

# Agenda

## Agenda

📄 *Agenda PC.05.09.23.pdf*

Page 1

1. Apologies
2. Declarations of interest
3. Matters arising from minutes of Planning Committee 01 August 2023

📄 *Minutes PC01.08.2023 AMcC LM.pdf*

*Not included*

📄 *Minutes PC01.08.2023 PM.pdf*

*Not included*

## 4. Planning Applications

### 4.1. LA06/2022/1296/RM - 19 Seaview Terrace, Holywood

Domestic garage and domestic building

**Speaking in opposition to the application - Eamon Burns**

**Speaking in support of the application - Mr David Addis (applicant) and Mr David Donaldson (Agent)**

📄 *Item 4.1 Exec Summary LA06 2022 1296 RM.pdf*

*Not included*

📄 *Item 4.1a LA06 2022 1296 RM.pdf*

*Not included*

### 4.2. LA06/2020/1220/F -102 Comber Road, Killinchy

Erection of agricultural shed (proposed) and creation of laneway (retrospective)

**Speaking in support of the application - Conor Cochrane (agent)**

📄 *Item 4.2 Exec Summ LA06 2020 1220.pdf*

*Not included*

📄 *Item 4.2a LA06 2020 1220.pdf*

*Not included*

### 4.3. LA06/2022/0904/F - Sir Samuel Kelly Lifeboat Shelter, Copelands Marina Car Park, Donaghadee

Retention of temporary curved box steel frame shelter/canopy over a vessel for restoration purposes for a further 5 years. Extension to site area including ancillary mobile unit/exhibition space, disabled access ramp and 2.4m high perimeter fencing

[Item 4.3 Exec Summary LA06 2022 0904 F.pdf](#) *Not included*

[Item 4.3a LA06 2022 0904 F.pdf](#) *Not included*

## **5. Update on Planning Appeals (Report attached)**

[Item 5- Update on Planning Appeals.pdf](#) *Not included*

[Item 5a - 2022 A0075.pdf](#) *Not included*

[Item 5b - 2021 E0076.pdf](#) *Not included*

[Item 5c - Commissioner Cost Decision.pdf](#) *Not included*

## **6. NIW Fence at Seacourt Pumping Station – update (Report attached)**

[Item 6 - Update on Correspondence re NIW fence.pdf](#) *Not included*

[Item 6a - Letter to DFI re NIW fence & GPDO 20-07-23.pdf](#) *Not included*

[Item 6b - DFI Response 02.08.23.pdf](#) *Not included*

[Item 6c - Letter to NIW Chief Executive re NIW fence 20-07-23.pdf](#) *Not included*

## **7. Update on Planning Statistics (Report attached)**

[Item 7 - Planning Statistics.pdf](#) *Page 3*

[Item 7a - Annual Statistical Bulletin.pdf](#) *Page 8*

## **8. Review of Council Decisions (Report attached)**

[Item 8 - Review of Council decisions.pdf](#) *Page 59*

[Item 8b - Review of Council decisions.pdf](#) *Page 61*



**9. DAERA Call for evidence on impacts of air pollution on the natural environment (Report attached)**

📎 *Item 9 - DAERA Call for Evidence.pdf*

*Not included*

📎 *Item 9a - Response to DAERA.pdf*

*Not included*

**10. Quarterly update on Trees (Report attached)**

📎 *Item 10 - Tree preservation order and works.pdf*

*Not included*

**11. Quarter 1 Budgetary Control Report – June 2023 (Report attached)**

📎 *Item 11 - Budgetary Control Report.pdf*

*Not included*

**\*\*IN CONFIDENCE\*\***

**12. Quarterly update on Enforcement**

Report attached

📎 *Item 12 - Update on Enforcement Matters.pdf*

*Not included*

📎 *Item 12a - EN Table update.pdf*

*Not included*

## ARDS AND NORTH DOWN BOROUGH COUNCIL

29 August 2023

Dear Sir/Madam

You are hereby invited to attend a hybrid meeting (in person and via Zoom) of the Planning Committee of the Ards and North Down Borough Council which will be held in the Council Chamber, 2 Church Street, Newtownards on **Tuesday, 5 September 2023**, commencing at **7.00pm**.

Yours faithfully

Stephen Reid  
Chief Executive  
Ards and North Down Borough Council

### A G E N D A

1. Apologies
2. Declarations of Interest
3. Matters arising from minutes of Planning Committee 01 August 2023 (Copy attached)
4. Planning Applications (Reports attached)

4.1	LA06/2022/1296/RM	<p>Domestic garage and domestic building</p> <p>19 Seaview Terrace, Holywood</p> <p><b>Speaking in opposition to the application - Eamon Burns</b></p> <p><b>Speaking in support of the application - Mr David Addis (applicant) and Mr David Donaldson (Agent)</b></p>
4.2	LA06/2020/1220/F	<p>Erection of agricultural shed (proposed) and creation of laneway (retrospective)</p> <p>102 Comber Road, Killinchy</p> <p><b>Speaking in support of the application - Conor Cochrane (agent)</b></p>

4.3	LA06/2022/0904/F	Retention of temporary curved box steel frame shelter/canopy over a vessel for restoration purposes for a further 5 years. Extension to site area including ancillary mobile unit/exhibition space, disabled access ramp and 2.4m high perimeter fencing  Sir Samuel Kelly Lifeboat Shelter, Copelands Marina Car Park, Donaghadee
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5. Update on Planning Appeals (Report attached)
  6. NIW Fence at Seacourt Pumping Station – update (Report attached)
  7. Update on Planning Statistics (Report attached)
  8. Review of Council Decisions (Report attached)
  9. DAERA Call for evidence on impacts of air pollution on the natural environment (Report attached)
  10. Quarterly update on Trees (Report attached)
  11. Quarter 1 Budgetary Control Report – June 2023 (Report attached)
- \*\*\*IN CONFIDENCE\*\*\***
12. Quarterly update on Enforcement (Report attached)

#### **MEMBERSHIP OF PLANNING COMMITTEE (16 MEMBERS)**

Councillor Cathcart	Alderman McIlveen (Chair)
Councillor Creighton	Councillor McKee
Alderman Graham	Councillor McLaren
Councillor Kerr	Councillor McRandal
Councillor Martin	Councillor Morgan
Councillor McCracken	Alderman Smith
Councillor McCollum	Councillor Woods
Alderman McDowell (Vice Chair)	Councillor Wray

Unclassified

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**ITEM 7****Ards and North Down Borough Council**

Report Classification	Unclassified
Exemption Reason	Not Applicable
Council/Committee	Planning Committee
Date of Meeting	05 September 2023
Responsible Director	Director of Prosperity
Responsible Head of Service	Head of Planning
Date of Report	04 August 2023
File Reference	
Legislation	
Section 75 Compliant	Yes <input type="checkbox"/> No <input type="checkbox"/> Other <input type="checkbox"/> If other, please add comment below:
Subject	Planning Statistics 2022-2023
Attachments	Item 6a - Annual Statistical Bulletin 2022-23

The purpose of this report is to update Members on the publication by DFI of the annual finalised results of Northern Ireland planning statistics April 2022 – March 2023, and to provide an update on Quarter 1 of 2023/24 (unvalidated information).

Members will be aware that statistics for Quarter 3 and 4 of 2022/23 were unable to be provided previously due to issues with extraction of data from the new Planning Portal system which launched in December 2022. These quarters are included now within the annual figures, and can be viewed within the statistical tables available here <https://www.infrastructure-ni.gov.uk/publications/northern-ireland-planning-statistics-april-2022-march-2023>.

The commentary alongside the publication notes the following:

'During the last two years there have been some key events that will have impacted on planning activity and processing performance. These were the coronavirus pandemic with varying restrictions in place up until February 2022; the accessibility of the system for some users for a period during January and February 2022, and a

## Not Applicable

significant change in IT planning systems with the development and implementation of two new planning systems in June and December 2022. All these factors should be borne in mind when interpreting these figures and when making comparisons with other time periods.'

There continue to be issues regarding extraction of figures for Enforcement, which the Department advises will be made available in due course.

#### Applications in the Major category of development

The following table details the performance for Ards and North Down against the statutory performance indicators.

Majors	Received	Decided	Approved	Withdrawn	Average Processing Time (target 30 wks)
Quarter 1	1	2	2	0	53.6
Quarter 2	1	0	0	0	-
Quarter 3	2	1	1	0	132.4
Quarter 4	0	0	0	1	130.6
<b>Total</b>	<b>4</b>	<b>3</b>	<b>3</b>	<b>1</b>	<b>104.5</b>

The time taken to process a decision/withdrawal is calculated from the date on which an application is deemed valid to the date on which the decision is issued or the application is withdrawn. The median is used for the average processing time as any extreme values have the potential to inflate the mean, leading to a result that may not be considered as "typical".

#### Majors - Quarter 1

LA06/2020/0823/F was decided for 29no. dwellings on Lands at 160 High Street, Hollywood, a site located within the draft Area of Townscape Character with trees protected by a Tree Preservation Order, some amended plans were required in order to satisfy officers regarding a recommendation of approval (processing time 81.6 weeks)

LA06/2021/1293/F was also determined for a replacement primary school in Crawfordsburn, and processing was delayed due to requirements from DFI Rivers (processing time 31.4 weeks).

#### Majors - Quarter 3

LA06/2020/0097/F for redevelopment of Queen's Parade was approved by Members in January 2021, however, had to be notified to the Department for Infrastructure (Dfi) as the Council proposed to approve the development contrary to Dfi Rivers' advice. The then Minister advised Council in March 2022 that she did not consider the application required to be called in to her Department. Prior to re-determination by the Council the various phasing plans were amended to incorporate required road works and improvements required by DFI Roads and proposed conditions further refined. Due to the need for an accompanying legal agreement, the decision notice could not be issued until the agreement had been executed among the interested parties of the Council, the Department for Communities and the developer, and was



Not Applicable

issued in Quarter 3. The decision notice was dated 29 September, but system has recorded date of issue as 03 October, therefore placing the determination in Quarter 3 as opposed to Quarter 2. (Processing time was 138.6 weeks)

**Majors – Quarter 4**

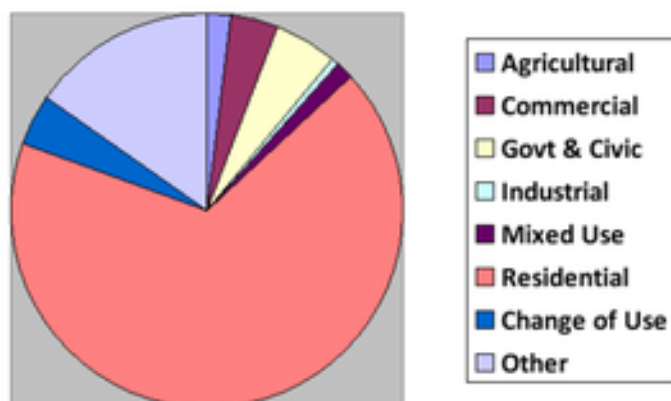
LA06/2020/0530/F for a greenway from Airport Road West at Kinnegar, Hollywood, to The Commons Park, Donaghadee, was withdrawn by the Council in February 2023, but appears in the annual statistics in Quarter 4 of 2022/23 with a processing time of 130.6 weeks. It should also be noted that whilst the application was submitted in June 2020, the application required to be accompanied by an Environmental Statement, which was not submitted until July 2022, circa 106 weeks after initial proposal submission.

If calculated on the basis of only the applications **determined** the average processing time for 2022/2023 for major applications is 81.6 weeks (median), as opposed to 104.5 weeks.

**Applications in the Local category of development**

Locals	Received	Decided	Approved	Average Processing Time (target 15 wks)
Quarter 1	230	270	256	23.4
Quarter 2	235	300	291	21.3
Quarter 3	228	173	166	15.1
Quarter 4	244	245	239	17.8
<b>Total</b>	<b>937</b>	<b>988</b>	<b>952</b> (96.4% approval rate)	<b>19.9</b>

Of the application received during this time period, the development types were as follows:



Not Applicable

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## Householder Development

Of the local applications determined above, 81 applications fell within the 'householder development' category of development, i.e. applications for alternations to an existing dwelling such as extensions, conservatories, loft conversions, or outbuildings within the boundary of a dwelling. Planning Service operates an internal target processing time of 8 weeks for householder development applications. In 2022-2023, 37 applications were determined within 8 weeks (46%) whilst of the 81, 65 were determined within the statutory target of 15 weeks (80%). Of the remaining 16 determined outside of 15 weeks, review of the cases indicates submission of amended plans or other information during the course of processing to address either objectors' concerns, consultees (such as HED) or planning policy considerations.

## Additional Activity

In addition to the above planning applications, it is important to draw attention to additional work carried out within the Development Management Section which is not reported upon. Additional activity details the "non-application" workload of the Planning Service, and includes Discharge of conditions, Certificates of Lawfulness (Proposed & Existing), Tree Preservation Orders (TPOs)/ Consents to Fell Trees in Conservation Area, Pre-Application Discussions (PADs), Proposals of Application Notice (PANs) and Non Material Changes. Preparation of Statements of Case for appeals and attendance at hearings is not detailed.

Type	Received	Determined
Discharge of Condition	81	60
Certificate of Lawfulness	60	44
Non Material Change	47	39
Pre Application Discussion	40	-
Proposal of Application Notice	6	-
TPO	56	38

For PADs and PANS, only the received cases are included in the table as it is not considered appropriate to report on decided/withdrawn cases or processing times for these types of activity.

## 2023/2024 Quarter 1 – Unvalidated Information

Dfl Analysis, Statistics & Research Branch is working to finalise the data for Q1 2023/24, a publication date is yet to be set; however, information is provided below, which has yet to be validated.

Quarter 1	Received / New Enforcement cases Opened	Decided / Enforcement cases concluded	Average Processing Time (wks)
Majors	0	1	93.4
Locals	198	242	15.2
Enforcement	100	72	Not available

## Not Applicable

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In respect of the one application determined in the major category of development, **LA06/2021/0817/F** pertains to a proposal for 58no. dwellings on land zoned for housing off the Ballygowan Road, Comber.

Further to submission and consideration of a number of amendments and supporting information, the application was presented to Planning Committee in December 2022, when officers explained that a planning agreement was required to ensure that the developer entered into an agreement with NIW under Article 161 of the Water and Sewerage Services (NI) Order 2006. The decision notice was not able to be generated until the legal agreement had been executed, and therefore the decision notice was dated 17 May 2023.

In respect of Householder Development applications, 113 decisions were issued, 74 were issued within 8 weeks (65%) however, 98 were issued within 15 weeks (87%).

### RECOMMENDATION

It is recommended that Council notes the content of this report and attachment.





Northern Ireland  
Statistics and Research Agency  
Gníomhaireacht Thuaisceart Éireann  
um Staitisticí agus Taighde



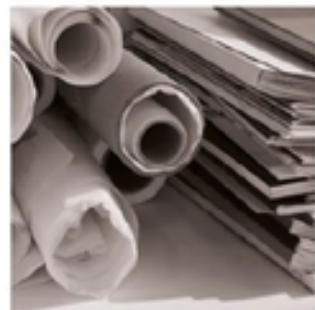
Department for  
**Infrastructure**  
An Roinn  
**Bonneagair**  
[www.infrastructure-ni.gov.uk](http://www.infrastructure-ni.gov.uk)

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# NORTHERN IRELAND PLANNING STATISTICS

Annual Statistical Bulletin 2022/23

April 2022 to March 2023



Theme: People and Places  
Coverage: Northern Ireland  
Frequency: Annual  
Date of Publication: 6 July 2023

Published by: Analysis, Statistics & Research  
Branch  
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Any enquiries regarding this document should be sent to us at [ASRB@nisra.gov.uk](mailto:ASRB@nisra.gov.uk).

### National Statistics status

National Statistics status means that the statistics meet the highest standards of trustworthiness, quality and public value as set out in the [Code of Practice for Statistics](#). It is the Department for Infrastructure's responsibility to maintain compliance with these standards.

The Northern Ireland Planning Statistics were designated as National Statistics in December 2020, following a full assessment of compliance with the [Code of Practice for Statistics](#).

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## Key points

- During 2022/23, 11,217 planning applications were received in Northern Ireland (NI); an 18% decrease from the previous financial year. This comprised 11,072 local, 144 major and one regionally significant application.
- A total of 10,771 planning applications were decided during 2022/23; a decrease of 17% from the previous financial year. Decisions were issued on 10,620 local, 150 major and one regionally significant application during 2022/23.
- The average processing time for local applications brought to a decision or withdrawal during 2022/23 was 19.0 weeks across all councils. This exceeds the 15 week target and represents an increase of 1.8 weeks from the previous financial year. Three of the 11 councils met the 15 week target in 2022/23.
- The average processing time for major applications brought to a decision or withdrawal during 2022/23 was 57.8 weeks across all councils. This represents an increase of 8.0 weeks compared with the previous financial year and exceeds the 30 week target by almost 28 weeks. No council met the 30 week target in 2022/23.
- The number of enforcement cases concluded and corresponding processing times are not presented in this report. This information will be published later and users will be notified when available.
- During the last two years there have been some key events that will have impacted on planning activity and processing performance. These were the coronavirus pandemic with varying restrictions in place up until February 2022; the accessibility of the system for some users for a period during January and February 2022, and a significant change in IT planning systems with the development and implementation of two new planning systems in June and December 2022. All these factors should be borne in mind when interpreting these figures and when making comparisons with other time periods.



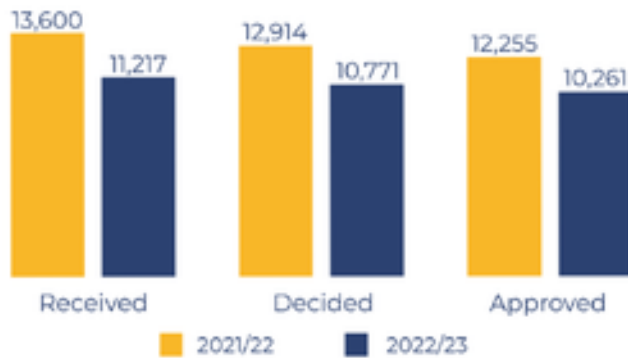
# Northern Ireland Planning Statistics 2022/23



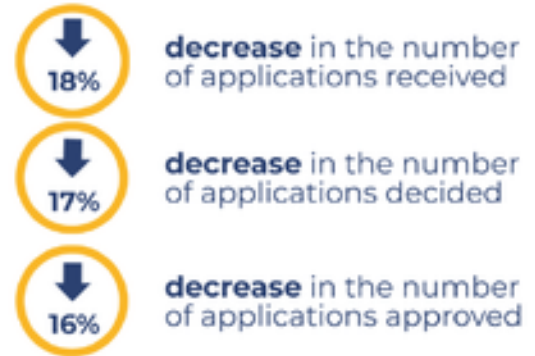
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## Overall planning applications

### Applications received, decided & approved



### Comparing 2022/23 with 2021/22:

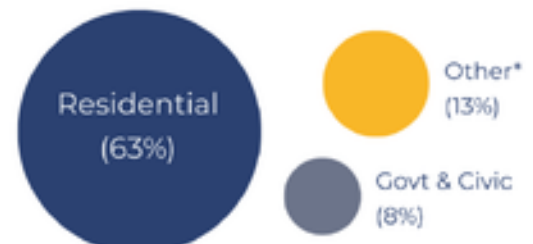


## Applications received 2022/23

A total of 11,217 planning applications were received during 2022/23:



### 3 largest development types



\*Other includes work to facilitate disabled persons, signs/advertisements & listed buildings

## Planning statutory targets 2022/23

### Average processing times (weeks) - major



### Councils within major target



### Average processing times (weeks) - local



### Councils within local target



For further information please contact [ASBB@nisa.gov.uk](mailto:ASBB@nisa.gov.uk) or view report at: [www.infrastructure-ni.gov.uk/articles/planning-activity-statistics](http://www.infrastructure-ni.gov.uk/articles/planning-activity-statistics)

# Northern Ireland Planning Statistics: Annual Statistical Bulletin 2022/23

## Introduction

This statistical bulletin presents a summary of Northern Ireland (NI) planning volumes and processing performance for councils and the Department for Infrastructure for 2022/23. From the 8 May 2016, Ministerial responsibility for planning transferred from the former Department of the Environment to the Department for Infrastructure (the 'Department') following departmental re-organisation.

