

Title of Report:	Planning Committee Report – LA01/2022/1222/F
Committee Report Submitted To:	Planning Committee
Date of Meeting:	22nd November 2023
For Decision or For Information	For Decision – Council Interest Item
To be discussed In Committee YES/NO	NO

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

Legal Considerations	
Input of Legal Services Required	NO
Legal Opinion Obtained	NO

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:

<u>App No:</u>	LA01/2022/1222/F	<u>Ward:</u>	Magilligan
<u>App Type:</u>	Full Planning		
<u>Address:</u>	Magilligan Community Association, 394 Seacoast Road, Bellarena, Limavady		
<u>Proposal:</u>	The proposal involves development of a multi-use games area (MUGA) on land currently used as a grass playing field. The proposal comprises an artificial surface and new pedestrian access from the existing community centre with floodlighting, amenity lighting and fencing		
<u>Con Area:</u>	N/A	<u>Valid Date:</u>	04.11.2022
<u>Listed Building Grade:</u>	N/A	<u>Target Date:</u>	23.02.2023
<u>Agent:</u>	Doran Consulting, 92-102 Great Victoria Street, Belfast, BT2 7BE		
<u>Applicant:</u>	Causeway Coast and Glens, Cloonavin, 66 Portstewart Road, Coleraine, BT52 1EY		
<u>Objections:</u>	0	<u>Petitions of Objection:</u>	0
<u>Support:</u>	0	<u>Petitions of Support:</u>	0

Executive Summary

- Full planning permission is sought for the development of a multi-use games area (MUGA) on land currently used as a grass playing field.
- The site is located within the settlement limit of Bellarena and on an area of existing open space as defined in the Northern Area Plan.
- The proposal comprises an artificial surface with rebound fencing to all sides and roof net, new pedestrian access from the existing community centre, floodlighting and amenity lighting
- Consultation was carried out with DFI Roads, DFI Rivers, Environmental Health, NI Water, NI Electricity, DAERA Natural Environment Division and Shared Environmental Services. No objections have been raised by any consultee.
- The proposal will not have any significant adverse impact on the residential amenity of adjacent dwellings, road network, features of natural heritage importance or upon visual character and amenity
- This proposal is considered acceptable at this location having regard to the Northern Area Plan 2016, the Strategic Planning Policy Statement and all other material considerations.
- Approval is recommended.

Drawings and additional information are available to view on the Planning Portal-
<https://planningregister.planningsystemni.gov.uk/simple-search>

1 RECOMMENDATION

- 1.0 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 application site is located at Magilligan Community Association, 394 Seacoast Road, Bellarena. The application site currently comprises the north eastern portion of a large grassed area of public open space and is sited to the rear of the Magilligan Community Association Building and existing play area. The northern site boundary which separates the application site from the adjacent housing development at Drumavalley is defined by a concrete post and wire fence with a 1.5m hedgerow along most of the boundary. Access to the site is via the existing access onto Seacoast Road with parking available within the site.
- 2.2 The site lies within the settlement of Bellarena, which is designated as a village within the Northern Area Plan 2016 and is within the designated Binevenagh AONB. The application site is located adjacent to a large, relatively high-density housing development to the north at Drumavalley, with other residential development located to the east and south of the site. To the west of the application site, the playing field/open space abuts the settlement limit, with agricultural lands beyond.

3.0 RELEVANT HISTORY

B/1986/0308 - Adjoining Drumavalley Estate, Bellarena- Change of Use Of Agricultural Field To Public Open Space & Playing Field – Permission Granted 19.03.1987

B/2004/0809/F - Drumavalley Sports Grounds Seacoast Road Ballyscullion Limavady - Erection of community hall – Permission Granted 31.01.1996

B/2004/0809/F - Magilligan Community Hall, 394 Seacoast Road, Magilligan - Extension to community hall to provide I.T. facilities – Permission Granted 04.08.2005

B/2006/0497/F - Magilligan Community Centre, Seacoast Road, Drumavally - Construction of play-area providing toddler and junior facilities – Permission Granted 18.01.2007

B/2010/0268/F - 396 Seacoast Road, Ballyscullion, Limavady - Proposed extension to form out of school facility – Permission Granted 18.11.2010

LA01/2017/1422/F - Magilligan Community Centre, Seacoast Road, Limavady - Provision of a replacement Community Centre consisting of a single storey structure and associated site works - Permission Granted 26.04.2018

4.0 THE APPLICATION

- 4.1 Planning permission is sought for the development of a multi-use games area (MUGA) on land currently used as a grass playing field. The proposal comprises an artificial surface and new pedestrian access from the existing community centre with floodlighting, amenity lighting and fencing.

