

COMMITTEE ITEM	4.4
APPLICATION NO	LA03/2023/0963/F
DEA	DUNSILLY
COMMITTEE INTEREST	ADDENDUM REPORT
RECOMMENDATION	REFUSE PLANNING PERMISSION
PROPOSAL	Proposed development of vacant land for storage and distribution of fireworks including erection of storage units, office accommodation, associated site works, concrete set down area, perimeter fence, gates and security protection system
SITE/LOCATION	120m east of No. 23 Ladyhill Road, Ladyhill Quarry, Antrim, BT41 2RF
APPLICANT	FW Imports
AGENT	Mark Campbell
LAST SITE VISIT	14 th February 2024
CASE OFFICER	Morgan Poots Tel: 028 90340419 Email: morgan.poots@antrimandnewtownabbey.gov.uk
<p>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal https://planningregister.planningsystemni.gov.uk</p>	
ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS	
<p>Following the publication of the Committee report, the applicant has submitted further information in support of the application (Document 04, date stamped 16th May 2024) which seeks to address the concerns regarding the principle of development.</p> <p>Policy CTY 1 of PPS 21 and Policy PED 2 of PPS 4 requires the applicant to demonstrate that there are exceptional circumstances that would justify such a development proposal being located in the countryside. No justification or supporting information was submitted initially with the application, however, following an initial assessment, the applicant's agent was contacted and justification for the proposal was requested. Subsequently, supporting information was submitted (Document 02, date stamped 8th March 2023), however, this did not provide sufficient justification for the development of this countryside location for a storage and distribution use. It referred to the proposal being a redevelopment of the former quarry site and it being an appropriate siting for this development due to the limited visual impacts the proposal would have.</p> <p>The applicant's agent was notified that the application was being presented to Planning Committee with a recommendation to refuse planning permission and belatedly further supporting information (Document 04, date stamped 16th May 2024) was submitted. Document 04 refers to Policy PED 2 of PPS 4 and exceptional circumstances. It states that quarries are ideal locations for security and safety, and that there are generally limited requirements for significant alterations to the site. In addition, the remote location minimises public exposure to potential risks.</p>	

Within Document 04, reference is made to the legislation governing the storage and transportation of fireworks in the UK (The Explosives Regulations 2014) stating that it includes stringent storage requirements and separation distances to ensure safety. However, no detail on the required separation distances has been provided nor has it been backed up by calculations, instead only a passing reference to the legislation has been given.

Document 04 states that the applicant's current facility has a separation distance of 64 metres whereas the proposed facility, within Ladyhill Quarry, has a separation distance of 172 metres. The applicant contends that this separation distance generally cannot be met within urban locations and that Ladyhill Quarry, with its natural isolation, meets these separation distance requirements.

The applicant's current storage facility is operating with a separation distance of 64 metres and it has not been outlined why the increase in separation distance is required. There is no doubt that a quarry would provide screening and a safe option for a firework storage facility, however, the onus is on the applicant to demonstrate that there are no sequentially preferable locations. No sequential assessment has been provided by the applicant to evidence that this facility cannot be provided in the settlement limit, nor has it been demonstrated that it cannot be provided in a more sequentially preferable location on the edge of a settlement.

Document 04 states that the proposal will have no impact on local biodiversity, that all environmental monitoring will be undertaken, strict waste management protocols will be implemented and the proposal will result in minimal traffic increase. There were no previous concerns raised regarding the above matters, nor were refusal reasons provided in this regard. In the absence of sufficient justification for the siting of the proposal, the recommendation remains to refuse planning permission.

CONCLUSION

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

- The principle of the development has not been established as it has not been demonstrated that the proposal complies with any policy outlined in PED 2 of PPS 4 and no exceptional circumstances exist as to why the development must be located in this rural location;
- The design and appearance of the proposal is considered acceptable and will not appear out of character in the surrounding area;
- The development would not appear prominent and would integrate into the local landscape;
- There are no residential amenity issues;
- Access, movement and parking arrangements are acceptable; and
- It has been demonstrated that there is no flood risk associated with the development proposal.

