

Title of Report:	Planning Committee Report – LA01/2021/0113/F
Committee Report Submitted To:	Planning Committee
Date of Meeting:	26th January 2022
For Decision or For Information	For Decision

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

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

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

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

No: LA01/2021/0113/F **Ward:** Loughguile and Stranocum

App Type: Full

Address: Council Multi-Use Games Area, Junction of Fivey Road & Main Street, Stranocum

Proposal: Installation of 6no. 6m floodlighting columns to illuminate the existing M.U.G.A., along with 3no. 5.1m pathway lighting columns

Con Area: N/A **Valid Date:** 01st February 2021

Listed Building Grade: N/A

Agent: GM Design Associates Ltd, 10 New Row, Coleraine, BT52 1AF

Applicant: Causeway Coast & Glens Borough Council, Riada House, 14 Charles Street, Ballymoney

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

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

EXECUTIVE SUMMARY

- Full planning permission is sought for the installation of 6 no. 6m floodlighting columns to illuminate the existing M.U.G.A. along with 3 no. 5.1m pathway lighting columns.
- The site is located within the development limit of Stranocum as defined in the Northern Area Plan 2016.
- The 6m floodlighting columns will be located at 9m intervals around the perimeter of the playing field. Two of the 5.1m lighting columns are positioned 15m apart on the east side of the walkway with the other one being located on the west side of the walkway, closer to the entrance of the M.U.G.A from Hawbank Park.
- The proposal complies with all relevant planning policies including the Northern Area Plan, SPPS, and PPS 2, PPS 6 & PPS 8.
- When assessed against policy OS 7, it is decided that there will be no unacceptable impact on the amenities of people living nearby, there will be no adverse impact on the visual amenity or character of the locality and the proposal will not prejudice public safety.
- No objections were received for this proposal.
- Consultations were issued to the following consultees and no objections were raised:
 - Environmental Health
 - DFI Rivers
 - NIEA
 - HED
 - NIE
- Approval is recommended.

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

1 RECOMMENDATION

- 1.1 That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 9 and the policies, guidance, and consideration 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 to the east of the junction between Kirk Road and Fivey Road, within the settlement development limits of Stranocum, zoned as a major area of existing open space. The site currently contains a M.U.G.A (Multi Use Games Area) and a play area, which are both then surrounded by a grass amenity area. The site is accessed by an entrance to the northeast corner of the site from Hawbank Park. The site borders the Bush Valley LLPA.
- 2.2 The boundaries to the northwest and south west of the site are defined by post and panel fencing measuring approximately 1.4m in height. The boundaries to the east and south are defined by close-boarded fencing measuring approximately 1.4m in height.
- 2.3 The site is located along the settlement limit boundaries, with the northwest portion of the site actually being located outside of the settlement development limits. The lands to the northwest of the site contain a shop, filling station and takeaway. The land to the west of the site contains a detached dwelling and the land to the east contains Hawbank Park which is predominantly semi-detached single storey dwellings. The lands to the south are occupied by a large agricultural field. The lands to the northwest (opposite side of Kirk Road) and east of the site are within the settlement development limits.

3 RELEVANT HISTORY

There is no relevant planning history.

4 THE APPLICATION

- 4.1 Full planning permission is sought for the installation of 6 no. 6m floodlighting columns to illuminate the existing M.U.G.A. along with 3 no. 5.1m pathway lighting columns at the M.U.G.A, Stranocum.

- 4.2 The initial submission was seeking permission for 4No. 8metre floodlighting columns and was subsequently revised to the proposal under consideration following concerns previously raised with the potential impact of the lighting on possible bat roosts.

Habitats Regulation Assessment

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

5 PUBLICITY & CONSULTATIONS

5.1 External

- There are no letters of objection or letters of support received on this application.

