



14 August 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 19 August 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:

Tel: 028 9034 0098 / 028 9448 1301

memberservices@antrimandnewtownabbey.gov.uk

AGENDA FOR PLANNING COMMITTEE – AUGUST 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 Part Two 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 Delegated Planning Decisions and Appeals July 2019
- 3.2 Proposal of Application Notification
- 3.3 Replacement of NI Planning Portal
- 3.4 RTPI Conference 17 September 2019
- 3.5 Revision of Planning Enforcement Strategy
- 3.6 November Planning Committee
- 3.7 DfI Notice of Opinion - Kells Solar Farm
- 3.8 LDP – Quarterly Update
- 3.9 LDP – Nominations for Working Group
- 3.10 LDP – Guidance from DfI re: LDP Independent Examination
- 3.11 LDP – Future Work Programme
- 3.12 LDP – Metropolitan Area Spatial Working Group Minutes - In Confidence
- 3.13 LDP – Steering Group Minutes - In Confidence

PART TWO

Decisions on Enforcement Cases – In Confidence

- 3.14 Enforcement Case: LA03/2019/0035/CA - In Confidence
4. Any Other Business

PART TWO

Decisions on Planning Applications

3.15 Planning Application No: LA03/2018/0163/F

Residential Development comprising 22 No. dwellings on lands between Maine Integrated Primary School and 2 Birchdale and opposite 84 Portglenone Road Randalstown

3.16 Planning Application No: LA03/2019/0261/F

Erection of 2 no. two storey dwellings at the junction of Greystone Road/Ashgreen, 50m North of 25 Greystone Road, Antrim

3.17 Planning Application No: LA03/2019/0544/O

2 no. Infill Dwellings between Nos. 9 and 11a Tavnaghmore Road

3.18 Planning Application No: LA03/2019/0517/O

Site for new dwelling on plot to rear of 117-121 Collinward Avenue, Newtownabbey

3.19 Planning Application No: LA03/2019/0463/A

Free standing sign 55m north of 190 Hillhead Road, Ballyclare

3.20 Planning Application No: LA03/2019/0429/F

Dwelling and Garage (Change of House Type from that approved under LA03/2016/1054/F) on land 30m NW of 123 Castle Road, Randalstown

**REPORT ON BUSINESS TO BE CONSIDERED AT THE MEETING OF THE
PLANNING COMMITTEE ON 19 AUGUST 2019**

PART ONE

PLANNING MATTERS

ITEM 3.1

P/PLAN/1 DELEGATED PLANNING DECISIONS AND APPEALS

A list of planning decisions issued by Officers during July 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 and Planning

ITEM 3.2

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

Members will be aware that prospective applicants for all development proposals which fall into the Major development category under the 2011 Planning Act are required to give at least 12 weeks notice to the Council that an application for planning permission is to be submitted. This is referred to as a Proposal of Application Notice (PAN). One PAN was registered during July 2019 the details of which are set out below.

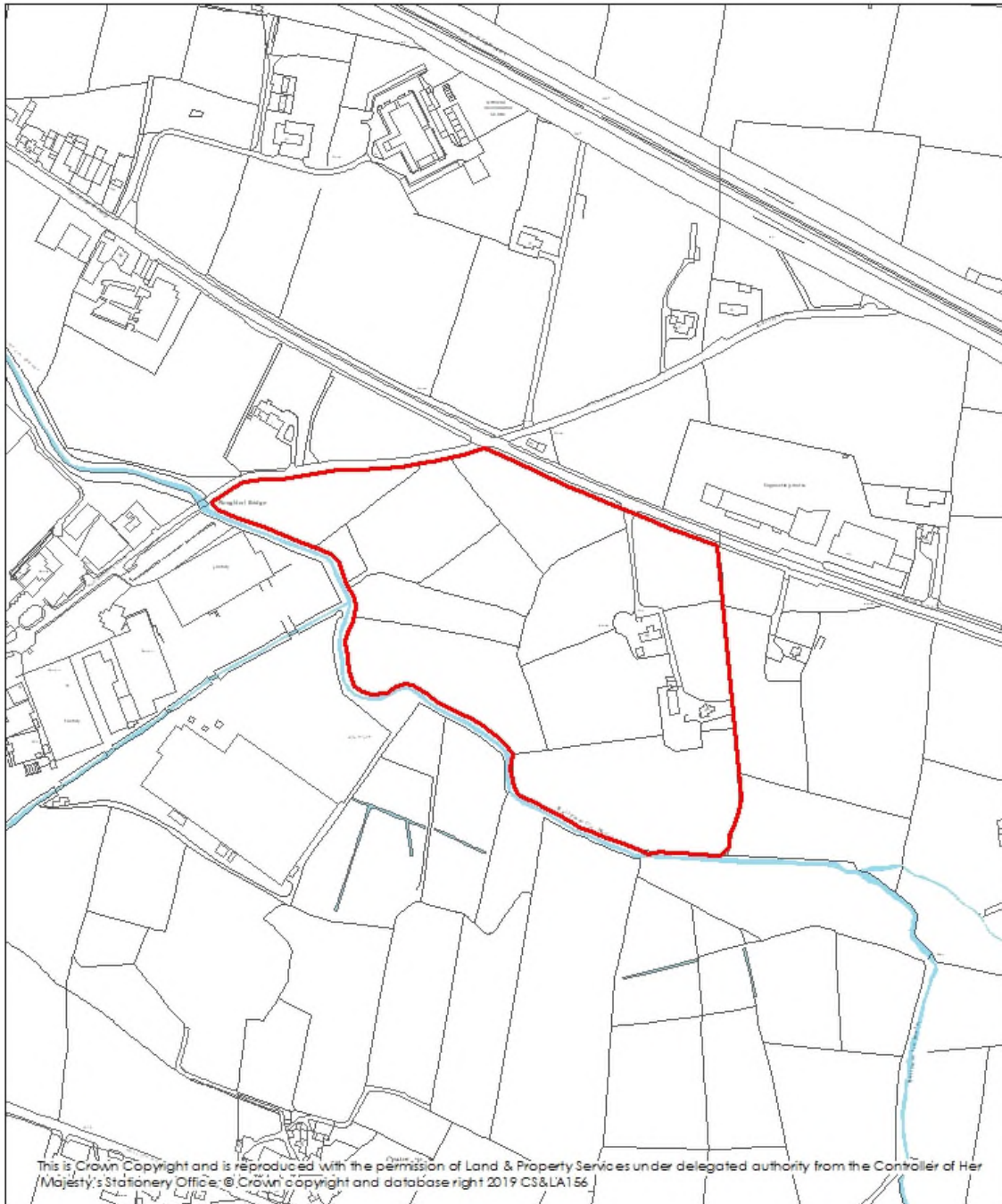
PAN Reference:	LA03/2019/0567/PAN
Proposal:	Proposed storage and distribution warehousing, internal roads, parking, landscaping and associated site works
Location:	Lands to the south of 663 Antrim Road Newtownabbey BT36 4RG
Applicant:	Brett Martin Ltd/ Ballinamallard Dev. Ltd
Date Received:	3 July 2019
12 week expiry:	25 September 2019

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

RECOMMENDATION: that the report be noted.

Prepared by: Kathryn Bradley, Executive Officer, Planning

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



Location Map

PAN Reference: LA03/2019/0567/PAN



Lands south of 663 Antrim Road, Newtownabbey
 Proposed storage and distribution warehousing,
 internal roads, parking, landscaping and associated site works

For Information Only

 Site Boundary



ITEM 3.3

P/PLAN/12 - REPLACEMENT OF THE NORTHERN IRELAND PLANNING PORTAL

Members will be aware that the Council has continued to be involved in work being led by the Department for Infrastructure in relation to a shared service model for the planned replacement of the current NI Planning Portal.

The specification for the replacement Planning Portal has recently been agreed by all parties and the Department of Finance's Central Procurement Directorate, on behalf of DFI and the eleven Councils, has now commenced procurement for a new Planning IT System through the E tenders system.

Officers will provide further updates to Members at key stages as the procurement process progresses.

RECOMMENDATION: that the report be noted.

Prepared by: Kathryn Bradley, Executive Officer, Planning

Agreed by: John Linden, Head of Planning

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

ITEM 3.4

P/FP/LDP/1 - RTPI (NI) ANNUAL PLANNING CONFERENCE 17TH SEPTEMBER 2019 AT EUROPA HOTEL, BELFAST.

Officers wish to bring the forthcoming planning conference to Members' attention. The Royal Town Planning Institute (NI) is holding a conference entitled "*Delivering Living Places*" on Tuesday 17th September 2019 in the Europa Hotel, Belfast (see [enclosure](#)).

The speaker panel to date includes Julie Thompson (Deputy Permanent Secretary, Department for Infrastructure), Ian Tant (RTPI President), Andrew Haley (Chair of the Ministerial Advisory Group), Irene Beautyman (Planning Improvement Service, Scotland) and Alister Scott (Northumbria University).

The Department for Infrastructure's *Living Places* guide aims to clearly establish the key principles behind good placemaking – a principal central to the work of planners. This event will consider key aspects of places and encourage discussion between built environment professionals, to enable the application of the *Living Places*' principles to be understood and embedded in development proposals. Officers consider this conference will provide an important opportunity for Members and Officers to see how placemaking can help in the creation of quality places.

Places at this event cost £120 plus VAT and where 3 places are booked, a fourth place is available free of charge.

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

Prepared by: Sharon Mossman, Principal Planning Officer

Agreed by: John Linden, Head of Planning

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

ITEM 3.5

P/PLAN/031 - REVIEW AND REVISION OF PLANNING ENFORCEMENT STRATEGY

As Members are aware the Council has discretionary powers to take planning enforcement action under the provisions of the Planning Act (Northern Ireland) 2011 when it considers it expedient to so do, having regard to the provisions of the local development plan and any other material considerations.

This is reflected in the Enforcement Strategy published in December 2015 which sets out the Council's key objectives for the enforcement of planning control, explains how breaches of planning control will be investigated and lists the priorities the Council has for investigating breaches of planning control.

Following recent changes made to the Protocol for the Operation of the Planning Committee (incorporating the agreed Planning Scheme of Delegation) Officers have taken the opportunity to review, and where appropriate update and revise, the Council's published Enforcement Strategy.

A review of the operation of the Planning Enforcement Section against the service standards set out in the current Strategy is **enclosed** together with a copy of the Planning Enforcement Strategy which incorporates updated text, with the relevant changes highlighted for Members attention, to reflect the current agreed Scheme of Delegation (**copy enclosed**).

RECOMMENDATION: that Members approve the Planning Enforcement Strategy revised to reflect the recently agreed Protocol for the Operation of the Planning Committee.

Prepared by: Judith Winters, Senior Planning Officer

Agreed by: John Linden, Head of Planning

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

ITEM 3.6

P/PLAN/1 – NOVEMBER PLANNING COMMITTEE

Due to a prior commitment the Chairperson of the Planning Committee, Alderman Brett has advised that he would be unable to attend the Planning Committee meeting scheduled for Monday 18 November 2019. As a consequence he has queried whether if an alternative date, subject to the Committee's approval, would be available.

Member Services have indicated that Wednesday 13 November is available and Officers from the Planning Section are content with this alternative date.

RECOMMENDATION: that the Committee agree to move the date of the November Planning Committee meeting to Wednesday 13 November 2019.

Prepared by: Kathryn Bradley, Executive Officer

Agreed by: John Linden, Head of Planning

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

ITEM 3.7

REGIONALLY SIGNIFICANT PLANNING APPLICATION – KELLS SOLAR FARM (REFERENCE LA03/2015/0234/F)

The Department for Infrastructure has written to the Council to advise that it has issued a Notice of Opinion (NOP) proposing that planning permission should be granted subject to conditions for the following regionally significant planning application (copy of the letter and the accompanying Notice of Opinion enclosed).

Application Reference: LA03/2015/0234/F
Proposal: 50MW Solar Farm
Location: Lands located East and West of Whappstown Road and to the North of Doagh Road, Northwest of Kells, Co Antrim.
Applicant: Elgin Energy

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

The proposed development site straddles the Council's boundary with Mid and East Antrim Borough Council with the larger portion of the site lying within the Antrim and Newtownabbey Borough Council area.

Background

Members will recall that the Department for Infrastructure wrote to the Council in November 2017 advising that it had issued a Notice of Opinion (NOP) proposing that planning permission should be refused. At that time the Council agreed corporately to note the Department's NOP.

The applicant for the solar farm, Elgin Energy, subsequently requested a hearing before the Planning Appeals Commission and submitted an amended scheme reducing the scale of the proposed solar farm. The map attached to this report indicates the original application site and the reduced area now proposed by the applicant for the location of solar panels.

