

Committee Application

Development Management Report	
Application ID: LA04/2019/0923F	Date of Committee: 15 October 2019
Proposal: Demolition of existing dwelling and the construction of 10 Houses and 12 Apartments	Location: 14 Antrim Road, Newtownabbey, BT36 7JP.
Referral Route: Representations made by members of the public conflict with recommendation made by BCC Planning Service.	
Recommendation:	Refusal
Applicant Name and Address: Carole Wray 14 Antrim Road Newtownabbey BT36 7JP	Agent Name and Address: Arcus Architects 22 College Gardens Belfast BT9 6BS
<p>Executive Summary:</p> <p>The application seeks planning permission for the demolition of existing dwelling and the construction of 10 Houses and 12 Apartments.</p> <p>The key issues in the assessment of the proposed development include:</p> <ul style="list-style-type: none"> • The principle of the proposal at this location; • Design, layout and impact on the character and appearance of the area • Impact on amenity • Access, parking and transport • Drainage, flooding and infrastructure capacity • Contamination • Impact on Natural Heritage <ul style="list-style-type: none"> - Having had regard to the development plan, relevant planning policies and other material considerations it is concluded that the proposal if developed would have a detrimental impact on the character of the area and due to the overdevelopment and intensification of the site and would result in unacceptable visual damage to the appearance of the area; and - Create an undesirable living environment for prospective residents due to unacceptable form, layout, density and inadequate provision of amenity space. - The development does not respect the character and topography of the site and, if permitted, would result in the loss of significant numbers of mature trees subject to special protection under a provisional TPO which contribute to the amenity of the immediate locality and wider area. - The proposal which is zoned within a local landscape policy area would have an unacceptable adverse impact on bats and priority habitats/natural features worthy of protection. 	

- The applicant has also failed to submit sufficient information to address concerns in respect of flooding/drainage and roads/access/parking.

Consultees

Environmental Health – No objection

DAERA – Additional information requested.

DFI Roads – Additional information requested.

Rivers Agency – Additional information requested.

NI Water- Response outstanding

Woodland Trust- Advice

Representations

383 third party representations have been received to date of report. Generally objections received have been raised by the local community in the vicinity of the site whereas letters of support have been received from outside the area and outside the city.

332 letters of objections have been received from the local community raising the following concerns:

- Impact on ecology & biodiversity
Loss of trees & Loss of wildlife corridor
Impact on wildlife and loss of habitat in the area (including bats, birds, foxes, squirrels, hedgehogs, badgers, mammals, plants and fauna).
Protection of open space /Loss of open space therefore contrary to Policy PPS 8: Open Spaces
Contrary to Policy PPS 2 Natural Heritage due to impact on flora and fauna
Impact on the setting of Throne Wood / TPO exists over the area
- Overdevelopment / High density
At odds with local landscape Layout is not in character with the area
Overdevelopment/town cramming
- Impact on visual amenity
Existing dwelling should be retained due to its character
Contrary to PPS 6: Planning, Archaeology and the Built Heritage (Local Landscape Policy Areas) and addendum to PPS 6 (Areas of Townscape Character)
- Road safety issues with access and poor visibility
Noise disturbance / Volume of traffic
Impact on residential amenity of residents of Kinraig Park
Contrary to Policy PPS 3: Access Movement and Parking

51 letters supporting the proposal have been received highlighting that the proposal offers:

- Provision of quality housing which respects the local surroundings
- The proposal offers excellent public transport along the Antrim road and into the city centre
- The landscaping proposals will contribute to the environmental integrity of the scheme

Recommendation

Having regard to the Development Plan and all other relevant material considerations, the proposal is considered unacceptable and refusal is recommended for the reasons set out in the case officer report below. It is requested that delegated authority is given to the Director of Planning and Building Control to finalise the refusal reasons.