5.2 Internal

- **Environmental Health** was consulted and raise no objection
- **DFI Rivers** was consulted and raise no objection
- **NIEA** was consulted and raise no objection
- **HED** was consulted and raise no objection
- **NIE** was consulted and raise no objection

6 MATERIAL CONSIDERATIONS

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

- 6.2 The development plan is:

- The Northern Area Plan 2016 (NAP)

- 6.3 The Regional Development Strategy (RDS) is a material consideration.
- 6.4 The Strategic Planning Policy Statement for Northern Ireland (SPPS) is a material consideration. As set out in the SPPS, until such times as a new local plan strategy is adopted, councils will apply specified retained operational policies.
- 6.5 Due weight should be given to the relevant policies in the development plan.
- 6.6 All material considerations and any policy conflicts are identified in the “Considerations and Assessment” section of the report.

7 RELEVANT POLICIES & GUIDANCE

The Northern Area Plan 2016

The Strategic Planning Policy Statement (SPPS)

Planning Policy Statement 2: Nature Conservation

Planning Policy Statement 6: Planning Archaeology and Built Heritage

Planning Policy Statement 8: Open Space, Sport and Outdoor Recreation

8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to the principle of the development, bats, and archaeological matters.

Planning Policy

- 8.2 The proposal must be considered in line with the SPPS, PPS policy documents and the supplementary planning guidance specified above.
- 8.3 The SPPS promotes sustainable development throughout the planning system. The guiding principle for planning authorities is that sustainable development should be permitted, having regards to the

development plan and all other material considerations, unless the proposed development will cause demonstrable harm to interests of acknowledged importance.

Principle of Development

- 8.4 The site is located within the settlement development limits of Stranocum and is a major area of existing open space. The proposal seeks to erect a number of floodlights on an existing MUGA area and pathway columns, which are lower in height, along an existing path.
- 8.5 There are no policies within the Northern Area Plan that relate to this *Major Area of Existing Open Space* designation, and is therefore considered under Regional Policy. The SPPS highlights the need to consider residential amenity and floodlighting (Para 6.213). With regard to the siting of intensive sport facilities the SPPS advises on page 87 (Para 6.207), that by their very nature and scale can give rise to particularly complex planning considerations such as impact on amenity. The SPPS advises careful consideration of impact on residential amenity:
- ‘Planning authorities should carefully consider development proposals for all sport and outdoor recreational activities, including facilities ancillary to water sports. Relevant planning considerations will include: location, design, hours of operation, noise, impact upon visual and residential amenity, access and links to public transport; floodlighting; landscaping, public safety (including road safety); nature conservation, biodiversity, archaeology or built heritage.’* (Para 6.213, pg. 89, SPPS)
- 8.6 Planning policy, PPS 8 Open Space, Sport and Outdoor Recreation, is the primary policy consideration. As the proposal relates to lighting, and will not affect the current recreational use, there is no conflict with Policy OS 1 of PPS 8 regarding the protection of open space.
- 8.7 There are 9 lighting columns in total; 6no. 6m floodlights to illuminate the existing M.U.G.A, along with 3no. 5.1m lighting columns to light the pathway. Policy OS 7 – The Floodlighting of sports and recreational facilities (PPS 8) is the relevant policy context to assess such lighting. In this instance the pathway lighting columns have been assessed against the same considerations as floodlights due to the

similar purpose of lighting an area. The policy sets out three criteria for the development of floodlighting which must be met:

- (i) there is no unacceptable impact on the amenities of people living nearby;
- (ii) there is no adverse impact on the visual amenity or character of the locality; and
- (iii) public safety is not prejudiced.

