Title of Report:	**Planning Committee Report – LA01/2021/0090/F**
Committee Report Submitted To:	**Planning Committee**
Date of Meeting:	**24th August 2022**
For Decision or **For Information**	**For Decision – Referred Application by Alderman Mark Fielding**

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

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

Screening Requirements	Required for new or revised Policies, Plans, Strategies or Service Delivery Proposals.		
Section 75 Screening	Screening Completed:	N/A	Date:
	EQIA Required and Completed:	N/A	Date:

Rural Needs Assessment (RNA)	Screening Completed	N/A	Date:
	RNA Required and Completed:	N/A	Date:
Data Protection Impact Assessment (DPIA)	Screening Completed:	N/A	Date:
	DPIA Required and Completed:	N/A	Date:

No: LA01/2021/0090/F **Ward:** Route

App Type: Full

Address: 17 Taughey Road Ballymoney

Proposal: Extension to existing car sales compound.

Con Area: N/A **Valid Date:** 22.01.2021

Listed Building Grade: N/A

Agent: Simpson Design NI Ltd. 42 Semicock Road, Ballymoney. BT53 6PY

Applicant: Mr. J Carmichael,.17 Taughey Road Ballymoney.

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

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

EXECUTIVE SUMMARY

- The site is located within the countryside.

- There have been no objections received in relation to this application and no statutory consultees have raised any concerns.

- The proposal is not an exceptional use in the countryside and represents an inappropriate retail use in the countryside.

- It has not been demonstrated why the proposal could not be located in a settlement.

- The proposal is contrary to paragraphs 6.70, 6.73, 6.74, 6.273 & 6.279 of the SPPS and Policy CTY 1 of PPS 21.

- The proposal is not considered acceptable at this location having regard to the Northern Area Plan 2016 and other material considerations.

- Refusal is recommended.

- Reasons for Referral by elected member are attached as an annex to this report.

Drawings and additional information are available to view on the Planning Portal- http://epicpublic.planningni.gov.uk/publicaccess/

1 RECOMMENDATION

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

2 SITE LOCATION & DESCRIPTION

2.1 The site comprises a road frontage plot located to the immediate south of No 15 Taughey Road (residential property) with additional lands to the immediate west comprising a cut-out of an adjacent agricultural field. The existing premises (No 17 Taughey Road) is a commercial car sales business comprising a narrow, tapering roadside site. The existing commercial premises includes two small buildings utilised for repairs and valeting positioned towards the southern extent of the site as well as an additional modular mobile structure utilised as an office. The remainder of the site is laid out in hardstanding and used as a sales / storage area for vehicles.

2.2 The existing site is fairly level and extends to approximately 0.25 hectares with centrally positioned vehicular access. The site is set immediately adjacent the public road with the boundary defined by palisade security fencing.

2.3 The proposed additional area comprises a cut out of the adjacent agricultural field to the rear of the site and is also fairly level but set at a much lower level with the boundary defined by a 1m retaining wall. The existing agricultural field comprises a watercourse and mature trees along its northern boundary as well as what would appear to be a culverted watercourse along the boundary adjoining the existing premises.

2.4 The site is located within a rural non-policy area as defined within the Northern Area plan 2016. The site fronts onto the Taughey Road and is affected by areas of both fluvial flooding and pluvial ponding. The character of the immediate area is rural and generally defined by a small number of detached and semi-detached dwellings. Extant planning permission for a dwelling exists to the immediate south of the site but does not appear to have been implemented.

3 RELEVANT HISTORY

D/1979/0149 – New Store to Petrol Filling Station. – Permission Granted.

D/1988/0214 - Single storey extension to shop – Permission Granted.

LA01/2018/0598/F - Retrospective application for car storage compound and valeting workshop to facilitate existing car sales compound – Permission Granted.

4 THE APPLICATION

4.1 This is a full application for “Extension to existing car sales compound”

5 PUBLICITY & CONSULTATIONS

5.1 External

No representations have been received in relation to this application.

