



Planning Committee Report LA01/2017/0478/F	25th October 2017
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	Principal Planning Officer/Development Management Manager
Cost: (If applicable)	N/a

**Adjacent to Portstewart Road
(275m South East of 2 Dundoan
Road)**

Coleraine BT52 1SF

LA01/2017/0478/F

25th October 2017

No:	LA01/2017/0478/F	Ward:	University
App Type:	Full Application		
Address:	Adjacent to Portstewart Road, (275m South East of 2 Dundooan Road), Coleraine BT52 1SF		
Proposal:	The minor amendments of road width, footpath layout, pumping station location with associated landscaping and public lighting previously approved under Planning Application C/2013/0303/F & LA01/2016/0589/F.		
Con Area:	N/A	Valid Date:	11.04.2017
Listed Building Grade:	N/A		
Agent:	McMahon Associates, 50 Dobbin Street, Armagh, BT60 7QQ		
Applicant:	Causeway Coast and Glens Borough Council, Cloonavin 66 Portstewart Road, Coleraine BT52 1EY		
Objections:	0	Petitions of Objection:	0
Support:	0	Petitions of Support:	0

Drawings and additional information are available to view on the Planning Portal- 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 site is relatively flat and located adjacent to Portstewart Road, Coleraine (275m South East of 2 Dundooan Road Coleraine). Contractors are currently on site constructing the first building on the Enterprise Zone, which was approved under C/2013/0303/F. The site was previously open with a low level roadside hedge which has been removed to create the access and visibility splays. The north western and north eastern

boundaries of the site are defined by mature woodland. The woodland to the north restricts views of the site from Dundoan Road and the properties (no. 2 and 3) at the beginning of said road.

2.2 The surrounding area on the southern side of the road is open towards the River Bann with a small number of single dwellings. The area to the south is occupied by the University of Ulster Coleraine campus.

2.3 The site is within the development limit of Coleraine and has been zoned for economic development in the Northern Area Plan. It is also within Local Landscape Policy Area (LLPA): University (Designation CEL 04). The Northern Area Plan sets out the following features or combination of features that contribute to the environmental quality, integrity or character of this LLPA:

- This large area extends from the Coleraine campus of the University of Ulster, west of Portstewart Road to include an area of open space in public ownership.
- It contains extensive tree groups and gardens, established over the past 35 years.
- These landscaped grounds now make a very significant and positive contribution to the landscape on the northern fringe of the town.

3 RELEVANT HISTORY

C/2002/0146/F Part of existing University of Ulster Campus, Cromore Road, Coleraine - Proposed second phase of Science Park Development to provide office and laboratory accommodation for I.T. and Bio Science Companies – Approved 03.01.2008.

C/2009/0681/F University of Ulster, Cromore Road, Coleraine - 8 no. proposed new single storey buildings to accommodate new transformer (sub stations). External finishes to each building is either block render (painted white) or facing brick (to match adj. buildings). Approved 03.12.2009.

C/2013/0303/F - Land within the University of Ulster (Coleraine Campus) adjacent to Portstewart Road Coleraine (75m South East of 3 Dundooan Road Coleraine) BT52 1SF- Proposed Data Centre and Associated Works inc. External Plant, Office Accommodation, Car and Cycle Parking, New Estate Road, Security Fencing and CCTV, Grasscrete Service Yard - Approved 07.10.2013.

LA01/2016/0468/NMC - Land within The University of Ulster (Coleraine Campus) adj to Portstewart Rd (75m south east of 3 Dundooan Road Coleraine) Coleraine - Data centre repositioned, internal provision of data space increased, office element decreased, Roof construction to be Kingspan composite in lieu of Kalzip – Approved 23.05.2016

LA01/2016/0731/NMC- Land within the University of Ulster (Coleraine Campus) Adjacent to Portstewart Road, (75m South East of 3 Dundooan Road Coleraine) - Revised landscaping proposals and planting schedule - Approved 30.08.2016.

LA01/2016/0589/F Access road and pumping station to serve the proposed Coleraine Enterprise zone on site – Approved 22.12.2016.

- 3.1 The site forms part of a wider land allocation. It has been allocated in the Northern Area Plan for economic development (CEED 02) – University Business Cluster (8.37ha). Its use is restricted to Class B1 Use in particular information technology and biotech laboratories and other enterprises appropriate to a science park development. Only Phase 1 of the site which is adjacent to the road to the north of the access has planning permission to provide a data centre in one building. The data centre is currently under construction.
- 3.2 In addition to the planning policy context, the wider site was designated by HM Treasury as a pilot Enterprise Zone.

4 THE APPLICATION

- 4.1 This application seeks consent to amend the previous two approvals C/2013/0303/F & LA01/2016/0589/F:

- Increase the width of the access road from 7m to 7.3m to facilitate access to and from NIE substations.
- Relocation of pumping station.
- Creation of two turning heads.
- Alterations to the internal footpath to create a 3m grass verge and 2m wide footpath.
- Alterations to landscaping on the roadside.
- Alterations to the street lighting (Increasing the number of streetlamps from x4 to x6).

