

<b>Title of Report:</b>	<b>Planning Committee Report – LA01/2020/1388/F</b>
<b>Committee Report Submitted To:</b>	<b>Planning Committee</b>
<b>Date of Meeting:</b>	<b>28<sup>th</sup> August 2024</b>
<b>For Decision or For Information</b>	<b>For Decision – Objection Item</b>
<b>To be discussed In Committee YES/NO</b>	<b>No</b>

<b>Linkage to Council Strategy (2021-25)</b>	
Strategic Theme	Cohesive Leadership
Outcome	Council has agreed policies and procedures and decision making is consistent with them
Lead Officer	Development Management and Enforcement Manager

<b>Budgetary Considerations</b>	
Cost of Proposal	---
Included in Current Year Estimates	N/A
Capital/Revenue	N/A
Code	N/A
Staffing Costs	N/A

<b>Legal Considerations</b>	
Input of Legal Services Required	NO
Legal Opinion Obtained	NO

<b>Screening Requirements</b>	Required for new or revised Policies, Plans, Strategies or Service Delivery Proposals.
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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:

<b><u>No:</u></b> LA01/2020/1388/F	<b><u>Ward:</u></b> Macosquin
<b><u>App Type:</u></b> Full Planning	
<b><u>Address:</u></b> Lands approx 80m west of 21 Wheatsheaf Road Coleraine	
<b><u>Proposal:</u></b> Proposed new dwelling. Proposed Holiday Park comprising holiday cabins, provision for touring caravans, provision for tent pitching, associated works and conversion of stone barn to provide a communal welcome centre including restaurant	
<b><u>Con Area:</u></b> n/a	<b><u>Valid Date:</u></b> 17.12.2020
<b><u>Listed Building Grade:</u></b> n/a	
<b>Agent:</b> OJQ Architecture, 89 Main Street, Garvagh, BT51 5AB	
<b>Applicant:</b> Edwin Calvin, 191 Dunhill Road, Macosquin, Coleraine, BT51 4JD	
<b>Objections:</b> 96	<b>Petitions of Objection:</b> 0

## **Executive Summary**

- Full planning permission is sought a new dwelling and proposed holiday park comprising holiday cabins, provision for touring caravans, provision for tent pitching, associated works and conversion of stone barn to provide a communal welcome centre including restaurant.
- The proposed holiday park element of the development will provide 4 no. touring caravan hardstanding, 7 no. holiday cabins and a tent pitch area for approximately 6 no. tents.
- The site is not located within any settlement development limit as defined in the Northern Area Plan 2016. It is located in the open countryside, on the edge of the settlement development limit, and is not subject to any specific designations.
- The principle of development is considered acceptable having regard all relevant planning policies including the Northern Area Plan, SPPS, PPS 21 policies CTY 1, CTY 3, CTY 4, CTY 13, CTY 14 and 15, PPS 3 and PPS 2, PPS 16 policies TSM 6 and TSM 7 and DCAN 4.
- DFI Roads, Environmental Health, NI Water, DAERA (Water Management Unit and Natural Environment Division), were consulted on the application and raise no objection.
- There are 96 objections to the proposal. Further details of issues raised are outlined in paragraph 5.2 of this report.
- The application is recommended for Approval.

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

## 1 RECOMMENDATION

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

## 2 SITE LOCATION & DESCRIPTION

- 2.1 The eastern part of the site is occupied by derelict outbuildings. The buildings are single storey and the roof has mostly fallen in. Maps and planning history indicate that there was previously a dwelling on site but this had been removed at the time of inspection. The western part of the site is covered with grass and there is a small building adjacent to the southern boundary. The northern part of the site is agricultural land.
- 2.2 The application site is a rectangular shaped plot measuring approximately 0.97ha. The land on the site rises gently from the road then falls again towards the western part of the site.
- 2.3 The roadside boundary is defined by a stone wall. The southern boundary is defined by a mature trees and hedge to the eastern end and a hedge to the western end. The southern boundary is defined mostly by a hedge. The northern boundary is undefined.
- 2.4 The site lies within the countryside adjacent to the edge of the settlement limit of Coleraine. The land to the east is residential. The land to the north-west, south and west is mostly agricultural land.

### **3 RELEVANT HISTORY**

LA01/2017/0754/O - 21 Wheatsheaf Road, Coleraine  
Renewal application for 2 storey replacement dwelling  
Permission Granted – 18.01.2019

C/2014/0239/O - Rear of 21 Wheatsheaf Road, Coleraine,  
BT51 3NP  
Proposed farm dwelling.  
Permission Granted - 24.08.2015

C/2014/0154/O - 21 Wheatsheaf Road, Coleraine  
Site for two storey replacement dwelling  
Permission Granted - 11.06.2014

### **4 THE APPLICATION**

- 4.1 The application proposes full planning permission for a new dwelling and proposed holiday park comprising holiday cabins, provision for touring caravans, provision for tent pitching, associated works and conversion of stone barn to provide a communal welcome centre including restaurant.

