

Planning Committee Report LA01/2018/0894/F	25th September 2019
PLANNING COMMITTEE	

Linkage to Council Strategy (2015-19)	
Strategic Theme	Protecting and Enhancing our Environment and Assets
Outcome	Pro-active decision making which protects the natural features, characteristics and integrity of the Borough
Lead Officer	Development Management & Enforcement Manager
Cost: (If applicable)	N/A

<u>No:</u> LA01/2018/0894/F	<u>Ward:</u> Dundooan
<u>App Type:</u> Full Planning	
<u>Address:</u> Tullans Country Holiday Park, 46 Newmills Road, Coleraine BT52 2JB	
<u>Proposal:</u> Proposed Expansion of Existing Holiday Park to Provide Re-Configuration of Existing Touring Caravans and 48 No. Additional Static Caravan Spaces.	
<u>Con Area:</u> N/A	<u>Valid Date:</u> 19.07.2018
<u>Listed Building Grade:</u> N/A	
Agent: 2020 Architects	
Applicant: Ian & Jill McClelland	
Objections: 2	Petitions of Objection: 0
Support: 0	Petitions of Support: 0

Executive Summary

- The proposed development is considered acceptable in this location having regard to the NAP 2016 and other material considerations, including the SPPS.
- The site is located in the rural area as designated in the Northern Area Plan and is located in proximity to an Archaeological Site and Monument.
- There has been 2 objections received on this application and no statutory consultee have raised any concerns with the proposal.
- The proposed layout of the site is considered acceptable and the existing and proposed landscaping will allow the proposal to integrate effectively into the landscape. The proposal will create a high quality and sustainable form of tourism development.
- The proposal complies with all relevant planning policies including the Northern Area Plan, SPPS, PPS 16.

Drawings and additional information are available to view on the Planning Portal- www.planningni.gov.uk

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 **APPROVE** planning permission subject to the conditions set out in section 10.

2 SITE LOCATION & DESCRIPTION

- 2.1 The site is located on lands to the east and north east of the existing Tullans Country Holiday Park at 46 Newmills Road Coleraine. The site is located in the open countryside outside the Settlement Development Limit of Coleraine as defined in the Northern Area Plan. The site consists of agricultural lands and lands associated with holiday park. Access to the site will be from the existing holiday park entrance on Newmills Road. To the north and north east the site is bounded by hedgerows and the site is bounded to the south by a hedgerow and more mature trees which screens the site. To the west and south west the site is bounded by the existing caravan park.
- 2.2 Lands surrounding the site are used predominantly for agricultural purposes. There are a number of dwellings and agricultural buildings in proximity to the site and there is also a hall and several businesses to include a timber works located off Newmills Road.
- 2.3 The site is located in the rural area as designated in the Northern Area Plan.

3 RELEVANT HISTORY

LA01/2017/1524/PAN- Tullans Country Holiday Park, 46 Newmills Road, Coleraine. Proposed Expansion of Existing Holiday Park to Provide Re-Configuration of Existing Touring Caravans and 50 No. Additional Static Caravan Spaces.
PAN acceptable 14.12.2017

LA01/2017/0896/PAD- Lands 130m East of 46A Newmills Road, Coleraine, Proposed extension to existing caravan park to provide additional plots to allow the business to expand and remain economically viable. PAD Concluded.

C/2009/0643/F- Tullans Caravan Park lands approx 120m South of 46A Newmills Road, Coleraine. Proposed extension to existing caravan park for static caravans.

Granted 13.01.2010

C/2007/0650/F- Tullans Caravan Park Lands, approx 120m West of 46a Newmills Road, Coleraine. Extension to existing caravan park for static caravans and the designation of a future amenity area with camping facilities.

Granted 14.11.2008

C/2004/1302/F- Adj. 46A Newmills Road, Coleraine. Proposed Extension to Existing Caravan Park, and All Weather Exterior Play Areas.

Withdrawn 11.11.2005

C/1997/0686/F- Adjacent to 46 Newmills Road Coleraine. Extension of existing caravan park.

