

Planning Committee Report LA01/2018/1272/F	25th September 2019
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

<u>App No:</u>	LA01/2018/1272/F	<u>Ward:</u>	Dundooan
<u>App Type:</u>	Full		
<u>Address:</u>	Lands to the rear and north of 191 Coleraine Road, 19-45 Cappaghmore Manor and to the south of 12-14 Cromlech Park, Portstewart.		
<u>Proposal:</u>	Residential development comprising 87 units; 20 no apartments, 9 no two storey townhouses. 54 no 2-storey semi-detached dwellings and 4 no 2-storey detached dwellings and associated landscaping/ open space, parking and roads access with right turning lane onto Coleraine Road. (Housing zoning PTH 51 in the Northern Area Plan 2016)		
<u>Con Area:</u>	N/A	<u>Valid Date:</u>	11.10.2018
<u>Listed Building Grade:</u>	N/A		
<u>Applicant:</u>	BW Homes & Construction Ltd, 19 Main Street, Eglinton		
<u>Agent:</u>	JPE Planning, 1 Inverary Valley, Larne, BT40 3BJ		
<u>Objections:</u>	14	<u>Petitions of Objection:</u>	0
<u>Support:</u>	9	<u>Petitions of Support:</u>	0

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 PTH 51 East of Coleraine Road. The key site requirements state that at least 71 units shall be provided for social housing.
- There have been 14 objections and 9 letters of support received on this application and no statutory consultee have raised any concerns with the proposal.
- 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.
- The proposal complies with all relevant planning policies including the Northern Area Plan, SPPS, PPS 7, and Addendum to PPS 7.

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 consent subject to the reasons set out in section 10.

2.0 SITE LOCATION & DESCRIPTION

- 2.1 The site is located at lands to the rear and north of 191 Coleraine Road, 19-45 Cappaghmore Manor and to the south of 12-14 Cromlech Park, Portstewart. The application site is 3 hectares and encompasses one large agricultural field. The site is vacant undeveloped land and is currently used for agricultural purposes. The site is accessed via the Coleraine Road through an existing agricultural access which runs between existing residential premises. The lands rise from south west to north east. To the north the site is bounded by fencing and existing vegetation which is sparse in nature. To the east the site is bounded by sparse vegetation and a post and wire fence. To the south the site is bounded by an existing 2 metre high wall associated with the dwelling at 191 Coleraine Road. To the west the site is bounded by fencing and existing hedgerows.
- 2.2 The application site is located within the settlement limit of Portstewart 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 PTH 51. The site is located to the southern end of the settlement and is on the edge of the settlement limit. The site and surrounding area is characterised with residential development which includes housing developments at Cappaghmore Manor and Cappaghmore Square to the west and Cromie Park, Cromlech Park, Cromlech Court and Cappagh Avenue to the North of the site. There is also a detached dwelling and business located at 191 Coleraine Road located south of the site. Dwellings include a mix of two storey detached and semi-detached dwellings, 2.5 storey dwellings and bungalows. These dwellings are finished with a mix of smooth render and red brick. There is also a church, graveyard and Tesco located in proximity to the site.

3.0 Relevant History

- 3.1 LA01/2018/0117/PAN- Lands to the north and rear of 191 Coleraine Road and to the south of Nos 12 - 14 Cromlech Park, Portstewart - Proposed residential development
PAN Accepted 11.04.2018

LA01/2018/0116/PAD- Lands to the north and rear of 191 Coleraine Road and to the south of nos 12 - 14 Cromlech Park, Portstewart. Proposed residential development - to comprise a mix of social and private/affordable housing (as required by Northern Area Plan 2016 - zoning PTH 51 & Policy HOU3).
PAD Concluded 31.10.2018

LA01/2016/1580/F- Lands along Coleraine Road, Portstewart (frontages of no's 184, 191 & 174 Coleraine Road & in front of No's 1-4 Cappagh More Square, Glebe, Portstewart), Proposed right hand turning lane and social housing development access road including road widening and access alteration along Coleraine Road, Portstewart to service Social Housing zoning - PTH 51 in Northern Area Plan 2016.
Permission Granted 29.11.2018

