

May 15th, 2025

To Each Member of Committee

NOTICE OF MEETING

You are requested to attend a Meeting of the

Mid and East Antrim Planning Committee to be held on

Thursday, 15th May 2025 at 10:00 am in Council Chamber, The Braid, 1-29 Bridge Street,
Ballymena and via remote access.

Yours sincerely



Valerie Watts
Interim Chief Executive, Mid and East Antrim Borough Council

Agenda

1 NOTICE OF MEETING

2 APOLOGIES

3 DECLARATIONS OF INTEREST

Members and Officers are invited to declare any pecuniary and non-pecuniary interests, including gifts and hospitality, they may have in respect of items on this Agenda.

4 SCHEDULE OF PLANNING APPLICATIONS

4.1 ****WITHDRAWN** Planning Application No – LA02/2022/1012/F - Erection of new post primary school, associated playing fields, car parking areas and other associated works on lands to the west of Ballee Road West and to the south of Clare Hill - circulated. Presentation circulated 14.05.25**

RECOMMENDATION: Refuse

Lead Officer: Gary McGuinness

Speakers:

- Mr T Gaston, MLA - (4 minutes in opposition to Officers' recommendation)
- Mr C Bryson (Gravis Planning, agent) - (4 minutes in opposition to Officers' recommendation)

 *LA02.2022.1012.F Slemish College.pdf*

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 *slemish presentation 5.pdf*

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4.2 **Planning Application No - LA02/2024/0553/F - Proposed social housing development of 6 dwellings on lands at Coronation Crescent, Clough - circulated. Presentation circulated 14.05.25**

RECOMMENDATION: Approval

Lead Officer: Sean O'Kane

Speakers:

- Mr T Gaston, MLA - (4 minutes in opposition to Officers' recommendation)
- Mr R McCaig - (4 minutes in opposition to Officers' recommendation)

📄 *LA02.2024.0553.F Clough Housing (KP).pdf*

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📄 *Clough Housing deferred.pdf*

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4.3 Planning Application No – LA02/2025/0083/F - Lands immediately opposite & northeast of 294 Coast Road, Ballygally. Proposed "change of house type" from previously approved application under planning ref: F/1991/0198/RM, for a single storey dwelling & detached garage - circulated. Presentation circulated 14.05.25

RECOMMENDATION: Approval

Lead Officer: Sean O'Kane

Speakers:

- Ms A Baird - (80 seconds in opposition to Officers' recommendation)
- Mr R Houston - (80 seconds in opposition to Officers' recommendation)
- Ms J Gibson - (80 seconds in opposition to Officers' recommendation)

📄 *LA02.2025.0083.F Coast Road.pdf*

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📄 *Coast Road.pdf*

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4.4 Planning Application No – LA02/2024/0636/F - Land to the south of 24 Cennick Road, east of 1 Royal Court, Galgorm Road and adjacent River Maine. Land south of Galgorm Community Centre, Galgorm Road and land south of Creative Gardens, Galgorm, Ballymena. Construction of pedestrian paths including associated fencing, access gates, cattle crossing gates, new planting and resurfacing works - circulated. Presentation circulated 14.05.25

RECOMMENDATION: Approval

Lead Officer: Henry McAlister

5 PLANNING APPEALS UPDATE

5.1 New Appeals

- **LAO2/ 2022/0644/0 - 32 & 34 Broughshane Road, Ballymena**

Outline application for the retention and refurbishment of the 2 no. existing dwellings at no's 32 and 34 Broughshane Road to 10 no. apartments with associated landscaped amenity space and private parking, 5 no. new detached and 2 no. new semi-detached dwellings with associated garages and private goods and upgrade to the vehicular and pedestrian access to the Broughshane Road.

5.2 Appeal Decisions

- **LA02/2024/0610/F** - 45m West of 28 Rockstown Road, Ballymena. Proposed dwelling and domestic garage on a Farm - **Appeal dismissed**
- **LA02/2022/0534/0** - Lands immediately adjacent to and west of 76 Lisnamurrigan Road, Broughshane. Erection of 5 no. single storey self-catering accommodation units and all associated siteworks, parking and landscaping and reuse of existing access from main road - **Appeal dismissed**
- **LA02/2022/0628/F** - Opposite no. 42 Craigdunloof Road, Newtowncrommelin. Retention of buildings and change of use from dwelling and store to agricultural use - **Appeal dismissed**
- **LA02/2022/0619/O** - Opposite no. 42 Craigdunloof Road, Newtowncrommelin. Site for dwelling on a farm - **Appeal dismissed**
- **LA02/2024/0285/0** - 200m East of 70 Drumnagreagh Road, Larne. Proposed Site for a Dwelling and Domestic Garage (Dwelling on a Farm) - **Appeal dismissed**

6 TREE PRESERVATION ORDERS

Guidance on Tree Preservation Orders (TPOs)

not be in attendance for this section of the Meeting.


7 LEGAL UPDATE - verbal update

Open Committee

Committee Report

Development Management Officer Report	
Case Officer: Sean O'Kane	
Application ID: LA02/2022/1012/F	Target Date:
Proposal: Erection of new post primary school, associated playing fields, car parking areas and other ancillary/associated works.	Location: Lands to the west of Ballee Road West and to the south of Clare Hill, Ballymena
Applicant Name and Address: Trustees of Slemish Integrated College 147A Larne Road Ballymena BT42 3HA	Agent Name and Address: Gravis Planning 1 Pavillions Office Park Kinnegar Drive Holywood BT18 9JQ
Date of last Neighbour Notification:	30 January 2023
Date of Press Advertisement:	2 February 2023
ES Requested: No	
Consultations: NI Water - Strategic Application - Approved with Standard Planning Conditions Environ Health Mid And East Antrim –No objection - Suggested Conditions NIEA – Water Management Unit – Potential impact from sewage overloading <ul style="list-style-type: none"> - Regulation Unit – No objection - Natural Environment Division – Outstanding response to comment on suggested conditions to be included within decision Shared Environmental Services – Content DfI Rivers – No objection DFI Roads – Recommend refusal, TR1, TR3, TR5 & TR6 Historic Environment Division – No objection subject to conditions NIE – No objection Translink – Objects due to internal arrangement and Vehicles “trespassing” onto the right-hand turn lane when exiting	
Representations:	
No representations received.	
Letters of Support	0
Letters of Objection	0.0
Petitions	0.0
Signatures	0.0

Number of Petitions of Objection and signatures	
Summary of Issues:	

Site Visit Report
Site Location Plan:

Date of Site Visit: 22/3/23
Characteristics of the Site and Area <p>The site is located at Ballee Road West, Ballymena and occupies a portion of agricultural lands zoned for housing under the Ballymena Area Plan 1986-2001. The area of development extends to approx. 9.2ha. Overhead NIE powerlines traverse the site running north to south. An undesignated watercourse lays along the north western boundary. Existing mature vegetation is in place along the roadside boundary. The land is undulating with varying levels across the site.</p> <p>Agricultural access is currently gained from the public road which bounds the site to the south.</p> <p>The indicative Ballymena South West Distributor road as illustrated within the Ballymena Area Plan 1986-2001 abuts the site to the east.</p>

Description of Proposal

Erection of new post primary school, associated playing fields, car parking areas and other ancillary/associated works.

The massing of the proposed school is broken down into several pavilions ranging in height from single storey to 3 storeys. Provision is made for a series of pitches catering for rugby and soccer, 3G pitches and tennis courts. Car parking is provided for staff and visitors together with bus drop off facilities. Access is proposed onto the Ballee Road West.

PLANNING HISTORY

Application Number: LA02/2021/1039/PAD Decision: PAD Concluded Decision Date: 04 May 2022

Proposal: Erection of new post primary school, associated playing fields, car parking areas and other ancillary/associated works.

Application Number: LA02/2022/0426/PAN Decision: PAN Concluded Decision Date: 15 June 2022

Proposal: Erection of a new post primary school, associated playing fields, car parking areas and other ancillary/associated works

HRA

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

Outcome: Having considered the nature, scale, timing, duration and location of the project it is concluded that it is eliminated from further assessment because it could not have any conceivable effect on a European site.

Elimination Reason: There are no viable pollution pathways for effects to any European site.

EIA

This application has been screened by Council under EIA 2017 SCH 2 Part 10 (b) Urban development projects, including the construction of shopping centres and car parks; (unless included in Schedule 1); where the area of the site exceeds 0.5 ha. As outlined within the associated report, an ES is not required.

PLANNING ASSESSMENT OF POLICY AND OTHER MATERIAL CONSIDERATIONS

Regional Development Strategy (RDS)

Strategic Planning Policy Statement for Northern Ireland (SPPS)

Ballymena Area Plan 1986-2001 (BAP)

MEABC Local Development Plan 2030 Plan Strategy

- SGS1 Spatial Growth Strategy
- SGS4 Protection of Zoned Housing Land
- SGS9 Open Space Strategy
- OSL5 Sport and Outdoor Recreation Facilities
- COM1 Education, Health, Community and Cultural Facilities.
- FRD1 Development within Floodplains
- FRD3 Management of Development in regard to Surface Water Flood Risk
- FRD4 Sustainable Drainage (SuDS)
- TR1 Access to Public Roads
- TR3 New Transport Schemes
- TR5 Active Travel
- TR6 Parking and Servicing
- NAT2 Species Protected by Law
- NAT5 Habitats, Species or Features of Natural Heritage Importance
- WWI1 Development Relying on Non-Mains Wastewater Infrastructure
- GP1 General Policy for all Development Introduction
- GP1a Criteria relating to Design Quality and Respecting Local Character and Distinctiveness
- GP1b Criteria relating to Safeguarding Residential Amenity
- GP1c Criteria Relating to Access/Movement/Car Parking
- GP1d Criteria relating to Safety and the Safeguarding of Human Health/Wellbeing
- GP1e Criteria relating to Sustainable Development

Ballymena Area Plan 1986-2001

The site occupies a portion of lands zoned for housing within the extant Area Plan. The proposed road scheme referred to as the South West Ring Road is illustrated to the east of the proposed site. Consideration of these constraints will be provided under policy consideration for TR3 and SGS4 below.

Strategic Planning Policy Statement for Northern Ireland (SPPS)

Strategic Policies pertaining to Transport, Open Space, Sport and Outdoor Recreation and Renewable Energy are detailed within the SPPS. The proposal will be considered in detail below under related LDP Policies under the MEABC Local Development Plan 2030 - Plan Strategy.

MEABC Local Development Plan 2030 Plan Strategy

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

The Planning Act (NI) 2011 establishes a plan-led planning system which gives primacy to the LDP in the determination of planning applications unless other material considerations indicate otherwise.

Mid and East Antrim Borough Council adopted the Local Development Plan 2030 Plan Strategy on 16th October 2023. The Plan Strategy became effective from the date of adoption and is relevant to the consideration of the following planning application.

The Council has yet to adopt its Local Policies Plan. In the interim, in line with the transitional arrangements set out in the Schedule to the Regulations, the LDP is currently a combination of the departmental development plan (DDP) and the Plan Strategy read together. Any conflict between a policy contained in the DDP and those of the Plan Strategy must be resolved in favour of the Plan Strategy.

SGS1 Spatial Growth Strategy

Table 5.2 Spatial Growth Strategy

- Manage growth to secure sustainable patterns of development across Mid and East Antrim.
- Focus major population growth and economic development in the three main towns of Ballymena, Carrickfergus and Larne, strengthening their roles as the prime locations for business, retail, housing, administration, leisure and cultural facilities within the borough. (SFG1, 4, 5, 10, 11, 12, 15)
- Facilitate appropriate growth in our small towns to provide opportunities for business, retail, housing and services. (SFG13, 14)
- Sustain rural communities living in and around villages and small settlements. (SFG13, 14)
- Facilitate sustainable development in the open countryside, balancing the need to protect the environment and rural character while sustaining a strong and vibrant rural community. (SFG13, 14)

The provision of a post primary school within the development limits of Ballymena town accords with the Spatial Growth Strategy.

SGS4 Protection of Zoned Housing Land

Development of non-residential uses on land zoned for housing in settlements will only be permitted where:

- it forms part of a major housing development and remains ancillary and integral to it; or
- it meets an identified community need and it is demonstrated that no other sites are available.

The proposal extends to approx. 9.2ha and is located on land zoned for housing within the extant BAP. The J&A provides clarity stating, *'Whilst the need for a new education, health, community or recreation facility may arise during the lifetime of the LDP, zoned housing land should only be considered for such non-residential uses in limited instances in order to protect land identified through the LDP to meet housing need'*.

A review of lands zoned for housing is ongoing alongside a detailed review of all land within existing settlement limits as part of the LLP stage of the LDP. Table A3 'Housing Allocation 2018-2030 and Live Residential Planning Permission in Settlements at April 2018', page 317 of the PS identifies a housing allocation of 991 units for Ballymena. The same table illustrates a total of 996 live residential planning permissions for the same area at April 2018.

Figure A4 on page 319 of the PS illustrates the 'Notional Housing Allocation 2018-2030 in relation to Existing Approvals/Potential Urban Capacity and Windfall sites in Main Towns and potential in Urban fringe (Whiteland and Undeveloped and Uncommitted extant Zoned housing sites) and current projected Social Rented Need until 2030'. For Ballymena town this sets the 996 housing units from existing approvals (at April 2018) alongside approximate potential for 1,470 housing units from urban capacity sites and 212 housing units from windfall (following an interim urban capacity study). In addition, beyond the urban footprint and within the urban fringe of Ballymena town, it was estimated that these lands had the potential to accommodate a further 2,291 housing units on whiteland and 815 units on undeveloped zoned housing lands.. Whilst this 9.2 hectares application would significantly reduce the 815 housing unit potential from the undeveloped zoned housing lands in the urban fringe of Ballymena town, it is considered that the other potential sources of housing land supply listed above should be more than sufficient to allow the 991 housing unit allocation to be met with significant headroom.

The agent has provided a letter from the Northern Ireland Assembly that the need for a new school has been approved by the Minister of Education. Confirmed funding is in place for the proposed new school as part of the 'Fresh Start Agreement'.

A sequential test outlining alternative sites has been presented by the applicant. A total of 3 sites have been analysed together with the redevelopment of the existing school. I have no reason to disagree with the conclusion reached and the justification for the proposed site and loss of lands zoned for housing.

SGS9 Open Space Strategy

One of the strands of the Open Space Strategy is for; *'Provision for and facilitating of sport and outdoor recreation facilities: The LDP will support firm proposals for the delivery of new or reconfigured public playing pitches in accessible locations where the Council or other public bodies identify such a need'*. Paragraph 5.8.16 and 5.8.17 provides clarity in relation to schools where it states the following:

'Council will also foster relationships with local schools to allow their existing or planned pitch developments to become available for wider community use, especially in areas where there is a deficit of public playing pitches. Accordingly, land for new playing pitches will only be zoned in the Local Policies Plan in circumstances where Council or education authorities have committed to their development.' Paragraph 5.8.17 goes on to clarify, *'it is important that any new sport or outdoor recreation facilities are well designed and located appropriately to ensure they are accessible, and respect residential amenity'*.

The operation policy for this strategic strand is set out in Policy OSL5 Sport and Outdoor Recreation Facilities, which is considered below.

Policy OSL5 Sport and Outdoor Recreation Facilities

Although the application is not solely for the development of a sport and outdoor recreation facility in a settlement, such facilities are provided ancillary to the use of the school. Nevertheless, they will have to comply with Policy OSL5 and in particular the General Policy GP1, Policy NAT1 and impact on amenity relating to noise and floodlighting.

Planned playing pitch development should become available for wider community use. It is important that any new sport or outdoor recreation facilities are well designed and located appropriately to ensure they are accessible. The playing pitches should be easily accessible, including by those with disabilities with adequate car parking provision located in close proximity.

The proposed parking is not considered to be located in close proximity to the playing pitches as it is separated by the bus parking drop off and laybys causing pedestrian conflict and potential safety issues that have not been addressed.

The current layout is considered contrary to Policies OSL5 and SGS9 of the Plan Strategy.

Policy COM1 Education, Health, Community and Cultural Facilities

Policy COM1 sets out that. *'A proposal for development of new or enhanced education, health, community or cultural facilities will be permitted where it meets the General Policy and accords with other provisions of the LDP. New facilities must also be*

located in appropriate and accessible locations within settlements where there is good connectivity with public transport and active travel infrastructure.'

The proposed site is on the edge of Ballymena town within the development limits. Existing transport links the development to Ballymena town centre and the wider district primarily by the road network and public footpaths. However, the applicant has not taken the provision of the proposed transport route into consideration as part of the proposal and has not demonstrated that the site will adequately cater for vehicle and pedestrian use.

The proposal fails to meet General Policy and Policies related to Transport and therefore fails to comply with COM1. Details of the specific General Policies and Transport Policies referred to are set out under the respective consideration.

