



12 April 2023

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

Committee Members: Aldermen – T Campbell and J Smyth

Councillors – A Bennington, H Cushinan, S Flanagan,
R Kinnear, R Lynch, M Magill, R Swann and B Webb

Dear Member

MEETING OF THE PLANNING COMMITTEE

A meeting of the Planning Committee will be held in the **Council Chamber, Mossley Mill on Monday 17 April at 6.00 pm.**

You are requested to attend.

Yours sincerely

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

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

PLEASE NOTE: Refreshments will be available from 5.00 pm

For any queries please contact Member Services:

Tel: 028 9034 0107/028 9448 1301

memberservices@antrimandnewtownabbey.gov.uk

AGENDA FOR PLANNING COMMITTEE – APRIL 2023

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

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

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

PART ONE - Decisions on Planning Applications

3.1 Planning Application No: LA03/2022/0888/F

Retention of silo conversion for tourist accommodation 40m NW of 88 Gloverstown Road, Randalstown, BT41 3HY

3.2 Planning Application No: LA03/2022/1064/F

Demolition and extension to existing dwelling, 2 additional dwellings and associated site works at 27 Station Road Randalstown BT41 2AE.

3.3 Planning Application No: LA03/2022/1099/F

Erection of 2no 3 bedroom semi-detached dwellings and associated communal car parking approximately 10m NE of 158 Shore Road, Newtownabbey, BT37 9TA.

3.4 Planning Application No: LA03/2023/0109/F

Conversion of existing barn to dwelling approximately 40m east of No. 10 Rushfield Road, Ballyclare, BT39 9NU.

3.5 Planning Application No: LA03/2023/0004/O

Site for single storey dwelling 35m south west of 4 Randox Road, Crumlin, BT29 4BU.

3.6 Planning Application No: LA03/2023/0022/O

Proposed dwelling and detached Garage 40m North of 41 Groggan Road, Randalstown, BT41 3JH.

3.7 Planning Application No: LA03/2022/1097/O

Site for dwelling on a farm at lands approx. 75m South East of 50 Ballymartin Road, Templepatrick, BT39 0BS

3.8 Planning Application No: LA03/2023/0011/F

Proposed roofspace conversion to include provision of dormer window to rear elevation at 33 Glebe Manor, Newtownabbey, BT36 6HF.

3.9 Planning Application No: LA03/2022/0693/F

Retention of 6m high garden folly structure, new entrance gates and hard and soft landscaping to create a clockwork garden at lands approximately 110m Northwest of Clotworthy House, Antrim Castle Gardens, Randalstown Road.

3.10 Planning Application No: LA03/2022/1114/A

Proposed shop signage to replace existing (Creative Tiles, Fun Works, Sportsbowl and Scrapyard Golf) at 1-13 Glenwell Road, Glengormley, BT36 7RF

3.11 Planning Application No: LA03/2022/0363/LBC

Erection of lighting columns to viaduct at Randalstown Viaduct, Randalstown

PART TWO – Other Planning Matters

3.12 Delegated Planning Decisions and Appeals

3.13 Proposal of Application Notices for Major Development

3.14 Recovery and Improvement Plan Performance Progress Report Quarter 3 – Planning

3.15 Independent Examination Report Correspondence from the Department for Infrastructure

3.16 Local Development Plan Quarterly Update (Q4) January to March 2023

3.17 Engagement with Department for Infrastructure (DfI) Strategic Planning Division, Planning Improvement Workshop

3.18 Planning Portal Update

PART TWO – Other Planning Matters - In Confidence

3.19 Revised Planning Protocol – In Confidence

3.20 Updated Statement of Community Involvement – in Confidence

3.21 Enforcement Quarterly Update (Q2) July-September 2022 – In Confidence

PART ONE - Decisions on Enforcement Cases - In Confidence

3.22 Enforcement Case TPO/2023/0002/LA03 – In Confidence

**REPORT ON BUSINESS TO BE CONSIDERED AT THE MEETING OF THE
PLANNING COMMITTEE ON 17 APRIL 2023**

PART ONE

PLANNING APPLICATIONS

COMMITTEE ITEM	3.1
APPLICATION NO	LA03/2022/0888/F
DEA	DUNSILLY
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE PLANNING PERMISSION
PROPOSAL	Retention of silo conversion for tourist accommodation
SITE/LOCATION	40m NW of 88 Gloverstown Road, Randalstown, BT41 3HY
APPLICANT	James Alexander
AGENT	OJQ Architecture
LAST SITE VISIT	10/11/2022
CASE OFFICER	Tierna McVeigh Tel: 028 90340401 Email: tierna.mcveigh@antrimandnewtownabbey.gov.uk
<p>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal https://planningregister.planningsystemni.gov.uk</p>	
SITE DESCRIPTION	
<p>The application site is located approximately 40 metres to the northwest of an existing dwelling at No. 88 Gloverstown Road, Randalstown, which is within the countryside and outside of any development limit defined in the Antrim Area Plan 1984-2001.</p> <p>The site consists of the subject silo building, which has been converted into living accommodation and forms part of the road frontage farm complex, which is located along both sides of the Gloverstown Road.</p> <p>The site is surrounded by commercial buildings associated with 'Alexander Tractors' to the northeast and by large livestock sheds to the southwest. The surrounding area has a degree of roadside buildings; however, it maintains a rural character. Duneane Church and Duneane Primary School are located approximately 550 metres to the northwest of the site.</p>	
RELEVANT PLANNING HISTORY	
<p>Planning Reference: LA03/2022/0438/F Location: 40m NW of 88 Gloverstown Road, Randalstown Proposal: Retrospective Planning Application for Silo conversion into seasonal farm accommodation Decision: Permission Refused 02/09/2022</p>	

PLANNING POLICY AND GUIDANCE

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

Until the Council adopts its new Local Development Plan, most planning applications will continue to be assessed against the provisions of the extant adopted Development Plans for the Borough 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 (AAP): The application site is located in the countryside outside any settlement limit as designated by the Plan. Section 6.0 Employment, Industry and Tourism, provides specific guidance on tourism in the Plan area.

Strategic Planning Policy Statement for Northern Ireland (SPPS): 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.

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

PPS 21: Sustainable Development in the Countryside: sets out planning policies for development in the countryside. This is supplemented by Building on Tradition: A Sustainable Design Guide for Northern Ireland Countryside.

CONSULTATION

Council Environmental Health Section - No objection

DfI Roads – Approval subject to conditions

Northern Ireland Water - No objection

DAERA Countryside Management Inspectorate Branch – Confirms that the applicant has a registered farm business number which has been in existence for a period of at least six years.

REPRESENTATION

One (1) neighbouring property was notified of the application and no representations have been received.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

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

Policy Context and Principle of Development

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

The Antrim Area Plan 1984-2001 (AAP) currently operates as the statutory local development plan for the area where the application site is located, and regional planning policy is also material to determination of the proposal. Paragraphs 6.5 and 6.6 deals specifically with tourism and as outlined in Paragraph 6.6 the plan aims to facilitate an increase in accommodation available in the district provided it is compatible in terms of location, type and scale.

The Strategic Planning Policy Statement for Northern Ireland (SPPS) is material to all decisions on individual planning applications. The SPPS sets out the transitional arrangements that will operate until the Council has adopted a Plan Strategy for the Borough and it retains certain existing Planning Policy Statements. Amongst these is PPS 4: Planning and Economic Development, PPS 16: Tourism and PPS 21: Sustainable Development in the Countryside. Considering the transitional arrangements of the SPPS, retained PPS 4, PPS 16 and PPS 21 provides the relevant policy context for consideration of the proposal.

Policy CTY 1 of PPS 21 sets out a range of types of development which in principle are considered to be acceptable in the countryside and that will contribute to the aims of sustainable development. Policy CTY 1 indicates that tourism development proposals will be considered in the context of the TOU policies contained within the Planning Strategy for Rural Northern Ireland (PSRNI). The PSRNI TOU policies relevant in this instance were superseded by the provisions of PPS 16 Tourism in June 2013.

Within Section 5.0 'Existing Policy Provision for Tourism Development in the Countryside' of PPS 16 there is a subject heading entitled 'Single Unit Self Catering Proposals'. Under this heading it states that proposals involving the reuse or adaption of an existing farm building for self-catering purposes will be assessed under Policy CTY 11 of PPS 21 – Farm Diversification. This policy approach is further confirmed by the agent, who on behalf of the applicant has submitted a Supporting Statement, Document 01 date stamped 30th November 2022. Within the statement the agent states that the relevant planning policy for assessment of this proposal is Policy CTY 11 – Farm Diversification. With regards to the foregoing, the policies contained within PPS 16 Tourism in this case are not applicable.

The thrust of Policy CTY 11 is that permission will be granted for a farm or forestry diversification proposal where it has been demonstrated that it is to be run in conjunction with the agricultural operations on the farm. For the purposes of this policy the farm or forestry business has to be active and established for at least 6 years to qualify. The agent on behalf of the applicant has provided a PIC Form and associated farm maps. DAERA was consulted on the application and has confirmed that the farm business has been in existence for a period greater than 6 years.

It should be noted that a previous attempt to gain retrospective permission for this development was sought under planning reference LA03/2022/0438/F. Under this application, the agent acting on behalf of the applicant stated that this development was needed for seasonal farm accommodation and provided four (4) scenarios demonstrating how the development would be utilised; these included housing trainee vets, housing auctioneers, farm stay vacation experience and to be used in conjunction with the applicant's other glamping pod business which is located off the farm holding several miles away.

Under this assessment it was not made clear to the Council exactly what the diversification scheme was, and the Council took the view that the re-use and adaption of this silo building for use as seasonal farm accommodation was essentially a form of residential accommodation, which is not the intention of Policy CTY 11. The Council also took the view that the proposed diversification scheme was not directly associated with or in conjunction with the applicant's farm and that it was essentially a separate business venture. The Council's Planning Committee subsequently refused the application in June 2022 on the grounds of the development being contrary to Policy CTY 1 and CTY 11.

The Supportive Statement with the current application seeks to demonstrate how the proposal is compliant with prevailing planning policy and the extant Antrim Area Plan and makes reference to the Council's Draft Plan Strategy (dPS) insofar as it relates to tourism and farm diversification. It is important to note that the dPS is not adopted and as such does not carry any determining weight in the assessment of this proposal.

The statement specifies the agricultural silo is no longer used for farming activities due to evolving agricultural practices and that it has been transformed into a

unique self-catering accommodation for the tourism industry to supplement the existing farm business income. The Statement also advises that the development is to remain in the ownership of the applicant and will be run in conjunction with the established and active farm business. No evidence or justification has been provided to demonstrate why this development is needed; how the development is to supplement the farm business income; and how this development will run in conjunction with the farm business.

Within the submitted Supporting Statement the applicant's agent draws upon several examples of approved farm diversification planning applications within the Council area, however these examples are not comparable with the proposed development as they do not relate to self-catering accommodation.

The agent draws specific reference to planning application Ref: LA05/2021/0861/F (Lisburn and Castlereagh City Council) asserting that this approval is comparable to the current proposal, in that permission was granted for the conversion of two (2) disused agricultural silos to create accommodation in conjunction with an established wedding venue/guest house. A review of the case officer's report reveals that the proposal was largely considered against the provisions of Policy TSM 5 of PPS 16 as opposed to the provisions of Policy CTY 11 of PPS 21. This exemplar permission is associated with an existing and established tourist accommodation venue which effectively draws the decision maker to PPS 16.

The agent also provided a number of examples of approved farm diversification proposals from neighbouring Councils. The Council afforded the agent an opportunity to supply the relevant consideration for each of these examples and highlight how these examples are similar to the proposal. The agent submitted an addendum to the supportive statement (Document 02 date stamped 14th February 2023) within which the agent stated that the included examples, whilst not wholly comparable with the current application, are deemed to be a material consideration and should be afforded determining weight.

The range of examples provided are noted, however, the determining weight in the decision making process cannot be attributed to the arguments and comparisons being made within each of these examples. Furthermore, it should be noted that the Council is not bound by decisions from other Local Planning Authorities. Other than stating that the development is to supplement the farm income by providing self-catering accommodation for the tourism industry, no substantial information has been provided on what the self-catering entails or how this will be run in conjunction with the active and established farm holding.

Given the history of the site and the lack of supportive information provided to detail how the diversification scheme will be run in conjunction with the agricultural operations on the farm, it is considered that this development is essentially a separate business venture and thus the principle of development is deemed not to be acceptable. Furthermore it is not the intention of the Policy to grant development for farm diversification schemes which include tourism proposals which would otherwise not be acceptable under PPS 16.

Design, Appearance and Impact on the Character of the Area

The proposal seeks approval for the retention of the conversion of an existing silo into tourist accommodation with no extensions proposed to the unit. Three (3) windows and one (1) door opening have been inserted into the walls of the silo. A set of steps have been erected at the front of the silo providing pedestrian access. Kitchen/living/dining accommodation is provided on the ground floor with one (1) bedroom and WC provided on the first floor. The silo remains to be finished in blue coloured metal with grey coloured uPVC windows and door openings.

As required by criteria (b) of Policy CTY 11, the proposal includes minimal external interventions to the external appearance, the building evidently takes the appearance of an agricultural silo within a wider farm complex. As such it is considered that the character and design of the existing agricultural storage structure is not significantly altered and thus it can be concluded that the design and appearance of the proposal is considered acceptable.

Policy CTY 14 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 is considered that given the minimal external changes posed by the conversion that the proposal does not physically alter the existing pattern of development in the area, does not lead to a visual suburban style build up and would not be unduly prominent in the landscape. It would also not create or add to a ribbon of development.

Neighbour Amenity

The application site is surrounded by agricultural sheds to the north and southeast. The Gloverstown Road lies immediately beyond the application site to the southwest and on the opposite side of the road there are large cattle sheds. No. 88 Gloverstown Road is the closest neighbouring dwelling; it is removed from the site by a number of existing outbuildings. Given the neighbouring dwelling's location approximately 40 metres away from the application structure, which is also under the ownership of the applicant, there is considered to be no significant detrimental impact. Consultation was carried out with the Council's Environmental Health Section which raised no objections to the proposal. It is considered that Criteria (d) of Policy CTY 11 is fulfilled.

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

Access, Movement and Parking

The proposal is set back approximately 4.6 metres from the Gloverstown Road and seeks to use an existing unaltered access to a public road. DfI Roads in its initial consultation response dated 10th November 2022, stated visibility splays of 2.4 metres x 70 metres were required. In addressing DfI Roads comments, amendments to the site location plan (Drawing Number 01/2) and the block plan (Drawing Number 02/2) were submitted and DfI Roads re-consulted. In its response dated 21st March 2023, DfI Roads stated it is now content with the proposal subject to conditions being attached to any forthcoming approval.

CONCLUSION

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

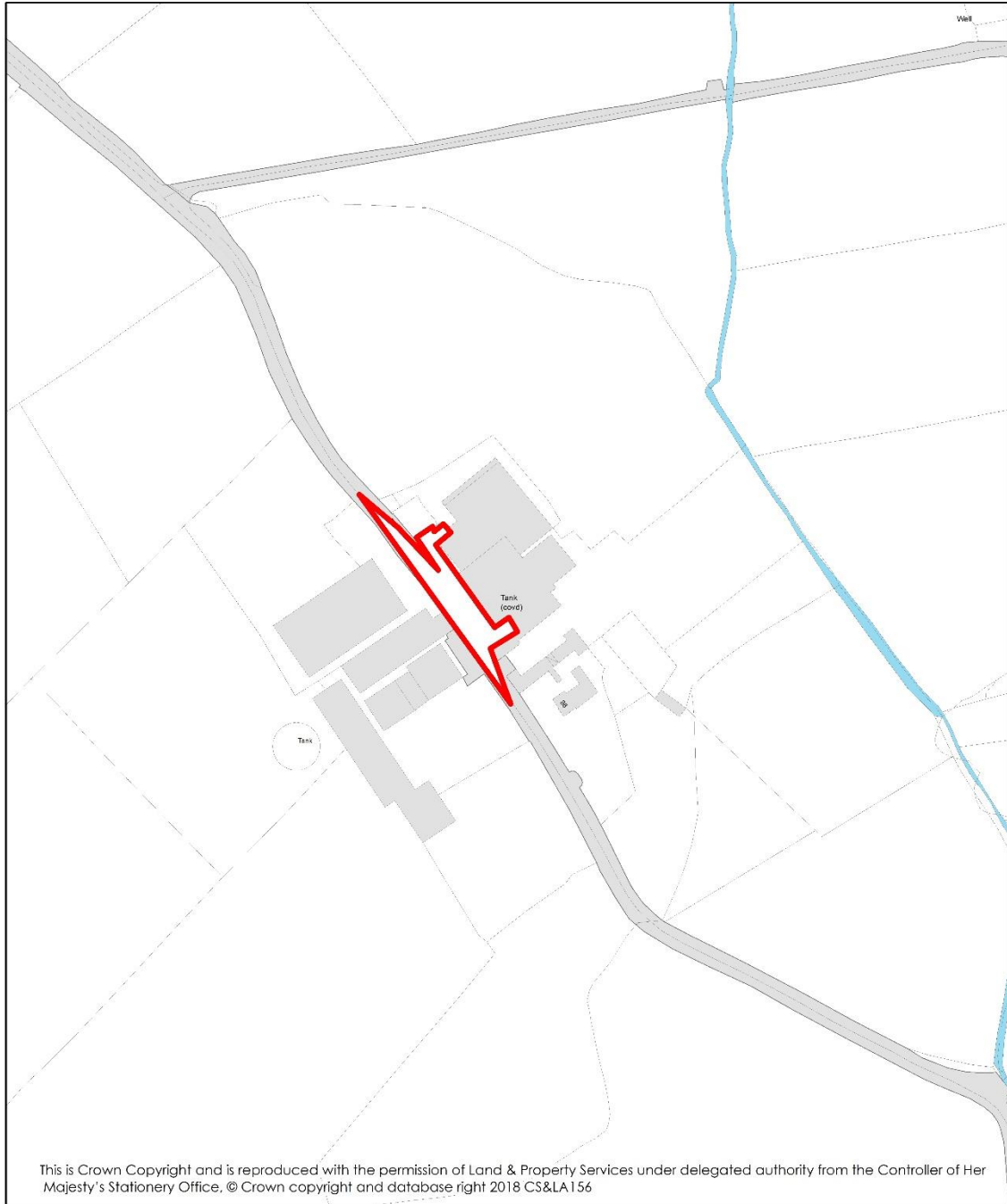
- The principle of the development is considered unacceptable;
- The design and appearance of the building is considered acceptable;
- The proposal will not have a detrimental impact on the character of the area;
- It is considered that the proposal will not have an adverse impact on neighbour amenity; and
- The proposal will not prejudice the safety and convenience of road users.

RECOMMENDATION

REFUSE PLANNING PERMISSION

PROPOSED REASONS FOR REFUSAL

1. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and 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 11 'Farm Diversification' of Planning Policy Statement 21 'Sustainable Development in the Countryside' in that it has not been effectively demonstrated how the proposal will be ran in conjunction with the agricultural operations on the farm.
3. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy TSM 5 of Planning Policy Statement 16 Tourism in that it has not been effectively demonstrated that the proposal is not located within the grounds of other tourism accommodation; nor is it located close to a tourism amenity nor does it, nor does the proposal involve the redevelopment/conversion of a clachan.



Site Location Plan

0 60 120 Metres



Application Reference: LA03/2022/0888/F

Proposal: Retention of silo conversion for tourist accommodation

Location: 40m NW of 88 Gloverstown Road, Randalstown, BT41 3HY

 Site boundary



COMMITTEE ITEM	3.2
APPLICATION NO	LA03/2022/1064/F
DEA	DUNSILLY
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE PLANNING PERMISSION
PROPOSAL	Demolition and extension to existing dwelling, 2 additional dwellings and associated site works
SITE/LOCATION	27 Station Road Randalstown BT41 2AE
APPLICANT	Martin Donnelly
AGENT	Whittaker and Watt Architects
LAST SITE VISIT	23 rd January 2023
CASE OFFICER	Dani Sterling Tel: 028 903 40438 Email: dani.sterling@antrimandnewtownabbey.gov.uk
<p>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal https://planningregister.planningsystemni.gov.uk</p>	
SITE DESCRIPTION	
<p>The application site is located at No. 27 Station Road within the development limits of Randalstown as defined within the Antrim Area Plan 1984-2001 (AAP).</p> <p>The application site comprises an elongated plot of land with a road frontage of 35 metres and a maximum length of 75 metres. A two storey dwelling is situated within the centre of the plot and a pedestrian access and driveway are provided from the northern boundary. The application site is shaped irregularly and includes a parcel of land set behind dwelling No. 33 Station Road and a parcel of land set to the front of No. 27a Station Road.</p> <p>The topography of the site rises gradually in a westerly direction which follows the natural contours of the public road. The lands beyond the eastern and southern boundaries are notably lower than the application site. The northern (roadside) boundary is defined by a 1-metre-high decorative wall, turning to a 1.5- 2 metre stepped boundary in a western direction. The remaining boundaries are defined by a 2.5-metre-high mature hedge along the eastern section, turning to a 1.5-metre-high hedge to the south and west.</p> <p>The application site is situated within a wider area characterised by a number of different dwelling types, including detached, semi-detached and single and two storey dwellings. Randalstown Conservation Area is located approximately 220 metres southeast of the application site.</p>	
RELEVANT PLANNING HISTORY	
No relevant planning history	

PLANNING POLICY AND GUIDANCE

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

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

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

Antrim Area Plan 1984 - 2001: The Plan identifies the application site as being on unzoned lands within the settlement limit of Randalstown. The plan offers no specific guidance on this proposal.