Case Officer Report

Site Location Plan



Consultations:		
Consultation Type	Consultee	Response
Statutory	NI Water - Multi Units East - Planning Consultations	Outstanding
Non Statutory	Env Health Belfast City Council	No objections
Statutory	NIEA	Additional information required
Statutory	Woodland Trust	Advice
Statutory	Rivers Agency	Additional information required
Statutory	DFI Roads - Hydebank	Additional information required

Representations:		
Letters of Support	51	
Letters of Objection	332	
Number of Support Petitions and signatures	No Petitions Received	
Number of Petitions of Objection and signatures	No Petitions Received	
Summary of Issues:		
<ul style="list-style-type: none"> • Impact on wildlife and loss of habitat in the area (including bats, birds, foxes, squirrels, hedgehogs, badgers, mammals, plants and fauna). • Loss of trees • Loss of wildlife corridor • Impact on ecology, biodiversity • High density of the site is at odds with local landscape • Impact on visual amenity • Noise disturbance • Volume of traffic • Road safety issues with access and poor visibility • Impact on residential amenity of residents of KinCraig Park • Layout is not in character with the area • Overdevelopment/town cramming • Existing dwelling should be retained due to its character • Protection of open space • Contrary to PPS 2 Natural Heritage due to impact on flora and fauna • Contrary to PPS 3: Access Movement and Parking • Contrary to PPS 6: Planning, Archaeology and the Built Heritage (Local Landscape Policy Areas) and addendum to PPS 6 (Areas of Townscape Character) • Loss of open space therefore contrary to PPS 8: Open Spaces • Impact on setting of Throne Wood • A TPO exists over all of this area 		

Characteristics of the Site and Area	
1.0	<p>Description of Proposed Development</p> <p>Demolition of existing dwelling and the construction of 22 dwelling units, comprising 10 Houses and 12 Apartments.</p>
2.0	<p>Description of Site and Area</p> <p>The site is an irregular shaped parcel of land of some 0.58 hectares measuring approximately 115m in length along the Antrim Road and approximately 55m deep along the Ben Madigan Park South boundary. The site is currently occupied by a habitable storey and a half detached dwelling which has a driveway to the front accessed by two vehicular access points onto the Antrim Road. The site has an extensive garden area and is bounded by a dense network of trees along all boundaries. Numerous tree species are dotted across the site and include deciduous and evergreen trees such as Sycamore, Yew, Cedar, Ash, Holly, Hazel, Elm, Pine and Horse Chestnut amongst others. Due to the presence of heavy vegetation the site is well screened from the Antrim Road. The topography of the site rises extensively from east to west particularly to the rear of the existing dwelling.</p>
2.1	<p>A number of detached dwellings are located approximately 85 metres to the west of the No. 14 Antrim Road. These dwellings have a variety of styles reflecting some modern and contemporary architectural features.</p>
2.2	<p>The immediate area to the north and east of the site is characterised by woodland. The site has its frontage along the Antrim Road, Newtownabbey, forming part of an existing continuous belt of trees that contributes significantly to the character of a wider urban woodland (known as Throne Woodland) on both sides of this section of the Antrim Road. As such the trees on this site afford not only visual amenity to the site itself but are also significant and important to the overall character of the wider surrounding area, forming part of the escarpment of Cavehill.</p>
2.3	<p>The site sits in a location which provides a clear visual break from the built up environment of the city. This is apparent whilst travelling past the site from south to north along the Antrim Road. The wider site forms part of an area that provides a striking change in the cityscape which changes from a built up environment to a softer landscape which is characterised predominantly by mature woodland.</p>
2.4	<p>The wooded site is visually integral to the continuous stretch of woodland along the upper slope of the Antrim Road which extends towards the Belfast Zoo entrance.</p>
2.5	<p>The site is subject to a Provisional Tree Preservation Order that was served on 15th August 2019. There is also a confirmed TPO on land directly adjacent to the site which also forms part of the Cavehill wooded escarpment.</p>

