

Title of Report:	Planning Committee Report – LA01/2023/0287/F
Committee Report Submitted To:	Planning Committee
Date of Meeting:	25th October 2023
For Decision or For Information	For Decision – Referred Application by Cllr John McAuley
To be discussed In Committee YES/NO	No

Linkage to Council Strategy (2021-25)	
Strategic Theme	Cohesive Leadership
Outcome	Council has agreed policies and procedures and decision making is consistent with them
Lead Officer	Development Management and Enforcement Manager

Budgetary Considerations	
Cost of Proposal	---
Included in Current Year Estimates	N/A
Capital/Revenue	N/A
Code	N/A
Staffing Costs	N/A

Legal Considerations	
Input of Legal Services Required	NO
Legal Opinion Obtained	NO

Screening Requirements	Required for new or revised Policies, Plans, Strategies or Service Delivery Proposals.		
Section 75 Screening	Screening Completed:	N/A	Date:
	EQIA Required and Completed:	N/A	Date:
Rural Needs Assessment (RNA)	Screening Completed	N/A	Date:
	RNA Required and Completed:	N/A	Date:
Data Protection Impact Assessment (DPIA)	Screening Completed:	N/A	Date:
	DPIA Required and Completed:	N/A	Date:

No: LA01/2023/0287/F

Ward: Ballymoney East

App Type: Full

Address: 11-13 Newal Road, Ballymoney, BT53 6HB

Proposal: Proposed two storey Psychological Services building to replace 2no. existing buildings and extension to existing carpark

Con Area: N/A

Valid Date: 13.03.2023

Listed Building Grade: N/A

Agent: R Robinson & Sons Ltd, Albany Villas, 59 High Street, Ballymoney, BT53 6BG

Applicant: David Robinson, Robinson Memorial Hospital Ballymoney (Incorporated), 23 Newal Road, Co. Antrim, Ballymoney, BT53 6HB

Objections: 1 **Petitions of Objection:** 0

Support: 0 **Petitions of Support:** 2

Executive Summary

- Full planning permission is sought for a new two storey Psychological Services building to replace 2no. existing buildings and extension to existing carpark.
- The site is located within the Settlement Development Limit of Ballymoney.
- The overall design is considered unacceptable, it is not considered sensitive to the character of the surrounding area.
- The development is considered to have an unacceptably impact on neighbouring properties due to overlooking and dominance.
- The proposal is contrary to Paragraphs 4.12 and 4.27 of the SPPS and Policy DES 2 of A Planning Strategy for Rural Northern Ireland.
- 1 letter of objection have been received in relation to the proposal and 2 letters of support have been received.
- No objections have been raised by statutory consultees in relation to this proposal.
- The application is recommended for Refusal.
- Reasons for Referral by elected member are attached as an annex to this report.

Drawings and additional information are available to view on the Planning Portal- <https://planningregister.planningssystemni.gov.uk/>

1 RECOMMENDATION

- 1.1 That the Committee has taken into consideration and agrees with the reasons for recommendation set out in Section 9 and the policies and guidance in sections 7 and 8 and resolves to **REFUSE** planning permission subject to the reasons set out in section 10.

2 SITE LOCATION & DESCRIPTION

- 2.1 The application site consists of 2 single storey detached dwellings, the properties are currently un-occupied. The properties each have a vehicular access onto Newal Rd. The application site also includes an area to the rear of No 9 Newal Rd, this part of the site is currently occupied by existing outbuildings accessed via No 9 Newal Rd. The land on the site drops gently downwards from north-east to south west. The south-eastern boundary is defined by an existing fence, the roadside boundary is defined by a low wall.
- 2.2 The site is located within Ballymoney. The application site is not within any designated sites or zonings.
- 2.3 The surrounding area is defined by a mix of residential properties along Newal Rd to the and Knocklayde Park to the south. The properties immediately to the north-east and south-west of the application site along Newal Rd are occupied by the Northern Trust. The land to the east is occupied the health centre and Robinson Memorial Hospital.

3 RELEVANT HISTORY

D/2003/0732/F - Extension to exiting Health Centre -21b Newal Road, Ballymoney - Granted - 02/02/2004

LAO1/2022/0901/F - Extension of existing car park to allow for additional 24 car spaces - Robinson Hospital, Newal Rd, Ballymoney – Granted – 09/03/2023

LA01/2022/1181/PAD - Construction of a much needed Psychological Services building for outpatient consultation, review and therapy comprised primarily of consultation rooms and staff offices.