Whilst the bulletin and [accompanying tables](#) report data for 2022/23, the detailed tables also include comparable data from previous periods. Commentary will be mainly focussed on changes since 2021/22. Please note that application figures for 2022/23 are now final and will not be subject to further scheduled revisions. Enforcement figures for 2022/23 remain provisional and will be subject to a further revision once the full suite of enforcement data is available.

## Background

The [Planning Act \(Northern Ireland\) 2011](#) (the '2011 Act') sets out the legislative framework for development management in NI and provides that, from 1 April 2015, councils largely have responsibility for this planning function.

Planning applications for development categorised as being either major development or local development are largely determined by the councils. Responsibility for planning applications for regionally significant development rests with the Department. In addition, the Department retains responsibility for legacy 'Article 31' applications (i.e. Article 31 of the [Planning \(Northern Ireland\) Order 1991](#)).

Furthermore, the Department has the power to 'call in' both major and local development applications from councils, where it so directs, and determine them. Responsibility for planning legislation, and for formulating and co-ordinating policy for securing the orderly and consistent development of land, remains with the Department.

Consequently, the responsibility for development management is shared between the 11 councils and the Department (the 12 planning authorities).

The Department continues to have responsibility for the provision and publication of statistics relating to the overall development management function, including enforcement. The quarterly and annual reports provide the NI headline results split by district council (and the Department where relevant). These data will also provide councils with information on their performance in order to meet their own reporting obligations under the [Local Government Act \(Northern Ireland\) 2014](#).

Note that whilst pre-transfer activity volumes can be mapped historically to the new organisational areas from which the demands arise, it would not be valid to do the same with performance data as the newly established district councils did not exist, nor do they neatly overlap with the old area planning office jurisdictions.

The first year of data under the new organisational areas was 2015/16. Therefore 2015/16 is regarded as the base year for reporting of performance-related data at council level with comparative trend data building from that point onwards. Whilst historic comparisons of performance at NI level can still be made, it is important to be aware that there were a number of significant changes to the planning system which will have had an impact. Where relevant these have been highlighted throughout the report.

### Statistics included in this report

This bulletin provides an overall view of planning activity across NI. It provides summary statistical information on council progress across two of the statutory targets, for major development applications and local development applications, as laid out in the [Local Government \(Performance Indicators and Standards\) Order \(Northern Ireland\) 2015](#). The number of enforcement cases concluded and corresponding processing times (statutory target) is not presented in this report. This information will be published later and users will be notified when available.

It also provides information relating to Departmental performance against a quantitative corporate business plan target.

All of the information underlying the charts and graphs featured in this bulletin are included in the [accompanying data tables](#) (see [Appendix 1 for additional definitions](#) used in these tables). This summary bulletin provides an overview and high level commentary with more detail and further analysis available [in the data tables](#). Where relevant, some of the more detailed findings may be referred to in the commentary.

### Revisions and changes since Quarter 1 2015/16

(i) Major versus local classification - following the publication of the first quarter provisional bulletin in November 2015, a number of planning application classification issues were identified which required further investigation. This led to a number of revisions to the first quarter 2015/16 provisional figures which are reflected in later quarterly bulletins. The validation exercise additionally highlighted some inconsistencies in major and local development classification between 2015/16 and 2014/15 when the new classification hierarchy was first administratively implemented. It was decided, therefore, that 2015/16, when the classification hierarchy was given full legal effect, would be the base year for future comparisons of major and local development activity. As such, back-comparisons at council level for these application types are not possible.

(ii) Discharge of conditions - whilst forming part of a council's workload, these are not planning applications per se and hence should be excluded from the assessment of target processing performance. This led to some further revisions from the previously released first quarter 2015/16 results. However, whilst there were some small changes to activity



volumes, their exclusion did not materially affect average processing times across the vast majority of councils. See [User Guidance](#) for further detail on excluded planning activity. Table 9.1, in the [accompanying data tables](#), provides volumes and processing times for all such 'non-application' workload.

(iii) Legacy versus new council activity – in order to provide additional context around council performance, two additional analyses have been included in the data tables. [Table 8.1](#) shows the volume of legacy work which each council inherited on 1 April 2015 and to what extent it has since been reducing, while [Table 8.2](#) splits out processing performance for major and local development into legacy versus council applications. These tables will be retained until the legacy applications become a negligible part of overall council workload.

## User engagement

ASRB plan to carry out a user consultation exercise during the summer/autumn 2023. Part of this engagement will seek users' views on the future format of the quarterly release.

## Future releases

The next quarterly release is currently planned for September 2023. The format of this release will be determined by the outcome of the user engagement exercise carried out in the summer/autumn 2023. The next release will contain provisional planning data up to 30 June 2023 and will commence the quarterly reporting cycle for 2023/24. The next annual report covering 2023/24 is planned for release in July 2024. See [GOV.UK](#) Release Calendar and [upcoming statistical releases](#) on the Department's website for future publication dates.

## National Statistics designation

Between November 2019 and March 2020, the Northern Ireland Planning Statistics underwent an assessment by the Office for Statistics Regulation. A [report](#) detailing the findings of this assessment was published in May 2020.

The assessment report identified four requirements which, once met, enabled the Northern Ireland Planning Statistics to be designated as new National Statistics. Analysis, Statistics and Research Branch (ASRB) published [an action plan](#), detailing how and by when these requirements were met. This includes a forward work plan which outlines scheduled work and further developments over the coming years, and this will be updated on an ongoing basis.

In [December 2020](#), the UK Statistics Authority Regulatory Committee confirmed National Statistics designation for the Northern Ireland Planning Statistics. This designation means that the statistics meet the highest standards of trustworthiness, quality and public value as set out in the [Code of Practice for Statistics](#).

## New Northern Ireland regional planning IT system

The [New Planning Portal](#) for 10 of the 11 councils and the Department for Infrastructure went live on 5 December 2022. This is the first planning statistics bulletin to be published



following the introduction of the new regional planning IT system. This publication incorporates all planning statistics published in previous bulletins by the Department for Infrastructure with exception of the data relating to the number of enforcements concluded and processing times for these, which will be published at a later date. Users will be notified when this information becomes available. Information reported for Mid Ulster council within this bulletin has been extracted from the [Mid Ulster planning portal](#).

The transfer to the new planning portals will have impacted on planning activity and processing performance; this should be borne in mind and caution taken when interpreting these figures and when making comparisons with other time periods.

### **Impact of the coronavirus (COVID-19) pandemic**

Restrictions due to the coronavirus pandemic commenced on 12 March 2020, with varying levels of restrictions in place up to 15 February 2022. This impacted planning activity and processing performance; therefore, caution should be taken when interpreting planning figures from 2020/21 and 2021/22, and when making comparisons with other time periods.

### **Planning Monitoring Framework**

The [Northern Ireland Planning Monitoring Framework 2021/22](#) was published in December 2022. The next update of the framework, with data for 2022/23, is planned for publication in winter 2023.



# Chapter 1: Overall Northern Ireland planning activity

## Chapter 1: Overall NI planning activity

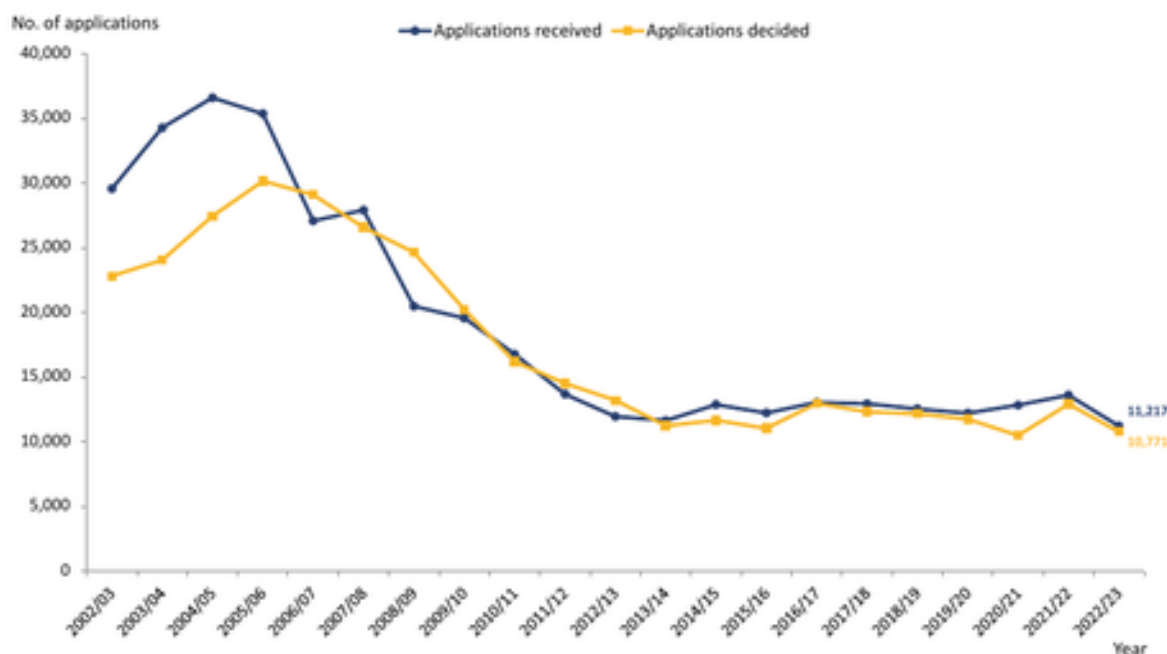
In 2022/23 the volume of planning applications received was the lowest since the series began in 2002/03. With the exception of 2020/21, the volume of planning applications processed (i.e. decided or withdrawn) in the most recent year was also the lowest on record. While the number of enforcement cases opened in 2022/23 was slightly higher than 2021/22, the volume of cases closed was lower than the previous year.

During the last two years there have been some key events that will have impacted on planning activity and processing performance. These were the coronavirus pandemic with varying restrictions in place up until February 2022; the accessibility of the system for some users for a period during January and February 2022, and a significant change in IT planning systems with the development and implementation of two new planning systems in June and December 2022. All these factors should be borne in mind when interpreting these figures and when making comparisons with other time periods.

### Applications received

During 2022/23, **11,217** planning applications were **received** in Northern Ireland (NI) by councils and the Department; a decrease of 17.5% from the previous financial year (13,600) and the lowest level on record. ([Figure 1.1](#)). [Refer to Table 1.1](#).

Fig 1.1 NI planning applications, annually, 2002/03 to 2022/23



Just over three-quarters of the planning applications received in 2022/23 were for full planning permission (75.5%); similar to the proportion reported for 2021/22 (75.3%).

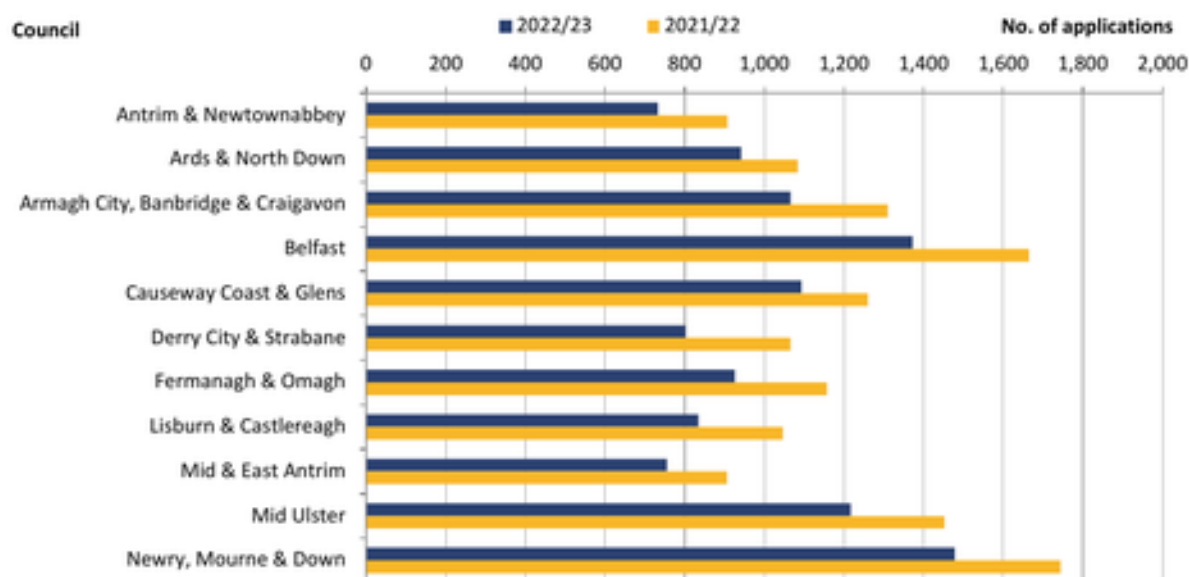
During 2022/23, the number of planning applications received varied across councils, ranging from 1,478 in Newry, Mourne and Down (accounting for 13.2% of all applications received across NI) to 732 in Antrim and Newtownabbey (6.5% of all applications received).

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Reflecting the overall decrease in the number of applications received in 2022/23 compared with 2021/22 (-17.5%), all 11 councils reported a decrease over the year. The largest decrease, in percentage terms, was in Derry City and Strabane (-24.7%). ([Figure 1.2](#)).

[Refer to Tables 1.1, 1.2, 5.6.](#)

Fig 1.2 Applications received by council, 2021/22 & 2022/23



### Applications decided

The number of planning **decisions issued** during 2022/23 was **10,771**; the second lowest figure of the series and a decrease of 16.6% from 2021/22 (12,914) ([Figure 1.1](#)). [Refer to Table 1.1.](#)

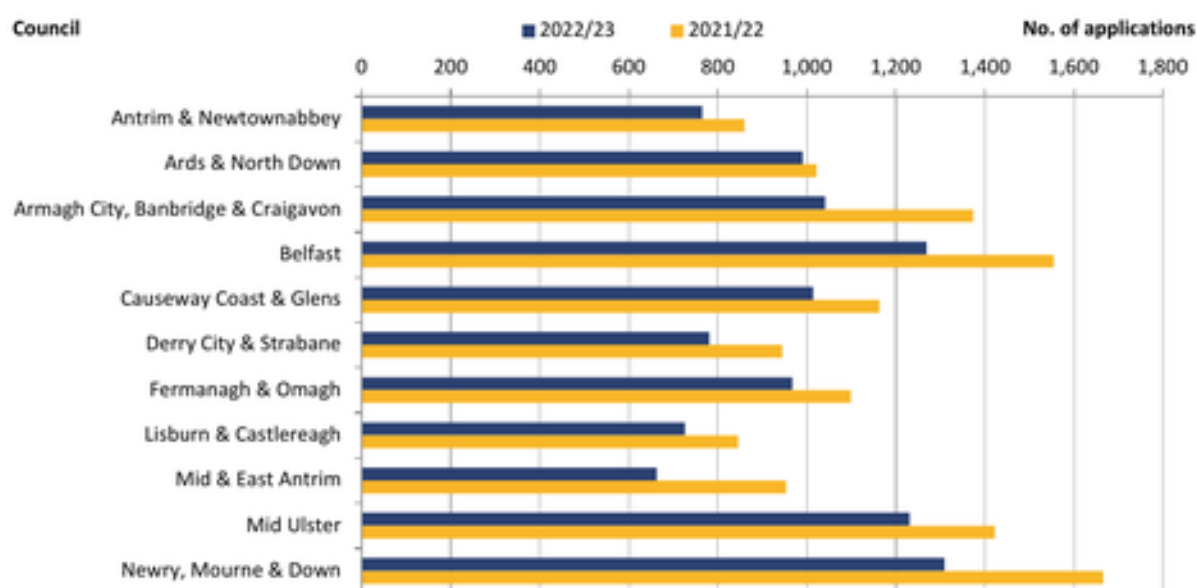
Over three quarters of planning decisions in 2022/23 (75.2%) were for full planning permission. This was a decrease from the proportion recorded for the previous financial year (76.9%).

Across councils the number of decisions issued during 2022/23 ranged from 1,309 in Newry, Mourne and Down (accounting for 12.2% of all decisions across NI) to 662 in Mid and East Antrim (6.1% of all decisions).

Reflecting the overall decrease in the number of applications decided in 2022/23 compared with 2021/22 (-16.6%), all 11 councils reported a decrease in the number of applications decided in 2022/23, with the percentage decrease greatest in Mid and East Antrim (-30.5%). ([Figure 1.3](#)).



Fig 1.3 Applications decided by council, 2021/22 & 2022/23



The number of applications received exceeded the number of decisions issued in seven out of the 11 councils during 2022/23.

Over the course of the year, **565** applications were **withdrawn**; a decrease of 9.3% from the number withdrawn in 2021/22 (623).

Overall, the number of applications processed (i.e. decided or withdrawn) in 2022/23 was 11,336; a decrease of 16.3% from the previous year (13,537).

