improvement of a public road have been completed in accordance with the details outlined blue on Drawing Number 19/3 date stamped 3rd April 2023.

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

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

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

15. No development hereby permitted shall commence until full details of the Road Safety Audit process for the road improvements, has been completed in accordance with requirements of the Design Manual for Roads and Bridges and submitted and agreed by the Council.

Reason: To provide an assurance that all safety requirements have been adhered to.

16. All doors fitted to the plant room and switch room, as shown on Drawing Number 04/1, date stamped 23rd March 2023 shall be kept in the closed position at all times, except for ingress and egress.

Reason: In order to protect amenity at nearby sensitive receptors.

17. Artificial lighting installed to the internal roadway and car park areas as shown on Drawing Number 35/1, date stamped 3rd April 2023 shall not operate on any time between 23:00 and 07:00 hours.

Reason: In order to protect night time amenity at nearby sensitive receptors.

18. Artificial lighting installed to the 3G Pitch as indicated on Drawing Number 02/3 date stamped 23 March 2023 shall not operate outside the following times.

Monday to Friday 07:00 – 23:00 hours

Saturday & Sunday 07:00 – 18:00 hours

Reason: In order to protect amenity at nearby sensitive receptors.

19. Light intrusion from the permitted development into windows at nearby sensitive properties shall not exceed 10 Ev (lux) on any time between 07:00 and 23:00 hours and 2 Ev (lux) on anytime between 23:00 and 07:00 hours.

Reason: In order to protect amenity at nearby sensitive dwellings.

20. All external artificial lighting installed at the development site shall be erected and operated in accordance with the submitted light impact assessments, prepared by ISD, Document Numbers 20 and 21, date stamped 14th February 2023.

Reason: In order to preserve amenity at near-by residential dwellings.

21. 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 Council. The final CEMP must be site specific and include all necessary mitigation measures for the construction phase of the development to avoid any pollutant egress to European sites and to protect priority habitats and protected species. 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 Council.

Reason: To ensure the project will not have an adverse effect on the integrity of any European site and to protect priority habitats and protected species.

22. The existing trees and woodland groups as indicated on Drawing No. 22/3, date stamped 3rd April 2023 shall be retained at a minimum height of 8 metres and as agreed in writing with Antrim and Newtownabbey Borough Council, shall be allowed to grow on.

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

23. Proposed planting as indicated in Drawing No. 20/4, date stamped 23rd March 2023; Drawing No. 21/4, date stamped 23rd March 2023; and Document 06 'Landscape Work Specification and Management / Maintenance Plan', date stamped 8th April 2023, shall be carried out within the first planting season following the completion of the development hereby approved and shall be retained in thereafter at a minimum height of 3 metres for hedging and 8 metres for trees unless necessary to prevent danger to the public in which case a full explanation shall be given to the Council in writing prior to their removal.

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

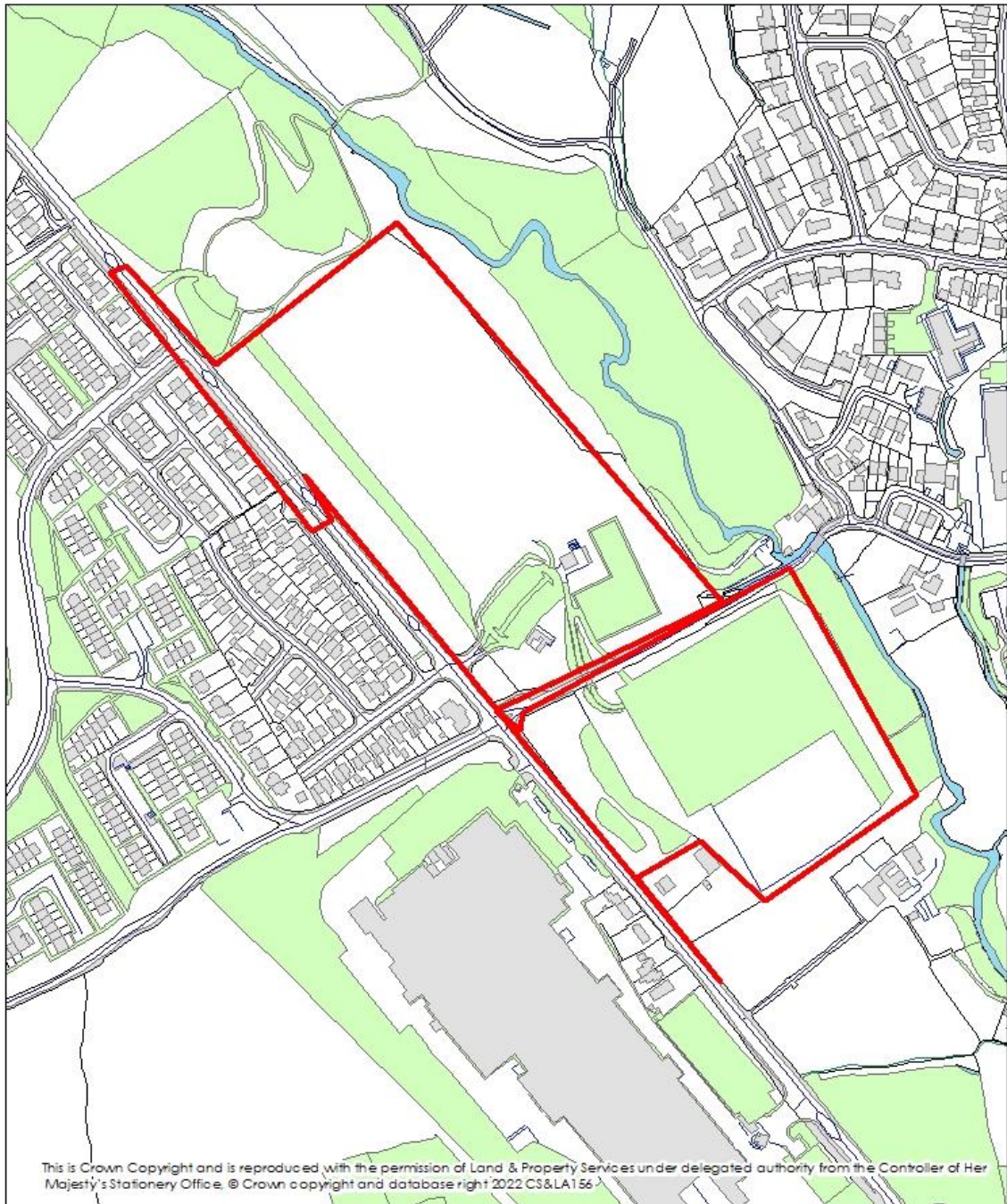
24. If within a period of 5 years from the date of the planting of any tree, shrub or hedge, that tree, shrub or hedge is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Council, seriously damaged or defective, another tree, shrub or hedge of the same species and size as that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

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

25. The landscaped areas indicated on the stamped approved Drawing No. 20/4, date stamped 23rd March 2023, shall be managed and maintained in accordance with Document 06 'Landscape Works Specification and

Management / Maintenance Plan', date stamped 8th April 2022, and any changes or alterations to the approved landscape management arrangements shall be submitted to and agreed in writing by the Council.

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



Planning Application Reference: LA03/2022/0356/F

Location: Lands at Three Mile Water Playing Fields, Doagh Road, Newtownabbey

Proposal: Proposed erection of a new post-primary school, ancillary accommodation and sports facilities with associated hard and soft play areas, parking, landscaping, replacement of floodlighting for 3G pitch, site works and access arrangements from Doagh Road including works to the public road.

Scale: 1:3500



Site Location



COMMITTEE ITEM	3.2
APPLICATION NO	LA03/2021/0739/F
DEA	MACEDON
COMMITTEE INTEREST	PREVIOUS COMMITTEE DECISION
RECOMMENDATION	GRANT PLANNING PERMISSION
PROPOSAL	Demolition of existing shed on the site. Proposed residential development comprising of 10 x 2 storey semi-detached dwellings and 2 x 2 storey town houses, associated infrastructure, carparking and landscaping.
SITE/LOCATION	Site 10m East of 10 and 19 Glenabbey Drive 10m East of 20 and 23 Glenabbey Avenue 10m East of 26 and 53 Glenabbey Crescent Newtownabbey BT37 0YT
APPLICANT	T A Downey Limited
AGENT	McGurk Architects
LAST SITE VISIT	19th October 2021
CASE OFFICER	Sairead de Brún Tel: 028 903 40406 Email: sairead.debrun@antrimandnewtownabbey.gov.uk
<p>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal https://planningregister.planningsystemni.gov.uk</p>	
ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS	
<p>This application was previously presented to Planning Committee on the 22nd March 2022 and 16th May 2022. At both meetings, the application was recommended as a refusal, and on both occasions, the Committee determined that the application should be refused in accordance with the Officers recommendation for the following reasons;</p> <ol style="list-style-type: none"> 1. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy QD 1 of Planning Policy Statement 7 'Quality Residential Environments' in that the proposed development; does not respect the surrounding context and is considered to be inappropriate to the character and appearance of the development in terms of the use of excessive amounts of boundary walls along the estate road; the layout will have an adverse impact on the amenity of proposed residents in terms of overlooking and there is inadequate provision of private amenity areas. 2. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and would cause harm to an interest of acknowledged importance, namely sewage disposal, as it has not been demonstrated there is a satisfactory means of dealing with sewage associated with the development. 3. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy QD 1 of Planning Policy Statement 7 'Quality Residential Environments' in that it has not been demonstrated that there will be no unacceptable adverse effects on the proposed properties in terms of noise and vibration. 	

Design, Layout and Appearance

The first refusal reason considered the proposal to be contrary to the Strategic Planning Policy Statement and Policy QD 1 of Planning Policy Statement 7 'Quality Residential Environments' as the layout, in particular plots 6 and 7 of the proposed development, was found to have an unacceptable impact on the quality of the overall scheme and on the visual amenity of the surrounding area.

An amended site layout, drawing number 02/6, received by the Council on 27th February 2023, shows the repositioning of the dwellings within plots 6 and 7, which has allowed for a greater private rear amenity space for the dwelling on plot 6 (previously plot 7). A more suitable boundary treatment of hedging along the eastern boundary of plot 7 (previously noted as plot 6) is also shown, and the dwelling on this plot has been appropriately designed with a dual frontage. The one-metre-high brickwork wall, with one-metre-high railings on top which was previously defined the front boundary of both these plots has now been removed. This aspect of the proposal is now considered to be acceptable.

Neighbour Amenity

The first refusal reason also referred to the impact of the proposed development on the amenity of future occupants of a number of units within the larger scheme. As per the advice in Creating Places, a separation distance of a minimum of 10 metres between the rear of new dwellings and the common boundary should be observed. Concerns were raised regarding the separation distances between the dwellings on plots 8, 9 and 10, and between plots 5 and 7.

The amended layout shows an increased distance of approximately 10 metres between the rear of the dwellings on plots 8 and 9 and the common boundary with plot 10, and the same distance between the dwelling on plot 5 and that on plot 6. The dwelling on plot 5 has been repositioned within its site so that it now has a gable-to-rear arrangement with the dwelling on plot 6. This should reduce the potential for overlooking into the private amenity space for the dwelling on plot 6.

The third refusal reason was based on the unacceptable adverse effects on the proposed properties in terms of noise and vibration from the adjacent railway line. The applicant submitted a Noise and Vibration Assessment in October 2021, followed by an updated assessment in January 2022, which had to be amended to take account of comments received from the Environmental Health Section (EHS). However, this updated assessment was not considered satisfactory to demonstrate that the proposed properties would not be unduly affected by noise and vibration. A third Noise and Vibration Assessment was submitted by the applicant in May 2022. EHS has considered this document and in their most recent response dated 29th June 2022, is now content that the issues regarding the impact of noise and vibration have been satisfactorily addressed subject to proposed conditions should planning permission be forthcoming.

Private Amenity

The final part of the first refusal reason makes reference to the lack of private amenity space for a number of units within the development. It was noted that the majority of plots had a private amenity space of more than 70sqm, however, a number of dwellings had considerably less than the recommended 70sqm. It was considered

that this provision of private amenity space was not reflective of the surrounding developments which meet with the recommended private amenity levels.

The layout has been amended to allow for an increase in the private amenity space for those plots which previously fell below the recommended level and is now considered appropriate in the context of the surrounding development and is acceptable in terms of policy.

Other Matters

Drainage

The previously submitted Drainage Assessment (DOC 02, date stamped received 21st July 2021) was found to be incomplete as it was not supported by the relevant correspondence from the DfI Rivers Local Area Office consenting to stormwater discharging to a watercourse and NI Water in relation to a Pre-Application enquiry.

The applicant was requested to amend the Drainage Assessment accordingly in October 2021, with this update Assessment being received in May 2022. DfI Rivers has reviewed this document and are now content with the proposed drainage arrangements for the development.

Disposal of foul sewage

NI Water (NIW) had previously advised that the receiving foul sewage network has reached capacity and the public system cannot presently serve this development proposal without significant risk of environmental harm and public amenity. However, NIW and the applicant have agreed an engineering solution to mitigate the foul capacity issue and allow connection for this development proposal. In this regard, NIW is content for a negative condition to be attached to any forthcoming decision notice requiring the applicant to satisfactorily demonstrate that the mains sewer and the receiving Waste Water Treatment Works has the capacity to receive the waste water and foul sewerage from the development prior to the commencement of the development hereby permitted. As a consequence, this previous reason for refusal on inadequate means of sewage disposal can now be removed.

Concluding Matters

It is considered that the additional information submitted materially changes the circumstances and has warranted a change to the previous recommendation which is now to grant full planning permission.

RECOMMENDATION	GRANT PLANNING PERMISSION
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PROPOSED CONDITIONS

1. The development hereby permitted must be begun within five years from the date of this permission.

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

2. The proposed landscaping works as indicated on Drawing Number 02/6 date stamped 27 February 2023 shall be carried out in accordance with the approved details and the appropriate British Standard or other recognised Codes of Practice during the first planting season after the commencement of development.

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

3. The dwellings hereby approved shall not be occupied until 1.8m high acoustic barriers are installed within the site shown on Drawing No. 02/6 date stamped 27 February 2023. The barriers shall have a surface weight of not less than 25kg/m², be of solid construction (i.e. no holes or gaps for sound to pass through), and so if it is a fence it should be of the ship-lapped design. The acoustic barriers shall be retained thereafter.

Reason: In order to protect amenity from adverse impacts of noise.

4. All glazing, including frames, to living rooms and bedrooms within the development hereby approved, shall be capable of achieving a sound reduction of at least 25dB Rw+Ctr, 3dB Rw, when measured from outdoor to indoors.

Reason: To ensure a suitable internal noise environment is achieved.

5. Passive and mechanical ventilation, in addition to that provided by open windows, shall be provided to all living rooms and bedrooms within the development capable of achieving a sound reduction of at least 25dB Rw+Ctr, 3dB Rw, when measured from outdoor to indoors. Mechanical ventilators shall not have an inherent sound pressure level (measured at 1m) in excess of 30dB(A), whilst providing a flow rate of at least 15 litres per second. All provided mechanical ventilators shall meet the requirements contained within, "The Building Control Technical Booklet K-Ventilation 1998". No standard (un-attenuated) trickle ventilators shall be fitted to any window system within the development.

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

6. The dwellings hereby approved shall not be occupied until the vibration isolation measures as detailed within Document 06A date stamped received 12th May 2022 have been fully implemented and verified to the satisfaction of the Council.

Reason: To protect future occupants from adverse effects of passing train vibration

7. Prior to the commencement of development, a detailed remediation strategy and implementation plan, shall be submitted to and approved by the Council.

Reason: To control any risk to human health arising from land contamination.

8. The development hereby permitted shall not be occupied until the mitigation measures as presented within the agreed remediation strategy and implementation plan have been fully implemented and verified to the satisfaction of the Council.

Reason: To control any risk to human health arising from land contamination.

9. There shall be no amendments or deviations from the remediation and verification recommendations contained within the agreed detailed remediation strategy and implementation plan without the prior written consent of the Council.

Reason: To control any risk to human health arising from land contamination.

10. Prior to the occupation of any dwelling hereby approved, verification documentation shall be submitted in the form of a verification report, to the Council. The report shall describe all the remediation and monitoring works undertaken and shall demonstrate the effectiveness of the works in managing and remediating all risks posed by contamination.

Reason: To control any risk to human health arising from land contamination.

11. If during the development works, a new source of contamination and risks are found, which had not been previously identified, works should cease and the Council shall be notified immediately. Any new contamination shall be fully investigated in accordance with the Model Procedures for the Management of Land Contamination (CLR 11) and/or Land Contamination: Risk Management (LCRM) Guidance, available online at <https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks>, as applicable.

Reason: To control any risk to human health arising from land contamination.

12. No development shall commence until it has been demonstrated to the satisfaction of the Council that the mains sewer and the receiving Waste Water Treatment Works has the capacity to receive the waste water and foul sewerage from the development. A connection to the public sewer will not be permitted until the Article 161 Agreement has been authorised.

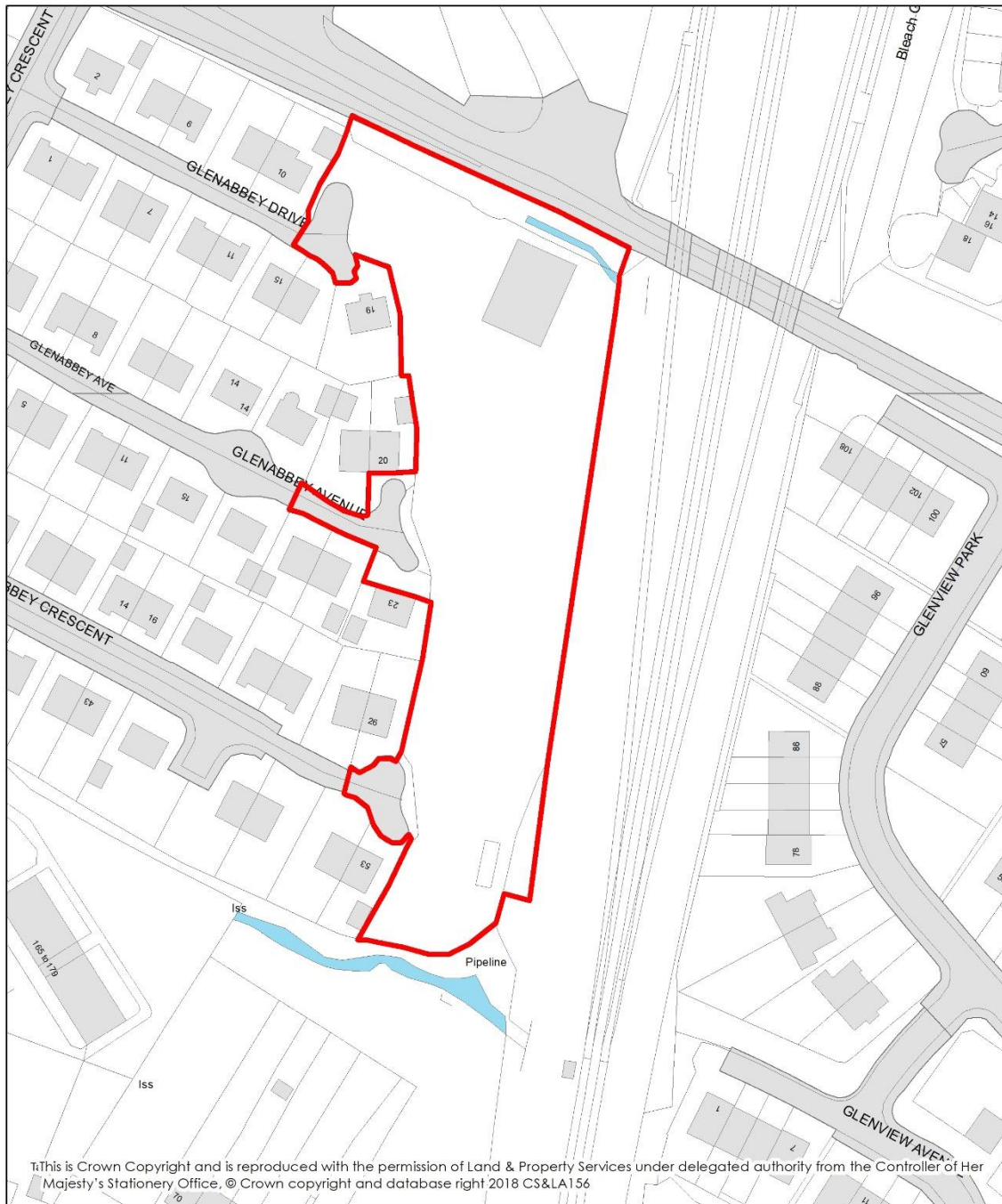
Reason: To ensure an adequate means of sewage disposal is provided and to ensure protection of the aquatic environment.