5.2 Internal

DFI Roads: No objections

DfI Rivers: No objections

NI Water (Strategic): No objections

Environmental Health: No objections

NIEA Water Management Unit: No objections

NIEA Natural Environment Division: No objections

NIEA Regulation Unit: No objections

6 MATERIAL CONSIDERATIONS

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

6.2 The development plan is:

- The Northern Area Plan 2016 (NAP)

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

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

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

6.6 All material considerations and any policy conflicts are identified in the "Considerations and Assessment" section of the report.

7 RELEVANT POLICIES & GUIDANCE

Regional Development Strategy (RDS) 2035

The Northern Area Plan 2016

The Strategic Planning Policy Statement (SPPS)

Planning Policy Statement 2 (PPS 2) – Natural Heritage

Planning Policy Statement 3: Access, Movement and Parking
Policy AMP 2: Access to Public Roads.

DCAN 15 - Vehicular Access Standards

Parking Standards

PPS15 - Planning and Flood Risks.
Policy FLD1: Development in Fluvial (River) and coastal Flood Plains.
Policy FLD2: Protection of Flood Defence and Drainage Infrastructure.
Policy FLD3: Development and Surface Water (Pluvial) Flood Risk outside Flood Plains.

Planning Policy Statement 21 – Sustainable Development in the Countryside

A Planning Strategy for Rural Northern Ireland

Recovery and Renewal – an economic strategy for the Causeway Coast and Glens.

8 CONSIDERATIONS & ASSESSMENT

8.1 The proposal must be considered having regard to the NAP 2016, SPPS, and PPS policy documents specified above. The main considerations in the determination of this application relate to the principle of development; integration & rural character; residential amenity / health / contamination; natural heritage; flooding / drainage and access / parking.

Principle of Development

8.2 The subject site located in the countryside. The proposal relates to permission for an extension to an existing car sales compound comprising an additional 560sqm (approx) area taken from the adjacent agricultural field. Planning history indicates that the existing site originally operated as a petrol filling station with a small ancillary

shop, a use which operated from the 1970's. The PFS ceased to operate and the site has been used for car sales since at least August 2010 (as per aerial photographs) with subsequent planning permission granted for *"the retention of a car storage compound and valeting workshop to facilitate existing car sales compound"* under LA01/2018/0598/F. This permission identified the existing car sales compound area as well as the proposed car storage compound and valeting workshop.

8.3 The current application relates to an extension to the existing car sales compound utilising an area of agricultural land to the rear (west) of the site. The original submission related to an additional area approximately 2356sqm and has subsequently been reduced to approximately 560sqm.

8.4 The applicant has submitted supporting information in relation to the proposal which highlights the fact that it seeks to increase the footprint of the car sales business due to increased vehicle stock numbers planned for future development. The supporting information also highlights that issues currently exist in relation to limited space for visitors and customers to enter / park as well as insufficient turning space for large transportation vehicles delivering vehicles to site. Insufficient car parking and turning arrangements on-site are a matter which can be controlled by the applicant who has the power to limit stock and lay out the sales area in a manner which provides adequate facilities for parking, servicing and circulating within the existing plot. The lack of additional facilities to allow future expansion of the business indicate the inappropriate location of the current use.

8.5 The supporting information highlights the provisions of the Strategic Planning Policy Statement for NI 2015 (SPPS) as being the main policy context. The information also defines commercial vehicle sales as sui generis as per the Planning (Use Classes) Order 2015 and identifies it as a form of retail activity.

8.6 The application involves the provision of an extension to an existing car sales compound. The sale or display for sale of motor vehicles is a sui generis use which falls outside the uses specified in the Planning (Use Classes) Order (NI) 2015. The preamble of PPS 4 outlines that this PPS does not provide policy for retail uses, financial, professional and other services, leisure or tourism, agriculture, waste disposal or

waste management facilities, or mineral extraction, which are dealt with in other PPS's. Given that the primary use of the site is for vehicle sales, which is a form of retail activity, PPS 4 is not considered to be the relevant policy context in the assessment of the current proposal.

