



<b>Title of Report:</b>	<b>Planning Committee Report – LA01/2023/1155/F</b>
<b>Committee Report Submitted To:</b>	<b>Planning Committee</b>
<b>Date of Meeting:</b>	<b>28 August 2024</b>
<b>For Decision or For Information</b>	<b>For Decision</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	Nil
Included in Current Year Estimates	NO
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:	No	Date:
	EQIA Required and Completed:	No	Date:
Rural Needs Assessment (RNA)	Screening Completed	No	Date:
	RNA Required and Completed:	No	Date:
Data Protection Impact Assessment (DPIA)	Screening Completed:	No	Date:
	DPIA Required and Completed:	No	Date:

**No:** LA01/2023/1155/F

**Ward:** Causeway & Coleraine

**App Type:** Full Planning

**Address:** Undeveloped lands West of Burn Road and bounded by Ballygallin Park, St Andrews Church of Ireland, Hazeldene Drive & Mulberry Gardens, Coleraine.

**Proposal:** Proposed housing development comprising 82 residential units (including 16 social housing units), associated internal road network, public open space, landscaping, parking, access and ancillary site works (amended description and plans).

**Con Area:** n/a

**Valid Date:** 16.11.2023

**Listed Building Grade:** n/a

**Target Date:**

**Agent:** Bell Rolston Ltd. 181 Templepatrick Rd, Ballyclare, BT39 0RA

**Applicant:** Jim Burke, John Toner & Trevor Kennedy. 181 Templepatrick Road Ballyclare.

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

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

## **Executive Summary**

- This is a major application for full permission for 82 residential units, all two storeys. Pre application notification has been completed and a pre-application community consultation report submitted.
- The site is located within Coleraine Town and is zoned for housing (designation CEH 38) as designated in the Northern Area Plan.
- Consultees have raised no objections subject to proposed conditions.
- 2 Representations have been received, 1 objection and 1 noncommittal. The objection relates to the main path being turned into a road, loss of open space and previous construction work damaged their car.
- Supporting documents have been submitted with the application including; Design and Access Statement, Pre-app Community Consultation Report, CEMP, Biodiversity Checklist & Preliminary Ecological Appraisal, Noise Impact Assessment, Preliminary Risk Assessment, Tree Survey, TAF, Landscape Management & Maintenance Plan.
- The proposal includes 16 social housing units. This is supported by NIHE.
- The scheme includes public open space areas, has adequate private amenity space and offers an acceptable relationship between properties.
- A sewerage solution has been identified between the Applicant and NI Water.
- The proposed development is considered acceptable in this location having regard to the SPPS, PPS7, Addendum to PPS7, PPS8, NAP 2016 and other material considerations.

## **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** planning permission subject to the conditions set out in section 10.

## **2 SITE LOCATION & DESCRIPTION**

- 2.1 The site is located within the settlement development limit of Coleraine. Hazeldene drive abuts the southern boundary, Ballygillan Park and St Andrews Church abuts the western boundary and Burn Road abuts the eastern and northern boundaries of the site. Currently the site is open space, laid in grass, with a few trees. There is also a large electricity pylon in the approximate centre of the site. Beyond the eastern boundary of the site is a strip of mature trees, and beyond that the Ring Road. Beyond the northern boundary of the site is Coleraine Methodist Church. The application site measures approximately 3.6ha. There is a slight fall in ground levels from south to north.
- 2.2 There is an undesignated watercourse in the north/ northwest corner of the site.
- 2.3 The site is not enclosed with the boundaries of the site not defined with walls, fences or landscaping.
- 2.4 The surrounding context is predominantly residential, although other uses do exist within immediate proximity of the subject site including churches and a Youth and Community Centre. The residential character of the immediate area is primarily defined by high density, two storey, terraced dwellings. Parking is mostly on street.
- 2.5 The identified site has not been the subject of previous planning permission and the current application proposes full permission for residential redevelopment comprising 82 units.

2.6 The site is located with the Coleraine SDL and is zoned for housing under designation, CEH 38 Ballysally East.

2.7 The key site requirements for Designation CEH 38 are:

#### Ballysally East (3.18 ha.) Key Site Requirements

1. Development shall be within the range of 15 to 25 dwellings per hectare, to ensure the character of the area is maintained.

2. Development shall not be greater than two storeys in height to ensure the character of the area is respected.

3. The existing areas of woodland on the perimeter and within the site shall be retained and supplemented by substantial additional landscaping.

4. Any dwellings close to the adjoining main roads shall be sited and designed to minimise noise disturbance.

5. Access to this site shall be from Hazeldene Drive and Ballygallin Park.

### **3 RELEVANT HISTORY**

LA01/2024/0669/F Lands circa 60m North East of No.1 Ballygallin Park, Coleraine. Proposed two residential dwellings, landscaping, access and ancillary site works. Under consideration.

LA01/2019/1052/PAN Undeveloped lands west of Burn Road and bounded by Ballygallin Park St Andrews Church of Ireland Hazeldane Drive and Mulberry Gardens Coleraine.  
PAN Concluded 15.10.19.

LA01/2022/0933/PAD Lands west of Burn Road and bounded by Ballygallin Park, St Andrews Church of Ireland, Hazeldene Drive and Mulberry Gardens, Coleraine. Proposed housing development comprising of 86 residential dwellings, associated internal road network, pedestrian and cycle way, public open

space, landscaping, parking, access and ancillary site works.  
PAD Concluded 31.03.23

## **4 THE APPLICATION**

- 4.1 The full application is described as “Proposed housing development comprising 82 residential units (including 16 social housing units), associated internal road network, public open space, landscaping, parking, access and ancillary site works”.

### **Design & Access Statement**

- 4.2 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.
- 4.3 The Design and Access Statement received as part of the application provides details of the design consideration undertaken by the Applicants, parking and access arrangements, a summation of pre-app planning advice, and assessment of the proposals against relevant planning policy and guidance.
- 4.4 The report dated November 2023 demonstrates that the Applicant has undertaken detailed consideration of the proposal in terms of the design principles and concepts.

## **ENVIRONMENTAL IMPACT ASSESSMENT**

- 4.5 This proposal was subject to an environmental impact assessment screening as required by The Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2017.
- 4.6 The application was considered to fall within Schedule 2: Category 10(b) of the Regulations- Infrastructure projects; Urban development projects, including the construction of shopping centres and car parks.
- 4.7 Its is considered the environmental effects from the development would be limited to the site and the immediate

surrounding area. The development is not considered to be unusually complex or have any potentially hazardous environmental effects. Therefore it is considered that the development proposal will not have a significant environmental impact.

- 4.8 Having considered the Planning (EIA) Regulations (NI) 2017 and taking into account the above assessment, it is considered that the development proposal will not have likely impacts locally or in wider terms as to require the submission of an environmental statement. The nil screening determination was made on 20 August 2024.

