



18 July 2018

Committee Chair: Councillor H Cushinan
Committee Vice-Chair: Alderman F Agnew
Committee Members: Aldermen –T Campbell, J Smyth and R Swann
Councillors –J Bingham, P Brett, D Hollis, R Lynch, M Magill,
S Ross and W 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 July 2018 at 6.00pm.**

You are requested to attend.

Yours sincerely

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

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

For any queries please contact Member Services:

Tel: 028 9034 0098 / 028 9448 1301

memberservices@antrimandnewtownabbey.gov.uk

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 Part One of the Planning Committee agenda do not require ratification by the full Council.

Part Two - Any matter brought before the Committee included in Part Two 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 Enforcement Cases – In Confidence

- 3.1 Enforcement Case: LA03/2018/0230/CA
- 3.2 Enforcement Case: LA03/2016/0108/CA

PART TWO

Other Planning Matters – In Confidence

- 3.3 Local Development Plan: Policy Development Meeting 24 May 2018
- 3.4 Local Development Plan: Policy Development Meeting 28 June 2018

PART ONE

Decisions on Planning Applications

- 3.5 Planning Application No: LA03/2017/0478/F
Housing development consisting of 4 detached dwellings and 2 semi-detached dwellings with associated hard and soft landscaping on lands in between 115-119 Manse Road, Newtownabbey
- 3.6 Planning Application No: LA03/2017/1062/F
Proposed extension to existing supermarket to include additional sales and storage area; 2 No. New Deli Counters, internal layout alterations to office, tills, staff room and toilets. Demolition of existing dwelling and garage (No 488 Antrim Road), removal of existing jet wash bay, new boundary walls, acoustic fencing and associated site works to include additional parking provision and new air/water service bay and new odour abatement system at 492 and 488 Antrim Road, Glengormley, Newtownabbey
- 3.7 Planning Application No: LA03/2017/0645/O
Proposed site for 1 no. new dwelling on land 35m West and 15m North of 28a Glebe Road West, Newtownabbey

- 3.8 Planning Application No: LA03/2017/0242/O
Proposed development of 6 No. detached dwellings and garages on lands between 72 and 76 Kingsmoss Road, Newtownabbey
- 3.9 Planning Application No: LA03/2018/0087/F
Construction of discount foodstore, provision of car parking, landscaping and associated site works (relocation of existing Lidl supermarket at Unit 8 - supermarket building to be retained but the foodstore use to be extinguished and transferred to application site) on undeveloped land immediately east and southeast of Homebase (Unit 20), 140 Junction One Retail Park, Ballymena Road, Antrim
- 3.10 Planning Application No: LA03/2017/0773/F
Erection of 18 no. semi-detached houses and 7 no. apartments over 3 floors on undeveloped lands between 5 and 7 Blackrock Boulevard located within Blackrock Housing Development, Mallusk, Newtownabbey
- 3.11 Planning Application No: LA03/2018/0078/F
Proposed 5 No. townhouses on land south west of 102 Ballynure Road, Ballyclare
- 3.12 Planning Application No: LA03/2018/0355/F
Proposed retention of extension to curtilage and associated infilling of land and retaining wall on land adjacent to 1 Hollybrook Park, Glengormley
- 3.13 Planning Application No: LA03/2018/0382/O
Infill of small gap site to accommodate single dwelling and garage on land approximately 18m East of No.134 Roguery Road Toomebridge
- 3.14 Planning Application No: LA03/2018/0253/F
Conversion of stables to Boarding Cattery at 19 British Road, Aldergrove
- 3.15 Planning Application No: LA03/2018/0356/RM
Replacement two storey dwelling and garage on land 25 metres East of 36 Rea Hill Road, Newtownabbey

PART TWO

Other Planning Matters

- 3.16 Delegated planning decisions and appeals May 2018
- 3.17 Proposal of Application Notice
- 3.18 NISRA Annual Planning Statistics 2017-18
- 3.19 Local Development Plan: Revised Timetable
- 3.20 Direction Orders served by DfI
- 3.21 Draft Local Government (Consequential Amendments) Regulations (NI) 2018 – Correspondence from DfC
- 3.22 Closure of the Planning NI website

**REPORT ON BUSINESS TO BE CONSIDERED AT THE MEETING OF THE
PLANNING COMMITTEE ON 23 JULY 2018**

PART 1 DECISIONS ON ENFORCEMENT CASES – IN CONFIDENCE

PART 2 OTHER PLANNING MATTERS – IN CONFIDENCE

PART ONE – DECISIONS ON PLANNING APPLICATIONS

COMMITTEE ITEM	3.5
APPLICATION NO	LA03/2017/0478/F
DEA	MACEDON
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE PLANNING PERMISSION

PROPOSAL	Housing development consisting of 4 detached dwellings and 2 semi-detached dwellings with associated hard and soft landscaping.
SITE/LOCATION	Lands in between 115-119 Manse Road, Newtownabbey
APPLICANT	Viewpoint Developments Ltd
AGENT	BGA Architects Ltd
LAST SITE VISIT	6 th June 2017
CASE OFFICER	Johanne McKendry Tel: 028 903 Ext 40420 Email: johanne.mckendry@antrimandnewtownabbey.gov.uk

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

SITE DESCRIPTION

The application site is located within the settlement of Newtownabbey as defined in the draft Belfast Metropolitan Area Plan (draft BMAP) and is positioned between a Spar/Topaz filling station at No. 119 Manse Road and a two storey detached dwelling at No. 115 Manse Road. The site is a vacant brownfield site which previously contained a single storey dwelling which has since been demolished. The application site is relatively flat in topography and is covered in grass with sections of hardstanding.

The southeastern and southwestern site boundaries have established Leyland Cypress trees, hedgerows and an existing retaining wall separating the application site from the adjoining residential development at Christine Gardens and Manse Road. The northeastern boundary consists mainly of Leylandii trees and a retaining wall between the adjacent residential development at Christine Park and the existing Petrol Filling Station. The northwestern roadside boundary comprises an existing site access and a mature hedge.

The surrounding area is predominately residential, characterised by two storey dwellings along the Manse Road and detached single storey dwellings abutting the northeastern and southeastern boundaries at Christine Park and Christine Gardens. Mossley Primary School, Mossley Nursery School and their associated playing fields are situated opposite the site on the northern side of Manse Road.

RELEVANT PLANNING HISTORY

Planning Reference: U/2004/0208/O
Location: 117 Manse Road, Ballyhenry, Newtownabbey
Proposal: Site for housing development to include 9 town houses and 2 corner apartments and associated parking
Decision: Application withdrawn 25 April 2005.

Planning Reference: U/2005/0695/F

Location: 117 Manse Road, Ballyhenry, Newtownabbey

Proposal: Change of use from dwelling to day nursery (maximum 65 children) and extension to premises.

Decision: Permission granted 5 March 2007.

Planning Reference: U/2007/0559/F

Location: 117 Manse Road, Ballyhenry, Newtownabbey

Proposal: Demolition of existing building & erection of residential development consisting of 13 units with associated car parking & landscaping.

Decision: Application withdrawn 18 May 2011.

PLANNING POLICY

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 Antrim Area Plan and the Belfast Urban 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, Draft Newtownabbey Area Plan and Draft Belfast Metropolitan Area Plan: The Plans identified the application site as being within the Development Limits for Newtownabbey but the application site has not been designated for any specific use.

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

NI Water – No objection

DfI Roads – No objection subject to conditions

REPRESENTATION

Eleven (11) neighbouring properties were notified and sixty-five (65) letters of objection from eleven (11) properties have been received. The full representations made regarding this proposal are available for Members to view online at the Planning Portal (www.planningni.gov.uk).

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

- Impact on residential amenity in terms of loss of light, overlooking, overbearing, overshadowing, privacy, security, noise and other disturbance;
- Change in the character of the area;
- Higher density than the neighbouring residential area;
- Overdevelopment of the site;
- Separation distances between existing and proposed properties;
- Two-storey dwellings backing onto single storey dwellings;
- The building line has not been respected;
- Increase in the volume of traffic;
- Road safety concerns;
- Insufficient parking provision;
- Inconsistencies between plans;
- Maintenance concerns;
- Loss of trees to the boundary;
- Dead or dying trees;
- Impact on wildlife;
- No bin collection area;
- No usable open space; and
- Breach of human rights.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Principle of Development
- Density and Impact on the Character of the Area
- Design and Residential Amenity
- Access and Parking
- Other matters

Principle of Development

Section 45 (1) of the Planning Act (NI) 2011 requires that regard should be made to the Local Development Plan, so far as material to the application. Section 6 (4) of the Planning Act also states that where, in making any determination, regard should be made to the Local Development Plan that the determination must be made in accordance with the plan unless material considerations indicate otherwise.

The Belfast Urban Area Plan 2001 (BUAP) and the draft Belfast Metropolitan Area Plan (BMAP) are the relevant plans for the application site. The application site is located within Metropolitan Newtownabbey in both plans. The site is not zoned for any purpose in BUAP or in the draft Belfast Metropolitan Area Plan BMAP (2004) and the 2014 version of the plan. Whilst it is acknowledged, following recent litigation, that BMAP remains in draft form it is the Council's policy that significant weight should be afforded to the 2014 version of the document in assessing proposals.

The Strategic Planning Policy Statement (SPPS) indicates that where any conflict between the SPPS and any policy retained exists, under the transitional arrangements it must be resolved in the favour of the provisions of the SPPS. The SPPS indicates that sustainable development should be permitted, having regard to material considerations, unless the proposed development will cause demonstrable harm to interests of acknowledged importance. The SPPS also promotes good design and seeks to make more efficient use of urban land without town cramming.

The Regional Development Strategy for Northern Ireland 2035 (RDS) sets out regional strategic objectives for housing in settlements, including: manage housing growth to achieve sustainable patterns of residential development; support urban and rural renaissance; and strengthen community cohesion. The RDS does not provide operational planning policy for development management decisions and in this case the application falls to be considered under PPS7.

The proposed site is within the development limits for Newtownabbey within a primarily residential area. Previously on the application site was a single storey dwelling which has since been demolished. The principle of housing development on this site is acceptable in the context of the previous land use and the surrounding residential context. The application stands to be considered on its individual merits against regional planning policy. These matters are addressed below.

Density and Impact on the Character of the Area

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. Generally, density is considered to be a calculation of dwellings per hectare. Based on this calculation, the density of the proposed site is thirty-six (36) dwellings per hectare, compared to an average of twenty-one (21) dwellings per hectare in Christine Gardens and on average fifty (50) dwellings per hectare in Glenkyle Park. Concerns have been raised by objectors that the proposal represents overdevelopment of the site due to the site density. Although the site density is lower than the neighbouring Glenkyle Park development, the proposed development has a significantly higher density than the established residential dwellings that abut the site. On another site the density may be considered appropriate but given the context of the layout of the immediate neighbouring

residential development which comprises single dwellings on individual plots, it is considered that the density and layout of the proposed development will result in an adverse impact on residential amenity and the character and appearance of this area.

Design and Residential Amenity

The current policy direction is to make more efficient use of urban land, but cautions that overdeveloped and unsympathetic schemes will not be acceptable in established residential areas and that schemes should be sensitive in design terms to people living in the existing neighbourhood and to local character. One of the core planning principles of the SPPS 'Supporting Good Design and Positive Place Making' states that design is an important material consideration in the assessment of all proposals and good design should be the aim of all those involved in the planning process. The SPPS advises that planning authorities should reject poor designs, particularly proposals that are inappropriate to their context, that new buildings and their surroundings have a significant effect on the character and quality of a place and that successful place making acknowledges the need for quality, place specific contextual design.

Paragraph 4.34 of the SPPS indicates that one of the keys to successful place-making is the relationship between different buildings and the relationship between buildings and streets and the compatibility of a development with its immediate and wider context, and the settlement pattern of a particular area.

Although imaginative and innovative forms of housing are encouraged, this is qualified in existing residential areas with the need for harmony and sensitivity to avoid significant erosion of environmental quality, amenity and privacy. PPS7 reiterates the need for sensitivity and in Policy QD1 the test is expressed as 'unacceptable damage to local character, environmental quality or residential amenity.' Policy QD1 of PPS7 states that new development should not create conflict with adjacent land uses and that there should be no adverse effect on existing or proposed properties in terms of overlooking, loss of light, overshadowing, noise or other disturbance. Objections have been received regarding overlooking, overbearing, overshadowing, privacy, security, noise and other disturbance.

The proposal as originally submitted was for the erection of two detached and four semi-detached dwellings. The scheme was amended in September 2017 following concerns that the proposal did not represent a quality, residential environment. The current development proposal consists of six dwellings, comprising four detached dwellings and two semi-detached dwellings with associated hard and soft landscaping.

The application site is bounded on all sides by existing residential properties; No. 115 Manse Road to the southwest, No. 113A Manse Road to the south, No. 3 Christine Park to the northeast and Nos. 1-5 Christine Gardens to the southeast. Creating Places recommends where a new development abuts the private garden areas of existing properties, a separation distance of more than 20 metres is recommended, with at least 10m between the rear of new houses and the common boundary, to minimise overlooking and provide adequate space for privacy. With regards to this proposal, the 10m separation distance to the common boundary can be achieved, however where the development abuts the rear gardens of properties in No.3 Christine Park, No. 3 Christine Gardens and No. 113a Manse Road, the separation distance is less than 20 metres, giving rise to the potential for overlooking.

House Type A and House Type A1 are two storey detached dwellings with eaves and ridge heights of 7.7 metres and 5.5 metres respectively. These dwellings, which are gable ended and frame the entrance to the proposed development which is designed to adoptable standards. These proposed dwellings are served by private driveways to the rear and have gardens in excess of 70 square metres in area. House Type A1 shares a mutual boundary with the existing Petrol Filling Station (PFS) at No. 119 Manse Road. Whilst this is not a sensitive boundary there is no potential for overlooking into the PFS and similarly the mature nature of the existing hedge means that there is no potential adverse impact on House Type A1 and its associated amenity space from the adjacent business.

House Type A shares a mutual boundary and forms a back to gable relationship with the existing two storey detached dwelling at No. 115 Manse Road. There is one small window on the gable of No. 115 Manse Road which has a separation distance of 18 metres from House Type A. There is only a bathroom window with obscure glazing located at the first floor level of House Type A, which faces this gable. There is also a velux window on the roof to the rear elevation of House Types A and A1, which will afford light into the roof space. The proposed dwelling will not have a direct relationship with the rear amenity space of No. 115 Manse Road, which is also protected by an existing single storey garage along this boundary.

The occupants of No. 115 Manse Road raised concerns regarding the maintenance of their garage on the northeastern side of the shared site boundary and the hedge proposed along this boundary. An ornamental hedge is proposed within the site boundary adjacent to the existing garage at No. 115 Manse Road. Any work required or sought with regards to gaining access to carry out maintenance work on a building on a shared boundary is a civil matter and not in the jurisdiction of the Council.

The two semi-detached dwellings (House Type C) and the two detached dwellings (House Type B and House Type B1) to the rear of the site have a ridge height of 7 metres.

The two semi-detached dwellings have an outlook onto Manse Road and provide a focal point when entering the internal access road. A detached dwelling is proposed on either side of the semi-detached units, which are located approximately 11 metres to the rear of the two detached dwellings.

The two semi-detached dwellings (House Type C) form a back to back relationship with the existing single storey detached dwellings at No. 3 and No. 5 Christine Gardens. The agent has advised that the house type is designed with a double pitch to reduce the scale and massing of the block and to minimise the potential for dominance on the existing dwellings to the rear. There is no general living space proposed at the first floor level and bedrooms are located to the rear on the first floor. There is a separation distance of 10 metres from the proposed dwellings with the shared boundary. A sunroom has been constructed to the rear of No. 3 Christine Gardens and the back-to-back separation distance from this existing dwelling to the proposed dwelling is approximately 17 metres at its closest point. There is a separation distance of approximately 28 metres from the two semi-detached dwellings to the closest point with No. 5 Christine Gardens.

The prevailing standard within the Creating Places guidance document in respect to back to back separation is 20 metres. However, a 1.7 metre high existing boundary

wall and a 4-5 metres tall mature Leyland Cypress coniferous hedge is proposed to be retained. In addition the site boundaries are to be augmented with additional planting, which will maintain site screening and result in limited potential for overlooking from the two semi-detached dwellings into No. 3 and No. 5 Christine Gardens.

No. 3 Christine Gardens raised concerns that the proposed development will block out afternoon and evening sun and result in overshadowing. However, given the 10 metre separation distance of the proposed development from the shared boundary, it is considered that the proposed dwellings will have no more significant an impact on overshadowing than the existing mature trees along the site boundary.

The following properties also raised concerns that the proposed development will overlook their properties and will block out the sunlight to their amenity areas: No.5 Christine Park; No. 7 Christine Gardens; and No. 2 Christine Gardens. However, it is considered that there is an adequate separation distance of approximately 34 metres, 46 metres, and 57 metres respectively from the closest proposed dwelling to the individual properties and that the proposed development will not have a significant detrimental impact on that property by way of overlooking or overshadowing.

The detached dwelling unit, House Type B, is located at the rear of the site and fronts onto the gable of the detached dwelling, House Type A, at the site entrance. There is a separation distance of 13 metres between the two dwellings. This proposed dwelling shares its southwestern and southeastern boundaries with the existing two storey dwelling at No. 113A Manse Road and its western boundary with No. 115 Manse Road. This proposed dwelling is located 9.5 metres from the mutual boundary with No. 115 Manse Road and 10 metres from the mutual boundary with No. 113A Manse Road. There is a first floor bedroom window and bathroom window on the southwestern elevation and two first floor bedroom windows on the southeastern elevation of House Type B. The boundary definition along these boundaries consists of a 1.1 metre high retaining wall and lacks any mature vegetation to promote screening between the neighbouring dwellings at No. 113A and No. 115 Manse Road. The existing trees which currently protect the amenity of these neighbouring properties, will be replaced with a mix of woodland planting and semi-mature tree planting along the shared boundaries, which will promote site screening. In addition, the 10 metre separation distance between proposed dwelling and the mutual boundary with No. 115 Manse Road is considered acceptable as it meets with the recommended separation distances set out in the Creating Places guidance document. With respect to No. 113A Manse Road, there is a minimum separation distance of 13 metres between its gable and the proposed dwelling House Type B. The finished floor level of No. 113A is approximately 2.4 metres higher than the ground level of the proposed dwelling and its private amenity space is to the rear of the dwelling. Although the front of the existing dwelling at No. 113A is in closest proximity (approximately 5 metres) to the mutual boundary, it is finished in hardstanding and used for parking vehicles. A mix of woodland planting and semi-mature tree planting is also proposed along the shared boundaries with No. 113A, which will promote site screening. Due to the differing land levels, the orientation of No. 113A and the location of its private amenity area, the relationship between the two dwellings is considered acceptable in this urban context.

The proposed detached dwelling House Type B1 is located at the eastern section of the site and orientated to face northwestwards towards the gable of the detached dwelling unit House Type A1 at the site frontage with a separation distance of 11.4 metres between the two. A 1.8 metre high brick privacy wall encloses the rear gardens

of the two detached dwellings proposed at the front of the site, House Types A and A1, which prevents any overlooking from the ground floor. There is no overlooking from the first floor level of the detached dwellings, as like House Type B the only window on the first floor facing the gable of the detached dwellings is opaque glazing serving a bathroom.

House Type B1 shares a common boundary with the Petrol Filling Station (PFS), No. 3 Christine Park, No. 1 Christine Gardens and No. 3 Christine Gardens. As stated above there is no potential for overlooking into the PFS, however, it is considered that this proposed dwelling has the potential to have the greatest impact on residential amenity due to the relationship between it and the aforementioned existing neighbouring dwellings. House Type B1 is located approximately 10.3 metres from the shared boundary with No. 3 Christine Gardens and has an overall separation distance of approximately 15.3 metres from this single storey detached dwelling, which falls 4.7 metres short of the recommended separation distances set out in the Creating Places guidance document. House Type B1 is proposed to be constructed 0.4 metres lower than No. 3 Christine Gardens. There is an existing 1.3 metre high retaining wall and an existing 4 metre high mature Leyland Cypress hedge that separates the existing and proposed dwellings. The proposed landscape plan (Drawing No. 07/03 date stamped 10 May 2018) proposes the retention of the mature Leyland Cypress hedge and for it to be augmented with semi-mature trees.

House type B1 has a blank southwestern elevation and there is only one first floor upper window backing onto No. 3 Christine Gardens, which serves a bathroom and is proposed to be opaque glazing. Although the degree of separation between these two dwellings is below the standard recommended in Creating Places, the relationship is considered acceptable in this instance given the level of existing and proposed site screening and the lack of overlooking windows on the first floor.

House Type B1 also has a back to back relationship with No. 1 Christine Gardens but there is a separation distance of 20 metres between them. No. 1 Christine Gardens has a sunroom extension to the rear and as a result, has a separation distance of approximately 6 metres from the shared boundary. However, given the separation distance, the lack of overlooking windows and the level of site screening, the relationship between the proposed and existing dwellings is considered acceptable.

It is considered that No. 3 Christine Park has the potential to be most detrimentally impacted upon from the proposed development as a result of the juxtaposition of the existing dwelling in relation to the proximity of House Type B1. The gable of House Type B1 is located approximately 6.5 metres from the shared northeastern boundary with No. 3 Christine Park, which abuts its rear private amenity area. The sunroom extension to the rear of No. 3 extends to within 4.3 metres of the shared site boundary, resulting in a separation distance of approximately 12.5 metres from the gable of House Type B1 to the rear of No. 3. The proposed dwelling at House Type B1 has a proposed cantilevered splayed oriel window box on the first floor of its northeastern elevation with no glazing on the long side facing No. 3 Christine Park in an attempt to address the overlooking concerns and create a more obscure view. However, there are an additional two bedroom windows along the northeastern elevation that have unobscured views. Although it is considered that a certain level of overlooking is unavoidable in the urban area, the separation distance from the proposed one-and-a-

half storey dwelling is only 6.5 metres from the shared boundary with the single storey dwelling at No. 3 Christine Park, which has a restricted rear private amenity area.

The fact that a cantilevered splayed window box is proposed to counteract potential overlooking due to the gable of House Type B1 proposed to be located in such close proximity to the shared boundary with No. 3 Christine Park, it would suggest that the site is over-developed and a contrived design solution is proposed to offset the potential for overlooking. In addition, the Leyland Cypress hedge along the northeastern site boundary is less dense than the section of hedge along the southeastern site boundary. The foliage of the hedge is overgrown and has sprawled into the application site and will be required to be cut back to facilitate the construction of a parking area adjacent to the northeastern gable. This will result in revealing bare stems that will never in the future have foliage, which is similar to what has occurred along sections of the southeastern site boundary. Consequently the existing screening of the site will be compromised and as such it is likely to result in an adverse impact upon the existing residential property at No. 3 Christine Park by way of overlooking and the potential to have an overbearing effect on the residents of No. 3 Christine Park due to the proximity of the 7 metre high proposed dwelling being located just over 10 metres from the rear building line of the single storey property.

It is considered that the design of the proposed scheme makes only a limited attempt to address the specific site context and does not fully take account of people living in the existing dwellings that abut the site boundaries. The juxtaposition of the existing single storey dwellings to the northeast and southeast and their relationship with the proposed one-and-a-half storey dwellings to the rear of the application site will have a detrimental impact on residential amenity in terms of overlooking, will have an overbearing effect, particularly on No. 3 Christine Park, and therefore it is considered that the proposal constitutes over-development of the site. The development proposal is therefore considered unacceptable in this regard.