Granted 25.02.1998

4 THE APPLICATION

- 4.1 The proposed development involves the expansion of the existing holiday park to include the reconfiguration of the existing touring caravans and the provision of an additional 50 static caravan pitches. The proposal will also include ancillary works to provide access, areas of open space and landscaping throughout the site.

Design & Access Statement

- 4.2 A Design & Access Statement is required under Article 6 of the Planning (General Development Procedure) Order (NI) 2015 as the application is considered to be a major application.
- 4.3 The design and access statement provides details of the design principles and concepts that have been applied to the

development and how issues relating to access to the development have been dealt with.

- 4.4 The report date received on 19th July 2018 demonstrates that the applicant undertook detailed consideration of the proposal in terms of the design principles and concepts in relation to the location of the caravan pitches, the proposed design and the impact on the character of the immediate context.

ENVIRONMENTAL IMPACT ASSESSMENT

- 4.5 This proposal was subject to an environmental impact assessment screening as highlighted by, The Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2017.
- 4.6 The application was considered to fall within Schedule 2: Category 12(e) of the Regulations- Permanent camp sites and caravan sites which states that the threshold is when the area of the development exceeds 1 hectare. The site area is 4.2 hectares.
- 4.7 Having considered the Regulations and the guidance set out in DCAN 10, the development proposal would not have any likely impacts of such a significance to warrant an environmental statement.

5 PUBLICITY & CONSULTATIONS

External

- 5.1 **Neighbours:** 2 letters of objection were received in regard to this application. The key concerns raised include:

- Sprawling nature of the proposed development would have a detrimental visual impact on the countryside.
- Concern in regard to the number of vehicular visits to the site daily and whether an accurate estimate had been provided.
- Concern regarding peak traffic times and accuracy of images.

- Queried consideration that there would only be two walkers daily from the site stated this was not true.
- Concern regarding description of Newmills Road as a major rural road and what constitutes this.
- Queried how the applicants intend to encourage car sharing.
- Queried whether the proposed development would benefit the tourism industry as caravan parks are self-sufficient. Queried how exactly a benefit would be provided to include details of job creation.
- Requested information on why static caravans are located on the site all year round and queried whether this would be in breach of previous permissions.
- Identified proposal would lead to traffic generation, an increase in the number of pedestrians and vehicles using the site and increased queues into the site.
- Impacts of noise and increased pollution.
- Impact of the proposed development on road safety and history of a traffic accident at the site. Requested information on proposed traffic calming measures.
- Concern in regard to the accuracy of mapping having particular regard to Archaeological Impact Assessment.
- Concern regarding an existing monument described in the survey as a mound/rath to which the period of construction is uncertain. This monument is clear on the 1860 drawings but have disappeared since. Concern was raised that this monument has been downgraded.

Internal

5.2 Historic Environment Division: Has no objections.

NIEA: Has no objections subject to conditions

DFI Roads: Has no objections subject to condition

NI Water – Has no objection

Environmental Health – Has no objections

DFI Rivers Agency- Has no objection.

Proposal of Application Notice

- 5.3 As this application is considered a major application it must comply with the Proposal of Application Notice and carry out community consultation at least 12 weeks prior to the submission of the application.
- 5.4 A Proposal of Application Notice was submitted on 23rd November 2017 under LA01/2017/1524/PAN. The applicant advised that they intended to undertake the following forms of consultation:
- Press notice of the public event in two papers and where further information could be obtained.
 - Letters sent to all residents within 300m of the development.
 - Notice served on Coleraine DEA Councillors
- 5.5 The public event was held on 19th December 2017 in St Damhead Primary School, Coleraine.