### **5 PUBLICITY & CONSULTATIONS**

#### **5.1 External**

Advertising: Coleraine Chronicle 06.01.2021

Re-advertisement: Coleraine Chronicle 09.03.2022 &  
26.10.2022 & 08.11.2023

Neighbours: Notification according to procedures.

- 5.2 96 comments of objection have been received in relation to the proposal. The majority of the objections come from nearby residents of Wheatsheaf Rd, Wheatsheaf Pk, Gortgranagh Drive, Granary Drive and College Park. The issues raised are as follows.

### **Amenity**

- Noise
- Smell
- Rubbish
- Impact on visual amenity, when travelling along road and from existing properties
- Concerns regarding security and crime levels if development approved
- Concern over property values
- Opening Hours of cafe/restaurant
- Dog fouling
- Lack of risk and fire assessments

### **Principle of development**

- Commercial use not in keeping with character of surroundings
- Contrary to PPS 21 - CTY 15
- Design not appropriate for residential area
- Limited disabled access
- Concerns over future use of dwelling
- Remote from tourist facility
- Integration
- Contrary to TSM 6 Contrary to SPPS and RDS
- Overdevelopment of the site compared to existing development
- Visual impact from resulting signage
- Minimal economic benefits for the area visitors will travel away
- Potential for future expansion/development if approved
- Water pollution
- Sewage disposal,
- impact on existing infrastructure and concern regarding septic tank

### **Access and parking**

- Safety of pedestrians
- Safety due to large vehicles using the access

- Increased traffic, contributes to existing congestion
- Limited space for parking and turning

### **Biodiversity**

- Impact on existing wildlife, including bats, squirrels, foxes, birds
- Loss of trees
- Validity of ecological reports

### **Neighbour notification process**

5.3 In response to these concerns Officials note the following;

- The proposal involves the use of an existing access for the proposed dwelling and a new access to serve the holiday park. DfI Roads was consulted to consider the proposed development and objections raised and have no objections subject to conditions.
- Noise and odour information has been provided and consultation carried out with Environmental Health, they have raised no objection subject to conditions.
- Ecological information including a PEA and Bat survey was submitted by the agent to address biodiversity concerns. NIEA Natural Environment Division are content with the proposal subject to conditions.
- The impact on residential amenity (including noise and odour impact) has been considered in paragraphs 8.47 – 8.55 of this report.
- The visual impact and design of the proposal has been considered in paragraphs 8.8 - 8.22 & 8.31 – 8.38 of this report.
- Neighbour Notification has been carried out in accordance *Article 8 of the Planning (General Development Procedure) Order (Northern Ireland) 2015*.
- The application site is relatively flat and the proposed buildings are single storey, the development does not preclude disabled access.
- Signage for the development will need to be assessed under separate advertising consent if it does not fall within deemed consent under The Planning (Control of Advertisements) Regulations (Northern Ireland) 2015.
- Pedestrian crossing points are located at the junctions with Windyhill Rd/Carthall Rd and Castlerock Rd.

#### 5.4 **Internal**

DFI Roads: No objections

Northern Ireland Water – No objections

Environmental Health – No objection subject to conditions

DAERA: Water Management Unit– No objection subject to agreement by NI Water.

DAERA: Natural Environment Division - No objections

### 6 **MATERIAL CONSIDERATIONS**

- 6.1 Section 45(1) of the Planning Act (Northern Ireland) 2011 requires that all applications must have regard to the local plan, so far as material to the application, and all other material considerations. Section 6(4) states that in making any determination where regard is to be had to the local development plan, the determination must be made in accordance with the plan unless material considerations indicate otherwise.
- 6.2 The development plan is:
- 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 both a new local plan strategy is adopted, councils will apply specified retained operational policies.
- 6.5 Due weight should be given to the relevant policies in the development plan.



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

## **7 RELEVANT POLICIES & GUIDANCE**

Regional Development Strategy (RDS) 2035

Northern Area Plan 2016

Strategic Planning Policy Statement for Northern Ireland

A Planning Strategy for Rural Northern Ireland

Planning Policy Statement 2 – Natural Heritage

Planning Policy Statement 3 - Access, Movement and Parking

Planning Policy Statement 16 – Tourism

DCAN 4 – Restaurants, Cafes and Fast-Food Outlets

Causeway Coast and Glens Corporate Strategy

Causeway Coast & Glens Tourism and Destination Management Strategy 2015 - 2020

## **8 CONSIDERATIONS & ASSESSMENT**

- 8.1 The main considerations in the determination of this application relate to; the principle of development; impact on amenity, natural heritage, access and parking; sewage disposal and waste management; and other matters.

### **Planning Policy**

- 8.2. The Northern Area Plan 2016 identifies the site as being located within the countryside, outside any defined settlement limits.
- 8.3. There are no specific zonings or designations relating to this land set out in the Northern Area Plan 2016. The site is located within the open countryside as defined by the Northern Area Plan 2016.