[Refer to Tables 1.1, 1.2, 5.6.](#)

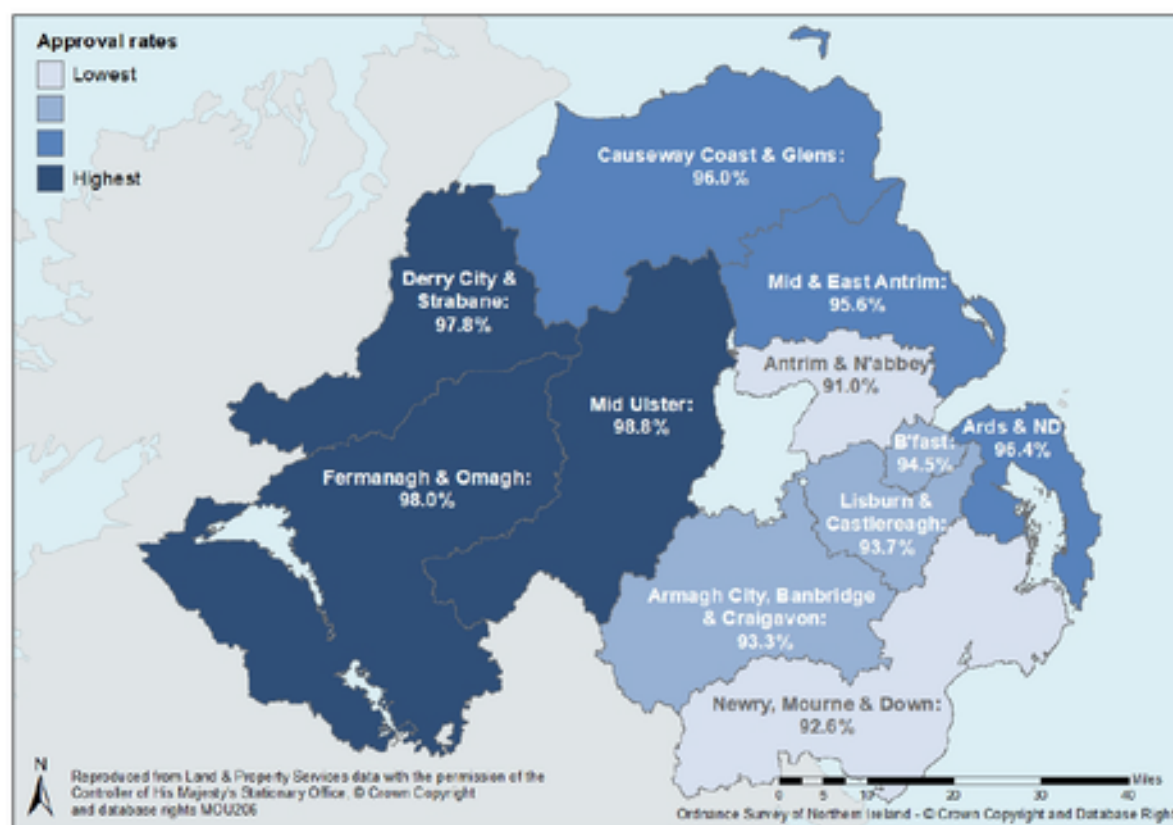
In addition to processing applications, planning authorities deal with a range of other planning related work. For example, during 2022/23 they processed to decision or withdrawal: 950 discharge of conditions; 833 certificates of lawfulness; 395 non-material changes; and 270 tree preservation orders. A further breakdown of these figures is provided in [Table 9.1](#).

### Approval rates

The **overall Northern Ireland approval rate** for all planning applications was **95.3%** in 2022/23; an increase from the rate reported for 2021/22 (94.9%). [Refer to Table 1.1.](#)

Approval rates varied across councils during 2022/23, from 98.8% in Mid Ulster to 91.0% in Antrim and Newtownabbey ([Figure 1.4](#)). These rates are dependent on many factors and care should be taken in making any comparisons.

Fig 1.4 Approval rates by council, 2022/23



Six councils reported a decrease in approval rate in 2022/23 when compared with 2021/22, with the largest decrease occurring in Antrim and Newtownabbey (down from 94.5% to 91.0%). Approval rates increased over this period in the remaining five councils, with the largest increase occurring in Newry, Mourne and Down (up from 87.5% to 92.6%). [Refer to Table 1.2.](#)

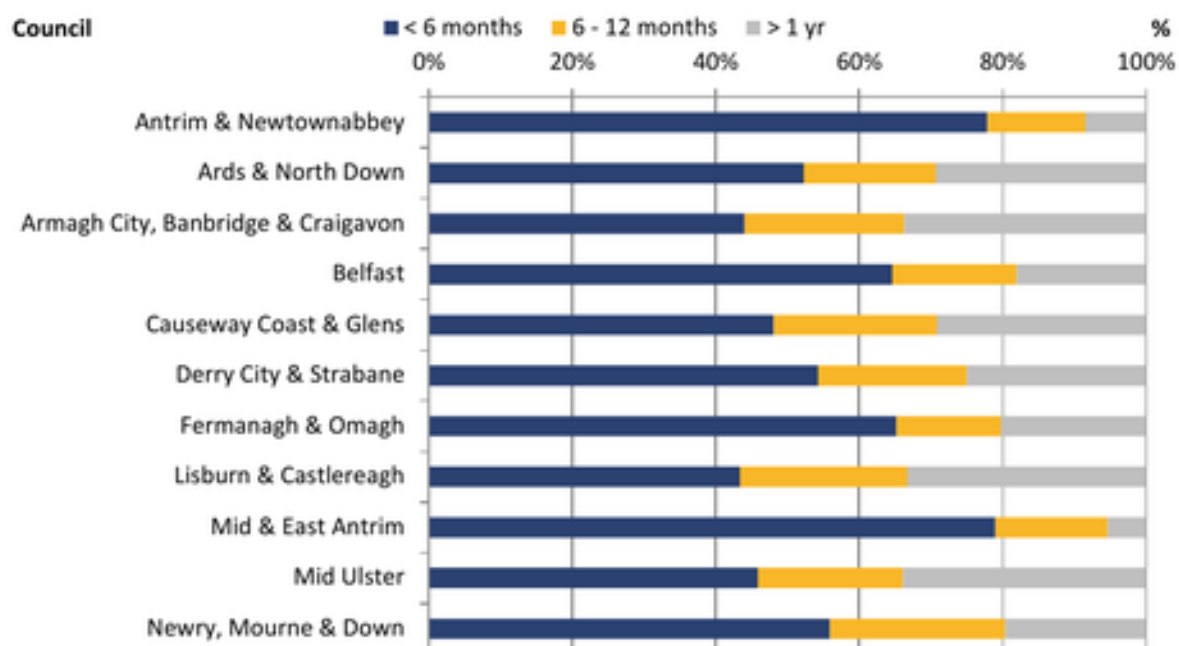
### Live applications

There were **8,092 live** applications in the planning system across NI at the end of March 2023, a decrease from the number of live applications at the end of March 2022 (8,236). Any decrease in the live count is due to more applications being processed, i.e. decided or withdrawn, compared with applications received over a given period.

Over one-quarter of all live applications in the planning system at the end of March 2023 were over one year old (25.8%); an increase from the proportion reported for the end of March 2022 (22.5%), and the highest end-of-year proportion since 2012/13. [Refer to Table 1.3.](#)

The proportion of live applications over one year old at the end of March 2023 varied across councils, ranging from 33.9% in Mid Ulster to 5.3% in Mid and East Antrim ([Figure 1.5](#)).

Fig 1.5 Live applications by council & time in the planning system at end of March 2023



Comparing the end of March 2023 with the same point a year earlier, the proportion of live cases in the system for over a year increased across nine councils, with the increase greatest in Lisburn and Castlereagh (up from 26.0% to 33.3%). The remaining two councils reported a decrease in the proportion of live cases over the year with the decrease greatest in Antrim and Newtownabbey (down from 10.4% to 8.4%).

[Refer to Table 1.4.](#)



# Chapter 2: Departmental activity



## Chapter 2: Departmental activity

### Departmental planning activity

In 2022/23 the Department received two applications; one regionally significant development (RSD) and one other application. This compares with 10 received during 2021/22. The Department issued decisions on 15 applications during 2022/23; one RSD, one Retained Section 26, five called-in and eight other applications. This is an increase from the 10 decisions issued by the Department during the previous year. In addition, two applications were withdrawn during the most recent year, compared with one during 2021/22. The applications withdrawn in 2022/23 were both Retained Section 29 applications.

At the end of March 2023 there were 18 live Departmental applications: four ongoing RSD applications; two retained applications; 11 called-in applications; and one other application. The majority of these applications (16 out of 18) were in the planning system for over a year at the end of March 2023 ([Figure 2.1](#)). [Refer to Tables 2.1, 2.2.](#)

Fig 2.1 Live Departmental applications by development type & time in system at end of March 2023



### Departmental target

RSD applications are similar to former Article 31 applications in that they will be determined by the Department. These developments have a critical contribution to make to the economic and social success of Northern Ireland as a whole, or a substantial part of the region. They also include developments which have significant effects beyond Northern Ireland or involve a substantial departure from a local development plan.



**It is a target for the Department to contribute to sustainable economic growth by processing regionally significant planning applications from date valid to a ministerial recommendation or withdrawal within an average of 30 weeks.**

Of the four RSD applications live in the planning system at the end of March 2023, one had already been progressed to ministerial recommendation prior to 2022/23. Another was progressed to ministerial recommendation in Q3 2022/23 but the 30 week period for recommendation / withdrawal had been exceeded. Of the remaining two awaiting ministerial recommendation, the 30 week period has been exceeded for one, and the other which was received during Q4 2022/23 will be progressed in future months. In addition, there are two former Article 31 applications which are being dealt with under Section 26 of the Planning Act (NI) 2011 as regionally significant applications.

Progress on these applications, and any new RSD applications received, will continue to be assessed in future reports.



# Chapter 3: Major development planning applications

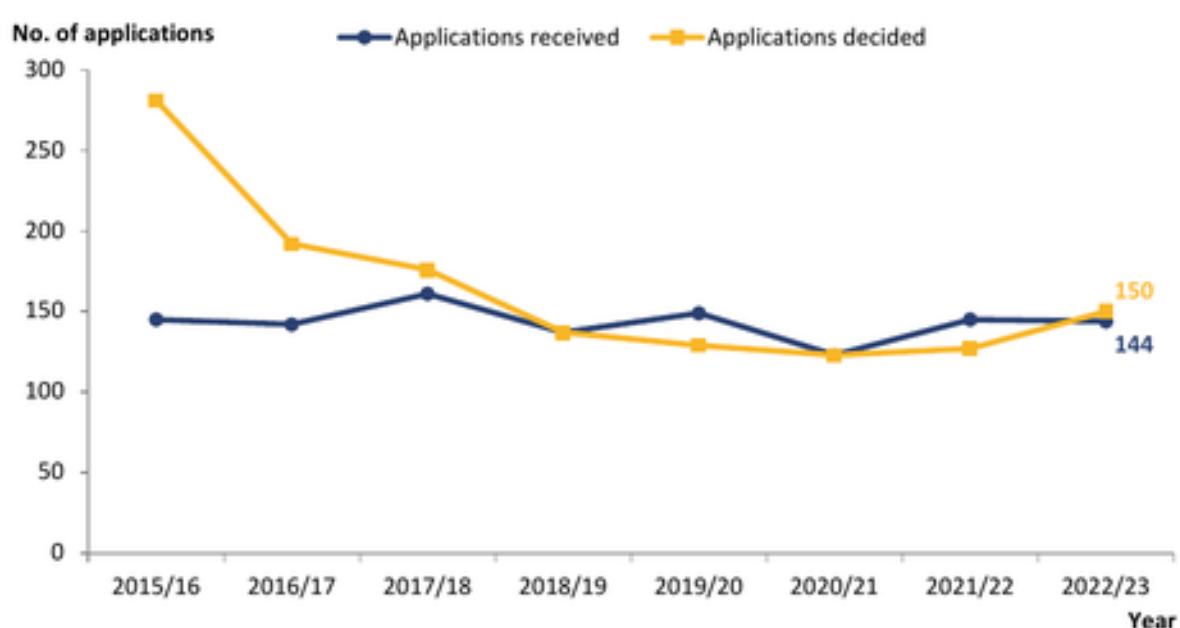
## Chapter 3: Major development planning applications

**Major Developments** have important economic, social and environmental implications. The majority of major applications are multiple housing, commercial, and government and civic types of development.

### Major applications received

A total of **144 major** planning applications were **received** in NI during 2022/23; similar to the number received in 2021/22 (145) ([Figure 3.1](#)).

Fig 3.1 Major development applications, annually, 2015/16 to 2022/23



From 1 July 2015, pre-application community consultation became a pre-requisite to a major application. All major applications now go through a minimum 12 week consultation process before being accepted. The impact of this requirement should be borne in mind when considering the longer term trend in major applications received, particularly when considering quarterly data. As [Figure 3.1](#) shows, the impact of this requirement is less evident for annual data. The number of major applications received has been relatively stable since the time series began in 2015/16, ranging from 123 in 2020/21 to 161 in 2017/18.

From 1 May 2020, the requirement to hold a public event as part of the pre-application community consultation was temporarily removed for five months in response to the coronavirus pandemic. This was subsequently extended until 31 March 2022<sup>1</sup>.

<sup>1</sup> For more information, see the [Departmental website](#).



The number of major applications received across the councils in 2022/23 ranged from 25 in Belfast to four in Ards and North Down. Six councils recorded decreases in the number of major applications received in 2022/23 compared with 2021/22, with Belfast recording the largest decrease (down 13, from 38 to 25). Five councils reported increases in the number of major applications received over the year, with the greatest increase recorded in Mid Ulster (up 10, from 10 to 20).

### Major applications decided

During 2022/23, **150 major** planning applications were **decided**; an increase of 18.1% from the previous year (127) ([Figure 3.1](#)).

There were **seven** major applications **withdrawn** during 2022/23, compared to 4 in 2021/22.

At council level, the number of major applications decided in 2022/23 ranged from 25 in Belfast to three in Ards and North Down. Nine of the 11 councils issued more decisions on major applications in 2022/23 than in 2021/22.

Of the 150 major applications decided upon in NI during 2022/23, 147 were approved, meaning the overall Northern Ireland **approval rate** was **98.0%**. All eleven councils issued decisions on major applications during the most recent year; in nine of those, 100% of the major applications decided upon were approved. [Refer to Tables 3.1, 3.2.](#)

### Major planning applications statutory target



**It is a statutory target for each council that major development planning applications will be processed from the date valid to decision issued or withdrawal date within an average of 30 weeks.**

[Figure 3.2](#) presents annual average processing times for major applications. The **average processing time** for **major** applications brought to a decision or withdrawal during **2022/23** was **57.8 weeks** across all councils. This represents an increase of 8.0 weeks when compared to the average processing time in 2021/22 (49.8 weeks) and is considerably higher than the 30 week target.

Whilst [Figure 3.2](#) below has been provided for completeness, some councils (3 of the 11) processed fewer than 10 major applications to decision or withdrawal during 2022/23. [Refer to Table 3.2 for further information.](#)

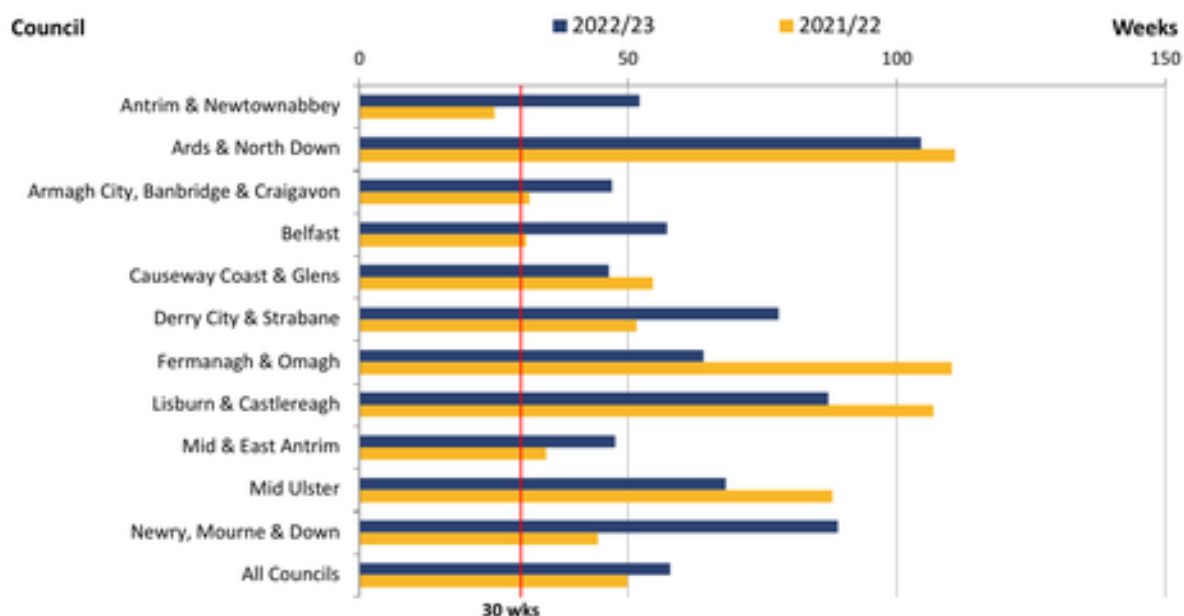
No councils were within the 30 week target in 2022/23. The lowest average processing times were recorded in Causeway Coast and Glens (with an average of 46.4 weeks across 17 applications), Armagh City, Banbridge and Craigavon (with an average of 47.0 weeks across 17 applications), and Mid and East Antrim (with an average of 47.6 weeks across 9 applications). [Refer to Table 3.2.](#)

Six of the 11 councils reported an increase in average processing times for major applications in 2022/23 compared with 2021/22, with the increase greatest in Newry, Mourne and Down (up from an average of 44.3 weeks to 89.0 weeks). The remaining five

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councils reported a decrease in average processing times for major applications over the year, with Fermanagh and Omagh reporting the greatest decrease (down from an average 110.2 weeks to 64.0 weeks).

Fig 3.2 Major development average processing times by council, 2021/22 & 2022/23



[Refer to Table 3.2 for further information.](#)

Three of the 147 major applications processed by councils in 2022/23 were legacy cases (i.e. those received before 1 April 2015). There were 8 live major legacy applications in the planning system at the end of March 2023. A breakdown of these figures by legacy cases (those applications received prior to transition of planning powers) and council received cases is provided in [Table 8.2](#).



# Chapter 4: Local development planning applications

## Chapter 4: Local development planning applications

**Local Development** planning applications are mostly residential and minor commercial applications and are largely determined by the councils.