13. The Council hereby determines that the width, position and arrangement of the streets, and the land to be regarded as being comprised in the streets, shall be as indicated on Drawing No. 09/4 date stamped 27/02/2023.

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

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

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



Location Map

Application Reference: LA03/2021/0739/F

East of Glenabbey Drive, Glenabbey Avenue and Glenabbey Crescent, Newtownabbey
Proposed residential development comprising of 10 semi detached dwellings & 2 town houses, associated infrastructure, carparking and landscaping.

Site Boundary

For Information Only

0 30 60
Metres



COMMITTEE ITEM	3.3
APPLICATION NO	LA03/2022/0094/F
DEA	AIRPORT
COMMITTEE INTEREST	LEVEL OF OBJECTION
RECOMMENDATION	GRANT PLANNING PERMISSION
PROPOSAL	Demolition of existing detached dwelling and development of the site to create (4) four detached dwelling units with garages, including associated site works
SITE/LOCATION	862 Antrim Road, Templepatrick, Ballyclare, BT39 0AH
APPLICANT	Glenoak Limited
AGENT	John Smylie C/O Place Lab
LAST SITE VISIT	11/05/2022
CASE OFFICER	Tierna Mc Veigh Tel: 028 903 40401 Email: tierna.mcveigh@antrimandnewtownabbey.gov.uk
<p>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal https://planningregister.planningsystemni.gov.uk</p>	
SITE DESCRIPTION	
<p>The application site is located at 862 Antrim Road, which is within the development limits of Templepatrick, as designated in the Antrim Area Plan 1984-2001 (AAP).</p> <p>The application site hosts a single storey dwelling and garage set on a large plot. The boundaries of the site comprise mature hedging approximately 3 metres in height. Access to the site is taken off the A6 Antrim Road via a small trunk road and the topography of the site is relatively flat.</p> <p>Residential development surrounds the site, a children's day nursery, the Templepatrick War Memorial and an Orange Hall is located to the west. Directly opposite the site to the north is the Templepatrick Park and Ride.</p>	
RELEVANT PLANNING HISTORY	
<p>Planning Reference: T/2004/0509/O Location: 862 Antrim Road, Templepatrick Proposal: Renewal of Outline Planning Permission for Site of Dwelling (T/2001/0412) Decision: Permission Granted 09/08/2004</p> <p>Planning Reference: T/2004/0450/LDP Location: 862 Antrim Road, Templepatrick Proposal: Sun Lounge Decision: Permitted Development</p> <p>Planning Reference: T/2001/0412/O Location: 862 Antrim Road, Templepatrick Proposal: Site of Dwelling</p>	

Decision: Permission Granted 11/09/2001
Planning Reference: T/1996/4017
Location: 862 Antrim Road, Templepatrick
Proposal: Extension to existing garage
Decision: Permitted Development

Planning Reference: T/1981/0120
Location: 862 Antrim Road, Templepatrick
Proposal: Extension to bungalow
Decision: Permission Granted

PLANNING POLICY AND GUIDANCE

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

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

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

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

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

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

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

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

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

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

CONSULTATION

- **Environmental Health** - Approval subject to conditions
- **NI Water** – Approve subject to condition
- **Historic Environment Division (HED)** – No objection
- **DfI Roads** – Approval subject to conditions
- **Belfast International Airport (BIA)** - No objection

REPRESENTATION

Eight (8) neighbouring properties were notified of the proposal and six (6) letters of objection have been received; three (3) from notified properties; two (2) from unsolicited households and one (1) letter of objection has been withdrawn.

The full representations made regarding this proposal are available for Members to view online at the Planning Portal:

(<http://www.planningregister.planningsystemni.gov.uk/simple-search>)

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

- Traffic congestion and safety concerns due to application site being in close proximity to a children's day nursery;
- The entry and exit road from the site onto the A6 Antrim Road does not have sufficient visibility splays;
- Road safety concerns and volume of traffic on the A6 Antrim Road protected route;
- Road access from the A6 Antrim Road into the site is a single unadopted road and not suitable for increased traffic.
- Overdevelopment of the site;
- Visual encroachment and loss of existing boundaries associated with the dwelling at No. 5 The Halls;
- Removal of existing trees on site and loss of natural spaces for animals;
- Increased pressure on local facilities i.e. schools, doctor's surgery;
- Noise and disruption associated with construction phase and occupancy of dwellings;
- Loss of privacy and overlooking into the Kiln Park residential development, namely No. 17 Kiln Park;
- Increased pressure on services i.e. water, transport and roads; and
- Creation of dust and dirt.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Policy Context and Principle of Development
- Design, Layout and Appearance
- Impact on Character and Appearance of the Area
- Neighbour Amenity
- Archaeology and Built Heritage
- Access and Car Parking
- Flood Risk
- Other Matters

Policy Context and Principle of Development

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

The 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.

The Antrim Area Plan 1984-2001 (AAP) currently operates as the statutory local development plan for the area where the application site is located, and regional planning policy is also material to determination of the proposal. The application site is located on 'whitelands' within the development limit of Templepatrick in the AAP. Paragraph 5.10 of AAP states that the approach of the planning authority will be to encourage orderly growth in the residential sectors of each settlement and that particular attention will be given to environmental considerations concerning the size, siting and layout of proposed residential developments.

Both Planning Policy Statement 7: Quality Residential Environments and the Regional Development Strategy (RDS) encourage the reuse of urban land however; this is caveated by stating that overdeveloped and unsympathetic schemes will not be acceptable in established residential areas and that schemes should be sensitive in design terms to people living in the area and to local character. PPS7 reiterates the need for sensitivity and in Policy QD1 the test is expressed as 'unacceptable damage to local character, environmental quality or residential amenity'.

Within this policy context, it is considered that residential development on white (unzoned) land within the development limits of Templepatrick would be acceptable subject to the development complying with the Plan's provisions for residential development and the creation of a quality residential environment as well as meeting other requirements in accordance with regional policy and guidance which are addressed in detail below.

Design, Layout and Appearance

The SPPS refers at paragraph 6.137 to the need to deliver increased housing without town cramming and that within established residential areas it is

imperative to ensure that the proposed density of new housing development, together with its form, scale, massing and layout will respect local character and environmental quality as well as safeguarding the amenity of existing residents. Policy QD1 of PPS 7 states that planning permission will only be granted for new residential development where it is demonstrated that the proposal will create a quality and sustainable residential environment. Policy QD1 goes on to state that all proposals for residential development will be expected to conform to nine (9) criteria. The design and layout of the proposed residential development is therefore a key factor in determining the acceptability of the proposed development both in terms of its contribution to the amenity of the local neighbourhoods and the wider streetscape.

Under the current scheme, the submitted layout plan indicates four (4) dwellings in a linear pattern along the southern side of the Antrim Road. The dwellings are set back from the estate road with a small area of garden space to the front, which is similar to the development pattern along the Antrim Road. This development would appear as a natural extension of that development. Access is achieved via a single access point from the Antrim Road which then branches off to provide four individual accesses to each of the dwellings.

Criteria a) of Policy QD 1 requires that the proposed development respects the surrounding context and is appropriate to the character and topography of the site in terms of layout, scale, proportions, massing and appearance of buildings, structures, landscaped and hard surfaced areas. The area in which the site is located is characterised by mostly detached and semi-detached residential dwellings. Directly to the north of the site is the Templepatrick Park and Ride facility and directly to the west is Templepatrick Memorial and Orange Hall, which is currently in use as a children's day nursery. As noted above the topography of the application site is relatively flat and is consistent with the topography of the existing neighbouring dwellings surrounding the application site.

Criterion (c) of Policy QD1 requires adequate provision for private open space as an integral part of the development. Supplementary planning guidance on amenity space is provided in 'Creating Places: Achieving Quality in Residential Developments'. Creating Places indicates that properties with three or more bedrooms require an average of 70sqm. In this case each of the proposed dwellings have over 70sqm of private amenity space. It is considered that adequate provision has been made for private rear garden space within the individual dwellings.

The guidance document 'Creating Places' advises that where development abuts the private garden areas of existing properties, a minimum separation distance of 10 metres should be employed. The proposed dwellings abut the rear gardens of residential properties at Nos. 16 - 18 Kiln Park to the southeast and No. 5 The Halls to the west. The minimum separation distances from the proposed dwellings to these existing dwellings ranges from 19 metres to 39 metres.

The proposed dwellings comprise three (3) house types; house type A, a handed version of house type A and house type B, of which there are two (2). House type A and its handed version has a footprint of 106.84sqm, a ridge height of 8.9 metres and to the rear is a small single storey rear return with a depth of 1.5 metres. House

type B has a footprint of 112.69sqm, a slightly higher ridge height of 9.8 metres and to the rear a small single storey rear return with a depth of 2.4 metres. The ridge height of house type B is higher to accommodate a second floor bedroom with roof dormer.

Moving across the site from east to west there is an incremental increase in the ridge heights of the dwellings. When viewed in the context of the existing dwellings along the Antrim Road and that of Templepatrick Memorial and Orange Hall, this stepped increase is considered acceptable and would not result in any demonstrable harm to the surrounding character of the area.

The single garages associated with house type A (handed) has a footprint of 21.65 sqm and the garage associated with house type A has a footprint of 20.65sqm. Both proposed garages have a ridge height of 4.6 metres and have a gable roof construction. The double garages associated with house type B have a footprint of 42.24 sqm, a ridge height of 5.6 metres and is of a hipped roof construction. All garages have side hinged openings to the front except for garages associated with house type A (handed) and house type B which has side hinged openings to the rear. No fenestration is proposed on the side elevations.

The design of the proposed dwellings takes a modern two storey form and both are to be finished in smooth render with reconstituted stone surrounds to doors/windows and eaves profiles. The window and doors are painted hardwood and the roofs are to be finished in artificial slate with matching ridge tiles and lead flashing. The fenestration and porch detailing is slightly more modern than that of the existing dwellings, however, it is considered acceptable and generally in keeping with the house designs in the area given the site's urban location.

Metal estate fencing 1.1 metres in height is located between each dwelling to the front of the proposed development. Two (2) metre-high fencing encloses the rear boundaries of each dwelling. A concern was raised by an objector over the loss of the existing natural boundary to the rear of property at No. 5 The Halls, which abuts the site to the west. The existing boundaries of the site are some 3 metres in height, and it is considered that their presence will afford protection to the residents in both The Halls and Kiln Park in terms of overlooking and loss of privacy at ground floor level; therefore, a condition to retain the existing site boundaries shall be placed on any forthcoming decision notice.

Overall, it is considered that the development respects the surrounding context and topography of the site in terms of layout and scale and therefore is compliant with parts (a) and (c) of Policy QD 1.

Impact on Character and Appearance of the Area

As outlined above, Policy QD 1 of PPS 7 requires that the development respects the surrounding context and is appropriate to the character and topography of the site in terms of layout, scale, and proportions and massing. In addition, the Addendum to PPS 7 'Safeguarding the Character of Residential Areas' is applicable as the site is located within an established residential area and does not fall within any of the exceptions.

Policy LC 1 of the Addendum requires that the pattern of development is in keeping with the overall character and environmental quality of the established

residential area and that the proposed density should not be significantly higher than that found in the established residential area.

Objections have been received in respect of the proposal constituting overdevelopment. The policy or guidance does not require a uniform density within an area or even a standard density within the same development, in fact such things are discouraged in order to promote a mixture of house types and tenure. The existing pattern of development to the east of the site along the Antrim Road comprises of several detached properties on large plots and to the south and west, the density of housing increases.

It is considered that the plot sizes and layout of the proposal are similar to that found to the south and west of the site and will not be significantly higher than that found within the wider residential area. The density of the proposal is considered acceptable, does not constitute overdevelopment and would not result in any demonstrable harm to the surrounding character of the area.

Neighbour Amenity

Criterion (h) of Policy QD 1 requires that there is no unacceptable adverse effect on existing or proposed properties in terms of overlooking, loss of light, overshadowing, noise or other disturbance on both existing and proposed properties.

The proposed dwellings are positioned in a linear pattern along the Antrim Road which results in each of the proposed properties having a gable-to-gable relationship. The site layout plan indicates a separation distance between the gable walls of each of the proposed dwellings ranging from between 7 metres and 13 metres. The proposed elevation drawings indicate that first floor side elevation windows are associated with bathrooms/en-suites and hall landings, therefore there is no concern in respect of overlooking or loss of privacy between each of the proposed dwellings.

Concerns have been raised by objectors in respect of visual encroachment and loss of privacy as a result of the proposal namely towards residents within The Halls and Kiln Park residential developments. A separation distance of more than 30 metres is proposed between the gable wall of the proposed most eastern property and the existing property at No. 858 Antrim Road; there is almost 19 metres between the gable wall of the proposed most western property and with existing property No. 5 The Halls. There is almost 17 metres and 25 metres respectively between existing properties No. 17 and No. 18 Kiln Park.

As stated above proposed elevation drawings show that the first-floor windows on the gables of the proposed dwellings are associated with en-suites and hall landings therefore there is no concern in respect of overlooking, or loss of privacy on existing residential properties namely No. 5 The Halls and No. 858 Antrim Road. With respect to the proposed ground floor fenestration, the existing mature boundary treatment surrounding the entirety of the site is some 3 metres high and will provide privacy and overlooking protection. It should be noted that the proposal is sited within an established urban area where an element of overlooking is expected.

It is considered that the separation distances provided will ensure that the proposal will not result in any significant negative impacts on the amenity of the proposed and existing properties.

In correspondence dated 6th April 2022 the Council's Environmental Health Section (EHS) had raised concerns regarding high noise levels from traffic on the A6 Antrim Road adversely impacting residential amenity at the proposed development. As a result, a Noise Impact Assessment prepared by Lester Acoustics, Document Number 01, date stamped 13th June 2022, was submitted and EHS were re-consulted. EHS in its response dated 22nd June 2022 reviewed the Noise Impact Assessment and is content with the proposal subject to several conditions being attached to any forthcoming decision notice.

It is considered that the proposal will have no detrimental impact on any proposed and existing residential amenity by way of overlooking, overshadowing, loss of light or dominance, due to the proposed separation distances and existing boundary treatments.

Archaeology, Built Heritage and Landscape Features

Criterion (b) of Policy QD1 requires that features of the archaeological and built heritage, and landscape features are identified and, where appropriate, protected and integrated in a suitable manner into the overall design and layout of the development.

DfC Historic Environmental Development, Historic Buildings (HED) has considered the impacts of the proposal on the listed building (HB20/12/024A 884 Antrim Road, Templepatrick, Co. Antrim, Grade B2) and on the basis of the information provided, advises that it is sufficiently removed in situation and scale of development from the listed building as to have negligible impact.

The N.I Biodiversity Checklist, Document 02 dated 13th June 2022, which accompanied the application advises that no significant impacts on property habitats or priority species will result from the proposed development. It is considered that the proposal satisfies Paragraph 6.12 of SPPS, Policy BH 11 of PPS 6 and Criterion B of Policy QD 1.

Concerns were raised by objectors regarding the removal of three (3) existing mature trees along the northern boundary of the site and the consequent loss of natural spaces for animals. Whilst the removal of mature trees is not encouraged by the Council, these trees were not protected by a Tree Preservation Order (TPO) or protected by way of a planning condition, therefore placing no restriction on the applicant for their removal. Furthermore, as indicated on Drawing Number 03/1 the applicant proposes to replant three (3) trees along this northern boundary. A condition shall be placed on any forthcoming decision notice requiring the site's existing boundary treatments to be retained and the proposed landscaping to be carried out.

Access and Car Parking

The site is to be accessed via the existing estate road off the A6 Antrim Road which serves existing residential properties. Criteria (F) of Policy QD 1 states that there should be adequate provision made for parking. The car parking allowance

for the dwellings proposed on the site is considered acceptable with two in-curtilage spaces available at each site which is in accordance with the Creating Places guidance. The proposal also includes the provision of garages for each dwelling, providing additional parking.

Concerns were raised by objectors regarding road safety specifically relating to an increase in the volume of traffic on the A6 Antrim Road, inadequate visibility splays and the proposals close proximity to the children's day nursey, west of the application site.

DfI Roads were consulted on the application and has raised no concerns regarding the matters outlined above. DfI Roads in its response dated 20th July 2022 has not objected subject to the inclusion of conditions to be attached to any forthcoming planning approval.

Flood Risk

The application site lies outside of the 1 in 100-year floodplain, however, as the proposal involves a residential development comprising four (4) dwelling units and proposes areas of new hardstanding in excess of 1000sqm, a Drainage Assessment was required from the applicant in order to demonstrate that the proposal if permitted, would not be at risk from flooding, or be resultant in increased levels of flooding elsewhere. A Drainage Assessment, Document 03 was submitted and DfI Rivers was consulted. In its consultation response DfI Rivers stated that in order to fully assess the Drainage Assessment a Schedule 6 Consent would be required in relation to the discharging into a watercourse. Upon request a Schedule 6 Consent, Document 04, was submitted and DfI Rivers was subsequently re-consulted.

DfI Rivers in its consultation response dated 24th May 2023, stated that whilst not being responsible for the preparation of the Drainage Assessment accepts its logic and has no reason to disagree with its conclusions. It also commented that the submitted Drainage Assessment demonstrated that the design and construction of a suitable drainage network is feasible and it indicates that the 1 in 100-year event could be contained through the addition of an underground online attenuation system, when discharging at existing green field runoff rate and therefore there will be no exceedance flows during this event. DfI Rivers further advised that further assessment of the drainage network will be made by NI Water prior to adoption. In order to ensure compliance with PPS 15, DfI Rivers requests that the potential flood risk from exceedance of the network, in the 1 in 100-year event, is managed by way of a condition. However, the Council does not consider a condition to be necessary, as the applicant has presented their drainage proposal, which is considered to be acceptable from a flood risk perspective, and should they wish to deviate from this proposal it would require a new planning application to be submitted.

Sewerage Disposal

NI Water was consulted on the proposal and in its consultation response dated 6th April 2022 stated that although there is a public foul sewer within 20 metres of the proposed development boundary, a high-level assessment undertaken reveals potential network capacity issues and therefore is recommending connections to the public sewerage system be curtailed. NI Water advised the agent to directly

liaise with NI Water in bringing forward a solution and that a Wastewater Impact Assessment would be required. The agent following direction from NI Water has since been in contact with NI Water to resolve this issue and has submitted a Wastewater Impact Assessment. NI Water has verbally advised the Council, that a solution has been sought and that this shall be implemented and delivered within the lifetime of the development's permission, therefore a condition to this affect shall be placed on any forthcoming decision notice.

Other Matters

Noise and Disturbance

Concerns were raised with regards to noise and disturbance from the proposed development. Although there is potential for noise nuisances during the construction phase of development, this should not arise outside reasonable times and would be temporary in nature. Given the context of development some noise and disturbance is to be expected, however, this is likely to be at a low level associated with the daily living requirements of the occupiers of dwellings.

Creation of Dust and Dirt

Concerns were raised with regards to the creation of dust and dirt from the proposed development. It is acknowledged that there will be creation of dust and dirt during the construction phase of development, however, this would only be temporary in nature and for that reason this issue is not considered to be a determining concern.

Increase Pressure on Local Facilities and Services

The availability or demand on schools and medical services in the area is unlikely to be prejudiced by the development of four (4) dwellings (3 additional) in the area and would represent a small increase in the overall population of Templepatrick. It is difficult to conclude, in the absence of any corroborating evidence, that the local school and medical services in the area would be unable to cope with the extra population and consequently this issue is not considered to be a determining concern.

Consultations

As overhead cables transverse the application site a consultation was issued to NI Electricity. In its response dated 4th July 2022, NI Electricity states no objection to the proposal, however, indicates that the developer should maintain statutory clearance from NIE Networks' equipment during the construction and operational phases of the project and also during future maintenance programmes in accordance with HSE Guidance Note GS6 "Avoidance of Danger from Overhead Electric Lines" and HSE Booklet HS(G)47 "Avoiding danger from underground services". The applicant should note the consultation response received.

The proposed development has been examined from an aerodrome safeguarding aspect and, in its response, dated 7th April 2022, Belfast International Airport has no safeguarding objections to the proposal.

