

Delegated Application

Development Management Officer Report		
Case Officer: Dani Sterling		
Application ID: LA03/2022/0416/O		Target Date: 5 th August 2022
Proposal: Site for replacement dwelling, retaining existing house structure as a storage building		Location: 19 Rea Hill Road Newtownabbey BT36 5SF
Applicant Name and Address: Mr W Williamson 19 Rea Hill Road Newtownabbey BT36 5SF		Agent Name and Address: 9yards architecture Victoria House 72 Albert Road Carrickfergus BT38 8AE
Date of last Neighbour Notification:		24th May 2022
Date of Press Advertisement:		24th May 2022
ES Requested: No		
Consultations:		
Consultation Type	Consultee	Response
Statutory	DFI Roads - Ballymena Office	Advice
Advice and Guidance	Environ Health Antrim And Newtownabbey	No Objection
Statutory	NI Water - Single Units East - Planning Consultations	Advice
Representations:		
Letters of Support	None Received	
Letters of Objection	None Received	
Petitions and signatures	No Petitions Received	
Number of Petitions of Objection and signatures	No Petitions Received	

Site Visit Report

Date of Site Visit: 26th May 2022

Characteristics of the Site and Area

The application site is located at 19 Rea Hill Road, Ballyclare. The application site is located within the countryside and within an area of High Scenic Value (COU 6/02) as defined by the draft Belfast Metropolitan Plan (2004). The application site is accessed off an existing laneway that runs along the northern boundary of the application site, also serving No. 21 Rea Hill Road. The topography of the application site slopes significantly in a downward direction from north to south.

The application site comprises a two storey detached dwelling finished in white render, black roof tiles, white PVC windows and a timber door. There is associated farm buildings located to the south of the existing dwelling that are still operational.

The northern boundary of the application site is defined by an approx. 2 metre high hedge and the remaining boundaries, eastern, southern and western boundaries are physically undefined. There are a number of mature trees approx. 12 metres in height.

Description of Proposal

The proposal seeks outline planning permission for a replacement dwelling and the retention of the existing house structure as a storage building.

Planning Assessment of Policy and Other Material Considerations

RELEVANT PLANNING HISTORY

Planning Reference: LA03/2018/0586/O

Location: Land 44m south of 19 Rea Hill Road, Newtownabbey, BT36 5SF

Proposal: Replacement Dwelling

Decision: Permission Granted (29.10.2018)

Planning Reference: U/1986/0488

Location: 19 REAHILL ROAD, CARNTALL, NEWTOWNABBEY

Proposal: EXTENSION TO DWELLING

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, 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 outside any settlement limit and lies in the countryside as designated by the Plan. The site is also located within High Scenic Value area (COU 6/02).

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.

PPS3: 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.

CONSULTATIONS

Department for Infrastructure Roads- No objection

Environmental Health - No objection

NI Water- No objection

REPRESENTATION

Two (2) neighbours have been notified in accordance with required procedures. No letters of objection 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
- Movement, Access and 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. 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 the dNAP and dBMAP (2004) are considered to be material considerations in assessment of the current application. Given that dNAP was never adopted, it is considered that dBMAP (2004) provides the most up to date development plan position for this part of the Borough and should therefore be afforded greater weight than dNAP in the decision-making process.

Both of the relevant development plans identify the application site as being within the countryside outside any 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 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 replacement dwelling in accordance with Policy CTY 3 of PPS 21 'Replacement Dwellings'. Policy CTY 3 requires that the building to be replaced exhibits all the essential characteristics of a dwelling and as a minimum all external structural walls are substantially intact.

The principle of a replacement dwelling on the site was accepted under planning permission LA03/2018/0586/O which was approved on 29th October 2018. This permission expired on the 28th October 2021. All aspects of the previous approval are the same as that currently proposed with the exception that the applicant now wishes to retain the

existing dwelling for storage, whereas this had previously required removal for the site in order to facilitate the replacement of the dwelling.

It was accepted during the assessment of LA03/2018/0586/O that the dwelling to be replaced takes the form of a two storey dwelling finished in white render and black roof tiles, which has its structural walls intact. The planning history of the building outlines that a domestic extension was approved in 1986 under application U/1986/0488, which confirms that the property has been used as a dwelling house with no indication that it has either been abandoned or changed from another use without previous planning approval. It is evident that the dwelling has been unoccupied for a number of years, although it is accepted that the existing structure would be capable of occupation with some renovations.

