

<b>Title of Report:</b>	<b>Planning Committee Report – LA01/2023/1044/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 – Major and Council Application</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	Nil
Included in Current Year Estimates	N/A
Capital/Revenue	N/A
Code	N/A
Staffing Costs	N/A

<b>Screening Requirements</b>	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:** LA01/2023/1044/F      **Ward:** Torr Head and Rathlin

**App Type:** Full

**Address:** Lands between 13-39 Quay Road, Ballycastle

**Proposal:** New Leisure facilities to Quay Road sports grounds to include new Leisure Centre with swimming pool, gym, studios and associated accommodation, along with new accessible Play Park, BMX Pump Track along with alteration to site access and additional car/coach parking and landscape features.

**Con Area:** Ballycastle      **Valid Date:** 11.10.2023

**Listed Building Grade:** N/A

**Agent:** Hall Black Douglas, 152 Albertbridge Road, Belfast, BT5 4GS

**Applicant:** Causeway Coast and Glens Borough Council, Cloonavin  
66 Portstewart Road, Coleraine, BT52 1EY

**Objections:** 1      **Petitions of Objection:** 0  
**Support:** 0      **Petitions of Support:** 0

## EXECUTIVE SUMMARY

- Full planning permission is sought for New Leisure facilities to Quay Road sports grounds to include new Leisure Centre with swimming pool, gym, studios and associated accommodation, along with new accessible Play Park, BMX Pump Track along with alteration to site access and additional car/coach parking and landscape features, at Lands between 13-39 Quay Road, Ballycastle.
- This a major planning application, which was subject to a PAN. A pre-application community consultation report was submitted to accompany this application.
- The site is located within the urban area within the settlement limit of Ballycastle and zoned as a Local Landscape Policy Area - Designation BEL 01 in the NAP 2016 and within the Conservation Area and Antrim Coast and Glens AONB.
- The site is identified as a Major Area of Existing Open Space in the Northern Area Plan 2016. The south-western portion of the site is zoned for Open Space designation BEO 1 - Quay Road Recreation Grounds Extension.
- The proposal complies with PPS 8 Policy OS 4 Intensive Sports Facilities which makes provision for such development within settlements.
- The proposal is considered to not impact on the character or integrity of the LLPA, AONB, or Conservation Area.
- The loss of open space is considered to be acceptable given: the wider community benefits; the loss of open space is minor at just over 10%, the loss of the all-weather hockey pitch and reduction in the existing GAA pitch will be supplemented by the proposed

development at the Shared Education Campus (LA01/2020/0561/F); the application will have no detrimental impact; the proposed development will provide new recreational facilities through the development of the leisure centre and; the current nature and use of the site.

- The site is within an area of archaeological potential. The proposal will not adversely impact upon archaeological features.
- The proposed development is of an appropriate scale and design within the urban context in which it is located.
- Approval is recommended.

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

## **1 RECOMMENDATION**

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

## **2 SITE LOCATION & DESCRIPTION**

- 2.1 The application site is located at the existing playing fields on the Quay Road, at lands between 13-39 Quay Road, Ballycastle.
- 2.2 The application site extends to 6.5ha and currently includes an existing all-weather pitch, existing GAA pitch, two existing football pitches, an existing carpark and changing pavilion and an existing play park. The Tow River runs beyond the rear/southern boundary of the site. To the north, east and west of the site is mixed development including, residential, commercial/retail. The northern boundary to Quay Road is defined by a stone wall with mature trees. The land is set at a lower ground level than the Quay Road and accessed via an existing access of the Quay Road.
- 2.3 The site is located within the defined development limit of Ballycastle, albeit the existing football pitch 02 is actually outside the defined development limit. The site is within Ballycastle Conservation Area and within Antrim Coast and Glens AONB. The site is zoned as a Major Area of Existing Open Space and the south-western portion is also zoned for Open Space.

## **3 RELEVANT HISTORY**

- 3.1 E/1995/0192/F - Erection of changing pavilion- Playing Fields, Quay Road, Ballycastle Approved 02/11/95

E/1999/0344/F- Redevelopment of existing sports/playing facilities with new car park and synthetic multi-purpose sports pitch- Playing Fields, Quay Road, Ballycastle Withdrawn 02/05/00

E/2004/0100/F -Permission Granted for Proposed new pitches, car parking and coach parking- Quay Road, Ballycastle (existing playing fields) Approved 02/03/05

LA01/2023/0707/PAN- Proposal of Application Notice is Acceptable for New Leisure facilities to Quay Road sports grounds to include new Leisure centre with swimming pool, gym, studios and associated accommodation, along with new accessible Play Park, BMX pump track along with alteration to site access and additional car/coach parking and landscape features- Land between 13-39 Quay Road, Ballycastle PAN Acceptable 26/07/23

LA01/2023/1043/DCA - Careful removal, storage and rebuilding of existing sections of stone wall and piers either side of the existing vehicular site entrance from Quay into the development site, to accommodate a new wider site access road and visibility splays. The sections of wall are to be carefully relocated on the site and rebuilt as existing- Lands between 13- 39 Quay Road, Ballycastle Under Consideration by DfI

## **4 THE APPLICATION**

- 4.1 This is a full planning application for new Leisure facilities at lands between 13-39 Quay Road, Ballycastle to include a new Leisure Centre with swimming pool, gym, studios and associated accommodation and the removal of the existing all-weather pitch. A new accessible Play Park and BMX Pump Track is proposed. The existing GAA pitch will be amended including a reduction in size. The two existing football pitches will be retained. The existing site access will be altered with additional car/coach parking, landscaping, walking paths and associated works.

## **Proposal of Application Notice**

- 4.2 As this application is considered a major application it must comply with the Proposal of Application Notice and carry out community consultation at least 12 weeks prior to the submission of the application.
- 4.3 A Proposal of Application Notice was received on 7<sup>th</sup> July 2023 under application LA01/2023/0707/PAN.