FRD1 Development within Floodplains

DfI Rivers acknowledged that the site does not lie within the Q100 flood layer, however owing to the undesignated watercourse on the fringe of the site they recommend that the applicant's agent establishes a Q100 level of the undesignated watercourses and sets the floor design levels a min 600mm above this established level. This is encouraged by the statutory consultee and the applicant will be advised.

FRD3 Management of Development in regard to Surface Water Flood Risk

A proposal for development (except minor development) outside of floodplains will be permitted where the applicant has demonstrated that the risk of surface water flooding (pluvial) to the development, or elsewhere as a result of the proposed development, can be effectively managed through adequate drainage arrangements.

In order to demonstrate this, a Drainage Assessment (DA) will be required for any of the following types of development:

- A development site in excess of one hectare.
- A change of use involving new buildings and/or hard surfacing exceeding 1000 square metres in area.

As part of the determination process, DfI Rivers were consulted in their capacity as statutory authority pertaining to flood risk to comment of the submitted Drainage Assessment. The Drainage Assessment indicates that flood risk to and from a portion of the development will be managed using a SuDS. Commenting on the efficacy of the proposed SuDS is outside DfI Rivers' area of knowledge and expertise.

DFI Rivers have not recommended refusal based on FRD3. There has been no contrary information provided to form a conclusion opposing the applicants proposal. The majority of the site will remain as open space allowing for natural percolation encouraging soft SuDs.

FRD4 Sustainable Drainage (SuDS)

A sustainable drainage solution (hard or soft SuDS) for the management of surface water run-off will be required for any development proposal that triggers the requirement for a Drainage Assessment (DA) under Policy FRD3 Management of Development in regard to Surface Water Flood Risk. An exception will be applied where it is clearly demonstrated through the DA that the site is fundamentally unsuitable for a SuDS solution.

Soft SuDS has been proposed for the application site via percolation through the soil strata. This coupled with a rainwater harvesting system and the use of pervious pavement on all car parking areas will reduce the amount of attenuated water leaving the site. As part of the Protected Species Strategy, pools will be constructed on site to retain water for potential displaced newts that will contribute to water attenuation on site.

Policy TR1 Access to Public Roads

A development proposal involving direct access, or the intensification of the use of an existing access, onto a public road will only be permitted where both of the following criteria are met:

- a) such access will not prejudice road safety or significantly inconvenience the flow of road users; and
- b) the proposal does not conflict with Policy TR2 Access to Protected Routes.

The acceptability of access arrangements, including the number of access points onto the public road, will be assessed against current DfI published guidance.

Consideration will also be given to the following factors:

- the nature and scale of the development;
- the character of existing development;
- the contribution of the proposal to the creation of a quality environment, including the potential for urban/village regeneration and environmental improvement;
- the location and number of existing accesses; and
- the standard of the existing road network together with the speed and volume of traffic using the adjacent public road and any expected increase.

Access is proposed directly onto the Ballee Road West. The proposed layout indicates the widening of the existing public roadway for the provision of a righthand turning lane on approach from the east (seven towers roundabout direction).

Entrance to the site is via 2 lanes to facilitate left turning traffic approaching from the west (Slaght Road direction) and to facilitate vehicles turning into the site from the right turning lane. Egress is accommodated via 2 lanes, one turning left towards the seven towers roundabout and the other for right turning vehicles while entering the site. Visibility splays are provided measuring 215m x 4.5m to both the left and right side.

DfI Roads have commented on the safety of the proposed access where they have highlighted the following

- Auto tracking provided shows buses entering the right hand turning facility whilst exiting the school. This is unacceptable.
- The road works associated with the provision of the right hand turning lane depart from the standards contained within the Design Manual for Roads and Bridges. A Scheme Design Overview must be submitted highlighting the departures, along with any justification or mitigation. It may not be possible for the department to grant consent for the departures from standard.
- Traffic exiting the school wishing to turn right will conflict with traffic entering the school. This conflict will lead to an unacceptable backup of traffic within the school site. (If all vehicles leaving the school make a left turn this will lead to an unacceptable amount of traffic using the existing mini roundabout as a turning facility).

The agent contests the above response from DfI Roads and has referred to the Traffic Impact Assessment which demonstrates that the proposal accords with current design standards. Moreover, the offer of a Transport Management plan has been suggested from the applicant which could be secured by condition.

DfI roads have not commented on the appropriateness of the proposed splays and have offered a refusal reason based on Policy TR1 of the Plan Strategy.

The agent has not sought to address DfI roads concerns relating to Policy TR1 by way of revised access.

It has not been demonstrated that the proposed access will not prejudice road safety or significantly inconvenience the flow of road users in consultation with DfI Roads.

The proposal is contrary to Policy TR1.

Policy TR3 New Transport Schemes

Protection of Transport Schemes

The Council will safeguard land required for the implementation of a transport scheme identified in the LDP. A development proposal that would prejudice such a scheme will not be permitted.

The LDP is currently a combination of the Departmental Development Plan (DDP) and the Plan Strategy read together. In this case the Ballymena Area Plan 1986- 2001 (BAP) provides land use zonings and material considerations.

BAP Proposal Map No. 2 illustrates a portion of the proposed South West Ring Road, intended to link Ballee to Galgorm Road running along the north eastern boundary, outside of the redline boundary of the proposal. A section of this proposed transport scheme has been implemented to the south east of the proposed site including a roundabout and roadway providing a link to the Seven Towers roundabout.

The first element of Policy TR3 calls for the protection of Transport Schemes. In my professional view the proposed development would impede the implementation of the South West Ring Road.

Delivery of Transport Schemes

A developer will be required to deliver or to contribute to the cost of a transport scheme in any of the following circumstances relating to the development:

- a) where the development relies on a planned transport scheme identified in the LDP/Local Transport Plan; or
- b) where future residents or users of the development will benefit from proximity to a planned transport scheme identified in the LDP/Local Transport Plan; or
- c) where the development itself generates a need for a new transport scheme or for connectivity to an existing transportation facility in the locality.

As the statutory authority pertaining to road safety including access and egress, DFI Roads were consulted and offered refusal reasons based on the non delivery of an element of the transport scheme outlined in the BAP stating the following:

The site is documented in the Ballymena Area Plan 1986 – 2001 as having to provide a portion of the Ballymena South West Distributor.

Through discussions during the determination process, concerns were raised on the suitability of the existing Ballee road roundabout to accommodate the increased number of buses required to serve the site. The proposed development in itself would require the new transport scheme to connect to an existing transportation facility in the area.

On balance, in my professional opinion, the proposal fails to satisfy Policy TR3.

Policy TR5 Active Travel

A new development proposal within an urban area should ensure the needs of pedestrians and cyclists are taken into account. Where appropriate, the following will be required:

- a) Safe and convenient pedestrian and cycle access;
- b) Safe, convenient and secure cycle parking having regard to DfI published standards; and
- c) Safe and convenient pedestrian and cycle links to existing or programmed active travel networks and public transport services in reasonable proximity to the development site.

Drawing No. 15/2 provides a footpath running along the Ballee Road West and extending into the site. This path is approximately 2m in width and provides a link to the Antrim Road and planned active travel network. However, as it has been established that the use of the existing road network is not compliant with policy, the applicant has not incorporated any active travel provision into the required improved road network.

The proposed layout is therefore contrary to Policy TR5.

Policy TR6 Parking and Servicing

A development proposal will be required to provide adequate provision for parking and appropriate servicing arrangements. The precise amount of car parking will be determined according to the specific characteristics of the proposed development and its location having regard to DfI published standards. Proposals should not prejudice road safety or significantly inconvenience the flow of people or goods.

A reduced level of car parking provision may be acceptable in the following circumstances:

- a) Where, through a Transport Assessment, it forms part of a package of measures to promote alternative transport modes; or
- b) Where the development is in a highly accessible location well served by public transport; or
- c) Where the development would benefit from spare capacity available in nearby public car parks or adjacent on-street car parking; or
- d) Where shared car parking is a viable option; or
- e) Where the exercise of flexibility would assist Council in securing broader planning gain and public benefit that would outweigh the reduced level of parking.

DfI roads have not contested the number and provision of car parking relating to the school. They have however expressed concerns relating to the internal arrangement relating to buses navigating the site.

This view has also been shared by Translink, highlighting concerns regarding the number of bus stands provided, the vehicle tracking illustrated and the encroachment into the right turning lane of buses exiting the site. The agent responded stating that the tracking was carried out using a 15m bus which is larger than the 14.3m buses being the largest in the Translink fleet. No updated tracking information has been submitted. The agent also contended that the internal layout is not to be adopted and the exact number of bus parking bays will be refined in conversations between Translink and the Education authority.

However, the application under consideration is seeking full planning permission. Each element must be resolved prior to granting planning permission. In consideration of both views, I determine that the internal arrangements have not been fully addressed to the satisfaction of DfI roads, Translink and in turn the Planning Department.

The proposal fails to comply with Policy TR6.

Policy NAT2 Species Protected by Law

European Protected Species

Planning permission will only be granted for a development proposal that is not likely to harm a European protected species.

In exceptional circumstances a development proposal that is likely to harm these species may only be permitted where:

- a) there are no alternative solutions; and
- b) it is required for imperative reasons of overriding public interest; and
- c) there is no detriment to the maintenance of the population of the species at a favourable conservation status; and
- d) compensatory measures are agreed and fully secured.

National Protected Species

Planning permission will only be granted for a development proposal that is not likely to harm any other statutorily protected species and which can be adequately mitigated or compensated against.

Development proposals are required to be sensitive to all protected species, and sited and designed to protect them, their habitats and prevent deterioration and destruction of their breeding sites or resting places. Seasonal factors will also be taken into account.

Policy NAT5 Habitats, Species or Features of Natural Heritage Importance

Planning permission will only be granted for a development proposal that is not likely to result in the unacceptable adverse impact on, or damage to known:

- priority habitats;
- priority species;
- active peatland;
- ancient and long-established woodland;
- features of earth science conservation importance;
- features of the landscape and coastline which are of major importance for wild flora and fauna;
- rare or threatened native species;
- wetlands (includes river corridors); or
- other natural heritage features worthy of protection including trees and woodland.

A development proposal which is likely to result in an unacceptable adverse impact on, or damage to, habitats, species or features may only be permitted where the benefits of the proposed development outweigh the value of the habitat, species or feature.

In such cases, appropriate mitigation and/or compensatory measures will be required.

Policies NAT2 and NAT5, aspects relating to protected species, habitats and features of Natural Heritage Importance have been considered in tandem with the Northern Ireland Environment Agency. Mitigation has been proposed by the applicant which has been broadly accepted by NIEA NED by imposing negative conditions on any determination. NIEA NED have been consulted on a number of occasions and a response remains outstanding to finalise the wording of any imposed conditions. However it is not felt to be reasonable to withhold determination pending a response as such conditions could be brought forward.

NIEA Water Management Unit Water Management Unit have commented on potential impact from sewage overloading. This is a standard response that can be prevented by imposition of a negative condition.

NIEA Regulation unit have no objection.

Policy NAT2 and NAT5 have been satisfied.

Policy WW11 Development Relying on Non-Mains Wastewater Infrastructure

A proposal for new development relying on non-mains wastewater infrastructure will only be permitted where the applicant has demonstrated, through the submission of

sufficient information on the means of wastewater treatment and disposal that it will not create or add to a pollution problem.

Applicant proposes to discharge foul sewage to private treatment plant and surface water run-off to watercourse. NI Water have been consulted and offered no objection. The response was time bound for 18 months which has lapsed.

Should the development proposal go ahead, the applicant would require a consent to Discharge for a separate regulatory authority. In any case, as standard procedure a condition securing a wastewater solution prior to works commencing on site would be added to any determination, safeguarding against any potential pollution problem in compliance with Policy WW11.

Policy GP1 General Policy for all Development

Planning permission will be granted for sustainable development where the proposal accords with the LDP and there is no demonstrable harm to interests of acknowledged importance. Where this is not the case there will be a presumption to refuse planning permission.

All development proposals requiring planning permission with the exception of minor proposals will be assessed against the following general policy criteria a) - e) and will, where relevant, be required to demonstrate compliance with them. In addition, all development proposals outside settlement limits and within the countryside will also be required to demonstrate compliance with general policy criterion f).

GP1a Criteria relating to Design Quality and Respecting Local Character and Distinctiveness

- i. The development is compatible with surrounding land uses and neither the use or the built form and associated infrastructure (including hard/soft landscaping) will detract from the visual amenity, landscape quality, local distinctiveness and inherent character of the locality;
- ii. The development, including associated infrastructure and landscaping is of high quality and, where appropriate, complements or enhances local built form;
- iii. Appropriate landscaping and means of enclosure are provided so as to facilitate satisfactory integration of the development into the local townscape or rural landscape; and
- iv. The development does not adversely affect features associated with the historic environment/setting, natural heritage or areas recognised for their exceptional landscape quality and should seek to retain or integrate such features wherever possible.

Immediately to the east of the proposed development are established single family residential units. The wider context comprises of mixed uses including the Ballymena

Ambulance Station, Education Authority offices and playing fields. The proposal accords with the surrounding context.

The proposed scale, materials, layout and massing of the development respects the existing built context.

A landscape plan forms part of the consideration which details internal and boundary planting that enhances the scheme and aids integration.

No such constraints relating to the historic environment/setting, and natural heritage have been identified that cannot be satisfactorily addressed through mitigation.

GP1b Criteria relating to Safeguarding Residential Amenity

- i. Neither the use or the built form shall have an unacceptable adverse impact upon the amenity of existing residents living within, adjacent to or in reasonable proximity to the development site;
- ii. Appropriate boundary treatment and means of enclosure are provided so as to effectively mitigate against significant adverse impacts on visual amenity and, where relevant, other amenity impacts; and
- iii. New residential development shall be sited so as to maintain sufficient separation distance from existing or approved infrastructure likely to prejudice residential amenity or safety.

The Environmental Health Department of MEABC (EHD) were consulted and responded with concerns relating noise disturbance associated with this type of development typically, noise breakout from the building/plant, noise associated with the use of the sports/recreational pitches, parking areas and construction noise, impacting on residential receptors in close proximity to the site.

Again in relation to light spill, EHD sought clarity regarding vertical Lux levels.

No concerns were forthcoming relating to land contamination.

EHD have suggested conditions to address the above concerns.

GP1c Criteria Relating to Access/Movement/Car Parking

- i. Access arrangements shall be in accordance with the latest guidance published by the Department for Infrastructure;
- ii. A movement pattern is provided that, insofar as possible, supports active travel (walking and cycling), meets the needs of people with disabilities or whose mobility is impaired, respects public rights of way and provides adequate and convenient access to public transport and local community facilities;

- iii. The existing road network has sufficient capacity or can be adequately upgraded to safely manage any extra vehicular traffic that the proposed development will generate; and
- iv. Adequate and appropriate provision is made for car parking in accordance with the latest supplementary planning guidance.

As the statutory consultee Transport NI, together with Translink have been consulted to provide comment on issues regarding access and road safety.

Concerns have been raised previously setting out non-compliance with Policies TR1, TR3, TR5 and TR6. As such Policy GP1c has not been complied with.

GP1d Criteria relating to Safety and the Safeguarding of Human Health/Wellbeing

- i. The development will not prejudice safety nor cause demonstrable harm to human health and wellbeing;
- ii. Where appropriate, the development should be designed so as to facilitate opportunities for active and passive recreation for everyone, both within and wherever possible, beyond the site;
- iii. The development is designed to deter crime and promote personal safety;
- iv. Any emission or discharge of effluent (including sewage) arising from the development is in accordance with legislative requirements pertaining to air and water quality;
- v. The development site is not at risk from flooding and the development will not cause or exacerbate flooding elsewhere, taking account of present day flood risk and the potential future risk associated with climate change;
- vi. The development site is not located in an area known to be at significant risk from coastal erosion or land instability, or will not exacerbate such risks elsewhere; and
- vii. Where a site is known or suspected to be contaminated developers will be required to carry out a detailed site investigation. Suitable mitigation must be identified to remediate any contaminated land and prevent potential adverse impacts

No specific impacts on human health or well being have been identified. The site can be secured by appropriate fencings and no contamination is expected due to the historical use of the land as agricultural.

An appropriate condition can be added to any determination preventing development which may lead to environmental impact.

GP1e Criteria relating to Sustainable Development

- i. Development proposals, particularly major applications, will be expected to generally align with the LDP Spatial Growth Strategy;

- ii. Essential infrastructure to facilitate the development must be available or, if lacking, there must be a firm commitment in regard to its timely provision;
- iii. The development shall utilise sustainable drainage systems, as the preferred drainage solution, where feasible and practicable to ensure that surface water run-off is managed in a sustainable way;
- iv. The development does not have an unacceptable adverse impact on the quality and integrity of the environment and particularly upon local biodiversity and the delivery of ecosystem services beneficial to the community;
- v. The development takes account of the efficient use of energy, water and other resources, where feasible and practicable, integrates micro-generation and passive solar design, in order to mitigate against the adverse impacts of climate change; and
- vi. All development will be required to have adequate provision for the storage and management.

