



18 January 2023

Committee Chair: Alderman F Agnew
Committee Vice-Chair: Councillor J Archibald-Brown

Committee Members: Aldermen – T Campbell and J Smyth

Councillors – A Bennington, H Cushinan, S Flanagan,
R Kinnear, R Lynch, 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 23 January 2023 at 6.00 pm.**

You are requested to attend.

Yours sincerely

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

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

PLEASE NOTE: Refreshments will be available from 5.00 pm

For any queries please contact Member Services:

Tel: 028 9034 0048/028 9448 1301

memberservices@antrimandnewtownabbey.gov.uk

AGENDA FOR PLANNING COMMITTEE – JANUARY 2023

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

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

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

PART ONE - Decisions on Planning Applications

3.1 Planning Application No: LA03/2022/0449/O

Proposed petrol filling station and retail unit with parking, lighting and associated development, alterations to Ballycraig Road to provide right hand turning lane, and alterations to pedestrian crossing arrangement at 11 Ballycraig Road, Antrim, BT41 2BD

3.2 Planning Application No: LA03/2020/0822/F

Construction of 6 no. new build apartments on 3 storeys on vacant site with in-curtilage parking and associated site works. Closure of existing vehicular access from Shore Road and creation of new access from Wood Grange at 642 Shore Road, Newtownabbey

3.3 Planning Application No: LA03/2022/0874/F

Proposed factory, ancillary office area, storage, parking and other ancillary works at Lands 40m south of 6 Caulside Drive, New Park Industrial Estate, Antrim, BT41 2DU.

3.4 Planning Application No: LA03/2022/0642/F

Proposed residential development of 74 no. dwellings (comprising 31 no. detached, 36 no. semi-detached dwellings, 5 no. Chalet Bungalows and 2 no. apartments), including solar panels, garages, open space and landscaping, access, internal road network and all associated site and access works at Lands at 1 Enkalon Industrial Estate, Randalstown Road to the north and east of Oriel Lodge / 29 Randalstown Road north east of No. 28 Castlewater Gardens and south east of Steeple Burn, Antrim.

3.5 Planning Application No: LA03/2022/0752/O

Site for new dwelling and garage on a farm (CTY10) 150m south west of 54 Templepatrick Road, Ballyclare.

3.6 Planning Application No: LA03/2022/0960/O

Proposed site for infill dwelling and domestic garage approx. 20m SE of 25 Oldwood Road, Randalstown, BT41 2NB.

3.7 Planning Application No: LA03/2022/0609/F

Retrospective application for retention of existing farm shed 100m SW of 12a Irish Hill Road, Ballyclare, BT39 9NQ.

3.8 Planning Application No: LA03/2022/0984/F

Widening of entrance including new pillars, gates and new tarmac surface to access and parking spaces. Installation of Columbaria in various sizes and models to create small memorial garden area, paths, pedestrian access to columbaria, timber arches, planting and grassing works at Carnmoney Cemetery, 10 Prince Charles Way, Newtownabbey, BT36 6DJ.

3.9 Planning Application No: LA03/2022/0744/F

Proposed 35no. plot allotment development utilising existing access of Orchard Road at lands 50m south of 12-42 Lakeview, Orchard Road, Crumlin.

3.10 Planning Application No: LA03/2022/0710/F

Addition of covered decking area at rear door, including timber cladding to portion of external walls (retrospective) at 28 Oldstone Road, Muckamore, Antrim, BT41 4PY.

3.11 Planning Application No: LA03/2022/0721/LBC

Addition of covered decking area at rear door, including timber cladding to portion of external walls (retrospective) at 28 Oldstone Road, Muckamore, Antrim, BT41 4PY.

PART TWO – Other Planning Matters

3.12 Draft Estimates Update 2023/24

3.13 Delegated Planning Decisions and Appeals

3.14 Proposal of Application Notices for Major Development

3.15 Local Development Plan Quarterly Update (Q3) October to December 2022

3.16 Northern Ireland Planning Monitoring Framework 2021/2022 & Second Quarter Planning Statistics

3.17 Department of Agriculture, Environment and Rural Affairs, Draft Ammonia Strategy Public Consultation (January 2023)

PART TWO – Other Planning Matters - In Confidence

3.18 Planning Portal Update

PART ONE - Decisions on Enforcement Cases - In Confidence

3.19 Enforcement Case LA03/2019/0364/CA – In Confidence

**REPORT ON BUSINESS TO BE CONSIDERED AT THE MEETING OF THE
PLANNING COMMITTEE ON 23 JANUARY 2023**

PART ONE

PLANNING APPLICATIONS

COMMITTEE ITEM	3.1
APPLICATION NO	LA03/2022/0449/O
DEA	ANTRIM
COMMITTEE INTEREST	LEVEL OF OBJECTION
RECOMMENDATION	GRANT OUTLINE PLANNING PERMISSION
PROPOSAL	Proposed petrol filling station and retail unit with parking, lighting and associated development, alterations to Ballycraig Road to provide right hand turning lane, and alterations to pedestrian crossing arrangement.
SITE/LOCATION	11 Ballycraig Road, Antrim, BT41 2BD
APPLICANT	Solo Direct Limited
AGENT	Les Ross Planning
LAST SITE VISIT	15 th June 2022
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 Northern Ireland Planning Portal https://planningregister.planningsystemni.gov.uk and the Councils website, under additional information.</p>	
SITE DESCRIPTION	
<p>The application site is located at No. 11 Ballycraig Road, Antrim and is located within the settlement limit of Antrim Town as identified in the Antrim Area Plan 1984 – 2001. The site is currently vacant and overgrown and was previously occupied by a single storey residential dwelling. The site measures approximately 0.53 hectares and abuts the Ballycraig Road at its western boundary, defined by a post and rail fence with a privet hedge and occasional bramble. The northern and eastern boundaries are defined by tall conifer trees and trees are growing within the site.</p> <p>Abutting the site to the north and south are areas of existing open space and residential properties within Abbeyfield Park. No. 21 Abbeyfield Park is to the north of the site and No. 50 Abbeyfield Park is located to the east separated by a narrow walkway. Muckamore Community Centre, Play Park and Nursery School are located on the opposite side of Ballycraig Road as well as residential properties.</p>	
RELEVANT PLANNING HISTORY	
<p>Planning Reference: LA03/2017/0279/F Location: 11 Ballycraig Road, Antrim Proposal: Development of petrol filling station and retail unit with parking and associated development, alterations to Ballycraig Road to provide right hand turning lane and alteration of pedestrian crossing arrangement Decision: Permission Refused – Appeal Withdrawn (15.01.2018)</p> <p>Planning Reference: T/2014/0267/F Location: 11 Ballycraig Road, Antrim, BT41 1PW</p>	

Proposal: Proposal to provide new 3 bed 2 storey dwelling with separate single storey living accommodation linked to main dwelling by shared family room (to replace existing derelict dwelling)

Decision: Permission Granted (10.10.2014)

Planning Reference: T/2007/0628/O

Location: 11 Ballycraigy Road, Antrim

Proposal: Replacing existing bungalow with 12no. Apartments (consisting of 2no. 2-storey blocks, each with 6no. apartments). The existing dwelling is to be demolished.

Decision: Permission Granted (13.12.2007)

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 comprises unzoned land within the settlement limits of Antrim. The Plan offers no specific guidance on this proposal.

Section 8.0 states “Town Centre limits have been identified in Antrim, Randalstown and Crumlin and it is considered that future shopping floorspace needs can be met within them. It is the Department's policy to strengthen the dominance of these central areas by concentrating future commercial developments here. Major commercial development will therefore be discouraged outside these areas although some small scale corner shop type units will continue to be acceptable where appropriate”. Paragraph 8.2 identifies that a town centre limit has been drawn for Antrim Town and indicates that future shopping floor space can be met within this area.

Paragraph 16.6 states that proposals for development will be considered provided that the uses are satisfactory for the locations proposed and that no physical or other problems are involved. Paragraph 16.27 refers to Neighbourhood Centres and identifies Ballycraigy, Greystone and Parkhall. Policy is to give sympathetic consideration to compatible alternative uses such as light industrial workshops or community based uses in these neighbourhood centres.

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.

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

Planning Strategy for Rural Northern Ireland: sets out planning policies and associated practice for the planning and control of development in rural areas.

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

CONSULTATION

Council Environmental Health Section

No objections, subject to conditions

Northern Ireland Water

No objection

Department for Infrastructure Roads

No objection, subject to condition

Department for Infrastructure Rivers

No objection

Northern Ireland Environment Agency: Natural Environment Division

No objection

Northern Ireland Environment Agency: Water Management Unit

No objection, subject to condition

Northern Ireland Environment Agency: Regulation Unit

No objection, subject to conditions

Belfast International Airport

No objection.

Northern Ireland Electricity

No objection

REPRESENTATION

Twenty-Nine (29) neighbouring properties were notified and one hundred and seventy-four (174) letters of objection and thirty-two (32) letters of support have been

received. The full representations made regarding this proposal are available for Members to view online at the Northern Ireland Planning Portal (<https://planningregister.planningsystemni.gov.uk>).

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

- Enhancement of road safety by introducing a traffic island and other safety measures to reduce speeds along Ballycraigy Road;
- Development of an existing derelict and unused site;
- Economic development through new investment to the area;
- Job creation during construction and operation of the PFS;
- Improvement of locality and residential amenity by providing much needed facilities in Ballycraigy; and
- Additional rates to the local Council.

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

- No business need for the development – There is already 5 filling stations in Antrim Town and existing stores within close proximity including Vivo store at Caulside Park within the housing estate and two neighbourhood retail hubs within a short walking distance, Islandbawn Stores, Greystone Road Spar, and a Centra and Petrol Station at Belfast Road;
- Damage to the residential amenity of adjacent properties by way of noise, nuisance and general disturbance;
- Smells and odour;
- Detrimental impact on the character of the area;
- Road safety concerns;
- Increase in traffic;
- The proposal could jeopardise the existing retail hubs and jobs;
- Little has changed from the previous application which was refused;
- Air quality;
- Objector was asked to scale plans back for an extension as it was considered out of keeping with the area, this would be called into question if a huge petrol station was then placed at the bottom of the street;
- The outline application may be a 'Trojan horse' and the ultimate objective could be to increase the retail element substantially; and
- Health and safety concerns as the fuel tanks and vent pipes will be only a few metres from the nearest houses in Abbeyfield.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Preliminary Matters
- Policy Context and Principle of Development
- Impact on Character and Appearance of the Area
- Residential Amenity
- Natural Heritage
- Flood Risk
- Access, Movement and Parking
- Other Matters

Policy Context and Principle of Development

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

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

The Antrim Area Plan (AAP) currently operates as the statutory local development plan for the area where the application site is located and there is also a range of regional planning policy which is material to determination of the proposal. The site is located on unzoned lands within the settlement limit of Antrim and outside the main town centre boundary.

Planning permission was previously refused on the application site (Planning application reference LA03/2017/0279/F) for a similar proposal of a petrol filling station and associated shop. One of the refusal reasons was that the proposed petrol filling station is considered unacceptable as it has not been demonstrated that there is a need for such a facility at this site in an area that is already well served by such facilities.

Objectors raised concerns that little has changed with the proposal from the last application which was refused, however, the previous shop associated with the Petrol Filling Station had an overall gross floorspace of approximately 425 square metres with net retail floorspace of 260 square metres with the remaining being ancillary stores. The current proposal seeks outline permission only, however, while there are some anomalies in the indicative drawings submitted for information purposes and the supporting statement regarding the size of the shop unit, an email dated 1st December 2022 confirms that the proposed net retail floorspace is 140 square metres with gross retail floorspace of 154 square metres. The overall size of the unit is 184 square metres net floorspace (including separate bin storage unit) and 207 square metres gross floorspace (also including separate bin storage unit). The P1 form has been updated to reflect these figures.

It is considered that the nature of the proposal has changed from the scheme which was previously decided by the Council, which was for a larger scale of shop (425 square metres gross floorspace). The proposal differs now with the main use being the petrol filling station with the shop being a small ancillary element (207 square metres gross floorspace). The supporting document (Document 01, date stamped 16th May 2022) states that the main use is the petrol filling station and that the associated small scale shop is ancillary and has a corner shop type function serving as a shopping top up unit. This is supported by A.3 (3) of the Use Classes Order which states, "A use which is included in and ordinarily to any use in a class specified in the Schedule is not excluded from the use to which it is incidental merely because it is specified in the Schedule as a separate use". Therefore, it is considered appropriate to consider the proposal principally in terms of its main use as a petrol filling station with ancillary use as a shop. Each of these elements are discussed below.

Petrol Filling Station (PFS)

It is acknowledged that a refusal reason highlighted by the Planning Committee on the previous application on the site for a petrol filling station was that there was no need for a PFS at the site in an area that is already well served by such facilities. Objectors also point out that there are five (5) petrol filling stations within Antrim Town and therefore there is no need for a further one at the application site.

The SPPS operates a 'town centre first' approach for uses considered to be of the main town centre and requires that a proportionate need is demonstrated for such uses. However, it is important to note that a petrol filling station in isolation is not considered to be a main town centre use for the purposes of planning policy. Town Centre uses are identified within the SPPS as community and cultural facilities, leisure, entertainment and businesses. PFS's are classed as Sui Generis, as set out in S.3 (4) (g) of the Planning (Use Classes) Order (NI) 2015. Therefore, it is considered that the proposed petrol filling station element of the proposal does not conflict with the SPPS in this regard and a needs assessment for this element of the proposal is not required (the associated shop is discussed separately in this regard in the relevant section below).

SPPS Para 5.72 states that '...planning authorities should be guided by the principle that sustainable development should be permitted, having regard to the local development plan and all other material considerations, unless the proposed development will cause demonstrable harm to interests of acknowledged importance'.

There is no specific policy referring to petrol filling stations within settlements. Policy IC 15 of 'A Planning Strategy for Rural Northern Ireland' states that the provision of roadside service facilities on the trunk road network in the open countryside may be considered acceptable where there is a clear indication of need. In this case, the site is not located within the open countryside, rather it is within a settlement limit and as a consequence it is considered that Policy IC 15 is not applicable. Therefore, as there is no policy precluding the use of a petrol filling station within the settlement limits, the use of a petrol filling station on the application site can be assessed on its own merits and the compatibility of the use in the context of the adjacent uses.

The site sits adjacent to an area of open space and a residential estate (Newpark). Whilst it is accepted this is primarily a residential area, the application site also sits within the context of a number of community uses, including Muckamore Community Centre, Play Park and Nursery School which are located on the opposite side of Ballycraigy Road. It is therefore considered that a petrol filling station would be an appropriate use for the site, provided that other planning policy criteria is met. However, the principle of the associated shop must also be considered.

Associated Shop

Section 8.0 of the AAP states "Town Centre limits have been identified in Antrim, Randalstown and Crumlin and it is considered that future shopping floorspace needs can be met within them. It is the Department's policy to strengthen the dominance of these central areas by concentrating future commercial developments here. Major commercial development will therefore be discouraged outside these areas although some small scale corner shop type units will continue to be acceptable where appropriate".

'Town Centres and Retailing' within the SPPS directs that a town centre first approach for retail uses must be adopted and that existing district and local centres should be retained and consolidated as a focus of everyday local shopping. The SPPS is clear that planning applications for main town centre uses that are not in an existing

centre and not in accordance with an up-to-date local development plan should have a sequential test and an assessment of need applied to them.

One of the refusal reasons on the previous application (Planning reference LA03/2017/0279/F) was that the retail element of the proposal was contrary to the policy provisions contained in the Antrim Area Plan 1984 - 2001 and the Strategic Planning Policy Statement as it had not been demonstrated that, if approved, it would not have an adverse impact on the vitality and viability of existing centres within the catchment nor has a sequential test been undertaken or a site specific need for the proposal been established.

The current proposal differs to the previous in that a sequential test has been undertaken and supporting information in terms of the need for the proposal and consideration of the impact on the vitality and viability of existing centres has been submitted and these have been considered below.

Sequential Test

For the sequential test, applications for main town centre uses are to be considered in the following order of preference (and consider all of the proposals catchment):

- primary retail core;
- town centres;
- edge of centre; and
- out of centre locations, only where sites are accessible by a choice of good public transport modes.

The applicants supporting statement (Document 01, date stamped 16th May 2022) states that the proposal is a PFS led development with a minor scale retail unit. The applicant considers that it is not a main town centre use and that the sequential test should not apply. The applicant indicates that a PFS is a sui generis use as defined by The Planning Use Classes) Order (NI) 2015 and the overall proposal is not considered to fall within the uses considered by the SPPS as main town centre uses. The applicant further states that PFS's are typically found out of town centres on main arterial routes etc. and it would be nonsensical and bad planning for policy to require a town centre first approach. A PFS is stated to attract cars and congestion and therefore would detract from the vitality and viability of a town centre which the SPPS is seeking to protect.

Notwithstanding the above, the applicant has carried out a sequential test. The primary catchment has been identified as large residential areas to the east and west of the Ballycraig Road and some housing to the south of the Belfast Road. The secondary catchment is Antrim Town extending to the north and limited by the M2, to the east along Belfast Road, to the south along Seven Mile Straight and the Dublin Road.

The sites explored within Antrim Town Centre have been considered within the supporting information as unsuitable for a PFS and associated retail unit. Sites have been identified and ruled out due to them being redeveloped or within a pedestrian area, not for sale or too small to accommodate the development and overall are not viable or suitable for the proposed development. Edge of Centre locations have also been explored and have been ruled out as they are existing open space areas or unsuitable as they are already developed and utilised sites.

The application site is considered within the applicant's supporting document as an out of centre site and it is indicated within the supporting information that there are not any more suitable out of centre locations in the proposals catchment area which is accepted and therefore it is considered that the proposal meets this element of the policy.

Retail Need

Objectors to the application point out that the existing stores within close proximity including the existing PFS and associated shops, the Vivo store at Caulside Park, Islandbawn stores, Greystone Road Spar, a Centra and PFS at Belfast Road are sufficient to serve the area and that there is no need for the development. It is also acknowledged that one of the refusal reasons of the previous application stated that there is no definable need for an additional neighbourhood retail facility at the application site.

Paragraph 6.282 of the SPPS states that in the absence of an up to date Local Development Plan, an assessment of need that is proportionate to the proposal should be provided for town centre uses including retail development. This may incorporate a quantitative and qualitative assessment of need taking account of the sustainably and objectively assessed needs of the local town and take account of committed development proposals and allocated sites. It needs to be demonstrated that the location of the application site offers an opportunity to provide additional choice and convenience for both commuters and the surrounding population within the area to meet their day to day convenience needs that are not adequately provided by existing stores in the local area.

The applicant's supporting statement (Document 01, date stamped 16th May 2022) states that in terms of need for the proposed retail element, the PFS simply needs an associated shop for payment of fuel and purchase of essential everyday items for sustainable development. The supporting statement goes on to state that there is a qualitative and quantitative need for the retail element and for an improved convenience goods retail offer as there is a large residential population, poorly served with shops selling essential goods in this eastern portion of the town in comparison to the town centre and western portion of the town with only a small number of local shops.

The supporting information points out that the site is at the southern end of the Ballycraigy Road which has a large residential population on either side of the road. The Ballycraigy area was identified in the AAP as having a neighbourhood centre yet this has now gone and therefore there is an increased need for local convenience retailing. The objectors raise the point that this argument is self-defeating, as the Ballycraigy centre is unlikely to have closed if there was sufficient local need to keep it going.

The document refers to the Spar on the Greystone Road as being located right at the northern tip of the housing area and not within easy walking distance of a large part of the housing area, in excess of 200 – 300 metres away. The document states that both the Vivo and Islandbawn Stores are remote from the housing west of the Ballycraigy Road, most of which is located well in excess of 200 – 300 metres away. The applicant's supporting information contends that the Vivo store is tucked away in a housing estate and Islandbawn Stores is off a busy main road with a limited amount

of convenience goods for sale. It is argued within the applicants supporting statement that there is a large area of housing in Ballycraigy which is underprovided for and therefore, there is a need for the proposed facility. It further states that the housing in the area of the site to the west of Ballycraigy is very extensive extending from the Greystone Road to the north and the Belfast Road to the south, a distance of just over 1km.

In addition, it is argued that there is a requirement for employment in this area and the proposal will create 25 operational jobs (most of the roles will be part time) and represents a capital investment of some £1,200,000 and it is argued the economic benefits of the proposal are significant and should be a determining factor in the assessment of this retail application. It is considered that sufficient information has been provided for this small-scale retail shop to demonstrate a quantitative and qualitative need for the proposal.

Retail Impact

It has been raised through letters of objection that the proposal could jeopardise the existing retail hubs and jobs within the area. The SPPS states that all applications for retail or town centre type developments above a threshold of 1000 square metres gross external area which are not proposed in a town centre location and are not in accordance with the LDP should be required to undertake a full assessment of retail impact as well as need. Where appropriate the planning authority may choose to apply a lower threshold taking into account local circumstances such as the size, role and function of their town centres.

Given that the gross retail floorspace of the proposed development does not exceed the threshold of 1000 square metres set out within the SPPS, a full Retail Impact Assessment has not been requested from the applicant. Furthermore, this level of assessment is not required, due to the size, scale and nature of the goods to be sold within the retail unit. It is accepted that the proposed development will increase competition within the area from competing retail premises however, on the whole the proposed development is unlikely to have a significant detrimental impact on the vitality and functionality of any nearby existing centres.

Notwithstanding the above, the applicant has provided an assessment of the likely retail impact of the proposal. The catchment has been defined and the population within the catchment is currently estimated at 24,816 persons rising to an estimated 25,265 persons by 2024. The supporting information outlines available expenditure with current estimated spending power on convenience goods in the catchment area of £46.6m rising to £46.7m by the design year. The turnover of the proposed shop is given as approximately £9,286 psm and around £1.29m per annum at the design year. The market share of available convenience expenditure has been provided and retail provision in the catchment area of estimated turnover of around £82 million.

It is estimated that with commitments the proposal would result in a cumulative impact on the convenience retail sector in the town centre of around 3% and will result in a total estimated trade diversion from the area of around £1.4m resulting in an estimated cumulative impact on the convenience retail sector in this area of around 2%. It is therefore considered that the proposed retail unit will not have an adverse impact on existing retail centres or other convenience retail approvals.

A further point was raised by the applicant that the Council had previously determined that there are no retail impact concerns associated with small convenience shops that accompany PFS's at Mallusk Drive (LA03/2017/0114/F) with retail floorspace of 530 sqm and Ballyrobin Road (LA03/2015/0642/F) with retail element of 204sqm and food and coffee elements of 277sqm).

It is accepted that the location of the application site at Ballycraigy Road offers an opportunity to provide additional choice and convenience to meet day-to-day convenience needs. On balance, given the evidence submitted and the small size of the associated shop, it is considered that the proposed retail element is of such a scale that it is considered ancillary and is primarily for selling fuel and is not likely to have a significant impact on the vitality and viability of the existing facilities within the area. There is no policy precluding the use as a petrol filling station on this site and therefore the principle of development is considered acceptable.

Impact on the Character and Appearance of the Area

The application seeks outline permission and therefore there are limited details with regards to the overall design of the proposal however a number of indicative plans and photomontages (Document 02, date stamped 16th May 2022) for information purposes have been received.

Indicative plans indicate the shop unit at the southern boundary of the application site. The shop building is indicated as single storey at a maximum height of 5.5 metres with a mono-pitched roof sloping down towards 4.6 metres in height. Four pumps are proposed under a canopy at approximately six (6) metres in height located centrally between the car parking spaces around the periphery of the site. Lighting is also proposed and includes floodlighting.

The Ballycraigy Road has a primarily residential character, however, along this stretch of the road are existing community uses opposite the site. A two-storey community centre is amongst the uses with tennis courts and children's park. An area of green space abuts the southern and part of the eastern boundary and part of the northern boundary of the site. It is considered that while the proposal will represent a change to the visual appearance, the application site is located within the development limits of Antrim Town and given its location opposite a number of existing community uses, a use of this nature would not appear completely at odds with the area.

The site is currently overgrown with evergreen trees and hedges. This stretch of the Ballycraigy Road is currently well landscaped along the roadside for a considerable stretch with grassed areas of open space and mature trees on either side of the road, with development set back from the road edge.

Views of the proposed development will be evident when travelling in either direction along the Ballycraigy Road and the development will be prominent given the fuel canopy and proposed shop location within close proximity to the roadside. However, the shop unit is relatively small in scale and the forecourt canopy is approximately six (6) metres in height which, although will be closer to the road, will be lower than the existing two storey dwellings adjacent when read from the Ballycraigy Road and therefore it is considered that the proposed development will not appear significant in scale in comparison to the surrounding buildings.

Views of the proposal will also be evident from within Abbeyville Park residential area. From this viewpoint the fuel canopy will be most apparent however, it will be set back approximately 25 metres from the public road and at a height of approximately six (6) metres. The overall size of the shop unit and canopy can be controlled through planning conditions and given their scale are not considered to have a detrimental impact on the character of the area.

The proposal would introduce development abutting the roadside and would require the removal of the majority of the existing vegetation within the site to accommodate the proposed development. The existing mature hedging along the roadside would also be removed to accommodate visibility splays and the indicative plans indicate this being replaced with a front boundary wall with buff facing brick finish and a height ranging from approximately 615mm to 1.4 metres.

However, the indicative plans indicate supplementary planting along the majority of the periphery of the site which, in time, will soften the development. While the car parking layout submitted indicates more spaces than necessary, the required figure of spaces can be controlled through a planning condition allowing additional space within the site to be further landscaped out to soften the visual impact of the development.

It is acknowledged that one of the refusal reasons of the previous planning application for a petrol filling station and shop at this site (LA03/2017/0279/F) related to the proposal having an unacceptable impact on the local appearance and townscape character of this area. Objections have also been received that the proposal would result in a detrimental impact on the character of the area and would destroy the spacious landscape character.

It is worth noting that previously the shop unit was larger (425 square metres gross floorspace) and fencing was proposed on the outside of the site with a very narrow (0.6 metres in width) line of hedging along the northern and eastern boundaries behind which would provide little in terms of screening. The current proposal is for a smaller scale ancillary shop unit, (207 square metres gross floorspace) and allows for a reduced level of car parking within the site with space for additional planting along the site boundaries to soften the visual impact. The number of car parking spaces and the requirement for the submission of a detailed landscaping scheme can be controlled through conditions. This proposal is therefore considered on its own merits with regard to the impact on the character and appearance of the area.

It is considered there will be a visual impact as a result of the proposal, however, this is weighed against the overall small scale nature of the shop unit, the additional tree planting proposed between the building and the roadside and around the boundaries of the site which, although will take time to mature, will help to reduce any significant visual intrusion as a result of the proposal. In addition, the economic benefit of the proposal weighs in favour of the proposal.

Overall, on balance, the visual impact of the development and the design, scale and massing of the proposal is considered appropriate within the application site context and any impact on the character of the area can be sufficiently mitigated through the use of planning conditions.

Residential Amenity

No. 21 and No. 50 Abbeyfield Park are located only some five (5) metres from the application site with many other dwellings also positioned in close proximity to the site and therefore a PFS has the potential to have an impact on residential amenity.

Objections have been received to the proposal raising noise, nuisance and general disturbance as issues. A Noise Assessment (Document 06, date stamped 16th May 2022) has been received. The Environmental Health Section has been consulted and a review has been undertaken of the Noise Impact Assessment and associated noise prediction SoundPlan Model submitted for the previous planning application for a similar development on these lands under LA03/2017/0279/F. The review highlighted a number of matters to be addressed in the noise assessment. Further noise information by way of clarification was provided by the applicant (Document 10, date stamped 4th August 2022).

The Environmental Health Section was reconsulted with the updated information and recommended a number of conditions requiring an acoustic barrier to be erected prior to development becoming operational, amongst others. There are also conditions proposed to prohibit deliveries to the PFS between 23:00 and 07:00 hours and to restrict the hours of operation of the proposed unit to 07:00-23:00 hours.

Lighting has also been indicated as forming part of the proposed development and has the potential to have an impact on residential amenity. An Artificial Light Impact Assessment (Document 09, date stamped 4th August 2022) was submitted and Environmental Health has been consulted and had no objection to the proposal, subject to conditions. It is considered that any potential impact from light can be suitably mitigated through the use of planning conditions to stipulate that artificial lighting to the proposed development shall not be operational on anytime between 23:00hrs and 07:00hrs and further condition to restrict the level of light intrusion to not exceed 10 Ev (lux) between 07:00hrs and 23:00hrs.

Concerns have been raised through letters of objection with regards to odour from the development. A proposed enclosed bin store is indicated within the service yard bound by fencing on the layout plan submitted for information purposes. This will seek to ensure any waste will be kept secure and will not create an unacceptable odour or litter problem resulting from waste. On the indicative drawings, the proposed bin store is indicated as positioned approximately 19 metres from the site boundary of No. 50 Abbeyfield Park. It is considered this is a sufficient distance from neighbouring properties to ensure there is no significant impact resulting from odour from litter or waste.

To further mitigate against potential odour resulting from the proposal, the Environmental Health Section has recommended that a condition be stipulated to ensure an Odour Impact Assessment is carried out on the odour arising from the development to impact on existing residential properties in the surrounding area. It is therefore considered that the proposal will not have a significant impact on residential amenity by way of odour.