- 8.8 Criterion (i) of Policy OS7 requires that there is no unacceptable impact on the amenities of people living nearby. Policy goes on to advise that care must be taken to ensure that floodlighting will not cause unacceptable harm to amenity and where floodlighting is proposed to an existing facility, a number of issues need to be considered. This includes the potential for increased use of the facility, light pollution and increased traffic and noise generation. Such issues are particularly relevant where the proposed floodlighting is close to residential properties (Para 5.52, pg. 35). Drawing No.02A demonstrates the floodlighting installation with isolines, showing the resultant light levels. The document has considered 69W LED lighting on the 6m columns (A) and 12W LED lighting on the pathway columns (B). The closest dwellings to the playing fields are within Hawbank Park, No.26 in particular, as the isolines are shown to reach the actual dwelling structure. These light levels are predicted to be 0.1 lux.
- 8.9 With reference to the Institute of Lighting Professionals Guidance on the Reduction of obtrusive Light, this area would be classed as E2, rural (Low district brightness, sparsely inhabited rural areas, village or relatively dark outer suburban locations). Lighting schemes in an E2 zone should not create lighting levels of more than 5lux pre-curfew (up to 11pm) and 1lux post-curfew (after 11pm).
- 8.10 There is no objection from Environmental Health regarding criterion (i), subject to one condition which requires the lighting to be constructed in accordance with the 'ILP Guidance Notes for the Reduction of Intrusive Light (2011)' and Guidance Note 01/2020, and to comply with the post and pre-curfew lighting levels.
- 8.11 The proposal will not exacerbate noise or increase use to an unacceptable level given the current use as a M.U.G.A. In this instance, as the target light levels are met, the proposal complies with criterion (i).

- 8.12 In considering this Policy context, the Planning Department is also satisfied that Criteria (ii) & (iii) are met as the proposal will not have an adverse impact on the visual amenity or character of the locality as this is an existing area of open space located in the southwest corner of Stranocum which contains mature vegetation around the west, south and southwest boundaries of the site.
- 8.13 The M.U.G.A is surrounded by mature vegetation which helps to limit visibility and reduce the amount of light perceptible from Kirk Road, Main Street and Fivey Road. Public safety will not be prejudiced, and the pathway columns will increase safety when using this path. As all three criteria are met, the proposal complies with Policy OS7 of PPS 8.

Bats

- 8.14 A bat roost potential survey was required in relation to this application. There were 3 trees within the site considered to have moderate bat roost potential and 1 tree which was considered to have high bat roost potential. A bat roost potential survey was submitted and the proposal amended to provide mitigation measures for the protection of bats. NIEA confirmed no objection to the proposal when consulted in relation to the bat roost potential survey and amended plans, subject to the inclusion of 2 conditions relating to bat protection. Therefore the proposal is acceptable having regard to Policy NH2 of PPS 2.

Archaeological Matters

- 8.15 Due to the proposal's proximity to an archaeological site & monument (unscheduled) as identified in NAP 2016, HED: Historic Monuments Unit was consulted as the competent authority on archaeological matters. HED: HMU raises no objection to the proposal and it is considered to comply with PPS6.

9 CONCLUSION

- 9.1 The proposal is acceptable in this location having regard to the Northern Area Plan 2016 and other material considerations including the SPPS and PPS 8. The proposal is not considered to cause any unacceptable impact on the amenities of people living nearby. It is concluded that there will be no adverse impact on the visual amenity

or character of the locality and public safety will not be prejudiced. Approval is recommended.

10 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 61 of the Planning Act (Northern Ireland) 2011.

2. The external lighting scheme shall be constructed in accordance with the Institute of Lighting Professionals (ILP) Guidance Notes for the Reduction of Intrusive Light 2011, and Guidance Note 01/2020, rural classification. The maximum value of vertical illuminance on properties shall be 5 lux pre-curfew and 1 lux post-curfew at the closest residential receptors as per Drawing No.02A dated 24th September 2021.

Reason: To protect residential amenity

3. The external lighting on the site shall be carried out in accordance with the lighting calculation and lighting plan as shown on Drawing No. 02A, date stamped 24 SEP 2021.

Reason: To minimise the impact of the proposal on bats and other wildlife.

4. All arboricultural work or tree surgery to any retained tree, to be topped or lopped, shall be in accordance with the approved plans and no retained tree shall be cut down, uprooted or destroyed, or have its roots damaged within the crown spread, unless submitted to, and agreed in writing, with the Council.

Reason: To ensure the continuity of the biodiversity value afforded by existing trees.

5. Any arboricultural work or tree surgery approved by this permission shall be carried out in accordance with British Standard 5837:2012 *Trees in relation to design, demolition and construction- Recommendations*.

Reason: To ensure the continuity of the biodiversity value afforded by existing trees.

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 location Map



BLOCK PLAN