## 5 PUBLICITY & CONSULTATIONS

### External

- 5.1 Neighbours: 2 representations were received. One objection and one noncommittal. The key concerns raised in the objection include:

- the main path being turned into a road
- previous construction work in the area damaged their car.
- Loss of open space.

### Internal

- 5.2 **NIEA Natural Environment Division:** No objection.

**DFI Roads:** No objection subject to conditions.

**NI Water (Multi – Units) –** No objection subject to condition(s)

**Environmental Health –** No objection

**DFI Rivers Agency-** No objection

**NIE –** No objection

**NIHE –** No objection

**Shared Environmental Services –** No objection, subject to conditions.

**NIEA Water Management Unit:** No objection.

## **Proposal of Application Notice**

- 5.3 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.
- 5.4 A Proposal of Application Notice was submitted on 25<sup>th</sup> September 2019 and concluded on 15<sup>th</sup> October 2019 under LA01/2019/1052/PAN. The Applicant advised that they intended to undertake the following forms of consultation:
- Public event to take place 26<sup>th</sup> November 2019 and advertised in a paper local to the development on 12<sup>th</sup> November 2019 (Coleraine Chronicle).
  - Leaflet drop to take place to properties along the boundary of the prospective application site informing them of the consultation event, no later than 7 days before the event.
  - Notice served to elected representatives.

## **Community Consultation Report**

- 5.5 The community consultation report (CCR) was submitted as part of the planning application, received 10<sup>th</sup> November 2023 which is more than 12 weeks after the Proposal of Application Notice was received, as required by legislation.
- 5.6 It contains a copy of the methods of consultation carried out and feedback from the Public Information Event. The report demonstrates that consultation was implemented as agreed in the Proposal of Application Notice. The event took place on 26 November 2019 at the Youth and Community Centre near the site.
- 5.7 Feedback forms were submitted by 9 attendees at the Public Information Event. Copies of the forms received are provided in the CCR. Most of the respondents were ambivalent or



supportive of developing the site for housing and the proposed layout, amenity space and landscaping. One respondent strongly disagreed with the developing the site for housing but was supportive of the layout, amenity and landscaping. One respondent said they had no problem with housing but were concerned about 'the mess'.

- 5.8 The CCR demonstrates that adequate community consultation has taken place and the key issues of concern have been considered prior to the submission of the application.

### **Habitat Regulations Assessment**

- 5.9 The potential impact of 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.

## **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 development 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
- 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**

Regional Development Strategy (RDS)

Northern Area Plan 2016

Strategic Planning Policy Statement (SPPS) 2015

Planning Policy Statement 2 (PPS2): Natural Heritage

Planning Policy Statement 3 (PPS3): Access Movement and Parking

PPS7 – Quality Residential Environments

Policy QD1 – Quality in New Residential Development.

Addendum to PPS7 – Safeguarding the Character of Established Residential Areas.

PPS8 – Open Space, Sport and Outdoor Recreation

Policy OS2 – Public Open Space in New Residential Development

Revised Planning Policy Statement 15 (PPS 15): Planning and Flood Risk

DCAN 8 – Housing In Existing Urban Areas

## **8 CONSIDERATIONS & ASSESSMENT**

- 8.1 The main considerations in the determination of this application relate to the principle of development, character / site context, open space, access / parking, design, amenity, drainage, sewage, natural heritage and other matters.

## **Planning Policy**

- 8.2 The RDS 2035 seeks to promote more sustainable housing development within existing urban areas through encouraging compact urban forms as well as promoting more housing within existing urban areas by recycling land and buildings and by making use of other suitable sites. The RDS emphasises the need for the creation of high-quality accessible housing within existing urban areas without causing unacceptable damage to the local character and environmental quality or residential amenity of these areas.
- 8.3 The Strategic Planning Policy Statement for NI (SPPS) was published in September 2015 and states that a transitional period will operate until such times as a Plan Strategy for the whole of the council area has been adopted. During the transitional period planning authorities will apply existing policy contained within identified policy documents together with the SPPS. The relevant existing policy is outlined below.
- 8.4 As DCAN 8 is guidance, it is PPS7, The Addendum to PPS7 (Safeguarding the Character of Established Residential Areas) are the main policy context for considering the current proposal.
- 8.5 Policy QD1 of PPS7 states that planning permission will only be granted for new residential development where it is demonstrated that the proposal will create a quality and sustainable residential environment. All proposals for residential development are expected to conform to all of the criteria outlined.

## **Principle of Development**

- 8.6 The principle of development must be considered having regard to the Northern Area Plan, the SPPS and PPS policy and guidance documents above. Paragraph 3.8 of the SPPS asserts a presumption in favour of development which accords with an up-to-date development plan unless the proposed development will cause demonstrable harm to interest of acknowledged importance.

- 8.7 The proposed site is located within Coleraine Settlement Development limits and comprises a large area of land extending over 3.62 ha. The site is zoned for housing (designation CEH 38) as defined by the Northern Area Plan 2016. The site is located within an area predominantly residential in character.
- 8.8 A Pre-application Notification (Ref: LA01/2019/1052/PAN) in respect of residential development relating to the entirety of the identified site has been accepted.
- 8.9 The current application relates to full planning permission for residential development on the identified site and includes a Design and Access Statement which outlines the proposals for the erection of 82 units which equates to just over 25 units per hectare units.
- 8.10 Zoning CEH 38 includes key site requirements. These are summarised as; development shall be within the range of 15 to 25 dwellings per ha., development shall not be greater than two storeys in height to ensure the character of the area is respected, existing areas of woodland on the perimeter and within the site shall be retained and supplemented by substantial additional landscaping, any dwellings close to the adjoining main road shall be sited and designed to minimise noise disturbance, access to this site shall be from Hazeldene Drive and Ballygillan Park.
- 8.11 The proposed density matches the key site requirement so is acceptable. Existing areas of woodland on the perimeter and within the site are to be retained and supplemented by substantial additional landscaping. Any dwellings close to the adjoining main road have been sited and designed to minimise noise disturbance, as demonstrated by the submitted Noise Impact Assessment. Access to the site is from Hazeldene Drive and Ballygillan Park. The proposed development is compliant with the Northern Area Plan 2016 and the principle of development is considered acceptable.

### **Social Housing**

- 8.12 NIHE has been consulted in relation to Policy HOU 2 of the Northern Area Plan 2016 which requires proposals for schemes

of more than 25 residential units, or on a site of 1 hectare or more, to contribute to meeting the needs of the wider community, where there is an established need for social or specialist housing, as established by the Housing Needs Assessment. The response from NIHE states that they have identified a projected housing need, from 2023-2028, of 509 social housing units for Coleraine. They go on to state that there is a need for social housing in Ballysally to require a minimum of 20%, as per Policy HOU 2. The application proposes 16 social / affordable housing units within the scheme (approximately 20%). NIHE supports the current proposal which will help meet the identified social housing requirements within Coleraine.

