

# **ITEM A**

**Lime Park, 37 Drones Road,  
Armoy, Co. Antrim.**

**E/2014/0055/F**

**Full Planning**

**16<sup>th</sup> December 2015**

<b>No:</b>	E/2014/0055/F	<b>Ward:</b>	Armoy
<b>App Type:</b>	Full Planning		
<b>Address:</b>	Lime Park, 37 Drones Road, Armoy, Co. Antrim		
<b>Proposal:</b>	Proposed re-development of Lime Park, Inc. replacement clubhouse, floodlight 3G training facility, upgrading of existing pitches inc. floodlighting, trimtrail and associated car parking and access upgrade.		
<b>Con Area:</b>	N/A	<b>Valid Date:</b>	26 March 2014
<b>Listed Building Grade:</b>	N/A		
<b>Applicant:</b>	Armoy Rugby Football Club, C/O Agent		
<b>Agent:</b>	R Robinson & Sons Ltd, Albany Villas, 59 High Street, Ballymoney		
<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 RECOMENDATION

- 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 section 7 and resolves to **GRANT** planning permission subject to the conditions and informatives set out in section 10.

## 2 SITE LOCATION & DESCRIPTION

- 2.1 The application site is the grounds of Armoy Rugby Club approx. 200 metres south of the village. It is a large site located on the east side of Drones Road, between the road and the River Bush. The vehicular access to the site slopes down from the road to an existing car park.
- 2.2 To the east of the carpark is a football pitch and training area which are slightly raised above the level of the carpark and the adjacent clubhouse. The clubhouse is a small single storey flat roofed brick constructed building adjacent to a stand on the south west boundary of the pitch. The southern part of the site is a flat grassed area which contains a single caravan and is used by a model aircraft club. A trim trail track off the access

separates the rugby club facilities from the parcel of land in the north west part of the site. This part of the site is rough grassland which rises gently to the north west with steep banks along the western boundary rising to meet the road.

- 2.3 The roadside boundary is defined by a low hedge. There is vegetation in the northern corner of the site with trees along the north east boundary. The south, east and west boundaries are defined by post and wire fencing.
- 2.4 The site is located within open countryside as designated in the Northern Area Plan 2016 and accesses onto a Protected Route.

### **3 RELEVANT HISTORY**

- 3.1 None

### **4 THE APPLICATION**

- 4.1 Planning permission is sought for Proposed re-development of Lime Park, inc. replacement Clubhouse, floodlight 3G training facility, upgrading of existing pitches inc. floodlighting, trimtrail and associated car parking and access upgrade.

### **5 PUBLICITY & CONSULTATIONS**

#### **External**

- 5.1 **Neighbours:** There are no objections to the proposal.

#### **Internal**

- 5.2 **Transport NI:** Has no objection to the proposal subject to conditions.

**Rivers Agency:** Has no objection subject to the applicant being aware of the flood risk measures.

**Environmental Health:** Has no objection.

**NIEA Water Management Unit:** Has no objection.

**NI Water:** No objection.

**NIEA Natural Environment Division:** No objection subject to conditions.

**NIEA Protecting Historic Monuments:** No objection.

**Northern Ireland Tourist Board:** No objection.

## **6 MATERIAL CONSIDERATIONS**

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

## **7 RELEVANT POLICIES & GUIDANCE**

Strategic Planning Policy Statement (SPPS)

Northern Area Plan 2016

Planning Policy Statement 2 (PPS 2) Natural Heritage

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

Planning Policy Statement 6 (PPS 6) Planning, Archaeology and Built Heritage

Planning Policy Statement 8 (PPS 8): Open space, Sport and Outdoor Recreation

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

Planning Policy Statement 21 (PPS21): Sustainable Development in the Countryside

## **8 CONSIDERATIONS & ASSESSMENT**

- 8.1 The site is located within open countryside as designated in the Northern Area Plan 2016. The main considerations in the determination of this application relate to Policies OS 3 – Outdoor Recreation in the Countryside and OS 7 – The Floodlighting of Sports and Outdoor Recreational Facilities.

### **Planning Policy**

- 8.2 The principle of this development proposed must be considered having regard to the PPS policy documents specified above and the supplementary guidance.

### **Policy OS 3 of PPS 8 – Outdoor Recreation in the Countryside**

- 8.3 The principle of using this site as a sports facility is already established and is currently used as such. The applicant seeks a replacement clubhouse, a 3G training facility with floodlighting, upgrading of existing pitches including floodlighting, trim trail and associated car parking and access.
- 8.4 The application falls to be considered under Policy OS 3 which requires the proposal to meet eight criteria. These are addressed in order below.
- 8.5 That there is no adverse impact on features of importance to nature conservation, archaeology or built heritage.