At the pre-hearing meeting held by the PAC on 26 April 2018 the Commission requested that the Department indicate its view on the amended scheme and whether it intended to change its NOP.

As reported to the October 2018 meeting of the Planning Committee the Department subsequently wrote to the PAC in September 2018 to indicate that it was not in a position to take a further decision on its NOP in the absence of a Minister, rather it intended to adopt a neutral stance to allow the hearing before the PAC to progress. On that basis the PAC scheduled its hearing to open on 29 November 2018 in the Braid Centre, 1-29 Bridge Street, Ballymena.

As reported to the December 2018 meeting of the Committee, the Department then wrote again to the PAC on 15 November 2018 following the introduction of the Northern Ireland (Executive Formation and Exercise of Functions) Act and advised, in

light of this significant new procedural consideration, that it was withdrawing its original NOP and its request for the PAC to hold a hearing on the proposal.

Current position

Following the withdrawal by the Department of its original NOP to refuse permission it has now formally reassessed the amended scheme submitted by the applicant and has now issued the new NOP to the Council under Section 26(11) of the Planning Act (Northern Ireland) 2011 indicating the Department's view that planning permission should be granted subject to conditions. This new NOP has also been served on the applicant and Mid and East Antrim Borough Council.

Having now issued an opinion that approval should be granted to the application the Department, has written to both Councils and the applicant to ascertain if any party wishes to request an opportunity of appearing before and being heard by the Planning Appeals Commission on the application.

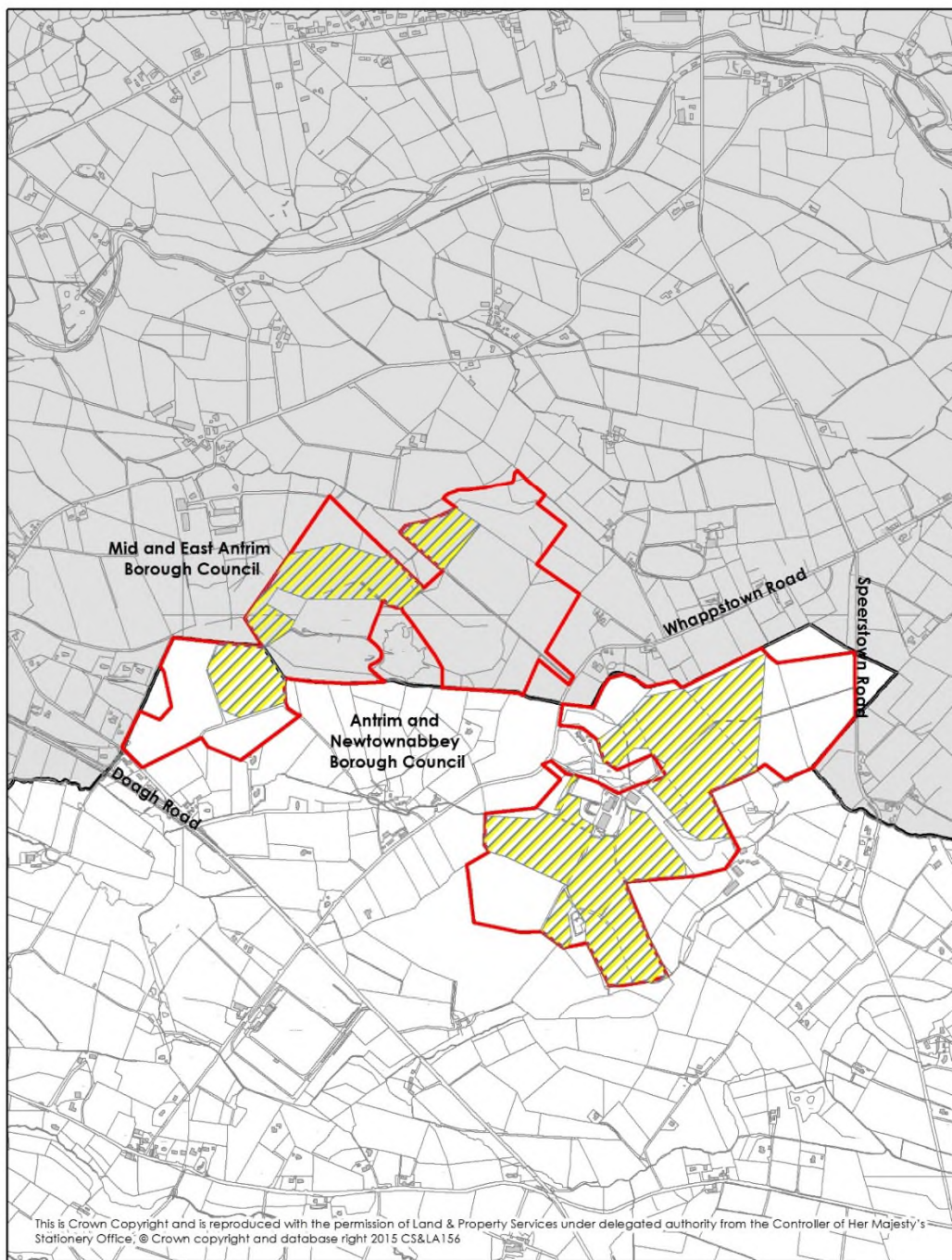
If a hearing before the Planning Appeals Commission is requested by the Council or the applicant, the Department must take into account the report of this hearing.

Officers would also remind Members that, irrespective of whether a hearing is held before the PAC or not, the final decision on this regionally significant planning application will ultimately rest with the Department.

RECOMMENDATION: Members instructions are requested.

Agreed by: John Linden, Head of Planning

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



Location Map

Application Reference: LA03/2015/0234/F

Proposed solar farm with total generating capacity of 50MW. Lands at Whappstown Road, Moorefields, Castlegore, Ballymena.

0 300 600
Metres



Site Boundary Extent of Solar Panels in amended scheme



ITEM 3.8

P/FP/LDP/1 /LDP/1 - LOCAL DEVELOPMENT PLAN QUARTERLY UPDATE APRIL 2019 – JUNE 2019

The Council's Local Development Plan (LDP) Timetable advises that progress reports will be submitted on a quarterly basis to the Planning Committee. This report covers the first quarter of the 2019 – 2020 business year (April 2019 to June 2019).

The draft Plan Strategy document was agreed by the Council on 29 April 2019. The Council held an event on 28 June 2019 to formally launch the draft Plan Strategy and associated evidence base and relevant assessments. This event was attended by the Council's statutory and community planning partners, representatives from neighbouring Councils, planning consultants, community groups and Mr. Patrick Banger, City Manager from the Council's Sister City, Gilbert Arizona.

The Council initiated a period of pre-consultation between 28 June 2019 and 25 July 2019. The formal public consultation runs from 26 July to 20 September 2019 and is currently underway.

During the period April to June 2019, meetings of the Local Development Plan Steering Group and the Belfast Metropolitan Area Spatial Working Group were held. The bi-annual DfI Strategic Planning meeting also took place during this period.

In addition, a further meeting of the Belfast Metropolitan Transport Plan Project Board took place to discuss ongoing development of the new Transport Plans that affect the Borough following proposed changes to process and timescale.

The Planning Appeals Commission (PAC) also held a public information event on 13 June 2019 at the Old Courthouse in Antrim to explain the anticipated role of the Commission in the LDP Independent Examination process based on the procedures introduced by the 2011 Planning Act. The meeting was attended by Officers from the Forward Planning Team as well as several Members.

RECOMMENDATION: that the report be noted.

Prepared by: Sharon Mossman, Principal Planning Officer

Agreed by: John Linden, Head of Planning

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

ITEM 3.9

P/FP/LDP/1 LOCAL DEVELOPMENT PLAN WORKING GROUPS

It is proposed that the Council representatives on the Local Development Plan (LDP) Steering Group and the Metropolitan Area LDP Spatial Working Group now pass to the current Chairperson and Vice Chairperson of the Planning Committee, Alderman Phillip Brett and Councillor Roisin Lynch.

The Forward Planning Team would like to thank the outgoing representatives to the Belfast Metropolitan Local Development Plan Working Group, Councillor Henry Cushinan and Alderman Fraser Agnew, for their attendance and contribution.

The previous Chairperson and Vice-Chairperson of the Planning Committee are invited to continue to attend the LDP Steering Group.

RECOMMENDATION: that Alderman Brett and Councillor Lynch represent the Council on the Metropolitan Area LDP Spatial Working Group for the coming year and also become representatives on the Council's LDP Steering Group together with Councillor Cushinan and Alderman Agnew.

Prepared by: Sharon Mossman, Principal Planning Officer

Agreed by: John Linden, Head of Planning

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

ITEM 3.10

P/FP/LDP/94 - ENGAGEMENT WITH THE DEPARTMENT FOR INFRASTRUCTURE – DRAFT DEVELOPMENT PLAN PRACTICE NOTE 10 – SUBMITTING DEVELOPMENT PLAN DOCUMENTS FOR INDEPENDENT EXAMINATION

The Department for Infrastructure (DfI) has written to all Councils regarding a new Development Plan Practice Note entitled "Submitting Development Plan Documents for Independent Examination" along with a soundness self-assessment tool (the details of which are **enclosed**) for comment.

At present, there is no legislative procedure to deal with any changes to a draft LDP document following public consultation before it is submitted to DfI for Independent Examination (IE) to be tested for soundness. This new guidance proposes to introduce a non-statutory option known as "focussed changes" which is explained below. The new guidance advises that the Council will need to consider each issue raised through the public consultation process and consider one of the options below:-

Option 1 – Note the issue but consider the plan as prepared is sound and does not need to be changed;

Option 2 - Note the issue and, while it considers the plan as prepared is sound, is content that a compromise could be acceptable which would not impact upon the soundness of the plan;

Option 3 - Disagree with the issue and considers that the plan is sound and does not need to be changed;

Option 4 – Agree with the issue, which is an unforeseen issue, and consider, that changes are required to ensure that issues which impact upon the soundness of the plan are addressed;

Option 5 – Agree with the issue and where it is a fundamental issue that goes to the heart of the plan, withdraw the plan document or

Option 6 – Other as yet unknown scenarios.

Where the Council is of the view that a change is needed to the plan document to ensure its soundness, the guidance introduces the concept of "*focussed changes*". Focussed changes should be small in number and reflect key pieces of evidence, but should not go to the heart of the plan and affect only limited parts of it. Any focussed changes will be required to be published and consulted upon as an addendum to the plan document. Officers anticipate that such an approach could add some 9-12 months to the Plan process.

In addition to the above information, the guidance also sets out the requirements to be met by the Council before submitting the plan for IE to DfI, availability of submission documents, publicity of the IE and DfI's role at submission. This includes the option for the Department, in its oversight role, to cause an IE unless it determines it is necessary to direct a Council to withdraw or modify the plan. Importantly, the guidance clarifies that it is not the role of the Department to determine if the plan is

sound, but rather to be satisfied that there is nothing in the plan and its associated documents, which would prevent the plan from progressing to IE.

The guidance also proposes that the Council should prepare topic papers or a consultation report setting out its views on the matters raised as a result of the public consultation process. The guidance also suggests that statements of common ground can be used to establish the main areas of agreement between two or more parties on a particular issue.

Dfl has requested that responses to the draft guidance be submitted by 30 August 2019, although no indication is given of a publication date for the final document. Officers recommend that Dfl are invited to make a presentation to the Committee on the proposed non-statutory changes to the LDP system outlined in the draft guidance before the Council provides a formal reply and have drafted a response on this basis (copy enclosed).

RECOMMENDATION: that the attached letter is issued to Dfl.

Prepared by: Sharon Mossman, Principal Planning Officer

Agreed by: John Lindon, Head of Planning

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

ITEM 3.11

P/FP/LDP/1 - LOCAL DEVELOPMENT PLAN WORK PROGRAMME JULY 2019 TO JULY 2021

Members will be aware that the Local Development Plan (LDP) 2030 draft Plan Strategy was published on 28 June 2019. This represents the culmination of a key stage in the LDP process.

The Council's published LDP Timetable states that a work programme will be presented to Members for each key stage of the plan process. Following publication of the draft Plan Strategy for public consultation Officers have updated the LDP Work Programme to cover the period up to July 2021, which is the anticipated timeframe for the adoption of the Plan Strategy document, following its Independent Examination **(copy enclosed)**.

RECOMMENDATION: that the LDP Work Programme and anticipated timeframe for adoption of the draft Plan Strategy is approved.