## **Community Consultation Report**

- 4.4 The community consultation report was submitted as part of the planning application received on 7<sup>th</sup> July 2023, which is more than 12 weeks after the Proposal of Application Notice was received, as required by legislation.
- 4.5 The public information event was held at Sheskburn House on 2<sup>nd</sup> August 2023. Two A1 presentation boards were displayed during the event and included the aims and objectives of the project, how the current design proposals respond to the surrounding context, drawings, 3D visuals and information on the environmental design strategy. The boards provided an overview of the consultation process and outlined how feedback could be submitted to the Council and design team. The information continued to be displayed at Sheskburn House until the end of the consultation period on 13<sup>th</sup> September 2013. A PowerPoint presentation and 3D animation were also presented. Members from Causeway Coast and Glens Borough Council and the project design team were in attendance for the duration of the event to answer questions and discuss the project proposals in detail. Attendees were encouraged to provide their views and opinions on the proposals by way of completing a questionnaire and feedback forms.
- 4.6 The event was advertised in the Coleraine Times on Wednesday 9<sup>th</sup> August 2023, and in The Belfast Telegraph, The Irish Times and Ballycastle Chronicle on Thursday 10<sup>th</sup> August 2023. Leaflets were distributed to neighbouring properties within a 200m radius of the proposed development site on Wednesday 16<sup>th</sup> August 2023. Detailed plans of the proposed scheme and consultation process were advertised on both Causeway Coast and Glens Borough Council's website and Hall Black Douglas Architects' website from 21<sup>st</sup> August

2023. The PACC event was also promoted by Causeway Coast and Glens Borough Council via social media. Locally elected members were notified of the submission of the PAN on 14<sup>th</sup> July 2023.

- 4.7 The report states that Hall Black Douglas received a total of 55 hard copy questionnaires from the public event and 3 via email. Causeway Coast and Glens Borough Council website received a total of 350 completed questionnaire responses. A summary of questions and comments has been provided within Section 4.0 of the CCR report, with responses addressing any issues raised.
- 4.8 The community consultation report demonstrates that adequate community consultation has taken place and the feedback received has been considered prior to submission of the application.

### **Design & Access Statement**

- 4.9 A Design & Access Statement is required under Article 6 of the Planning (General Development Procedure) Order (NI) 2015 as the application is considered to be a major application.
- 4.10 A Design & Access Statement was submitted with the planning application. This demonstrates how the proposal is suitable with regards to the site and its setting and demonstrates that it can be adequately accessed by its prospective users. The design principles and concepts considered relate to the setting, proposed works, landscaping, carparking, accessibility and access.
- 4.11 The applicant has undertaken detailed consideration of the proposal in terms of the design principles and concepts.

### **Environmental Impact Assessment**

- 4.12 The proposed development falls within Category 10 (b) of Schedule 2 of The Planning (Environmental Impact Assessment) Regulations (NI) 2017 and therefore the Council is obliged under Regulation 12 (1) to make a determination as to whether the application is for EIA development.



4.13 The Council determined on 7<sup>th</sup> November 2023 that the proposal is not an EIA development and as such this planning application, did not need to be accompanied by an Environmental Statement.

## **5 PUBLICITY & CONSULTATIONS**

### **5.1 External**

Advertising: Advertised in the Coleraine Chronicle on the 25.10.2023.

Neighbours: Neighbours were notified on 18.10.2023.

No letters of support were received on this application.

1 letter of objection was received for this application. The issues raised include the following;

- Name of the park should pay homage to the Belford family who gifted this land to the people of Ballycastle for a park.
- There should be something historically included in the park to commemorate the significance of the park in World War 2 and the link with American and Canadian Soldiers.
- Consideration should be given to access to properties on Quay Road as the facility will bring a significant increase in traffic through Ballycastle.
- Swimming pool should be 6 lanes as any less is creating a lack of parity with similar centres in NI.
- Area 5 should become an extension of the existing area along the Quay Road creating a natural park area for the elderly and those who are less mobile.
- The pump track should be relocated from Area 5 to an area near the play park at the bottom of the park. Due to the nature of the sport, it should not be near the main road due to health and safety considerations.

### **5.2 Internal**

NI Water: no objections.

Environmental Health: no objections.

DFI Roads: no objections.

HED HM: no objections.

HED LB: no objections.

NIEA NED no objections.

NIE: No objections.

DFI Rivers: no objections.

Development Plan and Conservation Officer CCGBC: 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:
- 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) 2015

Planning Policy Statement 2 – Natural Heritage

Planning Policy Statement 3 (PPS 3) – Access, Movement and Parking

Planning Policy Statement 6 – Planning, Archaeology and Built Heritage

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

Planning Policy Statement 15 – Planning and Flood Risk

Policy DES2 – Townscape, within A Planning Strategy for Rural Northern Ireland

Ballycastle Conservation Area Guide

## 8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to the principle of development, Loss of Open Space, impact on LLPA, impact on Conservation Area, Scale and Design, Archaeological and Built Heritage, Amenity, Access, flooding and Natural Heritage.

### **Principle of development**

- 8.2 Paragraph 2.3 of the SPPS states that the planning system is to operate in the public interest of local communities and the region as a whole and encompasses the present as well as the future needs of society. Policy DES2 – Townscape, within A Planning Strategy for Rural Northern Ireland requires development proposals in towns and villages to be sensitive to the character of the area surrounding the site in terms of design, scale and use of materials and also outlines that an assessment is required as to whether the type of development is suitable for the site.