4.2 The submitted plans make reference to two NIE substations which would be positioned at the eastern end of the access road. Whilst these are shown on the plans, they do not form part of the proposal because as electricity undertakers, NIE have permitted development rights to provide the infrastructure under Class C, Part 14 Development by statutory and other undertakers of The Planning (General Permitted Development) Order (Northern Ireland) 2015.

5 PUBLICITY & CONSULTATIONS

External

5.1 Neighbours: There are no objections to the proposal

Internal

5.2 Environmental Health Department: No objections

5.3 NI Water: No objections

5.4 DAERA Water Management Unit: No objections

5.5 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:

6.3 Northern Area Plan 2016 (NAP)

6.4 The Regional Development Strategy (RDS) is a material consideration.

6.5 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.

6.6 Due weight should be given to the relevant policies in the development plan.

6.7 All material considerations and any policy conflicts are identified in the “Considerations and Assessment” section of the report.

7 RELEVANT POLICIES & GUIDANCE

The Northern Area Plan 2016

Strategic Planning Policy Statement (SPPS)

Planning Policy Statement 3: Access, Movement and Parking

Planning Policy Statement 4: Planning and Economic Development

8 CONSIDERATIONS & ASSESSMENT

8.1 The main considerations in the determination of this application include the principle of the development, road safety, design and appearance, residential amenity and the Local Landscape Policy Area.

Planning Policy

- 8.2 In the Northern Area Plan, the site forms part of a wider land allocation. It has been allocated in the Northern Area Plan for economic development (CEED 02) – University Business Cluster (8.37ha). Its use is restricted to Class B1 Use in particular information technology and biotech laboratories and other enterprises appropriate to a science park development. Only Phase 1 of the site which is adjacent to the road to the north of the access has planning permission to provide a data centre in one building. The data centre is currently under construction.
- 8.3 The key site requirements are set out below:
- The maximum retention of the existing woodland on the site shall be retained and any new development will incorporate a high quality of landscaping, maintaining the parkland character of this area.
 - A single access shall be acceptable from Portstewart Road where a right turn lane shall be provided.
 - Uses on the site will be restricted to Class B1 use.
- 8.4 The principle of development must be considered having regard to the SPPS and PPS policy documents before mentioned. The SPPS has five core planning principles set out in paragraph 4.1. One is to ‘support sustainable economic growth’. The SPPS requires planning authorities to take a positive approach to appropriate economic development proposal and proactively support and enable growth generating activities. As such this proposal is supported in principle by the SPPS.

Principle of Development

- 8.5 PED 1- Economic development in settlements of PPS4 supports development for Class B1 business use in cities and town centres (having regard to any specified provisions of a development plan) and in other locations that may be specified for such use in a development plan. The proposal seeks to amend previously approved schemes and is consistent with this policy test.

- 8.6 This site falls within Coleraine settlement limit and is allocated for economic development in the Northern Area Plan. The use of this site, as a data centre, is already approved in principle and is supported by local and national planning policy. By reason of its nature including changes to the pumping station, internal road layout, footpath and landscaping, the proposed changes are considered ancillary to the wider use of the site for economic development. The proposed changes are minor. The slight relocation of the pumping station and internal road layout and footpath revisions are all acceptable. The landscaping changes do not significantly alter the previous landscaping and all still consistent with this. This proposal complies with the key site requires for the University Business Cluster zoning (CEED02).
- 8.7 Given the minor nature of the alterations to development that has all been previously approved, the proposal is consistent with Policy PED 9 of PPS 4 which sets out general criteria that all such proposals will be expected to meet.

Road Safety

- 8.8 DfI Roads was consulted on this application and advised that the wider enterprise zone necessitated a right turning lane and as such while this proposal did not include a right turning lane, the details of such must be considered at this stage. DFI Roads also required a Master Concept plan to understand the future plans for the wider site. However, the principle of this has already been accepted and approved by the previous applications.
- 8.9 Following the submission of amended plans, DFI Roads has raised no objection subject to conditions in relation to the Private Streets Determination.
- 8.10 This site is accessed from a Protected Route. The Clarification of Policy AMP 3 in PPS3 restricts the number of new accesses and controls the level of use of existing accesses onto Protected Routes. However, this has previously been accepted through the zoning of the site in the Northern Area Plan and through the extant planning permission for the creation of a data centre. This proposal does not alter the location of the access

onto the protected route and does not conflict or contradict any previous approval, and is therefore consistent with PPS3.

Design and Appearance

8.11 Paragraph 4.27 of the SPPS sets out the need for new development to consider design and ensure development is appropriate to its context. The proposal involves minor amendments to a previously approved scheme. The alterations would not impact the surrounding context as the pumping station would be underground with two associated kiosks and the rest of the infrastructure (access road, street lighting and footpaths) is essential for the delivery of the scheme, which are all approved, in principle, by approving the previous applications.