Prepared by: Sharon Mossman, Principal Planning Officer

Agreed by: John Linden, Head of Planning

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

PART TWO

PLANNING APPLICATIONS

COMMITTEE ITEM	3.15
APPLICATION NO	LA03/2018/0163/F
DEA	DUNSILLY
COMMITTEE INTEREST	LEVEL OF OBJECTION
RECOMMENDATION	GRANT PLANNING PERMISSION
PROPOSAL	Residential Development comprising 22 No. dwellings
SITE/LOCATION	Lands between Maine Integrated Primary School and 2 Birchdale and opposite 84 Portglenone Road Randalstown
APPLICANT	PRH Developments (NI) Ltd
AGENT	MDF Architecture
LAST SITE VISIT	26 th March 2019
CASE OFFICER	Glenn Kelly Tel: 028 903 40415 Email: Glenn.kelly@antrimandnewtownabbey.gov.uk
<p>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal www.planningni.gov.uk</p>	
SITE DESCRIPTION	
<p>The application site is located on lands along the Portglenone Road between Maine Primary School and No.2 Birchdale. The site lies within the settlement limits of Randalstown as defined by the Antrim Area Plan (AAP) 1984-2001. The site is currently a disturbed agricultural field with soil heaps and rough pathways created.</p> <p>The topography of the site falls away from the roadside towards the centre of the site. A small watercourse transverses the centre of the site running in a northwest to southeast direction. Land then rises gradually from the watercourse towards the southeastern/northeastern boundaries. The roadside southwestern boundary is defined by a 4m high mature hedge, this continues along the southeastern boundary and separates the site from an adjoining residential plot (No.2 Birchdale). The northeastern boundary is defined by varying vegetation types creating a dense boundary 6-8m in height; dwellings along the Ahoghill Road back onto this shared boundary. The northwestern boundary is defined partially by 2m high paladin fencing which forms a boundary between the site and Maine Integrated Primary School.</p> <p>The surrounding area is primarily residential lands to the north, south and east of the site; with an education facility to the west.</p>	
RELEVANT PLANNING HISTORY	
<p>Planning Reference: T/2007/0357/F Location: Lands South-West of Randalstown Integrated Primary School, Randalstown Proposal: Proposed housing development comprising a mix of 16 no. semi-detached dwellings, 1 no. detached dwelling, 17 no. townhouses and 4 no. apartments Decision: Permission Granted 03.11.2008</p>	

Planning Reference: LA03/2017/0193/LDP

Location: Lands between Maine Integrated Primary School and 2 Birchdale and opposite 84 Portglenone Road, Randalstown.

Proposal: Completion of Planning approval T/2007/0357/F

Decision: Approve

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

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

CONSULTATION

Environmental Health Section – No objection

Northern Ireland Water – No objection

DfI Roads- No objection subject to conditions and informatives

DfI Rivers – No objections

DAERA: Natural Environment Division – No objection subject to conditions

Shared Environmental Services – No objection subject to condition

REPRESENTATION

Twenty-six (26) neighbouring properties were notified and five (5) letters of objection have been received from four (4) properties. Four (4) letters of representation were also received which requested an extension to the neighbour notification period. The full representations made regarding this proposal are available for Members to view online at the Planning Portal (www.planningni.gov.uk).

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

- Impact upon existing vegetation along northeastern boundary.
- Excessive number of dwellings proposed.
- Dwelling design.
- Overlooking.
- Level changes.
- Impact upon flora and fauna.

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
- Landscaping
- Flood Risk
- Other Matters

Policy Context and Principle of Development

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

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

The application site is located within the settlement limit of Randalstown in the AAP and comprises unzoned white land. 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: Access Movement and Parking;
- PPS 8: Open Space, Sport and Outdoor Recreation; and
- PPS 15: Planning and Flood Risk.

A previous planning approval exists on the site under application no. T/2007/0357/F for 38 dwellings and apartments which remains extant given that a Certificate of Lawful Use or Development application LA03/2017/0193/LDP confirmed that the development had lawfully commenced.

Within this policy context and considering the planning history on the site, it is considered the principle of housing development on the site is acceptable. This is 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 and Appearance

The application proposes the development of 22 detached and semi-detached two-storey dwellings. This is a reduction in number from the 38 dwellings and apartments that were previously approved on the site and remain extant.

Access is taken off the main Portglenone Road with five detached and two semi-detached dwellings facing onto the Portglenone Road behind a 1m high estate style fence and a private access road which provides an acceptable visual introduction to the site from the main road. The proposed estate road then leads through the centre of the site with an area of open space on the western side of the roadway and housing to the north and east.

The dwellings proposed have their own identity, without offending the character of the surrounding area. There are seven house types in total, each offering a unique scale and design for potential residents, whilst replicating themes from one another. The dwellings proposed all have a similar height of approximately 9m above ground level. External finishes are also matching throughout the development, with facing brick and elements of smooth render painted. Roofs are to be finished with concrete tiles in a mix of black/grey. Window frames and front doors to be finished in black uPVC materials.

Each dwelling has at least two private car parking spaces within their respective curtilages. Private amenity space is provided which averages over 106m² in accordance with the guidance document Creating Places. Rear gardens are to be defined by 1.8m high close boarded timber fencing, except for corner sites which will be defined by 1.8m high feature plastered walls and pillars.

With regards to public open space, policy states that for a development of this size, at least 10% of the total site (in this case 12,000m²) must be devoted to useable open space. An acceptable amount of almost 2000m² of useable space has been provided, which is in accordance with both PPS 7 and PPS 8.

The area of open space is overlooked by a number of dwellings to the northeast and southeast. This offers security to the area and safety for those utilising the open space.

Objections were received relating to some design issues of the development. Firstly concerns were raised relating to the number of dwellings proposed. Having assessed the plans it is considered that the development is relatively low density and not out of keeping with developments within Randalstown. It must also be acknowledged that the extant permission on the site was for a greater number of dwellings than currently proposed. Objections are also raised regarding building heights, specifically that dwelling heights should be limited to single storey or storey and a half. Having carried out a site assessment it is considered that there are a mix of existing house types in the surrounding area and there is no justification for restricting the proposed dwellings to single storey or storey and a half. The Portglenone Road offers examples of bungalows, chalet bungalows and two-storey dwellings, whilst dwellings beyond the northeast boundary along Ahoghill Road are two storey detached and semi-detached dwellings. It is therefore considered that there is no dominant character of house type in the surrounding area and two storey dwellings are considered acceptable. Notwithstanding this, the extant approval on the site consisted of two

storey buildings and this development could be completed by the developer, creating a strong fall-back position.

Overall it is considered that the design and appearance of the proposed scheme is acceptable and is in accordance with BMAP, the SPPS, Policy QD 1 of PPS 7 and Policy OS 2 of PPS 8

Neighbour Amenity

It is considered that there will be no detrimental impact upon any neighbouring properties as a result of this development. The closest residential property to the development is No.2 Brichdale, 10m to the south of site no.11. The dwelling on site no.11 will sit side-on to the existing development, with only one en-suite bathroom window on the first floor south-facing elevation. There is also a mature boundary to be retained between the existing and proposed properties meaning it is highly unlikely there will be any undue impact in terms of overlooking.

Existing dwellings are also located along the Ahoghill Road beyond the northeastern boundary of site nos.11-22. Although these properties will be "back-to-back" there are separation distances of 25-40m between the new and existing properties as well as mature intervening vegetation that is to be retained. The distances involved and the intervening vegetation will limit the potential of overlooking between new and existing properties.

A number of objection letters received from properties along the Ahoghill Road raised concerns of overlooking with the proposal but it is considered having taken the above into account that these concerns are largely unfounded. Determining weight is not therefore being given to these objection points in the final decision making process

Concerns were also raised by one objector as to the level changes on the site and the impact this may have on amenity. In relation to neighbour amenity close to the northeast boundary, it would appear that there will be an increase in ground level of approximately 70-80cm. This is not considered significant enough to alter the relationship between the proposed and existing dwellings. Notwithstanding this, a similar increase was approved under the extant permission. Little weight can be given to this objection point in the final decision making process.

Having taken the above points into account it is considered that the proposed development will have little detrimental impact upon existing properties and the therefore it is considered the proposal complies with part (a) of QD 1 of PPS 7.

Impact on Character and Appearance of the Area

It is not considered that the works will have a detrimental impact upon the character or appearance of the area. Although there will be an awareness of a change of use on the land from vacant land to residential, this will not be a detrimental impact. The development will fill a gap which is surrounded on most sides by existing residential development and the local primary school to the northwest. Therefore it is considered that the works comply with part (a) of QD 1 of PPS 7.

Landscaping

A landscaping plan has been received which shows that existing hedging and a number of trees are to be retained around the boundaries of the site, with further planting and augmentation to be carried out. A landscape management plan has also been submitted to maintain public areas on the site.

One of the main areas of concern raised in objections relates to the potential damage/removal of hedging and trees along the northeast boundary of the site. As mentioned above, details have been shown that vegetation along this boundary is to be retained with further planting carried out where necessary. Plans also show that existing trees and hedging are to be protected during the construction phase.

In addition, one objector raised concerns regarding the location of a garage so close to this boundary that it would inevitably cause interference with the existing root network. Subsequent revisions of the site layout show that this garage associated with site no. 11 has been removed from the scheme.

It is considered that by conditioning the retention of vegetation along this boundary at a minimum height of 6m the neighbouring properties concerns can be addressed.

Flood Risk

There are no watercourses which are designated under the terms of the Drainage (Northern Ireland) Order 1973 within the bounds of the site. The site is transversed by a watercourse that is known as the "Hermitage Drain" which is undesignated at this location. The "Hermitage Drain" becomes designated exiting from the southeastern boundary of the site.

Flood Maps (NI) illustrates how the site may be affected by flooding;

- The indicative Fluvial Flood Extents Map indicates that the site is partially situated within the 1% AEP fluvial floodplain
- The indicative Surface Water Flood Extents Map indicates the site has potential to be affected by surface water flooding
- No evidence of historical flooding at the site or its environs.
- The site is unaffected by the inundation zone or any controlled reservoir.

A Flood Risk and Drainage Assessment (FRDA) was submitted to the Council and whilst it is acknowledged that a portion of the site may be at flood risk, it is considered that, the FRDA should be assessed as an exception to the policy given the extant planning permission for development on the site.

The author of the FRDA contends that the proposed development constitutes a betterment of the scheme previously approved on the site which could lawfully be implemented.

A new flood storage area/open space is now proposed close to the northwest boundary of the site which moves dwellings further away from the flood risk area than was previously approved. A section of the watercourse will be culverted as it moves downstream towards the southeastern boundary. This will be a shorter section than before (approx.120m) and will leave a minimum 5m space either side away from the proposed dwellings which again is an improvement over the previous

scheme. Overall there is to be a reduction in the displacement of water and an improved provision for access to the watercourse.

There will be a degree of infilling within the floodplain which is not usually acceptable however, this must be weighed against the extant permission from which there is little change. This report was forwarded to DFI Rivers which has responded with no objections. They accept the report and have no reason to disagree with the findings shown. Having taken into account the exceptional circumstances of the extant approval on the site and the betterment of the flooding and drainage situation than previously approved, the application in relation to flood risk is considered acceptable.

Other Matters

Two objection letters raised concerns regarding the potential impact upon wildlife on the site, including rabbits, frogs and birds. A Newt Survey was submitted and this information was forwarded to Natural Environment Division (NED) which accepted the findings of the report which found that the water body on the site is not likely to support breeding newts. NED also welcomed the landscaping plan received which showed that vegetation is to be retained on the site and that further native species planting is to be carried out. In conclusion NED offer no objections to the proposal subject to conditions and informatives. Given the response from NED little weight can be afforded to the objections raised regarding the impact on wildlife.

DFI Roads were also consulted on the application and has responded with no objections subject to conditions and informatives.

CONCLUSION

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

- The principle of the development is considered acceptable on the site;
- The design of the development is considered acceptable;
- There will be no detrimental harm to the amenity of any neighbouring property;
- The development will be in keeping with the character and appearance of the surrounding area;
- Trees and hedging is to be retained and further local species planting carried out to augment boundaries;
- Development will occur partially within the floodplain, however the current proposal represents betterment given the previous approval;
- NED is satisfied that the proposal will not detrimentally impact upon flora or fauna;
- DFI Roads has offered no objection to 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 as shown on approved drawing 23 date stamped received 28th January 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 4m and existing trees as shown retained at a minimum height of 6m. If any retained tree or vegetation is removed, uprooted or destroyed; or dies it shall be replaced within the next planting season by another tree, trees or vegetation in the same location of a species and size as specified by the Council. Existing trees shall be protected as per annotated on drawing 23 also.