CONCLUSION

- The principle of the development is considered acceptable;

- The design and appearance of the dwellings is considered acceptable and will not have a detrimental impact on the character and appearance of the area;
- The proposal will not cause an unacceptable visual impact on the townscape of Templepatrick or the setting of the listed buildings north of the application site.
- Neighbour amenity will not be unduly affected by the proposal; and
- DfI Roads is satisfied from a road safety perspective.

RECOMMENDATION

GRANT PLANNING PERMISSION

PROPOSED CONDITIONS

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

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

2. No development shall commence until it has been demonstrated to the satisfaction of the Council that the mains sewer and the receiving Waste Water Treatment Works has the capacity to receive the waste water and foul sewerage from the development. A connection to the public sewer will not be permitted until the Article 161 Agreement has been authorised.

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

3. The vehicular access including visibility splays and any forward sight distance, shall be provided in accordance with Drawing Number 03/1 date stamped 22nd June 2022 prior to the commencement of any other development hereby permitted. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250mm above the level of the adjoining carriageway and such splays shall be retained and kept clear thereafter.

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

4. All habitable rooms to the dwellings with the exception of bedrooms, shall be fitted with glazing including frames, capable of achieving a sound reduction from outside to inside, of at least 26dB R_{Tra}, as detailed within Table 3 in Document 01 date stamped 13th June 2022.

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

5. All bedrooms to the dwellings shall be fitted with glazing including frames, capable of achieving a sound reduction from outside to inside, of at least 28dB R_{Tra}, as detailed within Table 3 in Document 01 date stamped 13th June 2022.

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

6. All habitable rooms within the dwellings with the exception of bedrooms, shall be fitted with passive or mechanical ventilation, in addition to that provided by open windows, capable of achieving a sound reduction from outside to inside, of at least 26dB R_{Tra}, as detailed within Table 3 in Document 01 date stamped 13th June 2022.

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

7. All bedrooms to the dwellings shall be fitted with passive or mechanical ventilation, in addition to that provided by open windows, capable of achieving a sound reduction from outside to inside, of at least 28dB R_{Tra}, as detailed within Table 3 in Document 01 date stamped 13th June 2022.

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

8. The existing hedgerow and vegetation along the eastern, southern and western boundaries of the site as indicated in green on Drawing Number 03/1 date stamped 22nd June 2022, shall be retained at a minimum height of 3 metres and shall be allowed to grow on or as agreed in writing with the Council. If any retained tree or vegetation is removed, uprooted or destroyed or dies it shall be replaced within the next planting season by another tree, trees or vegetation in the same location of a species and size as specified by the Council.

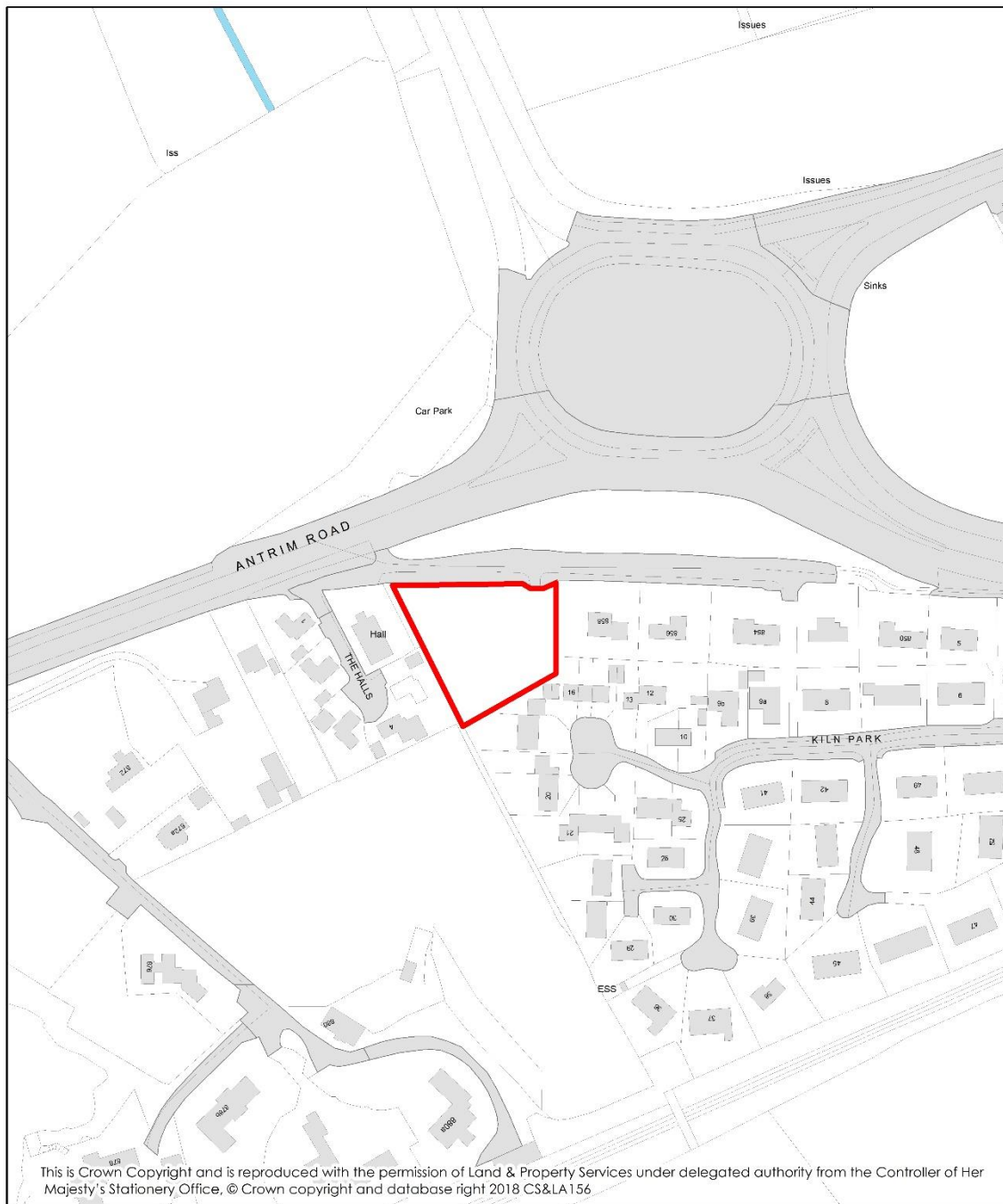
Reason: To ensure the development integrates into the surroundings and to ensure the maintenance of screening to the site.

9. All proposed landscaping as indicated on Drawing Number 03/1 date stamped 22nd June 2022 shall be carried out in the first available planting season following the occupation of the development hereby approved.

Reason: To ensure that the development integrates into its surroundings in the interests of visual amenity.

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

Reason: To ensure that the development integrates into its surroundings in the interests of visual amenity.

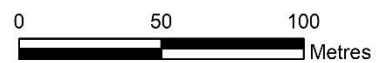


Site Location Plan

Application Reference: LA03/2022/0094/F

Proposal: Demolition of existing dwelling and erection of 5no. dwellings

Location: 862 Antrim Road, Templepatrick



 Site boundary



COMMITTEE ITEM	3.4
APPLICATION NO	LA03/2023/0060/F
DEA	THREEMILEWATER
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE PLANNING PERMISSION
PROPOSAL	Installation of a 20m telecoms street pole with antenna and associated ancillary equipment cabinets.
SITE/LOCATION	Area of adopted footpath outside 147 Jordanstown Road, Newtownabbey
APPLICANT	CK Hutchison Networks (UK) Ltd
AGENT	James Reilly C/O Dot Surveying Ltd
LAST SITE VISIT	24/04/2023
CASE OFFICER	Tierna Mc Veigh Tel: 028 90340401 Email: tierna.mcveigh@antrimandnewtownabbey.gov.uk
<p>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Northern Ireland Planning Portal https://planningregister.planningsystemni.gov.uk.</p>	
SITE DESCRIPTION	
<p>The application site is located on a public footpath set back 2.2 metres from the Jordanstown Road and is within the development limit of Metropolitan Newtownabbey as defined by the Belfast Urban Area Plan (BUAP) and the draft Belfast Metropolitan Area Plan published 2004 (dBMAP). The site is situated directly in front of No. 147 Jordanstown Road and backs onto the property's front boundary, which comprises a staggered wall approximately 1.8 metres in height and sparse vegetation approximately 5 metres in height.</p> <p>The surrounding area is predominantly urban with a mix of single storey and two storey detached properties. The topography of the site gently slopes in a southeasterly direction.</p>	
RELEVANT PLANNING HISTORY	
No relevant planning history.	
PLANNING POLICY AND GUIDANCE	
<p>Under the provisions of the Planning Act (Northern Ireland) 2011, all decisions must be taken in accordance with the provisions of the Local Development Plan unless material considerations indicate otherwise.</p> <p>Until the Council adopts its new Local Development Plan, 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</p>	

Stage) together with relevant provisions of Planning Policy Statements (PPSs) which contain the main operational planning policies for the consideration of development proposals.

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

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

Draft Belfast Metropolitan Area Plan (Published 2004) (dBMAP): The application site is located within the settlement limit of Metropolitan Newtownabbey. The Plan offers no specific guidance on this proposal.

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

Planning Policy Statement 3 (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.

Planning Policy Statement 10 (PPS10): Telecommunications: sets out planning policies for telecommunications development.

Development Control Advice Note 14 (DCAN 14): Siting and Design of Radio Telecommunications Equipment: provides non-statutory planning guidance to supplement PPS10.

CONSULTATION

- **Antrim and Newtownabbey Environmental Health** - No objection
- **DfI Roads** – Refusal
- **P.S.N.I. Information and Communications Services** - No objection
- **Belfast City Airport** – No objection
- **The Joint Radio Company** – No objection

REPRESENTATION

Twelve (12) neighbouring properties were notified, and nine (9) letters of objection have been received, five (5) of which are from notified neighbours. The full representations made regarding this proposal are available for Members to view online at the Planning Portal (<https://planningregister.planningssystemni.gov.uk>). A summary of the key points of objection raised is provided below:

- Visual amenity and appearance concerns;
- Relocation to a more suitable area away from residential properties;
- Encroachment and obstruction of the public footpath;
- Out of scale and character with the surrounding area;
- Possible health risks associated with such proposals including exposure to 5G radio frequency electromagnetic fields (RF-EMFs);
- Location of proposal directly fronts the living room associated with 147 Jordanstown Road;
- Ancillary cabinets tend to attract graffiti and loitering of youths, contributes to clutter and degrades the locality;
- Depreciation in house values;
- Proposal exceeds roofline of the bungalows along Jordanstown Road;
- Potential for the proposal to collapse in stormy weather;
- Potential to be a visual distraction to road users; and
- 5G contributes towards carbon footprint and increased greenhouse gas emissions.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Policy Context and Principle of Development
- Design, Appearance and Impact on the Character of the Local Area
- Impact on Environmental Quality of the Area
- Neighbour Amenity
- Road Safety
- 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 application site is located within the development limits of the Belfast Urban Area as defined within the Belfast Urban Area Plan (BUAP) and within the development limits of Metropolitan Newtownabbey as defined in the draft Belfast Metropolitan Area Plan (dBMAP) published in 2004. 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 (SPPS) seeks to facilitate the development of telecommunications infrastructure. Paragraph 6.235 - 6.250 of the SPPS states that modern telecommunications are an essential and beneficial element of everyday living for the people of and visitors to this region and that it is important to continue to support investment in high quality communications infrastructure which plays a vital role in our social and economic well-being. The aim of the SPPS in this respect is to facilitate the development of such infrastructure in an efficient and effective manner whilst keeping the environmental impact to a minimum.

PPS 10 'Telecommunications' sets out the planning policy on telecommunications development. Policy TEL 1 'Control of Telecommunications Development' states that such development will be permitted where it will not result in unacceptable damage to visual amenity or harm to environmentally sensitive features or locations.

DCAN 14 'Siting and Design of Radio Telecommunications Equipment' sits below PPS 10 in the hierarchy of relevant documents; it provides complementary advice and advocates minimising the visual and environmental impact of equipment.

Proposals for the development of a new telecommunications mast will only be considered acceptable where the above requirements are met, and it is reasonably demonstrated that (a) the sharing of an existing mast or other structure has been investigated and is not feasible; or (b) a new mast represents a better environmental solution than other options.

The applicant has submitted a supporting statement, Document 02 date stamped 14th February 2023, which states the need for the proposed new telecommunications development at this location. The document explains that the proposal is needed to improve coverage and capacity for 5G services in the target 'coverage hole' which is centred on the Jordanstown Road a predominantly residential area with low-rise housing. The document further states that existing base stations are not capable of supporting additional equipment to extend coverage across this target area and that prospective 'in-fill' mast sites are extremely limited. The applicant has stated that several alternative sites were investigated, however, this application site is the most suitable as it will fill the gap in mobile coverage in the target area.

For the reasons discussed above, it is considered that the proposal is in accordance with TEL 1 of PPS 10 and the principle of development is acceptable.

Design, Appearance and Impact on Character of the Area

DCAN 14 'Siting and Design of Radio Telecommunications Equipment' highlights the fundamental principle in siting and designing equipment is to minimise the contrast between the equipment and its surroundings.

The proposed development is required to provide new 5G coverage for H3G LTE, improving service in and around the Jordanstown Road, Newtownabbey and is located on a public footpath in an urban area, approximately 2.2 metres back from the Jordanstown Road. The proposal involves the installation of a single 20-metre-high telecommunications pole and three (3) equipment cabinets positioned 1.4 metres to the northwest of the pole. The heights of the three (3) separate cabinets from finished ground level are 1.2 metres, 1.6 metres and 1.8 metres and together measure 3.3 metres in width. Both the telecommunications pole and equipment cabinets will be constructed in steel and finished in a grey colour powder coated finish which is considered to blend in with the site's backdrop which comprises of a 1.8 metre staggered wall with sparse vegetation approximately 5 metres in height.

A number of objections to the proposal raised concerns with respect to the scale, appearance and visual amenity and how the associated cabinets contribute towards clutter which degrades and detracts from the locality of the area. Concerns were also raised in respect to the proposed telecommunications pole exceeding the rooflines of the bungalows along the Jordanstown Road. With regards to the scale

and height of the proposed mast, the applicant states that the mast needs to have a height of 20metres or more in order to enable clearance for 5G frequencies to be omitted over a wider area. Whilst it is acknowledged that views of the column will be evidently visible when travelling in both directions along the Jordanstown Road it is considered that the surrounding urban fabric of the Jordanstown Road will somewhat absorb the visual impact of the proposal.

In terms of appearance and contribution towards clutter DCAN 14 indicates that placing a new mast near to a similar structure will minimise contrast so that the overall effect is not cluttered. In this instance the telecommunications mast and ancillary cabinets are situated beside an existing street lamp approximately 8 metres high and an existing electrical box. It is considered that the slim design and grey colour of the mast ensures integration within the surrounding streetscape and existing street furniture along the Jordanstown Road. The design and appearance of the proposed telecommunication pole and associated equipment are considered typical of such development and is acceptable for this urban area.

Whilst it is accepted that there will be a localised visual impact through the installation of such apparatus, it is considered that this will not overly detract from the character of the existing streetscape or indeed the wider area. The application site is not located within an environmentally sensitive location, nor is it positioned close to an environmentally sensitive feature. The design and appearance of the proposal is considered to be acceptable as the proposed structures will not appear incongruous in the streetscape, nor will it detract from the character of the local area.

Neighbour Amenity

Concerns have been raised by several objectors in respect of the proposal being located so close to residential properties and whether it could be positioned elsewhere. In particular, the residents of 147 Jordanstown Road have expressed concerns in how close the telecommunication pole is to their property and how the pole is sited directly fronting their living rooms. As indicated on Drawing Number 02, the location of the pole is 11.7 metres from the front elevation of the property. Supportive information has been submitted by the agent (Document 02 date stamped 14th April 2023) which states that the proposal is needed at this location to improve coverage and capacity for 5G services in the target 'coverage hole' which is centred on the Jordanstown Road. The applicant has stated that several alternative sites were investigated, however, this application site is most suitable as it will fill the gap in mobile coverage in the target area.

Despite the need for the mast, it is considered that the siting of this pole 11.7 metres to the front of No. 147 Jordanstown Road will result in an unacceptable impact to the resident's outlook from their living room and their visual amenity, contrary to the policy provisions of Policy TEL 1 of PPS 10.

Concerns have also been raised in relation to the associated cabinets, with one objector stating that such cabinets tend to attract graffiti and loitering of youths which can impact on residential amenity. Whilst it is acknowledged that anti-social behaviour can have a negative effect on the quality of life of individuals and communities, these concerns are afforded little weight as material planning considerations, nor are they considered to be reasonable justification to refuse planning permission. In the event that anti-social behaviour and graffiti arises as a

result of this proposal, the applicant is advised to contact the Police Service of Northern Ireland (PSNI), the Council's Environmental Health Section and the Policing and Community Safety Partnership (PCSP) team.

Impact on Environmental Quality of the Local Area

Policy TEL 1 of PPS 10 stipulates that development involving telecommunication equipment will be permitted where the proposed development will not result in harm to environmentally sensitive features or locations. The application site is not located within a nationally or internationally designated site, therefore, the application site is not considered to involve a sensitive location. In addition, it is considered that the proposal will not cause unacceptable loss of, or damage to, trees or other landscape features which contribute significantly to local environmental quality.

Pedestrian and Road Safety

As stated above the proposal is sited 2.2 metres back from the Jordanstown Road on a public footpath. Concerns have been raised in respect of the proposal encroaching and obstructing the footpath. The footpath at its widest part measures 3.4 metres and at its narrowest point measures 3.1 metres. The proposal has a maximum depth of 0.7 metres and therefore it is considered that the footpath is of an adequate depth to accommodate the proposal without interfering with the safety of pedestrians.

In terms of road safety, one objector has raised a concern that the proposal will be a visual distraction to road users. DfI Roads was consulted on the proposal and whilst they have not raised any concerns in respect to the proposal being a distraction to road users it has stated that the location of the proposal reduces the visibility splays at the junction of Mount Pleasant Park with the Jordanstown Road to approximately 4.5 metres x 40 metres. DfI Roads has requested that the proposal be relocated so as not to impede existing required visibility splays. It should be noted that relocating the proposed mast is not an option under this application as the red line of the application site has been tightly drawn. Consequently, the relocation of this proposal to a more suitable location requires a new application to be submitted. The agent in correspondence dated 27th March 2023 has been advised of the Council's position on this matter.

The proposed mast at this location would impact on the safety of road users due to the visibility splay being restricted and therefore the proposal is contrary to Policy AMP 1 of PPS 3.

Other Matters

Impact on Human Health

International Commission on Non-Ionising Radiation Protection (ICNIRP)

Information on health issues relating to telecommunications development is set out in paragraphs 2.16 to 2.20 of PPS 10. The Government asked an independent expert group on mobile phones chaired by Sir William Stewart to report on the health effects of the use of mobile phones and from telecommunications development. Their report recommended a precautionary approach comprising a series of specific measures on the use of mobile phone technologies which was adopted by the Government. One of the recommended measures was that emissions from mobile phone base stations should meet the guidelines of the International Commission on Non-Ionising Radiation Protection (ICNIRP) for public exposure to electromagnetic fields.

Policy TEL 1 of PPS 10 requires that applications relating to the development of a mobile telecommunications base station when operational will meet ICNIRP guidelines. The role of the planning system regarding health considerations is set out in the justification and amplification of the policy at paragraphs 6.28 to 6.34 which states that the planning system is not the place for determining safeguards. The policy sets out that it is the responsibility of the Department of Health, Social Services and Public Safety which have previously indicated that if a proposed telecommunications development meets the ICNIRP guidelines in all respects, it should not be necessary to consider this aspect further.

Several objections have been received in respect to the possible human health impacts from exposure to 5G radio frequency electromagnetic fields (RF-EMFs). A Declaration of Conformity with ICNIRP Public Exposure Guidelines (ICNIRP Declaration, Document 01 date stamped 14th February 2023, accompanied the planning application in relation to the proposed telecommunications installation. The ICNIRP Declaration certifies that the site is designed to be in full compliance with the requirements of the radio frequency guidelines of the International Commission on Non-Ionising Radiation Protection for public exposure as expressed in the EU Council recommendation of July 1999.

The Council's Environmental Health Section has been consulted with respect to the development proposal and has raised no issues or objection with regards to potential health implications from the new telecommunications column.

