

Planning Committee Report	23 September 2020
LA01/2018/1562/F	
PLANNING COMMITTEE	

Linkage to Council Strategy (2015-19)	
Strategic Theme	Protecting and Enhancing our Environment and Assets
Outcome	Pro-active decision making which protects the natural features, characteristics and integrity of the Borough
Lead Officer	Development Management & Enforcement Manager
Cost: (If applicable)	N/a

App No: LA01/2018/1562/F Ward: Mountsandel

App Type: Full

Address: Former hospital site to the south and west of St Joseph's High

School, Mountsandel Road, Coleraine

<u>Proposal</u>: Proposed residential development comprising 55 no. dwellings

including 35 no. detached, 18 no. semi-detached (with garages), 2 no. bungalows, landscaping, open space, car parking and all associated site and access works (amendment

to previous C/2005/0239/F)

<u>Con Area</u>: N/A <u>Valid Date</u>: 31.12.2018

Listed Building Grade: N/A

Applicant: O'Kane Group Ltd, 92 Altinure Road, Park Village, Claudy,

BT47 4DE

Agent: TSA Planning, 20 May Street, Belfast, BT1 4NL

Objections: 0 Petitions of Objection: 0

Support: 0 Petitions of Support: 0

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Executive Summary

- This proposal is considered acceptable at this location having regarding to the Northern Area Plan 2016 and all other material considerations.
- The site is zoned for housing under designation CEH 25 30 Mountsandel Road. This is a committed site.
- An existing listed building is located at the centre of the site and the proposed development respects the setting of this listed building given the use of sympathetic materials. Further to this the Listed building is subject to a separate listed building consent to provide apartments within the listed building will make up the development site which has been considered acceptable by HED.
- There has been no objection received regarding the proposed development. All concerns raised by the statutory consultees have been addressed.
- The proposed design and layout is considered acceptable having regard to relevant planning policies and will not create conflict with adjacent land uses. There is no unacceptable adverse effect on existing or proposed properties in terms of overlooking, loss of light, overshadowing, noise or other disturbance.
- The proposal complies with all relevant planning policies including the Northern Area Plan, SPPS, PPS 7, and Addendum to PPS 7.

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Drawings and additional information are available to view on the Planning Portal-www.planningni.gov.uk

1.0 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 reasons set out in section 10.

2.0 SITE LOCATION & DESCRIPTION

- 2.1 The proposed site is located on the site of the former hospital on lands between Mountsandel Road and Beresford Avenue. The site consists of areas of hardstanding with vegetation in which former buildings once stood and the Hospital building which is a listed building. This building is of a stone construction with sliding sash windows and is in a state of disrepair. The listed building has been subject to fire damage. To the north the site is bounded by trees and vegetation and the existing dwellings located on Mountsandel Road and St Patrick's Avenue. To the south the site is bounded by vegetation, pedestrian walkway and ring road dual carriageway. To the east the site is bounded by a wall and Beresford Avenue. To the west the site is bounded by wooden panels used to secure the site and the public footpath onto Mountsandel Road.
- 2.2 The application site is located within the settlement limit of Coleraine as defined in the Northern Area Plan 2016. The application site is located on lands zoned for housing within the Northern Area Plan 2016 under zoning CEH 25 which is a committed site. Development within this area is predominantly residential but a school which is not currently in use is located in

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proximity to the site. There is also a builder's merchants, motorbike shop and doctors surgery located close to the site. Dwellings along Mountsandel Road include large detached two storey dwellings but there are also detached bungalows and semi-detached bungalows, a three storey apartment block and 1.5 storey townhouses located within St Patrick's Avenue. Dwellings are finished with a mix of stone, render and red brick.

3.0 Relevant History

3.1 LA01/2019/0734/DC- Former Hospital site, Mountsandel Road, Coleraine. Discharge of Condition 18 of LA01/2016/0861/F. Condition Discharged.

LA01/2019/0989/LBC- Former Hospital Site to the South and West of St Joseph's High School, Mountsandel Road, Coleraine. Proposed residential development comprising 55 no. dwellings including 35 no. detached, 18 no. semi-detached (with garages), 2 no. bungalows, landscaping, open space, car parking and all associated site and access works (amendment to previous C/2005/0239/F). Under Consideration.

LA01/2018/0220/PAD- Former Hospital Site, to the South and West of St. Joseph's High School, Mountsandel Road, Coleraine. Proposed residential development comprising 110 no. dwellings and garages, car parking, landscaping, open space, site access and all associated site works (amendments to enacted planning approval C/2005/0239/F). PAD Concluded

LA01/2018/0641/DC- Former Hospital Site, Mountsandel Road, Coleraine. Discharge of conditions 18(iii) and 18(iv) of phase 1 of planning approval LA01/2016/0861/F. Condition partially discharged.

LA01/2017/1515/PAN- Former Hospital Site, Mountsandel Road, Coleraine. Proposed residential development comprising of 120-130 no. dwellings including a mix of house types, open space, landscaping, car parking, site access (as previously approved) and all associated site works. Proposal an amendment to extant planning permission C/2005/0239/F for 185 no. dwellings.

LA01/2016/0861/F, Variation of Condition 18 under ref C/2005/0239/F. Former Hospital Site, Mountsandel Road, Coleraine. Permission Granted

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LA01/2017/1387/DC, Partial discharge of Condition 18 (i) and (ii) of phase 1 (contamination condition) of planning approval C/2005/0239/F and LA01/2016/0861/F. Former Hospital Site, Mountsandel Road, Coleraine. Partially Discharged.