NIEA Natural Heritage are concerned that the lighting levels from the proposed floodlighting may impact upon the river

corridor and cause disturbance to and/or displace local bat populations likely to be using the river corridor for commuting and foraging. However, to minimise these concerns, the applicant has been requested to provide a 5 metre wide belt of additional native tree and shrub planting along the boundary between the light source and the river corridor and to plant trees along the northern boundary and allow them to mature. Plans have been amended to reflect this provision of planting so it is considered the natural heritage features of the river corridor will be conserved and the proposal as a Rugby Club is in accordance with PPS 2.

- 8.6 The land is already in use so there is no loss of the best and most versatile agricultural land and no unacceptable impact on nearby agricultural activities.
- 8.7 The existing training area will be reduced slightly to accommodate the new 3G training pitch adjacent. Both the existing training area and pitches will have their surfaces upgraded but the levels will not change. They will be enclosed by a 1.2 metre high perimeter fence and the existing training area will have 12 metre high x 30 metre ball catch nets. The works also include further planting to the boundaries which will improve the current situation.
- 8.8 It is proposed to demolish the existing pavilion building. A new clubhouse building is provided closer to the entrance to the site adjacent to the existing carpark. The new clubhouse will be single storey, 7.5 metres high and will provide various facilities including changing rooms, bathrooms, a fitness suite, a hall, office, meeting room, kitchen, bar, stores etc. The building will be finished in a natural coloured render with green profile composite metal roofing and black aluminium window and door frames. It will be substantial in comparison to the existing pavilion building, but it is fairly modest in scale and of an appropriate design typical to that found in rural training grounds. Proposed materials/finishes are considered satisfactory at this location.
- 8.9 In relation to the impact on the amenities of people living nearby. There are currently 5no. floodlights within the grounds. The new 3G training pitch will have 6 No. 12m high floodlights and the upgraded training area will have 8 No. 12m floodlights

both with 4 luminaires on each column. Environmental Health have no objections to the floodlighting but advise the applicant to ensure it is optically controlled and directed in such a manner to minimise light pollution from glare and spill to nearby residential properties. The nearest residential property is approx. 100 metres to the north west and sits at a higher level above the rugby grounds. The proposed floodlighting should not have an unacceptable impact upon this property and public safety would not be prejudiced.

- 8.10 New 160 x 4.5 metre sight lines will be provided at the access in both directions. This will require the existing hedge and grass bank to be moved back up to 1 metre in parts and these parts of the roadside boundary will be re-graded with a 1:2 slope and new boundary fence. Proposed alterations relate to a minor section of the roadside where there is little existing vegetation cover along this boundary. The car parking facilities will be moved to the north east of the access and to the front of the new club house and will provide 71 parking spaces in a formal layout. The trim trail will be re-located slightly to accommodate the new car park. TransportNI have no objections to this application following amendments.

### **Other Matters**

- 8.11 Part of the site is within the flood plain. FLD 1 of PPS 15 allows for development on the flood plain in exceptional circumstances on being for use of land for sport and outdoor recreation (criteria d). The applicant is then requested to submit a FRA and mitigation measures.
- 8.12 Rivers Agency have records of flooding at this site and the Flood Hazard Map (NI) indicates that part of the site is within the 1 in 100 year fluvial floodplain. The applicant revised the position of the new 3G facility adjacent to and over part of the existing training area. This part of the site currently slopes upwards gently to the existing training area which is slightly raised. The submitted cross sections indicate that a small amount of infilling, up to 1 metre, will be required in the western part of the new pitch to create a level training surface.

8.13 The applicant submitted a FRA in May 2015. Rivers Agency are now content with the proposal from a drainage and flood risk perspective. Rivers Agency also verified the accuracy of the technical information on potential flooding of the trim trail contained within the flood emergency plan. It is the applicant who has responsibility for the accuracy, acceptance of the FRA and implementation of the proposed flood risk measures.

## **9 CONCLUSION**

9.1 The proposal is considered acceptable in this location having regard to the Northern Area Plan 2016, and other material considerations. The proposal complies with planning policy and is acceptable in terms of its scale and impact on landscape and residential amenity. Approval is recommended.



## 10 CONDITIONS

### 10.1 Regulatory Conditions:

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

**Reason:** Time Limit.

2. Tree and shrub planting between the light source and watercourse, from the northern boundary along the eastern red line boundary for a length of 150m and width of 5m in accordance with Drawing No. 07/4 date stamped 11th September 2015 shall be established before lighting is switched on.

