



Planning Committee Report LA01/2019/0850/F	24th February 2021
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>App No:</u>	LA01/2019/0850/F	<u>Ward:</u>	University
<u>App Type:</u>	Full		
<u>Address:</u>	Lands adjacent to Willowfield Drive Coleraine		
<u>Proposal:</u>	Residential development of 32No. units - 2 no. bungalows, 8 No. detached and 22 No. semi-detached dwellings. The proposal includes access off Willowfield Drive, landscaping, car parking, garages and all associated siteworks.		
<u>Con Area:</u>	N/A	<u>Valid Date:</u>	02.08.2019
<u>Listed Building Grade:</u>	N/A		
Applicant:	Drumeen Construction Ltd		
Agent:	Here Architects, 4-6 Linenhall Street Ballymoney, BT53 6DP		
Objections:	32 (18)	Petitions of Objection:	1 with 59 signatures
Support:	0	Petitions of Support:	0

Executive Summary

- This proposal is considered acceptable at this location having regard to the Northern Area Plan 2016 and all other material considerations.
- The site is located on white lands as shown in the Northern Area Plan. The site is located in proximity to an LLPA but is not within it. There are no other designations linked to this site.
- A small section of the site is located within a flood plain. No dwellings are located within the flood plain. A small section of the area of open space is located within the flood plain but this is acceptable having regard to Policy FLD 1 of PPS 15 as there will be no infilling.
- There has been 32 representations and 1 petition received regarding the proposed development. All concerns raised by the statutory consultees have been addressed.
- The proposed design and layout is considered acceptable having regard to relevant planning policies and will not create conflict with adjacent land uses. There is no unacceptable adverse effect on existing or proposed properties in terms of overlooking, loss of light, overshadowing, noise or other disturbance.
- The proposal complies with all relevant planning policies including the Northern Area Plan, SPPS, PPS 7, and Addendum to PPS 7.

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

1.0 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.

2.0 SITE LOCATION & DESCRIPTION

- 2.1 The proposed site is located on a triangular shaped area of land located to the west of an existing housing development at Willowfield Drive. The land currently is agricultural in nature and is quite flat. A watercourse runs along the eastern and southern boundaries of the site. To the north the site is bounded by an existing hedgerow and trees. To the east the site is bounded by an existing watercourse, trees and hedgerows which bound existing dwellings located at Willowfield Drive and Willowfield Avenue. To the south the site is bounded by existing trees and hedgerows which bounds the dwellings at Willowfield Park and Willowfield Crescent. There is also a laneway to the public road. To the east the site is bounded by existing trees and hedgerows and the railway line.
- 2.2 The application site is located within the settlement limit of Coleraine as defined in the Northern Area Plan 2016. The application site is located on white lands in the Northern Area Plan. Development within this area is predominantly residential but the University of Ulster campus is located to the east of the site and there is also a railway station located in proximity to the site. Dwellings in Willowfield Drive, Willowfield Avenue, Willowfield Gardens and Willowfield Mews located directly to the east and south east of the site are all bungalows. Dwellings in Willowfield Gardens located to the south west of the site are also bungalows. Dwellings in Willowfield Park are predominantly bungalows but there are two semi-detached 2 storey dwellings located in this development. Dwellings at the Brambles and University Court to the west of the site are bungalows and the dwellings at University Gardens again to the

west are predominantly bungalows with two chalet type dwellings. Dwellings in University Park are all chalet type. There are also two and three storey dwellings located at Willow Park and Cambridge Park located just off Atlantic Road and in proximity to the site. Dwellings are finished with a mix of render and red brick.

3.0 Relevant History

- 3.1 C/2007/0766/F- Land adjacent to Willowfields, Atlantic Road, Coleraine. Erection of 51 No. apartments, 15 No. townhouses and associated road layout. Permission Refused 14.03.2008

4.0 THE APPLICATION

- 4.1 Proposed Residential development of 32No. Units - 2 no. bungalows, 8 No. detached and 22 No. semi-detached dwellings. The proposal includes access off Willowfield Drive, landscaping, car parking, garages and all associated siteworks.

Environmental Impact Assessment

- 4.2 This proposal was subject to an environmental impact assessment screening as highlighted by, The Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2017.
- 4.3 The application was considered to fall within Schedule 2: Category 10(B) of the Regulations- The carrying out of development to provide for urban development projects, including the construction of shopping centres and car parks which states that the threshold is when the area of the development exceeds 0.5 hectare. The area exceeds this threshold and is 1.5 hectares.
- 4.4 Having considered the Regulations, the development proposal would not have any likely impacts of such a significance to warrant an environmental statement.

Habitats Regulations Assessment

- 4.5 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 Causeway Coast and Glens Borough Planning Authority.

- 4.6 The application site is bound by the Island Vardin Drain to the north and east and the Ballysally Blagh Drain to the south. The Bann Estuary ASSI and SAC commences approximately 2km downstream from the confluence of these watercourses. The site is therefore hydrologically linked to the Bann estuary ASSI and SAC. Given this, consultations were sent to DAERA Natural Environment Division and SES for further consideration.
- 4.7 In regard to this Natural Environment Division raised concerns in regard to the potential release of contaminated run-off impacting on the site selection features and recommended conditions to include submission of a Construction Environmental Management Plan (CEMP). SES also raised similar concerns but stated that an outline CEMP would be required to consider potential impacts. A biodiversity checklist was submitted and further consultations were sent. DAERA was content that the proposed development would not have an impact on the Bann Estuary SAC as long as conditions were applied to include treatment of surface water generated at construction and operation phase and the submission of a CEMP prior to works commencing.
- 4.8 SES also considered the information provided and the potential impact of this proposal on Special Protection Areas, Special Areas of Conservation 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 of any European site. SES recommended conditions relating to mitigation measures for construction works to prevent adverse impacts on the Bann Estuary SAC.

5.0 PUBLICITY & CONSULTATIONS

5.1 External:

Neighbours: There has been 32 objections raised and 1 petition of objection with 59 signatures. The concerns raised include the following:

Construction and Pollution

- Noise from building work and construction, pollution from diesel and vans and dust emissions
- Impact of pollution on a watercourse
- Concerns regarding the storage of vehicles during construction where will they be stored

Road Safety

- Road safety and traffic concerns as many young children in the area
- Wear and tear on the road and wildlife
- Impact on man hole cover
- Health and safety of people and animals
- There are 2 tight corners with currently no room for two cars to pass
- The road is not wide enough to facilitate traffic flow
- Concerns regarding impact of access road through Willowfield Drive
- Access to property on a bend
- Increase in traffic by approximately 50%
- Development would prejudice road safety and should be refused
- Creates dangerous access to existing dwelling at 48 Willowfield Drive
- As Willowfield Drive has a high number of mature residents the number of vehicles associated with the dwellings are less than may occur where a more youthful population live.
- The proposed units could generate an additional 256 vehicle movements a day which would represent an increase of 54% but due to the population profile, would be a much greater increase.
- Impact of the proposal on the access at 48 Willowfield Drive any vehicle will have to reverse out of the driveway onto Willowfield Drive which is a busy road and there would be limited visibility.
- The proposal involves realigning the kerb and reducing the width of the road outside 48 Willowfield Drive which will make access to the property even more dangerous.