LA01/2018/1466/F, Proposed residential development comprising of 8 no. dwellings and 6. No. apartments, car parking, communal amenity space, bin store and associated site and access works. Lands at Beresford Avenue, Coleraine, 40m south west of St Joseph's High School Beresford Avenue, and 100m south east of No. 5a St Patrick's Avenue, Coleraine. Permission Granted

C/2005/0238/LB, Alterations to existing black stone workhouse, i.e. internal alterations and minor window amendment. Conversion to 3 No. dwellings. Former Coleraine Hospital Site, Mountsandel Road, Coleraine. Consent Granted.

C/2005/0239/F, Proposed residential development comprising of detached, semi-detached, maisonettes, terraced town housing and assoicated car parking. Former hospital site, Mountsandel Road, Coleraine. Permission Granted.

4.0 THE APPLICATION

4.1 Proposed residential development comprising 55 no. dwellings including 35 no. detached, 18 no. semi-detached (with garages), 2 no. bungalows, landscaping, open space, car parking and all associated site and access works (amendment to previous C/2005/0239/F)

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 submitted on 22nd November 2017 under LA01/2017/1515/PAN. The applicant advised that they intended to undertake the following forms of consultation:

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- Press notice of the public event in Coleraine Chronicle and provide preliminary details of the application.
- Flyers will be circulated to all homes, business and premises within a 250m boundary of the site. The flyers provided details of the contact email and number for those that couldn't make the event.
- Notice served on local Politicians, Councillors and community members.

Community Consultation Report

- 4.4 The community consultation report (CCR) was submitted as part of the planning application, received on 20th December 2018 which is more than 12 weeks after the Proposal of Application Notice was received, as required by the legislation.
- 4.5 It contains a copy of the methods of consultation carried out which included advertising via social media, comments and feedback from the consultation exercise in the local context. The report demonstrates that consultation was implemented as agreed in the Proposal of Application Notice.
- 4.6 A public event was held on 12th December 2017. Details of the meeting was published in one local newspaper. Flyers were delivered to all properties within a 250m radius of the proposed site.
- 4.7 In regard to the meeting on 12th December 2017 12 guests attended and 4 comment cards were filled in. The feedback received from the scheme was positive. One councillor mentioned that there is a need for social housing in the area and was open to the idea of this being included within the scheme. Two people remarked that they were pleased with the reduction in density on the previous scheme and other comments registered approval that the listed building on site would be restored. Two Councillors attended the consultation event. There was further engagement with political representatives to include 2 MLAs and 1 councillor. Feedback from the political representatives was positive on the reduction on the density of

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- the scheme and the restoration of the listed building. One councillor raised social housing need in the area.
- 4.8 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.

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 The design and access statement provides details of the design principles and concepts that have been applied to the development and how issues relating to access to the development have been dealt with.
- 4.11 The report date received on 20th December 2018 demonstrates that the applicant undertook detailed consideration of the proposal in terms of the design principles and concepts in relation to the location of the caravan pitches, the proposed design and the impact on the character of the immediate context.

Environmental Impact Assessment

- 4.12 This proposal was subject to an environmental impact assessment screening as highlighted by, The Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2017.
- 4.13The application was considered to fall within Schedule 2: Category 10(B) of the Regulations- The carrying out of development to provide for urban development projects, including the construction of shopping centres and car parks which states that the threshold is when the area of the development exceeds 0.5 hectare. The area exceeds this threshold and is 2.53 hectares.

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4.14Having considered the Regulations and the guidance set out in DCAN 10, the development proposal would not have any likely impacts of such a significance to warrant an environmental statement.

Habitats Regulations Assessment

- 4.15The application was considered in light of the assessment requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) by Causeway Coast and Glens Borough Planning Authority.
- 4.16The site is located approximately 3.2 km from the Bann Estuary SAC. The site is not hydrologically linked to this designation. DAERA raised no concern with the proposed development.
- 4.17The potential impact of this proposal on Special Protection Areas, Special Areas of Conservation 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 of any European site.

5.0 PUBLICITY & CONSULTATIONS

5.1 External:

Neighbours: There has been no objections raised.

5.2 Internal:

DFI Roads: No objection subject to conditions.

Environmental Health: No objection subject to conditions.

NI Water: No objections.

Rivers Agency: No objections.

DAERA: Natural Environment Division: No objections

DAERA: Water Management Unit: No objections.

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DAERA: Land, Soil and Air: No objections subject to conditions

Historic Environmental Division: Historic Monuments: No objections.

Historic Environmental Division: Historic Buildings: No objections subject to conditions

6.0 MATERIAL CONSIDERATIONS

- 6.1 Section 45(1) of the Planning Act (Northern Ireland) 2011 requires that all applications must have regard to the local plan, so far as material to the application, and all other material considerations. Section 6(4) states that in making any determination where regard is to be had to the local development plan, the determination must be made in accordance with the plan unless material considerations indicate otherwise.
- 6.2 The development plan is:
- Northern Area Plan 2016 (NAP)
- 6.3 The Regional Development Strategy (RDS) is a material consideration.
- 6.4 The Strategic Planning Policy Statement for Northern Ireland (SPPS) is a material consideration. As set out in the SPPS, until such times as a new local plan strategy is adopted, councils will apply specified retained operational policies.
- 6.5 Due weight should be given to the relevant policies in the development plan.
- 6.6 All material considerations and any policy conflicts are identified in the "Considerations and Assessment" section of the report.