The proposal will be situated over 2 stories and will compliment existing Psychological services facilities adjacent to the scheme and within the wider health centre/ Robinson Hospital Complex. The Proposal will be situated between buildings under the ownership and use of the Robinson Memorial Hospital and will replace 2 no. derelict buildings currently situated on the site. - Decision Date: 24 March 2023

4 THE APPLICATION

- 4.1 Full planning permission is sought for a Proposed two storey Psychological Services building to replace 2no. existing buildings and extension to existing carpark. The proposed building is 2 storey with a ridge height of 9.75m. The building measures 26.8m along the front elevation and has a gable depth of 20.3m. The proposed finishes include pale coloured brick and spandrel panels and zinc roof. The windows and doors are to be aluminium.

5 PUBLICITY & CONSULTATIONS

External

- 5.1 Two comments of support have been received on this application, these comments support the provision of the proposed facility for local people.
- 5.2 One letter of objection has been received from No 18 Newal Road, the following matters are raised.
- Increase in traffic.
 - Concerns regarding scale, height and visual impact of the proposed building.

- Considered excessive in terms of massing.
- Previous adjacent development was in keeping with residential use in the area.

Internal

NI Water - No objection – conditions provided

NIE - No objection – advice provided

Environmental Health – Advice and conditions provided

DFI Roads - No objection – advice provided

6 MATERIAL CONSIDERATIONS

6.1 Section 45(1) of the Planning Act (Northern Ireland) 2011 requires that all applications must have regard to the local plan, so far as material to the application, and all other material considerations. Section 6(4) states that in making any determination where regard is to be had to the local development plan, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

6.2 The development plan is:
Northern Area Plan 2016 (NAP)

The Regional Development Strategy (RDS) is a material consideration.

6.3 The Strategic Planning Policy Statement for Northern Ireland (SPPS) is a material consideration. As set out in the SPPS, until such times as a new local plan strategy is adopted, councils will apply specified retained operational policies.

6.4 Due weight should be given to the relevant policies in the development plan.

6.5 All material considerations and any policy conflicts are identified in the “Considerations and Assessment” section of the report.

7 RELEVANT POLICIES & GUIDANCE

Regional Development Strategy 2035.

Northern Area Plan (NAP) 2016

Strategic Planning Policy Statement for Northern Ireland (SPPS)

A Planning Strategy for Rural Northern Ireland

PPS 3 - Access, Movement and Parking

Causeway Coast and Glens Corporate Strategy

Living Places: An Urban Stewardship and Design Guide for Northern Ireland

8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to: Principle of Development, Impact on the Character of the Surrounding Area, Impact on Residential Amenity, Access and Parking and other issues.

Principle of Development

- 8.2 The principle of development for an application of this nature is outlined in the Northern Area Plan 2016, Planning Strategy for Rural NI and the SPPS.
- 8.3 The site lies within the Settlement Development limit of the town of Ballymoney and outside any specific zoning as outlined in the Northern Area Plan 2016.
- 8.4 Policy PSU 1 Community Needs of a Planning Strategy for Rural Northern Ireland states that changing needs determine the requirement of land to meet the needs of the community in terms of health, education and other public facilities. This policy also states that emphasis shall be placed upon making the best possible use of existing sites.
- 8.5 Supporting information that accompanies the application indicates that the proposed development will help meet an

urgent requirement within the local community to provide mental health support services and is in accordance with one of the SPPS's core planning principles, 'Improving Health and Well-being'.

- 8.6 While the development proposes the change of use of the site from residential to health care the use is considered acceptable in principle and is in keeping with a number of surrounding land uses to the south-west, east and north-east of the site. The core planning principles of the SPPS also include 'Supporting Good Design and Place Making' and decision making should balance and integrate a variety of complex social, economic, environmental and other matters that are in the long term public interest. As such, whilst the principle of the use of the site as a health care facility is considered acceptable there are concerns regarding the scale massing and design of the building which is discussed in more detail in paragraphs 8.8-8.25 of this report.
- 8.7 During the previous PAD process the agent and applicants were made aware that while the principle of development was considered acceptable it was also advised that there were concerns regarding the design, scale and massing of the proposed development. The proposed design has not been amended from that presented at the PAD stage.

Design and Impact on the Character of the Surrounding Area

- 8.8 Policy DES 2 Townscape - Development proposals in towns and villages should make a positive contribution to townscape and be sensitive to the character of the area surrounding the site in terms of design, scale and use of materials. DES 2 goes on to state that new development will normally be required to be appropriate in use and sensitive in siting, scale, layout, design and materials both in itself and in relation to adjoining buildings, spaces and views. The main concern is to ensure development proposals neither detract from the character, amenity and design of an area.