Decrease in Property Value

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

OFCOM Fixed Links

Utilising OFCOM's Spectrum Information System (SIS) the proposal does not impact upon Fixed Terrestrial Links. Fixed Terrestrial Links or Fixed Wireless Systems (FWS) are terrestrial based wireless systems, operating between two or more fixed points. Using mainly digital technologies, directional antennas and typically operating at very high levels of propagation availability fixed terrestrial links are used to provide network infrastructure and customer access applications across a wide range of frequency bands.

Consultations

PSNI Information and Communications Services assessed the proposal from a technical and safeguarding aspect on the NI Emergency Services Radio Communications and Public Safety Telecommunications Infrastructure and raised no technical safeguarding objections.

Belfast City Airport and The Joint Radio Company were consulted and also offered no objection.

Carbon footprint and greenhouse gases

One objector has stated that each 5G masts greatly increases mobile traffic electricity usage which could account for 23% of global greenhouses gases by 2023. The objector has provided several links to various articles and studies undertaken in Europe and America, however has provided no evidence that this specific proposal will contribute towards greenhouse gases and increased carbon footprint.

PPS 10 recognises the vital importance of high quality telecommunication with paragraph 1.1 stating that modern telecommunications are an essential and beneficial element in the life of the people of Northern Ireland and of the regional economy. The proposal will facilitate educational benefits, providing access to vital services, improving communications for local businesses, enabling e-commerce and working from home as well as enjoying access to social media and gaming for leisure. The concerns of the objector on this issue are not considered to outweigh the benefits of telecommunications.

Structure Failure

A concern has been raised by one objector in respect to the location of the proposal in close proximity to residential properties and the fear of structural failure in bad weather conditions. While there may be cases in which a telecommunications masts could collapse this is considered to be a rare occurrence. Masts are subject to stress analysis testing of which wind forces are one of the aspects against which the mast design is tested. The mast is not erected to fail, it is of limited height, of slimline construction and the risk of collapse is considered to be minimal.

CONCLUSION

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

- The principle of the development has been established and is acceptable;
- The design and appearance of the development is considered acceptable;
- The proposal does not harm the environmental quality or character of the local area;
- The proposal is considered to have a detrimental visual impact on residential amenity, particularly on the outlook for the residents of 147 Jordanstown Road; and
- The proposal is contrary to policy AMP 1 of PPS 3 in that it will reduce the existing visibility splays at the Junction of Mount Pleasant Road and Jordanstown Road.

RECOMMENDATION

REFUSE PLANNING PERMISSION

PROPOSED REASONS FOR REFUSAL

1. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement and Policy TEL 1 of Planning Policy Statement 10 Telecommunications, and relevant guidance within DCAN 14 in that the proposal, if approved, will result in unacceptable damage to the visual amenity of 147 Jordanstown Road by way of its height, location and prominence.
2. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement and Policy AMP 1 of Planning Policy Statement 3 Access

Movement and Parking, in that the proposal would, if permitted, prejudice the safety and convenience of road users since the erection of the telecommunication pole and associated cabinets in the proposed position would restrict the existing visibility at the junction of Mount Pleasant Park with the Jordanstown Road.



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Site Location Plan


Application Reference: LA03/2023/0060/F

Proposal: Installation of a 20m telecoms street pole with antenna and associated ancillary equipment cabinets.

Location: Area of adopted footpath outside 147 Jordanstown Road, Newtownabbey

0 60 120
Metres



 Site boundary



COMMITTEE ITEM	3.5
APPLICATION NO	LA03/2022/0979/F
DEA	DUNSILLY
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE PLANNING PERMISSION
PROPOSAL	Erection of Stables and Hay and Machinery Shed
SITE/LOCATION	150m East of 36A Speerstown Road, Moorfields, Ballymena.
APPLICANT	Jumping Dale Equestrian, 80 Collin Road, Moorfields, Ballymena
AGENT	J E McKernon
LAST SITE VISIT	May 2023
CASE OFFICER	Michael O'Reilly Tel: 028 90340424 Email: michael.oreilly@antrimandnewtownabbey.gov.uk
<p>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Northern Ireland Planning Portal https://planningregister.planningsystemni.gov.uk</p>	
SITE DESCRIPTION	
<p>The application site is located on lands 150 metres east of No. 36A Speerstown Road, Moorfields, Ballymena, which is within the countryside and outside any development limit as designated in the Antrim Area Plan 1984 – 2001.</p> <p>The application site has been formed through the subdivision of an agricultural field with undefined boundaries at the southern and eastern boundaries. The northern boundary abuts an existing agricultural laneway and is defined by an embankment with a hedgerow atop, with an overall height of approximately 1.5 metres. The western boundary is defined by post and wire fence with three (3) mature, deciduous trees. The topography of the site is generally flat with a gradual drop in levels to the west and southwest with topographical levels also rising to the east and southeast.</p> <p>The area is predominantly rural and characterised by agricultural fields and detached dwellings. No. 36A Speerstown Road is the nearest dwelling to the application site. There is a cluster of dwellings approximately 320 metres to the northwest of the application site, several of which are accessed directly from the laneway that leads to the application site. There is an electricity pylon located to the east of the application site within the larger field.</p>	
RELEVANT PLANNING HISTORY	
<p>Planning Reference: LA03/2022/1039/F Location: 36A Speerstown Road, Moorfields, Ballymena. Proposal: Erection of 4 no. stables and tack room with an increase of site curtilage to provide sand area. Decision: Permission Granted: 02.06.2005</p> <p>Planning Reference: LA03/2021/0485/F Location: 140m Northeast of 24 Sawmill Road, Ballyclare Proposal: Erection of Stables and Hay and Machinery Shed Decision: Permission Granted: 14th October 2021</p>	

PLANNING POLICY AND GUIDANCE

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

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

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

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

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

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

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

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

CONSULTATION

Council Environmental Health Section – No objection

Northern Ireland Water – No objection

Department for Infrastructure Roads- No objection subject to conditions

DAERA Countryside Management Inspectorate Branch – Cannot verify the equine business number as this is not a DAERA business number

REPRESENTATION

Four (4) neighbouring properties were notified, and one (1) letter of support has been received from one (1) property. Three (3) letters of objection have been received from three (3) properties. The full representations made regarding this proposal are available for Members to view online at the Planning Portal (<https://planningregister.planningsystemni.gov.uk>).

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

- The commentator supports the development proposal.

A summary of the key points of objection is provided below;

- The road is not suitable for horses riding on it;
- The development will cause further destruction of the laneway and subsequent increased cost and maintenance;
- Usage of heavy agricultural machinery, horse boxes and trailers will cause congestion on the narrow laneway and increase danger to pedestrians and children playing in the laneway;
- Increased traffic will upset the peaceful environment and the wildlife that residents have become accustomed to; and
- There is limited visibility at the top of the laneway.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

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

Policy Context and Principle of Development

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

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

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

The Strategic Planning Policy Statement for Northern Ireland (SPPS) is material to all decisions on individual planning applications. The SPPS sets out the transitional arrangements that will operate until the Council has adopted a Plan Strategy for the Borough and it retains certain existing Planning Policy Statements (PPSs). Amongst these is PPS 21: Sustainable Development in the Countryside and PPS 8: Open Space, Sport and Outdoor Recreation. Taking into account the transitional arrangements of

the SPPS, retained PPS 21 and PP 8 provide the relevant policy context for the proposal.

Policy CTY 1 of PPS 21 indicates that there are certain types of development acceptable in principle in the countryside and that will contribute to the aims of sustainable development. One of these is the development of outdoor sport and recreational uses in accordance with PPS 8. Policy CTY 1 goes on to state that other types of development will only be permitted where there are overriding reasons why that development is essential and could not be located in a settlement.

Policy OS 3 of PPS 8 states that the keeping and riding of horses for recreational purposes is increasingly popular in many parts of the countryside. Policy OS 3 goes on to indicate that outdoor participatory recreational uses such as riding schools will normally be considered acceptable in principle, provided the scale of the ancillary buildings is appropriate to its location and can be integrated into their landscape surroundings. Additionally, the justification and amplification section of Policy OS 3 states that wherever possible, consideration should be given to the reuse of existing traditional or redundant farm buildings in association with such proposals.

The development proposal is located on existing agricultural lands and seeks planning permission for the erection of a stable building along with a hay and machinery shed. It is noted that no element of the development proposal provides an outdoor recreational use; there is no paddock area, no sand arena and no other associated recreational use is included within the overall proposal. It is considered that the proposal does not offer opportunities for sport and outdoor recreation, with no recreational element contained within the application site, rather the proposal appears to provide accommodation for horses and the storage of hay and machinery only.

Policy OS 3 of PPS 8 does not distinguish between facilities for personal use and larger commercial premises. Despite the implication of a difference between public and private use, it is not explicitly stated anywhere in policy. Notwithstanding the fact that policy does not distinguish between public and private use, no recreational use has been provided within the overall scheme.

As noted above, the justification and amplification section of Policy OS 3 states that wherever possible, consideration should be given to the reuse of existing traditional or redundant farm buildings in association with such proposals. Within the submitted Supporting Statement, Document 01, date stamped 8th November 2022, the agent states that the development proposal seeks an off-site location away from the equestrian business as all the lands available within the existing business at No. 80 Collin Road, Moorfields have been fully developed and therefore expansion at that location is not feasible. The existing Jumpingdales Equestrian business at Collin Road, Moorfields is located approximately 3.5 km northeast of the application site, within the Mid and East Antrim Borough Council area.

The applicant was granted planning permission in October 2021 for stables and a hay and machinery shed on lands 140 metres northeast of No. 24 Sawmill Road, Ballyclare, under planning application reference LA03/2021/0485/F. This building is now substantially complete. At that time the said application was being assessed, all the buildings located at the Jumpingdales Equestrian facility at 80 Collin Road were

in use for the purposes of the business, including the applicants dwelling, which remains the case.

Policy OS 3 of PPS 8 requires development proposals for outdoor recreational use in the countryside to meet a number of subsequent criteria in order to be deemed acceptable. While the proposal is considered to meet the additional criteria outlined in Policy OS 3, the principle of development has not been established as no element of outdoor recreation has been provided, and as such fails to meet the policy test.

Design and Impact on Character and Appearance of the Area

The development proposal must meet the requirements of Policies CTY 13 and CTY 14 of PPS 21, which require all development to visually integrate into the surrounding landscape and that any building is of an appropriate design and will not erode the rural character of the area.

The proposed stable block is 13.7 metres in length and 11.7 metres in width, and has a pitched roof with a maximum ridge height of 5.1 metres. The proposed machinery shed is 8 metres in length and 8 metres in width and has a pitched roof with a maximum ridge height of 4.5 metres.

The proposed stables and hay shed are positioned to the southern side of the application site, and separated from the laneway by a stoned yard area. The application site is set back from the Speerstown Road by approximately 400 metres. From critical viewpoints along the Speerstown Road, intervening peripheral vegetation comprising mature hedgerows and mature deciduous trees would screen the application site thereby aiding the integration of the proposed development.

It is considered that the proposed buildings are of an appropriate scale and massing for a stable block and a separate storage building. Overall, the limited scale and massing of the proposed development, the intervening mature vegetation and the mature vegetation along the northern and western site boundaries, the proposed development would sufficiently integrate into the surrounding area and there would be no adverse impact on the visual amenity of this rural location.

Neighbour Amenity

The application site is located approximately 150 metres to the east of the nearest occupied dwelling, namely No. 36a Speerstown Road. Given the separation distance, the elevated topography of the application site, and the proposed use, being the housing of up to six (6) horses, it is considered that there will be no detrimental impact on the residential amenity of the residents at No. 36a Speerstown Road. The Councils Environmental Health Section were consulted on the application and replied with no objections to the proposed development.

Other Matters

An objector raised concerns that the road is not suitable for horses riding on it; however, no other form of corroboratory evidence has been provided to support this claim. DfI Roads has been consulted with regards to the development proposal and has offered no objection subject to the inclusion of planning conditions, should the planning permission be forthcoming. Determining weight in the decision making process is not being attributed to the point of objection as made.

An objector raised concerns that the development will cause the further destruction of the laneway and subsequent increased cost and maintenance to other residents. Whilst it is accepted that the development would lead to additional traffic movements along the laneway, no verifiable evidence has been submitted to support the position of the objector in this regard. With regards to concerns raised in respect this matter, this is considered to be a civil matter outside the remit of the Council.

An objector raised concerns that heavy agricultural machinery, horse boxes and trailers will cause congestion along the narrow laneway and increase danger to pedestrians and children playing in the laneway. Whilst it is accepted that increased vehicular movements along the laneway would increase the potential for accidents, given the slow moving nature of the vehicles referred to and the narrow aspect of the laneway, excessive speeds are not anticipated. Additionally, there is considered to be good visibility along the laneway, which would promote the opportunity for vehicles to pull in and allow other vehicles to pass. Accordingly, it is considered that this issue should not be afforded determining weight in the determination of this application.

An objector raised concerns that increased traffic will upset the peaceful environment and the wildlife that residents have become accustomed to. It is not considered that the vehicular movements associated with the development proposal would be of such a quantum as to prompt a significant increase in noise that would unacceptably impact upon the residential amenity of existing residents. Determining weight in the decision making process is not being attributed to the point of objection as made.

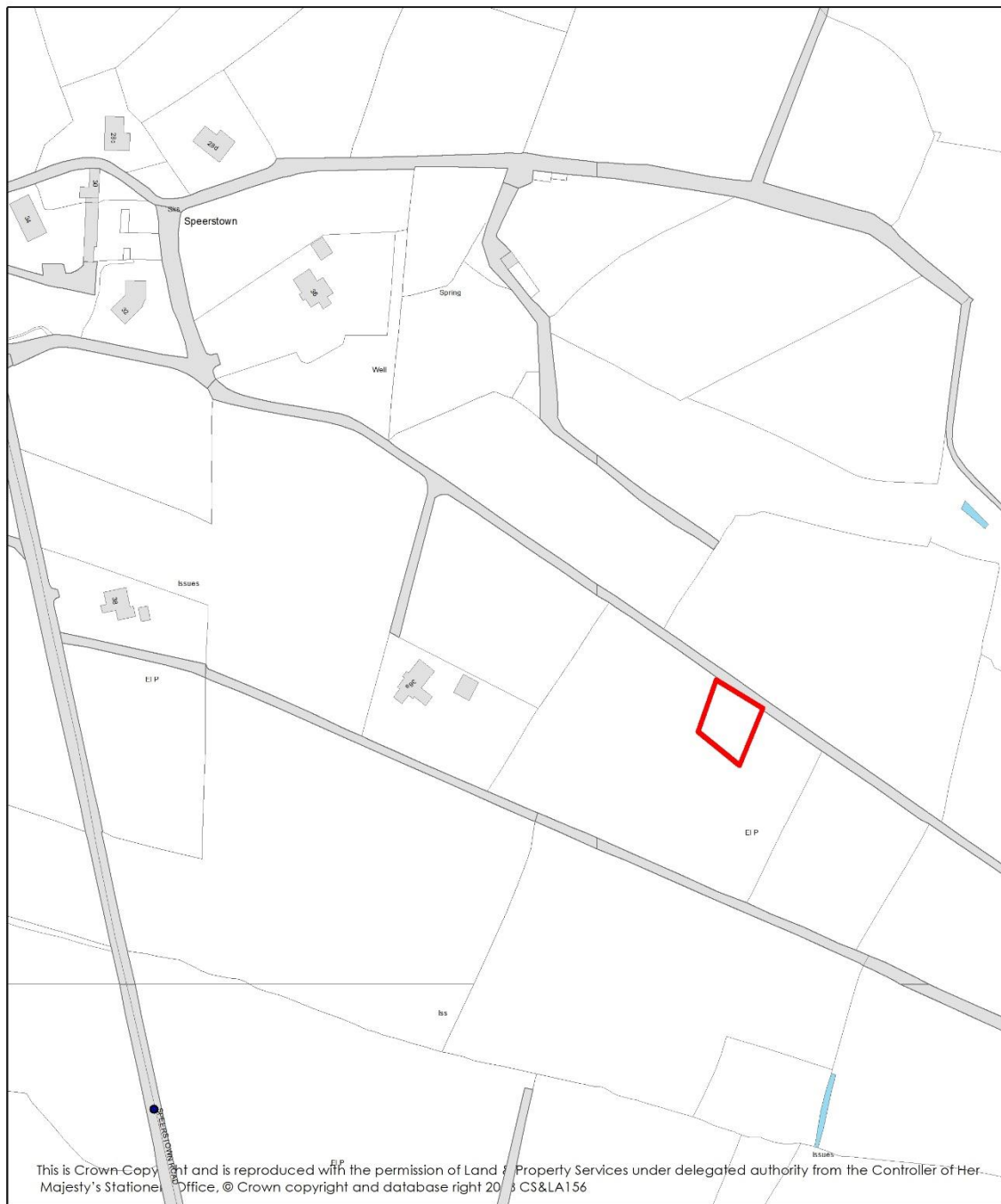
An objector raised concerns with regards to the proposed development having a detrimental impact on wildlife. Only minimal hedgerow removal is proposed to provide the access to the field and a new native species hedgerow is to be provided along the eastern and southern site boundaries. It is considered that the proposed planting will not only mitigate the loss of hedgerow along the laneway but also promote biodiversity within the application site. As such it is considered that the development proposal shall not have an adverse or otherwise significant impact to natural heritage interests.

CONCLUSION

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

- The principle of development cannot be established as the proposal fails to fulfil the policy requirements of Policy OS 3 of PPS 8 in that the development proposal does not possess a recreational element;
- The development proposal meets with the criterion based tests of Policy OS 3 of PPS 8;
- The development proposal could successfully integrate into the surrounding area;
- There are no concerns regarding neighbouring amenity; and
- There are no objections from consultees.

RECOMMENDATION	REFUSE PLANNING PERMISSION
PROPOSED REASONS FOR REFUSAL	
<ol style="list-style-type: none"> 1. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement and Policy CTY 1 of Planning Policy Statement, Sustainable Development in the Countryside, in that there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement. 2. The proposal is contrary to the policy provisions contained in the Strategic Planning Policy Statement and Policy OS3 of Planning Policy Statement 8, Open Space, Sport and Outdoor Recreation, in that the proposal does not possess a recreational element. 	

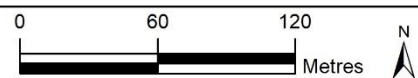



Site Location Plan

Application Reference: LA03/2022/0979/F

150m East of 36A Speerstown Road, Moorfields, Ballymena, BT42 3DD

Erection of stables and hay and machinery shed



 Site boundary

1:2,500



COMMITTEE ITEM	3.6
APPLICATION NO	LA03/2023/0158/F
DEA	AIRPORT
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE PLANNING PERMISSION
PROPOSAL	Retention of an external storage area for 3no. wind turbine towers, associated blades and 2no. stacked storage units, on redundant concrete hardstand and temporary 1.8 metre high fencing (Temporary permission for a period of 3 years)
SITE/LOCATION	Approximately 37m South of 55a Nutts Corner Road Crumlin
APPLICANT	Rosaleen McNulty
AGENT	Rosaleen McNulty
LAST SITE VISIT	13th April 2023
CASE OFFICER	Glenn Kelly Tel: 028 903 40415 Email: Glenn.Kelly@antrimandnewtownabbey.gov.uk
<p>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal https://planningregister.planningsystemni.gov.uk</p>	
SITE DESCRIPTION	
<p>The application site is located on lands 37 metres south of 55a Nutts Corner Road, which is within the countryside and outside of any settlement limit as designated within the Antrim Area Plan 1984-2001 (AAP).</p> <p>A number of wind turbine towers and two (2) storage containers are currently located on the application site, within an area of existing hardstanding associated with the now defunct World War II runway at Nutts Corner. The storage area is located approximately 55 metres back from the main Nutts Corner Road, with critical views into the site from both the eastern and western approaches along the Nutts Corner Road.</p> <p>The surrounding lands are largely agricultural with three roadside dwellings located approximately 37 metres to the north, and a number of dispersed rural dwellings and farm holdings in the immediate vicinity of the site.</p>	
RELEVANT PLANNING HISTORY	
There is no relevant planning history.	
PLANNING POLICY AND GUIDANCE	
<p>Under the provisions of the Planning Act (Northern Ireland) 2011, all decisions must be taken in accordance with the provisions of the Local Development Plan unless material considerations indicate otherwise.</p> <p>Until the Council adopts its new Local Development Plan, planning applications will continue to be assessed against the provisions of the extant adopted Development Plans for the Borough, which in this case is the Antrim Area Plan 1984 -2001. Account will also be taken of the relevant provisions of Planning Policy Statements (PPSs) which</p>	

contain the main operational planning policies for the consideration of development proposals.