- 8.3 The majority of the site is located within the settlement limit of Ballycastle where there is a presumption in favour of development. A portion of the site is outside the defined development limit to the existing football pitch 02. However, this pitch is zoned for open space use in the NAP 2016 and already developed for playing fields and within the playing fields existing grounds. The development is within an area of mixed used consisting of residential, commercial and educational. There is an established recreational/leisure/outdoors sports use on the site.
- 8.4 The proposal seeks full planning permission for new leisure facilities to Quay Road sports grounds to include a new leisure centre with swimming pool, gym, studios and associated accommodation, along with a new accessible Play Park, BMX Pump Track along with alteration to site access and additional car/coach parking and landscape features.
- 8.5 Policy OS 4 Intensive Sports Facilities of PPS 8 provides the lead policy for the proposal. This makes provision for such facilities as a leisure centre within settlements subject to criteria regarding: residential amenity; archaeology and built heritage; design; taking into account the needs of people with disabilities; priority given to walking cycling and public transport; access and; parking.
- 8.6 Given the site's existing use, and the variety of uses in the vicinity of the site, the proposed development is considered an appropriate land use and will have no significant impacts on adjacent properties. The application will enhance the recreational facilities at the site and within the area of Ballycastle.
- 8.7 The development will not appear significantly prominent or detrimental to the character of this built-up area. The Planning Department considers that the site represents a suitable location for the proposal and a suitable land use within the settlement limit.

### **Loss of Open Space**

- 8.8 The site is zoned as a Major Area of Existing Open Space in the Northern Area Plan 2016. The south-western portion of the site is zoned for Open Space BEO 1 - Quay Road Recreation Grounds Extension and the NAP notes, "This area is now laid out as a sports pitch, to meet the need of additional recreational space in the town."

- 8.9 All existing open space, whether identified in development plans or not, is protected under Policy OS 1 of Planning Policy Statement 8 – Open Space, Sport and Outdoor Recreation.
- 8.10 Policy OS 1 - Protection of Open Space notes that the Department will not permit development 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. An exception will also be permitted where it is demonstrated that the loss of open space will have no significant detrimental impact on the amenity, character or biodiversity of an area and where either of the following circumstances occur:
- (i) in the case of an area of open space of 2 hectares or less, alternative provision is made by the developer which is at least as accessible to current users and at least equivalent in terms of size, usefulness, attractiveness, safety and quality; or
  - (ii) in the case of playing fields and sports pitches within settlement limits, it is demonstrated by the developer that the retention and enhancement of the facility can only be achieved by the development of a small part of the existing space - limited to a maximum of 10% of the overall area - and this will have no adverse effect on the sporting potential of the facility. This exception will be exercised only once.
- 8.11 The application site currently comprises 4 pitches to include an existing football pitch 01, existing football pitch 02, existing GAA pitch and existing all weather pitch. As well as existing changing pavilion, existing carpark and existing play park.
- 8.12 The application proposes the following;
- Existing football pitch 01 – will remain unaltered.
  - Existing football pitch 02 – The pitch markings and nets will be relocated by approximately 3m to account for the location of the new walking and running trail to the north of the pitch. Grass area to the pitch and surrounding area to remain untouched.
  - Existing GAA Pitch – A section of the pitch to be removed to accommodate the proposed car parking area and running and walking trail.

- Existing all weather pitch – Is to be completely removed to accommodate the proposed Leisure Centre Building.
- Existing changing pavilion – will remain unaltered.
- Existing carpark - Existing access road, car parking area to be removed and replaced with new bitmac finish and Car Parking area layout altered and extended.
- Existing play park – To be removed and replaced with a new bump track. A new play park will be created to the south-eastern portion of the site.

8.13 The proposed development is located at existing sports/playing fields within the development limit of Ballycastle. The application proposes the redevelopment of these playing fields to upgrade the current facilities. The development will result in the loss of existing open space mainly through the removal of the existing all weather pitch to accommodate the proposed new leisure centre building.

8.14 The agent submitted as “Loss of Open Space Justification Report”. This report details the following;

*“There will be a reduction of 10.8% of the overall open space within the site. While the development of the proposed leisure centre results in a slight reduction of open amenity space, we believe that the creation of state of the art leisure facilities and the substantial benefits to the surrounding Ballycastle community outweighs this loss in open space. The remaining 89.2% will be developed to provide external facilities including a BMX pump track, Accessible Play Park and perimeter lit running/walking trail.*

*The proposals for the Quay Road site have been developed in consideration of the new leisure facilities that will be provided at the Ballycastle Shared Education Campus (LA01/2020/0561/F), which include a 4 court sports hall, changing pavilion and 3 floodlit pitches (3G GAA Pitch, 3G Soccer Pitch and Astro turf Hockey Pitch). The facilities will be co-funded by Causeway Coast & Glens Borough Council for out of school hours community use.*

*The intention is for the new sports pitches at the Shared Education Campus to replace the provision of the all-weather pitch and reduced GAA pitch at the Quay Road site. Subsequently, the loss of the all-weather hockey pitch and amenity space within the development site will be supplemented by the new facilities elsewhere within the town of Ballycastle.*

*The current indoor leisure facilities within Ballycastle are located at Sheskburn House. The building was historically used as a school facility within the town and was not designed to provide purpose built leisure facilities. The building currently does not accommodate swimming facilities.*

*The proposed facilities include a 25m Swimming Pool (4 lane), Gym, large Studio, Changing, Reception/Office, Splash Area and modest Spa features, food dispensing/vending area, Changing Places facility, Bouldering Wall, Outdoor Pump Track, Off-road Running/Walking Trail and Accessible play park. The proposed works will also aim to improve the vehicular and pedestrian site access making using the existing facilities and amenity space at Quay Road more efficient and safer for visitors, whilst providing DDA compliant connections throughout the site and to the Tow River path beyond.*

*The development will generate substantial community benefit in fulfilling an identified site specific need by providing state of the art public leisure facilities. The facilities will also contribute to the local economy and create jobs both directly and indirectly through construction, future maintenance and within the leisure centre itself.*