Policy CTY 3 goes on to advise that in addition to the above, proposals for replacement dwellings must also fulfil a number of further criteria. Firstly, the proposed dwelling should be sited within the established curtilage of the existing building unless (a) the curtilage is so restricted that it could not reasonable accommodate a modest sized dwelling or (b) it can be demonstrated that an alternative position nearby result in demonstrable landscape, heritage, access or amenity benefits.

The dwelling to be replaced is located 5 metres north of operational farm buildings, and 5 metres south of an existing laneway that runs along the north of the application site. There are a number of mature trees located to the east of the existing dwelling. Due to these factors it is accepted that there is limited amenity space. It is considered that in this case, the curtilage would be so restricted that it could not reasonably accommodate a modest size dwelling. It is considered that an offsite location for a proposed replacement dwelling would be acceptable provided it demonstrates acceptable landscape, heritage, access or amenity benefits.

The off site location proposed was accepted under previous determination LA03/2018/0586/O which outlined that the dwelling to be replaced is within close proximity to operational farm buildings, can be visible viewed when travelling south west along the Rae Hill Road and has a lack of amenity space. It is considered an offsite location is acceptable. However, similar to the 2018 approval, it is considered appropriate to replicate the previous siting condition imposed on the LA03/2018/0586/O application to ensure that the replacement dwelling is sited to visually link with the existing farm buildings and to ensure the proposed replacement dwelling will not be unduly prominent in the landscape.

As outlined under Document 01 date stamped 22nd April 2022, the proposal involves the retention of the existing dwelling to provide storage/ garage facilities ancillary to the replacement dwelling. Policy CTY 3 makes a caveat for these instances, where the retention of the existing structure will be acceptable if it is sympathetically incorporated into the layout of the overall development scheme, for example as ancillary accommodation or a store, to form an integrated building group. The agent has outlined that the existing dwelling is not distinctly vernacular, however it does present built form that is in keeping with local architectural farming style. Additionally, the agent has outlined that the existing dwelling provides a pleasing backdrop to the siting of the replacement dwelling which also provides screening between the modern nature of

neighbour No. 23 Rea Hill Road. Lastly, the agent has stated that the retention of the dwelling as a storage building also brings amenity and environmental advantages of providing an existing structure for repurposing as storage and garage space without the environmental impact of demolition and landfill.

Given that the existing dwelling could readily be utilised for domestic purposes given the large structure as a two storey dwellinghouse, it is considered appropriate in this case that the existing dwelling given its proximity to active farm buildings that it be used for purposes ancillary to the existing farm complex and used for agricultural storage purposes. It is considered necessary that an appropriately worded planning condition is attached should planning permission be granted, that the existing dwelling will serve only as ancillary storage to the agricultural yard in order to prevent the accumulation of dwellinghouses within the application site. As this application is for outline only, a scheme has not been put forward demonstrating that the retained building could be incorporated into the overall development scheme. However, it is considered that at reserved matters stage, the detailed plans could demonstrate an acceptable layout incorporating the retained building with the proposed dwelling.

Taking account of the points outlined above, it is considered that the principle of development on this site has been established and the proposal is acceptable subject to all policy and environmental considerations being met.

Impact on Character and Appearance of the Area

Policy CTY 3 requires that the overall size of the new dwelling should allow it to integrate into the surrounding landscape and would not have a visual impact significantly greater than the existing building. Additionally, the SPPS paragraph. 6.70 states that all development in the countryside must integrate into its setting and respect rural character. Policy CTY 13 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.

As the application is seeking outline permission details regarding the siting, design and external appearance of the dwelling, together with the landscaping of the site, are not available at this time.

The application site is a roadside location, however the siting of the replacement dwelling as imposed by a condition on any grant of approval would be set back of the road by 58 metres and behind the existing dwelling and farm buildings. The existing dwelling is two storey, approximately 8 metres in height. Adjacent neighbour No. 23 to the north of the application comprises a substantial two storey dwelling and is sited on a higher ground level than the application site and is therefore visually prominent from the public road. It is therefore considered that a ridge height condition of 8 metres above ground level is appropriate and a condition shall be added to the decision notice in order to ensure the proposed dwelling will not have a significantly greater visual impact than that of the existing built form and will integrate into the landscape due to the existing backdrop of mature trees and existing farm buildings.