8.7 The provisions of the SSPS are material to all decisions on individual planning applications. Although a sui generis use, the use of the word 'sales' clearly points to the use being a form of retail activity. Whilst the NAP states that the current regional policy for retailing is contained in Planning Policy Statement 5: Retailing and Town Centres (PPS5), paragraph 1.16 of the SPPS cancelled PPS5 and therefore the SPPS provides the prevailing regional policy for retailing proposals. The SPPS sets out the transitional arrangements that will operate until a local authority has adopted a Plan Strategy for the whole of the council area. It retains certain other existing Planning Policy Statements including Planning Policy Statement 21: Sustainable Development in the Countryside (PPS21) which is material to consideration of the current proposal.

8.8 Paragraph 6.73 of the SPPS lists the strategic policy for types of residential and non-residential development in the countryside. Whilst none of these relate to retail development, paragraph 6.74 states that other types of development in the countryside should be assessed in line with other policies set out within the SPPS. In this case, the relevant policies are found in the Town Centres and Retailing section. Paragraph 6.273 thereof states that planning authorities must adopt a town centre first approach for retail and main town centre uses. Whilst vehicle sales may not be directly comparable to high street retail shops in town centres due to their nature and business model, there is nothing within the relevant policy to suggest that the sequential test favouring a town centre location does not apply to proposals for vehicle sales. This is a policy approach which has been confirmed by Planning Appeal decisions 2019/A0219 (LA01/2019/0039/F) and 2016/A0087.

8.9 Paragraph 6.279 of the SPPS deals with retailing in the countryside. It states that retailing will be directed to town centres and the development of inappropriate retail facilities in the countryside must be resisted. It goes on to state that as a general exception to this policy approach, some retail facilities may be considered appropriate outside settlement limits including farm shops, craft shops and shops serving tourist or recreational facilities. This list is not exhaustive and the use of the word 'including' implies that other typologies of retail facilities

may be acceptable. The policy goes on to indicate that those retail facilities considered appropriate should be located within existing buildings. The use of the word 'should' implies that this requirement is recommended and not mandatory. The policy states that all proposals must ensure that there will be no unacceptable adverse impact on the vitality and viability of an existing centre within the catchment.

8.10 The current business has been in existence since 2010 with subsequent related permission granted as outlined above. The existing site area extends to approximately 1,487sqm. The current proposal entails the expansion of the vehicle sales area by approximately 560sqm which represents an approximate 37% increase in site area.

8.11 The SPPS places emphasis on the need to direct retailing to town centres and paragraph 6.270 states that it seeks to promote established town centres as the appropriate first choice location for retailing and other complementary functions. Paragraph 6.280 states that a sequential test should be applied to planning applications for main town centres uses that are not in an existing centre and are not in accordance with an up to date LDP.

8.12 Paragraph 6.281 of the SPPS details that such uses will be considered in the following order of preference – primary retail core, town centres, edge of centres and out of centre locations. Whilst vehicle sales may not be suited to the town centre, this does preclude consideration of the other options within the sequential test. The potential catchment area for vehicle sales would be extensive, and in this instance includes the towns of Coleraine and Ballymoney which are respectively 6.1km and 1.8km from the appeal site.

8.13 The submitted supporting information includes what is described as a sequential test in respect of a catchment area comprising the settlements of Balnamore and Ballymoney, a catchment area of less than 2.5 km from the subject site.

8.14 The submission identifies an area of existing economic development identified within Balnamore, Map 2/03 of the NAP 2016 which is identified by the applicant as unsuitable for car sales due to the applicant's desire to expand and grow. The identified area is considerably larger than the existing car sales business but does include existing buildings which appear to currently accommodate a site investigation business. It is unclear how much of the site remains

unused and it has not been clearly demonstrated that the site is unsuitable. Additionally, the indication that a site of this scale would fetter the applicant regarding further expansion would indicate the desire for future extension of the current site area and business within this rural countryside location.

8.15 The sequential test also includes assessment of Riada Avenue within Ballymoney Town which incorporates an identified area of existing economic development as well as a large area zoned for economic development. The submission indicates that these areas are not suitable in policy terms and would be contrary to the Plan. The sequential test as submitted is limited in both scope and range and does not adequately consider those areas within an appropriate catchment area which would be potentially suitable for the proposal nor does it comprehensively assess suitable sites in keeping with the order of preference outline in paragraph 6.281 of the SPPS.