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

3. The proposed planting shall be carried out in accordance with approved drawing No.23 date stamped 28th January 2019. Planting shall be carried out in the first available season after occupation of the dwelling hereby approved. If 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.

4. The Council hereby determines that the width, position and arrangement of the streets, and the land to be regarded as being comprised in the streets, shall be as indicated on Drawing No. PSD 01 bearing the date stamp 08 Apr 2019.

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

5. No dwellings hereby permitted shall be occupied until the works necessary for the improvement of a public road have been completed in accordance with the details outlined blue on Drawing No PSD 01 bearing the date stamp 08 Apr 2019.

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

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

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

7. Notwithstanding the provisions of the Planning (General Permitted Development) Order (Northern Ireland) 2015, or any Order revoking and/or re-enacting that Order, no buildings shall be erected within the curtilages of the dwelling houses hereby permitted without the grant of a separate planning permission from the Council

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

8. Lighting on site shall not exceed 1 lux on all boundary vegetation as per Document 05 "Lighting Report" date stamped 11th December 2018

Reason: To minimise the impact of the proposal on bats and other wildlife.

9. Prior to the commencement of development, a Final Construction Environmental Management Plan shall be submitted to and approved by the Council. This shall include site specific method statements for the specific work areas including culverting and floodplain re-profiling. The final CEMP shall reflect all the mitigation and avoidance measures outlined in the draft CEMP submitted by McCloy Consulting and the comments of NIEA WMU (12/11/2018) for protection of water quality. The final CEMP should demonstrate on a drawing the location of the site compound, confirm the presence of the 10m buffer to the watercourse, confirm the location of the silt fencing/straw bales to be used during floodplain re-profiling works and the location of the SuDS features for dirty water management. The approved CEMP shall be adhered to and implemented throughout the construction period in accordance with the approved details, unless otherwise agreed in writing with by the Council.

Reason: To ensure that the appointed contractor undertaking the work is fully appraised of all the risks associated with the proposal and to provide effective mitigation ensuring there are no adverse impacts on the integrity of Lough Neagh and Lough Beg SPA/Ramsar and Rea's Wood and Farr's Bay SAC.

10. The open space and amenity areas indicated on the stamped approved Drawing 05/3 date stamped 28th January 2019 shall be managed and maintained in accordance with the Landscape Management Plan, DOC 06 received on 28th January 2019. Any changes or alterations to the approved landscape management arrangements shall be submitted to and agreed in writing by the Council.

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




Location Map

Application Reference: LA03/2018/0163/F

Lands between Maine Integrated Primary School
and 2 Birchdale and opposite 84 Portglenone Road
Randalstown

Residential Development
comprising 22No. dwellings



 Site Boundary
For Information Only



COMMITTEE ITEM	3.16
APPLICATION NO	LA03/2019/0261/F
DEA	ANTRIM
COMMITTEE INTEREST	LEVEL OF OBJECTION
RECOMMENDATION	GRANT PLANNING PERMISSION
PROPOSAL	Erection of 2 no. two storey dwellings
SITE/LOCATION	Junction of Greystone Road/Ashgreen, 50m North of 25 Greystone Road, Antrim
APPLICANT	Mr Damien Heffron
AGENT	J E McKernan & Son
LAST SITE VISIT	2 nd May 2019
CASE OFFICER	Alexandra Tipping Tel: 028 903 40216 Email: alexandra.tipping@antrimandnewtownabbey.gov.uk
<p>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal www.planningni.gov.uk</p>	
SITE DESCRIPTION	
<p>The application site is located within the settlement limits of Antrim as defined within the Antrim Area Plan 1984 – 2001. The site comprises approximately 0.30 hectares of land situated at the junction of the Greystone Road and Ashgreen, and 50 metres north of No. 25 Greystone Road (Ashville House).</p> <p>The northern boundary of the application site which runs parallel to the Greystone Road is presently defined by a wooden fence, which is overgrown with vegetation. A number of mature trees are also plotted along this roadside boundary. A combination of hedgerow and post and wire fencing forms the western boundary of the site, again a number of mature trees are also present along this boundary. The eastern boundary, adjacent to the residential development at Ashgreen, is defined by a post and wire fence with a hedgerow and a number of trees planted behind. The southern boundary of the site is currently open but is enclosed by a number of mature trees located inside the boundary of the application site. Lands associated with No. 25 Greystone Road (Ashville House – a listed building) lie immediately beyond this boundary. A number of the trees along the boundaries of the site benefit from a Tree Preservation Order.</p>	
RELEVANT PLANNING HISTORY	
<p>Planning Reference: LA03/2017/0458/F Location: Junction of Greystone Road/Ashgreen, 50m North of 25 Greystone Road, Antrim Proposal: Erection of 3No. Two Storey Dwellings Decision: Permission Refused 23.04.2018</p> <p>Planning Reference: LA03/2016/0811/F Location: Junction of Greystone Road and Ashgreen 50m north of 25 Greystone Road, Antrim. Proposal: Erection of 3 no. detached dwellings</p>	

Decision: Application Withdrawn 20.01.2017

Planning Reference: LA03/2015/0563/F

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

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

Decision: Permission Refused 21.06.2016

Planning Reference: T/2007/0302/O

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

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

Decision: Permission Granted 04.03.2009

Planning Reference: T/2005/0117/O

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

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

Decision: Application Withdrawn 02.08.2006

Planning Reference: T/2004/0101/F

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

Proposal: Residential development comprising 2 no dwelling units incorporating attached granny flat annex to house type B.

Decision: Permission Granted 04.01.2005

Planning Reference: T/2001/0938/O

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

Proposal: Site of Residential Development.

Decision: Permission Granted 13.12.2002

PLANNING 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 Antrim.

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

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

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

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

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

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

CONSULTATION

Council Environmental Health Section – No Objections

Northern Ireland Water – No Response

Department for Infrastructure Roads- No Objections

Department for Communities Historic Environment Division – Amendments required

REPRESENTATION

Twelve (12) neighbouring properties were notified and three (3) letters of objection have been received from two (2) properties. A petition has also been received with twenty eight (28) signatures attached. This petition objects to the proposal. The full representations made regarding this proposal are available for Members to view online at the Planning Portal (www.planningni.gov.uk).

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

- The design of the houses do not reflect the character of the surrounding area.
- The dwellings appear cramped on the site with little room for gardens or space between buildings.
- Concerns in relation to overlooking and overshadowing of the neighbouring dwelling at No. 2 Ashgreen.
- Road traffic congestion mostly caused by obstructions.
- Concern with a new entrance onto Ashgreen which is close to the junction with the Greystone Road.
- Concerns in relation to availability of infrastructure ie, water, sewerage.
- Concern with neighbour notification – Residents in Alder Park being notified.
- The dwellings are too large in relation to the constraints and setting.
- Concerns in relation to ownership along the sites eastern boundary.
- The remaining fence along the sites southern boundary should be connected to a new fence along the thick black line shown on the plan.
- The wording noted on the plan 'behind along boundary' is ambiguous.
- Hedging along part of the western boundary is not suitable and this should be closed board wooden fencing – a protective border to the listed property behind the application site.

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 of the Area
- Impact on the Setting of the Listed Building (Ashville House)
- Impact on Trees
- Neighbour Amenity
- Natural Heritage
- Access, 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 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 on 'whiteland' within the settlement limit of Antrim 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 6; Planning, Archaeology and the Built Heritage
- PPS 3: Access Movement and Parking;

Within this policy context, it is considered the principle of housing 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.

It should also be noted that planning permission was previously granted under planning application reference T/2004/0101/F permitting 2 No. dwelling units on the site and a further planning permission; T/2007/0302/O permitted 6 No. apartments with 9 No. car parking spaces. Whilst these planning approvals have expired, it is considered that the principle of development for residential use is acceptable within the development limits of Antrim, subject to the proposal meeting the detailed policy criteria addressed in the paragraphs below.

Design Layout, Appearance and Impact on Character 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.

This application is for 2 no. 2 storey detached dwellings. These proposed dwellings front onto the Greystone Road and are accessed via a shared entrance taken off Ashgreen. A shared driveway runs in front of the proposed dwelling houses and two in-curtilage car parking spaces are provided for each dwelling. A private amenity area in excess of 120 m² is also provided for each dwelling.

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 and landscaped and hard surfaced areas.

Policy LC1 of the addendum to PPS 7 provides further criteria to be met in an established residential area. Criterion (b) of this policy also relates to character and states that the pattern of development must be in keeping with the overall character and environmental quality of the established residential area.

The application site is located within an established residential area, which is characterised by mostly detached residential dwellings on generous plots. The dwellings in relative proximity to the application site are considered those at the entrances to Ashgreen and Ashville Park. Ashville House (25 Greystone Road) is located to the rear of the site, this listed dwelling is orientated to face south and is accessed via a private laneway from the Greystone Road and is also considered to provide relative local context and established character upon which the proposal will be assessed.

Within the site, there are numerous mature trees, which are subject to protection by way of a Tree Preservation Order (TPO/2007/0068). It is considered that these trees also make a significant contribution to the character and appearance of the area as well as to the setting of Ashville House (Listed Building).

It is considered that the proposal pays respect to the surrounding context. The density of the scheme is considered acceptable as the plot sizes are generally representative of what exists in the surrounding area which satisfies criteria (a) of Policy LC1. It is noted that the layout to include a shared driveway across the front of the dwelling houses is not something that is prevalent in the area however, given the constraints of the site mainly the extent of the TPO, it is considered that this layout arrangement is acceptable. The dwellings are located side by side and are both orientated to front onto the main Greystone Road. They take a relatively uniform spatial arrangement which is in keeping with that of the surrounding area. Both dwellings are adequately spaced and have ample enclosed amenity space provided to the rear.

In relation to scale, massing and appearance of the proposed dwellings, it is considered that the proposal is acceptable. The dwellings adjacent to the site at the entrance to Ashgreen consist mainly of detached bungalow type dwellings, however, there are examples of two storey properties to the rear of the application site (No. 25 – Ashville House) and to the west within Ashville Park as well as further along the Greystone Road. It is therefore considered that the proposed two storey dwellings would not significantly alter the character and appearance of the general area.. The design and appearance of the proposed dwellings is relatively simple and similar for both dwelling houses. They both have a pitched roof with chimneys expressed below the ridgeline. The walls are to be finished in dashed/smooth render, the windows in black uPVC and the roof with dark coloured flat roof tiles. Dwelling Type A also has a bay window on its side elevation which helps in demonstrating a dual frontage and providing an attractive outlook given the sites corner site location which fronts on to both the Greystone Road and Ashgreen.

Overall, it is accepted that development respects the surrounding context and is appropriate to the character and appearance of the surrounding area in accordance with Policy QD1 and Policy LC1.

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

The Department for Communities - Historic Environment Division (HED) has raised concern that the proposal would have an adverse impact on the listed building (Ashville House) which is located on a large site immediately to the rear of the application site. The consultation response dated 19th April 2019 requested additional information and for amendments to be made to the proposal. It is however noted that HED (previously NIEA- HBU) has been consulted on multiple previous planning applications for housing on this site with the most recent response received in May 2017 in relation to LA03/2017/0458/F. These consultation responses have indicated no concerns with the previous proposals. These most recent previous proposals were for 3 no. detached dwellings (x2) and 4 no. semi-detached dwellings. HED provided no indication of any concerns in relation to finishes or massing in their previous responses despite these proposals being similar to the current proposal albeit of a higher density than that of the scheme currently before the Council. The case officer made contact with HED in light of the above. HED has since responded via email to advise that it will concede on a number of concerns previously raised with the exception of items 1(d) and 3 of the original response. Item 1(d) relates to a massing study and requests contextual sections illustrating the proposal in relation to the listed building. Part 3 relates to design and materials.

The trees to be retained which run along the sites southern boundary in common with Ashville House are noted as having a height of 13 metres within the Tree Survey Report submitted with the application. Owing to the screening provided by these mature trees and the distance from the application site to the main Ashville House building (approximately 50 metres) it is concluded that there will be no immediate views to this listed building and thus a contextual section would not be of any benefit on this occasion.

It is considered that given the mix of finishes prevalent in the surrounding area and owing to the mature trees which provide screening to Ashville House and limit views of this building from the application site, it is considered that the proposed finishes are acceptable.