- Dirt and debris from construction traffic would create a safety issue on Willowfield Drive. Dirt could block drains which could lead to flooding.
- Concern regarding access onto Atlantic Road which is difficult and will be more so if the application is approved.

Visual impact and character

- Visual impact of the proposed development.
- The development is not in keeping with the character of the area as dwellings are all 2 storey with only 2 bungalows.
- Although the agent has compared the site to the area immediately south of the site this area is physically separate from the site.
- Comparison should be made between the site and the rest of Willowfield Drive as this is where the relationship lies.
- Willowfield Drive comprises bungalows only, it is unclear how the proposed 2 storey units have drawn reference from the Willowfield area.
- The proposal is placing 2 x 2 storey houses on a single bungalow sized plot.
- The design is mainly for two storey dwellings with a strong vertical emphasis in their design the existing bungalows have a horizontal design emphasis.
- The design is not in keeping with the character of the area and does not meet policy requirements.
- The intent of Policy LC 1 is to ensure that the development is sensitive in design terms to people living in the existing neighbourhood.
- The proposal represents a 23% increase in density which cannot be described as sensitive to the local neighbourhood.
- Concern that the agents reference to the densities in the density comparison presents an inaccurate picture and is presented to suggest the application is in keeping with the character of the area.

Impacts on wildlife

- Impact on conservation squirrels, rabbits, foxes, birds etc.

Flood Risk

- Increased flood risk and Impact of culverting a section of watercourse as proposed.
- Surface water flooding- installation of dedicated drainage system may increase risk of flooding elsewhere
- The replacement of grass with impermeable surfaces will increase the quantity and rate of flow to the watercourse at times of heavy rainfall lead to significantly larger peak discharge flows and increase flood risk, this is not concerned in DA.
- Will the existing culvert at Ballysally Blagh drain be able to cope with heavy rainfall after development
- Concerns regarding flooding of railway line and residential development.
- Proposed culvert is 15 metres stated in policy this should be 10 metres
- Previous app 2008 refused on impact on nature conservation and amenity value of the river corridor and FLD 1.
- Previous application refused in 2003 which should be considered.
- The site is known to be subject to surface water flooding, which is indicated due to climate change. This indicates the site already suffers extensively from flooding and this situation will get worse.
- If the proposal involves raising lands on site what is the impact on the surrounding area. Will the water be displaced to flood existing adjacent dwellings.
- The proposal is contrary to the SPPS in that it will cause flood risk, or worse flooding to existing development.

Other issues

- No foul sewer details will a pump station be used.
- Consultation from NI Water does not address the impact on the storm sewer serving Willowfield Drive.
- The storm sewer from Willowfield Drive discharges to the watercourse within the stretch it is proposed to culvert.
- Right to respect for private and family life, protection of property human rights act

- Slope into Willowfield Drive is very slippy, this development would make matters worse
- The proposal is for 30 houses, and it is unclear how these could be adapted to meet residents need in future for example, is a stair lift practical, are doors wide enough for a wheelchair.

5.2 Internal:

DFI Roads: No objection subject to conditions.

Environmental Health: No objection subject to conditions.

NI Water: No objections.

Rivers Agency: No objections subject to condition.

DAERA: Natural Environment Division: No objections subject to conditions.

DAERA: Water Management Unit: No objections.

DAERA: Land, Soil and Air: No objections subject to conditions

SES: No objection subject to conditions.

Housing Executive: No objection

6.0 MATERIAL CONSIDERATIONS

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

6.2 The development plan is:

- Northern Area Plan 2016 (NAP)

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.

7.0 RELEVANT POLICIES & GUIDANCE

The Northern Area Plan 2016

Strategic Planning Policy Statement (SPPS)

Planning Policy Statement 2: Natural Heritage

Planning Policy Statement 3: Access, Movement and Parking

Planning Policy Statement 7: Quality Residential Environments

PPS 7 Addendum: Safeguarding the Character of Established Residential Areas

Planning Policy Statement 15: Planning and Flood Risk

DCAN 8 - Housing in Existing Urban Areas

DCAN 15 - Vehicular Access Standards

Parking Standards

Creating Places

8.0 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to: Quality in New Residential Development, Impact on the Character of the Surrounding Area, PPS 3 Access, Natural Environment, Flood Risk, Foul Sewage and Other Issues.

- 8.2 The application site is located within the defined Settlement Development Limit of Coleraine and is located on white lands within the Northern Area Plan. The site is located in proximity to a Local Landscape Policy Area. There are no other designations linked to this site.
- 8.3 Policy HOU 2 Social and Supported Housing of the Northern Area Plan 2016 states that proposals for schemes of more than 25 residential units, or on a site of 1 hectare or more, will be required to contribute to meeting the needs of the wider community, where there is an established need for social housing. Where this need is identified a minimum of 20% of the total number of residential units will be required to be provided to meet this need. The Housing Executive was consulted in regard to this proposal. The Housing Executive stated there is a projected social housing need of 190 social housing units from 2018-2023 for Coleraine and these have been met through supported schemes and those on the social housing development programme (SHDP). Therefore, we do not require Policy HOU2 to be applied to this case at this time.

8.4 **Quality in New Residential Development**

- 8.5 The SPPS states that the policy approach to housing in settlements must be to facilitate an adequate and available supply of quality housing to meet the needs of everyone; promote more sustainable housing development within existing urban areas; and the provision of mixed housing development with homes in a range of sizes and tenures.
- 8.6 Policy QD1 of PPS 7 states that planning permission will only be granted for new residential development where it is demonstrated that the proposal will create a quality and sustainable residential environment. The design and layout of residential development should be based on an overall design concept that draws upon the positive aspects of the character and appearance of the surrounding area.
- 8.7 Policy QD 1 states that planning permission will only be granted for new residential development where it is demonstrated that the proposal will create a quality and sustainable residential environment.