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

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

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

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

CONSULTATION

Council Environmental Health Section – No objection subject to conditions.

Northern Ireland Water (NIW) – No objection subject to condition

Department for Infrastructure Roads- No response on amended plans.

Northern Ireland Environment Agency (NIEA): Regulation Unit Land and Groundwater Team – No response on contamination report provided.

REPRESENTATION

Seventeen (17) neighbouring properties were notified and three (3) representations have been received from three (3) neighbouring properties. The full representations made regarding this proposal are available for Members to view online at the Planning Portal (<https://planningregister.planningsystemni.gov.uk>).

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

- The fence and hedgerow belong to a neighbouring property;
- The visibility splays extend across neighbouring land;
- Overlooking and loss of privacy;
- The proposal represents overdevelopment of the site;
- Loss of light and overshadowing;
- The proposed development is an eyesore;
- A Concept Plan has not been provided;
- Proposal does not provide a quality residential development;
- Scale, massing, design does not respect the character or topography;
- The scheme will have a dominant impact;
- Proposal is contrary to criteria (a), (c) and (h) of Policy QD1 of APPS7, Creating Places and SPPS;
- Structural stability;
- The development will give rise to flooding.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

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

Policy Context and Principle of Development

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

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

application site is located with the settlement limit of Randalstown as defined within the AAP. There are no specific operational policies relevant to the determination of the application in the plan. The application site is located within an existing residential area and as such the principle of a dwelling on this site is considered acceptable subject to all other policy and environmental considerations being met.

The Strategic Planning Policy Statement for Northern Ireland (SPPS) is material to all decisions on individual planning applications. The SPPS sets out the transitional arrangements that will operate until the Council has adopted a Plan Strategy for the Borough and it retains certain existing Planning Policy Statements. Amongst these is PPS 7 Quality Residential Environments and the Addendum to PPS 7 - Safeguarding the Character of Established Residential Areas.

Given that the site is not zoned for any particular purpose in the plan, the site is currently in residential use and is in a predominantly residential area, it is considered that the principle of residential development is acceptable, subject to the technical considerations of density, layout, design access and impact on neighbouring properties.

Design, Layout and Impact on Character and Appearance of Area

Policy QD1 of PPS7 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. Policy QD1 goes on to state that all proposals for residential development will be expected to conform to nine criteria. The design and layout of the proposed residential development is therefore a key factor in determining the acceptability of the proposed development both in terms of its contribution to the amenity of the local neighbourhood and the wider streetscape.

The application seeks full planning permission for the extension and alteration to an existing dwelling (No. 27) and the provision of 2 No. additional dwellings within a plot which is currently occupied by No. 27 Station Road. Objections to the scheme included concerns regarding the scale, massing and design and the topography of the site being out of character with the surrounding area. Currently the plot serving No. 27 is unusually larger than any neighbouring dwelling. While the plot is limited in depth, it has a length of approximately 75 metres which is substantially larger in comparison to any other nearby property. For the purposes of this report, the two proposed dwellings are labelled as dwelling 1 and dwelling 2 with the existing dwelling (No. 27) to remain insitu.

A number of alterations and extensions are proposed to the existing dwelling, which include; the removal of the existing garage, the removal of the enclosed yard and store/boiler room and the provision of a new sunroom extension to the rear of the property. The sunroom extension projects from the rear of the existing dwelling by 2.7 metres, extending to a width of 4 metres and features a pitched roof with an overall ridge height of 4 metres.

Dwelling 1 is located in the western section of the application site and is orientated in northward direction fronting onto Station Road. The existing dwelling is located centrally within the plot whilst dwelling 2 is located to the eastern side of the application site and is orientated in a northwesterly direction fronting towards No. 27's eastern gable. Dwelling 1 is located approximately 8 metres from No. 27's western gable and set back 4 metres from Station Road. The proposed dwelling is two storeys in height with a maximum ridge height of 7.6 metres and includes a single storey side return with a maximum ridge height of 4.6 metres. The proposed dwelling features a two storey front gable projection and two partial dormers expressed along the principle elevation. Two roof lights and a partial dormer are proposed at first floor to the rear elevation.

Dwelling 2 is located on a parcel of land which is set partially to the rear of No. 33 Station Road, is set 15 metres back from the roadside to the rear of the domestic curtilage associated with No. 33 Station Road and therefore does not have a frontage onto the public road. Dwelling 2 has been designed in a broadly similar manner to dwelling 1, however, a notable difference is the return on dwelling 2 which is located to the rear and has a different arrangement of windows on the rear elevation including the provision of two dormer windows.

The external finishes include smooth render, brick, black uPVC rainwater goods and concrete roof tiles. The proposed finishes are largely representative of the wider area and are considered acceptable. There is no defined character in the area and the design of the proposed dwellings overall are considered appropriate to the context of the surrounding environment.

Policy LC 1: Protecting Local Character, Environmental Quality and Residential Amenity of the second Addendum to PPS 7 deals with the issue of density within residential areas. Policy LC 1 states that the proposed density should not be significantly higher than that found in the established residential area and also that the pattern of development is in keeping with the overall character and environmental quality of the established residential area. Concerns were raised in relation to the proposal representing overdevelopment of the site. Additionally, an objection has been raised outlining that the proposal does not include a Concept Plan as required by Policy QD2 of PPS 7. The concept of the proposal has been provided via the submission of fully detailed plans indicating the layout, scale, massing and design of the proposed dwellings. It is considered that the plans submitted are sufficient in demonstrating the overall concept of the proposal.

The increase from one dwelling to three dwellings on the site would no doubt create a higher density of development within the site. However, the current dwelling and substantial plot size is uncharacteristic of the majority of neighbouring dwellings which are located within much smaller plot sizes. The application site is considered capable of absorbing three dwellings without having a detrimental impact on the character of the area and is therefore considered acceptable. Dwelling 1 is set forward of No. 27 with dwelling 2 set back and orientated towards No. 27. It is not considered that there is any defined building line expressed along this section of the Station Road therefore the proposed arrangement of dwellings on the site would not be out of character with the wider area.

Notwithstanding the design of the proposed dwellings or the acceptable density, the application site is bounded on all sides by neighbouring properties with the exception of the roadside portion of the site. Policy QD 1 of PPS 7 requires that the development respects the surrounding context and is appropriate to the character and topography of the site. The topography of the land to the rear of the site sits approximately 1.8 metres lower than the land levels associated with the application site. It is considered that the layout of the development results in a poor quality relationship between the existing and proposed properties, the resultant front-to-rear relationship between dwelling 1 and No. 27a Station Road and the front-to-gable relationship between dwelling 2 and existing dwelling (No.27) is not expressed in the surrounding area and would not generally be considered appropriate.

The layout of the proposed development and the relationship with the adjoining dwellings, including the existing topography is not in keeping with the overall character and environmental quality of the established residential area or surrounding context and therefore does not create a quality residential environment.

Private Open Space Provision

Criteria (c) of Policy QD 1 requires that adequate provision is made for public and private open space and landscape areas as an integral part of the development. Supplementary Planning Guidance provided in the 'Creating Places' document states that the appropriate level of provision should be determined by having regard to the particular context of the development and indicates a minimum requirement of 40m² of private open space for each dwelling house. Creating Places further indicates that development of this nature requires an average standard of 70m² or greater for the development as a whole. The retained garden area serving the existing dwelling No. 27 extends to approximately 80sqm. The garden areas serving proposed dwellings 1 and 2 extends to approximately 190sqm and 130sqm respectively.

The provision for private amenity space is considered acceptable as each dwelling is provided with sufficient space to meet private space to exceed the recommended minimum allowance.

Neighbour Amenity

Criterion (h) of Policy QD 1 requires that there is no unacceptable adverse effect on existing or proposed properties in terms of overlooking, loss of light, overshadowing, noise or other disturbance.

Letters of objection have raised concerns in relation to the proximity of the proposed dwellings upon No. 33 and No. 27a Station Road causing dominance, loss of light and overlooking to both adjacent properties. Supplementary planning guidance 'Creating Places' indicates where there is a back-to-back relationship between dwellings that a minimum separation distance of 20 metres should be achieved between first floor windows and where there is a difference in levels between the properties this should be increased, although the guidance is silent in relation to when there is a front-to-back relationship between properties.

As noted above No. 27a sits approximately 1.8 metres lower than the application site, the principle elevation of No. 27a is orientated in a northwestern direction therefore resulting in a front to rear relationship with dwelling 1. A separation distance of approximately 8 metres at its closest point exists increasing to 14 metres at its widest point from the front elevation of No.27a and the rear elevation of the proposed dwelling 1. Whilst it is acknowledged to some extent that the two storey element of No. 27a is orientated away from the proposed dwelling, it is considered that the overall proximity of dwelling 1, coupled with the rise in topography of the application site comparative to No. 27A would create a significant domineering impact on the principle elevation of this neighbour contrary to criterion (h) of Policy QD 1.

It is considered that there will not be any significant overlooking or loss of privacy to the adjacent neighbour No. 27A given the proposed house type and the lack of any first floor windows along the rear elevation of dwelling 1 (with the exception of one glazed window serving an ensuite). Overlooking from the ground floor windows will be mitigated via the existing boundary treatment comprising a 1.5-2-metre-high hedge. However, it is accepted that a dwelling within the application site on elevated lands would give rise to the perception of overlooking into No. 27A's first floor windows.

Creating Places indicates that where development abuts the private garden areas of existing properties a separation distance greater than 20m will generally be appropriate to minimise overlooking, with a minimum of 10m between the rear of the new dwelling and the common boundary.

Proposed dwelling 2 to the eastern section of the application site is located approximately 5 metres from No. 33 Station Road at its closest point and 16 metres at its maximum. Dwelling 2 is orientated in a northwesterly direction and therefore the northeastern gable of the proposed dwelling faces towards No. 33. In this case No. 33 and No. 35 are a pair of semi-detached two storey dwellings situated close to the public road and proposed dwelling 2 lies perpendicular to these neighbouring properties. The bulk of the built form associated with proposed dwelling 2 is located in excess of 8-16 metres from the western gable associated with No. 33. There are a total of three windows located to the gable of No. 33 facing the application site, two at ground floor and one at first floor. It is considered that the separation distance between both dwellings is considered sufficient in ensuring that the proposed dwelling would not create a significant loss of light or overshadowing to these neighbouring windows.

The private amenity areas associated with semi-detached pair Nos. 33 and 35 are configured in an unusual manner. The amenity associated with No. 33 includes a small area of land beyond the rear of No. 33 however, it includes a substantial area of land to its western gable which runs parallel to the public road. The private amenity area associated with No. 35 extends to a large section to the rear of No. 33 towards the rear of No. 33 and therefore shares a common boundary with the application site. The rear elevation of dwelling 2 would face towards the most rearward section of No. 35's garden. However, a separation distance of 12 metres is to be retained to the common boundary and any views achieved from the rear first

floor windows would be restricted to the rearmost section of this neighbouring garden and therefore there would not be a significant impact on the amenity of the dwelling by reason of overlooking or loss of light.

In regard to overlooking, one first floor window is proposed to the northeastern gable facing No. 33, however this window is to serve an ensuite bathroom and is to be obscure glazed. It is recommended that a condition be imposed if planning permission is forthcoming to ensure this window is to remain obscured for the lifetime of the development in order to protect the amenity of No. 33.

There is an approximate separation distance of 10 metres between the southern gable of dwelling 2 and the rear elevation associated with No. 73 Ashdale to the south. There are a number of mature trees located between both dwellings, however, in order to accommodate the proposal it is unlikely that these trees could be retained. Notwithstanding the above, there are no first floor windows proposed to the southern gable of dwelling 2 and therefore it is not considered that any significant overlooking would occur as a result of the proposal as an existing 2 metre boundary hedge would provide sufficient screening. Whilst it is acknowledged that the overall separation distance between dwelling 2 and No. 73 Ashdale is relatively limited, it is considered that the relationship would not be so significant given the rear-to-gable relationship.

Regarding the layout and relationship between the proposed dwelling and the existing dwelling, there is a separation distance of 8 metres between the gables of dwelling 1 and the existing property (No. 27). This is considered a sufficient separation distance to ensure that no dominance or overshadowing would be created by either dwelling. Both dwellings feature opposing ground floor windows serving habitable rooms. However, the provision of intermitting driveways and proposed 1.8m high fencing along the boundaries would offset direct views. A first floor window is located to the western gable of No. 27 serving a bedroom facing towards the proposed dwelling 1.

As outlined above proposed dwelling 2 is orientated to face towards the eastern gable of No. 27 with a separation distance of 13.5 metres. As previously outlined above, this arrangement is wholly unacceptable as the front elevation of dwelling 2 would face directly into a 1.8-metre-high fence and the gable of No. 27. Additionally, the provision of first floor windows located on the front elevation would create unobstructed views towards the private amenity arrangement associated with No. 27. It is therefore considered that the private amenity of No. 27 cannot be suitably protected due to the two storey nature and orientation of the proposed dwelling 2 fronting towards this existing dwelling.

For the reasons outlined above it is considered that the proposal fails to meet criterion (h) of policy QD 1 in that the design and layout creates an unacceptable relationship by creating an unacceptable domineering relationship to a neighbouring property and significant overlooking towards the private amenity space associated with an existing dwelling within the application site.

Access, Movement and Parking

The proposed dwellings are to be served by re-arranging the current access from Station Road that currently serves the existing dwelling No. 27. In this respect, DfI Roads were consulted on the application in relation to road safety and requested amended plans. Amendments were sought and re-consultation with DfI Roads carried out, their response remains outstanding.

Other Matters

Consultation was carried out with the Council's Environmental Health Section (EHS) and it was highlighted that further investigations were required to determine the potential risks of land contamination and the implications that this would have on human health. A Preliminary Risk Assessment (PRA) was provided under Document 01 date stamped 14th March 2023.

The PRA concluded that the site has not been subject to significant development other than a single building and garage located in the central area of the site and a historic railway line was located beyond the southern boundary. Due to the down gradient position of the former railway and associated infrastructure, no complete pollutant linkages exist towards the site from this identified source. The initial conceptual model has identified the risk classifications to future site users and the environment is considered to be low to very low. EHS has reviewed the PRA which identified an above ground heating oil tank, but found no signs of discolouration or odour. A historic railway line is located to the south of the site, however due to the down gradient position of the former railway and associated infrastructure, no complete pollutant linkages exist. The PRA recommends that an asbestos survey should be undertaken prior to demolition of the building. This will be required under Health and Safety legislation. The PRA also recommends that the above ground fuel tank should be decommissioned following 'Guidance on Pollution Prevention'. Overall, EHS are satisfied that amenity at the proposed development can be suitably protected subject to contaminated land conditions.

NIEA's Regulation Unit Land and Groundwater Team (RU) have been consulted to determine the potential risks of land contamination and the implications that this would have on the groundwater environment. RU had not responded at the time of finalising the report, however, it is considered that should they respond with significant concerns then this matter will be raised at the Committee meeting.

NI Water has identified that there is no public surface water sewer within 20 metres of the application site and has advised that access to a public surface water network is available via extension of the network or via direct discharge to a designated watercourse subject to consent with NIEA. NI Water have provided a negative condition which seeks to restrict development beyond sub-floor construction until a dedicated surface water solution has been agreed with NI Water or DAERA. NI Water have confirmed that there is available capacity for the proposal to be served by the foul sewer and this will be subject to a separate consent from NI Water. Should planning permission be forthcoming a condition should be attached to any decision notice restricting the commencement of development until a sewage development could proceed to sub-floor level, it is considered that the development of sub-floors

without receiving an agreement for a connection to the sewer would lead to partially constructed or stalled developments which would negatively impact upon the surrounding areas. It is therefore considered that a pre-commencement condition is appropriate.

An objection has raised concerns that the fence and hedgerow along the eastern section noted as being retained on Drawing No. 05/1 date stamped 10th February 2022 belongs to a neighbouring property and the visibility splays proposed extend across neighbouring land. The application does not propose the removal of existing boundary treatments which are to remain as existing. Similarly, the ownership of lands that may be required to serve part of the proposal are considered to be a civil matter and do not fall under the remit of a material planning consideration and are therefore not heavily weighted in this determination.

Concerns have been raised by a neighbouring property regarding the ground stability of proposed dwelling 1 on lands close to the site boundary and the possible exacerbation of flooding into neighbouring lands. The site is not identified as being within an area of flooding and therefore it is not considered that the proposal would significantly exacerbate flooding to the site or surrounding area to an unacceptable extent. Measures to ensure adequate drainage remains the responsibility of the developer. Additionally, the structural stability of the site to accommodate the proposed development lies outside the remit of the Planning Section and fall for consideration under the Building Control Regulations.

CONCLUSION

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

- The principle of the development within the development limits is acceptable;
- The density is reflective of the established pattern of development in the area;
- The design and external appearance of the proposal is considered acceptable and would not have a detrimental impact on the character of the area;
- The proposed layout, scale, massing and design of the proposed dwellings will not provide a quality residential environment; and
- The proposal will result in a significant detrimental impact on neighbour amenity due to overlooking and dominance.

RECOMMENDATION	REFUSE PLANNING PERMISSION
PROPOSED REASON FOR REFUSAL	
<p>1. The proposal is contrary to the provisions of the Strategic Planning Policy Statement, Policy QD1 of Planning Policy Statement 7 (PPS 7), Quality Residential Environments, and Policy LC1 of the Addendum to PPS 7, safeguarding the Character of Established Residential Areas, in that the proposed development;</p> <ul style="list-style-type: none"> a) Would result in a pattern of development that would not respect the layout of the existing residential dwellings; b) Would not result in a quality residential environment given the poor outlook for the proposed dwelling; c) Would result in a significant detrimental impact on neighbour amenity in regard to overlooking and dominance on both existing and proposed dwellings. 	



Site Location Plan


Application Reference: LA03/2022/1064/F

Demolition and extension to existing dwelling, 2 additional dwellings and associated site works

27 Station Road Randalstown BT41 2AE

0 30 60
Metres



 Site boundary



COMMITTEE ITEM	3.3
APPLICATION NO	LA03/2022/1099/F
DEA	MACEDON
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE PLANNING PERMISSION
PROPOSAL	Erection of 2no 3 bedroom semi-detached dwellings and associated communal car parking
SITE/LOCATION	Approximately 10m NE of 158 Shore Road, Newtownabbey, BT37 9TA
APPLICANT	Corbo Ltd
AGENT	Ostick & Williams Architects
LAST SITE VISIT	23 rd January 2023
CASE OFFICER	Michael Tomlinson Tel: 028 90340442 Email: michael.tomlinson@antrimandnewtownabbey.gov.uk
<p>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal https://planningregister.planningsystemni.gov.uk</p>	
SITE DESCRIPTION	
<p>The application site is located at No. 160 Shore Road, Newtownabbey. This is an urban location within the development limits of Metropolitan Newtownabbey as identified in the draft Belfast Metropolitan Area Plan and the Belfast Urban Area Plan (BUAP).</p> <p>The application site consists of a vacant, overgrown section of land straddled by other development along this section of the Shore Road. The application site is mostly flat in the southeastern section, with the topography of the site rising slightly in the northwestern portion of the site. The northwest of the application site is defined by a 2-metre-high retaining wall. The northeastern boundary is mostly defined by a 1.8 metre timber fence, with a 2-metre-tall privet hedge defining the southeastern section, passing the southwestern gable of No. 166 Shore Road. The southwestern boundary is defined by a 1.8 metre panel fence with trees between 5 and 7 metres in height interspersed along the boundary.</p> <p>The surrounding location is urban with a mix of land uses including residential, commercial, industrial and community uses located within the nearby vicinity.</p>	
RELEVANT PLANNING HISTORY	
<p>Planning Reference: U/2011/0373/O Location: 160 Shore Road Newtownabbey BT37 Proposal: Site for one detached dwelling (Amended Proposal). Decision: Permission Granted (23.04.2013)</p>	

PLANNING POLICY AND GUIDANCE

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

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

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

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

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

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

Council Environmental Health Section – No objection

Northern Ireland Water - The applicant is requested to submit an Odour Encroachment Assessment Form to NI Water, due to the proposed site being located within an Odour Encroachment Zone Boundary.