8.16 Additionally, there has been no assessment of the potential to operate on a split site basis, retaining the existing lawful business on site while utilising an appropriate site for further expansion of the business. It has not been demonstrated that a sequentially preferable site to accommodate either a larger comprehensive site or a smaller dual / expansion site could not be found within the relevant catchment area.

8.17 Although the proposed development is not located inside existing buildings, this is a preference and not a requirement of policy. The proposal involves a significant extension to an existing business (with an indicative desire to continue to further expand), and it has not been demonstrated that it represents an exceptional use in the countryside or that it would not have an unacceptable adverse impact on the vitality and viability of existing towns in the catchment area. It therefore does not meet the requirements of the SPPS.

8.18 PPS21 provides policy for development in the countryside. Policy CTY1 identifies certain non-residential development in the countryside where planning permission may be granted. It states that other types of development will only be permitted where there are overriding reasons why that development is essential and could not be located in a settlement. Vehicle sales does not fall into any of the categories listed in CTY1. The policy however states that there are a range of other types of non-residential development that may be acceptable in the countryside and that these will be considered in accordance with existing published planning policies.

8.19 Having regard to the published retailing policy set out in the SPPS and its sequentially preferred sites approach, it has not been demonstrated that there are no available sites to accommodate the proposal in nearby urban centres within the catchment area or that the proposal is essential in its present location. The proposal is considered as a retail use and does not meet with any of the exceptions listed under Policy CTY 1. The principle of development falls to be considered under the Retailing and Town Centres policies within the SPPS. As there is no overriding reason why the development is essential in this countryside location and could not be located within a settlement, the development does not comply with the retailing policy in the SPPS nor Policy CTY1 of PPS21.

Integration / Character

8.20 Paragraph 6.70 of the SPPS states that all development in the countryside must integrate into its setting and respect rural character. Policy CTY1 of PPS21 states that all proposals for development in the countryside must be sited and designed to integrate sympathetically with their surroundings and to meet other planning and environmental considerations including those for drainage, access and road safety.

8.21 The roadside boundary of the subject site remains generally unchanged with development proposed to the rear (west). The proposed site extension is located to the rear of the site and set at a lower elevation. The area is quite flat and does not appear prominent. Travelling along Taughey Road critical views of the site are mainly restricted to the site frontage due to a combination of the existing business, existing roadside development and roadside vegetation. From Taughey Road inter-visibility with the existing car sales area through to the site extension to the rear will be inevitable and although the existing business represents a dominant feature in this rural landscape along Taughey Road, this in itself does not justify a further encroachment into the open countryside.

8.22 Critical views also exist to the south-west of the site from Macfin Road, travelling east from No 39 towards the crossroads with Taughey Road. From here the additional extension of the car sales area will be openly visible. In line with comments from DFI Rivers the ground levels are also required to be raised to include a 600mm freeboard,

therefore increasing the potential visual impact. The visual impact of vehicles parked across the site will be significant as will the additional boundary treatment of a 2.0m high vertical timber fence. While quickthorn hedging is proposed, this would take some time to mature and the proposal is likely to have a significant impact on rural character.

Residential Amenity / Public Health / Contamination

8.23 The existing commercial use appears to established and lawful. The nearest unrelated residential properties are to the immediate north (No 15) as well as two semi-detached dwellings to the immediate south-east on the opposite side of Taughey Road. An additional dwelling is indicated to the immediate south on the submitted site location plan, however, this relates to an extant approval which does not appear to have commenced (at time of inspection).

8.24 The current proposal has the potential to introduce additional general noise disturbance as a result of increased visitors arriving, cars being delivered, moved, inspected etc.

8.25 The local Environmental Health Department (EHD has been consulted and indicate no significant issues regarding impact on residential amenity from noise although concern is raised regarding additional artificial lighting. None is indicated on the submitted plans although substantial lighting exists on the office and surrounding security fencing and it is very likely that the current proposal would require similar. A suitable condition restricting any additional lighting prior to the submission and agreement of a lighting scheme may address this. EHD also note the original site use as a small petrol filling station and highlight the fact that such a use could be a source of potential historic contamination from fuel spills with the potential for on-site underground fuel storage tanks/pipe infrastructure to remain in-situ. It is noted that these could be disturbed due to ground works associated with the current proposal exposing pathways to human health and/or the environment. No works to the original site area are proposed and the current application does not incorporate building or foundations which may require significant excavation. As noted above DFI Rivers indicate an additional 600mm freeboard is necessary.

