



17 July 2019

Committee Chair: Alderman P Brett  
Committee Vice-Chair: Councillor R Lynch  
Committee Members: Aldermen – F Agnew, T Campbell and T Hogg  
Councillors – J Archibald, H Cushinan, S Flanagan,  
R Kinnear, M Magill, R Swann and B Webb

Dear Member

**MEETING OF THE PLANNING COMMITTEE**

A meeting of the Planning Committee will be held in the **Council Chamber, Mossley Mill on Monday 22 July 2019 at 6.00pm.**

You are requested to attend.

Yours sincerely

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

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

**For any queries please contact Member Services:**

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## **AGENDA FOR PLANNING COMMITTEE – JULY 2019**

**Part One** - 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.

**Part Two** - 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.

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

### **PART ONE**

#### **Planning Matters**

- 3.1 Protocol for the Operation of the Planning Committee
  - 3.2 Delegated planning decisions and appeals June 2019
  - 3.3 Northern Ireland Planning Statistics 2018-19 Bulletin
  - 3.4 Planning Applications in Ballyclare – Decisions by DfI
  - 3.5 NILGA Accredited Planning Programme 2019
  - 3.6 NILGA Event – Changing Places Conference, Enniskillen on 8 October 2019
  - 3.7 DfC Consultation on Design Guide for Traveller's Sites
  - 3.8 Planning Enforcement Report 2018-19 - Quarter 4 - **In Confidence**
- 
- 4 Any Other Business

### **PART TWO**

#### **Decisions on Planning Applications**

- 3.9 Planning Application No: LA03/2019/0190/F  
Proposed erection of an extension to Parkgate Meadows, comprising 2 no. detached houses, 6 no. semi-detached houses, 4 no. apartments and associated communal parking on land 30m west of No. 2 The Grange, Grange Road, Parkgate
- 3.10 Planning Application No: LA03/2019/0391/F  
Extension and conversion of garage to form a granny flat at 19 Glenkeen Avenue, Jordanstown, Newtownabbey

- 3.11 Planning Application No: LA03/2018/1022/F  
Revised access to serve 2 dwellings approved under T/2010/0004/F and T/2010/0005/RM on land 130m east of 44 Belfast Road, Nutts Corner, Crumlin
- 3.12 Planning Application No: LA03/2019/0372/F  
Dwelling with integral garage on land 35m South East of 49 Glebe Road, Newtownabbey
- 3.13 Planning Application No: LA03/2019/0309/O  
Infill Dwelling (Site 1) on land adjacent to 10 Logwood Road, Bruslee, Ballyclare
- 3.14 Planning Application No: LA03/2019/0310/O  
Infill Dwelling (Site 2) on land approximately 85 metres east of 10 Logwood Road, Bruslee, Ballyclare
- 3.15 Planning Application No: LA03/2019/0301/O  
Proposed dwelling within a cluster on land 10m East of 47 Clady Road, Dunadry
- 3.16 Planning Application No: LA03/2019/0134/A  
Wall Mounted Banner at 46 Old Carrick Road, Newtownabbey
- 3.17 Planning Application No: LA03/2019/0223/F  
Proposed alteration works, rear extension and new dormers to existing dwelling at 62 The Beeches, Crumlin
- 3.18 Planning Application No: LA03/2019/0172/O  
Proposed site for dwelling on a farm on land 30m south of no 30 Straid Road, Ballynure
- 3.19 Planning Application No: LA03/2018/0957/F  
Extension of existing premises to provide new entrance hall, function room, 8 no. additional bedrooms and ancillary accommodation with associated car parking and landscaping at 5 Corners Guest Inn, 249 Rashee Road, Ballyclare
- 3.20 Planning Application No: LA03/2019/0265/F  
Demolition of existing toilet block and shed. Replacement toilet block and creation of informal open space with footpaths and car parking areas on Avondale Drive on lands adjacent to Six Mile Water River, Avondale Drive, Ballyclare
- 3.21 Planning Application No: LA03/2019/0412/F  
Extension to site curtilage to facilitate proposed garage and conversion of existing integral garage to bedroom accommodation at 9 Mill Road, Doagh, Ballyclare

**REPORT ON BUSINESS TO BE CONSIDERED AT THE MEETING OF THE  
PLANNING COMMITTEE ON 22 JULY 2019**

**PART ONE**

**PLANNING MATTERS**

## ITEM 3.1

### G/LEG/44     **PROTOCOL FOR THE OPERATION OF THE PLANNING COMMITTEE**

Officers wish to bring to the attention of Members three matters in relation to the Protocol for the Operation of the Planning Committee:

1. Scheme of Delegation.
2. Distribution of information to Members.
3. Site visits.

#### **1. Scheme of Delegation**

Members are reminded that at the annual meeting on 13 May 2019 Members approved the revised Standing Orders which contains the Protocol for the Operation of the Planning Committee. Unfortunately the version of the Protocol approved by Members did not contain the most up to date version of the Scheme of Delegation for planning matters which received final Council approval in 2017.

The changes to the Scheme of Delegation in 2017 are as follows:

- i. Members resolved that the call in period for Members to refer a planning application to the Planning Committee is amended from 25 days to 21 calendar days or 3 weeks from the date of validation.
- ii. Members resolved that the Scheme of Delegation be amended to allow Officers to initiate prosecution proceedings in relation to the following:
  - Unauthorised display of advertisement(s).
  - Unauthorised works to trees protected by a Tree Preservation Order or within a Conservation Area.
  - Unauthorised works for the demolition, alteration or extension of a building in a Conservation Area.
  - Unauthorised works for the demolition, alteration or extension of a Listed Building.
- iii. Members resolved that an application that would introduce fundamental changes to a major application that has been determined by the Planning Committee should be brought before the Committee for determination.

These changes were approved by the Department for Infrastructure and took effect from 1 May 2017.

#### **2. Distribution of information to Members**

The current practice is for Officers to forward all information accompanying requests for speaking rights at Committee to Members. Based on feedback from Members, Officers suggest that they will prepare an addendum report(s) regarding any updated information received after the Planning Committee agenda is issued that is required to inform a decision, or Officers may update Members verbally at the

meeting in respect of the same. Therefore the said information will not be sent to Members as they will be informed about the information in the updated report(s) and referred to the information on the Planning Portal.

### **3. Site Visits**

In relation to the attendance at site visits Officers would suggest the following addition to paragraph 40:

However, a Member may already be familiar with the site and therefore feel there is no need to attend, or a Member may familiarise themselves with the site at their own convenience, or a Member is content to make a decision based on the information before them.

Officers have made changes to the **enclosed** Protocol at paragraphs 16, 29, 40 and Appendix 2 to reflect the above mentioned amendments.

**RECOMMENDATION: that the amendments to the Protocol for the Operation of the Planning Committee as outlined be approved.**

Prepared by: Paul Casey, Borough Lawyer & Head of Legal Services

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

## **ITEM 3.2**

### **P/PLAN/1 DELEGATED PLANNING DECISIONS AND APPEALS**

A list of planning decisions issued by Officers during June 2019 under delegated powers is **enclosed** for Members attention together with information received this month on planning appeals.

**RECOMMENDATION: that the report be noted.**

Prepared by: Kathryn Bradley, Executive Officer, Planning

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

### ITEM 3.3

#### **P/PLAN/1 - NORTHERN IRELAND PLANNING STATISTICS – ANNUAL STATISTICAL BULLETIN FOR 2017-2018**

The Northern Ireland Planning Statistics 2018/19 Annual Statistical Bulletin, a copy of which is enclosed, was released on 20 June 2019 by the Department for Infrastructure's Analysis, Statistics and Research Branch. This is the fourth annual statistical report on activity and performance since the transfer of planning powers to councils in April 2015.

The figures show that during 2018-19, the total number of planning applications received in Northern Ireland was 12,541, a decrease of 3% on the previous financial year. The figures also highlight that 12,156 decisions were issued across Northern Ireland, a decrease of some 1% on the previous year.

Notwithstanding the decrease in applications received across Northern Ireland during 2018-19, the local figures for the Antrim and Newtownabbey Borough show a slight increase of some 2% from 730 applications received in 2017-18 to 744 received during 2018-19. Over 740 decisions were issued by the Planning Section during the year, an increase of some 3% on 2017-18. The Council recorded an overall approval rate of 94.5% which compares favourably with the Northern Ireland average of 93.2%.

There were 226 live cases in the Borough at 31<sup>st</sup> March 2019 which is a reduction of some 35 cases from 31<sup>st</sup> March 2018. Members will in particular wish to note that, whilst the absolute number of applications more than 12 months old has remained reasonably static since last year at 13 cases, this equates to some 5.8% of the Council's live planning applications which is the lowest proportion of all 11 Councils.

#### **Performance against statutory targets**

In relation to performance against targets the Department for Infrastructure (DfI) figures show that the Council met all the statutory targets this year.

The Council took on average 24.2 weeks to process and decide **Major** planning applications during 2018-19 against the target of 30 weeks. This performance ranks third out of the 11 Councils, is well ahead of the NI average of 59 weeks, and marks an improvement over the 40 weeks recorded for 2017-18. In total 14 Major applications were decided by the Committee during 2018-19 all of which, bar one, were approved. Critically the Council recorded the highest proportion of major applications processed within the target at almost 80% compared to an average across all Councils of 28%. The Planning Section continues to prioritise this work area.

The DfI figures show that the Council took on average 12.4 weeks to process and decide **Local** planning applications during 2018-19 against the target of 15 weeks. This performance shows a slight dip against 2017-18, but still ranks third out of the 11 Councils where an average processing time of 14.8 weeks across all Councils has been recorded. In relation to the proportion of cases processed within target the Council ranked second out of all 11 Councils with over 70% of cases processed.



In relation to enforcement the Dfl figures highlight that the Council's planning enforcement team concluded 94% of cases within 39 weeks against the performance target of 70%. This maintained the Council's strong performance recorded over the last 3 years and once again ranked first out of all Councils. The Planning Section recorded an average time of 11.8 weeks, to process 70% of enforcement cases to target conclusion compared to 27.6 weeks across all Councils.

In summary, the Council has again improved its performance overall this year when measured against the 3 statutory indicators, meeting all targets for the first time in three years, whilst maintaining control over the backlog of applications over 12 months old. Read in their entirety, the statistics suggest that the Council's Planning Section recorded the highest overall performance of all Councils during 2018/19.

**RECOMMENDATION: that the report be noted.**

Prepared by: John Linden, Head of Planning

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

## ITEM 3.4

### PLANNING APPROVALS GRANTED BY THE DEPARTMENT FOR INFRASTRUCTURE TO APPLICATIONS FOR A MAJOR URBAN EXTENSION IN BALLYCLARE INCLUDING FIRST PHASE OF THE BALLYCLARE RELIEF ROAD

- (A) RESERVED MATTERS PLANNING APPLICATION REFERENCE LA03/2018/1011/RM – MAJOR URBAN EXTENSION, BALLYCLARE
- (B) SECTION 54 PLANNING APPLICATION REFERENCE LA03/2018/0601/O – TO VARY PLANNING CONDITIONS ATTACHED TO OUTLINE PERMISSION U/2006/0377/O
- (C) SECTION 54 PLANNING APPLICATION REFERENCE LA03/2019/0149/O – TO VARY PLANNING CONDITIONS ATTACHED TO OUTLINE PERMISSION U/2006/0377/O

Members will recall that the Department for Infrastructure had previously written to the Council to advise that it had issued Notices of Opinion that planning approval should be granted to the following applications subject to a range of conditions and seeking to ascertain whether the Council would be seeking a public hearing on the applications (reported to the full Council meeting held in April 2019).

**APPLICATION A:** LA03/2018/1011/RM  
**Proposal:** Major urban extension to include residential neighbourhood, southern section of Ballyclare Relief Road, local centre, riverside park and other open spaces, children's play areas and associated works.  
**Location:** Lands extending from north of Doagh Road (opposite No. 141 Doagh Road) to the Templepatrick Road, Ballyclare immediately west of the cemetery, Huntingdale and Dennisons Industrial Estate.  
**Applicant:** Ballyclare Developments Ltd

**APPLICATION B:** LA03/2018/0601/O  
**Proposal:** Application to vary condition 3 (Phasing Plan), condition 10 (occupation of dwellings), condition 19 (Travel Card), condition 21 (cycle infrastructure), condition 31 (Environmental Management Plan), condition 42 (landscaping details), condition 44 (Landscape Masterplan), and non-compliance with condition 4 (Phasing Plan), condition 9 (access arrangements), condition 11 (road drainage), condition 16 (TAS approval), condition 17 (geotechnical approval) and condition 18 (road safety audit) of planning permission U/2006/0377/O for major urban extension to include: residential neighbourhood, southern section of Ballyclare Relief Road, local centre, riverside park and other open spaces, children's play areas and associated works.  
**Location:** Lands extending from north of Doagh Road (opposite No. 141 Doagh Road) to the Templepatrick Road, Ballyclare immediately west of the cemetery, Huntingdale and Dennisons Industrial Estate.  
**Applicant:** Ballyclare Developments Ltd

**APPLICATION C:**

LA03/2019/0149/O

**Proposal:**

Application to Vary Condition 3 (revised Transport Statement), and Condition 10 (delivery of the entire relief road prior to commencement) and removal of Condition 8 (400 Unit limit) of Planning Permission U/2006/0377/O for major urban extension to include; residential neighbourhood, southern section of Ballyclare Relief Road, local centre, riverside park and other open spaces, children's play areas and associated works.

**Location:**

Lands extending from north of Doagh Road (opposite No. 141 Doagh Road) to the Templepatrick Road, Ballyclare immediately west of the cemetery, Huntingdale and Dennisons Industrial Estate.

**Applicant:**

Ballyclare Developments Ltd

**Full details on the above applications, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal [www.planningni.gov.uk](http://www.planningni.gov.uk)**

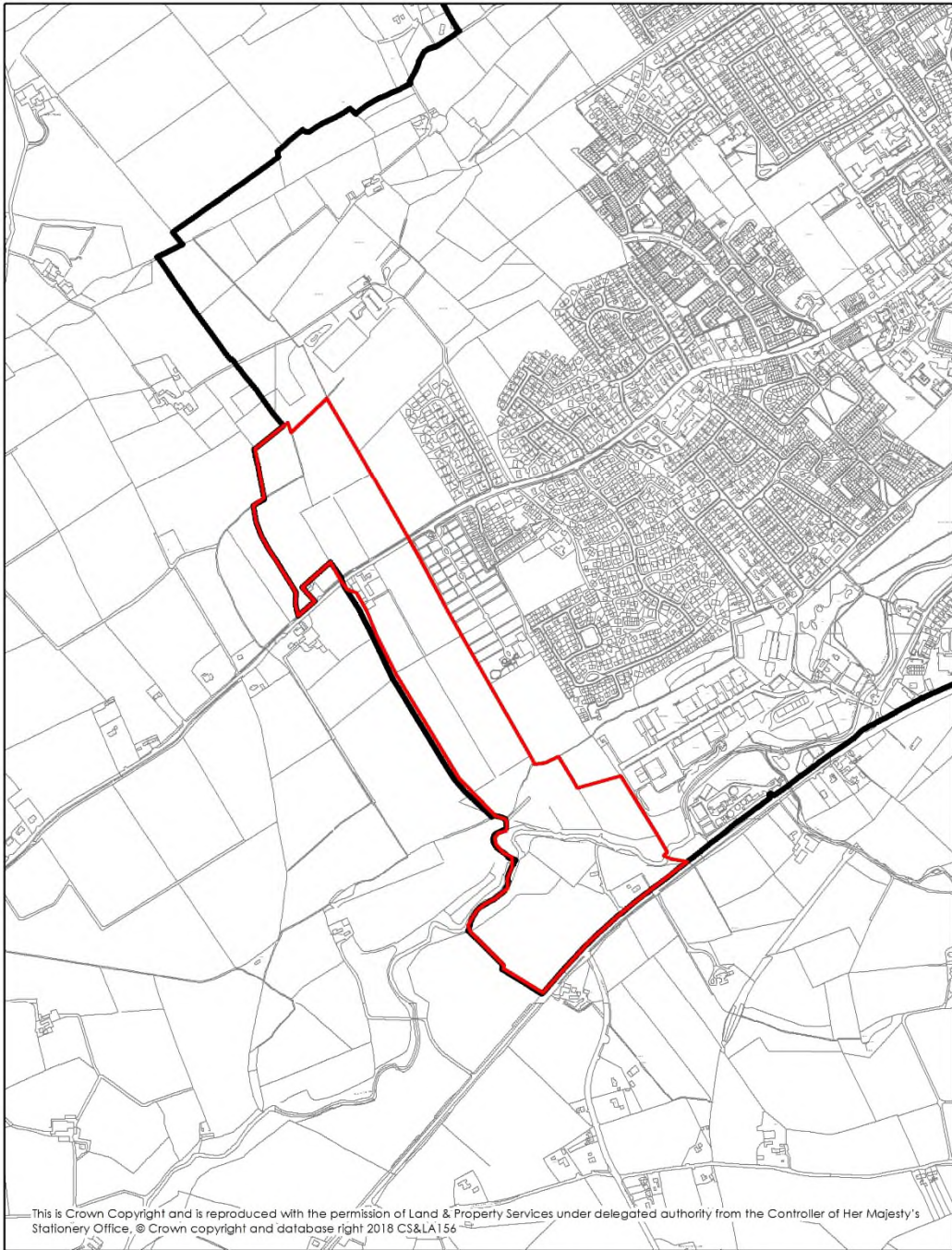
At its April meeting the Council noted the Department's Notices of Opinions and resolved not to seek a hearing on these applications. Officers would now advise that all three applications were approved by the Department on 22 May 2019.

In essence these applications taken together introduce a phasing plan for the major urban extension to the western part of Ballyclare previously approved by the then Department of the Environment in 2011. The phasing plan includes delivery of the first phase of the Ballyclare Relief Road between the Templepatrick Road and the Doagh Road together with associated development (272 dwellings are proposed together with a local centre, riverside park and other open spaces). It should however be noted that a stipulation has been maintained that none of the housing or other buildings proposed in this part of the development can be occupied until the first phase of the road link is completed.

**RECOMMENDATION: that the report be noted.**

Prepared by: John Linden, Head of Planning

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




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### Location Map

**Application Reference: LA03/2018/1011/RM**  
**Lands north of Doagh Road to the Templepatrick Road Ballyclare**



**Major urban extension to include residential development, local neighbourhood centre and the southern section of the Ballyclare Relief Road.**

 Site Boundary



## ITEM 3.5

### **HR/LD/016 NILGA ACCREDITED PLANNING PROGRAMME FOR ELECTED MEMBERS SEPTEMBER 2019**

NILGA has written to advise that it is again running an accredited Local Planning Leadership Programme as part of its Regional Programme for Member Development.

Two Members of the Council have previously completed this programme, Alderman Smyth and Councillor Webb, and NILGA is again seeking two Members from each Council for the forthcoming programme.

The accredited programme is considered to represent a particularly good opportunity for Members involved in the Council's Planning Committee to obtain an 'anchor' qualification, which would be very beneficial for the future.

#### **Proposed Programme**

The programme starts on 20 September 2019 finishing in April 2020 and consists of 7 modules run over 3 hour monthly sessions. The Regional Member Development Group has again commissioned planning and development specialists who have co-designed the programme with relevant speakers and contributors delivering each module.

#### **Costs**

The cost this year will be a maximum £475 per Member depending on numbers which does not include travel expenses. The Pilot Programme in 2018 was free to Councils.

**RECOMMENDATION: that the Committee nominates two Members to undertake the NILGA Planning Programme at a maximum cost of £950.**

Prepared by: Fiona Gunning, Organisation Development Officer

Agreed by: John Linden, Head of Planning

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

### **ITEM 3.6**

#### **P/PLAN/1 NILGA CHANGING PLACES CONFERENCE IN ENNISKILLEN ON TUESDAY 8 OCTOBER 2019**

NILGA has written to advise that it is hosting a one day planning conference titled 'Changing Places: Planning, Place-shaping and Place-making in Northern Ireland' on Tuesday 8 October 2019 in the Killyhevlin Hotel, Enniskillen.

This event is free for Elected Members and Officers and each Council has been allocated 6 places by NILGA.

**RECOMMENDATION: that the Chairperson seeks nominations from Committee Members with any remaining places to be filled by Officers.**

Prepared by: John Linden, Head of Planning

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

### ITEM 3.7

#### **P/PLAN/1 DFC CONSULTATION ON REVISED DESIGN GUIDE FOR TRAVELLER SITES IN NORTHERN IRELAND**

The Department for Communities (DfC) has written to the Council (copy enclosed) to advise that it has undertaken a comprehensive review of design guidance previously issued by the then Department of the Environment in 1997 for Traveller sites in Northern Ireland.

DfC is currently undertaking a focussed consultation process on a revised Design Guide for Traveller Sites in Northern Ireland (copy enclosed) and has requested that any comments should be made by 31 July 2019.

Having reviewed the revised guidance, which is primarily aimed at those responsible for bringing forward proposals for Traveller Sites, namely the NI Housing Executive and Housing Associations, the Planning Section would advise it has no specific comments to make, but would nevertheless welcome the updated guidance. A draft response to this effect has been prepared and is enclosed. Members should note that the Draft Design Guide is also currently being reviewed by the Council's Environmental Health Section and this is reflected in the draft response.

**RECOMMENDATION: that the Council writes to DfC welcoming the updated guidance.**

Prepared by: John Linden, Head of Planning

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

**PART TWO**  
**PLANNING APPLICATIONS**



<b>COMMITTEE ITEM</b>	<b>3.9</b>
<b>APPLICATION NO</b>	<b>LA03/2019/0190/F</b>
<b>DEA</b>	<b>DUNSILLY</b>
<b>COMMITTEE INTEREST</b>	<b>REFUSAL RECOMMENDED</b>
<b>RECOMMENDATION</b>	<b>REFUSE PLANNING PERMISSION</b>
<b>PROPOSAL</b>	Proposed erection of an extension to Parkgate Meadows, comprising 2 no. detached houses, 6 no. semi-detached houses, 4 no. apartments and associated communal parking
<b>SITE/LOCATION</b>	30m west of No. 2 The Grange, Grange Road, Parkgate, Co. Antrim
<b>APPLICANT</b>	Kenny Homes
<b>AGENT</b>	First Principles Architecture
<b>LAST SITE VISIT</b>	28 <sup>th</sup> March 2019
<b>CASE OFFICER</b>	Alexandra Tipping Tel: 028 903 40216 Email: <a href="mailto:alexandra.tipping@antrimandnewtownabbey.gov.uk">alexandra.tipping@antrimandnewtownabbey.gov.uk</a>
<p><b>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal <a href="http://www.planningni.gov.uk">www.planningni.gov.uk</a></b></p>	
<b>SITE DESCRIPTION</b>	
<p>The application site lies 30 metres to the west of No. 2 The Grange, Grange Road, Parkgate. The site lies on white land within the settlement limits of Parkgate as defined in the Antrim Area Plan 1984-2001.</p> <p>The application site is located directly to the north of the existing residential development at Parkgate Meadows. The site has recently been cleared and levelled in preparation for development with the exception of a shed which remains in the southeastern corner of the site. The land rises in a northerly direction towards the rear boundary of the site which is defined with a number of mature trees. The site's western boundary is defined partially by close boarded wooden fencing and sporadic trees. The remainder of this boundary is currently undefined which provides open views into the garden of the neighbouring dwelling at No. 30. The site's southern boundary with No. 10 in Phase One of the development is partially defined with a retaining wall with close boarded wooden fencing above. The boundary with Parkgate Primary School which lies directly adjacent and to the southeast of the site is defined with 2 metre high palisade fencing. The eastern boundary of the site which is shared with the dwellings at No. 2 and No. 3 The Grange is defined with hedging in part, with the remainder of the boundary being defined with a low retaining wall, fencing above and sporadic hedging.</p>	
<b>RELEVANT PLANNING HISTORY</b>	
<p>Planning Reference: T/2011/0273/F Location: 34 Main Street, Parkgate, BT39 0DG, Proposal: Erection of 15 semi detached and detached houses of 2 storey design with car parking and landscaped communal open space. Decision: Permission Granted</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 within the settlement limits of Parkgate. The Plan offers no specific guidance on this proposal.

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

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

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

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

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

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

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

## CONSULTATION

**Council Environmental Health Section** – No Objection

**Northern Ireland Water** – No response

**Department for Infrastructure Roads**- Require amendments to the PSD Drawings

**Department for Infrastructure Rivers** – Further information requested

## REPRESENTATION

Fifteen (15) neighbouring properties were notified and five (5) letters of objection have been received from number (5) properties. A petition objecting to the proposal has also been submitted with fourteen (14) signatures attached. The full representations made regarding this proposal are available for Members to view online at the Planning Portal ([www.planningni.gov.uk](http://www.planningni.gov.uk)).

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

- The height of the apartment blocks would create an opportunity for overlooking and overshadowing of No. 65 Grange Road.
- Concerns in relation to the condition of the trees along the site's northern boundary.
- The density proposed is much greater than that of Phase One. The density is not appropriate and exceeds a density which respects the surrounding context (low density housing).
- The ridge heights of the proposed apartments will cause overshadowing and impact the visual amenity of existing properties.
- The proposed apartments are not in keeping with the existing character of the area or Phase 1 of the development.
- Construction traffic will result in damage being caused to the hedging at No. 1 The Grange.
- Concerns that the small square of land currently laid out as a parking area within Phase 1 of the development is being used to increase the total site area for Phase 2. This area was included in the parking requirements for Phase 1.
- Concerns in relation to the height difference between the application site and the existing Grange development.
- Concerns that the use of the access lane adjacent to the Primary School during the construction phase will cause disruption to neighbours and to the School.
- The proposal does not respect the surrounding context and includes attributes more suited to the urban context. It does not provide a gradual transition from urban to rural.
- There is insufficient amenity space provided for the apartments.
- Concerns in relation to parking provision resultant from overdevelopment.
- The proposed landscaping along the boundary with No. 2 The Grange is inadequate
- Phase 2 should be entirely in keeping with Phase 1, including semi-detached and detached dwellings with a similar design, finishes, garden size and layout.
- The provision of open space should be well defined and clearly separated from private gardens

## 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, Appearance and Impact on Character and Appearance of the Area
- Neighbour Amenity
- Open Space
- Impact on Natural Environment
- Impact on Trees
- Flood Risk
- Car Parking
- 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 on 'whitelands' within the settlement limit of Parkgate in 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.