Parking is indicated along the northern and eastern boundaries of the site closest to the existing residential properties. The site layout plan indicates parking set back from

the western site boundary and approximately 5.5 metres at the closest point from the neighbouring boundary with No. 50 Abbeyfield Park. No. 50 Abbeyfield Park is a low single storey dwelling and is set on a slightly lower level than the proposed development. On the indicative drawings, the proposed shop is indicated in the southwestern corner of the application site, furthest away from the closest residential properties abutting the site. The siting of the shop unit can be controlled by condition should planning permission be forthcoming. The proposed 6-metre-high canopy and shop building will sit higher than this property. However, a separation distance of approximately 25 metres is proposed between the canopy and the adjacent dwelling. The dwelling is positioned gable onto the application site. Between this property and the proposed parking spaces the indicative drawings show an entry way, a proposed landscaped buffer of approximately three (3) metres in width with proposed hedge and tree planting, a 2.2-metre-high closed boarded timber fence and a one (1) metre setback of the parking spaces from the application site boundary which is considered sufficient to mitigate against any significant impact on amenity.

Along the northern boundary, the parking spaces are separated from the closest residential property, No. 21 Abbeyfield Park by a pathway, proposed landscaping and a proposed 2.2-metre-high close board timber fence. This property is a two storey dwelling and is set on a higher level than the application site. It is positioned gable onto the application site and the PFS canopy which is six (6) metres in height. It is considered that the proposal including the proposed canopy will not appear dominant in relation to this property albeit the proposed development will be closer to the road than No. 21 Abbeyfield Park. In addition to the above, the drawing submitted for information purposes indicates more parking than required for this development. This matter can be conditioned as part of the grant of any planning permission to ensure that only the required number of spaces required is provided allowing further and additional landscaping which can be considered further at Reserved Matters stage. It is therefore considered that parking can be accommodated within the site without a significant impact on residential amenity.

The impact on air quality as a result of the development was raised through letters of objection to the proposal. However, no evidence has been presented to suggest human health will be adversely impacted by this proposal. The site activities proposed do not fall within Schedule 1 of the Pollution Prevention and Control (Industrial Emissions) Regulations (Northern Ireland) 2013 and any air emissions would be of a domestic scale and not considered to be detrimental to human health. In addition, the Council's Environmental Health Section was consulted with regards to the development proposal and has indicated no objection on health grounds.

It has been raised through letters of objection that fuel tanks and vent pipes will be only a few metres from the nearest houses in Abbeyfield and that HSENI and the Council's Petroleum Licensing Officer and NI Fire Service must be consulted. However, a P1A form has been completed indicating that 25,000 litres of unleaded motor spirit, 40,000 litres of diesel and 5,000 litres of kerosene are to be stored in underground bunded tanks. The applicant's agent has confirmed that the proposal will not involve the use or storage of any Hazardous Substances, which are subject to the controls set out in the Planning (COMAH) Regulations (NI) 2000. The Health and Safety Executive for Northern Ireland (HSENI) is a statutory consultee for developments within the consultation distance (CD) of high pressure gas transmission

pipelines and/or within the consultation distance (CD) of major hazard installations regulated under the Control of Major Accident Hazards Regulations (Northern Ireland) 2015 (COMAH). HSENI has been contacted and has confirmed that a consultation is not required for the proposal.

Some level of disturbance and impact on amenity is likely to result from the addition of a PFS within close proximity to residential properties. However, on balance with the buffer landscaping proposed and with the imposition of the attached conditions it is considered that any potential impact on residential amenity could be sufficiently mitigated. In addition, this is an economic development proposal which will bring a disused brownfield site back into use within the development limits of Antrim Town. Environmental Health Section has raised no objection to the proposal, subject to conditions and therefore it is considered that on balance the proposal would not have a detrimental impact on neighbour amenity.

Natural Heritage

The site is currently overgrown with evergreen trees and hedges. The proposal would require the removal of the majority of this vegetation within the site to accommodate the proposed development. A Biodiversity Checklist along with an Ecological Statement (Document 08, date stamped 16th May 2022) has been received.

NIEA Natural Environment Division has been consulted and note that the site is bounded by conifer trees that require felling to facilitate the proposal. The ecologist assessed all trees on site to have negligible bat roost potential. NED are content the proposal will not have a significant impact on bats. The vegetation on site may support roosting birds and an informative can be placed on any grant of planning permission to inform the applicant that any removal of vegetation should be undertaken outside the bird breeding season.

NED note that the indicative site layout (Drawing 02/1) refers to proposed planting to compensate for the removal of boundary vegetation and welcomes the proposed compensatory planting. No evidence of badger or badger sett was recorded on or around the site by the ecologist and NED are content the proposal will not have a significant impact on badgers. Upon consideration of the proposal, it is considered that there is unlikely to be a significant impact on protected and/or priority species and habitats.

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

Shared Environmental Services has been consulted and has advised that there is the potential for polluting discharges at operational phase foul sewer provision causing overflows from the infrastructure. This pollution may travel within local watercourses to Lough Neagh to cause adverse impacts on the features and criterion features. However, although SES has recommended a condition is imposed that no development should take place on-site until the method of sewage disposal has been agreed in writing with Northern Ireland Water (NIW) or a Consent to Discharge for private treatment plants associated with the development have been granted

under the terms of the Water (NI) Order 1999 by NIEA WMU, this is considered to be more appropriate as an informative attached to any grant of planning permission should it be forthcoming.

Taking the above into consideration it is therefore considered that the proposal will not have a significant impact on features of natural heritage.

Flood Risk and Drainage

The proposed development is not located within the Q100 Floodplain. A Drainage Assessment (Document 07, date stamped 16th May 2022) has been received. DfI Rivers has been consulted and has demonstrated that the design and construction of a suitable drainage network is feasible. It indicates that the 1 in 100-year event could be contained within the attenuation system, when discharging at existing green field runoff rate, and therefore there will be no exceedance flows during this event. DfI Rivers has no objection to the proposal subject to a condition that the applicant submits a final Drainage Assessment and full site drainage plan at Reserved Matters stage. The P1 form indicates that the proposal discharges to a private treatment system. This will require a consent to discharge under the terms of the Water (NI) Order 1999.

The applicant has confirmed (Document 11, date stamped 12th August 2022) that the proposal does not include a vehicle wash and the P1 form has been amended during the processing of the application to indicate that foul sewage will be disposed of via a package treatment plant. NI Water has been consulted and has raised no objection to the proposal.

Access, Movement and Parking

Objections have been received regarding road safety and the increase in traffic that the proposal will generate. A Transport Assessment Form (Document 05, date stamped 16th May 2022) has been submitted with the application. The TAF states that the proposal is likely to generate 600 vehicles per day. While this is a significant increase from the existing site, the TAF concludes that the transport infrastructure in the locality has ample capacity to serve the proposal in a safe and satisfactory manner. The development is proposed to be accessed off the Ballycraigy Road via a new upgraded entry and exit only access arrangement served by a right hand turning lane/ghost island facility with sightlines of 4.5 x 90 metres at the development exit point. Parking provision is acceptable and adequate room for manoeuvring within the site is provided. DfI Roads has been consulted and has raised no objection to the proposal, subject to conditions. It is considered the proposal complies with Planning Policy Statement 3, 'Access, Movement and Parking'.

It has been raised through an objection letter that the level of parking is more than the required parking and therefore that this could be a 'Trojan horse' application with the intent to submit a larger scale proposal. It is recommended that the required level of parking is controlled through the imposition of a planning condition to ensure that only the required number of spaces are provided for the development.

In addition, it has been raised through letters of objection that the proposal is likely to lead to unacceptable hazards for road users and is likely to encourage children to cross the road from the community centre and the Ballycraigy estate. A further point of objection is that the pedestrian crossing point is indicated as staggered from the

access to the playground and therefore pedestrians are not likely to use it and that there are no tracking drawings provided. DfI Roads has been consulted with the proposal and has raised no objection from a road safety point of view and therefore it is considered that the proposal is acceptable in this regard.

Other Matters

Contamination

Regulation Unit (RU) Land and Groundwater Team and the Environmental Health Section of the Council has been consulted and has advised that there are no significant records of previous potentially contaminating land uses on this application site or in the adjacent or surrounding area. The proposed development is therefore considered to be a low risk to the water environment. Regulation Unit has no objection to the proposal, subject to conditions and informatives.

Previous planning application in the area

It has been raised through a letter of objection that the occupants of a nearby property were asked to scale back their plans for an extension as it was considered out of keeping with the area. The point was made by the objector that this would be called into question if a huge PFS was then placed at the bottom of the street. However, residential extensions are assessed under a separate planning policy and is not comparable to the current proposal. In addition, each application is considered on its own merits.

CONCLUSION

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

- The principle of the development is considered to be acceptable;
- It is considered the scale, design and appearance of the proposal can be designed to ensure there will be no significant impact on the character and appearance of this area;
- The proposal can be designed to ensure there is no detrimental impact on the amenities of nearby residents and the proposed use will be compatible with surrounding land uses;
- There is no issue of flood risk prompted by the development proposal; and
- Matters of access, road safety, parking and circulation are considered acceptable

RECOMMENDATION

GRANT OUTLINE PLANNING PERMISSION

PROPOSED CONDITIONS

1. Application for approval of the reserved matters shall be made to the Council within 3 years of the date on which this permission is granted and the development, hereby permitted, shall be begun by whichever is the later of the following dates:
 - i. The expiration of 5 years from the date of this permission; or
 - ii. The expiration of 2 years from the date of approval of the last of the reserved matters to be approved.

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

2. Approval of the details of the siting, design and external appearance of the buildings, the means of access thereto and the landscaping of the site

(hereinafter called "the reserved matters"), shall be obtained from the Council, in writing, before any development is commenced.

Reason: This is outline permission only and these matters have been reserved for the subsequent approval of the Council.

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

Reason: To enable the Council to consider in detail the proposed development of the site.

4. At Reserved Matters Stage details of the road works shall be submitted to and approved by the Council. No other development hereby permitted shall be commenced until the road works have been fully completed in accordance with the approved drawing.

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

5. At Reserved Matters Stage parking and servicing shall be in accordance with the requirements of the Department's current published Parking Standards. The number of parking spaces shall be one space per pump with one queuing space and 10 spaces for the shop unit.

Reason: To ensure the provision of adequate parking facilities to meet the needs of the development and to ensure that areas for landscaping are not consumed by car parking.

6. The proposed shop unit shall be sited within the area hatched green on Drawing No. 01 date stamped 16th May 2022.

Reason: In the interest of visual amenity and residential amenity.

7. The proposed canopy shall be sited within the hatched area on Drawing No. 01, date stamped 16th May 2022.

Reason: In the interest of visual amenity and residential amenity.

8. The proposed shop unit shall have a maximum ridge height of less than or equal to 5.5 metres above finished floor level.

Reason: In the interests of visual amenity.

9. The proposed forecourt canopy shall have a height of less than or equal to 6 metres above ground level.

Reason: In the interests of visual amenity.

10. The net retail floorspace shall not exceed 140 square metres when measured internally and shall be used only for the retail sale of convenience goods and for no other purpose, including any other purpose in Class A1 of the Schedule to the Planning (Use Classes) (Northern Ireland) Order 2015.

Reason: To enable the Council to retain control over the nature, range and scale of retailing activity so as not to prejudice the continued vitality and viability of existing retail centres in line with retail planning policy.

11. The retail unit hereby approved shall not be subdivided or otherwise modified to create additional units without the prior written approval of Antrim and Newtownabbey Borough Council.

Reason: To enable the Council to retain control over the nature, range and scale of retailing activity so as not to prejudice the continued vitality and viability of existing retail centres.

12. The development (including carpark) shall not be operational at any time between 23:00hrs and 07:00hrs.

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

13. There shall be no deliveries to the application site at any time between 23:00hrs and 07:00hrs.

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

14. During the operational lifetime of the development hereby permitted the component noise sources associated with the proposed development shall not exceed the levels outlined within Updated Table 7 – Predicted levels at receptors, Component Sources, of Document No. 10 and date stamped 4th August 2022.

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

15. During the operational lifetime of the development hereby permitted the cumulative noise levels of all noise generating sources associated with the development shall not exceed the noise level limits outlined within Table 9 – Predicted noise levels at the receptors, and limits, of document stamped Document No. 10 and date stamped 4th August 2022.

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

16. No part of the development shall become operational until a 2.2m high acoustic barrier is installed along the northern, southern, & eastern boundaries of the site. The barrier shall have a surface weight density of not less than 15kg/m², be of solid construction, (i.e. no holes or gaps present for sound to pass through) and so if it is a fence it shall be of the ship-lapped design.

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

17. At the Reserved Matters stage, drawings shall be submitted indicating no more than 1 no. item of plant located on the roof of the development building and locations for plant to the facades of the development building shall not compromise the attenuation provided by the acoustic barrier outlined within condition 16.

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

18. During the operational lifetime of the development hereby permitted the light intrusion from the development into windows at nearby sensitive properties shall not exceed 10 Ev (lux) on anytime between 07:00hrs and 23:00hrs.

Reason: To protect amenity at nearby residential dwellings.

19. Artificial Lighting to the proposed development shall not be operational on anytime between 23:00hrs and 07:00hrs.

Reason: To protect amenity at nearby residential dwellings.

20. At the Reserved Matters stage, an Odour Impact Assessment shall be carried out on the odour arising from the development to impact on existing residential properties in the surrounding area. The assessment shall utilise the guidance contained within IAQM, Guidance on the assessment of odour for planning, the EMAQ produced Control of Odour and Noise from Commercial Kitchen Exhaust Systems document (EMAQ 2018), and / or equivalent appropriate guidance.

Reason: To protect amenity at nearby residential dwellings.

21. If during the development works, new contamination or risks are encountered which have not previously been identified, works should cease and the Council shall be notified immediately. This new contamination shall be fully investigated in accordance with the Land Contamination: Risk Management (LCRM) guidance. In the event of unacceptable risks being identified, a Remediation Strategy shall be agreed with the Council in writing, and subsequently implemented and verified to its satisfaction. This strategy should be completed by competent persons in accordance with the Land Contamination: Risk Management (LCRM) guidance.

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

22. After completing the remediation works under Condition 21 and prior to occupation of the development, a Verification Report needs to be submitted in writing and agreed with the Council. This report should be completed by competent persons in accordance with the Land Contamination: Risk Management (LCRM) guidance. The Verification Report should present all the remediation and monitoring works undertaken and demonstrate the

effectiveness of the works in managing all the risks and achieving the remedial objectives.

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

23. Prior to the construction of the drainage network, the applicant shall submit a final Drainage Assessment and drainage plan, compliant with FLD 3 and Annex D of PPS 15, to be agreed with the Council which demonstrates the safe management of any out of sewer flooding emanating from the surface water drainage network, agreed under Article 161, in a 1 in 100-year event.

Reason: In order to safeguard against surface water flood risk to the development and manage and mitigate any increase in surface water flood risk from the development to elsewhere.

24. No development shall take place until full details of all proposed tree and shrub planting have been approved by the Council and all tree and shrub planting shall be carried out in accordance with those details and at those times.

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

25. 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.

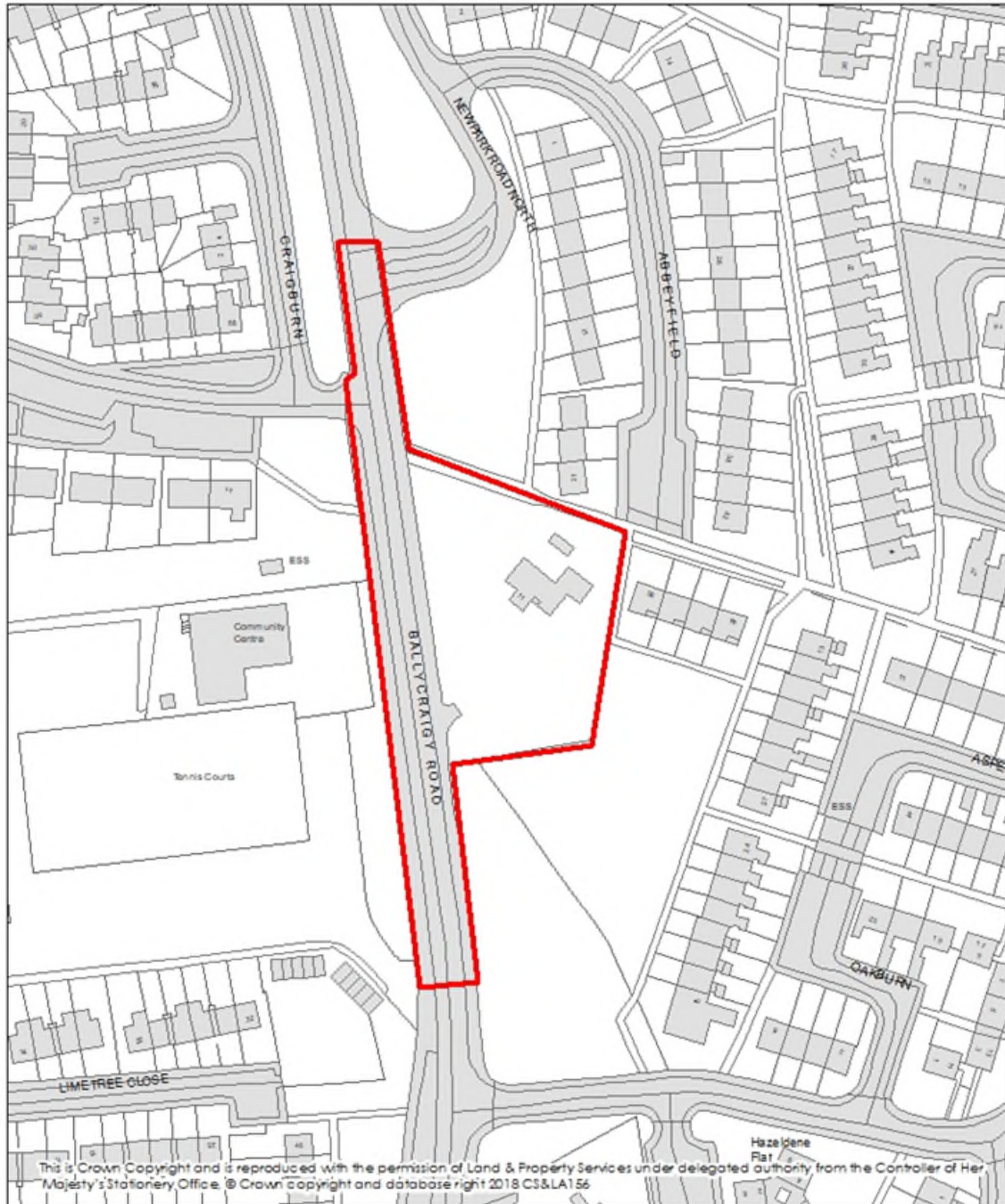
Reason: In the interest of visual amenity and to ensure the provision, establishment and maintenance of a high standard of landscape.

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

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

27. A plan shall be submitted at Reserved Matters stage indicating the location of the existing vegetation of this site. The existing vegetation as indicated on this plan shall be retained at a minimum height of 6 metres for trees and 2 metres for hedgerows unless necessary to prevent danger to the public, in which case a full explanation shall be submitted to and agreed in writing with the Council prior to removal.

Reason: In the interest of visual amenity.




Site Location Plan

Application Reference: LA03/2022/0449/O

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

11 Ballycraigy Road, Antrim, BT41 2BD



 Site boundary



COMMITTEE ITEM	3.2
APPLICATION NO	LA03/2020/0822/F
DEA	THREE MILE WATER
COMMITTEE INTEREST	LEVEL OF OBJECTION
RECOMMENDATION	GRANT PLANNING PERMISSION
PROPOSAL	Construction of 6 no. new build apartments on 3 storeys on vacant site with in-curtilage parking and associated site works. Closure of existing vehicular access from Shore Road and creation of new access from Wood Grange
SITE/LOCATION	642 Shore Road, Newtownabbey
APPLICANT	LJW Properties
AGENT	Caithness Architects
LAST SITE VISIT	17th February 2021
CASE OFFICER	Sairead de Brún Tel: 028 903 40406 Email: sairead.debrun@antrimandnewtownabbey.gov.uk
<p>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Northern Ireland Planning Portal https://planningregister.planningsystemni.gov.uk</p>	
SITE DESCRIPTION	
<p>The application site is located within Metropolitan Newtownabbey as defined in the Belfast Urban Area Plan (BUAP), in the southern half of a larger site that was previously occupied by a detached dwelling at No. 642 Shore Road.</p> <p>The site is largely overgrown with grass and the topography of the site rises from the Shore Road towards the northern boundary of the site, with a difference in site levels of approximately 4.6 metres. The southern site boundary is defined by a low stone wall and the western boundary defined by a 2 metre high concrete block wall. A 2.4 metre high retaining wall defines part of the eastern boundary, with the remaining section undefined. The northern boundary of the site is also undefined.</p> <p>The surrounding area is primarily residential, with Chestnut Hill just beyond the western site boundary and Wood Grange residential development to the north. Immediately west of the application site are three single dwellings, as well as a linear pattern of development established along the Shore Road, to the east of the application site.</p>	
RELEVANT PLANNING HISTORY	
<p>Planning Reference: U/2005/0001/F Location: 642 Shore Road, Jordanstown, Newtownabbey Proposal: Proposed 3 No. apartment blocks containing 10 units in total, with associated car parking. Decision: Permission Granted (06.07.2006)</p> <p>Planning Reference: U/2008/0370/F Location: 642 Shore Road, Jordanstown, Newtownabbey Proposal: Residential development of 21no apartments together with all associated site works and connections to existing services</p>	

Decision: Application withdrawn

Planning Reference: U/2011/0435/O

Location: Lands at 642 Shore Road, Jordanstown, Newtownabbey

Proposal: 1 no. detached residential property, detached garage, landscaping and associated site works.

Decision: Permission Granted (03.07.2012)

Planning Reference: LA03/2015/0034/F

Location: 642 Shore Road, Jordanstown, Newtownabbey

Proposal: 2 No. New Dwellings & Garages including siteworks.

Decision: Permission Refused (19.04.2016)

Appeal decision: Appeal Allowed (01.12.2016)

Planning Reference: LA03/2018/0376/O

Location: 10 Metres east of 640A Shore Road, Newtownabbey

Proposal: Erection of detached dwelling.

Decision: Permission Granted (11.07.2018)

Planning Reference: LA03/2020/0827/F

Location: 642 Shore Road, Jordanstown, Newtownabbey

Proposal: Retention of dwelling and erection of new dwelling (change of house types from previously approved LA03/2015/0034/F)

Decision: Permission Granted (02/03/2022)

Planning Reference: LA03/2021/0629/RM

Location: 642 Shore Road, Jordanstown, Newtownabbey

Proposal: New build 2 storey detached dwelling with usable roofspace.

Decision: Current application

PLANNING POLICY AND GUIDANCE

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

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

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

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): The application site is located on unzoned land within the settlement limit of Metropolitan Newtownabbey.

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

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

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

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

CONSULTATION

Council Environmental Health Section – No objection subject to conditions

Department for Infrastructure Roads – No objection subject to conditions and informatives

NI Water – No objection subject to condition

REPRESENTATION

Four (4) neighbours were notified of the application and thirty-five (35) letters of representation have been received from twenty-eight (28) addresses.

The full representations made regarding this proposal are available for Members to view online at the Northern Ireland Planning Portal (<https://planningregister.planningsystemni.gov.uk>).

The key points of objection raised are summarised below:

- Overdevelopment of the application site.
- Insufficient amenity space, garden area and refuse area.
- Encroachment of building line.
- Design not aesthetically pleasing and not compatible with the surrounding area.
- Design, scale, massing, and density is out of character for the area.

- Increase in traffic and increase in air pollution.
- Dangerous access onto Wood Grange.
- Apartment development is setting a precedence for the area.
- Drainage and flooding issues.
- Loss of light and overshadowing to neighbouring properties.
- Amount of excavation required could undermine existing properties.
- Lack of landscaping.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Preliminary Matter
- Policy Context and Principle of Development
- Design, Layout and Appearance
- Private Amenity
- Neighbour Amenity
- Impact on Character and Appearance of the Area
- Access 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 purportedly adopted Belfast Metropolitan Area Plan 2015 (BMAP 2015) was for a period of time deemed to be the statutory development plan for this area, however the purported adoption of the Plan by the then Department of the Environment in 2014 was subsequently declared unlawful by the Court of Appeal on 18th May 2017. As a consequence, the Belfast Urban Area Plan (BUAP) remains the statutory Local Development Plan (LDP) for the area. The provisions of draft NAP and the draft Belfast Metropolitan Area Plan (dBMAP) are also a material consideration in this application.

In these circumstances the provisions of both dNAP and dBMAP are considered to be material considerations in the assessment of the current application. Given that dNAP was never adopted, and the site is within Metropolitan Newtownabbey 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.

The application site is located within the development limit of Metropolitan Newtownabbey within the Belfast Urban Area Plan (BUAP) and within the development limit of Metropolitan Newtownabbey in both the draft NAP and dBMAP. The application site is on unzoned land in all relevant development 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's).

With respect to the proposed development, there is no conflict or change of policy direction between the provisions of the SPPS and that contained in the following PPS's which provide the relevant regional policy context for consideration of the proposal:

- PPS 3: Parking and Movement;
- PPS 7: Quality Residential Environments; and
- 2nd Addendum to PPS7 (APPS7): Safeguarding the Character of Established Residential Areas.

As the application site is located within the settlement limits of Metropolitan Newtownabbey, it is considered that the principle of residential development is acceptable subject to the proposal creating a quality residential environment in accordance with Policy QD1 of PPS 7 and the Creating Places design guide, as well as meeting other relevant policies.

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

Paragraph 6.137 of the SPPS refers to the need to deliver increased housing without town cramming and that, within established residential areas, it is imperative to ensure that the proposed density of new housing development, together with its form, scale, massing, and layout will respect local character and environmental quality, as well as safeguarding the amenity of existing residents.

Policy QD 1 of PPS 7 states that planning permission will only be granted for new residential development where it is demonstrated that the proposal will create a quality and sustainable residential environment. It goes on to state that all such proposals will be expected to conform to all of a number of criteria.

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

The proposed development takes the form of a three storey apartment block with a flat roof and a ridge height of 8.8 metres to finished floor level. The building has a largely rectangular footprint measuring 15.2 metres by 10 metres, with a slightly narrower front projection that measures 12.2 metres by 3 metres. There are two apartments on each floor, giving a total of six apartments, with the second floor recessed slightly and occupying a smaller footprint and measuring 15.4 metres by 9.8 metres, with a small front extension of 12.2 metres by 3.3 metres. External finishes are indicated as white rendered masonry walls, grey / black PPC aluminium windows and doors, grey / black galvanised steel, aluminium or uPVC rainwater goods, and a zinc or aluminium standing seam metal roof.

The apartment block is positioned centrally and towards the northern boundary of the application site, with access taken from Wood Grange to the east. An area of car parking is provided to the front, along the southern boundary, with a single storey, flat roof covered bike storage on the northern boundary. Attached to the bike

storage is an area for bin storage, with a separate bin collection area beyond this to the east.

Hard landscaping in the form of polished pavers surrounds the apartment block, while landscaping proposals for the site show new tree and hedge planting along all boundaries of the application site, with additional, smaller planted areas around the building line of the apartment block. The flat roofed bike storage building is finished with an ecological green roof.

It is evident that there are a range of dwelling types in the surrounding area, and there is no one distinctive architectural style given the variety of designs and finishes of the neighbouring residential developments. The design and finish of the proposed development are therefore acceptable. The massing of the new building has been reduced from that initially submitted, and with the smaller front extension and recessed second floor, the overall massing is considered acceptable.

Although three storeys high, the ridge height of the apartment block is 8.8 metres from finished floor level, which is only 0.3 metres higher than the ridge height of the single dwelling approved on this site under application LA03/2021/0629/RM, and 0.3 metres higher than the newly constructed dwelling to the immediate north of this application site approved under planning reference LA03/2020/0827/F. This dwelling to the north of the site is angled slightly more towards the southeast and No. 640A Shore Road, while the proposed apartment block sits parallel to the Shore Road. At the very most, therefore, the new development will extend 2.4 metres beyond the gable building line of the existing dwelling to the rear and is sited approximately 2.5 metres behind the building line of No. 640A Shore Road. The positioning of the proposed development is considered acceptable in relation to existing dwellings surrounding the site. In addition, the level of hardstanding and the amount of additional soft landscaping proposed for the entire site is reflective of and respects the surrounding context.

Objectors have raised concerns regarding the density of the proposed development, and the precedence that would be set should an apartment development be approved on this site.

With regards to the latter, each application received by the Council is assessed on its own merits, and approval of a certain type of development on one site does not automatically guarantee an approval of every other application for the same type of development. In addition, there are a number of apartment developments in the surrounding area, the closest being the three storey apartment block in Edenmore Court, approximately 120 metres to the northeast of this current site. As such, this proposal is not the first of its kind in the immediate vicinity.

In terms of density, which is calculated as the number of dwellings per hectare (dph) of site area, the proposal has a density of 67 dph. It is acknowledged that this figure is a higher density level than the surrounding developments, which range from 5.4 dph along the Shore Road to the east of the site, to 55 dph in Edenmore Court to the north. Policy LC 1 of Addendum to PPS 7 Safeguarding the Character of Established Residential Areas, advises that the proposed density should not be significantly higher than that found in the existing residential area, however this is caveated in Paragraph 6.137 of the SPPS which states that when considering an increase in

housing density within established residential areas, it is essential to ensure that the density of the new housing scheme, together with its form, scale, massing, and layout respects local character and environmental quality, as well as safeguarding the amenity of existing residents.

As noted above, it is considered that the overall size, scale, massing, and design of the proposed apartment development does respect the character of the nearby area and is reflective of the surrounding context. There is no distinctive townscape character and the increase in density can be accommodated on this site. The SPPS also advises that higher density housing should be directed to town and city centres, and other locations that benefit from high accessibility to public transport facilities, and it is noted that this application site is located approximately 1.7 kilometres from Jordanstown train station, and within one kilometre walking distance from bus stops serving buses to Belfast and Carrickfergus.