It is considered that a suitably designed dwelling could be integrated in to application site and will not be a prominent feature in the landscape in accordance with policies CTY 13 and CTY14 of PPS21.

Neighbour Amenity

The closest neighbouring dwelling to the application site, outside of the applicants ownership is No. 23 Rea Hill, which is sited approximately 22 metres north of the application site.

As stated above this application seeks outline planning permission, no details have been provided regarding the proposed design or layout for the dwellinghouse. It is considered that a suitably designed dwellinghouse at the off-site application site would not unduly impact the adjacent property.

There are no other neighbouring dwellings within close proximity of the site that would be impacted by the proposal.

Access, Movement and Parking

The proposed replacement dwelling will be accessed off an existing laneway that also serves No 21 Rea Hill Road. DfI Roads were consulted on the application in relation to road safety and has outlined that the existing vehicular access to the dwelling is sub-standard and that, in the interests of other road users, measures should be taken to provide acceptable visibility. They have responded and advised that they are content with the application subject to conditions being attached to any forthcoming approval notice.

Neighbour Notification Checked

Yes

Summary of Recommendation

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

- The principle of the development has been established on the site in accordance with Policy CTY3 of PPS21 in that the building on the site exhibits the essential characteristics of a dwelling and walls are substantially intact.
- The location is considered acceptable as the proposal will integrate into the surrounding area and will not be a prominent feature in the landscape.
- There are no significant neighbour amenity concerns with the proposal.

RECOMMENDATION : GRANT OUTLINE PLANNING PERMISSION

Conditions

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

- II. the expiration of 2 years from the date of approval of the last of the reserved matters to be approved.

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

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

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

3. Upon occupation of the new dwelling hereby approved, the dwelling to be replaced, coloured green on Drawing 01 date stamped 22nd April 2022 shall not be used or adapted for purposes of human habitation and may only be used for the purposes ancillary to the agricultural holding.

Reason: To ensure that the proposed development does not result in the creation of an additional dwelling in the countryside.

4. The proposed dwelling shall be sited in the area outlined in orange on Drawing No. 01 date stamped 22nd April 2022.

Reason: To ensure that the development is satisfactorily integrated into the landscape in accordance with the requirements of Planning Policy Statement 21.

5. The proposed dwelling shall have a ridge height of less than 8 metres above existing ground level.

Reason: To ensure that the development is not prominent in the landscape in accordance with the requirements of Planning Policy Statement 21.

6. No development shall take place until a plan of the site has been submitted to and approved by the Council indicating the existing and proposed contours, the finished floor levels of the proposed building and the position, height and materials of any retaining walls. Development shall be carried out in accordance with the approved plans.

Reason: To ensure the development takes account of the site's natural features and to safeguard the amenities of the proposed dwellings.

7. The existing hedgerow and vegetation as indicated in purple on the approved plan Drawing No. 01 date stamped 22nd April 2022 shall be retained at a minimum height of 2 metres for hedging/shrubs and 4 metres for trees and shall be allowed to grow on or as agreed in writing with the Council.

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

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

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

9. At the Reserved Matters stage full details of all proposed tree and shrub planting and a programme of works shall be submitted to and approved in writing with the Council. The works shall be carried out during the first available planting season after the occupation of any part of the development or in accordance with a programme to be submitted to and agreed in writing with the Council.

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

Informatives

1. This permission grants planning consent only and other statutory approvals may be required.
2. This permission does not confer title. It is the responsibility of the developer to ensure that he controls all the lands necessary to carry out the proposed development.
3. This permission does not alter or extinguish or otherwise affect any existing or valid right of way crossing, impinging or otherwise pertaining to these lands.
4. Note to Applicant: Please see attached note from Northern Ireland Water
5. The proposed application is close to overhead power lines. Depending upon load and weather conditions, lines can exhibit a crackle and a hum. In addition, lines can generate cracking noises referred to as corona discharge due to interaction with the surrounding air under particular conditions. Transmission lines can also be a source of wind generated howling in very exposed sites.

Case Officer Signature: [Redacted]

Date: 11/7/22

Appointed Officer Signature: [Redacted]

Date: 11/7/2022.