Soft SuDs has been proposed for the application site via percolation through the soil strata. This coupled with a rainwater harvesting system that will reduce the amount of attenuated water leaving the site and the use of pervious pavement to all car parking areas.

No unacceptable adverse impact upon the environment that cannot be controlled by mitigation has been identified.

No proposal has been presented for the efficient use of energy through the implantation of micro generation. Adequate storage has been provided for the management of waste.

As the proposed scheme does not facilitate the integration of renewable energy technology into the design, the proposal is contrary to GP1e.

DISCUSSION

The agent has been advised of the above concerns throughout the determination process. Official correspondence issued to the agent set out the policy concerns on the 16th January 2025.

However, issues have not been addressed to date.

Neighbour Notification Checked

Yes

Summary of Recommendation

The proposal is contrary to the Ballymena Area Plan, Strategic Planning Policy Statement, MEABC Local Development Plan- Plan Strategy Policies TR1, TR3, TR5, TR6, SGS9, OSL5, COM1 and Policy GP1 (c) & (e)

Conditions/Reasons for Refusal:

- The proposal is contrary to the Ballymena Area Plan 2001, Strategic Planning Policy Statement for Northern Ireland (SPPS) Transportation, Policy TR1 (Access to Public Roads) and Policy GP1(c) (General Policy for all Development), of the Mid and East Antrim Local Development Plan 2030 – Plan Strategy, in that if permitted the proposed access will prejudice road safety and significantly inconvenience the flow of road users.
- The proposal is contrary to the Ballymena Area Plan 2001, Strategic Planning Policy Statement for Northern Ireland (SPPS) Transportation, Policy TR3 (New Transport Schemes) and Policy GP1(c) (General Policy for all Development), of the Mid and East Antrim Local Development Plan 2030 – Plan Strategy, in that if permitted the proposed development will prejudice the implementation of a transport scheme identified in the LDP.
- The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland (SPPS) Transportation, Policy TR5 (Active Travel) and Policy GP1(c) (General Policy for all Development), of the Mid and East Antrim Local Development Plan 2030 – Plan Strategy, in that if permitted the proposed development proposal within the urban area has not addressed the needs of pedestrians and cyclists.
- The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland (SPPS) Transportation, Policy TR6 (Parking and Servicing) and Policy GP1(c) (General Policy for all Development), of the Mid and East Antrim Local Development Plan 2030 – Plan Strategy, in that it has not been demonstrated that appropriate servicing arrangements have been provided as not to prejudice road safety or significantly inconvenience the flow of people or goods.
- The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland (SPPS) Open Space, Sport and Outdoor Recreation, SGS9 Open Space Strategy paragraphs 5.8.16 and 5.8.17 and Policy OSL5 Sport and Outdoor Recreation Facilities of the Mid and East Antrim Local Development Plan 2030 – Plan Strategy, in that it is considered the proposed layout does not cater for those with disabilities in that the car parking provision is not in close proximity to the proposed pitches.
- The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland (SPPS) Renewable Energy, Policy GP1 (e) Criteria relating to Sustainable Development of the Mid and East Antrim Local Development Plan 2030 – Plan Strategy, in that it is considered the proposed scheme does not facilitate the integration of renewable energy technology into the design.

- The proposal is contrary to Policy COM1 Education, Health, Community and Cultural Facilities of the Mid and East Antrim Local Development Plan 2030 – Plan Strategy, in that it is considered the scheme has not demonstrated that the site will adequately cater for vehicle and pedestrian use in turn failing to meet Policy GP1 General Policy for all Development and Policies related to Transport.

Case Officer Signature:

Sean O’Kane

Date: 06/05/2025

Appointed Officer Signature:

Gary McGuinness

Date: 06/05/2025

Development Management Consideration

Details of Discussion:

Contrary to BAP, SPPS, TR1, TR3, TR5, TR6, OLS5, SGS9, COM1 and GP1

Letter(s) of objection/support considered: Yes

Group decision:

Refuse as per CO recommendation

D.M. Group Signatures

Date 06/05/25



Planning Committee 15th May 2025



Application: LA02/2022/1012/F

**Erection of new Post Primary School, associated
playing fields & car parking areas at Ballee road
West, Ballymena.**



Site Location Plan



Current Land Use

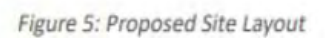


Surrounding Context



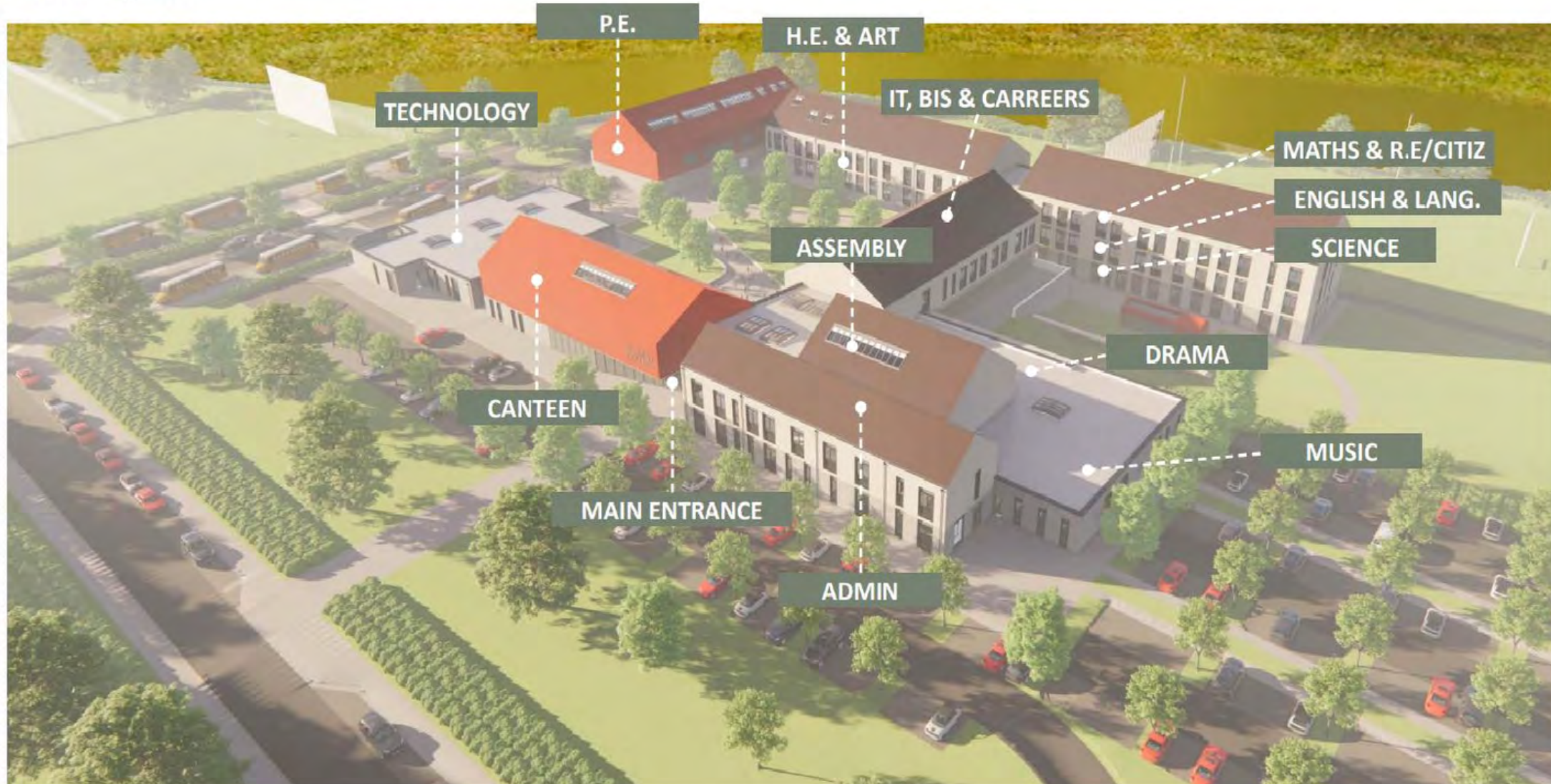
Critical Views





Proposed Elevations

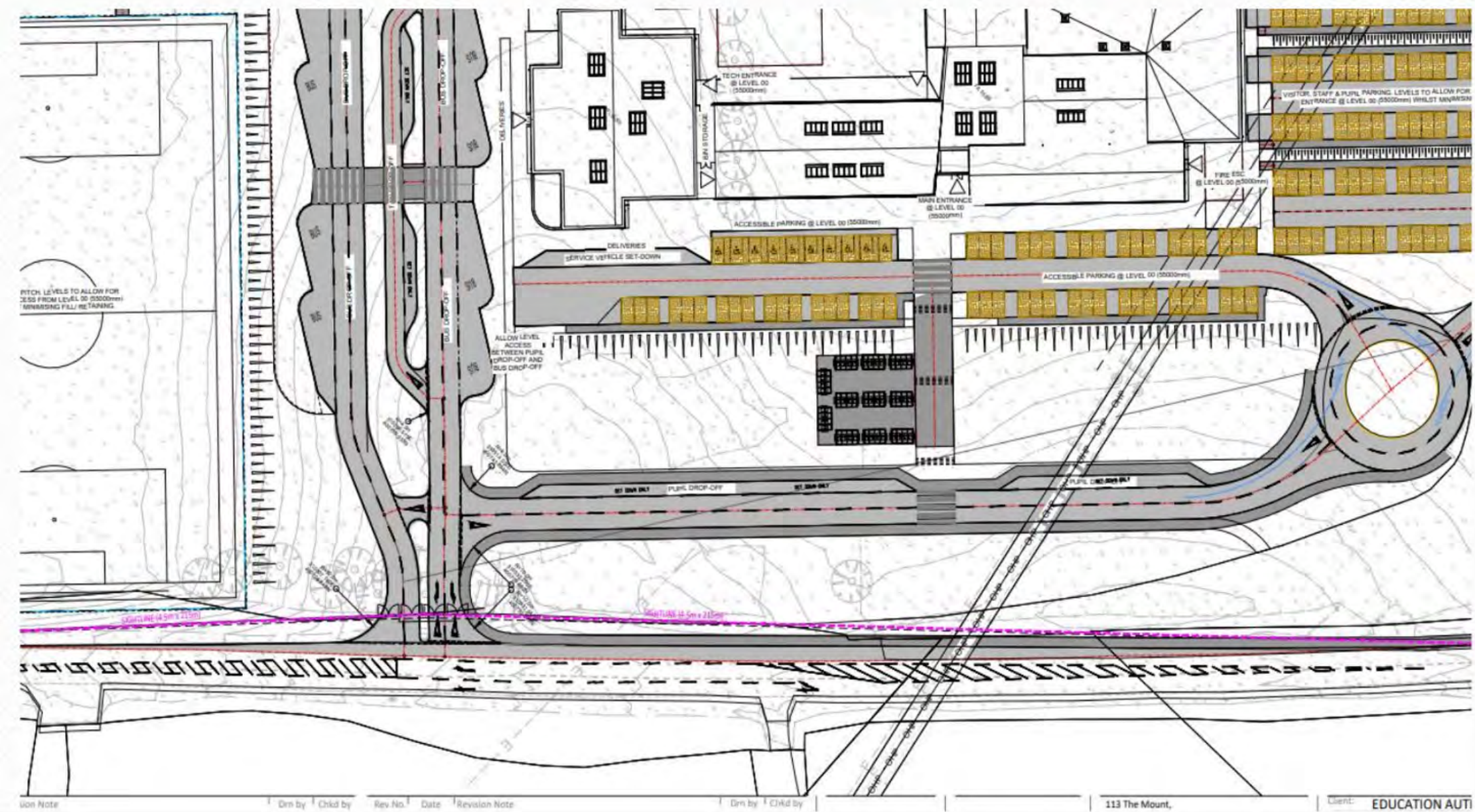
5.2 Site arrangement



Area Plan Context



Access Arrangements



Area Plan Context

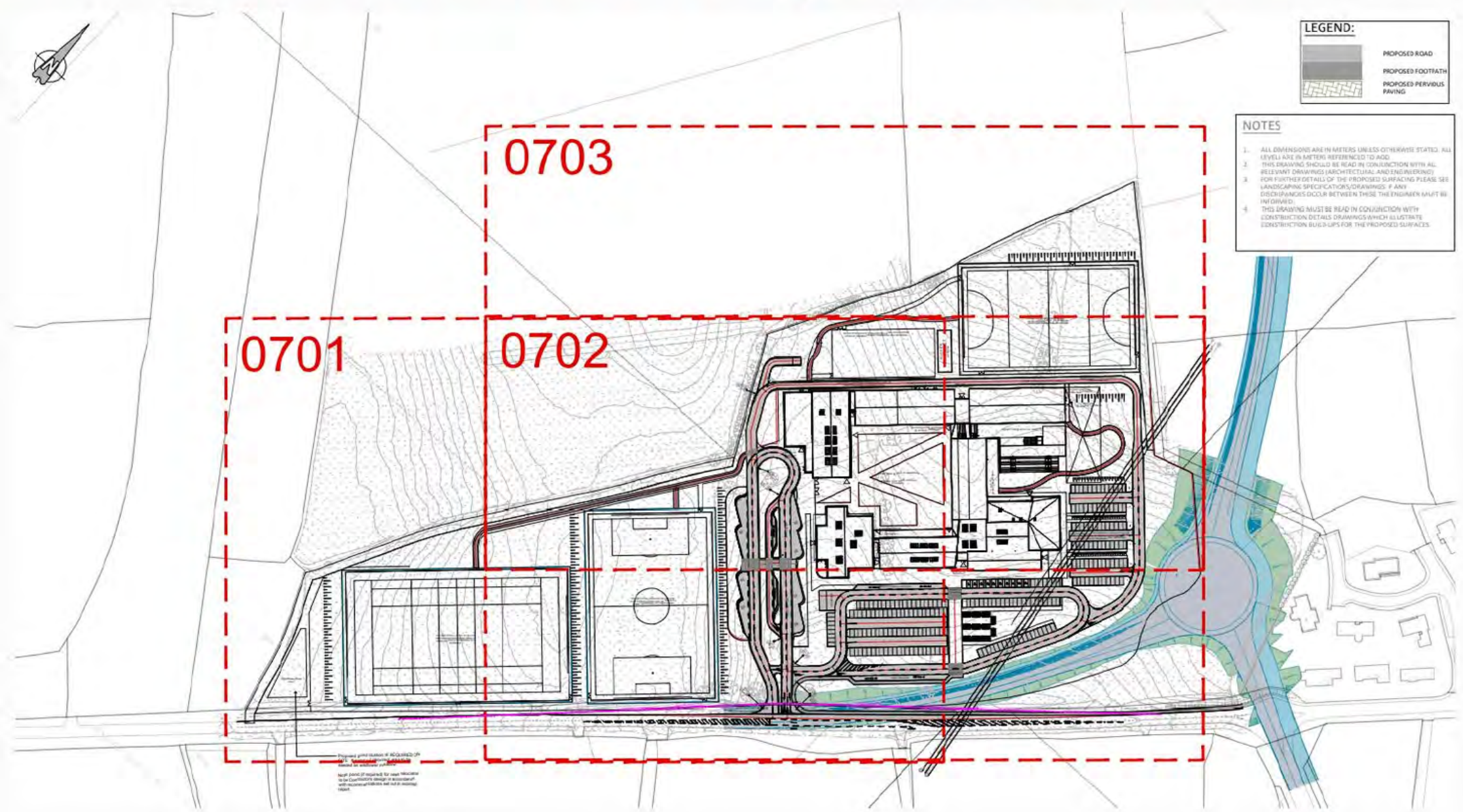


South West Ring Road

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DFI Roads Requirements



Summary

- Proposal: New School – Slemish College.
- Principle of Development acceptable
- Significant road safety and transport infrastructure concerns
- Planners recommendation – Refusal.