(a) the development respects the surrounding context and is appropriate to the character and topography of the site in

terms of layout, scale, proportions, massing and appearance of buildings, structures and landscaped and hard surfaced areas;

- 8.8 The site and surrounding area is characterised predominantly by residential development but there is a railway station and the University of Ulster campus is located in proximity to the site. Dwellings in Willowfield Drive, Willowfield Avenue, Willowfield Gardens and Willowfield Mews located directly to the east and south east of the site are all bungalows. Dwellings in Willowfield Gardens located to the south west of the site are also bungalows. Dwellings in Willowfield Park are predominantly bungalows but there are two semi-detached 2 storey dwellings located in this development. Dwellings at the Brambles and University Court to the west of the site are bungalows and the dwellings at University Gardens again to the west are predominantly bungalows with two chalet type dwellings. Dwellings in University Park are all chalet type. There are also two and three storey dwellings located at Willowfield Park and Cambridge Park located just off Atlantic Road and in proximity to the site. The existing dwellings are finished with a mix of render and red brick.
- 8.9 The proposed development includes provisions for 32 dwelling to include 2 no. bungalows, 8 No. detached and 22 No. semi-detached dwellings two storey dwellings. The dwellings will be finished with smooth render and coloured render panels. Although the dwellings located around the site are predominantly bungalows this scheme would be considered a separate development to the existing developments located around the site. The proposed development will be separated by existing trees and vegetation, a 5 metre maintenance strip and an existing watercourse. The proposed development also sits at a lower level to the existing dwellings at Willowfield Drive and Willowfield Avenue. Given this it is considered that the two storey dwellings proposed would be appropriate at this site. Further to this there are instances of two storey dwellings located in proximity to the site.
- 8.10 In terms of layout all dwellings proposed have in curtilage parking. All the dwellings proposed have small front gardens with larger rear gardens. The site will include one large area of public open space and one smaller area of public open space. Some of the existing trees and hedgerows will be retained and

landscaping in the form of trees and hedges will reduce the visual impact of the proposed development and areas of hardstanding. The proposed layout is acceptable.

- 8.11 Having regard to the topography of the site the proposed site is quite flat and sits below the existing dwellings at Willowfield Drive. Given this and the separation distance between the existing and proposed dwellings there are no concerns in regard to topography.
- 8.12 Representation letters have been received which raise concerns regarding the visual impact of the proposal and that the development is not in keeping with the character of the area which consists mainly of bungalows. Concerns were also raised regarding the vertical emphasis of the dwelling proposed in comparison to the bungalows which have a horizontal emphasis. Concern was also raised regarding plot sizes and density. In terms of visual impact and character this has been considered in paragraphs 8.8 to 8.11 of this report.
- 8.13 In terms of design the proposed development is located within the Settlement Development Limit of Coleraine. Within the vicinity of the site there are a mix of finishes which have vertical and horizontal emphasis. The proposed development is considered a separate development and is located at a lower level to the existing development. Given this and the urban location the proposed design is considered acceptable.

(b) features of the archaeological and built heritage, and landscape features are identified and, where appropriate, protected and integrated in a suitable manner into the overall design and layout of the development;

- 8.14 The proposed development is not located in proximity to any listed buildings. The site is not in proximity to any Archaeological Sites and Monuments and is not located within an Area of Archaeological Potential.
- 8.15 A small section of the site along the southern boundary of the site is located within a Local Landscape Policy Area (LLPA). However, no development is proposed within this area and a 5 metre maintenance strip for an existing watercourse will be retained. Given this the proposed development will have no detrimental impact on the LLPA. The proposal will not lead to

the removal of any significant landscape features and will retain trees and hedgerows located along the boundary of the site.

(c) adequate provision is made for public and private open space and landscaped areas as an integral part of the development. 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 in its integration with the surrounding area;

8.16 In the Creating Places document it is stated that all dwellings should have an area of private open space behind the building line. It is stated that garden provision should be calculated as an average space standard and should be around 70 square metres per house or greater. Only one dwelling at plot 6 falls below this provision with provision for 61 square metres of private amenity. Although it does fall below the recommended provision of 70 square metres per house it is a 3 bedroom dwelling and it does not fall significantly below this recommendation. Further to this, this is the only dwelling within the development that falls below this. This dwelling also has provision of at least 40 square metres of private amenity space which is the minimum acceptable level in Creating Places.

8.17 Given the proposal includes provisions for 32 dwellings it exceeds the 25 unit threshold as stated in PPS 8 Open Space and Recreation policy OS 2 relating to open space in new residential development. In line with this policy there is an expectation that 10% of the total site area should be allocated as public open space. There is one large area of open space and one smaller area of open space proposed as part of the scheme which equates to approximately 1214 square metres, which is just over 10% of the overall site. The proposed areas of public open space have recreational and amenity value and access to these areas will be safe for proposed residents. The proposed development therefore complies with Policy OS2 of PPS 8.

(d) adequate provision is made for necessary local neighbourhood facilities, to be provided by the developer as an integral part of the development;

8.18 This proposal includes provisions for 32 units. As the development does not exceed 100 units or 5 hectares as specified in Policy OS 2 of PPS 8 the provision of an equipped childrens play area is not required. The site is located within the

Settlement Development Limit of Coleraine in which there are a range of facilities and services located in proximity to the site. Given the sites location close to these facilities it is considered that further neighbourhood facilities are not required.

(e) a movement pattern is provided that supports walking and cycling, meets the needs of people whose mobility is impaired, respects existing public rights of way, provides adequate and convenient access to public transport and incorporates traffic calming measures;

8.19 This proposal is located within the Settlement Development Limit of Coleraine. The dwellings are located within walking and cycling distance to the town centre of Coleraine. Potential residents will also have convenient access to public transport.

(f) adequate and appropriate provision is made for parking;

8.20 The proposed development will provide in-curtilage parking for all dwellings proposed. Visitor car parking has also been provided as part of the road network layout. DFI Roads has no objection to the level and arrangement of parking provision. The proposal complies with the standards for parking as outlined in the Parking Standards document.

(g) the design of the development draws upon the best local traditions of form, materials and detailing;

8.21 The design of the proposed development is considered acceptable given the traditional form and finishes proposed as part of the scheme. The finishes include smooth render and coloured render panels walls, dark grey/black slates or tiles roof, black Upvc rainwater goods, grey Upvc windows with precast concrete cills and doors will be treated hardwood/composite. Boundary treatments to the properties are acceptable and are comprised of a mixture of render walls, hedgerows, timber fencing to rear gardens and estate railings to the front of the dwellings.

(h) the design and layout will not create conflict with adjacent land uses and there is no unacceptable adverse effect on existing or proposed properties in terms of overlooking, loss of light, overshadowing, noise or other disturbance;

8.22 In terms of design and layout the key issue in relation to this proposal, is the impact of the proposal on existing dwellings located around the site to include the dwellings at Willowfield Avenue and Willowfield Drive, University Gardens, University Court and the Brambles and Willowfield Park and Willowfield Gardens. The relationship between the proposed dwellings will also be considered.