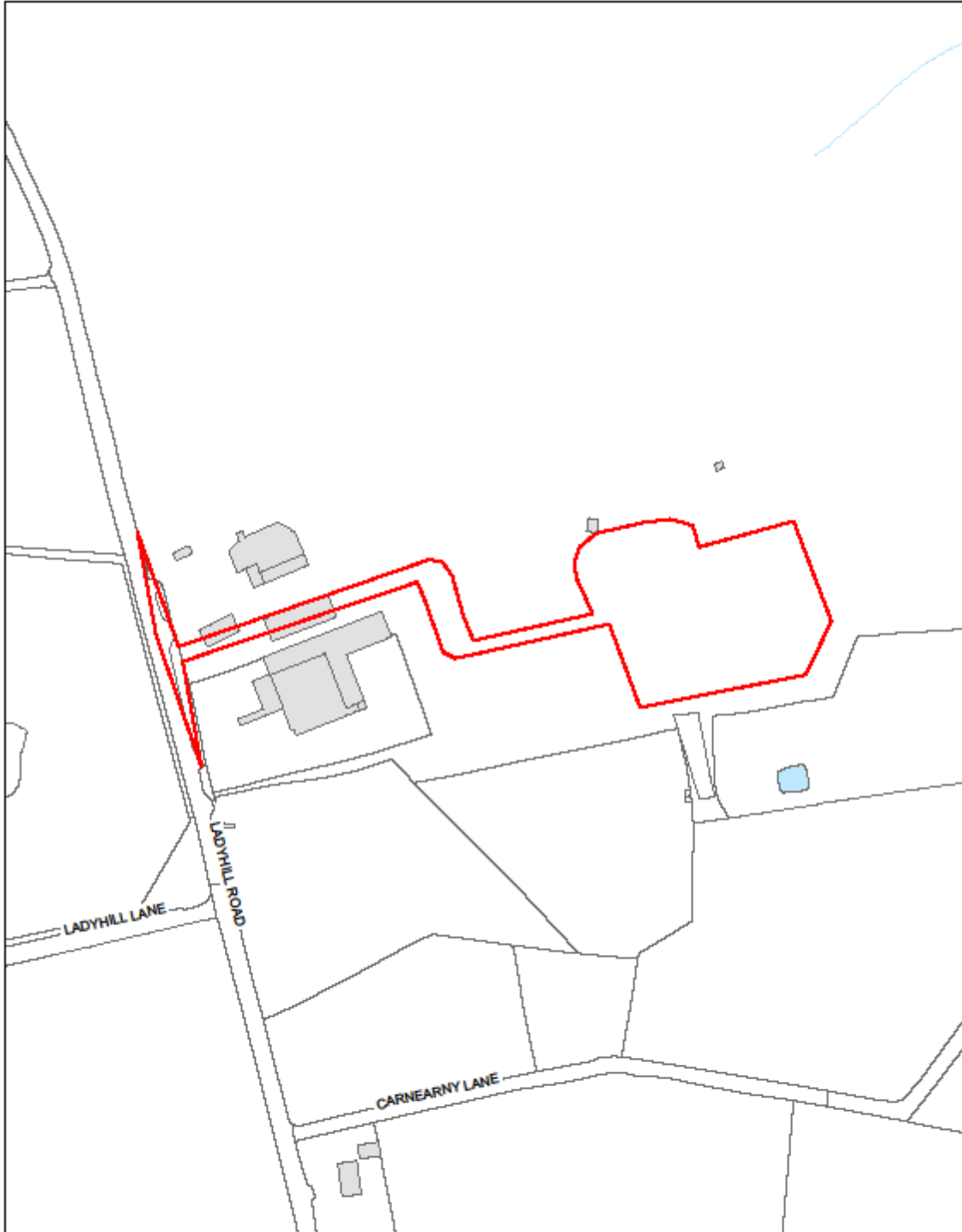
RECOMMENDATION

REFUSE PLANNING PERMISSION

REASONS FOR REFUSAL

1. The proposal is contrary to the policy provisions contained in the Strategic Planning Policy Statement and Policy CTY 1 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement.

2. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy PED 2 of Planning Policy Statement 4 "Planning and Economic Development", in that no exceptional circumstances exist as to why the development must be located in this rural location.