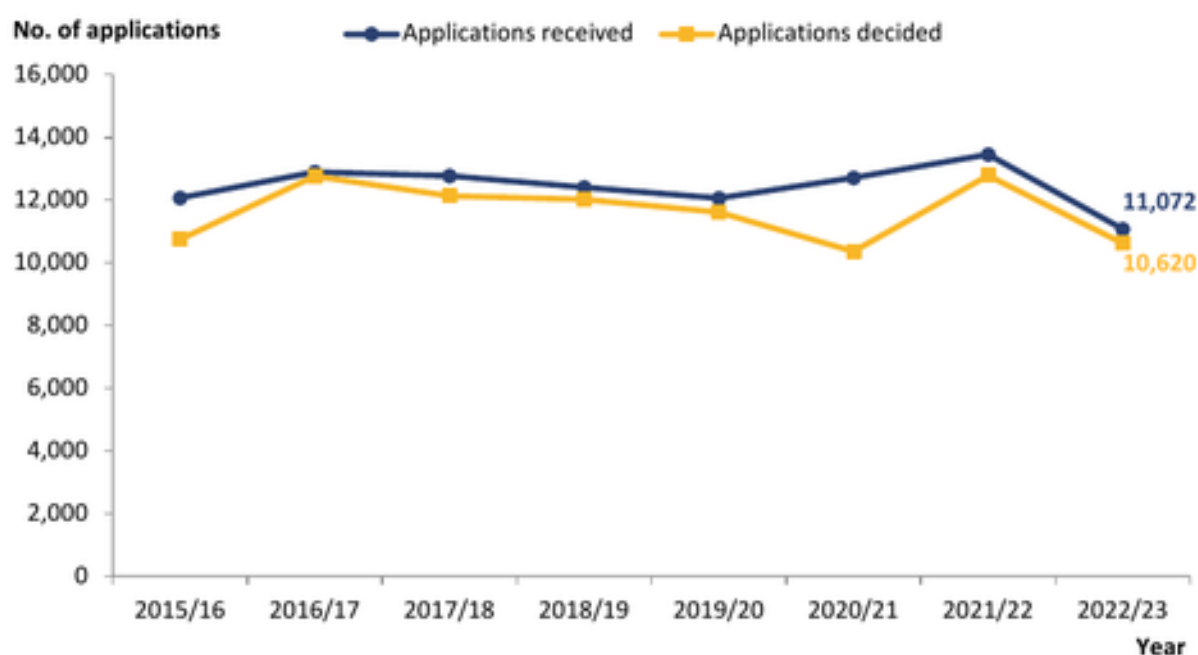
### Local applications received

The number of **local** applications **received** in NI during 2022/23 was **11,072**; the lowest since the series began in 2015/16 and a decrease of 17.7% on the 13,454 received during 2021/22 ([Figure 4.1](#)).

Across councils the number of local applications received during 2022/23 ranged from 1,471 in Newry, Mourne and Down to 714 in Antrim and Newtownabbey.

All 11 councils reported a decrease in the number of local applications received in 2022/23 compared with the previous year. The decrease was greatest, in percentage terms, in Derry City and Strabane, where the number of local applications received was down by nearly one quarter (-24.6%).

Fig 4.1 Local development applications, annually, 2015/16 to 2022/23



### Local applications decided

The number of **local** applications **decided** in 2022/23 was **10,620**; a decrease of 16.9% from 2021/22 (12,787). In each year since the transfer of planning powers the number of local applications received has exceeded the number decided. This difference was considerable in 2015/16, in large part due to the gap between the number received and decided during the first quarter of 2015/16, immediately following transfer. In 2016/17 the gap narrowed considerably, before widening again in subsequent years. The gap was greatest in 2020/21,



with 2,352 more applications received than decided, suggesting that the coronavirus pandemic and resulting restrictions impacted the ability of planning authorities to issue decisions on local applications. That gap has since narrowed, with 452 more applications received than decided in 2022/23 ([Figure 4.1](#)).

During 2022/23 the number of local planning decisions issued across councils ranged from 1,298 in Newry, Mourne and Down to 653 in Mid and East Antrim.

All 11 councils reported a decrease in the number of local applications decided in 2022/23 compared with the previous year, with the decrease greatest in percentage terms in Mid and East Antrim (-30.9%).

In 2022/23, **558** local applications were **withdrawn**; a decrease of 9.9% from the number withdrawn in 2021/22 (619). Across councils the number of local applications withdrawn in 2022/23 ranged from 71 in Causeway Coast and Glens to 24 in Mid and East Antrim.

The **overall Northern Ireland approval rate** for local applications was **95.2%** in 2022/23; this compares to 94.9% in 2021/22.

[Refer to Tables 4.1, 4.2.](#)

### Local planning applications statutory target



It is a statutory target for each council that local development planning applications will be processed from the date valid to decision issued or withdrawal date within an average of 15 weeks.

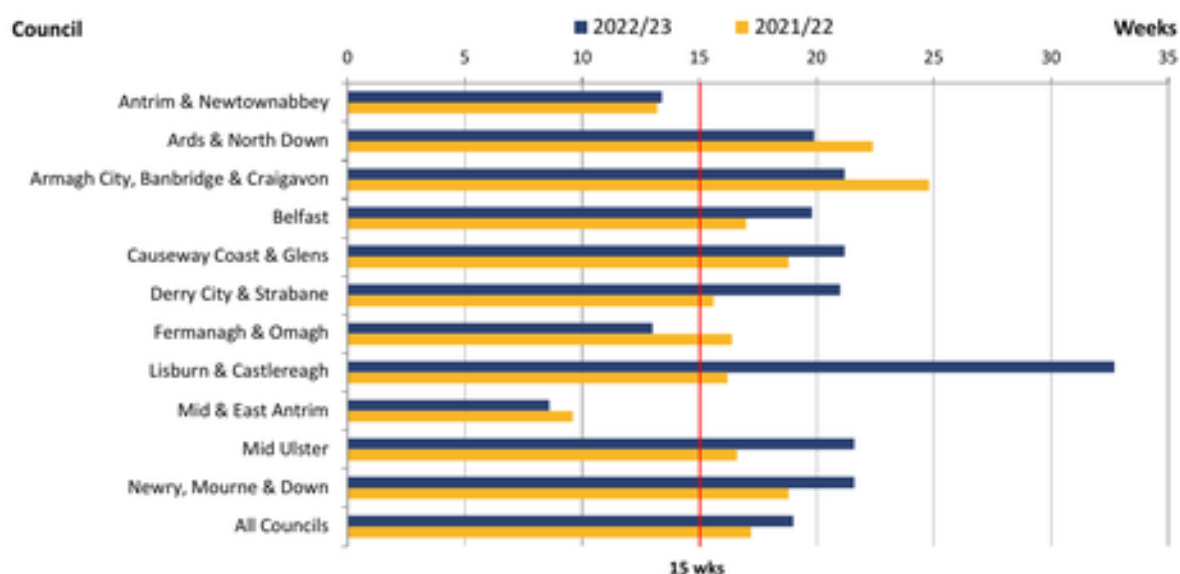
The **average processing time** for local applications brought to a decision or withdrawal during **2022/23** was **19.0 weeks**, exceeding the statutory target of 15 weeks. This represents an increase of 1.8 weeks compared with 2021/22 (17.2 weeks).

Three of the 11 councils met the 15 week target in 2022/23: Mid and East Antrim (8.6 weeks); Fermanagh and Omagh (13.0 weeks); and Antrim and Newtownabbey (13.4 weeks).

The average processing time for local applications increased in seven councils during 2022/23, compared with 2021/22, with the increase greatest in Lisburn and Castlereagh (up 16.5 weeks, from 16.2 to 32.7 weeks). Over the same period, average processing times for local applications decreased in the remaining four councils, with the decrease greatest in percentage terms in Fermanagh and Omagh (down 3.4 weeks, from 16.4 to 13.0 weeks) ([Figure 4.2](#)).

[Refer to Table 4.2.](#)

Fig 4.2 Local development average processing times by council, 2021/22 & 2022/23



Seven of the 11,172 local applications processed by councils in 2022/23 were legacy cases (i.e. those received before 1 April 2015). There were 17 live local legacy applications in the planning system at the end of March 2023. A breakdown of these figures by legacy cases (those applications received prior to transition of planning powers) and council received cases is provided in [Table 8.2](#).



# Chapter 5: Development type

## Chapter 5: Development type

Generally, the majority of planning applications received are for residential development. During 2022/23, **residential** applications accounted for over three-fifths (**62.5%**) of all planning applications received in NI; a decrease on the proportion for 2021/22 (66.2%).

Residential applications accounted for the majority of applications received in each council during 2022/23; ranging from 71.0% in Mid Ulster to 44.2% in Belfast.

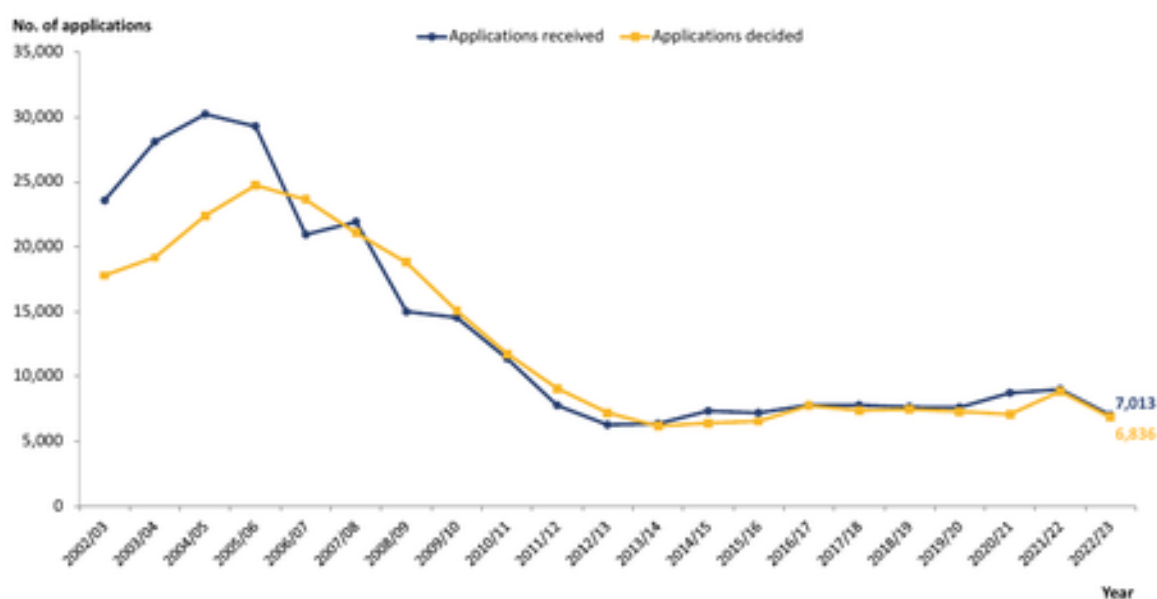
Consistent with previous years, a higher proportion of applications received in Belfast (24.8%) and Derry City and Strabane (23.1%) were categorised as ‘other’<sup>2</sup> in 2022/23, compared with the other councils. See [Appendix 1 – Definitions](#) for a description of the types of applications included in this category.

At NI level the overall number of planning applications received decreased by 17.5% between 2021/22 and 2022/23. There was also a decrease in six of the eight development types, with the greatest decrease being in residential applications (down 22.1%, from 9,006 to 7,013). The number of industrial applications increased by 11.4% (from 175 to 195), while the number of change of use applications remained the same over the year (634). [Refer to Tables 5.1, 5.2.](#)

### Residential applications received

The overall number of **residential** planning applications **received** in NI during 2022/23 was **7,013**; a decrease of 22.1% from 2021/22 (9,006). [See Figure 5.1.](#)

Fig 5.1 NI Residential applications, annually, 2002/03 to 2022/23



<sup>2</sup> See [Appendix 1 – Definitions](#) for a description of the types of applications included in this category



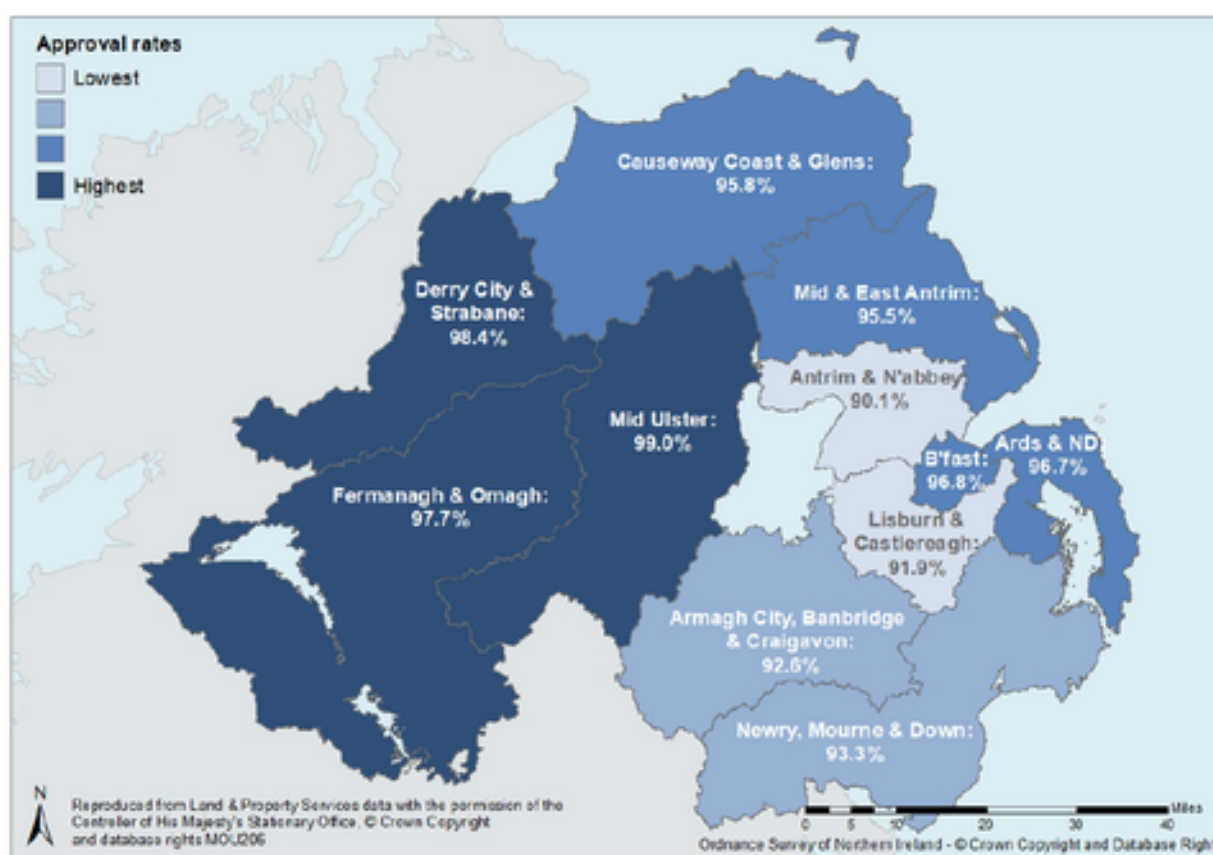
## Residential applications decided

There were **6,836 residential** planning applications **decided** during 2022/23; a decrease of 22.7% over the year from 8,846. [See Figure 5.1.](#)

The **Northern Ireland approval rate** for **residential** planning applications was **95.4%** in 2022/23; similar to the rate reported for 2021/22 (95.0%), and the second highest annual residential approval rate reported since the series began in 2002/03.

Approval rates for residential planning applications varied across councils in 2022/23, ranging from 99.0% in Mid Ulster to 90.1% in Antrim and Newtownabbey ([Figure 5.2](#)).

Fig 5.2 Residential approval rates by council, 2022/23



In 2022/23 approval rates for residential planning applications decreased in seven councils when compared with 2021/22, with the largest decrease occurring in Antrim and Newtownabbey (down from 93.9% to 90.1%). Four councils reported an increase in residential approval rates over the same period with the greatest of these reported in Newry, Mourne and Down (up from 87.3% to 93.3%).

During 2022/23, 343 residential applications were withdrawn across NI, a decrease from the number reported for the previous year (389).

[Refer to Tables 5.3 and 5.4.](#)

### Residential applications – urban, rural and open countryside

Across urban areas (settlements greater than or equal to 5,000 population), the number of residential applications received in 2022/23 was 2,260; a decrease of 24.1% from 2021/22 (2,978).

In rural areas, within settlements of less than 5,000 population, there was a decrease in the number of residential applications received in 2022/23 (795) compared with 2021/22 (down 27.4%, from 1,095).

In the open countryside (outside population settlements), the number of residential applications received in 2022/23 (3,958) also decreased over the year (down 19.8%; from 4,933).

### Residential applications – urban and rural

Figure 5.3 shows the number of residential applications received in 2021/22 and 2022/23, broken down by urban and rural housing type. Urban is based on areas with settlements greater than 5,000 population while rural is a combination of settlements below 5,000 population and the open countryside.

New single dwellings in rural areas (2,049) and alterations/extensions in urban areas (1,621) continue to be the most common types of residential application, together accounting for over half (52.3%) of all residential applications received during the 2022/23.

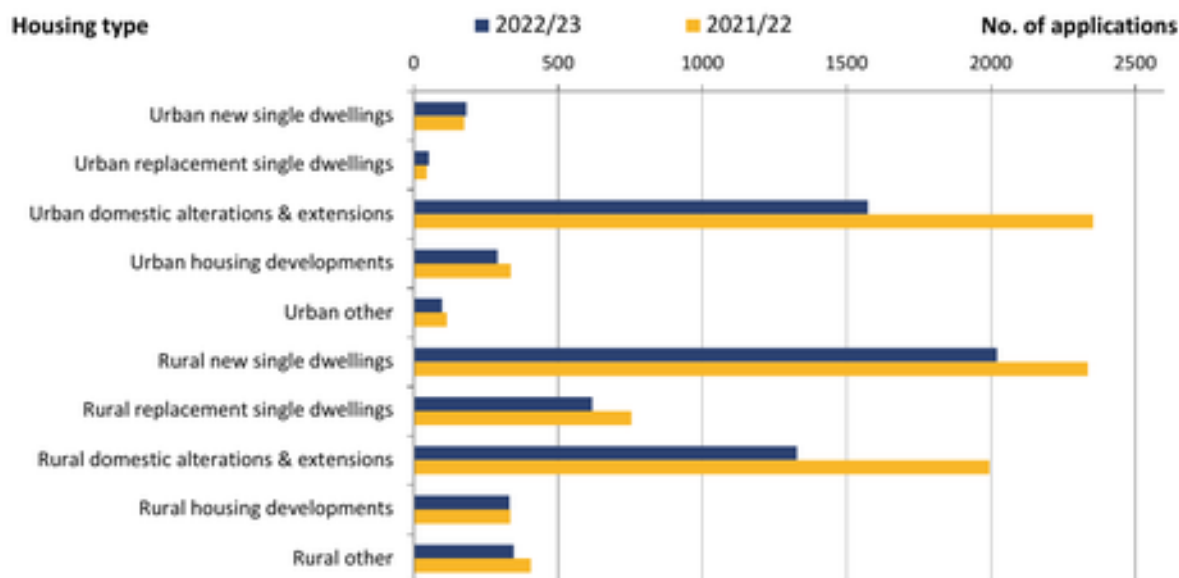
The overall decrease over the year in the number of residential applications received (-22.1%) was a result of decreases in the number of applications across all housing types, see Figure 5.3.

Fig 5.3 NI Residential applications received by urban/rural, 2021/22 & 2022/23



The overall decrease in the number of residential applications decided between 2021/22 and 2022/23 (-22.7%), was driven in large part by decreases in the number of decisions issued on domestic alterations and extensions in rural areas (down 33.5%; from 1,995 to 1,327) and in urban areas (down 33.1%; from 2,354 to 1,574). [Refer to Table 5.5](#) and [Figure 5.4](#).