LA01/2016/0147/PAD- Lands at Cappaghmore, Coleraine Road Portstewart. Proposed housing development within an area zoned for housing within the Northern Area Plan 2016.
PAD Concluded 03.01.2019

C/2006/1078/F - 191 Coleraine Road, Portstewart. Proposed 6.6 Kw wind turbine 15 metres high.
Permission Granted 10.05.2007

4.0 THE APPLICATION

- 4.1 Residential development comprising 87 units; 20 no apartments, 9 no two storey townhouses. 54 no 2-storey semi-detached dwellings and 4 no 2-storey detached dwellings and associated landscaping/ open space, parking and roads access with right turning lane onto Coleraine Road. (Housing zoning PTH 51 in the Northern Area Plan 2016).

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 31st January 2018 under LA01/2018/0117/PAN. The applicant advised that they intended to undertake the following forms of consultation:
- Press notice of the public event in Coleraine Chronicle and provide preliminary details of the application.
 - Leaflet drop carried out to properties within 200 metres of the site to include Cromlech Gardens, Cromlech Court, Cromlech Park, Agherton Halls, Agherton Gardens, Cappagh More Manor, Cappagh More Square, Numbers 30-70 Cappagh Avenue and 191 Coleraine Road.
 - 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 11th October 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 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 Two public events were held on Friday 20th April 2018 and 5th July 2018 at Flowerfield Arts Centre. Details of the meeting was published in one local newspaper and letters were delivered to all properties within a 200m radius of the proposed site.
- 4.7 In regard to the meeting on 20th April 2019 approximately 60 people and an MLA attended the meeting and in regard to the

meeting on 5th July 2018 a total of 40 people and two MLAs attended. Feedback questionnaires were provided but less than 10 forms were completed from each event. The feedback received from the events were generally positive but 4 attendees has substantial concerns with the scheme. This related to the housing tenure and impact of social housing, development of a greenfield site and removal of views to the countryside, proximity of new housing to existing properties, access and increase in traffic, height and impact of apartment development, proximity to and the potential impact on 191 Coleraine Road. Concern was also raised in regard to the liability should the existing turbine at 191 Coleraine Road fall into the development site. The Design team involved in the proposed scheme was able to reflect on the concerns raised and modify the scheme.

- 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 7th November 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.

- 4.13 The 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 3 hectares.
- 4.14 Having 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

- 4.15 The 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 Shared Environmental Service on behalf of Causeway Coast and Glens Borough Planning Authority.
- 4.16 The site is located approximately 2.7 km from the Skerries and Causeway SAC and 1.7km from the Bann Estuary SAC. The site is not hydrologically linked to either of these designations. DAERA raised no concern with the proposed development.
- 4.17 The 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 are 14 objections to the proposal.

The issues raised within the objections include:

Principle of Development

- Scale and size of development is too large for the existing residential area to absorb
- The proposed social housing is not mixed and the affordable housing is not mixed throughout the development.
- Concerns in regard to antisocial behaviour.
- Planning should take a long term view and integrate social housing through smaller mixed developments.
- Limited facilities in proximity to the site apart from a supermarket with schools and health centres located a considerable distance away.
- The proposed development would be the 1st impression of visitors coming to Portstewart and concern regarding size of the scheme.
- Impact of the development on local services and potential to separate siblings at primary school.
- The site will have a detrimental impact on existing dwellings and devalue properties.
- Potential families and occupants will have no access to local green areas or amenities.
- Query regarding the meaning of affordable housing included on the site layout plan.
- No timeline provided for building works.
- Concerns regarding the impact on the local environment and wildlife habitats and no available Environmental Impact Appraisal.
- Impact of the proposal on an existing B&B and those using the business.
- Those supporting the application do not live in proximity to the site.

Roads Issues

- Concern regarding access to the site and road safety.
- The additional traffic impact will be considerable and access to and from the site and existing property at 191 Coleraine Road is dangerous.
- Impacts of delivery trucks to conservatory manufacturing business.