Department for Infrastructure Roads- Additional information required

Department for Communities Historic Environment Division – No objection.

Belfast City Airport – No objection

REPRESENTATION

Twenty-eight (28) neighbouring properties were notified and three (3) letters of objection have been received from two (2) properties. The full representations made regarding this proposal are available for Members to view online at the Planning Portal (<https://planningregister.planningsystemni.gov.uk>).

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

- Residents have not been given notice;
- Overlooking concerns;
- Impact on wildlife; and
- Impact on trees, including an oak tree with a Tree Preservation Order.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Policy Context and Principle of Development
- Design Layout, Appearance and Impact on Character and Appearance of the Area
- Neighbour Amenity
- Open Space
- Impact on Trees and Landscaping
- Access and Car Parking

Policy Context and Principle of Development

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

The adopted Belfast Metropolitan Area Plan 2015 (BMAP) previously operated as the statutory development plan for this area, but the adoption of the Plan in 2014 was subsequently declared unlawful by the Court of Appeal on 18th May 2017. As a consequence, the Belfast Urban Area Plan (BUAP) operates as the Local Development Plan (LDP) for the area. The provisions of the draft Belfast Metropolitan Area Plan (dBMAP) are also a material consideration in this application.

The application site lies within the development limit of Metropolitan Newtownabbey in both Plans. There are no specific operational policies or other provisions relevant to the determination of the application contained in these Plans.

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

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

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

Within this policy context, it is considered that residential development on white (unzoned) land within the development limits of Metropolitan Newtownabbey would be acceptable subject to the development complying with the Plan's provisions for residential development and the creation of a quality residential environment as well as meeting other requirements in accordance with regional policy and guidance.

Policy FLD 1 of Planning Policy Statement PPS 15 'Planning and Flood Risk' (PPS 15) states that development will not be permitted within the 1 in 100-year fluvial floodplain unless the applicant can demonstrate that the proposal constitutes an exception to the policy. Policy FLD 1 goes on to list a number of instances where development may be considered an exception. In this case the application site is partially located within a Q100 fluvial floodplain and there does not appear to be any exceptional case nor has the applicant provided any supporting documentation in order to demonstrate that the development should be considered an exception to Policy FLD 1. There are no overriding reasons of importance for the proposed development and the proposal exceeds what could be considered as minor development.

It is noted that planning permission was granted for a single dwelling on the application site on 25th March 2013 under planning Ref: U/2011/0373/O. This decision was granted by the then Department of the Environment and full account for the impact of flood risk on the site was not afforded in the consideration of the application. The approval has since expired and no Certificate of Lawful Development has been submitted to indicate that development had lawfully

commenced. Notwithstanding that the Council is not bound by the previous decision and therefore the planning history does not carry significant weight in the determination of this application.

As outlined above, it is considered that an exemption to the policy does not exist in this case and the proposal fails to meet with the requirements of Policy FLD 1 of PPS 15 and therefore the principle of development has not been established on the application site.

Design Layout, Appearance and Impact on Character and Appearance of the Area
Policy QD1 of Planning Policy Statement 7 'Quality Residential Environments' (PPS 7) indicates that planning permission will only be granted for new residential development where it is demonstrated that the proposal will create a quality and sustainable residential environment. It also requires that the development respects the surrounding context and is appropriate to the character and topography of the site in terms of layout, scale and proportions and massing. In addition, the Addendum to PPS 7 Safeguarding the Character of Established Residential Unit is applicable as the site is located within an established residential area and does not fall within any of the exceptions. Policy LC1 requires that the pattern of development is in keeping with the overall character and environmental quality of the established residential area.

The proposed two (2) semi-detached dwellings take a simple rectangular block plan form with a pitched roof. The ridge height of the dwellings will be 8.8 metres above finished floor level which is broadly comparable with the ridge height of the surrounding dwellings. The dwellings will be provided with off-street parking in line with the southeastern elevation and will be set back in line with the southeastern elevation of the abutting dwelling known as No. 158 Shore Road. The finish materials of the proposed dwellings are to include smooth white render for the walls, grey roof tiles, dark grey rainwater goods and dark grey windows and doors.

It is noted that the northern side of the Shore road is characterised by a mixture of detached and semi-detached dwellings sited on elongated rectangular plots, with a common setback distance from the Shore Road. There is a mixture of finishing materials used and the dwelling designs do not display any significant common characteristics. The proposed dwellings in terms of their scale and siting respect the appearance of the existing development pattern along this section of the Shore Road. It is considered that the design, appearance, scale and massing of the proposed dwellings is appropriate for the application site and the surrounding location.

Supplementary Planning Guidance 'Creating Places' indicates that as a standard dwellings should have 70sqm of private amenity space, the provision of private amenity space for both dwellings is in excess of this. As indicated above the frontage of the application site is defined by an area of hardstanding for the parking of vehicles. The definition of hardstanding to the front elevation of the dwellings does not appear to be an uncommon feature along the streetscape with a number of neighbouring properties having a similar layout.

It is considered that the design, layout, appearance and impact on the character and appearance of the area are acceptable.

Setting of a Listed Building

It is acknowledged that the application site is within the zone of influence for a scheduled feature known as Whitehouse Presbyterian Church, 143-145 Shore Road, Newtownabbey (HB21/06/001), a Grade B2 listed building of special architectural or historic interest. Policy BH11 of Planning Policy Statement 6 'Planning, Archaeology and the Built Heritage (PPS 6) deals with development affecting a listed building. Additionally, Policy QD 1 of PPS 7 requires features of the archaeological and built heritage, and landscape features are identified and, where appropriate, protected and integrated in a suitable manner into the overall design and layout of the development. Consultation was carried out with Department for Communities, Historic Environment Division (HED) who indicated that the proposal is sufficiently removed in situation and scale, as to have negligible impact on the significance of the listed building.

Neighbour Amenity

Criterion (h) of Policy QD 1 requires that there is no unacceptable adverse effect on existing or proposed properties in terms of overlooking, loss of light, overshadowing, noise or other disturbance. Letters of objection raised concerns regarding overlooking. The closest abutting neighbouring dwelling is No. 166 Shore Road located 4 metres to the northeast of the proposed siting location for unit 2 which has a gable-to-gable relationship. It is noted that there are two existing windows on the first floor of No. 166 providing a secondary light source to the rooms which they service and there are two windows to be provided to the facing gable elevation of the proposed dwelling. The proposed windows are to provide light to an ensuite and main bathroom within this proposed dwelling and therefore will be finished with opaque glazing for privacy. This will reduce the perception of any overlooking that may be experienced by this existing neighbouring dwelling. It is noted that the separation distance will be 4 metres, however, considering the southwestern location of the proposed dwellings, any overshadowing that may be experienced by this neighbouring dwelling will be restricted to late afternoon. Given the secondary nature of the windows on the southwestern elevation of this neighbouring dwelling, it will not significantly impact on the amenity of the residents.

No. 158 Shore Road is located 6 metres to the southwest of the gable of unit 1 of the proposed dwellings and again has a gable-to-gable relationship. It is noted that unit 1 is a mirror of unit 2 and therefore the same first floor windows will be provided with opaque glazing for privacy and therefore will not contribute to any perceived overlooking. Due to the proposed dwellings having a northeastern location in comparison to the existing dwelling, any overshadowing that may be experienced will be restricted to the early morning. It is considered that there will not be a significant impact on the amenity of this neighbouring dwelling.

The dwellings located along the southeastern side of the Shore Road will have a front-to-front relationship with the proposed dwellings and will not experience any significant amenity impacts. No. 156 Shore Road is located 18 metres to the southwest of the application site and on the opposite side of No. 158 Shore Road. It is considered that the proposed dwellings will not have a significant impact on the amenity of this property through overlooking or overshadowing.

Access and Car Parking

Department for Infrastructure Roads was consulted on this application. In its response it has requested additional information to be submitted to demonstrate the visibility splays and requested that Certificate C on the P1 form is completed to serve notice on Nos. 158 and 166 Shore Road. Due to the principle of development on the site not being established, this information was not requested as it would put the applicant to an unnecessary expense. It has therefore not been demonstrated that the proposal will not prejudice the safety and convenience of other road users along the Shore Road.

Other Matters

Both letters of objection mention that no neighbouring property received notification letters. These letters were sent to the abutting properties on 16th January 2022, while an advertisement ran in the 18th January 2022 issue of the Newtownabbey Times. It is considered that the Council has fulfilled its statutory requirement to notify all relevant neighbouring properties.

Concerns were also raised regarding an oak tree within the application site that the objector believes has the benefit of a Tree Preservation Order. No trees within the application site have a Tree Preservation Order attached. Other concerns raised relate to the impacts of bats and wildlife within the trees and vegetation. Policy NH 2 Planning Policy Statement 2 'Natural Heritage' (PPS 2) indicates that planning permission will only be granted for a development proposal that is not likely to harm a European protected species. It is accepted that there are mature trees and vegetation within the site that will require removal and have the potential to provide roosts, shelter and feeding habitat for Protected species. Due to the recommendation to refuse planning permission, ecological surveys have not been requested due to the unnecessary expense this would put on to the applicant. It has not therefore been demonstrated that the proposal will not have an impact on the natural environment as required by Policy NH 2 of PPS 2.

NI Water (NIW) has raised issues in relation to odour from a nearby Waste Water Treatment Works. The responsibility for odour lies with the Council's Environmental Health Section who have provided no objections to the proposal. NI Water has identified that there is no public surface water sewer within 20 metres of the application site and has advised that access to a public surface water network is available via extension of the network or via direct discharge to a designated watercourse subject to consent with NIEA. NI Water has provided a negative condition which seeks to restrict development beyond sub-floor construction until a dedicated surface water solution has been agreed with NI Water or DAERA. NI Water has confirmed that there is available capacity for the proposal to be served by the foul sewer and this will be subject to a separate consent from NI Water. Should planning permission be forthcoming a condition should be attached to any decision notice restricting the commencement of development until a sewage development could proceed to sub-floor level, it is considered that the development of sub-floors without receiving an agreement for a connection to the sewer would lead to partially constructed or stalled developments which would negatively impact upon the surrounding areas. It is therefore considered that a pre-commencement condition is appropriate.

CONCLUSION

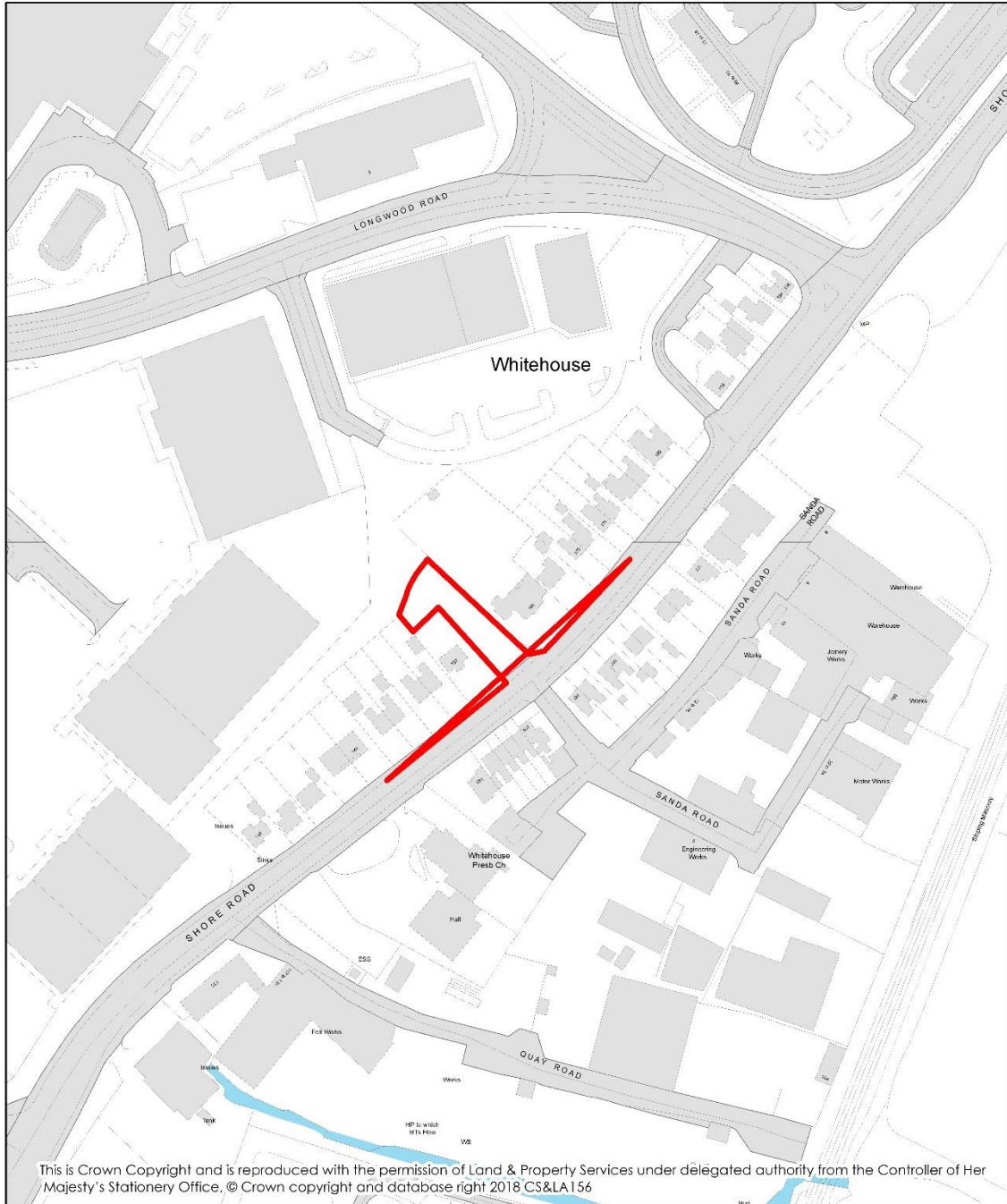
The following is a summary of the main reasons for the recommendation:

- The principle of the development has not been established;
- The design and appearance of the two dwellings is appropriate for the site and location;
- There will be no significant impact on the amenity of the neighbouring dwellings;
- The proposal will not negatively impact the character and appearance of the area or nearby listed building;
- There will be no significant impact on the trees and landscaping; and
- It has not been demonstrated that the proposal will have no impact on the safety and convenience of other road users.

RECOMMENDATION	REFUSE PLANNING PERMISSION
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PROPOSED REASONS FOR REFUSAL

1. The proposal is contrary to the Strategic Planning Policy Statement and Planning Policy Statement 15, Planning and Flood Risk, Policy FLD 1, in that it the proposed development is located within the 1 to 100-year fluvial flood plain and it has not been demonstrated that the proposal constitutes an exception to the policy.
2. The proposal is contrary to the Strategic Planning Policy Statement and Planning Policy Statement 3, Access, Movement and Parking, Policy AMP 2, in that it would, if permitted, prejudice the safety and convenience of road users as it has not been sufficiently demonstrated that the necessary visibility splays can be provided.
3. The development is contrary to the Strategic Planning Policy Statement and Planning Policy Statement 2 Natural Heritage, Policy NH5, in that it would have an unacceptable adverse impact on bats and insufficient information has been submitted to establish otherwise.



Site Location Plan

0 50 100
Metres



Application Reference: LA03/2022/1099/F

 Site boundary

Proposal: Erection of 2no 3 bedroom semi-detached dwellings and associated communal car parking

Location: Approximately 10m NE of 158 Shore Road, Newtownabbey, BT37 9TA



COMMITTEE ITEM	3.4
APPLICATION NO	LA03/2023/0109/F
DEA	BALLYCLARE
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE PLANNING PERMISSION
PROPOSAL	Conversion of existing barn to dwelling
SITE/LOCATION	Approximately 40m east of No. 10 Rushfield Road, Ballyclare, BT39 9NU
APPLICANT	Guy & Aurora Gilbert
AGENT	Mervyn McNeill
LAST SITE VISIT	3 rd March 2023
CASE OFFICER	Gareth McShane Tel: 028 903 40411 Email: gareth.mcshane@antrimandnewtownabbey.gov.uk
<p>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal https://planningregister.planningsystemni.gov.uk</p>	
SITE DESCRIPTION	
<p>The application site is located approximately 40m east of No. 10 Rushfield Road, Ballyclare and within the countryside as defined within the draft Belfast Metropolitan Area Plan 2004.</p> <p>The application site forms a roadside plot located along the Rushfield Road. The plot contains a barrel roof barn which possesses a residential element. An existing agricultural entrance currently provides access to the site. The northern (roadside) boundary is partially defined by mature hedgerows measuring 3-4 metres in height, with the remainder defined by a 1.5m high hedgerow and interspersed trees. The eastern and western boundaries are defined by trees measuring 4-8 metres in height. The southern boundary is defined by a 1.2m high post and rail fence. The topography of the land gradually falls away from the roadside in a southerly direction.</p> <p>The surrounding character is rural countryside, with dwellings and agricultural outbuildings spread throughout intermittently.</p>	
RELEVANT PLANNING HISTORY	
No recent/relevant planning history.	
PLANNING POLICY AND GUIDANCE	
Under the provisions of the Planning Act (Northern Ireland) 2011, all decisions must be taken in accordance with the provisions of the Local Development Plan unless material considerations indicate otherwise.	

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

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

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

Draft Newtownabbey Area Plan 2005 (NAP): The application site is located within the countryside. 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 15: Planning and Flood Risk (Revised September 2014): sets out planning policies to minimise flood risk to people, property and the environment.

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

CONSULTATION

Department for Infrastructure Roads- Amendments required.

Council Environmental Health Section – No objections, subject to informatives.

Northern Ireland Water- Approve, with standard conditions.

Department for Infrastructure Rivers-No objection.

REPRESENTATION

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

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

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

Policy Context and Principle of Development

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

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

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

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

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

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

Countryside' which seeks to promote quality and sustainable building design in Northern Ireland's countryside.

Policy CTY 1 of PPS 21 indicates that there are certain types of development acceptable in principle in the countryside and that will contribute to the aims of sustainable development. There are a number of cases when planning permission will be granted for an individual dwelling house. One of these is the reuse of an existing building in accordance with Policy CTY 4.

Policy CTY 4 allows for the sympathetic conversion, with adaption, if necessary, of a suitable building for a variety of alternative uses where this would secure its upkeep and retention. It is noted however, that paragraph 6.73 of the SPPS, which takes precedence over Policy CTY 4, makes reference to the conversion and re-use of existing buildings for residential use and has expanded the term 'suitable building' in PPS 21 to 'a suitable locally important building of special character or interest'.

The essence of both Policy CTY 4 and the SPPS is to provide an opportunity to retain and maintain older buildings in the countryside, and through sustainable conversion of these buildings, allow for their preservation. As noted above, the SPPS does not define 'locally important' but lists examples such as former schoolhouses, churches and older traditional barns and outbuildings. Although not an exhaustive list, the examples cited in the SPPS typically relate to buildings that generally have some design, architectural, or historic merit.

The proposal is for the conversion of an existing agricultural barn to provide a single dwelling. The barn forms a rectangular shape with a barrel roof atop. A mix of materials are used in its construction, including: corrugated iron, dashed render, and wood panelling (to the front elevation). A number of door and window openings are located throughout the building. The submitted existing floorplan displays living quarters to a section of the barn, with the remaining area providing an area for stables. In the agent's supporting statement, it is confirmed that the barn was lived in for a period of time while the adjacent No.10 Rushfield Road was under construction, up until 2006. Following this, it was lived in intermittently. The use of the barn as a dwelling does not benefit from the grant of any previous planning permission.