HED has also highlighted concern with the proposed closed board wooden fencing which is to be located along the sites southern and western boundaries. Again, it is considered acceptable to discount this concern given that views to this fencing will be restricted owing to the location of this fencing to the side and rear of the proposed dwelling houses. Furthermore, it is also noted that a large portion of similar fencing is already in place along the eastern site boundary of Ashville House as well as being prevalent along the Greystone Road opposite the application site. It is therefore considered that the presence of this fencing would have no significant detrimental impact on the character of the streetscape, the listed building or its setting.

Notwithstanding the views expressed by HED, it is considered that the proposal will not have a significant detrimental impact on the listed building or its setting and can therefore satisfy the requirements of Policy BH11-Development affecting the Setting of a Listed Building of the Department's Planning Policy Statement 6. As noted above this is mostly due to the distance of the application site from the listed building and the level of screening provided around the site. It is also considered that the proposal

does not adversely affect the listed gates and gate screen associated with Ashville House.

Impact on Trees

As noted above the application site contains a number of mature trees, which are protected by a Tree Preservation Order (TPO/2007/0068). Drawing No. 02 bearing the date stamp 27th March 2019 shows 3 no. trees to be removed (TPO Nos. 2, 3 and 4). Approval was previously granted under LA03/2017/0183/TPO for the removal of TPO nos. 2 and 3. These trees now appear to have been felled. The felling of these trees was granted subject to their replanting. This replanting does not appear to have taken place on site. It is however accepted that this application represents the best method for this replanting, as to replant before construction works are undertaken may result in damage to the trees during the construction phase. The proposed locations for the replanting are shown on Document 02 and are considered acceptable.

The Planning Section's nominated Tree Officer has reviewed the above noted drawing together with the Tree Survey Report and Tree Survey Report Sheet submitted with the application (Documents 02 and 03). Their report has advised that although it is unfortunate that Tree No. 4 is to be felled, the tree is reported to be in poor condition and the removal of this tree represents the only feasible access to the site. The removal of this tree is therefore accepted.

The Department's Planning Guidance states that as a rule of thumb, the amenity distance should be measured from the edge of the RPA or the crown spread (whichever is greater) of the tree and this should be a minimum of 6 metres to the front and rear elevations and 3 metres to the side gables, with consideration also given to the future growth and larger species. It is recommended for larger and more heavily shading trees, such as beech, that this distance should be increased to 10 metres. Taking into consideration this guidance it is accepted that ideally the units would be located slightly further from tree group 18, however, given the previous planning history on the site, no objection is raised in relation to the siting of the dwellings. It is however acknowledged that the trees will result in shaded rear garden amenity spaces.

It is noted that the stoned driveway encroaches into the Root Protection Area of Tree No. 5. The encroachment is noted on Drawing No. 02 as 7.8 % which falls under the maximum British Standard (20%). There is therefore no objection in relation to this.

The proposed boundary treatments which consist of closed board fencing along the southern boundary and part of the western site boundary and lie in the Root Protection Areas should be constructed by hand digging only. This will be conditioned upon any approval.

It is also considered necessary to condition that protective fencing be put in place during the construction phase of the development to ensure that the trees to be retained are not damaged by building operations and soil compaction. It is concluded that the proposal is acceptable and will not have a detrimental impact on the trees subject to a number of conditions being attached to any approval.

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.

The dwellings on Ashgreen are located approximately 23 metres from the side elevation of the closest proposed dwelling. It is considered that this distance together with the orientation of the proposed dwellings and the proposed boundary treatments will ensure that there will be no unacceptable impact on neighbour amenity with regards to overlooking, loss of light or overshadowing.

Ashville House is located approximately 50 metres to the south of the application site, again owing to the ample separation distance and the mature boundary treatments provided. It is concluded that there would be no detrimental impact on the amenity experienced at this neighbouring property.

Natural Heritage

The applicant has completed an NI Biodiversity Checklist. Although DAERA's Planning Response Team has not been directly consulted on this application, the checklist appears identical to that submitted with the previous planning application – LA03/2017/0458/F. Both the Water Management Unit and Natural Environment Division were content with the previous proposal. Given this application is for a lesser scheme and there are no known changes since the previous application, it is considered that there are no concerns in relation to impact on natural heritage.

Access, Parking and Road Safety

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

Concerns have been raised in objection letters with regard to a number of roads related issues. These include, the proximity of the proposed access to the junction of Greystone Road and Ashgreen and the impact of the proposal on traffic congestion, road safety in Ashgreen in particular.

DfI Roads has been consulted in relation to the implications of the proposed development on roads and road safety matters. DfI Roads has offered no objection to the proposal, subject to sign off by DfI of a Private Streets Drawing (PSD).

Other Matters

This section of the report will deal with matters raised in objections that have not already been addressed within the main body of the report.

It is noted that queries have been raised around the extent of the applicant's land ownership. This has been queried with the agent who responded via email to advise

that notice had been served on the appropriate landowners. The granting of planning permission does not confer title and any dispute over land ownership and alleged damage to private property are civil legal matters which fall out with the scope of this planning application.

Concerns have been raised in relation to the availability of infrastructure i.e. water and sewerage. Although Northern Ireland Water (NIW) have not responded to the consultation response issued in relation to this application, it is considered that given that they raised no objections to the previous application LA03/2017/0458/F, there would be no overriding concerns with the proposal in this respect. It is advised that the developer consults directly with NIW in order to determine how the proposed development can be served. All other necessary agencies have been consulted on the application. Copies of consultation responses are available to view via the Planning Portal.

Concerns were also raised in relation to the neighbour notification that was undertaken during the processing of the application. Officers would confirm that the neighbour notification carried out on this application was in accordance with the Council's Statement of Community Involvement. As indicated above this has elicited several objections to the proposal.

Finally, concerns have been raised in relation to the boundary treatments particularly along the sites southern and western boundaries. The proposed boundary treatments which consist of closed board fencing for the southern boundary and a mixture of closed board fencing and hedging for the western boundary, are however considered acceptable and appropriate for the application site as discussed earlier in the report.

CONCLUSION

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

- The principle of the development is considered acceptable.
- The proposed development respects the surrounding context and is appropriate for the character and topography of the site in terms of layout, scale, massing and design.
- There will not be a significant detrimental impact on the listed building or its setting
- The proposal will not have a detrimental impact on the trees present on the application site.
- The proposal will not result in a detrimental impact upon neighbour amenity.
- There are no concerns in relation to natural heritage or access and parking.

RECOMMENDATION

GRANT PLANNING PERMISSION

PROPOSED CONDITIONS

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

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

2. No retained tree as indicated on Drawing No. 02 bearing the date stamp 27th March 2019, shall be cut down, uprooted or destroyed or have its roots damaged within the crown spread nor shall arboriculture work or tree surgery take place on any retained tree other than in accordance with the approved plans and particulars, without the written consent of the Council.

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

3. A protective barrier no less than 2 metres in height comprising a vertical and horizontal framework of scaffolding, well braced to resist impacts and securely supported weldmesh panels shall be erected outside the root protection zones as identified on Drawing No. 02 bearing the date stamp 27th March 2019 prior to the commencement of the development hereby approved and shall be permanently retained for the period of construction of the site. There shall be no stockpiling of materials or soil within this tree protection zone.

Reason: To ensure that the trees to be retained are not damaged or otherwise adversely affected by building operations and soil compaction.

4. Notwithstanding the provisions of the Planning (General Permitted Development) Order (Northern Ireland) 2015, or any Order revoking and re-enacting that Order, no operational development other than that expressly authorised by this permission shall commence within the area of Tree Protection Zone as identified on Drawing Number 02 bearing the date stamp 27th March 2019 without prior approval from the Council.

Reason: To ensure the trees to be retained are not damaged or otherwise adversely affected by building operations.

5. The boundary treatments to be erected as identified on Drawing No. 02 bearing the date stamp 27th March 2019 shall be erected by hand digging only. Recommendations contained within paragraph 7.5.5 of BS5837:2012 (Trees in relation to design, demolition and construction- Recommendations) shall be adhered to.

Reason: To ensure that damage to tree roots of retained trees is minimal.

6. The proposed landscaping indicated on Drawing No. 02 bearing the date stamp 27th March 2019 shall be carried out within the first planting season following the completion of the development hereby approved and shall be allowed to grow on and be retained in perpetuity, unless necessary to prevent danger to the public in which case a full explanation shall be given to the Council in writing prior to their removal.

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

7. Prior to the commencement of any other development hereby permitted, the vehicular access, including visibility splays and any forward sight distance, shall be provided in accordance with Drawing No. 05 bearing the date stamp 09th May 2019. 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.

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

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

9. The Council hereby determines that the width, position and arrangement of the streets, and the land to be regarded as being comprised in the streets, shall be as indicated on Drawing No. 05 bearing the date stamp 09th May 2019.

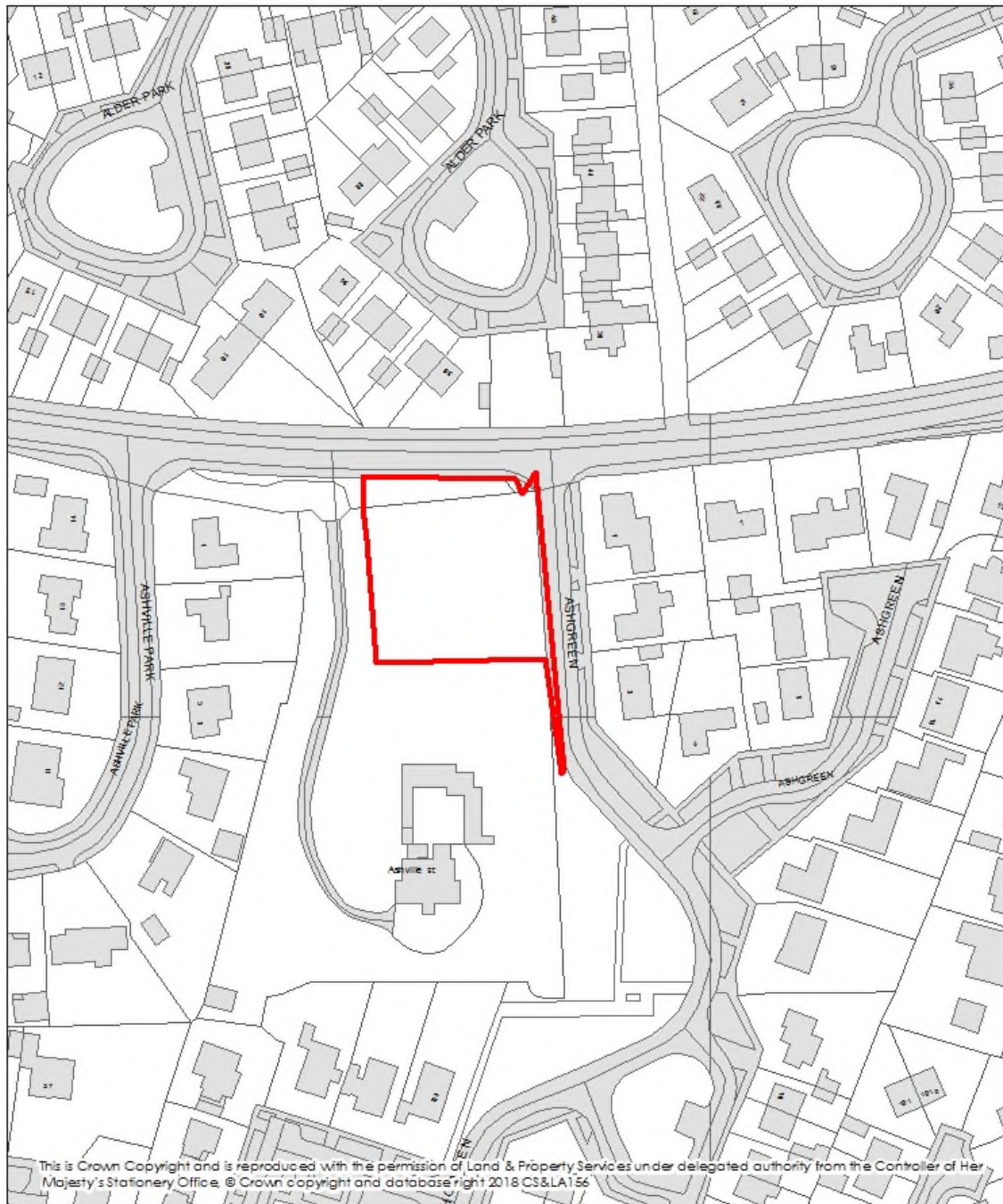
Reason: To ensure there is a safe and convenient road system within the development and to comply with the provisions of the Private Streets (Northern Ireland) Order 1980.