Community Consultation Report

- 5.6 The community consultation report (CCR) was submitted as part of the planning application, received on 25th July 2018 which is more than 12 weeks after the Proposal of Application Notice was received, as required by the legislation.
- 5.7 It contains a copy of the methods of consultation carried out comments and feedback from the consultation exercise in the local context. The report demonstrates that consultation was implemented as agreed in the Proposal of Application Notice.
- 5.8 The event was advertised in two local newspapers and letters were delivered to all properties within a 300m radius of the proposed site.
- 5.9 A total of only 2 members of the public attended the event. The first member of the public provided a neutral response while the other member of the public offered his support to the proposed design. Given these responses the applicant decided that the proposal did not require further amendments. These responses are set out in detail in the CCR.

5.10 The CCR demonstrates that adequate community consultation has taken place and the key issues of concern have been considered.

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 development plan, so far as material to the application, and all other material considerations. Section 6(4) states that in making any determination where regard is to be had to the local development plan, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

6.2 The development plan is:

- Northern Area Plan 2016

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

Northern Area Plan 2016

Strategic Planning Policy Statement (SPPS) 2015

Regional Development Strategy (RDS)

Planning Policy Statement 3 (PPS3): Access Movement and Parking

Planning Policy Statement 6 (PPS 6): Planning Archaeology and the Built Heritage

Revised Planning Policy Statement 15 (PPS 15): Planning and Flood Risk

Planning Policy Statement 16 (PPS 16): Tourism

Planning Policy Statement 21 (PPS 21): Sustainable Development in the Countryside

8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to planning policy, the principle of the development, impact on amenity and crime, traffic/road issues, flood risk and drainage, archaeology and built heritage, visual integration and rural character, HRA, tourism benefit, mapping and previous permission.

Planning Policy

- 8.2 The RDS promotes a sustainable approach to the provision of tourism infrastructure. The principle of development proposed must be considered having regard to the Northern Area Plan (NAP), the SPPS, and relevant Planning Policy Statements specified above.
- 8.3 NAP 2016 does not have any specific policy on Tourism, however, it states on page 17 that “Tourism related development consistent with the principles of sustainable development and the protection of the Northern Plan Area’s finest landscapes will be provided in line with regional planning policies”.
- 8.4 Paragraph 6.255 states that the aim of the SPPS in relation to tourism development is to manage the provision of sustainable and high quality tourism developments in appropriate locations within the built and natural environment.
- 8.5 The SPPS also states that for acceptable tourist development in the countryside a new or extended holiday park that must be a high quality and sustainable form of tourism development. It

continues under paragraph 6.265 that a positive approach should be adopted in determining applications for tourism development so long as proposals are sustainable, are in accordance with the LDP, and will result in high quality forms of development. Important considerations will include whether the nature, scale and design of the specific proposal is appropriate to the site context. Paragraph 6.266 states that applications for tourism development will also be assessed in accordance with normal planning criteria such as access arrangements, design, environmental and amenity impacts so as to ensure high quality, safe and otherwise satisfactory forms of development.

Principle of development

- 8.6 In land use terms, the existing land is agricultural in nature. Paragraph 6.260 of the SPPS states that other acceptable tourist development in the countryside may include a new or extended holiday park that must be a high quality and sustainable form of tourism development. The principle of extending the existing Holiday Park at this location within the countryside is considered acceptable subject to policy criteria.
- 8.7 This proposal is for an extension of an existing tourist facility in the countryside. Policy CTY 1 of PPS 21 Sustainable Development in the Countryside directs that planning permission will be granted for tourism development in accordance with the TOU policies of the Planning Strategy for Rural Northern Ireland. These TOU policies have been superseded by PPS 16. Therefore, PPS 16 provides the main policy basis to assess the proposal. The most relevant policy in PPS 16 is TSM 6 New and Extended Holiday Parks in the Countryside. Also relevant is TSM 7 Criteria for Tourism Development. TSM 6 recognises that holiday parks are important for the domestic tourism market in terms of the volume of rural tourism bed spaces they provide, and the economic benefits that flow from this scale of tourism activity.
- 8.8 Policy TSM 6 states that planning permission will be granted for a new holiday park or an extension to an existing facility where it is demonstrated that the proposal will create a high quality and sustainable form of tourism development.