5.0 PUBLICITY & CONSULTATIONS

External

- 5.1 Advertising: 30.11.2022.
Neighbours: There are no objections to the proposal.

Internal

- 5.2 **DFI Roads** – No objections
Environmental Health – No objections
NI Water – No objections

DAERA Natural Environment – No objections
Shared Environmental Services – No objections.
NI Electricity – No objections
Rivers Agency – No objections

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 6: Planning, Archaeology and the Built Heritage

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

Planning Policy Statement 15: Planning and Flood Risk

A Planning strategy for Rural NI

8.0 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to, the principle of development, flood risk, access and parking, Natural heritage and Habitat Regulations Assessment and AONB.

Principle of development

Policy OS1

- 8.2 Policy OS 1 of PPS8 states that development, will not be permitted that would result in the loss of existing open space or land zoned for the provision of open space. The presumption against the loss of existing open space will apply irrespective of its physical condition and appearance. An exception will be permitted where it is clearly shown that redevelopment will bring substantial community benefits that decisively outweigh the loss of the open space.
- 8.3 The proposal seeks to utilise part of the existing grassed playing field area in order to provide the MUGA facilities. The application site is located at the Magilligan Community Association premises and also includes a playground adjacent to the proposed MUGA. The playing fields are identified as an Existing Area of Open Space within the Northern Area Plan.
- 8.4 While the proposal may alter the formal use and appearance of the land, the proposal does not represent a loss of open space, but rather the redevelopment and formalisation of Open Space

to provide high quality recreational facilities. The proposal complies with policy OS 1 of PPS 8.

Policy OS 4

- 8.5 Policy OS 4 of PPS 8 outlines that the Council will only permit the development of intensive sports facilities where these are located within settlements. Paragraph 5.37 of PPS8 set out a range of types of facilities which would be regarded as being intensive sports facilities. While the proposed development may not be of a similar nature to those listed there is the potential for an intensification in use which could impact upon neighbouring lands and receptors.
- 8.6 ***there is no unacceptable impact on the amenities of people living nearby by reason of the siting, scale, extent, frequency or timing of the sporting activities proposed, including any noise or light pollution likely to be generated;***

The existing playing field and playground is surrounded by residential development to the north at Drumavalley, and to the south by a number of dwellings along a private laneway 376, 380, 392, 392a, 392b and 392c and the dwellings at Oasis Cottages.

The proposed MUGA is located in the northern portion of the existing open space and is sited immediately adjacent to the site's boundary with the adjacent Drumavalley housing development. The proposed facilities will be in close proximity to a number of residential properties within Drumavalley with the proposed pathway around the MUGA approximately 7.5m from the gable of No. 19 Drumavalley. The playing field is approximately 11m from No. 19 and the closest floodlighting column approximately 22.5m.

As there are no buildings proposed as part of the development, there will be no impact on adjacent properties as a result of siting or consequential impacts such as loss of privacy, light or overdominance. The proposed MUGA is located at a similar level to the dwellings within Drumavalley and does not sit directly

adjacent or to the rear of any dwelling within Drumavally. There will be no direct views from the site into the dwellings or private amenity areas of those dwellings closest to the MUGA. Officials are satisfied there will be no adverse impact on residential privacy from users of the proposed facility.

It has been clarified during the processing of the application that the proposed facility will be open all the time and will not be locked, however the proposed floodlighting will be controlled by a photocell and timeclock which means that they will only be turned on from dusk until no later than 9pm (21:00). Given the nature of the proposal there may be some noise generated by those using the facility however, it is not anticipated that the MUGA is likely to generate a significant amount of noise when in use. A condition limiting the use of the floodlighting to no later than 9pm will assist with ensuring the site is vacated/not in use at unreasonable times which will prevent noise and floodlighting impacting residential amenity in an unacceptable manner, especially during the winter months.