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

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

- PPS 7: Quality Residential Environments;
- 2nd Addendum to PPS7 (APPS7): Safeguarding the Character of Established Residential Areas;
- PPS 2: Natural Heritage;
- PPS 3: Parking and Movement;
- PPS 8: Open Space, Sport and Outdoor Recreation; and
- PPS 15: Planning and Flood Risk.

Within this policy context, it is considered that the principle of residential development on the site 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, Appearance and Impact on Character and Appearance of the Area**

The Strategic Planning Policy Statement for Northern Ireland 'Planning for Sustainable Development' (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 Planning Policy Statement 7 (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.

The application proposes 2 No. detached dwellings, 6 no. semi-detached dwellings and 4 no. apartments (housed in two main blocks). The proposed development extends from the first phase of the Parkgate Meadows with access to the proposed development being through this first phase. Each of the detached and semi-detached dwelling units have incurtilage parking provision and an enclosed rear garden area in excess of 70 square metres. The 2 No. apartment blocks have unassigned communal parking areas and an area of communal open space.

The first criterion (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. It is noted that the first phase of Parkgate Meadows encompasses a mixture of both semi-detached and detached dwellings.

The area in which the site is located is characterised by mostly detached and semi-detached residential dwellings, with Parkgate Primary School and First Donegore Presbyterian Church also located in close proximity. As noted above the application site lies on lands which are elevated and sit at a higher level than the existing neighbouring dwellings particularly those within 'The Grange' Development.

The proposed layout takes a linear pattern along the estate road from the first phase of Parkgate Meadows with a detached property and 2 No. apartment blocks located in the northern portion of the site facing southwards and back towards the existing development. It is considered that the layout as proposed is representative of overdevelopment on the application site. The proposed dwelling units at 01, 02, 03 and 04 are set back from the estate road in order to provide areas of open space forward of the front garden areas to meet the standard for provision of public open space as required by Policy OS 2 of PPS 8. This means that a reduced separation distance of approximately 8.7 metres exists between the rear elevation of the proposed dwellings and the site's western boundary with No. 30. The layout arrangement also sees the apartment block 08-09 sitting at just 11 metres from the common boundary with the dwelling at No.2 The Grange. 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.

It goes on to say that an enhanced separation distance may also be necessary for development on sloping sites. In this case, the application site sits at a higher level (approximately 2 metres higher in parts) than the existing dwellings within The Grange development. It is considered that the proposal fails to respect the topography of the site and represents key attributes of overdevelopment which is resultant in a number of detrimental impacts both on the character and appearance of the area and on neighbour amenity.

A number of objections raised the density of the proposed scheme. As discussed above the Planning Section shares the concerns raised in relation to density and is of the opinion that a reduction in unit numbers and alterations to the overall site layout would help in achieving a higher quality housing scheme for the site in the context of the surrounding area. The application site area is 4825 m<sup>2</sup> which is smaller than Phase One of the scheme which has a site area of approximately 6795 m<sup>2</sup>. 13 no. units were approved on the Phase One site and based on this density it is suggested that the application site would only be suitable for 9 no. dwelling units, rather than the 12 No. units currently proposed.

The design of the proposed dwellings take a traditional form and are to be finished in varied buff/red brick with painted timber windows and doors. The roofs are to be finished in slate effect concrete tiles. The fenestration and porch detailing is slightly more modern than that of the dwellings in Phase One, however it is considered acceptable and generally in keeping with the house designs in the area given the site's urban location. There are however concerns with the scale and massing of proposed dwellings owing to the topography of the site arising mostly from the insufficient separation distances provided to the existing neighbouring dwellings.

Overall, it is considered that the development does not respect the surrounding context or topography of the site in terms of layout and scale. The proposal can therefore not comply with part (a) of Policy QD 1.

### **Neighbour Amenity**

Policy QD 1 of PPS 7 states that development proposals, should be appropriate to the topography of the site; and should not result in any unacceptable adverse effects on existing or proposed properties in terms of overlooking, loss of light, overshadowing, noise or other disturbance.

As noted above the current proposal gives rise to concern in relation to neighbour amenity. It is considered that the applicant has not successfully demonstrated that there will be no impact caused to existing neighbour amenity particularly the dwellings at No. 2 and No. 3 The Grange and No. 30 Main Street. The application site sits at a higher level than the chalet bungalow type dwellings within 'The Grange' development. It is considered that the separation distance between the rear elevation of the proposed dwellings and the common boundary of No. 02 (a minimum of 11 metres) is not sufficient to ensure that there will not be a significant detrimental impact on the amenity by reason of overlooking.

The level differences on site and the limited separation distance also give rise to concerns in relation to dominance. The finished floor level of the existing dwelling at No. 2 The Grange is approximately 2 metres lower than that of the proposed semi-detached units at sites 10 – 11 and 3 metres lower than the finished floor level of the

apartment block sites 08-09. As the proposal involves units with ridge heights of over 8 metres, there are concerns that the residents at No. 02 The Grange in particular will be impacted by the proposed large and overbearing structures. A 2.4 metre high fence is proposed along the sites eastern boundary which will protect the privacy of this neighbour to some degree, however this is unlikely to fully mitigate the impact. The proposed dwelling units at sites 03 - 04 are located just 8.7 metres from the common boundary with No. 30 Main Street. These proposed dwellings back onto the side garden area of No. 30 where there is a 1.8 metre high fence proposed along the common boundary. Given that the Creating Places guidance suggests a minimum separation distance of 10 metres it is considered that the proposal does not demonstrate that there will be no detrimental impact on this neighbouring property in terms of overlooking.

The neighbouring dwelling at No. 65 Grange Road is located directly to the north of the application site. It is noted that the proposed apartment block at site 06 – 07 is sited parallel to the common boundary with this property. Given the significant boundary vegetation (mature trees with a height of over 4 metres), the level differences with the neighbouring dwelling at No. 65 which sits on elevated lands approximately 5 metres higher than the ground level at the proposed apartment block, and also owing to the distance from the boundary of this neighbouring dwelling, it is considered that there would be no significant detrimental impact on this neighbouring property.

Parkgate Primary School abuts the site's eastern boundary. There is a 2.4 metre high timber boarded fence proposed along the rear boundary of unit No. 12 and the rear yard of the primary school. Given the orientation of the proposed dwelling and the existing school building there may be limited impact from overlooking from the proposed property onto the school. Given that the proposed bedrooms are likely to be low occupancy rooms and that the windows on the rear elevation of the school are kitchen windows it is considered that there would be no significant detrimental impact on the school. Any impact would be further decreased by the proposed boundary treatment and the separation distance of approximately 19 metres from building to building.

Overall, it is considered that the scheme as submitted does not comply with part (a) and part (h) of Policy QD 1 of PPS7, in that the layout and design of the development does not respect the topography of the site and that the proposal will create conflict with adjacent land uses in terms of overlooking and dominance.

### **Public and Private Open Space**

Policy QD 1 advises that adequate provision should be made for public and private open space. It notes that these spaces should be designed as an integral part of the development.

Each of the semi-detached and detached dwelling units have an enclosed garden area provided to the rear. These areas are in excess of 75m<sup>2</sup> and would be considered acceptable in line with the guidance provided within the Creating Places guidance. Ample communal open space is also provided to the side and rear of the proposed apartment units 06-07 and 08-09. The proposed private amenity space throughout the development is considered acceptable and complies with that aspect of part (c) of Policy QD 1 of PPS 7.

Policy O2 of PPS 8 provides the policy context in terms of the provision of public open space within new residential development. This policy advises that proposals will only be permitted for new residential development of over 25 units where public open space is provided as an integral part of the development. It goes on to state that a normal expectation would be 10% of the total site area.

The total site area includes lands in Phase 1 of Parkgate Meadows as well as the current application site which represents the second phase of the housing development. The agent has noted the total site area for Phases 1 and 2 as 11,620 m<sup>2</sup>. The site area for Phase 1 equates to 6,795 m<sup>2</sup> with a total of provision of 740 m<sup>2</sup> amenity space. This approved public amenity space was to include a grassed area with a paved seating space located adjacent to the Burn Road and the Grange Road Junction. It also includes an area in the northeastern portion of the site adjacent to 3 no. parking spaces.

The proposed amenity space for Phase 2 equates to 380 m<sup>2</sup>. The proposed amenity space is to include a 'mixed planting amenity area' located to the rear of the site and also directly adjacent to the apartment block 06 - 07. This area equates to 100m<sup>2</sup> of the proposed public amenity space. The agent has also proposed to include a strip of amenity space forward of the front gardens of units 01 – 02 and 03 - 04 which is to incorporate a strip of hedging making up 130 m<sup>2</sup>. The agent has also proposed to reconfigure the area that was included in Phase 1 (with the 3 no. parking spaces) to include 3 no. additional spaces and approximately 150 m<sup>2</sup> of open space provided around the edge of this car parking area.

The agent has advised that the total provision for public open space throughout the development as a whole will equate to 9.6 % of the total site area. The public amenity spaces proposed are however not considered to be designed to be useable spaces and rather the areas proposed particularly those areas directly adjacent to the front elevation of the dwelling units 01 – 02 and 03 – 04 would likely have a detrimental impact on neighbour amenity should they be used for the purposes of recreation etc given their extreme proximity to these proposed dwellings. It is considered that these areas would be more akin to private front garden areas and would not qualify to be considered as an acceptable form of public open space in accordance with Policy OS 2.

The public open space provision surrounding the proposed parking area is again not considered to be useable open space for similar reasons as outlined above. Furthermore, it would appear that this area has been accounted for in both applications which would suggest that the proposal would fall short of the 10% requirement.

Overall, it is considered that the public open space provision for the proposed development is not satisfactory given the unacceptable quality and quantum of the public amenity space proposed. The proposal therefore fails to comply with Criteria (c) of Policy QD 1 of PPS 7 and Policy OS 2 of PPS 8.

### **Impact on Natural Environment**

The application site lies within the development limits of Parkgate on a site surrounded by other residential development and a local primary school. It is apparent from historic aerial photography that the site previously housed a number



of trees. The majority of these trees have now been cleared from the site in preparation for development with the exception of a number of mature trees along the site's northern boundary which are to be retained as part of the proposal. It is noted that the applicant intends to introduce EConcrete bio-active walls throughout the development which will aid bio-diversity.

Given the location of the application site within the settlement limits of Parkgate and owing to the surrounding land uses it is considered that there would be no further significant impact caused upon the natural environment resultant from the proposed development.

### **Impact on Trees**

There are a number of mature trees located along the site's northern boundary which are not protected by a Tree Preservation Order but are proposed to be retained as part of the development. The subject trees are situated on lands that sit approximately 5 metres higher than the finished floor level at units 06-07 which also sit parallel to this northern boundary. The DOE Guidance in relation to amenity space provision for trees suggests that there should be a minimum of 6 metres to the front or rear elevation of any new development and 3 metres to any side gable. Whilst this guidance is based on measurements for a flat site, it is not strictly accurate in this case, but notwithstanding the 6 metre amenity distance does appear to have been adhered to. Although it would be preferable that the proposed development be moved further away from the trees in order to provide a higher quality environment and ensure minimal impact would be caused to the retained trees, it is not considered that a refusal reason based on the potential impact on trees could be sustained in this case.

### **Flood Risk**

The application site lies outside of the 1 in 100 year floodplain. As the proposal involves a residential development comprising more than 10 dwelling units and proposes areas of new hardstanding in excess of 1000m<sup>2</sup>, 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 was submitted (Document 02) by the applicant however, DfI Rivers have concerns that potential flooding issues have not been fully dealt with within the report. DfI Rivers have therefore requested that further information be submitted in order to allow full and proper assessment. Given that the Council is not content with other aspects of the proposal, this additional information has not been requested from the applicant.

In the absence of this additional information it cannot be established if the proposed development would be at risk from flooding or be likely to increase the risk of flooding elsewhere. Based on the overall precautionary approach to flood risk taken by the Council a reason of refusal is recommended in relation to flooding at this time.

### **Car Parking**

Criteria (F) of Policy QD1 states that there should be adequate provision made for parking. The car parking allowance for the detached and semi-detached dwellings proposed on site is considered acceptable with two in-curtilage spaces available at each site. 9 no. communal spaces are also provided for the 4 no. apartment units. 3 no. parking spaces are provided adjacent to the apartment block 06-07. The

remaining 6 no. communal spaces are to be provided in the southeastern corner of the site immediately adjacent to unit 12 and the existing development in Parkgate Meadows. Although an appropriate number of spaces has been provided in line with the Parking Standards Guidance the layout arrangements for the apartment block is provided away from these dwelling units which is considered to be unrealistic in terms of meeting the everyday needs of future occupants. The distance of approximately 40 metres from the units to the car parking area will also mean that there will be a decreased level of surveillance over the parking spaces from the apartments they are intended to serve. This parking arrangement and the provision of parking away from the units is a further indication of the overdevelopment of the site.

DfI Roads were consulted on the application and have most recently responded stating that Private Streets Determination Drawings will require additional amendments. Amended plans regarding these roads issues have not been sought at this stage given the issues with the scheme as a whole as highlighted earlier within this report.

### **Other Matters**

This section of the report intends to address concerns raised by objectors that have not yet been considered within the main body of the report.

Firstly, concerns have been expressed in relation to the condition of the trees along the site's northern boundary. Although a Tree Survey Report has been referred to on the Landscape Plan (Drawing No. 05/1), this has not been submitted with the application. However, given that the landscape drawing advises the retention of a majority of the trees, it is assumed that the trees were found to be in an acceptable condition. If the trees at any point became dangerous it would be a matter for the landowner to address the issue appropriately.

Secondly, concerns have been raised in relation to damage being caused to the hedging at No. 1 The Grange due to construction traffic. If any damage was caused to any neighbouring property during the construction or operational phase of the development, this would be a civil matter that should be dealt with between the relevant parties.

Lastly, concerns have been raised that the use of the access lane adjacent to the Primary School during the construction phase will cause disruption to neighbours and to the school. It is not known which access will be used during the construction phase of the development. It will be the developers responsibility to ensure minimal disruption. DfI Roads have been consulted on the application and have offered no objection thus far in relation to road safety matters. It is considered that construction work will inevitably result in some form of disruption. Any disruption should however be temporary in nature.

### **CONCLUSION**

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

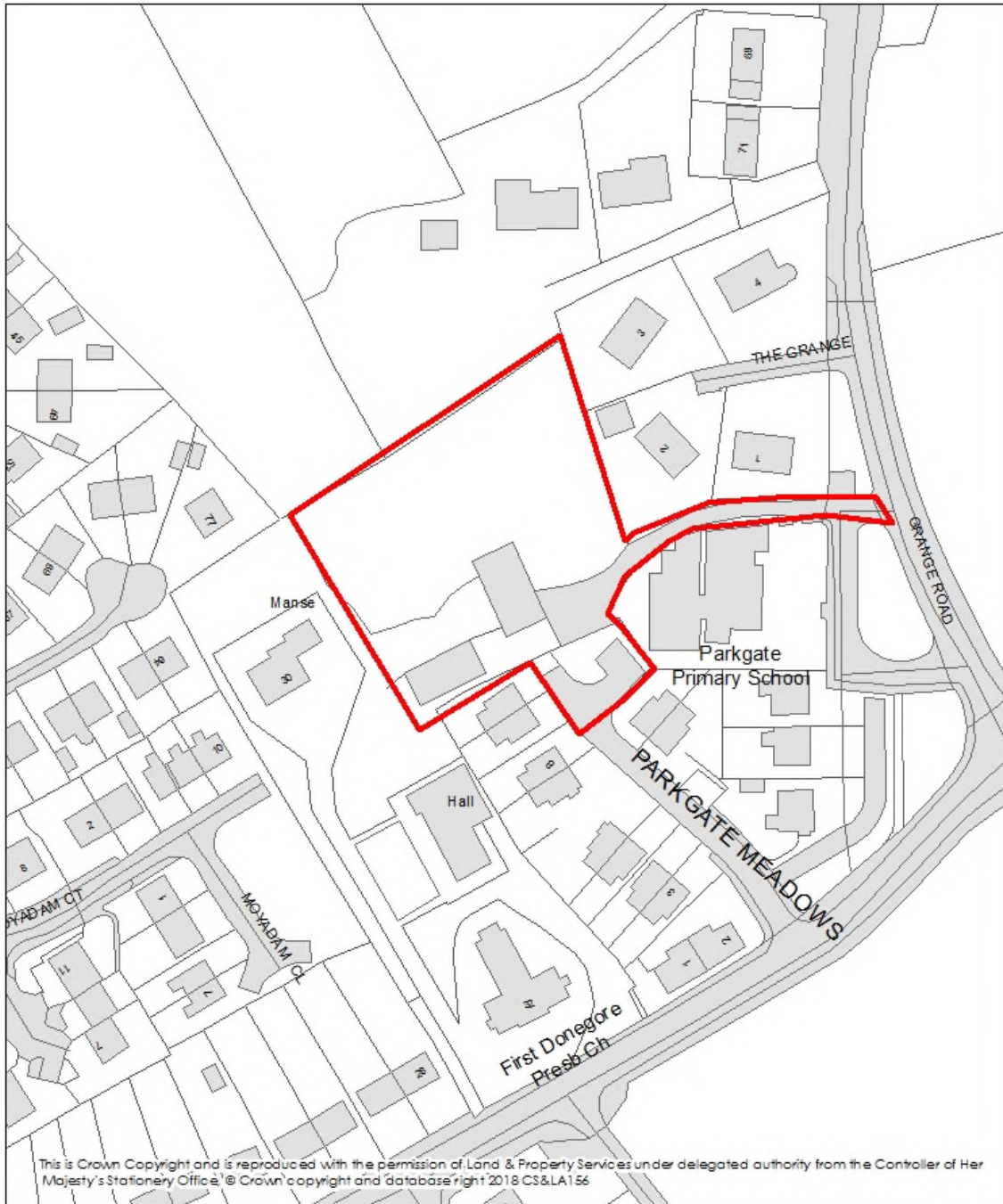
- The principle of the development is considered acceptable.
- The development does not respect the surrounding character and topography of the site.
- The elevational designs of the dwellings proposed are considered acceptable.

- There are concerns in relation to neighbour amenity.
- There is no determining impact caused to trees or the natural environment.
- In the absence of additional information it cannot be established if the proposed development would be at risk from flooding or be likely to increase the risk of flooding elsewhere.
- A sufficient level of parking spaces has been provided however the location of these spaces is not considered entirely appropriate.

**RECOMMENDATION :** REFUSE PLANNING PERMISSION

**PROPOSED REASONS OF REFUSAL**

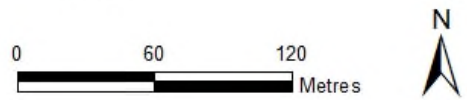
1. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy QD 1 of Planning Policy Statement 7; Quality Residential Environments, in that if approved the proposed design and layout would;
  - Fail to respect the surrounding context and topography of the site;
  - Have a detrimental impact on both existing and proposed properties in terms of overlooking and dominance owing to the changes in levels on the site.
  - Fail to provide an adequate and appropriate level of public amenity space.
2. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy OS 2 of PPS 8: Open Space, Sport and Outdoor Recreation in that it has not been demonstrated that an adequate and appropriate level of public open space has been provided.
3. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement and Policy FLD 1 of PPS 15, Planning & Flood Risk, in that it has not been demonstrated the development, if permitted, would not be at risk from flooding, or be resultant in increased levels of flooding elsewhere.




**Location Map**

Application Reference: LA03/2019/0190/F  
 30m west of No. 2 The Grange, Grange Road  
 Parkgate, Co. Antrim

Proposed erection of an extension to  
 Parkgate Meadows, comprising 2 no. detached  
 houses, 6 no. semi-detached houses, 4 no.  
 apartments and associated communal parking



 Site Boundary  
 For Information Only



<b>COMMITTEE ITEM</b>	<b>3.10</b>
<b>APPLICATION NO</b>	<b>LA03/2019/0391/F</b>
<b>DEA</b>	<b>THREEMILEWATER</b>
<b>COMMITTEE INTEREST</b>	<b>CALLED IN BY CLLR GILMOUR</b>
<b>RECOMMENDATION</b>	<b>GRANT PLANNING PERMISSION</b>
<b>PROPOSAL</b>	Extension & conversion of garage to form a granny flat.
<b>SITE/LOCATION</b>	19 Glenkeen Avenue, Jordanstown, Newtownabbey
<b>APPLICANT</b>	Stacey & Glen Ward
<b>AGENT</b>	A.L.D.A.Architects
<b>LAST SITE VISIT</b>	24 <sup>TH</sup> May 2019
<b>CASE OFFICER</b>	Sairead de Brún Tel: 028 9034 0406 Email: <a href="mailto:sairead.debrun@antrimandnewtownabbey.gov.uk">sairead.debrun@antrimandnewtownabbey.gov.uk</a>
<p><b>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal <a href="http://www.planningni.gov.uk">www.planningni.gov.uk</a></b></p>	
<b>SITE DESCRIPTION</b>	
<p>The application site is located within Metropolitan Newtownabbey as defined in the draft Belfast Metropolitan Area Plan (2004 and 2014). It is located at No 19 Glenkeen Avenue, in the Lenamore Area of Townscape Character (ATC). On site there is a single storey dwelling that sits gable end to the road, has a side dormer window and a hipped roof at the rear.</p> <p>To the rear and south of this dwelling, is a detached garage with a hipped roof. Both buildings are finished in white coloured render. The boundaries of the application site are defined by mature trees and hedging, with a wooden fence also along the roadside boundary, and a close boarded fence running along the southern boundary.</p> <p>The surrounding area is residential, characterised by roadside bungalows on individual, well landscaped plots. St Patricks Church of Ireland lies to the south of the application site.</p>	
<b>RELEVANT PLANNING HISTORY</b>	
<p>Planning Reference: U/2000/0674/F Location: 19 Glenkeen Avenue, Jordanstown, Newtownabbey Proposal: Extension to dwelling Decision: Permission granted (16.01.2001)</p> <p>Planning Reference: U/2000/0263/A41 Location: 19 Glenkeen Avenue, Jordanstown, Newtownabbey Proposal: Erection of detached garage more than 5 metres from dwelling Decision: Consent Granted (06.06.2000)</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 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 inside the settlement limits for the Belfast Urban Area.

Draft Newtownabbey Area Plan 2005 (NAP): The application site is located within the settlement limit of Urban Newtownabbey.

Draft Belfast Metropolitan Area Plan (Published 2004) (dBMAP): The application site is located within the settlement limit of Metropolitan Newtownabbey.

Draft Belfast Metropolitan Area Plan (Published 2014) (BMAP 2014): The application site is located within the settlement limit of Metropolitan Newtownabbey.

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.

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.

Addendum to PPS 6: Areas of Townscape Character: sets out planning policy and guidance relating to Areas of Townscape Character, for demolition of buildings, new development and the control of advertisements.

## CONSULTATION

**Council Environmental Health Section** – No objection

**Northern Ireland Water** – No objection

**Department for Infrastructure Roads**- No objection

## REPRESENTATION

Seven (7) neighbouring properties were notified and three (3) letters of objection have been received from two (2) properties. The full representations made regarding this proposal are available for Members to view online at the Planning Portal ([www.planningni.gov.uk](http://www.planningni.gov.uk)).

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

- Impact on trees
- Loss of light
- Dominance
- Overlooking
- Proposal is not ancillary to the main dwelling
- Disposal of effluent
- Increase in noise

## ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

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

### **Policy Context and Principle of Development**

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

The 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. Furthermore, the Council has taken a policy stance that, whilst BMAP remains in draft form, the most up to date version of the document (that purportedly adopted in 2014) should be viewed as the latest draft and afforded significant weight in assessing proposals. The application site lies within the settlement limit of Metropolitan Newtownabbey, and also forms part of the Lenamore Area of Townscape Character in both 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 proposed development is for a single storey rear extension to the existing garage and conversion of the resultant building to a standalone granny annex. The existing garage is single storey, hipped roof and measures 4.5m to finished floor level. It has a double wooden door to the front, a window and door on the northeastern elevation and is finished in white render. It occupies a floorspace of 28.4sqm.

The proposed extension will create an additional 18.5sqm of floorspace and will add a further window to the northeastern elevation. The garage door to the front will be partially blocked up to form a new window opening. The roof, rainwater goods and external wall finish will match the existing. Internally, there will be a living room to the front and a bedroom to the rear, with an ensuite and utility room in the middle. The granny annex will be accessed via the existing entrance and driveway.

The proposed extension meets all but one of the criteria for permitted development in accordance with Part 1 Class D (The provision within the curtilage of a dwellinghouse of any building...required for a purpose incidental to the enjoyment of the dwellinghouse. The extension fails to be considered permitted development as its height is 4.5m, albeit, this is only 0.5m above that stated at criterion (c), which requires the building to be no more than 4m in height.