Policy CTY 4 states that buildings of a temporary construction such as those designed and used for agricultural purposes, including stores or sheds will not be eligible for conversion or reuse under the policy. The subject building is typical of agricultural buildings found throughout the rural countryside, with the design features of the western section (front elevation) having no notable architectural merit. It is considered that the building is not of permanent construction and instead was built as a temporary building for agricultural purposes. Certain agricultural buildings, such as stone barns, which possess architectural features and design may possibly be eligible, however corrugated iron structures are not considered valid conversion opportunities. Furthermore, the building does not possess any historic merit that would warrant its retention, neither is it a building of 'local importance'. It is considered that the building is not eligible for conversion or reuse under this policy and is contrary to the provisions of the SPPS and CTY 4.

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

All dwellings in the countryside must integrate with their surroundings in accordance with the policy requirements of the SPPS and Policies CTY 13 and CTY 14 of PPS 21. Policy CTY 13 requires that a dwelling in the countryside will not be prominent in the landscape and will integrate into its surroundings, whilst Policy CTY 14 states that planning permission will be granted where the proposed building will not cause a detrimental change to, or further erode the rural character of an area.

It is considered that the site is screened sufficiently from long views along Rushfield Road given intervening boundary treatments. While short views of the proposal will be experienced, given that the subject development is a conversion of an existing building, it is not considered that it will appear anymore prominent within the landscape than it currently appears. The site benefits from a number of mature boundary treatments, with new supplementary planting required along the roadside in order to accommodate the required visibility splays.

The proposed conversion replicates the existing form and design of the barn, with a number of new window and door openings introduced. Windows which are visible from critical viewpoints possess a vertical emphasis. The barrel roof design is to be retained, with new finishes including smooth render finish painted white and EPDM rubber roof coloured dark grey. The design of the building is considered acceptable, respecting the rural character exhibited in the surrounding area.

Overall, the proposal meets the policy provisions set out in the SPPS and Policies CTY13 and CTY14 of PPS21 in relation to design, integration and rural character.

Neighbour Amenity

It is considered that the proposal will not result in any detrimental impact to neighbouring amenity given separation distances, existing intervening structures, and existing boundary treatments. The closest neighbouring property is No.10 Rushfield, which is located approximately 40m from the application building.

Movement, Access and Parking

The application site proposes to utilise an existing access onto the Rushfield Road. DfI Roads were consulted regarding the application and have indicated that the submission of additional information would be necessary. It is considered that this matter would not be a reason for refusal, rather, it could be addressed by way of a negative condition should planning permission be forthcoming.

Other Matters

Environmental Health were consulted regarding the proposal and responded noting the application sites proximity to the A8 Ballynure Road and adjacent farm, and have attached a number of informatives in relation to these matters.

DfI Rivers were consulted regarding the proposal and responded noting an undesignated watercourse which is located adjacent to the eastern boundary of the site. *DfI Rivers* request that a working strip minimum width 5m is required to facilitate any future maintenance. Furthermore, if the applicant proposes any culverting,

approval should be sought from DfI Rivers Area Office under Schedule 6 of the Drainage Order 1973.

DfI Rivers also note that the site is affected by portions of predicted fluvial flooding along the eastern boundary, and advise that while a Drainage Assessment is not required, it is the developer's responsibility to assess the flood risk and drainage impact and to mitigate the risk of the development and any impacts beyond the site.

CONCLUSION

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

- The principle of the development cannot be established as the proposal fails to fulfil the policy requirements of the CTY 1 and CTY 4 of PPS 21 and SPPS;
- The proposal is considered to integrate appropriately with the surrounding landscape while respecting the rural character exhibited in the area;
- The proposal would not have a detrimental impact on neighbour amenity; and
- There are no road safety concerns with the proposal.

RECOMMENDATION

REFUSE PLANNING PERMISSION

PROPOSED REASONS FOR REFUSAL

1. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement (SPPS) 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.
2. The proposal is contrary to the policy provisions contained in the Strategic Planning Policy Statement and fails to meet with the provisions for the conversion and reuse of an existing building as a dwelling in accordance with Policy CTY 4 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the building is not considered to be of permanent construction, and does not possess any design, architectural, or historic merit which warrant its retention.

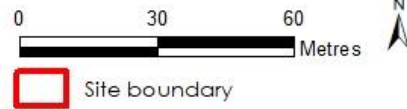


Site Location Plan

Application Reference: LA03/2023/0109/F

Location: Approximately 40m east of No. 10 Rushfield Road,
Ballyclare, BT39 9NU

Proposal: Conversion of Existing Barn to Dwelling



COMMITTEE ITEM	3.5
APPLICATION NO	LA03/2023/0004/O
DEA	AIRPORT
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE OUTLINE PLANNING PERMISSION
PROPOSAL	Site for single storey dwelling
SITE/LOCATION	35m south west of 4 Radox Road, Crumlin, BT29 4BU
APPLICANT	Dylan Carson
AGENT	Dylan Carson
LAST SITE VISIT	17 th February 2022
CASE OFFICER	Gareth McShane Tel: 028 903 40411 Email: gareth.mcshane@antrimandnewtownabbey.gov.uk
<p>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal https://planningregister.planningsystemni.gov.uk</p>	
SITE DESCRIPTION	
<p>The application site is located approximately 35m southwest of No.4 Radox Road, Crumlin and is within the countryside as defined within the Antrim Area Plan 1984-2001 (AAP).</p> <p>The application site is located off Radox Road and forms a rectangular plot. Three prefabricated buildings are located on the site, each of a similar size and scale with slightly different finishes. An existing access is located along the southern boundary with Radox Road, with pillars and gate entrance. The northeast boundary is undefined, with the eastern (roadside) boundary defined by a 1.2m post and rail fence. The southwestern and northwestern boundaries are defined by a post and wire fence. The topography of the land is generally flat throughout. A dwelling approved under Ref: LA03/2022/0480/RM is currently under construction immediately northeast of the site, which is also under the control of the applicant. In previous years, a business operated on the site which displayed and sold prefabricated buildings.</p> <p>The surrounding character rural countryside with dwellings and outbuildings spread throughout intermittently.</p>	
RELEVANT PLANNING HISTORY	
<p>Planning reference: LA03/2022/0480/RM Location: 55m southwest of 6 Radox Road, Crumlin Proposal: Detached infill dwelling Decision: Approve Reserved Matters (07.09.2022)</p> <p>Planning reference: LA03/2021/0867/O</p>	

Location: 35m southwest of 6 Radox Road, Crumlin
Proposal: Site for infill dwelling
Decision: Application Withdrawn (17.01.2022)

Planning reference: LA03/2019/0634/O
Location: 55m southwest of 6 Radox Road, Crumlin
Proposal: Site for infill dwelling
Decision: Permission Granted (25.09.2019)

PLANNING POLICY AND GUIDANCE

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

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

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

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

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

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

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

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

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

CONSULTATION

Department for Infrastructure Roads- No objection subject to conditions.

Council Environmental Health Section – No objections.

Northern Ireland Water- Approve, with standard conditions.

Belfast International Airport- No objections.

Department for Infrastructure Rivers- Additional Information requested.

Department for Communities Historic Environment Division – No response

Defence Infrastructure Organisation L.M.S- No comment.

REPRESENTATION

No neighbouring properties were notified of the proposal.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

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

Policy Context and Principle of Development

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

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

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

these is PPS 21: Sustainable Development in the Countryside. Taking into account the transitional arrangements of the SPPS, retained PPS 21 provides the relevant policy context for the proposal. Supplementary guidance on PPS 21 is contained in document 'Building on Tradition - A Sustainable Design Guide for the Northern Ireland Countryside' which seeks to promote quality and sustainable building design in Northern Ireland's countryside.

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

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

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

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

Drawing Number 01, date stamped 03 January 2023, indicates three buildings that form the substantial and continuously built up frontage. Having completed an investigation of historical aerial imagery of the site, it is noted that the three buildings were not positioned where they currently stand in April 2021. In July 2021, three concrete foundation bases can be seen in place. In August 2021, the three buildings can be seen positioned on top of the concrete foundations. From the aerial imagery, it is clear that the three buildings have been moved from lands located to the northeast of the application site, which are also under the ownership of the applicant. The movement of these buildings has been done without the benefit of planning permission, and therefore they cannot be considered to constitute buildings with a frontage onto the road as they are not lawful. Therefore, it is considered that the application site is not located within a substantial and continuously built up frontage and the principle of development has not been established.

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

All dwellings in the countryside must integrate with its surroundings in accordance with the policy requirements of the SPPS and Policies CTY 13 and CTY 14 of PPS 21. Policy CTY 13 requires that a dwelling in the countryside will not be prominent in the landscape and will integrate into its surroundings, whilst Policy CTY 14 states that planning permission will be granted where the proposed building will not cause a detrimental change to, or further erode the rural character of an area.

The application site is open and exposed, lacking any natural boundary treatments which could provide a backdrop or level of enclosure for the proposal. Both long and short views of the proposal would be experienced when travelling in both directions along Randox Road, and when travelling east along the adjacent Nutts Corner Road. Furthermore, given the flat landform and lack of intervening vegetation or landform features, the proposal is further exposed. The proposal would require extensive landscaping in order to integrate appropriately, which would require numerous growing seasons before reaching full maturity. As the application seeks outline permission, no details have been provided regarding the proposed design or layout of the dwelling, however, it is considered that a dwelling on the application site would appear open and exposed, failing to sensitively integrate within the surrounding landscape.

While it is accepted that a dwelling was recently approved 40m northeast of the application site, that site is setback further from the roadside and benefits from mature boundary treatments and existing structures to the northeast which provide both screening and a backdrop for the proposal.

Overall, the proposal fails to meet the policy provisions set out in the SPPS and Policies CTY13 and CTY14 of PPS21.

Neighbour Amenity

As the application seeks outline permission, limited details have been provided regarding the proposed design, however it is considered that a dwelling could be appropriately accommodate upon the site without having a detrimental impact on neighbouring amenity given that there is a 37m separation distance to the nearest property.

Movement, Access and Parking

The proposal seeks to utilise and share an existing access for a dwelling located immediately northeast of the site which is within the control of the applicant. The existing access to the site is to be blocked off. DfI Roads were consulted on the access arrangements and responded with no objections to the proposal.

Other Matters

Belfast International Airport were consulted regarding the proposal and responded with no objections.

DfI Rivers were consulted regarding the proposal and have identified that the site lies adjacent to the 1 in 100-year fluvial floodplain and that a Flood Risk Assessment (FRA)

would be required in order to judge the extent of the floodplain from the watercourses. This information has not been requested from the applicant due to the principle of development not having been met.

Historical Environment Division (HED) were consulted regarding the application, however, no response was received at the time of completing the report. It is noted on neighbouring planning approval (Ref: LA03/2019/0634/O) that HED were consulted and offered no objections to that proposal and there is no reason to believe that there would be any significant archaeological issues associated with the current application site.

Defence Infrastructure Organisation were consulted regarding the proposal and did not provide a comment in relation of the application.

The Environmental Health Section of the Council were consulted regarding the proposal and responded with no objections.

CONCLUSION

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

- The principle of the development cannot be established as the proposal fails to fulfil the policy requirements of CTY 1 and CTY 8 of PPS 21;
- The application site is unable to provide a suitable degree of integration as it would appear unduly prominent in the landscape, lacks established boundary treatments, and would fail to blend into the surrounding landform;
- An appropriately designed dwelling on site would not have a detrimental impact on neighbour amenity; and
- There are no road safety concerns with the proposal.

RECOMMENDATION

REFUSE OUTLINE PLANNING PERMISSION

PROPOSED REASONS FOR REFUSAL

1. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement (SPPS) 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.
2. The proposal is contrary to the policy provisions contained in the Strategic Planning Policy Statement and fails to meet with the provisions for an infill dwelling in accordance with Policy CTY 8 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the application site is not within an otherwise substantial and continuously built up frontage.
3. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement and Policies CTY 13 and CTY 14 of Planning Policy Statement 21, Sustainable Development in the Countryside, the building would be a prominent feature in the landscape; the proposed site lacks long established natural boundaries and relies on new landscaping and the site fails to blend with the existing landform.

4. The proposal is contrary to the Strategic Planning Policy Statement and Planning Policy Statement 15, Planning and Flood Risk, Policy FLD 1, in that it the proposed development is located within the 1 to 100-year fluvial flood plain and it has not been demonstrated that the proposal constitutes an exception to the policy.




Site Location Plan

Application Reference: LA03/2023/0004/O

Proposal: Site for Single Storey Dwelling

Location: 35m south west of 4 Randox Road, Crumlin, BT29 4BU

0 60 120
Metres

 Site boundary



COMMITTEE ITEM	3.6
APPLICATION NO	LA03/2023/0022/O
DEA	DUNSILLY
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE OUTLINE PLANNING PERMISSION
PROPOSAL	Proposed Dwelling and Detached Garage
SITE/LOCATION	40m North of 41 Groggan Road, Randalstown, BT41 3JH
APPLICANT	Wilson Mills
AGENT	Andrew Wisener MAW Architects
LAST SITE VISIT	21 st February 2023
CASE OFFICER	Michael Tomlinson Tel: 028 903 40442 Email: michael.tomlinson@antrimandnewtownabbey.gov.uk
<p>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Northern Ireland Planning Portal https://planningregister.planningsystemni.gov.uk</p>	
SITE DESCRIPTION	
<p>The application site is located 40 metres north of 41 Groggan Road, Randalstown. This is a countryside location beyond any development limits as identified in the Antrim Area Plan 1984-2001.</p> <p>The application site consists of a plot of land set to the north and abutting No. 41 Groggan Road and No. 43 Groggan Road to the west. The western boundary abutting No. 43 Groggan Road is initially defined by a 1.8-metre-tall panel fence, with a section of trees at a height of 5-7 metres and a 1.2-metre-tall post and wire fence running along the northwestern section of the boundary. The northeastern boundary is defined by a 1.2-metre-tall post and wire fence, while the southeastern boundary is mostly undefined, with the southwestern elevation of an outbuilding and a section of gorse defining the southern portion of this boundary. The topography of the application site rises in a southwesterly direction. There are a number of outbuildings within the application site.</p> <p>The surrounding location is countryside, with a number of single storey dwellings and outbuildings within the surrounding location.</p>	
RELEVANT PLANNING HISTORY	
No relevant planning history	
PLANNING POLICY AND GUIDANCE	
<p>Under the provisions of the Planning Act (Northern Ireland) 2011, all decisions must be taken in accordance with the provisions of the Local Development Plan unless material considerations indicate otherwise.</p> <p>Until the Council adopts its new Local Development Plan, planning applications will continue to be assessed against the provisions of the extant adopted Development Plans for the Borough, which in this case is the Antrim Area Plan 1984 -2001. Account will also be taken of the relevant provisions of Planning Policy Statements (PPSs) which</p>	

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

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

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

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

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

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

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

CONSULTATION

Council Environmental Health Section – No objection

Northern Ireland Water – No objection

Department for Infrastructure Roads- No response.

REPRESENTATION

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

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

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

Policy Context and Principle of Development

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

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

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

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

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

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

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

The agent has indicated within the Supporting Planning Statement (Document 01, date stamped 16th January 2023) that the application should be assessed under

Policy CTY 8 of PPS 21. In this case, there are two dwellings located along this section of the Groggan Road. No. 41 Groggan Road abuts the application site to the east and No. 43 Groggan Road abuts the application site to the west, both with road frontages. Due to the plot boundaries within both the application site and within the boundary of No. 41 Groggan Road, the garage within the curtilage of No. 41 Groggan Road and the large outbuilding within the application site do not have a road frontage, but are removed and set back from the road frontage by hedgerow and a distance of 20 metres and 25 metres respectively. It is noted that there are a number of outbuildings to the rear of No. 43 Groggan Road, however accompanying development to the rear of a building does not contribute to a substantial and built up frontage. Therefore, there are only two (2) buildings that have a road frontage along this section of the Groggan Road and the application site cannot be considered to be a gap site in accordance with the requirements of Policy CTY 8 of PPS 21.

Furthermore, the agent has indicated within Drawing No. 01/1 that the siting location would be set to the north and behind the dwelling known as No. 41 Groggan Road. Although no substantial and continuous frontage exists. As the proposed development does not comply with the policy criteria set out in Policy CTY 8, it does not represent one of the types of housing development considered acceptable in principle in the countryside. Policy CTY 1 advises that other types of development will only be permitted where there are overriding reasons why it is essential and could not be located in the nearby settlement. No overriding reasons were presented to demonstrate how the proposal is essential and why it could not be located in a settlement. The proposal therefore fails Policies CTY 1 and CTY 8 of PPS 21.

Impact on Character and Appearance of the Area

Policy CTY 13 of PPS 21 states that planning permission will be granted for a building in the countryside where it can be visually integrated into the surrounding landscape and it is of an appropriate design. The application seeks outline planning permission and no indicative designs and plans have been submitted in support of the application. The application site benefits from having mature landscaping along the southwestern and southeastern boundaries. Part of the southeastern boundary to the north of No. 41 Groggan Road is currently undefined, however, proposed planting could be conditioned should outline planning permission be granted. It is considered that a suitably designed dwelling would visually integrate into the surrounding location.

Policy CTY 14 of PPS 21 requires the proposal not to cause a detrimental change to, or further erode the rural character of an area. While CTY 8 states that planning permission will be refused for a building which creates or adds to a ribbon of development. Where ribbon development is created or where an existing ribbon is added to, it will also have a knock-on detrimental impact on the rural character of the area. Paragraph 5.33 of PPS 21 explains that a ribbon does not necessarily have to be served by individual accesses nor have a continuous or uniform building line. Buildings can be sited back, staggered or at angles and with gaps between them but can still represent ribbon development, if they have a common frontage or they are visually linked. In this case the proposed siting of the dwelling is well set back off the road frontage by approximately 70 metres and would not be considered to create a ribbon of development.

Neighbour Amenity

It is noted that No. 41 Groggan Road is owned by the applicant and given the topography of the land sits at a higher level than the application site, however, due to the separation distance, it is considered that there will be no significant impact on the amenity of the residents of this dwelling.

No. 43 Groggan Road abuts the application site to the west. The boundary with this neighbouring dwelling comprises a mixture of mature vegetation and 1.8 metres tall panel fencing. It is considered that whilst there are no indicative designs provided within this outline planning application, it is considered that there will be no significant impact on the amenity of the residents of this dwelling.

Other Matters

Roads

The Department for Infrastructure (DfI) Roads were consulted as part of this planning application and requested amendments. An amended site location plan (Drawing No. 01/1, date stamped 21st March 2023) was received and a response from DfI Roads is outstanding. It is indicated on Drawing No. 01/1 (date received 21st March 2023) that the necessary visibility splays of 2.4 metres by 70 metres are achievable in both directions. Following a site visit, it is considered that the visibility splays would be achievable with some minor landscaping required to augment the western boundary vegetation. It is considered that an acceptable access can be provided within the ownership control of the applicant.