- 8.9 The location, siting, size, design, layout and landscaping of the holiday park proposal must be based on an overall design concept that respects the surrounding landscape, rural character and site context. This proposal is within an existing agricultural field, the proposed caravan park which includes areas of open space and landscaped areas, is considered to be appropriate in the immediate context. The surrounding landscape, rural character and site context have been respected. Views of the site are restricted by existing vegetation located along the southern boundary of the site and also the existing hedgerows located along Newmills Road. The site is also located approximately 280 metres from Newmills Road. Given this it is considered that the scheme will not have a detrimental impact on the immediate context of the area.
- 8.10 Proposals for holiday park development must be accompanied by a layout and landscaping plan, which has been provided in this instance. TSM 6 of PPS 16 requires that all proposals must meet a set list of criteria (a-g). Criterion (a) requires that the site is located in an area that has the capacity to absorb the holiday park development, without adverse impact on visual amenity and rural character. Criterion (b) requires effective integration into the landscape which must be secured primarily through the utilisation of existing natural or built features. Where appropriate, planted areas or discrete groups of trees will be required along site boundaries in order to soften the visual impact of the development and assist its integration with the surrounding area.
- 8.11 The site is located on a site which can absorb an extension to the existing holiday park without adverse impact on rural character. The site is located approximately 280 metres from the public road and will be nestled in behind an existing hedgerow and row of trees located along the southern boundary of the site. An existing hedgerow located along Newmills Road will also screen the proposed development from public view. The site is surrounded by an existing hedgerow and along the north eastern boundary a number of trees are located and this screens public views of the proposed development from an existing laneway located to the east of the site. A visual impact assessment has been provided which shows the development located within its context. Further to the existing vegetation additional planting is proposed in the form of trees with a height

of 3-4 metres and scrub planting with a height of between 30 and 80 centimetres. A section of the proposed site located to the North West will be screened by the existing caravan park and built form associated with it. Given this it is considered that the proposed development will visually integrate into the surrounding context and the proposed planting will soften the visual impact of the proposed development.

- 8.12 Criterion (c) of TSM 6 requires adequate provision (normally around 15% of the site area) is made for communal open space (including play and recreation areas and landscaped areas), as an integral part of the development. The larger areas of open space proposed as part of the scheme equate to approximately 0.48 hectares which is approximately 12% of the overall site which falls below the 15% threshold. However there are smaller areas of open space and landscaped areas between each plot. There is also an existing play park and area of open space located to the North East of the site. The proposed development is therefore considered acceptable having regard to this criteria.
- 8.13 Criteria (d) of TSM 6 states that the layout of caravan pitches/motor homes should be informal and characterised by discrete groupings or clusters of units separated through the use of appropriate soft landscaping. Criteria (e) states that the design of the development, including the design and scale of ancillary buildings and the design of other elements including internal roads, paths, car parking areas, walls and fences, is appropriate for the site and the locality, respecting the best local traditions of form, materials and detailing.
- 8.14 The proposal has an informal layout as opposed to the more traditional 'regimented' rows of caravans associated with long standing caravan parks which has a sea of caravans effect. The site is divided into 8 clusters with open space and landscaping between each cluster. There are no proposed ancillary buildings on site. The form, layout and materials of all paths/walkways and internal roads are acceptable. The proposal includes additional landscaping along the southern boundary of the site which is the most critical having a more public aspect. This will supplement the existing trees and hedgerows located along this boundary. A landscape buffer will be provided along the eastern and north-eastern boundaries

which will screen the proposed development from public view. This buffer will be made up of new trees approximately 3 to 4 metres in height and shrub planting which will be between 60 and 80 cm in height. New hedging is also proposed along the North western and western boundaries of the site. It is considered that the proposed development complies with criteria (d) and (e) of this policy.