2.6	<p>The site is unzoned within BUAP 2001 and within the development limits for Belfast City as defined in the draft BMAP Plan 2015. The site is unzoned for any specific use as it is a dwelling house and garden but falls within the Belfast Castle/Fortwilliam Local Landscape Policy Area.</p> <p>The site lies opposite the Throne Woodland Site of Local Nature Conservation Importance.</p>
Planning Assessment of Policy and other Material Considerations	
3.0	Policy Framework
3.1	<p>Regional Development Strategy (RDS) Belfast Urban Area Plan 2001 Draft Belfast Metropolitan Area Plan 2015 (The extant development plan is now the BUAP and the policies within the Draft BMAP still carry weight and are a material consideration in the determination of planning applications. The weight to be afforded is a matter of judgement for the decision maker) Policy SETT 2 Development within the Metropolitan Development Limits and Settlement Development Limits. Strategic Planning Policy Statement (SPPS) PPS 2: Natural Heritage PPS 3: Access, Movement and Parking PPS 6: Planning, Archaeology and the Built Heritage PPS 7: Quality Residential Developments Planning Policy Statement 7 (Addendum) : Safeguarding the Character of Established Residential Areas Planning Policy Statement 12: Housing in Settlements PPS 13: Transportation and Land Use PPS 15: Planning and Flood Risk</p>
3.2	Supplementary Planning Guidance
3.3	<p>Creating Places DCAN 8: Housing in Urban Areas DCAN 15: Vehicular Access Standards</p>
4.0	Statutory Consultees Responses
4.1	<p>DFI Roads – Unacceptable layout-Further information required. NI Water – Response outstanding Rivers Agency- Requested further information NIEA- Natural Environment Division (NED) has concerns Woodland Trust- Advice re: ecological surveys</p>
4.2	Non Statutory Consultees Responses
4.3	<p>Belfast City Council Environmental Health – No objection Belfast City Council Tree Officer- Concerns with the loss of trees</p>
5.0	Planning History

5.1	The applicant's agent claims that there's an approval for a replacement dwelling on the site. It was highlighted in the concept report that a gate lodge existed at the end of the site adjacent to Kingcraig Park, which was demolished and planning permission was granted for a replacement dwelling at the location. However, there is no record of this approval.
6.0	Representations
6.1	The application has been neighbour notified and advertised in the local press. 383 representations have been received at the time of writing of this report, 332 objections to the proposal.
6.2	<p>Representations have also been received from a number of elected members, all raising concerns in respect of the proposal:</p> <p>Nigel Dodds DUP MP; and Nichola Mallon SDLP MLA.</p> <p>Julian McGrath, Alliance, Newtownabbey; Philip Brett, DUP, Newtownabbey; and Noreen McClelland, SDLP, Glengormley.</p>
6.3	<p>The representations received have highlighted the following issues with the development.</p> <ul style="list-style-type: none"> • Impact on wildlife and loss of habitat in the area (including bats, birds, foxes, squirrels, hedgehogs, badgers, mammals, plants and fauna). <i>Officer response-Refer to section on Natural Heritage section</i> • Loss of trees- <i>Officer response-Refer to Natural Heritage section</i> • Loss of wildlife corridor-<i>Officer response-Refer to Natural Heritage section</i> • Impact on ecology, biodiversity- <i>Officer response-Refer to Natural Heritage section</i> • High density of the site is at odds with local landscape- <i>Officer response-Refer to section on the impact on character and appearance of the area</i> • Impact on visual amenity- <i>Officer response- Refer to section on the impact on character and appearance of the area</i> • Noise disturbance- <i>Officer response- refer to section on amenity</i> • Volume of traffic- <i>Officer response- refer to paragraph on access, parking and transport</i> • Road safety issues with access and poor visibility- <i>Officer response- refer to paragraph on access, parking and transport</i> • Impact on residential amenity of residents of KinCraig Park- <i>Officer response-refer to impact on amenity section</i> • Layout is not in character with the area- <i>Officer response-Refer to section on the impact on the character and appearance of the area</i> • Overdevelopment/town cramming- <i>Officer response- Refer to section on the impact on the character and appearance of the area</i> • Existing dwelling should be retained due to its character- <i>Officer response-Refer to section on the impact on the character and appearance of the area</i>