CONCLUSION

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

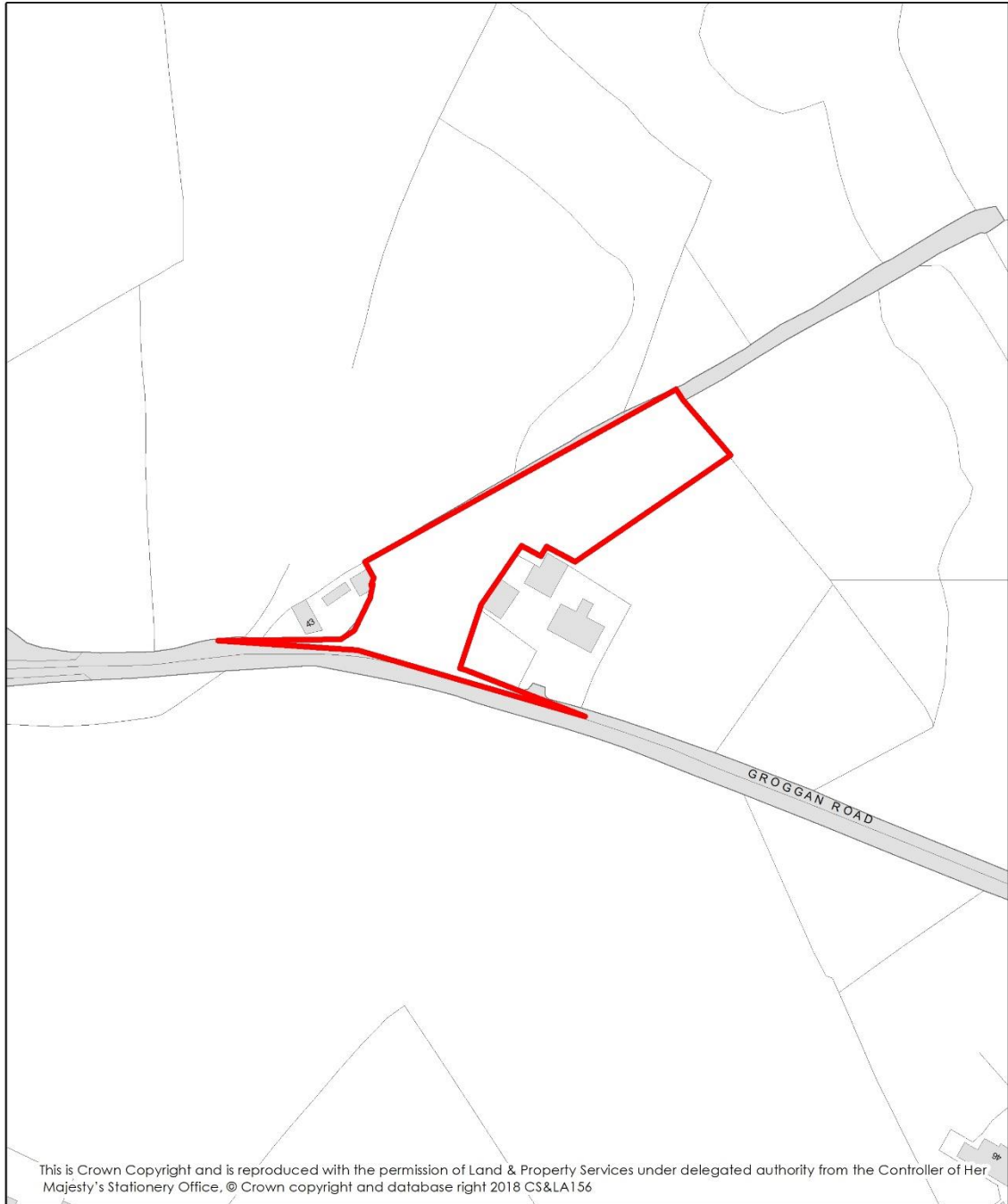
- The proposal does not comply with CTY 8 of PPS 21 and therefore the principle of development has not been established;
- The proposal will have an impact on the character and appearance of the area; and
- A suitably designed dwelling will not have a significant impact on neighbouring dwellings.

RECOMMENDATION

REFUSE OUTLINE PLANNING PERMISSION

PROPOSED REASONS FOR REFUSAL

1. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy CTY1 of PPS 21, Sustainable Development in the Countryside, in that there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement.
2. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policies CTY8 of PPS 21, Sustainable Development in the Countryside, in that the proposal fails to meet with the provisions for an infill dwelling.



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Site Location Plan

Application Reference: LA03/2023/0022/O

Location: 40m North of 41 Groggan Road, Randalstown, BT41 3JH

Proposal: Proposed Dwelling and Detached Garage

0 30 60
Metres

 Site boundary



COMMITTEE ITEM	3.7
APPLICATION NO	LA03/2022/1097/O
DEA	BALLYCLARE
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE OUTLINE PLANNING PERMISSION
PROPOSAL	Site for dwelling on a farm
SITE/LOCATION	Lands approx. 75m South East of 50 Ballymartin Road, Templepatrick, BT39 0BS
APPLICANT	John Bingham
AGENT	Andrew Downey
LAST SITE VISIT	23 rd January 2023
CASE OFFICER	Dani Sterling Tel: 028 903 40438 Email: dani.sterling@antrimandnewtownabbey.gov.uk
<p>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal https://planningregister.planningsystemni.gov.uk</p>	
SITE DESCRIPTION	
<p>The application site is located approximately 75 metres southeast of No. 50 Ballymartin Road, Templepatrick and is within the countryside as defined within the draft Belfast Metropolitan Area Plan (2004).</p> <p>The application site is set back 180 metres from the public road and is accessed using an existing shared laneway serving No. 50 and the associated farm complex. The topography of the site and wider area falls gradually in a northerly direction away from the public road.</p> <p>The northern and southern boundaries are undefined as the site is cut out of a wider agricultural field. The eastern boundary is defined by approximately 2-metre-high hedging and the western boundary that abuts the existing agricultural laneway is defined by a raised grass verge and 1-metre-high hedging, interspersed by mature trees.</p> <p>The surrounding area is typically rural in character, with a dispersed settlement pattern. A number of agricultural buildings and detached dwellings are situated directly north of the application site.</p>	
RELEVANT PLANNING HISTORY	
<p>Planning Reference: LA03/2015/0178/F Location: Land between 46 and 48 Ballymartin Road Templepatrick BT39 0BS Proposal: Proposed 1.5 storey dwelling with detached double garage, with gardens to all sides of the property (Change of house type from previous approval U/2013/0359/F Decision: Permission Granted (10.08.2015)</p>	

Planning Reference: U/2013/0159/O

Location: Adjacent to 48 Ballymartin Road Newtownabbey BT39 OBS

Proposal: Proposed infill site for dwelling and garage

Decision: Permission Granted (07.03.2013)

Planning Reference: U/2013/0359/F

Location: Adj to 48 Ballymartin Road Templepatrick BT39 OBS

Proposal: Proposed 1.5 storey dwelling with integral double garage

Decision: Permission Granted 16.05/2014)

PLANNING POLICY AND GUIDANCE

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

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

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

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.

Belfast Urban Area Plan (BUAP): The application site is located within the countryside and outside and settlement limit as defined by the Plan.

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

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

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

CONSULTATION

Council Environmental Health Section – No objection

Northern Ireland Water – No objection

Department for Infrastructure Roads- No objection subject to conditions

DAERA Countryside Management Inspectorate Brach- DEARA advised that the Farm Business ID has been in existence for more than 6 years and that the applicant has claimed payments through the Basic Payment scheme or Agri Environment scheme in all of the last 6 years.

REPRESENTATION

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

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

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

Policy Context and Principle of Development

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

The adopted Belfast Metropolitan Area Plan 2015 (BMAP) previously operated as the statutory development plan for this area, but the adoption of the Plan in 2014 was subsequently declared unlawful by the Court of Appeal on 18th May 2017. As a consequence, (the Belfast Urban Area Plan (BUAP) operates as the Local Development Plan (LDP) for the area. The provisions of the draft Belfast Metropolitan Area Plan (dBMAP) are also a material consideration in this application.

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

The Strategic Planning Policy Statement for Northern Ireland (SPPS) is material to all decisions on individual planning applications. The SPPS sets out the transitional

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

Policy CTY1 of PPS21 sets out the types of development that are considered acceptable in principle in the countryside. These include a dwelling on a farm in accordance with Policy CTY 10.

Policy CTY 10 states that all of the following criteria must be met:

- (a) The farm business is currently active and has been established for at least 6 years;
- (b) No dwellings or development opportunities out-with the settlement limits have been sold off from the farm holding within 10 years of the date of the application. This provision will only apply from 25 November 2008; and
- (c) The new building is visually linked or sited to cluster with an established group of buildings on the farm.

The Department for Agriculture Environment and Rural Affairs were consulted on the proposal with regards to the Farm ID submitted as part of the application. DAERA responded stating the Farm Business ID identified on the P1C form has been in existence for more than 6 years (since 19th November 1991). DAERA also confirmed that the farm business is Category 1 and that the applicant has been claiming through the Basic Payment Scheme or Agri Environmental Scheme in each of the last 6 years. Therefore, the proposal is compliant with CTY10 criterion (a) of PPS21.

Criteria (b) of this policy states that no dwellings or development opportunities out-with settlement limits have been sold off from the farm holding within 10 years of the date of the application. The policy goes on to say that planning permission granted under this policy will only be forthcoming once every 10 years. For the purposes of this policy 'sold off' means any development opportunity disposed of from the farm holding to any other person including a member of the family. The applicant has confirmed on Q5 of the P1C Form accompanying the proposal that no dwellings or development opportunities have been sold off from the farm holding in the last 10 years.

A planning history search has been completed for all lands identified on the farm maps submitted with the application as indicated on Drawing 03 date stamped 9th December 2022. Additionally, a planning history search of the farm business ID provided and the applicant's name has been carried out. There are no known records of any previous permission under the applicant's farm business, however, a search of the applicant's name identifies that the applicant was granted planning permission for a site adjacent to No. 48 Ballymartin Road (applicant's dwelling) under planning reference U/2010/0159/O in compliance with Policy CTY 8 of PPS 21. Two

subsequent applications (U/2013/0359/F and L0A3/2015/0178/f) were submitted on the site afterwards by a different applicant, which would indicate that the site had been sold off as a development opportunity. A land registry check was carried out on the site which confirms that the applicant had sold this site by at least March 2015. Given that there is no other reasonable evidence to suggest that this land has remained in the applicant's ownership, it is considered that a development opportunity has either been secured or disposed of within the past 10 years on lands once under the applicant's ownership. It is considered that the proposal fails on criterion (b) of Policy CTY 10 of PPS21.

The third criteria (c) laid out in Policy CTY 10 states that a new building should be visually linked or sited to cluster with an established group of buildings on the farm. In this case the application site is located approximately 30 metres to the south of the established group of agricultural buildings. The application site is set back 190 metres from the public road and accessed using an existing farm laneway which currently serves No. 50 Ballymartin Road and the associated farm group. The application site is set forward of the farm complex and would be both visually linked and sited to cluster with the existing farm group when viewed from both directions along Ballymartin Road. However, in order to reinforce the linkage, it is considered necessary if planning permission is forthcoming to include a condition relating to the siting of the proposed dwelling in the northwestern portion of the site, adjacent to the farm buildings.

Overall, it is considered that it has not been sufficiently demonstrated that a development opportunity has not been sold off from the farm within 10 years of the date of this application. The proposal fails criterion (b) of Policy CTY 10.

Impact on Character and Appearance of the Area

The SPPS paragraph. 6.70 states that all development in the countryside must integrate into its setting and respect rural character. Policy CTY 13 of PPS 21 states that a new building will be unacceptable where it would be a prominent feature in the landscape and as such would not integrate and is of an appropriate design.

The application site is situated approximately 180 metres back from the public road and is set on ground levels lower than the public road. Critical views are limited on approach to the site from a northwestern direction given the existing ribbon of development to the roadside. Critical views from a southeastern direction are achievable due to the limited roadside development, however, the setback distance coupled with the topography of the land and the backdrop of the existing farm group would restrict any significant views of a dwelling at this location being achieved. As indicated above the site has already been considered to visually link with the existing farm buildings and is therefore, also compliant with Policy CTY 13 criterion (g) of PPS21.

As the application site is located on a portion of a larger agricultural field, the majority of existing boundaries are undefined, it is therefore considered appropriate that should planning permission be forthcoming that the applicant submits a detailed landscaping plan with the application at Reserved Matters stage proposing

supplementary planting in order to aid integration of a dwelling on the site. Notwithstanding the need for additional landscaping, it is also considered that the existing vegetation to the eastern boundary be retained and a condition to this effect is recommended with any forthcoming planning approval.

Policy CTY 14 of PPS 21 states that planning permission will be granted for a building in the countryside where it does not cause a detrimental change to or further erode the rural character of an area. It is considered that a dwelling on this site would cluster with the existing farm complex and would not result in a detrimental change to or further erode the rural character of an area. It is considered subject to a suitable siting condition that a dwelling at this location would not result in a suburban style build up or result in ribbon development.

Overall, it is considered that a suitably designed dwelling on this site could be successfully integrated into the surrounding rural landscape and would not have a detrimental impact on the rural area in compliance with CTY 13 and CTY 14 of PPS 21.

Neighbour Amenity

The site is located within a rural area and the closest neighbouring property is No. 50 Ballymartin Road which is located approximately 26 metres to the north of the application site. Although No. 50 appears as the original farm dwelling given its location attached to an existing outbuilding and its central location in the wider farm complex, the applicant resides at No. 48 Ballymartin Road which is situated at the roadside adjacent to the entrance of the agricultural laneway.

The existing agricultural buildings associated with the farm are situated between the application site and the existing farm dwelling (No. 50) which would further offset any direct views from the application site to the neighbouring property. It is considered that a dwelling could be designed to ensure there is no significant impact on the amenity of this residential property. Further detailed consideration can be given to neighbour amenity when the detailed design is submitted at Reserved Matters stage.

Access Arrangement

The proposed farm dwelling is to be accessed using an existing access from Ballymartin Road. Consultation was carried out with DfI Roads who raised no objections to the proposal subject to conditions. Therefore, it is deemed that the access serving the proposal will not prejudice road safety or cause a significant inconvenience to traffic.

CONCLUSION

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

- The principle of the development cannot be established as the proposal fails to fulfil the policy requirements of CTY 1 and CTY 10 of PPS 21;
- It is considered that a suitably designed dwelling could integrate into the rural landscape;
- It is considered that the proposal would not result in a detrimental impact on neighbour amenity; and

<ul style="list-style-type: none"> • There are no road safety concerns with the proposal 	
RECOMMENDATION	REFUSE OUTLINE PLANNING PERMISSION
PROPOSED REASON FOR REFUSAL	
<p>1. The proposal is contrary to the policy provisions contained in the Strategic Planning Policy Statement and Policies CTY 1 and CTY 10 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that, it has not been demonstrated that no dwellings or development opportunities have been sold off from the farm holding within 10 years of the date of the application.</p>	



Site Location Plan

Application Reference: LA03/2022/1097/O

Site for dwelling on a farm

Lands approx. 75m South East of 50 Ballymartin Road,
Templepatrick, BT39 0BS

0 60 120 Metres

 Site boundary



COMMITTEE ITEM	3.8
APPLICATION NO	LA03/2023/0011/F
DEA	MACEDON
COMMITTEE INTEREST	REFUSAL RECOMMENDED
RECOMMENDATION	REFUSE PLANNING PERMISSION
PROPOSAL	Proposed roofspace conversion to include provision of dormer window to rear elevation
SITE/LOCATION	33 Glebe Manor, Newtownabbey, BT36 6HF
APPLICANT	Sean Doherty
AGENT	David Bingham
LAST SITE VISIT	17 th February 2023
CASE OFFICER	Gareth McShane Tel: 028 903 40411 Email: gareth.mcshane@antrimandnewtownabbey.gov.uk
<p>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Register https://planningregister.planningsystemni.gov.uk</p>	
SITE DESCRIPTION	
<p>The application site is located at 33 Glebe Manor, Newtownabbey. The application site is located within the settlement limits of Metropolitan Newtownabbey as defined within the Belfast Urban Area Plan (BUAP) and Draft Belfast Metropolitan Area Plan 2004 (dBMAP).</p> <p>The application site contains a detached, two storey dwelling and attached, single storey garage, the finishes include facing brick and concrete roof tiles. Amenity space is provided to both the front and rear elevation of the dwelling, with parking provision provided to the front elevation. The application site bounds a number of properties, including No.31, 35, 37, 39 and 41 Glebe Manor. The front garden area is undefined, with the rear area enclosed by a 1.8m high timber boarded fence.</p> <p>The application site is located within a predominantly residential area comprising of a similar house types and sizes.</p>	
RELEVANT PLANNING HISTORY	
No recent/relevant site history	
PLANNING POLICY AND GUIDANCE	
<p>Under the provisions of the Planning Act (Northern Ireland) 2011, all decisions must be taken in accordance with the provisions of the Local Development Plan unless material considerations indicate otherwise.</p> <p>Until the Council adopts its new Local Development Plan, most planning applications will continue to be assessed against the provisions of the extant adopted Development Plans for the Borough (the Belfast Urban Area Plan, the Carrickfergus Area Plan and the Antrim Area Plan). Account will also be taken of the Draft</p>	

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): The application site is located inside the settlement limits of Metropolitan Newtownabbey. The Plan offers no specific guidance on this proposal.

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

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

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

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

CONSULTATION

Department for Communities Historic Environment Division- No objection

REPRESENTATION

Six (6) neighbouring properties were notified of the application and one (1) letter of objection was received from a neighbour notified property.

The full representations made regarding this development is available for Members to view online at the Planning Register
(<https://planningregister.planningsystemni.gov.uk>)

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

- Impact on existing character

- Loss of privacy and amenity
- No means of mitigation

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Policy Context
- Scale, Massing, Design and Appearance
- Neighbour Amenity
- Impact on Trees and Environmental Quality of the Area
- Amenity Space, Parking and Manoeuvring
- Other Matters

Policy Context and Principle of Development

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

The adopted Belfast Metropolitan Area Plan 2015 (BMAP) previously operated as the statutory development plan for this area, but the adoption of the Plan in 2014 was subsequently declared unlawful by the Court of Appeal on 18th May 2017. As a consequence, the Belfast Urban Area Plan (BUAP) operates as the Local Development Plan (LDP) for the area. The provisions of the draft Belfast Metropolitan Area Plan (dBMAP) are also a material consideration in this application.

The application site lies within the settlement limit of Metropolitan Newtownabbey in both Plans. There are no specific operational policies or other provisions relevant to the determination of the application contained in these Plans.

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

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

- the scale, massing, design and external materials of the proposal are sympathetic with the built form and appearance of the existing property and will not detract from the appearance and character of the surrounding area;
- the proposal does not unduly affect the privacy or amenity of neighbouring residents;
- the proposal will not cause the unacceptable loss of, or damage to, trees or other landscape features which contribute significantly to local environmental quality; and

(d) sufficient space remains within the curtilage of the property for recreational and domestic purposes including the parking and manoeuvring of vehicles.

APPS7 also advises that the guidance set out in Annex A of the document will be taken into account when assessing proposals against the above criteria.

Scale, Massing, Design and Appearance

The application seeks full planning permission for a proposed roofspace conversion to include the provision of a dormer window to the rear elevation.

The proposed dormer window is to measure 8.8m in length and is designed to match the existing ridge height of the dwelling. The proposal is set in 0.8m from either gable and set 0.6 metres off the eaves. The proposal is located to the rear elevation of the property whereby it will not be visible from any critical viewpoints. Finishes include, composite board (black) and trocal roof finish.

It is noted that the proposal does not benefit from permitted development rights and there are no other dormer windows located within the area. However, given it will not be visible from any critical viewpoints, it is considered that the scale, massing, design and external materials of the proposal are sympathetic with the built form and appearance of the existing property and will not detract from the appearance and character of the surrounding area.

Neighbour Amenity

Addendum to Planning Policy Statement 7- Residential Extensions and Alterations (APPS7), Policy EXT 1 states 'Planning permission will be granted for a proposal to extend or alter a residential property where the proposal does not unduly affect the privacy or amenity of neighbouring residents'.

One (1) letter of objection was received from No.39 Glebe Manor in relation to the proposed development, which is located directly to the rear of the application site which raises concerns with overlooking of their property.

The existing property at No. 39 Glebe Manor and the host dwelling have a rear-to-rear relationship with a 12 metre separation distance from the rear elevation of the host property and the rear elevation of the neighbouring property. The topography of the land falls to the south which results in No. 39 Glebe Manor sitting approximately 1.2m lower than the application site. It was noted from the site inspection that there is already an existing degree of overlooking from the garden area into the first floor windows of No.39 Glebe Road, however, the proposed dormer windows would be located approximately 7.2m above ground level (measured to mid-point), appearing significantly higher when compounded with the difference in levels with No.39 Glebe Road.

Given the separation distance and the topography, it is considered that the proposal will result in overlooking and loss of privacy by way of increased elevated views into all rear elevation windows (including a bedroom, bathrooms, kitchen and dining area) and the private amenity space of No.39 Glebe Manor. Concerns were raised in relation to the limited mitigation measures that are available. While it is noted the proposal is setback from the eaves in order to reduce its impact, given the site specifics and surrounding relationship, this mitigation will be minimal.

Additionally, No.37 Glebe Manor is positioned to the southeast of the application. While limited views will be achieved given the neighbouring properties siting and orientation, it is considered that views of the rear amenity space will be achieved, resulting in a loss of privacy by way of overlooking from these elevated windows.

In relation to other neighbouring properties it is considered that given the position and orientation of No.31 and No.35 Glebe Manor, no impacts of overlooking or loss of privacy are expected to occur given the limited achievable viewing angles from the dormer windows. Limited impacts of overlooking or loss of privacy are expected to occur to No.41 given an existing storey and a half structure is located within its curtilage which screens direct inwards views. No impacts of overshadowing or dominance are expected to occur to neighbouring properties as a result of the proposal.

Given the points raised above, it is considered that the proposal fails the criterion set out within EXT 1 of APPS7 in relation to overlooking and loss of privacy.