### **Planning Policy Statement 7- Quality Residential Environments- Creating Places**

- 8.13 Policy QD 1 states that planning permission will only be granted for new residential development where it is demonstrated that the proposal will create a quality and sustainable residential environment. All proposals for residential development are expected to conform to all of the criteria outlined below:

#### **Context and Character**

- 8.14 Part (a): *'the development respects the surrounding context and is appropriate to the character and topography of the site in terms of layout, scale, proportions, massing and appearance of buildings, structures and landscaped and hard surfaced areas'*.
- 8.15 The subject site is located towards the eastern extent of Coleraine's SDL extending between Dundooan Park and the Methodist Church in the north to Hazeldene Drive in the south. Adjacent the eastern boundary is Ring Road and adjacent the western boundary Ballygillan Park and St Andrews Church. The site is currently a large area of open space but, when developed, will have a physical and visual relationship with surrounding residential development. Due to a difference in levels, and mature vegetation on the eastern boundary, the proposed site will have no visual or physical relationship with the Ring Road. The general character of the area is urban/ high density residential.

- 8.16 Immediately west of the site is St Andrew's Church and Ballygallin Park. Ballygallin Park comprises 2 storey terraced dwellings with limited front and rear amenity areas. Parking is on-street. There are several courtyard parking areas in the form of a 'front/rear square' which is overlooked by adjacent dwellings. Some of the dwellings are orientated gable-on to the western boundary of the site and others front onto it. The dwellings are finished with pebbledash to external walls, concrete profiled roof tiles and UPVC doors and windows. Many of the dwellings feature a small mono-pitch canopy over the front door. There is an existing vegetated buffer and pedestrian path between Ballygallin Park and the site. This buffer will be retained and augmented.
- 8.17 Considering the difference in levels between the application site and that of St Andrews Church, and the existing vegetated buffer between the site and Church, the proposed development will have a limited visual relationship with the Church. St Andrews Church is a large, detached building, finished similarly to the dwellings on Ballygallin Park, with a large carpark area to the front/ side.
- 8.18 Immediately east of the site is Burn Road and beyond that, a strip of dense vegetation/ trees divides Burn Road from Ring Road.
- 8.19 Immediately south of the site is Hazeldene Drive. Hazeldene Drive comprises single storey and two storey terraced dwellings and flats. 1-7 Hazeldene Drive, which fronts onto the southern boundary of the site, comprises a terrace of single storey dwellings, each with limited enclosed front and rear amenity areas. The remaining dwellings in Hazeldene appear to be 2 storey terraced, with 2 storey apartment units placed at either end of the terraces. The gable of 2 & 4 Hazeldene Drive will face toward the southern boundary of the site. The units in Hazeldene Drive are finished similarly to the units in Ballygallin Park, with the exception of the apartment units which are finished with brown brick to external walls. Parking in Hazeldene Drive is on-street.
- 8.20 The Methodist Church is adjacent to much of the northern boundary of the site. It is however well screened due to the

dense trees/ vegetation separating the church site from Burn Road and the application site. An area of vegetation also limits intervisibility between the application site and the dwellings on the section of Dundooan Park which are closest to the site.

- 8.21 The topography of the site falls from south to north. However, the variation in levels is not significant.
- 8.22 As per the key site requirements, the development will be accessed via Hazeldene Drive and Ballygallin Park.
- 8.23 3 new internal access roads, and the existing Ballygallin Park Road will intersect the site, forming 5 distinct sections, each separated by an existing or proposed internal access road. Sites 1-21, located in the south of the site, closest to Hazeldene Drive. Sites 22- 40 immediately north of sites 1-21. Sites 41- 53 located roughly in the centre of the site. Sites 54-55 are subject to a separate planning application, Ref: LA01/2024/0669/F, as the reconfiguration of the proposal during consideration provided an additional 2 sites. (Procedurally the additional sites could not be added to this application). However, application Ref: LA01/2024/0669/F, which is Local classified, is considered acceptable. Sites 41-53 are on the south side of the Ballygallin Park Road with sites 56-72 immediately north of it. Between a proposed internal access road and the methodist church is sites 73-84.
- 8.24 Fronting Hazeldene Drive, on sites 1-10 will be proposed units H8b, H7, H1, H3a and A4.1.
- 8.25 Site 1 will be located roughly opposite 7 Hazeldene Drive and is a detached two storey 3 bed dwelling (house type H8b) with a small front/ side amenity area and a larger amenity area to the rear. The house type is dual frontage towards Hazeldene Drive and the linear park/ pathway which will separate the site from St Andrews Church/ Ballygallin Park. The unit is finished externally with red facing brick to walls, grey interlocking concrete roof tiles, black UPVC rainwater goods/ fascia/ bargeboards/ soffit, white UPVC windows and composite doors with hardwood painted frames. The unit incorporates pitched roofs. There is a pitched roof two storey projection, running perpendicular to the main ridge, on the side elevation and a small, pitched roof to a

first-floor side window. Unit H8b is similar in form and finish to all other proposed units within the application site.

- 8.26 Two pairs of semidetached dwellings (sites 2-5), house type H7, will be located roughly opposite 3-5 Hazeldene Drive. House type H7 is 2 storeys semidetached providing 3 bedrooms. The external finishes of house type H7 match those of H8b, apart from smooth painted render to ground floor external walls. The unit incorporates pitched roofs. The main roof will run parallel to Hazeldene Drive with a first-floor pitched roof window detail on the front elevation. Off street parking is provided to the side of the dwelling with a small front amenity area and larger amenity area to the rear.
- 8.27 To the side immediate east of site 5 will be sites 6 & 7, house type H1, a two-storey semidetached block fronting Hazeldene Drive. The unit provides 3 bedrooms and will be finished externally to match house type H8b. Unit H1 incorporates pitched roofs, and its main pitch runs parallel to Hazeldene Drive. Like house type H7 and others, it has a first-floor pitched roof window detail facing Hazeldene Drive. Additionally, there is a ground floor bay window projection on the front elevation. Off street parking is provided to the side of the dwellings with a small amenity area to the front and larger area to the rear.
- 8.28 To the immediate east of sites 6 & 7 will be sites 8 and site 9/10, a corner site where Hazeldene Drive meets a new internal access road. Sites 8 and 9/10 are a semidetached block comprising a 2 storey 3-bedroom semidetached dwelling (house type H3a) and a two storey semidetached apartment unit providing 2, 2 bedroom apartments (house type A4.1). The unit is finished to match house type H7. Sites 9/10, situated on the corner of where Hazeldene will meet the new access road, is dual frontage to both Hazeldene Drive and the internal access road which will run parallel to the eastern boundary of the site. The main roofs of the unit (H3a & A4.1) are pitched and run perpendicular to each other. There is also a pitched roof, first floor, front elevation window detail to unit H3a. The unit will be finished externally to match house type H7. A small amenity area is proposed to the front of site 8 with a larger area at the rear. Off street parking is provided to the side of site 8. Site 9/10, the apartment unit, has parking provided to the front and communal amenity areas to the front, side and rear.