**Reason:** To minimise the light spill on the river corridor.

3. 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.

4. The vehicular access, including visibility splays and any forward sight distance, shall be provided in accordance with Drawing No. 03/1 and 06 REV 2 bearing the date stamp 23rd July 2015, prior to the commencement of any other development hereby permitted. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250mm above the level of the adjoining carriageway and such splays shall be retained and kept clear thereafter.

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

5. The level of illumination of the proposed floodlights shall be controlled to a brightness which does not affect road users on Drones Road after nightfall.

Reason: In the interest of road safety and convenience of road users.

## Informatives

1. 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.
2. 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.
3. 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.
4. The applicant's attention is drawn to:
  - i. the relevant provisions of the Chronically Sick and Disabled Persons (Northern Ireland) Act 1978; and
  - ii. the Code of Practice for Access for the Disabled to buildings.
5. The applicant is advised that the internal layout of the proposal should make adequate provision for the needs of people with disabilities. Further advice is set out in Development Control Advice Note "Access for People with Disabilities" available from Council Planning Offices.
6. This approval does not apply to any signs or advertising material which the developer or occupier may wish to erect at the premises.
7. Signs may require separate approval under the Planning (Control of Advertisements) Regulations (NI) 2015. Their size, construction, content and siting should be approved by the Planning Authority BEFORE any such signs are erected.

8. TransportNI advise the following:

Notwithstanding the terms and conditions of the Planning Authority's approval set out above, you are required under Articles 71-83 inclusive of the Roads (NI) Order 1993 to be in possession of the Department for Regional Development's consent before any work is commenced which involves making or altering any opening to any boundary adjacent to the public road, verge, or footway or any part of said road, verge, or footway bounding the site. The consent is available on personal application to the Roads Service Section Engineer whose address is: Trillick House, 49 Queen Street, Ballymoney, BT53 6JD. A monetary deposit will be required to cover works on the public road.

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.

All construction plant and materials shall be stored within the curtilage of the site.

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 existing road side drainage is preserved and does not allow water from the public road to enter the site.

9. Rivers Agency advise the following:

The applicant is responsible for the accuracy, acceptance of the Flood Risk Assessment and implementation of the proposed flood risk measures rests with the developer and their professional advisors.

Under the terms of Schedule 6 of the Drainage (Northern Ireland) Order 1973 the applicant must submit to Rivers Agency for its consent any proposal to carry out works which might affect a watercourse.

10. 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.
11. 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.
12. 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 the Rivers Agency. 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.
13. 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.
14. 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 the Rivers Agency. Actual requirement should be determined in consultation with the Agency.
15. Environmental Health advise the following:  
  
Any septic tank or packaged waste water treatment unit should have adequate capacity for the proposed development it is to service.

Any septic tank or packaged waste water treatment unit should be constructed in accordance with BSEN 12566.

The septic tank / packaged waste water treatment unit and drainage field should be installed in accordance with BS6297:2007.

A minimum separation distance of 15m is recommended between the wastewater unit and nearest habitable dwelling. Discharge must not be within 50m of any potable water supply.

A consent to discharge effluent must be obtained from Northern Ireland Environment Agency, as required by The Water (Northern Ireland) Order 1999. This may involve a percolation test. Application forms and further information is available from Northern Ireland Environment Agency, Water Management Unit. Tel No: 028 9262 3181, Fax: 028 9262 3120, E-mail: [WaterInfo@doeni.gov.uk](mailto:WaterInfo@doeni.gov.uk).

“Noise from construction activities should –

- (a) not exceed 75 dB LAeq, 1hr between 07.00 hours and 19.00 hours on Monday to Fridays, or 75 dB LAeq, 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 LAeq, 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.”

The applicant shall ensure that all flood lighting is optically controlled and directed in such a manner as to minimise light pollution from glare and spill to nearby residential properties. Guidance notes for the reduction of light pollution may be obtained from the Institution of Lighting Professionals, Regent House, Regent Place, Rugby. CV21 2PN.

All plant and equipment including vehicles used in connection with the development should be so situated, operated and maintained to prevent the transmission of noise and vibration to nearby residential properties.

There is potential that Asbestos containing Materials is present in or on the existing building. The applicant is advised that prior to any works being carried out that an asbestos survey is carried out, by a suitably competent person/s. All identified Asbestos containing material must be removed and disposed of in full compliance with all health and safety and waste management legislative requirements.