8.26 The relevant regulatory authority regarding environmental receptors is DAERA (formerly NIEA, who have also been consulted. NIEA

Regulation Unit (RU) note that the application is for an extension to an existing car sales yard and that no additional buildings are proposed that would require substantial ground works. Regulation Unit advise that the proposed development is considered low risk to the water environment and have no objection to the proposal.

8.27 NIEA Water Management Unit has considered the impacts of the proposal on the surface water environment and advise that while it has no objection in principle the development it has the potential to have an adverse effect on the aquatic environment and recommend the imposition of a condition requiring the submission of a Method of Works Statement (MOS) for written agreement prior to works commencing on site. No vehicle washing is indicated as part of the submission and can be restricted by condition.

Natural Heritage Issues

8.28 DFI Rivers identify an undesignated watercourse in proximity to the site. River corridors are defined within Policy NH 5 of PPS2 as Habitats, Species or Features of Natural Heritage Importance. The reduction in red line as part of the current application removes the proposed extension from the adjacent watercourse and mature trees to the north. The proposal does not incorporate the loss of any existing trees or hedgerows. A Preliminary Ecological Appraisal has been submitted and NIEA (NED) advise that the habitat within the site is unlikely to comply with any Northern Ireland Priority Habitat. Natural Environment Division has considered the impacts of the proposal on designated sites and other natural heritage interests and based on information provided, has no concerns.

Flooding / Drainage

8.29 The Strategic Flood Map (NI) indicates that a portion of the original submission site was within the predicted 1 in 100 year fluvial flood plain. The original proposal has been amended with a reduction in the proposed site area as well as the submission of a Flood Risk Assessment (FRA). The FRA includes a River Model to verify the more accurate extent of the floodplain and has demonstrated the 1 in 100 year fluvial flood level at this location to be 31.683m OD with this level rising to 31.696mOD when taking into account climate change.

The revised proposal is now agreed as being located outside of the 1 in 100 year flood plain. DFI Rivers advise that they have no reason to disagree with the conclusions of the FRA and recommend that any new development be allowed an additional freeboard of 600mm which will raise ground levels.

8.30 The area of the application site does not exceed the threshold outlined under Policy FLD 3 of PPS 15 for which a Drainage Assessment would be required.

8.31 DFI Rivers has also pointed out that the site is traversed by a culverted watercourse that is undesignated. Drawing 002 in Appendix A of the FRA demonstrates a suitable maintenance strip and states that no buildings are proposed as part of the development. DFI Rivers recommends that the working strip is protected from impediments (including tree planting, hedges, permanent fencing and sheds), land raising (do not appear to distinguish between freeboard) or future unapproved development by way of a planning condition.

Access / Parking

8.32 Policy AMP 2 of Planning Policy Statement 3 states that planning permission will only be granted provided the proposal does not prejudice road safety or significantly inconvenience the flow of traffic.

8.33 Access to the site currently exists from Taughey Road and generally remains unchanged with the exception of the permanent closure of the gate to the northern extent of the site (internal) and the retention of a gate adjacent the existing sales office to access the proposed car sales area. No cross-sections have been provided but it is likely that the additional area will require to be realised in line with the comments from DFI Rivers as well as overcome the drop in levels between the existing and proposed areas. DFI Roads has been consulted regarding access and parking arrangements to serve the proposed development and raise no objection.

Habitats Regulation Assessment

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

9 CONCLUSION

9.1 The principal of development is considered contrary to policy and the proposal is unacceptable in this location having regard to the Northern Area Plan 2016 and other material considerations including the SPPS and PPS 21. The proposal is considered contrary to Policy CTY 1 of PPS 21 and the provisions of the SPPS as there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement. The proposal is not an exceptional use in the countryside represents an inappropriate retail use in the countryside.