Surrounding Development

- Concern in regard to an existing boundary wall located between the site and the dwelling at 191 Coleraine Road and its use as a main boundary to the development.
- Concern in regard to ownership and location of the boundary wall and an area of 0.75 metres to the boundary wall used for maintenance purposes.
- The wall was built as a garden boundary wall and is not engineered with appropriate foundations to accept the pressure of a major access road.
- Concern regarding children kicking balls over the boundary wall and making noise.
- Buildings in proximity to an existing wind turbine will reduce turbine output and increase wear and tear.
- Concern in regard to the potential for the turbine to drop or fall and a drop zone of 56 metres is recommended by the turbine provider.
- Concern that an area of open space where children would play is located within the drop zone.
- Concern regarding insurance if an accident was to happen with the turbine.
- Impacts of possible interference with the turbine from stone throwing or objects landing on the turbine blades.
- Potential noise impacts from the proposed wind turbine.
- Dust extraction system associated with existing manufacturing business is very loud and concern that noise survey was completed in July during a holiday period for the business.
- Location of a dwelling on the boundary of the dwelling at 191 Coleraine Road and impacts on the privacy of existing amenity areas.
- Concern regarding boundaries of the site and proposed landscaping.
- Impact of the proposed landscaping on existing boundaries and cost of maintenance as landscaping is not appropriate and fast growing.
- Concern that the proposed planting would overshadow existing dwellings as species are likely to grow to 12 to 15 metres rather than three metres suggested at consultation phase.
- Lack of a double sided boundary fence will have issues with security.
- Concern regarding description of existing boundaries in Preliminary Risk Assessment document.

- Concern regarding the management of horticultural screening which should be under annual management.
- Concern that boundary treatments would be the responsibility of residents who may want to remove proposed landscaping.
- Concern regarding the retention of existing hawthorn trees located along the western boundary of the site which enhances privacy.
- Query regarding proposed boundary treatment along western boundary.
- Location of revised dwellings at plots 1 and 2 and the potential for overlooking toward 191 Coleraine Road.
- Concern regarding provision of mound to screen proposed parking area which increases potential to overlook dwelling at 191 Coleraine Road.
- Concern regarding the amended site layout in which three dwellings will be located along the boundary of the dwelling at 20 Cromlech Court and impacts in regard to privacy.
- Angle of the dwellings at plots 18 and 19 which will overlook dwelling at 10 Cromie Park.
- Concern that small pockets of open space would allow for vehicular access and a bollard should be used to prevent this.
- Impacts of noise and light pollution from traffic congestion.

Nine letters of support has been received in relation to the scheme. The benefits include the following.

- The proposal will allow locals to buy and provide social housing which will reduce waiting lists.
- The site is zoned for social housing in the Northern Area Plan.
- The site plan is well laid out with good private and public open space.
- The plan offers a range of house types to accommodate a range of needs.
- The plan is sympathetic to the surrounding dwellings.
- Amenities such as shopping and a medical centre are located in proximity to the site.
- Many older residents would benefit from having younger families in the area for support.
- The proposal will benefit a local GAA club.

5.2 Internal:

DFI Roads: Has requested PSD drawings.

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.

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

Historic Environmental Division: Historic Monuments: 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)

Planning Policy Statement 2: Natural Heritage

Planning Policy Statement 3: Access, Movement and Parking

Planning Policy Statement 6: Planning Archaeology and the Built Heritage

Planning Policy Statement 7: Quality Residential Environments

Planning Policy Statement 8: Open Space, Sport and Outdoor Recreation

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, Flood Risk, Wind Turbine Drop Zone, Land Ownership and Other Issues.

Principle of Development

- 8.2 The application site is located within the defined Settlement Development Limit of Portstewart and is located on lands zoned for housing within the Northern Area Plan 2016 designation PTH 51. This relates to lands east of Coleraine Road. The key site requirements are that development shall be within a range of 15 to 25 dwellings per hectare, a minimum of 71 units should be provided for social housing and that additional land will be required to provide access onto Coleraine 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 to include an ecclesiastical site and a settlement site.