Committee Application

Development Management Officer Report	
Case Officer: Emma Graham	
Application ID: LA02/2024/0553/F	Target Date:
Proposal: Proposed social housing development with 6 units and associated site work.	Location: Social housing development Coronation Crescent, Clough, BT44 9RL
Applicant Name and Address: Rural Housing Association 2 Killyclogher Road Omagh BT79 0AX	Agent Name and Address: Sam Dill Studiorogers Architects Ltd. 1 Mountsandel Road Coleraine BT52 1JB
Date of last Neighbour Notification:	9 August 2024 22 January 2025
Date of Press Advertisement:	6 February 2025
ES Requested: No	
Consultations: DfI Roads – No objection Northern Ireland Housing Executive- No objection Historic Environment Division- No objections NIEA- No objection NI Water- Refuse due to no water capacity- Condition added to decision notice DFI Rivers- No objection	
Representations: Following advertisement in the local press and online, there have been 19 No. objections and 2 petitions containing 15 signatures. Concerns raised that fall under the remit of planning: - <ul style="list-style-type: none"> • Loss of natural light and overshadowing • Overlooking and loss of privacy • Proximity and location to existing properties • Inaccurate measurements on the plans • Drainage and Inadequate sewerage infrastructure • Substantial groundworks, impacting structural integrity of existing properties • Need for social housing • Bats • Road safety concerns and traffic impact 	

- Disruption due to building work, noise, mess and traffic
- Minimal local facilities to serve more housing in Clough.

Impact upon the value of property and loss of views are not under the remit of Planning.

An office meeting was held on the 13 September 2024 in attendance was:-

Timothy Gaston - MLA
 Richard McCaig - Spokesperson for objectors
 Henry McAlister - Senior Planner
 Emma Graham - Planning Officer.

Two further office meetings were held on the 27 September 2024 and the 28 February 2025 in attendance was: -

Sammy Wilson - MP
 Gary McGuinness - Principal Planner

Concerns regarding the site were raised and noted in the meeting notes.

Following the submission of amended plans to include amended house types at plots 1 and 2 the neighbours were re-notified on the 22 January and the proposal was readvertised in the local press on the 5 February 2025. Further letters of objection were submitted. The objections reiterated the previous concerns raised by the residents

Following the submission of amended plans to include amended house types at plots 1 and 2, the neighbours were renotified on the 22 January 2025. Further letters of objection were submitted. The objections reiterated the previous concerns raised by the residents.

Letters of Support	0
Letters of Objection	19
Petitions	2
Signatures	15
Number of Petitions of Objection and signatures	2 petitions containing 15 signatures

Summary of Issues:

This application was presented to the Planning Committee for consideration on 3 April 2025. The Planning Committee deferred making a decision to allow a site visit to take place. A site visit took place on Thursday 24 April 2025. The proposed development/ application site was viewed by those in attendance from various locations. Namely from within the site, Coronation Crescent and Galdanagh Drive Clough.

Site Visit Report

Site Location Plan:



Date of Site Visit: 9 August 2024

Characteristics of the Site and Area

The site is located on existing agricultural lands adjacent to Coronation Crescent, Clough, Ballymena. The application site area equates to 0.23 Ha and is surrounded primarily by residential and agricultural land to the south and west of the proposed development site. The site boundaries comprise of a mixture of close board wooden fencing along the eastern boundary, hedging and mature trees defining the wider field boundaries. The access to the site is gained from Coronation Crescent. The topography of the land falls from the entry point at Coronation Crescent and rises again to the southern boundary. With levels varying from 155 FFL to 151FFL.

The site is located within the Settlement Development Limits of Clough as designated in the Ballymena Area Plan 1986-2001 Alteration No.1 (October 1991).

Description of Proposal

The scheme proposes a social housing development with 6 units and associated site works. The proposed dwellings are two storey, semi-detached units, in a mixture of sizes, 4 of the units are 3-person 2 bedroom and 2 of the units are 5-person 3 Bedroom. The properties are to be finished in white render, grey pvc windows and doors and black aluminium rainwater goods. The proposed dwellings are set on modest sized plots and with average areas of private amenity space that are to be defined with fencing and soft landscaping.

Planning Assessment of Policy and Other Material Considerations

The Regional Development Strategy 2035
 Strategic Planning Policy Statement for Northern Ireland (SPPS)
 Ballymena Area Plan 1986-2001
 Mid and East Antrim Local Development Plan 2030 – Plan Strategy
 SGS1 Spatial Growth Strategy
 Policy HOU1- Quality in New Residential Development in Settlements
 Policy HOU5 - Affordable Housing
 Policy HOU7 - Adaptable and Accessible Homes
 Policy TR1 - Access to Public Roads
 Policy TR5 - Active travel
 Policy TR6 - Parking and Servicing
 Policy FRD 3 - Management of Development in regard to Surface Water Flood Risk
 Policy FRD 4 – Sustainable Drainage (SuDs).
 Policy WWI1 – Development Relying on Non-Mains Wastewater Infrastructure
 GP1 General Policy for all Development Introduction
 GP1a Criteria relating to Design Quality and Respecting Local Character and Distinctiveness
 GP1b Criteria relating to Safeguarding Residential Amenity
 GP1c Criteria Relating to Access/Movement/Car Parking
 GP1d Criteria relating to Safety and the Safeguarding of Human Health/Wellbeing
 GP1e Criteria relating to Sustainable Development
 Creating Places guidance.

RELEVANT PLANNING HISTORY

Application Number: G/1999/6003 Decision: Decision Date:
 Proposal: SITE FOR 18 DWELLINGS DRUMAGROVE ROAD CLOUGH

Application Number: G/1992/0646 Decision: Permission Granted
 Decision Date: 10 November 1992
 Proposal: Housing Development (19 No. Dwellings)

Application Number: LA02/2017/0975/O Decision: Permission Granted
 Decision Date: 21 December 2017
 Proposal: Residential Development

Application Number: LA02/2018/0636/F Decision: Permission Granted
 Decision Date: 07 September 2018
 Proposal: Multi Use Games Area (MUGA), approximately 25m long x 15m wide with associated fencing.

CONSIDERATION/ASSESSMENT**Mid and East Antrim Local Development Plan 2030 – Plan Strategy**

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

The Planning Act (NI) 2011 establishes a plan-led planning system which gives primacy to the plan in the determination of planning applications unless other material considerations indicate otherwise. Mid and East Antrim Borough Council adopted the Local Development Plan 2030 Plan Strategy on 16th October 2023. The Plan Strategy became effective from the date of adoption and is relevant to the consideration of this application.

The Council has yet to adopt its LPP, so in the interim, decisions fall to be made in light of current circumstances. The Planning (Local Development Plan) Regulations (Northern Ireland) 2015 (as amended) (Regulations) makes provision for the preparation of a LDP by a Council. Part 9 and the Schedule contain the arrangements for the transition from departmental development plans made under the Planning (Northern Ireland) Order 1972 or the Planning (Northern Ireland) Order 1991 to the new council local development plans. It also defines what constitutes an LDP during the transition period until the council has fully adopted its own LDP.

In line with the transitional arrangements set out in the Schedule to the Regulations, the LDP is currently a combination of the departmental development plan (DDP) and

the Plan Strategy read together. Any conflict between a policy contained in the DDP and those of the Plan Strategy must be resolved in favour of the Plan Strategy.

Ballymena Area Plan

The Ballymena Area Plan 1986-2001 and Alteration No.1 (October 1991) comprises the DDP for this proposal. There are no policies contained within the DDP which are relevant to this application

SGS1 Spatial Growth Strategy

One of the primary aims of SGS1 is to 'sustain rural communities in and around villages and small settlements.' This proposal for 6 units will contribute towards helping sustain, consolidate and revitalise the village of Clough.

Policy HOU 1 – Quality in New Residential Development In Settlements

Planning permission will only be granted for new residential development where it is demonstrated that the proposal will create a high quality, sustainable and safe residential environment. All proposals for residential development will be expected to meet the General Policy and accord with other provisions of the LDP.

The guidance in Appendix D will be taken into account when assessing proposals.

Appendix D

Site Layout: This application proposes a residential development of 6 No. dwellings. The proposed dwellings are 2 storey and have an overall ridge height of 8 metres. It is considered the scale of the proposed dwellings are not out of context or character with those that exist in the surrounding area.

Site Characteristics: The landscape plan submitted with the application indicates the retention and supplementation of the existing landscape features consisting of trees and hedgerows retained along the site boundaries.

Layout: The proposed layout shows adequate spacing between the proposed dwellings. The dwellings are orientated to the front onto the access road. One of the objections had raised concerns about inaccuracies of measurement. The plans have been measured and assessed, existing site features such as the dwellings in Coronation Crescent have been used as existing referencing points to ensure accuracy of measurements. This query was raised with the agent, and he was content with the details on the submitted plans. Additional PSD drawings were also received and DFI Roads are content with the measurements provided.

Privacy: The dwellings in Galdanagh Drive are located along the eastern boundary of this site and abut the site. At the highest point of the site, the design of plots 1 and 2 have been amended to include obscure glazing at the first-floor windows on the rear elevation. This should mitigate any possible potential of overlooking.

The back garden depths of the proposed dwellings exceed 10m. The total separation distance of 20 metres between the existing dwellings in Galdanagh Drive and the proposed development ensure the standard requirements in Creating Places have been complied with. It has been considered that it should not result in any detrimental impacts of overlooking. It is acknowledged that there will be change with the development of this site. Whereas the land has been undeveloped for a number of years, the current proposal respects the surrounding context and established residential use. A mix of new boundary treatments are proposed to supplement the site and provide adequate screening from neighbouring properties and views from the Cloughwater Road the Council is satisfied that the proposal meets this policy requirement with regards to privacy.

Parking: The proposed layout indicates adequate parking. The parking is well designed, convenient and located to allow for informal surveillance.

Form, Material and Detailing: There is a mix of house types within the surrounding area. The form, material and detailing of the proposed dwellings are in keeping with the character of area.

Private Open Space: Each proposed dwelling within the layout proposed has an area of private amenity in the form of garden areas. There are adequate private amenity areas in excess of 70m² which is in keeping with the levels detailed in Creating Places guidance. Due to the scale of the proposal no communal open space provision is required under policy

Policy HOU5 – Affordable Housing

A need for Affordable Housing has been established through consultation with the Northern Ireland Housing Executive (NIHE). Housing developments of 10 units or more, or sites of 0.2 hectares or more in villages such as Clough, have a policy requirement to deliver a minimum 10% affordable housing.

In this case 10% equates to 1 of the dwellings, however the development relates solely to the provision of social housing and NIHE have advised that they can support 6no. social houses with a mix of 4no. 2-bed houses and 2no. 3-bed houses at this location.

This application has been applied for by Rural Housing Association. A condition restricting the use of these properties solely for the purposes of social housing has been attached to the decision notice. The properties shall be managed by a registered Housing Association in perpetuity.

Policy HOU7 – Adaptable and Accessible Homes

The criteria as set out in Policy HOU 7 to assist with the delivery of adaptable and accessible homes had been met in this case. At least 2 car parking spaces could be enlarged within the communal car park area to achieve a minimum width of 3300mm.

Dining areas and living rooms allow space for turning a wheelchair. Living space is provided on the entrance level and outlook is provided from the living space when seated. There is adequate space for turning a wheelchair within the bathroom.

Policy TR1 – Access to Public Roads

As part of the determination process DFI Roads were consulted in their capacity as the statutory authority pertaining to road safety and access. The acceptability of access arrangements, including the number of access points onto the public road has been assessed including the following factors:

- the nature and scale of the development;
- the character of existing development;
- the contribution of the proposal to the creation of a quality environment, including the potential for urban/village regeneration and environmental improvement;
- the location and number of existing accesses; and
- the standard of the existing road network together with the speed and volume of traffic using the adjacent public road and any expected increase.

Direct access is proposed from Coronation Crescent to the site from the existing access. Two new entrances will be formed, one entrance point will serve the private drives of plots 1, 2 and 3 and the second entrance point will serve the private drives of plots 4, 5 and 6.

DFI Roads have been consulted and accept the proposed access and offer no objection. The access will not prejudice road safety or significantly inconvenience the flow of road users. TR1 has been complied with.

Policy TR5 – Active travel

A new development proposal within an urban area should ensure the needs of pedestrians and cyclists are considered. The development is served by pedestrian paths and public transport nearby with links to the surrounding settlements. The objectors have raised concerns that there are minimal local facilities and that every journey requires a car. DFI Roads have been consulted on this proposal, and they have no concerns about the increase in traffic as a result of this proposal.

TR6 Parking and Servicing

A development proposal will be required to provide adequate provision for parking and appropriate servicing arrangements. Plot 1 has 3 parking spaces annotated on the plans, whilst Plots 2-6 have 2 parking spaces per dwelling. In addition, 3 additional communal parking spaces and 3 visitor parking spaces have also been annotated on the plans. There also appears to be adequate space left for servicing arrangements such as deliveries and collections. As the statutory authority DFI Road have been consulted and offered no objection.

Policy FRD3 – Management of Development in regard to Surface Water Flood Risk

DFI Rivers Directorate has reviewed the Drainage Assessment (DA) Rev 2 by Ivan Scott Associates Ltd dated 3rd March 2025.

The Drainage Assessment has demonstrated that the design and construction of a suitable drainage network is feasible. It indicates that the 1 in 100-year event, including an allowance for climate change (20%) and urban creep (10%), could be contained through the addition of an underground online attenuation system, when discharging at existing green field runoff rate, and therefore there will be no exceedance flows during this event. Further assessment of the drainage network will be made by NI Water prior to adoption. DFI Rivers Directorate requested that the potential flood risk from exceedance of the network is managed by way of a condition that has been attached to the decision notice.

Policy FRD4 Sustainable Drainage (SuDS)

A sustainable drainage solution (hard or soft SuDS) for the management of surface water run-off will be required for any development proposal that triggers the requirement for a Drainage Assessment.

A sustainable drainage solution has been proposed within the Drainage Assessment in the form of large diameter concrete pipes and pre-cast manholes with an associated vortex flow control device installed to limit flows to the pre-determined run-off rate. The proposed sustainable drainage system shall be adopted and maintained by Northern Ireland Water via an Article 161 agreement post-construction.

Policy WW1 Development Relying on Non-Mains Wastewater Infrastructure

NI Water – NI Water have been contacted after the applicant engaged with them and submitted a PDE Enquiry after their initial consultation response in July 2024. A copy of this PDE was submitted in the revised Drainage Assessment Doc 08/1 dated March 2025. Correspondence with NI Water on the 19th March 2025 confirms that there is no capacity at Clough WWTW to serve this proposal and NI Water's consultation response dated 29 July 2024 remains unchanged. NI Water provided a response recommending refusal due to no capacity in the wastewater network that transports the sewage to the works.

On balance it is not felt to be reasonable to withhold a planning determination pending the development of wastewater infrastructure in the area. There will be a condition added to any approval stating that a resolution is reached prior to the commencement of any development.

As development cannot start on site without a wastewater solution being agreed with the Council and NI Water, the potential for any pollution resulting from the development is negated satisfying Policy WW11.

GP1 General Policy for all Development

Planning permission will be granted for sustainable development where the proposal accords with the LDP and there is no demonstrable harm to interests of acknowledged importance. Where this is not the case there will be a presumption to refuse planning permission.

GP1a Criteria relating to Design Quality and Respecting Local Character and Distinctiveness

The locality is characterised by detached and semi-detached dwellings. The proposal accords with the surrounding land use and context.

The site is bound on three sides by existing development. This, along with the existing and enhanced landscaping proposed, will help ensure a means of enclosure for the proposed development.

No such constraints relating to the historic environment/setting, and natural heritage have been identified that cannot be satisfactorily addressed through mitigation.

GP1b Criteria relating to Safeguarding Residential Amenity

Given the established boundaries, orientation and separation distances from existing properties, it is not considered that any negative impacts will result upon the amenity of existing residents in terms of planning considerations such as loss of light, overshadowing, and loss of privacy as set out in footnote 22 on page 112 of the Plan Strategy. The new residential development shall be sited so as to maintain sufficient separation distance from existing or approved infrastructure likely to prejudice residential amenity or safety and it shall not have an unacceptable adverse impact upon the amenity of existing residents.

GP1c Criteria Relating to Access/Movement/Car Parking

As referred to above in the assessment of the transportation policies, it is considered adequate access, parking and servicing arrangements are proposed. As the statutory consultee DFI Roads have been consulted to provide comment on issues regarding access and road safety. No objections have been forthcoming.

GP1d Criteria relating to Safety and the Safeguarding of Human Health/Wellbeing

The proposed development includes generous areas of private gardens to facilitate opportunities for active and passive recreation. The development has a mix of boundary treatments to deter crime and promote personal safety, including pedestrian crossing points and speed control measures. Existing street lighting exists on approach to the proposed development.

The site is not within an area at risk from flooding, erosion or known contamination. The necessary consultees have been consulted and suggested conditions are to be attached to any decision notice. It is not envisaged development will prejudice safety nor cause demonstrable harm to human health and wellbeing

GP1e Criteria relating to Sustainable Development

Other than the mains wastewater capacity issue already referred to in this report, all other essential infrastructure to facilitate the development is available in close proximity to the site. No unacceptable adverse impact on the quality and integrity of the environment are envisaged. The proposal will use sustainable modern day construction methods. The plans indicate sufficient room for bin storage to be kept to the rear of the properties.