- 8.4. The proposal must be considered having regard to the SPPS, PPS policy documents and supplementary planning guidance specified above.

## **Principle of Development**

### Tourism Development

- 8.5. Paragraph 6.73 of the Strategic Planning Policy Statement (SPPS) and Planning Policy Statement 21 – Sustainable Development in the Countryside, Policy CTY 1 states there are a range of types of development which in principle are considered to be acceptable in the countryside and that will contribute to the aims of sustainable development. All proposals for development in the countryside must be sited and designed to integrate sympathetically with their surroundings and to meet other planning and environmental considerations. Acceptable types of development include tourism development in accordance with PPS 16 (which supersedes TOU Policies of PSRNI).
- 8.6. The proposal includes the provision of a small holiday park for the provision of touring caravan pitches, cabins and an area for tent pitches. For the purposes of PPS 16, a holiday park is defined as a caravan site licensed under the Caravans Act (NI) 1963, which in addition to static caravans, may also contain holiday chalets or cabins, pitches for touring caravans, motor homes and tenting therefore Policy TSM 6 applies. TSM 7 of PPS 16 is also a consideration for all proposal for tourism use.
- 8.7. Planning permission will be granted for a new holiday park or an extension to an existing facility where it is demonstrated that the proposal will create a high quality and sustainable form of tourism development.
- 8.8. The location, siting, size, design, layout and landscaping of the holiday park proposal must be based on an overall design concept that respects the surrounding landscape, rural character and site context. Proposals for holiday park development must be accompanied by a layout and landscaping plan and will be subject to the specific criteria as set out in TSM 6.

- 8.9. The proposed holiday park will provide 4 no. touring caravan hardstanding, 7 no. holiday cabins and a tent pitch area for approximately 6 no. tents.
- 8.10. The original submitted plans included 4 no. caravan hardstandings, 12 holiday cabins and 2 areas for tent pitches. This proposal was considered unacceptable as there were concerns regarding the development of land within the northern portion of the site due to its open aspect when viewed from this direction along the Wheatsheaf Road. Amended plans now show the holiday cabins and caravan hardstandings contained within the established natural boundaries of the site, the land in the northern part of the site is now proposed to be occupied by a tent pitch area and open amenity space with planting to be provided along the northern boundary of the site.
- 8.11. The site is located within the countryside on the edge of the settlement development limit of Coleraine. The eastern part of the site was previously occupied by a 2 storey dwelling, a new dwelling is proposed on this part of the site. To the west of this is an existing single storey stable building which is proposed to be converted to accommodate a welcome centre and restaurant. This part of the site is screened by existing mature vegetation along the existing northern and southern boundaries.
- 8.12. The 4 no. caravan stands are proposed along the southern boundary to the west of the existing stable buildings. The southern boundary of the site is defined by mature trees and hedges. There will be views of this boundary travelling from the south along Wheatsheaf Rd. The existing mature vegetation along this boundary will help integration of caravans when the pitches are occupied. Due to the scale of touring caravans and existing mature boundaries the visual impact of this part of the development will not result in adverse impact on visual amenity or rural character.
- 8.13. The proposed holiday cabins are to be located in the western part of the site. Seven cabins are proposed, 2 large cabins and 5 smaller cabins, these fall within the definition of a caravan as set out in the Caravans Act (Northern Ireland) 2011. The northern and southern boundaries are defined by existing mature trees and hedges, these boundaries are to be retained. The proposed

cabins will be located adjacent to the existing boundaries on the site. Additional planting is also proposed along these boundaries to aid integration.

- 8.14. The proposed cabins have a ridge height of 2.5m. They have the appearance of shipping container, black in colour with no external cladding, with sections of glazing for windows and doors.
- 8.15. When viewed from the Wheatsheaf Road to the south the development of the site benefits from the existing mature boundaries to aid integration. The land on the adjacent field rises gently then falls downwards to the west meaning that the views of the western end of the southern boundary are limited from the roundabout to the south. There are views of the site from Windyhill Road to the south, these views are longer distant and when viewed from here the development benefits from being set back from the road and also the existing boundaries help integration.
- 8.16. When viewed from the north along Wheatsheaf Rd the site benefits from the existing mature boundaries which are to be retained, the proposed cabins and caravan hardstanding will be located within the existing established boundaries, and these are to be retained. The development will extend into the existing field to the north of the site with the proposed site boundary currently undefined. The proposed development beyond the existing field boundaries will include the access to the holiday park at the eastern end at tent pitch area to the western end of the site. This area will also include amenity space. The new northern boundary will be defined by a post and wire fence and new native species hedging and trees. Given the nature of the development within the area of the site encroaching into the adjacent field it is not visually prominent and therefore can satisfactorily integrate. Additional landscaping is proposed to aid integration.
- 8.17. In terms of character, it is acknowledged that the site falls within the countryside however the siting on the edge of the settlement development limit is also a consideration. The site was previously occupied by a 2-storey dwelling and associated outbuildings. It is proposed to construct a new 2 storey dwelling

in the eastern part of the site in the approximate location of the previous dwelling, this is therefore in keeping with previous development and planning approvals.