	<ul style="list-style-type: none"> • Contrary to PPS 2 Natural Heritage due to impact on flora and fauna- <i>Officer response-Refer to Impact on Natural Heritage section</i> • Contrary to PPS 3: Access Movement and Parking- <i>Officer response- refer to paragraph on access, parking and transport</i> • Contrary to PPS 6: Planning, Archaeology and the Built Heritage (Local Landscape Policy Areas) and addendum to PPS 6 (Areas of Townscape Character) - <i>Officer Response- Refer to section on the impact on the character and appearance of the area.</i> • Protection of open space/Loss of open space therefore contrary to PPS 8: Open Spaces- <i>Officer response-Refer to impact on character and appearance of the area section</i> • Impact on setting of Throne Wood- <i>Officer response-Refer to Impact on Natural Heritage section</i> • Claimed that a TPO exists over all of this area- <i>Officer response-Refer to Impact on Natural Heritage section</i>
6.4	<p>51 letters of support were also submitted highlighting that the proposal would create an attractive housing development which respects the local environment and</p> <ul style="list-style-type: none"> • Its location offers excellent transport links into the city centre. • Comments also highlighted how the landscaping/planting proposals contribute greatly to the environmental integrity of the scheme. <p>It should be noted that the majority of the pro forma letters of support have addresses which are not within the immediate vicinity of the proposal. Letters of support were received from Lisburn, Crossgar, Downpatrick, Ballygowan, Hollywood, Craigavon and the wider Belfast area.</p>
9.0	Assessment
9.1	<p>The key issues in the assessment of the proposal are as follows:</p> <ul style="list-style-type: none"> • The principle of the proposal at this location; • Design, layout and impact on the character and appearance of the area • Impact on amenity • Drainage, flooding and infrastructure capacity • Contamination • Access, parking and transport • Impact on Natural Heritage
9.2	<p>The principle of the proposal at this location</p> <p>The application site is unzoned whiteland within the development limits in the BUAP and the Draft BMAP. The land is a residential site in that it is currently occupied by a storey and a half detached residential dwelling. The site is not zoned as open space. As a result the principle of development at this location is deemed to be acceptable subject to consideration of regional planning policy and environmental matters. The demolition of the existing dwelling is also considered to be acceptable. The building is not protected by being in an ATC, a Conservation Area or listed.</p>
9.3	<p>Design</p> <p>A Design Concept Report was received with the application. This report highlights that the existing dwelling has suffered from creeping subsidence which has grown to an extent that the occupants were advised that demolition of the building was the only viable option. The report claims that the development complies with prevailing planning policy. Proposals for new residential development must take account of the</p>

<p>9.4</p> <p>9.5</p>	<p>specific circumstances of each site. In this respect analysis of context is particularly important.</p> <p>The proposed units are listed below with reference made to the height of each building:</p> <p>House Type A- front facing 10.7m ridge height. 8.1 m ridge height to the rear House Type B- front facing 11.7m ridge height. 8.9 m ridge height to the rear House Type C- 7.5m ridge height front and back House Type D1- 8.2m ridge height front and back House Type D2- 8.2m ridge height front and back House Type D3- 8.2m ridge height front and back Apartment Type A- 11.9m ridge height to the front. 10.5m ridge height to the rear Apartments Type A1- 11.9m ridge height to the front. 10.5m ridge height to the rear Apartment Type B- 10.5m ridge height to the front. 7.6m ridge height to the rear Apartment Type B1-10.5m ridge height to the front. 7.6m ridge height to the rear</p> <p>9.5 Finishes include buff facing brick, black grey roof tiles and smooth render bays and window surrounds. The buildings to the rear of the development in particular House Types A and B are designed in a narrow elongated manner which is uncharacteristic of the existing built form within the area. Their 3 and 4 storey heights (ranging from 10.7m to 11.7m) and particularly small footprint are indicators of the high density nature of this proposal. The ground floor consists of only a single garage, staircase and utility room. The design of the high density apartment blocks is also concerning. Their massing and connection to House Types A and B is completely out of character with the area. Their design is considered to be unacceptable and this pattern of development is not in keeping with the overall character and environmental quality of the established residential area. The built form of the development is therefore considered to be contrary to PolicyQD1 of PPS 7 and LC 1 (a) and (b) from the addendum to PPS 7.</p>
<p>9.6</p>	<p>Layout</p> <p>In terms of the development the proposed scheme will comprise 8 buildings comprising a total of 22 residential units. The lower part of the site facing Antrim road will be formed by a mix of two 2 storey apartment buildings (3 apartments in each one) and 4 detached houses. Two groups of buildings will form the upper part of the site. They will consist of 6 terraced houses and 6 apartment units. These two upper blocks will be separated by pedestrian/vehicular access road. Car parking and amenity provision is provided to the rear of the blocks. The upper part of these blocks will fully utilise the level difference between the fronts and the backs. Front elevations facing the new access road will consist of 3 levels (incorporating ground floor car ports for the terraced houses) while back elevations will be reduced to 2 storey facing gardens and green open space to the rear. There is no particular uniform pattern to the development in terms of the positioning and orientation of the dwellings. Amenity provision space is substandard and will be assessed later in the report.</p>
<p>9.7</p>	<p>Density</p> <p>The development consist of 22 units in total across 0.58 hectares of land. This equates to a housing density of 37.93 buildings per hectare which would be significantly higher than the immediate area which approximately equates to a residential parcel density of 0.52 building per hectare. These figures highlight the existing low density character of the area. This area including the application site, is characterised by dwelling houses sitting on large individual plots. The proposal is to build a high density</p>