Consideration of Representations

Through the determination process and the involvement of statutory consultees to inform a balanced recommendation, the objections have been discussed in detail throughout the report and adequately addressed through compliance with policy and appropriate mitigation.

The proposed development will be read in connection with other development existing in the area. The overall ridge height of the proposed dwellings and scale of development is in keeping with other dwellings within the area. The site is to the rear of existing built development and integrated with such development and will not be detrimental to the surrounding landscape.

A number of concerns have been raised regarding the area of hardstanding on this site. This is matter for the applicant and any costs occurring from this are on the onus of the applicant. It is their responsibility to investigate the geology of the site to ensure it can accommodate the proposed works.

Impact upon the neighbouring dwellings that abut the site by way of overlooking and privacy have been considered as part of the planning assessment. The Council is satisfied that the separation distances between properties are sufficient giving consideration to Creating Places guidance so as not to cause an overlooking or privacy impact.

The council have considered separation distances, over shadowing, overlooking and the orientation of existing and proposed dwellings and the scale of the proposed dwellings. Whilst it is acknowledged that any development of this site will result in a change to character of this area, the scheme follows the requirements set out in Creating Places.

With all development there is potential for noise, dust and traffic during construction. This will be temporary during the construction phase only. DFI Roads were consulted and have raised no objection.

The impact upon wildlife has been considered. An objector raised an issue about bats, from site inspection there were no buildings on site for bats to roost. The existing boundaries are to be retained and supplemented on site to encourage flora, fauna and wildlife. NIEA have been consulted and offered no objection to the proposal.

DFI Roads have been consulted and assessed the proposed access and any road safety/traffic concerns. The objection letters submitted with regard to the proposed development were considered by DFI Roads in their assessment of the proposal.

The application has been accompanied by a Drainage Assessment and DFI Rivers Directorate requests that the potential flood risk from exceedance of the network is managed by way of a condition that will be attached to the decision notice.

NI Water advise that there is no capacity in the wastewater network that transports the sewage to the works. There will be a condition included within any approval requiring that no development shall take place on site until the method of sewage disposal has been agreed in writing with Council or a consent to discharge has been granted under the terms of the Water (NI) order 1999. The incorporation of the Condition will ensure that there is adequate sewerage infrastructure approved by NI Water to serve the development.

Neighbour Notification Checked	Yes
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Summary of Recommendation

On the basis of this assessment the proposed development accords with the relevant policies of Local Development Plan.

Having had regard to the local development plan, so far as material to the application, and to all other material considerations the planning department recommends that the Planning Committee approve the proposed development.

Conditions

C1 The development hereby permitted must be begun within five years from the date of this permission.

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

C2 No development shall take place on-site until the method of sewage disposal has been agreed in writing with Northern Ireland Water or a Consent to discharge has been granted under the terms of the Water (NI) Order 1999.

Reason: To ensure protection to the aquatic environment.

C3 Prior to the construction of the drainage network, the applicant shall submit a Drainage Assessment, compliant with the Local Development Plan 2030 Plan Strategy (LDP) FRD3, to be agreed with the Council which demonstrates the safe management of any out of sewer flooding emanating from the surface water drainage network, agreed under Article 161, in a 1 in 100 year event including an allowance for climate change (20%) and urban creep (10%).

Reason: In order to safeguard against surface water flood risk.

C4 The 6no. social housing units identified on approved drawing 03/2 date received 21/01/2025 shall be used solely for the purposes of social housing and shall be retained and managed by a registered Housing Association in perpetuity.

Reason: To address the need for the affordable housing units.

C5 All hard and soft landscape works shall be carried out in accordance with the approved details and the appropriate British Standard or other recognised Codes of Practice. The works shall be carried out prior to the occupation of any part of the development in accordance with approved drawing 03/2 received 21 January 2025.

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

C6 The existing vegetation along the northern and eastern boundaries of the site shall be retained unless necessary to prevent danger to the public in which case a full explanation along with a scheme for compensatory planting shall be submitted to and agreed in writing with the Council, prior to removal.

Reason: In the interests of visual amenity.

C7 If within a period of 5 years from the date of the planting of any tree, shrub or hedge, that tree, shrub or hedge is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Council, seriously damaged or defective, another tree, shrub or hedge of the same species and size as that originally planted shall be planted at the same place, unless the Council gives its written consent to any variation.

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

C8 The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992. The Department hereby determines that the width, position and arrangement of the streets, and the land to be regarded as being comprised in the streets, shall be as indicated on No. 12 date published 21 Jan 2025.

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

C9 The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992.

No other development hereby permitted shall be [commenced/occupied] until the works necessary for the improvement of a public road have been completed in accordance with the details outlined blue on Drawing Number:12 date published 21 Jan 2025 The Department hereby attaches to the determination a requirement under Article 3(4A) of the above Order that such works shall be carried out in accordance with an agreement under Article 3 (4C).

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

C10 The development hereby permitted shall not be adopted until any highway structure/retaining wall/culvert requiring Technical Approval, as specified in the Roads (NI) Order 1993, has been approved and constructed in accordance with BD2 Technical Approval of Highways Structures: Volume 1: Design Manual for Roads and Bridges.

Reason: To ensure that the structure is designed and constructed in accordance with BD2 Technical Approval of Highways Structures: Volume 1: Design Manual for Roads and Bridges

C11 The development hereby approved shall be developed and operated in accordance with the plans and documents referenced at the beginning of this decision notice.

Reason: To ensure that the development is developed/operated in accordance with the approved plans and documents.

Case Officer Signature:

Emma Graham

Date: 06/05/25

Appointed Officer Signature:

Sean O’Kane

Date: 06/05/25

Development Management Consideration

Details of Discussion:

Agree with CO Recommendation

Letter(s) of objection/support considered: Yes

Group decision:

Agree with CO Recommendation

D.M. Group Signatures

Date 6/5/25



Planning Committee

15th May 2025

50

Application: LA02/2024/0553/F

**Proposed social housing development with
6 units and associated site work.**

Location:

Social housing development Coronation Cresnet, Clough, BT44 9RL



Site Location Plan



Consultations

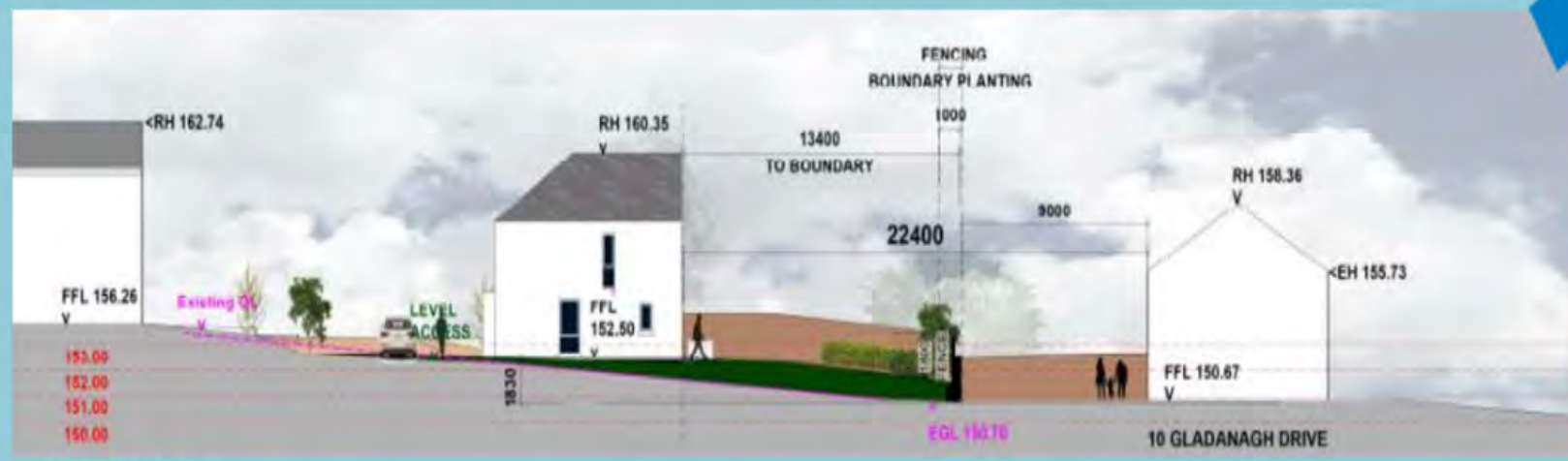
- DfI Roads – No objection
- Northern Ireland Housing Executive- No objection
- Historic Environment Division- No objections
- NIEA- No objection
- NI Water- Refuse due to no water capacity- Condition added to decision notice
- DfI Rivers- No objection



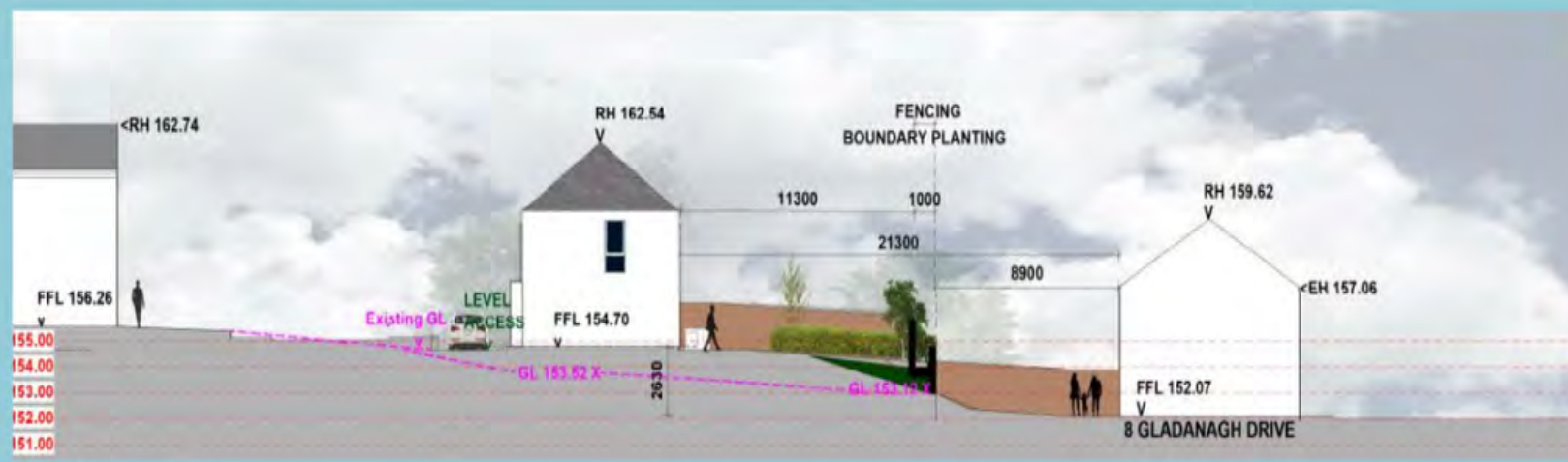
Site Plan



Site Section



Section AA



Section BB



Proposed House Types



Sun Path Analysis



Summary

- Proposed 6no. Social Housing Residential Units
- 19 No. objections and 2 petitions containing 15 signatures. – addressed throughout the report and revised scheme layout
- Application deferred for a site visit which was held on the 24th April
- Proposal is acceptable and is in accordance with MEABC Plan Strategy 2030
- Recommendation: Approval subject to conditions





Committee Application

Development Management Officer Report	
Case Officer: Hannah Millar	
Application ID: LA02/2025/0083/F	Target Date:
Proposal: Proposed Single Storey Dwelling & Detached Garage - "Change of House Type" from previously approved application under Planning Ref: F/1991/0198/RM	Location: Lands immediately opposite & northeast of 294 Coast Road, Ballygally, Co. Antrim, BT40 2QZ
Applicant Name and Address: Alexander Brian Donaldson 294 Coast Road Ballygally BT40 2QZ	Agent Name and Address: Bradley McClure 186 Lisburn Road Belfast BT9 6AL
Date of last Neighbour Notification:	17 February 2025
Date of Press Advertisement:	10 April 2025
ES Requested: No	
Consultations: DFI Roads – No objections subject to standard planning conditions. Historic Environment Division – No objections. NI Water – No objections.	
Representations:	
Letters of Support	0
Letters of Objection	17
Petitions	0
Signatures	0
Number of Petitions of Objection and signatures	0

Site Visit Report

Site Location Plan:



Date of Site Visit: 06/02/2025

Characteristics of the Site and Area

The site is located 0.2km north west and outside the settlement limits of Ballygally, opposite a ribbon of development which extends north west of Ballygally Castle Hotel. The area consists predominantly of detached 1 ½ storey dwellings set on the south west side of the Coast Road and with views of Ballygally Bay to the north. On the coastal side there appear to be plots of privately owned land which are accessed via pedestrian gates. The area is within Larne Coast Special Countryside Area.

The site is located on the coastal side of the Coast Road and consists of a gently sloping grassed area directly in front of the sea and area of shingle. The site is separated from the road by a low galvanised railing. There are mature deciduous trees along the south-western boundary and in the north-western corner. There are concrete foundations in a rectangular shape within the site which are grassed over.



The site falls within the Larne Coast Special Countryside Area, Antrim Coast and Glens Area of Outstanding Natural Beauty and an Area of Constraint on Mineral Development as per the Local Development Plan 2030 Plan Strategy, and the Larne Area Plan 2010.

Description of Proposal

This is a full planning application for the erection of a dwelling and garage. A dwelling was previously approved on the application site and commenced under planning application F/1991/0198/RM.

Planning Assessment of Policy and Other Material Considerations

Planning history

F/1988/0105/O – 299 Coast Road, Ballygally. Site of dwelling. Permission granted.

F/1991/0198/RM – 299 Coast Road, Ballygally. Bungalow. Permission granted.

F/2002/0417/F – Land in Grounds of 299 Coast Road, Ballygally, Larne. Change of house type (Original Approval F/1991/0198). Permission granted.

F/2005/0035/F – Land in grounds of, 299 Coast Road, Ballygally, Larne. Change of house type. Permission granted.

F/2005/0368/F – In grounds of 299 Coast Road, Ballygally, Larne. Change of house type. Permission granted.

F/2012/0025/F – Opposite 294 Coast Road, Ballygally. Single storey dwelling and garage (previously approved under application F/2005/0368/F). Permission granted.

Consultations

As above.

Objections

Letters of objection have been received from 8 addresses. They relate to the following matters:

- Location of dwelling within a highly sensitive undeveloped strip of coastland. Concerns relate to visual amenity.
- Proportions/ridge height of the dwelling
- Contemporary style design not in keeping with the wider area.
- Coastal erosion & flooding
- Impact on flora/fauna/ecological impact/removal of mature trees
- Objections relating to typographical errors in the application
- Proximity of septic tank

Consideration of issues raised by objectors:



The dwelling is located in the Special Countryside Area. A new dwelling would be unlikely to receive planning permission in this area in ordinary circumstances. However, as the development approved under F/1991/0198/RM has been deemed to have been commenced, this keeps the permission live and allows the approved dwelling to be built at any time. Should planning permission be refused, the applicant has a fallback position which, going forward, can be reverted to at any time. As such, the objections on this ground are not of determining weight.

The design/ridge height, being a contemporary interpretation of a grouping of traditional agricultural buildings, is assessed under GP1 below and is considered acceptable. The surrounding bungalows are predominantly suburban in appearance and constructed of a range of materials. The proposal is situated in the countryside and the proposed design is considered acceptable for this rural context.

The site does not lie within a floodplain, as shown by the DFI flood maps, nor an area known to be at significant risk from coastal erosion or land instability.

The site is not beside or close to any Protected Areas, Priority Habitats or areas of Priority Species designated by NIEA. A biodiversity checklist has been completed by the developer. It concludes that the site is unlikely to be suitable for nesting, foraging or roosting maritime birds. The site is assessed as having low conservation value. The proposed plans indicate that a mature sycamore in the north-western section of the site will be removed. 2 new Birch trees and 1 Alder tree are proposed to compensate for vegetation clearance. A suitable buffer of at least 5m should be maintained between the location of all construction works and the adjacent shoreline.

The previous typographical errors relating to the reference to F/2012//0025/F have been corrected and re-advertisement undertaken.

The proposed package treatment plant is located more than 15m from any neighbouring properties. In addition, the developer is required to gain consent from NIEA via a Consent to Discharge application undertaken out with the planning process. As this development is not proposed to connect to the mains wastewater network, NI Water have not identified any concerns with the proposal.