Fig 5.4 NI Residential applications decided by urban/rural, 2021/22 & 2022/23





# Chapter 6: Compliance and enforcement activity



## Chapter 6: Compliance and enforcement activity

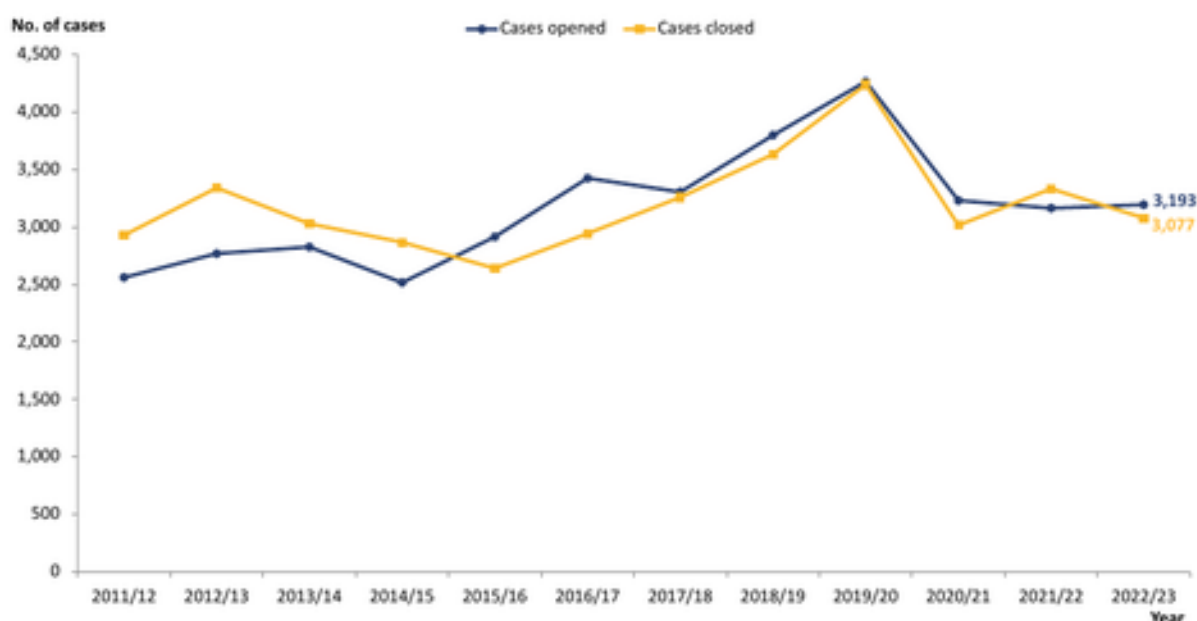
### Enforcement cases

The number of **enforcement cases opened** in NI during 2022/23 was **3,193**; up 0.9% from the number opened in 2021/22 (3,163), which was the lowest annual total reported since 2015/16 ([Figure 6.1](#)). [Refer to Table 6.1](#).

Across the councils, the number of enforcement cases opened in 2022/23 ranged from 491 in Belfast, to 171 in Mid Ulster. Six councils reported decreases in the number of cases opened in 2022/23 compared with the previous year. This decrease was greatest in Newry, Mourne and Down, where the number of cases opened fell by more than one-fifth (-21.1%) over the year (from 408 to 322). The number of cases opened increased in five councils over this period, with the largest increase recorded in Derry City and Strabane (up 60.5%, from 172 to 276).

The number of **enforcement cases closed** during 2022/23 was **3,077**; down by 7.7% from the same period a year earlier (3,332) ([Figure 6.1](#)).

Fig 6.1 Enforcement cases opened & closed, annually, 2011/12 to 2022/23



The number of cases closed in 2022/23 varied across councils, ranging from 432 in Armagh City, Banbridge and Craigavon to 145 in Mid Ulster. Eight of the 11 councils reported a decrease in the number of enforcement cases closed in 2022/23 compared with the previous year. This decrease was greatest in Newry, Mourne and Down, where the number of cases closed decreased from 511 to 316 (-38.2%). Three councils reported an increase in the number of cases closed with the greatest of these in percentage terms in Derry City and Strabane, up 80.9% (from 157 to 284).

The most common reasons for enforcement cases closing in 2022/23 were that no breach had actually occurred (35.4%) or that the case had been remedied or resolved (25.0%).

Together these accounted for over three-fifths (1,858; 60.4%) of the 3,077 cases closed during the year.

### Enforcement cases statutory target



It is a statutory target that 70% of all enforcement cases dealt with by councils are progressed to target conclusion within 39 weeks of receipt of complaint.

The number of enforcement cases concluded and corresponding processing times is not presented in this report. This information will be published later and users will be notified when available.

### Live enforcement cases

The number of **live enforcement cases** at the end of March 2023 was **3,774**, up 3.2% from 2021/22 (3,658).

The number of **cases over two years old** stood at **1,322** at the end of March 2023, accounting for 35.0% of all live cases, the highest end of year proportion since the end of March 2013. This compared with 33.2% of live cases at the end of March 2022.

[Refer to Tables and 6.1 and 6.4.](#)

Across councils, Newry, Mourne and Down had the highest number of live cases at the end of March 2023 (708), with almost one-half (48.6%) of these in the system for over two years.

Mid and East Antrim had the smallest number of live cases (97) at the end of March 2023, with 16.5% of these in the system for over two years.

The number of live enforcement cases increased in seven of the 11 councils between the end of March 2022 and the end of March 2023. The increase was greatest in Belfast, where the number of live cases increased by 50.9% over the year (from 283 to 427).

The overall increase in the enforcement live count recorded across the year was offset by decreases reported in the remaining four councils, with the greatest of these reported in Armagh City, Banbridge and Craigavon (down 23.7%; from 456 to 348).

[Refer to Table 6.5.](#)

## Compliance activity

There were 19 prosecutions initiated during 2022/23; down 48.6% from the number recorded for 2021/22 (37). Eight councils initiated prosecutions during 2022/23, with Causeway Coast and Glens initiating the most (6).

During 2022/23, there were 10 convictions across NI; down by -52.4% from the previous year (21). Six councils recorded convictions during this period, with Antirm and Newtownabbey recording the most (four).

[Refer to Tables 6.1 and 6.3.](#)



# Chapter 7: Renewable energy activity



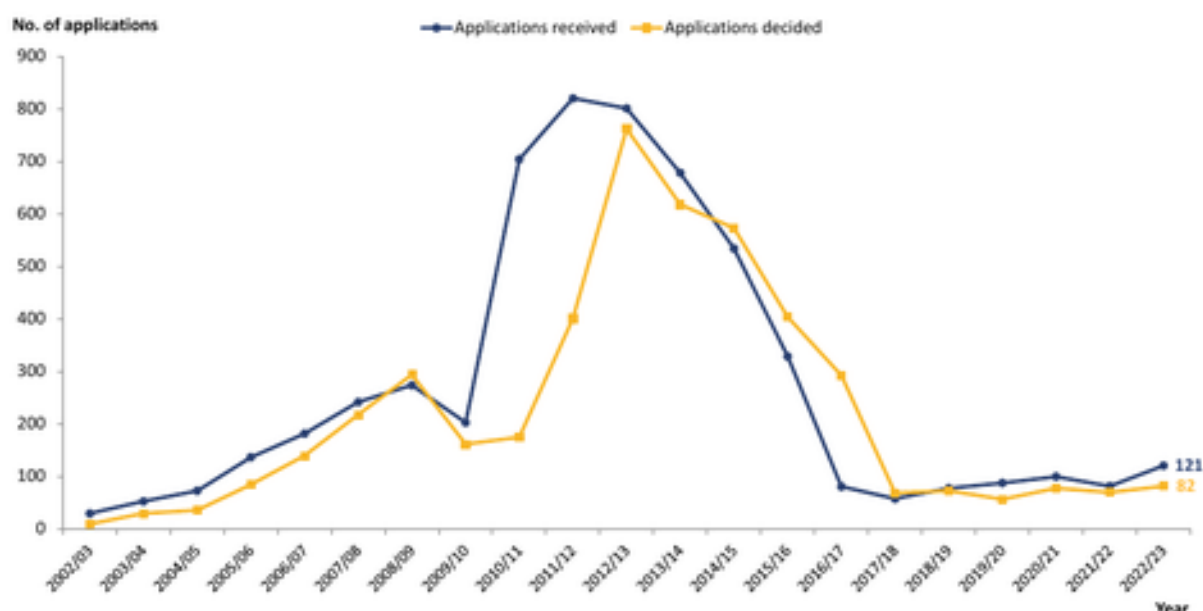
## Chapter 7: Renewable energy (RE) activity

### Renewable energy applications received

The number of **renewable energy applications received** in 2022/23 was **121**; an increase from 82 in 2021/22.

The number of renewable energy applications received annually peaked in 2011/12 at 820. It is likely that the high levels at this time were driven by the NI Executive's former targets for electricity consumption from renewable sources, with a target of 20% to be achieved by 2015, and 40% by 2020. The sharp decline in recent years (a 85.2% decrease between 2011/12 (820) and 2022/23 (121)) may be partly due to a reduction in government funding available, as well as a lack of capacity on the power grid to allow for new connections ([Figure 7.1](#)).

Fig 7.1 Renewable Energy applications, annually, 2002/03 to 2022/23



### Renewable energy applications decided

The number of renewable energy applications **decided** during 2022/23 was **82**; up from 70 reported for 2021/22 ([Figure 7.1](#)). Five renewable energy applications were withdrawn during 2022/23. [Refer to Table 7.1.](#)

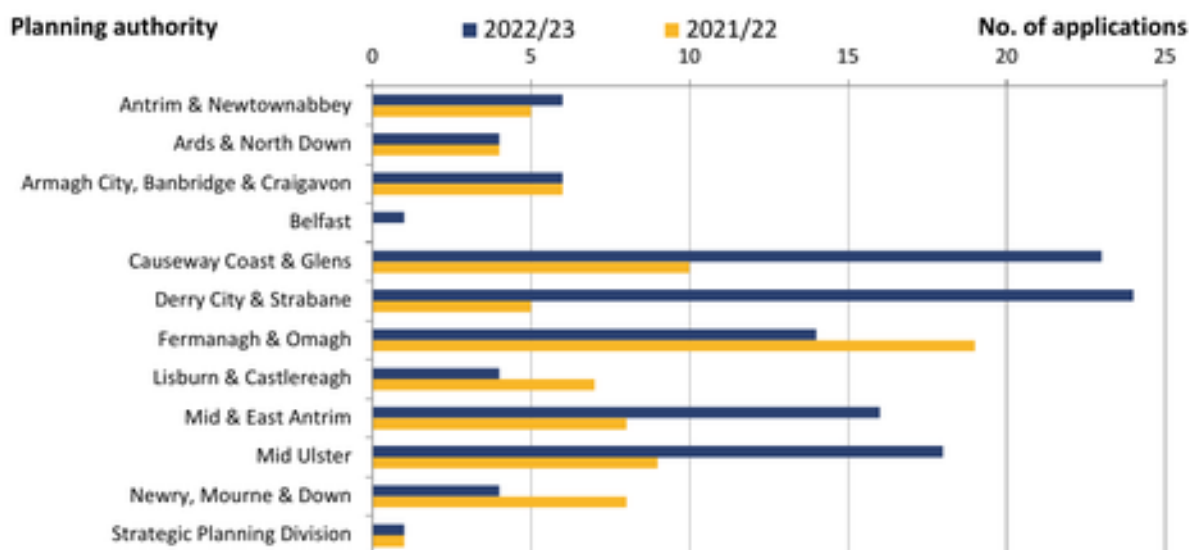
The average processing time for the 87 renewable energy applications brought to a decision or withdrawal during 2022/23 was 51.4 weeks across NI; with processing times increasing over the year from 43.8 weeks reported for 2021/22.

Single wind turbines continue to be the most common renewable energy application, accounting for 82 out of 121 applications received during 2022/23. In addition, 59 of the 82

renewable energy decisions issued during 2022/23 were for single wind turbines. [Refer to Table 7.2.](#)

[Figure 7.2](#) shows the distribution of renewable energy applications received across the different planning authorities, with Derry City and Strabane receiving the most in 2022/23 (24). Six planning authorities received an increased amount of applications in 2022/23 compared with the previous year; this increase was greatest in Derry City and Strabane (up from five to 24).

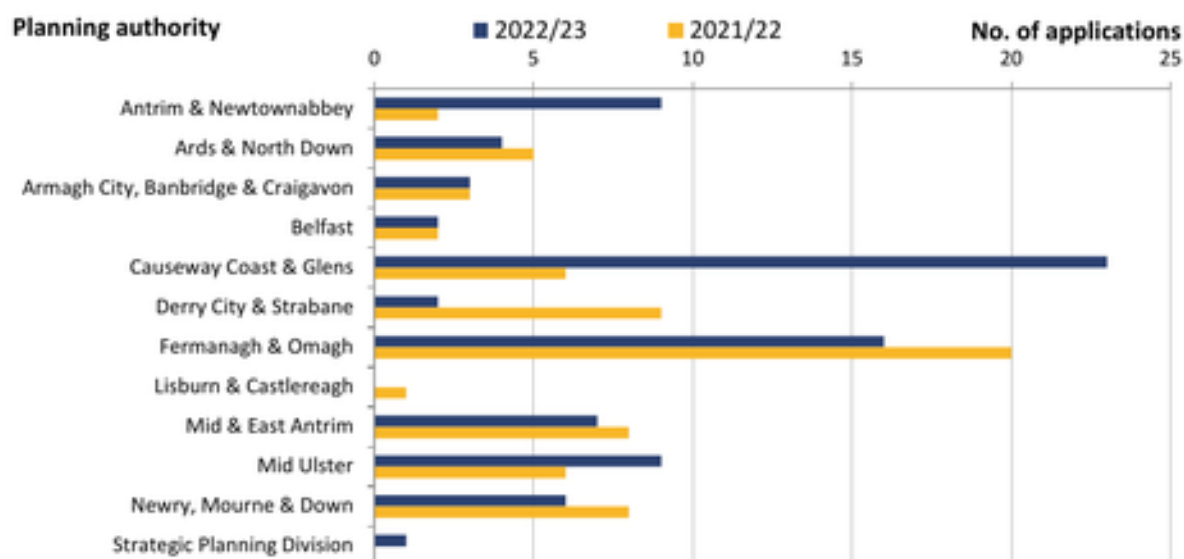
Fig 7.2 Renewable Energy applications received by authority, 2021/22 & 2022/23



[Figure 7.3](#) shows the distribution of decisions issued on renewable energy applications across the different planning authorities. Over the year, in four planning authorities, the number of decisions issued increased, with Causeway Coast and Glens deciding the most in 2022/23 (23).

Derry City and Strabane recorded the largest decrease in the number of renewable energy applications decided in 2022/23 compared with the previous year (down from nine to two), and was one of six authorities to record a decrease.

Fig 7.3 Renewable Energy applications decided by authority, 2021/22 & 2022/23

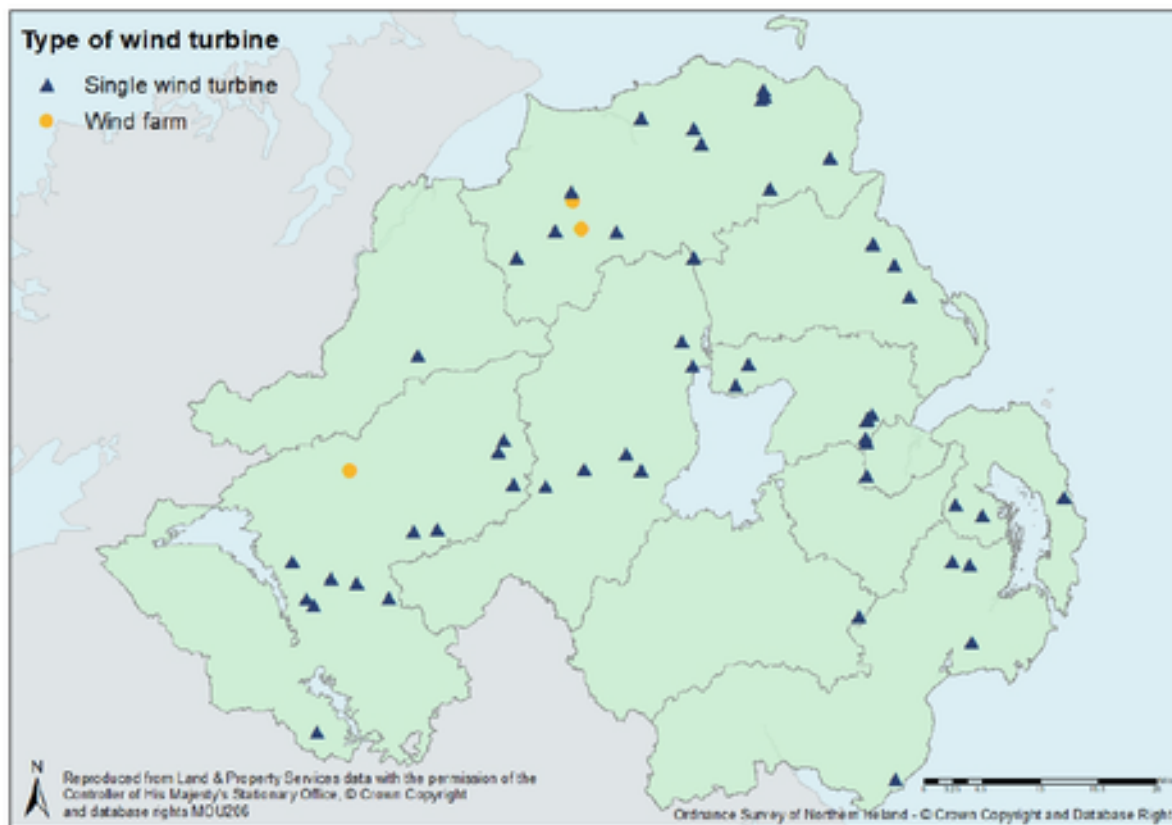


At the end of March 2023, there were **159 live** renewable energy applications in the planning system across NI; 71.7% of these (114 of 159) were for single wind turbines. Of the 159 live applications, 36.5% were in the planning system for over a year; a decrease from the proportion reported for the end of March 2022 (50.0%).

The **NI approval rate** for renewable energy applications was **91.5%** in 2022/23, with 75 out of the 82 decisions issued during this period being approved.

[Figure 7.4](#) displays the locations of wind energy applications approved during 2022/23. A total of 54 single wind turbines and three wind farms were approved during this period. Please note, some approved wind energy applications are in close proximity to each other and may not be individually identifiable on the map.

Fig 7.4 Location of approved wind energy applications by council, 2022/23



[Refer to Tables 7.2, 7.3 and 7.4.](#)



## User Guidance

### Notes on data source and quality

The records of all planning applications from 1 April 2022 to 31 March 2023 were transferred in May 2023 from a live database. This included all live planning applications in the Northern Ireland Planning Portal. The data were validated by Analysis, Statistics and Research Branch (ASRB) which involved quality checks and inspection of the coding of classifications in the Planning Portal. Local councils and the Department were provided with their own headline planning statistics as part of the quality assurance process. On completion of ASRB and planning authority validation, a final extract was taken in May 2023. Quarterly application level data for 2022/23 are now finalised and will not be subject to further scheduled revision. Enforcement data for 2022/23 remains provisional and will be subject to a further revision once the full suite of enforcement data becomes available.