Overall, it is considered that it has been satisfactorily demonstrated that the proposed size, scale, massing, density, and design of the development will create a quality and sustainable residential environment and that there will be a negligible impact on the character of the area, which as pointed out, is already quite diverse with no distinctive townscape character. Based on this assessment, it is concluded that design, layout, appearance, and the impact of the development on the character of the area is acceptable.

Private Amenity

It is considered that a development requiring a lower level of private amenity provision is acceptable on this application site given that it is bounded to the north and west by existing properties, and to the south and east by public roads.

Supplementary guidance issued through the document Creating Places, advises that private communal open space in the form of landscaped gardens, courtyards, or roof gardens will be acceptable, with the amount of space ranging from 10 sqm per unit to around 30 sqm per unit. The overall design concept and context of the proposed development should determine the level of private amenity space.

For this proposed development of six apartments, the amenity space is provided in the form of private terrace areas, with an area of communal open space to the rear. The total amount of private amenity space for the whole development is 138 sqm, giving an average of 23 sqm per unit. The two ground floor apartments each have a private terrace to the side which measures approximately 42 sqm, while the remaining four apartments have a semi-covered terrace area to the front which is accessed via sliding doors from the living / dining room. The terrace area for those apartments on the first floor measures approximately 9 sqm, while the terrace area serving each of the apartments on the second floor is around 8.4 sqm. The remaining private amenity space is located behind the building line of the new development.

While it is acknowledged that the first and second floor apartments are provided with an individual level of private amenity space less than the recommended level as per the Creating Places guidelines, the overall design concept and context of the proposed development is also an important consideration. The private open space for this development is both communal, and private, with the terrace areas accessed only by the residents of each individual unit. In addition, the application

site is located across the Shore Road from the Jordanstown Loughshore Park which provides areas of open space, walking and cycling trails, a children's play park, and an outdoor gym. It is considered that this public provision in close proximity to the application site, in addition to the level of private open space being provided, is sufficient to meet with criterion (c) of Policy QD 1 of PPS 7 and adequate provision is made for open space.

Neighbour Amenity

Criteria (h) of Policy QD 1 in PPS 7 requires that the design and layout of the development will not create conflict with adjacent land uses and there is no unacceptable adverse impact on existing or proposed properties.

The area immediately surrounding the application site is residential, and as the proposed land use for this application site is also residential, the new development will not create conflict with the adjacent land use.

Well-designed layouts should, wherever possible, seek to minimise overlooking between dwellings and provide adequate space for privacy. As noted above, the amount of private space being provided for each unit is considered sufficient. To ensure there is no significant loss of amenity to adjoining dwellings, there must also be an adequate separation distance between new and existing developments.

Supplementary guidance issued through Creating Places advises that greater care is needed where a new residential scheme of apartments, with living rooms or balconies on upper floors, abuts the boundary of adjoining dwellings. It is advised that where apartment developments adjoin the private garden areas of existing properties, a minimum distance of around 15 metres should be provided between the rear of the apartments and the common boundary.

This proposed development of six apartments abuts only the private garden area of No. 640A Shore Road, which sits immediately west of the application site. The relationship here is not rear to rear, but private terrace area to private rear amenity, with a separation distance of approximately 3.2 metres between the side elevation of the apartment block and the common boundary. In addition, this boundary is defined by a staggered 2 metre high concrete wall, which will reduce the potential for overlooking from the proposed development into the private amenity space of No. 640A Shore Road.

This existing dwelling at No. 640A, and that at No. 640 Shore Road, which is to the northwest of the application site, may be affected by overlooking from the apartments on the first and second floors. Creating Places, however, does allow for a modified design to overcome any potential issues resulting from loss of amenity. In the case of this proposed development, all windows, serving apartments 3 and 5 on the first and second floor respectively, are shown as angled oriel windows, which only allow for views in a southwesterly direction, and direct any possible views away from the two existing dwellings to the west and northwest.

The rear of the apartment block does not abut the private amenity area of the existing dwelling to the immediate north of the site, but rather backs onto its side elevation, with a separation distance of approximately 6 metres between the rear of the development and the common boundary. This common boundary is defined by a 3 metre high retaining wall, with a 2 metre high timber fence running along the top.

In addition, there are only a total of six windows across the whole rear elevation, and these are to serve bathrooms and will be obscure glazing. The application site also sits at a lower land level than the adjoining dwelling, with a difference of approximately 3 metres between respective finished ground levels. Considering the separation distance, the boundary treatment, difference in land levels, and the use of appropriate glazing, there is limited potential for overlooking from the proposed development into the existing property to the north of the site.

The Environmental Health Section (EHS) of the Council considered the initial proposal and requested a Noise Impact Assessment due to the proximity of the application site to the Shore Road. EHS was concerned with the potential of traffic noise from this public road seriously impacting on the residential amenity of the future occupants of the development when they are utilising the proposed terrace areas.

The Noise Impact Assessment, Document 02, date stamp received 3rd March 2021, demonstrates that noise levels at the proposed terraces on the first and second floor are 61 dB L_{Aeq}, which exceeds the recommended levels within the standard BS8233:2014 by 6 dB L_{Aeq}. The document ProPG: Planning & Noise, Professional Practice Guidance on Planning and Noise indicates that the potential noise impacts from the terrace areas may be offset if residents are provided with '*a relatively quiet, protected, nearby, external amenity space for sole use by a limited group of residents as part of the amenity of their dwellings*', and it is noted that there is a communal area of private open space located to the rear of the proposed apartment block which all residents can access. It is considered that the noise levels that may be experienced by future residents is not so significant to warrant a refusal of the application, and indeed EHS has provided a number of noise control conditions should the proposed development be recommended as an approval.

It is therefore concluded that the proposed development has been designed and positioned in such a way that there is no unacceptable adverse impact on existing or proposed properties and the development complies with the relevant planning policy.

Access and road safety

Access to the proposed apartment block is taken from Wood Grange, with unassigned parking spaces provided within the curtilage of the apartment building for nine cars. Objectors raised concerns regarding the impact of the new access on road safety, however, this aspect has been assessed by DfI Roads which has raised no objection to the proposed means of access, the number of parking spaces or their arrangement.

Other Matters

Flooding

Objectors raised concerns of flooding; however, the application site is not located within a fluvial or coastal floodplain, and the Strategic Flood map does not indicate the potential for surface water flooding. In addition, the proposed development does not meet the thresholds of FLD 3 in PPS 15 for the submission of a Drainage Assessment.

Drainage

NI Water (NIW) has advised that the receiving foul sewage network has reached capacity and the public system cannot presently serve this development proposal

without significant risk of environmental harm and public amenity. However, NIW has further advised that the applicant has agreed to a downstream engineering solution to mitigate the foul capacity issue which allows for this development proposal to be connected to the foul sewer. The solution is to be fully funded and delivered by the applicant. In this regard, NIW is content for a negative condition to be attached to any forthcoming decision notice requiring the applicant to satisfactorily demonstrate that the mains sewer and the receiving Waste Water Treatment Works has the capacity to receive the waste water and foul sewerage from the development prior to the commencement of the development hereby permitted.

CONCLUSION

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

- The principle of the development is acceptable;
- The size, scale and massing of the proposal are suitable for the site and surrounding area;
- There will not be unacceptable adverse impact on neighbouring amenity;
- The application site can be safely, and conveniently accessed and appropriate provision has been made for car parking; and
- A suitable method of foul sewage disposal has been provided.

RECOMMENDATION

GRANT PLANNING PERMISSION

PROPOSED CONDITIONS

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

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

2. The vehicular access including visibility splays and any forward sight distance shall be provided in accordance with Drawing Number 03/4, date stamped 11th January 2022 prior to the commencement of the 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 levels of the adjoining carriageway and such splays shall be retained and kept clear thereafter.

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

3. The gradient of the access road shall not exceed 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.

4. All habitable rooms to the dwellings shall be fitted with glazing including frames, capable of achieving a sound reduction from outside to inside, of at least the Rtra values detailed within Table 1 below, as detailed within Table 1 and Figure 4 of Document Number 02, date stamped 3 March 2021.

Facade	Sound Reduction Index Required dBR _{Tra}	
Ground Floor		
SE (front)	26	
NE	22	
SW	20	
NW (Rear)	22	
First /Second Floors		
SE (Front)	24	
NE	27	
SW	22	
NW (Rear)	15	

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

5. All habitable rooms to the dwellings shall be fitted with acoustic passive and/or mechanical ventilation, in addition to that provided by open windows, capable of achieving a sound reduction from outside to inside, of at least the R_{Tra} values detailed within Table 1 in Condition 4 above, and as detailed within Table 1 and Figure 4 of Document Number 02, date stamped 3 March 2021.

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

6. The proposed landscaping works as indicated on Drawing Number 08 date stamped 16 September 2021 shall be carried out in accordance with the approved details and the appropriate British Standard or other recognised Codes of Practice during the first planting season after the commencement of development.

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

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

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



Location Map

Application Reference: LA03/2020/0822/F

642 Shore Road, Newtownabbey

Construction of 6 no. new build apartments

 Site Boundary

For Information Only

0 20 40
Metres



COMMITTEE ITEM	3.3
APPLICATION NO	LA03/2022/0874/F
DEA	ANTRIM
COMMITTEE INTEREST	MAJOR APPLICATION
RECOMMENDATION	GRANT PLANNING PERMISSION
PROPOSAL	Proposed factory, ancillary office area, storage, parking and other ancillary works
SITE/LOCATION	Lands 40m south of 6 Caulside Drive, New Park Industrial Estate, Antrim, BT41 2DU.
APPLICANT	Jans Holding Ltd
AGENT	Clyde Shanks Ltd
LAST SITE VISIT	06/12/2022
CASE OFFICER	Kieran O'Connell Tel: 028 9034 0423 Email: Kieran.oconnell@antrimandnewtownabbey.gov.uk
<p>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Northern Ireland Planning Portal https://planningregister.planningsystemni.gov.uk and the Councils website, under additional information.</p>	
SITE DESCRIPTION	
<p>The application site is located within the settlement limits of Antrim Town and is within zoned industrial land. The site is located at the southern end of Caulside Drive in the Newpark Industrial Estate, which accesses onto the Greystone Road. The topography of the site is relatively flat, but falls away to the south, with a noticeable drop of approximately 2 metres near the southern boundary towards Caulside Park.</p> <p>The site at present comprises the existing Jans Composites Factory building, along with hardstanding comprising servicing and parking areas to the immediate south of the existing building. Beyond this to the south is a large undeveloped area of rough ground.</p> <p>The Jans Composite building is a large factory building with a footprint of approximately 10,650 square metres (115,000 square feet). The building is of typical industrial construction, with concrete block construction to the walls with profiled cladding over. The existing building is approximately 7metres high to the eaves with a shallow pitched roof.</p> <p>Access to the site from the public road is presently located at the southern end of the site's boundary with Caulside Drive, which terminates at this point.</p> <p>The existing site boundaries are predominantly palisade fencing approximately 2 metres high. Beyond the fencing on the southern and eastern boundaries is existing hedging and trees. The vegetation along the eastern boundary is continuous, while there are gaps in the vegetation along the southern boundary.</p> <p>Beyond the extent of the application site there are a variety of land uses, with the lands to the north and west being primarily in industrial, warehouse and office use</p>	

comprising large commercial buildings set in large plots, all with access to the Greystone Road.

The Mid Antrim Animal Sanctuary is located to the north of the site on the opposite side of Greystone Road. To the east of the site, beyond New Lodge Road is the open countryside. The area to the south of the site is predominantly residential in nature (two storey). There is an area of open space between the site and the nearest housing in Caulside Park; with numbers, 94 – 100 being approximately 50 metres from the existing site boundary. This area of open space is predominantly a grass embankment, which partially screens the industrial estate from these dwellings. There is also tree and hedge planting along the southern site boundary, which further screens views.

RELEVANT PLANNING HISTORY

Planning Reference: LA03/2021/1054/PAN

Location: Lands adjacent to 6 Caulside Drive, Antrim, BT41 2DU.

Proposal: Erection of single storey Class B3 General Industrial unit (with support offices), together with associated car parking/service yard provision and landscaping

Decision: PAN Acceptable.

Planning Reference: T/2006/0262/F

Location: 6 Newpark Industrial Estate, Greystone Road, Caulside Drive, Antrim

Proposal: Proposed new factory and extension to existing factory with associated car parking and site works.

Decision: Permission Granted 30.04.2007.

PLANNING POLICY AND GUIDANCE

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

Until the Council adopts its new Local Development Plan, most planning applications will continue to be assessed against the provisions of the extant adopted Development Plans for the Borough (the Belfast Urban Area Plan, the Carrickfergus Area Plan and the Antrim Area Plan). Account will also be taken of the Draft Newtownabbey Area Plan and its associated Interim Statement and the emerging provisions of the Draft Belfast Metropolitan Area Plan 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.

Antrim Area Plan 1984 – 2001 (AAP): The application site is located within the settlement limit of Antrim and on lands zoned for industry. There are no site specific policies within the plan relevant to the application site.

Para 6.1 states that the main centre for employment and industry in the AAP will be Antrim Town. This is reflected in the number of existing industries and the amount of land zoned for industrial purposes. Large-scale industry will be encouraged to locate in sites designated within the urban area. The planning indicates that there is an adequate supply of land for such purposes. Para 16.5 of the AAP states that it is essential that potential development is not constrained by the lack of zoned land. To this end 37ha of land are zoned for industrial use at Rathenraw and Newpark.

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

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

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

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

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

PPS 11: Planning & Waste Management (and the November 2013 update on Best Practicable Environmental Option): sets out planning policies for the development of waste management facilities.

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

CONSULTATION

Council Environmental Health Section (EHS)

No objection subject to conditions.

Council Shared Environmental Services (SES)

No objections.

Northern Ireland Water

No objections.

DfI Roads

No objections.

DfI Rivers

No objections.

DfC Historic Environment Division Historic Monuments (HED:HM)

No objections.

DAERA Water Management Unit

No objections.

DAERA Regulation Unit

No objections.

DAERA Natural Environment Division

No objections.

REPRESENTATION

Thirty-Two (32) neighbouring properties were notified and five (5) letters of objection have been received. The full representations made regarding this proposal are available for Members to view online at the Northern Ireland Planning Portal (<https://planningregister.planningsystemni.gov.uk>).

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

- The applicant has not carried out their community consultation as indicated within their Pre-Application Community consultation document.
- Proximity to residential properties.
- Loss of open space.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Preliminary Matters
 - Environmental Impact Assessment
 - Pre-Application Notice
- Policy Context and Principle of Development
- Design, Layout and Appearance
- Neighbour Amenity
- Compatibility with Adjacent Land Uses
- Flood Risk
- Natural and built Heritage
- Access, Movement and Parking
- Crime and Personal Safety
- Effluent

Preliminary MattersEnvironmental Impact Assessment

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

Pre-Application Notice

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

To comply with the pre-application notification requirements of Section 27 of the Planning Act (NI) 2011 the applicant submitted a Proposal of Application Notice (PAN) on 1st April 2022 (ref: LA03/2021/1054/PAN). An advert was published in the Antrim Guardian in w/c 17th January 2022 confirming the dates of the consultation, where it could be viewed, and how to provide feedback or request a hard copy. Residents (89No.) within a 200-metre radius of the site were provided with details of the proposed development and advised of the online consultation arrangements which were to replace the community consultation public event temporarily suspended due to the Covid-19 Emergency. Elected Members for the District Electoral Area, relevant MPs and MLAs, residents and local businesses were included in the consultation. The Pre-Application Community Consultation Report (Doc 02/1) indicates that no written responses were received in relation to the consultation. It is also stated that One (1) telephone response was received during the consultation process from a property in Causide Park residential development however; the respondent did not highlight any issues or concerns with the proposal. The planning application was received following expiration of the 12-week period following submission of the PAN thus satisfying the requirements of Section 27 of the 2011 Act.

Two letters of objection to the planning application have been received from two properties indicating that they are within 200m of the site boundary and have not been notified in accordance with the PAN requirements. They subsequently asked that the planning application be made void. This matter was discussed with the agent for the application who has informed Officers by way of solicitor's letter that a copy of the letter was sent to the relevant residents (as set out in Annex 4 of that the PACC report) including the complainants. They further indicate that no record would exist of whether or not the letters were in fact received as they were sent by recorded post. The reason for non-receipt is unknown.

The legal advice further indicates that, as the complainants are aware of the planning application, they are therefore entitled, prior to any final decision being made, to make further submissions with regard to the nature of the proposal and its potential impacts. The legal advice indicates that the complainants have not been prejudiced and have the opportunity to raise concerns with regard to the application during the processing of the application.

Having regard to the comments made by the applicant and those of the objectors (who incidentally have not offered any other concerns to this application), it is considered that there is no evidence to prove or disprove whether the PAN publicity requirements were carried out as intended.

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 Antrim in AAP and comprises lands zoned for industry. The proposed development is considered to accord with the plan zoning.

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 2: Natural Heritage;
- PPS 3: Parking and Movement;
- PPS 4 Planning and Economic Development
- PPS 15: Planning and Flood Risk.

Policy PED1 of PPS4 is entitled 'Economic Development in Settlements'. In respect of business, general industrial, storage and distribution uses, it states that they will be permitted in an area specifically allocated for such purposes in a development plan or in an existing or proposed industrial/employment area subject to certain provisions. As stated above, the application site is located on land zoned/allocated for industrial uses in the AAP.

The applicant Jans Composites Ltd is a world leading composites company delivering lightweight, innovative, composite products for some of the world's leading companies. Jans composites work with their clients to advise, design, hone and perfect lightweight cost effective designs fit for manufacture that allows customers to compete in their own industries on a global playing field.

Having regard to nature of the development proposed, the planning history of the site and the various plan zonings, it is considered that the principle of development is supported by the planning history and is acceptable subject to the development complying with the general criteria to be applied to economic development proposals set out in Policy PED9 of PPS4.

Design, Layout and Appearance

Criterion (j) of Policy PED 9 requires the applicant to ensure the site layout, building design, associated infrastructure and landscaping arrangements are of high quality and assist the promotion of sustainability and biodiversity.

This full planning application seeks the erection of a large-scale factory with associated office and support space. The Design and Access Statement indicates that the new factory will be for the manufacturing of large sleeping pods and is a sister factory to the main factory that sits adjacent to this proposal.

The design of the proposal consists of a large portal frame factory, with office accommodation over two stories to the south side of the site. The site will compromise a one-way vehicle route with pockets of car parking, as well as new hard and soft landscaping including acoustic fence and buffer planting to the southern boundary of the site. Access to the public road will be through the existing access onto Caulside Drive.

The Gross External Area (GEA) of the proposed building will comprise of 9,780sqm GEA factory space and 1,536sqm GEA office space split across the ground and first floor.

In terms of size and scale, the proposed factory is 96.44m wide and 143.62m in length. The office block is 91.74m in length and 8.21m in width. The foyer leading to the office block is 5.55m in length and 2.5m in width. In terms of height, the proposed factory is 10.72m high at the eaves and 14.37m to the pitch.

The existing Jans factory for reference is 10,565sqm, a height of 6.2m at the eaves and 11.10m to the pitch.

The finishes of the proposed factory are to be a pale grey insulated cladding with dark grey double glazed polyester powder coated aluminium curtain wall. The applicant indicates that the proposed finishes are to compliment those of the existing factory.

Internally the proposed factory building comprises 2 areas for raw material storage, a delivery zone, 27 work cells and 12 sub assembly cells. The ground floor offices are comprised of a reception area, toilet blocks including showers, a canteen, tea points, post room, meeting room and three offices. The first floor consists of office spaces, meeting rooms, tearooms and toilets.

Overall the design layout and appearance is typical of a large factory building, the building including its scale, massing and finishes are considered sympathetic to its surroundings on Caulside Drive.

Neighbour Amenity

Criterion (b) of Policy PED 9 of PPS 4 requires development proposals not to harm the amenity of nearby residents. While criterion (e) states that proposals should not create a noise nuisance. These matters are discussed further below. Concern has been raised by a neighbouring property with regard to the building coming closer to established residential properties, noise and light impact and the loss of open space.

The nearest residential properties to the application site are located at Caulside Park to the south of the application site. The two-storey terrace of dwellings at Caulside Park sits approximately 37-41 metres from the southern boundary of the application site and 55-66m from the proposed building. Between the application site and Caulside Park there is an area of open space with some tree and vegetation cover.

In 2006 planning permission was granted (T/2006/0262/F) for a similar development to that proposed in this instance. This permission has since lapsed, however, the building approved was similar in height and location to the current proposal while the approved building was also longer measuring 192m in length by 55m in width.

In terms of the size, scale, massing and potential dominance of the proposed factory on the residents at Caulside Park, the proposed factory as indicated above measures 96.44m wide and 143.62m in length. The application site is within close proximity to the adjacent residential properties and sits at a higher level. It is considered that the natural buffer and separation distance to the residential properties is sufficient to ensure that there are no significant issues with dominance on the residential properties from the proposed factory. Extensive planting of native extra heavy standard trees (4-5m in height) and woodland planting along the southern boundary of the application site further softens the potential impact from the proposed factory. With regards to loss of light, as the proposed factory is on the northern side of the terrace of houses, it is considered that there is unlikely to be any significant overshadowing or loss of light as a result of this development.

Concern has been raised that the proposal may impact upon the privacy of nearby residential properties. There are no windows on the southern elevation of the building to facilitate overlooking or the perception of overlooking. In addition, given the separation distance from the proposed building to the nearest residential properties, it is unlikely that there will be any significant impact upon their privacy from either the building or any external areas around the building.

In terms of loss of open space, the application site does not encroach into the public open space on the northern side of Caulside Park, however, the development will come closer to it.

Noise

Concern has been raised with regard to the existing noise and light pollution within this area. The applicant has submitted a Noise Assessment, Document No. 13 & 14 for consideration. The Council's Environmental Health Section (EHS) has reviewed the Noise Assessment and has concluded that the proposed development can operate without adverse impact on nearby residential amenity subject to noise control conditions (No.2 -9 below) should planning permission be forthcoming.

Contaminated Land

The applicant has submitted a Contaminated Land Assessment (Document Number 11" and is date stamped 10th October 2022) in support of the application which was prepared by RSK. The Environmental Health Section(EHS) have reviewed the contents of this submitted assessment and would concur with the conclusions and recommendations contained within it.

Both EHS and NIEA Regulation Unit (RU) have reviewed the applicant's Contaminated Land Assessment and agree with its conclusions. Both EHS and NIEA-RU have recommended standard conditions should an unknown source of contamination be found during the development of the site. These conditions are considered necessary and reasonable. It is concluded that there are no significant contamination risks to nearby sensitive receptors as a result of this proposal.

Artificial Lighting

Concern has been raised with regard to the impact that proposed lighting may have on nearby residential properties. The applicant has submitted an External Lighting Impact Assessment Report. Environmental Health has reviewed the contents of this document and has no objections to the proposal subject to Condition 17 controlling the level of lighting from the site during both during daytime and night time hours. As EHS has no objections to the proposal in this regard, it is considered that the proposed development is unlikely to have any significant amenity impacts on nearby residential properties by way of artificial light.

Overall, with regard to compatibility with the nearby residential properties at Caulside Park, it is considered that the natural buffer and separation distance between the dwellings and the proposed factory along with the noise and external lighting control conditions proposed by EHS ensures that the proposal is compatible with the adjacent residential properties.

Compatibility with Adjacent Land Uses

Policy PED 8 of PPS 4 seeks to safeguard existing or approved economic development uses from incompatible development that would prejudice future operations.

Policy PED 8 provides additional protection for existing 'sensitive industrial enterprises' through the land use planning system. The policy requires 3 tests to be met, as follows:

- The proposal is in the vicinity of an existing or approved economic development use,
- The proposal is incompatible with the existing or approved use,
- The proposal would prejudice the future operation of the existing or approved use.

The application site is located within an area of existing industrial and building uses including:

- McQuillan Environmental
- Prime Pac
- Mivan Ltd
- Pneutrol International Limited.
- MDF Engineering
- Baird W7G
- Project Design Engineers Limited
- Fast Engineering Ltd
- Surefreight Global Antrim
- Iron Mountain

The applicant considers that the proposed development is compatible with the land use allocations for this area and that of the nearby business premises.

Further to site inspection and the information provided by the applicant, it is considered that there are no sensitive industrial/business enterprises in this area that would be significantly impacted upon as a result of this development, nor would the proposed development have a significant impact on the future operation of any existing or proposed uses within this immediate area. Having regard to the nature of the proposal, there is unlikely to be any significant emissions from this development that would result in a significant impact on any existing or approved uses within this site or prejudice their future operations.

Overall it is considered that the proposed development is compatible with existing and approved uses in this area.

Flood Risk

PED 9 (d) of PPS 4 requires that development is located outside of any areas of flood risk and will not cause or exacerbate flooding. PPS15 Planning and Flood Risk reinforces this position with a series of Policies which any development must adhere too.

There are no watercourses which are designated under the terms of the Drainage (Northern Ireland) Order 1973 within this site, however, the site may be affected by undesignated watercourses of which there are no records of. DfI Rivers were consulted on the application and advise that the development site does not lie within the 1 in 100 year fluvial or 1 in 200-year coastal flood plain, however, there is an undesignated culverted watercourse located within the western and southwestern portion of the site

Under 6.32 of Policy PPS 15 FLD 2, an adjacent working strip along a watercourse must be retained to facilitate future maintenance by DfI Rivers, other statutory undertaker or the riparian landowners. The working strip should have a minimum width of 5m, but up to 10m where considered necessary, and be provided with clear access and egress at all times. Paragraph 6.33 of the Policy there is a general presumption against the erection of buildings or other structures over the line of a culverted watercourse in order to facilitate replacement, maintenance or other necessary operations. A suitable maintenance strip of minimum 5m must also be in place.

DfI Rivers acknowledge that the proposed factory will not be built over the line of this undesignated culverted watercourse, as per the submitted Site Layout and Drainage Drawings. In addition, they have reviewed the Revised Drainage Assessment and while not being responsible for the preparation of the Drainage Assessment, accepts its logic and have no reason to disagree with its conclusions.

Natural and Built Heritage

PED 9 criterion (c) requires development proposals not to adversely affect features of the natural or built heritage. PPS2 Natural Heritage and PPS 6 Planning, Archaeology and the Built Heritage reinforces this position with a series of Policies which any development must adhere too.

Historic Buildings

In terms of impact on listed buildings there are no listed buildings within the application site or within close proximity that may be impacted by this proposal. It is

therefore considered that the proposal satisfies the requirements of Paragraph 6.12 of SPPS and Policy BH 11 of PPS 6.

Archaeology and Cultural Heritage

The applicant has provided an Archaeological Impact Assessment (Doc 06) for consideration. HED (Historic Monuments) were consulted and is content that the proposal is satisfactory to the SPPS and PPS 6 archaeological policy requirements given that the site has been subject to previous extensive ground works in the recent past which will have removed any archaeological potential from the application site. It is considered that there are no significant archaeological concerns with the proposal and no further archaeological mitigation is required.

Natural Heritage

Policy NH5 of PPS 2 states proposals which are likely to result in an unacceptable adverse impact on, or damage to, habitats, species or features may only be permitted where the benefits of the proposed development outweigh the value of the habitat, species or feature.

The applicant has submitted a NI Biodiversity Checklist (Doc 04) in support of their application. NIEA Natural Environment Division (NED) has reviewed Doc 04 and has considered the impacts of the proposal on designated sites and other natural heritage interests (habitats, bats, birds and other protected/priority species) and, on the basis of the information provided, has no concerns subject to informatics relating to wild birds and vegetation clearance.

NED are content that the Outline Construction Environmental Management Plan includes mitigation and management efforts to reduce potential pollution pathways from the application site to the drainage ditch associated with the site. This includes the incorporation of silt and surface water run-off mitigation, and buffers maintained between temporary soil stockpiles and any drain/watercourse.

Shared Environmental Services (SES) has also been consulted with regard to the impact on Designated Sites. SES advise that the planning application was considered in light of the assessment requirements of Regulation 43(1) of the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) by Shared Environmental Service on behalf of the Council, which is the Competent Authority responsible for authorising the project.

SES advise that having considered the nature, scale, timing, duration and location of the project, it is concluded that it would not have an adverse effect on the integrity of any European site either alone or in combination with other plans or projects. In reaching this conclusion, SES has assessed the manner in which the project is to be carried out including any mitigation. This conclusion is subject to two conditions, one relating to the method of sewerage disposal being agreed (Condition No.14) and the other relating to a 10m buffer being maintained along the watercourse on the southwestern boundary (Condition No.15).

In addition, it is recommended that the Council in its role as the Competent Authority under the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended), and in accordance with its duty under Regulation 43, adopt the HRA report, and conclusions therein, prepared by Shared Environmental Service, dated 21/12/2022. This found that the project would not have an adverse effect on the

integrity of any European site. In light of the advice from both NIEA and SES, it is considered that the proposal accords with the provisions of PPS 2, PPS 4 and PPS 6.

Road Safety, Traffic, Parking and Transport Issues

Policy PED 9 (g) of PPS 4 requires that the existing road network can safely handle any extra vehicular traffic the proposal will generate or suitable developer led improvements are proposed to overcome any road problems identified. While Criterion (h) requires that adequate access arrangements, parking and manoeuvring areas are provided. Planning Policy Statement 3 Access, Movement and Parking also seeks to ensure that prejudice to road safety does not occur as a result of development.

PPS 3 further seeks to promote a more accessible environment for all, including the specific needs of people with disabilities and others whose mobility is impaired.