- 8.9 Paragraphs 4.23 – 4.30 of the SPPS place focus on Good Design, stating that design is an important material consideration in the assessment of all proposals.
- 8.10 This part of Newal Road is characterised by a varied mix of detached and semi-detached dwellings on modest sized plots with a variety of soft and hard landscaping boundary treatments. The use of the dwellings immediately adjacent the application site to the north-east and south-west has change from residential to healthcare. The land falls gently from north to south towards the junction with Queen Street.
- 8.11 The proposed development is for a new 2 storey building to replace the existing single storey dwellings and outbuildings currently on site. The proposed building measures approx. 26.8m in length along the front elevation and 20.3m in width along the side elevation giving the appearance of a large block encompassing the full width of the site. The building measures 6.8m in height to the flat roof section and 9.75m to the top of the pitch. The building has the appearance of 3 gable fronted elevations with a pitched roof element over, the remainder of the roof is flat. The finishes will include pale coloured brick and spandrel panels and zinc roof. The windows and doors are to be aluminium.
- 8.12 The design and access statement outlines the consideration behind the proposed design and the need for the space provided within the building. It is advised that the proposed design considers the site context with the gable fronted elevations reflecting the nearby dwellings and the vertical emphasis of the windows being more domestic in scale. It is also advised that the flat roof sections reflect the design of the health centre to the east. While this view has been considered it is not accepted that the overall proposal reflects the domestic scale and design of the surrounding buildings in the locality.
- 8.13 The proposed building replaces 2 existing single storey dwellings with a single building with an overall ridge height of approx. 9.75m. The scale and massing of the proposed building

is considerably greater than that of the buildings to be replaced or those in the surrounding context.

- 8.14 There is a concern regarding the design, scale and massing of the proposal. In particular regarding the height, the long frontage, gable fronted elements with limited set backs and the design doesn't appear to take account of the level change across the site. This part of Newal Road is generally characterised by a varied mix of semi-detached and detached dwellings set within modest plots, with a variety of soft and hard landscaping boundary treatments. The buildings step down gently along the street scene to reflect the change in levels. The lack of appreciation of this stepped down character will make the building appear more dominant and out of place in the street context.
- 8.15 The gable depth of the proposed building is approximately 20.3m. the gable depth of the surrounding buildings varies from approx. 9m to up to approx. 18m. The existing buildings with a larger gable depth of 16m – 18m (including those on the application site) are not considered comparable to the proposed building. The existing buildings on site are single storey with a hipped roof design and the gap between the buildings provide a visual break.
- 8.16 Contextual elevations have been provided which show the building in the context of the adjacent properties along Newal Rd. The design does not reflect the generally domestic scale of the surrounding properties along Newal Rd. The extensive mass and frontage length gives little appreciation to the current spacing between buildings on the site and along the streetscape. This disrupts the rhythm of the street scene and results in a building appearing incongruous and out of place.
- 8.17 The heavy usage of zinc cladding on the roof and the first floor is a dominant feature and not reflective of the character of the surrounding area.
- 8.18 It is acknowledged that the main Robinson Hospital Building and a number other associated facilities/offices are located to

the north of the site. The main hospital building is of low elevation and set back from the road behind a belt of trees. The other facilities are either conversions of existing dwellings or of a scale and design which better reflects the surrounding context. The character of Newal Rd is distinctly residential in character. This building by virtue of its scale, massing, design and materials appears more commercial in character and does not reflect or draw upon its setting or context.

8.19 Living Places An Urban Stewardship and Design Guide for Northern Ireland, provides guidance on design in urban areas and outlines 10 qualities of Urban Stewardship and Design. One of these includes context, including consideration of scale. It states that an influential component of an urban area's character is the scale of its buildings, spaces and movement routes and that new urban development should therefore respond to the scale of surrounding areas. It is not considered that the proposal currently respects the scale of the existing development along Newal Rd.

8.20 Overall, it is considered that the current design does not reflect the character of the area, which is generally a well-established residential area.

Impact on Residential Amenity

8.21 There is also concern over dominance over existing residential properties, in particular those to the south-east at Knocklayde Park. There is a separation distance of approximately 24m between the rear elevation of the proposed building and the rear elevation of the dwellings to the south-east at No 6 & 8 Knocklayde Park.