- 8.18. The development also includes the conversion and re-use of the outbuildings to accommodate toilets and showers, communal lounge, kitchen and restaurant and laundrette. Concern has been raised regarding impact on the character of the area by local residents. Most of the built development proposed will lie within the established natural boundaries of the site and will include re-use of existing buildings. The development to the northern part of the site will not include new buildings and will therefore not be prominent in the landscape, the site therefore has the capacity to absorb the proposed development without adverse impact on visual amenity and rural character.
- 8.19. As previously indicated the development includes the retention of most of the existing mature vegetation on site and along the site boundaries. New native species hedging and trees are proposed along the currently un-defined northern boundary, this is similar in style to the existing mature southern and western boundaries.
- 8.20. Additional landscaping is also proposed within the site with groups of trees, green space and wildflower planting. New hedging is also proposed to separate the tent area and the green space.
- 8.21. Concern has been raised that the tourism development at this location is detached from tourist amenities. Relevant Tourism Policies TSM 6 and TSM 7 does not include a locational test.
- 8.22. Concern has also been raised that if the proposed development is approved it will lead to future expansion of the site having an impact on the residents and the area. If further development is proposed this would require a new planning application and will need to be assessed under relevant policy.
- 8.23. Causeway Coast & Glens Tourism and Destination Management Strategy recognises that 'tourism is worth £110m per annum to the Council area and accounts for 4,751 related jobs, or over 12% of local employment illustrating the importance of tourism

as a key economic activity and a major prosperity driver for the area' this highlights the importance of tourism development within the Council area.

- 8.24. The green space/amenity space is located in the northern part of the site. It is accessible by paths from all parts of the holiday park. The open space measures approximately 2,300 square metres which is approximately 20% of the overall site area, this exceeds the recommended 15% as outlined in TSM 6. Additional areas of open space are located between the proposed cabins and caravan hardstanding.
- 8.25. The layout is largely informal. The caravan hardstanding are in a linear arrangement and run adjacent to the access road however the cabins have the appearance of being located in small clusters around the turning head. The tent pitch area is separated by existing vegetation and new landscaping.
- 8.26. The design of the overall development provides a relatively low-density holiday park with generous amount of open space, a trend that is acknowledged within TSM 6. The re-use of the existing building to incorporate into the development helps respect the existing development on site. The proposed cabins, while not considered traditional in terms of style and materials for the rural area, they are not dis-similar to static caravans found on traditional holiday parks. The cabins are small scale and do not appear prominent in the surrounding landscape. Supporting information state that the scale is traditionally rural in expanse being single storey and focused broadly around a long house concept. The additional landscaping proposed is also in keeping with the style of the existing boundaries and vegetation on site.
- 8.27. The development does not fall within the vicinity of an archaeological site. The development includes the retention of existing vegetation and existing buildings on site. During the processing of the application a Preliminary Ecological Appraisal (PEA), Bat Survey and Lighting Plan were submitted. Consultation was carried out with DAERA Natural Environment Division, following the submission of additional information they have advised they have no objection subject to conditions.

8.28. Concerns have been raised regarding potential impact on amenity as a result of the development. Additional information has been provided in relation to noise and odour, particularly in connection with the proposed restaurant. Environmental Health have been consulted and have raised no objection and have recommended conditions to protect neighbouring residential amenity.

#### Proposed Dwelling

8.29. The proposed development includes the erection of a new dwelling in the eastern part of the site. Therefore, Policy CTY 3 of PPS 21 is a relevant consideration. PPS 21 sets cases where housing development in the countryside is considered acceptable.

8.30. The planning history on the site indicates that planning permission was previously granted for a replacement dwelling on the site of the proposed dwelling under previous applications C/2014/0154/O and LA01/2017/0754/O. The dwelling on site was demolished at time of site inspection. The case officer report for LA01/2017/0754/O confirmed that the dwelling had been demolished at the time of site inspection for that application. This was raised with the agent who advised that the previous outline approval for the dwelling was granted on the same basis as the dwelling was demolished when this approval was granted and the same approach should be taken for this application. The current application for the dwelling was submitted within the timeframe of the previous application LA01/2017/0754/O. Therefore, the planning history is a material consideration and on this basis the principle of a new dwelling at this location is considered acceptable.