Applicable policies include: -

- Policy AMP 1- Creating an Accessible Environment;
- Policy AMP 2 -Access to Public Roads – Permission will be granted for a development involving access to a public road where it will not prejudice road safety or significantly inconvenience the flow of traffic; and
- Policy AMP 7 - Car Parking and Servicing Arrangements – requires proposals to provide adequate provision for car parking and appropriate service arrangements.
- Policy AMP 8 - Cycle Provision – requires proposals to have regard to the needs of cyclists.
- Policy AMP 9 - Design of Car Parking requires a high standard of design, layout and landscaping to accompany all proposals for car parking.

A Transport Assessment Form (TAF) (DOC 10) accompanied the planning application and sets out how the proposed development will not have any significant impact upon the existing road network. The proposed development's location facilitates access to public transport, as there are bus stops nearby. DfI Roads has no objection to the access arrangements as proposed by the applicant and as such, it is considered that the proposal will not prejudice road safety or significantly inconvenience the flow of traffic and accords with policy AMP 1 & 2 of PPS3 and also the policy provisions of PPS 4.

In terms of transportation impacts the existing factory is 10565sqm. The applicant indicates that whilst there are 60 formal parking spaces, there is informal parking on the site, with the external hard standing spilling over into the application site. It is further indicated that whilst there are 210 staff in total, these are split into shifts. There are three daytime shifts of 60 people (starting 6am/7am/8am, ending 4pm/5pm/6pm) in addition to an early and later shift. Maximum staff on site at any one time is 180 people.

The proposed second factory is 10740sqm which will result in an overall increase in the staff complement to 500. Staff per shift will double from 60 to 120 staff. Parking will be formalised across the site, with 272 spaces for the 360 staff on site at any one time. The existing access will be retained for accessing the facility. A new exit to Caulside Drive will enable a one-way system to operate within the site.

Traffic Impact

In terms of traffic impact the industrial threshold at which a detailed Transport Assessment may be necessary is 5,000sqm. A second threshold is a development generating 100 vehicles in a peak hour. At 10,740sqm, the application exceeds the first threshold, however, the resultant generated traffic is far from exceeding the second threshold, with less than 60 trips in either peak hour, assessed either by TRICS or site observations by the transport consultant.

The applicant has undertaken traffic counts on the local road network. This indicates that the traffic increases on the Greystone Road will not be significant (2.7%). It is on this basis that the transport consultant concludes that the development will not have a detrimental impact on the road network, and no detailed Transport Assessment should be necessary.

Parking

The parking guidelines for developments indicates that for light/general industry, above 250 sqm, the parking is 1 car space per 25sqm for the first 250sqm, and then 1 space per 50sqm. Commercial spaces are required at 1 space per 750sqm. Based on these figures, the whole site could require upto 421 car spaces and 28 commercial spaces. The applicant indicates that this is excessive for units with peak staffing levels of 360 people.

The proposed development provides 272 spaces, with the applicant indicating that this is more than sufficient for their projections of staff and visitors. The applicant further states that there is no justification for the 421 maximum. In terms of parking for commercial spaces, part of the business fits components to HGVS, therefore in practice there will be more than 28 commercial vehicles on site. There are large hard standing areas to the east of the existing shed and to either gable of the proposed shed for loading/unloading of HGVs.

Safety

The site access as approved for the original application will be retained for this revised proposal as an entrance. A new exit is proposed (opposite the entrance), enabling a one-way system to be in place around the new structure. This is at the end of the existing cul-de-sac.

In terms of factors which will influence travel to and from the site the applicant indicates that the location of the site is one of the biggest factors in terms of influencing travel. This is a new building within an existing industrial estate and has appropriate footway connections to public transport, housing and local facilities. The TAF indicates that bus services are available on Stiles Way (regional services to Belfast, Ballymena, Coleraine) and Ballycraig Road (town service to Antrim). TRICS indicates access by public transport is usually low to this type of development.

Based on the information provided and having regard to the shift patterns indicated by the applicant and no objections being expressed from DfI Roads, it is considered that the proposal is acceptable from a road safety perspective.

Crime and Personal Safety

Criterion (L) of Policy PED 9 of PPS 4 requires that the site is designed to deter crime and promote personal safety. The existing site is defined by 2.4m paladin security

fencing and external lighting, while a new exit is proposed (opposite the entrance), enabling a one-way system to be in place around the proposed building. This ensures that appropriate measures are in place to prevent crime and ensure personal safety.

Movement Pattern

Criterion (i) of Policy PED 9 of PPS 4 requires a movement pattern is provided that, insofar as possible, supports walking and cycling, meets the needs of people whose mobility is impaired, respects existing public rights of way and provides adequate and convenient access to public transport. The application site is connected to the main road network via internal estate road and footways. Pedestrian crossings are also proposed which supports walking needs. The building will be subject building control regulations, which will ensure that the proposed building meets the needs of people whose mobility is impaired.

It is considered that the Criterion (i) of Policy PED 9 of PPS 4 and Policy AMP1 of PPS 3 has been complied with.

Emissions and Effluent

A further criteria (f) of Policy PED 9 of PPS 4 requires that the proposed development is capable of dealing satisfactorily with any emission or effluent. The control of effluent will be via connection to existing sewer services and drainage infrastructure and is therefore unlikely to have a significant effect on the surrounding area. In addition, having regard to the nature of the development it is unlikely that there will be any discharges from the premises that would result in a significant environmental or amenity effect.

Noise

No harm or disturbance to neighbouring premises or residential properties is likely to occur. Noise generated from traffic entering and exiting the site will be minimal. A Noise Impact Assessment (DOC 13 & 14) was submitted that demonstrates that there are no significant adverse noise impacts associated with this application. EHS has indicated that they have no objection on noise grounds subject to noise control conditions should planning permission be forthcoming.

Contamination

As indicated above the applicant has submitted a Preliminary Risk Assessment and Generic Quantitative Risk Assessment (Doc 11). The report concludes that there are no significant contamination concerns with the proposal and no remedial measures are required for the proposed development. EHS and NIEA-RU have reviewed the applicant's Preliminary Risk Assessment and Generic Quantitative Risk Assessment and agree with its conclusions. Both EHS and NIEA-RU have no significant concerns with the proposal. It is concluded that there are no significant contamination risks to nearby sensitive receptors as a result of this proposal.

NI Water Infrastructure

NI Water has no objection to this proposal and advise that the receiving foul sewerage network has reached capacity. The public system cannot presently serve this development proposal without significant risk of environmental harm and public amenity including pollution, flooding and detrimental impact on existing properties.

NI Water further advise that the applicant has agreed a downstream engineering solution to mitigate the foul capacity issue and allow connection for this development proposal. A condition is necessary to ensure that these works are completed prior to the development commencing to ensure that the mains sewer and the receiving Waste Water Treatment Works has the capacity to receive the waste water and foul sewerage from the development and a connection to the sewer has been granted under the Water and Sewerage Services Act (Northern Ireland) 2016. This will ensure that the works within this site can commence without detriment to both NI Water infrastructure and facilitate the development of the wider site.

Devaluation of House Prices

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

Economic Impacts

The applicant has indicated that the proposed development represents a capital investment of £10 Million and will create approximately 80-100 construction related jobs and approximately 250 post construction jobs.

CONCLUSION

The following is a summary of the main reason(s) for the recommendation:

- The principle of the development is considered acceptable;
- The design, layout and appearance of the proposal is acceptable and there are no significant neighbour amenity concerns;
- There are no significant concerns with land contamination, the compatibility with adjacent land uses, or flood risk;
- There are no significant concerns on the impacts upon the natural and built heritage;
- The development has a suitable means of access, movement and parking;
- As suitable form of sewerage disposal for the development can be achieved;
- The proposal will have a positive economic impact.

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 cumulative noise levels of all noise generating sources associated with the development shall not exceed the noise levels outlined within the Table below:

Location	Floor	dB LAeq,1hr (07:00hrs to 23:00hrs) dB LAeq 15min(23:00hrs to 07:00hrs)	dB LAmax,f (23:00hrs-07:00hrs)
69 New Lodge Road (amenity)	Ground	35.7	39.4
100 Caulside Drive (front façade)	Ground	38.7	55.7
100 Caulside Drive (front façade)	First	40.2	56.7
100 Caulside Drive (amenity)	Ground	30.6	44.1
97 Caulside Drive (front façade)	Ground	38.6	54.8
97 Caulside Drive (front façade)	First	40.1	55.7
97 Caulside Drive (amenity)	Ground	29.6	40.1
94 Caulside Drive (front façade)	Ground	38.5	54
94 Caulside Drive (front façade)	First	39.9	54.8
94 Caulside Drive (amenity)	Ground	33.3	45
90 Caulside Drive (front façade)	Ground	38.5	54
90 Caulside Drive (front façade)	First	39.7	54.7
90 Caulside Drive (amenity)	Ground	36.9	52.4
89 Caulside Drive (front façade)	Ground	38.8	53.9
89 Caulside Drive (front façade)	First	39.9	54.6
89 Caulside Drive (amenity)	Ground	32.6	48.1
79 Caulside Drive (front façade)	Ground	38.1	51.7
79 Caulside Drive (front façade)	First	39.1	52.2
79 Caulside Drive (amenity)	Ground	30.1	43.8

Reason: In order to protect amenity at nearby receptors from adverse impacts of noise

3. Within three months of the development becoming operational (and at any other time requested by the Council a noise survey shall be undertaken and submitted

to the Council. This survey shall measure and report the cumulative noise level of all noise generating sources associated with the permitted development at nearby noise sensitive dwellings.

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

4. If, as a result of the findings of the noise impact assessment required by condition 3 there is a requirement to provide noise mitigation measures to achieve the target noise levels required by condition 1, these measures shall be submitted to and agreed in writing with the Council. Any noise mitigation measures as required shall be put in place within six months of the development becoming operational and shall be maintained for the lifetime of the development. Within one month of the completion of mitigation measures, a noise survey shall be completed as per condition 3.

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

5. No part of the development shall become operational until a 2m high and 2.5m high acoustic barrier is installed along the southern boundary as outlined within Appendix B, of Document No. 13 and date stamped 31st October 2022. The barrier shall have a surface weight density of not less than 15kg/m², be of solid construction, (i.e. no holes or gaps present for sound to pass through) and so if it is a fence it shall be of the ship-lapped design.

Reason: In order to protect amenity at nearby receptors from adverse impacts of noise

6. Plant servicing the development shall be located within the plant area as outlined within Drawing No. 04/1 and date stamped 15th November 2022.

Reason: In order to protect amenity at nearby receptors from adverse impacts of noise

7. All fork-lift trucks operating within the site of the development shall be fitted with broadband reversing beepers.

Reason: In order to protect amenity at nearby receptors from adverse impacts of noise

8. All roller shutter doors and pedestrian access doors to the development shall remain closed at all times apart from access and egress.

Reason: In order to protect amenity at nearby residential properties

9. The noise management plan outlined within Document No. 14 shall be implemented prior to the development becoming operational and shall be maintained throughout the lifetime of the development."

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

10. The proposed landscaping indicated on Drawing No. 10 date stamped 04/10/2022 shall be carried out within the first planting season following the

completion of the development hereby approved or the in the first planting season following the establishment of finished ground levels whichever is the sooner.

The proposed landscaping shall be retained thereafter at a minimum height of 3 metres for hedging and 6 metres for trees unless necessary to prevent danger to the public in which case a full explanation shall be given to the Council in writing prior to their removal.

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

11. The landscaping indicated on the stamped approved Drawing No. 10 date stamped 04/10/2022 shall be managed and maintained in accordance with the Management Plan DOC 07, received on 04/10/2022.

Reason: To ensure successful establishment and maintenance of the proposed landscaping and in the interests of visual and residential amenity.

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

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

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

13. After completing any remediation works required and prior to operation of the development, a verification report needs to be submitted in writing and agreed with the Council. This report should be completed by competent persons in accordance with the Land Contamination: Risk Management (LCRM) guidance available at: <https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks>.

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

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

14. The building hereby permitted shall not become operational until hard surfaced areas have been constructed and permanently marked in accordance with the approved Drawing No 04 bearing date stamp 04/10/2022 to provide adequate facilities for parking, servicing and circulating within the site. No part of these hard surfaced areas shall be used for any purpose at any time other than for the

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

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

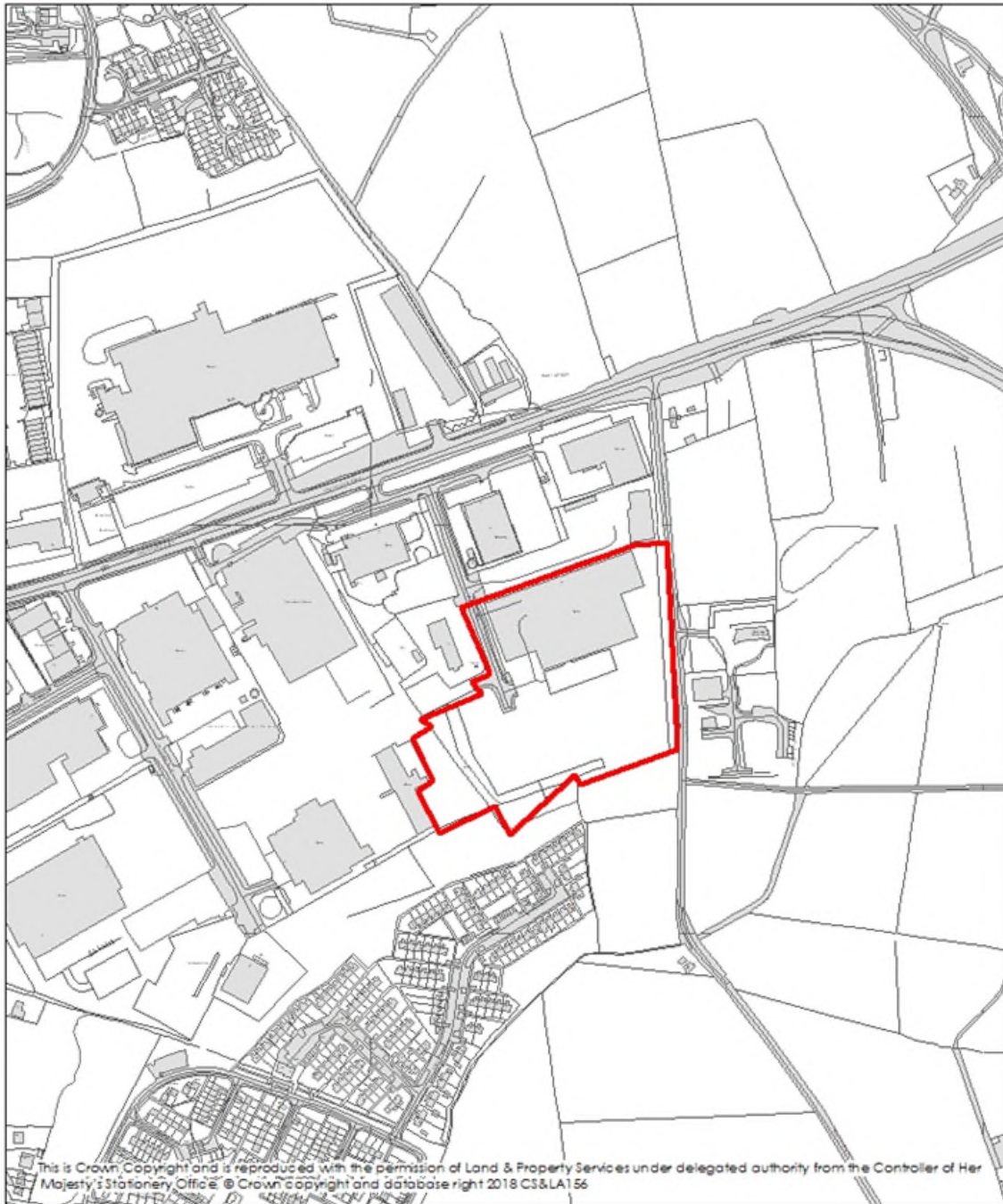
Reason: To ensure adequate waste water treatment capacity is available and to ensure the project will not have an adverse effect on the integrity of any European site and to ensure effective avoidance and mitigation measures have been planned for the protection of the water environment prior to works beginning on site.

16. A suitable buffer of at least 10m must be maintained between the location any refuelling, storage of oil/fuel, concrete mixing and washing areas, storage of machinery/material/spoil etc. and the watercourse on the South West boundary of the proposal site or surface drains present onsite or adjacent to the site.

Reason: To protect Lough Neagh and Lough Beg SPA, Ramsar site features from potential polluting discharges.

17. Light intrusion from the development into windows at nearby sensitive properties shall not exceed 10 Ev (lux) on any time prior to 23:00hrs and 2 Ev (lux) post on anytime post 23:00hrs.

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



Site Location Plan

Planning Application Reference: LA03/2022/0874/F

Lands 40m south of 6 Caulside Drive
New Park Industrial Estate Antrim BT41 2DU

Proposed factory, ancillary office area, storage,
parking and other ancillary works

0 65 130 260
Meters



COMMITTEE ITEM	3.4
APPLICATION NO	LA03/2022/0642/F
DEA	ANTRIM
COMMITTEE INTEREST	MAJOR DEVELOPMENT
RECOMMENDATION	GRANT PLANNING PERMISSION
PROPOSAL	Proposed residential development of 74 no. dwellings (comprising 31 no. detached, 36 no. semi-detached dwellings, 5 no. Chalet Bungalows and 2 no. apartments), including solar panels, garages, open space and landscaping, access, internal road network and all associated site and access works
SITE/LOCATION	Lands at 1 Enkalon Industrial Estate, Randalstown Road to the north and east of Oriel Lodge / 29 Randalstown Road north east of No. 28 Castlewater Gardens and south east of Steeple Burn, Antrim
APPLICANT	Lotus Homes (UK) Ltd
AGENT	TSA Planning
LAST SITE VISIT	01/08/2022.
CASE OFFICER	Kieran O'Connell Tel: 028 9034 0423 Email: kieran.oconnell@antrimandnewtownabbey.gov.uk
<p>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Northern Ireland Planning Portal https://planningregister.planningsystemni.gov.uk and the Councils website, under additional information.</p>	
SITE DESCRIPTION	
<p>The application site is located within the settlement limit of Antrim Town approximately 0.8 miles northwest of Antrim Town Centre. The site extends to circa 3.61 ha and is situated on lands at 1 Enkalon Industrial Estate located off the Randalstown Road to the south. Oriel Lodge (residential home) is located adjacent to the western most boundary of the application site while the Antrim Business Park runs parallel to the eastern boundary of the application site which contains a variety of uses. Asda and 'The Junction' are located to the north of the site while Randox Science Park is located 110m to the southwest. Beyond Antrim Business Park on the northern and northeastern side the area is characterised by the recently constructed residential development known as Ferrard Green/ Ferrard Meadows while the applicant also has a current application submitted for a residential development on the lands adjacent to and including the former Shrubs and Tubs Garden Centre.</p> <p>The site is irregular in shape and is generally flat hardstanding throughout. The proposed site has most recently used as a Covid-19 testing site for the Antrim area, however, prior to this the site was vacant land with no permanent use. There are vacant buildings towards the western boundary of the site, in addition there is a row of mature trees along the western most boundary which the applicant advises are outside of their control. A car wash is situated immediately adjacent to the application site on the northern most corner.</p>	

RELEVANT PLANNING HISTORY

Planning Reference: LA03/2022/0206/PAN

Location: Land at 1 Enkalon Industrial Estate, Randalstown Road to the north and east of Oriel Lodge/29 Randalstown Road north east of 28 Castlewater Gardens and south east of Steeple Burn, Antrim.

Proposal: Proposed residential development of c. 80 no dwellings (comprising mix of detached, semi-detached and apartments), garages, landscaping and open space, and all other associated site and access works.

Decision: PAN Acceptable. (01.04.2022)

PLANNING POLICY AND GUIDANCE

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

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

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

Antrim Area Plan 1984 – 2001: The application site is within the development limits of Antrim Town. 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 6: Planning, Archaeology and the Built Heritage: sets out planning policies for the protection and conservation of archaeological remains and features of the built heritage.

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

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

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

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

CONSULTATION

Council Environmental Health Section

No objections subject to conditions.

Northern Ireland Water

No objection subject to conditions.

Department for Infrastructure Roads

No objection subject to conditions.

Department for Infrastructure Rivers

No objections subject to condition.

HED (Historic Monuments)

No objection subject to conditions.

Northern Ireland Electricity (NIE)

No objection.

DAERA Water Management Unit

No objection.

DAERA Drinking Water Inspectorate

No objection.

DAERA Regulation Unit

No objection subject to conditions.

DAERA Natural Environment Division

No objection subject to conditions.

Shared Environmental Services.

No objection subject to conditions.

REPRESENTATION

Fifty-one (51) neighbouring properties notified and no letters of objection / support have been received. The full representations made regarding this proposal are available for Members to view online at the Northern Ireland Planning Portal (<https://planningregister.planningsystemni.gov.uk>).

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Preliminary Matters
- Policy Context and Principle of Development
- Design, Layout and Appearance
- Density
- Neighbour Amenity
- Public and Private Amenity Space
- Parking and Road Safety
- Crime and Personal Safety
- Flood Risk
- Archaeology
- Built Heritage
- Natural Heritage
- Flood Risk
- Other matters
 - Contamination
 - NIW infrastructure

Preliminary Matters

Environmental Impact Assessment

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

Pre-Application Notice

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

To comply with the pre-application notification requirements of Section 27 of the Planning Act (NI) 2011 the applicant submitted a Proposal of Application Notice (PAN) on 1st April 2022 (ref: LA03/2022/0206/PAN). Residents within a 200-metre radius of the site were provided with details of the proposed development and advised of the online consultation arrangements which were to replace the community consultation public event temporarily suspended due to the Covid-19 Emergency. Elected Members for the District Electoral

Area, relevant MPs and MLAs, residents and local businesses were included in the consultation. Fifteen (15) comments were made during the consultation process. The planning application was received following expiration of the 12-week period following submission of the PAN thus satisfying the requirements of Section 27 of the 2011 Act.

Policy Context and Principle of Development

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

The Antrim Area Plan 1984-2001 (AAP) operates as the local development plan for the development proposal. The application site is located within the development limits of Antrim Town and is located on unzoned lands. 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 principle of development is therefore supported by the AAP.

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

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

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

Design, Layout and Appearance

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 QD 1 of PPS7 promotes a high quality of design, layout and landscaping in all new housing developments to ensure more attractive and sustainable residential environments for present and future generations. The design and layout of the

proposed residential development is therefore a key factor in determining the acceptability of the proposed development both in terms of its contribution to the amenity of the local neighbourhood and the wider townscape. Policy QD1 states that development which would result in unacceptable damage to the local character, environmental quality or residential amenity of established residential areas will not be permitted and requires compliance with a number of listed criteria.

The first criterion (a) requires that the proposed development respects the surrounding context and is appropriate to the character and topography of the site in terms of layout, scale, proportions, massing and appearance of buildings, structures and landscaped and hard surfaced areas. The proposal comprises 74 no. dwellings including thirty-one (31) detached, thirty-six (36) semi-detached, five (5) chalets bungalows and two (2) apartments. The development proposes a variety of house types that will provide variety and choice within the residential development. The applicant further indicates that in line with recent building control requirements all dwellings are proposed to have solar panels. Access to the site is proposed to be taken from the Enkalon Industrial Estate in the northeastern corner of the application site with the internal estate road being brought up to adoptable standards.

The site is laid out in a conventional arrangement which creates frontages onto the existing public roads at Randalstown Road and the Enkalon Estate road and also to the internal estate roads. Within the application site the dwellings have been arranged in a back-to-back and front-to-front relationship. With sites 44-46 fronting onto communal amenity space adjacent to the Randalstown Road while sites 56-65 front onto the main amenity space within the development.

The dwellings all benefit from a level of defensible space to the front and private gardens to the rear. In-curtilage car parking is provided for the majority of dwellings at a rate of two spaces per dwelling. The apartments (sites 21-22) also benefit from a level of defensible space and communal amenity space around the buildings. Parking for the apartments is proposed to be provided either side of the building.

The applicant indicates that public open space measuring 3,498sqm is to be provided (11.3%) around the entrance to the development and runs parallel to the Enkalon Estate road and the Randalstown Road. The open space comprises a landscaped area and benefits from a high level of passive surveillance from the surrounding dwellings which are orientated to look onto the open space areas for the safety and security of the users.

The proposed dwelling/apartments are proposed to be finished in render and brick/stone detailing with a combination of dark grey roof tiles and feature bay windows, all of which are common within the locality. The proposed dwellings comprise a range of detached and semi-detached house types with a mix of designs/ sizes to create a visual interest within the development. The streetscapes have been designed to ensure that there is no monotony in terms of repeated designs or similarity of material to ensure that the composition of each area within the development is balanced. Houses located on corner sites have been designed to be double fronted.

Each of the dwellings have private rear gardens in addition to small defensible spaces to the front of the dwellings. The average private garden size for the

proposed development is 89 sqm while 81sqm is provided for the two apartments on sites 21-22.

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

Density

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.

The overall scale and density (gross) of the development is 20.5 dwellings per hectare (dph), which is considered to be a low-medium density area and in keeping with the local character of the area. Given the layout and density of neighbouring residential developments, it is considered that the density of the proposed development will not result in an adverse impact on the character of this area.

Public and Private Amenity Space

Criterion (c) of Policy QD1 of PPS 7 requires adequate provision for private open space as an integral part of the development. Supplementary planning guidance on amenity space is provided in 'Creating Places: Achieving Quality in Residential Developments'. It states that the appropriate level of provision should be determined by having regard to the particular context of the development and indicates a minimum requirement of 40sqm for any individual house. Creating Places further indicates that development of this nature requires an average of 70sqm.

Private amenity space will be provided for proposed dwellings in the form of private gardens. Amenity space for the apartments is proposed around the buildings in the form of hard and soft landscaped communal gardens. Private amenity space for the dwellings ranges from a minimum of 57sqm to a maximum of 250sqm. The average private garden size across the dwellings is approximately 89sqm (calculated on minimum area should a sun room be provided). The apartments avail of a communal amenity area averaging 40.5sqm for own door apartments. It is considered that adequate provision has been made for private rear garden space within the individual dwellings.

Policy OS2 of PPS 8 requires residential developments in excess of 25 units, or on sites of one hectare or more to provide public open space as an integral part of the development. Both Policy OS 2 of PPS 8 and Para 5.04 of Creating Places indicates that a normal expectation for new green-field development may be around 10% of the site area or greater. Public open space is provided in the form of a 'village green' area. The total area of open space extends to approximately 3,498sqm and equates to almost (11.3%) of the total site area (this calculation is based on the developable area of the site and does not include the Enkalon Estate Road which is existing). This figure is above the minimum standard for open space set out in Policy OS2 of PPS 8.

A Landscape Management Plan (Document No.08) has been submitted outlining that the long term management responsibilities for the development will be through a management company to be appointed by Lotus Homes and is considered an acceptable response. Overall it is considered that the open space provided is designed in a comprehensive and linked way to the overall development site, it has both recreation and amenity value, and it is designed to be multi-functional. The open space provides easy and safe access for the residents of the dwellings that it is designed to serve. The design, location and appearance also takes into account the amenity of nearby residents and the needs of people with disabilities.

Neighbour Amenity

The proposed scheme has been designed to ensure there will be no detrimental impact on the amenity of adjacent properties. The layout of the proposed dwellings has been designed and arranged to ensure all properties will have in excess of the minimum rear garden depth of 10 metres. It is considered that the separation distances proposed should ensure that the proposed development will not have an adverse impact on the adjacent properties by way of dominance, overshadowing, loss of light or overlooking of either existing or proposed properties.

With regard to noise impact, the applicant has submitted an Inward Sound Level Impact Assessment, prepared by Lester Acoustics, Document No. 07 & Document No. 15 demonstrating that there will be no significant impact on amenity by way of noise. The Council's Environmental Health Section are of the opinion that amenity at the proposed dwellings can be protected subject to the attachment of noise control conditions. It is therefore considered that there is unlikely to be any significant noise concerns with this proposal.

Parking and Road Safety

Criterion (f) of Policy QD 1 requires that adequate and appropriate provision is made for parking. Section 20 of Creating Places sets out the requirements for the total numbers of parking spaces to be provided for residents, visitors and other callers. Car parking provision is arranged in a mix of in-curtilage spaces (two 2) per dwelling and apartments) with on-street parking provision for visitors.

A Transport Assessment Form (Doc 05) has been prepared by the applicant, which evaluates the potential traffic and transport matters associated with this scheme. TRICS data survey investigations indicate that the peak periods of traffic travelling to and from the proposed development are estimated to be in the region of 35-40 vehicles per peak hour. The applicant indicates that this represents a relatively small increase of traffic on the local highway network, i.e. Enkalon Road/Randalstown Road and is unlikely to have any significant impact in terms of highway capacity or the possible increase of accidents. At busier junctions in the area it is indicated that the proposal will be the equivalent to a single vehicle joining the highway network every 1-2 minutes. The TAF form concludes that the proposed development is planned to compliment the local area and have minimal effect on the general surroundings.

DFI Roads has been consulted in relation to the development and has no objections to the proposed access arrangements or the parking. It is considered that the proposed access and internal road network are safe and adequate and appropriate provision is made for parking within the development.

Crime and Personal Safety

Criterion (i) of Policy QD 1 of PPS 7 states that proposed residential development should be designed to deter crime and promote personal safety.

Consideration has also been given to the site layout to ensure that there are no isolated areas of communal open space which are not overlooked and that could give rise to anti-social behaviour. The dwellings have been arranged to overlook the areas of open space within the site to allow passive surveillance for the safety and security of those using the areas. The communal areas will be appropriately and adequately lit by street lighting at night.