10. No other development hereby permitted shall be commenced until the works necessary for the improvement of a public road have been completed in accordance with the details outlined blue on Drawing Number 05 bearing the date stamp 09th May 2019.

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

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

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




Location Map

Application Reference: LA03/2019/0261/F

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

Erection of 2no. two storey dwellings

 Site Boundary

0 30 60 Meters 

For Information Only



COMMITTEE ITEM	3.17
APPLICATION NO	LA03/2019/0544/O
DEA	ANTRIM
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE OUTLINE PLANNING PERMISSION
PROPOSAL	2 no. Infill Dwellings
SITE/LOCATION	Between No. 9 and 11a Tavnaghmore Road
APPLICANT	Mac McDonnell
AGENT	A.C.E. Architectural Services
LAST SITE VISIT	17 th July 2019
CASE OFFICER	Orla Burns Tel: 028 903 40408 Email: orla.burns@antrimandnewtownabbey.gov.uk
<p>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal www.planningni.gov.uk</p>	
SITE DESCRIPTION	
<p>The application site is located on land between No's 9 and 11a Tavnaghmore Road which is within the rural area and outside of any settlement limits as defined by the Antrim Area Plan 1984-2001.</p> <p>The application site comprises a section of a larger agricultural field that is bounded by mature vegetation approximately 10 metres in height along the northwestern boundary that abuts the Tavnaghmore Road and northeastern boundary, the common boundary between the application site and No. 11a Tavnaghmore Road. The southwestern boundary is the common boundary between the application site and No. 9 Tavnaghmore Road and is bounded by a 1 metre high wooden fence whilst the remaining southeastern boundary is physically undefined.</p> <p>The surrounding land uses are a mix of residential and agricultural fields. The topography of the land rises slightly from the southwest to the northeast.</p>	
RELEVANT PLANNING HISTORY	
No relevant planning history	
PLANNING POLICY AND GUIDANCE	
<p>Under the provisions of the Planning Act (Northern Ireland) 2011, all decisions must be taken in accordance with the provisions of the Local Development Plan unless material considerations indicate otherwise.</p> <p>Until the Council adopts its new Local Development Plan, 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 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

Northern Ireland Water – No response

DfI Roads- No objection subject to condition.

REPRESENTATION

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

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

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

Policy Context and Principle of Development

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

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

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

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

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

Policy CTY 8 defines a substantial and built up frontage as including a line of three (3) or more buildings along a road frontage without accompanying development to the rear. A building has a frontage to the road if the plot in which it stands abuts or shares a boundary with the road. The policy requires "the development of a small gap site sufficient only to accommodate *up to a maximum of two houses*". The Justification and Amplification text at Paragraph 5.34 is clear that the gap site must be *between houses or other buildings*, therefore the gap is measured from building to building.

There is a residential dwelling located directly to the southwest of the application site (No. 9 Tavnaghmore Road) and two residential dwellings located to the northeast (Nos. 11 and 11a Tavnaghmore Road). Whilst there are three buildings with a direct road frontage at this location there is a substantial gap between Nos. 9 & 11, which

measures over 140 metres as well as a small gap between Nos. 11 and 11a formed by a small triangular agricultural field. These gaps represent visual breaks along this section of road.

The guidance within the 'Building on Tradition' Design guidance indicates that when the gap is more than twice the length of the average plot width, it is often unsuitable for infill for two new plots. The plot sizes along the Tavnaghmore Road vary in size and scale. For example, No. 9 Tavnaghmore Road's plot width measures 18 metres, whilst No. 11a Tavnaghmore Road measures 50 metres, and No. 11 Tavnaghmore Road measures 8 metres. Therefore the average plot width along this stretch of the Tavnaghmore Road is 25.3 metres. As a consequence, it is considered the existing gap of 142 metres is not small and could easily accommodate more than two dwellings contrary to criterion (b) of CTY 8.

In the circumstances the proposed development cannot meet the policy criteria for an infill dwelling in accordance with Policy CTY 8.

Integration

Policy CTY13 - Integration and Design of Buildings in the Countryside; states planning permission will be granted for a building in the countryside where it can be visually integrated into the surrounding landscape and it is of an appropriate design.

Paragraph 5.57 of the Justification and Amplification states that new dwellings should blend sympathetically with their surroundings and should not appear incongruous in the landscape,

The topography of the application site and the surrounding area is relatively flat, however, the land slopes slightly from the southeast to the northwest. The site has established mature vegetation that defines the northwestern and northeastern boundaries of the application site with other mature vegetation to the southeast defining the boundaries of the agricultural field in which the site is located which acts as a backdrop to the application site. It is considered that due to the mature vegetation that defines and surrounds the application site that two modest size dwellings would integrate into the surrounding area and would not be prominent features in the landscape. As this is an outline application there is no proposal for a specific design for the dwellings at this location.

In relation to integration of the proposed dwellings, it is considered that the proposal complies with the criteria set out within CTY13 of PPS21.

Impact on Character and Appearance of the Area

Policy CTY14 - Rural Character (PPS21) indicates new buildings will be unacceptable where they create or add to a ribbon of development. The words 'visual linkage' that are found in Paragraph 5.33 of the Justification and Amplification text, are used in reference to what can constitute a ribbon of development. Policy CTY14 points out that a ribbon does not necessarily have to be served by individual accesses nor have a continuous or uniform building line. Buildings sited back, staggered or at angles and with gaps between them can still represent ribbon development if they have a common frontage or they are visually linked. Notwithstanding the lack of a continuous and substantial frontage, it is considered the infilling of this gap with two dwellings will be detrimental to the rural character of the area and would result in the

creation of a linear form of ribbon development along this section of the Tavnaghmore Road.

The proposal is therefore contrary to criterion 'd' of Policy CTY 14 and would result in ribbon development.

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 two dwellings could be appropriately designed for the site to ensure that the privacy and amenity of neighbouring properties is retained. Given the substantial size of the gap evidenced above, there is a significant separation distance between the application site and the neighbouring property No. 11a Tavnaghmore Road, however, additional landscaping may be needed along the southwestern boundary to ensure the privacy of No. 9 Tavnaghmore Road.

Other Matters

DfI Roads were consulted on the application and raised no issues of concern regarding road safety, subject to a condition requiring visibility splays to be provided being a requirement of any grant of planning permission. If appropriate visibility splays were in place, it is considered there would be no impact on public safety.

CONCLUSION

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

- The principle of the development has not been established as the gap is not located within a substantial and continuously built up frontage; and the gap is not small enough to accommodate a maximum of 2 dwellings therefore the proposal is contrary to provisions of CTY8 of PPS21.
- Two dwellings on the site would integrate into the landscape
- The proposal would create a ribbon of development along the public road.

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.
2. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy CTY 8 of Planning Policy Statement 21, in that it fails to meet with the provisions for an infill dwelling as the application site is not located within a substantial and continuously built up frontage nor is it a small gap site sufficient only to accommodate up to a maximum of two houses.
3. This proposal is contrary to the provisions contained in the Strategic Planning Policy Statement and Policy CTY 14 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that if two dwellings were to be approved it would result in the creation of ribbon development along the Tavnaghmore Road detrimental to the rural character of this area.



Location Map


Application Reference: LA03/2019/0544/O

Outline Planning Permission for 2 No. Proposed
New Infill Dwellings and Detached Garages

Land between No's 9 and 11a Tavnaghmore Road, Antrim

 Site Boundary

For Information Only

0 20 40 80
 Metres



COMMITTEE ITEM	3.18
APPLICATION NO	LA03/2019/0517/O
DEA	GLENGORMLEY URBAN
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE OUTLINE PLANNING PERMISSION
PROPOSAL	Site for new dwelling
SITE/LOCATION	Plot to rear of 117-121 Collinward Avenue, Newtownabbey
APPLICANT	Philip Kevin & Mary Hamilton
AGENT	Arca Design
LAST SITE VISIT	3 rd July 2019
CASE OFFICER	Ashleigh Wilson Tel: 028 903 Ext40429 Email: ashleigh.wilson@antrimandnewtownabbey.gov.uk
<p>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal www.planningni.gov.uk</p>	
SITE DESCRIPTION	
<p>The application site is located within Metropolitan Newtownabbey as defined in the draft Belfast Metropolitan Area Plan (both versions).</p> <p>The site is situated on the eastern side of Elmfield Road, Newtownabbey. The northern boundary of the site abuts a vacant area of overgrown grassland and is undefined. The eastern boundary abuts the garage of an existing residential property with mature trees of approximately 5 metres + in height also partially defining this boundary. The southern boundary abuts a 2.1 metre wide service strip located to the rear of an existing single storey hair salon and convenience shop. The western boundary to the roadside is undefined.</p> <p>The area is characterised by two storey, semi-detached residential properties with single storey commercial premises directly abutting the application site.</p>	
RELEVANT PLANNING HISTORY	
<p>Planning Reference: U/2014/0081/F Location: Adjacent to 85 Elmfield Road Glengormley BT36 6DP Proposal: Proposed two semi-detached dwellings Decision: Permission Refused 8th July 2014</p>	
PLANNING POLICY AND GUIDANCE	
<p>Under the provisions of the Planning Act (Northern Ireland) 2011, all decisions must be taken in accordance with the provisions of the Local Development Plan unless material considerations indicate otherwise.</p> <p>Until the Council adopts its new Local Development Plan, 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</p>	

provisions of the Belfast Metropolitan Area Plan (which has reverted to the Draft Plan stage) together with relevant provisions of Planning Policy Statements (PPSs) which contain the main operational planning policies for the consideration of development proposals.

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

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

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

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

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

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 – Requested additional information

Northern Ireland Water – No objection

Department for Infrastructure Roads- Recommend refusal

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

Policy Context and Principle of Development

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

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

The 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 development limit of Newtownabbey in both Plans. There are no specific operational policies or other provisions relevant to the determination of the application contained in these Plans. The principle of residential development on this site is considered acceptable and the proposal stands to be considered on its individual merits against relevant planning policy. These matters are addressed below.

Impact on Character and Appearance of the Area

Notwithstanding that current policy direction is to make more efficient use of urban land, the Regional Development Strategy (RDS) emphasises that overdeveloped and unsympathetic schemes will not be acceptable in established residential areas. The RDS also advises that schemes should be sensitive in design terms to people living in the existing neighbourhood and to local character. Although imaginative and innovative forms of housing are encouraged, this is qualified in existing residential areas with the need for harmony and sensitivity to avoid significant erosion of environmental quality, amenity and privacy. PPS7 reiterates the need for sensitivity and in Policy QD1 the test is expressed as 'unacceptable damage to local character, environmental quality or residential amenity.'

The SPPS indicates that sustainable development should be permitted, having regard to material considerations, unless the proposed development will cause

demonstrable harm to interests of acknowledged importance. The SPPS also promotes good design and seeks to make more efficient use of urban land without town cramming. Furthermore, Paragraph 6.137 of the Strategic Planning Policy Statement emphasises 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 LC 1: Protecting Local Character, Environmental Quality and Residential Amenity of the second addendum to PPS7 also applies to this proposal as the immediate area is considered to represent an established residential area, which does not fall within any of the exceptions listed in Annex E. Policy LC 1: Protecting Local Character, Environmental Quality and Residential Amenity of the second addendum to PPS7 deals with the issue of density within residential areas. It states that the proposed density should not be significantly higher than that found in the established residential area. A significantly higher density of development can lead to unacceptable forms of development due to the impact that it may have on the character of an area, the streetscene and consequential impacts on nearby development.

The character of the area in this instance is that of semi-detached properties with long and narrow rear garden areas. Due to the existing dwellings within this area being semi-detached properties, there is a greater mass to the buildings in the area with an average building width of approximately ten metres. It is considered the proposal does not respect the character of the area due to the proposal being a detached dwelling, which is extremely narrow in form with a proposed frontage width of only five metres. A detached dwelling of this size would appear completely out of context with the character and appearance of this area. In addition, the proposal indicates only 0.85 metres separation distance from the northern boundary. The remaining properties generally have more than two metres separation from the proposed boundary.

In light of the above, it is considered that the proposal is inappropriate at this location; it proposes a development which undermines the overall character and quality of this area and does not respect the form, scale, massing and layout of the existing development pattern along Elmfield Road, which is contrary to QD 1 of PPS 7 and LC 1 of PPS 7 Addendum.

The amenity provision for the dwelling is 65 square metres to the rear. This is a similar garden size to existing dwellings within the area, namely No. 85 Elmfield Road to the north of the application site. However, No. 85 Elmfield Road, along with the majority of the existing dwellings within the area, also has an additional garage within the curtilage of the property. The addition of a garage would leave the garden area very restrictive however, this could be overcome by the addition of a condition removing the permitted development rights for the proposed dwelling.