It is considered that the extension is of a scale, size, massing and design that is reflective of the built form and appearance of the existing building and dwelling, and as such will allow it to visually integrate into the site and surrounding area without any adverse impact on the character of the area and other landscape features. The proposal will not have a negative impact on recreational activities within the curtilage of the dwelling nor will it affect the provision of parking.



In addition, paragraphs 2.8 – 2.11 of APPS7 refer specifically to the provision of ancillary accommodation and state that 'to be ancillary, accommodation must be subordinate to the main dwelling and its function supplementary to the use of the existing residence'. Ideally, such ancillary accommodation should be attached to the existing dwelling and be internally accessible from it. Where this is not practicable however, the conversion and extension of an existing outbuilding will be acceptable only where the scale of accommodation provided is modest.

The proposed granny flat will be occupied by an elderly relative of the applicant and provides only limited accommodation, the scale of which is subordinate to the main dwelling; the granny annex will have shared facilities, i.e. access, parking, electricity, with the main dwelling and it is quite clear that the unit cannot practically and viably operate on its own.

Case law has established that where a domestic garage within the residential curtilage of a dwelling house is used for living accommodation in connection with that house, no material change of use has occurred, and therefore planning permission is not required to convert a garage within a residential curtilage to an annex capable of being used as ancillary accommodation.

Owing to the location of the application site within the Lenamore ATC, the Addendum to Planning Policy Statement 6: Areas of Townscape Character is also applicable in assessing the proposal. Point 7.8 deals with Extensions and Alterations and advises that proposals for such will normally be acceptable where they are sensitive to the existing building, are in keeping with the character and appearance of the ATC and will not prejudice the amenities of the adjacent properties.

The existing garage is located in the southern most corner of the application site, with the proposed extension to be built to the rear of the garage and approximately 2m from the common boundary with No 113a Church Avenue. At this location, the proposal is positioned furthest from all neighbouring properties; namely Nos. 113a and 124a Church Avenue and 17a Glenkeen Avenue. The length of the proposed rear and side wall is 4.3m in each case. Taking the dimensions and positioning of the proposal, it is considered that no neighbouring property should be unreasonably affected by overbearing or overshadowing. Furthermore, only one additional window is proposed; this is on the left side elevation and will serve the bedroom. This window will look out to the rear garden of the dwelling, and the potential for overlooking into the rear of No 124a Church Avenue is considerably reduced due to the 120 degree angle between the window and the adjacent property, the fact that the window is at single storey, and the presence of mature vegetation along this part of the rear boundary.

As discussed above, it is considered that the size, scale, massing and design of the extension is sensitive to the existing building and dwelling and is in keeping with the character of the Lenamore ATC. The conversion of the resultant building to provide a modest scale of ancillary accommodation will not prejudice the amenities of the adjacent residents. The proposal meets with the relevant policy provisions and the principle of development is acceptable.

**Scale, Massing, Design and Appearance**

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**

It is considered that the proposal will not unduly affect the privacy or amenity of neighbouring residents as the extension is single storey, with no window or door openings proposed on those elevations that are bounded by existing residential properties. Furthermore, these boundaries are defined by mature vegetation which will limit the potential for overlooking and loss of privacy from the proposal.

**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 as no boundary vegetation needs to be removed to allow for the construction of the proposal.

**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**

The proposed granny annex will be connected to the existing manhole that is used by the main dwelling and is within the curtilage of both buildings. An existing soakaway is also available within the established curtilage and the proposal can avail of this.

Given that the proposed granny annex is to be occupied by an elderly relative, it is considered that the increase in noise from the resultant development would be negligible.

**CONCLUSION**

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

- The principle of the development is considered to be acceptable.
- The design, layout and appearance is acceptable.
- It is considered that the proposed development will not result in a detrimental impact upon the character and appearance of the area.
- The proposed development will not have a significant impact on the amenity of occupiers of adjacent residential properties.

**RECOMMENDATION :** GRANT PLANNING PERMISSION

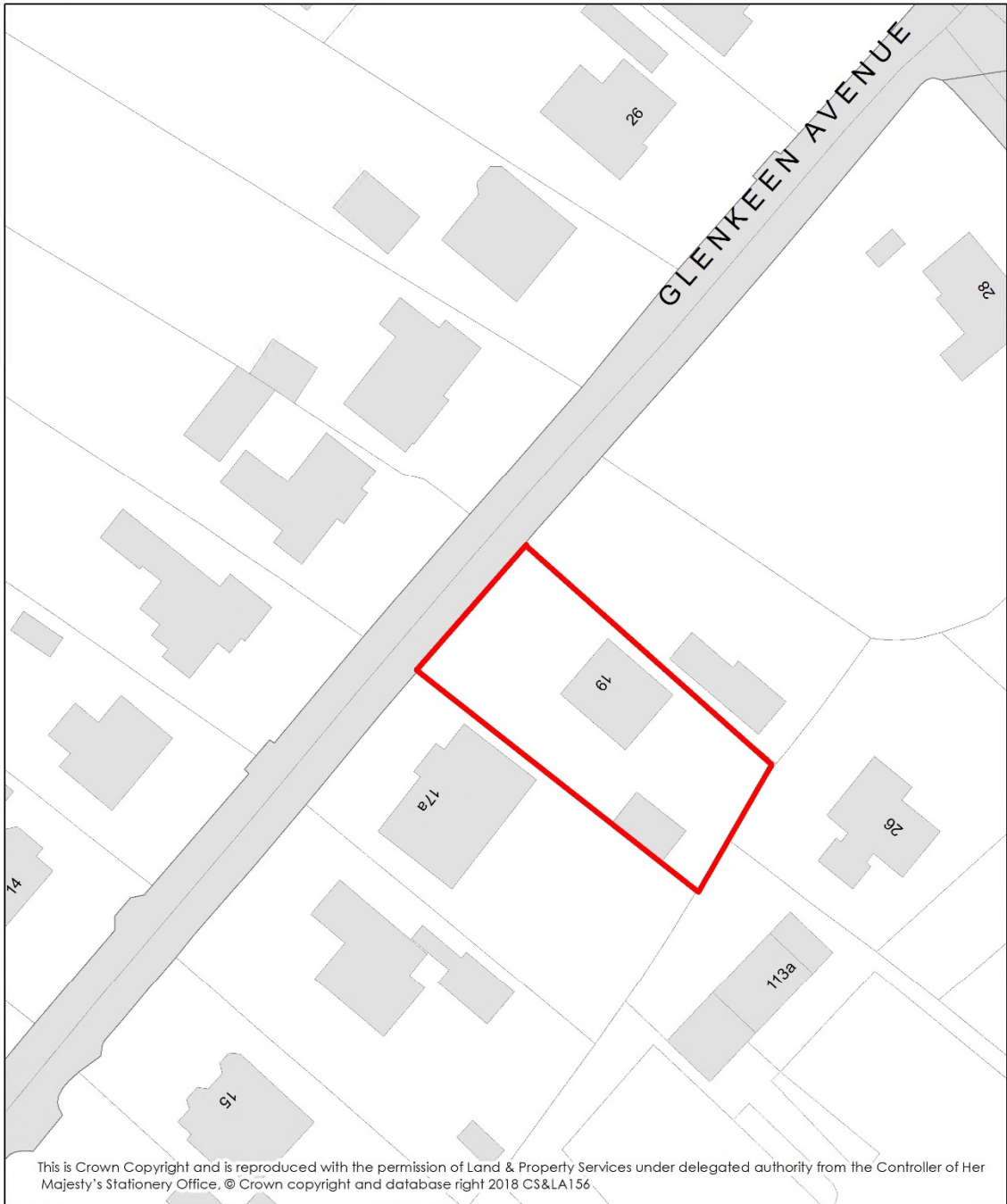
**PROPOSED CONDITIONS**

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

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

2. The accommodation hereby permitted shall not be occupied at any time other than for a purpose ancillary to the residential use of the dwelling known as 19 Glenkeen Avenue, Jordanstown, Newtownabbey.

Reason: To prevent the creation of an additional dwelling unit.



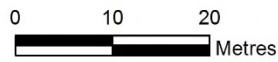
**Location Map**

Application Reference: LA03/2019/0391/F

19 Glenkeen Avenue, Jordanstown  
Newtownabbey

Extension & conversion of garage to form a granny flat.

 Site Boundary



For Information Only



<b>COMMITTEE ITEM</b>	<b>3.11</b>
<b>APPLICATION NO</b>	<b>LA03/2018/1022/F</b>
<b>DEA</b>	<b>AIRPORT</b>
<b>COMMITTEE INTEREST</b>	<b>REFUSAL RECOMMENDED</b>
<b>RECOMMENDATION</b>	<b>REFUSE PLANNING PERMISSION</b>
<b>PROPOSAL</b>	Revised access to serve 2 dwellings approved under T/2010/0004/F and T/2010/0005/RM
<b>SITE/LOCATION</b>	130m east of 44 Belfast Road, Nutts Corner, Crumlin
<b>APPLICANT</b>	Cyril & Jennifer Spence
<b>AGENT</b>	Park Design Associates
<b>LAST SITE VISIT</b>	10 <sup>th</sup> January 2019
<b>CASE OFFICER</b>	Alicia Leathem Tel: 028 90340416 Email: <a href="mailto:alicia.leathem@antrimandnewtownabbey.gov.uk">alicia.leathem@antrimandnewtownabbey.gov.uk</a>
<p><b>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal <a href="http://www.planningni.gov.uk">www.planningni.gov.uk</a></b></p>	
<b>SITE DESCRIPTION</b>	
<p>The application site is located within the countryside outside any settlement limit as defined in the Antrim Area Plan 1984-2001.</p> <p>The application site is two narrow strips of land. One of the sections is located within an agricultural field measuring 100 metres in length with a width of 5 metres. This section of the application site is cut out of a larger agricultural field and runs parallel with the eastern boundary of the site.</p> <p>The second section of the application site is located between Nos. 42 and 44 Belfast Road and to the rear of No. 44. The western boundary of the site is defined by an existing commercial premises whilst the eastern boundary is defined by 1.8 metres closed board timber fencing and mature trees.</p> <p>The application site is located within a rural area with the land use being predominately agricultural. Nutt's Corner is located approximately half a mile to the west of the application site.</p>	
<b>RELEVANT PLANNING HISTORY</b>	
<p>Planning Reference: LA03/2019/0020/LDP Location: 250m North-East of 44 Belfast Road, Nutts Corner, Crumlin Proposal: Completion of dwelling and garage in accordance with planning approval T/2010/0004/F Decision: Permitted Development (20.02.2019)</p> <p>Planning Reference: LA03/2019/0019/LDP Location: 320m North-East of 44 Belfast Road, Nutts Corner, Crumlin Proposal: Completion of dwelling and garage in accordance with planning approval T/2010/0005/RM Decision: Permitted Development (19.02.2019)</p>	

Planning Reference: T/2010/0005/RM  
Location: 320m NE of 44 Belfast Road, Nutts Corner (access from Shalimar Service Station)  
Proposal: Dwelling and Garage  
Decision: Permission Granted (01.03.2010)

Planning Reference: T/2010/0004/F  
Location: 250m NE of 44 Belfast Road, Nutts Corner (access from Shalimar Service Station)  
Proposal: Dwelling and Garage  
Decision: Permission Granted (05.02.2010)

Planning Reference: T/2005/1172/O  
Location: 320m North-East of 44 Belfast Road, Nutts Corner. (Access from Shalimar Service Station)  
Proposal: Site of dwelling and garage  
Decision: Permission Granted (10.01.2007)

Planning Reference: T/2004/1446/O  
Location: 320m North-East of 44 Belfast Road, Nutts Corner. (Access from Shalimar Service Station)  
Proposal: Site of dwelling and garage  
Decision: Permission Granted (20.06.2005)

Planning Reference: T/1999/0365/O  
Location: 46 Belfast Road, Nutts' Corner, Crumlin  
Proposal: Site for replacement dwelling  
Decision: Permission Refused (25.08.1999)

#### **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 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.

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

#### **CONSULTATION**

**Department for Infrastructure Roads**- Refusal recommended

**Department for Communities Historic Environment Division** – No objections

#### **REPRESENTATION**

Two (2) neighbouring properties were notified and no letters of representation have been received.

#### **ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS**

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

- Policy Context and Planning History
- Impact on Character and Appearance of the Area
- Access

##### **Policy Context and Planning History**

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

The Antrim Area Plan (AAP) currently operates as the statutory local development plan for the area where the application site is located and there is also a range of regional planning policy which is material to determination of the proposal. The application site is located within the countryside outside any settlement 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 application seeks planning permission for an amended access onto the Belfast Road to access previously approved sites for dwellings. The previous planning permissions were granted under applications T/2010/0004/F, T/2005/1172/O and T/2010/0005/RM, these permissions have since expired. However, two applications for Certificates of Lawful Development were approved under LA03/2019/0019/LDP and LA03/2019/0020/LDP which certify that the developments had lawfully commenced in accordance with the previous grant of planning permission and can be completed in accordance with the previous approvals T/2010/0004/F and T/2010/0005/RM.

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 3: Access, Movement and Parking which are applicable in this case.

### **Access**

As outlined above, the application seeks full planning permission for a new access onto the Belfast Road, to serve two previously approved sites. The Belfast Road is part of the Trunk Road network and a protected route designated under the Antrim Area Plan. Policy AMP2 of PPS3 and the consequential amendment contained within Annex 1 of PPS21 indicate that there is a presumption against the creation of a new access onto a protected route, save for a limited number of exceptions which are listed under the policy.

The applicant submitted supporting documentation in relation to the application and contends that the access should be acceptable as there was formerly an access located in this position. The applicant advises that the laneway is no longer in use and as such has now become part of the larger agricultural field, although the access point onto the Belfast Road is still in existence. The applicant has submitted what is referred to as an old 'Ordnance Survey (OS) Map' which shows a section of dotted line which is annotated as the 'former laneway'.

Research shows the proposed laneway on OS Maps dated back to 1832- 1846, however, the laneway is not shown on subsequent OS maps dating from 1846 to the present day. The existing access onto the Belfast Road is clearly an agricultural access defined by a field gate. Agricultural accesses to lands falls under permitted development as defined within The Planning (General Permitted Development) Order (Northern Ireland) 2015.

The applicant also contends that the application should be considered an exception under the consequential revision to Policy AMP 3, Protected Routes for a number of reasons. Category (a) of Annex 1 allows for access onto a protected route for a replacement dwelling, if the building to be replaced would meet the criteria set out in Policy CTY 3 of PPS 21 and there is an existing vehicular access onto a protected route. The previous applications were not for replacement dwellings and nor is the current proposal an application for a replacement dwelling. The argument presented by the agent in this regard has no determining weight for the consideration of the current application.



Category (b) of Annex 1 allows for a dwelling on a farm to access a designated protected route where an access cannot be reasonably obtained from an adjacent minor road. Where this cannot be achieved proposals will be required to make use of an existing vehicular access onto a protected route. The applicant has submitted a copy of a farm map and advises that the only way to access the agricultural lands is via the existing access. The previous applications were not for farm dwellings and nor is the current proposal an application for a farm dwelling. The argument presented by the agent does not apply to this application and can be given no determining weight for the consideration of the current application.

The applicant also contends that the proposal is acceptable under category (d) of Annex 1 of PPS21 in accordance with the policy requirements referenced under; 'other categories of development' which states that access onto a protected route will be acceptable provided that access cannot reasonably be obtained from an adjacent minor road. However, category (d) goes on to state that proposals will be required to make use of an existing vehicular access onto the protected route. In the current case there is an existing access and laneway which serves the two previously approved sites.

The applicant states that DfI Roads have accepted the access arrangement, however, DfI Roads initially recommended a refusal. Following further consultation DfI Roads advised that if the Council accepted the proposal falls under one of the exceptions listed within Annex 1 of PPS 21, both by creation and intensification of an access, DfI Roads will require conditions attached to any approval. As outlined above the proposal does not fall within one of the exceptions listed within Annex 1, therefore, the position of DfI Roads is a recommended refusal.

Additionally, the applicant has advised that the two sites have been for sale for a number of years and no offers have been made given the previously approved access adjacent to commercial premises is off putting to prospective buyers. The applicant has submitted a letter from an estate agent to confirm this assertion. It should be noted that the impact of a development on the value of property is not generally considered to be a material planning consideration. In any case it is considered that appropriate boundary treatment or planting could be put in place in order to limit the impact of the commercial premises on the access arrangement.

### **Impact on Character and Appearance of the Area**

The previously approved accesses utilised an existing access point onto the Belfast Road which serves a former filling station which is currently being used as a tyre fitting service. The proposal seeks to create a new access laneway onto the Belfast Road which will serve the two previously approved sites. The length of the proposed new access laneway measures approximately 110 metres.

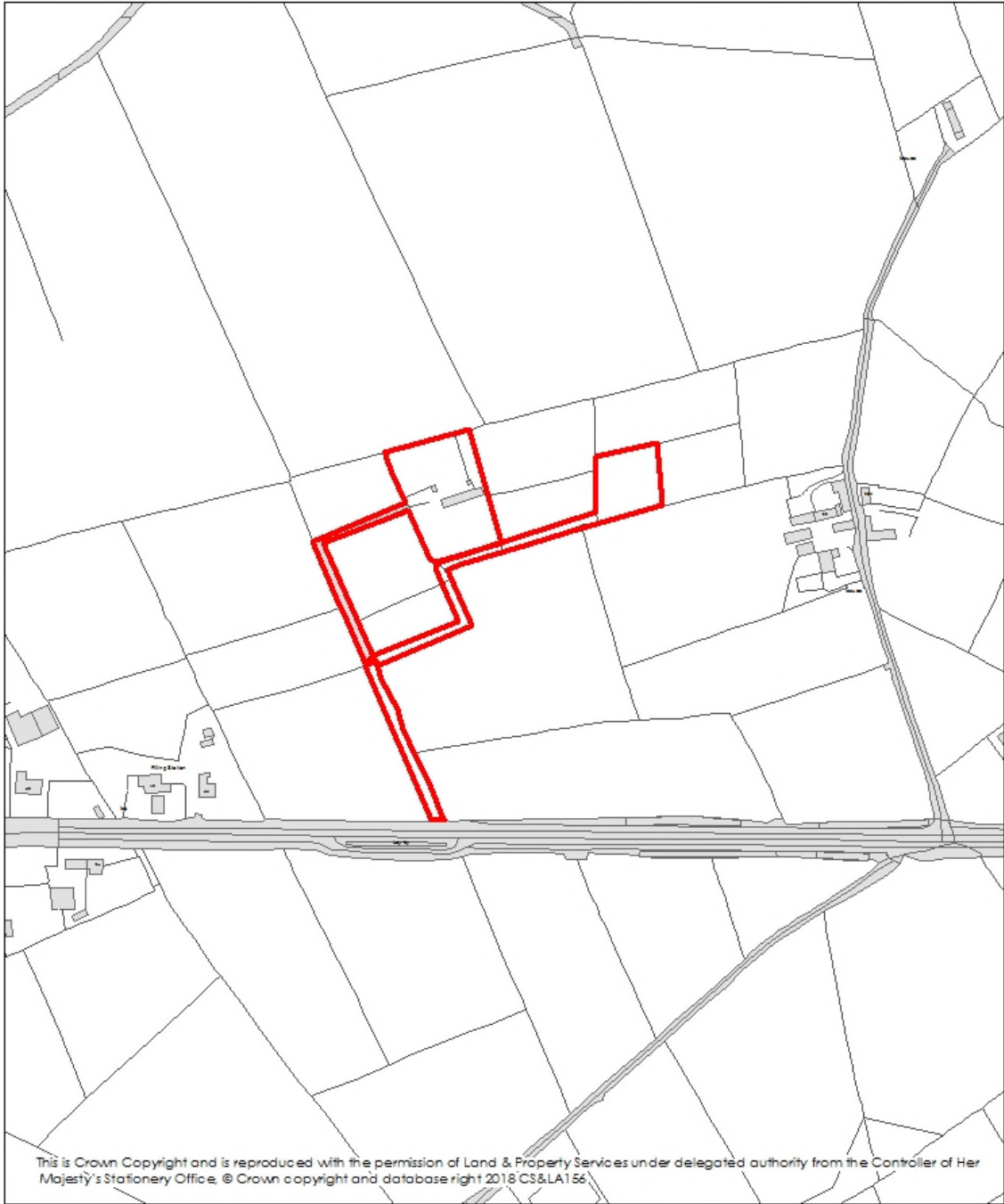
It is considered that the new section of laneway running along the field boundary would integrate into its surroundings and would not be obtrusive in this rural area.

### **CONCLUSION**

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

- The principle of the development is not acceptable.
- The proposal would integrate into its surroundings.
- The proposed would create an additional access onto a protected route.

<b>RECOMMENDATION :</b>	<b>REFUSE PLANNING PERMISSION</b>
<b>PROPOSED REASON OF REFUSAL</b>	
1. The proposal is contrary to Planning Policy Statement 21, Sustainable Development in the Countryside, Annex 1, Policy AMP 3 Access to Protected Routes (Consequential Revision), in that it would, if permitted, result in the creation of a new vehicular access onto a Protected Route, thereby prejudicing the free flow of traffic.	



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### Location Map

Application Reference: LA03/2018/1022/F



Revised access to serve 2 dwellings approved  
under T/2010/0004/F and T/2010/0005/RM

130m east of 44 Belfast Road  
Nutt's Corner, Crumlin

 Site Boundary

For Information Only



<b>COMMITTEE ITEM</b>	<b>3.12</b>
<b>APPLICATION NO</b>	<b>LA03/2019/0372/F</b>
<b>DEA</b>	<b>MACEDON</b>
<b>COMMITTEE INTEREST</b>	<b>PREVIOUS COMMITTEE DECISION</b>
<b>RECOMMENDATION</b>	<b>GRANT PLANNING PERMISSION</b>
<b>PROPOSAL</b>	Dwelling with integral garage
<b>SITE/LOCATION</b>	35m South East of 49 Glebe Road, Newtownabbey
<b>APPLICANT</b>	Mr & Mrs J Adair
<b>AGENT</b>	Robert Logan Chartered Architect
<b>LAST SITE VISIT</b>	24 May 2019
<b>CASE OFFICER</b>	Sairead de Brún Tel: 028 903 40406 Email: <a href="mailto:sairead.debrun@antrimandnewtownabbey.gov.uk">sairead.debrun@antrimandnewtownabbey.gov.uk</a>
<p><b>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal <a href="http://www.planningni.gov.uk">www.planningni.gov.uk</a></b></p>	
<b>SITE DESCRIPTION</b>	
<p>The application site is within urban Newtownabbey as defined in the Belfast Urban Area Plan (BUAP), the Draft Newtownabbey Area Plan (dNAP) and the Draft Belfast Area Plan (2004 and 2014) and is located along the Glebe Road, approximately 35m southeast of No 49.</p> <p>The application site sits above the level of the public road, and continues to rise towards the rear boundary. The entire site is overgrown with mature vegetation. The surrounding area is residential, and the application site is bounded to the west by a medium-density, red-brick suburban housing development, with a low-density row of roadside housing to the north.</p>	
<b>RELEVANT PLANNING HISTORY</b>	
<p>Planning Reference: LA03/2017/0352/F Location: 35m South East of 49 Glebe Road, Newtownabbey Proposal: Dwelling with integral garage Decision: Permission Refused (22.09.2017) Decision: Appeal dismissed (01.10.2018)</p>	
<b>PLANNING POLICY AND GUIDANCE</b>	
<p>Under the provisions of the Planning Act (Northern Ireland) 2011, all decisions must be taken in accordance with the provisions of the Local Development Plan unless material considerations indicate otherwise.</p> <p>Until the Council adopts its new Local Development Plan, most planning applications will continue to be assessed against the provisions of the extant adopted Development Plans for the Borough (the Belfast Urban Area Plan, the Carrickfergus Area Plan and the Antrim Area Plan). Account will also be taken of the Draft Newtownabbey Area Plan and its associated Interim Statement and the emerging provisions of the Belfast Metropolitan Area Plan (which has reverted to the Draft Plan stage) together with relevant provisions of Planning Policy Statements (PPSs) which</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.

Belfast Urban Area Plan (BUAP): The application site is located inside the settlement limits for the Belfast Urban Area.

Draft Newtownabbey Area Plan 2005 (NAP): The application site is located within the settlement limit of Urban Newtownabbey.

Draft Belfast Metropolitan Area Plan (Published 2004) (dBMAP): The application site is located within the settlement limit of Metropolitan Newtownabbey.

Draft Belfast Metropolitan Area Plan (Published 2014) (BMAP 2014): The application site is located within the settlement limit of Metropolitan Newtownabbey.

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

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

## **CONSULTATION**

**Council Environmental Health Section** – No objection

**Northern Ireland Water** – No objection

**Department for Infrastructure Roads**- No objection

**Historic Environment Division** – No objection

## REPRESENTATION

Seven (7) neighbouring properties were notified and one letter of representation has been received from one property. The full representations made regarding this proposal are available for Members to view online at the Planning Portal ([www.planningni.gov.uk](http://www.planningni.gov.uk)).

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

- Potential impact of surface water drainage on No. 41 Glebe Road

## 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
- Private Amenity
- Parking Provision
- Neighbour Amenity
- Crime and Personal Safety
- Impact on Character and Appearance of the Area
- Other Matters

### Policy Context and Principle of Development

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

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

In these circumstances the provisions of both dNAP and dBMAP are considered to be material considerations in assessment of the current application. Given that dNAP was never adopted, it is considered that dBMAP provides the most up-to-date development plan position for this part of the Borough and should therefore be afforded greater weight than dNAP in the decision-making process. Furthermore, the Council has taken a policy stance that, whilst BMAP remains in draft form, the most up to date version of the document (that purportedly adopted in 2014) should be viewed as the latest draft and afforded significant weight in assessing proposals.