Environmental Health have been consulted in relation to the proposed development and have not raised any concerns in respect of noise generation and its potential impact on residential amenity.

The potential impact of floodlighting on residential properties is assessed in detail below at paragraph 8.11-8.17.

Given the scale and nature of the proposal, officials are satisfied that there will be no unacceptable adverse impact on the amenity of surrounding residential properties. The first criteria is met.

8.7 • there is no adverse impact on features of importance to nature conservation, archaeology or built heritage;

There are no features of archaeological or built heritage importance within close proximity of the application site which would be adversely impacted by the development.

As discussed below at paragraphs 8.25 - 8.30 Shared Environmental Services and DAERA Natural Environment

Division were consulted on the proposal and did not raise any concerns with regards to natural heritage interests. The second criteria is met.

8.8 • buildings or structures are designed to a high standard, are of a scale appropriate to the local area or townscape and are sympathetic to the surrounding environment in terms of their siting, layout and landscape treatment;

There are no buildings proposed as part of the proposed development. The proposed MUGA comprises a 2g synthetic pitch (36m X 18m). The pitch will be bounded by a 4m high metal fencing and a roof net attached to 4.5m high mounting poles. The pitch will be surrounded by a porous bitmac path. The proposal includes the erection of 2 10m high floodlight columns, each with 2 lighting fixtures and the erection of 5 no. 5m high amenity lighting columns.

The proposed MUGA area will be largely screened from view when travelling along the Seacoast Rd in both directions and will only be readily visible when passing the site frontage at the junction with Limestone Rd and from within the adjacent Drumavalley site. From these viewpoints the scale and design of the MUGA will be in keeping with its surroundings without appearing as a prominent or conspicuous features with no significant adverse impact.

The proposed floodlighting columns are the most visually prominent features associated with the development. The columns extend to a height of 10m and are set back from the Seacoast Road by approximately 70m. The floodlighting columns are slender in form, and from beyond the site the columns will be concealed by the surrounding roadside buildings and vegetation.

Critical views of the floodlighting columns will be mainly limited to close proximity/passing the site frontage along Seacoast Rd and from within the immediately adjacent housing development at Drumavalley. The proposed 5m amenity lighting columns will only be readily visible when passing the site frontage on Seacoast Rd and in the adjacent Drumavalley development.

Officials are satisfied that the proposed MUGA, floodlighting and amenity lighting will not cause significant detrimental impact on visual amenity or character of the area. The third criteria is met.

- 8.9 • **the proposed facility takes into account the needs of people with disabilities and is located so as to be accessible to the catchment population giving priority to walking, cycling and public transport; and**

The application site is located at the existing community facilities which is accessible to the local community via a range of methods including walking and cycling. Level access to the MUGA is proposed and will link to the existing pathways within the site to afford access to those with disabilities. The site is located approximately 400 metres from the closest bus stop. The fourth criteria is met.

- 8.10 • **the road network can safely handle the extra vehicular traffic the proposal will generate and satisfactory arrangements are provided for site access, car parking, drainage and waste disposal**

Access to the proposal is via the existing access to the Magilligan Community Association site along Seacoast Road. As discussed below at paragraph 8.24 it is anticipated that there will be no increase in vehicular movements to the site and therefore no impact on the road network. DFI Roads have been consulted on the application and have no objections.

The proposed drainage systems for the MUGA can connect to the NI Water infrastructure. The development will not result in the production of waste.

Officials are satisfied that the proposal complies with Policy OS4

Policy OS 7

- 8.11 Policy OS 7 of PPS8 outlines that the Planning Authority will only permit the development of floodlighting associated with sports and outdoor recreational facilities where all the following criteria are 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.