- 8.29 To the rear of site 9/10, running parallel to a proposed internal access road and Burn Road are sites 11-15.
- 8.30 Sites 11, 12 and 13 form a terrace and are comprised of house type T2b flanked by house type T3b. House type T3b is finished externally and has external features to match house type H1. T3b provides 3 bedrooms. House type is finished externally to match T3b although it does not feature a first floor window detail or ground floor bay window. House type T2b features a covered passageway leading from the front of the site to the back, which provides access to the rear garden of site 12 which is in the middle of the terrace. The terrace provides off street parking to the three dwellings at the front/ to the side. A small amenity area is provided to the front of the dwellings on the terrace with a larger private amenity provided to the rear.
- 8.31 To the immediate north of sites 11-13 is sites 14 and 15, a semidetached block comprising house types H3 and H2 respectively. Site 15, house type H2, is located on the corner of two proposed internal access roads. H2 is a two-storey semidetached dwelling. It is dual frontage and addresses both adjacent internal access roads. It provides 3 bedrooms, off street parking, amenity to the front/ side and private amenity to the rear. Site 14 will be house type H3, a two storey semidetached dwelling providing 3 bedrooms, off street parking, amenity to the front and private amenity to the rear. The main roof of the block (House types H3 and H2) comprised two pitched roofs set perpendicular to each other. H2 presents a gable to the front and has a two storey pitched roof side projection, and first floor pitched roof detail, which provides a dual frontage. H3's ridge runs parallel to the eastern boundary of the site. The block is finished to match the other house type. This block also has smooth painted render on the ground floor external walls.
- 8.32 An internal access road separates sites 15-21 from the rest of the development. Sites 16-19 are house type H1, details of which have been previously described.
- 8.33 Site 20 is house type H8r (dual fronted), the details of which match house type H8b, previously described.

- 8.34 Site 21 is house type H9 is a detached 3 bedroom dwelling with first floor pitched roof window detail to the front elevation and smooth painted render to external walls on the ground floor.
- 8.35 Both sites 20 and 21 provide off street parking which is accessed via a shared private drive, to be finished in a different material than the main internal access roads. They have a small amenity area to the front and a larger private amenity area to the rear.
- 8.36 Opposite sites 15-21, beyond and internal access road, is sites 27-32. They are house type H1 with the exception of corner sites 32 and 27, which are dual frontage dwellings, house type H8r.
- 8.37 To the immediate north of site 27 is sites 22-26. Sites 23-26 is a terrace of 4 two storey 3 bedroom dwellings, house types T3b, T2b and T1b. site 22 is on a corner and is dual frontage house type H8b. All of the dwellings front the linear park which will separate the development from the church and Ballygallin Park.
- 8.38 Immediately north of site 32 are sites 33-36 comprising a detached two storey three bedroom dwelling on site 33 (house type H9), a pair of two storey semidetached 3 bedroom dwellings on sites 33-34 (house type H7) and a dual frontage two storey detached dwelling on corner site 36 (house type H8r).
- 8.39 Backing on to sites 27- 32 are sites 37-40 comprising two semidetached blocks (house type H1).
- 8.40 Separated by a proposed internal access road, sites 47-49 face towards sites 37- 40. Sites 47-49 comprise a semidetached block (HT H1) and a detached dwelling (HT H9).
- 8.41 To the west of sites 47-49 are sites 41-46 comprising a terrace of 4 dwellings on sites 42-45 (HT's T3b, T2b and T1b). Access to the in-curtilage parking of the terrace is via a shared private drive to be finished differently from the main access roads.
- 8.42 There are dual fronted detached dwellings on sites 41 and 46 (HT's H8r and H8b).

- 8.43 On sites 50-53 is a block comprising house type A3 (2 storey, providing 2 x 2 bedroom apartments), house types T2b and T3d (2 storey three bedroom dwellings). Access to in-curtilage parking for the block is via a shared private driveway.
- 8.44 As site 50/51 is on a corner its frontage faces site 36 and the internal access road.
- 8.45 North of site 53 is an area of public open space and an existing (to be retained) electricity pylon.
- 8.46 Facing the open space, pylon and fronting onto Ballygallin Park Road will be sites 61-65 comprising a terrace of three dwellings (HT's T3b & T2b) with detached dual frontage dwellings at either end of the street (sites 61 and 65, HT's H8r and H8b).
- 8.47 To the north of sites 61-65, fronting onto the linear park and towards Ballygallin Park are sites 56-60 comprising a dual frontage two storey apartment block on corner site 56, a detached 2 storey dwellings on corner site 61 (H8r) and a terrace of three dwellings (HT's T3b&T2b). Access to in-curtilage parking for sites 56- 61 is via a shared private drive.
- 8.48 To the north of site 65, fronting on to a proposed internal access road and Burn Road beyond will be sites 66-70 comprising a terrace of four dwellings (T3b, T2b and T1b) and a detached dual frontage dwelling on corner site 70 (H8r).
- 8.49 Backing onto sites 62-64 will be sites 71-72 a semidetached block comprising 2 x 2 storey dwellings (HT H4).
- 8.50 Opposite sites 56- 70 will be sites 79-84 comprising 3 semidetached blocks (6 dwellings). Sites 79 and 80 are house type H4 and H4a which are 2 storey 2 bedroom dwellings. Sites 81 and 82 are house type H6 which are 2 storey semidetached 4 bedroom dwellings. Sites 83 and 84 are house type H4 and H4a. In curtilage parking and amenity/ private amenity areas are provided to sites 79-84.
- 8.51 To the rear of sites 79 and 80 will be an apartment block at sites 73-78 (House type A1). The apartment block will provide 6, 1

bedroom apartments with in-curtilage parking access via a shared private drive and a communal amenity area to the rear.

- 8.52 It is assessed that the development respects the surrounding context and is appropriate to the character and topography of the site in terms of layout, scale, proportions, massing and appearance of buildings, structures and hard surfaced areas.
- 8.53 The appearance of hard surfaced areas will be broken up with the change of material for shared private drives. All corner sites will accommodate a dual frontage house type.
- 8.54 The proposed linear park will provide a positive aspect to the dwellings on Ballygallin Park which face toward the site.
- 8.55 In terms of proportions, massing and the appearance of buildings, the proposed units have many similarities with those approved, and now developed, under application Ref: LA01/2020/0373/F to the south of the site. The site associated with Ref: LA01/2020/0373/F is located a short distance from the subject site, has a comparable context, and had similar key site requirements in terms of height and density. The proportions, massing and appearance of the proposed units is considered acceptable.
- 8.56 Creating Places outlines that not only does the density, form and materials within a development strongly influence the quality of the residential environment but the mix of dwellings as well. A variety of different types and sizes of houses and apartments provides greater choice within a development, creates a balanced community by attracted a variety of people and households and also creates visual variety and interest.
- 8.57 The application consists 3 and 4 bedroom detached and semidetached dwellings, and 1 and 2 bedroom apartments. It is considered that the mix of house types and plots will provide greater choice within the development, creating a balanced community by attracting a variety of people and households and also creates visual variety and interest.