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

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

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

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

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

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

CONSULTATION

Council Environmental Health Section - No objection

Department for Infrastructure Roads- No objection

Belfast International Airport - No objection

REPRESENTATION

Eight (8) neighbouring properties were notified, and one (1) letter of objection has been received. The full representations made regarding this proposal are available for Members to view online at the Planning Portal (<https://planningregister.planningsystemni.gov.uk>).

The objector has not raised any reasons for objecting to the development proposal in their online submission other than to indicate their objection.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Policy Context and Principle of Development;
- Design and Layout and Impact on Character and Appearance of the Area;
- Neighbour Amenity; and

- Other Matters.

Policy Context and Principle of Development

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

The Antrim Area Plan (AAP) currently operates as the statutory local development plan for the area where the application site is located and there is also a range of regional planning policy which is material to the determination of the proposal. The application site is located within the rural area as defined within the AAP. There are no specific operational policies relevant to the determination of the application in the plan. The application site is located on an area of hardstanding associated with the disused runways at Nutts Corner.

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.

Policy CTY 1 of PPS 21 Sustainable Development in the Countryside indicates that there are certain types of development acceptable in principle in the countryside and that will contribute to the aims of sustainable development. Other types of development will only be permitted where there are overriding reasons why that development is essential and could not be located in a settlement. One of these accepted other types of development is for industrial and business uses in accordance with PPS 4: Planning and Economic Development.

Policy PED 2 Economic Development in the Countryside of PPS 4 states that economic development uses in the countryside shall comply with Policies PED 3, 4, 5 and 6 of PPS 4. However, these policies do not apply to this proposal as they deal with the extension or reuse of an existing economic use. It also states that economic development schemes associated with farm diversification schemes will be assessed under the provisions of PPS 21. However, the proposal is not considered to be a farm diversification scheme as no farm business details have been presented as evidence. Policy PED 2 continues to state that all other proposals for economic development in the countryside will only be permitted in exceptional circumstances.

Paragraph 5.11 of the Justification and Amplification section of Policy PED 2 addresses proposals for storage and distribution uses, and states that proposals relating to large scale storage use will be more tightly controlled in the countryside than proposals for other economic development uses. This is because it is considered that such proposals are usually more difficult to absorb in the countryside without detrimental impact upon rural amenity and their capacity for generating employment is generally less than other uses.

The application seeks the retention of an external storage area for three (3) wind turbine towers, associated blades and two (2) stacked storage units, on an area of redundant concrete hardstanding and temporary 1.8 metre high fencing, for a temporary period of 3 years.

The applicant states in a Supporting Statement, Document 04 date stamped 6th April 2023, that the items are to be retained on the site for a period of upto three years in anticipation of moving them to the site of a wind farm, 1 kilometre north of No. 71 Ballyutoag Road, Belfast, approved under planning application reference T/2014/0478/F, which is some seven miles away from the application site. The applicant advises that there are no suitable sites within nearby settlements to store these items, albeit no evidence has been provided of any sequential assessment, no evidence with respect to enquiries with local estate agents or any other property searches being carried out.

Three reasons have been put forward as to why the site was chosen for storage purposes;

- Existing, suitable and ready to use hardstanding;
- Ready to use space to accommodate delivery and storage of significantly sized blades and towers; and
- Not within a part-time commercial space used by the public.

It is considered that having evaluated the information provided that no exceptional reasons exist why this rural site should be used for the storage of large wind turbine equipment. It is therefore considered that the proposal fails to comply with Policy PED 2 of PPS 4 in that no exceptional circumstances have been presented to support the view that this storage use is acceptable on the application site.

Notwithstanding the fact that the principle of development is considered unacceptable, the design, neighbour amenity and any other matters associated with the development will be assessed.

Design, Layout and Impact on Character and Appearance of Area

Three wind turbine towers and two (2) storage containers are currently located on the application site on an area of hardstanding. The three turbine towers are positioned lengthways in a row. Each tower measures 56 metres, resulting in an overall length of 168 metres. The blades associated with the turbines are also disassembled and laid out in front of the turbine towers, within the area of hardstanding. The overall maximum height of the towers and blades is 3 metres. Two storage containers are located at the western end of the site. Each container measures 5.8 metres in length and 2.3 metres in height, resulting in an overall height of 4.6 metres in height when stacked one on top of the other. A 1.8metre high temporary security fence encloses the application site.

The storage area is located approximately 55 metres back from the Nutts Corner Road, with critical views evident on both the eastern and western approaches along the Nutts Corner Road. Policy PED 9 of PPS 4 sets out the general criteria for an economic development proposal, all of which must be met. Parts (j), (l) and (m) specifically deal with the design of an economic development proposal.

Part (j) of Policy PED 9 requires that the site layout, building design, infrastructure and landscaping arrangements are of a high quality and assist in the promotion of sustainability and biodiversity. It is considered that the application fails this test. The flat, open nature of the site promotes stationary and transient views into the site when travelling in both directions along Nutts Corner Road. The open air storage of wind turbine towers and blades is incongruous in the countryside. In addition, the temporary nature of the two stacked storage containers is also not in keeping with the character of the surrounding area, particularly as the site boundaries lack any exiting mature vegetation and no landscaping has been proposed.

Criterion (k) of Policy PED 9 requires appropriate boundary treatments and means of enclosure are provided and any areas of outside storage are adequately screened from public view. Criterion (m) of Policy PED 9, in the case for economic development proposals in the countryside, requires there are satisfactory measures to assist integration into the landscape. It is considered that the proposed development fails to comply with criterion (k) and (m) and the only boundary treatment is the security fencing around the site boundaries. The metal mesh fencing serves a purpose for security, it does not provide screening to the site or aid in the integration of the storage area. Additionally, no landscaping has been proposed which would contribute to assist integration into the surrounding landscape.

Development in the countryside must also comply with Policies CTY 13 and CTY 14 of PPS 21. It is considered that the development fails to meet part (a) of Policy CTY 13 as the site lacks long established natural boundaries to allow the development proposal to integrate into the surroundings; and criterion (e) in that the design of the development proposal is inappropriate for the site and its locality; in relation to both the open-air storage of the wind turbine structures, wind turbine blades, and the storage containers.

Having taken the above into account, it is considered that the appearance of the turbines and ancillary temporary buildings would fail to integrate into the area.

Neighbour Amenity

Criterion (d) and (e) of Policy PED 9 of PPS 4, considers the impact of the development upon nearby residents. One letter of objection has been received; however, the objector has not raised any reasons for objecting to the development proposal in their online submission and as such, little weight can be attributed to this in the decision-making process.

The nearest neighbouring properties to the site are numbers 55, 55A and 55B Nutts Corner Road, all of which are located approximately 37 metres north of the site. Each of these dwellings have mature rear boundaries and there is an intervening agricultural field, which creates a separation buffer. The turbines on the site are not operational, therefore they are not noise producing or mobile.

It is considered that the retention of turbines and ancillary works will not have a significant detrimental impact on the amenity of surrounding neighbouring properties.

Other Matters

Consultations were issued to the Council's Environmental Health Section, DfI Roads and Belfast International Airport for comment on the development. None of the consultees responded with any objections with respect to the subject use of the land for storage of wind turbine equipment.

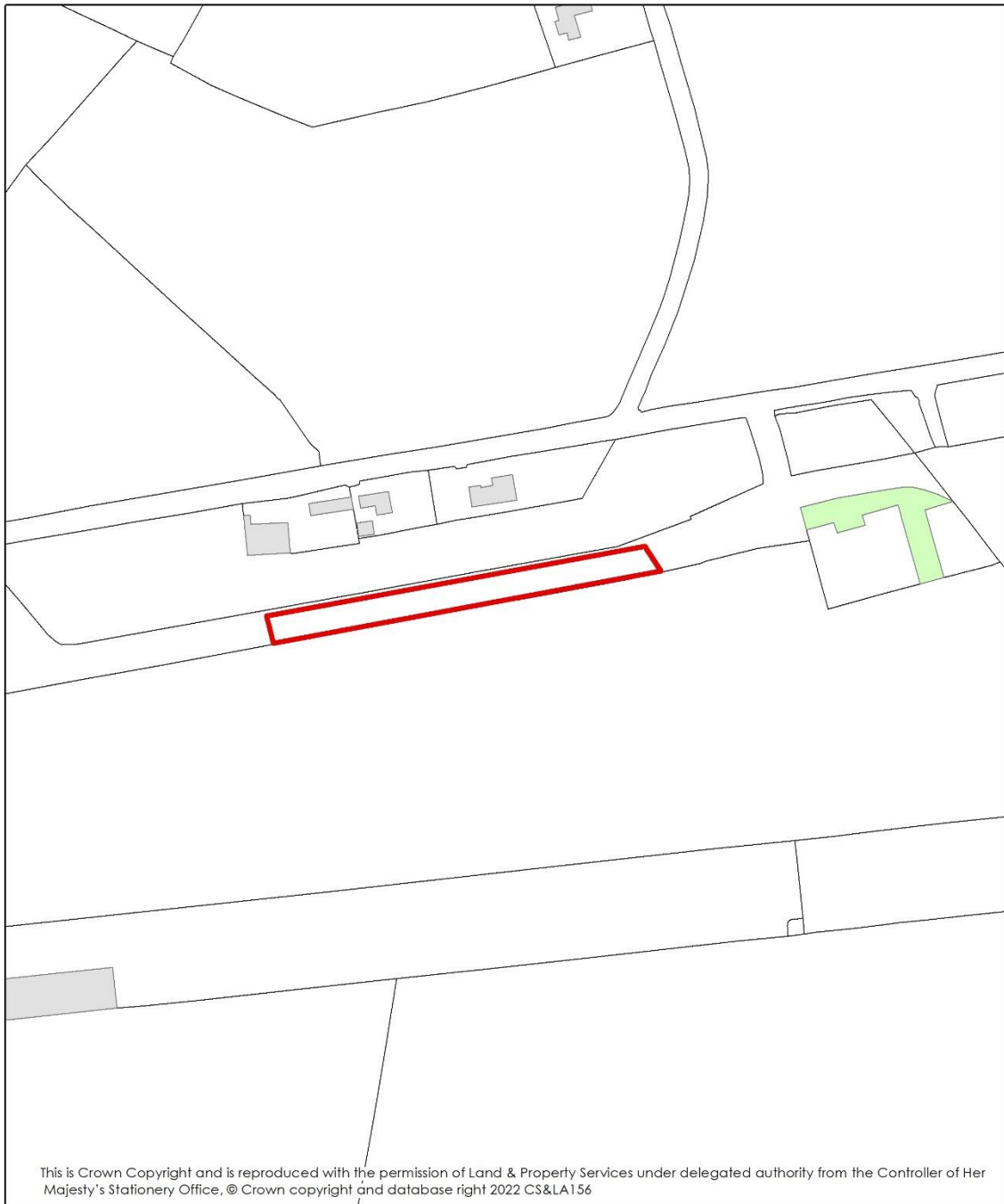
CONCLUSION

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

- The principle of development has not been established and the development fails to meet the criteria set out in the SPPS, Policy CTY 1 of PPS21 and Policy PED 2 of PPS 4;
- The design, nature and appearance of the development is considered unacceptable;
- There will be no significant detrimental impact upon the residential amenity of neighbouring properties; and
- There have been no objections from consultees.

RECOMMENDATION**REFUSE PLANNING PERMISSION****PROPOSED REASONS FOR REFUSAL**

1. The development is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy PED 2 of Planning Policy Statement 4 "Planning and Economic Development", in that no exceptional circumstances exist as to why the development must be located in this rural location.
2. The development is contrary to the policy provisions of the Strategic Planning Policy statement and Policy PED 9 of Planning Policy Statement 4 "Planning and Economic Development", in that, if approved the development would fail to deliver a high quality design and layout; and lack suitable boundary treatments or landscaping to assist with integration into the landscape.
3. The development is contrary to the provisions contained in the Strategic Planning Policy Statement and Policy CTY 13 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the site lacks established boundaries to provide a suitable degree of enclosure to aid integration.



Planning Application Reference: LA03/2023/0158/F

Location: Approximately 37m South of 55a Nutts Corner Road
Crumlin

Proposal: Retention of an external storage
area for 3no. wind turbine towers, associated blades
and 2no. stacked storage units, (temporary permission for 3 years)

Scale: 1:2500



Site Location



COMMITTEE ITEM	3.7
APPLICATION NO	LA03/2023/0283/F
DEA	DUNSILLY
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE PLANNING PERMISSION
PROPOSAL	New dwelling and integral garage and associated siteworks (CTY 2a and CTY 8)
SITE/LOCATION	Lands approximately 90 metres northeast of 89 Tildarg Road, Kells, BT42 3NY
APPLICANT	Mr & Mrs D and L Allen
AGENT	David McMaster Architect Ltd
LAST SITE VISIT	10 th May 2023
CASE OFFICER	Ashleigh Wilson Tel: 028 903 40429 Email: ashleigh.wilson@antrimandnewtownabbey.gov.uk
<p>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Northern Ireland Planning Portal https://planningregister.planningsystemni.gov.uk</p>	
SITE DESCRIPTION	
<p>The application site is located approximately 90 metres northeast of No. 89 Tildarg Road, Kells which is located within the countryside as defined within the Antrim Area Plan (1984-2001).</p> <p>The application site encompasses part of an agricultural field, set back 85 metres from the public road and accessed via an existing and overgrown laneway. The boundaries to the access lane are defined by existing overgrown vegetation on the southwestern side with trees of approximately 15 metres towards the northern section of the access. A post and wire fence with mature trees, approximately ten (10) metres in height defines the access to the northeastern side.</p> <p>The northwestern and northern boundaries of the application site abut an existing watercourse with a post and wire fence running alongside it. The eastern boundary is defined by existing hedging with mature trees where the site abuts an area of planted vegetation beyond the eastern boundary of the application site.</p> <p>The topography of the site is low lying with the site considerably lower than the Tildarg Road (levels of 169.8 on Tildarg Road to 160.55 at the lowest point on the application site). The land to the north and northeast of the application site rises beyond the application site to a number of existing dwellings and outbuildings located along a shared laneway. The site is located within a rural area with the surrounding land use being predominantly agricultural. There are a number of detached dwellings and outbuildings located in the direct vicinity of the application site.</p>	
RELEVANT PLANNING HISTORY	
<p>Planning Reference: T/2004/0928/O Location: 90m approx. Northeast of 89 Tildarg Road, Kells. Proposal: Site of Dwelling and Garage. Decision: Permission Granted (22/05/2005)</p>	

Planning Reference: T/2008/0136/RM

Location: New dwelling and integral garage 90m approx. North East of 89 Tildarg Road, Kells

Proposal: 1½ storey dwelling with integral garage

Decision: Permission Granted (27/05/2008)

PLANNING POLICY AND GUIDANCE

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

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

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

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

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

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

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

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

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

CONSULTATION

Council Environmental Health Section - No objection

Northern Ireland Water - No objection
Department for Infrastructure Roads - No response

Belfast International Airport - No objection

DfI Rivers - No response

REPRESENTATION

Seven (7) neighbouring properties were notified and no letters of representation have been received.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

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

Preliminary Matters

Planning permission was previously granted on the application site for a dwelling and integral garage under planning references T/2004/0928/O and T/2008/0136/RM. Whilst the applicant's P1 form indicates that the work has started on this site as trees have been removed and laneway formed to create the access for the previously approved dwelling, no Certificate of Lawfulness has been granted to certify that these works are lawful. The previous grant of planning permission expired on 27th May 2010.

Policy Context and Principle of Development

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

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

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

Countryside' which seeks to promote quality and sustainable building design in Northern Ireland's countryside.

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

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

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

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

The application site is located down an existing overgrown laneway, approximately eighty-five (85) metres back from the public road. The site does not extend to the public road and therefore it is considered that the application site does not have a road frontage along the public road.

With regards to the application having a frontage to the access lane, there are no other existing or approved dwellings accessed from this laneway and therefore it is considered that a dwelling on the application site would not sit within a substantial and continuously built up frontage.

The site layout plan (Drawing No. 02, date stamped 5th April 2023) highlights seven buildings along the Tildarg Road including Nos. 89, 91, 91A Tildarg Road, a corrugated agricultural building, an outbuilding abutting the Tildarg Road and No. 87 (labelled No. 83 on the site layout plan) with associated garage building.

Whilst it is accepted that there is a perception of a wider build-up of development at this location which includes the above development as well as two recent approvals to the northeast of the application site (recently certified as lawfully commenced under references LA03/2021/0690/LDP and LA03/2021/0901/LDP) none of these properties/buildings share the proposed access laneway and therefore do not share a frontage with the application site.

No. 87 Tildarg Road to the east of the application site is separated from the site by a plot of land with vegetation between; Nos. 89 and 91 Tildarg Road along with associated outbuildings are accessed directly from Tildarg Road and have a frontage onto Tildarg Road. No. 91A is accessed via a separate access from the Tildarg Road approximately 47 metres to the west of the access to serve the proposed dwelling. Therefore, these existing properties do not share a common frontage with the application site. Given that three buildings fronting onto the access road cannot be identified it is considered that a substantial and continuously built up frontage does not exist at this location.

The second element of Policy CTY8 requires the site to be a small gap site sufficient only to accommodate a maximum of two dwellings. Additionally, the third element of Policy CTY 8 states that the proposal should respect the existing development pattern along the frontage in terms of size, scale, siting and plot size. A section of land comprising overgrown vegetation is located to the east of the application site, with existing agricultural land beyond the northern boundary of the application site. In addition, a roadside field separates the application site from the Tildarg Road to the south of the application site. It is therefore considered that there is no 'gap' to be infilled and as such the proposal fails to meet the policy provisions outlined in Policy CTY 8.

The proposed development has also been assessed in respect of a dwelling within an existing cluster. The first criteria of Policy CTY 2a requires that the cluster of development consists of four or more buildings (excluding ancillary buildings of which at least three are dwellings). Whilst a number of buildings have been identified on the site layout plan within close proximity to the application site, these buildings do not abut the application site and instead are separated by the existing laneway or existing land abutting the application site. The proposal would not be absorbed into a cluster through rounding off or consolidating, rather it would visually intrude into the open countryside. Additionally, the cluster would not be associated with any focal point. It is considered therefore that the proposal does not meet with all the requirements of Policy CTY 2a of PPS 21.

As the proposed development does not comply with the policy criteria set out in Policies CTY 8 or CTY 2a, it does not represent one of the types of residential development considered acceptable in principle in the countryside. Policy CTY 1 advises that other types of development will only be permitted where there are overriding reasons why it is essential and could not be located in the nearby settlement. No other overriding reasons were presented to demonstrate how the proposal is essential and why it could not be located in a settlement. The proposal therefore fails Policy CTY 1 of PPS 21 and as such it is considered that there are no other overriding reasons as to why this development is essential at this location and could not be located within a settlement.

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

All dwellings in the countryside must integrate with its surroundings in accordance with the policy requirements of the SPPS and Policies CTY 13 and CTY 14 of PPS 21. Policy CTY 13 requires that a dwelling in the countryside will not be prominent in the landscape and will integrate into its surroundings and will be unacceptable where the site lacks long established natural boundaries or is unable to provide a suitable degree of enclosure.

The proposal seeks full permission for a two storey dwelling. The proposed dwelling indicates a ridge height of approximately 6.9 metres at the highest point and has an overall frontage of 21 metres. The same house type was previously granted permission on the application site under Ref: T/2008/0136/RM. The overall size and scale of the proposed dwelling and integral garage is considered substantial, however, the dwelling is broken up by a number of projections with lower ridge heights. In addition, the existing dwelling at No. 89 Tildarg Road is a two storey dwelling and given the topography of the application site on a lower level than the road, it is considered the site could accommodate a dwelling of this height and scale.

Whilst the proposed dwelling indicates two storey gable projections and a number windows with a horizontal emphasis the topography of the land rises off the road and falls away again into a hollow where the dwelling is proposed. This, coupled with mature vegetation to the east of the application site and existing buildings along the roadside also help to screen the application site from close views to the west, it is therefore considered that there will be no significant views of the application site from the public road.

There will be some critical views of the application site from the shared laneways to the east and north of the application site and long views from further west along Tildarg Road, however, the proposed dwelling would be read against a backdrop of trees aiding integration of the proposed dwelling into the landform. Overall, it is considered that this site can provide a suitable degree of enclosure for the proposed dwelling to integrate into the landscape and therefore complies with Policy CTY 13.