	development which is uncharacteristic of the established residential area and will result in the overdevelopment of the site.
9.8	<p>Character & Appearance</p> <p>There are existing detached and apartment buildings in the area. These are mainly located to the south, south west and south east of the site. A row of detached dwellings are located west of the site. The residential character of the area is predominantly characterised by low density detached dwellings with generous size garden plots. Whilst the site is located within the city settlement limits, the site and its surroundings, particularly to the north and east are characterised by mature woodlands which act as a green lung and provide a visual break to the built form of the city. This highlights that the site and its setting provides a significant amenity asset for this part of the city.</p>
9.9	The proposed development does not respect the surrounding context and is inappropriate to the character of the locality, thus impacting on the overall amenity of the area. The density is significantly higher than those of neighbouring properties. Due to the intensification of the site and its layout it is considered that the proposal does not create a quality sustainable residential environment and as such the proposal is contrary to the SPPS and Policy QD 1 of PPS7 and Policy LC1 (a) (b) Protecting Local Character, Environmental Quality and Residential amenity .
9.10	<p>Topography</p> <p>Particular care will be necessary on sloping sites in order to minimise the impact of differences in level between proposed properties. The development would result in a substantial amount of cutting to excavate the existing slope to the rear of the site and to achieve the levels proposed. There is no reference or details of retaining walls in any plans.</p>
9.11	The submitted plans offer scant information relating to existing and proposed levels across the site. However, it is evident that the adjacent Antrim road sits at 53.60 AOD. The highest point of the site is 62.0 AOD which highlights an 8.4m difference between the entry point of the site and the rear of the site. Parts of the site will encounter a minimal of 2m excavation according to the submitted site sections. For example, manhole levels west outside the site, show a 64 – 66 (9approx) AOD roadway level, relative to a level shown inside the site to the rear of House type A showing 59.4, this is a potential 5-7metre difference in levels, with no information presented as to how this will be accommodated.
9.12	Policy QD 1, PPS 7 (paragraph 4.13) and Creating Places advises that extensive land reshaping will be unacceptable for new housing developments. The proposal will result in the loss of trees due to the excavating of the land and the positioning of dwellings in proximity to trees. It is considered that the land reshaping and any retaining wall will have an adverse impact on the environmental quality and character of the landscape at this location which is contrary to Policy QD1 of PPS 7.
9.13	Significantly, PPS 7 states that on sloping sites low density development which would entail minimal works of excavation may be acceptable. The current proposal is a high density development which will intensify the scale and massing in the area, adversely impacting on the local character of the area.