9.2 Stock vehicle numbers on site and any subsequent Issues relating to visitor parking and vehicle turning can be satisfactorily controlled by the applicant. The application relates to a retail type use and it has not been demonstrated that a sequentially preferable site to accommodate either a larger comprehensive site or a smaller dual / expansion site could not be found within the relevant catchment area. Refusal is recommended.

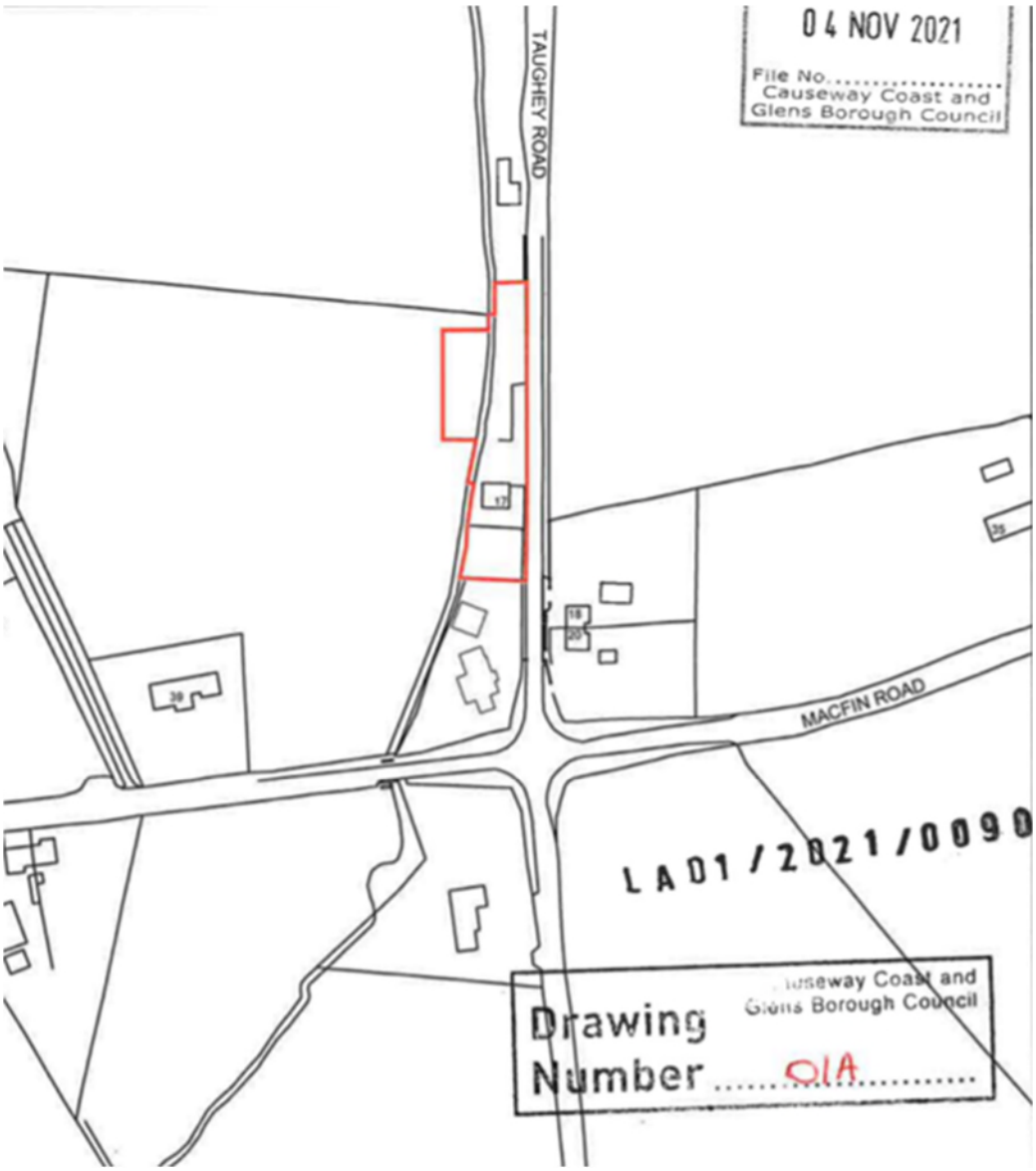
10 Refusal Reasons

1. The proposal is contrary to paragraph 6.73 and 6.74 of the Strategic Planning Policy Statement for Northern Ireland and Policy CTY 1 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that there are no overriding reasons why this development is essential in this rural location and could not be located in a settlement.