7.0 RELEVANT POLICIES & GUIDANCE

The Northern Area Plan 2016

Strategic Planning Policy Statement (SPPS)

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Planning Policy Statement 2: Natural Heritage

Planning Policy Statement 3: Access, Movement and Parking

<u>Planning Policy Statement 6: Planning Archaeology and the Built Heritage</u>

Planning Policy Statement 7: Quality Residential Environments

PPS 7 Addendum: Safeguarding the Character of Established Residential Areas

Planning Policy Statement 15: Planning and Flood Risk

DCAN 8 - Housing in Existing Urban Areas

DCAN 15 - Vehicular Access Standards

Parking Standards

Creating Places

8.0 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to: Principle of Development, Quality in New Residential Development, Impact on the Character of the Surrounding Area, Access and Parking, Natural Environment and Flood Risk.
- 8.2 The application site is located within the defined Settlement Development Limit of Coleraine and is located on lands zoned for committed housing within the Northern Area Plan 2016 designation CEH 25. This relates to lands at 30 Mountsandel Road. Given the land use zoning the principle of this form of development is acceptable. The site is located in proximity to two archaeological sites and monuments which includes a graveyard and Tidal Ford & Mesolithic Material. The Grade B1 Listed former Coleraine Union Workhouse is located within the confines of the site.
- 8.3 Policy HOU 2 Social and Supported Housing of the Northern Area Plan 2016 states that proposals for schemes of more than 25 residential units, or on a site of 1 hectare or more, will be

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required to contribute to meeting the needs of the wider community, where there is an established need for social housing. Where this need is identified a minimum of 20% of the total number of residential units will be required to be provided to meet this need. The Housing Executive was consulted in regard to this proposal. The Housing Executive stated that Policy HOU 2 of the Northern Area Plan has been satisfied by planning application LA01/2018/1466/F which proposes 14 social housing units. The Housing Executive stated that social housing is therefore not required for this site.

Quality in New Residential Development

- 8.4 The SPPS states that the policy approach to housing in settlements must be to facilitate an adequate and available supply of quality housing to meet the needs of everyone; promote more sustainable housing development within existing urban areas; and the provision of mixed housing development with homes in a range of sizes and tenures.
- 8.5 Policy QD1 of PPS 7 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. The design and layout of residential development should be based on an overall design concept that draws upon the positive aspects of the character and appearance of the surrounding area.
- 8.6 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.
 - (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;
- 8.7 The site and surrounding area is characterised predominantly by residential development but there is a school not currently in use, a builders merchants, doctors surgery and motorbike shop located in proximity to the site. Dwellings along Mountsandel Road include large detached two storey dwellings but there are also detached bungalows and semi-detached bungalows, a

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- three storey apartment block and 1.5 storey townhouses located within St Patrick's Avenue. Dwellings are finished with a mix of stone, render and red brick.
- 8.8 The proposed development includes provisions for 55 no. dwellings including 35 no. detached, 18 no. semi-detached (with garages), 2 no. bungalows. There is also a mix of three and four bedroom houses. The dwellings proposed are 2.5 storey, 2 storey and 1 storey dwellings and are finished with a mix of smooth render and red brick. Overall the proposed design, scale, massing and appearance of the buildings are considered acceptable as the proposed traditional form and finishes allows the development to integrate into the existing character of the area.
- 8.9 In terms of layout all dwellings proposed have in curtilage parking. Some of the dwellings proposed have private driveways which will be finished with Acheson and Glover Plaza Salt paving which will break up their visual impact. There is also provision for small front gardens and larger back gardens for the dwellings proposed. The site will include 3 large areas of public open space and landscaping in the form of trees and hedges which will reduce the visual impact of the proposed development and areas of hardstanding. The proposed layout is acceptable.
- 8.10 Having regard to the topography of the site the proposed site is quite flat and there are no concerns in regard to topography.
 - (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;
- 8.11 The Grade B1 Listed former Coleraine Union Workhouse is sited within the confines of the site. Although this proposal does not include works to the Listed Building, a separate Listed Building Consent has been submitted under application reference LA01/2019/0989/LBC. Historic Environment Division did have initial concerns but amended plans have since been received and HED are now content with the proposal subject to a number of conditions relating to finishes and materials. This application will be recommended for approval.
- 8.12 Although the proposal does not include works to the listed building the proposed development will have an impact on the

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Setting of the Listed Building. Policy BH 11 of Planning Policy Statement 6, which refers to the setting of listed buildings is a key policy in relation to this proposal. Having regard to this proposal development will normally only be considered appropriate where all the following criteria are met; the detailed design respects the listed building in terms of scale, height, massing and alignment, the works proposed make use of traditional or sympathetic building materials and techniques which respect those found on the building; and the nature of the use proposed respects the character of the setting of the building.

- 8.13 Historic Environment Division was consulted in regard to this proposal and did have initial concerns that the proposed development did not include works to the listed building. HED requested confirmation that the proposed work to the existing Former Workhouse was to be completed as part of the proposal. A request was also made that this proposal would be linked to the conservation and reuse of the parent former Coleraine Union Workhouse. HED requested that a detailed phasing plan would be provided to restore the existing listed building as part of the overall proposal.
- 8.14HED considered the streetscape to Mountsandel Road, should be established with larger scaled, two storey, pitched roof blocks of dwellings similar to the scale and size of the former work house buildings and preferably set back from the road, more inline with the previous approval (C/2005/0239/F), instead of the 8 individual dwellings proposed, with gable ends facing the road either side of the Listed Building. In terms of the overall layout particularly at the central zone HED stated that the proposed dwellings should be larger in scale, two storey and pitched roof residential blocks, akin to the scale and size of the former workhouse buildings in this location. HED initially requested the removal of plots 1 and 2 from the scheme as they set forward of the listed building.
- 8.15HED had concerns in regard to the roof types proposed, the lack of chimneys on the proposed dwellings and concern in regard to materials. A request was made to provide natural slate roofs, painted aluminium rainwater goods and opaque painted hardwood windows and external doors to dwellings across the whole of the site. A request was also made to provide a more comprehensive Design and Access Statement.