Relevant planning policy

The application has been assessed against the following planning policy and guidance:

- The Regional Development Strategy (RDS) 2035
- Larne Area Plan 2010
- The Strategic Planning Policy Statement for Northern Ireland (SPPS) 2015
- Mid and East Antrim Local Development Plan 2030 Plan Strategy
- CS1 Sustainable Development in the Countryside
- CS2 Special Countryside Areas
- CS5 Antrim Coast and Glens Area of Outstanding Natural Beauty
- GP1 General Policy for all Development
- HOU7 Adaptable and Accessible Homes
- TR1 Access to Public Roads
- WWI1 Development Relying on Non-Mains Wastewater Infrastructure



Section 45(1) of the Planning Act (NI) 2011 (the Act) requires regard must be had to the Local Development Plan (LDP), so far as material to the application, and to any other material considerations. Section 6(4) of the Act states that where regard is to be had to the LDP, the determination must be made in accordance with the LDP unless material considerations indicate otherwise. The Planning Act (NI) 2011 establishes a plan-led planning system which gives primacy to the LDP in the determination of planning applications unless other material considerations indicate otherwise.

Mid and East Antrim Borough Council adopted the Local Development Plan 2030 Plan Strategy on 16th October 2023. The Plan Strategy became effective from the date of adoption and is relevant to the consideration of the following planning application. The Council has yet to adopt its Local Policies Plan. In the interim, in line with the transitional arrangements set out in the Schedule to the Regulations, the LDP is currently a combination of the departmental development plan (DDP) and the Plan Strategy read together. Any conflict between a policy contained in the DDP and those of the Plan Strategy must be resolved in favour of the Plan Strategy.

CS1 Sustainable Development in the Countryside

The principle of development of a dwelling has been established since the 1988 and 1991 Outline and Reserved Matters applications. There are foundations on the site which relate to F/1991/0198/RM. In the case officer's report for the most recent Change of House Type application (F/2012/0025/F), it was noted that the principle of development was established and confirmed by the then Planning Authority DOE Planning Service in official correspondence dated 25th August 2006. This is a valid fallback position that allows the development to be completed at any point in the future.

Given this fallback position, the proposal is therefore considered to comply with one of the opportunities for a dwelling in the countryside under CS1.

CS2 Special Countryside Areas

The site is located within Larne Coast Special Countryside Area, which heavily restricts development to a specific and small number of exceptions, none of which the proposed development falls under. As previously stated, the fallback position keeps the 1991 approval live and allows the developer to finish the dwelling approved at any time. The planning assessment is therefore based on the design changes between the 1991 application and the current proposal. Although within SCAs there is a presumption against all new development, given the fallback position outlined above, this is considered to meet the exceptional circumstances test and therefore is considered, on balance, to comply with this policy.

CS5 Antrim Coast and Glens Area of Outstanding Natural Beauty

The nature and intensity of the proposed use as a single dwelling is acceptable within the AONB. As discussed, the principle of development has been established. The dwelling is single storey in height and will not therefore significantly disrupt public views of key features within the AONB such as coastal headlands. It is considered that the proposed dwelling will integrate into the landscape without adverse visual impact.

The site is located within an area of predominantly suburban style development; however, the design of the dwelling seeks to replicate a grouping of traditional local vernacular buildings. This



is desirable within the AONB and given the sensitive nature of the site, is considered acceptable. The contemporary interpretation, such as the green asymmetrical roofs, floor to ceiling windows etc. are considered acceptable at this location.

3 of the 4 site boundaries are already in place and will remain as such. 2 trees to the front of the site will be retained and compensatory planting will be undertaken in lieu of the removal of 1 tree. New hedges are to be provided at the southeastern and western boundaries. This is considered acceptable and will allow the dwelling to further integrate into the site.

GP1 General Policy for all Development

The dwelling is situated within an existing building group along either side of the Coast Road and will be read together with these. The dwelling proposed is single storey and 5.5m from ground level, which is a standard height of a modern bungalow. The bungalow approved in 1991 is 5.05m in height. Heights approved under the various Change of House Type applications over the years ranged from 5.05m to 5.7m in height. The proposed height now under consideration at 5.5m is in line with this.

The dwelling proposed is a contemporary interpretation of a grouping of traditional agricultural buildings which are long, low and narrow in form and with a scattered appearance on the site. The dwelling comprises of 2 elements which are simple and linear in plan and single room deep, both joined by a link block. There is a high solid to void ratio to the front and southern elevations which replicates traditional rural dwellings. Although the design of the dwelling follows a more contemporary approach, especially with the asymmetrical roofs, it is based on traditional rural design principles and seeks to reinterpret an agricultural style. There will be a small degree of cut at the south-western side of the site and a small degree of fill at the north-eastern. Materials will be painted render, metal windows and rainwater goods, and a metal standing seam roof in a dark green colour, which is reminiscent of agricultural buildings. The proposed design is in keeping with the local character and published guidance within Building on Tradition and the Antrim Coast and Glens AONB Design Guide.

It is considered that the dwelling will not have a significant adverse impact on the amenity of neighbouring properties. Visual amenity and the principle of development of a 5.5m bungalow are assessed above. As the dwelling is single storey, it is considered that it will not have an adverse impact on neighbouring amenity by way of overlooking or overshadowing. The dwelling is sited a sufficient distance away from no. 299.

HOU7 Adaptable and Accessible Homes

The dwelling is spacious in nature with spacious rooms. Dining areas and living spaces are an adequate size to allow wheelchair turning. The size of the site is sufficient to allow a parking space of 3.3m. The proposal complies with HOU7.

TR1 Access to Public Roads

Access to the site will be via an existing access which was formed in relation to F/1991/0198/RM. DFI Roads have been consulted and are content with the proposal. No outstanding issues have arisen regarding parking/access to the site. The proposal complies with TR1.



WW1 Development Relying on Non-Mains Wastewater Infrastructure The application has declared the use of a package treatment plant/septic tank for the treatment of wastewater resulting from the proposed development. A separate Consent to Discharge will be required from NIEA out with the planning process. As it is not proposed to connect to the mains wastewater system, NI Water have not identified any concerns with the proposed development. Subject to a pre commencement condition requiring a consent to discharge it is considered that the proposal complies with WW11.	
Neighbour Notification Checked	Yes
Summary of Recommendation Recommend approval.	
Conditions: 1. The development hereby permitted must be begun within five years from the date of this permission. Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011. 2. All soft landscaping works shall be carried out in accordance with Drawing no. 02 rev 1 date published 27 Mar 2025. The works shall be carried out prior to the occupation of any part of the development unless otherwise agreed in writing by the Planning Authority. Any existing or proposed trees or plants indicated on the approved plans which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size, details of which shall have first been submitted to and approved in writing by the Planning Authority. Reason: In the interests of the character and appearance of the area. 3. Notwithstanding the provisions of the Planning (General Permitted Development) Order (Northern Ireland) 2015, or any Order revoking and re-enacting that Order, no building, structure, hard surface or enclosure (including swimming pools and gardens) incidental to the enjoyment of the dwelling hereby permitted, or access onto an unclassified road, shall be erected, provided, maintained or improved without the direct Permission of the Planning Authority Reason: To preserve the amenity of the countryside. 4. A suitable buffer of at least 5m must be maintained between the location of all construction works including refuelling, storage of oil/fuel, concrete mixing and washing areas, storage of machinery/material/spoil etc. and the adjacent shoreline. Reason: To protect the adjacent shoreline and aquatic environment.	



<p>5. The development hereby approved shall not be commenced until a consent to discharge has been provided by the Northern Ireland Environment Agency.</p> <p>Reason: In the interests of public health and environmental protection.</p> <p>6. The development hereby approved shall be developed and operated in accordance with the plans and documents referenced at the beginning of this decision notice.</p> <p>Reason: To ensure that the development is developed/operated in accordance with the approved plans and documents.</p>
<p>Case Officer Signature</p> <p>H Millar</p> <p>Date: 25 April 2025</p>
<p>Appointed Officer Signature:</p> <p>G McGuinness</p> <p>Date: 25th April 25</p>



Development Management Consideration

Details of Discussion:

Agree as per this report.

Letter(s) of objection/support considered: Yes

Group decision:

The issues raised by the objectors have been fully considered in this report.

An approval is recommended as per the detail of this report.

D.M. Group Signatures _____

Date



Planning Committee

15th May 2025

66

Application: LA02/2025/0083/F

Proposal:

Single Storey Dwelling & Detached Garage - "Change of House Type" from previously approved application under Planning Ref: F/1991/0198/RM

Location:

Lands immediately opposite & northeast of 294 Coast Road, Ballygally, Co. Antrim, BT40 2QZ





Proposed Site



Site Plan



Traveling from
Southeast



Traveling from
Northwest



Consultations

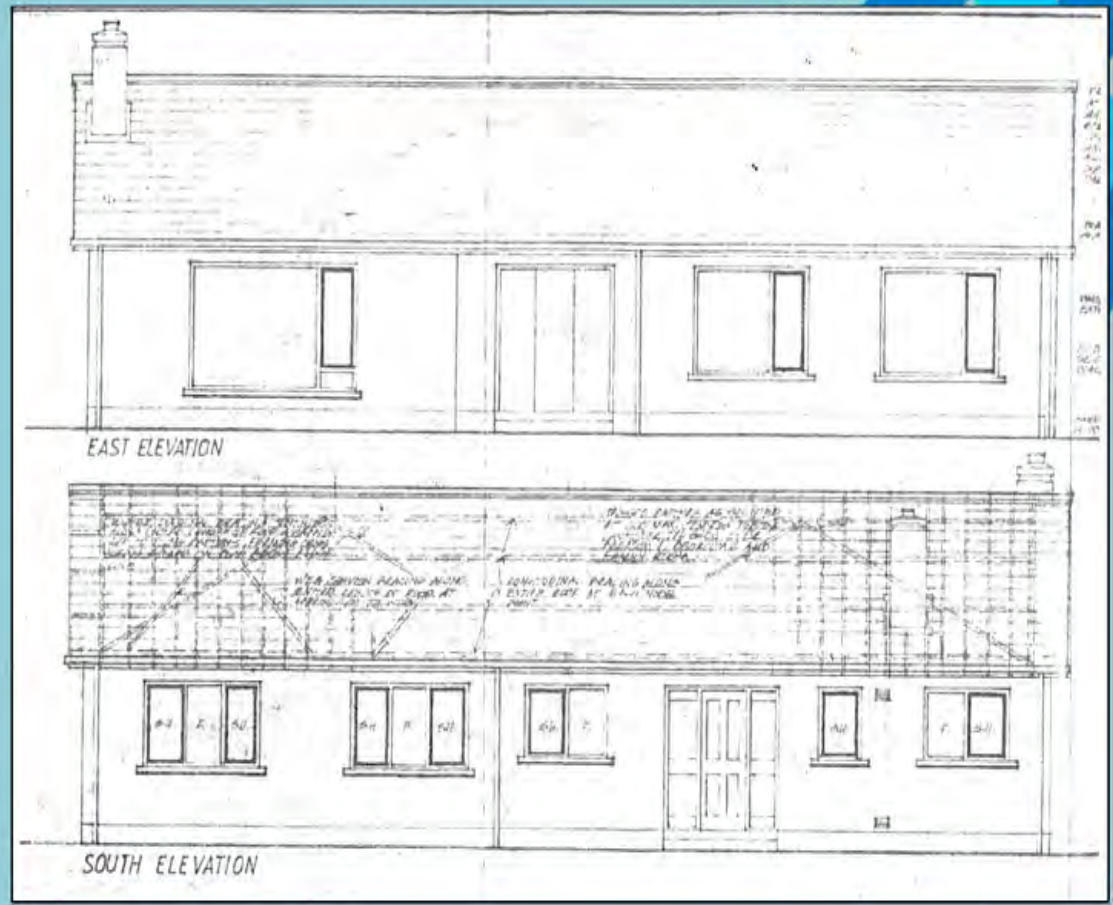
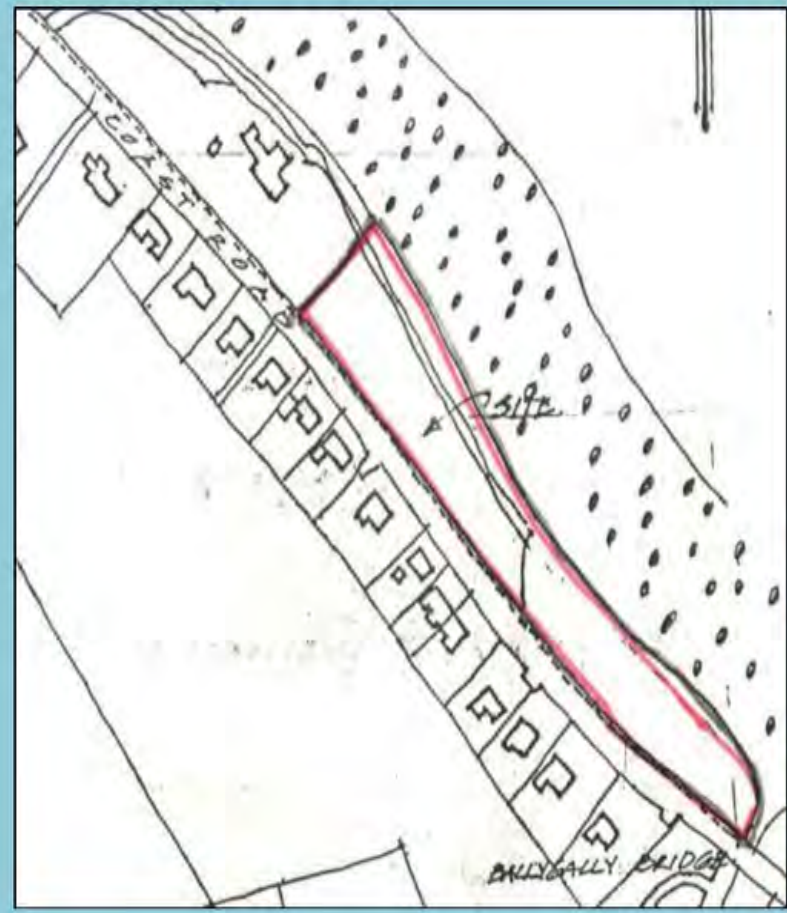
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- DfI Roads – No objection
- Historic Environment Division- No objections
- NI Water- No objection

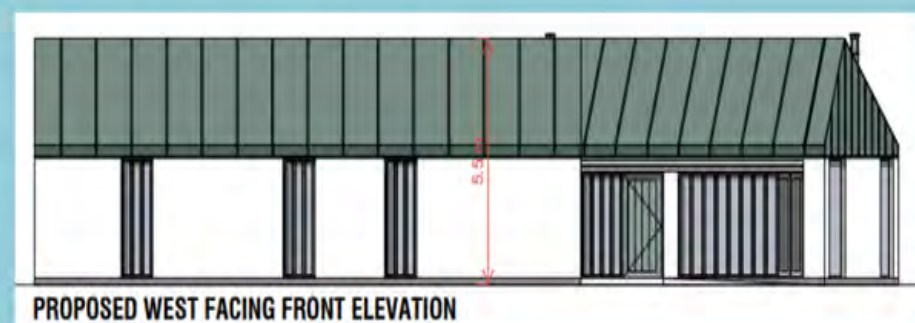


Fall back position

Dwelling commenced under F/1991/0198/RM



Proposed Dwelling



Proposed Dwelling

71



South view of sketch model & arrival courtyard



North view of sketch model & private back patio



View of sketch model from road



Summary

72

- Single storey dwelling and detached garage
- Consultees - No objection
- 17 No. letters from 9 objectors addressed throughout the report.
- Accepted 1991 planning permission implemented on site with 'fallback' position
- Determining weight placed on implemented dwelling
- Recommendation: Approval subject to conditions