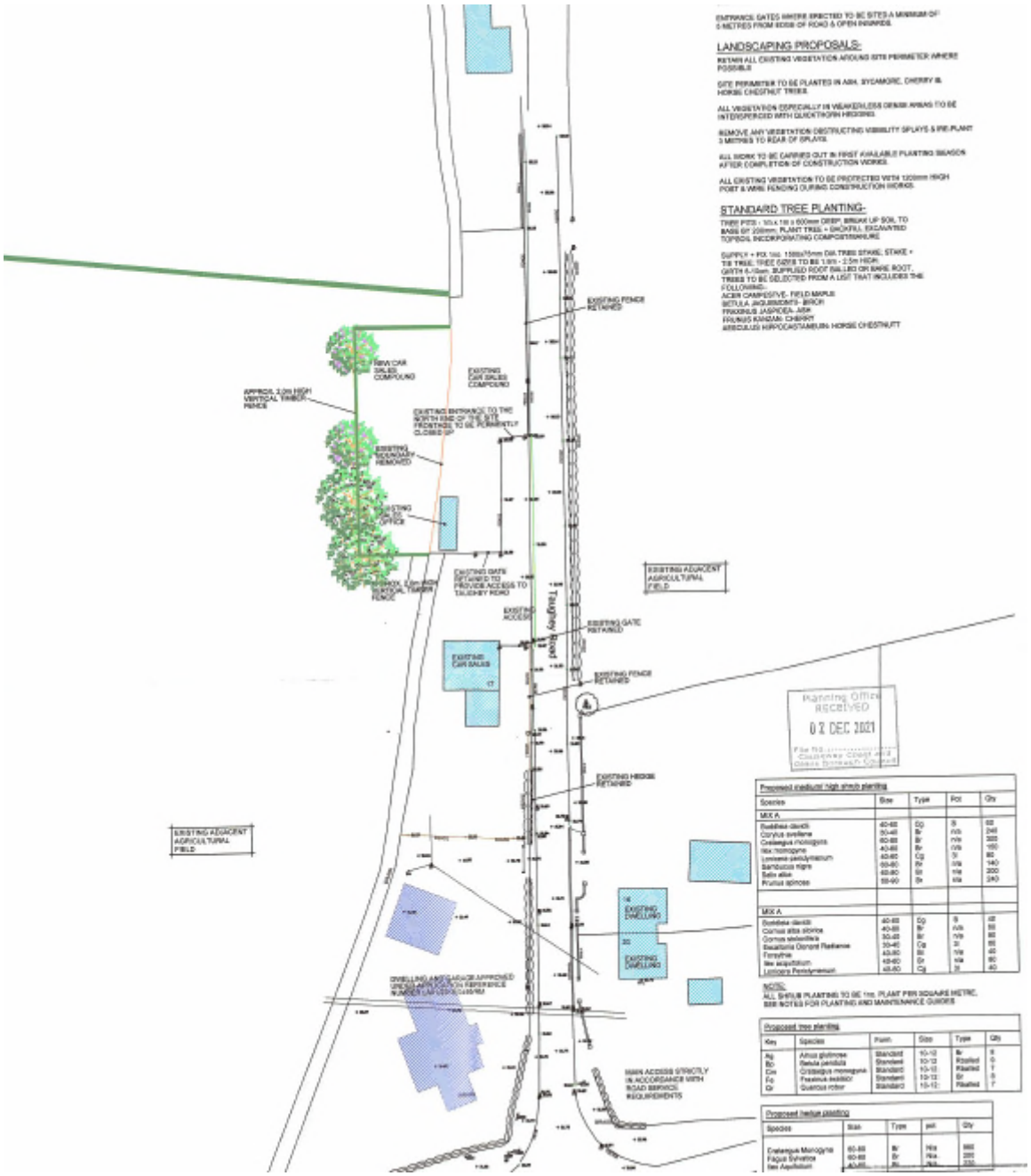
2. The proposal is contrary to paragraphs 6.273 and 6.279 of the Strategic Planning Policy Statement for Northern Ireland in that it is not considered an exceptional use in the countryside and would be an inappropriate retail use in the countryside.

