

Planning Committee Report LA01/2018/1022/F	19 <sup>th</sup> December 2018
<b>PLANNING COMMITTEE</b>	

<b>Linkage to Council Strategy (2015-19)</b>	
Strategic Theme	
Outcome	
Lead Officer	Development Management & Enforcement Manager
Cost: (If applicable)	N/a

<b><u>No:</u></b>	LA01/2018/1022/F	<b><u>Ward:</u></b> Ballymoney
<b><u>App Type:</u></b>	Full Planning	
<b><u>Address:</u></b>	42 Knock Road Ballymoney	
<b><u>Proposal:</u></b>	Proposed refurbishment of existing vacant building, change of use from residential to office space and formalisation of parking area	
<b><u>Con Area:</u></b>	No	<b><u>Valid Date:</u></b> 23.08.2018
<b><u>Listed Building Grade:</u></b>	N/a	
<b>Agent:</b>	GM Design Associates Ltd	
<b>Applicant:</b>	Causeway Coast and Glens Borough Council Cloonavin 66 Portstewart Road Coleraine BT52 1EY	
<b>Objections:</b> 0	<b>Petitions of Objection:</b>	0
<b>Support:</b> 0	<b>Petitions of Support:</b>	0

Drawings and additional information are available to view on the Planning Portal- [www.planningni.gov.uk](http://www.planningni.gov.uk)

## **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 proposal relates to the existing two storey house at 42 Knock Road Ballymoney. The building is a residential property.
- 2.2 The site is located adjacent to the Council amenity facility and at the entrance to the cemetery. It is within the Settlement Development Limits of Ballymoney as set out in the Northern Area Plan 2016.

## **3 RELEVANT HISTORY**

D/2003/0781/F: Change of use from dwelling to office accommodation at cemetery  
Granted 02.02.2004

## **4 THE APPLICATION**

- 4.1 Planning Permission is sought for a change of use of an existing dwelling and refurbishment to offices and formalisation of parking area.

## **5 PUBLICITY & CONSULTATIONS**

### **5.1 External**

Neighbours: There are no objections to the proposal.

### **5.2 Internal**

Environmental Health Department: No objections.

NI Water: No objections.

DFI Roads: No objections.

## **6 MATERIAL CONSIDERATIONS**

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

## **7.0 RELEVANT POLICIES & GUIDANCE**

The Northern Area Plan 2016

Strategic Planning Policy Statement (SPPS)

Planning Policy Statement 3: Access, Movement and Parking

Planning Policy Statement 11: Planning and Waste Management

## **8.0 CONSIDERATIONS & ASSESSMENT**

- 8.1 The main considerations in the determination of this application relates to land use and amenity.

8.2 The site is within the settlement development limit as set out in the Northern Area Plan 2016 and is not subject to any specific designations or zonings. The main policy consideration is contained within the Northern Area Plan 2016, the Strategic Planning Policy Statement and the relevant Planning Policy Statements. As this proposal is in relation to a change of use from a residential property to office space, the main policy considerations are within paragraphs 6.82, 6.85 of the SPPS and Policy AMP2 of PPS3 and PPS11 Policy WM2

### **Principle of Development**

8.3 The principle of development must be considered having regard to the SPPS and PPS policy documents as mentioned.

8.4 The site is within the settlement development limit as set out in the Northern Area Plan 2016 and is not subject to any specific designations or zonings.

8.5 Paragraph 6.309 of the SPPS highlights the need for the provision of waste facilities and infrastructure can make a valuable contribution towards sustainable development. The aim of the SPPs in relation to waste management is to support wider government policy focused on the sustainable management of waste, and a move towards resource efficiency. Para 6.318 states Development in the vicinity of waste management facilities should only be permitted where it will not prejudice the operation of such facilities and will not give rise to unacceptable impact on people, transport or the environment

8.6 The SPPS directs office development to be within designated Town centres. Elsewhere such proposals should be determined on their individual merits. The proposed office use in ancillary to the Council depot use and is therefore considered acceptable at this location, adjacent to a local centre.

### **Access**

8.7 Planning Policy Statement PPS3  
Policy AMP2 Access to Public Roads – Planning permission will only be granted for a development proposal involving direct access, or the intensification of the use of an existing access onto a public road where: such access will not prejudice road

safety or significantly inconvenience the flow of traffic; and the proposal does not conflict with Policy AMP3 Access to Protected Routes.