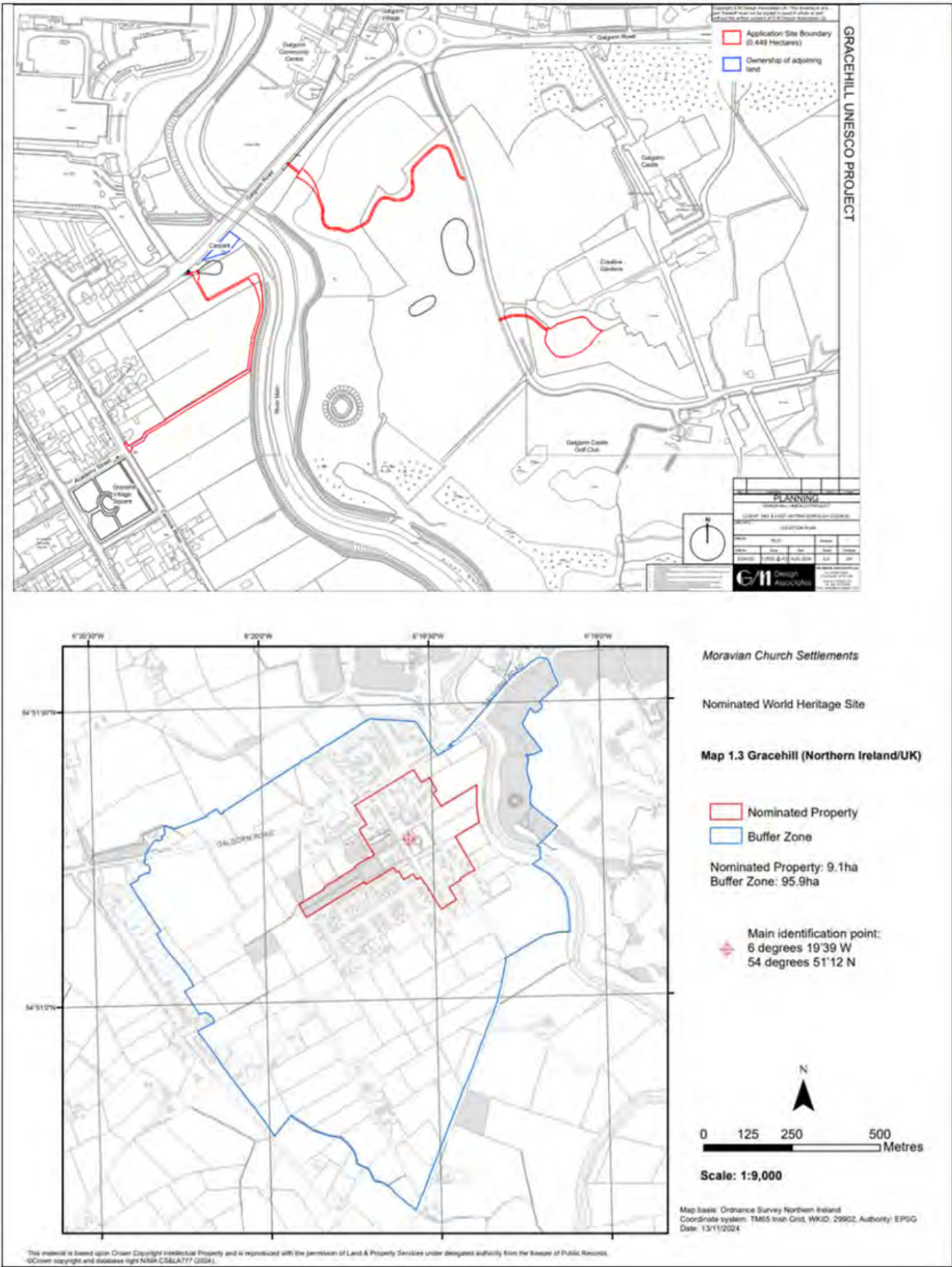
Committee Application

Development Management Officer Report	
Case Officer: Annamarie Loughan	
Application ID: LA02/2024/0636/F	Target Date:
Proposal: Construction of pedestrian paths including associated fencing, access gates, cattle crossing gates, new planting and resurfacing works	Location: Land to the south of 24 Cennick Road, east of 1 Royal Court, Galgorm Road and adjacent River Maine. Land south of Galgorm Community Centre, Galgorm Road and land south of Creative Gardens, Galgorm, Ballymena (3 locations)
Applicant Name and Address: Mid and East Antrim Borough Council Silverwood Business Park 190 Raceview Road Ballymena	Agent Name and Address: GM Design Associates 22/24 Lodge Road Coleraine BT52 1NB
Date of last Neighbour Notification:	25 September 2024
Date of Press Advertisement:	26 September 2024
ES Requested: No	
Referral Route: This proposal is being presented to Planning Committee due to Council being the applicant	
Representations: The application was advertised in the local press and notifiable neighbours were contacted by letter – No letters of representation were received	
Letters of Support	0.0
Letters of Objection	0.0
Petitions	0.0
Signatures	0.0
Number of Petitions of Objection and signatures	
Summary of Issues:	

Site Visit Report

Site Location Plan:







<p>Date of Site Visit: October 2024</p>
<p>Characteristics of the Site and Area</p> <p>The site is located on lands to the south of 24 Cennick Road, Gracehill east of 1 Royal Court, Galgorm Road and adjacent River Maine. Land south of Galgorm Community Centre, Galgorm Road and land south of Creative Gardens, Galgorm, Ballymena (3 locations)</p> <p>The site is partially within the settlement limits for Ballymena as designated through the extant Departmental Development Plan – The Ballymena Area Plan 1986-2001, and partially within the open countryside.</p> <p>Gracehill is a Conservation Area and World Heritage Site with a defined buffer zone which includes part of the application site.</p> <p>Surrounding land uses are predominately residential and commercial within the settlement limits with Galgorm Castle, Galgorm Golf Club and associated commercial land uses located to the south and east.</p>
<p>Description of Proposal</p> <p>Construction of pedestrian paths including associated fencing, access gates, cattle crossing gates, new planting and resurfacing works. There is a walkway entrance adjacent to 24 Cennick Grove, Gracehill; two access points from Galgorm Road with additional access / exits along the road to Galgorm Castle / Creative Gardens. A portion of the path lies to the south of Creative Gardens leading along the exiting pathway towards Galgorm roundabout where a new entrance 150m south of the roundabout northwest of Galgorm Golf course will traverse existing woodland onto Galgorm Road; here the existing public footpath and bridge over the Maine River leads to the western path into Gracehill Village.</p>
<p>Planning Assessment of Policy and Other Material Considerations</p> <p><u>PLANNING HISTORY</u></p> <p>None Relevant</p> <p><u>EVALUATION</u></p> <p>Policy Context</p> <p>Section 45(1) of the Planning Act (NI) 2011 (the Act) requires regard must be had to the Local Development Plan (LDP), so far as material to the application, and to any other material considerations. Section 6(4) of the Act states that where regard is to be had to the LDP, the determination must be made in accordance with the LDP unless material considerations indicate otherwise.</p>



The Planning Act (NI) 2011 establishes a plan-led planning system which gives primacy to the LDP in the determination of planning applications unless other material considerations indicate otherwise.

Mid and East Antrim Borough Council adopted the Local Development Plan 2030 Plan Strategy on 16th October 2023. The Plan Strategy became effective from the date of adoption and is relevant to the consideration of this planning application.

The Council has yet to adopt its Local Policies Plan. In the interim, in line with the transitional arrangements set out in the Schedule to the Regulations, the LDP is currently a combination of the departmental development plan (DDP) and the Plan Strategy read together. Any conflict between a policy contained in the DDP and those of the Plan Strategy must be resolved in favour of the Plan Strategy.

The Policies that apply in this case are as follows:-

The Ballymena Area plan 1986-2001

SPPS – Planning for Sustainable Development

Local Development Plan 2030 Plan Strategy:-

SGS1 – Spatial Growth Strategy

SGS2 – Settlement Hierarchy

CS1 – Countryside Strategy

COM1 - Education, Health, Community and Cultural Facilities

Policy HE1 - Archaeological Remains and their Setting

Policy HE2 - Historic Parks, Gardens and Demesnes

Policy HE5 - Development affecting the Setting of a Listed Building

Policy HE6 - Conservation Areas

Policy TR1 - Access to Public Roads

Policy TR5 - Active Travel

Policy TR6 - Parking and Servicing

Policy FRD1 - Development within Flood Plains

Policy FRD2 – Protection of Flood Defence and Drainage Infrastructure

Policy FRD3 – Management of Development in regard to Surface Water Flood Risk

Policy FRD4 – Sustainable Drainage (SuDS)

Policy NAT1 - European and Ramsar Sites

Policy NAT2 - Species protected by Law

Policy NAT5 - Habitats, Species or Features of Natural Heritage Importance

Policy OSL1 – Protection of Open Space

Policy OSL2 - Greenways

Policy OSL3 - New Open Space Provision

Policy OSL5 - Sport and Outdoor Recreation Facilities

Policy TOU1 – Protection of Tourism Assets

Policy GP1 General Policy

- GP1a Criteria relating to Design Quality and Respecting Local Character and Distinctiveness

- GP1b Criteria relating to Safeguarding Residential Amenity
- GP1c Criteria Relating to Access/Movement/Car Parking
- GP1d Criteria relating to Safety and the Safeguarding of Human Health/Wellbeing
- GP1e Criteria relating to Sustainable Development
- GP1f Criteria Relating to Development in the Countryside

The Ballymena Area Plan 1986-2001

This is a proposal for an outdoor recreation facility partially within the development limits of Ballymena and partially within the open countryside. The Ballymena Area Plan proposed a major riverside path system through the town running from Bridge End, Galgorm to the Seven Towers Leisure Centre. This proposal would comply with the Ballymena Area Plan.

SPPS – Strategic Planning Policy Statement for Northern Ireland

The proposed development is consistent with core planning principles established by the SPPS including improving health, education and other public services.

SGS1 Spatial Growth Strategy

Strategic aim is to focus major population growth and economic development in the three main towns of Ballymena, Carrickfergus and Larne, strengthening their roles as the prime locations for business, retail, housing, administration, leisure and cultural facilities within the borough.

SGS2 – Settlement Hierarchy

Ballymena is designated as a Main Town within the Mid and East Antrim Borough.

Policy COM1 Education, Health, Community and Cultural Facilities

A proposal for development of new or enhanced education, health, community or cultural facilities will be permitted where it meets the General Policy and accords with other provisions of the LDP. New facilities must also be located in appropriate and accessible locations within settlements where there is good connectivity with public transport and active travel infrastructure.

The proposal is for the provision of a public pathway to link existing cultural facilities. The site traverses the development limits of Ballymena with established transport and infrastructure links and therefore accords with COM1.

Policy HE1 Archaeological Remains and Their Setting

Any invasive groundworks within the application area have the potential to impact on previously unrecorded archaeological and artefactual remains. These may be associated with the estate of Galgorm Castle or the development of Gracehill village; and the site is also close to the River Maine as well as a medieval motte and bailey.

The Planning Department have attached significant weight to the views of the statutory consultee, the DFC Historic Environment Division - Historic Buildings Unit and Historic



Monuments Unit. They are content with the proposals subject to the addition of conditions in relation to archaeological investigations to ensure that any archaeological remains are properly identified and protected or properly recorded.

On this basis, the proposal complies with Policy HE1.

Policy HE2 Historic Parks, Gardens and Demesnes

The landscape around Galgorm Castle forms a historic demesne which is protected by Policy HE2. The nature and scale of the proposed walkways is such that the development would not lead to the loss of, or cause harm to the overall character, principal components or setting of the demesne. The paths would mainly run through and around the existing trees and would not significantly alter the overall quality, understanding, experience or enjoyment of the historic demesne. Subject to the conditions attached, the development would not impair the archaeological, historical or botanical interest in the site.

Policy HE2 has been complied with.

Policy HE5 Development affecting the Setting of a Listed Building

There are listed buildings in close proximity to the proposed pathways, including a listed dwelling at 3 Cennick Road in Gracehill as well the listed Galgorm Castle and associated buildings. Again, due to the scale and nature of the proposal, the setting of the listed buildings would not be adversely affected and Policy HE5 has been complied with.

Policy HE6 Conservation Areas

Gracehill is designated as a Conservation Area and part of the proposed pathway is within the Conservation Area. Development proposals within Conservation areas will be assessed with the aim of enhancing its character. Care has been taken to ensure that a high quality design, materials and finish is to be provided with the existing field pattern being respected. Views into and through the Conservation Area would not be adversely affected by the proposal.

Strategic Planning Policy Statement for Northern Ireland (SPPS) - World Heritage Sites (WHS).

The SPPS states that development that would adversely affect the Outstanding Universal Value of a World Heritage Site (WHS) or the integrity of its setting must not be permitted unless there are overriding exceptional circumstances. The application site comprises three separate sections of proposed pathways, one of which is within the setting of the Gracehill World Heritage Site. World Heritage Sites are designated under the UNESCO World Heritage Convention of 1972 on the basis of their acknowledged 'Outstanding Universal Value'.

The proposed pathway within the WHS buffer would follow existing and established field boundaries and be finished to a high standard, appropriate for the setting. The scale and nature of the proposal is such that the Outstanding Universal Value of World



Heritage Site (WHS) or the integrity of its setting would not be adversely affected by the ground level paths and associated landscaping.

Policy TOU1 Safeguarding Tourism Assets

Gracehill is a significant tourism asset in Northern Ireland, recognised for its OUV. The proposed development, which includes pedestrian paths, fencing, access gates, and planting, is designed to harmonise with the village's historic environment. The use of basalt gravel for pathways and traditional timber fencing ensures that the new features blend with the village's character. The development improves visitor access and amenity while preserving the visual and cultural integrity of the site. It meets the objectives of Policy TOU1 by protecting Gracehill's tourism value and preventing any adverse cumulative impacts on the site's tourism appeal.

Policy TR1 Access to Public Roads

The proposed development includes pedestrian access and egress to public roads at Cennick Road and Galgorm Road. This information has been considered in detail and expert advice sought from DFI Roads. No objection has been forthcoming subject to conditions.

Policy TR1 has been complied with.

Policy TR5 Active Travel.

A new development proposal partly within an urban area should ensure the needs of pedestrians and cyclists are considered. The proposal utilises the existing and proposed footpath network to encourage active travel in accordance with policy.

Policy TR5 has been complied with.

Policy TR6 Parking and Servicing

The proposal includes resurfacing of an existing informal car parking area to provide additional parking spaces adjacent to the garden centre at Galgorm Castle. There is adequate availability of car parking in Galgorm, within the Galgorm Castle Estate and on street in Gracehill which are all in close proximity to the proposed pathways. Road safety would not be prejudiced, and traffic flow would not be inconvenienced as a result of the proposal. The proposal complies with Policy TR6.

Policy NAT1 European and Ramsar Sites

The application site is hydrologically linked by the River Maine to the Lough Neagh Area of Special Scientific Interest, Lough Neagh and Lough Beg Special Protection Area and the Lough Neagh and Lough Beg RAMSAR site which are designated sites of international importance and are protected by the habitats Regulations and the Environment (Northern Ireland) Order 2022 (as amended).

Given the scale and nature of the proposed development, there are no anticipated likely significant effects on the conservation objectives of the downstream European and



RAMSAR designations. As such it is not necessary for the Council to appoint a consultant to undertake a Habitats Regulation Assessment.

Following consultation with both NIEA Natural Environment Division and the Shared Environmental Services, the Planning Department are satisfied that Policy NAT1 has been complied.

Policy NAT2 Species Protected by Law

A Preliminary Ecological Assessment (PEA) was submitted with the application. The PEA has confirmed the absence of badgers, bats, common lizards, invasive species, smoot newts, red squirrels, pine martens and otters on and adjacent to the site. The Planning Department have consulted NIEA Natural Environment Division who have offered no objections to the proposal.

Policy NAT2 has been complied with.

Policy NAT5 Habitats, Species or Features of Natural Heritage Importance.

A Preliminary Ecological Appraisal, Tree Works Report and Tree Survey have been submitted as part of the application. The proposal does include the removal of a small number of existing trees to make way for the proposed paths but also includes compensatory planting.

NIEA: Natural Environment Division have been consulted. On the basis of the information provided, no concerns have been raised in respect to impact on Protected Species.

Policy NAT5 has been complied with.

Policy FRD1 Development within Flood Plains

Flood Maps (NI) indicate that the site lies within the 1 in 100 years fluvial plain including the most up to date allowance for climate change.

In accordance with the requirement under policy FRD1, the agent submitted a Flood Risk Assessment (FRA). The proposal meets the exceptions policy of FRD1 - Undefended Areas: f) in that the use of the land is for outdoor recreation, amenity space or for nature conservation purposes.

The Flood Risk Assessment contains a detailed hydraulic modelling exercise which has demonstrated that the proposed development will not cause significant changes to flood levels at the site or elsewhere and there will be localised minor redirection of flow paths as a result of the proposal.

DFI Rivers Directorate has no reason to disagree with the report's findings. Rivers Directorate, while not being responsible for the preparation of the Flood Risk Assessment, accepts its logic and has no reason to disagree with its conclusions



The proposal is in compliance with Policy FRD1.

Policy FRD2 – Protection of Flood Defence and Drainage Infrastructure – There are no watercourses which are designated under the terms of the Drainage (Northern Ireland) Order 1973 within this site. The sites are near a watercourse which is designated under the terms of the Drainage (Northern Ireland) Order 1973 and is known to DFI Rivers Directorate as: 'Maine River' and two flood defences (FD: 620 and FD: 90) on either side of the river.

Under paragraph 9.2.30 of the policy it is essential that a working strip of minimum width 5m from the top of the bank is retained but up to 10m were considered necessary. This has been complied with.

Policy FRD3 – Management of Development in regard to Surface Water Flood Risk

DFI Rivers Directorate consider that the proposal does not exceed the thresholds set out in Policy FRD3 and a Drainage Assessment is not required, however a separate consent will be required for the discharge of storm water under schedule 6 of the Drainage (Northern Ireland) order 1973.