Both of the relevant development plans identify the application site as being within the settlement limit of Metropolitan Newtownabbey. The Belfast Urban Area Plan zoned the application site for housing, however there are no specific operational policies or other provisions relevant to the determination of the application

contained in the more recent versions of the Belfast Metropolitan Area Plan (2004 and 2014).

Owing to the location of the application site within the development limits of Metropolitan Newtownabbey, it is considered that the principle of residential development is acceptable subject to creating a quality residential environment in accordance with Policy QD1 of PPS 7 and the Creating Places design guide.

Both Planning Policy Statement 7: Quality Residential Environments and the Regional Development Strategy 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'.

### **Design, Layout and Appearance**

Paragraph 6.137 of the SPPS refers 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 LC1 of the Addendum to PPS7 states that in established residential areas, the infilling of a vacant site to accommodate new housing will only be acceptable where the pattern of development is in keeping with the overall character and environmental quality of the established residential area.

Furthermore, Policy QD1 of PPS 7 states that planning permission will only be granted for new residential development where it is demonstrated that the proposed will create a quality and sustainable residential environment. It goes on to state that all such proposals will be expected to conform to a number of criteria.

The first criterion (a) requires that the proposed development respects the surrounding context and is appropriate to the character and topography of the site and surrounding area in terms of layout, scale, proportions, massing and appearance of buildings, structures and landscaped and hard surfaced areas.

The context for the proposed development is drawn from the semi-rural dwellings to the north of the application site, which are two-storey, mostly gable end to the road, with chimneys placed on the ridge and finished in grey or white dash with some intermittent brick detailing. Windows are primarily sliding sash with vertical emphasis and roofs are pitched.

The proposed dwelling is also two storeys high, with a ridge height of 8.2m to the finished floor level, and is finished in render with panels of brickwork, a dark grey flat tile or slate roof and uPVC or aluminium windows and doors. The dwelling has been designed with a gable end to the Glebe Road and a pitched roof; the integral garage has a flat roof. With the exception of some side elevation windows, all windows have a vertical emphasis. A 1.8m high timber vertical boarded fence will define the northern boundary, while the existing natural boundaries of the site are to

be retained with additional tree planting in the southwestern corner of the site; to the front of the dwelling.

The design of the proposed dwelling is relatively contemporary, and although paragraph 4.24 of PPS7 states that quality contemporary design will not be precluded, the proposed modern design must still fit in well with its surroundings. It is considered that the western elevation has drawn upon the character of the surrounding area by orientating the gable end to the road. In addition the vertical emphasis to the windows, the chimney on the ridge and the sporadic use of brick detailing are also evident in the area.

The garage has a flat roof but is set back from the main building line, and despite the strong use of a pitched roof on neighbouring properties, it is felt that the proposed flat roof garage is relatively minor in size and scale, and is acceptable in this instance as it is for the garage only. The proposed balcony on the southern elevation is recessed into the roof, with exposed rafters following the roof line and a low height, glazed balustrade. The amount of glazing used in this design feature is no greater than that of the surrounding conservatories/sunrooms on existing properties and it will not appear incongruous at this location.

It is considered that the layout, scale and massing of the proposed development will be appropriate to the character of the site and the area. The design is reflective of existing dwellings, with no new finishes being introduced. Overall, it is considered that the proposal meets the first criterion in Policy QD1.

#### **Private Amenity**

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 within 'Creating Places: Achieving Quality in Residential Developments'. This states that the appropriate level of provision should be determined by having regard to the particular context of the development. The surrounding housing developments are of low-medium density with private rear garden plots. There is an area of private amenity space behind the building line of the proposed dwelling that measures approximately 150sqm, which is above the minimum level recommended in Creating Places, and is reflective of the provision for the other existing dwellings in the area.

#### **Parking Provision**

Criterion (f) of Policy QD1 requires that adequate and appropriate provision is made for parking. Section 20 of Creating Places sets out the requirements for the total numbers of parking spaces to be provided for residents, visitors and other callers. The application site can accommodate a minimum of two (2) in-curtilage parking spaces. It is therefore considered that adequate and appropriate provision is made for parking within the proposed development.

#### **Neighbour Amenity**

Criterion (h) of Policy QD1 states that the design and layout should not create conflict with adjacent land uses and there should be no unacceptable adverse effect on existing or proposed properties in terms of overlooking, loss of light, overshadowing, noise or other disturbance.



There are residential properties on two sides of the application site; No. 49 Glebe Road to the north and No. 44 Glebe Manor to the west. There is a separation distance of approximately 16m from the southern elevation of No. 49 to the northern elevation of the proposed dwelling. In between the existing and proposed buildings, is a row of mature vegetation, which, when taken with the separation distance, will ensure that the amenity of both future and existing residents will not be significantly impacted and both will have an acceptable outlook. No. 44 Glebe Manor is located to the west of the application site, at an approximate distance of 30m. The rear boundary of this property is defined by a brick wall, fencing and mature vegetation. Despite the application site sitting higher than the private rear amenity of No 44, it is considered that the separation distance and intervening vegetation will be sufficient in mitigating against potential impacts of overlooking.

Noise disturbance may be an issue but this will be during the construction period only and on completion of the development, should cease to be a concern.

### **Crime and Personal Safety**

Criterion (i) of Policy QD1 states that proposed residential development should be designed to deter crime and promote personal safety. It is considered that the proposed development has been designed to deter crime and promote personal safety, with the dwelling fronting onto the public road, and with private amenity space to the rear.

Overall, it is considered that the design, layout and appearance of the proposed development is acceptable and will respect the surrounding context and is appropriate to the character and topography of the site in terms of scale, massing, appearance of buildings, landscaped and hard surfaced areas.

### **Impact on the Character and Appearance of the Area**

Development along this stretch of the Glebe Road is characterised by semi-rural, two storey dwellings with finishes including white and grey dash and brick. It is considered that the overall layout, form and design of the proposed development will reflect the character of the area, and will not result in a significant impact on the character and appearance of the area.

### **Other Matters**

#### **Access and Road Safety**

DfI Roads were consulted in relation to the application, and no concerns have been raised with the proposed means of access. It is considered appropriate to include conditions and informatives, as suggested by DfI Roads, which primarily relate to the provision of a safe and convenient access position for the development.

#### **Flood Risk**

An objector has raised concerns regarding the impact on their property from surface water runoff. It would appear that the potential for surface water flooding arises from poor drainage in the area, and as the application site sits at a higher elevation than the neighbouring property at No. 41 Glebe Road, the objector's concern is that their property could flood. NI Water has stated that there is currently no surface water sewer available within 20m of the proposal.

The applicant is aware of the concerns regarding surface water runoff and has indicated that surface water will be disposed of via soakaways. In addition the applicant can consult with NI Water to investigate the possibility of requisitioning a new storm sewer to ensure that the proposal would have adequate drainage, thereby alleviating the potential for flooding.

### **CONCLUSION**

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

- The principle of the development is considered to be acceptable.
- The design, layout and appearance of the dwelling is acceptable.
- It is considered that the proposed development will not result in a detrimental impact upon the character and appearance of the area.
- The proposed development will not have a significant impact on the amenity of occupiers of adjacent residential properties.

**RECOMMENDATION :**    **GRANT PLANNING PERMISSION**

### **PROPOSED CONDITIONS**

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

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

2. The vehicular access, including visibility splays and any forward sight distance, shall be provided in accordance with Drawing No.07 bearing the date stamp 30<sup>th</sup> April 2019, prior to the commencement of any other development hereby permitted. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250mm above the level of the adjoining carriageway and such splays shall be retained and kept clear thereafter.

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

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

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

4. The existing natural screenings of the site, as indicated in green, on approved Drawing No. 07, date stamped received 30 April 2019, shall be retained at a minimum height of 4m, unless necessary to prevent danger to the public in which case a full explanation along with a scheme for compensatory planting shall be submitted to and agreed in writing with the Council, prior to removal.

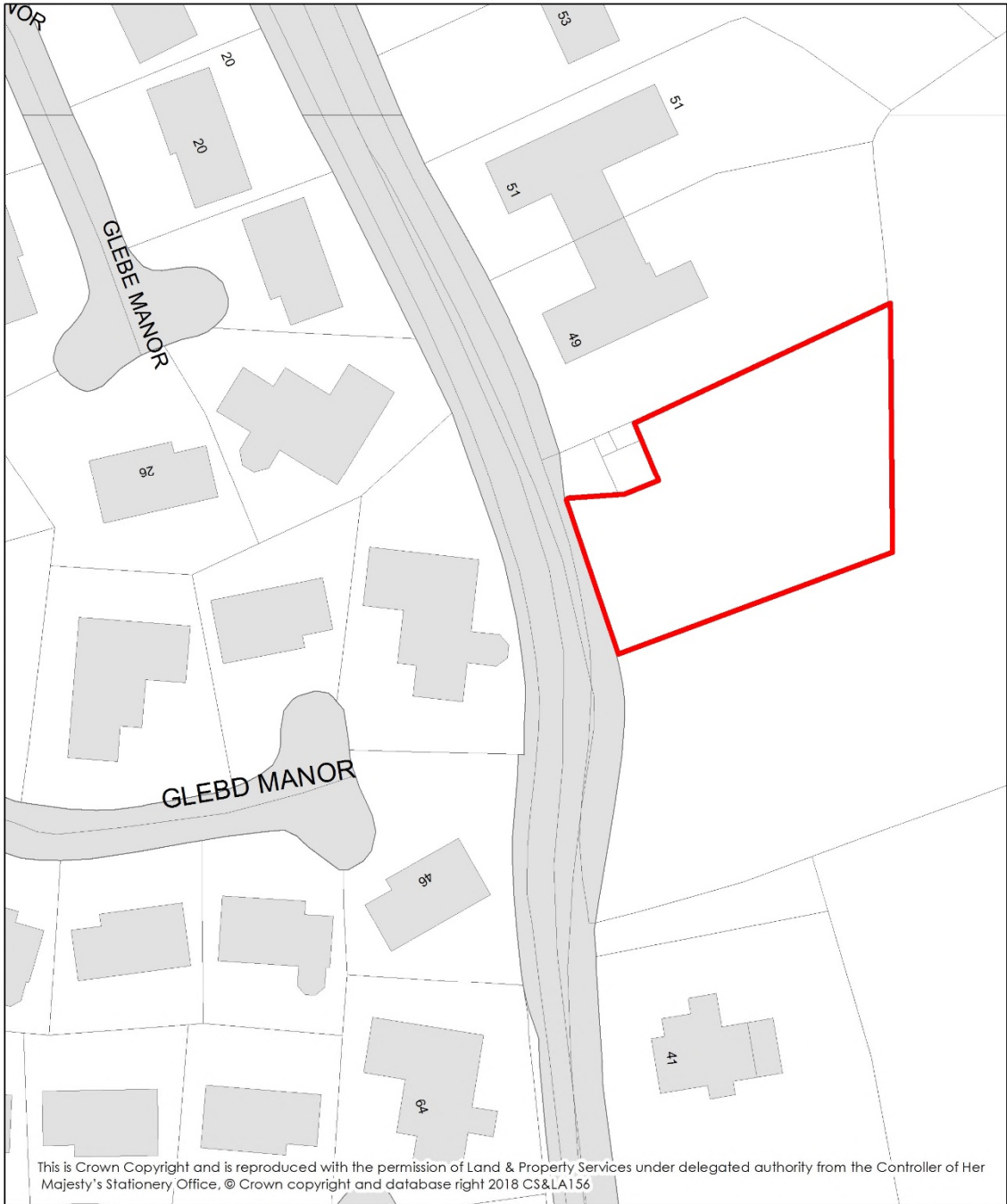
Reason: To safeguard the amenities of neighbouring occupiers and in the interests of visual amenity and to ensure that the proposed development does not prejudice the appearance of the locality.

5. All hard and soft landscape works shall be carried out in accordance with Drawing No.07, date stamped 30 April 2019, and the appropriate British Standard or other recognised Codes of Practice. The works shall be carried out during the first planting season following commencement of the development hereby approved.

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

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

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



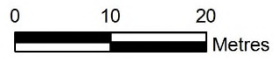
**Location Map**

**Application Reference: LA03/2019/0372/F**

35m South East of 49 Glebe Road

Newtownabbey

Dwelling with integral garage



For Information Only

 Site Boundary



<b>COMMITTEE ITEM</b>	<b>3.13</b>
<b>APPLICATION NO</b>	<b>LA03/2019/0309/O</b>
<b>DEA</b>	<b>BALLYCLARE</b>
<b>COMMITTEE INTEREST</b>	<b>REFUSAL RECOMMENDED</b>
<b>RECOMMENDATION</b>	<b>REFUSE OUTLINE PLANNING PERMISSION</b>
<b>PROPOSAL</b>	Infill Dwelling
<b>SITE/LOCATION</b>	Site 1 adjacent to 10 Logwood Road, Bruslee, Ballyclare
<b>APPLICANT</b>	Hazel Jones
<b>AGENT</b>	Des Cairns Architecture
<b>LAST SITE VISIT</b>	2 <sup>nd</sup> May 2019
<b>CASE OFFICER</b>	Alexandra Tipping Tel: 028 903 40216 Email: <a href="mailto:alexandra.tipping@antrimandnewtownabbey.gov.uk">alexandra.tipping@antrimandnewtownabbey.gov.uk</a>
<p><b>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal <a href="http://www.planningni.gov.uk">www.planningni.gov.uk</a></b></p>	
<b>SITE DESCRIPTION</b>	
<p>The application site is located approximately 40 metres east of No. 10 Logwood Road, Ballyclare and lies outside of any defined settlement development limit defined in the Belfast Metropolitan Area Plan 2014 (BMAP 2014). The site consists of an open agricultural field with a frontage of approximately 51 metres along the Logwood Road. The land falls away from the road in a southerly direction towards an undesignated watercourse that lies along the sites southern boundary. The sites boundary to the north and along the roadside is presently defined with hedging. The boundary to the east is undefined as the site makes up part of a larger agricultural field (the other part of this field is the subject of a separate planning application – LA03/2019/0309/O). The southern boundary is defined with post and wire fencing with hedging and trees, while the western boundary is defined with wooden ranch style fencing.</p> <p>The area in which the site is located is characterised mostly by large detached dwellings on large plots. A number of dwellings in the area also have associated outbuildings to the side and rear. Logwood Plant Centre lies approximately 175 metres to the southeast of the site. A Waste Water Treatment Works abuts the site to the northeast beside an area of densely packed trees.</p>	
<b>RELEVANT PLANNING HISTORY</b>	
<p>Planning Reference: U/2008/0219/O Location: 8a Logwood Road/Logwood Plant Proposal: Site for residential development Decision: Application Withdrawn (28<sup>th</sup> August 2008)</p> <p>Planning Reference: LA03/2019/0310/O Location: Site 2 approximately 85 metres east of 10 Logwood Road, Bruslee, Ballyclare, BT38 9LR Proposal: Infill Dwelling Decision: Concurrent application</p>	

## PLANNING POLICY AND GUIDANCE

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

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

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

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

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

PPS 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** – Noise Impact Assessment required.

**Northern Ireland Water** – No objections.

**Department for Infrastructure Roads-** No objections, subject to conditions .

**Department for Infrastructure Rivers –** Flood Risk Assessment required.

### **REPRESENTATION**

Two (2) neighbouring properties were notified and no letters of representation have been received.

### **ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS**

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

- Policy Context and Principle of Development
- Integration and Impact on Character and Appearance of the Area
- Neighbour Amenity
- 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 adopted Belfast Metropolitan Area Plan 2015 (BMAP) previously operated as the statutory development plan for this area, but the adoption of the Plan in 2014 was subsequently declared unlawful by the Court of Appeal on 18th May 2017. Up until the publication of draft BMAP (dBMAP) in 2004 and its adoption in 2014, the draft Newtownabbey Area Plan 2005 (dNAP) and associated Interim Statement published in February 1995 provided the core development plan document that guided development decisions in this part of the Borough.

In these circumstances the provisions of both dNAP and dBMAP are considered to be material considerations in assessment of the current application. Given that dNAP was never adopted, it is considered that dBMAP provides the most up to date development plan position for this part of the Borough and should therefore be afforded greater weight than dNAP in the decision-making process. Furthermore, the Council has taken a policy stance that, whilst BMAP remains in draft form, the most up to date version of the document (that purportedly adopted in 2014) should be viewed as the latest draft and afforded significant weight in assessing proposals.

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

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

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

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

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

In this case, the application site lies adjacent to an existing dwelling at No. 10 Logwood Road and makes up part of a larger agricultural field. As noted above the remainder of this field is the subject of a separate concurrent planning application (LA03/2019/0309/O) for an infill dwelling which remains under consideration. Further to the east lies the access laneway to Logwood Plant Centre (No. 8), followed by an access to the dwelling at No. 8A which runs adjacent and parallel to the Logwood Road behind a hedged boundary. An agricultural field lies behind this access laneway between the Plant Centre access laneway and the dwelling at No. 8a. The gap between the building at No. 10 and the building at No. 8a is approximately 212 metres.

As noted above criterion (a) of the policy requires that the gap site is within an otherwise substantial and built up frontage. In this case, it is considered that the dwellings at No. 10, No. 8a and No. 6 do not substantiate a built up and continuous frontage. The dwelling at No 8A is set back approximately 34 metres from the Logwood Road. This dwelling is accessed via a laneway off the Logwood Road at the entrance to Logwood Plant Centre. There is an open agricultural field forward of this property and also directly to the side of this dwelling and to the west. These areas



are enclosed with hedging and are not considered as formalised gardens meaning that the dwelling does not represent a frontage to the road.

The access laneway to the Logwood Plant Centre also acts as a visual and physical break in the landscape and further demonstrates that the proposal cannot fulfil the aspect of the policy that requires a substantial and continuously built up frontage.

As noted above the application site has a plot frontage of approximately 51 metres. The gap measured from building to building, between the existing dwelling at No. 10 and No. 8a Logwood Road is however 212 metres. Although the plot size of the proposal within the boundaries of the application site is considered generally in keeping with that of the surrounding area, it is anticipated that the gap (between No. 10 and No. 8a) could accommodate up to 4 dwellings based on the average plot widths existing in the area. The gap site is therefore not considered to be a small gap site sufficient only to accommodate 2 dwellings as per the policy requirements.

It is considered that the proposal does not comply with Policy CTY 8 in that it is considered that there is no substantial and continuously built up frontage and that the gap between buildings is not a small gap sufficient only to accommodate two dwellings.

There does not appear to be any other evidence to suggest that the proposal falls to be considered under any other category of development that is noted as acceptable in principle in the countryside in accordance with Policy CTY 1 of PPS 21. Furthermore it is not considered that there are any other overriding reasons as to why this development is essential at this location and could not be located within a settlement.

#### **Integration and Impact on Character and Appearance of the Area**

The SPPS paragraph 6.70 states that all development in the countryside must integrate into its setting, respect rural character and be appropriately designed. Policy CTY 14 goes on to state that planning permission will be granted for a building in the countryside where it does not cause a detrimental change to, or further erode the rural character of an area.

It is considered that the proposed development would create ribbon development along the Logwood Road which will consequently impact the rural character of the area through the creation of a suburban style build-up along the road frontage. Furthermore, a dwelling on the application site is likely to create an additional opportunity for further linear development along Logwood Road. Given the level of build-up already apparent along sections of this road to the west, this site (and the site adjacent which forms the other half of the existing field) which is one of only two remaining green field gaps on the southern side of Logwood Road, would, if developed contribute to a significant erosion of the rural character. On this basis, it is considered to be even more imperative to preserve these remaining critical green gaps to ensure that urban sprawl is prevented and to protect the integrity of this area of countryside. It is therefore considered that the proposal cannot comply with Policy CTY 14 of PPS as a dwelling, if permitted on this site, would lead to a detrimental change, and further erode the rural character of this rural area.

Policy CTY 13 of PPS21 states that planning permission will be granted for a building in the countryside where it can be visually integrated into the surrounding rural landscape and is of an appropriate design. The rear/southern boundary of the application site is defined with mature vegetation. The sites boundary to the west is defined with wooden ranch style fencing with a number of trees planted inside the boundary of the adjacent dwelling at No 10. The eastern boundary remains undefined given the site is part of a wider agricultural field. Given the significant backdrop provided by the mature vegetation on site and the degree of enclosure provided by the existing dwelling house at No. 10 (to the west of the site) it is considered that an appropriately designed dwelling would integrate into the surrounding rural landscape. As the application is for outline planning permission no specific details of house types or design have been submitted and as such no comment can be provided in respect of the acceptability of design.

### **Neighbour Amenity**

As this application seeks outline planning permission, no details have been provided regarding the proposed design or layout. It is however considered that a dwelling could be appropriately designed for the site to ensure the privacy and amenity of neighbouring properties is not significantly impacted.

### **Flood Risk**

The Strategic Flood Map for Northern Ireland indicates that the application site lies on the periphery of the 1 in 100 year fluvial floodplain. DfI Rivers have indicated that the applicant should undertake a Flood Risk Assessment with river modelling to verify the extent of this floodplain. Given that the principle of development is not considered acceptable, it would not be considered appropriate for the Council to request this additional information as this may be seen to put the applicant to an unnecessary expense. However, in the absence of this information it cannot be established if the proposed development would be at risk from flooding or be likely to increase the risk of flooding elsewhere. Based on the overall precautionary approach to flood risk taken by the Council a reason of refusal is recommended in relation to flooding.

### **Other Matters**

The Council's Environmental Health Section have raised concerns in relation to potential noise nuisance given the application sites proximity to a site formerly used as a builder's yard. They have stated that such activities can at times generate high levels of noise and should the builders yard become operational again in the future, then the residential amenity of the proposed dwelling may be adversely impacted. For this reason, they have requested that the applicant undertakes a noise impact assessment which would demonstrate the potential noise impact and recommend appropriate mitigation measures. The Planning Section is however of the opinion that there is no record of planning approval for a builders yard on this site, no Certificate of Lawful Development to prove the lawful use of the site has ever been issued and the site at present does not appear operational. It is not therefore necessary that the applicant undertake this assessment at this time.

### **CONCLUSION**

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

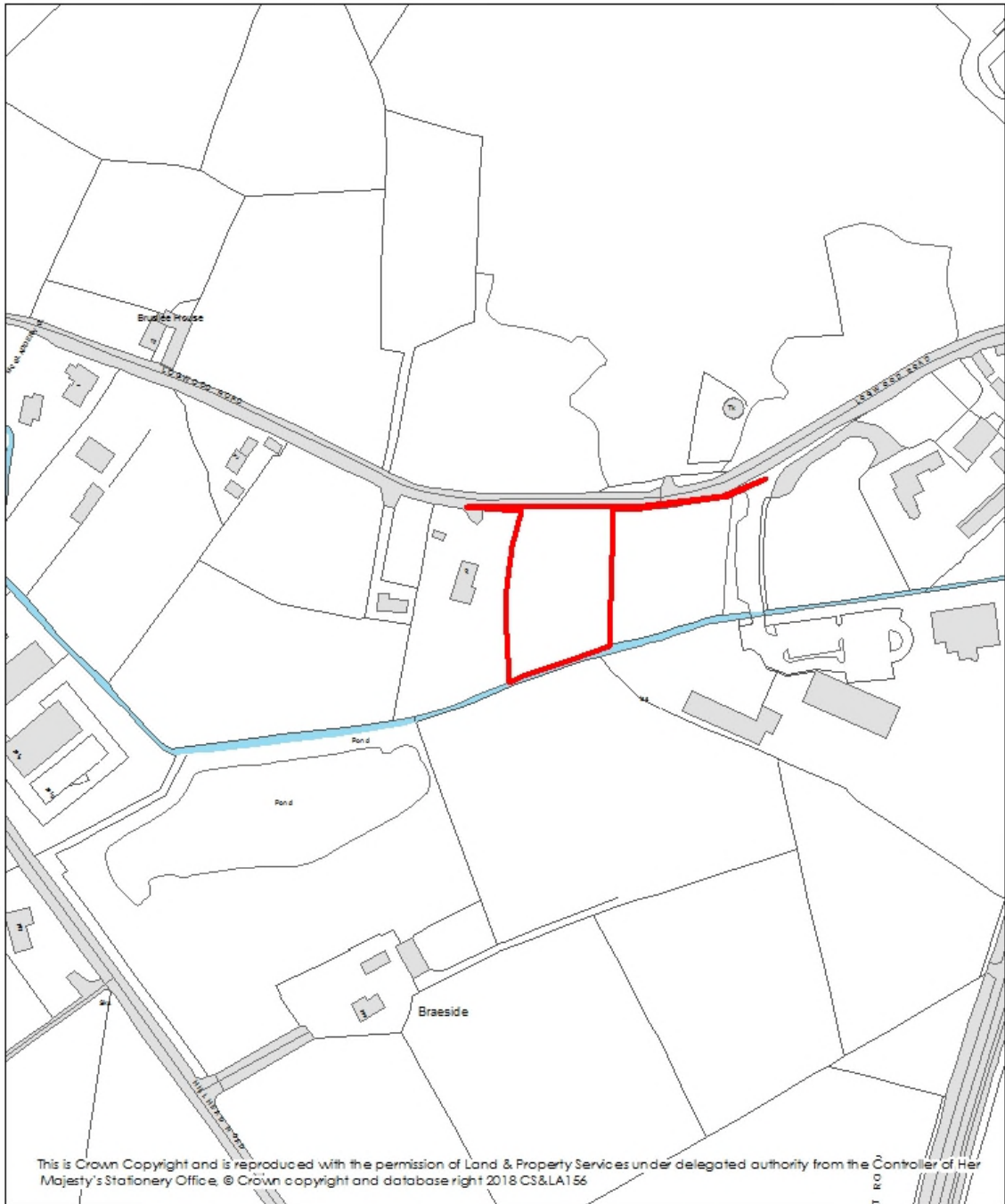
- The principle of the development is considered unacceptable.
- The proposal would if permitted create a ribbon of development along the Logwood Road and thus have a detrimental impact on the rural character.