The external finishes of all the proposed dwellings include ground floor brick walls, smooth render painted first floor walls, timber doors, uPVC windows and rainwater goods, concrete roof tiles and a flat lead porch roof. Given the mix of external finishes in the surrounding area, the proposed materials are considered acceptable. The proposed dwellings are gable ended in that they have been designed with their main elevation in the gable, a design that is reflective of house types in Glenkyle Park. There are a mix of house types in the immediate vicinity of the application site and while it is important to ensure that all new development fits in well with its surroundings, this does not preclude quality contemporary design using modern materials. In this case it is considered that the proposed design at this location will not be out of place in its surrounding environs.

Concern was raised with respect to the lack of provision of usable open space within the proposed development. Policy OS 2 of PPS 8 states that open space for public use is only required for new residential developments of 25 or more units or on sites of one hectare or more. As the site is approximately 0.22 hectares in area and a total of 6 dwellings are proposed there is no requirement for shared open space within the development and the residents of each property will be responsible for maintenance of its own landscaping. Creating Places recommends that each dwelling should have an average of 70sqm of private amenity provision, behind the building line. The provision of rear private amenity space ranges between 79sqm and 192sqm and the

average provision of rear private amenity space is approximately 107sqm. It is therefore considered that adequate amenity space has been provided for each dwelling with a variety of garden sizes provided throughout the development.

Concern was also raised with regards to the proposal not respecting the existing building line of buildings along Manse Road. Although House type A sits forward of No. 115 Manse Road by approximately 3 metres there is a separation distance of 14 metres between the two dwellings. The two proposed detached dwellings at the front of the application site do not project forward of the adjacent petrol filling station building and its canopy at No. 119 Manse Road and they are only approximately 400mm closer to the Manse Road than the other 'bookend' building at No. 113 Manse Road, which is situated approximately 500 metres to the southwest. Therefore, the proposed detached dwellings are considered to respect the building line of the adjacent buildings that front Manse Road and are not out of place with the orientation of the neighbouring buildings.

Access and Parking

Objections were received regarding the potential impact the proposal would have on the volume of traffic on Manse Road and road safety implications. In terms of road safety a single access with visibility splays of 2.4 metres x 70 metres in both directions is proposed. There are existing footpaths which abut the site on the Manse Road which extend into the site for 3 metres on each side of the access road.

Objections were received regarding insufficient car parking proposed within the development in that the proposal does not provide for visitor parking. In terms of parking provision, in-curtilage parking provision has been made for two cars with respect to House Types A, A1, B and C and for House Type B1 there is in-curtilage parking provision for three cars. The objector has stated that a total of 16 car parking spaces should be provided and as only 13 car parking spaces are proposed there is a shortfall of 3 parking spaces and no parking provision for visitors.

Policy AMP 7 'Car Parking and Servicing Arrangements' states that development proposals will be required to provide adequate provision for car parking and the precise amount of car parking will be determined according to the specific characteristics of the development and its location having regard to the published guidance on parking standards. The policy states that a reduced level of parking provision may be acceptable in a number of circumstances, which includes where the proposed development is in a highly accessible location well served by public transport or has adjacent on street car parking.

The parking standards set out within 'Creating Places' sets out the car parking provision required for residents and visitors in developments on green-field sites or in low-density areas. However, it also states that lesser provision may be acceptable in inner urban locations and other high-density areas. The application site is a brownfield site in a medium-high density area which is in a highly accessible location well served by public transport and there would appear to be some scope for visitor parking to the front of the two semi-detached dwellings and additional ad-hoc car parking within the internal estate road. It is therefore considered that adequate provision for car parking is provided in this instance.

DfI Roads has been provided with and considered all objections and has stated that the footway on Manse Road would be upgraded as part of this proposal to accommodate pedestrians and that the proposed development will be private with adequate curtilage and on street parking to serve the development. DfI Roads has raised no objections or concerns with regards to the proposed access arrangements and are satisfied that adequate movement and parking is provided within the development for the proposed units. It is considered that the proposal complies with Planning Policy Statement 3, 'Access, Movement and Parking'.

Other Matters

Breach of Human Rights

Concern was raised by the residents of No. 3 Christine Park that a breach of their human rights may arise due to the negative impact of the proposed development with respect to privacy, noise, sunlight and general enjoyment of their property, should the proposed scheme be granted planning permission. The Council is obliged to operate the planning system within the legislative framework laid down by the Northern Ireland Assembly. The Alconbury judgement made by the House of Lords in 2001 effectively concluded that the UK planning system was not in breach of the Human Rights Act. The principle of housing development on this site has been considered on its individual merits against regional planning policy as addressed above.

Bin Collection

Concern was raised with respect to no common bin collection area being proposed. Each dwelling has its own private rear amenity area where bins can be stored. A private driveway is proposed to serve the proposed dwellings. However, the internal estate road has been designed to adoptable standards and therefore a bin lorry could drive into the proposed development as there is sufficient provision at the turning heads for a bin lorry to turn and exit the development in first gear. Alternatively, a 2.4 metres wide footpath is proposed at the site entrance which will facilitate bins to be positioned for collection.

Loss of trees and Impact on Wildlife

The proposed landscaping of the application site includes a number of semi-mature trees up to 4 metres in height to supplement the existing trees along the site boundaries. It is considered important that the existing trees along the site boundaries are retained in order to provide screening of the neighbouring properties, given that the dwellings to the east and southeast are single-storey in close proximity to the shared site boundaries and the proposed dwellings are one-and-a-half-storey buildings.

Reference was made to the loss of trees within the site and the subsequent impact on wildlife and in particular birds. The landscape proposals plan (Drawing No. 07/3 date stamped 10 May 2018) indicates that the existing coniferous hedge along the northeastern boundary, along most of the southeastern boundary (39 metres) and along half of the southwestern boundary (17 metres) is to be retained and the site boundaries are to be augmented with additional planting and additional compensatory landscaping is proposed at the shared boundary with No. 113a and No. 115 Manse Road. Due to the proposed retention of the trees, it is considered that the development will not have an unacceptable impact on wildlife in the area.

A letter from Dr Philip Blackstock, Arboricultural Consultant (Document 03 date stamped 10 May 2018) states that he inspected the mature Leyland Cypress hedge

that partly surrounds lands at 117 Manse Road on 30th April 2018. He confirms that the hedge had been hard pruned approximately four or five years ago during which time it had been reduced in height to approximately 4 metres and had been hard trimmed back to its main stems. He confirmed that although some of the main trunks had not recovered, the hedge had survived and was thickening up well. Dr Blackstock advised that Leyland Cypress trees do not maintain the ability to re-sprout from old wood; instead new buds are only found on green foliage. He states that the presence of green foliage over most of the hedge now means that it can continue to be maintained as a hedge at about 4 metres tall with a broadly similar thickness as it now has at present. Dr Blackstock has advised that to ensure that the hedge continues to provide useful amenity to the landscape, it is recommended that all dead stems be cut back to live growth, which will improve the appearance of the hedge and will allow it to continue to recover.

In rebuttal to Dr Blackstock's report, the residents of No. 3 Christine Gardens have stated that only one side of the hedge was surveyed and the side adjacent to No. 3 was not observed or commented upon by Dr Blackstock. The rebuttal goes on to state that on the other side the trees are now diseased and dying, with several holes that can be easily seen through. The residents of No. 3 have also stated that the trees that have been heavily pruned on the application site side are an eyesore and have concerns that new residents will subsequently remove the trees. Certainly if the trees were to be removed there would be serious concerns with regards to neighbour amenity by way of overlooking, overbearing and privacy. However, the inspection from the qualified Arboricultural Consultant was only recently carried out and the findings of the inspection do not require the trees to be removed.

Boundary Treatment

Concerns were raised with regards to the structural state of the boundary wall and conifers which are proposed to be retained as part of this proposal. However, any proposed work to a shared party wall or defined boundary is a civil matter and not in the jurisdiction of the Council.

Noise and Disturbance

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

Plan Inconsistencies

Concerns were raised with regards to discrepancies between the cross sections on Drawing No. 13/2 and the site layout plan Drawing No 08/4 regarding the retention of trees on the site boundary. The boundary treatment indicated in cross-section C-C would appear to be misleading as the section is taken facing No. 113A Manse Road and the proposed detached House Type B, just beyond the point where the existing Leylandii trees are to be retained. This plan also refers to the landscape architect's details for the planting schedule (Drawing No. 07/3), which indicates that a woodland planting mix of up to 1.2 metres in height and 3 *Betula utilis* trees up to 4 metres in height and 1 *Sorbus aucuparia* tree up to 3 metres in height is proposed at the inner side of the existing wall along the boundaries of House Type B.

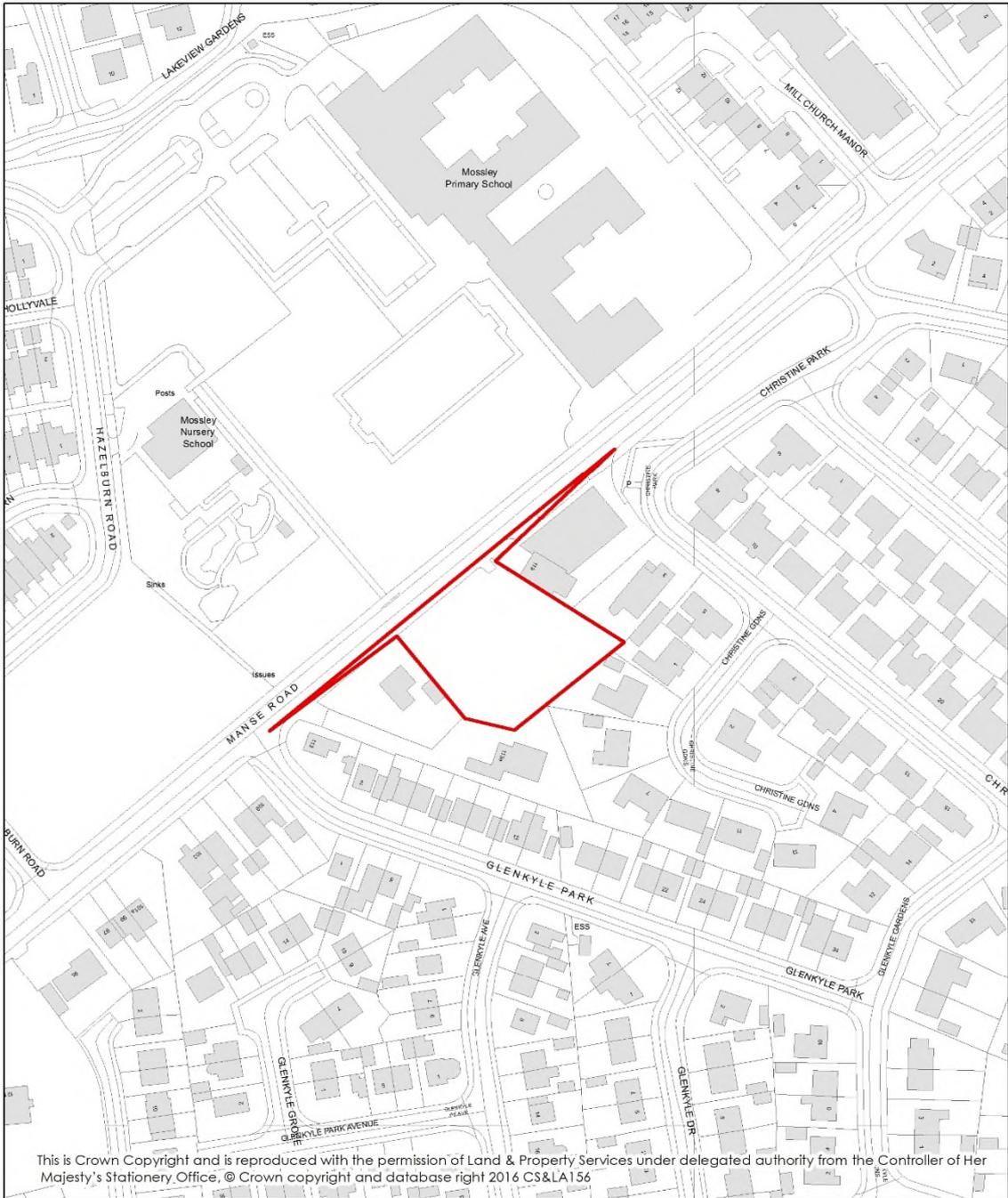
CONCLUSION

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

- The principle of residential development on the site is acceptable;
- There are no issues with the proposed parking and access arrangements;
- The proposed development would result in an unacceptable impact on the character of the area by way of overdevelopment; and
- The proposed development has the potential to adversely affect the amenities of existing residents by way of overlooking and overbearing.

RECOMMENDATION :**REFUSE PLANNING PERMISSION****PROPOSED REASONS OF REFUSAL**

1. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement (SPPS) and Policy QD1 of Planning Policy Statement 7 'Quality Residential Environments' and Policy LC 1 of the addendum to PPS 7 'Safeguarding the Character of Established Residential Areas' in that, it has not been demonstrated that the proposed development can achieve a quality and sustainable residential environment in keeping with the character and pattern of development in the locality and that incorporates a design and layout which draws upon the positive aspects of the surrounding area.
2. The proposal is contrary to Policy QD1 of Planning Policy Statement 7: Quality Residential Environments in that it would, if permitted, result in overdevelopment of the site which would adversely affect the character and appearance of the locality and harm the amenities of proposed and existing residents.



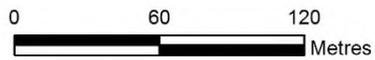
Location Map

Application Reference: LA03/2017/0478/F

115 - 119 Manse Road

Housing development consisting of 4 detached dwellings
and 2 semi detached dwellings with associated hard
and soft landscaping

Site Boundary 



For Information Only



COMMITTEE ITEM	3.6
APPLICATION NO	LA03/2017/1062/F
DEA	GLENGORMLEY URBAN
COMMITTEE INTEREST	LEVEL OF OBJECTION
RECOMMENDATION	GRANT PLANNING PERMISSION

PROPOSAL	Proposed extension to existing supermarket to include additional sales and storage area; 2 No. New Deli Counters, internal layout alterations to office, tills, staff room and toilets. Demolition of existing dwelling and garage (No 488 Antrim Road), removal of existing jet wash bay, new boundary walls, acoustic fencing and associated site works to include additional parking provision and new air/water service bay and new odour abatement system.
SITE/LOCATION	492 and 488 Antrim Road, Glengormley, Newtownabbey
APPLICANT	Maxol Oil Ltd
AGENT	Clarman & Co
LAST SITE VISIT	16 th January 2018
CASE OFFICER	Alicia Leathem Tel: 028 90340416 Email: alicia.leathem@antrimandnewtownabbey.gov.uk

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

SITE DESCRIPTION

The application site as outlined in red comprises the existing Maxol Filling Station at 492 Antrim Road, Glengormley and also an adjacent residential property No. 488. The filling station complex contains a convenience store, car wash, canopy and fuel pumps, parking area, ATM and small detached store. In addition, the complex also includes signage associated with the business. The filling station is surrounded by residential properties. A residential estate road runs along the rear boundary (Swanston Road North) of the site.

The area of site to the southeast includes a derelict two storey property No. 488. This property is cream in colour with a garage to the rear and vehicle access to the property is from the rear only. The site is located along the busy Antrim Road in a residential area with a large number of properties in the vicinity; the properties in the area are a mix of differing designs.

RELEVANT PLANNING HISTORY

Planning Reference: LA03/2017/0015/F

Location: 492 & 488 Antrim Road, Glengormley, Newtownabbey.

Proposal: Proposed extension to existing supermarket to include additional sales & storage area; new internal & external seating areas, 2 No. new deli counters, internal layout alterations to office-tills-staffroom & toilets, demolition of existing dwelling & garage (no 488 Antrim Road), removal of existing jet wash bay, new boundary walls, acoustic fencing & associated site works to include additional parking provision &

new air/water service bay.
Decision: Permission Granted (19.09.2017)

Planning Reference: U/1994/0090/F
Location: Glenabbey Filling Station, 492 Antrim Road, Glengormley.
Proposal: Demolition of existing dwelling (No.490) and redevelopment of petrol filling station including new shop, canopy, car wash, storage tanks and pump house.
Decision: Permission Granted (02.08.1984)

Planning Reference: U/1995/0075
Location: Glenabbey Filling Station, 492 Antrim Road, Glengormley.
Proposal: Demolition of existing dwelling (No 490) and redevelopment of existing petrol filling station to include new shop, canopy, car washes, storage tanks and pump house (amended scheme).
Decision: Permission Granted (25.04.1995)

Planning Reference: U/2010/0341/F
Location: Glenabbey Filling Station, 492 Antrim Road, Glengormley.
Proposal: Proposed extension to existing filling station to provide new store.
Decision: Permission Granted (13.10.2012)

Planning Reference: U/2010/0412/F
Location: Glenabbey Filling Station, 492 Antrim Road, Glengormley.
Proposal: Alterations to existing forecourt to include raising of existing canopy and new parking layout.
Decision: Permission Granted (22.11.2010)

PLANNING POLICY

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 Antrim Area Plan and the Belfast Urban 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: The application site is within the development limit of Newtownabbey. The Plan offers no specific guidance on this proposal.

Draft Belfast Metropolitan Area Plan (2004) and Belfast Metropolitan Area Plan 2015 (published September 2014): The site is located within Metropolitan Newtownabbey. The Plan offers no specific guidance on this proposal.

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

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

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.

CONSULTATION

Council Environmental Health Section – No objections subject to conditions.

DfI Roads – No objections subject to conditions.

REPRESENTATION

Forty-Four (44) neighbouring properties were notified and eight (8) letters of objection have been received from five (5) properties. The full representations made regarding this proposal are available for Members to view online at the Planning Portal (www.planningni.gov.uk).

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

- Additional noise generated from customers and deliveries.
- Traffic congestion and parking issues.
- Impacts on road safety.
- Light pollution from traffic and additional lighting.
- Devaluation of property prices.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Preliminary Matters
- Principle of Development
- Design and Appearance
- Impact on Character and Appearance of the Area
- Neighbour Amenity
- Access and Parking

Preliminary Matters

A previous planning application was assessed by the Council under planning reference LA03/2017/0015/F for a similar scheme on the same application site. This application was refused at Planning Committee and subsequently a refusal notice issued on 19th September 2017.

The current application includes a number of amendments from the previous scheme, these amendments are:

- The removal of internal and external seating areas;
- The inclusion of forecourt lighting;
- No sale of hot food for consumption on the premises;
- Service area relocated to rear of the site; and
- Amendments to the design and layout to include a landscaped area, a new raised pavement area to slow car speed when exiting the site. Removal of gable access door, ATM to be retained as existing and solid fuel area relocated.

Principle of Development

The application site is located within Metropolitan Newtownabbey and has been established as a petrol filling station for a number of years. The proposal includes the extension of the building on the site to include a deli bar and also the extension of parking provisions. The proposed development will maintain the primary use of the site as a petrol filling station. Given the urban location of the site and the retention of the primary use it is considered that the principle of the development is acceptable subject to all other policy and environmental considerations being met.

Design, Appearance and Layout

The proposed development includes an extension to the existing filling station building of approximately 65sqm. Given the existing size and scale of the existing building (287sqm) it is considered that the proposed extension is subordinate to the existing building. The extension to the building will not significantly increase the sales area with an increase of approximately 40sqm proposed, the scale of this increase is considered acceptable given the size of the existing sales area (150sqm). The proposed extension will slightly alter the design and appearance of the building although the extension has been designed to reflect the design characteristics of the existing building and as such the design and appearance of the proposed building are considered acceptable.

It is proposed to demolish the existing dwelling at No. 488 Antrim Road to accommodate an additional parking area to help service the development. The layout includes acoustic fencing along this boundary and also along the northwestern boundary. The existing brickwork wall along Swanston Road North is to be retained and an additional section added to further define the boundary of the site. The services area previously located to the front section of the site has been relocated to the rear boundary of the site. An area of landscaping is located to the northeastern section of the site along the Antrim Road at the entrance to the site. The design, appearance and layout of the proposed development are considered acceptable.

Impact on Character and Appearance of the Area

The application is for the demolition of 484 Antrim Road and the extension to the existing filling station. The proposed extension is located to the rear of the application site with alterations to the northern gable which fronts onto the Antrim Road. The main change to this elevation is the inclusion of a window, with changes to the front elevation of the filling station fronting into the existing forecourt. In addition, the proposed extension will increase the parking area to the east of the site. It is considered that the proposed extension, due to its limited size and scale will not

significantly alter the overall appearance or character of the site and surrounding area.

Neighbour Amenity

Objections have been received raising concerns that the proposed development will impact on the amenity of neighbouring properties for a number of reasons. Consideration will be given to each area of concern.

Noise

Objections were raised regarding the level of noise that would be created by traffic from both customers and delivery vehicles. The application site contains an established petrol filling station that is currently operating on a 24hr basis and it is considered that the scale of the proposed extension would not result in a significant increase in noise from traffic entering/exiting the site. A Noise Impact Assessment was submitted as part of the previous application LA03/2017/0015/F, additionally a Service Management Plan has been submitted to the Council which includes details of delivery times to the premises which will be limited to between the hours of 7.30am and 9.00pm with the exception of newspapers and magazine deliveries which tend to happen in the early hours of the morning. The Council's Environmental Health Section advises that they have no objections to the proposal subject to conditions relating to delivery times.

Concerns have been raised regarding general noise and disturbance which include the creation of an additional 12 car parking spaces within the extended area. There is an acoustic fence proposed along the southeastern boundary adjacent to the parking area which will provide screening and noise mitigation to the neighbouring property at No. 486 Antrim Road and an acoustic fence is also proposed along the northwestern site boundary which will serve to protect the amenity of No. 494 Antrim Road.

It is considered that noise associated with the proposed development will not unduly impact on the amenity of neighbouring properties, however, conditions that are considered necessary to protect residential amenity will be included as part of any approval. Any additional concerns arising from noise levels within the development are a matter for the Council's Environmental Health Section to investigate.

Light Nuisance

The proposal is located within an existing petrol filling station complex and although objections have been raised that the proposal will result in an unacceptable level of light from traffic entering/exiting the site, it is not considered that the proposal would result in a level of additional light nuisance that would warrant refusal of the proposed development. It is also considered that proposed boundary treatments in the form of fencing and walls will help to reduce the level of light from vehicles that some neighbouring properties would otherwise experience.

The proposal involves additional external lighting to include replacement of the underside of the canopy lights and 4 number lights around the periphery of the forecourt. 'Rear light shields are to be fitted to the 4 new luminaries which will ensure zero light spill or glare to the boundary.' A lighting assessment was submitted with the application and the Council's Environmental Health Section has no objections to the proposal subject to the inclusion of suggested conditions. The lighting assessment

proposes that 3 of the 4 luminaries will be switched off by 11pm and a condition to this effect will be imposed on any planning permission.

It is considered that the replacement canopy lighting and the single luminaire adjacent to the petrol filling station which will remain lit after 11pm is acceptable given the separation distances from existing properties and the inclusion of the proposed rear light shield to the luminaire. It is considered that the proposed lighting with the inclusion of conditions to mitigate any impacts on potential light pollution will not lead to any unacceptable level of light nuisance on neighbouring properties. Concerns were raised regarding operating times past 11pm and the necessity for lights to be switched off after 11pm. It is not considered prudent, that because the lights around the periphery of the forecourt are proposed to be turned off after 11PM that the complex also ceases to trade at this time. The luminaire closest to the supermarket kiosk is to remain in operation after 11pm and the shop could continue to operate at some level without adverse impact on residential amenity in terms of noise and lighting. In these circumstances a specific condition requiring the premises to close at 11pm is not justified given the lawful use of the site which operates on a 24hr basis currently.