3. The proposal is contrary to paragraph 6.70 of the Strategic Planning Policy Statement for Northern Ireland and Policy CTY 1 of Planning Policy Statement 21 in that the development would be a prominent feature in the landscape, fails to integrate into its setting and fails to respect rural character.

Site Location Map



Site Block Plan



Referral Request

From: Mark Fielding < >
Sent: 04 March 2022 12:21
To: Planning <Planning@causewaycoastandglens.gov.uk>; Denise Dickson < >; Joan Baird < >
Subject: LA01/2021/0090/F

Ref : LA01/2021/0090/F - Extension to existing car sales compound

17 Taughey Road Ballymoney

I wish to refer the above application to the Planning Committee.

There has been an existing business at this rural location for some years and the applicant wants to extend the boundary to make it safer. Planning was granted for a car storage compound (LA01/2018/0598/F) so I believe that this current proposal could integrate into its setting where there have been previous approved applications at this location.

Planning permission was also granted at the last planning committee meeting (February 2022) for another car business at a rural location (LA01/2020/0752/F).

Yours,

Mark

Ald.M Fielding

Causeway Coast & Glens Borough Council

SITE VISIT REPORT: MONDAY 20th June 2022

Committee Members: Alderman Baird, Boyle, Duddy, Finlay, S McKillop and McKeown; Councillors Anderson, Dallat O'Driscoll, Hunter, McGurk, MA McKillop, McLaughlin, McMullan (Chair), P McShane (Vice Chair), Nicholl and Scott

10.30am

LA01/2021/0090/F – 17 Taughey Road, Ballymoney

App Type: Full Application
Proposal: Extension to existing car sales compound

Present: Alderman McKillop, Councillors Hunter and Nicholl, Official E Hudson
Apologies: Alderman Baird and Boyle

Comments:
Viewed site from along site frontage on Taughey Road. Officials outlined the description of the proposed development which represents an increase of the site area by 560 sq m for the purpose of expanding the existing car sales area. A reduction in the originally submitted site area. Members asked if the existing car sales area had planning permission. Officials explained the planning history of the site referring to a 2018 planning permission which was retrospective permission for car storage compound, valeting workshop and existing car sales compound. This permission established the existing car sales area as it had been operating for a period time and would be immune from enforcement action. Officials explained that car sales is a form of retail development, established by previous planning applications and PAC decisions. As such the SPPS was the relevant policy context and the town centre first approach. A sequential assessment of a suitable catchment area is required with these types of applications which will consider sites/land/buildings in an order of preference. The countryside (where the application site is) is not included in the sequential assessment. Officials advised that the submitted sequential assessment was limited to the settlements of Balnamore and Ballymoney and only included economic development land in Ballymoney and Balnamore. For car sales we would consider a wider catchment area to appropriate. Therefore, it has not been demonstrated that there are no suitable town centre or sequentially preferable site for this development. Members asked that would exception not be made to an extension to an existing use or if

it was an extension for an non retail use would it be considered differently. Officials advised that the extension of the retail element would also be considered under the SPPS and the sequential approach which was confirmed by the recent Hallidays planning appeal for an extension of a similar percentage of the site area. An extension of a non-retail area would be a different application and considered on its own merits. If the applicant has outgrown the existing site in terms of size and scale he should look to re-locate to a more suitable site deemed acceptable under the SPPS. Also, it is not considered an exceptional use in the countryside and is also an inappropriate retail use in the countryside.

Officials also advised that the proposal to extend out into an open agricultural field was considered unacceptable in terms of integration when viewed from along Taughey Road and Macfin Rd. The existing car sales area was contained to an existing linear part of the road but incorporating additional parked cars on an extended area would further dominate this stretch of road and from Macfin Road. Officials confirmed there were no objections received on the application.

E Hudson 20/06/2022