Policy CTY 14 of PPS 21 requires the proposal not to cause a detrimental change to, or further erode the rural character of an area. While Policy CTY 8 states that planning permission will be refused for a building which creates or adds to a ribbon of development. Where ribbon development is created or where an existing ribbon is added to, it will also have a knock-on detrimental impact on the rural character of the area. Paragraph 5.33 of PPS 21 explains that a ribbon does not necessarily have to be served by individual accesses nor have a continuous or uniform building line. Buildings can be sited back, staggered or at angles and with gaps between them but can still represent ribbon development, if they have a common frontage or they are visually linked. In this case the proposed siting of the dwelling is well set back off the road frontage by approximately 85 metres and would not be considered to create a ribbon of development.

Neighbour Amenity

Existing vegetation separates the application site from the dwelling further east (No. 87 Tildarg Road) and it is considered the proposed dwelling would not have an unacceptable impact on the residential amenity of this property. It is considered there is sufficient separation distances between the proposed dwelling and the surrounding development including approved development within the area, as well as intervening and proposed vegetation to ensure the proposed dwelling would not have a significant impact on residential amenity by way of overlooking, overshadowing, noise or other disturbance.

Movement, Access and Parking

The proposed development requires the alteration of an existing access to the public road to serve the proposed dwelling. DfI Roads were consulted on the application in relation to road safety, however, at the time of completing the Committee Report, no response had been received. It is considered that given the site was previously approved for a dwelling that sufficient visibility would exist to create visibility splays for a dwelling. This can be controlled by way of a negatively worded condition should planning permission be forthcoming. Given that the recommendation is to refuse planning permission, the issue of the proposed means of access would not raise any significant concerns.

Other Matters

Flood Risk

The proposal is located within an area of known flood risk. DfI Rivers has been consulted and have indicated that Flood Maps (NI) show that a portion of the site lies within the predicted 1 in 100-year strategic fluvial flood plain. DfI Rivers requested that in the first instance the applicant should submit a topographical survey of the site to Ordnance Datum (OD) Belfast including a proposed finished floor level to OD Belfast to allow a more comprehensive response to be provided. However, given the concern with the principle of development no further information has been requested from the agent for the proposal and this would constitute nugatory work leading to unnecessary expense.

Ecology

Informal consultation was carried out with Shared Environmental Services (SES) as there is a watercourse located to the northern and northeastern boundaries of the application site. SES have outlined that the proposed development site has a tenuous hydrological linkage to Lough Neagh and Lough Beg SPA/Ramsar, which is located c.21km downstream. Given the nature and scale of the development and the likely duration of construction, in context with the effects of distance and dilution in the receiving waters of the Ross Burn, Kellswater and River Main, there can be no conceivable effect on Lough Neagh and Lough Beg SPA/Ramsar from the proposed development. SES therefore confirmed that no formal consultation was required.

Belfast International Airport

The application lies within close proximity to Belfast International Airport (BIA). BIA has been consulted and has raised no objection to the proposal. It is therefore considered that the proposal will not have a detrimental impact on aviation safety.

CONCLUSION

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

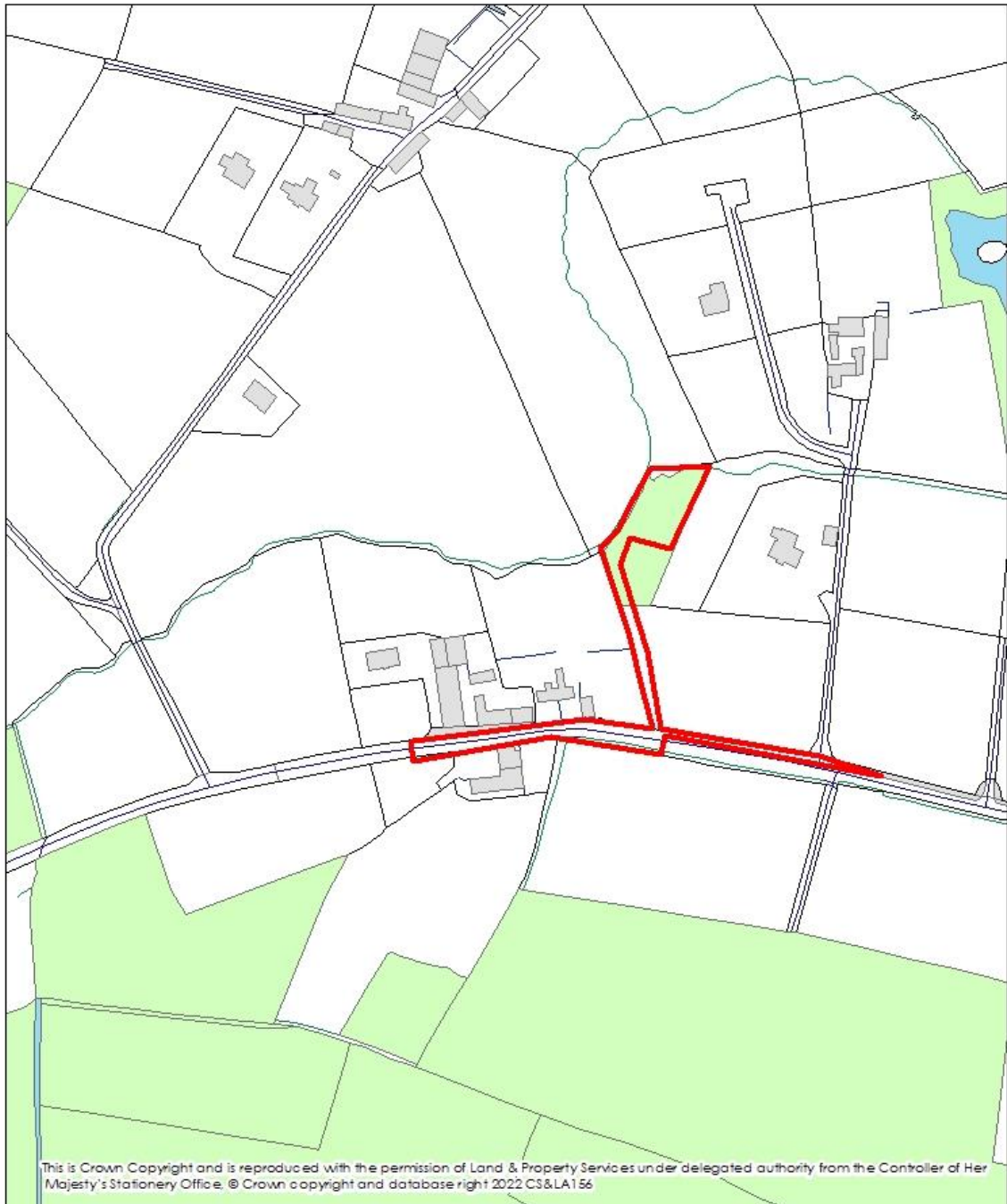
- The principle of the development cannot be established as the proposal is contrary to the policy requirements of Policy CTY 1, CTY 2a and CTY 8 of PPS 21;
- The application site is able to provide a suitable degree of integration;
- The proposal will not create a ribbon of development and a suburban style build-up of development that would further erode the character of the rural area;
- There are no road safety concerns with the proposal; and

- It has not been demonstrated that there are adequate measures to manage and mitigate any increase in flood risk arising from the development.

RECOMMENDATION	REFUSE PLANNING PERMISSION
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PROPOSED REASONS FOR REFUSAL

1. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy CTY1 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement.
2. The proposal is contrary to the policy provisions contained in the Strategic Planning Policy Statement and fails to meet with the provisions for an infill dwelling in accordance with Policy CTY 8 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the application site is not within an otherwise substantial and continuously built up frontage and the proposal does not represent a small gap site sufficient only to accommodate a maximum of two dwellings.
3. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement and Policy FLD 1 of Planning Policy Statement 15: Planning and Flood Risk (PPS 15), in that it has not been demonstrated that there are adequate measures to manage and mitigate any increase in flood risk arising from the development.



Planning Application Reference: LA03/2023/0283/F

Location: Lands approximately 90m northeast of 89 Tildarg Road, Kells

Proposal: New dwelling and integral garage and associated siteworks (CTY2a and CTY 8)

Scale: 1:2500



 Site Location



COMMITTEE ITEM	3.8
APPLICATION NO	LA03/2023/0171/F
DEA	AIRPORT
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE PLANNING PERMISSION
PROPOSAL	Covered livestock pen (retrospective application).
SITE/LOCATION	65m to the north-east of 5e Ballyquillan Road Aldergrove Crumlin BT29 4DD.
APPLICANT	Vincent Connon
AGENT	Big Design Architecture
LAST SITE VISIT	13 th April 2023
CASE OFFICER	Michael Tomlinson Tel: 028 903 40442 Email: michael.tomlinson@antrimandnewtownabbey.gov.uk
<p>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal https://planningregister.planningsystemni.gov.uk</p>	
SITE DESCRIPTION	
<p>The application site is located 65m to the northeast of 5e Ballyquillan Road Aldergrove. This is a countryside location as identified in the Antrim Area Plan 1984-2001.</p> <p>The application site consists of a modest portal frame structure, finished using green corrugated iron cladding. The building has a mono pitched roof and is open on its southwestern and northeastern elevations. The northwestern elevation of the subject building defines the northwestern boundary of the application site. The remaining boundaries are undefined.</p> <p>The surrounding location is countryside with a number of dwellings and buildings of an agricultural appearance within the wider area.</p>	
RELEVANT PLANNING HISTORY	
<p>Planning Reference: LA03/2022/0951/O Location: Lands 25m to the north-east of 5e Ballyquillan Road Aldergrove Crumlin BT29 4DD Proposal: Dwelling and Garage (within an infill site) Decision: Application Withdrawn (12th December 2023)</p>	
PLANNING POLICY AND GUIDANCE	
<p>Under the provisions of the Planning Act (Northern Ireland) 2011, all decisions must be taken in accordance with the provisions of the Local Development Plan unless material considerations indicate otherwise.</p> <p>Until the Council adopts its new Local Development Plan, planning applications will continue to be assessed against the provisions of the extant adopted Development Plans for the Borough, which in this case is the Antrim Area Plan 1984 -2001. Account will also be taken of the relevant provisions of Planning Policy Statements (PPSs) which</p>	

contain the main operational planning policies for the consideration of development proposals.

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

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

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

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

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

CONSULTATION

Council Environmental Health Section – No objection

Department for Infrastructure Roads- No objection

Department for Communities Historic Environment Division - No objection

REPRESENTATION

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

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Policy Context and Principle of Development
- Impact on the Natural Environment
- Design and Appearance
- Neighbour Amenity
- Other Matters

Policy Context and Principle of Development

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

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

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

The Strategic Planning Policy Statement for Northern Ireland (SPPS) sets out the transitional arrangements that will operate until a local authority has adopted a Plan Strategy for the whole of its council area. The SPPS retains some existing Planning Policy Statements (PPS) one of which is 'Sustainable Development in the Countryside' (PPS21). Policy CTY 1 of PPS 21 states that there are a range of types of developments which in principle are considered to be acceptable in the countryside and that will contribute to the aims of sustainable development. It goes on to say that other types of development will only be permitted where there are overriding reasons why that development is essential and could not be located in a settlement.

One of these types of development is for development on an active and established agricultural or forestry holding in accordance with the provisions of Policy CTY 12 of PPS21. For the purposes of defining an active and established farm, paragraph 5.56 of Policy CTY 12 indicates that the definition of an active farm is the same as that provided within Policy CTY 10. DAERA's Countryside Management Branch has been consulted on the application and has responded to confirm that the Farm Business ID was issued on 24th April 1995. It is noted in DAERA's response, that the business has claimed Single Farm Payment (SFP), Less Favoured Area Compensatory Allowances (LFACA) or Agri-Environment Schemes in each of the last six (6) years. It is therefore considered that the farm business is active and established.

In support of the application, the agent submitted a number of farm related documents and a personal statement. In order to demonstrate that the new building would be essential for the efficient running of the business, the agent was contacted on 15th May 2023 and a supporting statement was requested and received (Document 02, date received 16th May 2023). It is noteworthy that the applicant has an existing agricultural holding at his principal farm complex at 10 Dunore Road, Crumlin which is approximately 3.5 miles from the application site. This is approximately a 5-minute drive by car. The personal statement states that the purpose of this building is to provide handling facilities for cattle and sheep which graze on the adjoining lands. The supporting statement (Document 02) further explains that the purpose of this structure is to provide a covered facility to safely carry out animal testing safely as required by DAERA. It is required at this location as the applicant farms two blocks of land split between the Dunore Road and the lands adjoining the application site. The applicant's main farm holding is at No. 10 Dunore Road which is approximately 3 miles away. Transport to and from the application site to the farm buildings at No. 10 Dunore Road requires livestock to be loaded onto a livestock truck or trailer. There are no other facilities on the lands that provide shelter

to the animals during inclement weather and DAERA discourage sharing facilities in the interest of disease eradication.

Whilst it is acknowledged that the building would afford greater convenience to the applicant by means of not having to transport livestock the 5-minute journey to the main farm complex, the siting of an additional agricultural building away from any of the existing farm complex is not considered to be essential for the efficient functioning of the business and there are no demonstrable health and safety reasons provided. The development does not provide an exceptional case for a new farm building sited at an alternative site away from the existing farm business and its buildings.

The additional submitted information includes:

- Invoice for concrete (21/10/2014);
- Invoices for various construction materials typical of an agricultural building (dated 18/12/2014, 28/02/2015, 31/03/2015);
- Cattle Movement Book;
- Herd Register for Bovine Animals;
- Sheep and Goat Movement books;
- Sheep Flock and Goat Herd Register; and
- Births and Deaths of Bovine Animals.

This submitted information demonstrates that the applicant has been active and established as a farmer for the last six (6) years, it does not however, provide any significant evidence regarding the necessity of a farm building at this location. Furthermore, no evidence has been provided to demonstrate that this building is necessary for the efficient functioning of the farm; there is no evidence to demonstrate that other existing buildings on the farm cannot be utilised or that the subject building is necessary at this location for the efficient functioning of the farm. It is considered therefore that the proposal does not meet with the requirements of Policy CTY 12 and therefore the principle of development has not been established.

Impact on the Natural Environment

The application seeks retrospective permission for an agricultural building. Drawing No. 01 (date received 16th March 2023) shows that the building will be used as an animal shelter and pen. There is nothing to demonstrate that the building will be provided with a slatted floor and slurry tanks for the long-term housing of cattle. It is considered that should planning permission be granted, the shed will only be used for the sheltering of grazing livestock and not for the housing of livestock and this matter can be controlled by means of a planning condition should planning permission be forthcoming.

Design and Appearance

Policy CTY 12 of PPS 21 requires the building to be appropriate to its location in terms of size and scale, it should visually integrate into the local landscape and the design and materials are sympathetic to the locality; as required by Policy CTY 13. The shed takes the form of a rectangular plan form with a mono pitched roof. The building has a ridge height of 3.2 metres above ground level, it is 9.1 metres wide and a depth of 3.3 metres. The design and appearance of the building making use of corrugated iron cladding provides the appearance of an agricultural building within a countryside location.

The building does not benefit from having any surrounding vegetation to provide a significant level of integration or enclosure. Furthermore, the topography of the application site is flat and there are no landscape features to provide a suitable backdrop. The building is located 100 metres along a private laneway, with the northwestern elevation of the building having a direct frontage onto the laneway. It is noted that this is a private laneway, however, the assessment for integration is judged from critical views along shared private laneways serving existing or approved dwellings. The subject building is not the final building along the laneway, with a further five (5) dwellings located further along the laneway to the northeast. It is considered that whilst the use of finishing materials is acceptable, the building does not blend sympathetically with its surroundings and therefore does not suitably integrate with the surrounding countryside.

Overall it is considered that the design of the building is acceptable, however, the building fails to integrate with the surrounding countryside and therefore is not acceptable in terms of integration and rural character in accordance with Policy CTY 13 of PPS 21.

Neighbour Amenity

It is noted that there are no abutting neighbouring dwellings to the application site. The closest dwelling is No 5e Ballyquillan Road, which is located 35 metres to the southwest of the application site. Given the small scale nature of the building and the intended purpose of restraining and short term sheltering livestock, it is considered that there will not be a significant impact on this neighbouring dwelling. Furthermore, the Council's Environmental Health Section were consulted on the application and have raised no objections to the proposal.

Other Matters

Road Safety

The proposal seeks to utilise an existing shared laneway. DfI Roads were consulted as part of the application and have provided no objection to the proposal.

CONCLUSION

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

- The principle of the development is considered unacceptable given the site's location away from the existing farm business.
- The proposal will not integrate into its receiving rural environment.
- There are no concerns in relation to neighbour amenity.

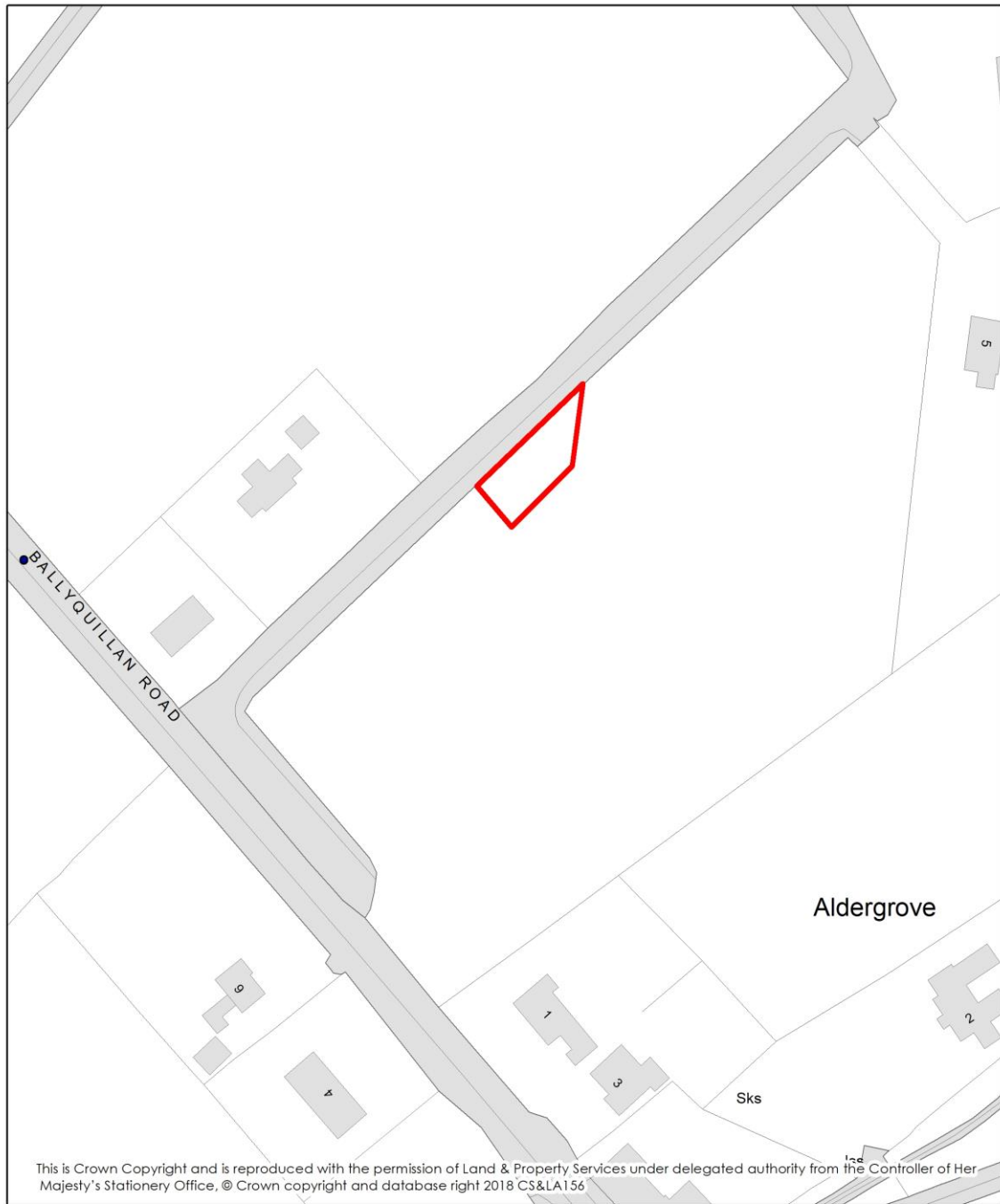
RECOMMENDATION

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 i) the building is not clustered with an established group of farm buildings on the agricultural holding, ii) it has not been demonstrated that a new building is necessary for the efficient functioning of the farm, iii) there is no persuasive evidence that a building at this location is necessary for the efficient functioning of the farm.

2. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement and Policies CTY 12 & 13 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the building fails to integrate into the landscape.



Site Location Plan

Application Reference: LA03/2023/0171/F

65m to the north-east of 5e Ballyquillan Road Aldergrove Crumlin
BT29 4DD

Covered livestock pen (retrospective application)



 Site boundary

1:1,250



COMMITTEE ITEM	3.9
APPLICATION NO	LA03/2023/0070/F
DEA	THREEMILEWATER
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE PLANNING PERMISSION
PROPOSAL	Ground floor side extension with two storey rear extension and internal works and new front porch.
SITE/LOCATION	8 Gleneden Park, Jordanstown, Newtownabbey, BT37 0QL
APPLICANT	Grace & Matt Evans
AGENT	Robert Gilmour Architects
LAST SITE VISIT	13 th March 2023
CASE OFFICER	Michael Ward Tel: 028 903 40413 Email: michael.ward@antrimandnewtownabbey.gov.uk
<p>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Northern Ireland Planning Portal https://planningregister.planningsystemni.gov.uk</p>	
SITE DESCRIPTION	
<p>The application site is located at 8 Gleneden Park, Newtownabbey which is located within Metropolitan Newtownabbey as indicated within the draft Belfast Metropolitan Area Plan (BMAP).</p> <p>The application site contains a two storey semi-detached dwelling with rear garden finished in red brick. A small garage is also located to the east and is set back from the host dwelling. During the site visit it was noted that the host dwelling already features a single storey rear extension (approved under Planning Reference U/2007/0144/F) and a small raised patio area.</p> <p>The front of the application site faces the public road and is bounded by a low 1m wall and mature vegetation. The eastern boundary encompasses a 1.5 metre hedge, extending to a 2 metre fence and 3-metre-high hedge towards the rear. The rear of the application site comprises mature vegetation with heights of approximately 10 metres. The western site boundary comprises a 3-metre-high hedge which is stepped to 2 metres in height towards the front of the application site. The topography of the site is relatively flat.</p> <p>It was noted during the site visit that two storey rear extensions have previously been added to No.4 Gleneden Park to the east and No.14 Gleneden Park to the west. The surrounding area comprises a mix of similar house types abutting all boundaries of the site.</p>	
RELEVANT PLANNING HISTORY	
<p>Planning Reference: U/2007/0144/F Proposal: Erection of single storey rear extension to existing dwelling house Location: 8 Gleneden Park, Jordanstown, Newtownabbey, BT37 0QL Decision: Permission Granted (14th May 2007)</p>	

PLANNING POLICY AND GUIDANCE

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

Until the Council adopts its new Local Development Plan, planning applications will continue to be assessed against the provisions of the extant adopted Development Plans for the Borough (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 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 Belfast Metropolitan Area Plan (Published 2004) (dBMAP): The application site is located within the development limit of Metropolitan Newtownabbey. The Plan offers no specific guidance on this proposal.

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

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

CONSULTATION

No consultations were carried out on this application

REPRESENTATION

Six (6) neighbouring properties were notified and two letters of representation have been received from two separate addresses. The full representations made regarding this proposal are available for Members to view online at the Planning Portal (<https://planningregister.planningsystemni.gov.uk>).

- Concern that the application is invalid, with inaccurate drawings and description;
- Concern that the proposal would disproportionately impact on No.6 due to the unique building line;
- Concern that the proposal would result in a "terracing effect";
- Concern that the proposal is out of character with the local environment;
- Concerns with the height and scale of the proposal;
- Concerns that the proposal would upset the architectural integrity of the dwelling, appear out of character and be intrusive to the streetscape;

- Concerns the proposal would contribute to dominance, loss of light and overshadowing;
- Concerns regarding access and maintenance post construction;
- Concern regarding the loss of privacy;
- Concerns regarding damage to property, disturbance and security; concerns during construction;
- Concerns regarding increased noise levels and increased footfall;
- Concerns that the proposal would decrease the value of neighbouring properties.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Policy Context
- Scale, Massing, Design and Appearance
- Neighbour Amenity
- Impact on Trees and Environmental Quality of this Area.
- Amenity Space, Parking and Manoeuvring
- Other Matters

Policy Context

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

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

The 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. As a consequence, the Belfast Urban Area Plan (BUAP) operates as the Local Development Plan (LDP) for the area. The provisions of the draft Belfast Metropolitan Area Plan (dBMAP) are also a material consideration in this application. The application site lies within the development limit of Metropolitan Newtownabbey in both Plans. 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. Amongst these is the Addendum to Planning Policy Statement 7: Residential Extensions and Alterations (APPS 7). Taking into account the transitional arrangements of the SPPS, retained APPS 7 provides the relevant policy context for consideration of the proposal.

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

- a) the scale, massing, design and external materials of the proposal are sympathetic with the built form and appearance of the existing property and will not detract from the appearance and character of the surrounding area;

- b) the proposal does not unduly affect the privacy or amenity of neighbouring residents;
- c) the proposal will not cause the unacceptable loss of, or damage to, trees or other landscape features which contribute significantly to local environmental quality; and
- d) sufficient space remains within the curtilage of the property for recreational and domestic purposes including the parking and manoeuvring of vehicles.

APPS7 also advises that the guidance set out in Annex A of the document will be taken into account when assessing proposals against the above criteria.

Scale, Massing, Design and Appearance

There are three distinctive elements to the proposal, each will be dealt with separately. Planning permission is sought for a two storey rear extension, a single storey side extension and a small front porch extension.

The proposed two storey rear extension will involve a first floor extension to an existing single storey rear return. The extension measures approximately Six (6) metres in length with a height of 5.9 metres and has a depth of 4.5 metres from the rear wall plate of the dwelling. The extension will accommodate two first floor bedrooms which will increase the overall height of the building by approximately 2 metres. The extension will be subordinate to the host dwelling which measures approximately 8 metres in height. It is considered that the two storey element is well screened from public views as it is set towards the rear of the existing property. Two storey rear extensions are also located at neighbouring properties Nos. 4 & 14 Gleneden Park, which illustrate that such extensions have been considered acceptable within the immediate locality. A raised deck measuring 0.3 metres in height will project from the rear of the extension which is considered acceptable.

The design of the extension will feature one ground floor window and one patio door. A picture window is also located at the rear elevation on the groundfloor. Two first floor windows are also proposed serving the aforementioned first floor bedrooms. The extension will feature a flat roof, which although different from the host dwelling, is set largely towards the rear and is hidden from public view. Finishing materials will consist of render which matches the finishes on the existing extension.

The second element of the proposal is for a single storey side extension to the existing garage. The proposed extension will measure 2.5 metres in length by 4.4 metres in height, with a depth of approximately 10 metres in total. In comparison to the existing garage, this is an increase of 1.4 metres in height on top of the existing garage and an increase in depth of approximately 4.9 metres towards the front of the dwelling. The proposed extension will facilitate the conversion of the existing garage to function as part of the dwelling unit, serving as a kitchen and a study. The extension is subordinate to the host dwelling which is two storey. The extension will also feature an external access door to the rear and also to the front of the garage. The design of the extension will feature 2no. windows on the front and rear elevations while the remaining eastern elevation will feature a blank gable. The proposed extension will feature a mono pitch roof and will be finished in render.

Moreover, the third element of the proposal is for a single storey porch extension to the front of the dwelling. The porch will measure approximately 3.4 metres in height,

projecting by 1.4 metres from the front gable elevation of the dwelling. The extension will be single storey, with a flat roof finished in cedar/larch. The porch element is to provide for an external access door to the front of the dwelling. Furthermore, three additional windows are proposed to the host dwelling due to internal layout changes.

Concerns were raised by one of the objectors (No.6 Gleneden Park) that the design of the proposal is not sympathetic to the host dwelling and that it would be detrimental to the character of the local area by way of scale, massing, design and finishing materials. Further concerns contended that the proposal would upset the architectural integrity of the host dwelling and be intrusive when taken in context with the overall streetscape.

It is considered that the proposal is finished in materials which are sympathetic to the host dwelling, namely render and natural slate, which are prevalent within the wider locality of Gleneden Park, and would not appear out of character in this instance. Whilst it is considered that the host dwelling features a hipped roof style, which although different from the three roof styles on the proposal, it is considered that the existing two storey rear extension also features a style of roof which is different to that of the host dwelling. This, along with the fact that similar style two storey extensions towards the rear have been added to No.4 and No.14 Gleneden Park indicates that extensions set to the rear of dwellings with a range of roof styles are not out of character within the local area, that the proposal would not compromise the architectural integrity of the wider streetscape as both the single storey and two storey elements are set far enough towards the rear, with limited public views. It is considered that the proposed development is sympathetic to the host dwelling, public perception is limited and is therefore acceptable in this instance.

The objector was also concerned that the proposed front porch element would alter the building line along Gleneden Park. However, it is considered that there is no clear and identifiable uniform building line along Gleneden Park as No.'s 6-10 Gleneden Park each have a different relationship with each other, with the application site projecting forward from the building line of neighbouring properties, No.8 and No.6 which project beyond the subject building. Therefore, it is considered that the proposal does not alter the building line along Gleneden Park and is not detrimental to the character of the local area. In terms of the finishing materials to the front porch (cedar/larch), whilst it is acknowledged that views of the front extension will be visible from the public road, the porch is small in scale and No.17 Gleneden Park also contains a front porch using natural timber as an external finish, which differs from the red brick finish of No.17, illustrating its previous acceptability in the locality.

It is considered that the scale, massing, design and external materials of the proposal are sympathetic with the built form and appearance of the existing property and will not detract from the appearance and character of the surrounding area.

Neighbour Amenity

Concerns were raised by an objector (No.6 Gleneden Park) regarding the potential dominance, loss of light and overshadowing and that the proposed development would cause "hemming in" and a "terracing effect" with respect to the single storey element of the proposal. Paragraph A31 of APPS7 states that "Dominance is the extent to which new development adversely impinges on the immediate aspect or outlook from an adjoining property". In relation to the proposed development,

Neighbour No.6 Glenkeen Park is located immediately to the east and set forward by approximately 4m from the building line of No.8. It is considered that the proposal will cause significant dominance and overshadowing as views from both the groundfloor patio windows serving the kitchen and the first floor bedroom (both on the rear elevation of No.6) would be negatively impacted by both the single storey and two storey elements of the proposal respectively.

The single storey element involves the projection of habitable rooms 4.9 metres closer to the groundfloor patio window of No.6 which serves a kitchen and the increase in height of the existing single storey element by 1.4 metres. It is considered that the large blank gable wall which will be created will cause a terracing effect when looking outwards from the ground floor patio window. Similarly, the two storey element will impact upon the first floor bedroom window of No. 6 and will cause the entire rear return of No.6 to feel "hemmed in" as a similar two storey rear extension is located immediately to the east at No.4. Therefore, due to large two storey extensions located immediately to the east and west of neighbouring property No.6, the occupants are likely to experience being hemmed-in, which will have a detrimental impact upon neighbour amenity at the subject rear elevation.

In relation to the potential for a loss of light regarding Neighbour No.6, Paragraph A36 of the Addendum to PPS7 states that in assessing the loss of light as a result of the proposed development to the rear of a property, that the 60-degree test for single storey proposals and 45-degree test for two storey proposals will be employed. In this case, the closest neighbouring windows are the aforementioned ground floor kitchen window and first floor bedroom window respectively. Both the single storey and two storey elements breach the angle tests into the respective windows by approximately 1 metre and 2 metres respectively. Although it is acknowledged that alternative windows serve the kitchen of No.6 on the groundfloor, a significant loss of light will still occur at the first floor bedroom window given the sun path. As a result, it is considered that overshadowing will occur during peak times of the day and this will increase during winter months, and will result in a detrimental impact on neighbour amenity.

Further concerns from No.6 were in relation to overlooking and privacy concerns. It is considered that the addition of a window along the eastern gable elevation would not contribute to any significant overlooking as it is proposed to serve a bathroom and a condition could be added to ensure it would be finished with opaque glazing should planning permission be forthcoming. Furthermore, in relation to the first floor bedroom windows at the rear elevation gable of the two storey element, it is considered that any direct views out of these bedroom windows would be onto the rear garden of No.8 and that views towards the most private amenity space (first 3-4m of No.6's rear garden) would be difficult to achieve. Furthermore, in relation to the single storey element, Velux rooflights do not allow for direct views from the subject rooms, due to their location within the roofline and instead serve to allow sufficient light to enter the subject rooms. It is therefore considered that any potential overlooking and privacy concerns will not be significant in relation to neighbouring property No.6.

Concerns were raised by the objector (No.10 Gleneden Park) located immediately to the west. In relation to overlooking, it is acknowledged that 3no. windows are proposed on the adjacent western elevation of No.10. The first floor window

proposed on the western gable elevation of the host dwelling serves a toilet, and will feature opaque glazing which can be controlled with a planning condition, which will eliminate any potential overlooking, or privacy concerns. The remaining 2no. groundfloor windows (serving a living room and playroom) and the external access door to the single storey element will be adequately screened by the existing boundary treatments comprising 3m hedging. Furthermore, in relation to the first floor bedroom windows at the rear elevation of the two storey element, it is considered that any direct views out of these bedroom windows would primarily look onto the rear garden of No.8. Although views towards the most private amenity space (first 3-4 metres of No.10's rear garden) would be achievable, it is considered that the relationship between the existing first floor bedroom windows and the rear amenity space of No.10 is pre-existing. The addition of a two storey element would project the first floor windows forward by approximately 4.5 metres towards the rear, and that any views, would look towards the furthestmost portion of No.10's rear garden and not the first 3-4 metres which encompasses the most private amenity space.

The potential for a loss of light and dominance to occur was also considered. The closest neighbouring windows are a groundfloor kitchen window and a first floor bedroom window respectively. The two storey element does not breach the angle tests into the respective windows. Furthermore, it is also considered that alternative windows serve the kitchen of No.10 on the groundfloor, which would further mitigate against any further loss of light into this window. Therefore, it is considered that the small increase in footprint, especially in the urban context of the proposal will not cause a detrimental impact by way of dominance. It is also noted that the existing rear return of the subject building already extends past the rear building line of No.10 and that the relationship is pre-existing.

Further concerns from the residents of No.10 were in relation to the potential for increased footfall due to the location of the external access door and a potential pedestrian route along the western gable elevation of the host dwelling. It is considered that any increase in footfall is not likely to be significant in this instance and the proposed access door is far enough removed from No.10.

It is considered that the proposal will not significantly impact upon the amenity of any other neighbouring properties due to there being an adequate separation distance and adequate boundary treatments comprising 10-metre-high mature trees at the rear.

Overall, it is considered that the proposal will significantly affect residential amenity of No.6 Gleneden Park and is therefore contrary to Criterion (b) of Policy EXT 1 of the Addendum to PPS 7.

Impact on Trees and Environmental Quality of this Area

It is considered that the proposal will not cause unacceptable loss of, or damage to, trees or other landscape features which contribute significantly to local environmental quality.

Amenity Space, Parking and Manoeuvring

Whilst it is acknowledged that the conversion of the garage will result in the loss of one car parking space, it is considered that sufficient space remains within the

curtilage of the property for recreational and domestic purposes including the parking and manoeuvring of vehicles.

Other Matters

A number of other concerns were mentioned by the objectors (Nos.6 and 10 Gleneden Park) which are considered below:

Concerns were raised that the application is invalid, with inaccurate drawings and description of development. It is considered that all relevant drawings, with an appropriate scale have been submitted and that the description of development adequately covers all aspects of the proposed development, therefore, the application is deemed valid.

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

Further concerns were raised in relation to security concerns and disruption during construction and damage to property. These concerns are in relation to the construction phase, which lies outside the sphere of the planning process. It is considered that these issues should not be afforded determining weight in the determination of this application.

CONCLUSION

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

- The principle of the development is considered acceptable;
- The scale, massing, design and appearance of the proposal is considered acceptable;
- The proposal will unduly affect the privacy or amenity of neighbouring properties;
- The proposal will not have a detrimental impact on trees or the environmental quality of the area.
- Sufficient space remains within the curtilage for parking and recreation purposes.

RECOMMENDATION

REFUSE PLANNING PERMISSION

PROPOSED REASON FOR REFUSAL

1. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Criterion (b) of Policy EXT1 of the Addendum to Planning Policy Statement 7, Residential Extensions and Alterations, in that, the proposed development, if permitted, would result in a detrimental impact to the privacy and amenity of neighbouring residents.



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Site Location Plan

0 10 20
Metres



Application Reference: LA03/2023/0070/F

Proposal: Ground floor side extension with two storey rear extension and internal works and new front porch.

Location: 8 Gleneden Park, Jordanstown, Newtownabbey, BT37 0QL

 Site boundary



COMMITTEE ITEM	3.10
APPLICATION NO	LA03/2023/0038/F
DEA	MACEDON
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE PLANNING PERMISSION
PROPOSAL	Boundary fence (retrospective)
SITE/LOCATION	12 Merville Mews, Newtownabbey, BT37 9SP
APPLICANT	Mr James Whiteside
AGENT	JWA Design
LAST SITE VISIT	27 th March 2023
CASE OFFICER	Michael Ward Tel: 028 903 40413 Email: michael.ward@antrimandnewtownabbey.gov.uk
<p>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal https://planningregister.planningsystemni.gov.uk</p>	
SITE DESCRIPTION	
<p>The application site is located at 12 Merville Mews, Newtownabbey which is located within Metropolitan Newtownabbey as indicated within the draft Belfast Metropolitan Area Plan (published 2004) (dBMAP).</p> <p>The application site comprises a two storey end of terrace dwelling with rear and side gardens. Car parking provision is located, to the rear of the dwelling which is accessed via the Merville Mews estate road. The western boundary abuts Shore Road and is defined by a 1.8-metre-high fence which is stepped to 1.5 metres at the southwestern corner of the front boundary, being further stepped to 1.3 metres and 1.2 metres towards the front boundary. The fence is then stepped from 1.2 metres to 1 metre along the front boundary. The eastern boundary is also defined by a 1.8-metre-high fence. It was noted that the subject fence is exposed and open to public views when travelling along Shore Road in both directions. The site topography is relatively flat.</p> <p>The surrounding area comprises a mix of similar house types abutting all boundaries of the site.</p>	
RELEVANT PLANNING HISTORY	
No recent/relevant planning history.	
PLANNING POLICY AND GUIDANCE	
<p>Under the provisions of the Planning Act (Northern Ireland) 2011, all decisions must be taken in accordance with the provisions of the Local Development Plan unless material considerations indicate otherwise.</p> <p>Until the Council adopts its new Local Development Plan, planning applications will continue to be assessed against the provisions of the extant adopted Development 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</p>	

Plan and its associated Interim Statement 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 Belfast Metropolitan Area Plan (Published 2004) (dBMAP): The application site is located within the development limit of Metropolitan Newtownabbey. The Plan offers no specific guidance on this proposal.

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

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

CONSULTATION

DfI Roads - No objection.

REPRESENTATION

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

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Policy Context
- Scale, Massing, Design and Appearance
- Neighbour Amenity
- Impact on Trees and Environmental Quality of this Area.
- Amenity Space, Parking and Manoeuvring
- Other Matters

Policy Context

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

The 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. As a consequence, the Belfast Urban Area Plan (BUAP) operates as the Local Development Plan (LDP) for the area. The provisions of the draft Belfast Metropolitan Area Plan (dBMAP) are also a material consideration in this application. The application site lies within the development limit of Metropolitan Newtownabbey in both Plans. 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. Amongst these is the Addendum to Planning Policy Statement 7: Residential Extensions and Alterations (APPS 7). Taking into account the transitional arrangements of the SPPS, retained APPS 7 provides the relevant policy context for consideration of the proposal.

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

- a) the scale, massing, design and external materials of the proposal are sympathetic with the built form and appearance of the existing property and will not detract from the appearance and character of the surrounding area;
- b) the proposal does not unduly affect the privacy or amenity of neighbouring residents;
- c) the proposal will not cause the unacceptable loss of, or damage to, trees or other landscape features which contribute significantly to local environmental quality; and
- d) sufficient space remains within the curtilage of the property for recreational and domestic purposes including the parking and manoeuvring of vehicles.

APPS7 also advises that the guidance set out in Annex A of the document will be taken into account when assessing proposals against the above criteria.

The application seeks the retention of an existing boundary fence which measures 1.8 metres in height for a stretch of approximately 25 metres along the western boundary, whereby it follows a number of steps down from 1.5 metres to 1 metre in height.