9.14	The proposal is therefore considered to be contrary to PPS 7 Policy QD 1 (a) and paragraphs 4.25 - 4.27 of the SPPS in that the applicant has failed to satisfactorily demonstrate if the proposed changes to the ground levels are acceptable in terms of the failure to submit a slope stability report or any details of retaining structures.
9.15	<p>Amenity Provision</p> <p>It is considered that the scheme fails to provide quality amenity and landscaped space. The proposed is inadequate and inappropriate and is therefore contrary to the SPPS and Policy QD1 of Planning Policy Statement 7 in that the development would, if permitted create undesirable living conditions for prospective residents due to inadequate provision of quality amenity space. Amenity space provision particularly around the apartment buildings to the rear of the site is sub-standard as it consists of steep banks and is unusable space. Sufficient sections across and through the site have not been provided to demonstrate that the proposed development can sit comfortably on the site and provide good amenity both for prospective residents and relative to its neighbours given the topography.</p>
9.16	Many of the buildings do not have adequate private amenity space, the provision ranges from 25 – 85 square metres. House Types A, B, C, D2 and Apartments Type A, all fall short and below the recommended amenity levels for a suburban area. In addition, communal open spaces should provide sufficient space and be designed to support an appropriate balance of informal social activity and play opportunities for various age groups. The communal open space provision incorporates an area of greenery located off the central access point which is minimal in size and considered to be substandard in terms of quality and size.
9.17	<p>Landscaping</p> <p>As previously discussed the existing trees contribute to the intrinsic character of the site and the wider setting of the area. As such the site is subject to a Provisional Tree Preservation Order that was served on the 15th August 2019. There is also a confirmed TPO on land directly adjacent to the site which also forms part of the Cave Hill wooded escarpment.</p>
9.18	An Arboricultural Impact Assessment was submitted in support of this application. It is acknowledged that several existing trees are to be retained as part of the scheme. However, the Arboriculturalist's Impact Assessment recommends the removal of approx. 21 healthy trees to facilitate the development. Approximately 12 of these trees are to the front of the site.
9.19	BCC's Tree Officer assessed this information and assessed the wider site and have advised that the development would have a negative impact on trees across the site through the loss of trees. The loss would be the result of the location of buildings and the creation of paths and hardstanding areas which would encroach the root protection zone of numerous trees. In addition, some existing trees will impact on the amenity of prospective occupiers in respect of useable external amenity space and loss of natural light internally. The Tree Officer advises that the dwellings on either side of the site access at the front of the site are repositioned or omitted from the scheme as these impact the Root protection areas of retained trees.
9.20	Plans showing an accurate tree protection plan/tree constraints plan, details of boundary treatments at the rear of the site, a plan with existing and proposed spot

<p>9.21</p> <p>9.22</p>	<p>levels to show how the change in land levels will be addressed; details of retaining walls; accurate site sections; layout and landscape planting plans would be required to fully assess the impact on trees. This information was not submitted with the application.</p> <p>However, from the information submitted, it is clear there will be an impact from the topography / levels on the site and significant tree removal will result. The removal of trees across the site will have a detrimental impact on the overall character of this part of the Antrim Road. Individually and collectively, all of the trees on this site offer important amenity value to both the site and the surrounding area and should therefore be retained where possible. As a result the loss of trees across the site will also impact on the setting of Throne woodland and could have a detrimental impact on the local ecology. This point was echoed by a number of objectors.</p> <p>Due to the combination of factors including the provisional Tree Preservation Order on the site, the impact the loss of trees would have on the character of the area and on the setting of Throne Woodland it is considered that the proposal fails to comply with planning policy. Therefore, the proposal is considered contrary to the SPPS and Policy QD 1 of Planning Policy Statement 7 - Quality Residential Environments in that the development does not respect the character and topography of the site and, if permitted, would result in a) the loss of significant mature trees which contribute to the amenity of the immediate locality and wider area and b) significant land reshaping which would adversely impact on the nature and character of the area.</p>
<p>9.23</p> <p>9.24</p>	<p>Impact on residential amenity</p> <p>In assessing housing proposals in established residential areas the Council will therefore need to be satisfied that unacceptable harm will not be caused to the local character, environmental quality or residential amenity of the area. Particular account will be taken of the spacing between buildings, the safeguarding of privacy, the scale and massing of buildings, the use of materials, impact on existing vegetation and landscape design. The proposed development would not have a detrimental impact on existing neighbouring residential amenity in terms of overlooking, overshadowing or loss of light. This is primarily due to the separation distances between the site and existing neighbouring properties. This again highlights the unique character of the site in that it is primarily characterised by a natural environment in the form of mature trees and woodland.</p> <p>The site is over 80 metres from its nearest neighbouring property. The proposed residential use will not create conflict with the closest neighbouring properties. The proposed separation distances between the site and its neighbours are considered to be acceptable and will ensure that there will be no conflict or adverse impact on the residential amenity of existing residents. However there are concerns relating to the impact on residential amenity for prospective residents. Concerns relate to the relationship between House Type C and Apartments Type B1 in the south eastern corner of the site. This is likely to create residential amenity issues in the form of overlooking due to the limited separation distance and orientation of the buildings and as a result the proposal is contrary to the SPPS and Policy QD1 Criteria (h) of PPS 7.</p>
<p>9.25</p>	<p>Drainage, flooding and Infrastructure capacity</p> <p>Rivers Agency provided comments on the proposal. They highlighted that an undesignated watercourse bounds the southern side of the site. They commented that</p>