Residential Amenity

8.12 Paragraphs 4.12 of the SPPS sets out the need to protect residential amenity from inappropriate development. The closest residents to the proposed development are located 250m to the north at no. 3 Dundooan Road. Environmental Health was consulted, as the competent authority, and recognises that the pumping station would be below ground. For this reason any noise from the pumps should not give rise to complaint. Environmental Health advises the applicant should ensure that malodour does not affect residential properties in the vicinity of the site.

8.13 Due to the existing and retained mature trees to the north, this application is not likely to have any impact on neighbours. Furthermore as the scheme relates to minor alterations to two extant planning permissions, the proposal is considered acceptable in terms of any impact on residential amenity.

Local Landscape Policy Area

8.14 Policy ENV 1 of the Northern Area Plan protects Local Landscape Policy Areas and advises that planning permission will not be granted for development proposals that would be liable to adversely affect those features, or combination of features, that contribute to the environmental quality, integrity or character of a designated LLPA. The University LLPA permits

the continued development of institutional buildings within this area subject to the development paying regard to the landscape framework of this area. This proposal constitutes some minor alterations to two extant planning permissions. As such the principle of the development has been established and the proposal is not considered to further detract from the environmental quality, integrity or character of the LLPA from what is already approved.

9 CONCLUSION

- 9.1 The proposal is considered to comply with the general criteria for economic development set out in Policy PED 9 of PPS4 as it seeks approval for minor changes to two previous approvals. The minor changes are not considered to harm visual or residential amenity, are suitably designed with adequate access arrangements and are supported by new landscaping. Having regard to the development plan and other material considerations the proposal is considered acceptable. Approval is recommended.

10 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 61 of the Planning Act (Northern Ireland) 2011.

2. All hard and soft landscaping shall be carried out in accordance with drawing No. 10 date stamped 7.04.2017 and the appropriate British Standard or other recognised codes of practice. The works shall be carried out prior to the occupation of any part of the development hereby approved.

Reason: To ensure the provision of a high standard of landscape

3. The scheme of planting hereby approved shall be carried out in accordance with drawing No. 10 date stamped 7.04.2017 during the first available planting season after the commencement of development. Trees or shrubs dying, removed or becoming seriously damaged within five years of being planted shall be

replaced in the next planting season with others of a similar size and species unless the Planning Authority gives written consent to any variation.

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

4. 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. 08C (Drg No. C-14 Rev. No. F, Private Streets Determination Drawing) date stamped 08 Sep 2017.

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

5. The visibility splays of 7.76 metres by 215 metres at the junction of the proposed access road with the public road (Portstewart Road), shall be provided in accordance with Drawing No. 08C (Drg No. C-14 Rev. No. F, Private Streets Determination Drawing) bearing the date stamp 08 Sep 2017, 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.

6. The gradient of the access road shall not exceed 4% (1 in 25) over the first 20m 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 user.

7. 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.

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. 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.
4. Please see attached advice from Northern Ireland Environment Agency - Water Management Unit.
5. NI Water

The applicant is advised to contact NIW through its Customer Relations Centre on 08457 440088 or 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.

Details of existing water and sewerage services may be obtained by submitting a Records Request application RR1-A257/A258 available at www.niwater.com/servicesfordevelopers.asp

6. DFI Roads

The Private Streets (Northern Ireland) Order 1980 and The Private Streets (Amendment) (Northern Ireland) Order 1992.

Under the above Orders the applicant is advised that before any work shall be undertaken for the purpose of erecting a building the person having an estate in the land on which the building is to be erected is legally bound to enter into a bond and an agreement under seal for himself and his successors in title with the Department to make the roads (including road drainage) in accordance with The Private Streets (Construction) Regulations (Northern Ireland) 1994 and The Private Streets (Construction) (Amendment) Regulations (Northern Ireland) 2001. Sewers require a separate bond from Northern Ireland Water to cover foul and storm sewers.

The Applicant is advised that developers are also now responsible for the cost of supervision of the construction of streets determined under The Private Streets Order. A fee of £1,000 plus 2% of the total Bond value will be paid directly to DFI Roads before the Bond Agreement is completed.

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 roadside drainage is preserved and does not allow water from the road to enter the site.

Under the terms of The Private Streets (Construction) (Amendment) Regulations (Northern Ireland) 2001, design for any Street Lighting schemes will require approval from DFI Roads Street Lighting Consultancy, County Hall, 182 Galgorm Road, Ballymena. The Applicant is advised to contact DFI Roads, Street Lighting Section at an early stage. The Applicant/Developer is also responsible for the cost of supervision of all street works

determined under the Private Streets Order (Northern Ireland) 1980.

Site Location Plan 1:2500.