Quality in New Residential Development

- 8.3 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.
- 8.4 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.
- 8.5 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;**
- 8.6 The site and surrounding area is characterised with residential development which includes housing developments at Cappaghmore Manor and Cappaghmore Square to the west and

Cromie Park, Cromlech Park, Cromlech Court and Cappagh Avenue to the North of the site. There is also a detached dwelling and business located at 191 Coleraine Road located south of the site. Dwellings include a mix of two storey detached and semi-detached dwellings, 2.5 storey dwellings and bungalows. These dwellings are finished with a mix of smooth render and red brick. The character of the area is therefore mixed. There is also a church, graveyard and Tesco located in proximity to the site.

- 8.7 Concerns have been raised in regard to the scale and the fact that the proposal would be the 1st impression of people visiting Portstewart. The proposed development includes provisions for 87 units which includes a mix of house types to include 20 apartments, 9 no two storey townhouses. 54 no 2-storey semi-detached dwellings and 4 no 2-storey detached dwellings. The dwellings proposed are all two storey and are finished with a mix of smooth render and grey 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. Density is fully considered under Paragraph 8.41 of the report.
- 8.8 In terms of layout the majority of dwellings proposed will have in curtilage parking but some units will have shared parking areas. These shared parking areas will be finished with grey paving sets to break up its visual impact. In regard to the large parking area toward the front of the proposed apartment, views of this area will be broken up by proposed landscaping and hedgerows. These areas are considered acceptable having regard to the character of the area. There is also provision for front and back gardens for the dwellings proposed. The apartments will have access to shared amenity areas. The site will also include large and small areas of open space with landscaping which will reduce the visual impact of the proposed development and areas of hardstanding. Given the mixed character of the area the proposed layout is acceptable.
- 8.9 Having regard to the topography of the site the existing ground levels rise gently from south west to north east. It is considered that this change in levels is not significant and respects the character of the area.

(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;

8.10 There are no listed buildings/structures within or immediately adjacent to the application site and as such the proposal will have no impact on the setting or physical condition of any listed building/structure.

8.11 The site is located in proximity to two Archaeological Sites and Monuments to include an ecclesiastical site and a settlement site. An Archaeological Impact Assessment was submitted as part of the application and Historic Environment Division was consulted in regard to the application. Within their initial response HED approved the methodology for topsoil stripping as outlined in the assessment. HED also advised that they await the results of an evaluation before commenting further on the application. An amended Archaeological Impact Assessment was submitted and HED agreed with the archaeological mitigation strategy proposed and were content for this to proceed to archaeological licensing. An Archaeological Evaluation was completed under licence and archaeological features were identified but not fully excavated. HED is content that the proposal satisfies PPS 6 requirements, subject to conditions for the agreement and implementation of a developer funded programme of Archaeological works. The proposed development therefore meets with Policy BH 2 of Planning Policy Statement 6: Planning, Archaeology and the Built Heritage.

8.12 The site is not located within a Local Landscape Policy Area and will not lead to the removal of any significant landscape features. The existing hawthorn hedge located along the western boundary of the site will be retained and additional planting will be placed along the boundaries of the site.

(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;

- 8.13 In the Creating Places document it is recommended that all dwellings proposed should have access to 70 square metre of private amenity. It also states for any individual house however an area less than around 40 sq m will generally be unacceptable. The majority of the dwellings exceed this threshold with the exception of 5 dwelling units in which a provision of over 60 square metres of private amenity space but less than 70 square metres has been provided. However, all the dwellings proposed have a provision of at least 40 square metres of private amenity space. These areas of private amenity space will be grassed and boundaries will consist of hedging and fencing which will reduce the visual impact of the proposed dwellings.
- 8.14 Creating Places also states for apartment developments each unit should have access to at least 10 to 30 sq metres of private amenity space. The apartments at plots 76 to 87 have access to an area of amenity space to the rear, side and small section to the front which equates to approximately 450 square metres which equates to 37.5 square metres per apartment. This area is restricted given the limited distance to the common boundary which is 4 metres. The proposed apartments will also have access to a large area of public open space to the front. Given this the provision of shared private amenity space is acceptable. In regard to the apartments at plots 68 to 75 there are areas of open space to the front and rear which equates to 268 square metres which is 33.5 square metres per apartment which is also acceptable.
- 8.15 Given the proposal includes provisions for 87 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 two large areas and one smaller area of open space proposed as part of the scheme which equates to 2443.51 square metres, which is 8.1% of the overall site. Although this falls below the required 10%, consideration has been given to the fact that the majority of dwellings have large gardens which exceed the 70 square metre threshold provision of private amenity. Further to this there are 3 smaller residual areas of open space which are large enough for dwellings located in proximity to them to use. Given this the provision of public open space is considered acceptable. The