Anti-Social Behaviour

Concerns were raised that the additional car parking area and the development of the site in general will lead to a rise in anti-social behaviour. No evidence has been submitted to show that the proposal would lead to increased levels of anti-social behaviour. If at any time it is considered that anti-social behaviour is taking place within the application site this should be reported to the business operator or the PSNI who can investigate.

Access and Parking

The proposal includes the provision of additional parking to allow for the overall number of parking spaces within the site to increase to 42 with the inclusion of 3 disability spaces. Objectors raised concerns that the proposal will result in traffic congestion at the site both with regard to customers and deliveries. DFI Roads was consulted regarding the proposal and the objections received and have stated that they have no objections to the proposal subject to conditions. DFI Roads also raised no concerns regarding delivery vehicles entering and exiting the site as it has been shown on submitted plans that the manoeuvring of vehicles on site can be done in a safe manner.

The Service Management Agreement advises that delivery times will be limited to between the hours of 7.30am and 9.00pm with the exception of newspapers and magazine deliveries. Additionally amendments between the previous application LA03/2017/0015/F and the current application include a new raised pavement area to slow car speed when exiting the site.

Objectors raised concerns regarding where delivery vehicles park; it is considered that any vehicles parking within the grounds of the development should be controlled by staff within the development and if vehicles park outside the site in a way that is felt to be unsafe this is a matter for the PSNI. Given the information submitted and the comments received from DFI Roads it is considered that the provisions for access and parking at the site are acceptable and it is considered that the proposal will result in improved parking provisions at the site.

CONCLUSION

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

- The principle of the development is acceptable given the present use of the site.
- The design, appearance and layout of the development is considered acceptable at this location.
- The proposal will not unduly impact on the privacy or amenity of neighbouring properties.
- Access and parking at the site are considered acceptable and will improve on existing conditions at the development.

RECOMMENDATION : GRANT PLANNING PERMISSION

PROPOSED CONDITIONS

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

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

2. No retailing or other 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 No 05/1 bearing date stamp 27th March 2018 to provide adequate facilities for parking, servicing and circulating within the site. No part of these hard surfaced areas shall be used for any purpose at any time other than for the parking and movement of vehicles.

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

3. The vehicular access, including visibility splays and any forward sight distance, shall be provided in accordance with Drawing No.05/1 bearing the date stamp 27th March 2018, prior to the commencement of any other development hereby permitted. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250mm above the level of the adjoining carriageway and such splays shall be retained and kept clear thereafter.

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

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

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

5. The net retail floorspace of the ancillary shop element shall not exceed 220sqm.

Reason: To ensure the development does not significantly impact of the vitality of any nearby retailing centre (Northcott or Glengormley).

6. The stacks from the kitchen extraction system shall be located as specified within drawing No.08 and date stamped 21st November 2017.

Reason: To protect the amenity at nearby residential properties.

7. There shall be no forecourt radio/music speakers installed in the development.

Reason: To protect the amenity at nearby residential properties.

8. Prior to the development hereby approved becoming operational an acoustic barrier of at least 2.5 metre height and a minimum self-weight of 30kg/m² with no gaps present shall be erected around the sides of the site as identified within drawing no. 05/1 and date stamped 27th March 2018 and shall be permanently retained thereafter.

Reason: To protect the amenity at nearby residential properties.

9. Prior to the development hereby approved becoming operational the new brickwork boundary walls as identified within drawing No. 05/1 and date stamped 27th March 2018 shall be erected and maintained in perpetuity at a height of at least 2.5m and shall have no gaps present to the adjoining acoustic fencing.

Reason: To protect the amenity at nearby residential properties.

10. The new door openings within the rear elevation as shown on Drawing No. 08 date stamped 21st November 2017 shall remain closed at all times and shall be used only as a fire escape.

Reason: To protect the amenity at nearby residential properties.

11. Prior to the development hereby approved becoming operational a high level odour control system for the site shall be installed as specified within drawing No. 08 and date stamped 21st November 2017. The odour control system shall be maintained and operated in accordance with manufactures instructions while the development is operational.

Reason: To protect the amenity at nearby residential properties.

12. All deliveries to the application site shall take place between the hours of 07.30am and 9.00pm with the exception of newspaper and magazine deliveries as specified in Document 01 'Service Management Plan' date stamped 21st November 2017.

Reason: To protect the amenity of nearby residential properties.

13. All fuel deliveries shall take place between the hours of 7:30am and 8:30pm as specified in Document 01 'Service Management Plan' date stamped 21st November 2017.

Reason: To protect the amenity of nearby residential properties.

14. Light intrusion from the development into windows at nearby sensitive properties shall not exceed 10 Ev (lux) at anytime prior to 23:00hrs and 2 Ev (lux) at anytime post 23:00hrs through to 07:30hrs.

Reason: To protect the amenity of nearby residential properties.

15. The new external lighting at the filling station complex as outlined within drawing No. 07/1 and date stamped 4th May 2018 shall be fitted with rear light shields. The detail of the rear light shields shall be agreed in writing with the Council prior to the commencement of the development hereby approved.

Reason: To protect the amenity of nearby residential properties.

16. Forecourt lighting at the filling station complex within the area highlighted yellow on drawing 07/1 and date stamped 4th May 2018 shall not be operational at anytime between the hours of 23.00hrs and 07.30hrs.

Reason: To protect the amenity of nearby residential properties.



Location Map Application Reference:LA03/2017/1062/F

Proposed extension to existing Supermarket to include additional Sales and Storage area; 2no New Deli Counters, internal layout alterations to Office, Tills, Staff Room and Toilets. Demolition of Existing Dwelling and Garage (No 488 Antrim Road), removal of existing Jet wash bay, new Boundary Walls, acoustic fencing and associated Site Works to include additional Parking provision and new Air/Water Service Bay and new odour abatement system.

 Site Boundary

492 and 488 Antrim Road,
Glengormley,
Newtownabbey,
BT36 5DB



0 30 60



COMMITTEE ITEM	3.7
APPLICATION NO	LA03/2017/0645/O
DEA	GLENGORMLEY URBAN
COMMITTEE INTEREST	LEVEL OF OBJECTION
RECOMMENDATION	GRANT OUTLINE PLANNING PERMISSION

PROPOSAL	Proposed site for 1no. new dwelling
SITE/LOCATION	Land 35m West and 15m North of 28a Glebe Road West, Newtownabbey, BT36 6EH
APPLICANT	Mr S Leighton
AGENT	Simon Houston
LAST SITE VISIT	7 th September 2017
CASE OFFICER	Ashleigh Wilson Tel: 028 903 Ext40429 Email: ashleigh.wilson@antrimandnewtownabbey.gov.uk

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

SITE DESCRIPTION

The application site is located off Glebe Road West, Newtownabbey and is located within the development limits of Metropolitan Newtownabbey as defined in the draft Belfast Metropolitan Area Plan (draft BMAP). Access to the site is from an existing laneway which includes a right of way from Glebe Road West and onto an existing pedestrian and vehicular right of way to Nos. 26, 28 and 28A. The site encompasses mature trees, a number of which are subject to a Tree Preservation Order.

The application site itself is characterised by a high concentration of trees that set the character of the immediate area which is characterised by high density housing developments. A range of house types and styles are evident within the immediate area. A recent approval (LA03/2016/0452/F) granted permission for a new dwelling immediately south of the application site which has not yet been constructed.

RELEVANT PLANNING HISTORY

Planning Reference: LA03/2016/0452/F
Location: Site adjacent to No. 30 Glebe Road West, Carnmoney
Proposal: Erection of detached dwelling and garage
Decision: Permission Granted (07.02.2017)

PLANNING POLICY

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 Antrim Area Plan and the Belfast Urban 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: The application site is located within the development 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 within the development limits of Metropolitan Newtownabbey. The site is not zoned for any particular use within the Plan.

Draft Belfast Metropolitan Area Plan (Published 2014): The application site is located within the development limits of Metropolitan Newtownabbey. The site is not zoned for any particular use within the Plan.

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

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

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

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

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

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

CONSULTATION

Council Environmental Health Section

No objection

NI Water

No objection

DfI Roads

No objection, subject to conditions

Northern Ireland Environment Agency: Natural Heritage and Conservation Areas

No objection

Historic Environment Division

No objection

Belfast City Airport

No objection

REPRESENTATION

Thirty one (31) neighbouring properties were notified and seven (7) letters of objection have been received from six (6) properties. The full representations made regarding this proposal are available for Members to view online at the Planning Portal (www.planningni.gov.uk).

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

- Loss of trees (visual impact on the character of the area and impact on wildlife)
- Traffic impact
- Additional bins resulting in clutter at the entrance
- Historical importance of the site (Tobercooran House) as the family home of Lilian Bland

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Preliminary Matter
- Principle of Development
- Neighbour Amenity
- Impact on Character and Appearance of the Area
- Natural Heritage
- Other Matters

Preliminary Matter

The application was amended during the processing of the application and the number of dwellings proposed has been reduced from three (3) dwellings to one (1) dwelling.

Principle of Development

Section 45 (1) of the Planning Act (NI) 2011 requires that regard should be made to the Local Development Plan, so far as material to the application. Section 6 (4) of the Planning Act also states that where, in making any determination, regard should

be made to the Local Development Plan and the determination must be made in accordance with the plan unless material considerations indicate otherwise.

The Belfast Urban Area Plan 2001, The Newtownabbey Area Plan and the draft Belfast Metropolitan Area Plans are the relevant plans for the application site. The aforementioned plans offer policy and guidance in respect of the proposed development and there is also a range of regional planning policy, which is relevant.

The SPPS indicates that where any conflict between the SPPS and any policy retained exists, under the transitional arrangements it must be resolved in the favour of the provisions of the SPPS. For example, where the SPPS introduces a change of policy direction and/or provides a policy clarification that would be in conflict with the retained policy, the SPPS should be accorded greater weight in the assessment of individual planning applications. However, where the SPPS is silent or less prescriptive on a particular planning policy matter than retained policies this should not be judged to lessen the weight to be afforded to the retained policy. The Strategic Planning Policy Statement (SPPS) indicates that sustainable development should be permitted, having regard to material considerations, unless the proposed development will cause demonstrable harm to interests of acknowledged importance. The SPPS also promotes good design and seeks to make more efficient use of urban land without town cramming.

The Regional Development Strategy for Northern Ireland 2035 (RDS) sets out regional strategic objectives for housing in settlements, including: manage housing growth to achieve sustainable patterns of residential development; support urban and rural renaissance; and strengthen community cohesion. The RDS does not provide operational planning policy for development management decisions and in this case the application falls to be considered under PPS7.

The application site is located within the development limits of Metropolitan Newtownabbey and therefore the principle of housing on this site is acceptable subject to consideration on its individual merits against regional planning policy. These matters are addressed below.

Design and Impact on the Character and Appearance of the Area

The SPPS emphasises that within established residential areas it is imperative to ensure that the proposed density of new housing development, together with its form, scale, massing and layout will respect local character and environmental quality as well as safeguarding the amenity of existing residents. Good design is paramount and schemes should be sensitive in design terms to people living in the existing neighbourhood and to local character. In existing residential areas development must be balanced with the need for harmony and sensitivity to avoid significant erosion of environmental quality, amenity and privacy. PPS7 reiterates the need for sensitivity and in Policy QD1, the test is expressed as 'unacceptable damage to local character, environmental quality or residential amenity.' It adds that all proposals for residential development will be expected to conform to nine listed criteria. The Addendum to PPS 7 Safeguarding the Character of Established Residential Areas; also seeks to ensure that any proposed dwelling will not have a detrimental impact on the character and appearance of an established residential area.

It is considered that the density of development for one dwelling on this site will not be significantly greater than the surrounding area. The application seeks outline planning permission and as such no details have been provided regarding the design of the proposed dwelling however, a range of house types and styles are evident within the immediate area. A site layout submitted to the Council, drawing No 03/3 bearing the date stamp 14th May 2018 shows an indicative layout, however it is considered that this will not form part of any grant of planning permission.

Paragraph 4.11 of Development Control Advice Note (DCAN) 8 advises that new development should respect the architectural, streetscape and landscape character of the area, and follow the established character in terms of the landscape structure and the presence of trees. The application site is characterised by a high concentration of trees that set the character of this area and some of the mature trees on the site are protected by a TPO. A tree survey report (Document 01) has been carried out by M. Large Tree Services Ltd and the Council's Tree Officer has been consulted. There were concerns initially regarding the loss of a significant number of trees to accommodate the proposal, which was initially for three (3) dwellings. The proposal was subsequently reduced to one (1) dwelling and it is considered that one dwelling can be accommodated without any loss of the TPO trees on the site. In addition, detailed consideration of the siting and design of the proposed dwelling at Reserved Matters stage should ensure there is minimal loss to vegetation within the site to ensure there is no significant detrimental impact on the character and appearance of this area. It is likely to be considered necessary to remove permitted development rights at Reserved Matters stage to ensure there are no ancillary buildings constructed without due consideration being given to any potential impact on the existing trees.

Given the dwellings to the west of the site are single storey dwellings and the dwelling approved opposite the site to the south is a one and a half storey dwelling, it is considered appropriate to restrict the ridge height of the proposed dwelling to six (6) metres. Detailed consideration will be given to the proposed design at Reserved Matters stage.

Neighbour Amenity

The application site is located adjacent to existing residential properties and therefore it will be important to ensure at Reserved Matters stage that any design respects the amenity and privacy of neighbouring properties and any proposed dwelling must be of a quality design to ensure the amenity of neighbouring properties is protected. It is considered that a dwelling can be designed to ensure no detrimental impact would result on neighbouring properties.

Natural Heritage

This proposal is subject to the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) (known as the Habitats Regulations). An objection was received with regards to the impact on wildlife including birds, bats, hedgehogs and squirrels. Natural Environment Division has been consulted and it is considered that the proposal will not have a detrimental impact on any designated sites or other natural heritage interests and the proposal complies with Planning Policy Statement 2 'Natural Heritage'. A number of informatives will be placed on any grant of planning permission to ensure that; tree removal is carried out outside the bird-

breeding season, information regarding protocol should be discovered and details on the safe removal of Japanese Knotweed.

Access, Movement and Parking

Access to the site is to be taken from an existing right of way. Concerns had been raised through objections received regarding the impact from additional traffic. DfI Roads has been consulted and has been notified of the objections received. No objections have been received from DfI Roads and it is considered that the proposal complies with Planning Policy Statement 3 'Access, Movement and Parking'.

Other Matters

The application site is also located within close proximity to an archaeological monument (a well). Historic Environment Division has been consulted and has no objection to the proposal. It is considered that the proposal complies with the SPPS and Planning Policy Statement 6 – 'Planning, Archaeology and the Built Heritage'.

During the processing of the application the Certificate of Ownership within the application pack was amended to demonstrate that notice of the application was served on the landowner of the right of way.

CONCLUSION

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

- The principle of housing on this site is considered to be acceptable;
- There will be no significant impact on the character and appearance of the area;
- There is no adverse effect on existing or proposed properties in terms of residential amenity, loss of light, overshadowing, noise or other disturbance;
- There will be no significant loss to protected trees;
- The proposal will not have a detrimental impact on designated sites and other natural heritage interests; and
- There are no road safety concerns regarding the proposal.

RECOMMENDATION : **GRANT OUTLINE PLANNING PERMISSION**

PROPOSED CONDITIONS

1. As required by Section 62 of the Planning Act (Northern Ireland) 2011, application for approval of the reserved matters shall be made to Antrim and Newtownabbey Borough Council within 3 years of the date on which this permission is granted and the development, hereby permitted, shall be begun by whichever is the later of the following dates:-
 - i. the expiration of 5 years from the date of this permission; or
 - ii. the expiration of 2 years from the date of approval of the last of the reserved matters to be approved.

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

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

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

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

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

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

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

5. The proposed dwelling shall have a ridge height of less than 6.0 metres above finished floor level and a low angle of roof pitch.

Reason: To ensure that the development is in keeping with the character of the area in accordance with the adjacent residential dwellings.

6. No development shall take place until a plan indicating floor levels of the proposed dwelling in relation to existing and proposed ground levels has been submitted to and approved by the Council. Reason: To ensure the dwelling integrates into the landform and to ensure residents privacy is not adversely affected.

7. Full details of all trees protected under the Tree Preservation Order shall be provided at Reserved Matters stage and those details shall include:

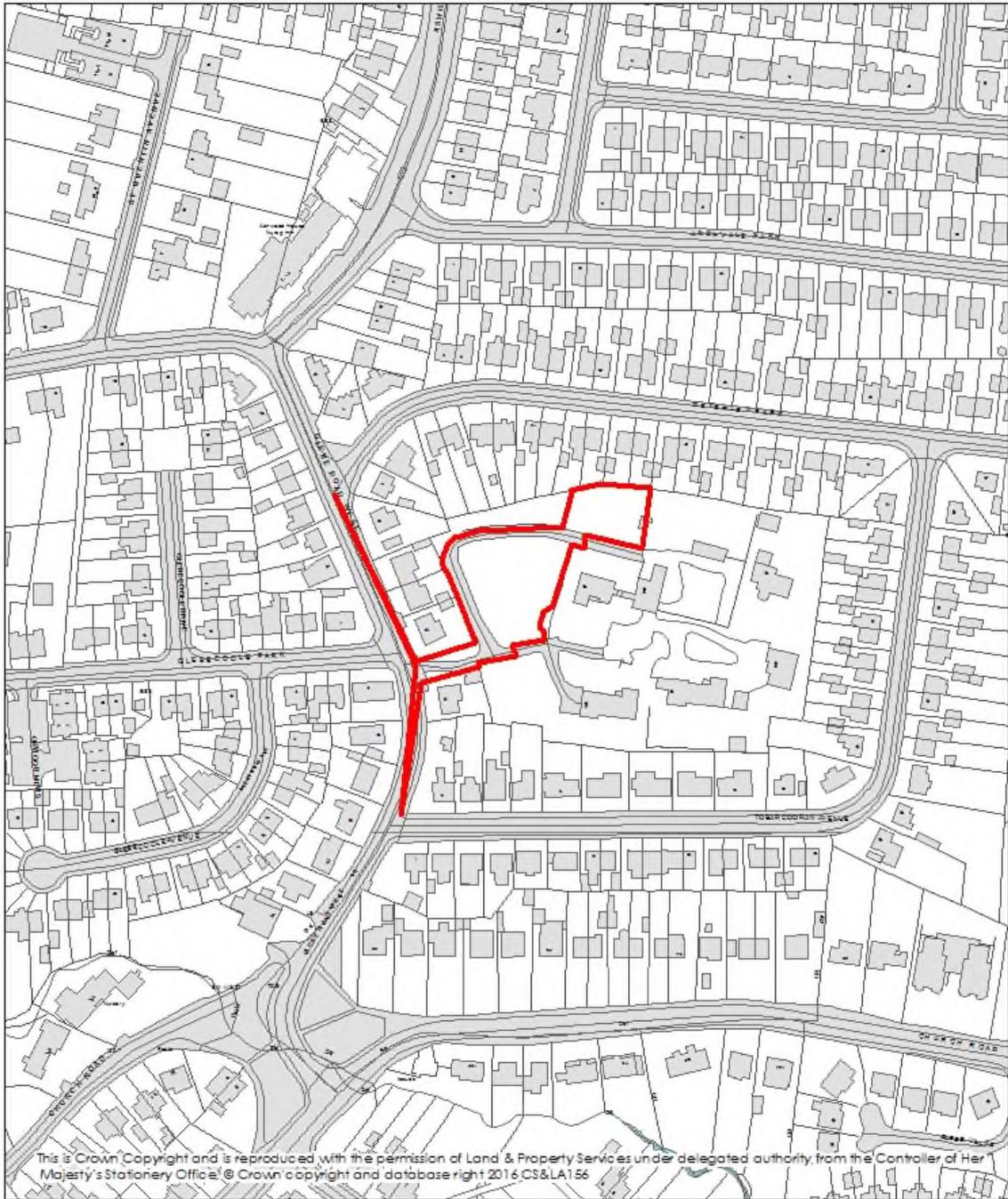
- a) a plan showing the location of TPO trees (with their TPO No.) on the site. This plan should also show any other existing trees which have a stem with a diameter, measured over the bark at a point 1.5 metres above ground level, exceeding 75 mm that are to be retained. The existing crown spread and root protection areas (calculated using British Standards BS 5837:2012 method) should also be included. This plan should also indicate what protected trees are to be removed.
- b) details of any proposed arboricultural work or tree surgery of any retained tree;
- c) details of any proposed alterations in existing ground levels, and of the position of any proposed excavation, including service lines and boundary treatments within the crown spread/root protection area of any retained tree;
- d) details of how the trees and root protection areas will be protected during construction (i.e. protective fencing).

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

8. 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.

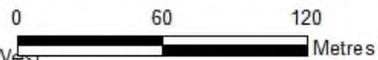
Reason: To ensure the provision, establishment and maintenance of a high standard of landscape.

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



Location Map

Application Reference: LA03/2017/0645/O
 Land 35m West and 15m North of 28a Glebe Road West
 Newtownabbey BT36 6EH



For Information Only

Proposed site for 1no. new dwelling (amended proposal)

Site Boundary



COMMITTEE ITEM	3.8 - DEFERRED FROM NOVEMBER 2017 COMMITTEE MEETING
APPLICATION NO	LA03/2017/0242/O
DEA	THREEMILEWATER
COMMITTEE INTEREST	ADDENDUM TO COMMITTEE REPORT
RECOMMENDATION	GRANT OUTLINE PLANNING PERMISSION

PROPOSAL	Proposed development of 6 No. detached dwellings and garages.
SITE/LOCATION	Lands between 72 and 76 Kingsmoss Road, Newtownabbey
APPLICANT	Miss E McClean
AGENT	English & Drummond
LAST SITE VISIT	3rd April 2017
CASE OFFICER	Alicia Leathem Tel: 028 90340416 Email: alicia.leathem@antrimandnewtownabbey.gov.uk

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

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

This application was brought before the November 2017 meeting of the Planning Committee with a recommendation to approve outline planning permission. At the meeting Members deferred the application to allow consultation with the NIEA Natural Environment Division (NED) to be carried out due to concerns raised about the potential for bats to be affected by the development.

A Biodiversity Checklist and Ecological Constraints Appraisal dated 8th January 2018 was received by the Council and consultation was carried out with NED. The response from NED requested additional information in the form of a newt survey due to the site being bounded by a watercourse along the southern boundary and clarification relating to the extent of the survey area for badgers which was included within the report.

Additional information from the agent was submitted to the Council clarifying the survey area for the badgers and a plan showing the retention of the open watercourse along the southern boundary, with a permanent 5m buffer. The drawing also illustrates newt fencing at a distance of 5m from the watercourse. NED were consulted with this additional information and their response raised no objections to the proposal subject to suggested conditions. One of the conditions requires that at reserved matters stage the open watercourse to the southern boundary is to be shown to be retained and details of a temporary newt fence is to be provided at a distance of 5m from the watercourse, (as shown on drawing 03 date stamped 31st May 2018). The watercourse is to remain open and the fence is to be erected prior to the commencement of construction of the development and shall remain in place until all construction activities are complete.

Eight (8) neighbouring properties were reconsulted with the additional information. One neighbouring property submitted correspondence requesting that the condition relating to the 5m buffer is extended to include the watercourse that bounds the

eastern boundary of the site. Although it is acknowledged that two watercourses bound the site to the east and south, NED concerns relate solely to the watercourse along the southern boundary due to the fact that it is likely to contain water during the summer months.