Overall, it is considered that the proposed development has been designed to deter crime and personal safety with windows on gable elevations allowing for passive surveillance of the public open space.

Flood Risk

The main policy objectives of the Revised PPS 15 include to seek to prevent inappropriate new development in areas known to be at risk of flooding, or that may increase the flood risk elsewhere; to ensure that the most up to date information on flood risk is taken into account when determining planning applications; to adopt a precautionary approach to the determination of development proposals in those areas susceptible to flooding where there is a lack of precise information on present day flood risk or future uncertainties associated with flood estimation, climate change predictions and scientific evidence; to seek to protect development that is permitted within flood risk areas by ensuring that adequate and appropriate measures are employed to mitigate and manage the flood risks to the development and elsewhere.

With regard to flood risk associated with this development the applicant has provided a 'Drainage Assessment' (Document No. 04) by 'TJK Consulting' date stamped 14/07/2021. DfI Rivers has been consulted with regard to this document and indicated no objection to the proposal. With regard to the application site, DfI River's advise that the northwestern boundary of the site is bounded by a watercourse which is designated under the terms of the Drainage (Northern Ireland) Order 1973, and known to DfI Rivers as the 'Steeple Burn'.

DfI Rivers Flood Map (NI) indicates that the development does not lie within the 1-in-100-year fluvial or 1-in 200-year coastal flood plain. However, DfI Rivers advises that the Flood Hazard Map (NI) shows portions of the site partially within the 1 in 200-year climate change flood plain. Drawing No. C105 Rev A, Sewer Layout drawing, contained within the Drainage Assessment by TJK Consulting dated January 2022, indicates that the built development is taking place on elevated ground with a suitable freeboard and as such DfI Rivers has no specific reason to object to the proposed development.

The proposed layout and Drawing no. C105 Rev A, Sewer Layout drawing contained within the Drainage Assessment by TJK Consulting dated July 2022, shows a working strip adjacent to the open section of the designated watercourse. There are no proposals to culvert any watercourse.

A Drainage Assessment was submitted which was subject to consultation with DfI Rivers who advise the Drainage Assessment (Document No.04) has demonstrated that the design and construction of a suitable drainage network is feasible. It indicates that the 1-in-100-year event could be contained in the online attenuation system, when discharging at existing green field runoff rate, and therefore there will be no exceedance flows during this event. DfI Rivers also advise that further assessment of the drainage network will be made by NI Water prior to adoption and to ensure compliance with PPS 15, DfI Rivers requests that the potential flood risk from exceedance of the network, in the 1 in 100-year event, is managed by way of a condition.

Overall it is considered that there is no significant flood risk associated with this development.

Archaeology

Policy BH 4 of PPS 6 is entitled 'Archaeological Mitigation'. It states that where it is decided to grant planning permission for development which will affect sites known to contain archaeological remains, the Council will impose conditions to ensure that appropriate measures are taken for the identification and mitigation of the archaeological impacts of the development, including where appropriate the completion of a licensed excavation and recording of remains before development commences.

The application site lies within the former Enkalon Industrial Estate and therefore there are a large number of industrial heritage sites in the immediate vicinity. A number of previously unrecorded archaeological monuments were uncovered during the construction of The Junction. A substantial, extensive new archaeological site was uncovered to the rear of Kerr's Tyres on the site of the former Enkalon Playing Fields; this has not yet been added to the Historic Environment Record for Northern Ireland. There is a high potential for this application site to contain extensive below-ground archaeological remains. Given the scale and nature of the archaeological remains found on the former Enkalon Playing Fields site.

DfC Historic Environment Division Historic Monuments (HED -HM) has reviewed the Archaeological Impact Assessment (AIA) (Document No. 13) and has considered the impacts of the proposal on subsurface archaeology. HED -HM is content that the proposal satisfies PPS 6 policy requirements, subject to conditions for the agreement and implementation of a developer-funded programme of archaeological works. This is to identify and record any archaeological remains in advance of new construction, or to provide for their preservation in situ, as per Policy BH 4 of PPS 6. HED (Historic Monuments) agrees with the recommended mitigation measures proposed in the AIA; however, suggests that a modified trench layout should be submitted in the Programme of Archaeological Works as some of the trenches appear wider than 15m apart.

It is considered that there are no significant archaeological concerns with this proposal subject to the stated conditions 11-13 below.

Built Heritage

Policy BH11 of PPS6 is entitled 'Development affecting the Setting of a Listed Building'. It states that "The Department will not normally permit development which would adversely affect the setting of a listed building.

The application site is located in close proximity to the following listed buildings, which are of special architectural and historic interest, protected by Section 80 of the Planning Act (NI) 2011:

- HB20/04/042A-X - Shane's Castle and 18No. associated listed structures (Grades A x 3, B+, B1 x 12 & B2 & 3) including bridges, outbuildings, memorials, lodges, cottages, etc. ranging from 17th- 19thC; of these the Antrim Gate Lodge at Castle Road (HB20/04/042J, Grade B1) is the closest to the application site.
- HB20/08/004 Clotworthy House early Victorian former coach house in Tudor Revival style (Grade B+ listed building).
- HB20/08/054 Long Canals, including cascade and Round Pond within the Registered Antrim Castle Gardens (Grade A listed buildings).

HED (Historic Buildings) were consulted under the pre-application discussion application LA03/2021/0982/PAD advised that the proposal is unlikely to have an adverse impact on nearby listed buildings when assessed under the requirements of paragraph 6.12 of Strategic Policy Planning Statement for Northern Ireland and policy BH 11 (Development affecting the Setting of a Listed Building) of the Department's Planning Policy Statement 6: Planning, Archaeology and the Built Heritage.

With regard to the principle of development, HED advises that as the application site is located on the opposite side of the Randalstown Road from the above listed buildings and is flanked by residential development of a similar scale to that proposed, with a residential home and Antrim Business Park in between that the proposal is acceptable in principle as the current vacant site, which was occupied by Oriel Lodge up until c.1965, appears to be a brownfield site.

Having regard to HED Historic Buildings comments, it is considered that the proposal is acceptable with regard to policy PPS6 BH11 and SPPS paragraph 6.12.

Natural Heritage

A Preliminary Ecological Appraisal (PEA) (Document No 11) was carried out on the application site. The PEA concludes that there was no significant impact on designated sites, protected species or their habitats subject to mitigation measures including provision of a Construction Environmental Management Plan (CEMP).

NIEA, Natural Environment Division (NED) has considered the impacts of the proposal on Designated Sites and other natural heritage interests and, on the basis of the information provided, has no concerns subject to conditions.

With regard to the impact on designated sites, the application site is not within or adjacent to any designated site, however the site is hydrologically linked to Lough Neagh and Lough Beg SPA/RAMSAR site Rea's Wood & Farr's Bay SAC and Lough Neagh ASSI. The Steeple Burn flows in a westerly direction along the northwestern boundary of the site, joining with the Plaskets Burn and the Six Mile Water before discharging to Lough Neagh.

NED is content that there will be no likely significant impact from the proposed development on the designated sites and have indicated that they are content with the details and mitigation provided in the Outline Construction Environmental Management Plan (Document No. 09 date stamped 14/07/2022) and Drainage Assessment (Document No. 04 date stamped 14/07/2022). In addition, they are content that if the mitigation measures are implemented they will mitigate against any potential impacts on the protected sites. The Council's Shared Environment Service (SES) also concluded that there is unlikely to be significant effects on a designated site. In coming to this conclusion SES has considered the nature, scale, timing, duration and location of the project subject to conditions 16 & 21 requiring the submission of a final Construction Environmental Management Plan (CEMP) and the method of sewage disposal being agreed with the Council in consultation with NI Water.

In addition, it is recommended that the Council in its role as the Competent Authority under the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended), and in accordance with its duty under Regulation 43, adopt the HRA report, and conclusions therein, prepared by Shared Environmental Service, dated 21/12/2022. This found that the project would not have an adverse effect on the integrity of any European site.

It is therefore considered that there are no significant concerns with the impacts of the proposal on designated sites based on the information provided.

Bats are a European Protected Species under the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) and are subject to a strict level of protection. NED notes the bat emergence and re-entry surveys were carried out on building 4 which has a low bat roosting potential (BRP) and is planned for demolition. No bats were observed entering or emerging from the building during the surveys. NED is therefore content no further surveys are required and the development is unlikely to significantly impact roosting bats.

NED highlight that the bat surveys concluded that bats were using the Steeple Burn stream adjacent as a commuting and foraging corridor, and there were Common Pipistrelles using the site to forage during each survey night. NED advise that provided the light spill is under 1 lux on the Steeple Burn riparian corridor, as shown in the Outdoor Lighting Report (Document No 10, date stamped 14/07/2022), that it is content any impacts to bats by artificial light disturbance can be mitigated. NED recommends any lighting required during the construction phase of development is directional to avoid light spill onto the adjacent watercourse and tree lines.

In terms of impacts on birds NED advise that Swallow (*Hirundo rustica*) were observed using the buildings, planned for demolition. All breeding birds are protected under Article 4 of the Wildlife (Northern Ireland) Order 1985 (as amended). NED recommends that in addition to the plans outlined in the CEMP to avoid vegetation clearance during the bird breeding season, demolition of the buildings is also done outside the breeding season which runs from 1st March to 31st August inclusive, to avoid any accidental disturbance, destruction or damage to swallows, or other birds, that are nesting within the buildings. Should this prove impracticable/impossible NED advise that any such works scheduled within the bird nesting season should be preceded by a pre-work nesting inspection and/or breeding bird survey by a suitably

experienced ecologist. In the event that an active nest is discovered at any stage during the works, works in that area should cease until all young birds have fledged.

In addition, NED welcomes plans to install compensatory swallow boxes and the planting proposed in Drawing No. 100/1, Soft Landscaping Proposals, date stamped 21/10/2022, and considers this will provide compensatory and additional nesting opportunities for birds in future.

In terms of impact on Priority Habitat, NED recommends the conditioning of a final CEMP with recommendations in the PEA to be included such as a 10m buffer between all construction works, such as storage of excavated spoil and construction materials, any refuelling, storage of oil/fuel, concrete mixing and washing areas and any watercourses or surface drains present on or adjacent to the site, and the location of the silt barrier to be installed prior to the commencement of works.

NED notes from the PEA that no evidence of badger or otter was found at the site. As mentioned above, the watercourse abutting the site is potentially a commuting route for otters being present both upstream and downstream from the site, however, the section of river at the site is unsuitable for otters to establish a place of refuge. NED therefore are content, provided all mitigation and pollution prevention measures outlined in the OCEMP are adhered to, NED is content any impact on otter can be minimised.

Overall, it is therefore considered that the development proposal will have no significant detrimental impact on natural heritage interests subject to condition 16. The proposal is therefore considered to comply with PPS 2.

Other Matters **Contamination**

The applicant has submitted a Contaminated Land Preliminary Risk Assessment (PRA) and Generic Quantitative Risk Assessment (GQRA), prepared by RSK, Document No. 06, stamped 'Planning Section Received 14 JUL 2022' in support of this planning application.

The report is informed by site investigations and environmental monitoring data. No unacceptable risks to environmental receptors have been identified for the development and as such the site has been classified as very low risk, and concluded that gas protection measures were not required within the proposed dwellings. NIEA Regulation Unit Land and Groundwater Team has no objections to the development provided that standard conditions are placed on any decision notice should planning permission be forthcoming.

The Council's Environmental Health Section also considered the above documentation and are satisfied that amenity can be suitably protected with regards to contaminated land based on the information submitted and has recommended contaminated land conditions similar to those proposed by NIEA Regulation Unit. It is therefore considered that there is unlikely to be any significant impacts on nearby receptors as a result of potential contamination.

NI Water Infrastructure

NIW initially raised concerns with network and wastewater treatment capacity not being available to service the site. However, the applicant has subsequently went through the NIW Pre-Development Enquiry and Waste Water Impact Assessment Process and is in receipt of an engineered solution which will allow for this development to proceed subject to a condition that ensures that the mains sewer and the receiving Waste Water Treatment Works has the capacity to receive the waste water and foul sewerage from the development and a connection to the sewer has been granted under the Water and Sewerage Services Act (Northern Ireland) 2016.

With foregoing in mind, it is considered that a condition is necessary and the condition provided by NIW has been amended to ensure that it meets with the lawful tests of a planning condition and is included on the proposed conditions at the end of the report. This will ensure that the works within this site can commence without detriment to NI Water infrastructure and facilitate the development of the wider site.

Economic Impacts

The applicant has indicated that this proposal represents a significant investment of circa £18 million into the local economy from the private sector. During the construction phase it is envisaged that the development of the site will sustain circa 60-80 construction jobs.

CONCLUSION

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

- The principle of the development is considered acceptable.
- The design, layout, appearance and density is considered acceptable.
- There are no significant neighbour amenity concerns.
- There are no significant parking, road, or personal safety concerns with this proposal.
- There are no significant flood risks associated with this development.
- There are no significant archaeological, natural or built heritage concerns with the proposal.
- There are significant economic benefits associated with this 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. All habitable rooms to the permitted dwellings shall be fitted with glazing including frames, capable of achieving a sound reduction from outside to inside, of at least that shown in the table below.

Site Numbers	Required Façade Round Reduction of dB R_{Tra} (or R_w + C_{tr}) or greater
--------------	---

	Daytime Room	Night-time Room
7 to 22	30	30
1 to 6, 23 to 31, and 68 to 74	27	27
60 to 65	28	28
32 to 38, 50 to 55 and 66 to 67	21	21
67 to 59	31	31
39 to 42 and 47 to 49	33	33
43 to 46 and 56	36	36

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

3. All habitable rooms to the permitted dwellings shall be fitted with passive or mechanical ventilation, in addition to that provided by open windows, capable of achieving a sound reduction from outside to inside, of at least that detailed within the table in Condition 02 above.

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

4. Prior to occupation of the dwellings on sites No. 6-23, 39-46, 56-59, 64, 69-73, 74, acoustic barriers shall be erected as detailed on Drawing Number 05/3, date stamped 17 Nov 2022'. The barriers shall have a surface weight of not less than 10kg/m², be of solid construction (i.e. no holes or gaps for sound to pass through), and so if it is a fence it should be of the ship-lapped design.

Reason: In order to protect external amenity of the development hereby permitted.

5. The development shall not be occupied until the remediation measures detailed within Section 8.1.2.1 of Document No. 06, date stamped 14 Jul 2022' have been fully implemented and verified to the satisfaction of the Council.

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

6. There shall be no amendments or deviations from, the remediation and verification recommendations contained within Section 8.1.2.1 of Document No. 06, date stamped 14 Jul 2022' 2021' without the prior written approval of the Council.

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

7. The development hereby permitted shall not commence until all storage silos (and associated infra-structure) have been investigated for the presence of contaminating material. In the event that the silos contain contaminating material they should be fully decommissioned in line with Pollution Prevention Guidance (PPG27) and the quality of surrounding soils and groundwater verified.

Should any additional contamination be identified during this process, Conditions 05 and 06 will apply.

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

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

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

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

9. After completing any remediation works required, and prior to occupation of the development, a verification report shall be submitted in writing and agreed with the Council. This report shall be completed by competent persons in accordance with the Land Contamination: Risk Management (LCRM) guidance. The verification report shall present all the remediation and monitoring works undertaken and demonstrate the effectiveness of the works in managing all waste materials and risks and in achieving the remedial objectives.

Reason: Protection of human health and other environmental receptors to ensure the site is suitable for use.

10. No site works of any nature or development shall take place until a programme of archaeological work (POW) has been prepared by a qualified archaeologist, submitted by the applicant and approved in writing by the Council in consultation with DfC Historic Environment Division. The POW shall provide for:
- a. The identification and evaluation of archaeological remains within the site;
 - b. Mitigation of the impacts of development through licensed excavation recording or by preservation of remains in-situ;
 - c. Post-excavation analysis sufficient to prepare an archaeological report, to publication standard if necessary; and
 - d. Preparation of the digital, documentary and material archive for deposition.

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

11. No site works of any nature or development shall take place other than in accordance with the programme of archaeological work approved under condition 10.

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

12. A programme of post-excavation analysis, preparation of an archaeological report, dissemination of results and preparation of the excavation archive shall be undertaken in accordance with the programme of archaeological work approved under condition 10. These measures shall be implemented and a final archaeological report shall be submitted to the Council within 12 months of the completion of archaeological site works, or as otherwise agreed in writing with the Council.

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

13. The proposed landscaping works as indicated on Drawing No. 100/1 date stamped 21/10/2022 shall be carried out in accordance with the approved details and the appropriate British Standard or other recognised Codes of Practice during the first planting season after the commencement of development. The proposed landscaping shall be retained thereafter at a minimum height of 2 metres for shrubs/hedges and existing trees as shown shall be retained at a minimum height of 6 metres 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.

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

14. The open space and amenity areas indicated on Drawing No. 99/1 date stamped 21/10/22 shall be managed and maintained in accordance with the Landscape Management Plan, Document No. 08 date stamped 14/07/2022 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.

15. No development activity, including ground preparation or vegetation clearance, shall take place until a final Construction and Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Planning Authority. The approved CEMP shall be implemented in accordance with the approved details and all works on site shall conform to the approved CEMP, unless otherwise agreed in writing by the Planning Authority. The CEMP shall include the following:
- a. Construction methodology and timings of works, including the construction of the storm outfall pipe and all mitigation to avoid impact to the watercourse;
 - b. Pollution Prevention Plan; including suitable buffers between the location of all construction works, storage of excavated spoil and construction materials, any refuelling, storage of oil/fuel, concrete mixing and washing areas and any watercourses or surface drains present on or adjacent to the site;

- c. Site Drainage Management Plan; including Sustainable Drainage Systems (SuDS), foul water disposal and silt management measures;
- d. Water Quality Monitoring Plan;
- e. Environmental Emergency Plan;
- f. Mitigation to avoid impact to protected and priority species including avoidance of the bird breeding season during any vegetation clearance and demolition of the buildings, directional lighting to avoid the adjacent watercourse and all other recommendations from the Preliminary Ecological Appraisal (PEA) date stamped 27/07/2022.

Reason: To protect Northern Ireland priority habitats and species and to prevent likely significant effects on the Lough Neagh and Lough Beg Special Protection Area (SPA) and Ramsar, and Lough Neagh Area of Special Scientific Interest (ASSI).

16. 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. 87/2 date stamped 09/11/2022.

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

17. No other development hereby permitted shall be occupied until the works necessary for the improvement of a public road have been completed in accordance with the details outlined blue on Drawing number 87/2 date stamped 09/11/2022.

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

18. The development shall be carried out in accordance with the stamped approved Drawing No's 97/1 & 98/1 date stamped 13/10/2022 & 87/2 date stamped 09/11/2022.

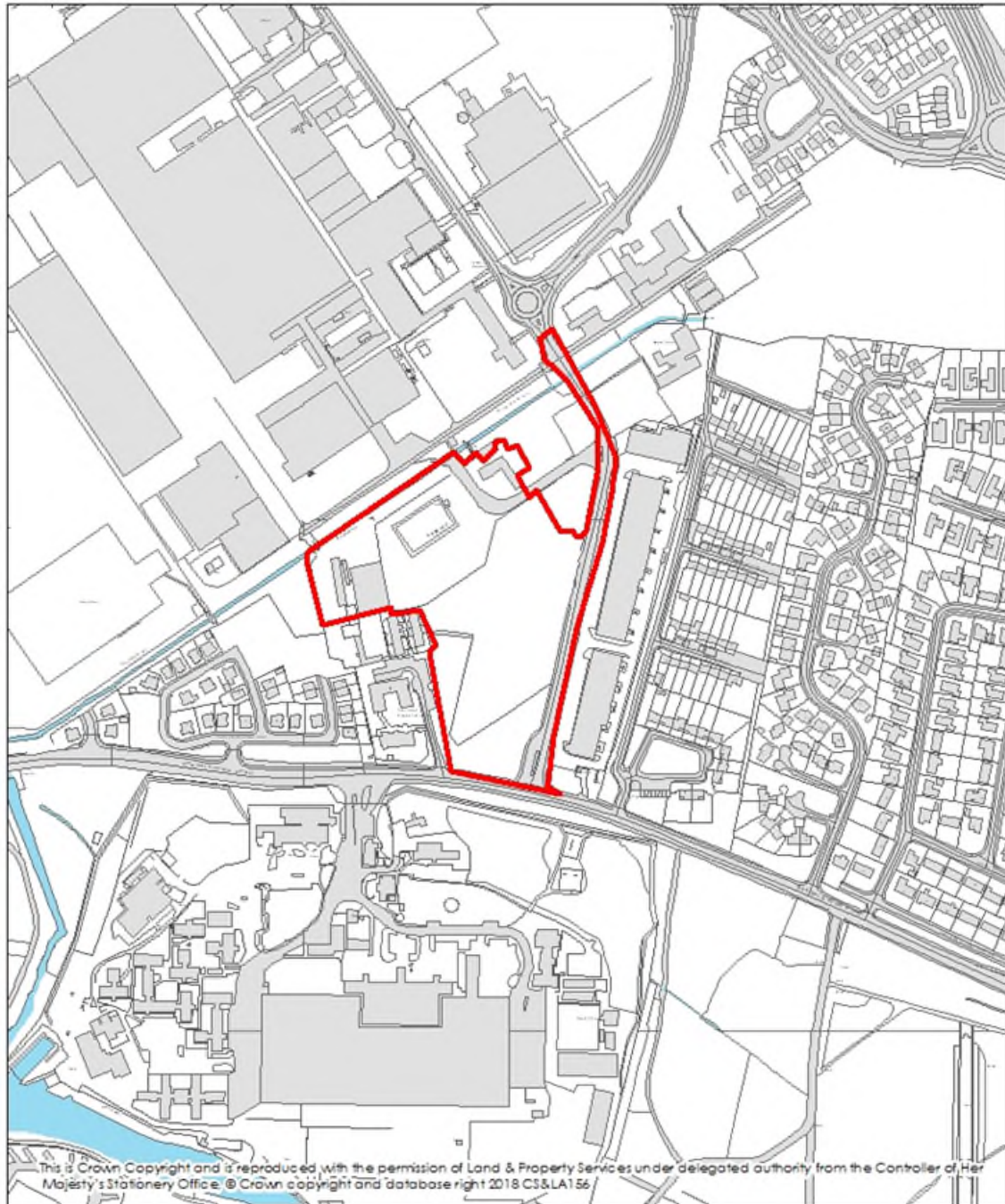
Reason: To ensure there is a safe and convenient road system within the development.

19. 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.

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

Reason: To ensure adequate waste water treatment capacity is available and to ensure the project will not have an adverse effect on the integrity of any European site and to ensure effective avoidance and mitigation measures have been planned for the protection of the water environment prior to works beginning on site.



Site Location Plan

Application Reference: LA03/2022/0642/F

50 25 0 50 100 150 200



Metres



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

 Site boundary

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



COMMITTEE ITEM	3.5
APPLICATION NO	LA03/2022/0752/O
DEA	BALLYCLARE
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE OUTLINE PLANNING PERMISSION
PROPOSAL	Site for new dwelling and garage on a farm (CTY10)
SITE/LOCATION	150m south west of 54 Templepatrick Road, Ballyclare
APPLICANT	Mr J Woodside
AGENT	RJ Studios
LAST SITE VISIT	9 th September 2022
CASE OFFICER	Gareth McShane Tel: 028 903 40411 Email: gareth.mcshane@antrimandnewtownabbey.gov.uk
<p>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Northern Ireland Planning Portal https://planningregister.planningsystemni.gov.uk and the Councils website, under additional information.</p>	
SITE DESCRIPTION	
<p>The application site is located approximately 150m southwest of 54 Templepatrick Road, Ballyclare, which is a countryside location beyond any development limits as defined within the draft Belfast Metropolitan Area Plan 2004.</p> <p>The application site is setback approximately 470 metres from the Templepatrick Road and is accessed via a shared laneway. The site forms a triangular shape, upon which there are a number of ruinous buildings including a former dwelling and two outbuildings. The northern boundary is bounded by an agricultural laneway and a low hawthorn hedge. The southeastern boundary is defined by a tarmacked laneway and a hedgerow measuring approximately 1m in height, while the western boundary is undefined although there is a small section of hedgerow measuring 2m in height present alongside a number of trees traversing the site. The topography of the site falls from east to west.</p> <p>The surrounding character is open countryside, with dwellings and outbuildings spread out intermittently.</p>	
RELEVANT PLANNING HISTORY	
<p>Planning reference: LA03/2022/0470/O Location: 85m north of 54a Templepatrick Road, Ballyclare Proposal: Site for replacement dwelling and garage Decision: Withdrawal (08.07.2022)</p> <p>Planning reference: U/2003/0149/O Location: Adjacent to 54 Templepatrick Road, Skilganaban, Ballyclare, Northern Ireland, BT39 9TX Proposal: Site for replacement dwelling. Decision: Permission Refused (15.05.2003)</p> <p>Planning reference: U/1989/0378 Location: Adjacent to 54 Templepatrick Road, Ballyclare</p>	

Proposal: Erection of replacement dwelling
Decision: Permission Granted (31.08.1989)

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.

Draft Newtownabbey Area Plan 1984-2001: The application site is located outside any development limit and lies in the countryside as designated by these Plans which offer no specific policy or guidance pertinent to this proposal.

Draft Belfast Metropolitan Area Plan (2004): The application site is located outside any development limit and lies in the countryside as designated by these Plans which offer no specific policy or guidance pertinent to this proposal.

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

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

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

CONSULTATION

Council Environmental Health Section- No objection.
Northern Ireland Water- No objection.

Department for Infrastructure Roads- No objection subject to conditions.

Department for Agriculture, Environment and Rural Affairs- No objection.

Department for Communities Historic Environment Division- No objection.

Department for Infrastructure Rivers- No objection.

REPRESENTATION

Fourteen (14) neighbouring properties were notified and no letters of representation have been received. The full representations made regarding this proposal are available for Members to view online at the Northern Ireland Planning Portal (<https://planningregister.planningsystemni.gov.uk>).

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

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

Policy Context and Principle of Development

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

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

In these circumstances the provisions of both dNAP and dBMAP are considered to be material considerations in the assessment of the current application. Given that dNAP was never adopted, it is considered that dBMAP provides the most up to date development plan position for this part of the Borough and should therefore be afforded greater weight than dNAP in the decision-making process. Both of the relevant development plans identify the application site as being within the countryside outside any development limit. There are no specific operational policies or other provisions relevant to the determination of the application contained in these Plans.

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

Policy CTY 1 of PPS 21 indicates that there are certain types of development acceptable in principle in the countryside and that will contribute to the aims of sustainable development. There are a number of cases when planning permission will be granted for an individual dwelling house. One of these is Policy CTY 10 which states that planning permission will be granted for a dwelling house on a farm where all of the three listed criteria can be met.

The Department for Agriculture, Environment and Rural Affairs (DAERA) advised in a consultation response dated 25th October 2022 that the associated farm business has been in existence for more than 6 years, the farm ID having been allocated in November 1991. Their response also confirms that the farm business has claimed payments through the Basic Payment Scheme or Agri Environment Scheme in each of the last 6 years. Their response also states that the proposed site is located within a yard (unmapped area).

A site history check has been carried out on the lands submitted and shown on the farm maps and there does not appear to have been any development opportunities sold off from the farm holding. This is further confirmed by the answer to Q5 of form P1C which states that there have been no dwellings or development opportunities sold off from the farm holding within the last 10 years.

The application site forms a triangular plot which contains three ruinous buildings (one dwelling and two outbuildings). During the site inspection it was noted that the dwelling had no roof, first floor, or windows intact. The roof and first floor had collapsed inwards to the ground floor, with vegetation now heavily growing within the former dwelling. It is noted that the dwelling has been previously replaced under application ref: U/1989/0378 and was conditioned to be demolished within 6 weeks of the date of occupation of the new dwelling, however the building was not demolished. The two outbuildings had no roofs, with vegetation growing heavily within their confines. It is considered that given the ruinous state of the structures, that they cannot be considered as an established group of buildings on the farm. In addition, even if it was considered that the structures did constitute a group of buildings on the farm it is proposed to remove the structures in order to erect a new dwelling and therefore the dwelling would not be visually linked with buildings on the farm.

Located 150m northwest of the application site is the main farm dwelling and associated outbuildings (totalling 8 structures). At the time of site visit, the dwelling was being lived in and the outbuildings were in good condition, appearing to be

used to support the farming activities. The land under the applicant's ownership is extensive, with the fields around the farm buildings under their control. The agent was contacted regarding the Council's concerns, specifically the site's location at a group of ruinous buildings and not at the main farmyard. A meeting was held with the agent and applicant whereby the Council's position was outlined and explained, with an opportunity being given to the agent to submit a supporting statement. Subsequently, the agent submitted Document 01, date stamped 19th October 2022, titled 'Supporting Letter' which outlines the history of the now ruinous buildings. The statement also outlines how the yard is still used yearly for farming activities, including the storage of machinery, manure and silage. While the Council does not contest the submitted letter, the storing of materials within the yard does not meet the policy test- 'the new building is visually linked or sited to an established group of buildings on the farm'.

The site currently contains three buildings within the site, with an additional dwelling and garage proposed within the approximate 0.45m size. The site is further restricted by its triangular nature and boundary treatments which divide the eastern and southern portions. The agent subsequently submitted Document 02 'Site Plan' date stamped 18 November 2022 which displays a concept layout. This layout involves the removal of the former dwelling and attached outbuilding, with the detached outbuilding retained. As mentioned above, 'the new building is visually linked or sited to cluster with an established group of buildings'. The agent's concept plan shows the proposed dwelling and one structure remaining therefore failing the policy requirement requiring visually linkage or siting with an established group of buildings on the farm.