proposed areas of public open space are linked well to the overall development. The proposed areas of open space have recreational and amenity value and access to these areas will be safe for proposed residents.

8.16 Within a representation letter concern was raised that the proposed smaller areas of open space may be accessed by vehicles and bollards should be erected to prevent this. In terms of this these areas are proposed as areas of open space which will be managed and maintained by Radius Housing Association and conditions will be used to ensure these areas of open space are utilised as such.

8.17 Bin stores are proposed for all the apartments at plots 68 to 87. The bin stores located for the apartments at plots 76 to 87 are well screened and will be located between existing buildings and behind railings and hedges proposed along the boundaries of these units. In regard to bin stores for the plots at 68, 69, 74 and 75 the proposed bin stores are located within the rear amenity areas. These stores will be finished with facing brick and wooden doors that are self-closing. Although views of these stores will be apparent from the avenue it is considered that the finishes will allow the bin storage to visually integrate and their use will not be apparent from the avenue.

(d) adequate provision is made for necessary local neighbourhood facilities, to be provided by the developer as an integral part of the development;

8.18 This proposal includes provisions for 87 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. Some concerns were raised in representation letters that the proposal is located quite a distance from facilities to include schools. It was also stated that there would be limited access to areas of open space. In regard to this, the site is located within the Settlement Development Limit of Portstewart in which there are a range of facilities and services located in proximity to the site. There is also provisions for areas of public open space located within the proposed 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;

8.19 This proposal is located within the Settlement Development Limit of Portstewart. The dwellings are located within walking and cycling distance to the town centre of Portstewart. Potential residents will also have convenient access to public transport.

(f) adequate and appropriate provision is made for parking;

8.20 The proposed development will provide in-curtilage parking for the majority of the proposed dwellings with the exception of 15 dwellings which will have shared parking areas. The apartments proposed will also have an area of shared parking located within a courtyard. 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;

8.21 The design of the proposed development is considered acceptable given the traditional form and finishes proposed as part of the scheme. The finishes include smooth render with grey and red facing brick with flat black roof tiles, which are in keeping with the context of the area in which there are a mix of finishes. Boundary treatments to the properties are acceptable, comprising a mixture of render walls, timber fencing to the rear gardens and estate railing to the front of the dwellings and apartments.

(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;

8.22 In 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 at 191 Coleraine Road, Cromie Park, Cromlech Park, Cromlech Court, Cappaghmore Manor and Cappaghmore Square.

- 8.23 In regard to the dwelling at 191 Coleraine Road there are dwellings located at plots 1, 2, and 67 to 87 which could have the potential to look toward this dwelling and its private amenity. In regard to the dwelling at plot 1 there are two bedroom windows and a bathroom window located at 1st floor level. There is a separation distance of 21 metres from the front of this dwelling to the conservatory of the dwelling at 191 Coleraine Road. In regard to the dwelling at plot 2 is a first floor bedroom window and bathroom window that looks toward this dwelling. There is a separation distance of 25 metres from the side of this dwelling to the conservatory at 191 Coleraine Road. There is also an intervening road, wall and proposed landscaping between the proposed dwellings at plot 1 and 2 and the existing dwelling at 191 Coleraine Road. Given this and the separation distances it is considered that there is no concern in regard to overlooking, loss of light or overshadowing.
- 8.24 In regard to the apartments at plot 68 and 69 there is a separation distance to the common boundary of 8 metres. There is a dining room and kitchen window located at 1st floor level which will look toward the dwelling at 191 Coleraine Road. These windows however will not look toward the most private area of the garden at 191 Coleraine Road which is considered the first 3-4 metres of the rear garden, closest to the residential property. This area of the existing garden is located approximately 100 metres from the rear of the existing property. There is also proposed landscaping and tree planting proposed along this boundary. Given this and the separation distances it is considered that there is no concern in regard to overlooking, loss of light or overshadowing. The other apartments located at plots 76 to 87 are located approximately 40 metres to the common boundary of the dwelling at 191 Coleraine Road. The apartments at 70 to 75 will also not look toward the dwellings at 191 Coleraine Road. Therefore there is no concern in regard to the other apartments.
- 8.25 The dwelling at plot 67 is located approximately 2 metres from the common boundary of the dwelling at 191 Coleraine Road. No windows are proposed on the side elevation and therefore there is no concern regarding overlooking. Given the location of the proposed dwelling in regard to the dwelling at 191 Coleraine Road there will be no issue in regard to loss of light or overshadowing.