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- 8.16 Following office meetings, informal discussions and several consultations it was agreed by the agents that the dwelling at plot 1 would be stepped back by 5 metres to reduce the impact on the setting of the listed building. It was agreed that the finishes and materials for the dwellings at plots 1 to 9 and 31 to 34 which are within the immediate setting of the listed building would have natural slate roofs, painted or powder coated aluminium rainwater goods or powder coated aluminium or opaque painted hardwood. Within the final consultation HED was content with the proposal subject to the conditions relating to the finishes and materials for the dwellings at ploys 1 to 9 and 31 to 34. These conditions will be placed on any approval. Further to this an LBC application was submitted. In regard to linking this development to the restoration of the listed building this is not possible and is considered unreasonable. However as the LBC application has been submitted it is accepted that this proposal and the restoration of the listed will be completed.
- 8.17Overall the detailed design respects the listed building in terms of scale, height, massing and alignment, the works proposed make use of traditional or sympathetic building materials and techniques which respect those found on the building; and the nature of the use proposed respects the character of the setting of the building.
- 8.18 The site is located in proximity to two Archaeological Sites and Monuments which includes a graveyard and a Tidal Ford & Mesolithic Material. An Excavation Licence and an Archaeological Watching Brief was submitted as part of the scheme. Historic Monuments is content that the site has been fully archaeologically resolved under Application C/2005/0239/F and LA01/2019/0593/DC, and that no further archaeological works are required. HED are content that the proposal is satisfactory to the SPPS and PPS 6 archaeological requirements. The proposed development therefore meets with Policy BH 2 of Planning Policy Statement 6: Planning, Archaeology and the Built Heritage.
- 8.19The site is not located with a Local Landscape Policy Area and will not lead to the removal of any significant landscape features and will retain a number of trees located along the boundary of the site.

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- (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;
- 8.20In the Creating Places document it is stated that all dwellings should have an area of private open space behind the building line. It is stated that garden provision should be calculated as an average space standard and should be around 70 square metres per house or greater. In regard to this proposal the majority of the dwellings have access to an area of private amenity which equates to 70 square metres or over. Initial concern was raised in regard to plots 5, 9, 17 to 19, 21 to 37, 39 to 41, 45 to 48 and 52 to 55 which included optional garages which would reduce the private amenity to between 53 square metres and 60 square metres for the dwellings in question. This included a mix of three and four bedroom houses. Having regard to the previous approval in which dwellings were approved with more limited amenity it is considered on balance that the three bedroom dwellings with amenity space of between 53 to 60 square metres is acceptable. However, in regard to the four bedroom dwellings, which will be used for families amenity space of between 53 and 60 square metres was not considered acceptable. While removal of the garages would increase the amenity provision this could still create difficulty in the future if we received an application for a garage as there wouldn't be sufficient space. It was requested that these four bedroom dwellings would be reduced to three bedroom dwellings.
- 8.21 As a compromise the agent removed the garages from the four bedroom plots and requested that the Planning Authority considers this further. With the garages removed the provision of private amenity for the four bedroom dwellings is between 80 and 144 square metres which is above the 70 square metres per dwelling recommended in Creating Places. Also placing weight on the previous approval in which dwellings were approved with limited amenity it is considered that with the removal of the proposed garages the amenity provision for the four bedroom dwellings is acceptable. All the dwellings proposed have an amenity provision of at least 40 square metres per dwelling. These areas of private amenity space will be grassed and

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- boundaries will consist of hedging and fencing which will reduce the visual impact of the proposed dwellings.
- 8.22 Given the proposal includes provisions for 55 dwellings it exceeds the 25 unit threshold as stated in PPS 8 Open Space and Recreation policy OS 2 relating to open space in new residential development. In line with this policy there is an expectation that 10% of the total site area should be allocated as public open space. There are three large areas of open space proposed as part of the scheme which equates to approximately 2003 square metres, which is 8% of the overall site. Although this falls below the required 10%, consideration has been given to the previous approval in which a material start has been completed and the provision of public open space was less than this scheme. On balance this provision of public amenity space is acceptable. The proposed areas of public open space have recreational and amenity value and access to these areas will be safe for proposed residents.
 - (d) adequate provision is made for necessary local neighbourhood facilities, to be provided by the developer as an integral part of the development;
- 8.23 This proposal includes provisions for 55 units. As the development does not exceed 100 units or 5 hectares as specified in Policy OS 2 of PPS 8 the provision of an equipped childrens play area is not required. The site is located within the Settlement Development Limit of Coleraine in which there are a range of facilities and services located in proximity to the site. Given the sites location close to these facilities it is considered that further neighbourhood facilities are not required.
 - (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;
- 8.24This proposal is located within the Settlement Development Limit of Coleraine. The dwellings are located within walking and cycling distance to the town centre of Coleraine. Potential residents will also have convenient access to public transport.
 - (f) adequate and appropriate provision is made for parking;

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- 8.25 The proposed development will provide in-curtilage parking for all dwellings proposed. Visitor car parking has also been provided as part of the road network layout. DFI Roads has no objection to the level and arrangement of parking provision. The proposal complies with the standards for parking as outlined in the Parking Standards document.
 - (g) the design of the development draws upon the best local traditions of form, materials and detailing;
- 8.26 The design of the proposed development is considered acceptable given the traditional form and finishes proposed as part of the scheme. The finishes include natural slate roofs, painted or powder coated aluminium rainwater goods or powder coated aluminium or opaque painted hardwood doors and windows. Boundary treatments to the properties are acceptable, comprising a mixture of render walls, timber fencing to rear gardens and estate railing to the front of the dwellings.
 - (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;
- 8.27In terms of design and layout the key issue in relation to this proposal, is the impact of the proposal on existing dwellings located around the site to include the dwellings on Mountsandel Road and St Patricks Avenue and dwellings approved at Beresford Avenue. The relationship between the proposed dwellings will also be considered.
- 8.28 In regard to the dwelling at 28 Mountsandel Road there are dwellings located at plots 8 and 12 which could have the potential to look toward this dwelling and its private amenity. The dwelling at plot 8 has a side to side relationship with the dwelling at 28 Mountsandel Road but does sit forward of the existing dwelling. The dwelling at plot 8 has a utility and dining room window on the ground floor and an en-suite and bathroom window at 1st floor level looking toward the existing dwelling. The 1st floor windows will be obscured given their use and there is no concern in regard to overlooking from these windows. In regard to the windows at ground floor level there is no concern as these windows will look toward the front driveway of this dwelling and not toward its most private amenity area. There is