- 8.8 Access to the proposal is via the existing roadway leading to the council yard off the Knock Road which serves the existing building and amenities. DFI Roads has been consulted during the consideration of the application and have commented with no objection to the proposed change of use. The proposal is assessed that it will not prejudice road safety or significantly inconvenience the flow of traffic.

### **Amenity**

- 8.9 Environmental Health as the competent authority were consulted regarding amenity issues. With regard to noise, they advised that the applicant is to ensure that all plant and equipment used in connection with the proposal are so situated, operated and maintained as to prevent the transmission of noise and odour to surrounding sensitive receptors. Having regard to this, the proposal is considered acceptable in terms of amenity. These issues will be added to the decision notice as planning informatives.

## **9.0 CONCLUSION**

- 9.1 The proposal is considered acceptable at this location having regard to the Northern Area Plan 2016 and other material considerations. The refurbishment of the existing vacant property and change of use to office accommodation to be used by staff operating within the council yard is appropriate for the location and is unlikely to unduly affect the amenity of nearby residents. Approval is recommended.

## **10 CONDITIONS**

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

Reason: Time Limit.

- 10.2 No development shall commence until the vehicular access, including visibility splays and any forward sight distance is provided in accordance with drawing no. 02B bearing the date stamp 19<sup>th</sup> October 2018. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250mm above the level of the adjoining carriageway and such splays shall be retained and kept clear thereafter.

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

- 10.3 The development hereby permitted shall not become operational until hard surfaced areas have been constructed in accordance with approved Drawing No 02B bearing the date stamp 19<sup>th</sup> October 2018 to provide adequate facilities for parking and circulating within the site. No part of these hard surfaced areas shall be used for any purpose at any time other than for the parking and movement of vehicles.

Reason: to ensure that adequate provision has been made for parking.

**Informatives:**

1. 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.
2. 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.
3. Precautions shall be taken to prevent the deposit of mud and other debris on the adjacent road by vehicles travelling to and from the construction site. Any mud, refuse, etc deposited on the road as a result of the development, must be removed immediately by the operator/contractor.
4. All construction plant and materials shall be stored within the curtilage of the site.

5. It is the responsibility of the Developer to ensure that water does not flow from the site onto the public road (including verge or footway) and that the existing road side drainage is preserved and does not allow water from the road to enter the site.
  
6. “Noise from construction activities should –
  - (a) not exceed 75 dB  $L_{Aeq, 1hr}$  between 07.00 hours and 19.00 hours on Monday to Fridays, or 75 dB  $L_{Aeq, 1hr}$  between 08.00 hours and 13.00 on Saturdays, when measured at any point 1 metre from any façade of any residential accommodation, and
  - (b) not exceed 65 dB  $L_{Aeq, 1hr}$  between 19.00 hours and 22.00 hours on Monday to Fridays, or 13.00 hours to 22.00 hours on Saturdays when measured at any point 1 metre from any façade of any residential accommodation, and
  - (c) not be audible between 22.00 hours and 07.00 hours on Monday to Fridays, before 08.00 hours or after 22:00 hours on Saturdays, or at any time on Sundays, at the boundary of any residential accommodation. (As a guide the total level (ambient plus construction) shall not exceed the pre-construction ambient level by more than 1 dB(A). This will not allow substantial noise producing construction activities but other “quiet” activities may be possible). Routine construction and demolition work which is likely to produce noise sufficient to cause annoyance will not normally be permitted between 22.00 hours and 07.00 hours.”

### **Noise from Plant & Equipment**

The applicant shall ensure that all plant and equipment used in connection with the proposal are so situated, operated and maintained as to prevent the transmission of noise and odour to surrounding sensitive receptors.

7. If during the course of developing the site the developer uncovers a pipe not previously evident NIW should be notified immediately in order that arrangements may be made for investigation and direction in respect of any necessary measures required to deal with the pipe. Notify NIW Waterline on 08457 440088.
8. The applicant is advised to contact NIW through its Customer Relations Centre on 08458 770002 or [waterline@niwater.com](mailto:waterline@niwater.com), upon receipt of this decision notice to discuss any areas of concern.
9. 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 Planning Authority or other statutory authority.



# Site Location