<p>9.26</p> <p>9.27</p> <p>9.28</p>	<p>the site may be affected by undesignated watercourses of which they have no record. Rivers have highlighted that Policies FLD 1, 2 and 3 are applicable.</p> <p><i>FLD3 - Development and Surface Water</i> –DfI Rivers advises that in accordance with the Revised PPS 15, Planning and Flood Risk, FLD 3, Development and Surface Water (Pluvial) Flood Risk outside Flood Plains, a drainage assessment is required as the following thresholds have been exceeded: It is a residential development comprising of 10 or more dwelling units</p> <p>The Revised Policy PPS 15 FLD 3 states that a Drainage Assessment demonstrates that adequate measures will effectively mitigate flood risk. In carrying out a drainage assessment (refer to Annex D of the Revised PPS 15: Assessing Flood Risk and Drainage Impact) the applicant should acquire from the relevant authority evidence that the proposed storm water run-off from the site can be safely discharged. A Drainage Assessment will have to demonstrate how the development will limit/restrict the surface water discharge from the site to Pre-development run-off rates. In the absence of a Drainage Assessment, the applicant has failed to demonstrate that adequate measures will be put in place to effectively mitigate the flood risk to the proposed development and from development elsewhere. The proposal is therefore contrary to Policy FLD 3 of Planning Policy Statement 15 ‘Planning and Flooding’ and the Strategic Planning Policy Statement for Northern Ireland.</p> <p>Rivers Agency also commented that FLD 1 and FLD 2 are applicable. The applicant would also need to satisfy these requirements by establishing a Q100 level of the undesignated watercourses along the south site boundary of the site and sets the floor design levels a min 600mm above this established level to comply with FLD 1 <i>Development in Fluvial and Coastal Flood Plains</i> and by providing an adjacent working strip next to the undesignated watercourse which flows along the southern boundary to be retained to facilitate future maintenance by DfI Rivers, other statutory undertaker or the riparian landowners in order to comply with <i>FLD2 - Protection of Flood Defence and Drainage Infrastructure</i>. As the above information relating to Drainage and flooding did not form part of the proposal it is considered that the proposal fails to comply with PPS 15, FLD1, FLD2 and FLD3.</p> <p>A response has not been received to date from NI Water as of 10th September 2019. Owing to the scale and nature of development proposed, it is not considered that proposed development would have a significant impact on existing infrastructure and as such, there are no issues in principle. In addition, connections to the water and foul sewer system are covered by separate legislation.</p>
<p>9.29</p>	<p>Access, Parking and Transport</p> <p>DFI Roads were consulted on the proposal and commented that the application as submitted in its present form is unacceptable as an acceptable layout as in accordance with <i>Creating Places</i> has not been demonstrated. The site currently has two access points onto the Antrim Road. It is proposed to use one and to move the other. The proposal will use the existing access point along the south westerner corner of the site. The proposed new access point onto the Antrim Road is approximately 35m North of this. The existing entrance point which will be closed is slightly north of this. The proposal has approximately 41 dedicated car parking spaces across the site, will</p>