Policy FRD3 has been complied with.

Policy FRD4 – Sustainable Drainage (SuDS)

A sustainable drainage solution has been proposed in the form of 'soft SuDS' consisting of permeable surfaced paths and soft landscaping.

Policy FRD4 has been complied with.

Policy OSL1 – Protection of Open Space

The lands around the Galgorm Castle Estate leading to the golf course would be considered to be un-zoned open space. The proposal would not result in the loss of open space and would improve access to the open space for the general public.

Policy OSL1 has been complied with.

Policy OSL3 New Open Space Provision

This policy seeks to ensure that new public open space is of good design, is well located in regard to accessibility and meets normal planning requirements. The proposed pathways would link with existing footways in the Gracehill and Galgorm areas of Ballymena and provide connection to existing paths within the Galgorm Castle Estate.

Policy OSL3 has been complied with.



Policy OSL5 Sport and Outdoor Recreation Facilities

The proposal involves the development of outdoor recreational facilities which are located both within and outside the settlement limits for Ballymena. The development of sport and outdoor recreation facilities will be permitted where they meet the General Policy and accord with other provisions of the LDP, including Policy NAT1 and the policy relating to noise, floodlighting and water sports and must have no unacceptable impact on agricultural activities or other established rural enterprises.

The scale and nature of the proposal is such that Policy OSL5 has been complied with and the proposal would complement existing recreational infrastructure in the area.

Policy GP1 – General Policy

Planning permission will be granted for sustainable development where the proposal accords with the Local Development Plan and there is no demonstrable harm to interests of acknowledged importance. Where this is not the case there will be a presumption to refuse planning permission.

GP1a Criteria relating to Design Quality and Respecting Local Character and Distinctiveness

The locality is characterised by mixed land uses on the western edge of Ballymena including the Galgorm Castle Estate and Gracehill World Heritage Site and Conservation Area, residential and local commercial development. The proposal accords with the established surrounding land use and context. A high standard of design and landscaping is proposed, and the proposal will satisfactorily integrate into the landscape.

The proposal is of a nature and scale that would limit any adverse impact on the historic environment.

The proposal would help to improve public access to an existing area of open space within the Galgorm Castle Estate, already well used by the general public for recreational purposes.

Criteria GP1a has been complied with.

GP1b Criteria relating to Safeguarding Residential Amenity

Given the established boundaries, orientation and separation distances from existing properties. It is not felt that any negative impacts will result upon the amenity of existing residents in terms of planning considerations over that which are existing. The introduction of the pathway would likely lead to an increase in users in close proximity to dwellings, however the privacy of residents would not be adversely affected and any increase in noise or disturbance should not be significant.

Criteria GP1b has been complied with.



GP1c Criteria Relating to Access/Movement/Car Parking

As the statutory consultee DFI Roads Service have offered no objections on issues regarding access and road safety. Additional formal car parking is proposed adjacent to the existing car park adjacent to the garden centre within Galgorm Castle.

The nature of the proposal is such that opportunities for active travel such as walking and cycling will be facilitated and increased, including for those with disabilities. Existing Rights of Way would be respected. The application site can be accessed by public transport with bus routes along the Galgorm Road.

Criteria GP1c has been complied with.

GP1d Criteria relating to Safety and the Safeguarding of Human Health/Wellbeing

The proposed development would not prejudice safety or cause any demonstrable harm to human health and wellbeing. The nature of the proposal encourages active recreation both within and beyond the site with the proposed pathways linking into existing footpaths in the Galgorm and Gracehill areas of Ballymena.

There would be no discharge of effluent or sewage as a result of the proposed development.

The site is located close to the River Maine and is susceptible to flooding. A Flood Risk Assessment has been submitted. However, the proposal is for footpaths within the flood plain and there is an acceptance that whilst they could flood at times, the overall benefits from having additional outdoor recreational infrastructure would outweigh the risk from flooding. The permeable materials to be used in the surfacing and landscaping would mean that surface water flooding would not be a significant issue.

Criteria GP1d has been generally complied with.

GP1e Criteria relating to Sustainable Development

The proposal generally aligns with the Spatial Growth Strategy (Policy SGS2) which seeks to focus population growth and economic development in the main towns, which include Ballymena and strengthen their roles as the prime locations for business, retail, housing, administration, leisure and cultural facilities within the Borough.

Sustainable Drainage systems would be facilitated within the development with the use of permeable surfacing (granite setts and self-binding gravel) and soft landscaping to ensure that water run-off is managed in a sustainable way.

There would be no significant adverse impact on the quality and integrity of the environment or local biodiversity. Compensatory planting is proposed for any trees to be removed.



Criteria GP1d has been complied with.

GP1f Criteria relating to Development in the Countryside

The site lies partially within the settlement limits of Ballymena and partially outside however due to the nature and scale of the proposal the proposed development would not mar the distinction between the settlement and surrounding countryside or lead to urban sprawl. There would be no adverse impact on landscape character, the rural character of the locality or on environmental quality.

The proposal would integrate into the local landscape by utilising existing field boundaries such as fences and hedges. Some additional landscaping is proposed but the proposal mainly follows the line of existing mature trees on the site. The proposal would not be a prominent or obtrusive feature in the landscape and is of an appropriate design and scale for the locality. There would be no adverse impact on the settings of existing buildings in the area, including the listed structures associated with Galgorm Castle.

Criteria GP1f has been complied with.

Neighbour Notification Checked

Yes

Summary of Recommendation

Having had regard to the Policy Context and all other material consideration, including the existing use of the application site the Planning Department recommends that planning permission is approved

Conditions:

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

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

2. No site works of any nature or development shall take place until a Programme of Archaeological work (POW) has been prepared by a qualified archaeologist, submitted by the applicant and approved in writing by Mid and East Antrim Borough Council in consultation with Historic Environment Division, Department for Communities.

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.

3. 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 No.2. These measures shall be implemented and a final archaeological report shall be submitted to Mid and East Antrim Borough Council within 12 months of the completion of archaeological site works, or as otherwise agreed in writing with Mid and East Antrim Borough 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.

4. Prior to procurement, details in respect of the following shall be approved in writing by the council in consultation with HED.

- a) Sample of the paving setts for field crossings
- b) Sample of the 1100mm high estate railings
- c) Sample of the bound gravel to paths

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the setting of Gracehill, World Heritage Site and inclusive of a number of listed buildings.

5. The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992.

The Department hereby determines that the width, position and arrangement of the streets, and the land to be regarded as being comprised in the streets, shall be as indicated on Drawing No 13A bearing the date stamp 04 Nov 2024

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

6. The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992.

No other development hereby permitted shall become operational until the works necessary to construct a footway on the public verge have been completed in accordance with the details outlined blue on Drawing Number 13A bearing the date stamp 04 Nov 2024. The Department hereby attaches to the determination a



requirement under Article 3(4A) of the above Order that such works shall be carried out in accordance with an agreement under Article 3 (4C).

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

7. In the event that previously unknown contamination is discovered, development on the site shall cease pending submission and agreement of a written report, detailing the proposed investigation, risk assessment and remediation scheme, by Mid and East Antrim Borough Council and the Northern Ireland Environment Agency. Development works shall not resume until the approved written report has been fully implemented to the satisfaction of Mid and East Antrim Borough Council and the Northern Ireland Environment Agency.

Reason: In the interests of public safety.

8. The development hereby approved shall be developed and operated in accordance with the plans and documents referenced at the beginning of this decision notice.

Reason: To ensure that the development is developed/operated in accordance with the approved plans and documents.

Case Officer Signature:

A Loughan

Date: 1 May 2025

Appointed Officer Signature:

H McAlister

Date: 7 May 2025

Details of Discussion:

Group decision:

Approve

D.M. Group Signatures

Date 01 May 2025



**Mid & East
Antrim**
Borough Council

Planning Committee

15th May 2025

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LA02/2024/0636/F

**Construction of pedestrian paths including associated
fencing, access gates, cattle crossing gates, new
planting and resurfacing works**

**Cennick Road, Gracehill and Galgorm Castle Estate,
Ballymena**

Applicant – Mid and East Antrim Borough Council



Site Location Plan



Site Context

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Gracehill World Heritage Site and Conservation Area



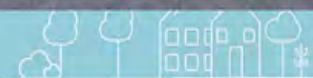
Gracehill to River Maine

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Galgorm Castle Estate

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Summary

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- No Objections
- Potential impacts on the Built and Natural Heritage have been carefully considered
- Complies with MEABC Plan Strategy
- Recommendation: Approval



Tree Preservation Orders

A Guide to Protected Trees



**Mid & East
Antrim**
Borough Council

Introduction

This leaflet is intended to provide advice for tree owners, conservation groups and the general public on protected trees. It has been prepared for guidance only and should not be taken as an authoritative statement of the law. If you have any concerns regarding legal issues relating to trees you should contact a solicitor.

What is a Tree Preservation Order (TPO)?

A TPO is a statutory protection afforded to trees under the Planning Act (Northern Ireland) 2011

What is a tree?

For the purposes of TPOs, a tree may be defined as “a woody, perennial plant which can attain a stature of 6m or more on a single stem. The stem may divide low down, but it must do so above ground level.” (Collins Field Guide, Trees of Britain and Europe by Alan Mitchell).



Why Protect Trees?

Trees can have a high amenity value and can make an important contribution to the environment, creating a varied, interesting and attractive landscape. They can help define the character of an area and create a sense of place. Trees can help to screen and integrate development. Trees provide wildlife habitat and contribute to the health and well-being of humans. TPOs are imposed in order to protect selected trees or woodland if their removal is likely to have a significant impact on the local environment and its enjoyment by the public.

The Council has a specific duty in relation to trees under Section 122 of the Planning Act (Northern Ireland) 2011.

What type of trees can be covered by a TPO?

All types of trees can be protected, and anything from a single tree to woodlands. Normally, unless a Woodland TPO is proposed, only trees over 3.5m in height are considered for a TPO. Hedges, bushes and shrubs will not be protected.

What is a Woodland TPO?

A Woodland TPO protects all trees within the defined area, including natural regeneration - seedlings and saplings i.e. trees less than 3.5m in height are not excluded.

How are TPOs initiated?

All requests for a TPO should be sent to the Mid and East Antrim Borough Council Planning Office for consideration. Additionally, the Council itself may initiate TPOs as a result of a planning application, the Local Development Plan process, or in response to any threat.

How does the Council decide which trees to protect?

The Council may make TPOs for the purpose of:

- Protecting trees considered to be of special value in terms of amenity, history or rarity, which may or may not be under threat.
- Ensuring the continuance of a woodland area which may be felled with Council consent, by securing the replanting of trees, where this is considered necessary.

To be considered for a TPO, trees must be of high amenity value and in reasonable condition. The following criteria will be used when assessing the merits of a potential TPO;

Potential Threat: Priority will be given to the protection of those trees deemed to be at immediate risk from active felling or damage from development on site. All other requests will be assessed and prioritised accordingly.

Visibility: The extent to which the trees or woodlands can be seen by the general public will inform the assessment of whether the impact on the local environment is significant.

Individual Impact: The mere fact that a tree is publicly visible will not itself be sufficient to warrant a TPO. The tree's particular importance will be assessed by reference to its size and form, its future potential as an amenity should also be assessed taking into account any special factors such as its screening value or contribution to the character or appearance of an area. In relation to a group of trees or woodland, an assessment will be made of the collective impact.

Wider Impact: The significance of the trees in their local surroundings will also be assessed, taking into account how suitable they are to their particular setting, as well as the presence of other trees in the vicinity.

Historical Importance: Certain trees because of their age, association with the setting of listed buildings or the contribution they make to the special character of a conservation area may require consideration for TPO protection.

Rarity: There may be occasions where a tree(s) may be considered for TPO protection solely on the grounds of its rarity. The priority of the consideration will reflect the rarity of the species.

How are TPOs processed?

In most cases the Council will impose a Provisional TPO, which takes effect immediately on the date specified in the notice sent to the owner and provides protection for the trees for a period of six months. During this six-month period, a detailed assessment of the trees is carried out by the Council and a decision is made as to which trees, if any, should be protected. The Provisional TPO will then be confirmed on those trees which are deemed worthy within the six months or allowed to lapse if it is considered, as a result of the detailed assessment, that they are not worthy of protection.

Alternatively, a Full TPO may be served in circumstances where the Council considers it unlikely that there is any significant risk to the trees. The Council may give notice to the owner and occupiers of the land that it proposes to make a TPO within a 28-day notice and representation period. Within this period a detailed assessment of the trees is carried out by the Council and a decision is made as to which trees, if any, should be protected. The Full Tree Preservation Order will then be imposed on those trees which are deemed worthy, within the 28-day period, or not proceeded with if it is considered, as a result of the detailed assessment, that they are not worthy of protection.

At the time a TPO is served on the owner a copy of the order will be attached to a protected tree in an obvious location and neighbours will also be notified by letter.

Are trees in a Conservation Area protected?

Trees in a Conservation Area are also subject to protection as if a TPO is in place. In a Conservation Area anyone proposing to carry out works to trees must apply to the Council which has 6 weeks to consider the proposal and respond. Work cannot proceed until the Council has responded or the 6-week period has expired. If the Council considers that the proposed works should not be carried out it will impose a formal TPO to cover the specific trees. In exceptional circumstances, where there is imminent danger, the applicant may proceed, at risk, with works immediately but must satisfy the Council by submitting evidence in the form of a report and photographs.

Can I object to or comment on the imposition of a TPO?

Comments and representations may be made by anyone within 28 days from the date of a Provisional TPO or from the date of issue of the letter of notification for a Full TPO. Representations will be taken into account by the Council before deciding whether or not the TPO is to be confirmed. All representations will be acknowledged in writing.

How can I find out if a tree is protected by a TPO?

The Council holds details of all Orders and these can be made available for inspection by contacting the Tree Officer in the local Planning Office. An official search of the local land charges register can be made before you purchase a property and this should reveal if there are any TPOs affecting the property. This search will also indicate if the property is in a Conservation Area. You can also check for Tree Preservation Orders using the Mid and East Antrim TPO Map Viewer, available online at: <https://www.midandeantrim.gov.uk/business/planning/local-development-plan/trees-hedges>

Can I carry out works to protected trees?

If you wish to carry out works to protected trees you must first seek the Council's consent to do so by contacting the Tree Officer in your local Planning Office. You must clearly specify the trees involved, identify their locations, the extent of the work you wish to carry out and the reasons why you wish to carry out the work. The Council will consider the application and may grant approval, grant approval subject to condition or refuse consent. Should an application for consent be refused or granted subject to conditions, applicants have the right to appeal in writing to the Planning Appeals Commission (PAC) within 6 months of the decision stating the grounds on which your appeal is based. The PAC then decides on a date for a hearing and requests written representations in the form of a statement of case.

Please note that anyone can apply to carry out works, even if you are not the owner. If approval is granted you would, however, require the owner's consent prior to entering his land or carrying out works on or from his property.

What happens if I carry out works to protected trees without consent?

It is a criminal offence to cut down, lop, top, uproot or wilfully damage a protected tree in a manner likely to destroy it, without the consent of the Council and on summary conviction you could be fined up to £100, 000 (and on conviction on indictment, to an unlimited fine).

What if a tree is dead or dangerous?

Currently consent is not required for the removal of dead or dangerous trees. The Council has the right, however, to require the replanting of trees of an appropriate size and species in the same location as soon as it is reasonable. The owner must ensure that he has proof that the tree is dead or dangerous. It is recommended that the Council is made aware of the proposed works prior to them being carried out. Anyone who is unsure of the condition of a tree is advised to obtain the advice of a qualified arboriculturist.

Can I obtain prior consent from the Council for certain routine and anticipated works to my protected trees?

The Council encourages you to enter into a Tree Management Agreement which may provide you with prior consent for anticipated and agreed tasks over a 5 – 10-year period. To do this you should contact your local Tree Officer.

Does a TPO prevent me from carrying out normal garden maintenance on the land?

No. Normal Garden maintenance can continue to be carried out and can include hedge trimming, weeding beds and the removal of germinated tree seeds (seedlings) and saplings less than 3.5m in height from any location unless the TPO imposed is a Woodland TPO which protects the woodland's natural regeneration.

If a TPO is imposed does the Council become responsible for the trees?

No. The landowner remains responsible for the trees, their condition and any liability in relation to damage they may cause.

Where can I get more information?

Further information can be obtained by contacting your local Tree Officer or on the Council's website <https://www.midandeantrim.gov.uk/business/planning/local-development-plan/trees-hedges>

Further Information:

Planning Office
Ardeevin
80 Galgorm Road
Ballymena
BT42 1AB

T: 028 2563 3500
planning@midandeantrim.gov.uk