- 8.15 Mains water supply is available and a septic tank will be used to dispose of foul sewage. The proposal is also capable of dealing with any emission or effluent in accordance with legislative requirements. NI Water and DAERA Water Management Unit was consulted in regard to this and raised no concern. The proposal is therefore compliant with criterion (g).
- 8.16 Having regard to the Policy TSM 6, it is considered that this proposal is consistent with these policy tests.
- 8.17 All tourism developments must also comply with the 15 criteria set out in TSM 7 of PPS 16. These criteria relate to design, layout, boundary treatment, drainage, crime, impact on character and neighbouring residents, access arrangements, sewage disposal and impacts on features of natural or built heritage. Criteria relating to design, layout, boundary treatment and sewage disposal has been considered under paragraphs 8.7 to 8.11 of this report. The other criteria will be considered in detail in the remainder of this report.

Impact on Amenity and Crime

- 8.18 The proposed development is located in proximity to a number of residential premises located along Newmills Road and along a laneway in which the proposed development will be accessed. The dwellings located at 46A, 46C and 44A Newmills Road are located closest to the proposed development. The dwellings at 44A and 46B are located on the access road to the existing development and are located approximately 10 metres from the existing caravan park. Land associated with the extension of the caravan park is located approximately 90 metres from the dwelling at 46A and approximately 150 metres from the dwelling at 44A. Given this separation distance and the fact that the dwellings will be located no closer than the existing caravan plots it is considered that there will be no concern in regard to

overlooking or overshadowing. The dwelling at 46C is located approximately 130 metres from the proposed development. Given this separation distance and the proposed landscaping it is considered that there will be no concern in regard to overlooking or overshadowing. The dwellings at 46, 48 and 50 are considered far enough away from the proposed development not to be detrimentally impacted.

- 8.19 Environmental Health was consulted in regard to the proposed development to consider the potential noise and odour impacts of the proposed development. Concerns regarding noise was also raised in a representation letter. Environmental Health raised no objection in principle subject to compliance with the Caravans Act (NI) 1963, the Model Licensing Conditions for Caravan Site 1992 and informatives.
- 8.20 The proposed development will be well secured with hedging and proposed landscaping. All areas of open space proposed as part of the application will be overlooked by caravan plots. The formation of roads and pathways will also not create spaces where there would be the potential for anti-social behaviour. Environmental Health also stated in their consultation response that the applicant should ensure that the proposed site is managed so that nuisance to nearby residential properties does not arise. No public art has been proposed as part of the scheme.

Traffic/road issues

- 8.21 The proposed development will be accessed via the Newmills Road from an existing access point. A Transport Assessment was provided to assess the impacts of the proposal on traffic flow and parking. DFI Roads was consulted in regard to this proposal and although raised initial concerns amended plans and information have been provided and DFI Roads are now content with the proposal subject to condition. A representation letter was received on the application on 13th August and concerns were raised in regard to the information provided in this TA and the impact of the proposal on road safety and the flow of traffic. DFI Roads was consulted in regard to these comments and raised no further concerns.

8.22 A further representation letter was received on 26th March 2019 which raised further roads concerns. A further consultation was sent to DFI Roads to consider this information in which no further comment was made. These representation letters were anonymous and although further information and amended plans were received no neighbour notification could be sent as there was no address provided. The proposed scheme is therefore considered to be in compliance with the policy provisions as outlined in PPS3.

Flood Risk and Drainage Assessment

8.23 The Strategic Flood Map (NI) indicates that the development does not lie within the 1 in 100 year fluvial or 1 in 200 year coastal flood plain. The proposed development is not located within any flood plain.

8.24 Under Policy FLD 3 of Planning Policy Statement 15 a Drainage Assessment will be required for a change of use involving new buildings and/or hardsurfacing exceeding 1000 square metres in area. The proposed development exceeds this threshold. A drainage assessment was provided as part of the application and a consultation was sent to DFI Rivers for consideration. It was confirmed that details of how runoff from the site will be controlled by a storm water attenuation system and safely disposed of at Greenfield rate of 10.75L/s has been submitted as part of the drainage assessment. It was stated that the drainage assessment only lacks a letter from Northern Ireland Water for consent to discharge storm water which policy stipulates in D18 bullet point 2. DFI Rivers considered that while not being responsible for the preparation of the report accepts its logic and has no reason to disagree with its conclusions. Consequently, DFI Rivers cannot sustain a reason to object to the proposed development from a drainage perspective. DFI Rivers also recommended conditions relating to internal site drainage and attenuation of stormwater shall be included in any planning consent.