<p>9.36</p> <p>9.37</p> <p>9.38</p>	<p>and therefore the woodland as a whole may also comply with the Northern Ireland Priority Habitat, Mixed Ash Woodland.</p> <p>NED has concerns regarding the broad leaved woodland and the watercourse found along the southern boundary of the site, as the dwellings to the south of the site will impact the woodland and there is the potential for culverting the watercourse. NED has concerns that the south eastern building and the associated gardens are encroaching into the broadleaved woodland, as identified by the ecologist. NED also notes that both the south eastern and south western buildings are proposed across the watercourse, as identified by the Ecologist and shown in the Preliminary Ecological Appraisal.</p> <p>NED advised that amended plans should be submitted to ensure that the watercourse and woodland are not impacted by the development. However this information was not requested as the proposal is not considered acceptable in principle and to request this information would put the applicant to unnecessary expense.</p> <p>Therefore, it is considered that the proposal fails to respect the surrounding context and character of the area. It therefore fails to meet the SPPS and Policy NH 2 and Policy NH 5 of Planning Policy Statement 2 - Natural Heritage in that the site is within a Local Landscape Policy Area and the development, if permitted, would have an unacceptable adverse impact on priority habitats/natural heritage features worthy of protection within the LLPA and insufficient information has been submitted to establish otherwise</p>
<p>10.0</p>	<p>Summary of Recommendation</p> <p>It is considered that the proposal is incompatible with prevailing planning policy, in particular policies relating to residential environments, protecting local character and the natural environment and road safety.</p>
<p>11.0</p>	<p>Reasons for Refusal</p>
	<ol style="list-style-type: none"> 1. The proposal is contrary to the SPPS and Policy QD 1 of PPS 7 –Quality Residential Developments and Policy LC 1 of the Addendum to PPS 7 Safeguarding the Character of Established Residential Areas in that the scheme, if permitted, would result in unacceptable damage to the local character and create an undesirable living environment for prospective residents due to unsatisfactory form, layout, density and inadequate provision of amenity space. 2. The proposal is considered contrary to the SPPS, Policy QD 1 of PPS 7- Quality Residential Environments and Policy LC 1 of the addendum to PPS 7- Safeguarding the Character of established residential areas in that the development does not respect the character and topography of the site and, if permitted, would result in the loss of significant mature trees subject to a provisional TPO which contribute to the amenity of the immediate locality and wider area. 3. The proposal is contrary to the SPPS and Policy NH 2 and Policy NH 5 of Planning Policy Statement 2- Natural Heritage in that the site is within a local

	<p>landscape policy area and the development, if permitted, would have an unacceptable adverse impact on bats and priority habitats/natural features worthy of protection as insufficient information has been submitted to establish otherwise.</p> <p>4. The proposal is contrary to the SPPS and Policy FLD 1, FLD2 and FLD 3 from Planning Policy Statement 15: Planning and Flood Risk in that it has not been demonstrated that the proposal would provide satisfactory measures for the mitigation of flood risk and in particular drainage.</p> <p>5. The proposal is contrary to the SPPS and Policies AMP2, AMP7 and AMP8 of PPS 3 Access, Movement and Parking, in that the applicant has failed to submit information as requested to demonstrate the access will not prejudice road safety; adequate provision for car parking has been made; and cyclists need have been taken into account.</p>

<p>Notification to Department (if relevant): N/A</p>
<p>Neighbour Notification – 389 neighbours notified / representations received</p>
<p>Representations from Elected members: Nigel Dodds DUP MP Nichola Mallon SDLP MLA.</p> <p>Councillors Julian McGrath, Alliance, Newtownabbey; Philip Brett, DUP, Newtownabbey; and Noreen McClelland, SDLP, Glengormley</p>