Impact on Trees and Environmental Quality of this Area

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

Amenity Space, Parking and Manoeuvring

The proposal does not impact upon parking provision or areas for recreational and domestic purposes.

CONCLUSION

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

- The principle of development is acceptable;
- The design and appearance of the proposal is considered acceptable;
- The proposal will unduly affect the privacy or amenity of neighbouring properties by way of overlooking and loss of privacy;
- The proposal does not cause unacceptable loss of or damage to trees or other landscape features; and
- It is considered that sufficient amenity space remains within the curtilage of the dwelling.

RECOMMENDATION

REFUSE PLANNING PERMISSION

PROPOSED REASON OF REFUSAL

1. The development is contrary to the provisions of the Strategic Planning Policy Statement and Policy EXT 1 of the Addendum to Planning Policy Statement 7- Residential Extensions and Alterations, in that the dormer windows will have an unacceptable impact on the privacy and amenity of neighbouring residents by way of overlooking.




Site Location Plan

Application Reference: LA03/2023/0011/F

Location: 33 Glebe Manor, Newtownabbey, BT36 6HF

Proposal: Proposed roofspace conversion to include provision of dormer window to rear elevation

0 20 40 Metres

 Site boundary



COMMITTEE ITEM	3.9
APPLICATION NO	LA03/2022/0693/F
DEA	ANTRIM
COMMITTEE INTEREST	COUNCIL APPLICATION
RECOMMENDATION	GRANT PLANNING PERMISSION
PROPOSAL	Retention of 6m high garden folly structure, new entrance gates and hard and soft landscaping to create a clockwork garden.
SITE/LOCATION	Lands approximately 110m Northwest of Clotworthy House, Antrim Castle Gardens, Randalstown Road, BT41 4LH
APPLICANT	Antrim and Newtownabbey Borough Council
AGENT	Antrim and Newtownabbey Borough Council
LAST SITE VISIT	18/08/2022
CASE OFFICER	Morgan Poots Tel: 028 90340419 Email: morgan.poots@antrimandnewtownabbey.gov.uk
<p>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Northern Ireland Planning Portal</p> <p>https://planningregister.planningsystemni.gov.uk</p>	
SITE DESCRIPTION	
<p>The application site is located on lands approximately 110 metres northwest of Clotworthy House, Antrim Castle Gardens. The site is located within the development limits of Antrim Town and the Antrim Conservation Area as identified within the Antrim Area Plan 1984-2001.</p> <p>The site is an area of open space and is surrounded by open space beyond the northern, southern and western elevations of the folly structure. Along the northern boundary there is a row of mature dense trees which screen the application site when travelling from north to south along the Randalstown Road. The application site opens out to the existing car park to the east.</p> <p>The site lies within Antrim Castle Gardens which is a Historic Park bearing Department for Communities reference AN-001. The application site is also within close proximity to Clotworthy House, a grade B+ listed building, bearing reference HB20/08/054.</p>	
RELEVANT PLANNING HISTORY	
<p>Planning Reference: LA03/2016/1079/F Location: Clotworthy House, Antrim Castle Gardens, Randalstown Road, Antrim, BT41 4LH Proposal: Outdoor dining area to include parasols and terrace screening Decision: Permission Granted Planning Reference: T/2007/1006/F Location: Antrim Castle Gardens, Randalstown Road, Antrim</p>	

Proposal: Restoration and Refurbishment of the scheduled monuments (the Castle Site and the Motte) and the listed structures (the Castle Ruins, the Small Parterre/Burial Ground, the Deerpark Bridge and the Long Canals including Cascade and Round Pond) and associated site works. Building works include the demolition of some former farm buildings, refurbishment of Clotworthy house, refurbishment of lean-to building & restoration of the Long Barn, including a Gallery, Community Arts Spaces, offices, maintenance storage and associated staff facilities.

Decision: Permission Granted

Planning Reference: T/2010/0198/F

Location: Antrim Castle Gardens, Randalstown Road, Antrim

Proposal: Refurbishment of the existing Victorian Garage building to provide a musical recording facility and associated office & storage space.

Decision: Permission Granted

PLANNING POLICY AND GUIDANCE

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

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

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

Antrim Area Plan 1984 – 2001: The application site is located within the settlement limit and Conservation Area of Antrim as designated by the Plan which offers no specific policy or guidance pertinent to this proposal.

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

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

CONSULTATION
Department for Communities (DfC) Historic Environment Division (HED) – No objection subject to conditions
REPRESENTATION
<p>No neighbouring properties about the site; therefore, no neighbouring properties were notified of the development proposal. Four (4) letters of representation have been received from one (1) objector.</p> <p>The letters of representation are available to view at the Northern Ireland Planning Portal https://planningregister.planningsystemni.gov.uk.</p> <p>A summary of the key points of the objections raised are provided below:</p> <ul style="list-style-type: none"> • The proposal is seeking retrospective permission; • Anomalies on the P1 form; • Use of non-native species in the development; • Lack of detail in the Design and Access Statement; • No proposed measures to assess archaeological potential or mitigation; • No opportunity for comment from DfC Historic Environment Division (HED) as the statutory consultee; • Inappropriate piecemeal development; • No pre-application consultation or discussion; • Non-compliance with relevant planning policy; • Damage to the setting and character of historical Antrim Castle Gardens; • Inaccuracies in submitted drawings; and • Noise nuisance as a result of the development.
ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS
<p>The main issues to consider in the determination of this application are:</p> <ul style="list-style-type: none"> • Policy Context and Principle of Development; • Design and Impact on Character and Appearance of the Area (Including Antrim Conservation Area); • Neighbour Amenity; and • Other Matters <p>Policy Context and Principle of Development</p> <p>Section 45 (1) of the Planning Act (NI) 2011 requires the Council, in dealing with an application for planning permission, to have regard to the Local Development Plan, so far as material to the application, and to any other material considerations. Section 6 (4) of the Act then states that, where, in making any determination under the Act, regard is to be had to the Local Development Plan, the determination must be made in accordance with the Plan unless material considerations indicate otherwise.</p> <p>The Antrim Area Plan (AAP) currently operates as the statutory local development plan for the area where the application site is located, and regional planning policy is also material to determination of the proposal.</p> <p>The application site is located within the development limit of Antrim as identified within Antrim Area Plan 1984-2001. There are no specific operational policies relevant to the determination of the application in the plan.</p>

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

This application seeks permission for the retention of a six (6) metre high garden folly structure, new entrance gates and hard and soft landscaping to create a clockwork themed garden. The application seeks temporary permission for a period of five (5) years, as indicated on the amended P1 form.

The proposal is situated within Antrim Castle Gardens which is within the development limits of Antrim Town. The development seeks to provide an attraction within the Castle Gardens which is acceptable in principle subject to the impacts it may have in terms of the use of the existing open space and the impact on the setting of the listed buildings and Historic Park.

Design and Impact on Character and Appearance of the Area (Including Antrim Conservation Area)

Policy BH 6 of PPS 6, The Protection of Parks, Gardens and Demesnes of Special Historic Interest, states:

"The Department will not normally permit development which would lead to the loss of, or cause harm to, the character, principal components or setting of parks, gardens and demesnes of special historic interest. Where planning permission is granted, this will normally be conditional on the recording of any features of interest which will be lost before development commences."

The proposal seeks to retain the former Chelsea Flower Show Folly Garden within the grounds of Antrim Castle Gardens on a temporary basis for five (5) years.

The development relates to a large circular space set in an existing grassed area, enclosed by approximately 2-metre-high mature hedging. An entrance gate leads to a circular entrance arrival and viewing space. The mechanical display garden is centrally sited and surrounded by a series of viewing circles connected by a pathway. Mixed planting is located throughout consisting of selected specimen trees and herbaceous perennials.

The objector has raised concerns regarding the use of non-native species, namely Portuguese Laurel to define the hedge line around the site, stating that such a species is inappropriate from an historic planting perspective and provides for an uneasy and inappropriate contrast with the adjacent historic beech hedge lines.

Whilst the Council acknowledges the introduction of a non-native species, the Council is unaware of any planting strategy for Antrim Castle Gardens which would be impacted by the proposed planting. Furthermore, there is no loss of planting proposed, rather additional planting which is not considered to negatively impact upon the existing biodiversity. The introduction of non-native species is not thought to significantly impact the setting and character of Antrim Castle Gardens.

The folly garden is 5.5 metres in height and 2.3 metres in diameter, set on a raised terrace and reaches an overall height of 5.8 metres above ground level. The

entrance/arrival circle is 6 metres in diameter and there are four (4) 4.4 metre diameter circles and two (2) 5.4 metre diameter circles all linked by a 1.5 metres wide path. The display garden has a sunken pool terrace and a raised folly terrace, both easily accessible for maintenance but there is no public access to the display garden itself, which is separated from the viewing circles by intermittent planting.

The proposal is set within the grounds of Antrim Castle Gardens and as such the aim is to create a setting where visitors can enjoy the mechanical show garden within the context of a larger enclosed garden. The purpose of the development is to give a temporary home to the former Chelsea Flower Show Folly Garden. As such, the proposal is deemed to be acceptable and is not considered to lead to the loss of, or cause harm to, the character, principal components or setting of Antrim Castle Gardens Historic Park. The proposal is therefore considered to comply with Policy BH 6 of PPS 6.

Policy BH 12 of PPS 6, New Development in a Conservation Area, states:

"The Department will normally only permit development proposals for new buildings, alterations, extensions and changes of use in, or which impact on the setting of, a conservation area where all the following criteria are met: (a) the development preserves or enhances the character and appearance of the area; (b) the development is in sympathy with the characteristic built form of the area; (c) the scale, form, materials and detailing of the development respects the characteristics of adjoining buildings in the area; (d) the development does not result in environmental problems such as noise, nuisance or disturbance which would be detrimental to the particular character of the area; (e) important views within, into and out of the area are protected; (f) trees and other landscape features contributing to the character or appearance of the area are protected; and (g) the development conforms with the guidance set out in conservation area documents."

As noted above the application site is located within Antrim Conservation Area. The proposal is relating to a display garden and is deemed to be in keeping with the character of the surrounding area. Therefore, it is considered that the proposal will not have an unacceptable impact on the character of the Conservation Area. The proposal is therefore considered to comply with Policy BH 12 of PPS 6.

HED has indicated that it is content with the proposal and considers it will not impact upon the setting of Clotworthy House Listed Building (listed building reference HB20/08/054), or upon Antrim Castle Gardens Historic Park, subject to the inclusion of conditions on any forthcoming decision notice.

Clotworthy House lies approximately 110 metres to the southeast of the application site and is considered far enough away from the application site to remain unaffected by the proposal.

The Council's Forward Plan team were consulted and stated that from a conservation perspective *this retrospective application accords with both the legislative requirement to enhance the conservation area and also with Policy BH 12 of PPS 6.*

Overall, it is considered that there will be no significant impact on the adjacent historic buildings or on the Antrim Conservation Area. The layout, scale and design of the proposal is considered to be acceptable and will not detract from the appearance or character of the surrounding area.

Neighbour Amenity

The nearest residential properties are located over 200 metres to the northeast along Randalstown Road. Due to the separation distance, it is considered that there will be no significant loss of residential amenity in this area.

Clotworthy House, situated approximately 110 metres southeast of the application site, is utilised by the Council, and it is considered that the proposal will not significantly negatively impact on the surrounding buildings within Antrim Castle Gardens.

Concerns were raised by the objector with regards to noise and disturbance from the proposed development and in particular the direct impact on the surrounding Antrim Castle Gardens. Although there is the potential for noise nuisances during the construction phase of development, the works relating to the development proposal are now complete, however, it is considered that construction and operational works would not have arisen outside reasonable times and were temporary in nature.

Given the context of the development some noise is to be expected from the garden folly structure as it plays background music. However, the background music is not thought to negatively impact on the recreational value of the green space as the music is played on repeat in 15-minute intervals, as opposed to a constant loop. The Council's Environmental Health Section was not consulted on this application as there are no nearby sensitive receptors which have the potential to be impacted by the proposal.

Other Matters

Objections

A number of issues were raised from four (4) letters of objections from one (1) objector.

An objection letter raised concerns regarding the implications of the breach of planning regulations as this proposal has been operating without the benefit of planning permission. The applicant has sought to rectify the breach of planning control by submitting a retrospective planning application under Section 55 of The Planning Act (Northern Ireland) 2011.

The objector also raised concern that no consideration was given to any potential archaeological impacts or for Historic Environment Division (HED) to comment on the subject development. An Archaeological Programme of Works and Archaeological Excavation Report, Documents 03 and 04 respectively, both dated 28th November 2022, were submitted and referred to HED for its consideration and comments. HED has advised it is content with the proposal subject to the inclusion of conditions.

A further concern raised by the objector was that no pre-application discussion was carried out by the Council. Section 27 of the Planning Act (Northern Ireland) 2011 places a statutory duty on applicants for planning permission to consult the

community in advance of submitting an application, if the development falls within the major category as prescribed in the Development Management Regulations.

However, this application does not fall within the major category as prescribed in the Development Management Regulations. This application is categorised as a local application and as such there is no statutory requirement for the application to conduct any form of pre-application consultation or discussion in this instance.

Lastly the objector felt that the development did not comply with planning policy. As outlined above, the proposal is deemed to comply with the relevant planning policy, namely Antrim Area Plan 1984 – 2001, the SPPS and PPS 6: Planning, Archaeology and the Built Heritage. Consultation was carried out with HED with regards to the impact on the historic setting on Antrim Castle Gardens, registered Historic Park, Garden and Demesne. HED responded with no objections to the proposed development and is satisfied that the proposal complies with Policy BH 6 of PPS 6, subject to the inclusion of conditions.

CONCLUSION

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

- The principle of development is considered acceptable;
- The layout, scale and design of the proposal is appropriate;
- There will be no detrimental impact on the character and appearance of the Conservation Area; and
- The proposal will not unduly affect the amenity of neighbouring residents.

RECOMMENDATION

GRANT PLANNING PERMISSION

PROPOSED CONDITIONS

1. The permission hereby granted shall be for five (5) years only and shall expire on 21st April 2028.

Reason: To enable The Council to consider the development in the light of circumstances then prevailing.

2. Prior to installation of any new windows, the applicant should provide a sample of one windowpane and one astragal (glazing bar) for written approval by the Council.

Reason: To ensure the materials used are of appropriate quality in the interests of maintaining the character and appearance of the setting of the listed building.

3. The final coat of paint to all external joinery shall be brush-applied on site (i.e., not factory finished).

Reason: to ensure that the materials used are of appropriate quality in the interests of maintaining the character and appearance of the setting of the listed building.

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

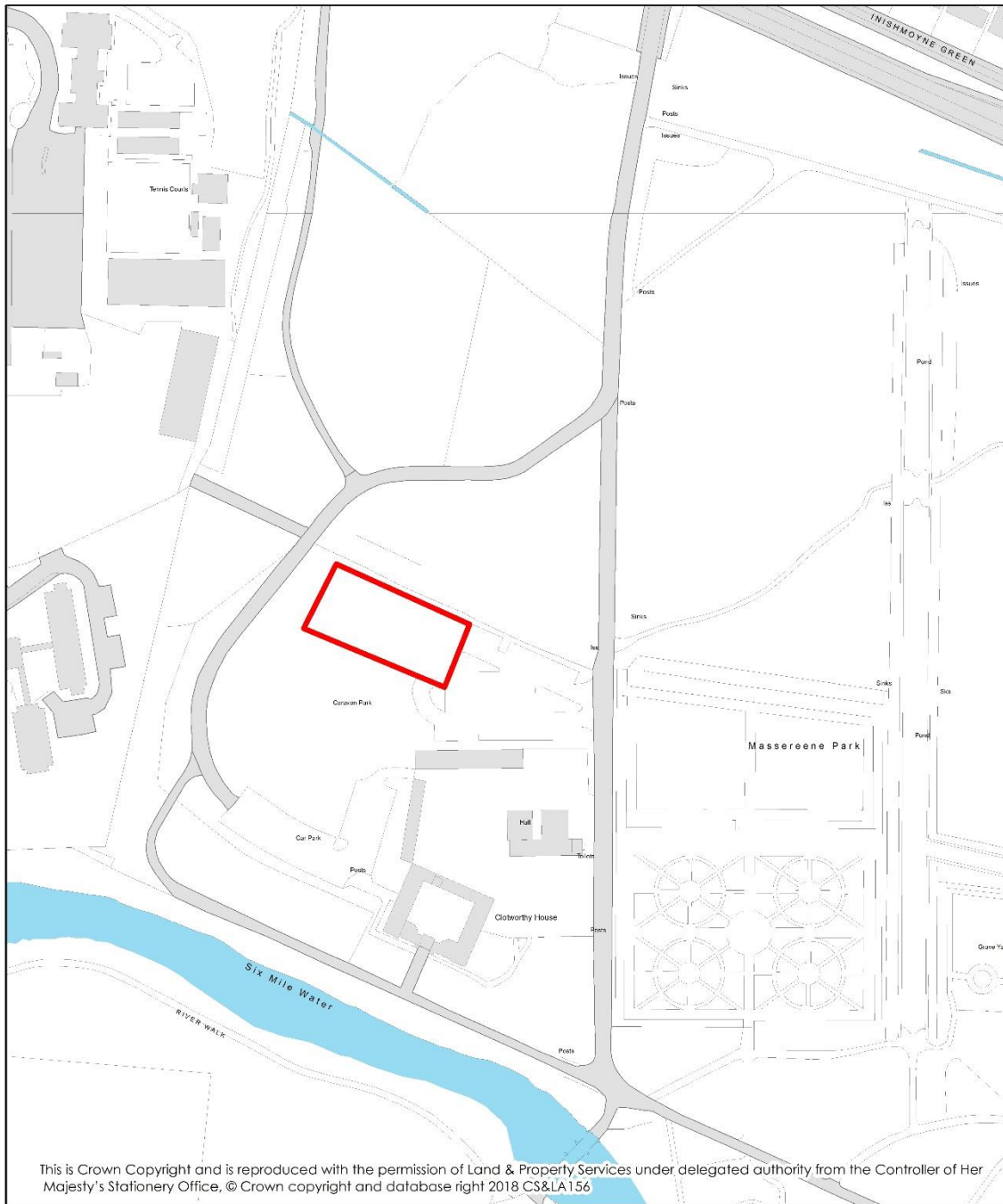
Reason: to ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded.

5. No further site works shall take place other than in accordance with the programme of archaeological work approved under condition 4.

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

6. A programme of post-excavation analysis, preparation of an archaeological report, dissemination of results and preparation of the excavation archive shall be undertaken in accordance with the programme of archaeological work approved under condition 4. These measures shall be implemented and a final archaeological report shall be submitted to the Council within 12 months of the completion of archaeological site works, or as otherwise agreed in writing with the Council.

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




Site Location Plan

Application Reference: LA03/2022/0693/F

Location: Lands approximately 110m Northwest of Clotworthy House, Antrim Castle Gardens, Randalstown Road, BT41 4LH

Proposal: Retention of 6m high garden folly structure, new entrance gates and hard and soft landscaping to create a clockwork garden

0 40 80 Metres

 Site boundary



COMMITTEE ITEM	3.10
APPLICATION NO	LA03/2022/1114/A
DEA	GLENGORMLEY URBAN
COMMITTEE INTEREST	COUNCIL APPLICATION
RECOMMENDATION	GRANT ADVERTISEMENT CONSENT
PROPOSAL	Proposed shop signage to replace existing (Creative Tiles, Fun Works, Sportsbowl and Scrapyard Golf)
SITE/LOCATION	1-13 Glenwell Road, Glengormley, BT36 7RF
APPLICANT	Antrim and Newtownabbey Borough Council
AGENT	Robert Logan Chartered Architect
LAST SITE VISIT	N/A
CASE OFFICER	Tierna Mc Veigh Tel: 028 90340401 Email: tierna.mcveigh@antrimandnewtownabbey.gov.uk
<p>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Northern Ireland Planning Portal https://planningregister.planningsystemni.gov.uk.</p>	
SITE DESCRIPTION	
<p>The application site is located within the development limits of Metropolitan Newtownabbey on an area of white land, not zoned for any particular purpose within the Belfast Urban Area Plan (BUAP) and the draft Belfast Metropolitan Area Plan 2004 (dBMAP).</p> <p>The site encompasses existing retail and leisure units including Movie House Cinemas, the Sports Bowl, Scrapyard Golf, Fun Works, and Creative Tiles. The front façade of the building has six pitched roofs with the window and door openings varying in sizes and heights, with a mixture of glass and roller shutter doors.</p> <p>The surrounding area has an eclectic mixture of uses including industrial, commercial, leisure, residential and hot food uses. A petrol filling station is also located to the northwest of the site.</p>	
RELEVANT PLANNING HISTORY	
<p>Planning Reference: LA03/2022/1050/NMC Proposal: Non-material change to LA03/2022/0561/F (Proposed works to front facade to complex); Proposed rationalisation of facade cladding, retention and re-modelling of existing openings, replacement and re-modelling of existing external lighting Location: 1-13 Glenwell Road, Newtownabbey, BT36 7RF Decision: Under Consideration</p>	

Planning Reference: LA03/2022/0561/F

Proposal: Proposed works to the front facade of complex to include replacement cladding, new render base and remodelling of existing door and window openings.