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Site Location Plan

1:2,500 

Reference: LA03/2023/0963/F

 Site Location



COMMITTEE ITEM	4.5
APPLICATION NO	LA03/2024/0117/F
DEA	DUNSILLY
COMMITTEE INTEREST	ADDENDUM TO COMMITTEE REPORT
RECOMMENDATION	REFUSE PLANNING PERMISSION
PROPOSAL	Hairdressing Salon Building in garden (Retrospective)
SITE/LOCATION	11 Roxhill, Antrim, BT41 3ER
APPLICANT	Joanne McNeilly
AGENT	Aidan McKendry
LAST SITE VISIT	12 th April 2024
CASE OFFICER	Gareth McShane Tel: 028 903 40411 Email: gareth.mcshane@antrimandnewtownabbey.gov.uk

Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal <https://planningregister.planningsystemni.gov.uk>

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

Since the publication of the Committee Report, one (1) petition of support and one (1) letter of support had been received in respect of the development proposal.

The petition of support contains the following heading on each page: 'We the undersigned who are clients of Joanne McNeilly hereby give our support to her planning application and her business at Roxhill, Randalstown'. The petition contains eighty-three (83) individual names and accompanying addresses.

The letter of support is from Mr Jim Allister, MLA and notes his support for the development. Reference to the approval of planning application Ref: LA03/2022/1049/F for the retention of a beauty salon in the rear garden of a dwelling operating from a modular building at 6 Temple Hall, Templepatrick, Ballyclare, BT39 0FH, is quoted within the letter as having set a precedent for such a development. The said approved development was presented to the Planning Committee with a recommendation to refuse on 15th May 2023 with similar refusal reasons as the current application. The recommendation to refuse planning permission for planning application Ref: LA03/2022/1049/F was overturned by the Committee subject to a number of conditions restricting its use for a limited time period of 4 years given the personal circumstances of the applicant and limited to restricted opening on a Thursday, Friday and Saturday to ensure that the use does not adversely impact the amenity of the residential area.

The letter of support for the current development proposal also notes that this application differs as there will be no on-street parking and there are no objections from statutory consultees or neighbours. Lastly, since the publication of the Committee Report, DfI Roads have responded to the development, commenting 'there is limited on-street car parking available at this location, however, the site can accommodate 5 cars parking in-curtilage for both the occupants of the house and customers of the business, all with the ability to enter and exit freely. If Planning are of a mind to approve with the Parking as stated above, DfI Roads have no objections'. Having reviewed the

parking and manoeuvring for staff and customer parking available on the site it is considered to be acceptable in terms of PPS 3.

Whilst the Council notes the petition of support and the letter of support, these do not demonstrate that a suitable site does not exist within the town centre or other retailing area. Therefore, the Council's reason for refusal on the principle of a hairdressers within this residential area remains.