## **Archaeology and Built Heritage**

- 8.58 Part (b): 'features of the archaeological and built heritage, and landscape features are identified and, where appropriate, protected and integrated in a suitable manner into the overall design and layout of the development'.
- 8.59 There are no features of archaeology or built heritage importance on or near the site.
- 8.60 Existing areas of woodland on the perimeter and within the site are to be retained and supplemented by substantial additional landscaping, as per key site requirements.
- 8.61 The proposal is in accordance with Criterion (b).

## **Public and Private Open Space Provision**

- 8.62 Part (c): 'adequate provision is made for public and private open space and landscaped areas as an integral part of the development. Where appropriate, planted areas or discrete groups of trees will be required along site boundaries in order to soften the visual impact of the development and assist in its integration with the surrounding area'.
- 8.63 Adequate provision of public and private open space as an integral part of the development is a requirement for all proposals. Public open space is a requirement for new residential development of 25 units or more, or on sites of one hectare or more. Policy OS2 of PPS8 (Open Space, Sport and Outdoor Recreation) outlines a number of criteria relating to the provision of open space, of which, the following are relevant to the current proposal.
- 8.64 A normal expectation will be at least 10% of the total site area: The current site area extends to approximately 3.6ha. The extent of proposed public amenity space provided within the site comprises approximately 0.78 ha made up of 2 distinct areas; Open Space A, provided to the south side of Ballygallin Park Road and Open Space B, the linear park which separates the development from the western boundary of the site. At approximately 20% of the total site area, the extent of public

amenity space provided within the development is considered acceptable.

- 8.65 Public open space not only has recreational and social value but is also considered vital to the overall design quality of the development. It can help promote biodiversity and contribute to the creation of an attractive, sustainable and varied residential environment. Public open space performs a number of functions including defining and separating urban areas, promoting health and well-being as well as providing visual amenity. Public open space is expected (among other criteria), to be designed in a comprehensive and linked way as an integral part of the development, have demonstrable recreational / amenity value, provide safe and easy access and be designed and located to take account of the amenity of nearby residents and those with disabilities. Narrow or peripheral tracts which are difficult to manage are generally considered unacceptable.
- 8.66 The proposed public open space, in particular the linear park, is designed to integrate and will provide a buffer and visual amenity between the existing development and proposed. The public open space will be adequately overlooked by adjacent units with the use of dual frontage designs on corner sites and the proposed dwellings fronting onto the linear park. The open public spaces will be easily accessible to the entire site and have been located to maximise amenity benefit.
- 8.67 In terms of private open space all dwellings have a private amenity ranging from 57sqm- 152sqm with most significantly over 70sqm.
- 8.68 Creating Places advises that a variety of different garden sizes should be provided to promote choice for residents. Back gardens should therefore be calculated as an average for the development as a whole and should be around 70sqm per house or greater. Garden sizes larger than the average would generally be considered to suit dwellings designed for families, while smaller areas may be appropriate for 1-2 bedroom houses or those located opposite or adjacent public or communal open space. Creating Places also determines that an area of around 40sqm will generally be unacceptable. In terms of the provision of apartments or one or two-bedroom houses on small urban

infill sites private communal space is acceptable and should range from a minimum of 10sqm to around 30 sqm per unit.

- 8.69 The development comprises a variety of garden sizes and depths all of which are practical in terms of plot size and shape and meet the necessary standards.
- 8.70 Site 9/10 will provide 2no. 1 bed apartments and has a communal private amenity of 69sqm, which exceeds the minimum provision. Site 50/51 will provide 2no. 2 bed apartments and has a communal private amenity of 64sqm, which exceeds the minimum provision. Site 56/57 will provide 2no. 2 bed apartments and has a private communal amenity of 97sqm, which exceeds the minimum. Site 73-78 will provide 6no. 1 bed apartments and has a private communal amenity of 282sqm, exceeding the minimum.
- 8.71 All proposed private communal amenity exceeds the minimum provision and is therefore acceptable.
- 8.72 The scheme is in accordance with Criterion (c).

### **Neighbourhood Facilities**

- 8.73 Part (d): 'adequate provision is made for necessary local neighbourhood facilities, to be provided by the developer as an integral part of the development'.
- 8.74 Considering the scale of the proposal the provision of local neighbourhood facilities is not required.

### **Movement Pattern**

- 8.75 Part (e): 'a movement pattern is provided that supports walking and cycling, meets the needs of people whose mobility is impaired, respects existing public rights of way, provides adequate and convenient access to public transport and incorporates traffic calming measures'.
- 8.76 The site is located on the fringes of Coleraine's SDL and is considered to be within reasonable walking distance of shops and services. The movement pattern supports walking and

cycling with permeability through the site and linkages to public transport facilities. The development incorporates bespoke accommodation for wheelchair users and includes in-curtilage parking spaces to all proposed units.

- 8.77 In terms of traffic calming measures, rumble strips and speed control bends are included in the proposal.
- 8.78 DFI Roads has no objections to the proposed access arrangements to the subject site or internally. PSD drawings have been submitted in relation to those roadways to be publicly adopted.

### **Parking**

- 8.79 Part (f): 'adequate and appropriate provision is made for parking'.
- 8.80 Provision is made within the site for residential and visitor car parking. Residential parking is in-curtilage with dwellings incorporating a minimum of two parking spaces. Additional visitor parking has been indicated on the proposed access roads. Considering the scale and nature of the development parking provision is considered to be acceptable.

### **Form, Materials & Detailing**

- 8.81 Part (g): 'the design of the development draws upon the best local traditions of form, materials and detailing'.
- 8.82 The form, materials and detailing of the proposed units has many similarities with the development granted approval under Ref: LA01/2020/0373/F, which is located a short distance from the site and has much the same context.
- 8.83 The form, materials and detailing of the proposed units are in keeping with those found on the site granted approval under LA01/2020/0373/F and is therefore considered acceptable.