Location: 1-13 Glenwell Road, Newtownabbey, BT36 7RF

Decision: Permission Granted 31/08/2022

Planning Reference: LA03/2021/0631/F

Proposal: Change of use from retail unit to leisure use - indoor mini golf and adventure centre

Location: Unit 6, Glenwell Estate, Glenwell Road, Glengormley, BT36 7QT

Decision: Permission Granted 18/10/2021

PLANNING POLICY AND GUIDANCE

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

Until the Council adopts its new Local Development Plan, most planning applications will continue to be assessed against the provisions of the extant adopted Development Plans for the Borough (the 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 (BUAP): The application site is located within the settlement limit of Metropolitan Newtownabbey. The Plan offers no specific guidance on this proposal.

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

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

CONSULTATION

Environmental Health Antrim and Newtownabbey – No objection

DfI Roads – No Objection

REPRESENTATION

There is no statutory requirement to notify neighbours or to advertise in respect of the above proposal. Notwithstanding this, one (1) representation has been received from the owner of Funworks requesting this application to be approved as soon as possible as the absence of signage on the premises has resulted in a loss of earnings.

The full representations made regarding this proposal are available for Members to view online at the Planning Portal

<https://planningregister.planningsystemni.gov.uk>.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Preliminary Matters
- Policy Context
- Amenity, Design and Appearance
- Public Safety

Preliminary Matters

On 31st August 2022, the Council's Planning Committee approved planning application reference LA03/2022/0561/F for works to the front facade of the complex to include replacement cladding, new render base and remodelling of existing door and window openings at Nos. 1-13 Glenwell Road. This proposal seeks to supplement this rejuvenation scheme by seeking advertisement consent for six (6) shop signs on each of the buildings pitched roof front façade.

Policy Context

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

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

The application site is located within the development limits of the Belfast Urban Area as defined within the Belfast Urban Area Plan (BUAP) and within the development limits of Metropolitan Newtownabbey as defined in the draft Belfast Metropolitan Area Plan published 2004 (dBMAP). There are no specific operational policies relevant to the determination of the application in the plans.

The Strategic Planning Policy Statement for Northern Ireland (SPPS) is material to all decisions on individual planning applications. The SPPS sets out the transitional arrangements that will operate until the Council has adopted a Plan Strategy for the Borough and it retains certain existing Planning Policy Statements. Amongst these is PPS 17: Control of Outdoor Advertisements. Considering the transitional arrangements of the SPPS, retained PPS 17 provides the relevant policy context for consideration of the proposal.

Amenity, Design and Appearance

Policy AD 1 of PPS 17 states that consent will be given for the display of an advertisement where it respects amenity of the area when assessed in the context of the general characteristics of the locality and it does not prejudice public safety. In relation to the term amenity this is usually understood to mean its effect upon:

- (i) the appearance of a building or structure;
- (ii) the immediate neighbourhood where it is displayed, or
- (iii) its impact over long distance views.

The proposal seeks consent for the installation of six (6) shop signs positioned on the front façade of the six (6) existing buildings. The proposed signs are set within a frame, and measure 4 metres in width and 3.2 metres in height. The signs are elevated some 3 metres from finished ground level and are constructed from SpringFlex, with static LED backlighting. In terms of design and appearance each sign is different in that their visual graphics relate to the existing occupier of the building i.e., Creative Tiles, Funworks, Glengormley Sports bowl and Scrapyard Golf. It is considered the proposed new signage will 'tidy up' the front appearance of the buildings and create a more uniform frontage.

Overall, it is considered that the proposed signage respects the locality and amenity of the area. It is subsequently deemed that the proposal will have no adverse impact upon the established commercial character or appearance of the area. It is considered that the cumulative effect of the proposal when read with other advertisements in the surrounding environs will not result in visual clutter.

It is therefore considered acceptable in terms of amenity when assessed against the provisions of Policy AD 1 of PPS 17.

Public Safety

Signs by their virtue are designed to attract the attention of passers-by and therefore have the potential to impact on public safety. In assessing the impact of a sign on public safety the Council will have regard to its effect upon the safe use and operation of any form of traffic. Policy AD 1 of PPS 17 stipulates that consent will be given for the display of an advertisement where it does not prejudice public safety.

In terms of the potential impact on public safety, the signage must not pose a distraction or obstruction to road users. The proposed signage is wall mounted and therefore will not obstruct movement or visibility. The design and appearance of the proposed signage does not resemble traffic signals however; the levels of illumination must not cause glare or pose a distraction to road users. DfI Roads has been consulted and has raised no objection to the proposal, therefore it is considered the proposal does not prejudice public safety.

The Council's Environmental Health Section has been consulted and has raised no concerns. Environmental Health in its consultation response has advised that the applicant should refer to the Institute of Lighting Professionals Guidance Notes for the Reduction of Obtrusive Light (Guidance Note 01/20) in fitting and operating of any external lighting and signage, to ensure amenity is not adversely impacted at neighbouring dwellings by artificial light. It is considered that the proposal will not have a detrimental impact on public safety.

CONCLUSION

- The amenity, design and appearance of the signage is acceptable; and
- The proposal will not detract from the character or appearance of the area.

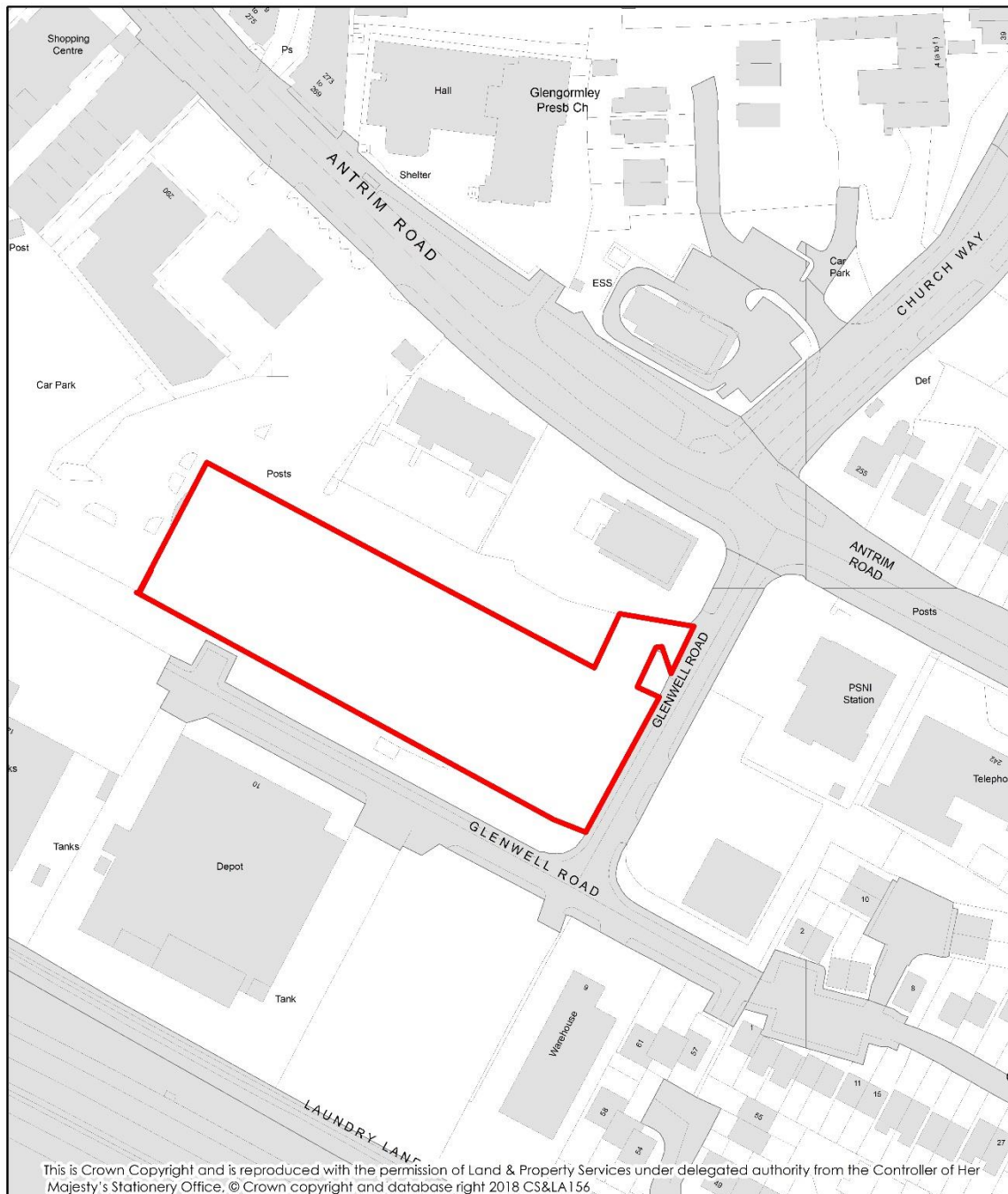
RECOMMENDATION

GRANT ADVERTISEMENT CONSENT

PROPOSED CONDITION

1. The advertising signs shall be erected in the position and orientation shown on Drawing Number 02 date stamped 1st December 2022.

Reason: In the interests of visual amenity, road safety and convenience of road users.



Site Location Plan

Application Reference: LA03/2022/1114/A

Location: 1-13 Glenwell Road, Glengormley, Newtownabbey, BT36 7RF

Proposal: Proposed shop front signs to replace existing
(Creative Tiles, Fun Works, Sportsbowl and Scrapyard Golf)



 Site boundary



COMMITTEE ITEM	3.11
APPLICATION NO	LA03/2022/0363/LBC
DEA	DUNSILLY
COMMITTEE INTEREST	COUNCIL APPLICATION
RECOMMENDATION	GRANT LISTED BUILDING CONSENT
PROPOSAL	Erection of lighting columns to Viaduct
SITE/LOCATION	Randalstown Viaduct, Randalstown
APPLICANT	Antrim & Newtownabbey Borough Council
AGENT	R. E. Quinn Architects Limited
LAST SITE VISIT	07/07/2022
CASE OFFICER	Tierna Mc Veigh Tel: 028 90340401 Email: tierna.mcveigh@antrimandnewtownabbey.gov.uk
<p>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Northern Ireland Planning Portal https://planningregister.planningsystemni.gov.uk.</p>	
SITE DESCRIPTION	
<p>The application site is located within the development limits of Randalstown and also within the Randalstown Conservation Area as designated in the Antrim Area Plan (1984-2001).</p> <p>The application site relates to the Randalstown Viaduct, a B+ listed bridge which is of special architectural or historic interest as set out in Section 80 and protected under the Planning Act (NI) 2011.</p> <p>The viaduct was constructed in the late 18th century and has nine arches. The top of the Viaduct and part of the railway track have been converted into a community garden, walkway and cycle path leading from Station Road to New Street. This development provides spectacular views of Randalstown, the River Maine and the adjoining parkland of Shane's Castle.</p>	
RELEVANT PLANNING HISTORY	
There is no relevant planning history.	
PLANNING POLICY AND GUIDANCE	
<p>Under the provisions of the Planning Act (Northern Ireland) 2011, all decisions must be taken in accordance with the provisions of the Local Development Plan unless material considerations indicate otherwise.</p> <p>Until the Council adopts its new Local Development Plan, 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</p>	

Plan 1984-2001. Account will also be taken of the relevant provisions of Planning Policy Statements (PPSs) which contain the main operational planning policies for the consideration of development proposals.

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

Antrim Area Plan 1984 – 2001: The application site is located within the settlement limit of Randalstown and within Randalstown Conservation Area. The Plan offers no specific policy or 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 6: Planning, Archaeology and the Built Heritage: Sets out planning policies for the protection and conservation of archaeological remains and features of the built heritage.

CONSULTATION

- **DfC Historic Environment Division (HED)** – Approval subject to conditions

REPRESENTATION

No neighbouring properties were notified of the application as no neighbouring properties abut the application site and no representations have been received.

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

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

- Policy Context and Principle of Development
- Design and Appearance
- Impact on the Setting of the Listed Structure and Conservation Area

Policy Context and Principle of Development

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

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

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

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

The SPPS contains a subject policy relating to Listed Buildings. Para 6.12 states that 'Listed Buildings of special architectural or historic interest are key elements of our built heritage and are often important for their intrinsic value and for their contribution to the character and quality of settlements and the countryside. It is important therefore that development proposals impacting upon such buildings and their settings are assessed, paying due regard to these considerations, as well as the rarity of the type of structure and any features of special architectural or historic interest which it possesses.'

PPS 6 reiterates this position in Policy BH 8 'Extension and Alteration of a Listed Building' and Policy BH11 'Development affecting the Setting of a Listed Building'. As the application site falls within the Randalstown Conservation Area, Policy BH 12 'New Development in a Conservation Area' is also of relevance.

The application site is located within the settlement limit of Randalstown and within the Conservation Area as defined by the Antrim Area Plan (AAP). The application relates to the installation of new lighting columns along the Randalstown Viaduct, a Grade B+ listed bridge which is of special architectural or historic interest as set out in Section 80 and protected under the Planning Act (NI) 2011. Although the AAP offers no guidance on the proposal, the Randalstown Conservation Guide recognises the importance of The Viaduct and seeks to encourage its enhancement through supplementary lighting.

Given that the site is located within the urban area and the proposed works will improve and enhance public safety on The Viaduct, the proposal is considered to be acceptable in principle, subject to all other planning and environmental considerations being met.

Design and Appearance

Currently, there is no lighting along the Randalstown Viaduct and the Council is concerned that the lack of lighting on the bridge is a health and safety issue which needs to be addressed. The proposal seeks to install five (5) lighting columns, black in colour totalling 5 metres in height. The lighting columns are to be fixed onto foundation pads, measuring 2 metres in length, 0.6 metres in width and a height of 0.45 metres. The foundation pads are to be sunken into the ground and a sacrificial concrete layer coloured red implemented below the pads will

act as a warning when the time comes to remove the foundation pads. Between the sacrificial layer and the exiting Viaduct brickwork a further membrane is to be added for further protection of the Viaduct. The lighting colour is to be warm white, and the proposed position of the lighting columns is to the southern wall of the Viaduct. The design of the new columns is contemporary, though respectful and legible as a modern intervention, and as such is considered sympathetic to the listed structure.

Other works proposed include the replacement of the existing arch up-lighting and the refurbishment of the period lighting features on the lattice bridge.

Overall, it is considered that the proposed works will have no significant adverse impact on the existing character and setting of the Viaduct, the adjacent Randalstown Bridge and the Randalstown Conservation Area, and are acceptable in relation to design and appearance.

Impact on the Setting of the Listed Structure and Conservation Area

In February 2022, prior to submitting the application, the Council and the agent proactively engaged with officers from the Scheduled Historic Monuments Section of DfC Historic Environment Division (HED) to explain the health and safety reasons for the proposed lighting.

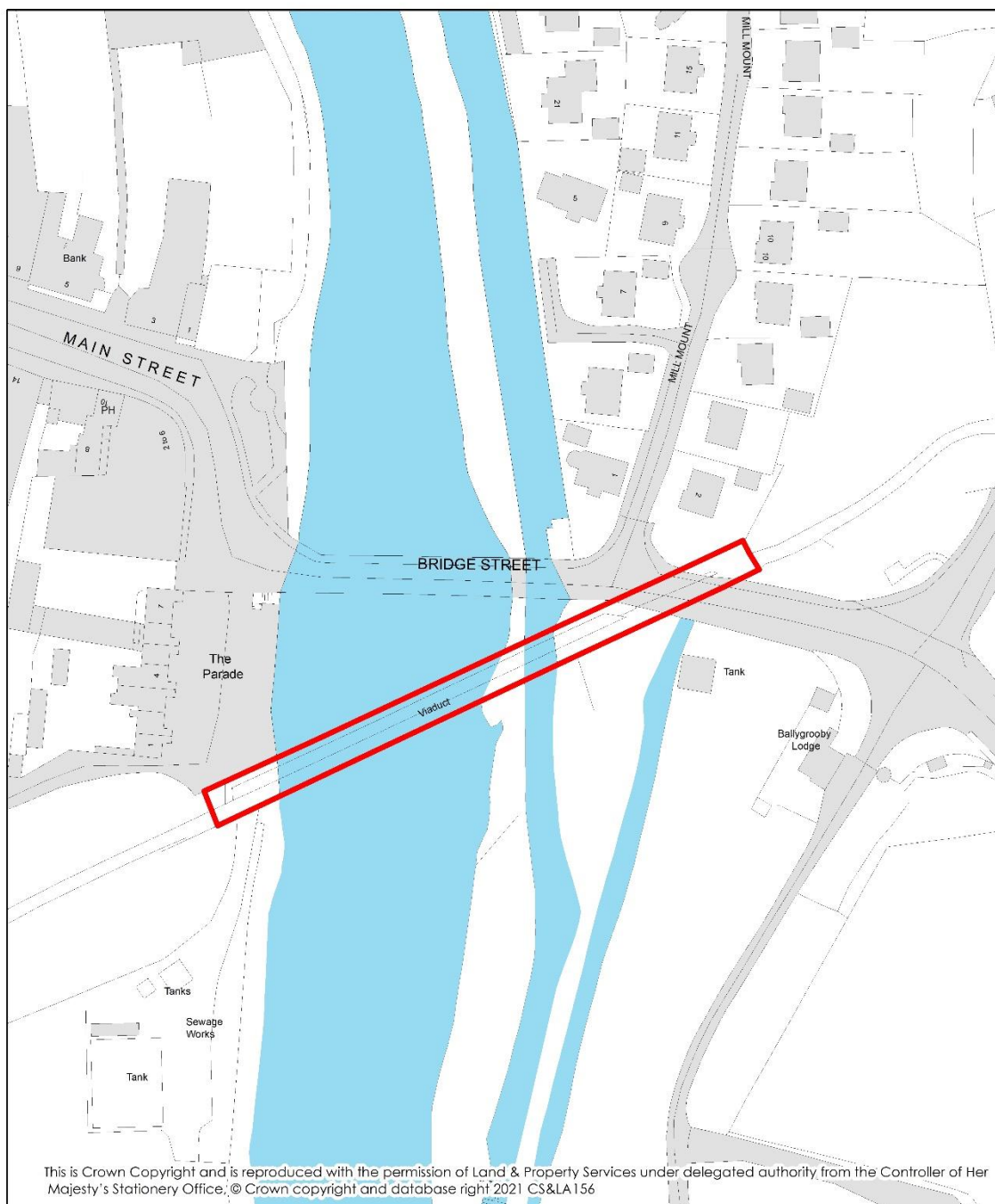
HED in its response dated 29th September 2022 raised concerns regarding the proposal and the subsequent pad foundations. Upon request the agent on behalf of the applicant provided further clarity on the proposed pad foundations in terms of damage reversibility. HED was reconsulted and in its response dated 6th March 2023 advised that the previous concerns raised had been satisfactorily addressed and on the basis of the information provided, advised that subject to conditions the proposed satisfied the requirements of paragraph 6.13 of the SPPS and policy BH 8 of PPS 6.

The Randalstown Conservation Guide recognises the importance of The Viaduct and seeks to encourage its enhancement through supplementary lighting. The proposal is considered to be sympathetic to the Conservation Area's qualities and the lighting is an acceptable addition to the Viaduct. It is considered that the scale and design of the proposal will not result in an adverse impact on the setting of the listed structure or the character and appearance of the Randalstown Conservation Area.

CONCLUSION

- The principle of the development is considered acceptable;
- The design and appearance of the proposal is considered acceptable; and
- The proposal will not have a detrimental impact on the setting of the listed B+ grade Randalstown Viaduct or the adjacent B1 grade Randalstown Bridge.