- 8.12 The proposal seeks the erection of 2no. 10m high floodlighting columns, and 5no. 5m high amenity lighting columns. The floodlighting scheme proposes one column sited in a central position at either side of the MUGA area with the 5 amenity lighting columns located along the entrance path and southern side of the MUGA area adjacent to the entrance gates and seating areas. The northern floodlighting column is sited approximately 1.6m to the site boundary and approximately 25.5m from the closest residential property at No. 19 Drumavalley.
- 8.13 Upon initial consultation Environmental Health advised that within the technical specification for the floodlighting (Doc 01) the predicted lux levels from the flood lighting at the nearest non-associated receptor (19 Drumavalley) is predicted as being likely to exceed the post curfew limit (1 lux after 23:00hrs). Further clarification was sought from the applicant regarding the intended hours of the use of the floodlighting to determine the potential impact on the residential amenity of adjacent properties.
- 8.14 Additional information was received by the Council 16/01/2023, which advised that the proposed MUGA will be open all the time and will not be locked however the floodlights will be controlled by a photocell and timeclock which means they will only be on from dusk through to 9:00pm. The floodlights will not operate after 9:00pm.
- 8.15 Additionally, Lux lighting levels have been provided for the amenity lighting columns. This information shows that the lux levels at the closest receptor (No. 19 Drumavally) is 0.11 Lux, which is below both the pre and post curfew limits as outlined in Institute of Lighting Professionals: Guidance Notes for the Reduction of Obtrusive Light, GN 01: 2021”.

- 8.16 Environmental Health were re-consulted on the additional information and have no objections subject to conditions which require the lighting scheme to be installed in accordance with submitted plans, and that lux levels adhere to the Institute of Lighting Professionals: Guidance Notes for the Reduction of Obtrusive Light, GN 01: 2021”.
- 8.17 Given the content of the submitted lighting information and the comments from Environmental Health, the Planning Department are satisfied that there will be no unacceptable adverse impact on the amenity of neighbouring properties subject to a condition restricting the maximum permitted hours of operation to between 08:00 – 21:00.
- 8.18 The site is located within the settlement limit of Bellarena and lies within the designated Binevenagh AONB. The floodlighting columns are slender in form and are similar in height to the electricity poles which traverse the application site. Overhead powerlines, poles and streetlighting columns are common features when travelling along Seacoast Rd. From beyond the application site views of the development and the 5m high amenity lighting columns will be largely screened from view by the intervening roadside development and vegetation. On approach along Seacoast Rd in both directions and on approach along Limestone Rd only the upper sections of the 10m high poles will be visible above the surrounding built form. Given the relatively short and intermittent views attainable these structures will not have any significant detrimental visual impact. There will be public views of the development from within the adjacent Drumavalley housing development. Views of the application site will be set within the surrounding context of built development and existing powerline and streetlighting infrastructure. While views from within Drumavalley may be the most critical, officials are satisfied that the nature and scale of the floodlighting columns are will not cause significant detrimental impact on the visual amenity or character of the area.
- 8.19 The proposed MUGA is located in the northern part of the playing field site. The northernmost floodlighting column is located approximately 10.2m back from the road within the Drumavalley housing development immediately adjacent the application site. The initial lighting columns were proposed at

12m in height and would have required TAS approval due to being within the fall-over distance of a road. The columns were subsequently reduced in height to 10m to address this issue. DFI Roads have been consulted in relation to the proposal and have not raised any objections. The proposal complies with policy OS 7 of PPS 8.

Flood Risk

8.20 The Strategic Flood Maps (NI) indicate that the site lies within the 1 in 100 year fluvial floodplain. Policy FLD 1 of PPS 15 is applicable and states that development will not be permitted within the 1 in 100 year fluvial floodplain or the 1 in 200 year coastal floodplain unless the applicant can demonstrate that the proposal constitutes an exception to the policy.

8.21 As part of the application a voluntary Flood Risk Assessment was submitted which provided detailed modelling for the fluvial floodplain to more accurately determine the extent of the floodplain. The findings of the FRA outline that the site is not at risk of fluvial flooding, and as such Policy FLD1 is not engaged.

8.22 DFI Rivers were consulted with the Flood Risk Assessment and following consideration have responded to outline that they accept the logic and conclusions within the report and cannot sustain a reason to object to the development from a drainage or flood risk perspective.

8.23 Amended plans have been submitted during the processing of the application which have reduced the proposed area of hardstanding to under 1000m². As a result, a Drainage Assessment is not required as Per Policy FLD3 of PPS15.