Archaeology and Built Heritage

8.25 The application site is in close proximity to several sites and monuments, including a mound/rath of likely medieval date (LDY007:026), the site of 17th century mills (LDY010:052,

LDY007:105) and an industrial heritage registered mill site (IHR01401) featuring a mill race which runs close to the application site. These are monuments of local importance. Policy BH2 of PPS 6 which relates to the Protection of Archaeological Remains of Local Importance and their Settings applies.

8.26 Historic Environment Division was consulted in regard to this application and is content that the proposal satisfies PPS 6 policy requirements, subject to conditions for the agreement and implementation of a developer-funded programme of archaeological works.

8.27 A representation letter dated 26th March 2019 was received on this application and raised concern in regard to a Mound/Rath (LDY007:026). It was stated that this mound/rath appears to have disappeared sometime between 1860n and the present day. Concern was raised that the authors of the Archaeological Impact Assessment had downgraded this monument or overlooked it. Historic Environment Division was consulted in regard to this and it was stated that the monument appears on the First, Second and Third Edition Ordnance Survey Maps and is much reduced by the Third. This reduction of the monument over the 19th century is a very common observance seen across Northern Ireland and is caused by the effects of extensive ploughing across the century. It was also stated that none of the proposed development works impact upon the monument.

8.28 The proposed development is not located in proximity to any listed buildings. It is therefore considered that the proposed development will not have a detrimental impact on impacts on features of natural or built heritage.

Visual Integration and Rural Character

8.29 Within paragraph 6.70 of the SPSS it is stated that all development in the countryside must integrate into its setting, respect rural character, and be appropriately designed. An objection letter also raised concern in regard to urban sprawl. In regard to this the proposed development is set back from the main road by approximately 280 metres. The southern elevation of the proposed development which is the most critical

is made up of an existing hedgerow with a number of mature trees which will screen the proposed development from public view. This boundary will be supplemented with an additional landscape buffer with hedging and tree planting. Views of the proposed development will also be screened by existing built form located around the site. The eastern and north eastern boundary of site will include a landscape buffer with tree planting and hedging which will supplement an existing hedgerow. This will screen views of the site from a laneway located to the east of the site. Given the existing and proposed landscaping and the separation distance from the main road it is considered that the proposed development will not have a detrimental impact on rural character and will visually integrate with its surroundings. It is also considered that the proposal will not lead to urban sprawl. The proposal also complies with Policies CTY 13 & 14 of PPS 21.

HABITAT REGULATIONS ASSESSMENT

- 8.30 The application was considered in light of the assessment requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) by Shared Environmental Service on behalf of Causeway Coast and Glens Borough Planning Authority.
- 8.31 The site is hydrologically linked to the Bann Estuary SAC and an email was sent to Shared Environmental Services to consider the proposed development. It was stated that given the nature and location of the proposal, it is unlikely that there will be any significant effects on the site selection features of Bann Estuary SAC or any other European designated site.

Other Matters

Tourism Benefit

- 8.32 Within the Design and Access Statement provided as part of the application it was stated that the proposed development will help contribute to the local tourism industry prevalent on the North Coast. In an objection letter it was queried as to how this proposal would benefit tourism as no detail has been provided by the agents. No additional information was provided in regard

to this matter. However, the proposed development meets with relevant planning policy criteria relating to a holiday park in which the tourism benefit is not a consideration. Therefore there is no concern in regard to this matter.

Mapping

- 8.33 A concern was raised in regard to the accuracy of the mapping provided in particular reference to the imagery provided in the Archaeological Impact Assessment. Although some imagery in this report is outdated the plans provided as part of the full submission are up to date. Historic Environment Division was made aware of this concern and made no further comment. Given the fact that the stamped plans provided as part of the application are accurate and HED was made aware of this it is considered that there is no concern in regard to this matter.