8.22 There is a distance of approximately 12.5m from the rear elevation of the proposed building to the common boundary to the southeast. The proposed building will be closer than the existing properties on site, the rear elevation of No 11 Newal Rd currently sits approximately 16m from the common boundary to the south-east. There are several first-floor windows facing

towards the rear of properties at No 6 and 8 Knocklayde Park. These serve a mix of uses including offices, consulting rooms and a multi-purpose room. The existing boundary between the proposed building and the dwellings at 6 and 8 Knocklayde Park is currently defined by a fence approx. 1.8m in height, at the time of inspection part of the fence to the rear of No 8 Knocklayde Pk was missing. The proposed plans do not indicate any new boundary treatments along the south-eastern boundary.

8.23 The rear elevation opposite the dwellings at Knocklayde Park is a continuous building line with no set backs. The proposed building will have a ridge height of up to 9.75m at the highest point. The building will sit at a similar level to the dwellings at no 6 and 8 Knocklayde Park. The outlook from the rear of the adjacent properties at Knocklayde Park will be dominated by this built form considering the lack of spacing between buildings. The use of the first floor level for offices, consulting rooms and multi purpose rooms is considered to be a higher level of activity than traditional first floor residential dwellings which are generally bedrooms and bathrooms. By way of comparison paragraph 7.17 of Creating Places makes reference to a greater separation distance of around 30m between buildings and a minimum of 15m to the common boundary for apartment development which include living room or balconies at first floor level. This is due to the impact these types of developments can have on the amenity of adjoining dwellings.

8.24 Given the overall ridge height, massing and extent of first floor windows the proposed building is considered unduly dominant in terms of height and massing and will result in unacceptable impact on the existing residential properties to the south-east in terms of overlooking, dominance and appearing hemmed in.

Access and Parking

8.25 The development proposes the use of the existing unaltered access onto Newal Rd via the existing hospital access. DFI Roads was consulted and express no objections.

- 8.26 As part of the proposed development 10 new parking spaces are to be provided to the rear of the building. The development is associated with the existing healthcare use on the adjacent land to the west. The proposed parking spaces are accessed via the hospital and health centre site which also provides car parking provision. Planning permission was granted on 09/03/2023 for the provision of an additional 24 additional car parking spaces on the hospital site under application LA01/2022/0901/F. The development is located within the settlement limit of Ballymoney and benefits from existing public transport links. Provision is also made within the site for cycle parking. As previously indicated DFI Roads have no objection to the proposal.
- 8.27 In terms of access and parking the proposed development is considered to be in accordance with AMP 2 and AMP 7 of Planning Policy Statement 3 – Access, Movement and Parking.

Other Issues

- 8.28 The proposed development proposes to connect to mains water supply and foul sewage to be disposed of via mains connection. Surface water will be disposed of via mains sewers. NI Water have been consulted and have raised no objection to the proposed development.
- 8.29 There are a number of discrepancies in the submitted plans. These include incorrect labelling of elevations and incorrect scaling of drawings. Amended plans were requested from the agent via email on 21st July 2023 but not submitted.

Habitats Regulation Assessment

- 8.30 The potential impact this proposal on Special Areas of Conservation, Special Protection Areas and Ramsar sites has been assessed in accordance with the requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc) Regulations (Northern Ireland) 1995 (as amended). The proposal would not be likely to have a significant effect on the features, conservation objectives or status of any of these sites.

9 CONCLUSION

- 9.1 The proposal is considered unacceptable in this location having regard to the Northern Area Plan 2016 and other material considerations including the SPPS. The proposal fails to meet the requirements of the SPPS, the Department's Planning Strategy for Rural Northern Ireland and is considered to have an unacceptable impact on the character of the area and residential amenity. Refusal is therefore recommended.

10 Reasons for Refusal:

1. The proposal is contrary to paragraph 4.27 of the Strategic Planning Policy Statement for Northern Ireland and Policy DES2 of the Department's Planning Strategy for Rural Northern Ireland in that the development, if permitted, would not be sensitive to the character of the area surrounding the site in terms of design, scale and use of materials.
2. The proposal is contrary to paragraph 4.12 of the Strategic Planning Policy Statement for Northern Ireland in that the development, if permitted, would result in unacceptable overlooking and dominance to neighbouring properties.