Access and Parking

8.24 The proposal will rely upon the existing access and parking facilities at the premises in order to cater for users of the MUGA. DFI Roads were consulted on the proposal and initially sought the submission of a Transport Assessment form (TAF). The TAF was submitted which outlined that the proposed development could generate up to 26 vehicle trips per day based on TRICS

data, however as the scheme is upgrading existing facilities it is unlikely to result in additional trips/users to the site with 13 trips currently visiting the site. DFI Roads were reconsulted on the proposal and have offered no objection to the scheme. The proposal meets with Policies AMP2 and AMP7 of PPS3.

Natural Heritage and Habitats Regulations Assessment

- 8.25 The application site is not within any European or Nationally designated site, however the Biodiversity Checklist submitted with the application has identified that the application site may be hydrologically linked to Lough Foyle SPA/Ramsar/ASSI via drainage systems within the site which link to watercourses approximately 90m from the application site. As discussed above the proposed application site has been found to lie outside of the fluvial floodplain and the applicant has provided confirmation from NI Water that surface water can be disposed to NI Water infrastructure.
- 8.26 As required under Regulation 43(1) of the Habitats Regulations 1995 (as amended) the applicant (Council), As the competent authority, submitted a HRA Assessment to assess whether the project is likely to have a significant effect on a national site network site “either alone or in combination with other plans or projects.” The assessment concluded that the proposed works, individually or in combination with other plans or projects, will not have a significant effect on the following European sites due to distance or no discernible ecological linkage.
- 8.27 Shared Environmental Services, were consulted in order to review the findings of the Habitats Regulations Assessment on behalf of the Planning Department. Following confirmation that surface water disposal can be via NI Water surface water sewer and that there will be no rubber crumb/granular infill used on the pitch SES advised that Shared Environmental Service (SES) while not being responsible for the Habitats Regulations Assessment (HRA) dated October 2022 undertaken for this project on behalf of Causeway Coast and Glens Borough Council have no reason to disagree with its findings. The proposal meets with Paragraphs 6.176 and 6.183 of the SPPS and Policies NH1 and NH3 of PPS2.

- 8.28A Biodiversity Checklist and Preliminary Ecological Appraisal were submitted for the proposal. The PEA identifies the habitats within the site as being low and negligible ecological value. There are two buildings immediately adjacent the application site which were classified as having low bat roost potential. There were no signs of badgers, otters, amphibians, reptiles or invertebrates within the survey area, with the site being classed as very low suitability for red squirrel and pine marten.
- 8.29 The application site is regarded as being low quality for foraging and commuting bats. However, given the protected status of bats there is the potential for disturbance to their habitat via illumination from the proposed floodlighting and amenity lighting. The PEA advised that if illumination levels could not be kept under 1 Lux at the adjacent building/structures then a bat roost emergence/re-entry survey would be required to establish the presence of bat roosts. The lighting details provided indicate that the Lux levels would exceed 1 Lux at the structures and as such a bat roost survey was requested.
- 8.30A Bat Roost Emergence/Re-entry survey was subsequently submitted and found that no roosting bats were seen entering or emerging from the structures surveyed and no behaviour indicative of a roost onsite was observed. It is therefore concluded that the proposal will not impact on roosting bats. DAERA Natural Environment Division were consulted on the above information and have no objections. The proposal meets with Paragraphs 6.180, 6.181 and 6.192 of the SPPS and Policies NH2 and NH5 of PPS2.

AONB

- 8.31 Policy NH6 of PPS2 states that planning permission for new development within an Area of Outstanding Natural Beauty will only be granted where it is of an appropriate design, size and scale for the locality.
- 8.32 As discussed above at Paragraph 8.8 the proposed development is of a scale and design which will allow it to sit within the existing built fabric of the settlement without appearing unduly conspicuous or prominent in the landscape allowing it to satisfactorily integrate into the site and wider

landscape without having an unacceptable adverse impact on the character or visual amenity of the AONB.