- An appropriately designed dwelling could ensure the privacy and amenity of neighbouring properties is retained.
- It has not been demonstrated the development, if permitted, would not be at risk from flooding, or be resultant in increased levels of flooding elsewhere.

**RECOMMENDATION :** REFUSE OUTLINE PLANNING PERMISSION

**PROPOSED REASONS OF REFUSAL**

1. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy CTY 1 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement and it fails to meet with the provisions for an infill dwelling in accordance with Policy CTY 8 of PPS21.
2. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy CTY 14 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that a dwelling on this site would, if permitted, create a build-up and ribbon of development that will result in a detrimental change to, and erode, the rural character of the countryside.
3. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy FLD 1 of PPS 15, Planning & Flood Risk, in that it has not been demonstrated the development, if permitted, would not be at risk from flooding or result in increased levels of flooding elsewhere.



**Location Map**

Application Reference: LA03/2019/0309/O

Infill Dwelling

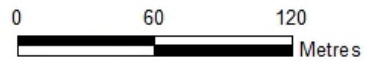
Site 1 adjacent to 10 Logwood Road

Bruslee

Ballyclare

BT39 9LR

 Site Boundary



For Information Only



<b>COMMITTEE ITEM</b>	<b>3.14</b>
<b>APPLICATION NO</b>	<b>LA03/2019/0310/O</b>
<b>DEA</b>	<b>BALLYCLARE</b>
<b>COMMITTEE INTEREST</b>	<b>REFUSAL RECOMMENDED</b>
<b>RECOMMENDATION</b>	<b>REFUSE OUTLINE PLANNING PERMISSION</b>
<b>PROPOSAL</b>	Infill Dwelling
<b>SITE/LOCATION</b>	Site 2 approximately 85 metres east of 10 Logwood Road, Bruslee, Ballyclare
<b>APPLICANT</b>	Hazel Jones
<b>AGENT</b>	Des Cairns Architecture
<b>LAST SITE VISIT</b>	2 <sup>nd</sup> May 2019
<b>CASE OFFICER</b>	Alexandra Tipping Tel: 028 903 40216 Email: <a href="mailto:alexandra.tipping@antrimandnewtownabbey.gov.uk">alexandra.tipping@antrimandnewtownabbey.gov.uk</a>
<p><b>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal <a href="http://www.planningni.gov.uk">www.planningni.gov.uk</a></b></p>	
<b>SITE DESCRIPTION</b>	
<p>The application site is located approximately 85 metres to the east of No. 10 Logwood Road, Ballyclare which lies outside of any defined settlement development limit defined in the Belfast Metropolitan Area Plan 2014 (BMAP 2014). The application site consists of an open agricultural field with a frontage of approximately 50 metres along the Logwood Road. The land is relatively flat and falls away only slightly from the road in a southerly direction towards an undesignated watercourse that lies along the site's southern boundary.</p> <p>The site boundary to the north and along the roadside is presently defined with hedging. The boundary to the east is defined with post and wire fencing with hedging behind. The western site boundary remains undefined given the application site forms part of a larger agricultural field (the other part of this field is the subject of a separate concurrent planning application – LA03/2019/0310/O). The southern boundary is defined with post and wire fencing with hedging and trees.</p> <p>The area in which the site is located is characterised mostly by large detached dwellings on large plots. A number of dwellings in the area also have associated outbuildings to the side and rear. Logwood Plant Centre is located approximately 175 metres to the south east of the site. A Waste Water Treatment Works abuts the site to the northeast beside an area of densely packed trees.</p>	
<b>RELEVANT PLANNING HISTORY</b>	
<p>Planning Reference: U/2008/0219/O  Location: 8a Logwood Road/Logwood Plant  Proposal: Site for residential development  Decision: Application Withdrawn (28<sup>th</sup> August 2008)</p> <p>Planning Reference: LA03/2019/0309/O  Location: Site 1 adjacent to 10 Logwood Road, Bruslee, Ballyclare</p>	

Proposal: Infill Dwelling  
Decision: Concurrent planning application

### **PLANNING POLICY AND GUIDANCE**

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

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

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

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

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

PPS 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 – Noise Impact Assessment Requested**

**Northern Ireland Water** – No objections

**Department for Infrastructure Roads**- No objections, subject to conditions

**Department for Infrastructure Rivers** – Flood Risk Assessment requested

#### **REPRESENTATION**

Two (2) neighbouring properties were notified and no letters of representation have been received.

#### **ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS**

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

- Policy Context and Principle of Development
- Integration and Impact on Character and Appearance of the Area
- Neighbour Amenity
- 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 adopted Belfast Metropolitan Area Plan 2015 (BMAP) previously operated as the statutory development plan for this area, but the adoption of the Plan in 2014 was subsequently declared unlawful by the Court of Appeal on 18th May 2017. Up until the publication of draft BMAP (dBMAP) in 2004 and its adoption in 2014, the draft Newtownabbey Area Plan 2005 (dNAP) and associated Interim Statement published in February 1995 provided the core development plan document that guided development decisions in this part of the Borough.

In these circumstances the provisions of both dNAP and dBMAP are considered to be material considerations in assessment of the current application. Given that dNAP was never adopted, it is considered that dBMAP provides the most up to date development plan position for this part of the Borough and should therefore be afforded greater weight than dNAP in the decision-making process. Furthermore, the Council has taken a policy stance that, whilst BMAP remains in draft form, the most up to date version of the document (that purportedly adopted in 2014) should be viewed as the latest draft and afforded significant weight in assessing proposals.

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

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

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

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

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

In this case, the application site lies approximately 85 metres from the dwelling at No. 10 Logwood Road and makes up part of a larger agricultural field. As noted above the remainder of this field is the subject of a separate planning application (LA03/2019/0309/O) for a second infill dwelling which is currently under consideration. Directly to the east of the site lies the access laneway to Logwood Plant Centre (No. 8), followed by an access to the dwelling at No. 8A which runs adjacent and parallel to the Logwood Road behind a hedged boundary. An agricultural field lies behind this access laneway between the Plant Centre access lane and the dwelling at No. 8a. The gap between the building at No. 10 and the building at No. 8a is approximately 212 metres.

As noted above criterion (a) of the policy requires that the gap site is within an otherwise substantial and built up frontage. In this case, it is considered that the dwellings at No. 10, No. 8a and No. 6 do not substantiate a built up and continuous frontage. The dwelling at No 8A is set back approximately 34 metres from the Logwood Road. This dwelling is accessed via a laneway off the Logwood Road at



the entrance to Logwood Plant Centre. There is an open agricultural field forward of this property and also directly to the side of this dwelling and to the west. These areas are enclosed with hedging and are not considered as formalised gardens meaning that the dwelling does not represent a frontage to the road.

The access laneway to the Logwood Plant Centre also acts as a visual and physical break in the landscape and further demonstrates that the proposal cannot fulfil the aspect of the policy that requires a substantial and continuously built up frontage.

As noted above the application site has a plot frontage of approximately 52 metres. The gap measured from building to building, between the existing dwelling at No. 10 and No. 8a Logwood Road is however 212 metres. Although the plot size of the proposal within the boundaries of the application site is considered generally in keeping with that of the surrounding area, it is anticipated that the gap (between No. 10 and No. 8a) could accommodate up to 4 dwellings based on the average plot widths existing in the area. The gap site is therefore not considered to be a small gap site sufficient only to accommodate 2 dwellings as per the policy requirements.

It is considered that the proposal does not comply with Policy CTY 8 in that it is considered that there is no substantial and continuously built up frontage and that the gap between buildings is not a small gap sufficient only to accommodate two dwellings.

There does not appear to be any other evidence to suggest that the proposal falls to be considered under any other category of development that is noted as acceptable in principle in the countryside in accordance with Policy CTY 1 of PPS 21. Furthermore it is not considered that there are any other overriding reasons as to why this development is essential at this location and could not be located within a settlement.

#### **Integration and Impact on Character and Appearance of the Area**

The SPPS paragraph 6.70 states that all development in the countryside must integrate into its setting, respect rural character and be appropriately designed. Policy CTY 14 goes on to state that planning permission will be granted for a building in the countryside where it does not cause a detrimental change to, or further erode the rural character of an area.

It is considered that the proposed development would create ribbon development along the Logwood Road which will consequently impact the rural character of the area through the creation of a suburban style build-up along the road frontage. Furthermore, a dwelling on the application site is likely to create an additional opportunity for further linear development along Logwood Road. Given the level of build-up already apparent along sections of this road to the west, this site (and the site adjacent which forms the other half of the existing field) which is one of only two remaining green field gaps on the southern side of Logwood Road, would, if developed contribute to a significant erosion of the rural character. On this basis, it is considered to be even more imperative to preserve these remaining critical green gaps to ensure that urban sprawl is prevented and to protect the integrity of this area of countryside. It is therefore considered that the proposal cannot comply with Policy CTY 14 of PPS as a dwelling, if permitted on this site, would lead to a detrimental change, and further erode the rural character of this rural area.

Policy CTY 13 states that planning permission will be granted for a building in the countryside where it can be visually integrated into the surrounding rural landscape and is of an appropriate design. The rear/southern boundary of the application site is defined with mature vegetation. The sites boundary to the east is defined with post and wire fencing with hedging planted outside. The western boundary remains undefined given the site is part of a wider agricultural field. Given the significant backdrop provided by the mature vegetation on site and the mature vegetation along the eastern boundary it is considered that an appropriately designed dwelling could likely integrate into the surrounding rural landscape. As the application is for outline planning permission no specific details of house types or design have been submitted and as such no comment can be provided in respect of the acceptability of design.

### **Neighbour Amenity**

As this application seeks outline planning permission, no details have been provided regarding the proposed design or layout. It is however considered that a dwelling could be appropriately designed for the site to ensure the privacy and amenity of neighbouring properties is not significantly impacted.

### **Flood Risk**

The Strategic Flood Map for Northern Ireland indicates that the application site lies on the periphery of the 1 in 100 year fluvial floodplain. DfI Rivers have indicated that the applicant should undertake a Flood Risk Assessment with river modelling to verify the extent of this floodplain. Given that the principle of development is not considered acceptable, it would not be considered appropriate for the Council to request this additional information as this may be seen to put the applicant to an unnecessary expense. However, in the absence of this information it cannot be established if the proposed development would be at risk from flooding or be likely to increase the risk of flooding elsewhere. Based on the overall precautionary approach to flood risk taken by the Council a reason of refusal is recommended in relation to flooding.

### **Other Matters**

The Council's Environmental Health Section have raised concerns in relation to potential noise nuisance given the application sites proximity to a site formerly used as a builder's yard. They have stated that such activities can at times generate high levels of noise and should the builders yard become operational again in the future, then the residential amenity of the proposed dwelling may be adversely impacted. For this reason, they have requested that the applicant undertakes a noise impact assessment which would demonstrate the potential noise impact and recommend appropriate mitigation measures. The Planning Section is however of the opinion that there is no record of planning approval for a builders yard on this site, no Certificate of Lawful Development to prove the lawful use of the site has ever been issued and the site at present does not appear operational. It is not therefore necessary that the applicant undertake this assessment at this time.

### **CONCLUSION**

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

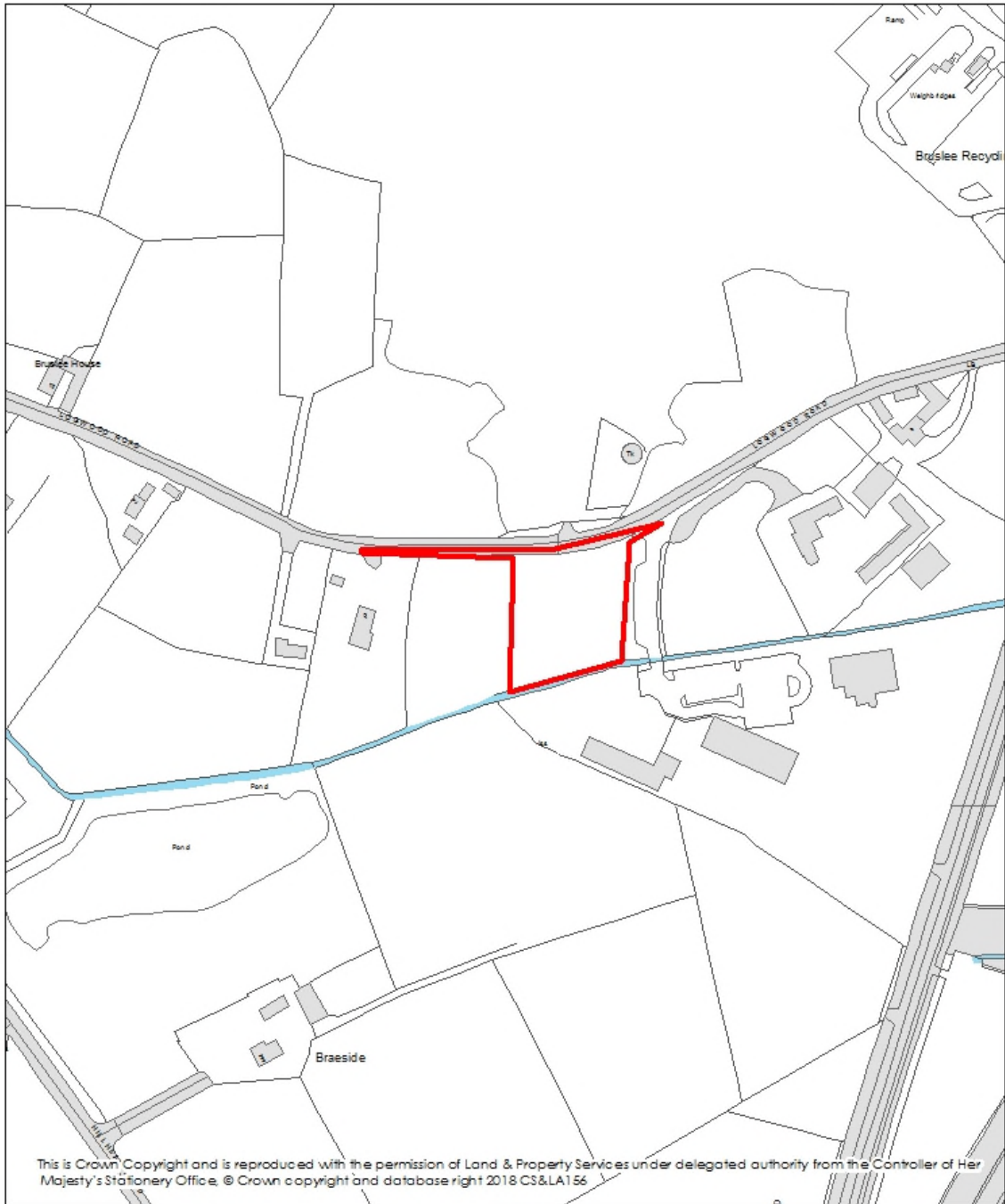
- The principle of the development is considered unacceptable.
- The proposal would if permitted create a ribbon of development along the Logwood Road and thus have a detrimental impact on the rural character.

- An appropriately designed dwelling could ensure the privacy and amenity of neighbouring properties is retained.
- It has not been demonstrated the development, if permitted, would not be at risk from flooding, or be resultant in increased levels of flooding elsewhere.

**RECOMMENDATION : REFUSE OUTLINE PLANNING PERMISSION**

**PROPOSED REASONS OF REFUSAL**

1. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy CTY 1 of PPS 21, Sustainable Development in the Countryside, in that there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement and it fails to meet with the provisions for an infill dwelling in accordance with Policy CTY 8 of PPS21.
2. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy CTY 14 of PPS 21, Sustainable Development in the Countryside, in that a dwelling on this site would, if permitted, create a build-up and ribbon of development that will result in a detrimental change to, and erode, the rural character of the countryside.
3. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy FLD 1 of PPS 15, Planning & Flood Risk, in that it has not been demonstrated the development, if permitted, would not be at risk from flooding or result in increased levels of flooding elsewhere.



**Location Map**

Application Reference: LA03/2019/0310/O

Infill Dwelling

Site 2 approx. 80m east of 10

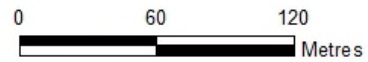
Logwood Road

Buslee

Ballyclare

BT39 9LR

 Site Boundary



For Information Only



<b>COMMITTEE ITEM</b>	<b>3.15</b>
<b>APPLICATION NO</b>	<b>LA03/2019/0301/O</b>
<b>DEA</b>	<b>AIRPORT</b>
<b>COMMITTEE INTEREST</b>	<b>REFUSAL RECOMMENDED</b>
<b>RECOMMENDATION</b>	<b>REFUSE OUTLINE PLANNING PERMISSION</b>
<b>PROPOSAL</b>	Proposed dwelling within a cluster
<b>SITE/LOCATION</b>	Site 10m East of 47 Clady Road, Dunadry
<b>APPLICANT</b>	Patrick Moorewood
<b>AGENT</b>	JWA Design
<b>LAST SITE VISIT</b>	20 <sup>th</sup> May 2019
<b>CASE OFFICER</b>	Ashleigh Wilson Tel: 028 903 Ext40429 Email: <a href="mailto:ashleigh.wilson@antrimandnewtownabbey.gov.uk">ashleigh.wilson@antrimandnewtownabbey.gov.uk</a>
<p><b>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal <a href="http://www.planningni.gov.uk">www.planningni.gov.uk</a></b></p>	
<b>SITE DESCRIPTION</b>	
<p>The application site is located within the rural area outside any settlement limit as defined within the Antrim Area Plan 1984 – 2001. The site is accessed via an existing laneway on the southern side of the Clady Road, Dunadry. The site is a vacant piece of ground with tall, mature trees along the western side boundary. The southern boundary is defined by security fencing which separates the site from a hydro-electric scheme located further south of the site boundary.</p> <p>The area is rural in character with a number of dwellings located in close proximity to the application site. Beyond the western boundary of the application site is a paddock associated with No. 45 Clady Road and an existing Church hall which is located some 110 metres southwest of the application site.</p>	
<b>RELEVANT PLANNING HISTORY</b>	
<p>Planning Reference: T/2006/0926/F Location: 47 Clady Road, Dunadry, Co. Antrim ,Bt41 4QR Proposal: Change of use of barn to living accomodation and refurbishment of existing dwelling with extension to link existing buildings Decision: Permission granted 25.05.2007</p> <p>Planning Reference: LA03/2017/1082/F Location: 33m north north west of 55 Clady Road, Dunadry, Co Antrim, BT41 4QR Proposal: Retention of hydro-electric scheme (alterations for the relocation of intake chamber with addition of sluice gate, walls and banking to previously approved application T/2014/0351/F) Decision: Permission granted 06.11.2018</p>	
<b>PLANNING POLICY AND GUIDANCE</b>	
<p>Under the provisions of the Planning Act (Northern Ireland) 2011, all decisions must be taken in accordance with the provisions of the Local Development Plan unless material considerations indicate otherwise.</p>	

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

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

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

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

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

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

## **CONSULTATION**

**Council Environmental Health Section** – No objection.

**Northern Ireland Water** – No objection.

**Department for Infrastructure Roads**- No objection, subject to conditions.

**Shared Environmental Services** – No comment.

## **REPRESENTATION**

Three (3) 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 the Principle of Development
- Neighbour Amenity
- Impact on Character and Appearance of the Area
- Other Matters

### **Policy Context and the Principle of Development**

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

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

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

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

Paragraph 6.73 of the SPPS and PPS21 refer to 'new dwellings in existing clusters' and the policy states that provision should be made for a dwelling at an existing cluster of development which lies outside a farm provided it appears as a visual entity in the landscape; and is associated with a focal point; and the development can be absorbed into the existing cluster through rounding off and consolidation and will not significantly alter its existing character, or visually intrude into the open countryside.

Policy CTY 1 of PPS 21 sets out a range of development types, which in principle would be acceptable in the countryside. Policy CTY1 of PPS21 refers to existing development clusters where it is in accordance with the provisions of Policy CTY2a. Policy CTY2a indicates that provision should be made for a dwelling at an existing cluster provided all of the above-mentioned criteria set out in the SPPS are met. The first part of Policy CTY2a indicates what may be considered to constitute a cluster for the purposes of the Policy.

In this case the application site would appear to lie outside a farm with the only land outlined in blue on the site location plan being No. 47 Clady Road. The applicant has not indicated which buildings or land they consider to constitute a cluster of development, however the application site abuts the curtilage of No. 47 Clady Road to the northwest which includes two stone buildings attached via a small link. No. 45 Clady Road, single storey brick ancillary buildings, a brick stable building and an associated paddock are situated to the northeast of the application site. No. 55 lies to the southeast and is separated from the application site by mature vegetation. An

approved hydro-electric scheme lies immediately to the south of the application site. The existing buildings while spaced apart appear as a visual entity in the local landscape from within the site and travelling towards the site from the proposed access point. No. 43 Clady Road, which is located further north of Nos. 45 and 47 Clady Road, can also be viewed from the application site with the extensive front lawn of this property abutting Nos. 45 and 47 Clady Road. It is therefore accepted that there is a cluster of development, which appears as a visual entity in the local landscape.

The policy however requires that the cluster is associated with a focal point such as a community building or is located at a crossroads. It is accepted that there is an existing church further south of the application site however, it is considered that this church building is too far removed from the application site for it to be associated with the cluster of development. The church lies some 96m at the closest point to the proposed access of the application site and 110m from the edge of the site itself with an extensive grassed area lying between which provides a visual break between the two. While views are available of the Church building from the Clady Road and the proposed access point, it is considered that this is a dispersed form of development with the existing church building being removed from the application site.

In conclusion, the proposal fails to meet the provisions of Policy CTY2a. While it is accepted that an existing cluster of development does exist it is considered that the cluster is considered to have no focal point and is not located at a crossroads therefore it is considered that the proposal fails the third criteria of Policy CTY 2a.

### **Neighbour Amenity**

Although this application seeks outline permission and therefore the only drawing to accompany the application is a site location plan it is considered that a dwelling could be designed to ensure that there is no detrimental impact upon the neighbouring properties. While No. 47 is located within close proximity of the application site, this dwelling is the applicant's home address and a dwelling could be positioned to the front of the site and designed to ensure that no significant impact in terms of loss of amenity is created.

### **Impact on Character and Appearance of the Area**

The SPPS para. 6.70 states that all development in the countryside must integrate into its setting and respect the rural character of the area. Policy CTY 13 - Integration and Design of Buildings in the Countryside states; any new building(s) will be unacceptable where the site lacks long established natural boundaries; is unable to provide a suitable degree of enclosure for the building to integrate into the landscape or relies primarily on the use of new landscaping for integration.

The application site is located to the southeast of No. 47 and to the southwest of No. 45 and associated paddock. These existing dwellings help to screen the dwelling from the northeast and critical views will be restricted to the front of the site from the Clady Road where a backdrop of trees will help to provide integration. It is considered that the site provides a suitable degree of enclosure and the policy is met in this regard.

Policy CTY14 of PPS21 states that planning permission will be granted for a building in the countryside where it does not cause a detrimental change to, or further erode



the rural character of an area. A dwelling on the application site could be read in conjunction with Nos. 43, 45 and 47 Clady Road from the Clady Road and from the access to the site. Given that the proposal does not meet the criteria for a dwelling in a cluster within CTY 2a it is considered that the proposal would add to the suburban style build-up of development already in existence.

**Access, Parking and Road Safety**

DfI Roads was consulted on the application and offered no objections to the proposed means of access. It is considered that the proposal complies with PPS 3 'Access, Movement and Parking'.