RECOMMENDATION	GRANT LISTED BUILDING CONSENT
PROPOSED CONDITIONS	
<p>1. The works hereby permitted shall be begun not later than the expiration of 5 years beginning with the date on which this consent is granted.</p> <p>Reason: As required by Section 94 of the Planning Act (Northern Ireland) 2011.</p> <p>2. The default setting for all lighting shall be warm white.</p> <p>Reason: to protect the character of the setting to the listed structure, in compliance with Policy BH 11 of PPS 6.</p> <p>3. The sides and base of the new pad foundations and colour base layer shall be lined with a separating membrane.</p> <p>Reason: To ensure the new intervention is fully reversible in the interest of protecting the essential character and integrity of the listed structure, to satisfy the requirements of PPS 6 Policy BH 8.</p>	



Reference: LA03/2022/0363/LBC

Location: Randalstown Viaduct

Proposal: Installation of lighting columns



Site Location



Scale: 1:1250



PART TWO

OTHER PLANNING MATTERS

ITEM 3.12

P/PLAN/1 DELEGATED PLANNING DECISIONS AND APPEALS

A list of planning decisions issued by Officers during March 2023 under delegated powers together with information relating to planning appeals is **enclosed** for Members' information.

No appeals were decided by the Planning Appeals Commission (PAC) for the Council area during the month of March.

RECOMMENDATION: that the report be noted.

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

Agreed by: Sharon Mossman, Deputy Director of Planning

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

ITEM 3.13

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

Prospective applicants for all development proposals which fall into the Major development category under the 2011 Planning Act are required to give at least 12 weeks' notice to the Council that an application for planning permission is to be submitted. This is referred to as a Proposal of Application Notice (PAN). Two (2) PANs were registered during March 2023.

PAN Reference:	LA03/2023/0173/PAN
Proposal:	Proposed development of multi sports hub at Ballyclare Rugby Football Club consisting of: upgrade of existing rugby pitch and permitted floodlighting to 3G multi-sports pitch; upgrade of existing all-weather hockey pitch to synthetic pitch, including replacement floodlighting; roof covering to existing cricket training area; provision of trim trail; additional car parking; road access to permitted relief road; and all associated site works.
Location:	Ballyclare Rugby Football Club, Doagh Road, Ballyclare, BT39 9JD.
Applicant:	Richard Lutton, Ballyclare RFC.
Date Received:	20 March 2023
12 week expiry:	12 June 2023

PAN Reference:	LA03/2023/00172/PAN
Proposal:	Proposed residential development with associated infrastructure and landscaping. Access to Ballyclare relief road.
Location:	Lands to west of Huntingdale Green, Ballyclare, BT39 9FL.
Applicant:	Simpson Developments Limited.
Date Received:	14 March 2023
12 week expiry:	6 June 2023

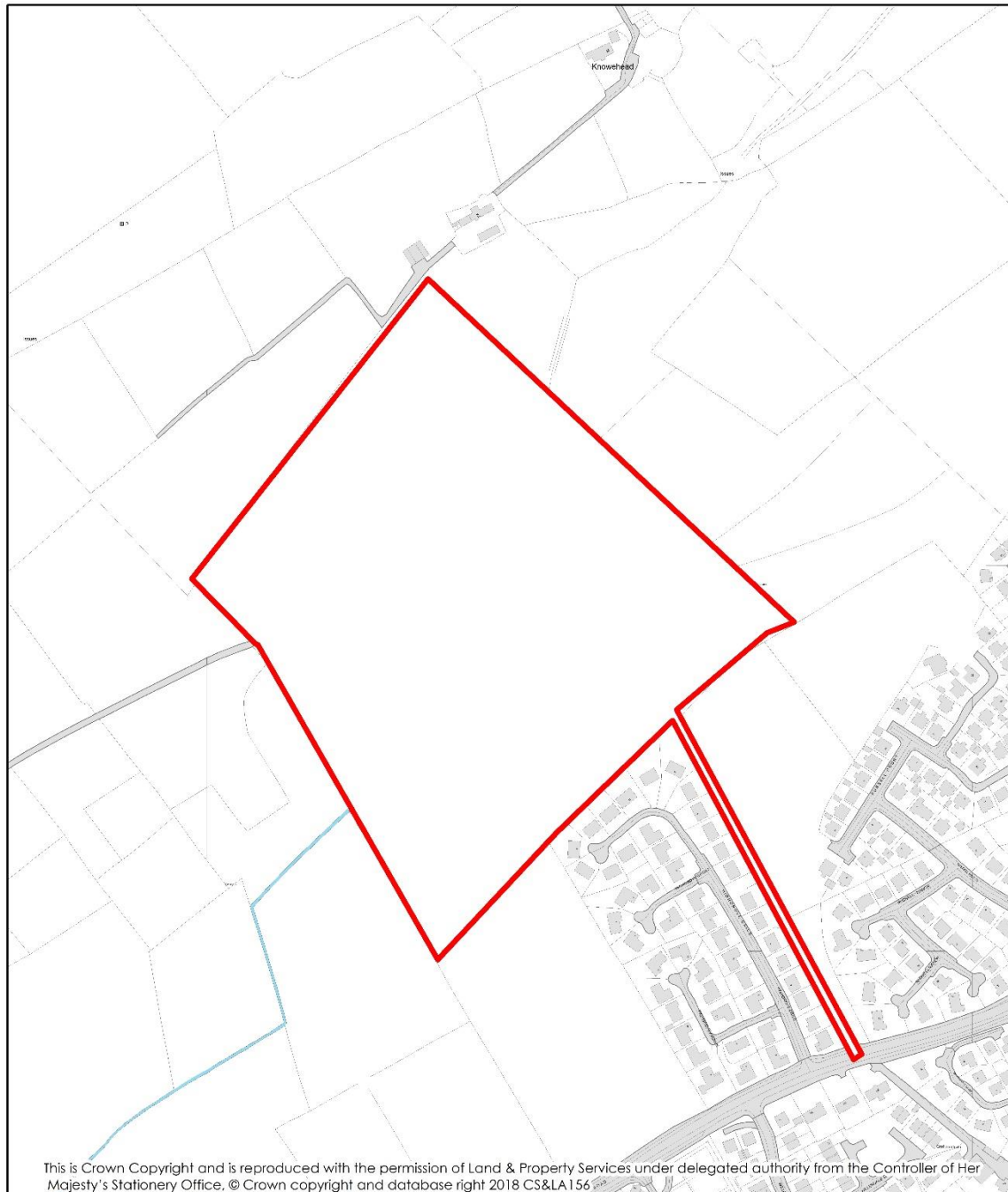
Under Section 27 of the 2011 Planning Act obligations are placed on the prospective developer to consult the community in advance of submitting a Major development planning application. Where, following the 12-week period set down in statute, an application is submitted this must be accompanied by a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

RECOMMENDATION: that the report be noted.

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

Agreed by: Sharon Mossman, Deputy Director of Planning

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



Site Location Plan

Application Reference: LA03/2023/0173/PAN

Location: Ballyclare Rugby Football Club Doagh Road
Ballyclare BT39 9JD

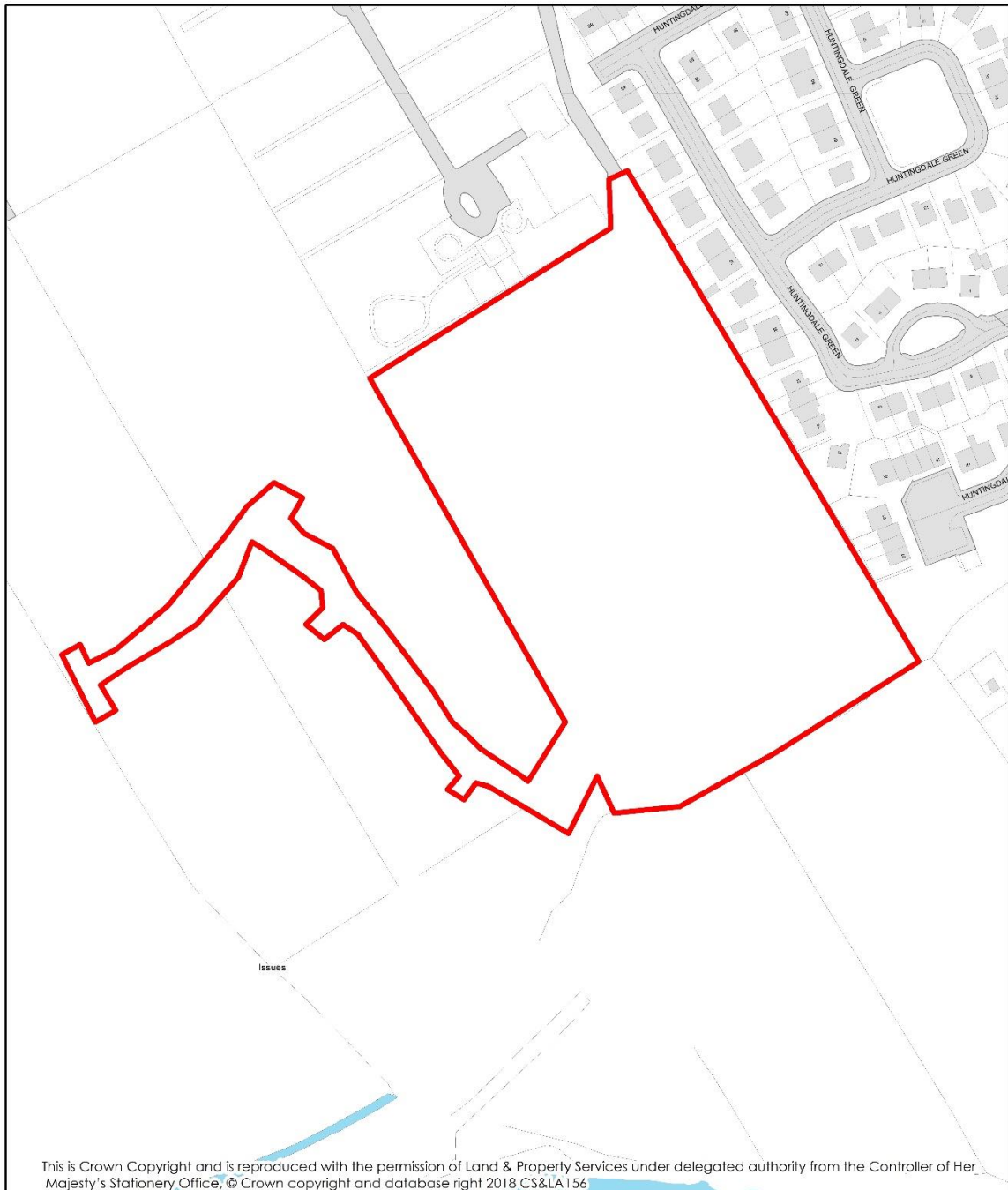
0 90 180
Metres

 Site boundary



Proposal: Proposed development of multi-sports hub consisting of: upgrade of existing rugby pitch and permitted floodlighting to 3G multi-sports pitch; upgrade of existing all-weather hockey pitch to synthetic pitch, including replacement floodlighting; roof covering to existing cricket training area; provision of trim trail; additional car parking; road access to permitted relief road; and all associated site works.





Site Location Plan

Application Reference: LA03/2023/0172/PAN

Location: LANDS TO WEST OF HUNTINGDALE
GREEN BALLYCLARE BT39 9FL

Proposal: PROPOSED RESIDENTIAL DEVELOPMENT
WITH ASSOCIATED INFRASTRUCTURE AND LANDSCAPING.
ACCESS TO BALLYCLARE RELIEF ROAD.

0 40 80
Metres

 Site boundary



ITEM 3.14

PT/CI/056 RECOVERY AND IMPROVEMENT PLAN – PERFORMANCE PROGRESS REPORT QUARTER 3 – PLANNING

Members are reminded that Part 12 of the Local Government Act (Northern Ireland) 2014 puts in place a framework to support the continuous improvement of Council services.

The Council's Corporate Recovery and Improvement Plan 2022-23 was approved in June 2022. This set out a range of challenging performance targets, along with four identified improvement objectives and a number of Statutory Performance Targets.

A third quarter progress report for Planning is **enclosed** for Members' information. The Corporate Recovery and Improvement Plan 2022-23 Quarter 3 Performance Progress Report was scrutinised, reviewed and noted by the Audit & Risk Committee on 21st March 2023.

RECOMMENDATION: that the Corporate Recovery and Improvement Plan 2022-23 Quarter 3 progress report for Planning be noted.

Prepared by: Allen Templeton, Performance and Transformation Officer

Agreed by: Lesley Millar, Performance and Improvement Manager

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

ITEM 3.15

P/FP/LDP/1 INDEPENDENT EXAMINATION REPORT CORRESPONDENCE FROM THE DEPARTMENT FOR INFRASTRUCTURE (DfI)

Members are reminded that the Planning Appeals Commission (PAC) previously advised in the closing notes of the Independent Examination (IE) into the Local Development Plan, Draft Plan Strategy that they hoped to deliver the IE Report to the Department for Infrastructure (DfI) by the end of January 2023. On 31 January 2023 the PAC subsequently revised this date to the end of February 2023.

Given this delay, the Chief Executive wrote to Julie Harrison, Permanent Secretary of the Department for Infrastructure (DfI) on 14 February 2023, requesting that the IE Report should be shared with the Council, directly upon its receipt by DfI.

On 27 February 2023 the Chief Executive received a response from DfI (enclosed) indicating that whilst the IE Report would be considered expeditiously by Officers in DfI, the range of potentially complex issues and recommendations meant that the Report would not be shared until DfI completes its consideration. The exception to this being, a 2-week period immediately prior to publication of the Report, to allow the Council the opportunity to complete a fact checking exercise.

Subsequent to this response from DfI, on 28 February 2023 the PAC advised that there would be a further delay and that they are not in a position to provide a delivery date for the IE Report to DfI. The Chief Executive also wrote to the Planning Appeals Commission – a response is still awaited.

The Council's Planning Section continues to engage with statutory partners and progress preparatory work on the next stage of the Local Development Plan, the draft Local Policies Plan.

RECOMMENDATION: that the report be noted.

Prepared by: Simon Thompson, Local Development Plan and Enforcement Manager

Agreed by: Sharon Mossman, Deputy Director of Planning

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

ITEM 3.16

P/FP/LDP 1 LOCAL DEVELOPMENT PLAN, QUARTELY UPDATE (Q4) JANUARY TO MARCH 2023

A progress report is provided on a quarterly basis to the Planning Committee on the progress of the Council's new Local Development Plan. This report covers the fourth quarter (Q4) of the 2023-24 business year (January to March 2023).

Local Development Plan, Independent Examination

Members are reminded that whilst the Council's Planning Section previously anticipated that the Planning Appeals Commission (PAC) report (i.e. the 'IE Report') on the Independent Examination (IE) of the Council's Draft Plan Strategy (dPS), which concluded on 29 June 2022, would be submitted to the Department for Infrastructure (DfI) at the end of January 2023, notification was received from the PAC on two occasions: (1) on 31 January 2023 advising that delivery of the IE Report is delayed until 28 February 2023, and (2) on 28 February 2023 advising of a further delay, and that they are not in a position to provide a delivery date of the IE Report to DfI.

Whilst the PAC's update is regrettable, the Council's Planning Section have corresponded with PAC Chief Commissioner, Ms. Andrea Kells LLB MRTPI, and DfI's Permanent Secretary, Ms. Julie Harrison, expressing the Council's disappointment regarding the ongoing delay in the delivery of the IE Report and the lack of certainty this is having not only on the Council, but also to the public and development industry.

Towards a draft Local Policies Plan

Despite the delay regarding the delivery of the IE Report from the PAC, the Forward Planning Team continues to undertake preparatory work on the next stage of the LDP process, the Local Policies Plan (LPP). For example, Officers are currently progressing a number of initial studies to include: (1) Strategic Landscape Assessment – consideration of Local Landscape Policy Areas, (2) Homes – delivery of the 2022-23 annual Housing Monitor, and draft Urban Capacity Study, (3) Employment – Strategic Employment lands consideration, and Town Centre Retail studies, and (4) Historic Environment – draft townscape and village assessments.

A Members LDP workshop took place on 31 January 2023. Senior Officers from the Forward Planning Team updated Members on the current position of the dPS and the necessary steps for adoption of Plan. Meeting minutes are **enclosed** for Members information.

Publications

Members are advised that DfI Strategic Planning published Development Plan Practice Note 11 (DPPN 11) 'Receipt of Independent Examination (IE) Report and Adoption of a Development Plan Document' in February 2023. This practice note focuses on the key legislative requirements in relation to the consideration of the IE Report and adoption of a Development Plan Document by a council.

Minerals Meeting

On 27 February 2023 Officers attended a multi stakeholder event 'Considering Responsible Critical Minerals Sourcing in Northern Ireland' held at the Riddel Hall the Queens University of Belfast (QUB), Commissioned by the Department for Economy (DfE) and QUB Management School. The event considered the use of critical minerals in the economy of Northern Ireland, and considered how that activity fits within green growth, energy transition and climate adaptation.

Local Development Plan, Performance Improvement Plan

Members are reminded that DfI are currently leading on an approach to a Planning Improvement Programme (PIP) relating to LDPs which includes a partnership approach between DfI and Councils to work in partnership to review current LDP timetables to ensure they are realistic and achievable. Senior Officers from the Council's Planning Section have attended various meetings with senior representatives from DfI's Strategic Planning Directorate and representatives from each Council's Forward Planning teams to consider a joint approach to the PIP LDP work streams to include: (1) necessary reporting mechanisms, (2) a draft work programme, and (3) actions/owners and timelines. Once agreed, a range of actions will be presented to Members in due course.

Local Development Plan Working Group Updates

(a) Belfast Metropolitan Area Spatial Working Group

A meeting of the Belfast Metropolitan Area Spatial Working Group (MASWG) took place on 1 February 2023, hosted by Lisburn & Castlereagh City Council (LCCC). Updates were received from various councils and consultees in relation to LDP matters. A copy of the agreed minutes for the previous meeting which took place on 1 November 2022 are **enclosed** for Members information. The next MASWG meeting is due to take place on 18 April 2023, hosted by Ards and North Down Borough Council.

(b) DfI Transport Planning Modelling Unit (TPMU), Belfast Metropolitan Transport Plan (BMTP) 2035

A meeting on the DfI, TPMU Project Board meeting took place both remotely and 'in person' at DfI Headquarters, Clarence Court, Belfast on 15 March 2023. The focus of the meeting was to review progress of the draft BMTP 2035. Members are reminded that DfI TPMU has commissioned Atkins Transport Planning consultants to prepare a transport plan which supports the preparation of LPPs for the five (5) councils within the Belfast Metropolitan Area, as well as setting out the Departments proposals for the framework for transport policy and investment decisions up until 2023 in the BMTP area. The draft iteration of the Plan which relates to Antrim and Newtownabbey is anticipated in September 2023. A copy of the draft meeting minutes, and copies of relevant seven (7) project documents, are **enclosed** for Members information.

RECOMMENDATION: that the report be noted.

Prepared by: Simon Thompson, Local Development Plan & Enforcement Manager

Agreed by: Sharon Mossman, Deputy Director of Planning

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

ITEM 3.17

P/FP/LDP/6 ENGAGEMENT WITH DEPARTMENT FOR INFRASTRUCTURE (DfI) STRATEGIC PLANNING DIVISION, PLANNING IMPROVEMENT WORKSHOP

Members are reminded that a report was presented to Planning Committee regarding correspondence received from The Department for Infrastructure (DfI) and the approach to the Planning Improvement Programme (PIP).

A number of work streams have emerged from this paper in relation to Development Management and Local Development Plan. In relation to Development Management the Department has written to the Council leads in relation to the issue of Pre-Application Discussions. A copy of the correspondence is **enclosed** for information. Further engagement with Council's is required in relation to this matter and as previously advised it is the intention of the Council to bring forward its own Planning Improvement Work Programme which is currently under development.

The first meeting of the Interim Regional Planning Committee took place in February 2023. A copy of the agreed minutes are **enclosed** for information.

RECOMMENDATION: that the report be noted.

Agreed by: Sharon Mossman, Deputy Director of Planning

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

ITEM 3.18

P/PLAN/1 PLANNING PORTAL UPDATE

The Department for Infrastructure has issued an update in relation to the new Regional Planning Portal. Copies are **enclosed** for Members' information.

Progress has been made in a number of areas but work remains ongoing. It is anticipated that it will be business as normal from 1 April 2023. The Planning Section has continued to bring forward its own internal steps to rectify where feasible in house issues, working alongside provider fixes.

RECOMMENDATION: that the report be noted.

Prepared by: Sharon Mossman, Deputy Director of Planning

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