### Quality assurance of administrative data sources

In 2015 the UK Statistics Authority published a regulatory standard for the quality assurance of administrative data (QAAD). This standard is supported with an [Administrative Data Quality Assurance Toolkit](#) which provides useful guidance to assure the quality of administrative data used in the production of statistics. ASRB have carried out a QAAD assessment on the Northern Ireland Planning Portal application – the administrative data source that is used to produce the Northern Ireland Planning Statistics. [This report](#) will be reviewed and updated as necessary on a biannual basis, with the most recent update published in December 2021.

### Background quality report

In order to provide users with further information on how the statistics in the NI Planning Statistics report have been compiled and detail on the quality of the data used, a [background quality report has been published](#). This report will be reviewed and updated as necessary on a biannual basis, with the most recent update published in December 2021.

### Regionally significant / major / local development applications after 1 April 2014

A new classification hierarchy of development for planning applications came into effect on 1 April 2014, on an administrative basis, with the introduction of the following new categories – regionally significant, major and local development. The hierarchy was subsequently placed on a statutory basis in line with the transfer of planning functions to the new district councils on 1 April 2015. It should be noted that there are some differences between the initial administrative hierarchy classifications in place from 1 April 2014 and the final classifications set out in the [Planning \(Development Management\) Regulations \(Northern Ireland\) 2015 \(S.R.2015 No.71\)](#). Data and analysis based on this new hierarchy is available from 1 April 2015.

*Regionally significant developments (RSD)* are similar to former Article 31 applications in that they will be determined by the Department. These developments have a critical contribution to make to the economic and social success of Northern Ireland as a whole, or a substantial part of the region. They also include developments which have significant effects beyond Northern Ireland or involve a substantial departure from a local development plan. Applications for these development proposals will be submitted to and determined by the Department. However, the thresholds for RSD may mean that applications which may have previously been dealt with by the Department will now be classified as major development and thus determined by the relevant council. Like major applications, RSD proposals will be subject to pre-application consultation with the community. Note that from 1 May 2020, the requirement to hold a public event as part of the pre-application community consultation was temporarily removed for five months in response to the coronavirus pandemic. This was extended until [31 March 2022](#).

*Major developments* have important economic, social and environmental implications. The majority of applications for major developments will be dealt with by councils and will be subject to pre-application consultation with the community. Note that from 1 May 2020, the requirement to hold a public event as part of the pre-application community consultation was temporarily removed for five months in response to the coronavirus pandemic. This was extended until 31 March 2022.

*Local developments* will comprise of all other developments (other than permitted development) that do not fall within the classes described for major or for regionally significant developments. They comprise of the vast majority of residential and minor commercial applications to be received and determined by a council.

## Departmental activity

### [Refers to Chapter 2 of report](#)

*Retained Section 26 (former Article 31) applications* are major applications being processed by the Department as Article 31 (under the Planning (NI) Order 1991) where a decision had not issued before 1 April 2015. These are now determined under Section 26 of the Planning Act (NI) 2011.

*Retained Section 29 (former non Article 31) applications* are those being dealt with by the Department's Strategic Planning Division and were retained for determination as if the Department had called them in under Section 29 of the Planning Act (NI) 2015.

*Called-in applications* are those initially made to councils where the Minister/Department directs that these should fall to the Department for determination.

It should be noted that in Chapter 2 of this report, processing times for called-in applications are calculated from the date the application was called-in by the Department. This method is only used in Chapter 2 of the report in order to show Departmental processing performance. All other processing times reported in the publication are based on the date the application is made valid.

## Departmental target

From Q1 2019/20 the Departmental target for Regionally Significant planning applications in the NI Planning Statistics publication changed.

The previous target was:

*It is a target for the Department to contribute to sustainable economic growth by processing 50% of regionally significant planning applications to a ministerial recommendation within 30 weeks, subject to pre-application discussions having taken place and meeting the requirements of relevant environmental legislation.*

From Q1 2019/20 onwards, this was replaced by:

*It is a target for the Department to contribute to sustainable economic growth by processing regionally significant planning applications from date valid to a ministerial recommendation or withdrawal within an average of 30 weeks.*

## Enforcement activity

[Refers to Chapter 6 of report](#)

Compliance and enforcement are important functions of the planning process. The summary data presented in this report and [accompanying data tables](#) covers enforcement cases opened, enforcement cases closed and concluded, court action taken and the live caseload as at the end of the quarter. A case is closed for one of the following reasons:

- case has been remedied or resolved (the breach may have been removed or amended accordingly);
- planning permission has been granted (so no breach has occurred);
- it would not be expedient to take further action;
- no breach has actually occurred;
- the breach may be immune from enforcement action (it may be outside the time limit in which to initiate action); or
- an application has been allowed on appeal or indeed the notice has been quashed.

The time taken to conclude an enforcement case is calculated from the date the complaint is received to the earliest date of the following:

- a notice is issued;
- legal proceedings commence;
- a planning application is received; or
- the case is closed.

Please note that the number of cases closed is not a sub-set of the number of cases concluded in that period - cases that are concluded in any given period may not be closed until subsequent periods, and cases that are closed in any given period may have been concluded in previous quarters.



The value at 70% is determined by sorting data from its lowest to highest values and then taking the data point at the 70<sup>th</sup> percentile of the sequence.

### Processing times

The time taken to process a decision/withdrawal is calculated from the date on which an application is deemed valid to the date on which the decision is issued or the application is withdrawn. The average processing time is the median. The median is determined by sorting data from its lowest to highest values and then taking the data point in the middle of the sequence. The median is used because some planning applications can take several years to reach a decision. As a consequence, these extreme cases (outliers) can inflate the mean to the extent that the mean may not be considered as 'typical'. Therefore the median is considered to better represent the 'average' or 'typical' processing time.

### Geographical classification

The method of classifying the urban and rural marker has been updated to reflect the latest [NISRA guidance](#) using the 2015 Settlement limits. This is preferred to the previous method as it more accurately considers which of the eight settlement bands (A-H) fall into mainly urban or rural areas. The limitation of the previous method was that all settlement bands were classified as urban. Under the new method it is recognised that smaller settlements are more rural than urban in character and should be distinguished as such. Presently the mid-point of the application polygon is used to plot the location and subsequently determine the urban/rural banding.

From Q3 2016/17, an additional split was introduced which reports separately rural settlements with populations of less than 5,000 people. In addition, 'housing developments' and 'other' residential applications have been included within the urban and rural breakdowns.

In line with NISRA guidance, the following definitions have been used in this report:

- Urban settlements - settlements with a population greater than or equal to 5,000 (bands A-E);
- Rural settlements - settlements with a population less than 5,000 (bands F, G and part of H); and
- Rural countryside - the open countryside which falls outside population settlements (part of band H).

If users want to compare this information with information published before 2015/16 the 'housing developments' and 'other' residential applications should be excluded first; the next step to obtain a comparative figure would be to add 'urban settlements' and 'rural settlements' together.

To obtain rural figures in line with the NISRA definition users should add 'rural settlements' and 'rural countryside' together.



The method of classifying the Parliamentary Constituencies is based on the x and y coordinates as recorded on the planning application in conjunction with Westminster Parliamentary Constituency boundaries (2008).

## Appeals

All applicants of a planning application have the right to appeal a decision or the conditions attached to a decision. The statistics reflected in this publication only reflect the original decision and not any subsequent decision on appeal.

## Note on exclusions

In addition to processing planning applications and enforcement activity, planning authorities deal with a range of other planning related work. Data on this 'non-application' workload is generally excluded from the main publication as it does not inform any of the calculation of performance against relevant statutory targets. Information on this part of the planning authorities' workload is included in [Table 9.1](#) of the accompanying data tables. Details of these exclusions are:

### Discharge of Conditions (DCs)

It will be necessary to seek to discharge a condition where planning approval has been granted and a condition has been attached to the decision which requires the further consent, agreement or approval of the council (or the Department).

### Certificates of Lawful Use or Development (CLUDs)

Certificates of Lawful Use or Development (CLUDs), either proposed or existing, have not been included in the main NI Planning Statistics bulletin since 2012/13. A council will issue a CLUD if it is satisfied that a particular development is lawful within the provisions of planning legislation. Examples include proposed extensions, which fall within the provisions of the [Planning \(General Permitted Development\) Order \(Northern Ireland\) 2015](#) for permitted development and do not require planning permission, or uses that have become lawful due to the length of time they have been in existence.

### Pre-Application Discussions (PADs)

Pre-Application Discussions (PADs) are not provided for in planning legislation and councils may adopt different approaches in relation to these, as may the Department.

### Proposal of Application Notices (PANs)

Proposal of Application Notices (PANs) are provided for under Section 27 of the 2011 Act, but they are not planning applications. They are essentially advance notices of major/RSD planning applications and detail how a developer proposes to engage with the community. A major/RSD development planning application cannot be submitted without a PAN having been issued.

### Non Material Changes (NMCs)

Applications for a Non Material Change (NMCs) to an existing planning permission are provided for under the 2011 Act, but they are not planning applications. There is no requirement to advertise or consult on NMCs.

### Tree Preservation Orders (TPOs)

While applications for planning permission and other consents were included in the operational statistics produced prior to the transfer of planning powers, Tree Preservation Orders (TPOs) were excluded. In the interests of consistency TPOs are excluded from the main NI Planning Statistics bulletin.

### Uses of the data

The data in this statistical release are used by a wide variety of users for a range of purposes. For example, the Department uses the information to inform policy and monitor performance in relation to planning in Northern Ireland, as required in legislation. Local councils use the information for policy briefing and development, and to monitor performance. The data are also used to ensure democratic accountability in answers to Northern Ireland Assembly Questions, ministerial correspondence, Freedom of Information Act cases and queries from the public.

### User engagement

Users are encouraged to provide feedback on how these statistics are used and how well they meet their needs. Comments on any issues relating to this statistical release are welcomed and encouraged. Feedback can be provided through an [ongoing customer survey](#).

Alternatively, users can email ASRB directly at: [ASRB@nisra.gov.uk](mailto:ASRB@nisra.gov.uk).

During 2019, ASRB undertook a specific user consultation exercise and [results of this were published](#) in October 2019. It is anticipated that an updated user consultation exercise will take place during the summer/autumn 2023. Part of this user engagement will seek users' views on the future format of the quarterly release.

### Further information

Information and statistics for England, Scotland, Wales and the Republic of Ireland, as well as other relevant NISRA statistics, can be found at the following links:

#### England

This [statistical release](#) presents National Statistics on authorities that undertake district and county level planning activities in England. It covers information on planning applications received and decided, including decisions on applications for residential developments (dwellings) and enforcement activities. Data are provided at national and local planning authority level.

## Scotland

The Scottish Government establishes overarching land use policies and principles in Scottish Planning Policy, which is applied spatially in the National Planning Framework for Scotland. In the four largest city regions in Scotland, Strategic Development Planning Authorities prepare strategic development plans which set out the vision for long term development and which should address important land use issues that cross local authority boundaries or involve strategic infrastructure. There are 34 planning authorities in Scotland, 32 local authorities and two national park authorities, who must deliver local development plans, in these plans they must identify sites for new development and set decision-making policies. [Published planning statistics](#) include data on planning performance and vacant and derelict land.

## Wales

The context for planning in Wales is established by Planning Policy Wales. There are 25 planning authorities in Wales and each must prepare a local development plan. These plans must conform to the national context and the plans must set out proposals and land use policies for the development of the area. Regional planning is a discretionary layer of the planning system, the Welsh Government has powers to identify 'Strategic Planning Areas', who have planning powers to produce strategic plans. Data on planning services performance are [published](#) on the Welsh Government website.

## Republic of Ireland

[Central Statistics Office provides](#) tables which present the number of planning permissions granted, floor area and units. Region and county data is available in associated tables.

## Northern Ireland

### Building Control (LPS Starts and completions)

Land & Property Services (LPS) receives information from Building Control in each council in Northern Ireland. [This information](#) contains the number of recorded new dwellings (houses and apartments) started and completed.

### Housing Bulletin, Department for Communities (DfC)

[DfC produce](#) quarterly and annual compendium publications of housing statistics, as well as biannual homelessness statistics and an ongoing review of data included in these publications and their proposed changes. The Northern Ireland Housing Bulletin is a quarterly bulletin containing information on new housing starts and completions, homelessness, the House Price Index and new house sales and prices.



## Cross-government working group on housing and planning

The Department for Infrastructure is part of a cross-government working group, working to improve the trustworthiness, quality and value of housing and planning statistics across the UK. ASRB's involvement in this group ensures continuous engagement with producers of similar and related statistics across the UK, ensuring opportunity for collaboration and improvement of this publication through understanding the wider UK picture. More information can be found on the [Government Statistical Service website](#).

## OpenDataNI

Datasets accompanying the finalised Northern Ireland Planning Statistics annual reports are made available on [the OpenDataNI website](#). These datasets contain information on received and decided planning applications during the year, as well as details of pending applications at the end of the financial year. Datasets are available from 2016/17.

## NISRA Data Portal

Finalised annual data on planning applications and enforcements from 2015/16 onwards will be made available on the [NISRA Data Portal](#). These data can be found under the 'People, Places and Culture' theme.

## Planning readership list

An email alert is sent after the release of each NI Planning Statistics publication to readers who wish to be informed of new / updated planning statistics. To sign up for this free service, please email: [ASRB@nisra.gov.uk](mailto:ASRB@nisra.gov.uk).

## Pre-release access

Details of persons who receive pre-release access to this statistical release up to 24 hours prior to publication can be found on the [Department for Infrastructure website](#).



## Appendix 1

### Definitions

The statistical categories referred to in [Chapter 5](#) and [Data Tables 5.1 and 5.2](#) are defined below.

#### Agricultural

These include: agricultural buildings or structures for the storage of slurry and/or manure; agricultural glasshouses, stables and livery yards; and infilling of land for agricultural purposes.

#### Commercial

These include: food supermarkets and superstores; non-food retailing; major retail developments exceeding 1000 sq. m; alterations, extensions and improvements to buildings used for retailing; retail warehouses; clubs; post offices; factory outlets; petrol stations; offices; purpose built office developments; restaurants; car parking; and motor vehicle display, hire, repair or sale.

#### Government and civic

These include: police stations; coastguard stations; civic amenity sites; recycling centres; schools and colleges; hospitals; clinics; other medical establishments including surgeries and dental practices; and 'hard infrastructure' facilities such as roads, water mains, water treatment works, trunk sewers, waste water treatment works and natural gas pipelines. This also includes: recreational facilities, including indoor and outdoor sports facilities, and swimming pools; and renewable energy applications, including wind turbines, wind farms, solar panels, biomass burners, hydroelectric schemes etc. Note that this category also includes non-public sector applications related to the above topics.

#### Industrial

These include: factories; warehousing; light and general industrial floor space; quarries; sand and gravel extraction; and fuel depots.

#### Mixed use

These include applications for mixed development, incorporating a number of development types such as residential, retailing, offices, community and leisure.

#### Residential

These include: housing developments (incorporating a mixture of house types and apartments); purpose built apartment developments; sheltered housing schemes; single dwellings including dwellings on farms; holiday chalets; caravans and mobile homes;

alteration, extension or improvement of existing dwellings; residential homes or nursing homes; and hotels or motels.

#### Change of use

These include applications for a change in the use of land or buildings, including changes to residential, retailing, offices, community or leisure uses.

#### Other

All other types of applications not mentioned above are put into the 'Other' category but mainly comprise 'Works to Facilitate Persons Who Are Disabled', 'Advertisements', and 'Listed Buildings'.

**The application types referred to in [Data Table 5.6](#) are defined below.**

#### Outline permission

An application for outline planning permission can be used to ascertain whether a proposed development is acceptable in principle. This usually means that detailed drawings are not needed. However, the council or, as the case may be, the Department, may, in certain circumstances, require the submission of additional information or insist that an application for full planning permission be submitted.

#### Full permission

An application for full planning permission requires the submission of all details of the proposal. This type of application would be appropriate, for example, if the erection of new buildings is proposed and / or if a change of use of land or buildings is proposed.

#### Approval of reserved matters

If outline planning permission is granted, then a subsequent application and approval relating to the siting, design, external appearance, means of access and landscaping details, known as 'reserved matters', will be required before building work can commence. The reserved matters application must be consistent with the outline planning permission and take into account any conditions that have been attached to it. If the development proposal changes, then it may be necessary to submit a new planning application.

#### Consent to display an advertisement

Advertisement consent is normally required to display an advertisement, particularly large signs and illuminated adverts.

#### Listed building consent

Works that would affect the character of a listed building need listed building consent. This includes work to the internal or external fabric of the building, or any demolition. It should be noted that the requirement for listed building consent is in addition to any requirement for planning permission for works to a listed building.

### Conservation area consent

Works that would entail the full or partial demolition of a non-listed building in a conservation area need conservation area consent. It should be noted that the requirement for conservation area consent may be in addition to any requirement for planning permission.

### Hazardous substances consent

The Planning (Hazardous Substances) (No2) Regulations (Northern Ireland) 2015 are concerned with the storage and use of hazardous substances which could, in quantities at or above specified limits, present a risk. Hazardous substances consent ensures that hazardous substances can be kept or used in significant amounts only after the council or, as the case may be, the Department has had the opportunity to assess the degree of risk arising to persons in the surrounding area and to the environment.

### Reader information

This document may be made available in alternative formats, please contact us to discuss your requirements. Contact details are available on the cover page of this report.

Unclassified

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## ITEM 8

## Ards and North Down Borough Council

Report Classification	Unclassified
Exemption Reason	Not Applicable
Council/Committee	Planning Committee
Date of Meeting	05 September 2023
Responsible Director	Director of Prosperity
Responsible Head of Service	Head of Planning
Date of Report	04 August 2023
File Reference	
Legislation	
Section 75 Compliant	Yes <input type="checkbox"/> No <input type="checkbox"/> Other <input type="checkbox"/> If other, please add comment below.
Subject	Review of Council Decisions
Attachments	Item 8a - Detail of previous decisions

The purpose of this report is to provide an overview of decisions made by Council on planning applications since the transfer of planning powers in April 2015.

### Background

Members will be aware that the majority of planning powers transferred to local authorities in April 2015. The Council's Scheme of Delegation sets out those categories of application which will be considered by the Planning Committee in addition to the mandatory categories, with all other decisions being delegated to authorised officers.

The Protocol for the Operation of the Planning Committee sets out at paragraph 90 that Members of Planning Committee should on an annual basis inspect a sample of implemented planning decisions in order to assess the quality of decision-making. This sample should include decisions delegated to officers to provide assurance that the Scheme of Delegation is operating effectively and in line with the Council's views.

To date no such review has taken place.



## Not Applicable

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Recommendation 7 from the Northern Ireland Audit Office's Report on Planning in Northern Ireland, published February 2022, is as follows:

Planning committees should ensure that they regularly review a sample of their previously determined applications, to allow them to understand the real-world outcomes, impacts and quality of the completed project. Councils should ensure that they review a range of applications, to ensure that it is not only focused on those applications that tell a good news story about how the system is working. Lessons learned from this process should be shared across all councils.