**CONCLUSION**

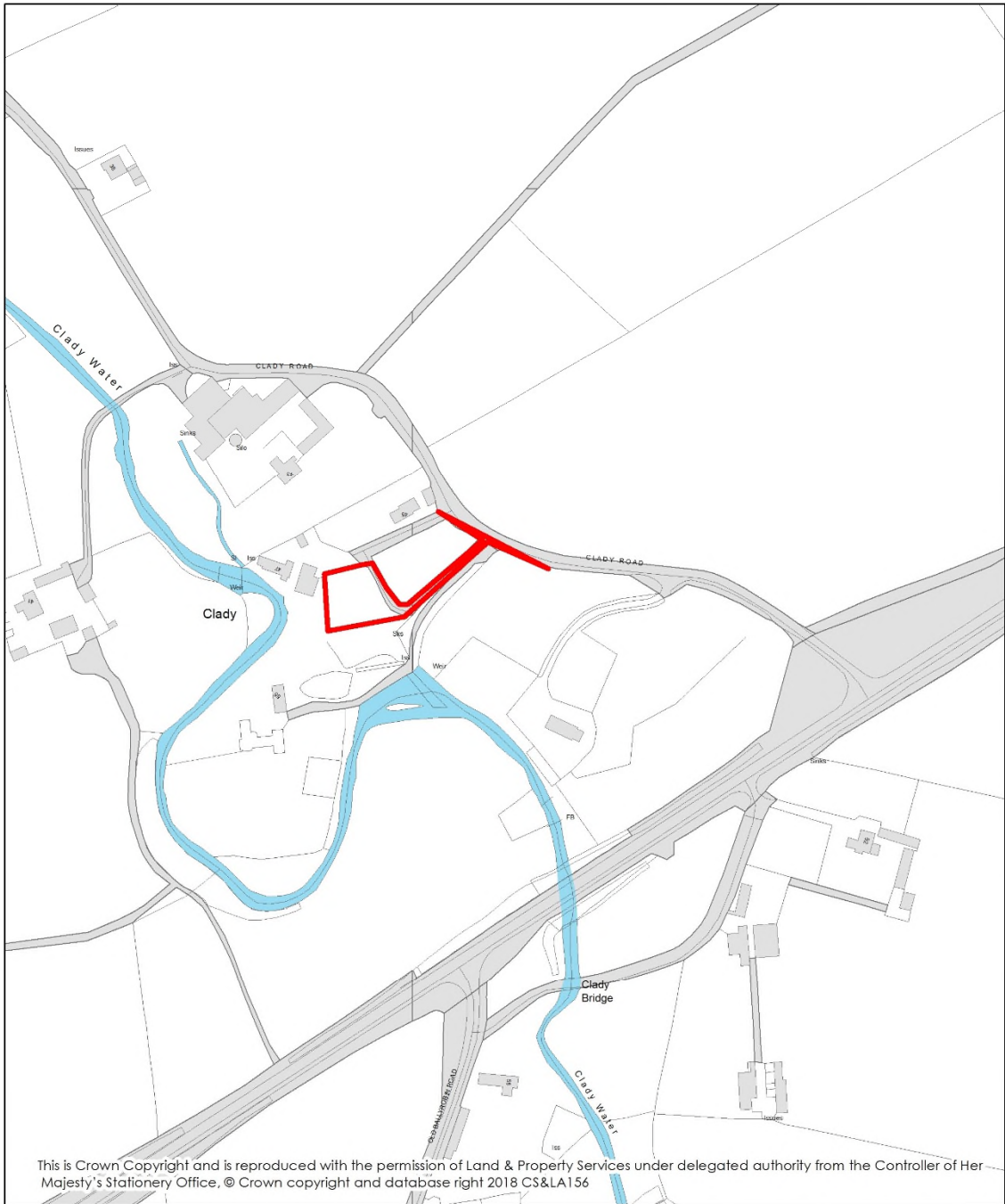
The following is a summary of the main reasons for the recommendation:

- The principle of the proposed development is not acceptable in the rural area and the proposal fails to comply with the requirements of clustering policy CTY2a of PPS21.
- The proposed dwelling would result in a suburban style build-up of development when viewed with existing buildings resulting in a detrimental change to the rural character of the countryside.

**RECOMMENDATION :**    **REFUSE OUTLINE PLANNING PERMISSION**

**PROPOSED REASONS OF REFUSAL**

1. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy CTY1 of PPS 21, Sustainable Development in the Countryside, in that there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement and it fails to meet the provisions for a dwelling within a cluster in accordance with Policy CTY2a of PPS21.
2. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy CTY14 of PPS 21, Sustainable Development in the Countryside, in that the dwelling proposed would, if permitted, result in a suburban style build-up of development when viewed with existing and approved buildings and would therefore result in a detrimental change to, and further erosion of, the rural character of the countryside.



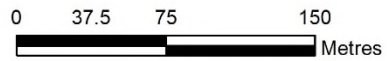
**Location Map**

Application Reference: LA03/2019/0301/O

Proposed dwelling within a cluster

Site 10m East of 47 Clady Road, Dunadry

 Site Boundary



For Information Only



<b>COMMITTEE ITEM</b>	<b>3.16</b>
<b>APPLICATION NO</b>	<b>LA03/2019/0134/A</b>
<b>DEA</b>	<b>THREEMILEWATER</b>
<b>COMMITTEE INTEREST</b>	<b>REFUSAL RECOMMENDED</b>
<b>RECOMMENDATION</b>	<b>REFUSE ADVERTISEMENT CONSENT</b>
<b>PROPOSAL</b>	Wall Mounted Banner
<b>SITE/LOCATION</b>	46 Old Carrick Road, Newtownabbey, BT37 0UE
<b>APPLICANT</b>	Abbey Kitchens and Bathrooms Ltd.
<b>AGENT</b>	N/A
<b>LAST SITE VISIT</b>	4 <sup>th</sup> March 2019
<b>CASE OFFICER</b>	Leah Nelson Tel: 028 903 40413 Email: <a href="mailto:leah.nelson@antrimandnewtownabbey.gov.uk">leah.nelson@antrimandnewtownabbey.gov.uk</a>
<p><b>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal <a href="http://www.planningni.gov.uk">www.planningni.gov.uk</a></b></p>	
<b>SITE DESCRIPTION</b>	
<p>The proposed advertisement is located along a roadside wall at No. 46 Old Carrick Road, Newtownabbey. The site location falls immediately outside the development limits of Newtownabbey as shown in the draft Belfast Metropolitan Area Plan (BMAP) and therefore constitutes development within the countryside. The site is located within Carrickfergus Escarpment Area of High Scenic Value as under zoning reference COU 5/02 within BMAP.</p> <p>The local amenity is rural in character with residential use located predominantly to the southeast of the site. The application site has a slight southwestern gradient and is occupied by a 7m stretch of stone wall which ranges in height from approximately 0.78m to 1m. The stone wall provides the southeastern boundary treatment of the dwelling located at No. 46 Old Carrick Road and it bounds the shared laneway which serves three dwellings and the business premises of Abbey Kitchens and Bathrooms and Wilsons Fireplaces.</p>	
<b>RELEVANT PLANNING HISTORY</b>	
<p>Planning Reference: LA03/2018/0155/CA Location: At entrance of 46 Old Carrick Road, Newtownabbey, BT37 0UE Proposal: Unauthorised banner sign – Abbey Kitchens Decision: Enforcement Case Closed</p> <p>Planning Reference: LA03/2018/0531/A Location: 46 Old Carrick Road, Newtownabbey, BT37 0UE Proposal: Banner Advertisement – wall mounted Decision: Permission Refused (22/08/2018) Appeal Dismissed (21/12/2018)</p>	
<b>PLANNING POLICY AND GUIDANCE</b>	
<p>Regulation 3(1) of the Planning (Control of Advertisements) Regulations (Northern Ireland) 2015 requires that the Council exercise its powers in relation to advertisement</p>	

control only in the interests of amenity and public safety, taking into account the provisions of the local development plan, so far as they are material and any other relevant factors.

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 Draft Belfast Metropolitan Area Plan, published September 2014. 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.

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

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

#### **CONSULTATION**

**Department for Infrastructure Roads** – No objection

#### **REPRESENTATION**

Neighbour notification is not undertaken for applications for consent to display an advertisement. 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
- Amenity
- Public Safety

##### **Policy Context**

The Planning (Control of Advertisements) Regulations (Northern Ireland) 2015 is the relevant statutory rule for the control of advertisements, made under the provisions of Section 130 of the Planning Act (Northern Ireland) 2011. Regulation 3(1) of the Regulations requires that the Council exercise its powers only in the interests of amenity and public safety, taking into account the provisions of the local development plan, so far as they are material and any other relevant factors.

The adopted Belfast Metropolitan Area Plan 2015 (BMAP) previously operated as the statutory development plan for this area, but the adoption of the Plan in 2014 was subsequently declared unlawful by the Court of Appeal on 18th May 2017. Up until the publication of draft BMAP (dBMAP) in 2004 and its adoption in 2014, the draft Newtownabbey Area Plan 2005 (dNAP) and associated Interim Statement published

in February 1995 provided the core development plan document that guided development decisions in this part of the Borough.

In these circumstances the provisions of both dNAP and dBMAP are considered to be material considerations in assessment of the current application. Given that dNAP was never adopted, it is considered that dBMAP provides the most up to date development plan position for this part of the Borough and should therefore be afforded greater weight than dNAP in the decision-making process. Furthermore, the Council has taken a policy stance that, whilst BMAP remains in draft form, the most up to date version of the document (that purportedly adopted in 2014) should be viewed as the latest draft and afforded significant weight in assessing proposals.

Both of the relevant development plans identify the application site as being within the countryside outside of any settlement limit. The site is located within the Carrickfergus Escarpment Area of High Scenic Value as under zoning reference COU 07 within draft BMAP. 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 (PPS). Amongst these is PPS 17: Control of Outdoor Advertisements. Taking into account the transitional arrangements of the SPPS, retained PPS 17 provides the relevant policy context for consideration of the proposal.

Policy AD1 of PPS 17: Control of Outdoor Advertisements states that consent will be given for the display of an advertisement where it respects amenity when assessed in the context of the general characteristics of the locality and does not prejudice public safety. The policy further states that the guidance for different categories of outdoor advertisement set out in Annex A of the PPS will also be taken into account in assessing proposals.

### **Amenity**

The proposed wall mounted banner is approximately 3.3m in length and 0.5m in height, it is positioned centrally on the stone wall as demonstrated within Document 01/1 date stamped 23<sup>rd</sup> May 2019. The proposed PVC banner displays a white background with black font and two logos.

The proposed signage is sited at a highly visible roadside location which would come into view from outside No. 175 Monkstown Road which is approximately 100m south of the application site. The proposal would also be visible on approach from the east on the Old Carrick Road and would be first visible from outside No. 49 Old Carrick Road which is located approximately 65m east of the proposal.

Paragraph 4.8 of Policy AD1 suggests that advertisements in the countryside should be small in scale and should not detract from the quality and character of the local landscape. The proposed signage is of a large scale and appears as being highly visible in the local area. It is not considered to be subservient in nature and is not considered to be sympathetic to the rural landscape within this Area of High Scenic Value.

Furthermore, only small scale directional signage relating to an operational business premises is permitted in the countryside and the proposed signage does not direct road users to the business premises but rather celebrates an award title. The business already has a free-standing, dual fronted advertisement which promotes the presence of the business sited within the curtilage of the dwelling located at No. 46 Old Carrick Road. It is considered that the addition of the proposed wall mounted banner is unnecessary and contributes to a visual clutter of signage at a road junction.

A similar application for a larger sign was previously refused by the Council in August 2018, the previous signage was twice as large as the one now proposed and was subject to appeal to the Planning Appeals Commission. The appeal was dismissed as it was considered that the signage was an obtrusive element in the landscape which detracts from the visual quality and character.

Although the current proposal is for a smaller sign, it is considered that the proposed wall mounted banner fails to comply with Policy AD1 of PPS17 as the scale and design is considered to be inappropriate within the rural setting and it has a cumulative impact which is detrimental to the character, appearance and amenity of the local area and the Area of High Scenic Value as defined in draft BMAP.

**Public Safety**

Policy AD1 requires advertisements not to prejudice public safety. The proposed advertisement is wall mounted and therefore cannot obstruct road users. The design and colours of the proposal avoids confusion with traffic signals. Following consultation, DFI Roads has indicated that it has no objection to the signage.

**CONCLUSION**

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

- The scale, design and nature of the proposal does not respect amenity when assessed in the context of the general characteristics of the locality
- The proposal does not jeopardise public safety.

**RECOMMENDATION : REFUSE ADVERTISEMENT CONSENT**

**PROPOSED REASON OF REFUSAL**

1. The proposal is contrary to the provisions of the draft Belfast Metropolitan Area Plan, Policy COU 7, the Strategic Planning Policy Statement and Policy AD1 of Planning Policy Statement 17, in that the proposed wall mounted banner would create an unacceptable detrimental impact on the visual amenity of the area.



**Location Map**

**Application Reference: LA03/2019/0134/A**

46 Old Carrick Road  
 Newtownabbey  
 BT37 0UE  
 Wall Mounted Banner

 Site Boundary



For Information Only



<b>COMMITTEE ITEM</b>	<b>3.17</b>
<b>APPLICATION NO</b>	<b>LA03/2019/0223/F</b>
<b>DEA</b>	<b>AIRPORT</b>
<b>COMMITTEE INTEREST</b>	<b>REFUSAL RECOMMENDED</b>
<b>RECOMMENDATION</b>	<b>REFUSE PLANNING PERMISSION</b>
<b>PROPOSAL</b>	Proposed alteration works, rear extension and new dormers to existing dwelling
<b>SITE/LOCATION</b>	62 The Beeches, Crumlin, BT29 4FH
<b>APPLICANT</b>	Mr. Ciaran Robinson
<b>AGENT</b>	N/A
<b>LAST SITE VISIT</b>	24 <sup>th</sup> April 2019
<b>CASE OFFICER</b>	Leah Nelson Tel: 028 903 40413 Email: <a href="mailto:leah.nelson@antrimandnewtownabbey.gov.uk">leah.nelson@antrimandnewtownabbey.gov.uk</a>
<p><b>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal <a href="http://www.planningni.gov.uk">www.planningni.gov.uk</a></b></p>	
<b>SITE DESCRIPTION</b>	
<p>The application site is located at No. 62 The Beeches, Crumlin which is within the development limits of Crumlin town as defined within in the Antrim Area Plan (AAP) 1984-2001.</p> <p>The site is located in a predominantly residential area comprising similar house types. The application dwelling occupies a prominent corner plot within the Beeches housing development. The existing dwelling is a one and a half storey, detached house finished in a cream render with concrete roof tiles. The boundaries of the site are predominantly undefined with the exception of a portion of close boarded fencing with a hedgerow of approximately 3m in height which encloses the private amenity space of the dwelling.</p>	
<b>RELEVANT PLANNING HISTORY</b>	
<p>Planning Reference: T/1992/0239 Location: The Beeches, Glenavy Road, Crumlin Proposal: Housing Development Decision: Permission Granted (07.10.1992)</p>	
<b>PLANNING POLICY AND GUIDANCE</b>	
<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 contain the main operational planning policies for the consideration of development proposals.</p>	



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

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

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

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.

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.

#### **CONSULTATION**

**Department for Communities Historic Environment Division** – No objection.

**Department for Infrastructure Roads**- No objection.

#### **REPRESENTATION**

Eight (8) 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

#### **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 Antrim Area Plan (AAP) 1984-2001 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 within the settlement limit of Crumlin town as defined within the AAP. There are no specific operational policies relevant to the determination of the application in the plan.

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

- (e) 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;
- (f) the proposal does not unduly affect the privacy or amenity of neighbouring residents;
- (g) 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
- (h) 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 proposed development is a single storey rear extension, a roof dormer to the front and rear of the existing dwelling and alterations. There is no issue with the principle of an extension to the dwelling provided it meets with the design criteria set out below.

### **Scale, Massing, Design and Appearance**

The proposed single storey extension is located on the northeastern elevation of the existing dwelling and is highly visible to public view due to the orientation and siting of the existing dwelling. The proposed extension creates approximately 36sqm additional floorspace to facilitate a new dining room, the creation of a utility room and two marginally larger first floor bedrooms. The proposed extension has a maximum width of approximately 9.2m and a maximum depth of approximately 4m. The proposed dining room has a pitched roof with a ridge height of approximately 4.2m from finished floor level and the proposed utility has a flat roof with a height of approximately 2.5m from finished floor level. The proposed extension is subordinate to the existing dwelling as required by Policy EXT1 of APPS7.

The proposed rear return serving the dining room and the roof dormers are finished in a smooth painted render painted and concrete roof tiles to match the finishes of the

existing dwelling. The proposal includes fenestration with a vertical emphasis finished to match the existing dwelling as stated in Drawing No. 07/1 date stamped 6<sup>th</sup> June 2019. The rainwater goods are to match that of the existing dwelling. The proposed rear return which serves the utility room is finished in timber cladding with a flat roof with PPC metal capping and patio doors and downpipes finished in black uPVC. The proposed external finishes of the utility room are not in keeping with the character of the local area and the extension is subject to critical public views from the adjoining estate road.

The proposal includes two pitched roof dormers, one located on the southwestern (principal) elevation and one on the northeastern elevation. Whilst there are no roof dormers visible in the immediate locality, a number of dwellings further south have roof dormers for example No. 123 The Beeches, therefore it is considered to be of an acceptable design feature within the wider estate. The proposed roof dormers are set approximately 1m below the ridge of the existing dwelling, they extend approximately 2.63m from the roof slope of the existing dwelling which has an angle of roof pitch of approximately 45 degrees.

The siting of the extension on the northeastern elevation of the dwelling creates a number of issues and represents the core issue for the determination of the application. The existing dwelling sits on the inside of a right angled bend in the estate road meaning that the dwelling presents two frontages on to the estate road, namely the northwestern and northeastern elevations. In addition, the development of the site is further complicated by the orientation of the dwelling which is off set against the square of the plot, meaning that the front or southwestern elevation of the dwelling is also angled towards the estate road to some degree. At present the dwelling is set back off the estate road by some 5.5 metres, which is similar to the set back from the estate road shared by the adjoining dwellings. The siting of the proposed extension on the northeastern elevation will have the effect of reducing the set back of the dwelling to 2.5 metres which will contrast poorly with the set back of the other dwellings in the cul-de-sac. In addition to the siting, the design of the extension would present a bland and uninteresting frontage onto the estate road. Normally any elevation onto the estate road should present an attractive outlook onto the estate road, however in the present case the northeastern elevation will have a featureless elevation devoid of window openings on the proposed single storey extension with only one dormer window proposed on the upper floor extension.

The siting of the proposed single storey extension does not respect the set back of the surrounding dwellings which would be out of character with the existing street scene. It is also considered that the design of the proposed extension would have unacceptable detrimental impact on the character and appearance of the local area.

### **Neighbour Amenity**

It is considered that the proposal will not unduly affect the privacy or amenity of neighbouring residents because the existing close boarded fencing and mature hedgerow provide adequate boundary treatment to the patio doors of the proposed rear extension and the increased glazing on the eastern elevation of the existing dwelling.

The principal elevation of the existing dwelling opposes the gable elevation of the dwelling located at No. 60 The Beeches. The proposed ground floor window and dormer window located on the southern elevation do not overlook any private amenity space or any habitable rooms of any neighbouring property.

There is a sufficient separation distance of over 25m between the proposed dormer on the northern (rear) elevation of the existing dwelling and the dwelling located at No. 74 The Beeches.

Due to the orientation of the existing dwelling and the siting of the proposed extension, it does not contribute to the loss of light or overshadowing of any neighbouring property.

#### **Impact on Trees and Environmental Quality of this Area**

The proposal involves the removal of approximately 12.5m of mature hedging. However, the portion of hedging to be removed is not considered to contribute significantly to local environmental quality and is therefore acceptable.

#### **Amenity Space, Parking and Manoeuvring**

If the proposed development was to proceed there would be approximately 100sqm of private amenity space within the curtilage of the property for recreational and domestic purposes which would be above the minimum standard. The proposal does not impact upon the provisions for the parking and manoeuvring of vehicles.

#### **CONCLUSION**

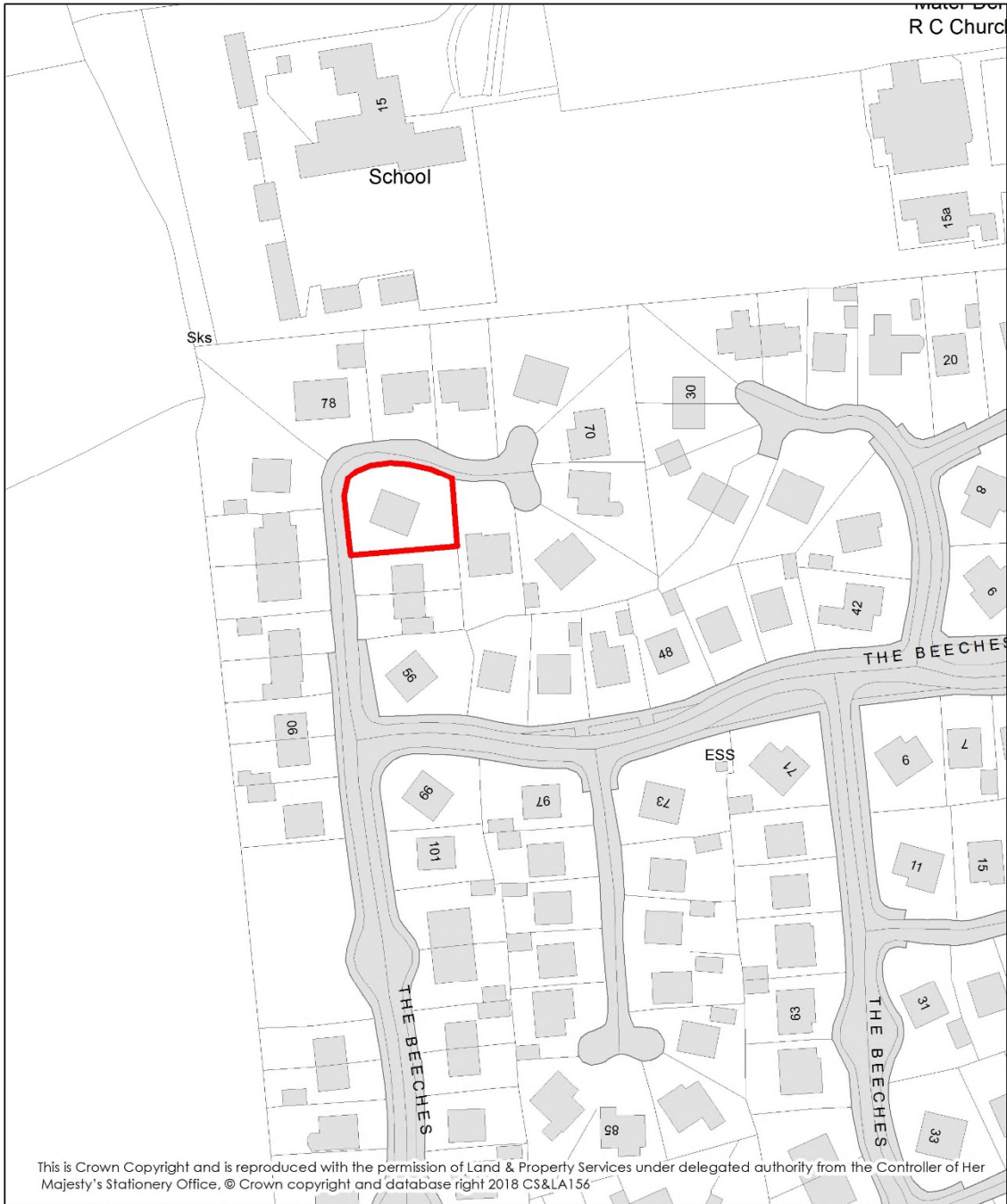
The following is a summary of the main reasons for the recommendation:

- The scale, massing, design and appearance of the proposed extension is considered unacceptable.
- The proposal will not unduly affect the privacy or amenity of neighbouring residents.
- The proposal will not have a significant detrimental impact on trees or the environmental quality of this area.
- Sufficient space remains within the curtilage of the property for recreational and domestic purposes including the parking and manoeuvring of vehicles.

**RECOMMENDATION :** REFUSE PLANNING PERMISSION

#### **PROPOSED REASON OF REFUSAL**

1. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy EXT1 of the Addendum to Planning Policy Statement 7 in that the siting and design of the proposed extension would be detrimental to the character and appearance of the surrounding area.



**Location Map**

**Application Reference: LA03/2019/0223/F**

62 The Beeches,  
Crumlin, BT29 4FH

Proposed alteration works,  
rear extension and new  
dormers to existing dwelling

 Site Boundary



For Information Only



<b>COMMITTEE ITEM</b>	<b>3.18</b>
<b>APPLICATION NO</b>	<b>LA03/2019/0172/O</b>
<b>DEA</b>	<b>BALLYCLARE</b>
<b>COMMITTEE INTEREST</b>	<b>ADDENDUM TO COMMITTEE REPORT</b>
<b>RECOMMENDATION</b>	<b>GRANT OUTLINE PLANNING PERMISSION</b>
<b>PROPOSAL</b>	Proposed site for dwelling on a farm
<b>SITE/LOCATION</b>	30m South of no 30 Straid Road, Ballynure
<b>APPLICANT</b>	Ms Christine Ross
<b>AGENT</b>	Donaldson Planning Limited
<b>LAST SITE VISIT</b>	28 <sup>th</sup> March 2019
<b>CASE OFFICER</b>	Alexandra Tipping Tel: 028 903 40216 Email: <a href="mailto:alexandra.tipping@antrimandnewtownabbey.gov.uk">alexandra.tipping@antrimandnewtownabbey.gov.uk</a>
<p><b>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal <a href="http://www.planningni.gov.uk">www.planningni.gov.uk</a></b></p>	
<b>ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS</b>	
<p>Since the preparation and publication of the Case Officer's Report and the withdrawal of the application by Officers from the June Planning Committee further consideration of the application has taken place.</p> <p>The Planning Section of the Council has interpreted the definition of an active farmer in Policy CTY10 of PPS21 to mean that active farming did not include a landowner who let his land out in conacre to another farmer who actively farmed the land. The view was that the landowner was effectively acting as a landlord and was not actively engaged in agriculture themselves.</p> <p>The view above had been an established policy position over a number of years and had been supported up until October 2018 by the Planning Appeals Commission (PAC). Under planning appeal 2017/A0231 (which was not an appeal in this Borough) the PAC released a decision made by a panel of Commissioners as opposed to an individual Commissioner decision. This decision took the view that the wording in the Strategic Planning Policy Statement set a very low threshold for active farming and that it was sufficient to provide details of maintaining the land in good agriculture condition over the requisite 6 years.</p> <p>Footnote 26 of the SPPS states that for its purposes 'agricultural activity' is as defined by Article 4 of the European Council Regulations (EC) No. 1037/2013. At Article 4 (c) (i) agricultural activity means production, rearing or growing agricultural products, including harvesting, milking, breeding animals, and keeping animals for agricultural purposes whilst paragraph 5.39 of PPS 21 adds 'or maintaining the land in good agricultural and environmental condition' to that definition.</p> <p>The decision by the Panel of Commissioners set a new interpretation of the active farmer test as previously applied.</p>	

Officers have been monitoring the outcome of appeal decisions across the region to ascertain whether the position adopted by the PAC was being consistently applied and in particular the outcome of appeals for farm dwellings within the Borough. One recent appeal case was against the refusal of planning permission at Moneyrod Road, Randalstown (LA03/2018/0518/F). In that case the appeal was dismissed and the Council reasons for refusal were upheld, however, the Commissioner did consider that although the land was let in conacre that the applicant was still responsible for the maintenance of the land and that this constituted active farming. The appeal was dismissed on the basis that while the applicant had provided some invoices of maintaining the land they had not provided invoices for each of the last six years.