*Causeway Coast and Glens Borough Council and the Project Design Team organised a Pre-Application Community Consultation public event....The responses showed an increase in anticipated daily, weekly and monthly use to leisure facilities within the town. This demonstrates how the proposed development would provide a significant community facility that would be used by local residents on a regular basis. Generally feedback obtained during the consultation was positive, with most participants welcoming the provision of new leisure facilities within the town.”*

- 8.15 In consideration of the above information submitted it is accepted that the redevelopment will bring substantial community benefits that decisively outweigh the loss of the open space. In addition, the loss of open space is minor at just over 10%. The loss of the all-weather hockey pitch and reduction in the existing GAA pitch to a GAA training pitch will be supplemented by the proposed development at the approved Shared Education Campus (LA01/2020/0561/F) which includes 4 court sports hall, changing pavilion and 3 floodlit pitches (3G GAA Pitch, 3G Soccer Pitch and Astro turf Hockey Pitch). Considering the new recreational facilities that will be provided

on site through the development of the leisure centre, and the alternative provision approved elsewhere, it is accepted in this instance that the loss of open space is acceptable and complies with Policy OS 1.

### **Impact on LLPA**

- 8.16 The application site is zoned as within Tow Valley Lower Local Landscape Policy Area – Designation BEL 01 in the NAP 2016. Policy ENV 1 of the plan notes that Planning permission will not be granted for development proposals that would be liable to affect adversely those features, or combination of features, that contribute to the environmental quality, integrity or character of a designated LLPA. Where development is permitted, it will be required to comply with any requirements set out for individual LLPAs in the District Proposals.
- 8.17 Policy BEL 01 that those features or combination of features that contribute to the environmental quality, integrity or character of this LLPA are; “The wooded slopes and open recreational grounds of the lower Tow valley contribute greatly to the quality of the setting of Ballycastle. The wooded mound of Dun-aMallaght motte is a landmark feature within this area.”
- 8.18 Policy BEL 01 continues, “The landscape quality of this area needs to be respected, therefore, no development outside the development limit is acceptable. Within the development limit, any development, including the housing zonings, should be respectful of the landscape features on the site that contribute to the LLPA.”
- 8.19 The majority of the application site is within the development limit of Ballycastle. The existing football pitch 02 is actually outside the defined development limit, but is zoned for open space and already been developed for recreational use and included within the playing fields grounds. The site includes the open recreational grounds of the lower Tow valley. The proposed development will enhance and maintain these recreational grounds and is not considered to adversely the environmental quality, integrity or character of this LLPA.
- 8.20 Development Plan section within the Planning Department were consulted on the application and raised no objections.



8.21 The application complies with Policies ENV 1 and BEL 01 of the NAP.

### **Impact on Conservation Area**

8.22 The application site is within Ballycastle Conservation Area. PPS 6, Policy BH 12, New Development in a Conservation Area notes that the Department will normally only permit development proposals for new buildings, alterations, extensions and changes of use in, or which impact on the setting of, a conservation area where all the following criteria are met:

- (a) the development preserves or enhances the character and appearance of the area;
- (b) the development is in sympathy with the characteristic built form of the area;
- (c) the scale, form, materials and detailing of the development respects the characteristics of adjoining buildings in the area;
- (d) the development does not result in environmental problems such as noise, nuisance or disturbance which would be detrimental to the particular character of the area;
- (e) important views within, into and out of the area are protected;
- (f) trees and other landscape features contributing to the character or appearance of the area are protected; and
- (g) the development conforms with the guidance set out in conservation area documents.

8.23 Considering the nature of the development for the re-development of an existing recreational site it is considered the type of development/use is sympathetic to the existing character.

8.24 The proposed new leisure centre building will have an overall ridge height of approximately 10.25m. The roof is a broken up into a combination of mono-pitch and flat roofs. The front elevation to the Quay Road will have a frontage of approximately 39.5m. The building will then extend to the rear/south of the site by approximately 61m and is broken up in different blocks/units. The building will be finished in a combination of buff clay facing brick and stone clad canopy.

8.25 The Conservation Officer in the Planning Department raised no objections to the scheme noting, "In terms of the design of the new Leisure Centre building, it is considered to have an appropriate massing and scale for a new civic styled building and, given the changing levels and low profile design, will sit comfortably within its

context, still allowing for views through to surrounding features of the Conservation Area...With regard to material finishes, it is acknowledged that the design analysis has identified existing materials and architectural detailing of key civic buildings within the Conservation Area, with the Ashlar Sandstone of Holy Trinity Church a particular reference, and a buff brick has been selected in the design... Other hard surfacing and landscaping features involve quality materials and finishes, which consist of high-quality durable long lasting materials, appropriate to the Conservation Area setting”

- 8.26 The Conservation Officer did request that the multiple colour scheme of the soft surface areas of the playground should be more limited in number and muted in colour given the setting within the Conservation Area, for example the surfacing should be amended to include 1 or 2 colours (such as light blue, and sand/beige). Amended plans were since received to address this. The amended scheme as per drawing 11A shows a two-colour scheme of dark green and light beige colour and is considered acceptable.
- 8.27 The proposal is considered acceptable under Policy BH 12. Given provisions in legislation regarding Council applications in a Conservation Area, the application for consent to remove and rebuild sections of the stone wall to the Quay Road frontage (Ref: LA01/2023/1043/DCA) is being considered by Dfl. This is discussed further in the Access and Parking section below.

### **Scale and Design**

- 8.28 The application proposes new Leisure facilities to the Quay Road sports grounds to include a new Leisure Centre with swimming pool, gym, studios and associated accommodation, along with new accessible Play Park, BMX Pump Track along with alteration to site access and additional car/coach parking and landscape features.
- 8.29 The proposed scale and design of the leisure centre building is considered acceptable at this location. The site is set at a much lower ground level than the Quay Road by approx. 5m which reduces the visual impact of the development. The building is set back some 35m from the roadside also. The roadside boundary is defined by an existing stone wall with some existing mature trees to this roadside boundary. Planting is shown along this roadside boundary. The

design and scale of the development will not appear significantly prominent or detrimental to the character of this built-up area.