8.26 The dwelling at plot 1 has one 1st floor bedroom window which will look toward the existing dwelling at 1 Cappaghmore Square. There is a separation distance from this window to the common boundary of 13.5 metres and 20 metres to the rear of the existing dwelling at 1 Cappaghmore Square. There is also an intervening garage and 2 metre high boundary fence which will reduce the potential for overlooking. In regard to the dwelling at plot 2 there is only one 1st floor landing window looking toward the existing dwelling and there is adequate separation distances to the common boundary and the rear of the existing dwelling. Given the separation distances, proposed garage and boundary treatments this relationship is acceptable, there is no concern regarding overlooking, overshadowing or loss of light.

8.27 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. In regard to the dwellings at plots 3 to 17 there is a separation distance of at least 10 metres to the common boundary and 20 metres to the rear of the existing dwellings at Cappaghmore Square and Cappaghmore Manor. The proposed dwellings also have lower finished floor levels which will reduce the potential for overlooking. There is also an existing hedgerow and proposed fencing located along the rear boundaries of the proposed properties. Given the separation distance, intervening boundary treatments and lower finished floor levels it is considered that there is no concern in regard to overlooking, loss of light or overshadowing.

8.28 The proposed dwellings at plots 17, 18, 38, 39, 47 and 48 have back to side relationship with the existing dwellings located along the northern boundary of the site. No windows are proposed along the side elevations of these dwellings with the exception of the dwellings at plots 17 and 39 which have a 1st floor bathroom window and small ground floor dining room window. In regard to the dwellings with no windows on the side elevation there is no concern with overlooking. In regard to the dwellings with 1st floor bathroom window this will be obscured and there is no concern with the ground floor dining room window. There is also a separation distance of between 7 and 15 metres to the common boundary. Landscaping and a 1.8 metre high close boarded fence will be provided along this boundary. Given the separation distance, positioning of

windows and the proposed boundary treatments there is no concern in regard to overlooking, loss of light or overshadowing.

- 8.29 Within a representation letter received concern was raised in regard to the angle of the proposed dwellings at plots 18 and 19 which would allow for overlooking toward the rear of 10 Cromie Park from the upper floor bedroom windows. Although these are angled toward the dwelling at 10 Cromie Park there is a separation distance of 21 metres from the front of the proposed dwelling to the rear of the existing dwelling. There is also an area of open space, proposed landscaping and fencing located between the dwellings. Further to this the windows at 1st floor level will not look directly toward this garden but towards the area of open space and dwelling at plot 17. Given the separation distance, outlook and proposed vegetation there is no concern in regard to overlooking, loss of light or overshadowing.
- 8.30 Within representation letters concern was raised that the change in layout and reduced space along the boundaries to the dwellings at 7 and 10 Cromie Park does not allow for an effective landscape boundary to maximise the screening between the new housing and existing dwellings. Concern was raised that if the proposed landscaping is allowed to proceed it will encroach on the existing dwellings. It was stated that overhanging branches had the potential to damage an existing boundary fence which will have maintenance cost and will block out light. Concern was also raised in regard to the proposed species of the planting which was not considered appropriate. In regard to this the proposed landscaping and scrub planting will be used to provide a buffer between the proposed dwellings and existing dwellings. It is considered that this landscaping, the proposed separation distances and the areas of open space is sufficient to provide adequate screening and ensure the privacy of these dwellings is protected.
- 8.31 Following a meeting between the architects and several objectors an amended landscape plan was submitted on 9th September 2019 which increased the number of trees along this boundary. This will increase the landscape screening and reduce views toward the rear garden of the dwelling at 10 Cromie Park.
- 8.32 In regard to species type and tree height the proposed landscaping will be maintained in line within the landscape