8.31. It is also necessary to consider the proposed dwelling under CTY 13 and CTY 14 in terms of integration, design and rural character. The proposed dwelling is 2-storey with a single storey front porch projection and single storey sun room on the southern facing side elevation. The dwelling has a hipped roof and the finishes include wet dash render to the walls and grey/black roof tiles. The finishes are considered relatively traditional however the hipped roof and Georgian effect windows are not traditional rural designs. However, consideration is given

to the context of the setting on the edge of the settlement development limit. The dwellings on the opposite side of Wheatsheaf Rd are a variety of styles and design. The overall development retains the feel of a detached farmhouse with outbuildings to the rear and the design in this case is appropriate for this setting.

- 8.32. The proposed dwelling will be located on the site of a former dwelling, with private amenity space to the rear of the dwelling in excess of 70 square metres. Much of the existing mature vegetation to the south of the proposed dwelling retained therefore views from the south along Wheatsheaf Rd will be intermittent and largely from the site frontage. Some tree removal is required to the north of the proposed dwelling to provide access however the dwelling will benefit from the backdrop of the existing vegetation along the southern boundary and will be able to integrate into the surroundings.
- 8.33. The proposed dwelling will be located largely on the footprint of a 2-storey dwelling that has now been demolished. Much of the existing vegetation surrounding the site is to be retained therefore the new dwelling will not be unduly prominent in the landscape. Given that there was a dwelling previously on site of similar scale the development will not result in a suburban style build up of development when viewed with the existing development.
- 8.34. Concerns have been raised that the development, if approved will be contrary to Policy CTY 15 of PPS 21. CTY 15 states that planning permission will be refused for development that mars the distinction between the settlement and the surrounding countryside or that otherwise results in urban sprawl.
- 8.35. The development lies just outside the settlement development limit of Coleraine. The edge of the settlement development limit runs along the opposite side of Wheatsheaf Road. The eastern part of the application site was previously developed, google street images and planning history advise that this part of the site was occupied by a 2 storey detached dwelling and associated outbuildings therefore the principle of development on this part of the site is established and therefore acceptable for



the proposed dwelling and re-development of the existing outbuildings.

- 8.36. The land on the western and northern part of the site will be occupied by the holiday park element of the development which is previously undeveloped farmland. Development here will include caravan hardstandings, 7no accommodation cabins, tent pitch area and open space. This element is separated from the edge of the settlement limit by the dwelling and outbuildings on the previously developed part of the site.
- 8.37. The nature of the proposed development on the western part of the site differs from the land within the settlement to the east. The land within the settlement is mostly medium density housing however the application site will accommodate a holiday park which is not considered an unacceptable use in the countryside. The nature of the development is subordinate in scale compared to housing development to the east and is therefore not considered to mar the distinction between the built-up area and surrounding rural area.
- 8.38. The existing mature boundaries surrounding the site aid integration of the holiday park element and additional proposed landscaping which is similar to existing field boundaries surrounding the site assists in retaining the rural nature of the site while being located in close proximity to the settlement. The proposed development therefore complies with CTY 15 of PPS 21.

#### Conversion of existing buildings and ancillary uses

- 8.39. The development includes the conversion of existing buildings on site therefore CTY 4 of PPS 21 is a consideration. Both the SPPS and CTY 4 of PPS 21 allow for the conversion of an existing building with adaptation if necessary for a variety of uses. The wording of the policies within both documents is slightly different in relation to the type of building deemed appropriate for conversion. Policy CTY 4 refers to a suitable building whereas the SPPS refers to a locally important building. Paragraph 1.12 of the SPPS outlines that any conflict between the SPPS and retained policy should be resolved in favour of the

provisions of the SPPS, therefore the principle of development shall be assessed against the requirements of the SPPS.

- 8.40. The building to be converted is a traditional style farm/stable building associated with the former dwelling. It is a single storey detached building with stone walls and a slate roof (largely fallen in). Historic Ordnance Survey Maps indicate the buildings on site prior to most of the surrounding development. Given the traditional style and historic use the building is considered to be locally important for the purposes of this policy.
- 8.41. The building is of permanent construction and the conversion will enhance the features of the building. New finishes will be in keeping with the old building therefore the material appearance will not result in adverse effect on the character or appearance of the locality.
- 8.42. The building will accommodate ancillary facilities for the residents of the holiday park including bathrooms, laundrette, office, lounge. These uses are associated with the holiday park and as discussed above the uses is acceptable under relevant tourism policies.
- 8.43. Services including Water, septic tank and access can be provided to the satisfaction of relevant bodies as discussed later within this report under relevant sections.
- 8.44. The 'welcome centre' will also include a small restaurant/café (approximately 55 square metres). It has been advised the kitchen is medium size (between 30 – 100 covers), environmental health have been consulted and raise no objection subject to conditions to protect amenity. Impact on amenity is discussed further in paragraphs 8.45 – 8.53.
- 8.45. The use of the restaurant at this location is considered acceptable. The SPPS is a relevant consideration. One of its key objectives is to secure a town centre first approach for the future of retailing and other town centre uses. The SPPS highlights under paragraph 6.271 under footnote (58) that the main town centre uses are considered to be cultural and community facilities, retail, leisure, entertainment and businesses. The proposed restaurant does not fall within the definition of a main

town centre use therefore the sequential approach to secure main town centre uses within town centres does not apply to this application.