## **Amenity**

- 8.84 Part (h): 'the design and layout will not create conflict with adjacent land uses and there is no unacceptable adverse effect on existing or proposed properties in terms of overlooking, loss of light, overshadowing, noise or other disturbance'.
- 8.85 The site is located within a predominantly residential area with existing residential properties adjacent the western and southern boundaries. The remainder of the boundary abuts the Burn Road and methodist church. Due to adequate separation distances and the orientation of the proposed units, it is assessed that there will be no unacceptable adverse effect on existing or proposed properties in terms of overlooking, loss of light, overshadowing, noise or other disturbance.
- 8.86 Design Guide "Creating Places" states that on green field sites good practice indicates that a separation distance of around 20m or greater between the opposing rear first floor windows of new houses is generally acceptable although consideration can be given to smaller distances. Creating Places also states that where the proposed development abuts the private garden areas of existing properties, a separation distance greater than 20m will generally be appropriate to minimise overlooking with a minimum of around 10m between the rear of new houses and the common boundary.
- 8.87 The proposed buildings are all 2 storeys, as per key site requirements. There is generous separation between the proposed dwellings and surrounding existing residential development. All units are situated at least 10m from their rear site boundaries. All back-to-back distances meet or exceed 20m. The proposal will not affect the private amenity of existing surrounding dwellings or the prospective residents of the development. Adequate private and public amenity space will be provided. None of the proposed development will abut a private garden area of any existing properties.
- 8.88 A Noise Impact Assessment submitted to support the application demonstrates that the installation of standard double glazing is adequate mitigation to meet the internal noise levels recommended during the day and night.

- 8.89 Regarding external amenity areas, all but 6 proposed dwellings were below the WHO lower noise limit. The report includes a recommendation of a 2m high acoustic barrier (indicated on drawing 02 Rev 1) and provides specification for 1.65m acoustic barriers.
- 8.90 EHD has raised no objection in terms of noise, subject to conditions ensuring the provision of acoustic barriers and adherence to acceptable noise levels. EHD have raised no objections in terms of odour or other disturbances. Provision of these is regulated by condition. Criterion (h) is considered satisfied.

### **Detering Crime**

- 8.91 Part (i): 'the development is designed to deter crime and promote personal safety'.
- 8.92 The development will not create any areas which would encourage anti-social behaviour. Proposed public open space will be adequately overlooked by proposed and existing development.
- 8.93 Rumble strips and speed control corners feature as part of the proposed road layout, minimising risk to pedestrians.
- 8.94 Criterion (i) is satisfied.

### **Drainage**

- 8.95 Due to the scale of the proposal a Drainage Assessment was submitted by the Applicant.
- 8.96 The D.A demonstrates that the design and construction of a suitable drainage network is feasible. It indicates that the 1 in 100 year event with an additional allowance for climate change (20%) could be contained in the attenuation system, when discharging at existing green field runoff rate, and therefore exceedance waters can be safely dealt with without breaching the consented discharge rate. Further assessment of the drainage network will be made by NIW prior to adoption. DFI Rivers has no objection to the proposal.

## **Natural Heritage Issues**

- 8.97 A preliminary Ecological Appraisal and Biodiversity Checklist, CEMP, and preliminary Risk Assessment have been submitted in relation to the site. NIEA NED, WMU and RU have no objection to the proposal, subject to conditions.

## **Sewerage**

- 8.98 Consultation with NI Water identified that the receiving foul sewer network has reached capacity. However, NI Water and the Applicant have agreed a downstream engineering solution to mitigate the foul capacity issue and allow connection for this development proposal. This position is predicated on applying conditions which are set out in Section 10.

## **Representations**

- 8.99 2 representations have been received in relation to the current application.
- 8.100 One response was noncommittal with the respondent wanting to make sure they are keep informed of any future developments regarding the application.
- 8.101 The other response made objections to the proposal. A synopsis of their objections are as follows:
- They have heard different things about the proposal, such as the main path being turned into a road.
  - They had a previous issue with a Grounds Housing Officer trying to get them to fix their gardens.
  - The last time there was construction in the estate debris on the road punctured their car tyre.
  - They were told the site was open space for families to use for recreation.
  - They will be leaving the estate if the application goes ahead.

- 8.102 Consideration of the objection is as follows:

- The main path will not be turned into a road. It is to be retained with additional planting providing a linear park.
- Any alleged issues with a Grounds Housing Officer are not relevant to the consideration of this proposal.
- Alleged previous damage done to the respondent's car is also irrelevant to the consideration of this proposal.
- The site is zoned for housing. Ample open space will remain within the wider estate.

## 9 CONCLUSION

9.1 The proposed development is acceptable in principle, complies with the local Area Plan including having regard to the key site requirements and is appropriate in terms of locality, existing character, urban grain and site topography. The site is suitable for the proposed development and does not raise any issues of public health or safety. The proposal will provide social housing to meet housing need in Coleraine. The layout and house types have been designed to respect amenity between existing and proposed dwellings. Adequate provision is made for private and public open space. Adequate access and parking arrangements are provided. Appropriate sewerage provision is subject to conditions. The proposal is generally compliant with relevant policy and guidance outlined above and is considered acceptable. Approval is recommended.

## 10 PROPOSED CONDITIONS

1	<p>As required by Section 61 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.</p> <p>Reason: Time Limit.</p>
2	<p>No drainage shall be laid until the developer has entered into an agreement with NI Water under Article 161 of the Water and Sewerage Services (Northern Ireland) Order 2006.</p> <p>Reason: To ensure a practical solution to sewage disposal from this site is possible.</p>

<p><b>3</b></p>	<p>No development shall proceed beyond sub-floor construction until the foul sewerage network engineering solution as shown on solution design drawing to mitigate the downstream foul capacity issue as agreed with NI Water is provided by the developer to the satisfaction of the Council in consultation with NI Water. The development shall not be occupied until the developer has complied with all of the requirements set out in the agreement entered into with NI Water under Article 161 of the Water and Sewerage Services (Northern Ireland) Order 2006.</p> <p>Reason: To ensure a practical solution to sewage disposal from this site is possible.</p>
<p><b>4</b></p>	<p>The 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.</p> <p>Reason: To safeguard the site and adjacent land against flooding and standing water.</p>
<p><b>5</b></p>	<p>No development shall commence until the applicant has submitted a Drainage Assessment, compliant with FLD 3 &amp; Annex D of PPS 15, to be agreed with the Council in consultation with DFI Rivers which demonstrates the safe management of any out of sewer flooding emanating from the surface water drainage network, agreed under Article 161, in a 1 in 100 year event with an additional allowance for climate change (20%).</p> <p>Reason: In order to safeguard against surface water flood risk.</p>
<p><b>6</b></p>	<p>If during the development works, new contamination or risks to the water environment are encountered which have not previously been identified, works shall cease and the Planning Authority shall be notified immediately.</p> <p>This new contamination shall be fully investigated in accordance with the Land Contamination: Risk Management (LCRM) guidance available at <a href="https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks">https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks</a>.</p>

	<p>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.</p> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p>
<b>7</b>	<p>After completion of all remediation works under Condition 13 and prior to occupation of the development, a verification report shall be submitted in writing and agreed with the Planning Authority. This report shall be completed by competent persons in accordance with the Land Contamination: Risk Management (LCRM) guidance available at <a href="https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks">https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks</a>.</p> <p>The verification report shall 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.</p> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p>
<b>8</b>	<p>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 and agreed. Any necessary mitigation / remediation measures shall be clearly specified. The above work shall be undertaken by a suitably competent person/s and in accordance with current government guidance.</p> <p>Reason: In the interest of residential amenity.</p>
<b>9</b>	<p>The façade of the dwellings shall have glazing installed providing a Sound Reduction of at least 34dB Rw / 31 dB Ctr.</p> <p>Reason: In the interest of residential amenity.</p>