- 8.30 The proposed play park will be located to the rear of the site. Considering the scale of the development proposed, the position of the development on the site some 120m set back from the roadside, the existing and proposed roadside boundary treatment, it is considered the scale and design of the playpark will not be detrimental to the character of this area.
- 8.31 The proposed additional car parking provision provided on site will have no detrimental impact on the character of the area.
- 8.32 The proposed BMX Track will have no detrimental impact on the character of the area. The track will replace the existing play park on site. There is no build development proposed and it will consist of an asphalt track.
- 8.33 HED Listed Buildings have been consulted on the design/scale of the development in relation to adjacent listed buildings and have raised no objections.
- 8.34 The development will not be a visually obtrusive feature in the townscape. The design and scale and use of materials are acceptable and comply with DES2 of PSRNI. The proposal complies with the design criterion of Policy OS 4 of PPS 8.

### **Archaeology and Built Heritage**

- 8.35 The application site is located within an area identified as an Area of Archaeological Potential within the Northern Area Plan and in proximity to nearby Listed Buildings. The applicant submitted an Archaeological Impact Assessment report. Historic Environment Division were consulted to assess the potential impact of the proposal.
- 8.36 HED listed buildings raised no objections to the proposed development.
- 8.37 The site benefits from existing boundary treatment and screening to the roadside which reduces visual impact. The site is also set at a lower ground level than the road which minimises the visual impact of the proposed built development. The proposed development will not

be detrimental to the setting of the listed buildings. The proposal complies with Paragraph 6.12 of the SPPS and Policy BH11 of PPS6.

- 8.38 Historic Monuments has not raised any objection. They have assessed this application and accept the conclusions of the submitted Archaeological Impact Assessment that no further archaeological mitigation is required within the red line area of the application. HED advise that it is acceptable to PPS 6 and SPPS archaeological policy requirements. The proposal complies with Paragraph 6.11 of the SPPS and Policy BH4 of PPS6. Likewise, the proposal complies with the similar criterion of Policy OS 4 of PPS 8.

### **Amenity**

- 8.39 To application site is within the development limit of Ballycastle. The area is mixed use with residential, commercial/retail to the north, east and west.
- 8.40 Considering the current nature and use of the site, and the location within the development limit of Ballycastle, the proposed development is not considered to have any detrimental impacts to residential amenity. The proposed built development consists of mainly the new leisure centre building and considering its urban context, the current use of the site, its proposed scale and massing and proximity to neighbouring buildings, it is not considered to have any detrimental impacts to the amenity of surrounding buildings/development and is considered an appropriate land use.
- 8.41 The Applicant submitted a noise impact assessment and lighting report with the application. Environmental Health was consulted on the application and in their most recent response raised no objections and recommended conditions. The proposal complies with the amenity criterion of Policy OS 4 of PPS 8.

### **Access and Parking**

- 8.42 PPS 3, Policy AMP 2, Access to Public Roads notes planning permission will only be granted for a development proposal involving direct access, or the intensification of the use of an existing access, onto a public road where: a) such access will not prejudice road safety

or significantly inconvenience the flow of traffic; and b) the proposal does not conflict with Policy AMP 3 Access to Protected Routes.

- 8.43 The application proposes the use of the existing access onto Quay Road with alterations including setting back of the stone wall which is to be relocated. DFI Roads has been consulted on the application and in their most recent consultation response raised no objections. The proposal complies with Policy AMP 2 of PPS 3. The ability to proceed with the development is predicated on Conservation Area Consent being granted for the setting back of the stone wall. This application is being progressed by DfI (Ref: LA01/2023/1043/DCA). To regulate this matter, a specific planning condition is proposed.
- 8.44 The proposal includes a total of 104 parking spaces. These comprise 88 standard parking spaces, 12 wheelchair accessible spaces and 4 coach parking spaces. In addition, there is provision for 40 cycle stands. This meets the parking standards and is acceptable to DfI Roads. The appearance of the car parking areas is improved by the use of block paving and a screen hedge towards Quay Road. The proposal complies with Policy AMP 7 of PPS 3. The proposal complies with the access and parking criteria of Policy OS 4 of PPS 8.
- 8.45 The proposal is accessible on foot a short distance from Ballycastle Town Centre with associated public transport services. The car parking layout, as identified above, provides wheelchair accessible spaces and the building has level access. Provision is made for cycling and cycle parking. Accordingly, the proposal complies with these criteria of Policy OS 4 of PPS 8.

## **Flooding**

- 8.46 A watercourse runs to the rear southern boundary of the site. A portion of the site to the southern boundary is within the Fluvial Flood plain and FLD 1 of PPS 15 would apply.
- 8.47 PPS 15 Planning and Flood Risk, Policy FLD 1 notes that development will not be permitted within the 1 in 100 fluvial flood plain unless it constitutes an exception to the policy. It is noted that there is no built development proposed within the floodplain. The Applicant submitted a Flood Risk Assessment. DFI Rivers was consulted and noted, "The Flood Risk Assessment demonstrates through river modelling that the newly proposed built development does not lie

within the Q100 fluvial floodplain nor the 1 in 200-year coastal flood plain. DfI Rivers, while not being responsible for the preparation of the report accepts its logic and has no reason to disagree with its conclusions. Consequently, DfI Rivers cannot sustain a reason to object to the proposed development from a drainage or flood risk Perspective... It should be a condition of planning that the area of floodplain, if designated as open space by Planning Service under FLD 1(f) of Revised Planning Policy Statement 15, should not be raised or the flood storage capacity and flood conveyance route reduced by unsuitable planting or obstructions”.

8.48 There is no proposed built development within the floodplain and FLD 1 is not engaged accordingly.

8.49 The site is affected by two designated watercourses to include Tow River and Gortnamaddy Burn. FLD2 - Protection of Flood Defence and Drainage Infrastructure of PPS 15 applies. FLD 2 notes, “The planning authority will not permit development that would impede the operational effectiveness of flood defence and drainage infrastructure or hinder access to enable their maintenance.”