Letters of representation received by the Council raised concerns in relation to bat potential on the site, and the removal of boundary vegetation for access purposes. Information relating to this was included within the Biodiversity Checklist and Ecological Constraints Appraisal dated 8th January 2018. NED advises that a mature ash tree which is located in the northern most corner of the site has been assessed as having moderate bat roost potential and therefore should be retained. Additionally NED notes that the majority of the vegetation is to be retained, however, some vegetation clearance will be required to provide access arrangements and accepts the recommendations within the Biodiversity Checklist and Ecological Constraints Appraisal dated 8th January 2018 that compensatory planting with native species will be carried out.

The additional information submitted addresses the concerns raised. The imposition of a 5m buffer along the southern boundary does not give rise to any concerns regarding the acceptability of 6 No. dwellings on the site given that the fencing is a temporary measure and will not lead to the loss of any private amenity space. The additional information does not warrant any change to the recommendation, however, the inclusion of additional conditions relating to the retention of the mature ash tree and 5m buffer zone for the protection of protected species is recommended. Consequently the recommendation being brought before the Committee remains to approve outline planning permission as per the November 2017 Committee Report.

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 a period of 5 years from the grant of outline planning permission; or
 - ii. The expiration of a period of 2 years from the date hereof.

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. Full drainage details shall be submitted as part of the reserved matters to indicate all attenuation matters to show that the pre-construction surface water run-off does not exceed the post construction surface water run-off.

Reason: To ensure the development proposal has a satisfactory drainage system.

5. The existing mature ash tree in the northern section of the site as highlighted in green and all other existing boundary trees and shrubs, as shown drawing number 02 date stamped 24th July 2017 shall be permanently retained. The existing boundary trees shall be allowed to grow on and shall be maintained at a minimum height of 3 metres while the mature ash tree shall be maintained at a height of not less than 10 metres. A detailed plan showing their retention shall be submitted as part of any reserved matters application.

Reason: To minimise the impact of the proposal on the biodiversity of the site including protected species.

6. A lighting scheme shall be submitted as part of the reserved matters. No site clearance or development activity shall commence until the lighting scheme has been agreed in writing by the Council. The lighting scheme shall show no direct lighting of the northern boundary of the site and bat friendly lighting throughout the remainder of the site.

Reason: To minimise the impact of the proposal on the biodiversity of the site, including protected species.

7. A plan showing the retention of the open watercourse along the southern boundary shall be submitted as part of the reserved matters, this plan shall show temporary newt fencing 5m from the watercourse and shall be installed prior to commencement of any construction activities and shall remain in place until all construction activities are complete. No construction activities including storage of oil/fuels, concrete mixing and washing areas, storage of machinery/materials/spoil etc. shall be carried out within the 5m buffer.

Reason: To minimise the impact of the proposal on the biodiversity of the site, including protected species.

8. A scale plan at 1:500 shall be submitted as part of the Reserved Matters application showing the access to be constructed in accordance with the attached form RS1.

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

9. No development shall take place until a plan indicating floor levels of the proposed dwellings in relation to existing and proposed ground levels has been submitted to and approved by the Council.

Reason: To ensure the dwellings integrate into the landform and to ensure the residents privacy is not adversely affected.

10. No development shall take place until a landscaping scheme has been submitted to and approved by the Council showing the location, numbers, species and sizes of trees and shrubs to be planted. The scheme of planting as finally approved shall be carried out during the first planting season after the commencement of the development.

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

11. 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.

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

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



Location Map

Application Reference: LA03/2017/0242/O

Lands between 72 and 76 Kingsmoss Road, Newtownabbey



Loughlands - Proposed development of 6 no. detached dwellings and garages

For Information Only

 Site Boundary



COMMITTEE ITEM	3.9
APPLICATION NO	LA03/2018/0087/F
DEA	ANTRIM
COMMITTEE INTEREST	MAJOR DEVELOPMENT
RECOMMENDATION	GRANT PLANNING PERMISSION

PROPOSAL	Construction of discount foodstore, provision of car parking, landscaping and associated site works (relocation of existing Lidl supermarket at Unit 8 - supermarket building to be retained but the foodstore use to be extinguished and transferred to application site).
SITE/LOCATION	Undeveloped land immediately east and southeast of Homebase (Unit 20), 140 Junction One Retail Park, Ballymena Road, Antrim.
APPLICANT	Lidl Northern Ireland GmbH
AGENT	MBA Planning
LAST SITE VISIT	23 rd May 2018
CASE OFFICER	John Linden Tel: 028 90340417 Email: john.linden@antrimandnewtownabbey.gov.uk

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

SITE DESCRIPTION

The application site is located on lands immediately east and southeast of Homebase (Unit 20) at the Junction One Retail Park, Ballymena Road, Antrim.

This is an urban location within the settlement limits of Antrim, as identified in the adopted Antrim Area Plan 1984 – 2001. There are no designations or zonings applicable to these lands.

The application site comprises an area of approximately one (1) hectare of land and is bounded on three sides by the internal road network of The Junction and on the northwestern side by the Homebase retail unit.

The application site is relatively flat and featureless with some recolonising vegetation and can be accessed through the Homebase car park and directly off the existing roundabout spur to the south of the application site.

To the north is the Red Panda restaurant, while the Holiday Inn Express is located to the northeast. The ASDA supermarket is directly south of the site and the Homebase store is to the west and northwest. A new housing development, known as Ferrard Meadows, is located to the east and marks the transition from the primarily retail area to the more mixed use area incorporating the hotel, restaurants, petrol station and residential development.

The application site is also located within the 'Supermarket Quarter' of the masterplan associated with the redevelopment of The Junction granted planning permission by the Planning Committee in December 2017 (see reference

LA03/2017/0234/O in the planning history section) and is located to the southwestern side of The Junction complex.

RELEVANT PLANNING HISTORY

Reference: T/1997/0288/O

Location: Lands opposite No's 77-91 Ballymena Road, Antrim

Proposal: Erection of a food superstore, petrol filling station and sit-in restaurant

Decision: Permission Granted: 11.08.2004

Reference: T/2014/1452/RM

Location: Lands opposite No's 77-91 Ballymena Road, Antrim

Proposal: Erection of new food store, ATM, and restaurant with associated car parking and landscaping

Decision: Permission Granted: 03.06.2005

Reference: LA03/2017/0234/O

Location: Junction One Retail and Leisure Park, Ballymena Road, Antrim,

Proposal: Outline masterplan to facilitate the comprehensive regeneration of Junction One, including the Factory Outlet Centre, Retail and Leisure Park, and vacant lands. Proposals include demolition and reconfiguration of existing buildings; erection of new buildings to include provision of restaurants/coffee shops, bulky goods retail warehousing, retail kiosks, indoor leisure and factory outlet units; creation of new children's play area, outdoor multi-purpose recreational facility, new gateway entrance road and re-configuration of internal road network; reconfiguration of car parking; provision of environmental improvement scheme featuring hard/soft landscaping and all associated site works (Proposed Master Plan layout to also incorporate the re-configuration of existing car park and 2 No drive thru restaurants/cafes, 1 No ancillary external seating area and 1 No ancillary children's play area granted planning permission by LA03/2017/0014/F)

Decision: Permission Granted: 18.12.2017

PLANNING POLICY

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, 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 limit of Antrim. Paragraph 16.6 of the Plan states that proposals for

development will be considered provided the uses are satisfactory for the locations proposed and that no physical or other problems are involved. Paragraph 16.14 states that the policy of the planning authority will be to consolidate the Central Area of Antrim as the main focus for shopping.

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.

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.

CONSULTATION

Council Environmental Health Section – No objection subject to condition.

NI Water – No objection.

DfI Roads – No objection subject to condition.

Northern Ireland Environment Agency:

Land, Soil and Air – No objection subject to condition.

Natural Heritage and Conservation – No objection.

Historic Environment Division – No objection.

DfI Rivers – No objection.

REPRESENTATION

Twelve (12) neighbouring properties were notified and one letter of support has been received from The Lotus Group, the landlord and owner of The Junction.

The full representations made regarding this proposal are available for Members to view online at the Planning Portal (www.planningni.gov.uk).

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

- An integral part of the masterplan for The Junction granted planning permission via reference LA03/2017/0234/O involves the relocation of the existing Lidl supermarket to the undeveloped land beside Homebase.
- The economic benefits of the masterplan will only be realised once The Lotus Group has control of the land parcel accommodating the existing Lidl store and so The Lotus Group require Lidl's existing tenancy to be extinguished as soon as possible.
- The phasing requirements of planning permission LA03/2017/0234/O gives priority to the delivery of the tree lined boulevard running from Stiles Way roundabout to the Factory Outlet Centre. In order to do this The Lotus Group require a portion of the existing Lidl's carpark.
- The proposed Lidl store will improve the retail offer of The Junction and provide more choice and competition for shoppers.
- The vacation of the existing Lidl store will enable The Lotus Group to redevelop the unit for bulky goods retail purposes.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Principle of Development
- Retail Impact
- Development Quality and Impact to the Character of the Area
- Neighbour Amenity
- Flood Risk
- Other Matters

Principle of Development

The Planning Act (Northern Ireland) 2011 requires the Council, in dealing with a planning application, 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 Planning Act states that where regard is to be had to the Development Plan, the determination must be made in accordance with the Plan unless material considerations indicate otherwise.

The Antrim Area Plan 1984-2001 (AAP) currently operates as the statutory local development plan for the area where the application site is located and 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 with no applicable zonings or designations. The stated aim of the Plan however is to consolidate the Central Area of Antrim as the main focus for shopping and AAP advises that future shopping floorspace can be met within the town centre limit.

The Strategic Planning Policy Statement for Northern Ireland (SPPS) is material to all decisions on individual planning applications and it sets out the transitional arrangements that will operate until the Council has adopted a Plan Strategy for the Council area. The SPPS requires a Town Centre first approach for retail and main town centre uses. In these circumstances the principle of this proposed retail development can only be established if the aforementioned considerations relating to retailing are satisfied as well as consideration of the quality of the proposed

development and its relationship with the receiving environment, residential amenity together with access, road safety, parking and any potential flooding issues. These matters are addressed below.

In addition, it should be noted that the applicant requests an Order be made under Section 73 of The Planning (Northern Ireland) Act 2011 requiring the discontinuance of use of the existing Lidl food store. The purpose of the Discontinuance Order is to effectively remove the Class A1 retail floorspace from the existing Lidl store to ensure that there is no net gain in Class A1 retail floorspace should the proposed Lidl store be allowed to proceed. This issue is discussed in greater detail at the end of the report.

Retail Impact

The application site is located within The Junction Retail and Leisure Park. This is an area of undesignated whiteland within the development limit of Antrim, as identified in the adopted Antrim Area Plan 1984 – 2001 but which lies outside the designated town centre boundary. The application site therefore comprises an out of centre retail destination for the purposes of retail planning policy.

The applicant has provided a supporting planning and retail impact statement. This includes a sequential site selection and an assessment of need, consistent with the requirements of the SPPS and the town centre first policy approach advocated for retail and main town centre uses that are not in an existing centre and not in accordance with an up to date local development plan.

The application is in effect proposing a replacement for the existing Lidl store located nearby and the relinquishment of the approved Class A1 retail use of these premises. This is a material consideration of significant weight in assessing the principle of this proposal.

Since the application was submitted, the applicant has increased the net retail floorspace of the existing Lidl store from 1286 square metres to 1420 square metres, an increase of 134 square metres. The overall gross floorspace of the building (1745 square metres) has not changed rather the net retail increase has been facilitated through internal alterations, which did not require the consent of the Council. It should also be noted that this increase in net retail floorspace does not conflict with planning condition 4 of the outline planning permission (T/1997/0288/O) that provided for the existing Lidl store in the first instance. Accordingly, the current net retail floorspace of the existing Lidl store, i.e. 1420 square metres, represents a valid 'fall back' position for the applicant in seeking a replacement store.

The net retail floorspace of the proposed new Lidl store is consistent with that of the existing store. For this reason it is considered that as one store is effectively seeking to replace the other there can be no additional impact on Antrim Town Centre provided control can be exercised over the future use of the existing premises. The case put forward by the applicant with respect to the 'sequential test' and 'needs test' is therefore accepted and this weighs in favour of permitting the proposal in principle as there should be no increase in the level of Class A1 retail space at The Junction.

As regards the quantum of space allocated for comparison goods the existing Lidl store provides for 257 square metres of comparison goods floorspace and the

proposed Lidl store seeks 284 square metres comparison goods floorspace. The new retail floorspace area dedicated to comparison goods is noted as not exceeding the upper limit of 375 square metres imposed by Condition 6 of the original grant of outline planning permission (T/1997/0288/O) relating to the existing premises. The applicant contends that Lidl is not a comparison goods destination as these items are typically sold on a 'promotional' basis and represent impulse purchases in association with the primary purpose of food shopping. The applicant comments that the Lidl store, with respect to comparison goods retailing, is more likely to compete directly with the Factory Outlet facilities within The Junction and with the comparison goods offer of Asda and Tesco. The applicant also comments that even if the proposal's additional turnover was drawn from Antrim Town Centre, the impact would be 0.14%, which would not have a significant adverse impact on any convenience or comparison goods traders. This argument is considered acceptable and the retail floorspace dedicated to comparison goods can be controlled through the use of an appropriately worded planning condition.

Overall, it is considered that the proposal would not have a significant detrimental impact upon the vitality and viability of Antrim Town Centre (provided the Class A1 retail use of the existing premises, per the applicant's intentions, is extinguished) and as a consequence it is considered the proposal accords with retail planning policy as set out in the SPPS.

Development Quality and Impact to the Character of the Area

The Design and Access Statement identifies that the application site is bounded on three sides by the internal road network of The Junction and it occupies a prominent location within the complex.

The proposed building footprint is basically rectangular in shape and positioned within the northwestern portion of the application site. It is orientated with its main frontage elevation facing southeastwards towards a roundabout that provides access to the nearby ASDA store to the southwest and the residential development under construction at Ferrard Meadows to the southeast.

The mono-pitch sloping roof of the proposed building addresses this junction and functions as the public face of the building. The entire façade comprises a large swathe of floor to ceiling glazing, which provides a public presence for patrons moving through the Junction complex and promotes legibility with respect to the entrance point of the building itself. The use of glazing for this façade creates an active frontage and promotes visual interest while softening the scale and massing of the proposal in this part of the application site. This glazed façade will also promote views into the store and help create a sense of openness and spaciousness for customers along with good levels of natural light.

With respect to the elevation facing the northeast the applicant has responded to the design critique provided by the Planning Section by introducing a number of amendments that it is considered will improve the appearance of the building from nearby critical view points. A series of equally spaced narrow vertical columns have been introduced across the ground floor frontage of this elevation with a feature element introduced mid-way along the elevation. This projects above the roof line and provides visual relief that breaks up what would otherwise read as a long uninterrupted horizontal plane. Furthermore the introduction of this feature along this

elevation helps ensure that the design of this building will now read more closely with the retail architecture of other adjacent buildings, including the Homebase Store.

In addition, it is proposed that a portion of the current large and featureless red brick wall of the Homebase Store immediately north of the site will be painted to read in conjunction with the new building. It is considered this will again assist in promoting an increased level of visual cohesion and unity between the Homebase Store and the proposed building and this matter can be controlled by means of a suitably worded planning condition.

Other amendments to the overall design proposal relate to the landscaping of the application site. Amendments include the provisions of a series of trees along the edge of the car parking areas and the creation of a series of discreet areas or 'cells' of parking. When read in conjunction with the grassed area forming a green edge around the application site it is considered these landscape works will help soften the visual impact of the proposed development as a whole and contribute positively to the character of the area.

Overall, this series of amendments is considered sufficient to demonstrate that the building proposed is appropriate to its context and will complement the retail architecture of other retail buildings in The Junction complex. The proposed landscaping works will help integrate the proposal and also make a positive contribution to the character of the area.

The rear area of the proposed site abuts an internal service road and provides for both the service yard and vehicular access point to this area. This part of the site is to be edged with paladin fencing, a similar boundary treatment to other service yards along this route. The rear elevation of the building is the lower side of the monopitch roof and is broken up by the introduction of high level glazing, which provides a level of visual interest. Given that the southeast and northeast elevations are more notable in the street scene and shall experience higher levels of vehicular activity and footfall, it is considered that the design, layout and boundary treatment of proposed development in this area of the application site is generally acceptable.

In summary, the proposed building is deemed to be of a straightforward, modern appearance utilising a range of materials that are simply and effectively repeated throughout the design. It is considered that the proposal will generally accord and be compatible with other retail architecture present within The Junction retail and leisure park.

Neighbour Amenity

The applicant provided an Outward Sound Level Impact Assessment and the Council's Environmental Health Section has offered no objections with respect to its methodology and conclusions and in particular that no mitigation measures are required to facilitate the development. Given that the Council's Environmental Health Section has offered no objections to the development proposal with respect to noise and disturbance it is considered that the development will not give rise to any significant adverse residential amenity issues for the nearest residential development at Ferrard Meadows.

Flood Risk

The applicant has provided a drainage assessment and DfI Rivers has advised that it accepts its logic and has no reason to disagree with its conclusions. DfI Rivers therefore has not raised an objection to the proposed development from a drainage or flood risk perspective and it is considered the proposed development will not be subject to surface water flooding nor exacerbate flooding elsewhere. It is therefore considered that the proposal is compliant with PPS 15 (Revised).

Other Matters

Socio Economic Implications

The agent has advised that this development proposal represents an investment of some £5.9 million and indicated that the new Lidl store will complement and strengthen the existing retail offer of The Junction through increasing competition and choice that will encourage shoppers to remain within the Antrim catchment area rather than travelling further afield to neighbouring retail centres. In addition to the 28 jobs transferring from the existing store, the equivalent of an additional 10 full time positions will be created as a result of the new store being approved together with approximately 55 construction jobs associated with the development.

The agent further advises that vacating the existing Lidl store will assist in unlocking the other positive long term economic benefits to Antrim and the wider Council area that will accrue from the implementation of the masterplan scheme associated with the re-development of The Junction and previously reported to the Committee.

It is accepted that the above economic benefits are matters that weigh in favour of the proposal.

Discontinuance Order

As indicated above under the heading Principle of Development, this proposal is in essence seeking to move the existing Class A1 retail use from the existing Lidl store to the new Lidl store which is the subject of this planning application. To facilitate this arrangement the applicant is relying upon an Order being made under Section 73 of The Planning Act (NI) 2011 (discontinuance of use) by the Council, commonly referred to as a Discontinuance Order. Such an Order effectively takes away existing rights to use land and property.

In this case it is proposed that a Discontinuance Order would be made to discontinue the Class A1 retail use of the existing Lidl food store before the new Lidl store becomes operational. Whilst the Committee should note that legislative provisions exist for compensation to be paid when a Discontinuance Order is made by a Council, in this case both the applicant, Lidl, and the land owner, the Lotus Group, have confirmed that they are willing to voluntarily enter into such an Order to facilitate the grant of planning permission for the current proposal and therefore they have agreed to forgo any right to compensation.

This mechanism therefore effectively provides the Council with the power to control the nature and scale of Class A1 retailing within The Junction complex in this case. It would avoid an accumulation of food store planning permissions within the Retail and Leisure Park and simultaneously ensure no greater impact on the vitality and viability of Antrim Town Centre and other centres within the catchment than already exists.

The Discontinuance Order would remove the effect of the previous grant of planning permission for the existing Lidl unit and the current Class A1 retail use. The building however can be retained and planning permission sought for an alternative conforming use. In this case and based on the Masterplan approved at the Junction the Planning Section would be content for the existing unit to be restricted to retail warehouse usage.

It should also be noted that Section 74 of the Act requires that the Department for Infrastructure confirms the Section 73 Order. As a consequence should the Council decide to grant planning permission for the new store on the basis that it would replace the existing level of Class A1 retail operated by Lidl, the applicant will be dependent upon DfI confirming any Discontinuance Order prior to the new store becoming operational.

Furthermore to ensure that any permission granted is tied to the proposal put forward by the applicant to formally discontinue the existing Lidl use it would be necessary to impose an appropriately worded negative condition in relation to this matter.

CONCLUSION

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

- The principle of development is considered acceptable subject to imposition of a negative condition for the discontinuance of use of the existing Lidl food store.
- The design appearance of the proposed building is acceptable and will generally accord and be compatible with other retail architecture present within The Junction complex.
- The landscaping works proposed will help integrate the development and make a positive contribution to the character of the area.
- Consideration of matters such as impact on neighbour amenity, vehicular access, car parking and flood risk are acceptable and no consultee has raised objection to the proposal.
- The economic benefits of the scheme are matters that weigh in favour of the proposal.

RECOMMENDATION :	GRANT PLANNING PERMISSION
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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 part of the retail unit hereby approved shall become operational until such times as:

- a. an Order made under Section 73 of The Planning Act (Northern Ireland) 2011 requiring the discontinuance of the Class A1 Retail Use of the existing Lidl Foodstore (No. 8, Junction One, Retail Park B, Ballymena Road, Antrim, as hatched blue in drawing ref: 01, date stamped received 25th January 2018, and granted planning permission by T/1997/0288/O and T/2004/1452/RM) has taken effect; and

- b. Pursuant to Section 182 of the Planning Act (Northern Ireland) 2011, no compensation shall be payable under Section 26 of the Land Development Values (Compensation) Act (Northern Ireland) 1965 in respect of the aforementioned Order made under Section 73 requiring the discontinuance of the existing Lidl foodstore to any person who has consented to that discontinuance.

Reason: To prevent an accumulation of planning permissions providing for Class A1: Shop usage, as defined by The Planning (Use Classes) Order (Northern Ireland) 2015, within The Junction Retail and Leisure Park and so as not to prejudice the continued vitality and viability of Antrim Town Centre and other centres within the catchment.

3. The gross floorspace of the retail unit hereby permitted shall not exceed 2143 square metres of which no more than 1420 square metres shall comprise the total net retail floorspace (measured internally).
4. The retail unit hereby permitted shall be limited to the display and sale of convenience goods with the exception of an area not exceeding 284 square metres of the total net retail floor space that may be used for non-convenience retailing. Convenience goods for this purpose are hereby defined as the sale of:
 - (a) Food and drink including alcoholic drink.
 - (b) Tobacco, newspapers, magazines and confectionery.
 - (c) Stationery and paper goods.
 - (d) Toilet requisites and cosmetics.
 - (e) Household cleaning materials.
 - (f) Other retail goods as may be determined in writing by the Council as generally falling within the category of convenience goods.
5. The retail unit approved herein shall not be sub-divided into independent or separate retail units without the prior permission in writing of the Council.
6. No internal operations increasing the floorspace available for retail or any other use, including the installation of mezzanine floors, shall be carried out within the retail unit hereby permitted, without the express grant of planning permission by the Council.

Reason for Conditions 3 - 6: 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 Antrim Town Centre and other centres within the catchment.

7. No retailing or other 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 No. 03/3 bearing date stamp 28th June 2018 to provide adequate facilities for parking, servicing and circulating within the site. No part of these hard surfaced areas shall be used for any purpose at any time other than for the parking and movement of vehicles.

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

8. The vehicular access, including visibility splays and any forward sight distance, shall be provided in accordance with Drawing No. 03/3 bearing date stamp 28th June 2018, prior to the commencement of any other development hereby permitted. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250mm above the level of the adjoining carriageway and such splays shall be retained and kept clear thereafter.

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

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

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

10. 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 Model Procedures for the Management of Land Contamination (CLR11). 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.

11. After completing the remediation works under Condition 10; and prior to occupation of the development, a verification report needs to be submitted in writing and agreed with Planning Authority. This report should be completed by competent persons in accordance with the Model Procedures for the Management of Land Contamination (CLR11).