Scale, Massing, Design and Appearance

The application seeks the retention and alteration of an existing close boarded timber boundary fence. The close boarded fence runs along the entirety of subject western boundary (approximately 25 metres in length) and also to the rear, front and northern boundaries of the site. The existing fence is stepped at various stages running from 1.8m along the western boundary to 1.5 metres at the southwestern corner of the front boundary, being further stepped to 1.3 metres and 1.2 metres towards the front boundary. The proposed alteration seeks to step down the existing fence from 1.5 metres to 1 metre along the southwestern and southern boundaries (those areas forward of the front building line of the dwelling and the area abutting Whitehouse Park. The application also proposes the introduction of artificial laurel foliage on sections along the Shore Road).

The application site provides a double frontage; abutting the Shore Road and it also has a principal elevation onto Whitehouse Park. Considering the prominent location of the application site and its prominent frontage along both a residential street and a main throughfare connecting the Shore Road to Whiteabbey, the subject fence is highly visible from public vantage points when travelling in both directions. The Addendum to PPS 7 is clear that the use of close boarded fencing along such boundaries would be unacceptable.

The Addendum to PPS 7 states that materials to walls and fences should complement the character of the property and neighbourhood. It also states that "Expanses of close-board fencing bordering public areas are visually unacceptable". While the proposal is to reduce the height of the existing fence along the site frontage, it is considered that the retention of the 1.8-metre-high fence for approximately 25 metres along Shore Road will have a significant visual impact upon the streetscape, appearing dominant and overbearing.

Whilst it is accepted that the agent has attempted to soften the external appearance of the fence through the introduction of artificial hedge covering as indicated on Drawing No.02/02 date stamped 25th May 2023, it is considered that extensive use of an artificial foliage would fail to soften the appearance of such an extensive length of close boarded fencing. It is considered that the proposal does not respect the existing low-height boundary treatments which are exhibited on the surrounding residential properties and it is considered that the proposal appears out of character for the area.

While it is accepted that No's 7-11 Merville Mews have a 1.8 metre close-boarded wraparound fence, this is located to the rear, away from Shore Road. This fence does not benefit from the grant of planning permission, however, it may benefit from not requiring planning permission due to the permitted development rights which allow for the enclosure of land through the erection of walls and fences. This also applies to the 1.8m fence to the rear of No.15 Merville Mews.

Having considered the above, it is deemed that the proposal is contrary to part (a) of the Addendum to PPS 7 in that the fencing which is the subject of this application is of a scale, design and use of materials which are not sympathetic with the built form and appearance of the existing property and will detract from the appearance and character of the surrounding area.

Neighbour Amenity

It is considered that the proposal will not unduly affect the privacy or amenity of neighbouring residents as the subject western boundary fronts the public road. The application deals solely with the erection of a fence along the boundaries of the site.

It is considered that there will be no significant neighbour amenity concerns at the front, northern and rear boundaries as the height of the fence does not exceed 1.8m at any point along the subject boundaries, which reduces any significant neighbour amenity concerns. No objections have been received on the application from third parties.

Impact on Trees and Environmental Quality of this Area

It is considered that the proposal will not cause unacceptable loss of, or damage to, trees or other landscape features which contribute significantly to local environmental quality.

Amenity Space, Parking and Manoeuvring

It is considered that sufficient space remains within the curtilage of the property for recreational and domestic purposes including the parking and manoeuvring of vehicles.

Other Matters

DfI Roads were consulted on the application due to the proximity of the fence to a road junction with Shore Road and Whitehouse Park. The visibility on exiting Whitehouse Park is restricted by the fence. Visibility of 4.5 by 90 metres is required, however, the maximum visibility that can be achieved is 2.0 by 90 metres. While it is accepted that there was formerly a hedge along the boundary of the application site, this was removed prior to the submission of the application and therefore cannot form part of the consideration. In the circumstances the subject fence blocks the visibility splay at the junction of Whitehouse Park and Shore Road which is considered to be unacceptable.

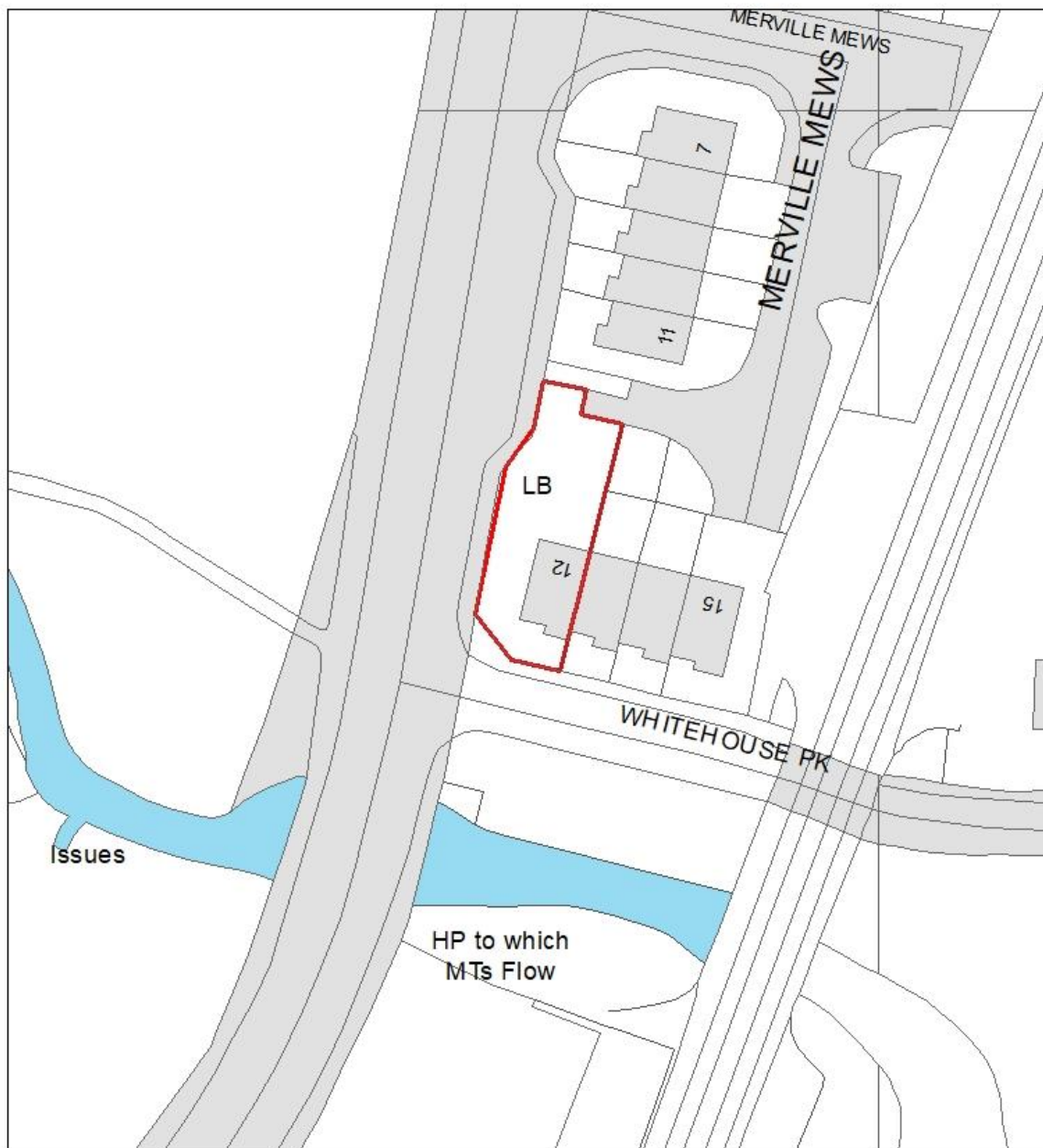
CONCLUSION

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

- The principle of the development is considered acceptable;
- The scale, massing, design and appearance of the fence is considered unacceptable;
- There will be no detrimental impact upon neighbouring properties;
- The proposal has resulted in the acceptable loss of a portion of hedgerow; and
- Sufficient space remains within the curtilage for parking and recreation purposes.

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

1. The proposal is contrary to the Policy provisions of the Strategic Planning Policy Statement for Northern Ireland and Policy EXT 1 of Addendum to Planning Policy Statement 7 "Residential Extensions and Alterations in that if the development were approved, it would detract from the appearance and character of the site and surrounding area by way of scale, massing, design and inappropriate use of materials.




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Site Location Plan

0 10 20
Metres



 Site boundary

Application Reference: LA03/2023/0038/F

Proposal: 1.8m high boundary fence (retrospective)

Location: 12 Merville Mews Newtownabbey BT37 9SP



PART TWO

OTHER PLANNING MATTERS

ITEM 3.11

P/PLAN/1 DELEGATED PLANNING DECISIONS AND APPEALS APRIL & MAY 2023

A list of planning decisions issued by Officers during April and May 2023 under delegated powers together with information relating to planning appeals is **enclosed** for Members' information.

There was one (1) appeal decided by the Planning Appeals Commission (PAC) in April 2023 in relation to LA03/2020/0569/F (PAC Ref 2021/A0121). The proposal was the change of use from outbuilding and yard to motoring school to include extension to curtilage, retention of extended hardstanding area and proposed extension to existing outbuilding, proposed alterations of access onto the Lylehill Road and retention of access onto Ballyutoag Road and a 2m high boundary gate at 133 Ballyutoag Road. The appeal was allowed and full planning permission granted subject to conditions, and a copy of the decision is **enclosed**.

Two (2) appeals were decided by the PAC in May 2023 in relation to LA03/2021/0669/O (PAC Ref 2022/A0003) a proposed site for 2no. infill dwellings and garages approx. 30m south of 89 Magheralane Road, Randalstown. This appeal was allowed subject to conditions, and, an appeal in relation to LA03/2019/0833/F (PAC Ref 2021/A0108) for a proposed development of 2 no. detached dwellings at land north and east of 1a Nursery Park, Antrim was dismissed (copies of both decisions are **enclosed**).

RECOMMENDATION: that the report be noted.

Prepared by: Stephanie Boyd, Planning and Economic Development Business Support Supervisor

Agreed by: Sharon Mossman, Deputy Director of Planning

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

ITEM 3.12

P/FP/LDP/79 LOCAL DEVELOPMENT PLAN (LDP) - QUATERLY STEERING GROUP MEETING

Members are reminded that the Council's Planning Section's Statement of Community Involvement (SCI) paragraph 2.18(c) sets out that a Local Development Plan (LDP) Steering Group will be set up; a high-level co-ordinating body that will ensure oversight and strategic input. The group meets on a quarterly basis to report on pertinent LDP issues.

Following a recess, due to the Coronavirus (COVID-19) period, a meeting of the group took place on 4 May 2023. Draft minutes of this meeting are **enclosed** for information.

RECOMMENDATION: that the report be noted.

Prepared by: Simon Thompson, Local Development Plan & Enforcement Manager

Agreed by: Sharon Mossman, Deputy Director of Planning

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

ITEM 3.13

G/LEG/084 & P/PLAN/1 CORRESPONDENCE FROM THE DEPARTMENT OF INFRASTRUCTURE (DfI) REVISED SCHEME OF DELEGATION UNDER THE PLANNING ACT (NORTHERN IRELAND) 2011 AND THE PLANNING (DEVELOPMENT MANAGEMENT) REGULATIONS (NORTHERN IRELAND) 2015 AS AMENDED

Correspondence (**enclosed**) has been received from the Department for Infrastructure (DfI) confirming approval of the Scheme of Delegation as approved at the April Planning Committee meeting (**enclosed**). The amended Scheme of Delegation has been adopted with effect from 1 June 2023.

RECOMMENDATION: that the report be noted.

Prepared by: Kathryn Bradley, Economic Development and Planning Business Support Manager

Agreed by: Sharon Mossman, Deputy Director of Planning

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

ITEM 3.14

P/FP/10 CORRESPONDENCE FROM THE DEPARTMENT OF INFRASTRUCTURE (DfI) REVISED STATEMENT OF COMMUNITY INVOLVEMENT UNDER THE PLANNING ACT (NORTHERN IRELAND) 2011 AND THE PLANNING (STATEMENT OF COMMUNITY INVOLVEMENT) REGULATIONS (NORTHERN IRELAND) 2015

Correspondence (**enclosed**) has been received from the Department for Infrastructure (DfI) confirming approval of the Statement of Community Involvement (**enclosed**), as approved at the April Planning Committee meeting.

RECOMMENDATION: that the report be noted.

Prepared by: Kathryn Bradley, Economic Development and Planning Business Support Manager

Agreed by: Sharon Mossman, Deputy Director of Planning

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

ITEM 3.15

P/PLAN/1 CORRESPONDENCE FROM DEPARTMENT FOR INFRASTRUCTURE (DfI) - PERMITTED DEVELOPMENT RIGHTS STATUTORY RULE "THE PLANNING (GENERAL PERMITTED DEVELOPMENT) (AMENDMENT) ORDER (NORTHERN IRELAND) 2023" (S.R 2023 NO. 95)

Correspondence (enclosed) has been received from the Department for Infrastructure (DfI) Regional Planning Governance and Legislation department advising DfI has made a Statutory Rule entitled "The Planning (General Permitted Development) (Amendment) Order (Northern Ireland) 2023 (S.R. 2023 No.95).

As part of its ongoing programme of expanding the scope of the permitted development regime, DfI consulted last Autumn on amendments to the Planning (General Permitted Development) Order (NI) 2015 (GPDO). Following consideration of responses to the consultation DfI has taken the decision to amend permitted development rights for the installation of microgeneration equipment.

The Order will amend Part 2 (Installation of domestic microgeneration equipment) of the Schedule to the GPDO by substituting Class F (ground or water source heat pumps and Class G (air source heat pumps).

Details of the consultation together with the DfI response (enclosed) can be found at the following link: <https://www.infrastructure-ni.gov.uk/consultations/consultation-changes-planning-permitted-development-rights-protect-environment-and-help-address>

RECOMMENDATION: that the report be noted.

Prepared by: Stephanie Boyd, Planning and Economic Development Business Support Supervisor

Agreed by: Sharon Mossman, Deputy Director of Planning

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

ITEM 3.16

P/FP/LDP52 BELFAST CITY COUNCIL - BELFAST LOCAL DEVELOPMENT PLAN – PLAN STRATEGY AND DRAFT SUPPLEMENTARY PLANNING GUIDANCE

Members will recall that Belfast City Council (BCC) previously corresponded with the Council on 12 May 2022 regarding the Department for Infrastructure (DfI) Direction under 12 (1) (b) of the Planning Act directing BCC to adopt their draft Plan Strategy (dPS) with the modifications subject to consultation, and publication of seventeen (17) Draft Supplementary Planning Guidance (SPG) to support the Plan.

Members are advised that correspondence was received from Ms. Kate Bentley, Director of Planning and Building Control (BCC) on 27 April 2023, advising that the period of consultation referred to above is now complete, and that BCC has resolved to adopt the Belfast Local Development Plan, dPS – **enclosed**. This follows the Direction issued by DfI to adopt the Plan Strategy with specified modifications. This took place on 2 May 2023, and all final dPS documents and supporting statements, and the range of final SPGs are now available on BCC's corporate website: <https://www.belfastcity.gov.uk/ldp>

Officers from the Council's Forward Planning Team will continue to engage with representatives from BCC Forward Planning Team on planning issues of mutual concern, and through the ongoing quarterly Metropolitan Area Spatial Working Group meetings, and, draft Belfast Metropolitan Area Transport Plan currently being prepared by DfI Transport Planning Modelling Unit and external consultant.

A response to BCC has been drafted and is **enclosed** for consideration.

RECOMMENDATION: that the report be noted.

Prepared by: Simon Thompson, Local Development Plan & Enforcement Manager

Agreed by: Sharon Mossman, Deputy Director of Planning

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

ITEM 3.17

P/FP/LDP 19 PUBLICATION OF THE ANNUAL HOUSING MONITOR REPORT 2023

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

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

The 2023 Monitor, a copy of which is **enclosed**, covers the period 1 April 2022 to 31 March 2023, and indicates that there is remaining potential for some 9,287 dwelling units on 432 hectares of housing land within the settlements of the Borough. Some 738 dwellings were completed during this period, which compares favourably to the 620 units built in the 2021/2022 reporting period. By some margin this is the highest dwelling completion rate in the Borough since the transfer of planning powers in April 2015.

Details for the individual sites are set out in a series of maps and associated tables. It is intended that the findings of the 2023 survey will now be made available to the public on the Council's website.

RECOMMENDATION: that the report be noted and that the Annual Housing Monitor 2023 be published on the Council website.

Prepared by: Simon Thompson, Local Development Plan & Enforcement Manager

Agreed by: Sharon Mossman, Deputy Director of Planning

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

ITEM 3.18

P/FP/LDP/96 DEPARTMENT FOR INFRASTRUCTURE (DfI) INITIAL STAKEHOLDER ENGAGEMENT REVIEW OF PLANNING (DEVELOPMENT MANAGEMENT) REGULATIONS (NI) 2015

Correspondence (**enclosed**) has been received from the Department for Infrastructure (DfI), Strategic Planning regarding a review of the Planning (Development Management) Regulations (NI) 2015 as part of its planning improvement work programme.

The review is considering the current hierarchy of developments, pre-application community consultation and mandatory pre-determination hearings. This includes a review of the classes and thresholds in the "Schedule of Major Development thresholds and the jurisdictional criteria prescribed for the purposes of Section 26 of the Planning Act (Department's jurisdiction in relation to developments of regional significance). A copy of the current regulations is available at <https://www.legislation.gov.uk/nisr/2015/71/contents/made>.

DfI is engaging with all Councils for feedback before public consultation in Autumn 2023. A copy of a draft response is (**enclosed**) for Members' consideration.

RECOMMENDATION: that the draft response be approved for submission to the Department.

Prepared by: Sharon Mossman, Deputy Director of Planning

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

ITEM 3.19

P/FP/LDP/96 DEPARTMENT FOR INFRASTRUCTURE (DfI) PUBLIC CONSULTATION ON REVIEW OF STRATEGIC PLANNING POLICY STATEMENT OF RENEWABLE AND LOW CARBON ENERGY

Correspondence has been received from the Department for Infrastructure (DfI), Strategic Planning regarding the launch of a public consultation on the review of the Strategic Planning Policy Statement (SPPS) on renewable and low carbon energy. The public consultation follows an earlier targeted engagement exercise with stake holders and will close at 5:00 PM on 30 June 2023.

The public consultation covers Councils bringing forward spatial policies in Local Development Plans (LDP) which identify the most appropriate areas for renewable energy development, reuse of previously developed land for solar farms in the countryside, the clustering of anaerobic digesters to existing farm buildings and the extension/repowering of existing developments etc.

Members will be aware that the Council is currently in the process of adoption of its own LDP, Draft Plan Strategy (DPS) pending the release of the Planning Appeal Commissions (PAC) Independent Examination (IE) Report. Members are reminded that no date has been muted by the PAC for the release of this Report.

The consultation can be accessed via the following link <https://www.infrastructure-ni.gov.uk/consultations/draft-renewable-and-low-carbon-energy>. The document advises that the consultation may result in changes to the SPPS that deal with Renewable Energy.

Officers from the Council's Forward Planning Team have drafted a consultation response to the Department which is **enclosed** for Members' consideration.

RECOMMENDATION: that the report be noted and that the draft response be approved for submission to the Department.

Prepared by: Simon Thompson, Local Development Plan & Enforcement Manager

Agreed by: Sharon Mossman, Deputy Director of Planning

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

ITEM 3.20

P/PLAN/1 ROYAL TOWN PLANNING INSTITUTE (RTPI) NI PLANNING CONFERENCE 2023

Members are advised that the annual Royal Town Planning Conference will take place this year on Wednesday 6 September 2023 at the Europa Hotel, Belfast from 9am – 4pm.

Full details can be found on the following link:

<https://www.rtpi.org.uk/find-your-rtpi/rtpi-nations/rtpi-northern-ireland/northern-ireland-events/ni-planning-conference/>

In 2015, Northern Ireland moved to a new plan-led system and we are now seeing Local Development Plans (LDPs) taking shape and progress through the adoption process. The conference provides an opportunity for all those with a role in planning to come together for discussion and debate. Elected Member cost to attend is £60.00 inc VAT, RTPI Member £108.00 inc VAT and Non-Member £138.00 inc VAT.

RECOMMENDATION: that the Chairperson and Vice Chairperson (or their nominees) attend this conference along with the appropriate Officers.

Prepared by: Stephanie Boyd, Planning and Economic Development Business Support Supervisor

Agreed by: Sharon Mossman, Deputy Director of Planning

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