Previous Permission

- 8.34 Within a representation letter it was stated that there appears to be static caravans in use on the site all year round and it was questioned whether this is in breach of previous permissions. A detailed Planning History check was made and it was found that a condition was placed on the initial application planning reference C/1993/0713/F. It was stated that no caravan on the site shall be occupied between 31st October in any one year and March 1st in the succeeding year. This applied to the 20 touring caravan sites and 6 caravan plots approved to the north of the site. This condition does not restrict the placement of caravans or touring caravans on site but their occupancy. In regard to application references C/2009/0643/F and C/2007/650/F a condition restricting use or occupancy was not included and therefore could effectively be occupied all throughout the year.

9 CONCLUSION

- 9.1 The proposed development is considered acceptable in this location having regard to the NAP 2016 and other material considerations, including the SPPS. The proposal has been

considered against the policy tests set out for tourism development in the countryside. The proposal will create a high quality and sustainable form of tourism development. Approval is recommended.

CONDITIONS

10.1 Regulatory Conditions:

1. As required by Section 61 of the Planning Act (Northern Ireland) 2011, the development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

Reason: Time Limit.

2. The development hereby approved shall be used for holiday accommodation only and shall not be used for permanent accommodation.

Reason: The site is located outside of any settlement limit where planning policy restricts development and this consent is hereby granted solely because of its proposed holiday use.

3. The scheme of planting, hereby approved shall be carried out in accordance with drawing No. 02 Rev 2 dated 24th May 2019 during the first available planting season after the commencement of development. Trees or shrubs dying, removed or becoming seriously damaged within five years of being planted shall be replaced in the next planting season with others of a similar size and species unless the Council gives written consent to any variation.

Reason: To ensure the provision, establishment and maintenance of a high standard of landscape in the interests of visual amenity and protection of wildlife.

4. The existing natural screenings of the site, as indicated on Drawing No. 02 Rev 2 date stamped 24th May 2019 shall be retained unless necessary to prevent danger to the public in

which case a full explanation along with a scheme for compensatory planting shall be submitted to and agreed in writing with the Council, prior to removal.

Reason: To safeguard the amenities of neighbouring occupiers and in the interests of visual amenity and to ensure that the proposed development does not prejudice the appearance of the locality.

5. All construction activity and materials (including spoil) shall be confined within site boundaries and the hydrological links from the watercourse to the designated Skerries and Causeway SAC and West Strand ASSI shall not be disturbed in any way without written consent from the Council, in consultation with the Northern Ireland Environment Agency.

Reason: To protect the integrity of the Skerries and Causeway SAC and West Stand ASSI.

6. No development shall commence until the improvements to the existing vehicular access, including visibility splays and any forward sight distance is provided in accordance with Drawing No. 03 Rev 2 bearing the date stamp 24th June 2019. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250mm above the level of the adjoining carriageway and such splays shall be retained and kept clear thereafter.

Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.

7. No site works of any nature or development shall take place until a programme of archaeological work has been implemented, in accordance with a written scheme and programme prepared by a qualified archaeologist, submitted by the applicant and approved by the Council. The programme should provide for the identification and evaluation of archaeological remains within the site, for

mitigation of the impacts of development, through excavation recording or by preservation of remains, and for preparation of an archaeological report.

Reason: to ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded.

8. Access shall be afforded to the site at all reasonable times to any archaeologist nominated by the Department for Communities – Historic Environment Division to observe the operations and to monitor the implementation of archaeological requirements.

Reason: to monitor programmed works in order to ensure that identification, evaluation and appropriate recording of any archaeological remains, or any other specific work required by condition, or agreement is satisfactorily completed.

9. Internal site drainage shall comply with the appropriate legislation which includes for exceedance and shall not exceed a maximum stormwater discharge rate of 10.75 litres/second.