The proposal indicates the parking for the proposed development along the gable side of the proposed dwelling. This is 2.8 metres wide and is positioned tight to the gable wall of the proposed dwelling to the north and tight to the service strip to the south. This parking provision is considered unacceptable and therefore the proposal is contrary to AMP 7 in that it would, if permitted, prejudice the safety and

convenience of road users since adequate provision cannot be made clear of the highway for the parking of vehicles which would be attracted to the site.

It is considered that the width of the driveway at 2.8 metres is unacceptable in accordance with the standards contained in DCAN 15 and therefore the proposal is considered to be contrary to Policy AMP 2 as the development would prejudice the safety and convenience of road users.

DfI Roads has been consulted and has recommended refusal of the application for the reasons outlined above. Given that the application is for outline permission and the proposal is seen as unacceptable in policy terms no further information has been requested from the agent for the proposal as this would constitute nugatory work leading to unnecessary expense.

Neighbour Amenity

It is considered that a dwelling could be designed to ensure there is no detrimental impact to neighbouring properties. The rear garden depth is 7.4 metres which falls short of the 10 metres as stated in the guidance document Creating Places.

However, due to the positioning of the neighbouring garage and mature vegetation and with careful design and positioning of windows it is considered a dwelling could be accommodated on this site without having a significant adverse impact on neighbour amenity.

Other Matters

The application is for a new dwelling on ground adjacent to commercial units (Vivo food retail premises and a hairdressers) located at 117-121 Collinward Avenue. The Environmental Health Section (EHS) provided comment stating that there are concerns that the occupiers of the proposed dwelling may be adversely impacted by noise from the existing businesses, including delivery noise and the operation of air conditioning/ refrigeration units located on the rear wall of the food retail premises.

The EHS response suggests that, in order to assess the noise impact of the existing business on the proposed development, that the applicant should undertake a noise impact assessment. Given the Officer's assessment that the application is unacceptable in principle for other policy reasons such a report has not been requested from the agent as it is considered this would constitute nugatory work leading to unnecessary expense.

CONCLUSION

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

- The principle of residential development is acceptable;
- The proposed development does not respect the surrounding context and would result in a pattern of development that is not in keeping with the overall character and environmental quality of this established residential area;
- It has not been demonstrated that there will be no unacceptable adverse effects on the proposed property in terms of noise from existing businesses;
- Adequate provision cannot be made clear of the highway for the parking of vehicles which would be attracted to the site;
- The width of the proposed access is unacceptable, in accordance with the standards contained in Development Control Advice Note 15.

RECOMMENDATION	REFUSE OUTLINE PLANNING PERMISSION
PROPOSED REASONS OF REFUSAL	
<ol style="list-style-type: none"> 1. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement, Policy QD1 of Planning Policy Statement 7 (PPS 7), Quality Residential Environments, and Policy LC1 of the second Addendum to PPS 7, Safeguarding the Character of Established Residential Areas, in that the proposed development represents an overdevelopment of the site as: it does not respect the surrounding context and would result in a cramped form of development that is not in keeping with the overall character and environmental quality of this established residential area. 2. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Planning Policy Statement 7, Quality Residential Environments, in that it has not been demonstrated that there will be no unacceptable adverse effects on the amenity of the proposed property in terms of noise from existing businesses, including delivery noise and the operation of air conditioning/ refrigeration units located on the rear wall of the food retail premises. 3. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Planning Policy Statement 3, Access, Movement and Parking, Policy AMP 7, in that it would, if permitted, prejudice the safety and convenience of road users as it has not been demonstrated that adequate provision can be made clear of the highway for the parking of vehicles which would be attracted to the site. 4. The proposal is contrary to Planning Policy Statement 3, Access, Movement and Parking, Policy AMP 2, in that it would, if permitted, prejudice the safety and convenience of road users since the width of the proposed access is unacceptable, in accordance with the standards contained in the Development Control Advice Note 15. 	




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Location Map

Application Reference: LA03/2019/0517/O

Plot to rear of 117-121 Collinward Avenue,
Newtownabbey

Site for new dwelling

 Site Boundary

0 40 80
Metres



For Information Only



COMMITTEE ITEM	3.19
APPLICATION NO	LA03/2019/0463/A
DEA	BALLYCLARE
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE ADVERTISEMENT CONSENT
PROPOSAL	Free standing sign
SITE/LOCATION	55m north of 190 Hillhead Road, Ballyclare BT39 9LP
APPLICANT	Boyd Landscapes Ltd
AGENT	Robert Logan – Chartered Architect
LAST SITE VISIT	21 st June 2019
CASE OFFICER	Lisa Stewart Tel: 028 903 40403 Email: Lisa.Stewart@antrimandnewtownabbey.gov.uk
<p>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal www.planningni.gov.uk</p>	
SITE DESCRIPTION	
<p>The application site is located 55 metres north of 190 Hillhead Road, Ballyclare and lies outside any settlement limit as defined in the draft Belfast Metropolitan Area Plan 2014.</p> <p>The application site is currently used as an agricultural field, currently grazed by animals. On a site visit on 21st June 2019 a similar sign mounted on a trailer was situated within the agricultural field, however the application is for a pole mounted sign and not for the existing trailer mounted signage. The signage is advertising Logwood Plant Centre Limited and Logwood Coffee Shop and these businesses are located on the Logwood Road approximately 0.72 kilometres away from the application site. The signage details information on opening hours, a contact telephone number and business website.</p> <p>The signage is visible driving northwesterly towards Ballyclare and when travelling southeasterly from Ballyclare. The southwestern boundary of the field which is common with the Hillhead Road is defined with wire and post fencing with sporadic mature trees. There is a gated access to the field from the Hillhead Road via a metal gate. There is a 0.5 metre grass verge between the roadside and the boundary of the field. The southeastern boundary is defined by a 0.3 metre stone wall with wire and post fencing. The northern, northwestern and eastern boundaries are all post and wire fencing with mature trees sporadically positioned along the boundaries.</p>	
RELEVANT PLANNING HISTORY	
No relevant planning history	
PLANNING POLICY AND GUIDANCE	
Regulation 3(1) of the Planning (Control of Advertisements) Regulations (Northern Ireland) 2015 requires that the Council exercise its powers in relation to advertisement 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, 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.

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

CONSULTATION

DfI Roads – No objection subject to condition.

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 any defined 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 (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.

This application seeks advertisement consent for a proposed freestanding sign located 55 metres north of 190 Hillhead Road, Ballyclare. In principle a sign in the countryside will only be acceptable where the sign is located on the premises (existing or approved commercial enterprises) to which they relate. As the signage is located 0.72 km from the commercial enterprise it is considered that the principle of signage at this location is not acceptable as detailed within Policy AD1 of PPS17.

Amenity

Policy AD1 of PPS 17 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 (public safety will be discussed later in the report).

Whilst there is currently a sign sited on a trailer within the site the signage which is the subject of this application is a freestanding sign on a support frame which is to be galvanised and powder coated in mid grey. The sign is to be printed on aluminium backing sheet which will be approx. 2.4 metres by 2.4 metres. The frame will have an

overall height of 3.56 metres with the bottom of the aluminium sheet positioned 1 metre from the ground. The writing on the freestanding sign will be the same as the current trailer sign which is maroon, blue and black colouring.

The application site lies adjacent to the busy Hillhead road within the rural area which is characterised by open countryside and dispersed dwellings. The proposed signage is to be positioned adjacent to the roadside and will be visible whilst travelling along the Hillhead Road in both directions.

The signage is not advertising a business on the same lands, rather it relates to business located some distance away and therefore is contrary Policy AD 1 of PPS 17 which states that the only advertisements likely to be acceptable in the countryside are those proposed on sites which relate to existing or approved commercial enterprises. The commercial enterprise which the signage is advertising is located approximately 0.72 km away from the site on the Logwood Road. The policy suggests signage should be small in scale and not detract from the quality and character of the local landscape. Given the size and location of the subject signage, it is considered that the proposed signage is visually obstructive in this field and detracts from the rural character of the area.

The proposal, if permitted, would set an undesirable precedent whereby the presence of such signage would become a common feature in the rural area along the Borough's road network. As such it is considered that the proposal has an unacceptable impact on the character and appearance of the area.

Public Safety

Policy AD 1 of PPS 17 advises that consent will be given for the display of advertisement where it does not prejudice public safety. Due to the location of the proposal adjacent to this busy rural road the comments of DfI Roads were sought as the competent authority on road safety. DfI Roads has advised it has no objection to the proposal subject to conditions.

CONCLUSION

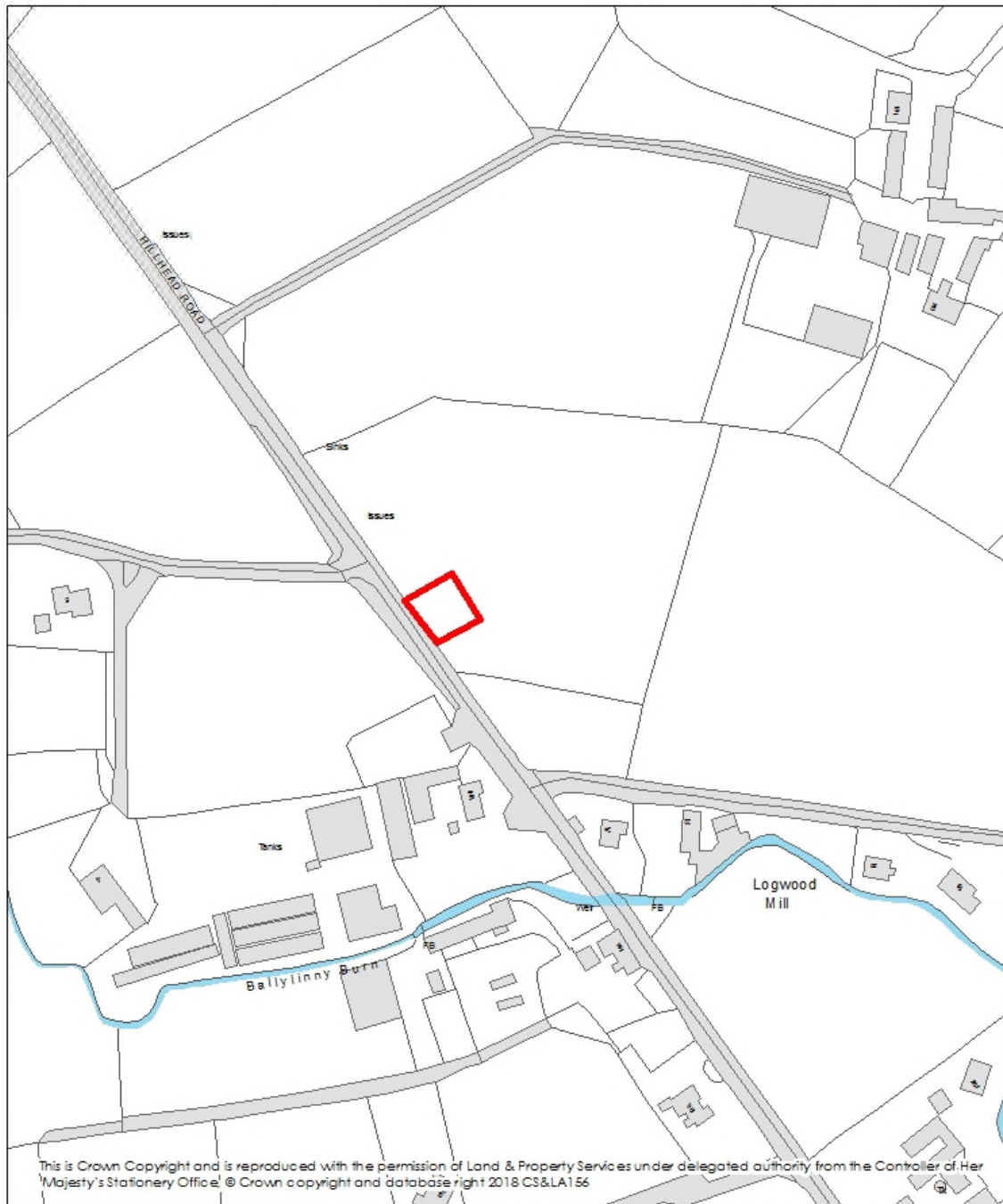
The following is a summary of the main reasons for the recommendation:

- The principle of the development is considered unacceptable as it is contrary to AD1 of PPS 17.
- It is considered that the signage will have a detrimental impact on the character and quality of this countryside location.
- It is not considered that the sign would prejudice public safety.