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.

12. The developer shall submit to the Council for its agreement in writing a final Construction Environmental Management Plan (CEMP) and finalised Site Drainage Plan at least 6 weeks prior to the commencement of the development approved herein.

The (final) CEMP shall reflect all the prevention, mitigation and avoidance measures as outlined in the Outline CEMP approved herein and the development shall be carried out in accordance with the mitigation measures, unless otherwise agreed in writing by the Council.

This shall reflect and detail the current pollution prevention, mitigation and avoidance measures as outlined within the Outline Construction Environmental Management Plan, Doc: 05, date stamped received 25th January 2018 and the Site Drainage Plan, Drawing ref: 10, date stamped received 25th January 2018.

Reason: To ensure effective avoidance and mitigation measures have been planned for the protection of the water environment and to ensure there are no adverse impacts on the integrity of Lough Neagh and Lough Beg SPA/RAMSAR.

13. The landscape scheme indicated in drawing ref: 09/2 'Soft Landscape Proposals', date stamped received 28th June 2018, shall be implemented during the first available planting season after the commencement of operations of the development or in accordance with a programme to be agreed in writing with the Council.

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

14. 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.

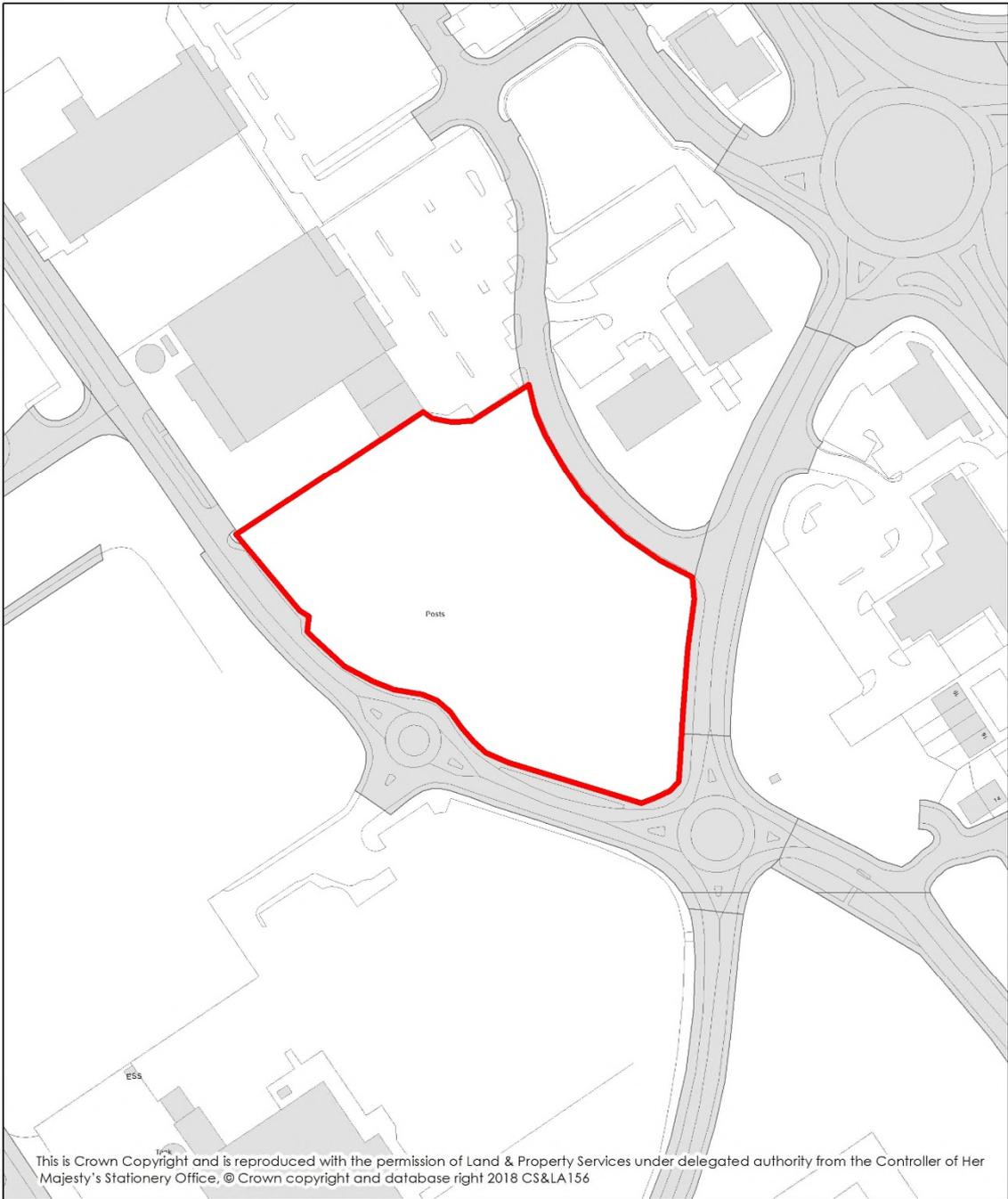
15. Prior to the retail unit hereby permitted becoming operational, a landscape management plan shall be submitted to and approved by the Department setting out the period of the plan, long-term objectives, management responsibilities, performance measures and maintenance schedules for all landscaped areas. The landscape management plan shall be carried out as approved.

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

16. Prior to retail unit hereby permitted becoming operational, the wall edged orange in drawing 01, date stamped received 25th January 2018, shall be painted in accordance with the details set out in drawing 03/3, date stamped received 28th June 2018, or in accordance with a scheme to be submitted to and agreed in writing by the Council.

Reason: In the interests of visual amenity.





Location Map

Application Reference: LA03/2018/0087/F

Undeveloped land immediately east and southeast of Homebase (Unit 20) 140 Junction One Retail Park Ballymena Road

Construction of discount foodstore - relocation of existing Lidl supermarket, building to be retained but the foodstore use to be extinguished and transferred to application site.

 Site Boundary



For Information Only



COMMITTEE ITEM	3.10
APPLICATION NO	LA03/2017/0773/F
DEA	AIRPORT
COMMITTEE INTEREST	LEVEL OF OBJECTION
RECOMMENDATION	GRANT PLANNING PERMISSION

PROPOSAL	Erection of 18 no. semi-detached houses and 7 no. apartments over 3 floors
SITE/LOCATION	Undeveloped lands between 5 and 7 Blackrock Boulevard located within Blackrock Housing Development, Mallusk, Newtownabbey
APPLICANT	Fyth Developments Ltd
AGENT	Studio Rogers Architects Ltd
LAST SITE VISIT	1 st November 2017
CASE OFFICER	Ashleigh Wilson Tel: 028 903 Ext 40429 Email: ashleigh.wilson@antrimandnewtownabbey.gov.uk

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

SITE DESCRIPTION

The application site is located within an existing residential development at Blackrock Boulevard, Newtownabbey. The existing site is a semi-circle shaped area of overgrown grassland. The northwestern boundary of the site abuts Blackrock Boulevard and is bounded by two and a half metre high wooden security boarding with the remaining boundaries abutting existing residential properties within the housing development, which have one to two metre high fencing, railings or walls.

The surrounding area is residential with the majority of the housing development being already built. The dwellings are a mix of types and finishes including red brick and white render.

RELEVANT PLANNING HISTORY

Planning Reference: U/2012/0281/F
Location: 90 HydePark Road, Blackrock, Newtownabbey, Co. Antrim
Proposal: Erection of 18 no dwellings to include detached, semi - detached and terraced units and associated site works (amendment to previous approval U/2007/0172/F sites 21, 27 & 28, 29 -38, 80-82,99 - 104, 121-123 to include change of house type with numbers reduced from 25 to 18 dwellings.)
Decision: Permission Granted (13.09.2013)

Planning Reference: U/2011/0157/F
Location: 90 HydePark Road, Blackrock, Newtownabbey, Co. Antrim
Proposal: Change of house type on sites 59-121 on previously approved application to provide 1 detached dwelling, 26 semi detached, 8 townhouses and 5 apartments with numbers reduced from 63-40 and amendments to road layout.
Decision: Permission Granted (05.09.2012)

Planning Reference: U/2007/0172/F

Location: 90 Hydepark Road, Grange Of Mallusk, Newtownabbey, BT36 4PZ

Proposal: Proposed residential development Phase 4 of 4b lands previously approved as part of PAC decision REF: 2000/A227 and OPA REF: U/1996/0308 to include 167 housing units, associated car parking.

Decision: Permission Granted (02.05.2008)

Planning Reference: U/1996/0308/F

Location: Land to the north of Hightown and Hydepark Roads, between Hollybrook Development and Hydepark Close, Newtownabbey.

Proposal: Site for housing development.

Decision: Permission Granted (10.04.2000)

PLANNING POLICY

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 Antrim Area Plan and the Belfast Urban 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: The Plan offers no specific guidance on this proposal.

Draft Belfast Metropolitan Area Plan (Published 2004): The application site is within the development limits of Metropolitan Newtownabbey and is zoned for housing development (MNY 03/20)

Draft Belfast Metropolitan Area Plan (Published 2014): The application site is located within the development limits and is zoned for housing (MNY 03/09) – Committed Housing 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 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 15: Planning and Flood Risk (Revised September 2014): sets out planning policies to minimise flood risk to people, property and the environment.

CONSULTATION

DfI Roads

No objection subject to conditions

Northern Ireland Environment Agency: Water Management Unit

No objection subject to informatives

DfI Rivers

No objection, subject to informatives

REPRESENTATION

Twenty six (26) neighbouring properties were notified and five (5) letters of objection have been received from five (5) properties. The full representations made regarding this proposal are available for Members to view online at the Planning Portal (www.planningni.gov.uk).

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

- Loss of privacy;
- Loss of light;
- Decrease in value of neighbouring properties;
- Out of keeping with character of the area, including window style not Georgian as per remaining dwellings and flat roofed returns;
- Anti-social issues – pedestrian walkway should be lit;
- Overdevelopment;
- Traffic;
- Misleading information provided by the developer;
- Reduction in separation distance from No. 38 Blackrock Lane;
- Parking layout potentially resulting in parking on the road and visual impact of large areas of hardstanding;
- Landscaping for the remainder of the development has not been carried out and a condition should be imposed regarding landscaping; and
- Bin storage provision is insufficient;

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Principle of Development
- Density
- Design and Impact on Character and Appearance of the Area
- Neighbour Amenity
- Flood Risk
- Road Safety
- Other Matters

Principle of Development

Section 45 (1) of the Planning Act (NI) 2011 requires that regard should be made to the Local Development Plan, so far as material to the application. Section 6 (4) of the Planning Act also states that where, in making any determination, regard should be made to the Local Development Plan and the determination must be made in accordance with the plan unless material considerations indicate otherwise.

The Belfast Urban Area Plan 2001, The Newtownabbey Area Plan and the draft Belfast Metropolitan Area Plans are the relevant plans for the application site. The aforementioned plans offer policy and guidance in respect of the proposed development and there is also a range of regional planning policy which is relevant.

The SPPS indicates that where any conflict between the SPPS and any policy retained exists, under the transitional arrangements it must be resolved in the favour of the provisions of the SPPS. For example, where the SPPS introduces a change of policy direction and/or provides a policy clarification that would be in conflict with the retained policy, the SPPS should be accorded greater weight in the assessment of individual planning applications. However, where the SPPS is silent or less prescriptive on a particular planning policy matter than retained policies this should not be judged to lessen the weight to be afforded to the retained policy. The Strategic Planning Policy Statement (SPPS) indicates that sustainable development should be permitted, having regard to material considerations, unless the proposed development will cause demonstrable harm to interests of acknowledged importance. The SPPS also promotes good design and seeks to make more efficient use of urban land without town cramming.

The Regional Development Strategy for Northern Ireland 2035 (RDS) sets out regional strategic objectives for housing in settlements, including: manage housing growth to achieve sustainable patterns of residential development; support urban and rural renaissance; and strengthen community cohesion. The RDS does not provide operational planning policy for development management decisions and in this case the application falls to be considered under PPS7.

A previous housing development has been granted on this site under planning reference U/2007/0172/F. This permission granted a total of 167 housing units on a larger site which was phase 4 of a larger approval for housing. On the portion of land which pertains to the application site, a total of 42 No. units were granted. The applicant points out that this is an extant permission given the remainder of the development has been completed.

The principle of housing development on this site is acceptable given the zoning in the various area plans and the previous planning permissions granted. The application therefore stands to be considered on its individual merits against regional planning policy. These matters are addressed below.

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. Given the reduction of density in dwelling units from the previously approved forty two units to the proposed twenty five units and given the density of the adjacent residential development on all sides, it is considered that the density of the proposed development will not result in an adverse impact on the character of this area.

Design and Impact on Character and Appearance of the Area

The current policy direction is to make more efficient use of urban land, but cautions that overdeveloped and unsympathetic schemes will not be acceptable in established residential areas and that schemes should be sensitive in design terms to people living in the existing neighbourhood and to local character. Para 4.34 of the SPPS indicates that one of the keys to successful place-making is the relationship between different buildings and the relationship between buildings and streets and the compatibility of a development with its immediate and wider context, and the settlement pattern of a particular area.

Although imaginative and innovative forms of housing are encouraged, this is qualified in existing residential areas with the need for harmony and sensitivity to avoid significant erosion of environmental quality, amenity and privacy. PPS7 reiterates the need for sensitivity and in Policy QD1; the test is expressed as 'unacceptable damage to local character, environmental quality or residential amenity'.

The proposed development comprises eighteen (18) semi-detached dwellings and seven (7) apartments. This is a reduction in units from the previously approved 42 No. units and although the layout has been reconfigured, it is considered that the proposal does not represent an overdevelopment of the site. All units are built to a size which complies with Policy LC 1 of the Addendum to PPS 7 'Safeguarding the Character of Residential Areas'.

The proposed dwellings are arranged around a semi-circle with an area of 781 square metres of public open space for the development. This equates to 11.9% of the development site, which meets the guidance contained within Creating Places. The Guidance also recommends that each dwelling should have an average of 70sqm of private amenity provision, behind the building line. The provision of rear private amenity space ranges between sites, however, the smallest garden size is 76 square metres and the largest is 136 square metres. It is therefore considered that this aspect of the scheme is acceptable and will provide a variety of garden sizes throughout the development. A Landscape Management Plan has been submitted (Document 01) which details the management and maintenance of the proposed areas of open space within the development. An existing pedestrian link is located from the application site to the remainder of the housing development to the east of

the site. An objection was received requiring the pedestrian link to be lit however, this is outside the application site boundary and has been approved as part of a previous application.

The proposed building line is further forward than the two dwellings on either side of the 'crescent'. However, it is considered that this will not appear incongruous in the streetscene and there are numerous examples through the wider housing development where corner sites have been 'reinforced' with prominent dwellings that break the building line to enhance the streetscape. It is considered the building line in this instance is acceptable.

A proposed bin storage area is located on the ground floor of the apartments with a separate access through the underpass. The store will hold one 1100litre bin for general household waste; one for recyclables, and two smaller 240 litre bins for kitchen / garden waste. It is considered that the provision of bins is in accordance with the Local Government Waste Storage Guide for NI and is considered acceptable.

The finishes include a mix of red facing brick and smooth render with grey/black flat non-profiled slates on the roofs and upvc brown/white/black windows with concrete and slate cills. These are in keeping with the remainder of the development. An objection was received regarding the design of the windows, which are not Georgian in accordance with the remainder of the wider housing development however, it is considered that the style of the windows are acceptable and will not appear out of character with the area. The flat roof returns are also considered acceptable in the context.

Adequate and appropriate provision is made for parking within the development with each dwelling having in-curtilage parking. A further nine spaces in lay-by form around the area of public open space have been provided. A private parking court is also proposed to the rear of the apartment blocks accessed under the proposed building. Although this will result in hardstanding to the front of the development, spaces are broken up with garden areas and planted trees and the layout is considered acceptable. Tree and shrub planting is proposed within the front gardens and throughout the internal layout of the proposed development, which helps to soften the visual impact of the development. The area of open space to the front of the development will also help to soften the visual impact. A landscaping condition is proposed to ensure the proposed planting will be carried out.

An existing footpath runs along the front boundary of the site and the public open space is set adjacent to this path. Boundary treatments include the retention of the existing 1.8 m closeboarded fencing around the majority of the rear boundaries with the exception of 1.8m high walls and pillars between No. 5 Blackrock Boulevard and the application site. The proposed 1.8 metre fencing is indicated between the proposed dwellings and the majority of the front boundary will be left open to Blackrock Boulevard, which abuts the area of open space. The roadside boundaries to the front of the proposed dwellings and car parking spaces include 1.2m high walls and pillars and a 1.8m high wall providing privacy for the two roadside dwellings (units 1 and 25). The proposed boundary treatments are considered acceptable.

It is considered that the development proposal will be in keeping with the character and appearance of the area and the design, layout and appearance of the development is sympathetic to the character of the surrounding context in terms of layout, scale, proportions, massing, appearance of buildings and structures, landscaped and hard surfaced areas.

Neighbour Amenity

A number of occupants of neighbouring properties have objected with regards to overshadowing and loss of privacy.

In assessing the impact on neighbouring properties, consideration must be given to the previously approved scheme which granted permission 42 No. residential units including 4 ½ storey apartments and 2 ½ and 3 storey dwellings.

Nos. 62 and 64 Blackrock Lane which abut the application site were approved under planning reference U/2011/0157/F. The proposed Unit 6 is the closest to the boundary with No. 64 and the distance from the proposed rear elevation to the common boundary is 9.4 metres at the closest point and twelve (12) metres at the furthest point. It is considered in this urban context that the separation distances proposed are acceptable.

No. 66 Blackrock Lane was approved under planning reference U/2012/0281/F further to the granting of the original planning permission U/2007/0172/F. The closest back to back separation distance was sixteen (16) metres from the rear elevation of proposed Unit 5 and No. 66 Blackrock Lane and this is a reduction in separation distance by three (3) metres from that previously approved. However, the only existing first floor window in the upper rear elevation of No. 66 is a landing window and as such there is no concern regarding overlooking from first floor opposing windows. In addition, the previously approved units on the application site had a first floor kitchen window which is a habitable room and the proposed first floor windows only serve bedrooms which are considered low occupancy rooms and therefore the potential for overlooking is significantly reduced.

Although the rear amenity area of No. 66 is extremely restricted, it is considered the current proposal provides adequate separation distances given the circumstances outlined above and as such is considered acceptable. Although some overshadowing may be created, this is not considered significant to warrant refusal of the application.

Nos. 38 – 52 Blackrock Lane were granted permission under planning application U/2011/0157/F. Although the proposed units are closer to the rear boundary than the previously approved housing scheme, it is considered that the separation distance is acceptable in this instance being approximately 26.5 metres at the closest point between the proposed rear elevation of Unit 17 and the existing dwelling at No. 38 Blackrock Lane. Given the sites urban context where some degree of overlooking is unavoidable, this level of separation is considered acceptable. The previously approved apartments on this site were four (4) storeys at the highest point and the proposed units are three storeys at the highest point. Therefore, there will be some reduction in the massing of the proposed building and a reduction in the number of overlooking windows to a number of the dwellings within Blackrock Lane when compared to the previously development granted on the site. Overall, it is

considered that the proposal is unlikely to result in any significant adverse impact upon existing or proposed residential properties.

Although there are some existing dwellings which are positioned gable end to the proposed properties, existing first floor windows are serving bedrooms, which are not high occupancy rooms.

In terms of the design and layout, the proposed development will not create conflict with adjacent land uses and there is no unacceptable adverse effect on existing or proposed properties in terms of overlooking, loss of light, overshadowing, noise or other disturbance. It is considered that the proposal respects both the existing and approved development within the area and will not have a detrimental impact in terms of neighbour amenity.

Flood Risk

The application site does not lie within the 1 in 100 year fluvial or 1 in 200 year coastal flood plain. Policy FLD 3 requires that for a development of this size a Drainage Assessment must be submitted which was forwarded to DfI Rivers and NIEA Water Management Unit. Neither consultee has raised any objection to the proposal.

Road Safety

DFI Roads has been consulted on the application and has raised no objections to the proposed access arrangements. Adequate movement and parking is provided within the development for the proposed units and it is considered that the proposal complies with the provisions of Planning Policy Statement 3. Concerns were raised regarding the impact on traffic however, given the reduction in units from that previously approved it is considered that the proposal is not likely to have a significant impact in terms of additional traffic.

Other Matters

Concerns have been raised that the proposal will undermine property values. It should be noted that the impact of a development on the value of property is not generally considered to be a material planning consideration. In any case no evidence has been adduced to support this concern and given the lack of evidence it would be difficult to attribute any significant weight to the issue.

CONCLUSION

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

- The principle of housing on this site is considered to be acceptable;
- The design, layout and appearance of the proposed development is considered acceptable;
- There is no adverse effect on existing or proposed properties in terms of residential amenity, loss of light, overshadowing, noise or other disturbance;
- There is no flood risk associated with this development; and
- There are no road safety concerns regarding the proposal.

RECOMMENDATION : GRANT PLANNING PERMISSION

PROPOSED CONDITIONS

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

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

2. No retained tree as indicated on Drawing No. 17 date stamped 28th December 2017 shall be cut down, uprooted or destroyed or have its roots damaged within the root protection area nor shall arboricultural work or tree surgery take place on any retained tree other than in accordance with the approved plans and particulars, without the prior written consent of the Council.

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

3. The proposed planting shall be carried out in accordance with details as identified on Drawing No. 17 date stamped 28th December 2017 within the first full planting season following the occupation of the first residential unit hereby approved.

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

4. 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 Antrim and Newtownabbey Borough 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.

5. The open space and amenity areas indicated on the stamped approved Drawing No. 18 date stamped 28th December 2017 shall be managed and maintained in accordance with the Landscape Management Plan, DOC 01 received on 28th December 2017 and any changes or alterations to the approved landscape management arrangements shall be submitted to and agreed in writing by the Council.

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

6. The Council hereby determines that the width, position and arrangement of the streets, and the land to be regarded as being comprised in the streets, shall be as indicated on Drawing Number 20/2 bearing the date stamp 3rd May 2018.