The applicant is advised that all new food premises, must be registered with the local authority Environmental Health department under Regulations EC 852/2004, this should be completed prior to opening. Should the applicant require any further information with regards to kitchen layouts, toilet facilities within the retail / office units please contact the Environmental Health Department, Sheskburn House, 7 Mary Street, Ballycastle, BT54 6QH.

16. NI Water advise the following:

Public water supply within 20m of your proposal, consultation with NIW is required to determine how your proposals can be served. Application to NIW is required to obtain approval to connect.

Applicant proposes to discharge foul sewage to private treatment plant.

Applicant proposes to discharge surface water to river using SUDS attenuation to ensure run-off rates do not exceed that from existing site.

The applicant is advised to contact NIW through its Customer Relations Centre on 08457440088 or [waterline@niwater.com](mailto:waterline@niwater.com), upon receipt of this consultation to discuss any areas of concern. Application forms and guidance are also available via these means.

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 Customer Relations Centre on 08458 770002.

All services within the development should be laid underground in the interests of visual amenity.

Development shall not begin until drainage works have been carried out to safeguard the site and adjacent land against flooding and standing water.

17. NIEA: Water Management Unit advise the following:

The applicant may wish to discuss the proposed method of sewage treatment and discharge point with our Industrial Consent team who can be contacted on 02892 623100.

WMU recommends that no development should take place on-site until the method of sewage effluent disposal has been agreed and consent to discharge has been granted.

An application form for consent to discharge effluent under the Water (NI) Order 1999 can be obtained by contacting NIEA WMU at the above address, or by visiting our web site at:-

[http://www.ni-environment.gov.uk/water-home/regulation\\_of\\_discharges\\_industrial/industrial\\_and\\_private\\_sewage\\_2.htm](http://www.ni-environment.gov.uk/water-home/regulation_of_discharges_industrial/industrial_and_private_sewage_2.htm)

Please be advised that applications for discharge consent take a minimum of four month to determine.

NIEA WMU welcomes the proposed use of SUDS (Sustainable Drainage System) to deal with site drainage from the proposal. Construction of SuDS should comply with the design and construction standards as set out in the Construction Industry Research and Information Association

(CIRIA) manual C697. A separate site handbook (C698) for the construction of SUDS has also been produced by CIRIA.

18. NIEA: Natural Heritage advise the following:

The applicant's attention is drawn to The Conservation (Natural Habitats, etc) Regulations (Northern Ireland) 1995 (as amended), which states that it is an offence to deliberately capture, injure or kill a wild animal of a European protected species included in Schedule II of these Regulations, which includes all species of bat. It is also an offence;

- (a) Deliberately to disturb such an animal while it is occupying a structure or place which it uses for shelter or protection;
- (b) Deliberately to disturb such an animal in such a way as to be likely to;
  - (i) Affect the local distribution or abundance of the species to which it belongs;
  - (ii) Impair its ability to survive, breed or reproduce, or rear or care for its young; or
  - (iii) Impair its ability to hibernate or migrate;
- (c) Deliberately to obstruct access to a breeding site or resting place of such an animal; or
- (d) To damage or destroy a breeding site or resting place of such an animal.

If there is evidence of bat activity / roosts on the site, all works must cease immediately and further advice must be sought from the Wildlife Team, Northern Ireland Environment Agency, Klondyke Building, Cromac Avenue, Gasworks Business Park, Belfast BT72JA. Tel. 028 905 69605

The applicant's attention is drawn to Article 15 of the Wildlife (Northern Ireland) Order 1985 (as amended) under which it is an offence for any person to plant or otherwise cause to grow in the wild any plant which is included in Part II of Schedule 9 of the Order, which includes (Himalayan Balsam). This highly invasive plant species has been recorded on site and control measures must be taken to



ensure that any works do not cause it to spread either on or off the site.

Any soil, containing (Himalayan Balsam) plant or seed material, which is removed off site, is classified as controlled waste under the Controlled Waste Regulations (Northern Ireland) 2002. The Controlled Waste (Duty of Care) Regulations (Northern Ireland) 2002 places a duty of care on 'anyone who produces, imports, stores, transports, treats, recycles or disposes of waste to take the necessary steps to keep it safe and to prevent it from causing harm, especially to the environment or to human health'. In the case of (Himalayan Balsam) it is the duty of the waste producer to inform the licensed waste carrier and licensed landfill site that the controlled waste material contains (Himalayan Balsam) as part of the waste transfer process.

Please see the following link for Best Practice Guidance:

<http://invasivespeciesireland.com/toolkit/best-practice-management/>