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- also a separation distance of 18.5 metres from the side of the proposed dwelling to the side of the existing dwelling and an extensive hedged boundary with mature trees which will prevent overlooking. Given this separation distance there is no concern in regard to loss of light or overshadowing.
- 8.29The dwelling at plot 2 is a bungalow with roofspace accommodation and is orientated so that the rear windows of the proposed dwelling look toward the side of the existing dwelling at 28 Mounsandel Road and not toward its most private amenity space to the rear of the dwelling. Skylight windows are located at roofspace level. There is a substantial boundary with hedges and trees which will protect the private amenity of the dwelling at 28 Mountsandel Road. Given the extensive boundary treatment and the fact that this is a bungalow there is no concern in regard to loss of light or overshadowing.
- 8.30 The dwelling at plot 13 will also look toward the rear of the dwelling at 28 Mountsandel Road but will not look toward the most private amenity space which is considered to be the 1st 3 or 4 metres of a rear garden. There is also a hedged boundary with mature trees which will prevent overlooking. There is also a separation distance of 12.4 metres to the common boundary which exceeds the recommendation in Creating Places guidance which is 10 metres. This relationship is deemed acceptable. Given its location and the separation distance to the common boundary there is no concern in regard to overshadowing or loss of light.
- 8.31 The dwellings at plots 14 and 15 will look toward the dwelling at 4a St Patricks Avenue and to a lesser extent the dwelling at 5 St Patricks Avenue. There is a separation distance of 10 metres to the common boundary which meets the recommendation as set out in Creating Places. There are living room patio doors, a utility and kitchen window located at ground floor level although the utility and kitchen windows are stepped back by approximately 12.6 metres from the common boundary. There is also 2 bedroom windows and a bathroom window located at 1st floor level. These windows will look toward the side and rear of the dwelling at 4a St Patricks Avenue. The dwelling at plot 15 will look toward the side and front of the existing dwelling and with the 10 metres separation distance to the common boundary there is no concern in regard to overlooking, loss of light or overshadowing. The dwelling at plot 14 has one bedroom

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- windows at 1st floor level that will look toward the rear amenity area of the dwelling at 4a St Patricks Avenue but there are several outbuildings located along the boundary which will provide some protection to this amenity space. The proposed boundary treatment will add to this protection. Given this and the separation distance to the common boundary this relationship is considered acceptable.
- 8.32The dwelling at plot 15 does not look directly toward the rear amenity space of the dwelling at 5 St Patricks Avenue. This dwelling is also protected by a more a mature tree which will be retained as part of the proposal. Given this and the separation distance to the common boundary there is no concern in regard to overlooking, overshadowing or loss of light.
- 8.33 The proposed dwelling at plot 16 is a bungalow with roof space accommodation and is located close to the common boundary of the dwelling at 5 St Patricks Avenue. There is a bedroom window located at 1st floor level that will look toward this dwelling and its most private amenity space. This bedroom window will be conditioned to be obscured to prevent adverse impact on the amenity of the dwelling at 5 St. Patricks Avenue. A skylight window is also proposed which will provide light into the bedroom. This amenity space will also be protected by existing hedges and trees and proposed planting. This relationship is considered acceptable.
- 8.34The dwelling at plot 16 will also look toward the front and side of the dwelling at 5a St Patricks Avenue. As this dwelling is a bungalow it is considered that the proposed boundary treatments will protect the existing dwelling from adverse overlooking. This dwelling will also not look toward the most private amenity space of this dwelling. This relationship is acceptable.
- 8.35 A consideration must also be given to the townhouses and apartments approved under application reference LA01/2018/1466/F at Beresford Avenue which will share a back to back relationship with the dwellings proposed under this application at plots 20 to 25. Within Creating Places it is recommended that there should be a separation distance of around 20m or greater between the opposing rear first floor windows of new houses. It is also recommended that there should be a separation distance of 10 metres to the common

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- boundary. In terms of the approved townhouses there is a separation distance of 19 metres back to back. This is considered adequate to protect residential amenity and is similar to what was approved under application reference C/2005/0329/F in which development was commenced and can be completed.
- 8.36 There is also an apartment block approved in which there is a separation distance of 18 metres to the proposed dwellings under this application. Although it is preferred to have a separation distance of 30 metres between apartments and dwellings, this lesser amount is acceptable as there are only velux windows located at 2nd floor level which will limit the potential for overlooking. In regard to the 1st floor there are two bedroom windows and two bathroom windows which will look toward the dwellings proposed under this application. However, with the proposed separation distance and considering its urban location this relationship is considered acceptable. There is also a separation distance of 10 metres to the common boundary of the dwellings proposed under this application which meets the recommendation in Creating Places. In regard to the dwelling at plot 55 which is located in proximity to the approved dwellings under application LA01/2018/1466/F there is no concern in regard to overlooking, loss of light or overshadowing given the separation distance which is approximately 20 metres.
- 8.37 Overall this proposal will not lead to the unacceptable overlooking of private amenity space of the townhouses and apartments approved at Beresford Avenue. It is also considered that there will be no adverse impact on the proposed dwellings under this application in terms of loss of light, overshadowing or overlooking.
- 8.38 The layout and arrangement of proposed dwellings is considered to be acceptable and will not result in any significant adverse impact on residential amenity. The majority of the dwellings with a back-to-back relationship have adequate separation distances between the opposing rear elevations and rear boundaries. In the instances where the separation distances fall below the advised 10m and 20m boundaries it is not by a significant margin which will not result in an unacceptable relationship, which would have detrimental privacy or amenity impacts through overlooking, loss of light or overshadowing. The dwellings at plots 5 and 9 share a back to back relationship.