9.0 CONCLUSION

9.1 The proposal provides for a Multi-Use Games Area at the existing playing field and playground which will provide for additional quality recreational facilities at this location. The proposal will not have an adverse visual impact on the surrounding landscape and will not have an unacceptable impact on the residential amenity on the surrounding residential properties at Drumavalley. The proposal will not adversely impact upon the natural or built heritage environment and adequate access and parking arrangements are present. The proposal complies with the Northern Area Plan and all other relevant planning policies. Approval is recommended.

10.0 CONDITIONS AND INFORMATIVES

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 use of the proposed floodlighting shall only be permitted between the hours of 08:00 and 21:00.

Reason: In the interest of residential amenity

3. The lighting scheme for the development hereby approved shall be designed, installed, operated and maintained in accordance with the submitted Drawing 03 Rev 02 and Drawing 06 Rev 01. Light pollution shall be obviated by ensuring adherence to the Institute of Lighting Professionals: Guidance Notes for the Reduction of Obtrusive Light, GN 01: 2021”.

Reason: In the interest of residential amenity

4. Vertical Lux levels at nearest receptors shall not exceed, Table 3: Maximum values of vertical illuminance on premises, applicable to Environmental Zone E2". As laid out within the Institute of Lighting Professionals: Guidance Notes for the Reduction of Obtrusive Light, GN 01: 2021.

Reason: In the interest of residential amenity

5. The proposed MUGA surface shall be a 2G Sand Dressed Surface with No granular infill/rubber crumb permitted to be installed or used on the proposed artificial surface at any time.

Reason: To prevent any adverse impacts on the site features and conservation objectives of the hydrologically connected European Sites.

6. Surface Water disposal from the proposed development shall be via connection to NI Water public surface water sewer. No development shall be commenced until a Sewer Adoption Agreement has been authorised by NI Water to permit a connection to the public sewer in accordance with the Water and Sewerage Services (Northern Ireland) Order 2006 and Sewerage Services Act (Northern Ireland) 2016

Reason: To prevent any adverse impacts on the site features and conservation objectives of the hydrologically connected European Sites and to ensure compliance with the Water and Sewerage Services (Northern Ireland) Order 2006 and the Sewerage Services Act (Northern Ireland) 2016.

7. A 10 metre land buffer shall be retained between the location of all refuelling, storage of oil/fuel and washing area, storage of machinery/material/spoil and any watercourse. Additionally, there shall be no direct discharge of untreated surface water run-off during the construction and operational phases into any watercourse.

Reason: To prevent any adverse impacts on the site features and conservation objectives of the hydrologically connected European Sites.

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 <https://planningregister.planningsystemni.gov.uk/simple-search>.
6. The applicant is advised that it may be necessary to employ good management practices to prevent anti-social activity from patrons affecting the immediate vicinity of the premises.
7. Under the terms of Schedule 6 of the Drainage (NI) Order 1973, any proposals either temporary or permanent, in connection with the development which involves interference with any watercourses such as culverting, bridging, diversion, building adjacent to or discharging storm water etc requires the written consent of DfI Rivers. This should be obtained from the Western Regional Office at DfI Rivers Coleraine Area Office, Castleroe Road, Coleraine, BT51 3RL.

8. Developers should acquaint themselves of their statutory obligations in respect of watercourses as prescribed in the Drainage (Northern Ireland) Order 1973, and consult the Rivers Agency of the Department of Agriculture accordingly on any related matters.
9. Any proposals in connection with the development, either temporary or permanent which involve interference with any watercourse at the site:- such as diversion, culverting, bridging; or placing any form of structure in any watercourse, require the written consent of the Rivers Agency. Failure to obtain such consent prior to carrying out such proposals is an offence under the Drainage Order which may lead to prosecution or statutory action as provided for.
10. Any proposals in connection with the development, either temporary or permanent which involve additional discharge of storm water to any watercourse require the written consent of the Rivers Agency. Failure to obtain such consent prior to permitting such discharge is an offence under the Drainage Order which may lead to prosecution or statutory action as provided for.
11. If, during the course of developing the site, the developer uncovers a watercourse not previously evident, he should advise the local Rivers Agency office immediately in order that arrangements may be made for investigation and direction in respect of any necessary measures required to deal with the watercourse.

Site Location Map



Site Layout Plan