The Council does not consider the application site a suitable location for a farm dwelling which meets the policy requirements and therefore consider the proposal to fail CTY 10 (c).

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

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

It is considered that the site could accommodate a dwelling without appearing as a prominent feature within the landscape given its setback, intervening vegetation and structures which screen direct views of the site from critical views. As the application seeks outline permission, limited details have been provided regarding the proposal, however, it is considered that a dwelling with a restricted ridge height could be accommodated within the site which respects and integrates appropriately with its surroundings while respecting the character of the surrounding area. Overall, it is considered the site fails the requirements of CTY 13 and 14.

Neighbour Amenity

As the application seeks outline planning permission, limited details have been provided regarding the proposal, however, it is considered that a dwelling could be sited appropriately so as not to have a detrimental impact on the amenity of any existing properties due to separation distances, change in ground levels, and existing mature boundary treatments.

Access and Parking

Access to the application site is to be gained from the Templepatrick Road which is a designated protected route as defined in dBMAP. DfI Roads were consulted regarding the application and responded with no objections, if the proposal meets the exception criteria for the intensification of the use of and existing access onto a Protected Route under Policy AMP 3. The Council considers the proposal to meet the exception criteria for a farm dwelling as there is no alternative means of access to the site, other than through an intensification of the existing access onto the Templepatrick Road. If the proposal is deemed acceptable, a condition is to be attached ensuring compliance with the attached RS1 Form.

Other Matters

The Environmental Health Section of the Council were consulted regarding the impacts of the proposal in relation to noise and odour, they have responded with no objections to the proposal.

DfC - Historic Environment Division were consulted regarding the proposal and indicated that the structures on the site are present on the First Edition Ordnance Survey Maps, however, they are currently in a ruinous state therefore HED are content the proposal does not conflict with the archaeological policy requirements of the SPPS and PPS 6

DfI Rivers were consulted regarding the proposal and advised that there were no flooding concerns with the proposed development.

CONCLUSION

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

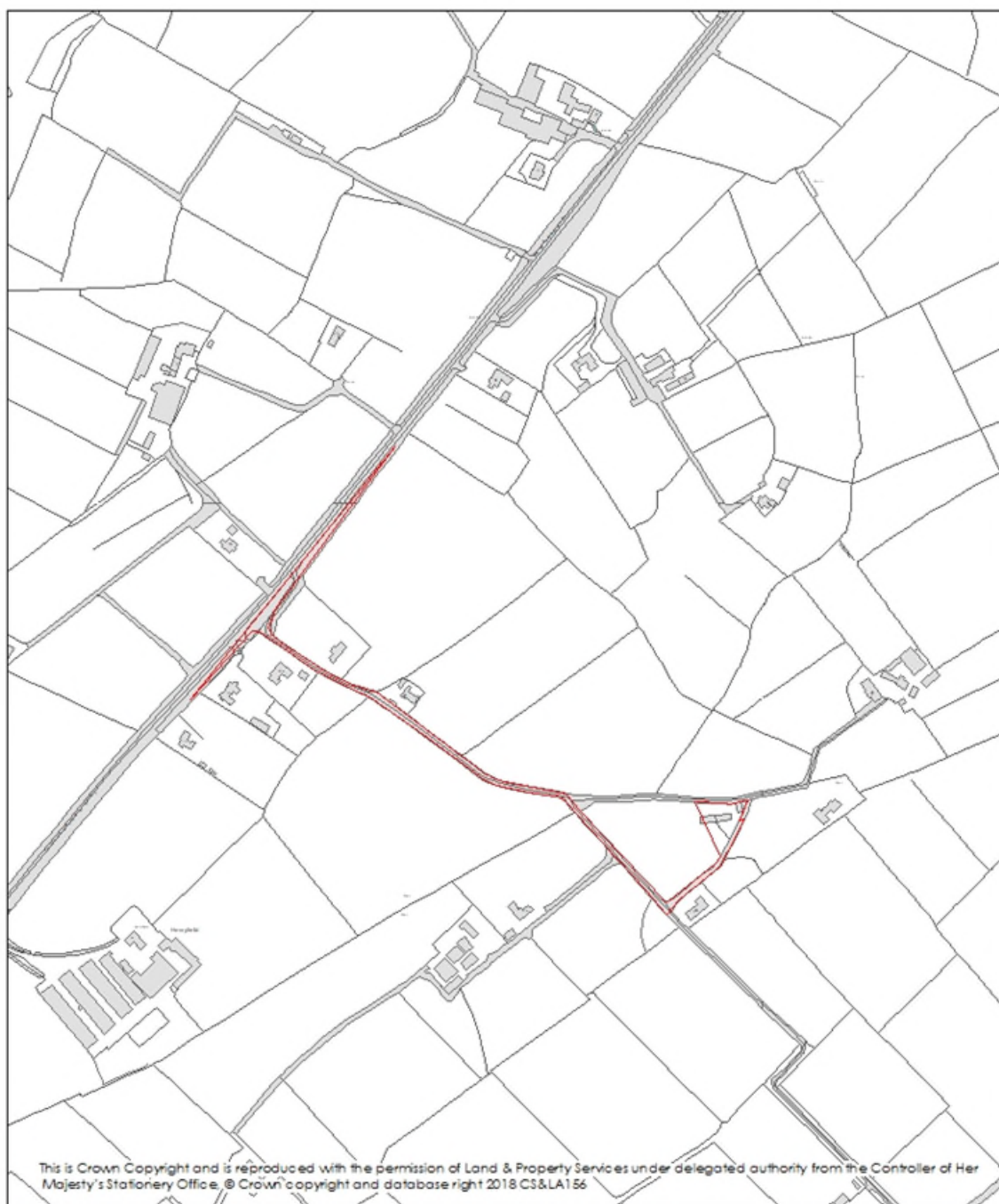
- The principle of the development cannot be established as the proposal fails to fulfil the policy requirements of CTY 1 and CTY 10 of PPS 21;
- It is considered a dwelling could be accommodated within the site and integrate appropriately within the landscape, respecting the rural character of the area;
- An appropriately sited dwelling would not have a detrimental impact on neighbouring amenity;
- The proposal is considered as an exception to AMP3 and there are no road safety concerns with the proposal.

RECOMMENDATION

REFUSE OUTLINE PLANNING PERMISSION

PROPOSED 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 provisions contained in the Strategic Planning Policy Statement and Policy CTY 10 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that c) the new building is not visually linked or sited to cluster with an established group of buildings on the farm.



Site Location Plan


0 15 30 60 90 120 Metres



Application Reference: LA03/2022/0752/O

Proposal: Site for new dwelling and garage on a farm (CTY 10)

Location: 150m south west of 54 Templepatrick Road, Ballyclare

 Site boundary



COMMITTEE ITEM	3.6
APPLICATION NO	LA03/2022/0960/O
DEA	DUNSILLY
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE OUTLINE PLANNING PERMISSION
PROPOSAL	Proposed site for infill dwelling and domestic garage
SITE/LOCATION	Approx. 20m SE of 25 Oldwood Road, Randalstown, BT41 2NB
APPLICANT	Seamus Heffron
AGENT	CMI Planners Ltd
LAST SITE VISIT	6 th December 2022
CASE OFFICER	Michael Tomlinson Tel: 028 903 40442 Email: michael.tomlinson@antrimandnewtownabbey.gov.uk
<p>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Northern Ireland Planning Portal https://planningregister.planningsystemni.gov.uk</p>	
SITE DESCRIPTION	
<p>The application site is located 20 metres southeast of No. 25 Oldwood Road Randalstown. This is a countryside location beyond any development limits as identified in the Antrim Area Plan 1984-2001.</p> <p>The application site consists of a rectangular plot of land set within a larger agricultural field, abutting No. 25 Oldwood Road to the northwest, and an agricultural field to the southeast. The northeastern boundary is undefined, whilst the northwestern boundary is defined by a 2-metre-tall leylandii hedgerow. The southeastern boundary is defined by a mixed species hedgerow up to 5 metres tall.</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> <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.</p>	

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

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

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

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

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

CONSULTATION

Council Environmental Health Section – No objection

Northern Ireland Water – No objection

Department for Infrastructure Roads- No response received

Department for Communities Historic Environment Division – No objection

REPRESENTATION

Four (4) neighbouring properties notified and no letters of representation have been received. The full representations made regarding this proposal are available for Members to view online at the Northern Ireland Planning Portal (<https://planningregister.planningsystemni.gov.uk>).

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

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

Policy Context and Principle of Development

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

Section 6 (4) of the Act then states that, where, in making any determination under the Act, regard is to be had to the Local Development Plan, the determination must

be made in accordance with the Plan unless material considerations indicate otherwise.

The 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.

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

To the northwest of the application site, the dwellings known as No. 25 and 25a Oldwood Road have a frontage onto the Oldwood Road of 25 metres and 50 metres respectively. The access to the dwelling known as No. 23 Oldwood Road is located 80 metres to the southeast of the application site, however, No. 23 Oldwood Road does not have a road frontage and is set back approximately 13 metres from it. It is therefore considered that No. 23 Oldwood Road does not contribute to a substantial and continuously built up frontage along this section of the Oldwood Road and

therefore the application site cannot be considered to be a gap site in accordance with the requirements of Policy CTY 8 of PPS 21.

The development has also been assessed in respect of a dwelling within an existing cluster under Policy CTY 2a of PPS 21. It is noted that there are a number of dwellings within the wider location, however they do not appear as a visual entity in the local landscape. Furthermore, the application site is only bounded on one (1) side by other development, whereas Policy CTY 2a requires a minimum of two (2) sides to be bounded by other development.

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

Impact on Character and Appearance of the Area

Policy CTY 13 of PPS 21 states that 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. The application seeks outline planning permission and no indicative designs and plans have been submitted in support of the application. The application site benefits from having mature trees along the northwestern and southeastern boundaries. The northeastern boundary is currently undefined, however, proposed planting could be conditioned should outline planning permission be granted. It is considered that a suitably designed dwelling would visually integrate into the surrounding location.

Policy CTY 14 of PPS 21 requires the proposal not to cause a detrimental change to, or further erode the rural character of an area. In this case, the application site lacks a principle of development and would create a ribbon of development if outline permission is granted. Ribbon development has always been unacceptable and will continue to be resisted. Where ribbon development is created or where an existing ribbon is added to, it will also have a knock-on detrimental impact on the rural character of the area as such developments are suburban in form and character and are contrary to the policy requirements of CTY 8 & 14.

Paragraph 5.33 of PPS 21 explains that a ribbon does not necessarily have to be served by individual accesses nor have a continuous or uniform building line. Buildings can be sited back, staggered or at angles and with gaps between them but can still represent ribbon development, if they have a common frontage or they are visually linked. In this case, Nos. 25 and 25a Oldwood Road have a roadside frontage, while No. 23 Oldwood Road is set back from the roadside. It is considered that a dwelling within the application site would create a ribbon of development given the existing linear development formed by Nos. 25 & 25a to the northwest of the application site. While No. 23 does not have a road frontage it still meets with the definition of ribbon development, which can include dwellings set back from the roadside. A dwelling on the application site would therefore read with the other

dwelling to the northwest and exacerbate the sense of ribbon development in this area.

Neighbour Amenity

The only abutting neighbouring dwelling to the application site is No. 25 Oldwood Road. The southeastern gable of this neighbouring dwelling is orientated towards the application site, with a separation distance of 3 metres from this gable elevation and the common boundary. It is noted that this neighbouring dwelling has a bedroom window on the first floor level of its southeastern elevation. Whilst there are no indicative designs provided within this outline planning application, it is considered that should planning permission be granted, a ridge height restriction of 5.5 metres will be required by a planning condition to ensure that the perception of overlooking and dominance on this neighbouring property will be reduced.

It is noted that the northeastern boundary is undefined. There are direct views towards the southern garden area of the dwelling known as No. 93a Craigstown Road. Whilst there is a separation distance of 30 metres between the northeastern boundary of the application site and the southwestern boundary of the curtilage of No. 93a Craigstown Road, proposed landscaping will be required to reduce any significant intervisibility between the application site and this existing dwelling.

It is considered that an appropriately designed dwelling will not have a significant impact on any other surrounding dwellings due to the separation distances and existing screening landscaping.

Other Matters

Roads

The Department for Infrastructure (DfI) Roads were consulted as part of this planning application. Whilst a consultation response from DfI Roads has not yet been received, it is indicated on Drawing No. 01 (date received 3rd November 2024) that the necessary visibility splays of 2.4 metres by 90 metres are achievable in both directions. Following a site visit, it is considered that the visibility splays would be achievable with some minor landscaping required to augment the southwestern boundary vegetation.

Historic Environment

The application site is within the zone of influence for an archaeological site and monument (ANT043:013). The Department for Communities Historic Environment Division (HED) have been consulted and in its response have offered no objection to the application.

CONCLUSION

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

- The proposal does not comply with Policy CTY 2a or CTY 8 of PPS 21 and therefore the principle of development has not been established;
- The proposal will have an impact on the character and appearance of the area;
- A suitably designed dwelling will not have a significant impact on neighbouring dwellings; and
- The proposal will not have a significant impact on the historic environment.

RECOMMENDATION	REFUSE OUTLINE PLANNING PERMISSION
PROPOSED REASONS FOR REFUSAL	
<ol style="list-style-type: none"> 1. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy CTY1 of PPS 21, Sustainable Development in the Countryside, in that there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement. 2. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policies CTY8 & CTY2a of PPS 21, Sustainable Development in the Countryside, in that the proposal fails to meet with the provisions for an infill dwelling in accordance with Policy CTY8 of PPS21 and it fails to meet the provisions for a dwelling within a cluster in accordance with Policy CTY2a of PPS21. 3. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement and Policies CTY 8 and CTY 14 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that a dwelling on this site would, if permitted create a ribbon of development along the public road and will result in a detrimental change to, and erode, the rural character of the countryside. 	

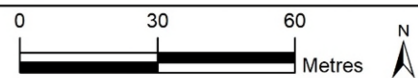



Site Location Plan

Application Reference: LA03/2022/0960/O

Approx. 20m SE of 25 Oldwood Road, Randalstown, BT41 2NB

Proposed site for infill dwelling and domestic garage



 Site boundary

1:1,250



COMMITTEE ITEM	3.7
APPLICATION NO	LA03/2022/0609/F
DEA	BALLYCLARE
COMMITTEE INTEREST	ADDENDUM TO COMMITTEE REPORT
RECOMMENDATION	GRANT PLANNING PERMISSION
PROPOSAL	Retrospective application for retention of existing farm shed.
SITE/LOCATION	100m SW of 12a Irish Hill Road, Ballyclare, BT39 9NQ
APPLICANT	Mr William Wells
AGENT	W M McNeill
LAST SITE VISIT	15 th July 2022
CASE OFFICER	Gareth McShane Tel: 028 903 40411 Email: gareth.mcshane@antrimandnewtownabbey.gov.uk
<p>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Northern Ireland Planning Portal https://planningregister.planningsystemni.gov.uk and the Councils website, under additional information.</p>	
ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS	
<p>At the October Planning Committee, the Document 04 was submitted on behalf of the applicant and was entitled; 'Offer of Support to Planning Reference LA03/2022/0609/F', date stamped 02 November 2022, which was not available to Members before the meeting for consideration. This information was addressed in a previous Addendum.</p> <p>At the November Planning Committee Document 05 titled 'Offer of support to Planning Reference: LA03/2022/0609/F' date stamped 18th November 2022 was received, was circulated to Members and included information relating to the applicant's personal health. An additional Addendum was circulated to Members addressing the contents of Document 05. The application was deferred in order for the applicant to submit further information relating to the applicant's other farm premises. Document 06 titled 'Supporting Statement' date stamped 25 November has since been submitted. This document outlines information as to why the farm holding at Belfast Road cannot be expanded.</p> <p>Within the document it is noted that the current land at No.9 Belfast Road (applicant's dwelling) is 0.18Ha in area, consisting of a residential property, two sheds, and a polytunnel. It is argued that in order to expand the farm holding at No.9 Belfast Road, a shed would need to be large enough to accommodate all of the livestock, totalling 20 cattle, of which 14 are in calf. It is also noted that facilities for Bovine Tuberculosis (TB) testing would be required and at times when TB is in the area, the cattle would be required to stay at this location and not be moved between tests. A number of pieces of farm equipment and other miscellaneous items are listed which would also require storage at the location. It is argued that the layout of No.9 Belfast Road would not lend itself to farming activities. Further issues are raised regarding the access to No.9 Belfast Road, including it not being able to accommodate large vehicles, there would be an intensification of the access, and other health and safety concerns.</p>	

Vehicle tracking was submitted which displays that a small agricultural vehicle and horsebox is unable to complete manoeuvres to the rear elevation of the dwelling if a shed of similar size was located at No. 9 Belfast Road. A number of images were submitted which display the applicant's farming vehicles and internals of the existing sheds at No.9 Belfast Road. It is noted that the existing sheds are unable to be utilised as they currently store a number of items.

A letter from Gleno Veterinary Centre dated 29th November 2022 lists information relating to the applicants farming activities and the requirement for a facility to undertake TB testing. The letter outlines that the existing shed at Islandmagee is in such a poor state of repair that it is unfit for use. A letter was also received from Ballyclare Group Practice which outlines information relating to the applicants health.

While no determining weight can be attached to the applicant's personal circumstances, it is considered that the applicant has demonstrated a need for the shed at this location through the submission of the three separate supporting statements. It is clear that the property at No.9 Belfast Road is in residential use and has not been designed to accommodate farming activities within its curtilage. The adjacent land use is another single dwelling within the countryside and it is clear that farming activities within the curtilage would negatively affect the amenity of No.9 and the adjacent property. It is considered that there is a need for the shed at Irish Hill Road to facilitate TB testing and also to house machinery which is required for the efficient functioning of the business, with the existing sheds at No.9 already being fully utilised. A letter from Gleno Veterinary Centre also confirms that the existing shed at Islandmagee is in a state of disrepair and is unfit for use. Vehicle tracking shows No.9 Belfast Road is unable to accommodate a shed of similar size while permitting vehicle movements for the transport of animals.

In summary, it has been actively demonstrated that there is a need for the shed for the essential functioning of the farm business and for health and safety reasons. With this, Refusal Reasons Nos. 01 & 02 no longer apply. A negative condition is to be attached regarding NIEA comments in relation to Land Contamination.

CONCLUSION

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

- The principle of development test has been met as it has been demonstrated that the proposed building is necessary for the efficient use of the agricultural holding located away from the existing farm buildings;
- The design and appearance of the proposal is considered acceptable;
- The proposal is seen as meeting the requirements of Policies CTY 13 and CTY 14 of PPS 21; and
- The proposal will not unduly affect the privacy or amenity of neighbouring residents.

RECOMMENDATION

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.

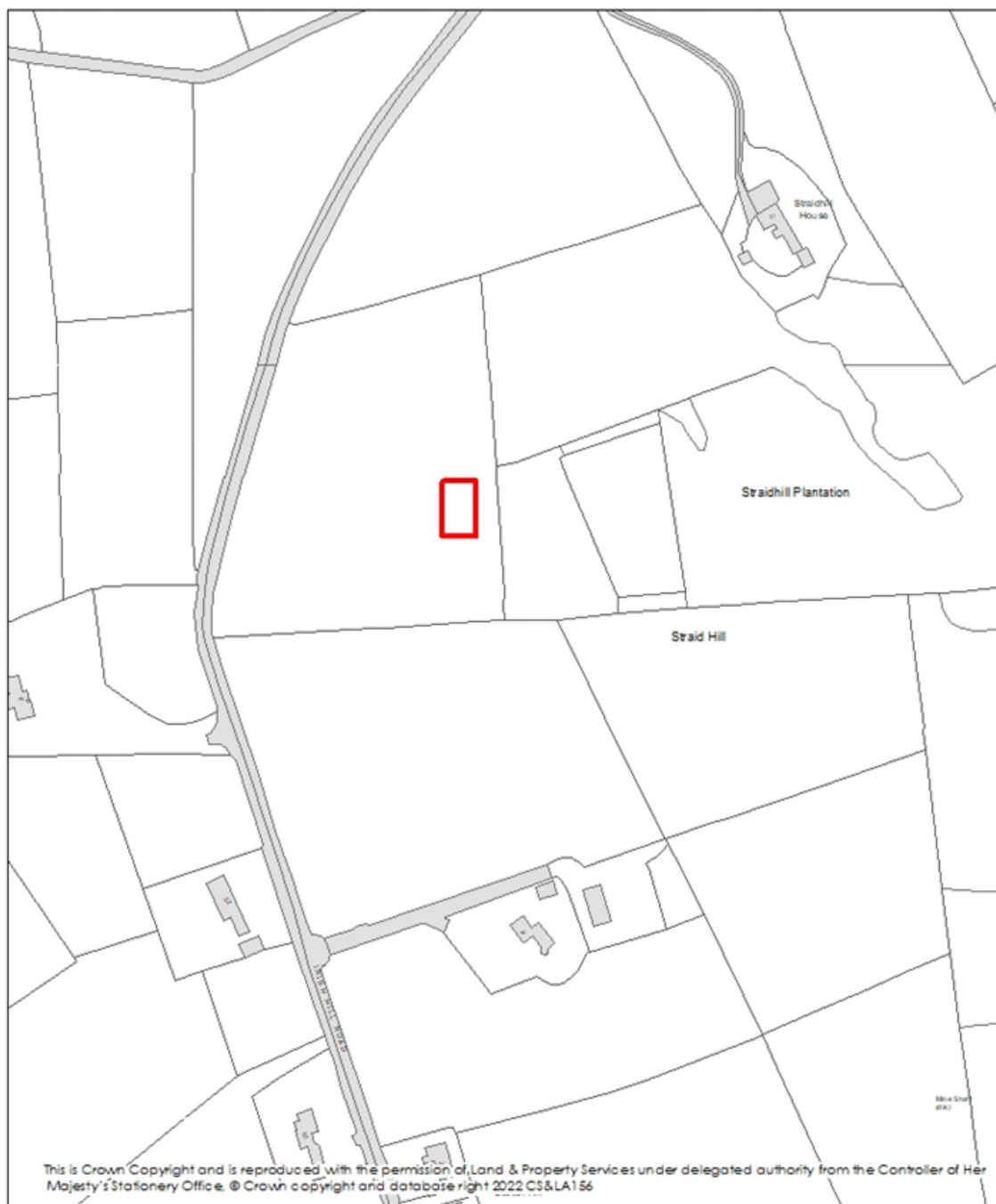
Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.

2. The existing area of dense indigenous trees, as hatched purple on approved Drawing Number 01 date stamped 29th June 2022, shall be retained at a minimum height of 4 metres and shall be allowed to grow.

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

3. Within 6 weeks of the date of the grant of planning permission, the developer shall submit, for approval by the Council, a Contaminated Land Risk Assessment which must be in accordance with BS 10175:2011 & A2:2017. The Contaminated Land Risk Assessment shall include any required mitigation measures or remedial works required and these shall be carried out within a timescale to be agreed in writing with the Council.

Reason: To ensure that there are no risks to human health as the result of any contamination present on the application site.



Reference: LA03/2022/0609/F

Location: 100m SW of 12a Irish Hill Road, Ballyclare, BT39 9NQ

Proposal: Retrospective application for retention of existing farm shed

Scale: 1:2500



 Site Location



COMMITTEE ITEM	3.8
APPLICATION NO	LA03/2022/0984/F
DEA	GLENGORMLEY URBAN
COMMITTEE INTEREST	COUNCIL APPLICATION
RECOMMENDATION	GRANT PLANNING PERMISSION
PROPOSAL	Widening of entrance including new pillars, gates and new tarmac surface to access and parking spaces. Installation of Columbaria in various sizes and models to create small memorial garden area, paths, pedestrian access to columbaria, timber arches, planting and grassing works
SITE/LOCATION	Carnmoney Cemetery, 10 Prince Charles Way, Newtownabbey, BT36 6DJ
APPLICANT	Antrim and Newtownabbey Borough Council
AGENT	David Clarke Landscape Architect
LAST SITE VISIT	22/11/2022
CASE OFFICER	Morgan Poots Tel: 028 90340419 Email: morgan.poots@antrimandnewtownabbey.gov.uk
Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Northern Ireland Planning Portal https://planningregister.planningsystemni.gov.uk	
SITE DESCRIPTION	
<p>The application site is located on the southern side of Carnmoney Hill and the northwestern corner of 'Carnmoney Cemetery Main', The site is located within Metropolitan Newtownabbey as defined in Belfast Urban Area Plan (BUAP) and draft Belfast Metropolitan Area Plan (dBMAP).</p> <p>The rectangular site comprises an area of open space within the existing cemetery grounds. The site is approximately 0.1 hectares in area, and the boundaries of the site are relatively undefined, however, a 0.5-metre-high fence abuts the northeastern site boundary.</p> <p>The application site is situated on the western side of the Prince Charles Way and Carnmoney Cemetery East is located opposite and to the east. The Church of the Holy Evangelists is situated approximately 160 metres to the northwest of the site.</p>	
RELEVANT PLANNING HISTORY	
There is no relevant planning history on the site.	
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 Belfast Urban Area Plan. Account will also be taken of the relevant provisions of Planning Policy Statements (PPSs) which</p>	

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

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

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 development limits of Newtownabbey. There are no specific zonings or designations which relate to the application site.

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

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

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

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

CONSULTATION

Historic Environment Division – No Objection

Department for Infrastructure Roads - No Objection

REPRESENTATION

One (1) neighbouring property was notified of the development proposal and no representations have been received. The full representations made regarding this proposal are available for Members to view online at the Northern Ireland Planning Portal (<https://planningregister.planningsystemni.gov.uk>).

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

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

- Amenity Space, Parking and Manoeuvring
- Archaeological Interests

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 BUAP currently operates as the statutory local development plan for the area where the application site is located, and regional planning policy is also material to determination of the proposal. The application site is located within the development limit of Newtownabbey as defined by dBMAP and 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. As a cemetery is defined as an area of open space, PPS 8: Open Space, Sport and Outdoor Recreation is relevant to this application.

The proposal seeks full permission for the addition of a memorial garden area along with associated site works to include widening of the existing entrance to the cemetery, as well as planting and associated site works. The proposal is an ancillary element to the primary use of the site as a cemetery. The principle of development is therefore considered acceptable, subject to detailed consideration of other material considerations which are listed below.

Design and Appearance Impact on Character and Appearance of the Area

The proposed memorial garden is designed to be approached from the existing car parking area, located off the existing vehicular access serving the cemetery. A Sanctum Panorama Columbarium is located in the middle of the memorial garden, surrounded by loose gravel. Seven (7) Sanctum 4 Family Vaults are located around the perimeter of the garden and are surrounded by a loose gravel path. The design of the garden is circular in nature with four (4) ground fixed benches placed around the edge of the garden. The proposed memorial garden with covered arches will create a focal point within the cemetery.

The proposed landscaping associated with the memorial garden includes a mixture of low-level trees, hedging and flower beds with various species of flowers and ferns. A beech hedge and a hawthorn hedge will define the northeastern roadside boundary between the application site and Prince Charles Way. The new planting along this boundary will screen the proposed development from the roadside and provide a means of enclosure and aesthetic landscape for the memorial garden.

It is considered that there will be no significant visual impact resulting from the development as the application site is set back approximately 4 metres from the

road. The proposed landscaping planting along this boundary will also help provide screening from the public road.

Neighbour Amenity

The nearest residential properties are located over 200 metres to the northwest along Church Road. Due to the separation distance, it is considered that there will be no significant loss of residential amenity in this area. Consequently, the Council's Environmental Health Section was not consulted on this application as there are no nearby sensitive receptor's which have the potential to be impacted by the proposal.

Amenity Space, Parking and Manoeuvring

The development proposal includes the widening of an existing road access by approximately 1 metre, which is considered to be an upgrade of an existing access. Eight (8) car parking spaces are provided, including disabled parking. Whilst the existing area of car parking is to be reconfigured and replacement tarmac in place, there is no reduction in parking spaces.

The proposal is not considered to generate a significant level of additional traffic in the area, rather it is ancillary to the primary use as a cemetery. DfI Roads has been consulted with regards to the proposal and has raised no objection in terms of parking or road safety matters.

Archaeological Interests

An archaeological site and monument bearing references ANT057:001 and ANT057:019 are situated to the northeast of the application site. DfC Historic Environment Division (HED) has been consulted on this application and has raised no objections to the proposed development.

CONCLUSION

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

- The principle of development is considered acceptable;
- The layout, scale and design of the proposal is appropriate;
- The proposal will not have a detrimental impact on neighbouring amenity; and
- The proposal will not result in a significant increase in traffic.