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

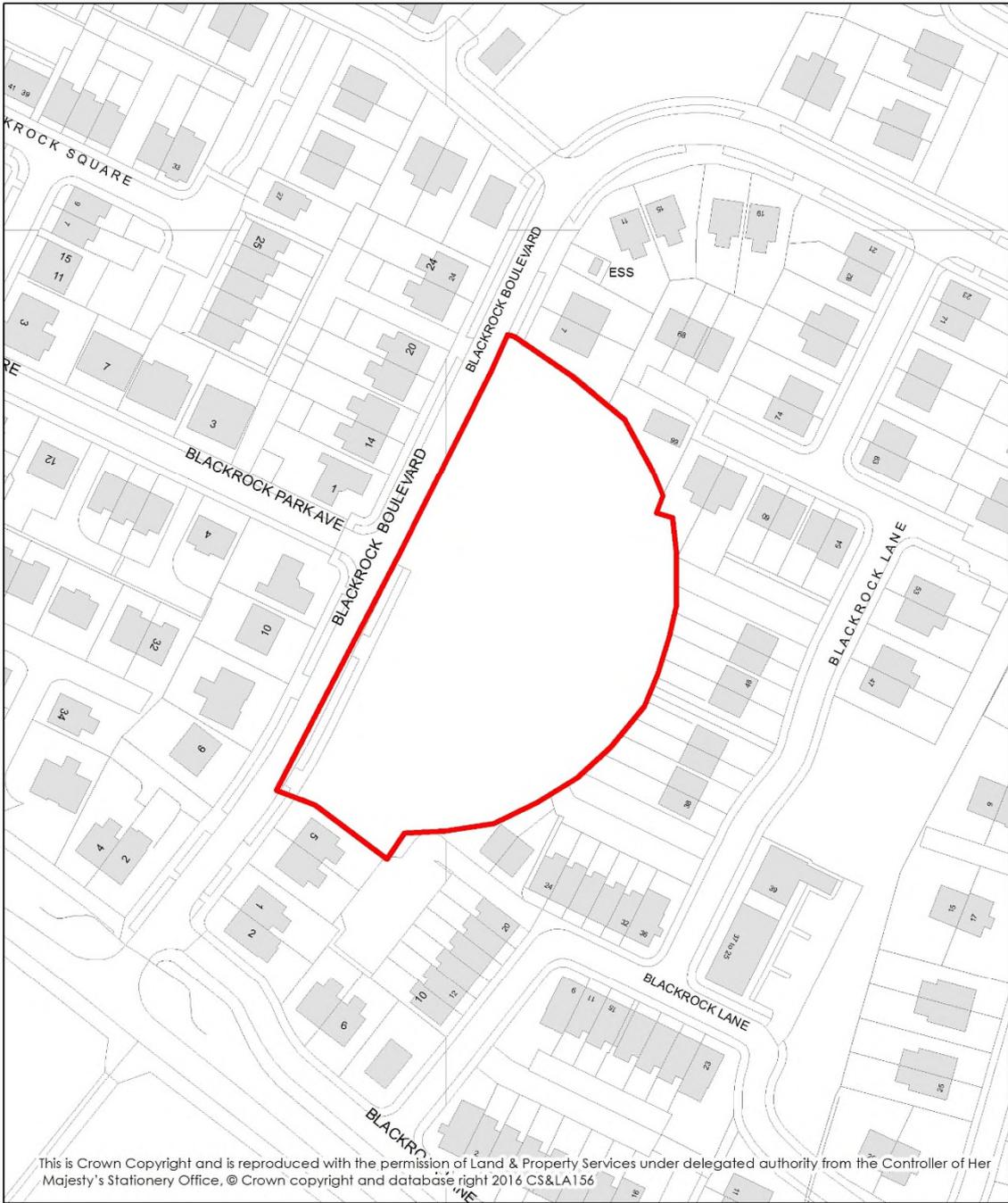
7. No other development hereby permitted shall be occupied until the works necessary for the improvement of a public road have been completed in

accordance with the details outlined blue on Drawing Numbers 20/2 date stamped 3rd May 2018.

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

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

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



Location Map

Application Reference: LA03/2017/0773/F

25 0 25 Metres



Undeveloped lands between 5 & 7
 Blackrock Boulevard (within Blackrock Housing Development,
 Mallusk, Newtownabbey).
 Erection of 18 no. semi-detached houses & 7 no. apartments over 3 floors.

For Information Only

Site Boundary 



COMMITTEE ITEM	3.11
APPLICATION NO	LA03/2018/0078/F
DEA	BALLYCLARE
COMMITTEE INTEREST	WITHDRAWN FROM MAY COMMITTEE
RECOMMENDATION	GRANT PLANNING PERMISSION

PROPOSAL	Proposed 5 No. townhouses
SITE/LOCATION	Land south west of 102 Ballynure Road, BT39 9AQ
APPLICANT	Mr Mark Kenny
AGENT	ARC ID
LAST SITE VISIT	14 th February 2018
CASE OFFICER	Alexandra Cooney Tel: 028 903 40216 Email: alexandra.cooney@antrimandnewtownabbey.gov.uk

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

SITE DESCRIPTION

The application site is located within the settlement limits of Ballyclare as defined in the draft Belfast Metropolitan Area Plan (draft BMAP). The site is currently vacant land which fronts directly onto the Ballynure Road, Ballyclare and rises in an easterly direction. The site is bound to the northwest with a grey rendered wall at approximately 1 metre in height. The site shares its northeastern boundary with No. 102. This land is within the ownership of the applicant and at present lacks any consistent definition along the boundary. The eastern boundary of the site is defined by a 3 metre high close board wooden fence with residential development behind. It is noted that these dwellings sit at a higher level than the application site. The application site is bound along the southwestern boundary by a close boarded wooden fence of the site which it shares with the neighbouring builders merchants-WJ- Scarlett and Sons. Ballyclare Gospel Hall lies opposite the application site on the other side of the Ballynure Road.

The surrounding area is predominantly residential, with varying uses to include retail, churches and recreation found further along the Ballynure Road towards Ballyclare Town Centre.

RELEVANT PLANNING HISTORY

No relevant planning history.

PLANNING POLICY

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 Antrim Area Plan and the Belfast Urban Area

Plan). Account will also be taken of the Draft Newtownabbey Area Plan and its associated Interim Statement and the emerging provisions of the Belfast Metropolitan Area Plan (which has reverted to the Draft Plan stage) together with relevant provisions of Planning Policy Statements (PPSs) which contain the main operational planning policies for the consideration of development proposals.

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

Draft Belfast Metropolitan Area Plan(2004) and Belfast Metropolitan Area Plan 2015 (published September 2014): The site is located within the settlement development limit of Ballyclare.

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.

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

NI Water – No Objection.

DfI Roads – No Objection.

REPRESENTATION

Seventeen (17) neighbouring properties were notified and four (4) letters of objection have been received from number two (2) properties. The full representations made regarding this proposal are available to view online at the Planning Portal (www.planningni.gov.uk).

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

- The proposal would lead to further congestion/traffic disruption in the area.
- Concerns in relation to the safety of motorists and other road users.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Preliminary Matters
- Principle of Development
- Design, Layout and Impact on Character and Appearance of the Area
- Neighbour Amenity and Impact on Adjacent Land Uses.
- Archaeology and Built Heritage
- Flood Risk
- Other Matters

Preliminary Matters

This application was previously on the Schedule for the Planning Committee Meeting in May 2018 with a recommendation to refuse planning permission. The application was subsequently withdrawn by Officers as amended plans were submitted prior to that Committee meeting.

Principle of Development

Section 45 (1) of the Planning Act (Northern Ireland) 2011 requires that regard is had to the Development Plan, so far as material to the application and to any other material considerations. Section 6(4) states that where regard is to be had to the 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) has been quashed as a result of a judgement in the Court of Appeal delivered on 18th May 2017. Following a report presented to Committee in November 2017 it was agreed that the provisions of the version of BMAP published in September 2014 be afforded significant weight in the planning process pending clarification by the Department for Infrastructure on how it intends to progress this matter.

The application site lies within the settlement development limits of Ballyclare as defined in the draft Belfast Metropolitan Area Plan (2004) and the version of BMAP published in 2014. The land is not zoned for any particular use, however, the area in which it is located is mainly residential. There is however, a church immediately opposite to the application site to the northwest and a builders merchant located to the southwest on lands zoned as existing employment.

Given the location of the site within the urban area of Ballyclare and also noting the predominant surrounding residential use it is considered that the principle of residential development is acceptable on the site with the details of the scheme to be considered against the prevailing regional policy as outlined below.

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

The Strategic Planning Policy Statement for Northern Ireland 'Planning for Sustainable Development' (SPPS) refers at paragraph 6.137 to the need to deliver increased housing without town cramming and that within established residential areas it is imperative to ensure that the proposed density of new housing development, together with its form, scale, massing and layout will respect local character and environmental quality as well as safeguarding the amenity of existing residents.

Policy QD1 of Planning Policy Statement 7 (PPS 7) states that planning permission will only be granted for new residential development where it is demonstrated that the proposal will create a quality and sustainable residential environment.

The applicant has submitted an amended proposal for a development comprising 5 No. townhouses. These are to be located along the eastern boundary of the site and fronting on the Ballynure Road. The dwellings are to comprise an open plan kitchen and living area with WC at ground floor level and 3 no. bedrooms and a bathroom at first floor level. Each dwelling has an enclosed garden area to the rear and small grassed area to the front. Car parking is not provided in curtilage but there are 2 No. unassigned parking spaces per dwelling provided within the development site. The amended proposal sees most of the car parking provided to the north of the site and to the side of the dwellings with 4 No. spaces also being provided along the southern boundary forward of the dwellings but to the side and facing south, rather than fronting onto the Ballynure Road as previously proposed.

The car parking spaces will be finished in paviers providing definition between these spaces and the manoeuvring and turning areas. Grassed areas with shrubs and planting are also proposed to surround these parking bays. These soft landscaping works will help in complementing the hard surfaced areas and ensure there is a variety of textures to enhance the quality of the development as a whole.

The dwellings are to be finished in painted render, with blue/black slate tiles, PVC windows PVC composite doors, with chimneys expressed on the ridgeline. It is considered that the design, scale and massing of the proposed dwellings are generally acceptable in the context of the surrounding area.

PPS 7 and Creating Places specifically make reference to orientation of buildings in relation to public roads and the importance of appropriately designed buildings on corner sites. Paragraph 4.16 of Creating Places specifically states that 'All buildings should be located and orientated to front onto existing and proposed roads to present an attractive outlook' and PPS 7 highlights that particular care should be given to the treatment of corner sites within layouts and these should contain specifically designed buildings.

The proposal has been amended to allow the 5 No. townhouses to front onto the Ballynure Road which ensures that the development now respects the surrounding context of the area and allows the dwellings to integrate into the existing street scene. In light of the above the proposal also recognises the need to pay particular attention to design in relation to corner sites. The proposal has included a bay window on the side elevation of Plot No. 5 to ensure the achievement of a dual frontage at the corner site within the development.

The proposal includes the retention of a number of existing trees within the northern portion of the site and also ensures the provision of new planting particularly around the car parking areas. This landscaping helps to soften the hard surfaced areas and also aids further with integration and lessening the visual impact of the development. The boundary with the Ballynure Road will be defined with estate railings at a height of 1.1 metres with hedging planted behind. The boundaries to the north and east of the site which adjoin the existing residential properties are to be defined with a 1.8 metre high wall with hedging in front.

Overall it is considered that the proposed design and layout in terms of its form, materials and detailing is acceptable, 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.

Private Amenity

Criterion (c) of Policy QD1 requires adequate provision for private open space as an integral part of the development. Supplementary planning guidance on amenity space is provided in 'Creating Places: Achieving Quality in Residential Developments' which states an average of 70sqm of private amenity space should be provided per house throughout the development as a whole. Creating Places does, however, go on to state 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. Each of the proposed dwellings has private amenity space with an area greater than 40sqm with garden sizes ranging from 42sqm to 66sqm. The agent has submitted written and visual material to demonstrate that the application site is within close proximity to a number of public open spaces to include, Six Mile Water River Park, playing pitches and the War Memorial Park (each within 400 metres of the application site).

It is considered that given that the application is for a small urban infill site, together with the agents justification provided in relation to the close proximity of public open spaces and the consideration of the existing private open space provision within the local area, that a sufficient level of private open space has been provided in line with the guidance provided in the Creating Places Guidance.

Parking

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 number of parking spaces to be provided for residents, visitors and other callers. The parking although not within the curtilage is provided at locations that are considered to be convenient and allow for informal surveillance. The layout of the proposal makes provision for 10 No. communal parking spaces provided within the extent of the application site which is considered acceptable in relation to the number of dwellings proposed on site.

Neighbour Amenity and Impact on Adjacent Land Uses.

To the north of the site there is a row of 4 No. terraced dwellings 102- 108. The dwelling at No. 102 is located in closest proximity to the application site, it shares a common boundary with the site to the northeast. This property is under the ownership of the applicant. These existing neighbouring dwellings at No. 102-108 are orientated to face northwest and are offset at an angle in relation to the application

site. A 1.8 metre wall is proposed to define the site's common boundary with No. 102 where there is a minimum separation distance of 15 metres from building to building. The amended proposal has seen the dwellings be re-located and re-orientated to face out towards the main road. This amendment has lessened any potential impact on these existing neighbouring properties as there is a greater separation distance and the dwellings will now be orientated to face west meaning only the side gable wall will be visible from the dwelling at No. 102. There is one bedroom window at first floor level on this side gable wall, however given the separation distance of 17 metres, the orientation and boundary treatment it is considered that there would be no significant adverse impact in terms of overlooking or overshadowing at No. 102. Given the orientation of the other dwellings within this terrace block it is considered that there would be no detrimental impact experienced by these neighbouring residents.

To the east of the site and sitting at a higher level than the application site is the relatively recently developed River Hall development. The garden of the detached dwelling at No. 7 Riverhall Manor directly adjoins the application site (to the rear of units 1, 2 and 3). This dwelling (No. 7) sits approximately 1 metre higher than the proposed semi-detached dwellings that abut its boundary which is presently defined by a 1.8 metre high closed board timber fence. As noted, this dwelling (No. 7) sits at a higher level than the proposed dwellings, it is orientated to face north and the side elevation has only one obscured glass window on the elevation facing the application site. There is a separation distance of approximately 10 metres between the rear elevations of the proposal and the common boundary with a further 11 metres from building to building. A bedroom window and a bathroom window are proposed on the rear elevation at first floor level. However, giving consideration to the separation distances, the level difference and the boundary treatment it is considered that there would be no significant detrimental impact on the amenity experienced by this neighbour.

There are two elongated strips of land to the rear of proposed units No. 4 and No. 5. This land is split into a number of remote gardens/allotments relating to properties No. 104 – No.108. An access is provided through a gateway on the eastern boundary of the site to allow access to this garden area which lies directly adjacent to the application site. It should be noted that the owner does not currently have immediate access to these lands and the proposed access agreements are similar to what already exists on site and thus it is considered that the proposal will have no significant impact in this regard.

There is a separation distance of approximately 9.5 metres from the bedroom windows proposed at first floor level at Plot Nos. 4 and 5 and the elongated rear garden areas that lie adjacent to the east which belong to properties No. 104 -106. It is noted that this is just short of the 10 metre separation distance recommended within the Creating Places guidelines, it is however considered that there would be no significant detrimental impact in relation to overlooking of these private gardens given the low occupancy nature of the bedroom, the boundary treatment and the level difference on site.

A builders supply yard bounds the site to the south. Although there are no concerns in relation to overlooking or overshadowing at this property, the Council's Environmental Health Section requested that a noise assessment be undertaken as

this neighbouring use has the potential to generate high levels of noise. In light of this request an Inward Sound Level Impact Assessment was submitted by the applicant. The Environmental Health Section has reviewed the assessment and agreed with the findings which highlight that no specific mitigation measures are necessary and overall has no objections to the application as the noise associated with the Builders Supply Yard would have a low impact on the proposed dwellings and gardens.

Overall, it is considered that the proposed dwellings will not have an adverse impact on the amenity of any existing dwellings within the immediate surroundings of the application site.

Archaeology and Built Heritage

There are no perceived archaeological or built heritage concerns in relation to this proposal.

Flood Risk

There are no perceived flood risk or drainage problems with the proposed development.

Other Matters

There were 4 No. objections received in relation to the application (2 objections each from 2 addresses) which raised concerns regarding road safety and traffic congestion/disruption. DfI Roads have been consulted in relation to traffic and road safety and are content with the proposal subject to a number of conditions. Overall, it is considered that the development of 5 No. dwelling houses is not likely to cause a significant increase to the level of traffic travelling on the Ballynure Road.

CONCLUSION

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

- The principle of development is acceptable on site.
- The design and materials proposed are considered acceptable.
- The proposed layout is considered acceptable.
- It is considered that there is no significant impact on the amenity of adjacent existing residential properties.
- The proposed development respects its surrounding context and helps to present an attractive outlook onto the Ballynure Road.
- There is no archaeology or built heritage concerns with this proposal.
- There is no flood risk associated with this site.
- The proposed means of access is suitable for the development proposed.

RECOMMENDATION : **GRANT PLANNING PERMISSION**

PROPOSED CONDITIONS

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

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

2. The existing natural screenings of the site, as indicated on approved Drawing No. 01/2 date stamped received 17th May 2018 shall be retained unless necessary to

prevent danger to the public in which case a full explanation along with a scheme for compensatory planting shall be submitted to and agreed in writing with the Council.

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

3. No retained tree shall be cut down, uprooted or destroyed or have its roots damaged within the crown spread nor shall arboriculture work or tree surgery take place on any retained tree other than in accordance with the approved plans and particulars, without the written consent of the Council.

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

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

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

5. All proposed soft and hard landscaping incorporated in the stamped approved landscape plan, Drawing No. 01/2 bearing date stamp 17th May 2018, shall be completed in accordance with these plans and the appropriate British Standard or other recognised Codes of Practice in the first available planting season following commencement of the development or before occupation of the first residential unit in the development, whichever is the later.

Reason: To ensure the provision of a high standard of landscape and adequate amenity space, consistent with Planning Policy Statement 7 'Quality Residential Environments'

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

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

7. No units shall be occupied until a landscape management and maintenance plan has been submitted to and approved by the Council. The plan shall set out the period of the plan, long term objectives, management responsibilities, performance measures and maintenance schedules for all areas of landscaping and open space. The landscape management plan shall be carried out as approved.

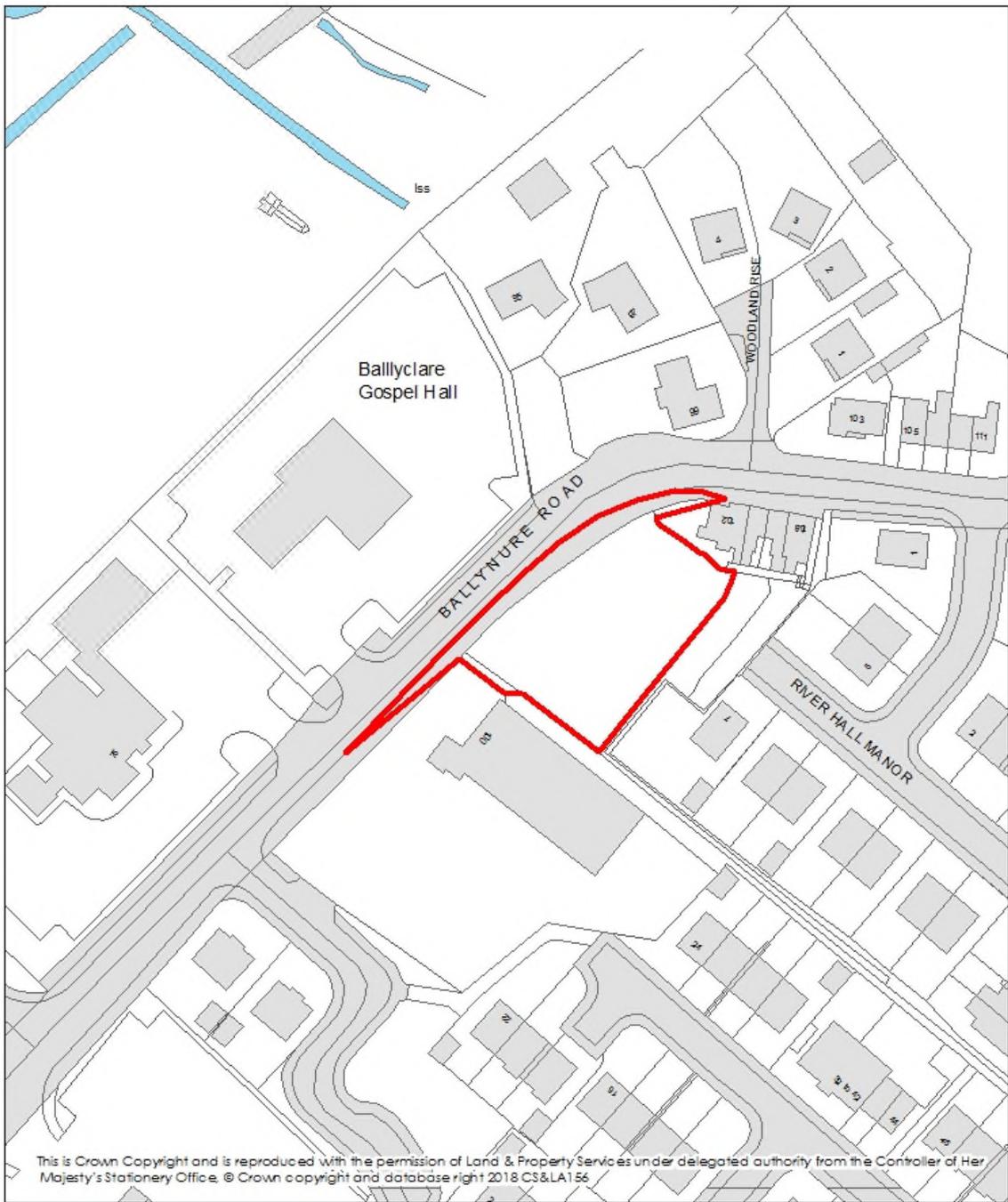
Reason: To ensure successful establishment and ongoing management and maintenance (in perpetuity) of the open space and amenity areas in the interests of visual and residential amenity.

8. The vehicular access including visibility splays and any forward sight distance, shall be provided in accordance with Drawing No. 01/2 bearing the date stamp 17th May 2018 prior to the commencement of any other development hereby permitted. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250mm above the level of the adjoining carriageway and such splays shall be retained and kept clear thereafter.

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

9. 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.



Location Map

Application Reference: LA03/2018/0078/F

Land south west of 102 Ballynure Road, BT39 9AQ

Proposed 2no. semi-detached dwellings and 4 no. townhouses

 Site Boundary



For Information Only



COMMITTEE ITEM	3.12
APPLICATION NO	LA03/2018/0355/F
DEA	GLENGORMLEY URBAN
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE PLANNING PERMISSION

PROPOSAL	Proposed retention of extension to curtilage and associated infilling of land and retaining wall
SITE/LOCATION	At lands adjacent to 1 Hollybrook Park, Glengormley, BT36 4ZN
APPLICANT	Mr Seamus Scullion
AGENT	PJ Johnson
LAST SITE VISIT	22/05/2018
CASE OFFICER	Ashleigh Wilson Tel: 028 903 Ext40429 Email: ashleigh.wilson@antrimandnewtownabbey.gov.uk

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

SITE DESCRIPTION

The site is located at No.1 Hollybrook Park in Newtownabbey which is located within the development limits of Metropolitan Newtownabbey as defined in the draft Belfast Metropolitan Area Plan (draft BMAP). Part of the site is zoned as existing employment (MNY 15). The property on site is a chalet style 2 storey semi detached dwelling finished in a mixture of red brick and white painted render with red roof tiles. The site is of an irregular shape and the landform is relatively flat. To the front is small garden area with a boundary formed by a low kerb.

The application is retrospective and therefore the curtilage of the dwelling has already been extended and is bound to the front by a 450mm wall with 1.3 metre high fence on top. The northeastern (rear) boundary is defined by a 3.2 metre retaining wall with a 1.5metre fence on top. The extended boundary along the rear (northeastern) and side (southeastern) of the property is defined by a 3.2 metre high retaining wall with a further 1.3 block wall and 1.8 metre intermittent pillars on top of the retaining wall. The retaining walls have a smooth white rendered finish.

The surrounding area is residential, with existing dwellings located to the southeast, west, and south of the site while to the north are existing industrial buildings.

RELEVANT PLANNING HISTORY

Planning Reference: U/2014/0381/F
Location: 1 Hollybrook Park, Glengormley, BT36 4ZN
Proposal: Proposed 2 storey extension to the side of existing dwelling
Decision: Permission Granted (06.02.2015)

Planning Reference: U/1992/0523/F
Location: Sites 98 - 110 (Former 98 - 113), 128, 129, 147 and 148 Cherry Hill Lane, Hightown Road, Glengormley.
Proposal: Change of approved house types with loss of 3 No. dwelling units.
Decision: Permission Granted (02.03.1993)

PLANNING POLICY

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 Antrim Area Plan and the Belfast Urban 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: The majority of the site is zoned for housing and a portion to the north east is defined as industry and commerce.