CONCLUSION

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

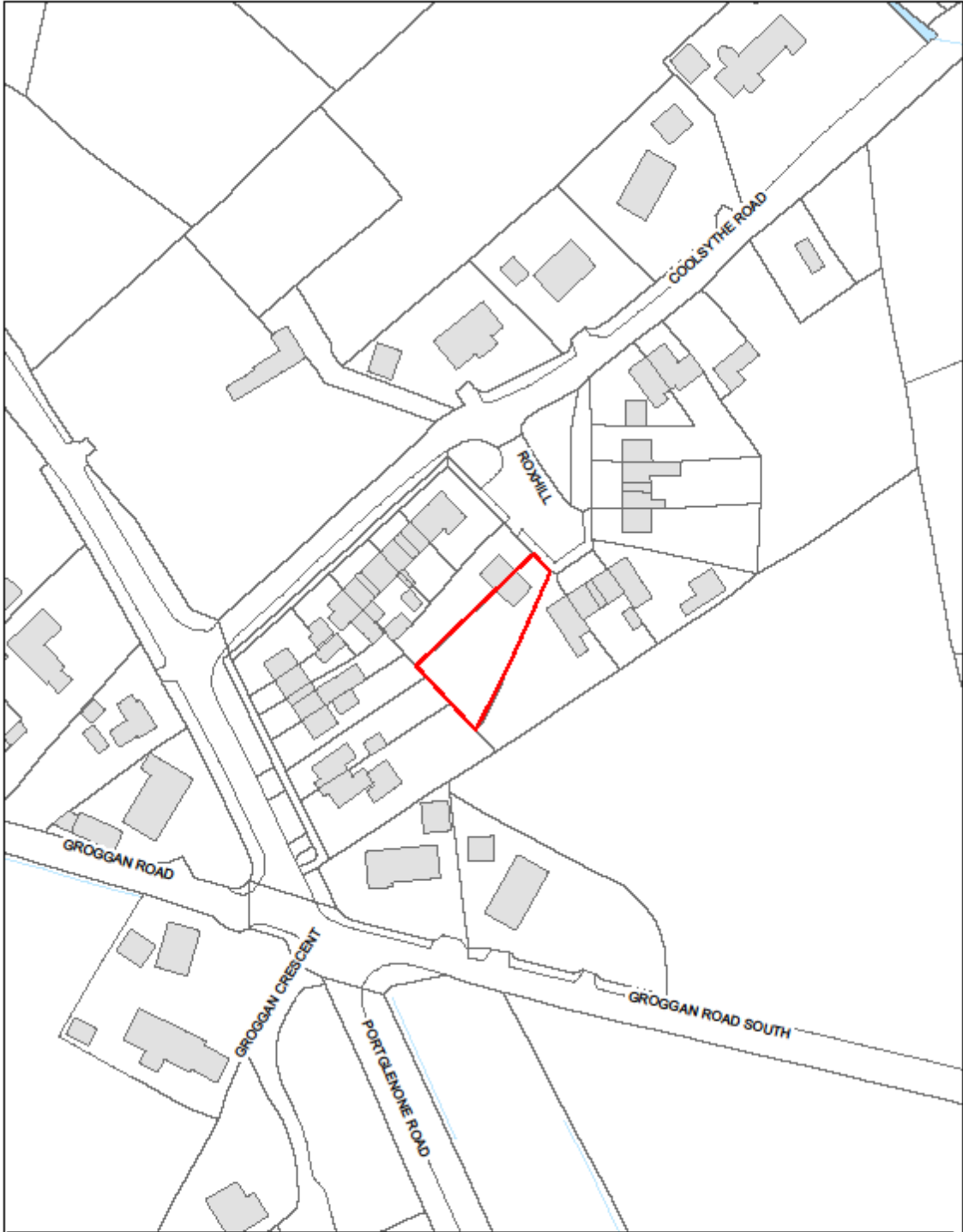
- The principle of development is considered unacceptable;
- The proposal is contrary to the policy provisions in the SPPS;
- The design and appearance of the proposal is considered acceptable; and
- The proposal will have no significant detrimental impact on neighbour amenity.

RECOMMENDATION

REFUSE PLANNING PERMISSION

PROPOSED REASON FOR REFUSAL

1. The proposal is contrary to the provisions of the Strategic Planning Policy Statement in that the retailing element of the development lies outside any designated town centre and it has not been demonstrated that a suitable site does not exist within the town centre or other retailing area.




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Site Location Plan

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Reference: LA03/2024/0117/F

 Site Location



COMMITTEE ITEM	4.8
APPLICATION NO	LA03/2024/0115/F
DEA	DUNSILLY
COMMITTEE INTEREST	ADDENDUM TO COMMITTEE REPORT
RECOMMENDATION	GRANT PLANNING PERMISSION
PROPOSAL	Replacement Dwelling
SITE/LOCATION	214 Belfast Road, Muckamore, Antrim, BT41 2EY
APPLICANT	Sam Morrison
AGENT	Warwick Architects
LAST SITE VISIT	5 th April 2024
CASE OFFICER	Harry Russell Tel: 028 903 40408 Email: harry.russell@antrimandnewtownabbey.gov.uk

The full details of this application, including the application forms, relevant drawings, consultation responses and any representations made are available to view at the Northern Ireland Planning Portal <https://planningregister.planningsystemni.gov.uk>.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

Since the publication of the initial Committee Report, the agent has submitted an amended scheme for the development proposal; namely amended elevation and floor plans and revised layout plans (Drawing Nos. 03/1, 04/1, 05/1, 06/1 and 07/1 date stamped 17th May 2024). The revised scheme entails three main changes: a reduction in the size of the site curtilage, a change to the design of the dwelling with regards to the location of the integral garage.