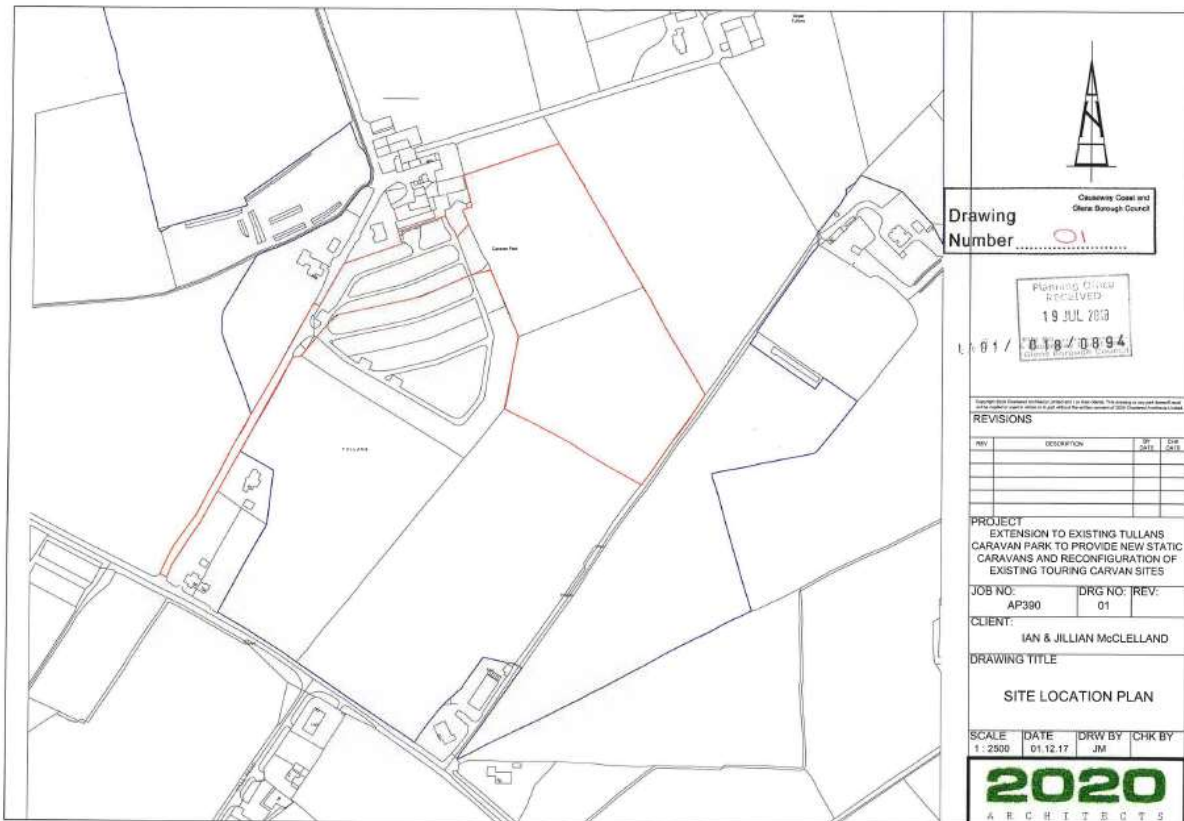
Reason: To ensure internal site drainage complies with appropriate legislation.

Informatives

1. This approval does not dispense with the necessity of obtaining the permission of the owners of adjacent sites for the removal of or building on the party wall or boundary whether or not defined.
2. This permission does not alter or extinguish or otherwise affect any existing or valid right of way crossing, impinging or otherwise pertaining to these lands.

3. This permission does not confer title. It is the responsibility of the developer to ensure that he controls all the lands necessary to carry out the proposed development.
4. This determination relates to planning control only and does not cover any consent or approval which may be necessary to authorise the development under other prevailing legislation as may be administered by the Council or other statutory authority.
5. You should refer to any other general advice and guidance provided by consultees in the process of this planning application by reviewing all responses on the Planning Portal at.

Site Location



Site Layout Plan