RECOMMENDATION	REFUSE ADVERTISEMENT CONSENT
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PROPOSED REASON OF REFUSAL

1. The proposed signage is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy AD 1 of Planning Policy Statement 17, in that the proposed signage would have an unacceptable detrimental impact on the visual amenity of the rural area





Location Map

Application Reference: LA03/2019/00463/A

55 metres North of 190 Hillhead Road, Ballyclare BT 39 9LP

Freestanding Sign (Retrospective)

 Site Boundary

0 10 20 40 60
 Meters



For Information Only



COMMITTEE ITEM	3.20
APPLICATION NO	LA03/2019/0429/F
DEA	DUNSILLY
COMMITTEE INTEREST	APPLICANT DECLARED INTEREST
RECOMMENDATION	GRANT PLANNING PERMISSION
PROPOSAL	Dwelling and Garage (Change of House Type from that approved under LA03/2016/1054/F)
SITE/LOCATION	30m NW of 123 Castle Road, Randalstown.
APPLICANT	Mr & Mrs Compton
AGENT	S.W Marcus Architectural Services
LAST SITE VISIT	6 th June 2019
CASE OFFICER	Lisa Stewart Tel: 028 903 40403 Email: Lisa.Stewart@antrimandnewtownabbey.gov.uk
<p>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal www.planningni.gov.uk</p>	
SITE DESCRIPTION	
<p>The application site is situated adjacent to 123 Castle Road, Randalstown and lies outside of any settlement limit as defined in the Antrim Area Plan 1984-2001.</p> <p>The site is currently an agricultural field which fronts onto the Castle Road. The boundary of the site with the Castle Road (southern boundary) is a 0.5 metre hedge while a similar boundary defines the southeastern and northeastern boundaries. The northwestern boundary of the application site is presently undefined given that the site makes up part of a wider agricultural area. Adjacent to the southeastern boundary is No. 123, a large two storey detached dwelling with outbuildings which sit adjacent to the Castle Road. No. 123a a two storey red brick dwelling is located approximately 16 metres from the northeastern boundary. The site is generally flat with mature trees dispersed along the existing northeastern boundary. On approach to the site when travelling eastwards there are uninterrupted views of the application site.</p>	
RELEVANT PLANNING HISTORY	
<p>Planning Reference: T/2012/0149/O Location: adjacent to 123 Castle Road, Randalstown Proposal: Proposed dwelling and garage on a farm Decision: Permission Granted (08.06.2012)</p> <p>Planning Reference: LA03/2016/0015/F Location: 30m NW of 123 Castle Road, Randalstown Proposal: Proposed dwelling on a farm Decision: Permission Refused (16.03.2016)</p>	

Planning Reference: LA03/2016/1054/F
Location: Adjacent to 123 Castle Road, Randalstown
Proposal: Dwelling and Garage on a farm
Decision: Permission Granted (15.02.2017)

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

PPS 21: 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.

Department for Infrastructure Rivers – No objection.

REPRESENTATION

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

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Policy Context and Principle of Development
- Design, Appearance and Integration and impact on character of the area
- Neighbour Amenity
- Flood Risk

Policy Context and principle of Development

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

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

The Antrim Area Plan 1984-2001 (AAP) currently operates as the statutory local development plan for the area where the application site is located and regional planning policy is also material to determination of the proposal.

The application site is outside any settlement limit defined in AAP and is located within the countryside. 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.

The proposed development is for a dwelling and garage (change of house type as previously approved under planning reference LA03/2016/1054/F). Planning Approval was granted for application reference LA03/2016/1054/F, which expires 13th February 2022. Owing to this previous approval and given that the current application was received during the timescale, it is considered that the principle of development on this site has been previously established under LA03/2016/1054/F.

Design, Appearance and Integration and impact on character of the area

The dwelling approved under LA03/2016/1054/F on the application site was for a two storey dwelling and detached garage. This current application is for the proposed dwelling to be sited approximately 45 degrees anti-clockwise in comparison to the approved dwelling. The proposed dwelling is sited approximately 10 metres from the western boundary.

The proposal seeks approval for a 3 bedroom detached dwelling and a detached garage. The dwelling is approximately 11.5 metres in length by 8.6 metres in width, there is a single storey sunroom which extends 4.3 metres from the western elevation of the dwelling. The dwelling has a pitched roof with a maximum ridge height of 7.5

metres. The proposed dwelling has 3 no. dormer windows plus 4 no. velux windows which is considered acceptable given that the previously approved dwelling included 2 no. dormer windows.

The detached garage is a reduced scale to a single garage from the previously approved double garage. The proposed garage measures 5.3 metres in length by 6.4 metres in width with a pitched roof which has a maximum ridge height of 5.15 metres.

The proposed finishes for the dwelling and garage are black concrete roof tiles, black uPVC fascia boards and rainwater goods, white uPVC windows and painted dash render to the walls. It is considered that the proposed finishes are acceptable and in keeping with those previously approved.

Policy CTY 13 of PPS 21 states that permission will be granted for development in the countryside where it can be visually integrated into the surrounding landscape and it is of an appropriate design. The proposed boundary treatments as detailed within Drawing No. 02/2 will ensure the dwelling and garage can be integrated into the surrounding landscape. Given the other two storey residential properties are located along the roadside and that the previous permission was granted for a two storey dwelling it is considered that the proposal is not a prominent feature and does not rely solely on new landscaping to integrate.

Policy CTY 14 of PPS 21 states that development in the countryside will be granted where it does not cause a detrimental change to or further erode the rural character of an area. Given the application site has approval for a two storey dwelling it is considered the proposed dwelling will not be a prominent feature in the landscape due to the dwelling being sited approximately 15 metres from the roadside and the existing 2 metre high hedge will be retained.

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

Neighbour Amenity

The proposed dwelling is sited approx. 25 metres northwest of No. 123, 27 metres southwest of No. 123a, 34 metres southwest of No. 131 and 73 metres southeast of No. 139. It is considered that the proposal will not unduly affect the privacy or amenity of neighbouring residents due to the existing and proposed boundary treatments and the distance away from neighbouring properties as noted above.

Flood Risk

The application site has an area to the northeast of the site which is subject to surface water flooding. DfI Rivers have reviewed the application and advised the site does not lie within the 1 in 100 year fluvial floodplain however is partially within a predicted flood area. Whilst the site has a small area of pluvial flood risk, there is no proposed development within this area.

Other Matters

As indicated above, the current applicant is relying on the current live permission on site (reference LA03/2016/1054/F) for the proposed change of house type, rather

than seeking to present a case in support of the proposal against current policy. As determining weight on the principle of development is being given to the previous grant of planning permission (in effect the application is seeking a substitute consent) it is therefore considered appropriate that the time limit for commencement of the development should be restricted to the same date as previously granted and an explicit condition is recommended that only one house can be erected on the site.

CONCLUSION

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

- The principle of the development is considered acceptable given the fall-back position.
- The design and appearance of the dwelling now proposed is considered acceptable.
- The proposal will not unduly affect the privacy or amenity of neighbouring residents.
- The proposal will not have a detrimental impact on trees or the environmental quality of this area.
- Sufficient space exists within the curtilage of the property for recreational and domestic purposes including the parking and manoeuvring of vehicles.
- The proposed development will not be subject to significant flood risk.

RECOMMENDATION

GRANT PLANNING PERMISSION

PROPOSED CONDITIONS

1. The development hereby permitted shall be begun before 13th February 2022.

Reason: To ensure this permission does not extend the time period to commence development previously granted under planning approval reference: LA03/2016/1054/F.

2. The existing natural screenings of the site, as indicated on approved drawing number: 02/2, date stamped received 11th July 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 submitted to and agreed in writing with the Council.

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

3. During the first available planting season after commencement of the development the hedgerows indicated as defining the western boundary in drawing number 02/2, date stamped received 11th July 2019, shall be provided in accordance with the details set out in that plan.

Reason: In the interests of visual amenity and to ensure that the proposed development does not prejudice the appearance of the locality.

4. The vehicular access, including visibility splays and any forward sight distance, shall be provided in accordance with Drawing No.02/2 bearing the date stamp

11th July 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.

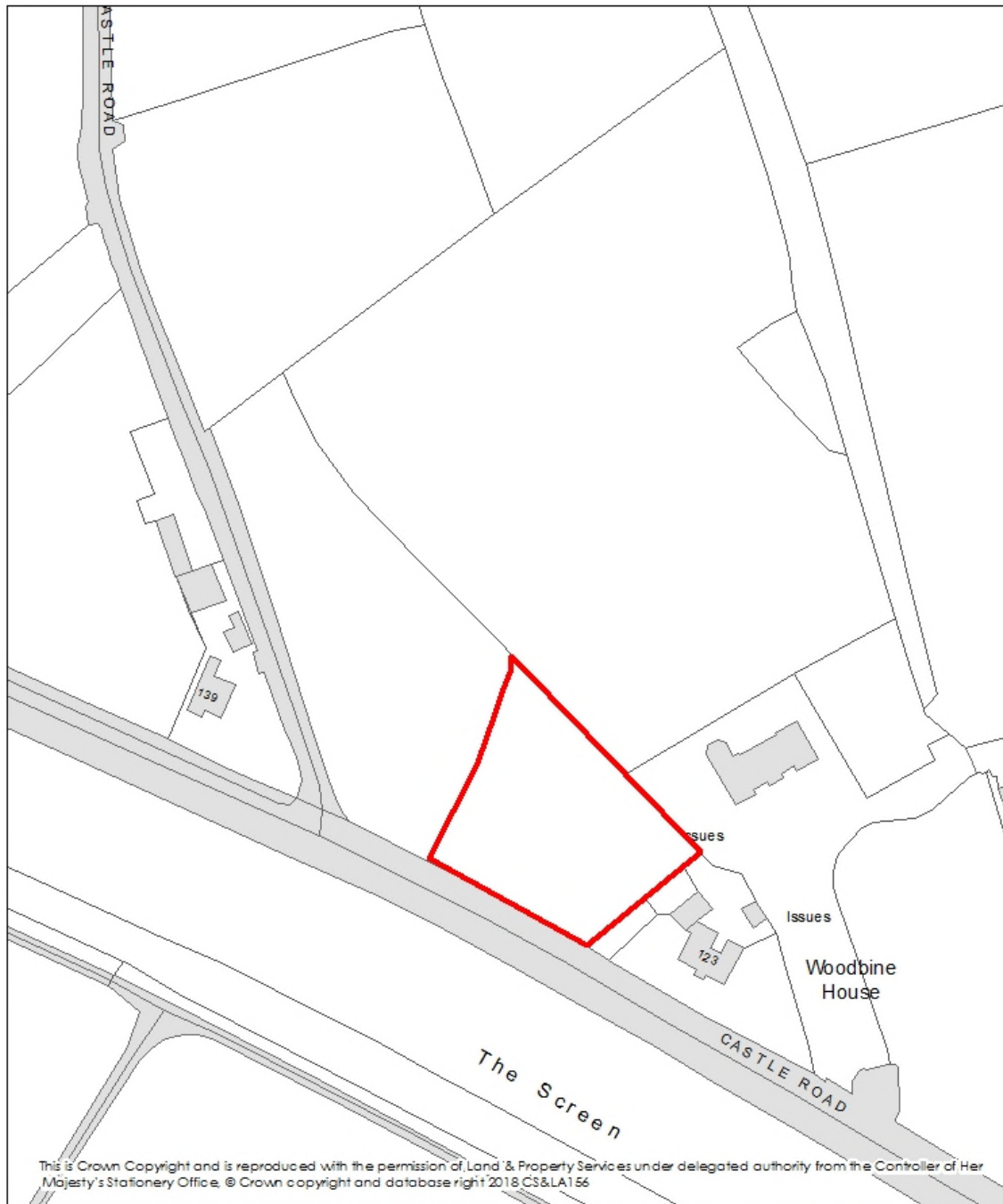
Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.

5. 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.

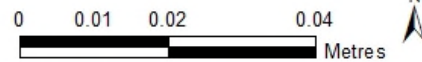
6. The proposed dwelling is granted in substitution for planning permission LA03/2016/1054/F and only one dwelling shall be constructed within the site outlined in red.

Reason: To accord with the application as submitted and to ensure that only one dwelling is erected on the application site and thereby prevent an accumulation of dwellings on this site in the countryside.



Location Map

Application Reference: LA03/2019/0429/F



Dwelling and garage (change of house type from that approved under LA03/2016/1054/F)

Adj. to 123 Castle Road, Randalstown BT41 4NG

 Site Boundary

For Information Only