With regards to the revised extension to the curtilage of the dwelling, the expansion of the roadside site frontage has been reduced from the previously proposed increase of 12.5m to a proposed increase of 3m. Additionally, the proposed area of the expanded curtilage to the northeast (rear) of the site is less than the extension to the site curtilage approved under planning application ref: LA03/2017/0399/F. Albeit a revised location plan showing a reduced site curtilage has not been submitted, a condition can be applied to restrict the curtilage to the area indicated on the revised Layout Plan, Drawing No. 07/1 date stamped 17 May 2024.

Amendments have been made to the proposed siting of the dwelling, which is now proposed to be located 6.5m to the west of the previously proposed siting. The majority of the proposed dwelling is now situated within the extended curtilage as approved under planning application ref: LA03/2017/0399/F. The eastern elevation of the proposed replacement dwelling is now 15.9m from the eastern boundary which is 5.7m east of the footprint of the dwelling approved under application Ref: LA03/2017/0399/F. Nonetheless the proposed dwelling, whilst remaining further to the east of the previously approved dwelling is considered acceptable.

The revised design of the dwelling, is generally limited to the integral garage and back room area, which has been set back to the side and rear of the main body of the dwelling. The proposed integral garage no longer projects forward of the existing building or forward of the principal elevation and appears visually subordinate to the main dwelling. The revised design results in the re-siting of the proposed dwelling

further to the west within the application site, however, the re-siting does not lead to any further significant impacts upon the amenity of No. 212 Belfast Road.

In summary, the expansion of the site curtilage is only slightly larger than that approved previously under application ref: LA03/2017/0399/F. The dwelling is now mostly within the original curtilage of the dwelling and other than a small section of the side projection, the dwelling falls within the approved expanded curtilage of LA03/2017/0399/F. As such, it is considered that the principle of development is acceptable under Policy CTY 3 of PPS 21 and the first refusal reason no longer applies.

Furthermore, other than a small side projection, the proposed dwelling does not project eastwards beyond the expanded curtilage approved under planning application ref: LA03/2017/0399/F or the roadside frontage of the original curtilage and as such, the proposal is not considered to add to the existing ribbon of development. Accordingly, it is considered the proposal is no longer contrary to Policies CTY 8 and CTY 14 of PPS 21 and the second refusal reason no longer applies.

As the revised development proposal addresses the concerns previously raised and the refusal reasons no longer apply, there is a change to the recommendation which is now to grant planning permission.

CONCLUSION

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

- The principle of the development has been established in accordance with the policy provisions of Policy CTY3 of PPS 21;
- It is considered that the proposal will integrate appropriately with the surrounding landscape.
- The proposal is seen to be in accordance with Policies CTY 8 and CTY 14 of PPS 21;
- The proposal is not considered to result in adverse impacts on neighbouring properties;
- The proposal is not considered to prejudice road safety.

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 curtilage of the dwelling hereby approved must be as indicated in blue on Drawing Number 07/1 date stamped 17th May 2024.

Reason: To preserve the amenity of the area and prevent the extension of an existing ribbon of development and to ensure that the amenities incidental to the enjoyment of the dwelling will not adversely affect the countryside.

3. The construction of the dwelling hereby permitted, including the clearing of topsoil, shall not commence until the existing buildings, coloured green on the approved plan Drawing No. 01 date stamped 9th February 2024 is demolished,

all rubble and foundations removed and the site restored in accordance with the details on the approved plans.

Reason: To preserve the amenity of the area and to prevent an accumulation of dwellings on the site.

4. No development shall take place until a landscaping scheme showing the retention of existing trees and the location, numbers, species and sizes of trees and shrubs to be planted has been submitted to and approved by the Council. The scheme of planting as finally approved shall be carried out during the first planting season after the commencement of the development. Trees or shrubs dying, removed or becoming seriously damaged within five years of being planted shall be replaced in the next planting season with others of a similar size and species unless the Council gives written consent to any variation.