The interpretation of what constitutes an active farmer is a matter for the decision maker subject to the test of irrationality. In the Council's case a higher threshold has been adopted for an active farmer and the Council is entitled to maintain this position. The decision to refuse planning permission would be subject to an optional right of appeal to the PAC in which case it would be anticipated that the PAC would adopt the lower threshold test for an active farmer that they consider was introduced by the publication of the SPPS. In such circumstances the expectation would be that if the applicant was able to provide invoices for maintaining their holding in good agricultural condition over the last six years that an appeal would likely be allowed. This would leave the Council in a position where refusal of permission for farm dwellings subject to the above circumstances would be allowed at appeal.

In light of the position adopted by the PAC it would be proposed to adopt the lower threshold for an active farmer. This would negate the need for applicants to go to the expense of a planning appeal and ensure that the Council has a robust policy position and one which allows a more flexible interpretation for the constituents of the Borough.

In the present case the applicant is letting their lands out in conacre to a third party. They have however provided evidence that they have been actively engaged in maintaining the land in good agricultural and environmental condition over the last six years. A number of invoices were provided to append to previous supporting information. The invoices are dated from 2012- 2018 and are detailed as follows-

<ul style="list-style-type: none"> <li>• 13/03/2012 – Hedge Cutting</li> <li>• 18/03/2013 – Hedge Cutting</li> <li>• 08/10/2013 – Weed Killer</li> <li>• 01/2014 – Hedge Cutting</li> <li>• 02/2014 – 6ft posts, 7ft strainer, panel</li> <li>• 22/02/2016 – Hedge Cutting</li> <li>• 22/03/2016 – Sheep Wire</li> <li>• 04/05/2017 – Hedge Cutting</li> </ul>	<ul style="list-style-type: none"> <li>• 19/12/2018 – Cement</li> <li>• 06/03/2018 – Sheep wire, pig wire and cement</li> <li>• Date unclear- Gate</li> <li>• Undated – Hedge Cutting</li> <li>• Undated - D Rails</li> <li>• Undated – Strainer</li> </ul>
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In light of the above evidence and the position adopted by the PAC it is considered that a reason for refusal on the basis that the applicant is not an active farmer could not be sustained. The earlier Committee Report considered all other policy considerations and did not raise any other issues. It is considered that the application should be granted planning permission subject to conditions.

## CONCLUSION

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

- The principle of the development is established.
- It is considered that a suitably designed dwelling could integrate into the rural landscape
- It is considered that the proposal would not result in a detrimental impact on the rural character of the area.
- The personal circumstances case is not compelling.

**RECOMMENDATION :** **GRANT OUTLINE PLANNING PERMISSION**

## PROPOSED CONDITIONS

1. As required by Section 62 of the Planning Act (Northern Ireland) 2011, application for approval of the reserved matters shall be made to Antrim and Newtownabbey Borough Council within 3 years of the date on which this permission is granted and the development, hereby permitted, shall be begun by whichever is the later of the following dates:-

- i. the expiration of 5 years from the date of this permission; or
- ii. the expiration of 2 years from the date of approval of the last of the reserved matters to be approved.

Reason: As required by Section 62 of the Planning Act (Northern Ireland) 2011.

2. Approval of the details of the siting, design and external appearance of the buildings, the means of access thereto and the landscaping of the site (hereinafter called "the reserved matters"), shall be obtained from Antrim and Newtownabbey Borough Council, in writing, before any development is commenced.

Reason: To enable Antrim and Newtownabbey Borough Council to consider in detail the proposed development of the site.

3. Full particulars, detailed plans and sections of the reserved matters required in Conditions 01 and 02 shall be submitted in writing to the Council and shall be carried out as approved.

Reason: To enable Antrim and Newtownabbey Borough Council to consider in detail the proposed development of the site.

4. The proposed dwelling shall be sited in the area shaded green on Drawing No. 01 date stamped 25<sup>th</sup> February 2019.

Reason: To ensure that the development is visually linked with the group of buildings on the farm and is not prominent in the landscape in accordance with the requirements of Planning Policy Statement 21.

5. The depth of underbuilding between finished floor level and existing ground level shall not exceed 0.3 metres at any point.

Reason: In the interest of visual amenity.

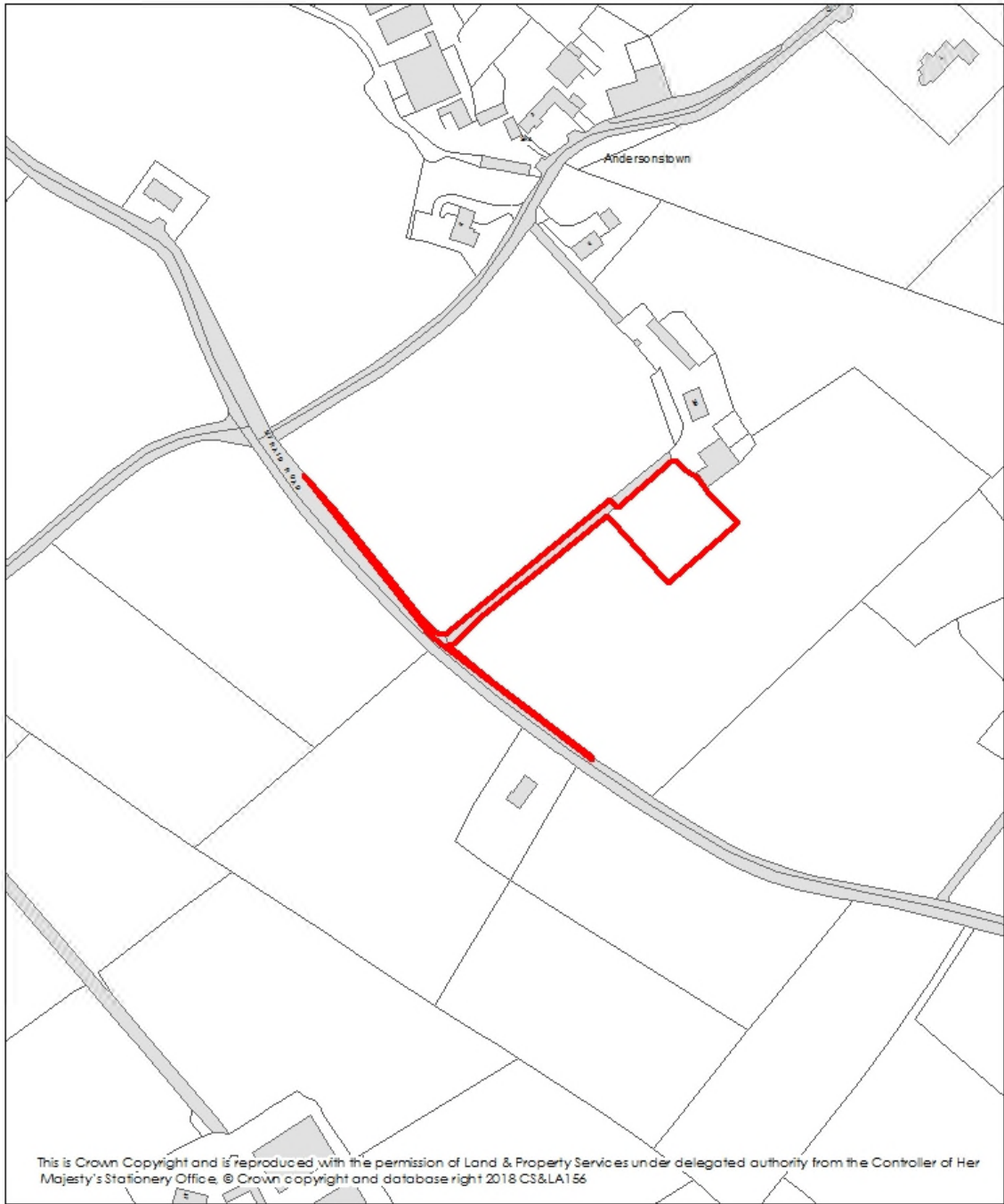


6. The proposed dwelling shall have a ridge height of 6 metres or less above finished floor level.

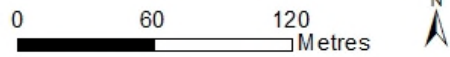
Reason: To ensure that the development is not prominent and can be satisfactorily integrated into the landscape in accordance with the requirements of Planning Policy Statement 21.

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

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



**Location Map**



Application Reference: LA03/2019/0172/O

Proposed site for dwelling on a farm

30m South of no 30 Straid Road

Ballynure

 Site Boundary

For Information Only



<b>COMMITTEE ITEM</b>	<b>3.19</b>
<b>APPLICATION NO</b>	<b>LA03/2018/0957/F</b>
<b>DEA</b>	<b>BALLYCLARE</b>
<b>COMMITTEE INTEREST</b>	<b>COUNCIL INTEREST</b>
<b>RECOMMENDATION</b>	<b>GRANT PLANNING PERMISSION</b>
<b>PROPOSAL</b>	Extension of existing premises to provide new entrance hall, function room, 8 no. additional bedrooms and ancillary accommodation with associated car parking and landscaping
<b>SITE/LOCATION</b>	5 Corners Guest Inn, 249 Rashee Road, Ballyclare, BT39 9JN
<b>APPLICANT</b>	Thomas McConnell
<b>AGENT</b>	Coogan & Co Architects Ltd
<b>LAST SITE VISIT</b>	15 <sup>th</sup> November 2018
<b>CASE OFFICER</b>	Alexandra Tipping Tel: 028 903 40216 Email: <a href="mailto:alexandra.tipping@antrimandnewtownabbey.gov.uk">alexandra.tipping@antrimandnewtownabbey.gov.uk</a>
<p><b>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal <a href="http://www.planningni.gov.uk">www.planningni.gov.uk</a></b></p>	
<b>SITE DESCRIPTION</b>	
<p>The application site is located at No. 249 Rashee Road, Ballyclare at a staggered junction with the Rashee Road, Trenchhill Road, Sawmill Road, Collin Road and Springvale Road. The proposed site is outside of any defined settlement development limit as designated in the relevant Area Plans and lies approximately 2.2 km from the centre of Ballyclare.</p> <p>The site incorporates the existing Five Corners Guest Inn and also encompasses lands directly to the south of this existing guest house accommodation. The additional lands included in the proposal appear to be presently used for agricultural purposes. The field boundary at this site extends some 125 metres along the Rashee Road and this roadside boundary is defined with low level ranch fencing. The southern and western boundaries of this open field are defined with mature hedgerows. The entire site is bounded to the west by the Rashee Cemetery and to east by the Rashee Road. Ballyclare Golf Club is located in close proximity to the application site and lies approximately 0.2 km further to the west of the site.</p> <p>The existing Five Corners building occupies a prominent roadside location and presently comprises 12 no. ensuite bedrooms, a 160 seater bar and a 70 seater restaurant. A car park is also provided to the rear with existing access taken off the Springvale Road.</p>	
<b>RELEVANT PLANNING HISTORY</b>	
<p>The most recent planning history is listed below:</p> <p>Planning Reference: U/2007/0304/F Location: 249 Rashee Road, Rashee, Ballyclare, Northern Ireland, BT39 9JN</p>	

Proposal: Extension of existing premises to provide new entrance hall, function room, 8 no. additional bedrooms and ancillary accommodation with associated car parking and landscaping

Decision: Permission Granted (01.10.2007)

Planning Reference: U/2004/0317/F

Location: 249 Rashee Road, Rashee, Ballyclare, Northern Ireland, BT39 9JN

Proposal: Erection of extension to Five Corners guest Inn (Modification to previous approval U/2003/0326/F to provide new toilet facilities, reception area, staff room and storage at first floor) and erection of additional extension for snooker/golf simulators

Decision: Permission Granted (19.01.2005)

Planning Reference: U/2003/0326/F

Location: 249 Rashee Road, Rashee, Ballyclare, Northern Ireland, BT39 9JN

Proposal: Erection of extension to existing guest Inn to provide new toilet facilities, reception area, staff room and storage at first floor.

Decision: Permission Granted (22.08.2003)

Planning Reference: U/1997/0412

Location: Five Corners, 249 Rashee Road, Rashee, Ballyclare, Northern Ireland

Proposal: Extensions and alterations to provide store, kitchens and 6 No. apartments for bed and breakfast accommodation.

Decision: Permission Granted (30.03.1998)

Planning Reference: U/1995/0161

Location: Five Corners, 249 Rashee Road, Rashee, Ballyclare, Northern Ireland

Proposal: Extension to existing public house to provide managers' apartment and B and B accommodation, including pool room and dining room.

Decision: Permission Granted (no date available)

Planning Reference: U/1993/0319

Location: Five Corners, 249 Rashee Road, Rashee, Ballyclare, Northern Ireland

Proposal: Conversion of first floor dwelling to provide kitchen and dining facilities for public house and erection of stores to rear.

Decision: Permission Granted (no date available)

#### **PLANNING POLICY AND GUIDANCE**

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

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

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

Draft Newtownabbey Area Plan 2005 (NAP): The application site is located outside of any settlement limit of defined within the plan. The plan offers no specific guidance on the proposal.

Draft Belfast Metropolitan Area Plan (Published 2004) (dBMAP): The application site is located outside of any settlement limit of defined within the plan. The application site lies within the Greenbelt.

Draft Belfast Metropolitan Area Plan (Published 2014) (BMAP 2014): The application site is located outside of any settlement limit of defined within the plan. The plan offers no specific guidance on the proposal.

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

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

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

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

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

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

PPS 16: Tourism: sets out planning policy for tourism development and also for the safeguarding of tourism assets.

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. scheduled monuments, industrial heritage and historic parks, gardens and demesnes.

## **CONSULTATION**

**Council Environmental Health Section – No objection, subject to conditions**

**NI Water** – No objection

**DfI Roads** – No objection, subject to conditions

**DfI Rivers Planning and Advisory Unit** - No objection

**DEARA (Planning Response Team)** – No objection

**Historic Environment Division**- No objection, subject to conditions

## **REPRESENTATION**

Nine (9) neighbouring properties were notified of the application and no letters of representation have been received.

## **ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS**

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

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

### **Principle of Development**

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

In these circumstances the provisions of both dNAP and dBMAP are considered to be material considerations in the assessment of the current application. Given that dNAP was never adopted, it is considered that dBMAP provides the most up to date development plan position for this part of the Borough and should therefore be afforded greater weight than dNAP in the decision-making process. Furthermore, the Council has taken a policy stance that, whilst BMAP remains in draft form, the most up to date version of the document (that purportedly adopted in 2014) should be viewed as the latest draft and afforded significant weight in assessing proposals.

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

The Strategic Planning Policy Statement for Northern Ireland (SPPS) states that a transitional period will operate until such times as a Plan Strategy for the whole of the council area has been adopted. The retained policies contained within Planning Policy Statement 21 (PPS21) 'Sustainable Development in the Countryside and Planning Policy Statement 16 'Tourism' (PPS 16) are applicable in this case. There is no

conflict between the provisions of the Strategic Planning Policy Statement for Northern Ireland (SPPS) and those of retained policies regarding the issues relevant in this application.

Policy CTY 1 of PPS 21 refers to a range of types of development considered acceptable in the countryside. PPS 21 states that tourism development in accordance with Tourism Policies of the Planning Strategy for Rural Northern Ireland is also acceptable. This policy has however since been superseded by PPS 16 and it would be appropriate to consider the acceptability against the more up to date policy contained within this prevailing policy.

The application seeks permission to extend the existing Five Corners Guest Inn premises to provide a new entrance hall, function room, 8 no. additional bedrooms and ancillary accommodation with associated car parking and landscaping.

The SPPS states that a positive approach should be adopted in determining applications for tourism development so long as proposals are sustainable, are in accordance with the LDP and will result in a high quality form of development.

The acceptability of the proposed expansion of an existing Guest House in the Countryside falls to be considered primarily under the Policy TSM 3 of PPS 16. Policy TSM 3 indicates that the expansion of an existing hotel, guest house, or tourist hostel will be permitted subject to the new building(s) being subsidiary in terms of scale to the existing building and integrating as part of the overall development. In addition, the extension will respect the scale, design and materials of the original building on the site and any historic or architectural interest that original property may possess.

The Five Corners Guest Inn has existed on the site for a number of years with planning history dating back to 1993. The applicants supporting statement argues that the proposal represents a significant private sector investment opportunity aimed at improving tourism, leisure and recreational services in the wider Ballyclare Area. The premises are well placed for golf breaks given their location adjacent to Ballyclare Golf Club and also aim to meet the demand for a wedding reception venue in the Ballyclare Area. The proposed development is anticipated to create an additional 4 No. full time jobs and 14 No. part time jobs upon completion with a number of employment opportunities also created throughout the construction phases of the development.

The applicant notes that there is a definite demand for additional accommodation in the area. The supporting statement notes that the applicant has had to turn down bookings each week since April 2017. Furthermore, the existing business has also been approached on several occasions regarding catering for weddings due to their award winning restaurant. Due to the current size, scale and layout of the current accommodation these requests cannot be fulfilled, resulting in local people seeking alternative venue accommodation which is often outside of the Borough.

The applicant has also undertaken a voluntary community consultation exercise whereby plans were put on display for public viewing and comments cards supplied. 52 No. comment cards were completed. The results confirmed that there was a demand for accommodation and function space within the area and also welcomed the increased employment opportunities investment for the local Council area.

The principle of an extension to this existing premises is considered acceptable in accordance with Policy TSM 3 of PPS 16, subject to the proposal meeting all other planning considerations and policy criteria discussed above.

### **Design and Appearance**

The proposed extension includes 3 No. main blocks, a new bedroom wing to the northwest of the existing building and a new entrance block and multi-purpose function room to the south.

The new bedroom wing will occupy the area that currently exists at the entrance car park. It is designed to be in keeping with the existing buildings and provides two storey accommodation with a pitched roof set down slightly below the ridgeline of the existing buildings. It is to be finished in white render with grey slate for the roof and white aluminium windows. The proposed bedroom block takes a curved design in order to fit in with the existing building layout and does not appear dominant when viewed with the host building.

The proposed entrance block is also two storey, this element takes a more modern design approach with a flat roof and large portions of glazing along the western elevation. Again, this section is also set down from the ridgeline of the existing building and in the most part it is stepped in from the building line apparent along the Rashee Road.

The function room element of the proposal extends beyond the proposed entrance hall. It too is modern in design and finished mostly in a white render with glazed portions and a flat roof. A glazed roof light is also proposed for this element. The function room is elevated to make use of the distant view across the countryside and also allows for discreet parking to be provided below. This portion of the extension is set back in from the Rashee Road by approximately 15 metres which helps ensure that the building does not appear overly dominant when travelling along the Rashee Road.

It is noted that the design of the proposed extension is more modern in character when compared to the existing Five Corners building, however, it is considered that there is a clear distinction between the modern and traditional elements which contrast well together.

Whilst it is noted that the proposed extension is sizeable, the floor space to be provided is less than the existing provision, meaning that the proposal remains subordinate to the existing building in terms of area and scale in line with the policy provisions of PPS 16.

Overall, it is considered that the proposed development respects the scale, design and materials of the existing building on site and can therefore be seen as compliant with that element of Policy TSM 3 of PPS 16.

### **Integration and Impact on Character of the Area**

The boundaries of the application site along the southern and western boundaries are defined with existing hedgerow vegetation which is to be retained as part of the development. Supplementary planting will be used along the southern boundary to further enhance the existing vegetation in line with the ecologist recommendations.



Given that the site frontage along the Rashee Road is relatively exposed, it is proposed to also enhance this boundary with a mixture of extra heavy standard trees, heavy standards trees, light standard trees, multi stem trees and feature trees together with native species boundary hedging. The existing and proposed planting together with the design and layout of the proposed development will ensure that the proposal can integrate into its receiving rural environment and therefore it is considered that there will be no detrimental impact on the character and appearance of the area.

### **Neighbour Amenity**

The nearest neighbouring dwelling at No. 2 Collin Road is approximately 70 metres from the application site. There are also a number of dwellings located to the northeast of the site along the Sawmill Road.

The Council's Environmental Health Section requested that the applicant undertake a Noise Impact Assessment to ensure that the residents of any nearby dwellings would not be adversely impacted by entertainment noise/patron noise that may arise from the current proposal. Following the submission of Documents 05 and 06 the Council's Environmental Health Section is content that the proposed development can be operated without an adverse impact provided that a number of conditions are attached to the grant of any planning permission should it be forthcoming. A Council owned cemetery occupies the neighbouring lands that lie adjacent and to the west of the application site.

Overall, it is considered that the proposal would not have any significant detrimental impact upon neighbour amenity.

### **Access and Car Parking**

The proposal also involves the alteration of an existing access which is to be widened and the appropriate visibility splays provided across the frontage of the site and the adjacent cemetery grounds. The Transport Assessment submitted with the proposal indicates that there will understandably be an increase in the number of trips to and from the development. This increase is however not to a level where it would be unacceptable or cause demonstrable harm to the surrounding area.

DfI Roads have been consulted on the application and have offered no objection subject to conditions being attached to any approval.

A total of 105 parking spaces will be provided, which is an increase of approximately 70 new parking spaces. There will be reserved spaces adjacent to the building for disabled car parking and bicycle parking is also to be provided as part of the proposal, enhancing the scheme's accessibility and sustainability.

A further 22 No. spaces have also been incorporated into the scheme for the use of the adjacent Rashee Cemetery which is operated by Antrim and Newtownabbey Borough Council with a pedestrian access linking the two sites. This car parking is to be provided as there is presently no dedicated car park facility for the visitors to the cemetery. At present these visitors are having to park along the main access route to the cemetery which is not ideal and may potentially increase the risk of accident. This element of the development is a welcome addition to the area given that it will address the current shortcomings of cemetery parking provision.

**Flood Risk**

The application site does not appear to be within the 1 in 100 year floodplain. The proposal therefore does not raise any concern in relation to fluvial or coastal flooding.

A Drainage Assessment has been submitted and DfI Rivers have been consulted. DfI Rivers has indicated that they accept the logic of the details provided within this report and have no objection to the proposal. The implementation of the proposed flood risk measures lies with the applicant.

**Historic Environment**

The application site is located in relative proximity to Rashee Old Church (ANT 045: 028) Rashee Old Church and is also associated with a rath (ANT 045: 070). The exact position of the rath is unknown. The Department for Communities' Historic Environment Division have been consulted on the application and have advised that they are content that the proposal can comply with Policy BH 4 of PPS 6 subject to conditions. These conditions will require the implementation of a programme of archaeological works to make sure that any archaeological remains within the application site are properly identified and protected or appropriately recorded.

**Natural Heritage**

It is noted that the proposal does not involve the removal of any significant boundary vegetation which will reduce the potential impact on natural heritage. NIEA have been consulted on the application and are content with the proposal subject to the applicant noting and adhering to the standard advice provided by NIEA, and on the basis that all other relevant statutory permissions are obtained.

There are no designated watercourses apparent in close proximity to the application site. Having regard to this and also owing to the distance between the application site and any protected site, it is considered that the works could not have any conceivable significant impact on the selection features, conservation objectives or status of any European site.

Overall, it is considered that the proposed development would have no conceivable impact on natural heritage.

**CONCLUSION**

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

- The principle of the development is considered acceptable.
- The design and appearance of the proposal is considered acceptable.
- The proposal will integrate sufficiently into the rural environment and will not have a significant detrimental impact on the character of the area.
- The proposed access and parking arrangement is considered acceptable.
- There are no concerns with the proposal in relation to flood risk.
- The proposal will not impact on any built heritage features.
- There will be no conceivable impact on natural heritage resultant from the proposal.

**RECOMMENDATION :****GRANT PLANNING PERMISSION**

## PROPOSED CONDITIONS

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

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

2. The existing natural screenings of this site shall be retained at a minimum height of 4 metres as shown on Drawing No. 07 bearing the date stamp 18<sup>th</sup> October 2018, unless necessary to prevent danger to the public in which case a full explanation shall be given to the Council in writing.

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

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

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

4. All proposed landscaping incorporated in Drawing No. 07 bearing date stamp 18<sup>th</sup> October 2018, shall be completed in accordance with these plans and the appropriate British Standard or other recognised Codes of Practice in the first available planting season following commencement of the development or before occupation of the first residential unit in the development, whichever is the later.

Reason: To ensure the provision of a high standard of landscape and aid with integration.

5. 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.

6. The vehicular access, including visibility splays and any forward sight distance, shall be provided in accordance with Drawing No. 06 bearing the date stamp 18<sup>th</sup> October 2018, 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.

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

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

8. The extension hereby permitted shall not become operational until hard surfaced areas have been constructed and permanently marked in accordance with the approved drawing No 06 bearing date stamp 18th October 2018 to provide adequate facilities for parking, servicing and circulating within the site. No part of these hard surfaced areas shall be used for any purpose at any time other than for the parking and movement of vehicles.

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

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

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

10. Access shall be afforded to the site at all reasonable times to any archaeologist nominated by the Department for Communities – Historic Environment Division to observe the operations and to monitor the implementation of archaeological requirements.

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

11. All glazing serving the permitted function room including the roof shall have a sound reduction index of no less than that shown in the Table below.