8.23 Within Creating Places it is recommended that there should be a separation distance of around 20m or greater between the opposing rear first floor windows of new houses. It is also recommended that there should be a separation distance of 10 metres to the common boundary. In regard to the dwellings at 21 to 25 Willowfield Avenue there is a separation distance of between 25 metres to 30 metres between the opposing rear first floor windows of the new houses at plots 7 to 15. The dwellings at plots 7 to 15 have a separation distance of 10 metres to the boundary of the curtilage. This extends to approximately 20 metres to the boundary of the existing dwellings at Willowfield Avenue. There is also an intervening 5 metres maintenance strip, watercourse and trees and vegetation located between the proposed and new dwellings. The proposed dwellings will also be located approximately 2 metres below the level of the existing dwellings. The proposed dwellings at plots 7 to 15 all have 1st floor bedroom windows. However given the separation distances, the intervening maintenance strip, trees and hedgerows, the existing watercourse and the proposed dwellings being located on a lower level it is considered that there will be no adverse effect on the existing properties at 21 to 25 Willowfield Avenue in terms of overlooking. Given the separation distances and the fact that the site is located at a lower level to the existing dwellings the proposal will have no adverse effect in terms of loss of light or overshadowing.

8.24 In regard to the dwellings at 55 to 65 Willowfield Drive there is a separation distance of between 22 metres to 32 metres between the opposing rear first floor windows of the new houses at plots 2 to 5. There is also an intervening maintenance strip, trees and vegetation and watercourse located between the two developments. The dwellings at plots 3 to 6 all have 1st floor bedroom windows. However given the separation distances, the intervening maintenance strip, trees and hedgerows, the existing watercourse and the proposed dwellings being located on a lower level it is considered that there will be no adverse effect on

the existing properties at 55 to 65 Willowfield Avenue in terms of overlooking. In regard to the proposed dwelling at plot 2 this property shares a back to side relationship with the dwellings at 59 and 61 Willowfield Drive. The side elevation of the proposed dwelling only has one 1st floor bathroom window. Given this and the separation distances the proposed dwelling will have no adverse impact on the existing dwellings at 59 and 61 Willowfield Avenue in terms of overlooking. Given the separation distances and the fact that the proposed dwellings are located at lower level there is no concern in regard to loss of light or overshadowing.

8.25 In regard to the dwellings at 7 to 17 University Gardens, 3 to 5 University Court and 3 and 4 The Brambles there is a separation distance of between 26 metres and 32 metres between the opposing rear first floor windows of the new houses at plots 1 to 6 and 21 to 32. All the proposed dwellings will have 1st floor bedroom windows but given the existing trees and vegetation will be retained along this boundary, the intervening railway line and separation distances it is considered that the proposed development would not have an adverse effect on the existing dwellings through overlooking. Given the separation distances it is considered that the existing dwellings will not be adversely impacted upon by loss of light or overshadowing.

8.26 In regard to the dwellings at 19 to 28 Willowfield Park and 9 and 11 Willowfield Gardens located to the south of the proposed development there is a separation distance of approximately 40 metres between the opposing rear first floor windows of the new houses at plots 15 to 20. All these dwellings have bedroom windows located at 1st floor level. However, there will be an intervening 5 metre maintenance buffer, trees and hedgerows and a watercourse located between the proposed and existing dwellings. Given this and the proposed separation distances between the new and existing dwelling it is considered that the proposal will not have an adverse effect on the existing properties through loss of light or overshadowing.

8.27 The layout and arrangement of proposed dwellings is considered to be acceptable and will not result in any significant adverse impact on residential amenity. The majority of the dwellings have side by side relationships which is considered acceptable given the fenestration of the windows which reduces potential for overlooking. Two bungalows are proposed at plots 24 and 32

and a consideration of potential impacts regarding overlooking, loss of light and overshadowing must be considered. The bungalow at plot 24 has a back to side relationship with a two storey dwelling located at plot 25. The dwelling at plot 25 has a proposed 1st floor window but this is a bathroom window. Given this and the limited potential to overlook from this window this relationship is considered acceptable. Given the orientation of this dwelling and the separation distances to neighbouring properties it is considered that there will be no adverse impact in regard to loss of light or overshadowing.

8.28 The bungalow at plot 32 shares a side to side relationship with the dwelling at plot 31 which is two storey. The dwelling at plot 31 does have a 1st floor bathroom window but given the limited opportunity to overlook from this window this relationship is considered acceptable having regard to overlooking. Given the orientation of this dwelling there may be some overshadowing particular at mid-day. However any shadow cast would be toward the side elevation and not the main private amenity area of the dwelling at plot 32. Given this it is considered that there will be no adverse impact in regard overshadowing. Given the orientation of the bungalow there will be no adverse effect regarding loss of light.

8.29 A consideration also must be had to the relationship between the dwellings at plots 25 and 22 and 23. The dwellings at plots 22 and 23 will look toward the rear amenity of the dwelling at plot 25. These dwellings also have 4 bedroom windows located at 1st floor level. There is also a separation distance to the common boundary of 10 metres. This relationship was raised with the agent who provided an amended plan which reduced the glazing on two of these windows. Given this separation distance and the fact that this is a side to side relationship and not a back to back relationship it is considered that the dwellings at plots 22 and 23 will not have an adverse impact in regard to overlooking. The dwellings with a back-to-back relationship have adequate separation distances between the opposing rear elevations and rear boundaries.

8.30 In regard to noise and other disturbance the proposed development is located approximately 17 metres from an existing railway line. Environmental Health stated that BRE/CIRIA Guidance (1993) advises that 'train noise may be a problem if a site is within 30m of a busy line without screening'.

It also indicates that vibration 'may be a problem up to 60m'. Environmental Health requested a noise impact/vibration assessment to consider potential impacts from noise and vibration. An Acoustic Design Statement Report was submitted which considers the noise and vibration emissions associated with road and railway sources. In regard to this report Environmental Health requested clarification on a number of points. A further document was submitted by the agent titled response to Environmental Health comments. Environmental Health have reviewed this document and has no further adverse comment to make regarding the Acoustic Design Statement Report. It was requested that the Planning Authority should consider attaching planning conditions to ensure the safeguarding of residential amenity through the incorporation of the prescribed acoustic mitigation measures as detailed within the aforementioned report. These conditions will be used to ensure there will be no adverse impact through noise or vibration.