- 8.46. Consideration is given to the scale of the café and its location within a larger building. With the area of approximately 55 square metres it is relatively small scale and considered it is unlikely to generate a significant amount of visitors. The conversion of the existing buildings to include welcome centre and restaurant therefore comply with the requirements of Policy CTY 4 of PPS 1 and planning guidance DCAN 4.

### **Impact on Amenity**

- 8.47. The proposed development includes several different elements which have the potential to impact on the private amenity of nearby residents including noise and odour. Concerns have also been raised with regard to rubbish, dog fouling, crime and safety.
- 8.48. On receipt of the application consultation was carried out with Environmental Health, their initial comments raised no objection and provided advice on a number of matters including Asbestos, noise, dust, contamination, refuse and LPG.
- 8.49. Noise and odour assessments were submitted to assess potential impacts. Potential impacts include noise and odours from the kitchen and extractions systems and impact on amenity from proposed lighting and potential noise from residents.
- 8.50. Submitted details advise that the proposed opening hours for the café/restaurant will be 10am – 8pm (Mon – Sat) and 10am – 8pm, (Sundays June, July and August only).
- 8.51. The closest domestic properties, not including the proposed dwelling are No 1 and No 3 Gortgranagh Drive which are located approximately 55m from the ‘Welcome Centre’ building. The proposed dwelling is located between the welcome centre and the closest existing dwellings.
- 8.52. Re-consultation was carried out with Environmental Health to allow comment on objections and additional information

received. In their comments dated 09/12/2022 they have raised no objection to the development and have recommended several conditions to help protect residential amenity in terms of noise and odour, lighting conditions and the requirement for a Noise Management Plan. Potential odour, noise and light emissions from the site are therefore not considered to represent a constraint to planning consent for the proposed development.

- 8.53. Concern has been raised in relation to dog fouling however this is the responsibility of the dog owner and cannot be controlled by the planning department.
- 8.54. Objections were also received relating to security and increased crime as a result of the development.
- 8.55. Issues regarding impact on amenity and design have been addressed above as per guidance set out in DCAN 4.

### **Natural Heritage**

- 8.56. The application site includes existing mature trees and hedgerows, grassland and existing buildings to be converted. These elements of the site provided habitats which will be impacted by the development therefore consideration of the impact on these habitats need to be considered.
- 8.57. Initial consultation with DAERA Natural Environment Division (NED) confirmed that a PEA (Preliminary Ecological Appraisal) should be submitted to assess the site for potential natural heritage interests.
- 8.58. During the processing of the application a PEA, Bat Survey and Lighting Assessment were submitted for consideration and re-consultation carried out with NED. Following re-consultation NED have confirmed they consider the proposal unlikely to significantly impact upon natural heritage features or designated site selection feature subject to the recommended conditions.
- 8.59. It is noted that NED have advised of inaccuracies in the submitted information in relation to location of trees to be retained. The agent was advised of these inaccuracies and have

submitted amended site plan, site lighting plan and lighting assessment.

- 8.60. From the information provided it has been demonstrated that the proposed development is not likely to cause harm to protected species and therefore complies with Policy NH 2 of PPS 2.

### **Access and Parking**

- 8.61. The development will be accessed off Wheatsheaf Road. The proposed dwelling will use the existing access and a new access to the north of the existing will be created to serve the holiday park.

- 8.62. Consultation was carried out with DFI Roads, following submission of a Transport Assessment (TA) Form and amended plans DFI Roads have advised they have no objection subject to conditions. The TA outlines estimated journey per day including walking, cycling, car drivers and passengers. These range from between 10 – 12 trips per day.

- 8.63. Clarification has also been sought in relation to parking provision on site. Amended plans indicate provision of 41 spaces provided on site, this provision is in accordance with Parking Standards Guidance and to the satisfaction of DFI Roads.

- 8.64. DFI Roads have also been consulted to allow comment on objections raised in relation to the development and road safety, they have advised that their comments and conditions previously provided remain.

### **Water and Sewage disposal**

- 8.65. Following amendments to the original proposal sewage disposal method the agent has confirmed the development proposes to connect to mains water supply and to dispose of surface water via soakaways and foul sewage is to be disposed of via septic tank. The proposed plans indicate the provision of 2 no. septic tanks as part of the development. One is to be located to the south of the proposed dwelling and the other in the northwestern corner of the site. Consultation has been carried out with NI Water and

DAERA Water Management Unit, they have no objection to the development and have provided advice and conditions.

### **Habitat Regulations Assessment**

- 8.66. 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.

### **Other Matters**

- 8.67. Concern has been raised in regard to impact of the proposed development on the valuation of existing properties. The proposed development has been assessed in accordance with paragraph 2.3 of the SPPS which distinguishes between public and private interests.