Frequency (Hz)	63	125	250	500	1K	2K	4K
Attenuation of Glazing Typical 6-12-6 Double Glazed Unit	25	26	27	34	40	38	46

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

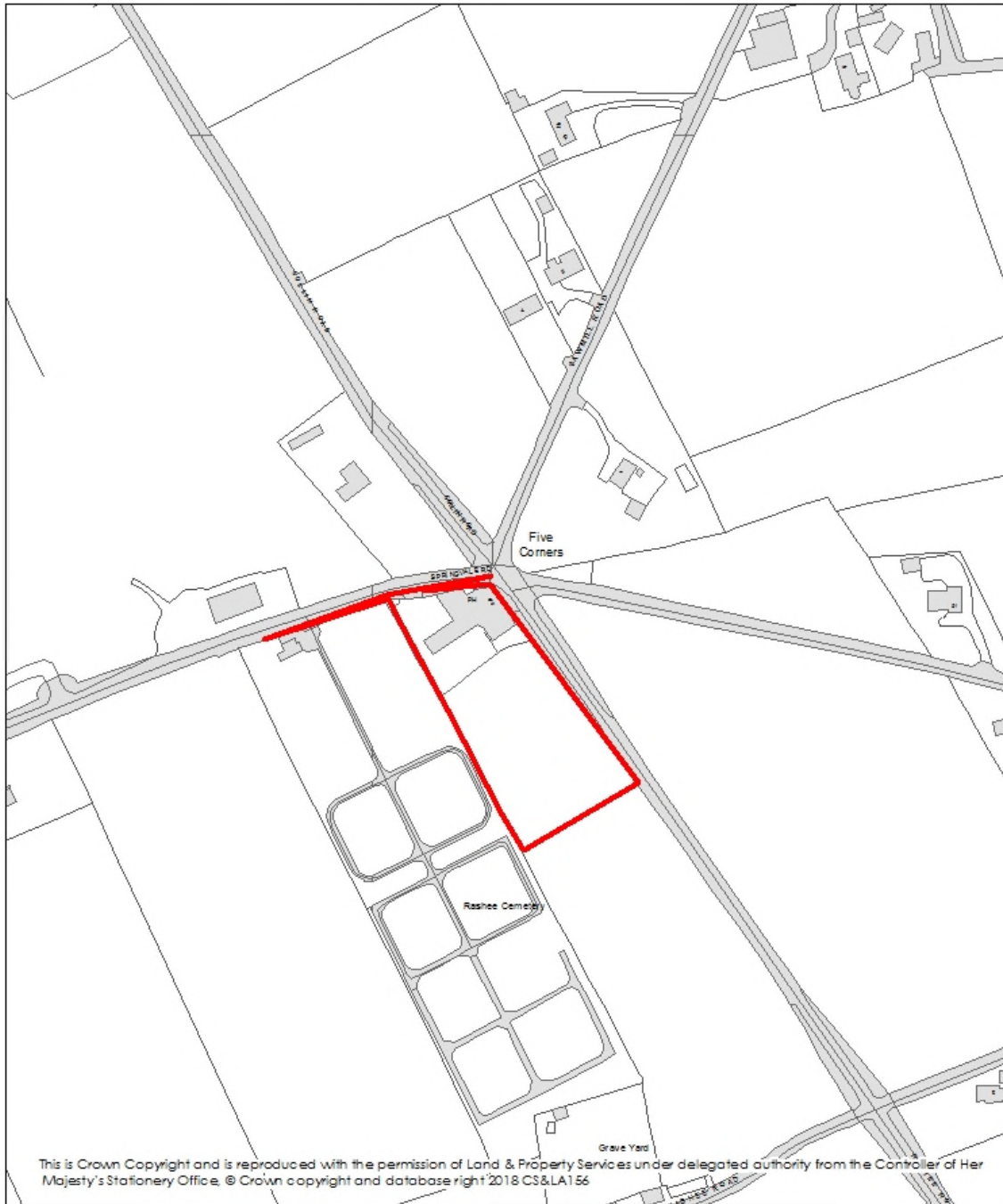
12. The external roof serving the permitted function room shall have a sound reduction index of no less than that shown in the Table below.

Frequency (Hz)	63	125	250	500	1K	2K	4K
Attenuation of Roof Structure	25	25	41	47	53	56	57

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

13. The cumulative noise impact from any external plant shall not exceed a Rating level of 37 dB L<sub>Ar,Tr</sub> when measured at the nearest noise sensitive properties and assessed in accordance with British Standard 4142:2014.

Reason: In order to protect amenity at residential dwellings.

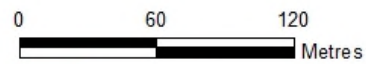


**Location Map**

Application Reference: LA03/2018/0957/F

5 Corners Guest Inn  
 249 Rashee Road  
 Ballyclare

Extension of existing premises to provide new entrance hall, function room, 8 no. additional bedrooms and ancillary accommodation with associated car parking and landscaping



Site Boundary

For Information Only



<b>COMMITTEE ITEM</b>	<b>3.20</b>
<b>APPLICATION NO</b>	<b>LA03/2019/0265/F</b>
<b>DEA</b>	<b>BALLYCLARE</b>
<b>COMMITTEE INTEREST</b>	<b>COUNCIL APPLICATION</b>
<b>RECOMMENDATION</b>	<b>GRANT PLANNING PERMISSION</b>
<b>PROPOSAL</b>	Demolition of existing toilet block and shed. Replacement toilet block and creation of informal open space with footpaths and car parking areas on Avondale Drive.
<b>SITE/LOCATION</b>	Six Mile Water Park. Lands adjacent to Six Mile Water River, Avondale Drive, Ballyclare
<b>APPLICANT</b>	Antrim & Newtownabbey Borough Council
<b>AGENT</b>	MWA Partnership Ltd Landscape Architects
<b>LAST SITE VISIT</b>	6 <sup>th</sup> June 2019
<b>CASE OFFICER</b>	Glenn Kelly Tel: 028 903 40415 Email: <a href="mailto:Glenn.Kelly@antrimandnewtownabbey.gov.uk">Glenn.Kelly@antrimandnewtownabbey.gov.uk</a>
<p><b>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal <a href="http://www.planningni.gov.uk">www.planningni.gov.uk</a></b></p>	
<b>SITE DESCRIPTION</b>	
<p>The application site is located at Six Mile Water Park, Ballyclare which is within the settlement limit of Ballyclare as defined by the draft Belfast Metropolitan Area Plan (BMAP) 2014. The site is currently a recreational park, with a small number of ancillary buildings including a public toilet block.</p> <p>The park comprises pathways, playing fields, play parks, treed areas and ancillary parking. The Six Mile Water River runs through the park.</p> <p>Avondale Drive runs along the northwest of the site, this road is defined by housing and a school. The land falls from Avondale Avenue onto the site and towards the river. Mill Road abuts the site to the southeast. This is a main road that connects the town of Ballyclare to the Templepatrick Road.</p>	
<b>RELEVANT PLANNING HISTORY</b>	
No relevant planning history	
<b>PLANNING POLICY AND GUIDANCE</b>	
<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.

Draft Newtownabbey Area Plan 2005 (NAP): The application site is located within the settlement limit of Ballyclare. The site is not designated and 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 Ballyclare. The site is designated as an area of existing open space. There is a small portion in the northeast section of the site designated as part of the town's Area of Townscape Character (ATC)

Draft Belfast Metropolitan Area Plan (Published 2014) (BMAP 2014): The application site is located within the settlement limit of Ballyclare. The site is designated as an area of existing open space. There is a small portion in the northeast section of the site designated as part of the town's Area of Townscape Character (ATC)

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

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

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

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

Addendum to PPS 6: Areas of Townscape Character: sets out planning policy and guidance relating to Areas of Townscape Character, for demolition of buildings, new development and the control of advertisements.

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.



## CONSULTATION

**Council Environmental Health Section** – No objection

**Department for Infrastructure Roads**- No objection subject to conditions

**Department for Infrastructure Rivers** – No Response

**Northern Ireland Environment Agency:** Consulted in error

**Shared Environmental Services** – No objection

## REPRESENTATION

Thirty-five (35) neighbouring properties were notified and one (1) letter of representation has been received. This representation was neither supporting nor objecting to the proposal but rather requesting further information which was provided directly via email. The full representations made regarding this proposal are available for Members to view online at the Planning Portal ([www.planningni.gov.uk](http://www.planningni.gov.uk)).

## ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Policy Context and Principle of Development
- Design and Appearance
- Neighbour Amenity
- Impact on Character and Appearance of the Area
- Flood Risk
- Car Parking and 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 adopted Belfast Metropolitan Area Plan 2015 (BMAP) previously operated as the statutory development plan for this area, but the adoption of the Plan in 2014 was subsequently declared unlawful by the Court of Appeal on 18th May 2017. Up until the publication of draft BMAP (dBMAP) in 2004 and its adoption in 2014, the draft Newtownabbey Area Plan 2005 (dNAP) and associated Interim Statement published in February 1995 provided the core development plan document that guided development decisions in this part of the Borough.

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

up to date version of the document (that purportedly adopted in 2014) should be viewed as the latest draft and afforded significant weight in assessing proposals.

Both of the relevant development plans identify the application site as being within the settlement limit of Ballyclare. Whilst dNAP does not show any designation on the site, dBMAP 2014 identifies the site as an existing area of open space, with a small portion of the site in the northeast corner falling within the town's Area of Townscape Character (ATC).

Given the location of the site within the settlement limit of Ballyclare and the fact that the proposal is to assist in the regeneration of the existing park, it is considered that the principle of development is acceptable on the site. The works comply with Policy OS 1 of PPS 8 in that, the proposal will not lead to the loss of any existing open space.

### **Design and Appearance**

The works propose the improvement of an existing public park area and designated piece of open space. Works include the demolition of an existing toilet block and shed and the replacement with a new toilet block and the creation of an informal open space area with amphitheatre and associated footpaths; and car parking areas on Avondale Drive.

There are a blend of materials and landscaping designs proposed which will bring a level of interest and vibrancy to the park that is currently lacking.

The SPPS states that good design including public spaces, can create more successful places to live, bring communities together and attract business investment. It can also further sustainable development and encourage healthier living, promote accessibility and inclusivity and contribute to how safe places are and feel. It is considered that this proposal is in keeping with the theme of the SPPS. The amphitheatre area will create a safe environment to allow public performances and recreation alike; whilst the new pathways and toilet blocks will create a more inviting and welcoming appearance to visitors.

It is considered that the works will add to the quality of the design and appearance of this area of Ballyclare.

### **Neighbour Amenity**

The closest properties to the site are those located to the northwest along Avondale Drive. One letter of representation was received from a neighbour living along this road. This was neither a letter of objection nor support and asked a question regarding parking provision. This was answered via an emailed response. It is considered that there will be little impact upon any neighbouring property by the works proposed.

### **Impact on Character and Appearance of the Area**

The proposed works will have a positive impact upon the character and appearance of the site and the surrounding area. With regards to a portion of the site being within the dBMAP 2014 Ballyclare Area of Townscape Character, it is considered that the works will enhance the existing appearance of the area.

**Flood Risk**

The southeast section of the site falls within a designated reservoir flood risk area. DFI Rivers were consulted on 12<sup>th</sup> April 2019 however they failed to respond. It is considered that the proposed works will not introduce any additional flood risks to this area.

**Car Parking and Road Safety**

Additional car parking is to be provided in the form of roadside parking bays. There are 19 parking spaces to be provided in total, with 10 spaces provided closer to Main Street and 9 further south along Avondale Drive. A Private Street Determination (PSD) has been submitted and DFI Roads were consulted. Following a period of consideration DFI Roads have responded with no objection subject to conditions.

**Other Matters**

Shared Environmental Services (SES) were consulted on the proposal and responded stating they had no comment to make on the proposal. The Council's Environmental Health Section also raised 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 acceptable.
- The design of the proposal is considered acceptable as it will visually improve and rejuvenate the area.
- No neighbouring properties will be significantly affected by the proposal.
- There will be no significant change to the character of the area. The portion of the site within Ballyclare ATC will be enhanced in line with the SPPS.
- There are no significant flood risk issues.
- Car parking and road safety proposals are considered acceptable.
- No objections have been raised by any consultee or third party.

**RECOMMENDATION :** GRANT PLANNING PERMISSION

**PROPOSED CONDITIONS**

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

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

2. The 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 Nos.08 and 09 bearing the date stamp 27th march 2019.

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

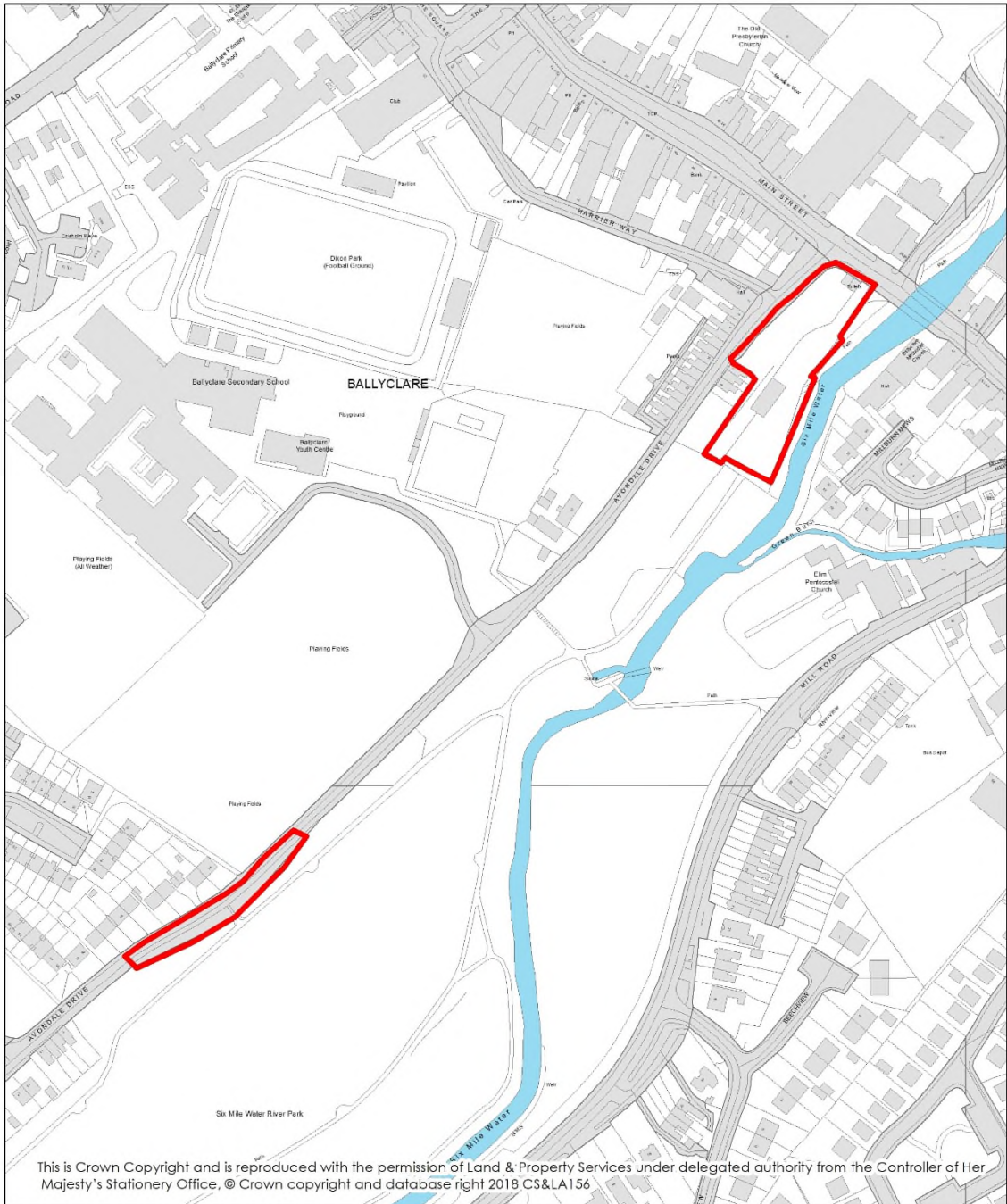
3. The existing natural screenings of this site as shown on approved drawing 04 date stamped received 27th March 2019 shall be retained unless necessary to prevent danger to the public in which case a full explanation along with a scheme for compensatory planting shall be given to the Council in writing prior to their

removal. Existing hedging shall be retained at a minimum height of 2m and existing trees as shown retained at a minimum height of 4m.

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

4. The proposed planting shall be carried out in accordance with approved drawing No.04 date stamped 27th March 2019. Planting shall be carried out in the first available season after commencement of the works hereby approved. If any tree, shrub or hedge is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Council, seriously damaged or defective, another tree, shrub or hedge of the same species and size as that originally planted shall be planted at the same place, unless the Council gives its written consent to any variation.

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



**Location Map**

Application Reference: LA03/2019/0265/F

Sixmilewater Park.  
Avondale Drive  
Ballyclare

Creation of informal open space  
with car parking on  
Avondale Drive and  
ancillary works



 Site Boundary  
For Information Only



<b>COMMITTEE ITEM</b>	<b>3.21</b>
<b>APPLICATION NO</b>	<b>LA03/2019/0412/F</b>
<b>DEA</b>	<b>BALLYCLARE</b>
<b>COMMITTEE INTEREST</b>	<b>COUNCIL EMPLOYEE</b>
<b>RECOMMENDATION</b>	<b>GRANT PLANNING PERMISSION</b>
<b>PROPOSAL</b>	Extension to site curtilage to facilitate proposed garage and conversion of existing integral garage to bedroom accommodation.
<b>SITE/LOCATION</b>	9 Mill Road, Doagh, Ballyclare
<b>APPLICANT</b>	Mr & Mrs M McNeil
<b>AGENT</b>	Robert Logan Chartered Architect
<b>LAST SITE VISIT</b>	5 <sup>th</sup> June 2019
<b>CASE OFFICER</b>	Lisa Stewart Tel: 028 903 40403 Email: <a href="mailto:lisa.stewart@antrimandnewtownabbey.gov.uk">lisa.stewart@antrimandnewtownabbey.gov.uk</a>
<p><b>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal <a href="http://www.planningni.gov.uk">www.planningni.gov.uk</a></b></p>	
<b>SITE DESCRIPTION</b>	
<p>The application site is located at 9 Mill Road, Doagh and lies within the settlement development limits of Doagh as designated within BMAP 2014. The site consists of a single storey detached dwelling that sits slightly higher than road level.</p> <p>The southwestern boundary of the site which runs parallel with the Mill Road is a stone wall, the eastern and southeastern boundaries consist of wooden fencing, a 0.5 metre stone wall and 1 metre high hedge, whilst the northern boundary consists of dense hedging. The external finishes to the existing dwelling are white uPVC doors and windows, black uPVC rainwater goods, white rough render to the walls and black concrete roof tiles. The driveway into the site is finished in tarmac with an area to the northeast of the existing dwelling finished in concrete where there are dog kennels currently located. There is agricultural land adjacent to the northeastern boundary, with a log store currently in situ. Approximately 25 metres from the northeastern boundary there is a large agricultural shed situated alongside a 1.8 metre high fence. Previously a detached garage was located within the site boundary, however this had been removed prior to the site visit.</p>	
<b>RELEVANT PLANNING HISTORY</b>	
<p>The most recent relevant planning history is noted below:  Planning Reference: U/2009/0577/F  Location: No. 9 Mill Road, Doagh BT39 0PQ  Proposal: Erection of single storey extensions to side and rear including alterations to existing dwelling.  Decision: Permission Granted (23.11.2004)</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 and the emerging provisions of the Belfast Metropolitan Area Plan (which has reverted to the Draft Plan stage) together with relevant provisions of Planning Policy Statements (PPSs) which contain the main operational planning policies for the consideration of development proposals.

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

Draft Newtownabbey Area Plan 2005 (NAP): The application site is located within the settlement limit of Doagh. 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 Doagh. The proposed extension to the curtilage will fall within a Local Landscape Policy Area, an Area of Village Character and a Housing Land Use Policy Area.

Draft Belfast Metropolitan Area Plan (Published 2014) (BMAP 2014): The application site is located within the settlement limit of Doagh. The proposed extension to the curtilage will fall within a Local Landscape Policy Area, an Area of Village Character and a Housing Land Use Policy Area.

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.

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.

#### **CONSULTATION**

**Department for Communities Historic Environment Division** – No objection.

#### **REPRESENTATION**

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

#### **ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS**

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

- Policy Context and Principle of Development
- Scale, Massing, Design and Appearance
- Neighbour Amenity
- Impact on Trees and Environmental Quality of this Area.
- Amenity Space, Parking and Manoeuvring
- Impact on the Area of Village Character and the Built Environment

##### **Policy Context and Principle of Development**

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

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

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

In these circumstances the provisions of both dNAP and dBMAP are considered to be material considerations in the assessment of the current application. Given that dNAP was never adopted, it is considered that dBMAP provides the most up to date development plan position for this part of the Borough and should therefore be afforded greater weight than dNAP in the decision-making process. Furthermore, the Council has taken a policy stance that, whilst BMAP remains in draft form, the most up to date version of the document (that purportedly adopted in 2014) should be viewed as the latest draft and afforded significant weight in assessing proposals.

Both of the relevant development plans identify the application site as being within the settlement limit of Doagh. The application site lies on the boundary of a Housing Land Use Policy Area to the north of the site and an Area of Village Character along the southern boundary of the site as defined within draft BMAP.



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 proposed development is for the extension of the existing curtilage onto adjacent agricultural land to facilitate a proposed garage and conversion of existing integral garage to bedroom accommodation.

### **Scale, Massing, Design and Appearance**

The current integral garage which is proposed to be converted into bedroom accommodation will be contained within the current footprint of the existing dwelling. The existing garage door will be replaced with a uPVC window to match the finishes of the existing dwelling. The window on the northeastern elevation of the existing dwelling will be reduced in size from 1.8 metres wide to 0.6 metres.

The proposed garage is positioned to the rear of the existing dwelling and runs parallel to the northeastern boundary. The garage is 11.4 metres in length and has a width of approximately 7.4 metres. The garage will have an integral stick house and dog kennel located on the northern side. The garage will have a roller door on the southeastern elevation and a door and window along the southwestern elevation facing the existing dwelling. The proposed garage has a pitched roof with a ridge height of 5.8 metres. The finishes proposed are uPVC windows, blockwork walls, rendered and painted, concrete roof tiles, uPVC rainwater goods and roof trims all to match the existing dwelling.

The proposed curtilage boundary extension will be defined with post and wire fencing with hawthorn hedging planted. The proposed extension of curtilage will extend the boundary by approximately 6 metres in the northeastern direction resulting in an additional area to the curtilage of 13sqm. Given the location of the proposed garage 27.5 metres from the Mill Road, the height difference between the Mill Road and the application site plus the stone wall along the southeastern boundary, it is considered that there will be limited impact from the proposal.

Furthermore the garage will be the same height (5.8 metres) as the existing dwelling which will reduce its potential impact.

Overall, 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**

It is considered that the proposal will not unduly affect the privacy or amenity of neighbouring residents given the nature and scale of the proposed works and proximity to any neighbouring properties. The closest neighbouring property No. 40 is located on the opposite side of the Mill Road, 9.5 metres from the southeastern boundary. The proposed garage is located a further 27.5 metres from the southeastern boundary and as a consequence there will be no significant impact on neighbour amenity experienced by the neighbour at No. 40 due to the separation distance. There are no other neighbouring properties which abut the site to the north, east and south.

The proposed treatment to the northern and northeastern boundaries as detailed on Drawing number 01 is a post and wire fence with a hawthorn hedge planted inside the proposed curtilage. This will restrict the views of the proposed development from the adjacent Mill Road and nearby properties meaning there are no significant concerns in relation to overlooking or loss of privacy.

There are no concerns in relation to overshadowing or dominance resultant from the proposal due to the positioning of the garage in relation to neighbouring properties and that the garage will have the same ridge height as the existing dwelling.

### **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 as there are currently no trees located within the area of the proposed development.

### **Amenity Space, Parking and Manoeuvring**

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

### **Impact on the Area of Village Character and the Built Environment**

PPS 6 (Addendum) advises that any development proposals should respect the appearance and qualities of each townscape area and maintain or enhance their distinctive character. The proposed extension of the curtilage will extend into an area of Village Character, however the proposed garage will not sit within the designated area. The area of the site within the Area of Village Character will be an area of hardstanding to allow manoeuvring within the site and the formation of a new boundary consisting of hawthorn hedging and a post and wire fence. It is considered that this will maintain the overall character of the area.

Historic Environment Division (HED) were consulted as the application site lies within a buffer zone of a Listed Building and Historic Park, Garden and Demesne. HED have reviewed the proposal against SPPS and PPS 6, and are content that the proposed development satisfies policy requirements without conditions.

### **CONCLUSION**

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

- The principle of the development is considered acceptable.
- The scale, mass, design and appearance of the proposed garage and conversion are considered acceptable.
- The proposal will not have a detrimental impact on any neighbouring properties.
- The proposal will not cause an unacceptable loss of or damage to trees or other landscape features.
- Sufficient space remains in curtilage for domestic purposes.
- There will be no impact on the Area of Village Character or listed building.

**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. Within the first planting season following the completion of the garage or the extension of curtilage being carried out a hawthorn hedge will be planted in accordance with stamped approved Drawing number 01, date stamped 9<sup>th</sup> May 2019 along the northern and northeastern boundaries.

Reason: In the interest of visual amenity.



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**Location Map**

Application Reference: LA03/2019/0412/F

9 Mill Road, Doagh



Proposed extension to site curtilage to facilitate proposed garage and conversion of existing integral garage to bedroom accommodation

 Site Boundary

For Information Only