<b>10</b>	<p>All dwellings shall incorporate an acoustic ventilation system (with equivalent glazing Sound Reduction) with specification to comply with Building Control Technical Booklet K and ventilation rates in accordance with Technical Booklet K.</p> <p>Reason: In the interest of residential amenity.</p>
<b>11</b>	<p>No development activity, including ground preparation or vegetation clearance, shall take place until a final Construction and Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Planning Authority. The approved CEMP shall be implemented in accordance with the approved details and all works on site shall conform to the approved CEMP, unless otherwise agreed in writing by the Planning Authority.</p> <p>Reason: To ensure implementation of mitigation measures and prevent impacts to downstream designated sites.</p>
<b>12</b>	<p>A clearly defined buffer of at least 10 m must be maintained between the location of all construction works including refuelling, storage of oil/fuels, concrete mixing and washing areas, storage of machinery/materials/spoil etc. and the watercourse bordering the northern/northeastern edge of the red line boundary and all surface water drains within the road network which discharge to the surface watercourse.</p> <p>Reason: To ensure the development will not have an adverse effect on the integrity of any European site.</p>
<b>13</b>	<p>Prior to the occupation of any part of the development, all hard landscape works shall be carried out in accordance with the approved details and to the appropriate Standard or other recognised Codes of Practice.</p> <p>Reason: In the interest of residential amenity and to ensure the provision, establishment and maintenance of a high standard of landscape.</p>
<b>14</b>	<p>The surface finishes of the shared private driveways and communal parking areas serving units 20-21, 42-46, 52-53,</p>

	<p>56-61 and 73-78 shall be as scheduled on the key outlined on drawing 02 Rev1.</p> <p>Reason: In the interest of visual amenity.</p>
<b>15</b>	<p>Notwithstanding the provisions of the Planning (General Permitted Development) Order (Northern Ireland) 2015 (or any order revoking and/or re-enacting that order with or without modification), no additional or altered windows, doors and openings shall be formed in any of the development hereby approved without express planning permission.</p> <p>Reason: Any further openings require detailed consideration to safeguard the privacy of adjacent properties.</p>
<b>16</b>	<p>During the first available planting season after the occupation of the first dwelling, or as otherwise agreed in writing with the Council, landscaping shall be carried out in accordance with the Landscape Proposal Plan, drawing 40 Rev1, and maintained in perpetuity in accordance with the Landscape Management and Maintenance Plan Document dated November 2023.</p> <p>Reason: In the interest of visual and residential amenity.</p>
<b>17</b>	<p>The management and maintenance of open space and communal amenity areas, trees and shrubs as identified on the stamped approved drawings Nos 02 Rev1, 40 Rev1 and the Landscape Management and Maintenance Plan Document dated October 2023 shall be carried out by a Management Company to be appointed by the developer and shall continue to be maintained in perpetuity or as subsequently may be agreed in writing with the Council.</p> <p>Reason: To ensure the continuity and sustainability of the approved landscape through its successful establishment and long-term maintenance to achieve a quality residential development consistent with policy.</p>
<b>18</b>	<p>A signed copy of the Memorandum and Articles of Association relating to those areas identified in condition 17 shall be submitted to the Council prior to the occupation of any dwelling.</p>



	Reason: To ensure successful establishment and long-term maintenance of open space/amenity areas in the interests of visual and residential amenity.
<b>19</b>	<p>No retained tree as identified on drawings 40 Rev1 and 02 Rev1 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 other than in accordance with the approved plans and particulars, without the written consent of the Council.</p> <p>If any retained tree is removed, uprooted or destroyed or dies within 5 years from the date of completion of the development it shall be replaced within the next planting season by another tree or trees in the same location of a species and size as specified by the Council.</p> <p>Reason: To ensure the continuity of amenity afforded by existing trees.</p>
<b>20</b>	<p>All walls, estate railings, screen walls and screen timber fencing as shown on drawing 02 Rev1 shall be provided along the curtilage boundary of each dwelling/ apartment (and where shown within the curtilage of each dwelling/ apartment) as indicated prior to the occupation of the associated dwelling / apartment. All boundary treatments shall be retained permanently.</p> <p>Reason: In the interest of residential and visual amenity.</p>
<b>21</b>	<p>The residential 16 units identified as site numbers 56, 57 &amp; 71-84 on drawing No 02 Rev1 hereby approved, shall be used solely for the purposes of Social Housing and shall be managed only by a registered Housing Association.</p> <p>Reason: To ensure the position of the 16 Social Housing units in Coleraine and to comply with Policy HOU 2 of the Northern Area Plan 2016.</p>
<b>22</b>	<p>No unit shall be occupied until the details of the legal agreement for the transfer of the social housing units to a NIHE recognised Housing Association has been submitted to the Council for agreement.</p>

	Reason: To ensure the provision of social housing in Coleraine and to comply with Policy HOU2 of the Northern Area Plan 2016.
<b>23</b>	<p>The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992.</p> <p>The Department hereby determines that the width, position and arrangement of the streets, and the land to be regarded as being comprised in the streets, shall be as indicated on Drg. No. 03 Rev 03, Proposed Private Streets Determination Road Layout date stamped 16th July 2024.</p> <p>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.</p>
<b>24</b>	<p>The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992.</p> <p>No other development hereby permitted shall be commenced until the works necessary for the improvement of a public road have been completed in accordance with the details outlined blue on Drg. No. 03 Rev 03, Proposed Private Streets Determination Road Layout date stamped 16th July 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).</p> <p>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.</p>
<b>25</b>	The access gradient to the dwellings hereby permitted shall not exceed 8% (1 in 12.5) over the first 5 m outside the road boundary.