Draft Belfast Metropolitan Area Plan (published 2014): The application site is located within the development limits of Metropolitan Newtownabbey with the north eastern portion zoned as existing employment (MNY 15).

Draft Belfast Metropolitan Area Plan (published 2004): The application site is located within the development limits of Metropolitan Newtownabbey with the north eastern portion zoned as Major Area of Existing Employment/Industry (MNY 19).

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

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

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

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

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

CONSULTATION

Council Environmental Health Section – No objection

NI Water – No objection

DfI Roads – Requested car parking to be indicated on the block plan

Northern Ireland Environment Agency: Land, Soil and Air - No objection

UK Crown Bodies - D.I.O. LMS - No objection

REPRESENTATION

Ten (10) neighbouring properties were notified and one (1) letter of objection has been received. The full representations made regarding this proposal are available for Members to view online at the Planning Portal (www.planningni.gov.uk).

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

- Loss of view of trees

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Principle of Development
- Design and Impact on the Character and Appearance of the Area
- Neighbour Amenity
- Flood Risk
- Other matters

Principle of Development

Section 45 (1) of the Planning Act (NI) 2011 requires that regard should be made to the Local Development Plan, so far as material to the application. Section 6 (4) of the Planning Act also states that where, in making any determination, regard should be made to the Local Development Plan that the determination must be made in accordance with the plan unless material considerations indicate otherwise.

The Belfast Urban Area Plan 2001 (BUAP) and the draft Belfast Metropolitan Area Plan (BMAP) are the relevant plans for the application site. The application site is located within Metropolitan Newtownabbey in both plans. The site is not zoned for any purpose in BUAP or in the draft Belfast Metropolitan Area Plan BMAP (2004) and the 2014 version of the plan. Whilst it is acknowledged, following recent litigation, that BMAP remains in draft form it is the Council's policy that significant weight should be afforded to the 2014 version of the document in assessing proposals.

This retrospective application seeks permission to extend the curtilage of an existing residential property (No. 1 Hollybrook Park). Part of the extension to the curtilage is

located within an area zoned as existing employment (MNY 15) within Draft BMAP (published 2014) with the same zoning in both the Belfast Urban Area Plan and the draft BMAP (published 2004).

The original approval for this section of housing which included the application site was granted in 1993 and the curtilage of this property was previously defined by a retaining wall and fencing. A small strip of land which is approximately two metres beyond this original curtilage is indicated in Belfast Metropolitan Area Plan as whiteland. It is indicated on the Plan that one dwelling (No. 21 Hollybrook Court) has a small ancillary building outside its original curtilage, however, that building is still within this narrow strip of whiteland to the rear of the dwellings.

In the current application, the original site curtilage has been extended to protrude beyond the area indicated as whiteland on the plan and into the area zoned as existing industrial land. This area is currently providing a landscaped buffer between the existing residential dwellings and the zoned industrial land to the rear of the application site.

It is considered that the extension to the curtilage of the property results in the partial loss of a valuable landscape buffer between the existing residential dwellings and the industrial land located to the rear. In addition, it would set an undesirable precedent for the considerable number of dwellings backing onto this industrial land to carry out a similar form of development.

Design and Impact on the Character and Appearance of the Area

A significant drop of more than three metres exists between the ground level within the curtilage of the dwelling and the ground level beyond the rear boundary. The proposal therefore requires a significant retaining structure enclosing the rear amenity area and while this is largely screened from views from the rear, the extension to the curtilage is considered to be out of character with this area particularly given the potential cumulative impacts, which could result from the undesirable precedent this would set. In addition, the cumulative impacts of the loss of vegetation would result in a significant area of vegetation being removed which would undoubtedly have a detrimental impact on the character and appearance of this area.

Neighbour Amenity

One objection was received from the property opposite this site which indicated that the proposal resulted in a loss of views of the trees within the site. It is considered that this loss of a private view can be given little weight in the determination of the planning application. It is considered that the proposal will not have a significant detrimental impact on the amenity of neighbouring residential properties.

Access, Movement and Parking

DfI Roads requested details to demonstrate that two parking spaces within the curtilage of the property. This information has not been requested given the recommendation to refuse the application.

CONCLUSION

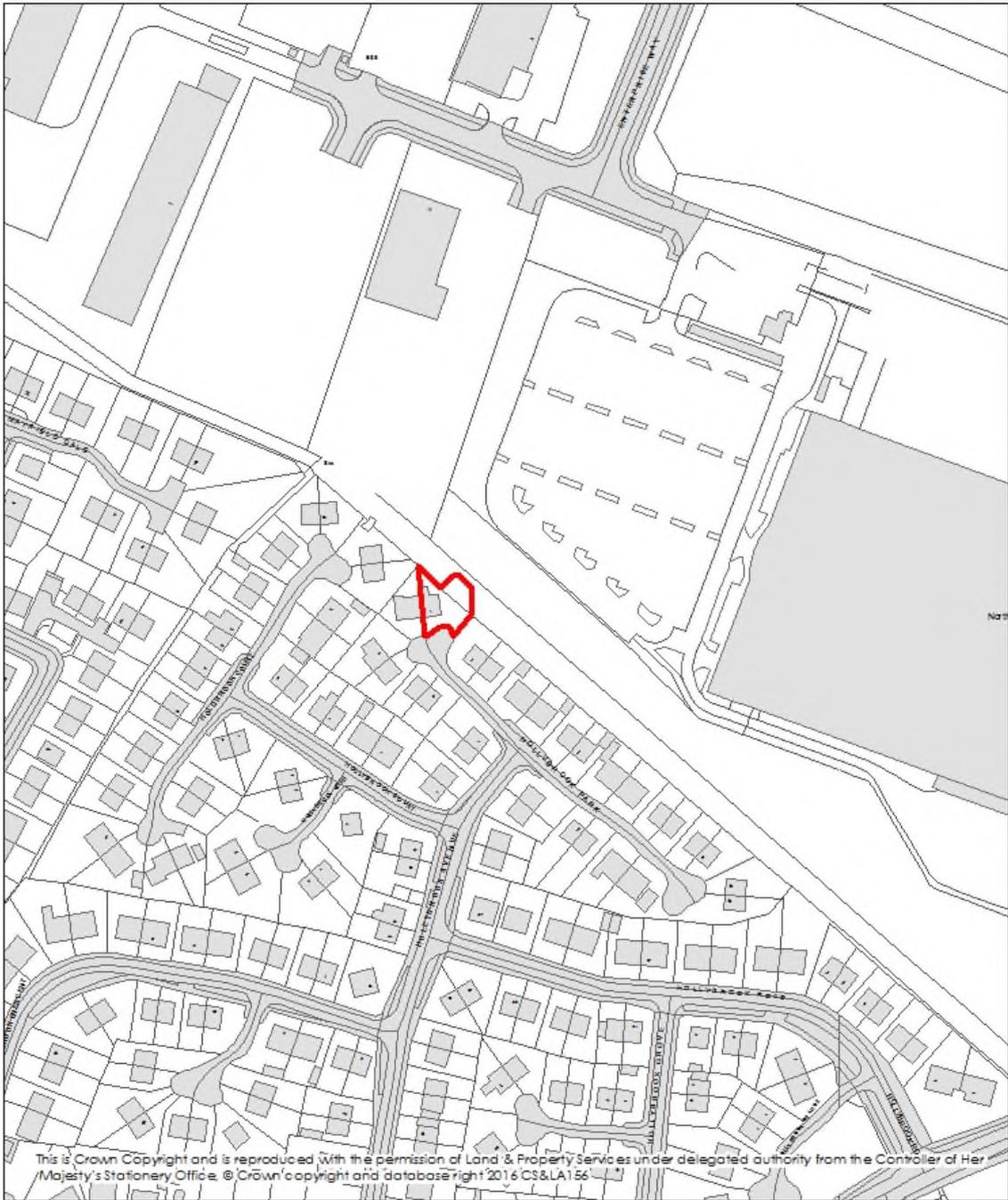
The following is a summary of the main reasons for the recommendation:

- The principle of the development is considered unacceptable as the proposed extension of the residential curtilage of this property is incompatible with the zoning of the site as existing employment land;
- The proposal would set an undesirable precedent;
- The proposal would have an unacceptable impact on the character and appearance of the area.

RECOMMENDATION : REFUSE PLANNING PERMISSION

PROPOSED REASONS OF REFUSAL

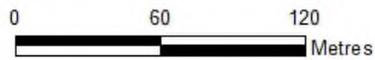
1. The proposal is contrary to the provisions of the Belfast Urban Area Plan and Draft Belfast Metropolitan Area plan in that the extension of the residential curtilage into an area zoned for Existing Employment land is contrary to the plan(s).
2. The proposal is contrary to Policy PED7 of Planning Policy Statement 4 in that the proposed development will result in the loss of land zoned for economic development use and would set an undesirable precedent for further loss of zoned economic development land.
3. The proposal is contrary to Policy LC 1 of PPS 7 Addendum in that the pattern of development is not in keeping with the overall character and environmental quality of this established residential area.



Location Map

Application Reference: LA03/2018/0355/F

At lands adjacent to 1 Hollybrook Park
 Glengormley
 BT36 4ZN



For Information Only

Proposed retention of extension to curtilage and
 associated infilling of land and retaining wall
 Site Boundary 



COMMITTEE ITEM	3.13
APPLICATION NO	LA03/2018/0382/O
DEA	DUNSILLY
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE OUTLINE PLANNING PERMISSION

PROPOSAL	Infill of small gap site to accommodate single dwelling and garage.
SITE/LOCATION	Approx. 18m East of No.134 Roguery Road Toomebridge
APPLICANT	Mr & Mrs McAfee
AGENT	PJ Carey Architecture
LAST SITE VISIT	14.05.2018
CASE OFFICER	Simon Russell 02890340427 (EXT: 40427) Email: simon.russell@antrimandnewtownabbey.gov.uk

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

SITE DESCRIPTION

The application site is located in the countryside outside the development limits of any settlement designated within the Antrim Area Plan (AAP) 1984-2001, approximately 1 mile northeast of Moneyglass. It lies on the northern side of the Roguery Road, a B-class road, approximately 18m east of No.134 Roguery Road. The site comprises an irregular shaped portion of land, approximately 0.1 hectares in size, cut out of a larger agricultural field, which runs along the eastern and northern boundaries of the neighbouring dwelling of No.134.

The site occupies a roadside location, with its western boundary partially defined by a 0.75m high two-bar wooden fence and a three-bar wooden fencing with 1.5m high horizontal panel fencing set behind it, while the remaining northwestern section is undefined. The eastern boundary is defined by hedging, with a large tree (approximately 8-10m in height) located in the southeastern corner. A number of trees define the northern boundary, while the eastern boundary is defined by hedging with a large tree (approximately 8-10m in height) located in the southeastern corner of the site. A grass verge defines the southern (roadside) boundary, with a two-bar wooden fence set approximately 1m behind it. A telegraph pole is located on part of the grass verge in the northwestern corner and the electricity line dissects the site from the northwestern corner to the middle of the eastern boundary. The site lies approximately 1m below road level, is generally flat for the first 40m, and then falls sharply towards the northwestern corner.

The surrounding area is characterised by a ribbon of dwellings (Nos.126, 130, 132 and 134) fronting onto the Roguery Road which lie to the southwest of the site. A laneway between Nos.126 and 130 provides access to two other dwellings (Nos.128 and 128a) which are set back approximately 80m and 100m from the Roguery Road. The northeastern boundary of the application site abuts a laneway, which provides access to a large two storey detached dwelling (No.136) that lies approximately 60m to the northeast of the application site. An area of agricultural land lies to the east of

the laneway with a detached dwelling (No.138) set just beyond this which fronts onto the Roguery Road. A laneway runs along the eastern curtilage of No.138 which provides access to four detached houses (Nos.138a, 138b, 140a and 140b) which all lie in excess of 110m from the Roguery Road and northeast of the application site.

RELEVANT PLANNING HISTORY

No relevant planning history on the application site.

PLANNING POLICY

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, 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 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.

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

DFI Roads – Require amendments to the red line of the site location plan to accommodate visibility splays of 2.4m x 120m in both directions.

Council's Environmental Health Section – No objection

NI Water – No objection

REPRESENTATION

Five (5) neighbouring properties were notified and no letters of representation were received.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

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

Principle of Development

Policy CTY 1 of Planning Policy Statement 21 sets out the range of types of development, which, in principle, are considered to be acceptable in the countryside. Policy CTY1 indicates that the development of a small gap site within an otherwise substantial and continuously built-up frontage is such a form of acceptable development in accordance with Policy CTY8. Policy CTY8 of PPS21 is entitled Ribbon Development and seeks to prevent ribbon development in the countryside. However, an exception to the policy will be permitted for the development of a small gap site sufficient only to accommodate a maximum of two dwellings with a substantially and continuously built-up frontage, provided it respects the existing settlement pattern along the frontage in terms of size, scale, siting and plot size and meets other planning and environmental requirements. Policy CTY8 defines a substantial and built-up frontage as including a line of three or more buildings along a road frontage without accompanying development to the rear.

It is considered that there is a substantial and continuously built up frontage along the Roguery Road which includes the dwellings (Nos.126, 130, 132 and 134) located to the southwest of the application site, however that built up frontage terminates at the application site. It is argued by the agent that the dwelling at No. 136, which is set back 110 metres from the Roguery Road constitutes part of a substantial and continuously built up frontage.

The applicant has made reference to a planning appeal decision (ref: 2014/A0207) which was in the Causeway Coast and Glens Council boundary in an attempt to argue their case that No.136 Roguery Road has a road frontage. This appeal does not stand mirror the current application site and each proposal must be assessed on its own particular merits and in its own unique context.

No.136 is set back in excess of some 110 metres from the road and is accessed via an extended laneway onto the Roguery Road. It is considered that the dwelling at No.136 is only connected with the Roguery Road in respect of its access driveway but is separated from the road by agricultural land. The planning history (as denoted by the red line shown on the site location plan approved under T/2004/0629/O and T/2005/0635/F) associated with the dwelling at No.136 indicates that its curtilage is defined some 70 metres back from the public road. As a consequence of this, the dwelling at No.136 does not have a direct frontage onto the Roguery Road and therefore does not constitute part of a built up road frontage.

The second criterion of the policy requires the gap site to be small. The gap between the buildings at No.134 and No.138 is over 180 metres, which could not be

considered small and could easily accommodate up to four dwellings in the resulting gap. It is therefore considered that the application site does not comprise of a small gap site within an otherwise substantial and continuously built-up frontage and as such, there is no infill opportunity. Furthermore, the introduction of a dwelling in the proposed location would extend an existing ribbon of development, which is contrary to the provisions of Policy CTY8.

Policy CTY1 states that other types of development will be permitted where there are overriding reasons why that development is essential and could not be located in a settlement. No overriding reasons have been presented by the applicant as to why the dwelling is essential at this location and could not be located within a neighbouring settlement. It is therefore considered that the principle of this development is unacceptable and fails to comply with Policy CTY1 of PPS21 and the provisions of the SPPS.

Integration and Impact on Character and Appearance of the Area

The SPPS para. 6.70 states that all development in the countryside must integrate into its setting and respect the rural character of the area. Policy CTY13 – Integration and Design of Buildings in the Countryside states that a new building will be unacceptable where the site lacks long established natural boundaries, is unable to provide a suitable degree of enclosure for the building to integrate into the landscape or relies primarily on the use of new landscaping for integration. The application is for outline planning permission and as such, no details have been provided in relation to elevations, fenestration and design of the building to enable an assessment of the proposed development on the impact on the character and appearance of the area and integration. These issues would be addressed at Reserved Matters Stage.

Critical views are experienced along the Roguery Road however these are filtered due to the intervening dwellings when approaching from the west. The existing mature vegetation along the eastern boundary, including the hedgerows which forms part of the entrance and laneway up to No.136, also screens views of the site when approaching from the east. It is considered that a dwelling with a low ridge height could be integrated on the site.

Policy CTY14 of PPS21 states that planning permission will be granted for a building in the countryside where it does not cause a detrimental change to, or further erode the rural character of the area. It specifies five situations where a new building will be unacceptable. As criterion 'b' of the policy states; the proposal should not result in a suburban style build-up of development when viewed with existing and approved buildings. Criterion 'd' of the policy indicates that a new building will be unacceptable where it would create or add to a ribbon of development. This criterion is cross-referenced with Policy CTY8.

Given that the proposal would visually link with the linear form of dwellings (Nos.126, 130, 132 and 134), it would create an extension of the existing ribbon of development when travelling in either direction along this section of the Roguery Road. If a dwelling was permitted on the application site, it would extend built development along this part of the Roguery Road. This would result in a suburban style build-up of development, irrespective of any new planting, or siting of the dwelling in question,

which would further erode the rural character of the area. Therefore the proposal is considered contrary to criterion 'b' and 'd' of Policy CTY14.

Neighbour Amenity

The application site is bounded by a neighbouring property (No.134) along its western boundary which is currently occupied by the applicant. It is considered that any issues with overlooking, loss of sunlight or dominance could be dealt with through a suitably designed dwelling which would mitigate any adverse impacts. It is considered that these matters are not determining in this case.

Other Matters

DFI Roads were consulted on the application and requested amendments to the red line on the site location plan to provide for visibility splays of 2.4m x 120m in both directions along the Roguery Road. The agent was also required to amend the Certificate on the P1 and serve requisite notice on third party lands required to provide the required visibility splays. The agent did not provide this information and therefore it is considered that the proposal fails to comply with Policy AMP 2 of PPS 3 in that the applicant has failed to provide adequate visibility splays for the proposed development which has the potential to prejudice the safety or convenience of other road users.

CONCLUSION

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

- The principle of development at this location is considered to be unacceptable;
- The application site does not comprise of a small gap site within an otherwise substantial and continuously built up frontage;
- The proposal would add to a ribbon of development which would have an adverse impact on the character of the rural area and would further erode the rural character of the countryside; and
- The proposal is contrary to policy AMP2 of PPS3 in that the applicant has failed to provide the necessary visibility splays of 2.4m x 120m in both directions along the Roguery Road.

RECOMMENDATION : REFUSE OUTLINE PLANNING PERMISSION

PROPOSED REASONS OF REFUSAL

1. The proposal is contrary to the provisions of the Strategic Planning Policy Statement and Policy CTY 1 of Planning Policy Statement 21: "Sustainable Development in the Countryside", in that there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement.
2. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy CTY 8 of Planning Policy Statement 21 "Sustainable Development in the Countryside", in that it:
 - (a) fails to meet with the provisions for an infill dwelling as the application site does not comprise a small gap within a substantial and continuously built up frontage; and
 - (b) would add to a ribbon of development.

3. The proposal is contrary to the policy provisions contained within the Strategic Planning Policy Statement and Policy CTY14 of Planning Policy Statement 21: "Sustainable Development in the Countryside", in that the dwelling would, if permitted, add to a ribbon of development resulting in a suburban style build up of development, thereby resulting in a detrimental change to, and further eroding, the rural character of the area.
4. The proposal is contrary to the policy provisions contained within the Strategic Planning Policy Statement and Policy AMP2 of Planning Policy Statement 3: "Access, Movement and Parking" in that the applicant has failed to provide an access with visibility splays of 2.4m x 120m in both directions along the Roguery Road and would, if permitted, prejudice the safety or convenience of other road users.



Location Map

Application Reference: LA03/2018/0382/O

30 0 30 Metres



Infill of small gap site to accommodate single dwelling and garage

Approx. 18m East of No.134 Roguery Road, Toomebridge

For Information Only

Site Boundary 



COMMITTEE ITEM	3.14
APPLICATION NO	LA03/2018/0253/F
DEA	AIRPORT
COMMITTEE INTEREST	APPLICANT DECLARED INTEREST
RECOMMENDATION	GRANT PLANNING PERMISSION

PROPOSAL	Conversion of stables to Boarding Cattery
SITE/LOCATION	19 British Road, Aldergrove, BT29 4DH
APPLICANT	Victoria Patefield
AGENT	N/A
LAST SITE VISIT	27 th April 2018
CASE OFFICER	Wayne Donaldson Tel: 028 903 40431 Email: wayne.donaldson@antrimandnewtownabbey.gov.uk

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

SITE DESCRIPTION

The application site is located at 19 British Road and is located to the west of Belfast International Airport in a rural location as defined in the Antrim Area Plan. The application site is set off British Road and is accessed via a private lane shared with No.19A which is located adjacent to and east of the site.

The application site contains a one and a half storey dwelling with a parking area to the front, a large garden area is set to the side of the property and to the rear there is a large area previously used as a paddock. Stables are also located to the rear of the property. The area was previously used as a paddock, however, it now contains a number of wooden structures that appear to be designed for the keeping of cats on a commercial level. The site has some mature trees along portions of its boundaries, with the western boundary in particular well defined by mature trees.

The site is located in a rural area with a few existing residential properties adjacent to the site. Given that the degree of setback from the public road, the site is well screened from views when travelling along British Road.

RELEVANT PLANNING HISTORY

No relevant planning history

PLANNING POLICY

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 Antrim Area Plan and the Belfast Urban 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 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 4: Planning and Economic Development: sets out planning policies for economic development uses.

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

CONSULTATION

Council Environmental Health Section – No objection

NI Water – No objection

DFI Roads – No objection

REPRESENTATION

Three (3) neighbouring properties were notified and no letters of representation have been received.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

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

Principle of Development

Policy CTY 1 of Planning Policy Statement 21 sets out the range of types of non-residential development which, in principle, are considered to be acceptable in the countryside. It indicates that the conversion or reuse of existing buildings may be acceptable in accordance with Policy CTY 4, which states that planning permission will be granted for proposals which propose the sympathetic conversion of a suitable building for a variety of alternative uses.

The applicant has provided a detailed justification for the proposal which states that the business will make use of an existing building on the site which will not give rise to the need to construct new buildings in this rural area for the proposed cattery and so represents a sustainable approach to development in the countryside. The justification also states that this form of development would not be suited within a settlement as there may be an impact on the wellbeing of the cats staying at the cattery due to noise and disturbance within a busy settlement. It is also stated that the location of the proposal is ideal for customers who would be transporting their cats to the site prior to making use of Belfast International Airport which is located close by. It is argued that, if the cattery was located at a different location it may result in the animals having to take a longer journey which may impact on their wellbeing and would be a less sustainable location.

It is also stated that the site has been chosen as the applicant lives at this location and the conversion of the existing stables will allow for onsite 24/7 care for the animals which is a stipulation of Department of Agriculture, Environment and Rural Affairs in its guidance on animal boarding.

It is considered that the conversion of the building would be an acceptable form of sustainable development that allows for the reuse of the building and would not impact on the character of the area or on the amenity of any neighbouring properties. The existing building is of a permanent construction and was last used as stables rather than for agricultural purposes. It is therefore considered that the proposal would be in accordance with Policy CTY4 of PPS21.

Policy PED9 of PPS4 Planning and Economic Development sets out the general criteria for economic development. The proposed cattery business is considered to be compatible with the surrounding land uses and it will not impact significantly on the amenity of nearby residents. The proposal will not impact on any natural or built heritage sites and it is not within a flood risk area. The proposal will not result in a noise nuisance and there are no concerns with any emissions or effluent. The proposal is small scale and so there are no issues with the creation of additional traffic which may be attracted to the site. The site is adequately screened from view given the set back from the public road and existing mature vegetation which help to integrate the building into the countryside. It is considered that the proposal meets the general criteria as set out in Policy PED9.