This recommendation was further endorsed by the Public Accounts Committee in its report dated March 2022 with the following commentary:

"Without any review of past decisions, it is hard for those who make decisions to properly understand how the outcomes of those decisions impact on the communities around them. A key means of improving the quality of future decisions must be to reflect on the consequences of planning decisions."

The attached report provides a range of detail on past decisions, both delegated and Planning Committee, implemented and unimplemented, and includes applications which were called in to Committee on basis of number of objections, or whereby the Council received complaints from objectors as to the decisions made.

As part of the Planning Improvement Programme, which has evolved from the outcome and recommendations of the above reports, the Council will be providing the attached report to the Department for Infrastructure as appropriate.

### **RECOMMENDATION**

It is recommended that Council notes the content of this report and attachment.

## Review of planning decisions by Council

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## Review of planning decisions by Council

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## Planning Decision 1

**1 Gransha Road Bangor Co Down BT20 4TN****Determined**

Demolition of existing building and erection of new build retail building and hot food takeaway with new entrance and car parking facilities and storage yard.

[Show less](#)**Application reference:** LA06/2015/0823/F**Received:** 04 Nov 2015**Type:** Full**Decided:** 22 Jan 2016**Decision type:** Granted

This proposal was referred to Planning Committee as more than six objections had been received.

Despite approval, the proposal was not commenced, and a further application by the same applicant for residential development (7no. 2 bed apartments and 2no. 2 bed semi-detached units) was submitted September 2017 and approved in November 2019.

The Google Streetview image dated March 2023 below shows the site cleared and for sale.



## Review of planning decisions by Council

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## Planning Decision 2

## 173m South East of 11 Balliggan Road Kircubbin.

Determined

A single 250kw wind turbine with a hub height of 40m and a blade length of 19.5m.

Show less

Application reference: X/2014/0128/F

Received: 07 Mar 2014

Decided: 05 Nov 2015

Type: Full

Decision type: Granted

Another approval not implemented relates to the above:

The application was submitted to the previous planning authority but transferred to Council in April 2015. It had been recommended for approval at the Ards Borough Council meeting in October 2014 but was deferred for an office meeting which took place in November 2014.

The application was called in to Planning Committee for discussion due to the high level of objection and concern raised by Historic Environment Division, and a site visit was undertaken by the Committee, to assess the potential impact on the nearby listed Ballyhemlin Presbyterian church at the junction of Ballyhemlin Road and Nursery Road.

Further to submission and assessment of a noise assessment in relation to the listed building and review of shadow flicker report, the Committee agreed with officers' recommendation to approve, in November 2015, with 6 FOR and 5 AGAINST and 1 abstention.

An application was submitted in November 2020 to renew the above permission, but was withdrawn in April 2021.





## Review of planning decisions by Council

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## Planning Decision 3

## 8 Waverley Drive Ballyholme Bangor BT20 5LD

Determined

single and two storey rear extension to dwelling with balcony at first floor level (amended...

[Show more](#)

Application reference: W/2015/0060/F

Received: 12 Feb 2015

Decided: 05 Aug 2015

The above application was heard by Planning Committee in August 2015 as a result of a call in from the delegated list to examine concerns of potential overlooking from the balcony and windows, noise and disturbance caused by the balcony and the extension being out of scale for the area. Nos. 6, 10 and 12 Waverley Drive had submitted objections to the proposal.

The agent addressed Planning Committee advising that the balcony was accessed off the main bedroom and would be conditioned to have obscure glazing to the sides to mitigate any potential overlooking. He also remarked that the existing dwelling comprised a large garden and sunroom which was more likely to be used as an area for entertaining and therefore had the potential to generate more noise than a balcony.

An elected member appeared on behalf of objectors and stated that their concern was in relation to overlooking from the balcony into adjacent amenity space, particularly in relation to an immediate neighbour who had recently installed decking to the rear of their property. Criticism was also levelled at the applicant who had commenced construction in advance of achieving planning permission.

A Member of the Committee countered the above by stating that neighbouring gardens could easily be overlooked from first floor windows and the balcony could at most accommodate three people, and the increase in level of noise and general disturbance would not come close to the level of noise created by 30-40 people gathering in a back garden.

It was subsequently approved 10-2 by the Committee subject to conditions recommended by officers regarding obscure glazing to the sides of the balcony.



## Review of planning decisions by Council

### Planning Decision 4

**Lands to rear of 9 and 11 Raglan Bangor County Down BT20 3TL**

**Determined**

Full planning application for 2 detached dwellings to rear of 9 and 11 Raglan Road

[Show more](#)

**Application reference:** W/2014/0432/F

**Received:** 09 Oct 2014

**Decided:** 19 Oct 2015

The above proposal for two dwellings on land to the rear of existing dwellings in Raglan Road prompted a proposal for a site visit by Members in response to concerns raised by objectors. It was highlighted that there was already permission in place for a new dwelling at 9 Raglan Road, therefore only one additional dwelling was currently being dealt with rather than two dwellings.

Entrance to site dated August 2012



Entrance to site as constructed





### Review of planning decisions by Council



## Review of planning decisions by Council

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## Planning Decision 5

**Lands 16-18 Victoria Road Holywood.****Determined**

Demolition of existing dwellings and erection of 5 No detached dwellings, landscaping and associated site and access works.

[Show less](#)**Application reference:** W/2013/0459/F**Received:** 23 Dec 2013**Type:** Full**Decided:** 21 Oct 2015**Decision type:** Granted**Authority:** Ards and North Down Borough Council**Applicant:** Silverwood Properties

This application for demolition of two 1970s bungalows within the Holywood Conservation Area was before Committee due to number of objections received. The Committee heard from a Conservation Architect (appearing on behalf of the Holywood Conservation Group) contended that planning officers had not taken account of the change in legislation relevant to conservation areas introduced by the Planning Act (NI) 2015. Prior to April 2015,

Prior to 1 April 2015, applications in conservation areas were assessed against a 'no harm' policy, whereas from that date applications were additionally assessed against an 'enhancement' policy.

Objectors considered that the proposal would be harmful to the character of the surrounding conservation area primarily due to the intensification of the site from two dwellings to five; and furthermore there were no 'exceptional circumstances' that would warrant the intensification of the site.

While the Council's Planning Section was satisfied that the proposed development had been assessed rigidly against the legislative tests and prevailing policy and in Officer's planning judgement, would not only preserve but enhance the character of the conservation area, Planning Committee Members resolved that consideration of the application be deferred to allow legal advice to be sought in order to establish whether appropriate tests had been applied in the assessment of the application.

Legal advice obtained confirmed contentment that the legislative requirements as set out in the Planning Act and planning policy had been adequately addressed by planning officers. The Committee approved the planning application.

The site is developed and known as Martello Gate.



### Review of planning decisions by Council



Streetview images showing entrance to site before and after development



Orthos showing two bungalows on site, then as redeveloped





## Review of planning decisions by Council

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### Planning Decision 6

#### Lands at 10 Brompton Road, Bangor

LA06/2016/0452/F was submitted in May 2016 for 'Residential development of 3no. detached dwelling, including the re-design and re-siting of previously approved dwelling (W/2014/0131) and the demolition and replacement of the existing dwelling at 10 Brompton Road.

The application came before Committee in April 2017 due to receipt of objections from 10 separate addresses.



An amended scheme was submitted November 2016 following concerns raised by the Council in relation to the overdevelopment of the site and the consequent visual impact on this sensitive coastal site and also the impact on the character of the established residential area.

At the time of submission, planning permission remained extant for a dwelling in the rear garden of the site under two separate permissions.

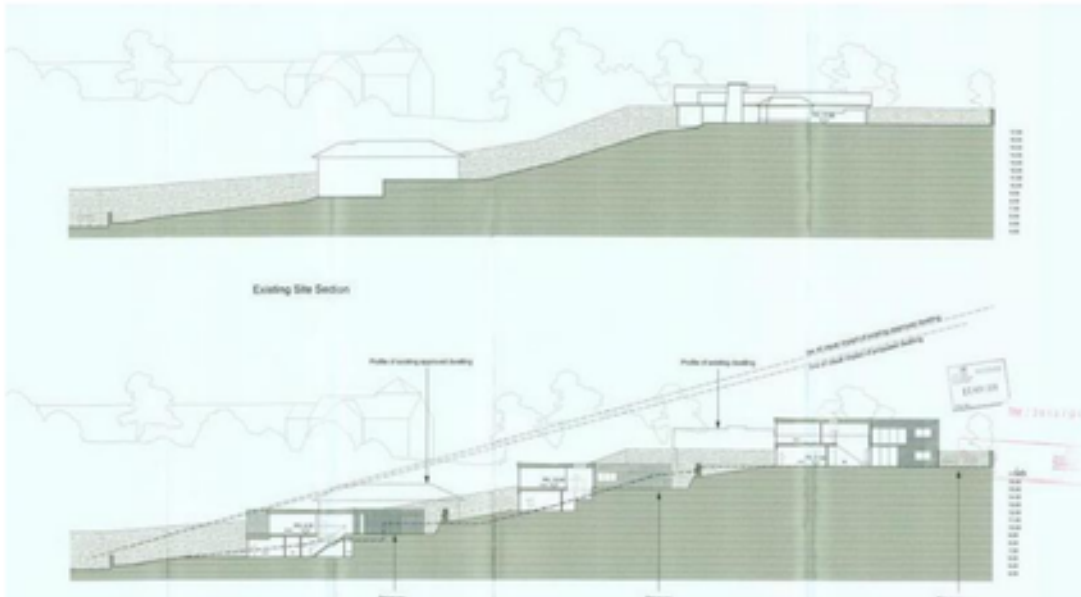
Objections focused on the impact on the proposed Area of Townscape Character, the assertion that no. 10 Brompton Road acted as an end stop to development and breaking of the building line and visually incongruous and detract from character of the area as per previous dismissed appeal at no. 9 Brompton Road. Further objections raised overlooking, intensification and impact on amenity and traffic.

All matters were assessed in detail within the report and considered to comply with the relevant planning policies.



### Review of planning decisions by Council

Some complaints were received during construction in relation to rock hammering given the ground conditions at the site, and which unfortunately continued in relation to NIW's pumping station being upgraded in close proximity to the site.





### Review of planning decisions by Council

A Non Material Change (NMC) was approved in respect of the boundary finishes to match the approved wall design of previous approvals on site.

An enforcement investigation was opened into alleged non-compliance with the above NMC. The height of the wall as approved under the NMC was 2.4m along the path. At its highest point the wall measures 2.9m, which is an increase of 50cm. Planning Enforcement considered this carefully but determined that no greater demonstrable harm was caused and although a technical breach of planning control it was considered not expedient to pursue.





## Review of planning decisions by Council

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### Planning Decision 7

#### Former Leisure Centre site at Castle Park Avenue, Bangor

In March 2016 the Premier Inns Hotel Ltd and MIP Bangor Hotel Ltd submitted a proposal for 'Demolition of the vacant leisure centre and erection of a new 85-bedroom hotel'.

Given the proximity of the proposal to the Castle and surrounding gardens, various design and landscaping changes and additions were requested by officers in order to negate any adverse impacts on the local landscape policy area. Nods to Georgian-era style and enhanced planting were considered to provide a more aesthetically pleasing first impression on arrival from this end of Bangor from Belfast.

Main concerns raised focussed on an increase in traffic and potential overlooking into the adjacent school, and security implications regards the adjacent PSNI station; however, all were addressed via constructive dialogue facilitated by planning officers.

The proposal represented £7m investment into Bangor, with 40 permanent jobs within the hotel, in addition to 80+ jobs during the construction phase.

The Planning Committee advocated the recommendation of officers to approve the proposal at its meeting of May 2017.



View from Castle Park Avenue of Leisure Centre

### Review of planning decisions by Council

Views of Premier Inn as constructed





## Review of planning decisions by Council

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### Planning Decision 8

#### Finlay Fuels, 170 Moneyreagh Road, Comber

The existing office block on site was approved circa 1999, and the Council received an application in 2016 for 'Conversion of part of existing office block to provide habitable accommodation and provision of sunroom and porch extension'.

At the time the proposal was assessed by officers to fail the PPS 21 Policy CTY 3 test on conversion of buildings as it was not considered to be 'a locally important building'. The SPPS outlines that locally important buildings include former school houses, churches and older traditional barns and outbuildings. These cited examples typically relate to buildings that generally have some design, architectural or historical merit. Whilst not a definitive list, officers considered that this modern office building did not represent a 'locally important building' as envisaged by the policy.

The conversion of the building to residential use was also considered to be unacceptable on amenity grounds given the close proximity of both staff and lorry parking and the consequent lack of privacy and general noise and disturbance caused in such close proximity to the business.

The application was called in from the delegated list by a Committee member, and debated at the October 2017 meeting during which Members considered that a history of thefts at the site was a site specific reason for the owner to reside on site, and the building was of local importance, and the recommendation to refuse was overturned 7-2.



## Review of planning decisions by Council

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## Planning Decision 9

### Lands immediately West and South of No.3 Newtownards Road Comber

Determined

Proposed residential development of 43 no. social housing units (comprising 41 no dwellings and 2 no. apartments), open space, landscaping, car parking and all associated site works (amendment to previous approval for 44 no. units approved under ref: LA06/2016/1267/F) (AMENDED PROPOSAL)

[Show less](#)**Application reference:** LA06/2018/0411/F**Received:** 24 Apr 2018**Type:** Full**Decided:** 13 Dec 2018**Decision type:** Granted**Authority:** Ards and North Down Borough Council**Applicant:** BW Homes and Construction Ltd & Apex

Planning permission was originally granted on this site for 44no. dwellings in March 2018, but was followed by the above application for social housing. The site was contrary to the Ards and Down Area Plan 2015 as it was designated as 'Existing Industry'. In recommending the application to Council as an approval, officers gave determining weight to the extant planning permission which had established that the loss of the zoned industrial land would not be detrimental to the plan area as a whole.

Designed to extremely high energy and sustainability standards, the scheme was developed by BW Social Affordable Housing for Apex Housing Association.

Ortho image showing derelict site in 2005



Google Streetview image showing site for sale in April 2011 and now





### Review of planning decisions by Council

Proposed Site Layout



## Review of planning decisions by Council

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## Planning Decision 10

**(AMENDED ADDRESS) Lands 67m NE of the rear of No. 10 Estate Road and 100m NE of Clandeboye Estate Dairy Farm Bangor**

**Determined**

Dairy yoghurt production facility, with associated accommodation and product testing lab (Additional information received).

[Show less](#)

**Application reference:** LA06/2016/0854/F

**Received:** 31 Aug 2016

**Type:** Full

**Decided:** 10 May 2018

**Decision type:** Granted

**Authority:** Ards and North Down Borough Council

**Applicant:** Clandeboye Estate CO LTD

The above application was called in to Committee by the Head of Planning, given objection from the adjacent Clandeboye Lodge Hotel regarding the proposal. Concerns raised focussed on traffic, intensification of use of the access and insufficient sight splays, the proposal was not exceptional and did not require a new building, impact of views from adjacent hotel bedrooms across to factory, and drainage.

The Estate received up to £400k of a Food Processing Grant from DAERA for this facility which utilises milk produced from herds on the farm, no longer requiring to be transported off site to Jubilee Road, Newtownards. This farm diversification scheme was recognised for its important economic contribution to the borough and for championing production of a popular local food item.

The Committee voted in support of the proposal 8-4.

The Estate has confirmed that the cost of the build was approx. £1.5m with approx. £0.75m equipment, and it now employs approximately 24 staff. The facility has enabled the Estate to increase production capacity 5 fold, provide a state of the art facility achieving BRC AA level accreditation and the ability to get approval and supply private label products to major GB and ROI multiples. Additionally it provides a much better working environment for employees. The facility makes use of the on-farm Anaerobic Digestion plant producing all heat and electricity onsite from renewable sources.



### Review of planning decisions by Council



Under construction 2021



### Review of planning decisions by Council





## Review of planning decisions by Council

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## Planning Decision 11

### Former petrol filling station at 375 Old Holywood Road Holywood BT18 9QR

Determined

Demolition of former petrol filling station, retail unit and canopy for redevelopment for Nos 14 x 2 bedroom apartments for social housing, including associated car parking, landscaping and all other ancillary site works.  
(Amended proposal)

[Show less](#)**Application reference:** LA06/2018/0742/F**Received:** 06 Jul 2018**Type:** Full**Decided:** 25 Mar 2019**Decision type:** Granted**Authority:** Ards and North Down Borough Council**Applicant:** Lacuna Developments

The site of what was Redburn Filling Station on Old Holywood Road, Holywood, had the benefit of a previous approval for a mixed use development comprising of 2 No ground floor retail units and 8 no. 2 bedroom apartments from 2012 which was not implemented.



The above application was referred to Planning Committee due to the volume of objections received, and Members expressed concern with the proposed scheme in terms of apartments, massing of the building and parking provision.

Members voted to defer the application for a site visit to assess the potential impact on the residential amenity of adjacent properties in Clarehill Lane.

Pursuant to Members' concerns the scheme was amended with alterations consisting of the following:

- reduction from 18no. apartments to 14no. apartments
- reduction from 4 storey to 3 storey
- reduction of 6 windows in the rear elevation facing Clarehill Lane (1 living room and 5 bedrooms)
- reduced ridge height to 9.46m, which was lower than the previous granted mixed-use scheme
- roof design altered from a flat roof to a double pitched roof, to provide a better relationship with existing buildings and reduced the massing.

## Review of planning decisions by Council

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- separation distance of 16m to the common boundary maintained and was greater than the prescribed threshold and was 22.5m building to building.

The Council approved the revised scheme at a Special meeting of Planning Committee, convened to address budgeting requirements for the Housing Association, commending the agent/developer on addressing concerns.

The EHA Group completed the 14 apartments in July 2020, seven months ahead of schedule, which were then handed over to Clanmil Housing Association to help with housing demand in the local area.

EHA also joined forces with the local Men's Shed group to ensure timbers were recycled and put to good use. The Hollywood Men's Shed Manager Andy presented Site Manager Ray McArdle with a pallet seat, created from recycled pallets from the apartment project.



The site in April 2019





### Review of planning decisions by Council



### Review of planning decisions by Council





## Review of planning decisions by Council

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### Planning Decision 12

LA06/2018/0491/F: Lands at 5 Ballymullan Road, Crawfordsburn

Demolition of existing dwelling/detached garage and erection of 2no. buildings – containing 2no. and 5no. apartments respectively. Relocation of existing access, associated parking and landscaping

This application was before the Planning Committee due to the number of objections received which consisted of concerns such as increased levels of traffic on road and pedestrian safety, parking, removal of trees and hedges, development and design being out of keeping with the character of the area, apartment development not an appropriate type of development for Crawfordsburn, bins cluttering the road, increased density, sewerage infrastructure unable to meet demand, loss of light and privacy, scale and massing.

Some members expressed concern regards a precedent for demolition of dwellings and replacement with apartments, as well as concern regards removal of trees.