8.50 DfI Rivers was consulted and noted, “Figure 5-2 within the FRA shows a 5m maintenance strip is to be provided from top of bank for both watercourses. They should be protected from impediments including tree planting, hedges, permanent fencing, sheds, land raising, permitted development rights or future unapproved development by way of a planning condition. Access to and from the maintenance strip should be available at all times. The FRA also indicates a 5m maintenance strip is to be provided from top of bank for an undesignated watercourse traversing part of the site, discharging into the Tow River. Under 6.32 of the policy, it is essential that a working strip with a minimum width of 5m from the top of the bank is retained”. This condition will be added to any approval.

8.51 The application meets FLD 2 of PPS 15.

8.52 The southern boundary of the site is within the Surface Water (Pluvial) flood zone and PPS 15, Policy FLD 3 would apply.

- 8.53 PPS 15, Policy FLD 3 - Development and Surface Water (Pluvial) Flood Risk Outside Flood Plains requires a drainage assessment for a project of this scale.
- 8.54 Rivers required the submission of Schedule 6 consent before a final response could be made. The agent submitted the Schedule 6 application, flow drainage design calculations and proposed drainage layout on 15<sup>th</sup> August 2024.
- 8.55 Dfl Rivers advised that the submitted information has demonstrated that the design and construction of a suitable drainage network is feasible. However the Drainage Assessment indicates that this is a preliminary drainage design, therefore Dfl Rivers request a condition to be included to safeguard against flood risk.
- 8.56 The application meets FLD 3 of PPS 15.
- 8.57 DFI Rivers advised in their initial consultation response that, “based on the most up to date modelling information on predicted flood risk available to the Department, the climate change flood maps indicate a small portion of the site lies within the 1 in 100 year climate change fluvial flood plain and the 1 in 200 year climate change coastal flood plain...Dfl Rivers considers that in accordance with the precautionary approach, that part of development proposal, is at risk of potential flooding in the climate change scenario and, unless the planning authority considers it appropriate to apply the ‘Exceptions’ principle contained within FLD 1, that the proposal would be incompatible with the overall aim and thrust of regional strategic planning policy in relation to flood risk, i.e. to prevent future development that may be at risk from flooding or that may increase the risk of flooding elsewhere. The planning authority is advised to consider this as a material consideration.”
- 8.58 The Agent submitted Doc 03 which noted, “The Applicant is aware that a small portion of the site lies within the 1 in 100 Year Climate Change Fluvial Flood Plain and the 1 in 200 Year Climate Change Coastal Flood Plain. The site elements affected include an existing pedestrian access path, existing grass playing field and grass amenity spaces, all other built development including the proposed Play Park, Car parking, BMX Pump Track and Leisure Centre Building are sited outside of the flood plains identified within the FRA. Subsequently, the applicant requests that the ‘Exceptions’ principle contained within FLD1 is applied to the proposed application. The Applicant is also

aware of their responsibility to address any future flooding issues within the development site associated with the floodplains identified”.

- 8.59 The Applicant is aware of the climate change flood plain. While Policy FLD 1 of PPS 15 does not preclude development in the climate change flood plain, no built development is proposed in that area in any case.

### **Natural Heritage**

- 8.60 The Applicant submitted a PEA and Doc 05 response to NED. NED was consulted and in their most recent response noted, NED has considered the impacts of the proposal on designated sites and other natural heritage interests and, on the basis of the information provided, has no concerns. NED note from document 05 that the two lights that will be erected closest to the existing pavilion building will be fitted with directional hoods and will controlled with motion sensors to provide part time lighting to significantly reduce light spill on the building to below 2 Lux. NED are content that provided the additional mitigation measures are adhered to, the proposal is unlikely to have a significant impact to bats. It is considered that the application meets NH 2 and NH 5 of PPS 2 in that it will no detrimental impact on protected species, habitats or natural heritage.
- 8.61 The application site is located within the Antrim Coast and Glens AONB. PPS 2, Policy NH 6 - Areas of Outstanding Natural Beauty notes 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 and all the following criteria are met: a) the siting and scale of the proposal is sympathetic to the special character of the Area of Outstanding Natural Beauty in general and of the particular locality; and b) it respects or conserves features (including buildings and other man-made features) of importance to the character, appearance or heritage of the landscape; and c) the proposal respects:  local architectural styles and patterns;  traditional boundary details, by retaining features such as hedges, walls, trees and gates; and  local materials, design and colour.
- 8.62 As assessed above, the proposed scale, design and massing of the built development on site is considered appropriate and sympathetic to the character of the area. The proposed leisure development is an



existing playing field site and the proposed works will not be detrimental to the character of this AONB. It is considered the application meets Policy NH 6.

### **Other Matters**

- 8.63 NI Water initially recommended refusal as network capacity issues have been identified. This establishes significant risks of detrimental effect to the environment and existing properties. NIW advised that a Wastewater Impact Assessment was required. Following submission of a WWIA, NIW advise that a solution has been agreed and Stage 1 has been signed off by NIW. Consequently, NIW is now able to recommend approval of the proposal subject to a condition.
- 8.64 NIW advised that the proposed development may experience nuisance due to its proximity to the operations of the existing Wastewater Treatment Works. NIW advise that the requirements of PPS 11, particularly Policy WM 5 can be satisfied. The application site is located approximately 145m from the Wastewater Treatment Works. Given the nature of the proposal and separation distance from the WWTW, it is considered that the proposal will not prejudice or unduly restrict activities permitted to be carried out within the facility. It will not give rise to unacceptable adverse impacts in terms of people, transportation systems or the environment. The Environmental Health Department has not raised any issues regarding nuisance from the WWTW. It is considered that the proposal complies with Policy WM 5 of PPS 11.