## **9. CONCLUSION**

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

## 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 mechanical extraction system serving the development hereby approved shall discharge a minimum of 1-metre above eaves-height, as detailed in Drawing No. 04 (Rev 1) (Proposed Elevations Welcome Building), date stamped 22 July 2022.  
Reason: In the interests of residential amenity.
  
3. In accordance with the Odour Risk Assessment stipulated in Drawing No. 04 (Rev 1) (Proposed Floor Plans Welcome Building), date stamped 22 July 2022, the odour abatement technology and extraction systems serving the development hereby approved shall be designed, operated and maintained in order to achieve high-level odour control in accordance with EMAQ Guidance: 'Control of Odour and Noise from Commercial Kitchen Exhaust Systems - 2022'.  
Reason: In the interests of residential amenity.
  
4. The mechanical extraction system serving the development hereby approved shall only operate between 10:00h - 20:00h (inclusive), Sunday through Saturday.  
Reason: In the interests of residential amenity.
  
5. The rated level of noise from the proposed mechanical extraction system serving the development hereby approved shall not exceed 30dB(A) at the top of the discharge stack, as detailed in Drawing No. 04 (Rev 1) (Proposed Floor Plans Welcome Building), date stamped 22 July 2022.  
Reason: In the interests of residential amenity.
  
6. Within 4 weeks of the council being notified of a reasonable noise/odour complaint from the occupant of a dwelling which

lawfully exists or has planning permission at the date of this consent, the permitted development operator shall at his/her expense employ a suitably qualified and competent person to undertake a noise/odour survey in to order to:

- Assess the level of noise/odour emissions from the permitted development. The duration of such monitoring shall be sufficient to provide comprehensive information on noise/odour levels with the development operating at the maximum capacity.
- Details of the noise/odour monitoring survey shall be submitted to Causeway Coast and Glens Borough Council for written approval prior to any monitoring commencing.
- 2-week prior notification of the date of commencement of the survey shall be provided.
- The noise/odour monitoring survey information shall include detail of any breaches; recommendation of mitigation measures required, and confirmation of implementation of mitigation measures and evidence of noise/odour emission conformance.
- The survey information shall be provided within 4 weeks (unless extended with Causeway Coast and Glens Borough Council) further to a written request from the Council.

Reason: In the interests of residential amenity.

7. The hours of operation including associated delivery movements pertaining to the café hereby approved shall be restricted to 10.00h - 20.00h (Monday - Saturday) and 10.00h – 20.00h Sunday (June, July, August only).

Reason: In the interests of residential amenity.

8. Within 4 weeks of the council being notified of a reasonable noise complaint from the occupant of a dwelling which lawfully exists or has planning permission at the date of this consent, the permitted development operator shall at his/her expense employ a suitably qualified and competent person to undertake a noise survey in to order to:



- Assess the level of noise emissions from the permitted development. The duration of such monitoring shall be sufficient to provide comprehensive information on noise/odour levels with the development operating at the maximum capacity.
- Details of the noise monitoring survey shall be submitted to Causeway Coast and Glens Borough Council for written approval prior to any monitoring commencing.
- 2-week prior notification of the date of commencement of the survey shall be provided.
- The noise monitoring survey information shall include detail of any breaches; recommendation of mitigation measures required, and confirmation of implementation of mitigation measures and evidence of noise emission conformance.
- The survey information shall be provided within 4 weeks (unless extended with Causeway Coast and Glens Borough Council) further to a written request from the Council.

Reason: In the interests of residential amenity.

9. A Noise Management Plan shall be submitted to the Council for agreement prior to commencement of the development hereby permitted.

Reason: In the interests of residential amenity.

10. Site lighting fixtures pertaining to the development hereby approved shall comprise low-level bollard light fittings providing low wattage lighting for amenity purposes only, as detailed in Drawing No. 02 Rev 8.

Reason: In the interests of residential amenity.

11. A formal water / sewer connection application must be made for all developments [prior to occupation], including those where it is proposed to re-use existing connections.

Reason: To prevent pollution and to ensure public safety. To ensure compliance with the Water and Sewerage Services

(Northern Ireland) Order 2006 and the Sewerage Services Act (Northern Ireland) 2016.

12. Development shall not be occupied until the surface water drainage works on-site and off-site have been submitted, approved and constructed by developer and the relevant authority.

Reason: To safeguard the site and adjacent land against flooding and standing water

13. No development activity, including ground preparation or vegetation clearance, shall take place until a new drawing has been submitted to and approved in writing by the planning authority. This drawing shall clearly show:
- a) Trees 1001, 1002 and 1003 retained in their correct locations, with measures to protect them during the construction phase and measures to protect them against disturbance during the operational phase;
  - b) At least three bird boxes and at least four bat boxes are to be installed on site on retained trees as described in the Preliminary Ecological Appraisal (PEA) submitted to DEARAs digital registry 15/11/2023) and in the Bat Survey (uploaded to the NI Planning Portal 18 Oct 2023);
  - c) The retention and protection of the existing hedgerow and all mature trees along the western and southern boundaries of the site in accordance with British Standard 5837:2012 Trees in relation to design, demolition and construction – Recommendations and as shown in Dwg no 02 (Rev 8) uploaded 1<sup>st</sup> Aug 2024.
  - d) Planting of at least 80m of new, mixed, native species hedgerow in compensation for NI Priority habitat hedgerow removed (as described in the Preliminary Ecological Appraisal (PEA) submitted to DEARAs digital registry 15/11/2023).