RECOMMENDATION

GRANT PLANNING PERMISSION

PROPOSED CONDITION

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

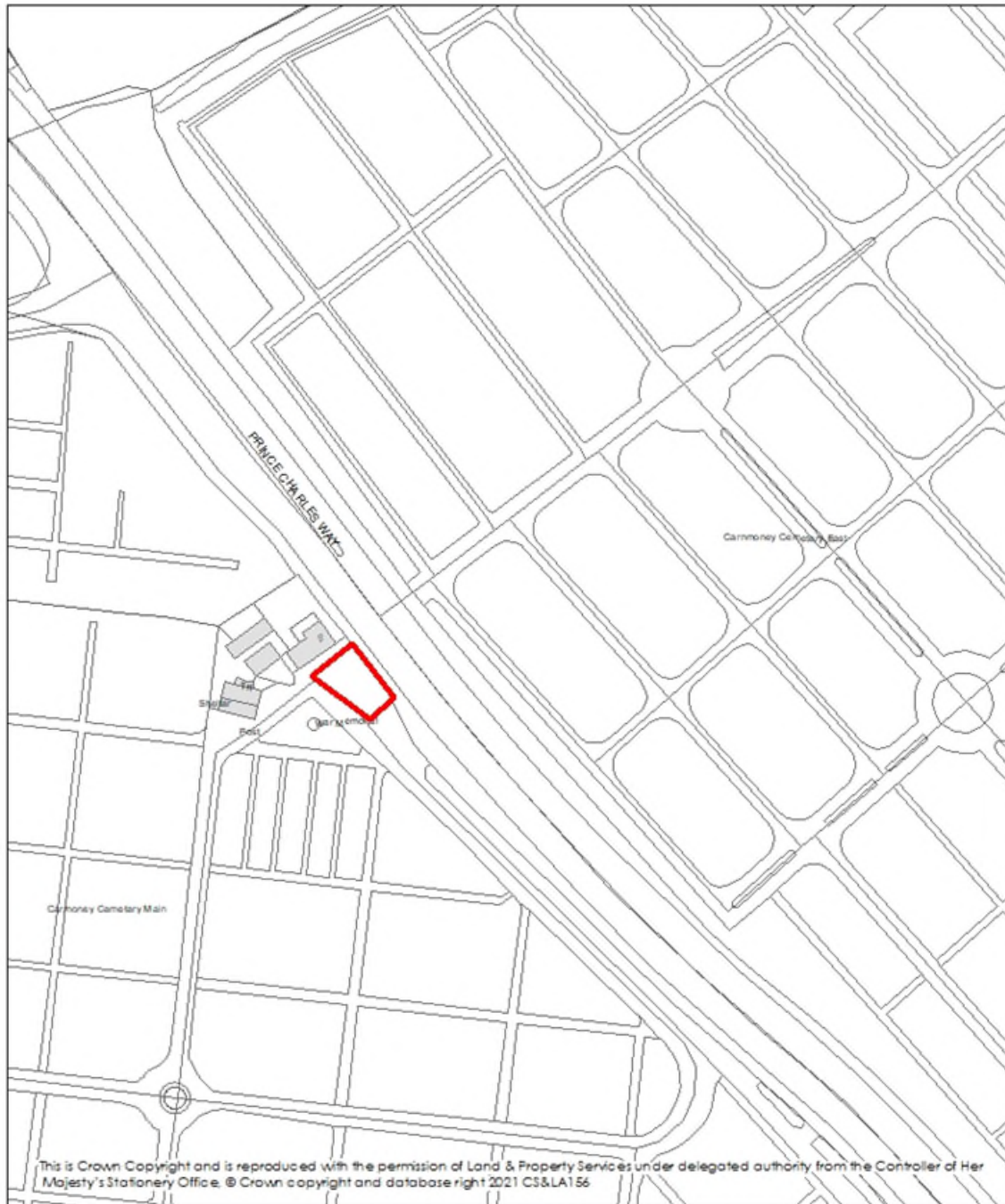
Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.

2. The vehicular access, including visibility splays and any forward sight distance, shall be provided in accordance with Drawing Number 03 date stamped 9th November 2022, prior to the commencement of any other development hereby permitted. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250mm above the level of the adjoining carriageway and such splays shall be retained and kept clear thereafter.

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

3. The gradient of the access road shall not exceed 8% (1 in 12.5) over the first 5 metres 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 users.



Site Location Map


Reference: LA03/2022/0984/F

Location: Carnomey Cemetery, 10 Prince Charles Way

Proposal: Widening of entrance including new pillars, gates and new tarmac surface to access and parking spaces. Installation of Columbaria in various sizes and models to create small memorial garden area. Paths and pedestrian access to columbaria. Timber arches. Planting and grassing works

Scale 1:1250



 Site Boundary



COMMITTEE ITEM	3.9
APPLICATION NO	LA03/2022/0744/F
DEA	AIRPORT
COMMITTEE INTEREST	COUNCIL APPLICATION
RECOMMENDATION	GRANT PLANNING PERMISSION
PROPOSAL	Proposed 35no. plot allotment development utilising existing access of Orchard Road
SITE/LOCATION	Lands 50m south of 12-42 Lakeview, Orchard Road, Crumlin
APPLICANT	Antrim and Newtownabbey Borough Council
AGENT	N/A
LAST SITE VISIT	12th September 2022
CASE OFFICER	Morgan Poots Tel: 028 903 40419 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 Northern Ireland Planning Portal https://planningregister.planningsystemni.gov.uk</p>	
SITE DESCRIPTION	
<p>The application site is located within the development limits of Crumlin as designated within the Antrim Area Plan 1984-2001.</p> <p>The site is located on lands to the south of Lakeview, to the east of Landgarve Manor, and to the west of Crumlin Leisure Centre sports pitches. The site, which is accessed off Orchard Road, is an area of overgrown open space and bounded by a 2-metre-high black palisade fence. The topography of the site is relatively flat.</p> <p>The surrounding area is characterised by residential properties; predominantly single storey and two-storey terrace dwellings.</p>	
RELEVANT PLANNING HISTORY	
<p>Planning Reference: LA03/2019/0610/F Location: Lands 50m south of 12-22 Lakeview, Orchard Road, Crumlin Proposal: Proposed 35no. Plot allotment development utilising existing access off Orchard Road Decision: Permission Granted</p> <p>Planning Reference: T/2013/0202/F Location: Crumlin Community Centre, The Barleyfield, Orchard Road, Crumlin Proposal: Alteration and extension of existing clubhouse, replacement of existing grass pitch with new 3G and creation of 3 new 3G pitches, erection of ball stop fencing, floodlighting and other associated works Decision: Permission Granted</p> <p>Planning Reference: T/2011/0018/F Location: The Barleyfield, Orchard Road, Crumlin</p>	

Proposal: Alteration and extension of existing clubhouse, replacement of existing grass pitch with new 3G and creation of 3 new 3G pitches, erection of ball stop fencing, floodlighting and other associated works
Decision: Permission Granted

PLANNING POLICY AND GUIDANCE

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

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

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

CONSULTATION

Council Environmental Health Section- No objection

Northern Ireland Water- No objection

Department for Infrastructure Roads- No objection

Department for Communities Historic Environment Division- No objection

Department of Agriculture, Environment and Rural Affairs, Regulations Unit- No objection

REPRESENTATION

Thirty-four (34) neighbouring properties were notified, and no letters of representation have been received. The full representations made regarding this proposal are available for Members to view online at the Northern Ireland Planning Portal (<https://planningregister.planningsystemni.gov.uk>).

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Policy Context
- Design and Appearance
- Neighbour Amenity
- Impact on Character and Appearance of the Area
- Access, Movement and Parking

Policy Context

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

The Antrim Area Plan (AAP) currently operates as the statutory local development plan for the area where the application site is located, and regional planning policy is also material to determination of the proposal. The application site is located within the development limit of Crumlin in the AAP and has no specific zoning in this plan.

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

Policy OS 1: Protection of Open Space in PPS 8 highlights the importance of protecting, retaining and enhancing areas of open space in an urban environment in order to deliver sustainable development, promote a more active and healthier lifestyle and contribute to the conservation of biodiversity.

Planning approval was granted in 2019 for a similar proposal on the application site under planning application reference LA03/2019/0610/F which was for 35no. allotment plots utilising an existing access off Orchard Road. Under this current application the proposal seeks to reposition the allotments some 10 metres to the east; create two (2) additional allotments and create a slight amendment to the previously approved access arrangements.

It is considered that the proposal will make the open space area more accessible and improve the visual amenity of the area. The principle of development is therefore acceptable.

Design and Appearance

The development proposal provides a total of thirty-five (35) allotments, twenty-one (21) of which measure 10 metres x 5 metres and fourteen (14) of which measure 5 metres x 5 metres, and nine (9) car parking spaces, one of which is a disabled parking space. Each allotment will have a timber garden shed, with the entire allotment area being fenced off by a by 2.4-metre-high rigid open mesh fence panelling. The structures including fencing, gates and sheds are designed to be of a high standard.

The application site is located to the south and east of existing residential areas and is well screened by both these properties in Lakeview and existing vegetation along the western boundary. It is considered that the development is of a scale appropriate to the local area and sympathetic to the surrounding environment in terms of its siting, layout and landscape treatment.

Neighbour Amenity

The open space area within the application site is currently vacant and it is considered the proposed development will have a positive impact on the amenity of local residents and will provide a recreational use for the local community. Although the proposal sits in close proximity to residential properties at Lakeview, the use of the proposal as allotments is not considered to have any significant negative amenity impacts.

The proposed development has been designed to take into account the needs of people with disabilities. Satisfactory arrangements are provided for access, parking and waste disposal and no objections have been raised from any of the consultees, including the Council's Environmental Health Section, following consideration of a submitted Remediation Validation Report and Remediation Strategy Report, Documents 01 and 02, both date stamped 9th November 2022.

Impact on Character and Appearance of the Area

There will be no adverse impact on visual amenity or the character of the local landscape. The application site is within the area of influence of an archaeological monument, however, the Department for Communities, Historic Environment Division is satisfied that the proposal will not unduly affect the monument. The site holds no features of importance to nature conservation. The proposal will not have a detrimental impact on the amenity, character or biodiversity of the area and it is considered the proposal will improve and enhance the existing area of open space.

A Remediation Validation Report and Remediation Strategy Report, Documents 01 and 02, both date stamped 9th November 2022, were submitted which highlight the low risk of contamination to environmental receptors. DAERA Regulations Unit was consulted with respect to the submissions and responded with no objections to the proposal provided conditions are attached relating to land contamination.

Access, Movement and Parking

The development proposal relates to the provision of thirty-five (35) allotment plots, utilising an existing access off Orchard Road. Sufficient parking, including disabled parking, is being provided to serve the allotments. Nine (9) car parking spaces are proposed, one (1) of which is a disabled parking space. DfI Roads has been consulted with regards to the proposal and has raised no objection in terms of parking or road safety matters.

CONCLUSION

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

- The principle of development is acceptable;
- The design and appearance is appropriate for the site and the surrounding area;
- Neighbour amenity will not be unduly affected;
- There are no concerns with regards to parking or road safety matters; and
- There will be no adverse impact on the character and appearance of the area.

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 operation in or from any building hereby permitted shall commence until hard surfaced areas have been constructed and permanently marked in accordance with the approved Drawing Number 02 date stamped 19th August 2022 to provide adequate facilities for parking, servicing and circulating within the site. No part of these hard surfaced areas shall be used for any purpose at any time other than for the parking and movement of vehicles.

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

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

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

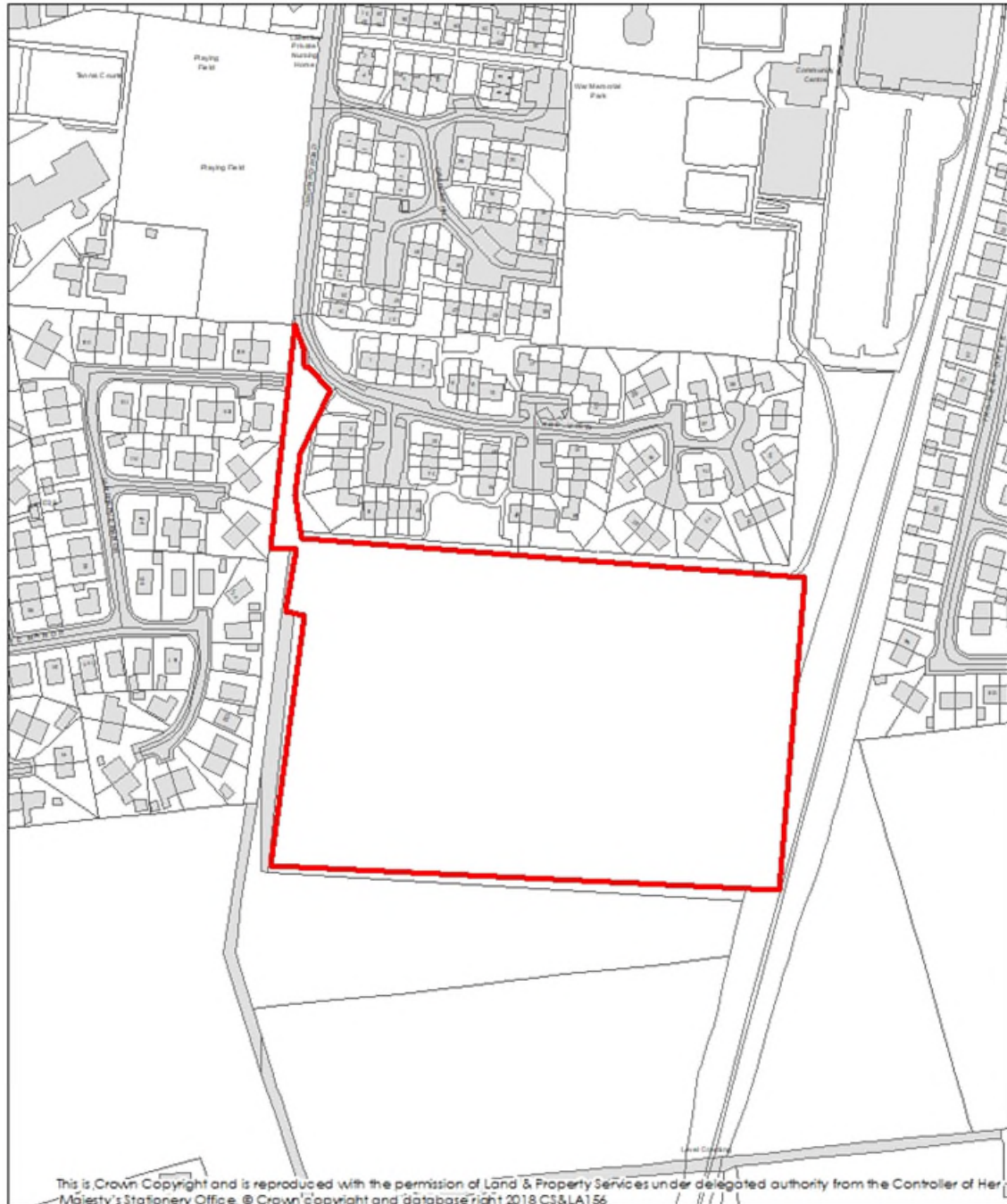
4. Should an unacceptable risk to human health be identified, a remediation strategy shall be submitted to and agreed in writing with the Council before being implemented.

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

5. After completing the remediation works under Condition 4 and prior to occupation of the development, a verification report shall be submitted in writing and agreed with the Council. This report should be completed by competent persons in accordance with the Land Contamination: Risk Management (LCRM) guidance available at <https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks>.

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

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



Site Location Plan

0 60 120
Metres



 Site boundary

Application Reference: LA03/2022/0744/F

Location: Lands 50m south of 12-42 Lakeview, Orchard Road, Crumlin

Proposal: 35no. plot allotment development



COMMITTEE ITEM	3.10
APPLICATION NO	LA03/2022/0710/F
DEA	AIRPORT
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE PLANNING PERMISSION
PROPOSAL	Addition of covered decking area at rear door, including timber cladding to portion of external walls (Retrospective)
SITE/LOCATION	28 Oldstone Road, Muckamore, Antrim, BT41 4PY
APPLICANT	Ian Wilson
AGENT	Big Design Architecture
LAST SITE VISIT	23 rd September 2022
CASE OFFICER	Dani Sterling Tel: 028 903 40438 Email: dani.sterling@antrimandnewtownabbey.gov.uk
<p>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Northern Ireland Planning Portal https://planningregister.planningsystemni.gov.uk</p>	
SITE DESCRIPTION	
<p>The application site is located at No. 28 Oldstone Road, Antrim and is located within the settlement of Antrim Town at the southern edge of the towns development limit as defined within the Antrim Area Plan (1984-2001).</p> <p>The site is situated between the Oldstone Road and the Six Mile Water River. There is a significant fall in gradients within the site towards the rivers, part of which falls within the fluvial flood plain. Mature trees and vegetation occupy almost all site boundaries with the exception of the eastern roadside boundary which is defined by pillars and a metal railing.</p> <p>The site is occupied by a large, two storey detached dwelling which is a grade B1 listed building (HB20/13/004) dating from the 1840's. The dwelling is finished in white smooth render with white wooden sash windows and a Bangor blue slated roof. A detached single storey garage is located to the southern side of the dwelling and is finished to match the dwelling.</p> <p>The area to the north of the application site is primarily residential, comprising an existing housing development, Greenmill, and an older blackstone property, No.12 Oldstone Road. Directly opposite the application site, on the other side of the road, is an old rubble wall and stone archway comprising the entrance and wall of a graveyard. The structures are also grade B2 listed (HB20/13/005). Beyond the southern boundary of the site, the lands are outside the development limits of Antrim Town and the surrounding area is predominantly rural in character.</p>	
RELEVANT PLANNING HISTORY	
<p>Planning Reference: LA03/2016/0726/F Location: No. 28 Oldstone Road, Muckamore, Antrim, BT41 4PY</p>	

Proposal: Minor widening of site entrance, new access gates leading to an in-curtilage circulation/parking area, resurfacing of internal courtyard, replacement garden steps and repair to frontage railings.

Decision: Permission Granted (28.11.2016)

Planning Reference: LA03/2016/0727/LBC

Location: No. 28 Oldstone Road, Muckamore, Antrim, BT41 4PY

Proposal: Minor widening of site entrance, new access gates leading to an in-curtilage circulation/parking area, resurfacing of internal courtyard, replacement garden steps and repair of frontage railings.

Decision: Consent Granted (28/11/2016)

Planning Reference: LA03/2018/0947/F

Location: No. 28 Oldstone Road, Muckamore, Antrim, BT41 4PY

Proposal: Proposed rear terrace, ground level alterations to rear and window replacement for door (Retrospective) (amended description)

Decision: Permission Granted (05/03/2020)

Planning Reference: LA03/2018/0948/LBC

Location: No. 28 Oldstone Road, Muckamore, Antrim, BT41 4PY

Proposal: Proposed rear terrace, ground level alterations to rear and window replacement for door (Retrospective) (amended description)

Decision: Consent Granted (05/03/2020)

Planning Reference: LA03/2021/1019/F

Location: No. 28 Oldstone Road, Muckamore, Antrim, BT41 4PY

Proposal: Widened access and increasing the number of dropped kerbs at entrance to existing dwelling

Decision: Permission Granted (31/3/2022)

PLANNING POLICY AND GUIDANCE

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

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

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

Antrim Area Plan 1984 - 2001: The application site is located outside any development 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 6: Planning, Archaeology and the Built Heritage: sets out planning policies for the protection and conservation of archaeological remains and features of the built heritage.

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

CONSULTATION

Historic Environment Division- additional information requested

REPRESENTATION

four (4) neighbouring properties were notified and no letters of representation have been received. The full representations made regarding this proposal are available for Members to view online at the Northern Ireland Planning Portal (<https://planningregister.planningsystemni.gov.uk>).

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Scale, Massing, Design and Appearance
- Impact on the Listed Building and its Setting
- Neighbour Amenity
- Impact on Trees and Environmental Quality of this Area
- Amenity Space, Parking and Manoeuvring
- 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 located within the settlement limit of Antrim Town. There are no specific operational policies relevant to the determination of the application in the plan.

The Strategic Planning Policy Statement for Northern Ireland (SPPS) is material to all decisions on individual planning applications. The SPPS sets out the transitional arrangements that will operate until the Council has adopted a Plan Strategy for the Borough and it retains certain existing Planning Policy Statements. Amongst these is the Addendum to Planning Policy Statement 7: Residential Extensions and Alterations (APPS 7). Taking into account the transitional arrangements of the SPPS, retained APPS 7 provides the relevant policy context for consideration of the proposal.

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

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

Scale, Massing, Design and Appearance

This is a retrospective application for the provision of a raised deck and associated covered structure to the rear elevation of the subject dwelling.

The raised decking and covered structure constructed on the site are located to the rear elevation of the subject dwelling positioned around an existing door opening. The decking, which is the subject of this application sits on top of an existing raised terrace which was granted planning permission under planning application ref: LA03/2018/0947/F. This existing rear terrace extends a maximum of 7.7 metres from the rear elevation of the subject dwelling and is set 2.9 metres above ground level propped up with steel beams. The decking projects 1.9 meters from the rear wall plate and is raised 0.5 metres from the finished level of the existing terrace. A set of two steps provide access down to the terrace and the pitched canopy structure is finished in natural slate. The decking includes wooden pillars and is open on all sides with the exception of the northern elevation as it is set between the rear elevation of the subject dwelling and an existing two storey rear projection. Additionally, timber cladding has been implemented to a section of the external wall of the subject dwelling within the covered decking area.

Overall, the proposed extension is relatively modest in scale and is not considered to result in a detrimental impact on the character of the surrounding area.

Design and Impact on the Character of the Listed Building and Area

Policy BH 8 of PPS 6 and Paragraph 6.12 & 6.13 of the SPPS states that the extension or alteration of a listed building would only be acceptable when the character of the building and its setting are retained, works proposed make use of traditional and/or sympathetic building materials and architectural details are in keeping with the

building. Similarly, the setting of a listed building is also associated with the building character and Policy BH 11 of PPS 6 states that the design should respect the listed building, make use of traditional or sympathetic building materials and respect the character of the setting of the building.

The subject dwelling is a Grade B1 listed building (HB20/13/005) and is therefore a building of special architectural and historic interest and protected by Section 80 of the Planning Act (NI) 2011. The dwelling dates back to 1840 and was previously the Mill Manager's House for the Chainé family's mill which stood to the north of the site. The dwelling was sold by the liquidator of the York Street Flax Spinning Company in 1958 to become a private house.

An evaluation of the existing dwelling is outlined by HED records as a, "This is an early 19th century house of distinctive proportions and style, marked by its use of Tudor Revivalist arches to windows. It is of limited inherent architectural or historic interest but its chief virtue is in the attractive nature of its exterior to the front."

Consultation was carried out with Department for Communities Historic Environment Division (HED) as the competent authority on matters of built heritage. HED advises that the proposal may have an adverse impact on the listed building and have sought additional information in order to assess the impacts of the proposal under the policy requirements of the SPPS (Para 6.13) and Policy BH8 of PPS6.

HED have sought that the following information be provided:

- 1) Section through the porch and rear wall showing details at 1:20 of all junctions between the new fabric and the historic fabric. This should include materials used and all fixing specified;
- 2) Confirm that no alterations have been carried out internally;
- 3) Provide justification for the style and materials used on the rear porch. The property is very early Victorian, and detailing used in the rear porch does not reflect the style of the listed building. Mock copies of historic types compromise the special character of genuinely historic buildings and confuse their context and local associations.

This request for additional information by HED was sought from the agent via email correspondence on the 3rd November. Subsequently no response was received by the agent and a further email reminder and phone call was placed on the 11th November with an agreed date for submission of the 5th December. No additional information was received and further email reminders were sent by the case officer on the 12th and 19th December with a final submission date of the 3rd January 2023. In the absence of this additional information requested by HED, it cannot be determined with certainty that the works carried out to the rear of the subject dwelling would not result in an adverse impact on the fabric of the listed building and is therefore contrary to the policy provisions outlined under BH8 of PPS 6.

Neighbour Amenity

The raised deck and canopy structure is set to the rear of the subject dwelling. There are no properties located beyond the rear boundary of the application site as this is defined by Six Mile Water and mature vegetation. A pair of semi-detached dwellings, No. 5 and 5A are located beyond the northeastern boundary and are sited 29 metres from the subject development. Given the nature of the development and its siting located to the rear of an existing two storey rear return coupled with the interspersed mature vegetation, it is not considered that there would be any significant neighbour amenity concerns to the adjacent properties.

Impact on Trees and Environmental Quality of this Area

It is considered that the proposal will not cause unacceptable loss of, or damage to, trees or other landscape features which contribute significantly to local environmental quality because there are no trees within the site to be impacted upon.

Amenity Space, Parking and Manoeuvring

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

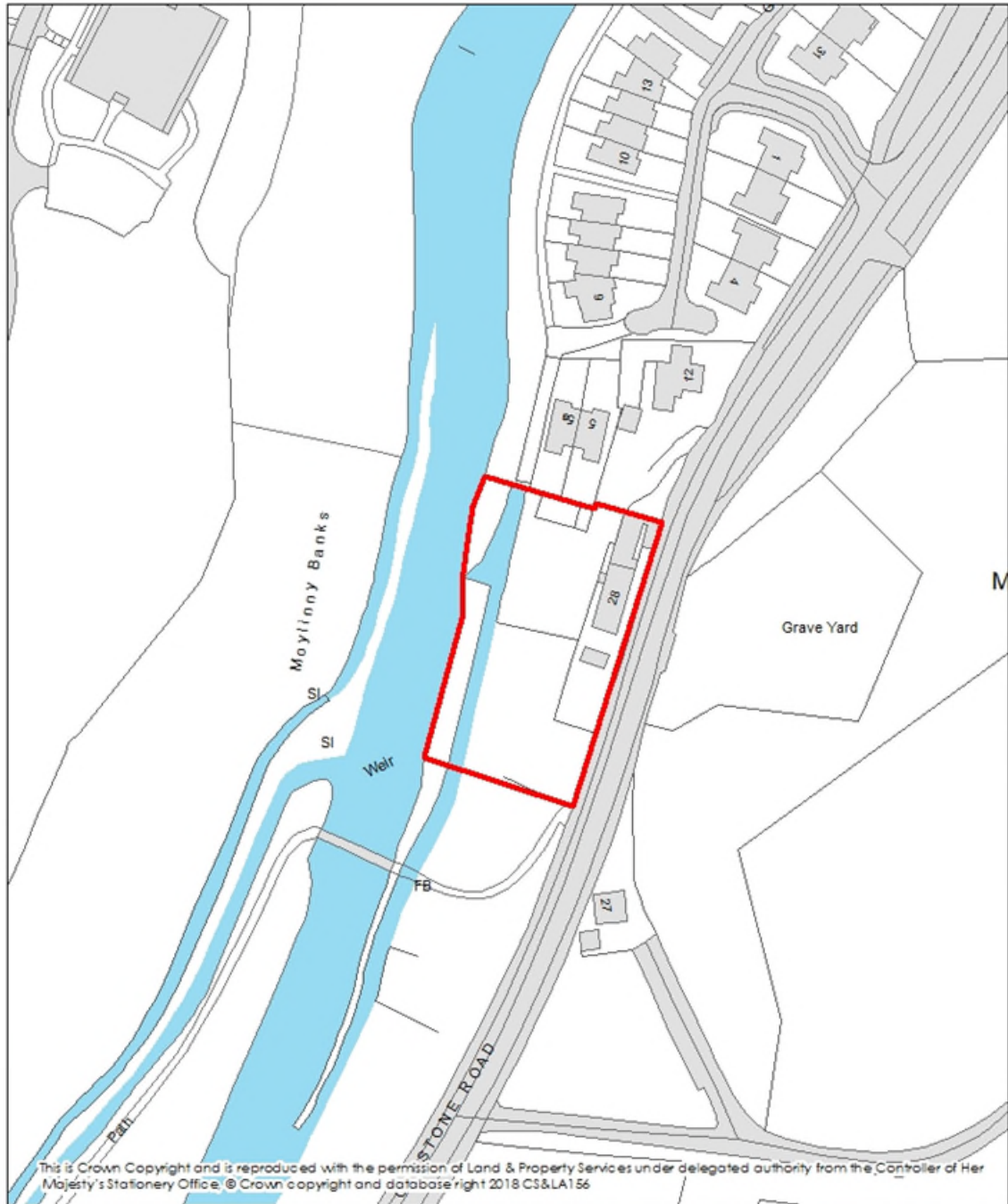
Other Matters

To the west of the application site lies the Six Mile Water River. Flood Maps (NI) indicates that the majority of the application site with the exception of the subject dwelling itself which lies within the 1 in 100-year fluvial floodplain of the Six Mile Water. As determined during the assessment of application ref: LA03/2018/0947/F (that granted retrospective approval for the raised terrace to the rear of the property), whilst concern was raised by Department for Infrastructure (DfI) Rivers regarding the use of steel stilts, it was accepted that this terrace would not exacerbate flood risk to an unacceptable extent. Given that the decking and canopy that is the subject of this application has been constructed on top of this existing raised terrace, it is not considered that this development would result in a significant flood increase to the site or surrounding area. Therefore, it was not considered necessary to consult DfI Rivers on this occasion.

Additionally, the application site is hydrologically linked to Lough Neagh Area of Special Scientific Interest (ASSI) and Lough Neagh and Lough Beg Special Protection Area (SPA) and Lough Neagh and Lough Beg RAMSAR site and Rea's Wood and Farr's Bay Special Area of Conservation (SAC), are of international and national importance and are protected by the Habitats Regulations and the Environment (Northern Ireland) Order 2002 (as amended).

As stated above the decking and canopy that is the subject of this application has been constructed on top of an existing raised terrace and therefore no further ground disturbance would occur as a result of this application. It was not therefore considered necessary to consult Shared Environmental Services (SES) or Northern Ireland Environment Agency (NIEA) as there is not considered to be an increased ecological impact as a result of the development.