### **Habitats Regulation Assessment**

- 8.65 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.

## **Representations**

- 8.66 1 representation, an objection, has been received for this application, the detail of which is set out at section 5.1
- 8.67 The naming of the site is not a matter for this application. Neither is there a requirement for the site to contain commemoration of events during the Second World War. There is no requirement for the swimming pool to be larger than proposed to create parity with facilities elsewhere. Likewise, there is no necessity for the site to contain a natural park area. These are all matters for the Leisure and Development Department of the Council.
- 8.68 The access arrangements to Quay Road are acceptable and DfI Roads as the competent authority is content. The siting of the pump track is acceptable and is not considered to present health and safety issues. The stone wall fronting Quay Road is to be reinstated which will separate the pump track from the public road.

## **9 CONCLUSION**

- 9.1 The proposal is considered acceptable in this location having regard to the Northern Area Plan 2016 and other material considerations. The proposal has been assessed against the Northern Area Plan and relevant planning policy and guidance, and is considered appropriate in terms of its use, scale, layout and appearance. While contemporary, the proposal presents an acceptable design solution within the Conservation Area. The proposal is acceptable regarding other issues including amenity, access, parking, archaeology, landscaping and natural heritage. Approval is recommended.

## **10 Conditions and Informatives**

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

Reason: Time Limit.

2. All planting, landscaping and boundary treatments comprised in the approved details of Drawing No. 04A shall be carried out

during the first planting season following the commencement of works and any trees, hedgerow or shrubs which, within a period of five years from the completion of the development, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with other similar size and species.

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

3. Prior to the development becoming operational, the car-parking shall be constructed surfaced in the materials shown on approved drawing 02C and permanently marked in accordance with the approved drawing 02C to provide adequate facilities for parking and circulating within the site. No part of these hard surfaced areas shall be used for any purpose at any time other than for the parking and movement of vehicles.

Reason: In the interest of visual amenity and to ensure that adequate provision has been made for parking and circulation within the site.

4. The area of floodplain shall not be raised or the flood storage capacity and flood conveyance route reduced by unsuitable planting or obstructions.

Reason: To protect against flooding.

5. A working strip of minimum width 5m to the watercourse shall be retained and be protected from impediments (including tree planting, hedges, permanent fencing and sheds), land raising or future unapproved development. Access to and from the maintenance strip should be available at all times.

Reason: To protect the watercourse from polluting discharges and allow access for DFI Rivers.

6. If, during the proposed development, any ground contamination is encountered then all works on the site shall cease. Causeway Coast and Glens Borough Council Environmental Health Department shall be informed and sufficient information to assess potential risks arising from the former use of the land shall be submitted to the Council in consultation with the Environmental Health Department. Any necessary mitigation / remediation measures shall be clearly specified. The above work should be undertaken by a suitably competent person/s and in accordance with current government guidance.

Reason: In the interest of public health.

7. No retained tree, other than those required for the purpose of carrying out development as indicated on the approved Drawing 04A , shall be cut down, uprooted or destroyed, or have its roots within its root protection area damaged or subject to any soil level changes, without the prior written consent of the Department for Infrastructure other than in accordance with the approved plans and particulars of this application. Development will be taken to include the main development, any associated buildings, access and service provision.

Reason: To ensure the retention of trees and to the ensure continuity of the landscape amenity afforded by these trees.

8. Prior to any development on site, all trees identified to be retained as indicated on the approved Drawing 04A, must have their roots protected, as per the measures detailed in submitted Arboricultural Method Statement. The erection of fencing required for the protection of retained trees shall be undertaken in accordance with BS5837 (2012) 'Trees in Relation to Construction'. The fencing must be in place before any equipment, machinery or materials are brought on to the site for the purposes of the approved development and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. No materials shall be stored or fires lit within these Root Protection Areas in accordance with this condition. The ground levels within these areas shall not be altered, nor shall any excavation be made

or any other works carried out, other than in accordance with the approved plans and particulars of this application.

Reason: To protect the sensitive roots of the trees to be retained and ensure their future health and vitality.

9. All Arboricultural work shall be implemented in accordance with the submitted Tree Survey Report and Arboricultural Method Statement with Tree Protection Measures and shall be carried out in accordance with BS5837 (2012) 'Trees in Relation to Construction'. Any remedial works to be carried out by a competent Tree Surgeon, preferably an Arboricultural Association approved contractor.

Reason: To ensure the continuity of amenity afforded by existing trees and provision of a professional standard of workmanship.

10. No development shall 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: This condition is both to ensure protection to the aquatic environment and to help the applicant avoid incurring unnecessary expense before it can be ascertained that a feasible method of sewage disposal is available. The applicant should note this also includes the purchase of any waste-water treatment system.

11. If during the development works, new contamination or risks to the water environment are encountered which have not previously been identified, works should cease and the Planning Authority shall be notified immediately. This new contamination shall be fully investigated in accordance with the Land Contamination: Risk Management (LCRM) guidance available at: <https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks>. In the event of unacceptable risks being identified, a remediation strategy shall be agreed with the Planning Authority in writing, and subsequently implemented and verified to its satisfaction.

Reason: Protection of environmental receptors to ensure the site is suitable for use.

12. After completing all remediation works under Condition 11 and prior to occupation of the development, a verification report needs to be submitted in writing and agreed with the Planning Authority. This report should be completed by competent persons in accordance with the Land Contamination: Risk Management (LCRM) guidance available at: <https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks>. The verification report should present all the remediation and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and achieving the remedial objectives.  
Reason: Protection of environmental receptors to ensure the site is suitable for use.

13. The resultant level of noise emissions at nearest noise sensitive receptors from the development hereby approved shall not exceed the calculated noise levels detailed within Table 7, Noise & Odour Impact Assessment Report Reference P710/1, November 2023.

Reason: In the interests of residential amenity.