8.31 Given the location of the railway line Environmental Health stated that there is a possibility that current and previous activities on or near this site may have caused the land to be affected by contamination. DAERA Land, Soil and Air raised similar concerns. Given this a Preliminary Risk Assessment was submitted which concluded that no plausible pollutant linkages have been identified at the site. DAERA are content that the found that there are no significant pollutant linkages to the proposed receptors. DAERA are content that the potential sources of contamination identified by the report are unlikely to pose any unacceptable risk to the water environment at the site. In order to ensure a quality scheme free from contamination Environmental Health and DAERA recommend conditions relating to potential new contamination and remediation if contamination is found.

8.32 Within the representation letters received concerns are raised in regard to air quality. Environmental Health has reviewed air quality information for the area and would advise that there is no reason for concern with regard current air quality levels and indeed no AQMA exists in proximity to the development. Environmental Health was content that no further modelling is required. In regard to other disturbance Environmental Health recommended a number of informatives relating to dust and construction noise.

(i) the development is designed to deter crime and promote personal safety.

8.33 The proposed design and layout of the development ensures that there are no issues arising in relation to crime and personal safety. The large area of public amenity space proposed will be overlooked by the fronts and sides of proposed dwellings and this will provide surveillance for these areas. The smaller area of open space is overlooked by three dwelling and this is considered acceptable in this instance. The rear gardens of the dwellings proposed will be enclosed with fencing. The proposed development will not lead to the creation of spaces where anti-social activity will be encouraged.

Impact on the character of the surrounding area

8.34 Policy LC 1 states that in established residential areas planning permission will only be granted for the redevelopment of existing buildings, or the infilling of vacant sites (including extended garden areas) to accommodate new housing, where all the criteria set out in Policy QD 1 of PPS 7, and all the additional criteria set out below are met:

(a) the proposed density is not significantly higher than that found in the established residential area;

(b) the pattern of development is in keeping with the overall character and environmental quality of the established residential area; and

(c) all dwelling units and apartments are built to a size not less than those set out in Annex A.

8.35 This proposal will provide 32 dwellings on an agricultural field within the Coleraine Settlement Development Limit. A density analysis was provided by the agent which compared the proposed development to the existing developments of Willowfield Drive and Willowfield Avenue. The proposed density is 21.23 units per hectare this compares favourably to Willowfield Drive which is 21.71 units per hectare and Willowfield Avenue which is 21.3 units per hectare. A representation letter has been received which states that the density comparison creates an inaccurate picture and is presented to suggest the application is in keeping with the character of the area. Concern was also raised regarding the plot sizes of the dwelling proposed.

8.36A further analysis of the existing density has been assessed which includes the whole of the Willowfield Drive and Willowfield Avenue. This area is approximately 4.8 hectares and has 88 dwellings. The density for this area is 18.3 dwellings per hectare. Although the proposed development is higher than this it is not a significant increase and will not have a detrimental impact on the character of the area. All the dwellings proposed have gardens with adequate amenity provisions. The proposed density is considered acceptable.

8.37The site and surrounding area is characterised predominantly by residential development which includes a number of housing developments. Dwellings in this area are predominantly bungalows but there are instances of two storey and three storey development in the area. The proposed finishes are considered to be in keeping with the character of the area. The proposed development complies with this criteria of planning policy. A full consideration of character has been completed in paragraphs 8.8 to 8.11 of this report.

8.38All the dwellings proposed are of a size not less than those set out in Annex A of the policy.

PPS 3 Access

8.39Access to the proposed development will be from Willowfield Drive located to the east of the site. A Transport Assessment Form was submitted in support of the application. DFI Roads did raise initial concern regarding the information provided and requested further information. This has since been provided and DFI Roads are now content with the proposed development subject to conditions. DFI Roads has also signed off on the PSD drawings. Given this the proposed development will not significantly inconvenience the flow of traffic or prejudice road safety and is compliant to Policy AMP 2 of PPS 3.

8.40A number of representation letters have been received which raises concern in regard to the proposed access, traffic generation and impacts of mud and dirt on the road during construction. DFI Roads was consulted in regard to these concerns. DFI Roads stated that any housing development will generate additional traffic. DFI Roads stated to ensure that the roads are designed for the safety of all road users the proposed development is assessed against the current standards, namely

“Creating Places – achieving quality in residential developments”. DFI Roads stated the proposed road is considered adequate to serve up to 400 dwellings which is significantly more than the existing Willowfield Drive development and the proposed development combined. Given this the proposed access roadway is fit for purpose and is capable of facilitating the proposed development.

8.41 In relation to mud and dirt on the road during construction, DFI Roads stated it is the developer’s responsibility to ensure that precautions are taken to prevent the deposit of mud and other debris on the adjacent road by vehicles travelling to and from the construction site. Any mud, refuse, etc. deposited on the road as a result of the development, must be removed immediately by the operator/contractor. DFI Roads will request that this requirement is included in any planning approval that Council Planning may wish to issue.

8.42A representation letter dated 9th June raised a number of further concerns regarding specifically access to and from the property at 48 Willowfield Drive and whether the proposed development will have any impact on this access. It was stated that there is no room to turn a vehicle within the curtilage of the dwelling and therefore any vehicle leaving the property has to reverse out of the driveway onto Willowfield Drive. Anyone that has to do this would be reversing onto a busy road with limited visibility which would cause a hazard. In regard to this matter DFI Roads stated that Rule 201 of The Highway Code states that “When using a driveway, reverse in and drive out if you can.” Reversing onto the road as you suggest is not recommended by the Highway Code. In relation to vehicles that will leave your property in forward gear, DFI Roads stated it would continue to work with the developer, as part of the ongoing consultation process, to ensure that the visibility splays required for a safe and convenient access are provided.

8.43 DFI Roads also stated that the proposed alterations to the existing road and the proposed new road layout will be assessed against the appropriate standards already mentioned in my previous consultation response. These are industry recognised standards and are intended to help developers achieve higher quality, safety and greater sustainability in the design of

residential developments. Their use will minimise any impact the proposed development may have on your access.

Natural Environment

- 8.44 DAERA Natural Environment Division (NED) was consulted in regard to this application. NED did raise concern in regard to the potential release of contaminated run off impacting on designated sites and requested further ecological information. A biodiversity checklist was submitted which considered impacts on designated sites and assessed the ecological value of the site. NED stated that many hedgerows, streams and rivers are considered a priority habitat in Northern Ireland due to their ecological value. NED notes that the road access will be required over the existing watercourse. NED opposes the culverting of a watercourse where it may significantly impact natural heritage features, however, in this case we can allow for minor culverting in order to improve access to the site. NED recommends that a Construction Environmental Management Plan (CEMP) is submitted to the planning authority prior to the commencement of any works addressing any impacts to the watercourse that may arise.
- 8.45 NED also welcomed the inclusion of a 5 metre buffer maintenance strip. NED also noted that the Biodiversity Checklist has not reported any evidence of protected species inhabiting the site or within the immediate area. It was stated that while a mammal trail was identified it was not traversing the site and was not attributed to any particular species.
- 8.46 Based on the information provided, NED is content that the proposal is unlikely to impact any natural heritage features worthy of protection subject to our recommendations. NED also noted that planning permission was refused under C/2007/0766/F on the basis that it was contrary to PPS2 however with the inclusion of the 5m buffer between the development and the river corridor, NED is content there is sufficient mitigation in place to protect the ecological integrity of the river corridor subject to the conditions. NED also acknowledged the letters of objection received regarding impacts on natural heritage. The proposed development will therefore not result in adverse impact on protected species, priority species and their habitats in line with the SPPS and Policies NH2 and NH 5 of PPS2.