As the proposal is in accordance with Policy CTY4 of PPS21 and Policy PED9 of PPS4, the principle of development is considered acceptable.

Design and Appearance

The proposal is to convert the existing stable building with no alteration to the appearance of the building, any alterations will be internal to provide chalet units for

cats to reside. The design and appearance is considered acceptable as the building is existing and any alterations will be internal.

Neighbour Amenity

The proposal is adjacent to other residential properties but no objection has been raised by these properties. In addition, a consultation response from the Environmental Health Section raised no objections to the proposal with regard to noise or odour. It is considered that the change of use to a cattery will not result in an unacceptable impact on the amenity of neighbouring properties by way of noise or odour.

Impact on Character and Appearance of the Area

The proposal is set off the public road and is very well screened from public view by existing buildings and mature vegetation. The building is existing and as such the proposed change of use will not result in any detrimental impact on the character or appearance of this rural area and the proposal is considered compatible with the existing area.

Other Matters

DFI Roads has raised no objections to the proposal in terms of access and parking and as such it is considered that there is sufficient parking within the application site.

CONCLUSION

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

- The principle of the development is considered acceptable.
- The design and appearance are acceptable given the proposal being for a conversion.
- The proposal will not unduly impact on the amenity of any neighbouring properties.
- The proposal will not impact on the character or appearance of this rural 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. The vehicular access, including visibility splays and any forward sight distance, shall be provided in accordance with Drawing No.04 bearing the date stamp 18th April 2018, prior to the occupation of any other development hereby permitted. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250mm above the level of the adjoining carriageway and such splays shall be retained and kept clear thereafter.

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

3. The gradient of the access road shall not exceed 8% (1 in 12.5) over the first 5m outside the road boundary. Where the vehicular access crosses a footway, the

access gradient shall be between 4% (1 in 25) maximum and 2.5% (1 in 40) minimum and shall be formed so that there is no abrupt change of slope along the footway.

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



Location Map

Application Reference: LA03/2018/0253/F

19 British Road, Aldergrove
 Conversion of stables to Boarding Cattery



For Information Only

Site Boundary 



COMMITTEE ITEM	3.15
APPLICATION NO	LA03/2018/0356/RM
DEA	BALLYCLARE
COMMITTEE INTEREST	APPLICANT DECLARED INTEREST
RECOMMENDATION	APPROVE RESERVED MATTERS

PROPOSAL	Replacement two storey dwelling and garage.
SITE/LOCATION	25 metres East of 36 Rea Hill Road, Newtownabbey
APPLICANT	Mr David & Mrs Joanne Murray.
AGENT	W J Dunbar CABE
LAST SITE VISIT	25.05.2018
CASE OFFICER	Orla Burns Tel: 028 903 40408 Email: orla.burns@antrimandnewtownabbey.gov.uk

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

SITE DESCRIPTION

The application site is located 25 metres east of 36 Rea Hill Road, Newtownabbey. The application site is located in the rural area and outside any settlement limits as per the Draft Belfast Metropolitan Area Plan.

The site comprises a triangular shaped site which is currently grassed, the site fronts directly onto the Rea Hill Road and lacks defined boundaries. A post and wire fence defines the northwestern boundary and the remaining boundaries are physically undefined.

The land rises gently in a north easterly direction and has a rectangular agricultural building sited to the north. The site sits within a cluster of existing farm buildings which also includes two existing dwelling houses, along with the dwelling to be replaced together with its associated store and workshop.

The application site was granted outline planning permission under LA03/2017/0825/O for a replacement dwelling on the 21st November 2017.

RELEVANT PLANNING HISTORY

Planning Reference: LA03/2017/0825/O
Location: Land 25m east of 36 Rea Hill Road, Newtownabbey, BT36 5SF
Proposal: Proposed Replacement Dwelling
Decision: Permission Granted (21.11.2017)

PLANNING POLICY

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 Antrim Area Plan and the Belfast Urban Area Plan). Account will also be taken of the Draft Newtownabbey Area Plan and its associated Interim Statement and the emerging provisions of the Belfast Metropolitan Area Plan (which has reverted to the Draft Plan stage) together with relevant provisions of Planning Policy Statements (PPSs) which contain the main operational planning policies for the consideration of development proposals.

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

Draft Belfast Metropolitan Area Plan: 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.

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

NI Water – No Objections

DfI Roads – No Objections

REPRESENTATION

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

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

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

Principle of Development

The principle of a replacement dwelling has been established under the grant of outline planning permission LA03/2017/0825/O. This permission was granted on 21st

November 2017 and remains extant. The application was submitted within the three year time frame specified for a reserved matter application and the proposed scheme complies with all the conditions stipulated on the outline approval.

Design and Appearance

The proposed two storey dwelling measures 7.6 metres in height and complies with the 8 metre height restriction imposed under the outline planning permission. The design of the proposed dwelling is a traditional two storey dwelling, similar to the existing dwelling located to the northwest of the application site at No 36 Rea Hill Road. The exterior finishes will be smooth render and dark grey fibre cement slates. It is considered that the design and appearance of the proposed dwelling is acceptable.

Impact on Character and Appearance of the Countryside

The application site is located to the southeast of a number of existing buildings, on a triangular section of land located just off the Rea Hill Road. The site fronts onto a shared laneway which connects directly to the Rea Hill Road. There are a number of differing house types in the area and it is considered that the proposed design is sympathetic to its rural setting and the predominant design characteristics of the area. The impact of the dwelling is considered acceptable in the context of the surrounding area.

Other Matters

The proposal seeks to create a new access onto a private shared laneway which accesses onto the Rea Hill Road. DfI Roads were consulted on the proposal and have no objections.

CONCLUSION

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

- The principle of the development has been established.
- The design and appearance of the proposed dwelling is considered acceptable.
- The proposal will not have an impact on the character and appearance of the surrounding area.

RECOMMENDATION : **APPROVE RESERVED MATTERS**

PROPOSED CONDITIONS

1. The development to which this approval relates must be begun by whichever is the later of the following dates:-
 - i. The expiration of a period of 5 years from the grant of outline planning permission; or
 - ii. The expiration of a period of 2 years from the date hereof.

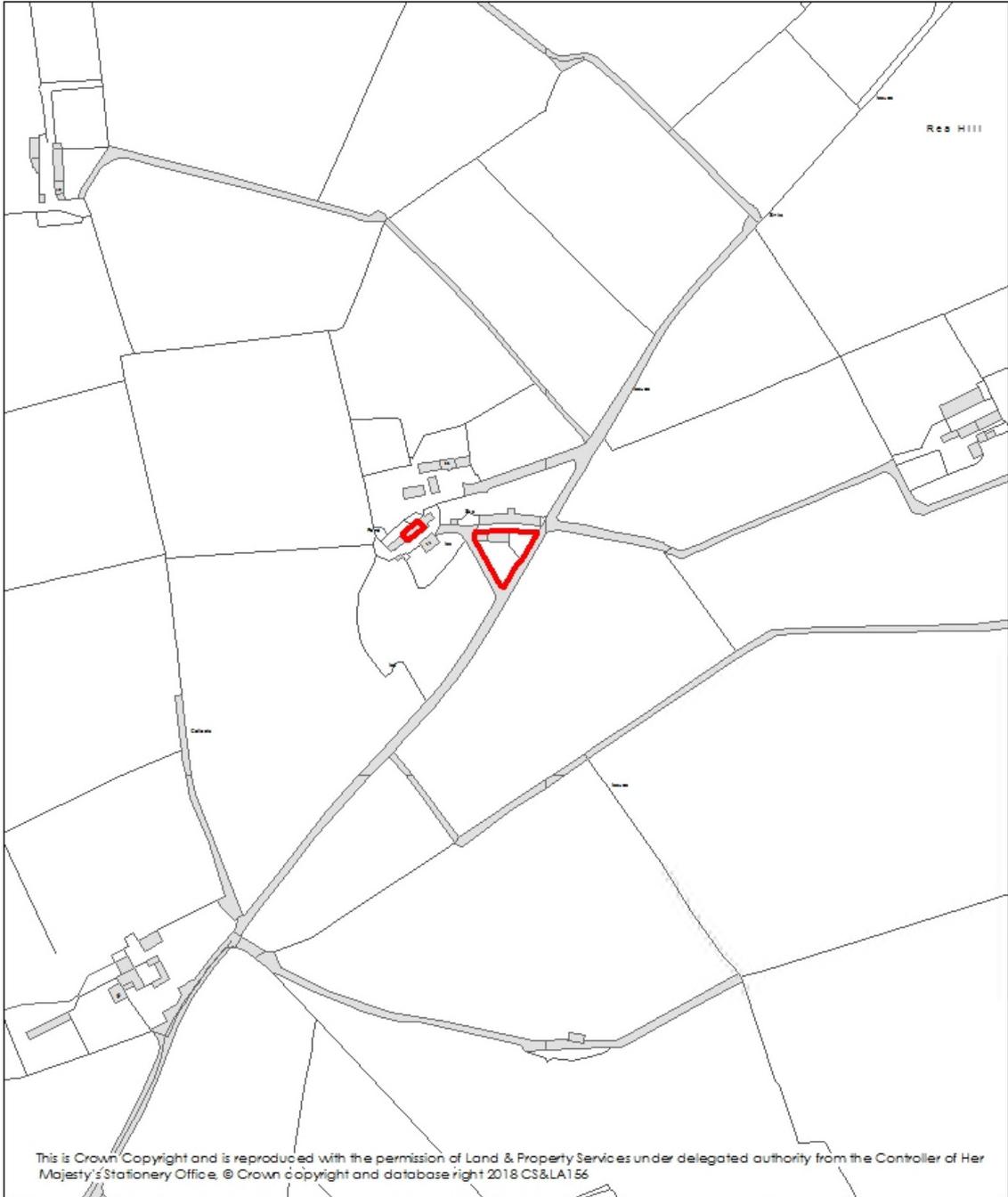
Reason: As required by Section 62 of the Planning Act (Northern Ireland) 2011.

2. The proposed landscaping indicated in drawing No. 02/1 date stamped 27th April 2018 shall be carried out within the first planting season following the completion of the development hereby approved.

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

3. 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.



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Location Map

Application Reference: LA03/2018/0356/RM

25metres East of 36 Rae Hill Road, Newtownabbey

Proposed replacement two storey dwelling and garage.



 Site Boundary



PART 2 - OTHER PLANNING MATTERS

ITEM 3.16

P/PLAN/1 DELEGATED PLANNING DECISIONS AND APPEALS

A list of planning decisions issued by Officers during June 2018 under delegated powers is **enclosed** for Members attention together with information received this month on planning appeals.

RECOMMENDATION: that the report be noted.

ITEM 3.17

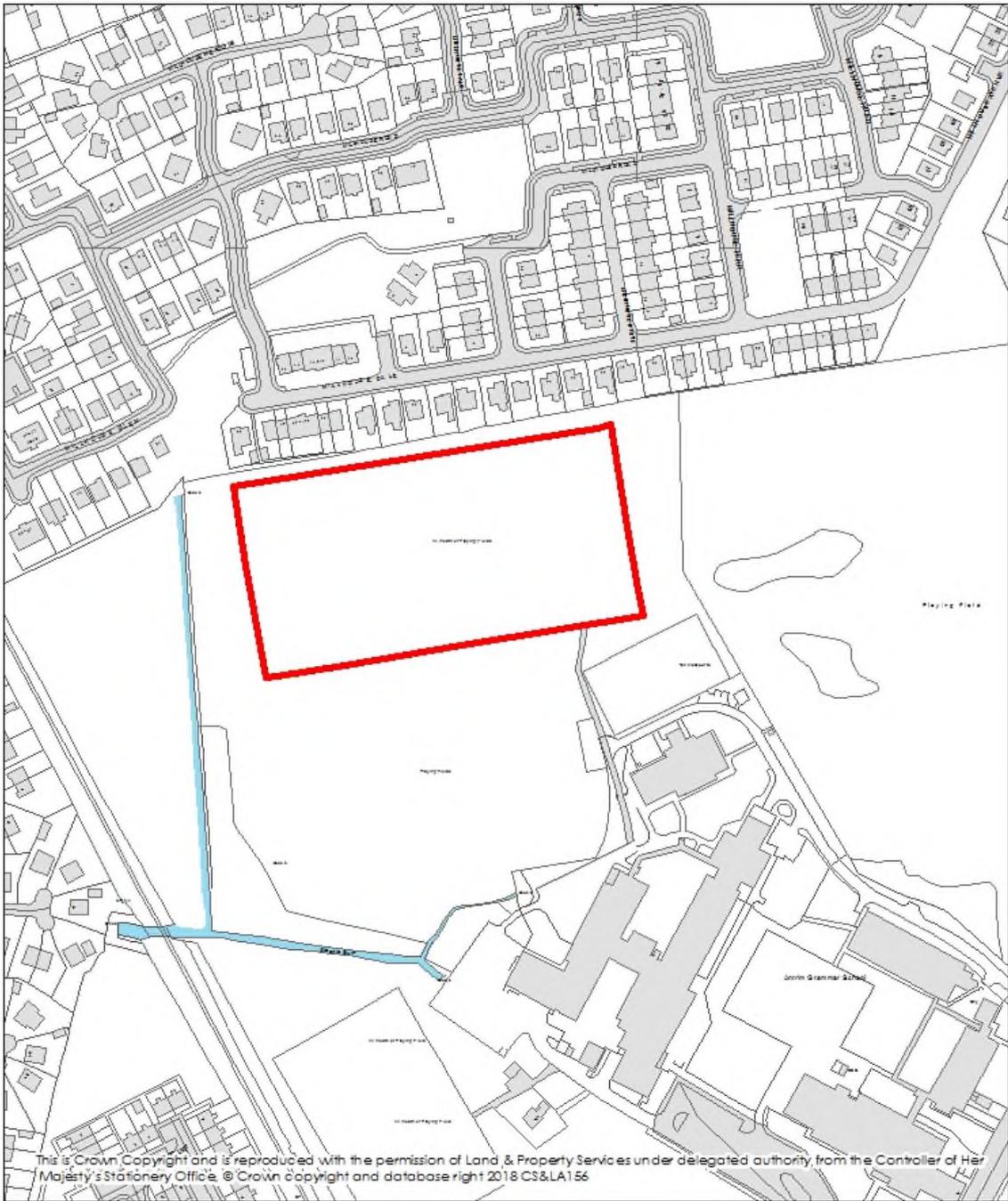
P/PLAN/1 PROPOSAL OF APPLICATION NOTIFICATIONS FOR MAJOR DEVELOPMENT

Members will be aware that prospective applicants for all development proposals which fall into the Major development category under the 2011 Planning Act are required to give at least 12 weeks notice to the Council that an application for planning permission is to be submitted. This is referred to as a Proposal of Application Notice (PAN). One PAN was registered during June 2018 the details are set out below.

PAN Reference:	LA03/2018/0574/PAN
Proposal:	Replacement of existing gravel pitch with 3G synthetic grass pitch (140m x 96m), 3m wide bitmac path along 3no sides and associated fencing and floodlighting
Location:	Antrim Grammar School, 10 Steeple Road, Antrim
Applicant:	Antrim and Newtownabbey Borough Council
Date Received:	15 June 2018
12 week expiry:	7 September 2018

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

RECOMMENDATION: that the report be noted.

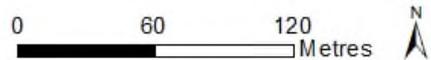


Location Map

Application Reference: LA03/2018/0574/PAN

Antrim Grammar School
 10 Steeple Road
 Antrim

Replacement of existing gravel pitch with 3G synthetic grass pitch (140m x 96m), 3m wide bitmac path along 3no sides and associated fencing and floodlighting



 Site Boundary
 For Information Only



ITEM 3.18

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

The Northern Ireland Planning Statistics 2017/18 Annual Statistical Bulletin, a copy of which is enclosed, was released on 21 June 2018 by the Department for Infrastructure's Analysis, Statistics and Research Branch. This is the third annual statistical report on activity and performance since the transfer of planning powers to councils in April 2015.

The figures show that during 2017-18, the total number of planning applications received in Northern Ireland was 12,933, a decrease of 1% over the previous financial year. The figures also highlight that 12,314 decisions were issued across Northern Ireland, a decrease of some 5% over the previous year.

The decrease in applications received across Northern Ireland during 2017-18 is also reflected in the local figures for the Antrim and Newtownabbey Borough which witnessed an even greater decrease of some 9% from 798 applications received in 2016-17 to 730 received during 2017-18, although this is still above the 722 applications received in 2015-16. Over 720 decisions were issued by the Planning Section during the year, a decrease of some 9% over 2016-17 mirroring the NI trend and the decrease in applications received locally, with an overall approval rate of 93% which compares favourably with the Northern Ireland average of 94%.

There were 261 live cases in the Borough at 31st March 2018 which is a reduction of some 32 cases from 31st March 2017. Members will in particular wish to note that the number of applications more than 6 months old has decreased by almost 30% from 2016-17 and in particular the number of applications more than 12 months old has decreased from 24 to 12 cases during this period. These 12 cases equate to some 5% of the Council's live planning applications and this is the lowest proportion of all 11 Councils.

Performance against statutory targets

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

The Council took on average 40 weeks to process and decide **Major** planning applications during 2017-18 against the target of 30 weeks. This performance ranks fourth out of the 11 Councils, is ahead of the NI average of 50.2 weeks, and marks a considerable improvement over the 73.6 weeks recorded for 2016-17. In total 15 Major applications were decided by the Committee during 2017-18 all of which were approved. The Planning Section will continue to prioritise this work area during 2018-19.

The DfI figures show that the Council took on average 12.1 weeks to process and decide **Local** planning applications during 2017-18 against the target of 15 weeks. This performance marks a further improvement against 2016-17 and ranks in the top three out of the 11 Councils where an average processing time of 15.2 weeks across all Councils has been recorded.

In relation to enforcement the Dfl figures highlight that the Council's planning enforcement team concluded 94.2% of cases within 39 weeks against the performance target of 70%. This maintained the Council's strong performance recorded during 2016-17 and again ranked first out of all Councils. The Section recorded an average time of 12.2 weeks, to process 70% of enforcement cases to target conclusion compared to 33 weeks across all Councils.

In summary, the Council has improved its performance overall this year when measured against the 3 statutory indicators, whilst the backlog of applications over 12 months old has also been reduced.

For the coming year priority for the Planning Section will continue to attach to the efficient and expeditious processing of all Major applications whilst seeking to maintain the strong performance levels for processing Local applications and dealing with enforcement cases.

RECOMMENDATION: that the report be noted.

ITEM 3.19

P/FP/LDP/2 LOCAL DEVELOPMENT PLAN: REVISED TIMETABLE

An updated draft Plan Timetable was agreed by Members in March 2018.

The Forward Plan Section gave notice to the Department of Infrastructure (DfI) that it was intending to submit the draft Plan Timetable for approval as required under the Local Development Plan Regulations (Northern Ireland) 2015. The Department of Infrastructure requested written confirmation from the Planning Appeals Commission (PAC) that they were in agreement with the revised Timetable before the formal submission to them. Consequently, the Timetable was formally submitted in May 2018 to DfI once written confirmation was received from the PAC.

DfI asked for two minor amendments to the proposed Timetable once submitted. These related to clarification on the current development plans that applied to the Borough and clarification as to whether the quarterly periods referred to in the Timetable related to the business year or the calendar year.

DfI subsequently agreed the Timetable in June 2018. A copy of the relevant correspondence and agreed Timetable **is attached**.

In line with legislative requirements, the Timetable was advertised, made available on the Council's website and made available for public inspection. A copy was also forwarded to all statutory consultees and relevant parties held on the Council's consultation databases.

RECOMMENDATION: that the report be noted.

ITEM 3.20

DIRECTION ORDERS ISSUED BY THE DEPARTMENT FOR INFRASTRUCTURE

Members will recall that reports were presented to the May meeting of the Planning Committee on the following two major planning applications with an Officer recommendation to grant planning permission in both cases.

APPLICATION NO: LA03/2016/1141/F
PROPOSAL: Caravan park (110 No. static caravan pitches, 52 No. touring caravan or motorhome pitches and 10 No. camping cabins) with amenity building, shower and toilet pods, associated access (including road improvements) and landscaping.
SITE/LOCATION: Lands southeast of 12 Castle Road, Antrim, BT41 4NA
APPLICANT: Blair's Caravans Ltd

APPLICATION NO: LA03/2015/0173/F
PROPOSAL: Housing Development comprising 44 No. dwellings and associated site works, landscaping with access from Trench Lane, Mallusk
SITE/LOCATION: Lands at Trench Lane to the east of Ballymartin Water adjacent and west of housing developments at Parkmount Road, Tudor Park and Hyde Park Manor, Mallusk, Newtownabbey, BT36 4PA
APPLICANT: Galanta No 2 Ltd

In introducing both applications Members were advised that should they concur with the Officer recommendation to approve then the Council would be obliged to notify the Department for Infrastructure (DfI) that the Council proposed to grant permission in circumstances where a statutory consultee had raised significant objections to the proposal. Following notification the DfI would have 28 days to decide whether it wished to call in either or both of the applications for its determination. Following consideration of the applications by the Committee the Officer recommendation to grant planning permission was endorsed in both cases.

The Council subsequently wrote to the DfI, in accordance with the provisions of the Planning (Notification of Applications) Direction 2017, notifying it of the Council's intention to grant planning permission in both cases (**copies enclosed**).

DfI has since written to the Council on both cases to direct under Article 17 of the Planning (General Development Procedure) Order (NI) 2015 that the Council may not proceed to determine these applications until so advised by the Department (**copies enclosed**).

The service of such a Direction under Article 17 is considered by Officers to be a holding mechanism that provides DfI with additional time to decide whether it wishes to call these applications in for determination by the Department itself.

Members may wish to note that should the DfI decide not to call in these applications then the Council would be obliged under the provisions of planning legislation to undertake a Pre-determination hearing for both cases prior to the applications being returned to the Committee for final determination.

In anticipation that the Department decides in due course to return both applications for Council determination, the Planning Section is making initial arrangements that will hopefully allow the required Pre-determination hearings to be promptly organised and held.

RECOMMENDATION: that the report be noted.

ITEM 3.21

DRAFT LOCAL GOVERNMENT (CONSEQUENTIAL AMENDMENTS) REGULATIONS (NI) 2018 – CORRESPONDENCE FROM DFC

Members will recall the report presented to the June meeting of the Planning Committee seeking Members views on proposed amendments to Local Government legislation relating to the determination of applications by councils in circumstances where a pre-determination hearing is held.

The Council subsequently wrote to the DfC Local Government and Housing Regulation Division indicating, amongst other matters, its opposition to the change proposed in relation to decision making following a pre-determination hearing.

DfC Local Government and Housing Regulation Division has now written to the acknowledge receipt of the Council's comments and clarify that the Department will not be taking the draft Regulations beyond the consultation stage until a Minister is in place (see copy **enclosed**).

RECOMMENDATION: that the report be noted.

ITEM 3.22

CLOSURE OF THE PLANNING NI WEBSITE

The Department for Infrastructure (Dfi) has advised the Council that over the coming months it will be reviewing the content displayed on the Planning NI website and, where appropriate, updating and transferring relevant information to the NI Direct or Department for Infrastructure websites.

As a result of this work, information such as general planning guidance, links to Public Access and the online consultation system, application forms, details of application fees etc will be moved to the NI Direct website. Information on planning legislation and policy will be moved to the Dfi website, work on which has already commenced. Once all relevant information and documents have been transferred, the Planning NI website will be closed.

RECOMMENDATION: that the report be noted.