14. 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 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 weeks prior notification of the date of commencement of the survey shall be provided.

The noise/odour survey information shall include detail of:

- Any noise/odour limit/s breaches
- Recommendation of mitigation required
- Confirmation of implementation of mitigation measures and evidence of noise/odour limit/s conformance.

The noise/odour 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.

15. The hours of operation of the development hereby approved shall be restricted, as follows: Monday to Sunday 07:00 to 23:00 hours.

Reason: In the interests of residential amenity.

16. Prior to development hereby approved, a construction noise management plan shall be submitted to and approved in writing by the Council. The plan shall have regard to relevant British Standard 5228: 2009, Parts 1 and 2 and must detail the method to ensure the achievement of best practicable means to reduce the effect of noise and vibration. The plan shall include:
- A demolition and construction detailed method statement which is applicable to each phase of the proposed development, which shall stipulate the hours of working proposed and relevant conformance criteria (noise and vibration limits).
  - Procedures to ensure and demonstration of good public relations, prior notification processes, complaint management and resolution
  - Arrangement for notification and liaison with Causeway Coast and Glens Borough Council, Health and Built Environment Department with regard to employment of best practicable means, the applicant shall ensure due regard to BS 5228:2009.
  - Details of pre-demolition, construction noise and vibration monitoring surveys.
  - Reporting mechanism for all noise and vibration monitoring surveys during the course of works and in the event of any

reported complaints. Details of surveys and monitoring results shall be made available to the Planning Authority upon request.

Reason: In the interests of residential amenity.

17. No additional noise generating plant and equipment shall be permitted to operate within the development as approved.

Reason: In the interests of residential amenity.

18. In accordance with the Odour Impact Assessment, dated November 2023, 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). This should be via the installation of a 3 stage odour filtration system, which should include the installation of the following components:

- a fine filtration unit or ESP system, followed by a suitably rated activated carbon filter system (i.e. 0.2-0.4 sec residence time for high volume of fried foods etc); or
- a fine filtration unit or ESP system, followed by a UV ozone system to achieve the same level of control as above;
- extraction ducting fitted to min. 1m above eaves level and capable of discharging at 10m/s.

Odour dispersion shall be secured by effective height of flues being no less than 1 metre above roof eaves height. Should cooking facilities be provided within the café or staff kitchen area in the future, then a similar odour abatement system will be required for each of these rooms.

Reason: In the interests of residential amenity.

19. The lighting scheme for the development hereby approved shall be designed, installed, operated and maintained in accordance with the submitted Outdoor Lighting Report, Document 02, (19.12.2023). Light pollution shall be obviated by ensuring



adherence to the Institute of Lighting Professionals: Guidance Notes for the Reduction of Obtrusive Light GN01: 2021.

Reason: In the interests of residential amenity.

20. No development shall commence onsite, until the alterations to the existing vehicular access including visibility splays, right turn lane and puffin crossing shall be provided in accordance with Drawing No. 32, 33 and 34 published 31st January 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.

21. The access gradient to the development hereby permitted shall not exceed 4% (1 in 25) over the first 10m outside the road boundary. Where the vehicular access crosses a footway, the access gradient shall be between 4% (1 in 25) maximum and 2.5% (1 in 40) minimum and shall be formed so that there is no abrupt change of slope along the footway.

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

22. The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992. The Department hereby determines that the width, position and arrangement of the streets, and the land to be regarded as being comprised in the streets, shall be as indicated on Drawing No. 32 published 31st January 2024.

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

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

Order 1992. No other development hereby permitted shall be commenced until the works necessary for the improvement of a public road have been completed in accordance with the details outlined blue on Drawing No. 34 published 31st January 2024. The Department hereby attaches to the determination a requirement under Article 3(4A) of the above Order that such works shall be carried out in accordance with an agreement under Article 3 (4C).

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

24. No retained tree, shown as retained on the Tree Constraints Plan (drawing a001) 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 continuity of the biodiversity value afforded by existing trees and protect bats and their refuges.

25. The Outdoor lighting report (document 02), and the further lighting mitigation measures stated in Document 05 shall be implemented in full in accordance with the approved details and all works on site shall conform to the approved plan, unless otherwise approved in writing by the Council.

Reason: To protect bats and other wildlife

26. In the first planting season following the commencement of development, the Landscape Plan (drawing 04-A0), shall be implemented in full in accordance with the approved details and all works on site shall conform to the approved plan, unless otherwise approved in writing by the Council.

Reason: To maintain the biodiversity value of the site.

27. A buffer of at least 10m must be established and maintained between the Tow River and the location of all refuelling, storage of

oil/fuel, concrete mixing and washing areas, storage of machinery/material/spoil etc.

Reason: To protect the aquatic environment and NI priority habitat

28. The development hereby approved shall not be occupied until the approved wastewater network engineering solution to mitigate the downstream foul capacity issues has been delivered.

Reason: To ensure a practical solution to sewage disposal from this site.

29. No development shall take place until Conservation Area Consent has been granted for the setting back of the stone boundary wall fronting Quay Road.

Reason: To retain the amenity afforded by the wall to preserve the character and appearance of Ballycastle Conservation Area.

30. The stone boundary wall fronting Quay Road and piers located at the access shall be re-built in accordance with approved Drawing No. 27, within 3 months of commencement of development. The reconstructed wall and piers shall be permanently retained.

Reason: To retain the amenity afforded by the wall to preserve the character and appearance of Ballycastle Conservation Area.

31. Prior to the construction of the drainage network, the applicant shall submit a Drainage Assessment, compliant with FLD 3 & Annex D of PPS 15, to be agreed with the Council which demonstrates the safe management of any out of sewer flooding emanating from the surface water drainage network, in a 1 in 100-year event with an additional allowance for climate change.

Reason: To safeguard against flood risk to the development and from the development to elsewhere.

## 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 <http://epicpublic.planningni.gov.uk/publicaccess/>.



# Site Block Plan