Flood Risk

- 8.47 The site is located within a surface flood zone. The application site lies partially within the 1 in 100 year fluvial flood plain. Policy FLD 1 of PPS 15 states that development will not be permitted within the 1 in 100 year fluvial flood plain unless the applicant can demonstrate that the proposal constitutes an exception to the policy. Within the initial site layout plan the garden of the dwelling at plot 15 was located within the floodplain. This was considered contrary to policy. The area of open space which is adjacent to the dwelling at plot 7 is also located partially within this flood plain. Having specific regard to this DFI Rivers stated that if the site layout is revised the planning authority may consider PPS15, paragraph 6.24 which states, 'Where a proposal for residential development includes land adjacent to or partially within a flood plain, it will normally be acceptable to utilise the flood plain land for public open space associated with the housing. This will only be acceptable where there is no infilling of the open space and suitable mitigation measures such as signage are in place to facilitate safe access and egress.' Potential infilling in the flood plain will only serve to undermine the flood plain's natural function of attenuating flood flows. It was also stated that the area affected by the flood plain should be kept free from future unauthorised development. No infilling is proposed and signage can be used to ensure safe access and egress from this area of open space. Further to this the area of open space within the flood plain is very small.
- 8.48 In order to reduce the potential for flooding all the finished floor levels for the dwellings proposed should be placed at a minimum of 600mm above the 1 in 100 year fluvial flood level. This has been indicated on the drawings. Given consideration to paragraph 6.24, the use of the area as open space and the size of the area within the flood plain it is considered that the proposal is acceptable on balance having regard to Policy FLD 1 of PPS 15.
- 8.49 Concern was raised in representation letters regarding the impact of climate change and whether this could lead to additional flooding. DFI Rivers stated that based on the climate change (cc) maps that the site lies partially within the 1 in 100 year cc fluvial flood plain. Policy FLD 1 does not make specific mention to the 1 in 100 year cc fluvial floodplain but to the 1 in 100 year fluvial floodplain currently. As only a small area of the

open space is located within the fluvial floodplain which is an exception this proposal is considered acceptable having regard to Policy FLD 1.

- 8.50 Representation letters raised the potential for flooding at the site and the railway and existing development located in proximity to the site. It was questioned whether the proposed culvert would increase this potential. Concern was raised regarding surface water flooding and impacts of a drainage system and whether this would lead to additional flooding elsewhere. Concern was also raised regarding the surfaces and impact of the development on the Ballysally Blagh Drain. It was stated that the culvert proposed is 15 metres and in line with policy should be 10 metres. The previous application was raised and was refused on the impact on nature conservation and amenity value of the river corridor and FLD 1.
- 8.51 DFI Rivers have been made aware of these representation letters and have considered their contents. In regard to Policy FLD 1 it is considered that as the small area of flood plain is located within an area of open space where there is no infilling this is acceptable on balance. A Drainage Assessment has been provided which considers potential flood risk and drainage issues. DFI Rivers are content with the detailing of this report and after clarification have raised no concern. Flood risk to include impacts of the culvert have been considered. The proposed culvert is 10 metres which is deemed acceptable.
- 8.52 Given the size of the application site and number of dwellings proposed Policy FLD3 of PPS 15 is applicable and required the submission of a Drainage Assessment. A Drainage Assessment was submitted as part of the application and DFI Rivers was consulted. DFI Rivers stated that the internal storm drainage system is to be adopted by NI Water. According to the Agreement for Adoption of Development Sewers, Lateral Drains and Associated Works communicating with a public sewer in a New Development (Article 161) Guidance Notes April 2017, the completed application and accompanying drawings, calculations etc, will be checked for compliance with the requirements of the 'Sewers for Adoption (NI) Current Edition' by Northern Ireland Water. DFI Rivers stated 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 or flood risk perspective.

- 8.53 Given the conclusions of DFI Rivers, as the competent authority, the Planning Department are satisfied that the proposed development will not result in any adverse impacts from flooding and drainage.
- 8.54 The proposed development includes provisions to culvert a section of a watercourse that runs between the proposed site and the existing development at Willowfield Drive and Willowfield Avenue. The key policy in regard to this is Policy FLD 4 of PPS 15. Artificial modification of a watercourse is normally not permitted unless it is necessary to provide access to a development site or for engineering reasons. DFI Rivers stated this was a matter for the planning authority. It was also stated that any culverting approved by the planning authority will also be subject to approval from DFI Rivers under Schedule 6 of the Drainage Order. The culverting of this watercourse is necessary to provide access to the development site and is therefore acceptable under this policy. In paragraph 6.54 it is stated that short lengths are usually less than 10 metres. In this case the culvert is 10 metres and is considered acceptable.

Foul Sewage

- 8.55 Within the representation letters received it was stated that no foul sewer details were provided and it was queried whether a pump station would be used. Concern was also raised in regard to the storm water drainage system. NI Water was made aware of these comments but raised no concern. NI Water stated that the site is located within 20 metres of a public surface water sewer and is within 20 metres of a foul sewer. It was also stated that the developer is required to consult NIW by means of Pre Development Enquiry to determine if there is capacity to serve the proposal and that an application to NIW is required to obtain approval to connect. NI Water also stated that waste water treatment facilities are presently available to serve this proposal. NI Water stated that under no circumstances will storm water be permitted to enter the public sewer.
- 8.56 This proposal will use mains sewage as indicated on the P1 form but will also use a pumping station. A pumping station was indicated on the site layout drawings from the start. NIEA are aware of the proposed pumping station but raised no concerns

in regard to noise or odour. NIEA did state that the applicant may need to apply to Water Management Unit for Water Order (1999) Discharge Consent for an emergency overflow for the proposed foul sewage pumping station. Further details to include elevations of the pumping station was submitted and a further neighbour notification was sent to the properties located closest to it and to another neighbour who had raised specific concern in regard to foul sewage.