Reason: To maintain/restore the biodiversity value of the site.

14. Trees 1001, 1002 and 1003 (as shown in the Preliminary Ecological Appraisal (PEA) submitted to DEARAs digital registry 15/11/2023) and all mature trees located along the site boundaries shall be retained and protected during construction in Natural Heritage & Conservation Areas accordance with British Standard 5837:2012 Trees in relation to design, demolition and construction – Recommendations.

Reason: To protect nesting birds and roosting bats and to ensure the continuity of the biodiversity value afforded by existing trees.

15. No retained tree shall be cut down, uprooted or destroyed, or have its roots damaged within the crown spread nor shall arboricultural work or tree surgery take place on any retained tree to be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Planning Authority. Any arboricultural work or tree surgery approved 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.

16. There shall be no external lighting on the site until a Lighting Plan has been submitted to and approved in writing by the Planning Authority. The approved Plan shall be implemented in accordance with the approved details, unless otherwise agreed in writing by the Planning Authority. The Plan shall include the following:

1. Correct locations of the features on site, including trees 1001, 1002 and 1003;
- b) Specifications of lighting to be used across the site;

- c) All measures to mitigate for the impacts of artificial lighting on bats and other wildlife, including low lighting levels to be used across the site;
- d) A map showing predicted light spillage across the site (isolux drawing);
- e) Light spill falling on boundary vegetation and on retained trees, bat boxes and bird boxes to be limited to no more than 1.0 lux.

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

17. No vegetation clearance/removal of hedgerows, trees or shrubs shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a detailed check for active bird's nests immediately before clearance and provided written confirmation that no nests are present/birds will be harmed and/or there are appropriate measures in place to protect nesting birds. Any such written confirmation shall be submitted to the Planning Authority within 6 weeks of works commencing.

Reason: To protect breeding birds.

18. All trees and hedging within the site and along the site boundaries shall be retained unless shown on the approved drawings as being removed. Any existing or new trees or planting indicated on the approved plans which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying, shall be replaced during the next planting season (October to March inclusive) with other trees or plants of a location, species and size to be first approved in writing by the Council.

Reason: In the interests of visual amenity.

19. All hard and soft landscaping works shall be carried out in accordance with the approved details. The works shall be

carried out prior to the occupation of any part of the development unless otherwise agreed in writing by the Council. Any existing or proposed trees or plants indicated on the approved plans which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size, details of which shall have first been submitted to and approved in writing by the Council. All hard surface treatment of open parts of the site shall be permeable or drained to a permeable area. All hard landscape works shall be permanently retained in accordance with the approved details

Reason: In the interests of the character and appearance of the area.

20. No development should take place on-site until the method of sewage disposal has been agreed in writing with Northern Ireland Water (NIW) or a consent to discharge has been granted under the terms of the Water (NI) Order 1999.

Reason: To ensure a practical solution to sewage disposal is possible at this site.

21. Each building shall be provided with such sanitary pipework, foul drainage and rain-water drainage as may be necessary for the hygienic and adequate disposal of foul water and rainwater separately from that building. The drainage system should also be designed to minimise the risk of wrongly connecting the sewage system to the rain-water drainage system once the buildings are occupied.

Reason: In order to decrease the risk of the incorrect diversion of sewage to drains carrying rain/surface water to a waterway.

22. Prior to the commencement of any other development hereby permitted the vehicular access, including visibility splays and any forward sight distance, shall be provided in accordance with Drawing No.02 rev 8 published 1<sup>st</sup> Aug 2024 . The area

within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250mm above the level of the adjoining carriageway and such splays shall be retained and kept clear thereafter.

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

23. The access gradient to the dwelling 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.

24. Notwithstanding the provisions of Part 4 Class A to the Schedule to The Planning (General Permitted Development) Order (Northern Ireland) 2015 or any Order revoking or re-enacting that Order, no change of use is permitted to the development hereby permitted to Class A1 (shops).

Reason: To support the vitality and viability of existing centres in accordance with the provisions of the Strategic Planning Policy Statement for Northern Ireland (SPPS).

25. The holiday cabins hereby permitted shall be used only for holiday accommodation and shall not be used for permanent residences.

Reason: The site is located in the countryside where it is the policy of the Planning Authority to restrict development and this consent is hereby granted solely because of its proposed holiday use.

# Site Location Plan



# Site Plan