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- There is a separation distance of 15 metres between the dwellings but there are no 1st floor windows looking toward the rear of each property. Given this and the proposed separation distance this relationship is considered acceptable.
- 8.39There are some dwellings that share a back to side relationship. In these cases the windows have been carefully considered and the only windows looking toward the rear amenity of dwellings at 1st floor level are bathroom and hall windows which is considered acceptable. It is considered that all the dwellings proposed have an acceptable relationship and would not be detrimentally impacted by overlooking, loss of light or overshadowing.
- 8.40 The dominant source of inward sound level impact at this location will be road traffic. An Inward Sound Level Impact Assessment was submitted with the application. Environmental Health was consulted in regard to this document. Environmental Health advised that mitigation measures would be required to ensure there will be no adverse impact on health and the quality of life of people living within the proposed dwellings. Environmental Health also accepted that the proposal will exceed the outdoor amenity guidelines in BS 8233:2014 but identified that there are many existing dwellings located alongside Mountsandel Road. It was also stated that under application C/2005/0239/F no specific mitigation measures were proposed. Environmental Health advised that the Planning Department should ensure consideration of planning conditions to ensure the implementation of required mitigation measures. These conditions relate to the sound reduction performance of windows and ventilation systems and the installation of acoustic barriers. These conditions will be placed on any approval. Giving weight to the previous approval, the location of other dwellings on Mountsandel Road, the sites urban location and the mitigation measures these noise levels are considered acceptable.
- 8.41 Given the former use of the proposed site concern was raised in regard to potential contamination at the site. An Environmental Site Assessment, Asbestos Pre-demolition survey, Remedial Strategy and Asbestos Remediation, Verification Report was submitted As part of the application. Environmental Health was consulted in regard to this information and are content with the information provided subject to verification and unforeseen

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- contamination conditions. These conditions will be added to any approval. DAERA also raised no concern subject to conditions.
- (i) the development is designed to deter crime and promote personal safety.
- 8.42The proposed design and layout of the development ensures that there are no issues arising in relation to crime and personal safety. The public amenity spaces proposed are overlooked by the fronts of dwellings and this will provide surveillance for these areas. The rear gardens of the dwellings proposed will be enclosed with fencing. The proposed development will not lead to the creation of spaces where anti-social activity will be encouraged.

Impact on the character of the surrounding area

- 8.43 Policy LC 1 states that in established residential areas planning permission will only be granted for the redevelopment of existing buildings, or the infilling of vacant sites (including extended garden areas) to accommodate new housing, where all the criteria set out in Policy QD 1 of PPS 7, and all the additional criteria set out below are met:
 - (a) the proposed density is not significantly higher than that found in the established residential area;
 - (b) the pattern of development is in keeping with the overall character and environmental quality of the established residential area; and
 - (c) all dwelling units and apartments are built to a size not less than those set out in Annex A.
- 8.44This proposal will provide 55 dwellings on a brownfield site within the Coleraine Settlement Development Limit. This site is zoned committed housing under designation CEH 25. The proposed density has been reduced on the previous approval and is therefore considered acceptable. The proposed density is not significantly higher than that found in the established residential area.
- 8.45The site and surrounding area is characterised predominantly by residential development which includes a number of housing developments. There are also local businesses and shops located in proximity to the site. Dwellings in this area include a

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mix of detached and semi-detached properties finished with smooth render, stone and red brick. The proposed development includes provisions for 55 no. dwellings including 35 no. detached, 18 no. semi-detached (with garages), 2 no. bungalows. There is also a mix of three and four bedroom houses. The dwellings proposed are 2.5 storey, 2 storey and 1 storey dwellings and are finished with a mix of smooth render and red brick. These dwelling types and finishes will respect the character of the area.

8.46 All the dwellings proposed are of a size not less than those set out in Annex A of the policy.

Access and Parking

8.47 Access to the public road is proposed via Mountsandel Road. Although initial concern was raised by DFI Roads amended plans have been provided and DFI Roads has now accepted the proposed parking and visibility splays and have also signed off the PSD drawings subject to conditions. Given this the proposed development will not significantly inconvenience the flow of traffic or prejudice road safety and is compliant to Policy AMP 2 of PPS 3.

Natural Environment

8.48 As part of the proposal a Biodiversity Checklist was submitted with the application. DAERA Natural Environment Division was consulted in regard to this and was content with the information provided. It was stated by NED that the site has been previously cleared and that there was no evidence of protected species on site. It was accepted that the buildings on site have been assessed as having a negligible bat roosting potential. NED also welcomed the retention and protection of existing boundary trees. The proposed development will therefore not result in adverse impact on protected species, priority species and their habitats in line with the SPPS and Policies NH2 and NH 5 of PPS2.

Flood Risk

8.49The application site is not located within the 1 in 100 year fluvial floodplain or the 1 in 200 year coastal floodplain. Therefore Policy FLD 1 of PPS 15 is not applicable.

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- 8.50 Given the size of the application site and number of dwellings proposed Policy FLD3 of PPS 15 is applicable and required the submission of a Drainage Assessment. A Drainage Assessment was submitted as part of the application and DFI Rivers was consulted. DFI Rivers stated that the internal storm drainage system is to be adopted by NI Water. According to the Agreement for Adoption of Development Sewers, Lateral Drains and Associated Works communicating with a public sewer in a New Development (Article 161) Guidance Notes April 2017, the completed application and accompanying drawings, calculations etc, will be checked for compliance with the requirements of the 'Sewers for Adoption (NI) Current Edition' by Northern Ireland Water. DFI Rivers stated that while not being responsible for the preparation of the report accepts its logic and has no reason to disagree with its conclusions. Consequently, Dfl Rivers cannot sustain a reason to object to the proposed development from a drainage or flood risk perspective.
- 8.51 Given the conclusions of DFI Rivers, as the competent authority, the Planning Department are satisfied that the proposed development will not result in any adverse impacts from flooding and drainage.