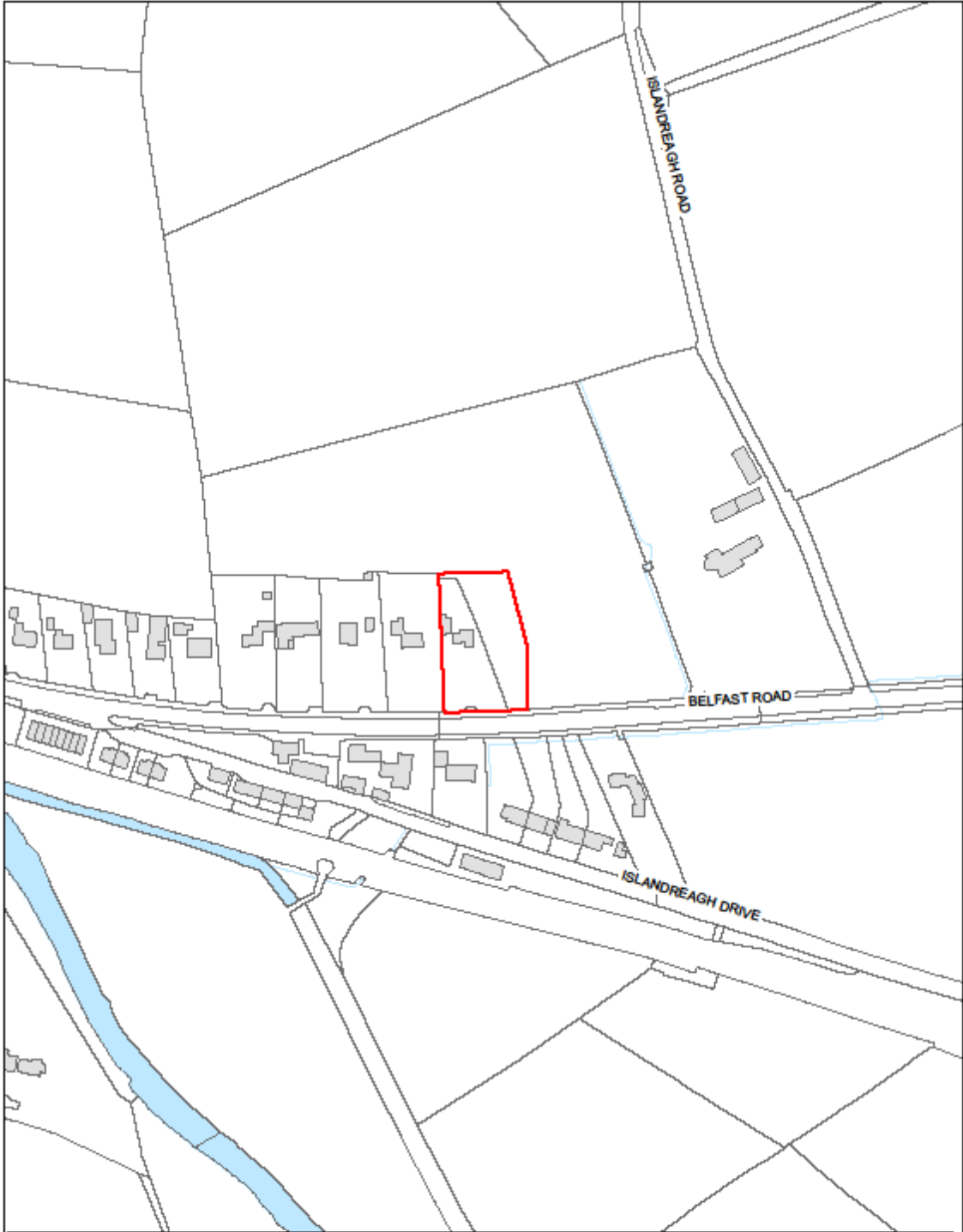
Reason: In the interest of visual amenity and to ensure the provision, establishment and maintenance of a high standard of landscape.

5. The vehicular access, including visibility splays and any forward sight distance, shall be provided in accordance with Drawing No. 07/1 date stamped 17th May 2024, 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.

6. The gradient(s) 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



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Site Location Plan

1:2,500 

Reference: LA03/2024/0115/F

 Site Location