Planners considered that the buildings were designed to look like two large dwellings, being in a traditional design, fitting into the site and not jarring the landscape, and additional planting was conditioned to offset loss of two trees from the site. There was no planning policy in place affecting an embargo on apartment development. It was also considered that two buildings would not have a demonstrable harm on the proposed Area of Village Character.

Speakers appearing against the development expressed concern regards impact on the immediate neighbouring properties, inappropriate consultation, overlooking, and sub division of plots.

It was notable that reference was made to the sub division of no.7 Ballymullan Road which now housed two properties, which was not the original character of the area either.

The developer and agent addressed committee advising that the proposal presented an opportunity for down-sizing, and amendments had been made including reducing the number and scale of windows to mitigate the issue of overlooking. In respect of sewage issues it was explained to Members that severe damage had been caused to the sewer pipe by tree roots. It was planned to remove that tree, to replace the damaged pipe and install a new foul and storm system which would also pick up connections from the neighbouring properties and would therefore overcome the current issue on the Ballymullan Road.

Members voted 6-5 in favour of approval with 1 abstention.

### Review of planning decisions by Council



Previous dwelling on site



Ortho 2019



Ortho 2022



### Review of planning decisions by Council





## Review of planning decisions by Council

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## Planning Decision 13

**The former Priory Inn 11-13 High Street  
Holywood BT18 9AT and 1 Stewart's Place  
Holywood BT18 9DX**

Determined

Demolition of former Priory Inn (11-13 High Street) and redevelopment for 14 two bedroom apartments, retention, alteration and conversion of former dwelling (1 Stewart's Place) to one three bedroom duplex apartment and 1 apartment on second floor (16 apartments in total), parking and other ancillary site works. (Amended plans)

[Show less](#)

**Application reference:** LA06/2017/0863/F

**Received:** 11 Jul 2017

**Type:** Full

**Decided:** 05 Apr 2018

**Decision type:** Granted

**Authority:** Ards and North Down Borough Council

**Applicant:** Lacuna Developments

This site consisted of the derelict form Priory Inn and proposed retention of the adjacent derelict listed building at 1 Stewart's Place, Holywood.

Initially there were calls from some parties to permit demolition of 1 Stewart's Place as the building had to be shored up and a partial road closure put in place to protect passing public from potential harm due to the state of the building and causing inconvenience to motorists.

As the buildings were situated in a Conservation Area and 1 Stewart's Place was listed, the Planning Service enlisted the services of a conservation engineer to understand if the building could realistically be retained rather than demolished as had been previously proposed under a listed building consent application due to alleged structural failure (LA06/2016/0618/LBC which was withdrawn).

1 Stewart's Place is one of a pair thought to have been built in 1840 by William Lowry and is named after a postmaster.

No. 3 Stewart's Place, the match to no. 1 also lay vacant for a number of years and had been vandalised to NIHE had applied for listed building consent to demolish it, but it was bought by Hearth<sup>1</sup>, which considered the possibility of converting it to flats, but as this would have meant loss of the internal staircase, it was decided to restore it as a single house.

<sup>1</sup> Hearth was established in 1972 by the National Trust and the Ulster Architectural Heritage Society with a view to rescuing modest historic buildings that were under threat

## Review of planning decisions by Council

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See following extract from Hearth's website regards no. 1 Stewart's Place  
<http://hearthni.org.uk/projects/stewarts-place/>

When Hearth undertook the restoration of no.3, its neighbour at no.1 was in good condition. Sadly that was no longer the case in 2016, when no.1 suffered a serious collapse and Hearth supported local residents in campaigning to save the building. The precedent of the restoration of no.3 was an important factor, and thanks to determined action by planners no.1 has now been restored, and the pair of houses once more form a distinctive feature at the end of Holywood's High Street.



### Review of planning decisions by Council

Photo by Albert Bridge





### Review of planning decisions by Council



## Review of planning decisions by Council

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## Planning Decision 14

## Seahill Road, Holywood

One can see from the historical map below that the southern side of Seahill Road in 1990 was characterised by four pairs of semis set on particularly large sites. A number of more recent decisions have resulted in development to essentially replace one pair of semis and the side garden of another pair with eight dwellings as detailed below, which could be seen as being more characteristic of development on the northern side of the road.





## Review of planning decisions by Council

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## Planning Decision 15

**Brooklands 143 Groomsport Road Bangor****Determined**

Erection of 5 new detached dwellings with associated hard and soft landscaping and demolition of sub-standard solarium and garage of existing dwelling (Revised access arrangements, landscaping details and changes to house type C).

[Show less](#)**Application reference:** LA06/2015/0981/F**Received:** 23 Dec 2015**Type:** Full**Decided:** 06 Jul 2018**Decision type:** Granted**Authority:** Ards and North Down Borough Council**Applicant:** Halftown Ltd

This application attracted significant objection with 75 objections received from 23 individual addresses. The proposal involved construction of 5no. detached dwellings within the grounds of 'Booklands' a large, two storey Queen Anne style dwelling set in a large plot backing onto the coastal path at Ballyholme Esplanade.



Brooklands provided somewhat of an anomaly alongside its neighbour to the north 'Red Hall' in the context of the surrounding development.





## Review of planning decisions by Council

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While it was acknowledged that the proposed development would involve intensification of site usage, which planning policy states should only be permitted in exceptional circumstances, in this particular case, it was the professional planning judgement that the proposed intensification was not considered to be at odds with the existing pattern of development in the draft Area of Townscape Character and would not result in harm to the overall character of the ATC.

The objections were mainly submitted after the initial round of neighbour notifications, however, during the processing of the application numerous amendments to the proposed development were submitted. These included moving the footprint of the dwellings on the southern portion of the site to increase the separation distances to those dwellings in Morningside as well as moving them further away from the protected trees. The amendments also included alterations to the proposed dwellings in the northern portion of the site by removing balconies, obscuring windows and enclosing the rear amenity spaces in a courtyard type arrangement. Further plans were also submitted to provide further information in relation to levels and contextual images.

The historical maps overleaf show how the area has been developed over the last century

### Review of planning decisions by Council



1919-1926



1939



1990



2023

### Review of planning decisions by Council





### Review of planning decisions by Council



View from within Brooklands Manor (courtesy of Independent Property Estates) maintaining view through to Ballyholme Bay



## Review of planning decisions by Council

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### Planning Decision 16

Two applications were called in to Planning Committee by a Member due to being recommended for refusal on the weekly delegated list.

The applications concerned two adjacent sites on Main Street, just outside the settlement limit of Bangor, at Conlig, therefore PPS 21 Sustainable Development in the Countryside applied, specifically Policy CTY 8.

CTY 8 states that planning permission will be refused for a building which creates or adds to a ribbon of development. An exception is a 'small gap site which can accommodate up to a maximum of two houses in an otherwise substantial and continuously built up frontage (SCBUF), defined as a line of three buildings or more.

The previous planning authority, the Department for the Environment, had granted planning permission on the sites the northern site gained permission in 2014, the second southern gained permission in 2013, both on the basis that despite the fact that there were agricultural buildings on the site, and no gap site actually then existed. The applicant did not submit any applications for reserved matters within the corresponding time, therefore the permissions had lapsed.

The Department had granted the proposals for 2no. infill dwelling contrary to planning policy CTY 8. It relied on the existing buildings to make up the SCBUF, however, no gap existed therefore the gap would only be possible once those buildings relied upon were demolished (and being demolished would not therefore contribute to the SCBUF).

Officers made reference to appeal decisions whereby a plot with buildings on it cannot form part of an existing gap within a substantial and continuously built up frontage

The land owner submitted new applications to the Council in 2018 citing reliance upon sale of the sites alongside the existing dwelling as part of a sales agreement to pursue a superior farm location.

Members considered that the applicant would be disadvantaged by Council taking a different approach to the proposals, and that there was no demonstrable harm, and voted 10-2 in favour of approving the applications, contrary to officer recommendation.



### Review of planning decisions by Council

Site 1



Site 2



As developed



View of site before and after from main carriageway between Bangor and Newtownards





### Review of planning decisions by Council



## Review of planning decisions by Council

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<b>Planning Decision 17</b>
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**LA06/2017/1434/F 95 Bangor Road, Newtownards**

**Demolition of dwelling and construction of 4no. 2 bed apartments, 1no. 3 bed penthouse, and 1no. detached dwelling**



Google Streetview image prior to redevelopment

This application was called in to Planning Committee by a Member of that Committee to 'allow consideration of the impact of the development on the privacy of nearby residential properties'.

The scheme was significantly amended at the request of officers during processing – the original submission being for 4no. townhouses and 4no. apartments which was considered to represent overdevelopment of the site and would have appeared obtrusive in the street-scene given its close proximity to the road.



Original Proposal

### Review of planning decisions by Council



#### Revised proposal

Objections were received from addresses on Belvedere Road and Dorwood Park (as marked by red crosses on map to right and concerned the following:

- Potential overshadowing and loss of light and privacy to existing dwellings
- Overdevelopment and impact on character of the area;
- Traffic impact;
- Loss of wildlife associated with disused railtrack bed;
- Devaluation of property; and
- Concern how remaining dwelling would look once other half demolished.



The development site sits at a much lower level than the adjacent developments off Belvedere Road (c5m difference) and the existence of thick vegetation to the north of the site provides screening.

Objectors appeared at Committee and voiced their concerns.

The Committee approved the proposal in February 2019 - 8 For, 1 Against, 4 Abstentions.





Review of planning decisions by Council



### Review of planning decisions by Council



View across to site from Belvedere Road outside no. 27 Belvedere Road



View from junction of Bangor Road with Belvedere Road – rooftop of new development just visible above vegetation





## Review of planning decisions by Council

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## Planning Decision 18

### 8 10 12 Westmount Park Newtownards

Determined

[Show less](#)

Demolition of 12 Westmount Park and erection of housing development comprising 18 detached dwellings, garages, landscaping, upgrading of existing access and other site works

**Application reference:** LA06/2015/0006/F

**Received:** 31 Mar 2015

**Decided:** 10 Mar 2017

**Type:** Full

**Decision type:** Granted

**Authority:** Ards and North Down Borough Council

**Applicant:** Blue Horizon Development Ltd

This decision concerns redevelopment of a site originally consisting of a number of large detached dwellings off Westmount Park, Newtownards. The map below with contours demonstrates how steeply the land rises from Manse Park to the south of the site up to Westmount Park.

The application originally received objections from 20 separate addresses, however following amendments to the proposal, five addresses withdrew their objections and offered support.



The site contained three detached dwellings on large plots.

The proposal was originally submitted for 22no. dwellings to include a mix of detached and semi detached dwellings. Further to concerns raised by planning officers and within objections, the scheme was amended to 18no. detached dwellings.

There had previously been planning permission granted on the site for 20 detached dwellings in 2007 and 2009.



### Review of planning decisions by Council

As can be seen from this Google Earth image from Manse Park to the south of the development site, there had been in place a strong line of tree vegetation, however this was removed some time before the planing application was submitted.



Proposed layout as approved

### Review of planning decisions by Council





### Review of planning decisions by Council



View up between nos. 6 & 8 and 10 & 12 Westmount Crescent – highlighting steepness of rear garden areas and difference in levels



View of new development from Manse Park to south of site



## Review of planning decisions by Council

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View down between Nos. 9 and 7 Westmount Crescent toward Manse Park

This approval, whilst resulting in an attractive development, has highlighted the need for more detailed assessment of cross sections and levels to understand the precise relationship between that proposed and that existing on the ground, as it is considered that some of the garden spaces (whilst meeting the space requirements in guidance) don't provide adequate amenity due to the steep nature of them, and careful consideration of how new dwellings will appear in context of existing development on lower levels, irrespective of how separation distances are maintained.

It has also highlighted the potential need for more appropriately designed landscaping to provide some softening of the arrangements in the context of how the new dwellings are seen from the approach to and from within Manse Park.

## Review of planning decisions by Council

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## Planning Decision 19

## 5a Brompton Road Bangor BT20 3RE

Determined

2 No. two-storey dwellings and garages (Change of house type to extant permission W/97/0548, enlarged curtilage and revised access arrangements) (Amended Site section plan and floor pl...

[Show less](#)

Application reference: LA06/2019/1215/F

Received: 05 Dec 2019

Decided: 03 Dec 2020

Type: Full

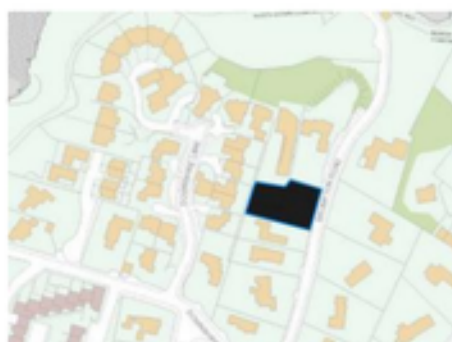
Decision type: Granted

Planning permission had been granted for two dwellings on the site back in 1998. As one dwelling (existing No. 5a) had already been built, this permission was extant, and the second dwelling could be built at any time. A further dwelling on site was approved in 2019.

This planning application proposed a revision to the layout of the previous permissions and access arrangements.



It was considered that the density was not significantly higher than those found in the wider area (see below)



The proposal attracted a number of objections from six addresses and related to the following concerns:

## Review of planning decisions by Council

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- A previous appeal was dismissed with the Commissioner considering that the 'proposed house would have a cramped appearance that would significantly detract from the character of the area' and referenced a strong building line in place on Brompton Road.
- Traffic flow and noise and pollution
- Over development of site
- Pressure on sewage
- New access too close to no. 5 Brompton Road
- Loss of privacy/overlooking to no. 5 Brompton Road
- Negative impact on property values
- Impact on protected species
- Affect on views of greenery and sea

In respect of the concerns raised regarding overlooking from a bedroom window on the first floor of House 2 to the ground floor bedroom of the adjacent dwelling, it was clarified that the subject window looked directly into the gable of the adjacent property and there would only be an oblique view (see red arrow on map to right) across to the adjacent property's ground floor bedroom, and the separation distance (cognisant too that there was non 'opposing' back to back arrangement, was 20m in line with guidance.

The developer had erected a fence along the boundary with the adjacent property and as such there was no overlooking towards the conservatory of the adjacent dwelling.



All concerns were addressed in full within the Case Officer Report and Members had opportunity to consider further at Planning Committee meeting in December 2020 with Members voting 12-0 in favour of approval.



View of House 1 to front of site looking back up Brompton Road



Review of planning decisions by Council



View of House 1 from Brompton Road (note fence to boundary)



View from Brompton Road to H2 in background (note first floor bedroom window)

### Review of planning decisions by Council



2019



2022





Review of planning decisions by Council

**Planning Decision 20**

**Lands between No's 1 and 7 Ballymartin Road  
Killinchy BT23 6QR**

**Determined**

Site for single farm dwelling.

[Show less](#)

**Application reference:** X/2013/0229/O

**Received:** 14 May 2013

**Type:** Outline

**Decided:** 12 Jun 2014

**Decision type:** Granted

The above application was approved by the Department of the Environment under Policy CTY 10 (Dwelling on a farm) of PPS 21 – Sustainable Development in the Countryside (see right).



The application for reserved matters was submitted for a smaller site and approved by Council under delegated authority in October 2017 (see far right).

The dwelling was designed in accordance with the Building on Tradition guidance and based on traditional design principles.



It's position then left a gap site which permitted infilling by a single dwelling under Policy CTY 8 of PPS 21 (granted on delegated list November 2021) which is nearing completion





## Review of planning decisions by Council

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## Planning Decision 21

Land between Nos.83 Glen Road Comber and  
Nos 81 Glen Road Comber

Determined

Erection of new dwelling

[Show less](#)

Application reference: LA06/2017/0503/O

Received: 19 Apr 2017

Type: Outline

Decided: 15 Mar 2018

Decision type: Granted

The above application sought permission for a dwelling on the basis of an infill site under Policy CTY 8 (Ribbon Development) in PPS 21 Sustainable Development in the Countryside.

Policy CTY 8 is premised on refusing applications for buildings which would create or add to a ribbon of development on the basis that such development is detrimental to the character, appearance and amenity of the countryside. An exception is permitted whereby there is a small gap site sufficient to accommodate up to a maximum of two houses in and otherwise substantial and continuously built up frontage and provided this respects the existing development pattern along the frontage in terms of size, scale, siting and plot size among other considerations.

The Planning Appeals Commission has consistently taken the approach, based on the wording of the preamble to PPS 21 referring to the countryside as land lying outside settlement limits, that buildings within settlement limits cannot contribute to a substantial and continuously built up frontage as they do not occupy a rural context.

The Planning Service recommended refusal of this application on this basis and the application was called into Committee for further review.



Black line depicts settlement limit

Officers considered that the proposal would set a wide ranging precedent of ribbon development across the Borough if only two buildings were taken into account in contrast to Policy and if reliance was placed on buildings within a settlement limit –

## Review of planning decisions by Council

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that could be dangerous to the rural character, and create potential urban sprawl along roads at the settlement limits. Meanwhile the agent in addressing the Committee believed that the large double garage attached to no. 83 Glen Road should be taken as a building in its own right, a proposition rejected by officers.



No. 83 with attached double garage

There was considerably debate on whether the development would harm the countryside, and the Committee ultimately voted against the officer's recommendation of Refusal by 6 votes to 5, with 3 abstaining.





## Review of planning decisions by Council

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## Planning Decision 22

## Ballycopeland Windmill Moss Road Millisle BT22 2DS

Determined

New visitor centre/coffee shop, access road, car park, restoration to existing cottages and replacement barn

[Show less](#)

**Application reference:** LA06/2019/0584/F

**Received:** 31 May 2019

**Decided:** 07 Feb 2020

**Type:** Full

**Decision type:** Granted

**Authority:** Ards and North Down Borough Council

**Applicant:** Historic Environment Division

The above application was presented to Planning Committee in February 2020 due to the Council having an interest in the land.

Ballycopeland windmill is a landmark in the area and the last remaining structure of its kind in County Down. Whilst the windmill was not listed it was categorised as a regionally important industrial heritage site and state monument and is an established tourism asset and tourist amenity managed by the Department for Communities Historic Environment Division.

The previous accessibility to the site was difficult due to the relatively steep sloping path to the windmill at the rear of the site. The proposal for a new amenity building on a level part of the site was to open the site to new users and help to secure a more sustainable future for the historic site.



Measures had been taken to ensure the visual impact of the proposed development would be softened and there was sensitive landscaping throughout. The need for a newly constructed and highly accessible visitors' centre was deemed to be a fundamental element to ensure a sustainable future for the site. The building is modest and clearly distinguishable from the 18<sup>th</sup> Century windmill.

The £1.2 million investment saw the construction of a visitor centre with coffee shop, new access road with car parking facilities and refurbishment of the existing miller's cottage and kilnman's house. Investment came from the Department for Communities (£700k), the Department of Agriculture, Environment and Rural Affairs' Rural Tourism Fund (£500k) and £30k from Ards and North Down Borough Council.





### Review of planning decisions by Council



View of windmill from Windmill Road