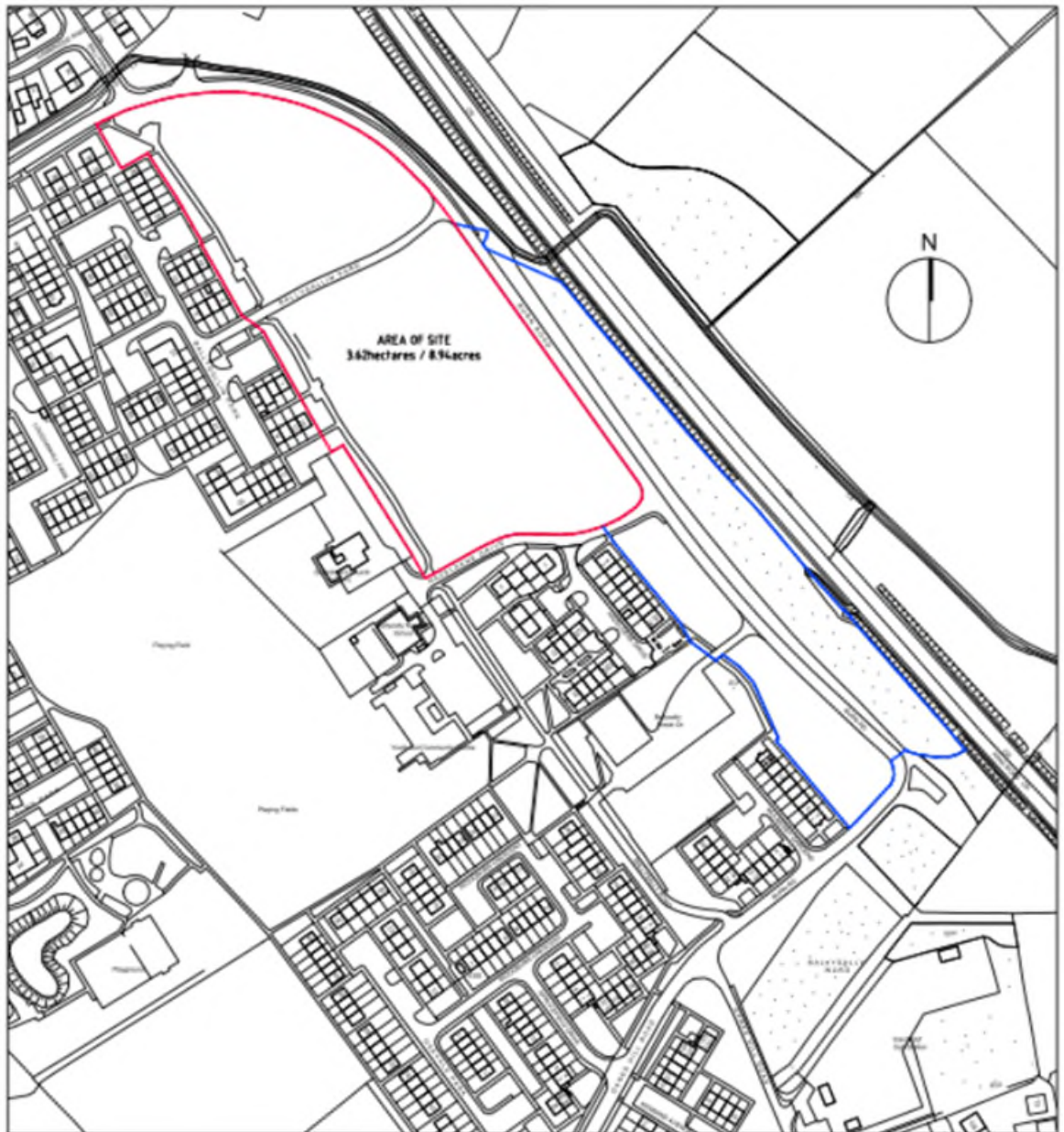
	Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.
<b>26</b>	No dwelling(s) shall be occupied until that part of the service road which provides access to it has been constructed to base course; the final wearing course shall be applied on the completion of the development  Reason: To ensure the orderly development of the site and the road works necessary to provide satisfactory access to each dwelling.
<b>27</b>	The gradient of the access road shall not exceed 4% (1 in 25) over the first 10m from the junction with the public road.  Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road user.
<b>28</b>	No part of the development hereby approved shall be occupied until the Developer has provided an efficient system of street lighting in accordance with Schedule 8 of The Private Streets (Construction) Regulations (Northern Ireland) 1994 as amended by The Private Streets (Construction) (Amendment) Regulations (Northern Ireland) 2001.  Reason: To ensure the provision of adequate street lighting and in the interests of safety.
<b>29</b>	Notwithstanding the provisions of the Planning (General Development) (Northern Ireland) Order 1993, no buildings, walls or fences shall be erected, nor hedges, nor formal rows of trees grown in verges/service strips determined for adoption.  Reason: To ensure adequate visibility in the interests of road safety and the convenience of road users and to prevent damage or obstruction to services.
<b>30</b>	Notwithstanding the provisions of the Planning (General Development) (Northern Ireland) Order 1993 no planting other than grass, flowers or shrubs with a shallow root

	<p>system and a mature height of less than 500 mm shall be carried out in verges/service strips determined for adoption.</p> <p>Reason: In order to avoid damage to and allow access to the services within the service strip.</p>
	Informatives
<b>1</b>	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.
<b>2</b>	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.
<b>3</b>	This approval does not dispense with the necessity of obtaining the permission of the owners of adjacent dwellings for the removal of or building on the party wall or boundary whether or not defined.
<b>4</b>	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.
<b>5</b>	Developers should acquaint themselves of their statutory obligations in respect of watercourses as prescribed in the Drainage (Northern Ireland) Order 1973 and consult the Rivers Agency of the Department of Agriculture accordingly on any related matters.
<b>6</b>	Any proposals in connection with the development, either temporary or permanent which involve interference with any watercourse at the site:- such as diversion, culverting, bridging; or placing any form of structure in any watercourse, require the written consent of the Rivers Agency. Failure to obtain such consent prior to carrying out such proposals is an offence under the Drainage Order which may lead to prosecution or statutory action as provided for.
<b>7</b>	Any proposals in connection with the development, either temporary or permanent which involve additional discharge of storm water to any watercourse require the written

	consent of DFI Rivers. Failure to obtain such consent prior to permitting such discharge is an offence under the Drainage Order which may lead to prosecution or statutory action as provided for.
<b>8</b>	If, during the course of developing the site, the developer uncovers a watercourse not previously evident, he should advise the local Rivers Agency office immediately in order that arrangements may be made for investigation and direction in respect of any necessary measures required to deal with the watercourse.
<b>9</b>	Where a designated watercourse flows through or adjacent to a development site, it is considered essential that a working strip of minimum width 5m is left along the bank in order to facilitate future maintenance of the watercourse by DFI Rivers. Actual requirements should be determined in consultation with DFI Rivers.
<b>10</b>	There will be a general presumption against the erection of buildings or other structures over the line of culverted watercourses. Any proposal for such requires the written consent/approval of the Rivers Agency. Failure to obtain such approval is an offence under the Drainage Order which may lead to prosecution or other statutory action as provided for.
<b>11</b>	The purpose of the Conditions 13 & 14 is to ensure that any site risk assessment and remediation work is undertaken to a standard that enables safe development and end-use of the site such that it would not be determined as contaminated land under the forthcoming Contaminated Land legislation i.e. Part 3 of the Waste and Contaminated Land Order (NI) 1997. It remains the responsibility of the developer to undertake and demonstrate that the works have been effective in managing all risks.
<b>12</b>	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.

# APPENDIX 1

## Site location Plan



# Appendix 2

## Site Plan