9.0 CONCLUSION

9.1 The proposed housing development is considered acceptable in this location having regard to the Northern Area Plan 2016, and other material considerations, including the SPPS. The principle of development has been established under housing zoning CEH 25. The proposed layout of the site is considered acceptable. It is considered that there will be no unacceptable impacts on existing dwellings or proposed dwellings via overlooking, loss of light or overshadowing. Approval is recommended.

10.0 Conditions and Informatives

- 10.1 Regulatory Conditions:
- 1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

Reason: As required by Section 62 of the Planning Act (Northern Ireland) 2011.

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2. All soft and hard landscaping incorporated in the stamped approved Drawing No.08 Rev 2 bearing Planning Authority date stamp 19th June 2020 and 71 Rev 1 bearing the date stamp 24th June 2020, shall be completed in accordance with these plans and the appropriate British Standard or other recognised Codes of Practice before occupation of the first residential unit in the development.

Reason: To ensure the provision of a high standard of landscape and adequate amenity space, consistent with Planning Policy Statement 7 'Quality Residential Environments'.

3. The proposed open space and amenity areas identified on the stamped approved Drawing No.08 Rev 2 bearing Planning Authority date stamp 19th June 2020 and 71 Rev 1 bearing the date stamp 24th June 2020 and the Landscape Management and Maintenance Plan Doc 4A, bearing the date stamp 24th June 2020 2019, shall be carried out prior to the occupation of the dwellings hereby approved or as otherwise agreed in writing with the Council.

Reason: In the interest of visual and residential amenity.

4. Details of the maintenance and management of the open space communal areas and landscaped areas shall be carried out in accordance to Landscape Management and Maintenance Plan Doc 4A date stamped 24th June 2020.

Reason: To ensure the establishment and continuity of the approved open space, communal areas, and amenity areas through the long term maintenance to achieve a quality residential development.

5. If within a period of 5 years from the date of the planting of any tree, shrub or hedge, that tree, shrub or hedge is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Planning Authority, seriously damaged or defective, another tree, shrub or hedge of the same species and size as that originally planted shall be planted at the same place, unless the Planning Authority gives its written consent to any variation.

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

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6. Roof finish for the dwellings at plots 1-9 and 31-34 shall be Natural Slate (Natural Spanish Slate acceptable).

Reason: To protect the historic fabric and setting of the Listed Building, located within the proposed development site under SPPS and PPS6.

7. External doors and windows for dwellings at plots 1-9 and 31-34 shall be powder coated aluminium or opaque painted hardwood.

Reason: To protect the historic fabric and setting of the Listed Building, located within the proposed development site under SPPS and PPS6.

8. Rainwater goods for the dwellings at plots 1-9 and 31-34 shall be painted or powder-coated aluminium type.

Reason: Reason: To protect the historic fabric and setting of the Listed Building, located within the proposed development site under SPPS and PPS6.

9. The sound reduction performance of window and ventilation systems (site references from Here Architects Drawing 17125 D02) as identified within Table C "Site specific façade sound reductions", within Document 2: Report Reference MRL/1289/L01, date stamped 20th December 2018, shall meet the required façade sound reductions (dB R_w or greater) when measured from outdoor to indoor for daytime and night-time rooms, as prescribed within Table C "Site specific façade sound reductions" within Document 2: Report Reference MRL/1289/L01, date stamped 20th December 2018. The internal sound level criteria [BS 8233:2014] as stated within Section 2 shall be achieved for all dwellings.

Reason: To ensure a suitable internal noise environment is achieved.

10. Dwellings to the development shall not be occupied until acoustic barriers are installed within the site locations, as presented within Document 2: Report Reference MRL/1289/L01, date stamped 20th December 2018, figure H "Identification of proposed acoustic barriers" The barriers shall achieve the sound reduction as detailed within Section 4.4 of Document 2 and shall have a surface weight of not less than 10kg/m², be of solid construction (i.e. no holes or

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gaps for sound to pass through), and so if the barriers are a fence type construction, they should be of the fully ship-lapped design.

Reason: In order to preserve the amenity of the proposed dwellings.

11. The acoustic barriers as outlined within condition 10 shall be maintained in perpetuity with the lifetime of the development in order to provide the sound reduction stated within section 4.4 of Document 2: Report Reference MRL/1289/L01, date stamped 20th December 2018

Reason: In order to preserve the amenity of the proposed dwellings.

12. The proposed development shall be carried out in accordance with the stamped approved Drawings:-Drg. No. 68 Rev 02, Road Layout Private Streets Determination.

Drg. No. 69 Rev 02, Road Sections,

Drg. No. 70 Rev 02, Road Sections,

Drg. No. 72 Rev 01, Construction Details,

Drg. No. 73, Storm Sewer Sections, and

Drg. No. 74, Storm Sewer Sections, all date stamped 14th July 2020.

Reason: To ensure the development is carried out in accordance with the approved plans.

13. 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 Drg. No. 68 Rev 02, Road Layout Private Streets Determination.

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.

14. The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992.

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No other development hereby permitted shall be commenced/occupied until the works necessary for the improvement of a public road have been completed in accordance with the details outlined blue on Drg. No. 68 Rev 02, Road Layout Private Streets Determination. 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.

15. 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.

16. No dwellings 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.

17. The gradient of the access road shall not exceed 4% (1 in 25) over the first 10m from the junction with the pubic road.