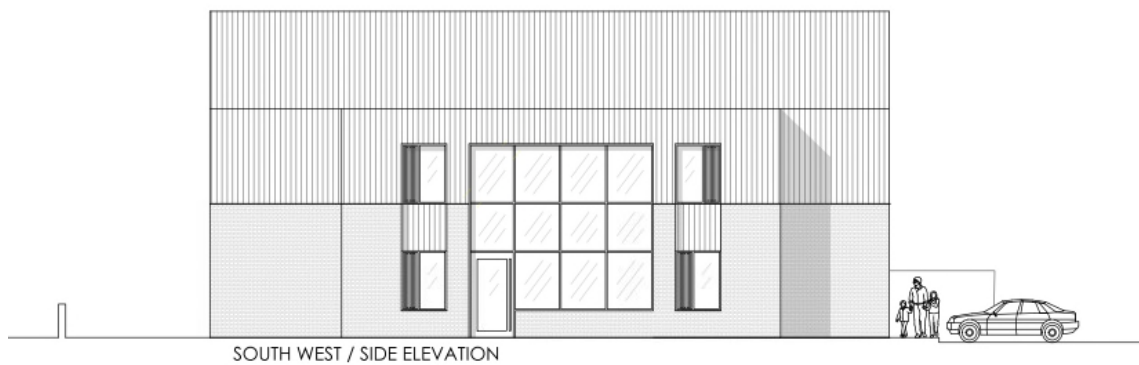
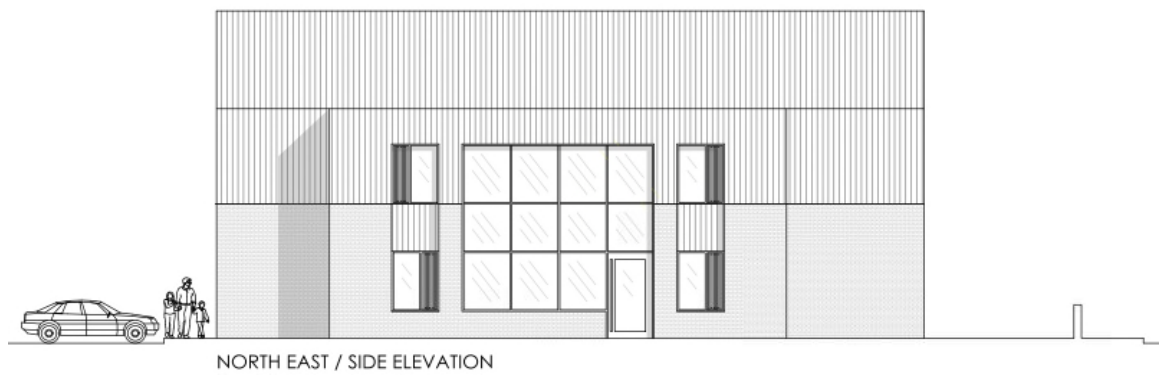
Site Location



Proposed Layout



Proposed Elevations



Referral Request

Alderman McAuley

The request for referral of LA01/2023/0287/F has been forwarded to Denise Dickson, Head of Planning, for discussion with either the Chair or Vice Chair of the Planning Committee.

You will be advised in due course if the referral request has been successful or rejected.

Thanks Laura

Laura Crawford

Business Support Officer

Tel. 02870347100



Causeway
Coast & Glens
Borough Council

www.causewaycoastandglens.gov.uk

From: John McAuley <john.mcauley.dup@gmail.com>

Sent: Wednesday, July 26, 2023 10:32 AM

To: Planning <Planning@causewaycoastandglens.gov.uk>

Subject: RE: Planning application LA01/2023/0287/F - 11 - 13 Newal Rd, Ballymoney

Good Morning

With regards Planning application LA01/2023/0287/F - 11 - 13 Newal Rd, Ballymoney, I wish to request that this be called in before the planning Committee for decision based on the following planning reasons;

1) *The proposal is contrary to paragraph 4.27 of the Strategic Planning Policy Statement for Northern Ireland and policy DES2 of the Department's Planning Strategy for Rural Northern Ireland in that the development, if permitted, would not be sensitive to the character of the area surrounding the site in terms of design, scale and use of materials.*

We disagree with that assessment.

2) *The proposal is contrary to paragraph 4.12 of the Strategic Planning Policy Statement for Northern Ireland in that the development, if permitted, would result in unacceptable overlooking and dominance to neighbouring properties.*

We disagree with that assessment.

Furthermore, we note that the Strategic Planning Policy Statement for Northern Ireland (SPPS) features in both reasons for refusal. However, it is also noted that one of the "Core Planning Principles" of the SPPS is "improving health and well being", and the SPPS states that the planning system has an "active role to play in achieving that". Indeed improving health and well being in the area of the Northern Trust is the fundamental building block of this application. However, this "core planning principle" of "improving health and well being", receives no mention whatsoever in the Planning Officers assessment of the SPPS, and that raises questions about the balance of the assessment.

Regards

John McAuley

Sent from Samsung Mobile on O2
Sent from [Outlook for Android](#)