8.57A further consultation was sent to Environmental Health to consider any impacts on existing or proposed dwellings. Environmental Health stated that it cannot comment on the likely adoption and or contractual arrangements required in terms of construction, maintenance and adoption of any such system. In relation to the specification and proposed location Environmental Health advised the Planning Department to seek comments from NIEA. NIEA are aware of the proposed pumping station and has indicated that a discharge consent for an emergency overflow may be required. Reference is made to the Specification for the Construction of a Waste Water Pumping Station document from NI Water. Within paragraph 4.1 it is stated that the minimum distance from the wet well of the waste water pumping station to any habitable buildings should be 15 metres for a development of 26 to 500 properties in order to minimise the risk of odour, noise and nuisance. In this case the closest property is located at least 20 metres from the proposed sewage pumping station. Specific mention is also made to paragraph 13.1 to 13.3 which relates to odour management and states a septicity assessment must be provided for consideration by NI Water to consider odour impacts. It was stated that the cost of managing septicity will be borne by the developer until it becomes the responsibility of NI Water.

8.58 In regard to noise it is stated that the noise levels from each pump set shall not exceed 85 dB (A) at a distance of 1m from the pump set centre line (based on the pump set being mounted in 'semi-reverberant' conditions)". Although the noise level has not been provided at the nearest property it is located more than 15 metres from the Waste water treatment works and is in line with the table in paragraph 4.1. In regard to light from the column floodlighting is subject to NI Water specification. It was advised that the planning authority should ensure that the lighting is such that it directed and angled appropriately and does not cause diamenity. Although the lighting is not specified

the developer should use guidance as shown in the Environmental Consultation response regarding the reduction of obtrusive light 2020.

Other Issues

8.59 Within the representation letters received it was stated that given the flood risk that new dwellings may not get insurance. It was also stated that people have the right to respect for private and family life and protection of property under the Human Rights Act. These matters are not planning material considerations.

8.60 It was raised in representation letters that the population of Coleraine is ageing and bungalows are more attractive as they are on the same level. It was stated that it is unclear how the dwellings proposed could be adapted to meet residents need in future for example, is a stair lift practical and are doors wide enough for a wheelchair access. This would be a buyer beware matter and anyone buying a proposed dwelling would need to ensure their needs are met.

9.0 CONCLUSION

9.1 The proposed housing development is considered acceptable in this location having regard to the Northern Area Plan 2016, and other material considerations, including the SPPS. The proposed layout of the site is considered acceptable. It is considered that there will be no unacceptable impacts on existing dwellings or proposed dwellings via overlooking, loss of light or overshadowing. Approval is recommended.

10.0 Conditions and Informatives

10.1 Regulatory Conditions:

1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

Reason: As required by Section 62 of the Planning Act (Northern Ireland) 2011.

2. All soft and hard landscaping incorporated in the stamped approved Drawing No.02 Rev 3 bearing Planning Authority date stamp 18th June 2020, shall be completed in accordance with these plans and the appropriate British Standard or other

recognised Codes of Practice before occupation of the first residential unit in the development.

Reason: To ensure the provision of a high standard of landscape and adequate amenity space, consistent with Planning Policy Statement 7 'Quality Residential Environments'.

3. Details of the maintenance and management of the open space communal areas and landscaped areas shall be submitted and approved in writing with the Planning Authority prior to the occupation of the dwellings.

Reason: To ensure the establishment and continuity of the approved open space, communal areas, and amenity areas through the long-term maintenance to achieve a quality residential development.

4. If within a period of 5 years from the date of the planting of any tree, shrub or hedge, that tree, shrub or hedge is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Planning Authority, seriously damaged or defective, another tree, shrub or hedge of the same species and size as that originally planted shall be planted at the same place, unless the Planning Authority gives its written consent to any variation.

Reason: To ensure the provision, establishment and maintenance of a high standard of landscape.

5. The proposed development shall be carried out in accordance with the stamped approved Drawings:

Drg. No. 34 Rev 2, Road Layout - PSD, (dated 13 August 2020)
Drg. No. 35 Rev 2, Road Long Sections, (dated 13 August 2020)
Drg. No. 36, Construction Details, (dated 6 August 2019)
Drg. No. 39 Rev 01, Existing Turning Head Arrangements, (dated 13 August 2020), and
Drg. No. 46 Site Sections, (dated 13 August 2020).

Reason: To ensure the development is carried out in accordance with the approved plans.

6. The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992.

The Department hereby determines that the width, position and arrangement of the streets, and the land to be regarded as being comprised in the streets, shall be as indicated on Drg. No. 34 Rev 2, Layout - PSD, (dated 13 August 2020).

Reason: To ensure there is a safe and convenient road system within the development and to comply with the provisions of the Private Streets (Northern Ireland) Order 1980.

7. The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992.

No other development hereby permitted shall be commenced until the works necessary for the improvement of a public road have been completed in accordance with the details outlined blue on Drg. No. 34 Rev 2, Road Layout – PSD dated 13th August 2020. The Department hereby attaches to the determination a requirement under Article 3(4A) of the above Order that such works shall be carried out in accordance with an agreement under Article 3 (4C).

Reason: To ensure that the road works considered necessary to provide a proper, safe and convenient means of access to the development are carried out.

8. The access gradient to the dwellings hereby permitted shall not exceed 8% (1 in 12.5) over the first 5 m outside the road boundary.

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

9. No dwellings shall be occupied until that part of the service road which provides access to it has been constructed to base course; the final wearing course shall be applied on the completion of the development

Reason: To ensure the orderly development of the site and the road works necessary to provide satisfactory access to each dwelling.

10. The gradient of the access road shall not exceed 4% (1 in 25) over the first 10m from the junction with the public road.

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

11. No part of the development hereby approved shall be occupied until the Developer has provided an efficient system of street lighting in accordance with Schedule 8 of The Private Streets (Construction) Regulations (Northern Ireland) 1994 as amended by The Private Streets (Construction) (Amendment) Regulations (Northern Ireland) 2001.

Reason: To ensure the provision of adequate street lighting and in the interests of safety.

12. No development shall commence until any highway structure/retaining wall/culvert requiring Technical Approval, as specified in the Roads (NI) Order 1993, has been approved and constructed in accordance with BD2 Technical Approval of Highways Structures : Volume 1: Design Manual for Roads and Bridges.

Reason: To ensure that the structure is designed and constructed in accordance with BD2 Technical Approval of Highways Structures: Volume 1: Design Manual for Roads and Bridges.

13. The Acoustic Design Statement construction details as detailed within Report Reference 602827 – 00 (June 2020) shall be implemented in order to achieve BS 8233:2014 internal levels (Extract from BS 8233:2014 tabled below) and World Health Organisation Guidelines in noise sensitive rooms for both daytime and night-time.