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

18. No development shall commence until the visibility splays of 4.5 metres by 70 metres at the junction of the proposed access road with the public road, is provided in accordance with Drg. No. 68 Rev 02, Road Layout Private Streets Determination, prior to the commencement of any other works or other development.

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

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19. 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.

20. 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.

21. No other development hereby permitted shall be commenced until the road works indicated on Drg. No. 68 Rev 02, Road Layout Private Streets Determination have been fully completed in accordance with the approved plans.

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

22. No development shall commence until any highway structure/retaining wall/culvert requiring Technical Approval, as specified in the Roads (NI) Order 1993, has been approved and constructed in accordance with BD2 Technical Approval of Highways Structures: Volume 1: Design Manual for Roads and Bridges.

Reason: To ensure that the structure is designed and constructed in accordance with BD2 Technical Approval of Highways Structures: Volume 1: Design Manual for Roads and Bridges.

23. The development hereby permitted shall not be occupied until the remediation measures as described in the RSK Remedial Strategy, Phase 2, Former Coleraine Hospital, Ref: 602156-R4(00)

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dated May 2019 and Doc 10 dated 3rd February 2020, have been implemented to the satisfaction of the Planning Authority. The Planning Authority must be given 2 weeks written notification prior to the commencement of remediation work.

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

24. If during the development works, new contamination or risks 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 Model Procedures for the Management of Land Contamination (CLR11). 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 and human health receptors to ensure the site is suitable for use.

25. After completing the remediation works under Conditions 23 and 24; and prior to occupation of the development, a verification report needs to be submitted in writing and agreed with Planning Authority. This report should be completed by competent persons in accordance with the Model Procedures for the Management of Land Contamination (CLR11). The verification report should present all the remediation, waste management and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and wastes in achieving the remedial objectives.

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

26. No development or piling work should commence on this site until a piling risk assessment has been submitted in writing and agreed with the Planning Authority. Piling risk assessments should be undertaken in accordance with the methodology contained within the Environment Agency document on "Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention" available at http://publications.environmentagency.gov.uk/PDF/SCHO0501BIT T-E-E.pdf.

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

27. The proposed 2.4 metre high screen walls as shown in drawing number 08 Rev 2 date stamped 19th June 2020 shall be constructed before the commencement of the dwellings at sites 5-9.

Reason: In the interests of private amenity.

28. Notwithstanding the provisions of the Planning (General Permitted Development) Order (Northern Ireland) 2015, or any Order revoking and/or re-enacting that Order, no extension, enlargement (including alteration to roofs) or the construction of external structures, walls or fences shall be carried out to the dwellings at plots 5, 26, 27, 28, 29, 32, 33, 36, 37, 40, 41 and 55 hereby permitted without the grant of a separate planning permission from the Council

Reason: In the interests of private amenity.

29. The proposed bedroom 4 window located at 1st floor level to the dwelling at plot 16 which looks toward the dwelling at 5 St. Patricks Avenue shall be permanently obscured.

Reason: In the interests of private amenity.

30. The existing trees and natural screenings, located along the northern and southern boundaries of the site shall be permanently retained unless necessary to prevent danger to the public in which case a full explanation along with a scheme for compensatory planting shall be submitted to and agreed in writing with the Council, prior to removal.

Reason: To safeguard the amenities of neighbouring occupiers and in the interests of visual amenity.

<u>Informatives</u>

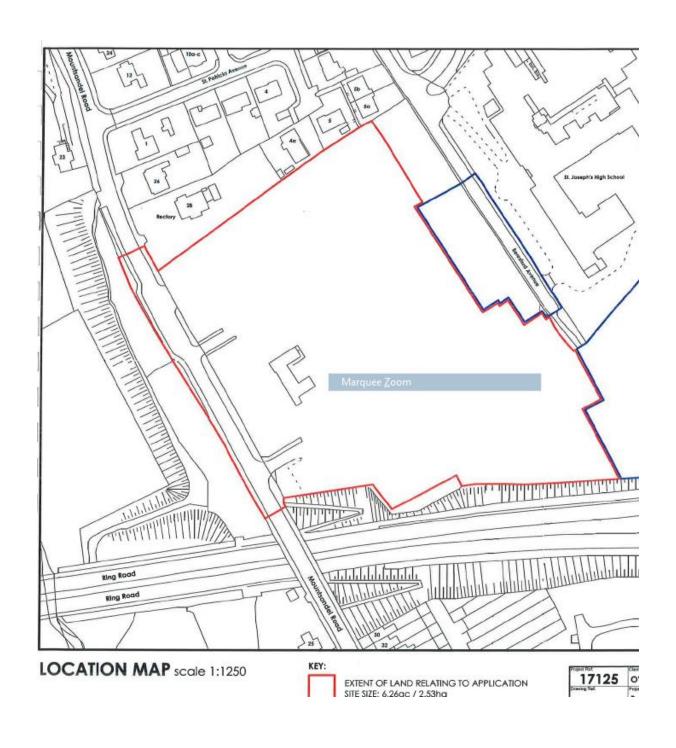
- 1. This approval does not dispense with the necessity of obtaining the permission of the owners of adjacent dwellings for the removal of or building on the party wall or boundary whether or not defined.
- 2. This permission does not alter or extinguish or otherwise affect any existing or valid right of way crossing, impinging or otherwise pertaining to these lands.

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- 3. This permission does not confer title. It is the responsibility of the developer to ensure that he controls all the lands necessary to carry out the proposed development.
- 4. This determination relates to planning control only and does not cover any consent or approval which may be necessary to authorise the development under other prevailing legislation as may be administered by the Council or other statutory authority.
- 5. You should refer to any other general advice and guidance provided by consultees in the process of this planning application by reviewing all responses on the Planning Portal at http://epicpublic.planningni.gov.uk/publicaccess/.

Site Location Map

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Site Layout Plan

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