CONCLUSION	
<p>The following is a summary of the main reasons for the recommendation:</p> <ul style="list-style-type: none">• It has not been sufficiently demonstrated that the development would not have a significant impact on the Grade B1 listed building contrary to policy BH 8 of PPS 6.	
RECOMMENDATION	REFUSE PLANNING PERMISSION
PROPOSED REASON FOR REFUSAL	
<p>1. The proposal is contrary to the provisions contained within the Strategic Planning Policy Statement and Policy BH 8 of Planning Policy Statement 6 – Planning, Archaeology and the Built Heritage in that insufficient information has been provided in order to ensure that the proposal will not have an adverse impact on the essential character of the Grade B1 listed building.</p>	



Site Location Plan


Application Reference: LA03/2022/0710/F

Addition of covered decking area at rear door, including timber cladding to portion of external walls (Retrospective)

28 Oldstone Road Muckamore Antrim BT41 4PY

0 30 60 Metres



 Site boundary



COMMITTEE ITEM	3.11
APPLICATION NO	LA03/2022/0721/LBC
DEA	AIRPORT
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE LISTED BUILDING CONSENT
PROPOSAL	Addition of covered decking area at rear door, including timber cladding to portion of external walls (Retrospective)
SITE/LOCATION	28 Oldstone Road, Muckamore, Antrim, BT41 4PY
APPLICANT	Ian Wilson
AGENT	Big Design Architecture
LAST SITE VISIT	23 rd September 2022
CASE OFFICER	Dani Sterling Tel: 028 903 40438 Email: dani.sterling@antrimandnewtownabbey.gov.uk
<p>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Northern Ireland Planning Portal https://planningregister.planningsystemni.gov.uk</p>	
SITE DESCRIPTION	
<p>The application site is located at No. 28 Oldstone Road, Antrim and is located within the settlement of Antrim Town at the southern edge of the towns development limit as defined within the Antrim Area Plan (1984-2001).</p> <p>The site is situated between the Oldstone Road and the Six Mile Water River. There is a significant fall in gradients within the site towards the rivers, part of which falls within the fluvial flood plain. Mature trees and vegetation occupy almost all site boundaries with the exception of the eastern roadside boundary which is defined by pillars and a metal railing.</p> <p>The site is occupied by a large, two storey detached dwelling which is a grade B1 listed building (HB20/13/004) dating from the 1840's. The dwelling is finished in white smooth render with white wooden sash windows and a Bangor blue slated roof. A detached single storey garage is located to the southern side of the dwelling and is finished to match the dwelling.</p> <p>The area to the north of the application site is primarily residential, comprising an existing housing development, Greenmill, and an older blackstone property, No.12 Oldstone Road. Directly opposite the application site, on the other side of the road, is an old rubble wall and stone archway comprising the entrance and wall of a graveyard. The structures are also grade B2 listed (HB20/13/005). Beyond the southern boundary of the site, the lands are outside the development limits of Antrim Town and the surrounding area is predominantly rural in character.</p>	
RELEVANT PLANNING HISTORY	
<p>Planning Reference: LA03/2016/0726/F Location: No. 28 Oldstone Road, Muckamore, Antrim, BT41 4PY</p>	

Proposal: Minor widening of site entrance, new access gates leading to an in-curtilage circulation/parking area, resurfacing of internal courtyard, replacement garden steps and repair to frontage railings.

Decision: Permission Granted (28.11.2016)

Planning Reference: LA03/2016/0727/LBC

Location: No. 28 Oldstone Road, Muckamore, Antrim, BT41 4PY

Proposal: Minor widening of site entrance, new access gates leading to an in-curtilage circulation/parking area, resurfacing of internal courtyard, replacement garden steps and repair of frontage railings.

Decision: Consent Granted (28/11/2016)

Planning Reference: LA03/2018/0947/F

Location: No. 28 Oldstone Road, Muckamore, Antrim, BT41 4PY

Proposal: Proposed rear terrace, ground level alterations to rear and window replacement for door (Retrospective) (amended description)

Decision: Permission Granted (05/03/2020)

Planning Reference: LA03/2018/0948/LBC

Location: No. 28 Oldstone Road, Muckamore, Antrim, BT41 4PY

Proposal: Proposed rear terrace, ground level alterations to rear and window replacement for door (Retrospective) (amended description)

Decision: Consent Granted (05/03/2020)

Planning Reference: LA03/2021/1019/F

Location: No. 28 Oldstone Road, Muckamore, Antrim, BT41 4PY

Proposal: Widened access and increasing the number of dropped kerbs at entrance to existing dwelling

Decision: Permission Granted (31/3/2022)

PLANNING POLICY AND GUIDANCE

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

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

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

Antrim Area Plan 1984 - 2001: The application site is located outside any development 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 6: Planning, Archaeology and the Built Heritage: sets out planning policies for the protection and conservation of archaeological remains and features of the built heritage.

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

CONSULTATION

Historic Environment Division- additional information requested

REPRESENTATION

No neighbours were notified of the application as it is an application for Listed Building Consent, however, four (4) neighbouring properties were notified under the associated full application (LA03/2022/0710/F) for the same proposal. 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
- Impact on the Listed Building and its Setting
- Other Matters

Policy Context

Under Section 80 (7) of the Planning Act (Northern Ireland) 2011 a listed building is defined as a building included in a list compiled under that section and also:

- a) Any object or structure within the curtilage of the building and fixed to the building.
- b) Any object or structure within the curtilage of the building which, although not fixed to the building forms part of the land and has done so since before 1st October 1973.

In considering proposals that affect a listed building, Section 91 of the Planning Act (NI) 2011 requires that a special attention must be paid to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possess.

This is a retrospective application for the provision of raised deck and associated covered structure to the rear elevation of the subject dwelling. The subject dwelling is a Grade B1 listed building (HB20/13/005), which is therefore a building of special architectural and historic interest and protected by Section 80 of the Planning Act (NI) 2011.

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

The Strategic Planning Policy Statement for Northern Ireland (SPPS) is material to all decisions on individual planning applications and listed building consents. The SPPS sets out the transitional arrangement that will operate until the Council has adopted a Plan Strategy for the Borough and it retains certain existing Planning Policy Statement. Amongst these is Planning Policy Statement 6: Planning Archaeology and Built Heritage which is relevant to the consideration of this case.

Paragraph 6.12 & 6.13 of the SPPS outlines the importance of historical buildings and indicates that development involving works to create an extension / alteration may be permitted, particularly where this will secure the ongoing viability and upkeep of the buildings. It is important that such development respects the essential character and architectural or historic interest of the building and its setting, and that features of special interest remain intact and unimpaired. Proposals should be based on clear understanding of the importance of the buildings/place/heritage asset and should support the best viable use that is compatible with the fabric, setting and character of the buildings. Applicants should justify their proposal and show why alteration or demolition of a listed building is desirable or necessary.

PPS 6 reiterates this position in Policy BH 8 (Extension and Alteration of a Listed Building) stating that consent will normally only be granted for proposals for the extension or alteration of a listed building where all three criteria are met;

- a) The essential character of the building and its setting are retained and its features of special interest remain intact and unimpaired;
- b) The proposed works make use of traditional and/or sympathetic building materials and techniques which match or are in keeping with those found on the building and;
- c) The architectural details (e.g. doors, gutters, windows) are in keeping with the building.

Policy BH 11 of PPS 6 considers the impact of proposed development on the setting of a listed building, stating that development proposal will normally only be considered appropriate where all of the following criteria are met:

- a) The detailed design respects the listed building in terms of scale, height, massing and alignment;
- b) The works proposed make use of traditional or sympathetic building materials and techniques which respect those found on the building; and
- c) The nature of the use proposed respects the character of the setting of the building.

Impact on the Listed Building and its Setting

This is a retrospective application for the provision of raised deck and associated covered structure to the rear elevation of the subject dwelling. The subject dwelling is a Grade B1 listed building (HB20/13/005) and is therefore a building of special architectural and historic interest and protected by Section 80 of the Planning Act (NI) 2011.

The subject dwelling dates back to 1840 and was previously the mill manager's house for the Chaine family's mill which stood to the north, it was sold by the liquidator of the York Street Flax Spinning Company in 1958 to become a private house. An evaluation of the existing dwelling is outlined by HED records as a, "This is an early 19th century house of distinctive proportions and style, marked by its use of Tudor Revivalist arches to windows. It is of limited inherent architectural or historic interest but its chief virtue is in the attractive nature of its exterior to the front."

The raised decking and covered structure constructed on the site are located to the rear elevation of the subject dwelling positioned around an existing door opening. The decking, which is the subject of this application sits on top of an existing raised terrace which was granted planning permission under planning application ref: LA03/2018/0947/F. This existing rear terrace extends a maximum of 7.7 metres from the rear elevation of the subject dwelling and is set 2.9 metres above ground level propped up with steel beams. The decking projects 1.9 meters from the rear wall plate and is raised 0.5 metres from the finished level of the existing terrace. A set of two steps provide access down to the terrace and the pitched canopy structure is finished in natural slate. The decking includes wooden pillars and is open on all sides with the exception of the northern elevation as it is set between the rear elevation of the subject dwelling and an existing two storey rear projection. Additionally, timber cladding has been implemented to a section of the external wall of the subject dwelling within the covered decking area.

The submitted 'Design Access and Heritage Statement' under Document 01 date stamped 21st September 2022 outlines that the timber structure located to the rear door of the listed building has been constructed in a manner that does not alter the existing fabric of the historic building. The agent has outlined that the base is a removable timber deck and the timber roof structure is help up by timber posts and roof tiles are of natural slate.

The agent has outlined that the justification for the Grade B1 listing is a result of the dwelling's frontage and has provided a quote from the HED Buildings Database that states, 'It is of limited inherent architectural or historic interest but it's chief virtue is in the attractive nature of its exterior to the front'. Furthermore, Document 01 outlines that the structure cannot be seen from the road and therefore has no impact on this particular aspect of the Grade B1 listed house.

To this effect HED database records confirms that the extent of the listing includes the, "House, gate and railings". Therefore, the impact of the development is not isolated to how it may affect the front elevation of the dwelling and is instead collectively determined against the extent of the listing, which includes the whole dwelling.

Consultation was carried out with Department for Communities Historic Environment Division (HED) as the competent authority on matters of built heritage. HED advises that the proposals may have an adverse impact on the listed building and have sought additional information in order to assess the impacts of the proposal under the policy requirements of the SPPS (Para 6.13) and Policy BH8 of PPS6. HED have sought that the following information be provided:

- 1) Section through the porch and rear wall showing details at 1:20 of all junctions between the new fabric and the historic fabric. This should include materials used and all fixing specified;
- 2) Confirm that no alterations have been carried out internally;
- 3) Provide justification for the style and materials used on the rear porch. The property is very early Victorian, and detailing used in the rear porch does not reflect the style of the listed building. Mock copies of historic types compromise the special character of genuinely historic buildings and confuse their context and local associations.

This request for additional information by HED was sought from the agent via email correspondence on the 3rd November. Subsequently no response was received by the agent and a further email reminder and phone call was placed on the 11th November with an agreed date for submission of the 5th December. No additional information was received and further email reminders were sent by the case officer on the 12th and 19th December with a final submission date of the 3rd January 2023. In the absence of this additional information requested by HED, it cannot be determined with certainty that the works carried out to the rear of the subject dwelling would not result in an adverse impact on the fabric of the listed building and is therefore contrary to the policy provisions outlined under BH8 of PPS 6.

CONCLUSION

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

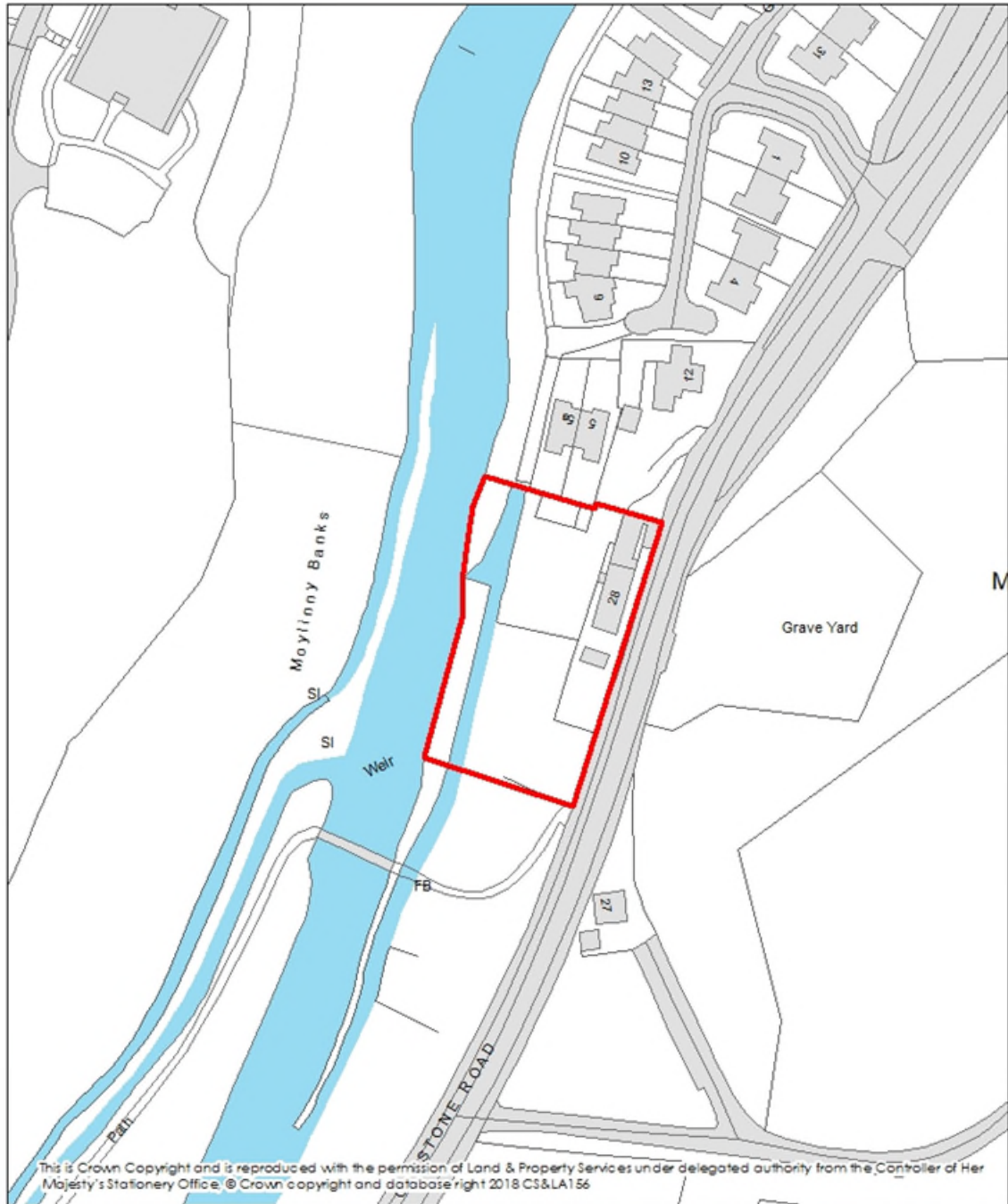
- It has not been sufficiently demonstrated that the development would not have a significant impact on the Grade B1 listed building contrary to Policy BH 8 of PPS 6.

RECOMMENDATION

REFUSE LISTED BUILDING CONSENT

PROPOSED REASON FOR REFUSAL

1. The proposal is contrary to the provisions contained within the Strategic Planning Policy Statement and Policy BH 8 of Planning Policy Statement 6 – Planning, Archaeology and the Built Heritage in that insufficient information has been provided in order to ensure that the proposal will not have an adverse impact on the essential character of the Grade B listed building.



Site Location Plan


Application Reference: LA03/2022/0721/LBC

Addition of covered decking area at rear door,
including timber cladding to portion of external
walls (Retrospective)

28 Oldstone Road Muckamore Antrim BT41 4PY

0 30 60
Metres



 Site boundary



PART TWO

OTHER PLANNING MATTERS

ITEM 3.12

FI/FIN/11 DRAFT RATES ESTIMATE UPDATE 2023/24

An update on the 2023/24 Estimates for the Planning Section of the Economic Development and Planning Department will be presented at the meeting by the Head of Finance Richard Murray.

RECOMMENDATION: that the presentation be noted.

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

Agreed by: Sharon Mossman, Deputy Director of Planning

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

ITEM 3.13

P/PLAN/1 DELEGATED PLANNING DECISIONS AND APPEALS

A list of planning decisions issued by Officers for the period 19 November to 31 December 2022, (this is an extended period report due to transitioning to the new Northern Ireland Planning Portal), under delegated powers together with information relating to planning appeals is **enclosed** for Members information.

Two (2) appeals were dismissed during December by the Planning Appeals Commission (PAC) in relation to LA03/2021/0729/O (PAC 2021/A0226) proposed manager's dwelling for existing allotments 100m northeast of 3 Lisglass Road, Ballyclare, and LA03/2021/1029/F (2021/A0218) retrospective change of use from shop unit to 2 no ground floor flats at 4 Hilltown Road, Glengormley, copies of these decisions are **enclosed**. One (1) further appeal was allowed during December by the PAC in relation to LA03/2020/0349/F (2020/A0171) proposed erection of 5 detached and semi-detached dwellings, landscaping and associated works at lands 30m NNE of 21 Lenamore Drive, and a copy of this decision is also **enclosed**.

RECOMMENDATION: that the report be noted.

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

Agreed by: Sharon Mossman, Deputy Director of Planning

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

ITEM 3.14

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

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 (1) PAN was registered during December 2022 the details of which are set out below.

PAN Reference:	LA03/2022/1027/PAN
Proposal:	The Box - Community Wellbeing Hub - comprising boxing club, gymnasium, classrooms and training rooms, music and dance studio, climbing zone, four social enterprise units, training kitchen, coffee dock and ancillary accommodation (including changing rooms, storage, staff offices) - and associated access, parking and landscaping
Location:	Monkstown Boxing Club and lands to rear of Cashel Drive, Newtownabbey, BT37 0EY
Applicant:	Paul Johnston, Monkstown Boxing Club, Cashel Drive, Newtownabbey
Date Received:	9 December 2022
12 week expiry:	3 March 2023

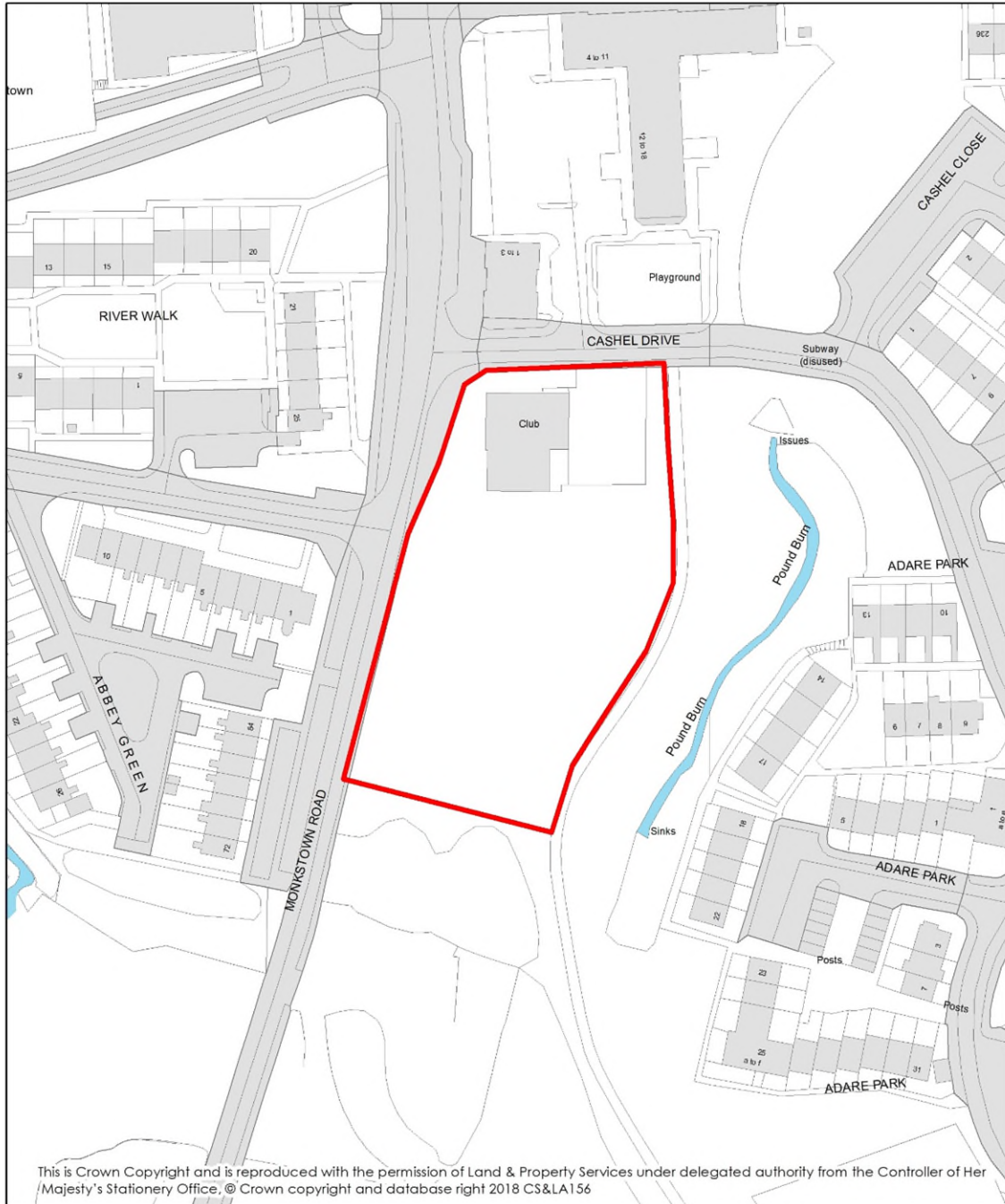
Under Section 27 of the 2011 Planning Act obligations are placed on the prospective developer to consult the community in advance of submitting a Major development planning application. Where, following the 12-week period set down in statute, an application is submitted this must be accompanied by a 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: Stephanie Boyd, Planning and Economic Development Business Support Supervisor

Agreed by: Sharon Mossman, Deputy Director of Planning

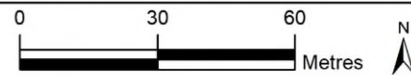
Approved by: Majella McAlister, Director of Economic Development and Planning



Site Location Plan

Application Reference: LA03/2022/1027/PAN

Monkstown Boxing Club and lands to rear Cashel Drive,
Newtownabbey, BT37 0EY



Site boundary

1:1,250

The Box - Community Wellbeing Hub - comprising boxing club, gymnasium, classrooms and training rooms, music and dance studio, climbing zone, four social enterprise units, training kitchen, coffee dock and ancillary accommodation (including changing rooms, storage, staff offices) - and associated access, parking and landscaping.



ITEM 3.15

P/FP/LDP 1 LOCAL DEVELOPMENT PLAN, QUARTELY UPDATE (Q3) OCTOBER TO DECEMBER 2022

The Council's Local Development Plan (LDP) advises that progress reports will be submitted on a quarterly basis to the Planning Committee. This report covers the third quarter (Q3) of the 2022-23 business year (October to December 2022).

Local Development Plan Independent Examination

Members are reminded that, as reported at the August and October Planning Committee meetings, the Council anticipates the Planning Appeals Commission (PAC) report on the Independent Examination (IE) of the Council's Draft Plan Strategy (DPS), which concluded on 29 June 2022, will be submitted to the Department for Infrastructure (DfI) at the end of January 2023.

The Forward Planning Team continues to undertake preparatory work on the next stage of the LDP process, the Local Policies Plan (LPP).

Members are advised that a LDP progress update and discussion of the draft LPP Work Plan will take place at a Members LDP workshop due to take place on 31 January 2023.

Local Development Plan Working Group Updates

(a) Belfast Metropolitan Area Spatial Working Group

A meeting of the Belfast Metropolitan Area Spatial Working Group (MASWG) took place on 1 November 2022, hosted by Mid and East Antrim Borough Council (MEABC). Updates were received from various Councils and consultees in relation to LDP matters. A presentation was received from Dr Steve Blockwell, Head of Investment Management at Northern Ireland Water regarding network capacity.

A copy of the agreed minutes for the previous meeting which took place on 23 August 2022 are **enclosed** for Members information. The next MASWG meeting is due to take place early in the New Year, hosted by Mid Ulster District Council.

(b) Northern Ireland Minerals Working Group

A meeting of the reconvened Northern Ireland Minerals Working Group took place on 17 November 2022, hosted by MEABC. The focus of the meeting was to review the groups terms of reference and to highlight to the Department the limited information available to Councils regarding the supply and demand of minerals. Such information assists Councils in the development of their LDP minerals policies.

A copy of the agreed minutes for the previous meeting which took place on 26 September 2019 are **enclosed** for Members information.

(c) Coastal Management Policy Workshop

A meeting of the DAERA/DfI Coastal Management Policy Workshop took place on 7 December 2022, hosted by Ards and North Down Borough Council. A range of presentations were provided by DAERA Marine and Fisheries Division, DfI Strategic Planning and the University of Ulster Coastal Studies regarding ongoing coastal evidence gathering, coastal change, and the option for the Department/Councils to prepare Shoreline Management Plans and/or Vulnerability Assessments. The next meeting of the group is due to take place in March 2023.

RECOMMENDATION: that the report be noted.

Prepared by: Simon Thompson, Principal Planning Officer (Interim)

Agreed by: Sharon Mossman, Deputy Director of Planning

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

ITEM 3.16

P/PLAN/83 NORTHERN IRELAND PLANNING MONITORING FRAMEWORK 2021/2022 & SECOND QUARTER PLANNING STATISTICS

Northern Ireland Planning Monitoring Framework 2021/2022

The Department for Infrastructure (DFI) published the Northern Ireland Planning Monitoring Framework in December 2022. The framework has been published in the form of statistical data tables and include details of performance across the three statutory targets for major development applications, local development applications and enforcement cases alongside a suite of additional indicators that are intended to provide a more comprehensive assessment of planning activity. The data tables present the indicators for Northern Ireland, as well as relevant indicator data for each local planning authority. An infographic summary is enclosed for Members' information. Full details are available at <https://www.infrastructure-ni.gov.uk/articles/planning-monitoring-framework>.

The framework has been developed by the Department for Infrastructure in collaboration with local planning authorities, and has been informed by best practice in other jurisdictions. An analysis of the statistical tables demonstrates that Antrim and Newtownabbey Borough Council continues to perform above average in terms of targets.

Northern Ireland Planning Statistics 2022/2023 Second Quarterly Bulletin July- Sept 2022

The second quarterly provisional planning statistics for 2022/23 (July to September 2022), produced by the Analysis, Statistics and Research Branch of the Department for Infrastructure (DfI), were released in December 2022, a copy of which is enclosed.

The Quarterly Bulletin advises restrictions due to the coronavirus pandemic commenced on 12 March 2020 with the start of the delay phase, before lockdown was applied on 23 March 2020. Although lockdown was gradually eased from May 2020, varying levels of restrictions continued to be in place up to 15 February 2022. Planning activity and processing performance were impacted by these restrictions and caution should be taken when interpreting planning figures from 2020/21 and 2021/22, and when making comparisons with other time periods.

The figures show that during the period from July to September 2022, the total number of planning applications received in Northern Ireland was 2,663, a decrease of over twelve percent on the previous quarter and down by nearly twenty percent on the same period a year earlier.

During this first quarter period a total of 178 new applications were received by the Council, a decrease of 43 from the same period in 2021/22. This pattern of decrease was experienced by all Councils in Northern Ireland.

Major Planning Applications

In relation to performance against statutory targets, the Council determined 6 **Major** applications during the second quarter of 2022/23., Whilst the Council did not determine these within the statutory target for this period, Dfl highlights that across Councils there was an insufficient number of major applications processed to decision or withdrawal during the first six months of both the current and previous year to allow any meaningful assessment of their individual performance. The Dfl figures provided on the relatively low quantum of applications determined show that the Council took on average 51 weeks to process and decide **Major** planning applications during the second quarter of 2022/23 against the statutory target of 30 weeks. This performance is just above the average of 50 weeks for all Councils.

Local Planning Applications

The Dfl figures show that the Council took on average 13 weeks to process and decide **Local** planning applications during the second quarter of 2022/23 against the statutory target of 15 weeks. This performance ranks the Council as one of five Councils to meet the target compared to the average of 17.6 weeks for all Councils.

Enforcement

In relation to enforcement, the Dfl figures indicate that the Council concluded 89.3% of cases within the statutory target of 39 weeks during the second quarter of 2022/23 and took an average 12.2 weeks to conclude. This represents a significant improvement compared to the previous year.

RECOMMENDATION: that the report be noted.

Prepared by: Sharon Mossman, Deputy Director of Planning

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

ITEM 3.17

P/FP/LDP/83 DEPARTMENT OF AGRICULTURE, ENVIRONMENT AND RURAL AFFAIRS, DRAFT AMMONIA STRATEGY PUBLIC CONSULTATION (JANUARY 2023)

Members are advised that on 4 January 2023, the Department of Agriculture, Environment and Rural Affairs (DAERA) launched a public consultation on the draft Ammonia Strategy for Northern Ireland (**enclosed**). This consultation is currently being hosted on DAERA's website <https://www.daera-ni.gov.uk/consultations/draft-ammonia-strategy-northern-ireland-consultation> and closes for comment on 3 March 2023.

Members will be aware that ammonia is a form of nitrogen released largely through the management of slurries and manures and the spreading of fertiliser and is a particular issue for Northern Ireland, due to the predominance of livestock farming. The draft ammonia strategy sets out targets for ammonia reduction in Northern Ireland, in line with the UK's international commitments, and outlines a strategic approach to achieving these targets. It also proposes actions to protect our vulnerable habitats.

Members may wish to respond to the consultation on a corporate, individual or party political basis.

Members instructions are requested.

Prepared by: Simon Thompson, Principal Planning Officer (Interim)

Agreed by: Sharon Mossman, Deputy Director of Planning

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