Dwellings (Reference Section 7.7.2, Table 4, BS 8233: 2014 “Guidance on sound insulation and noise reduction for buildings”

Activity	Location	07:00 to 23:00	23:00 to 07:00
Resting	Living Room	35dB LAeq, 16 hour	-

Dining	Dining Room	40dB LAeq, 16 hour	-
Sleeping (daytime resting)	Bedroom	35 dB LAeq, 16 hour	30 dB LAeq, 8 hour 45dB LAmax (WHO)

Reason: In the interest of private amenity.

14. The glazing system to dwelling facades shall provide a minimum Sound Reduction - 39 dB R_{Tra} (Report Reference 602827 – 00 (June 2020) - Table 14 Façade Zone A, Figure 6 refers) and a minimum Sound Reduction – 33 dB TR_a (Table 14) for other facades. The upgraded acoustic laminated glazing for noise control shall provide the octave band sound insulation performance as depicted in Table 14. The glazing system, shall include all the component parts that form part of the glazed element, glass, frames, seals and openable elements, in order to achieve BS 8233:2014 and World Health Organisation Guidelines in noise sensitive rooms for both daytime and night-time.

Dwellings (Reference Section 7.7.2, Table 4, BS 8233: 2014 “Guidance on sound insulation and noise reduction for buildings”

Activity	Location	07:00 to 23:00	23:00 to 07:00
Resting	Living Room	35dB LAeq, 16 hour	-
Dining	Dining Room	40dB LAeq, 16 hour	-
Sleeping (daytime resting)	Bedroom	35 dB LAeq, 16 hour	31 dB LAeq, 8 hour 45dB LAmax (WHO)

Reason: In the interests of private amenity

15. Acoustic screening shall be installed at the site boundary as defined within (Report Reference 602827 – 00 (June 2020), Figure 7 refers) prior to occupation of dwellings. The barriers shall have an effective height of no less than 1.8metres and shall have a surface weight of not less than 12kg/m², close boarded/ship-lapped design with no holes or gaps for sound to pass through. Acoustic barrier noise reduction shall be capable of achieving (Daytime - external noise guideline/criterion, BS 8233: 2014 “Guidance on sound insulation and noise reduction for buildings LAeq - 50dB – 55dB).

Reason: In the interests of private amenity.

16. If during the development works, new contamination or risks are encountered which have not previously been identified, works should cease and the Planning Authority shall be notified immediately. This new contamination shall be fully investigated in accordance with the Model Procedures for the Management of Land Contamination (CLR11) and/or Land Contamination: Risk Management (LCRM) guidance. In the event of unacceptable risks being identified, a remediation strategy shall be agreed with the Planning Authority in writing and in consultation with Environmental Health. Development works shall not resume until the agreed written report has been fully implemented to the satisfaction of Causeway Coast and Glens Borough Council.

Reason: The protection of residential receptors and ensure the site is suitable for use.

17. After completing the remediation works under Conditions 16 and prior to occupation of the development, a verification report needs to be submitted in writing and agreed with Planning Authority and in consultation with Environmental Health. This report should be completed by competent persons in accordance with the Model Procedures for the Management of Land Contamination (CLR11) and / or the Land Contamination: Risk Management (LCRM) guidance, as applicable. The verification report should present all the remediation and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and achieving the remedial objectives.

Reason: The protection of residential receptors and ensure the site is suitable for use.

18. A suitable and clearly defined buffer of at least 10 metres must be maintained between the locations of all refuelling, storage of oil/fuel, stockpiles of materials/waste/machinery etc., concrete mixing, washing areas and the watercourses/floodplain along the southern and eastern boundary of the proposal.

Reason: To prevent any adverse effect to Bann Estuary SAC from the proposed development.

19. Silt fencing shall be installed along the southern and eastern boundaries of the proposal which abut the adjacent watercourses, prior to and for the duration of the construction phase.

Reason: To prevent any adverse effect to Bann Estuary SAC from the proposed development.

20. Prior to construction of the culvert and outlet from the storm sewer, a suitable barrier, such as a coffer dam, shall be erected around the activities within the watercourses. The barriers must prevent egress of water from construction site and shall be removed upon completion of all construction activities. All water contained within the barrier areas shall be collected for offsite treatment and at no point shall be discharged from the site into the watercourse during construction phase. Construction of the surface water outlet and culvert must take place in periods of low flow.

Reason: To prevent any adverse effect to Bann Estuary SAC from the proposed development.

21. Prior to discharge to watercourses, any surface water generated during the construction and operation phases of the development must first pass through appropriate treatment, such as hydrocarbon interceptors.

Reason: To protect the aquatic environment.

22. A Construction Environmental Management Plan and finalised Site Drainage Plan shall be submitted by the applicant/approved contractor to the Planning Authority for agreement prior to the works commencing. This should identify the perceived risks to the aquatic environment, potential pollution pathways and mitigation measures to negate such risks. It should include;

- a) Construction Method Statement - including details of construction and excavation;
- b) Pollution Prevention Plan – including details of works outwith the fluvial floodplain and a suitable buffer of 10m between the location of refuelling, storage of oil/fuel/substrate/construction materials/machinery, concrete mixing and washing areas and any watercourses on site.
- c) Site Drainage Plan; including details of Sustainable Drainage Systems (SuDS), foul waste disposal, surface water disposal/treatment and silt management measures;
- d) Spoil Management Plan; including location of spoil storage areas out with the 10m buffer zone;
- e) Environmental Emergency Plan; including details of emergency spill procedures and regular inspections of machinery onsite;
- f) Water Quality Monitoring Plan;
- g) Details of the appointment of an Ecological Clerk of Works (ECoW), detailing their roles and responsibilities.

Reason: To protect the aquatic environment.

23. The proposed 1.8 metre high screen walls as shown in drawing number 02 Rev 3 date stamped 18th June 2020 shall be constructed before the commencement of the dwellings at sites 5, 6, 15, 16, 19, 23, 24 and 32.

Reason: In the interests of private amenity.

24. Notwithstanding the provisions of the Planning (General Permitted Development) Order (Northern Ireland) 2015, or any Order revoking and/or re-enacting that Order, no extension, enlargement (including alteration to roofs) or the construction of external structures, walls or fences shall be carried out to the dwellings at plots 3, 4, 6, 7, 8, 9, 10, 11, 12, 13, 14, 17, 18, 19, 20, 22, 23, 31 and 32 hereby permitted without the grant of a separate planning permission from the Council

Reason: In the interests of private amenity.

Informatives

1. This approval does not dispense with the necessity of obtaining the permission of the owners of adjacent dwellings 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 <http://epicpublic.planningni.gov.uk/publicaccess/>.

Site Layout Plan