management plan and a condition will ensure this maintenance is completed. Although some of the species may have the capability of growing to a greater height this will be controlled by the maintenance agreement. Concern was also raised in regard to tree planting outside the maintenance zones as specified in appendix A of the Landscape Management Plan. It was stated that owners of these boundaries may want to remove trees or landscaping. A condition will be used to ensure these trees and hedges are permanently retained and maintained in line with the landscape plan. All Radius residents also sign up to a tenancy agreement which ensures the maintenance of gardens and boundaries.

- 8.33 Further to this a query was raised in regard to the lack of provision of a double sided fence located along the northern boundary of the site. The scheme does propose landscaping along this boundary of the site and given there is an existing fence it is considered that there will be no concern in regard to overlooking. The proposed 1.8 metre high fence is considered acceptable.
- 8.34 The proposed dwellings at plots 53 to 57 have a back to back relationship with the dwellings at 18 and 20 Cromlech Court and 38 to 42 Cappagh Avenue. There is a separation distance of over 10 metres to the common boundary and 20 metres to the rear of the existing dwellings which exceeds the recommendation set out in Creating Places. Although there are bedroom windows at 1st floor level this separation distance, proposed landscaping and boundary fencing ensures there is no detrimental impact on the existing dwellings through overlooking, loss of light or overshadowing.
- 8.35 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.

8.36 A noise impact assessment was submitted as part of the application. Environmental Health was consulted in regard to this and was content with the findings of the noise impact assessment subject to conditions. These conditions will ensure the provision of mechanical ventilation for all apartment blocks proposed and to ensure provision for glazing capable of providing a sound reduction of 31 db. A representation letter was received which raised concern in regard to the timing of the proposed noise survey. It was stated that this survey did not encapsulate the noise emitted from a dust extraction unit associated with a business at 191 Coleraine Road. Environmental Health requested further clarity in regard to this. A further noise assessment was submitted and the report concluded that there will be no adverse impact to residential amenity and Environmental Health was content with these findings. Environmental Health raised no further concern subject to conditions. Given the proposed residential use although large scale it is considered that there will be adverse impact in regard to noise.

8.37 In regard to this proposal a Preliminary Risk Assessment was submitted as part of the application. This report concluded that there are no obvious sources of contamination present either on or off the site and therefore there are no significant human health and environmental pollutant linkages. DAERA Land, Soil and Air was consulted in regard to this application and raised no concern in regard to potential contamination subject to conditions. Environmental Health was consulted and raised no concerns regarding the potential for land contamination and was content with the content of this report.

8.38 There was some concern in regard to the location of the bins for all the apartments proposed and their potential impact on residential amenity. The bins are located to the side of the apartments at plots 82 to 85 and 76 to 79. In regard to apartment block type U the ground and upper floor dining room windows that overlook these bin storage areas will be high level and non-opening. Therefore views will be restricted and potential issues with odour will be prevented. No windows are proposed on the side elevations of the apartments at blocks type Z. The bin stores will also be enclosed by walls and fencing. It is considered that the location of these bins stores are acceptable and will not have a significant detrimental impact on residential amenity.

(i) the development is designed to deter crime and promote personal safety.

8.39 Concern was raised in regard to the rear access paths to serve the proposed townhouses at plots 13-15, 34-36 and 53-55. It was considered these may have an impact on the personal safety of potential residents. These access paths will be enclosed with 1.8 metre high close boarded fencing, will be gated and if they exceed 10 metres in length will be fitted with low level security lighting. No details of this lighting has been provided. However a condition will be used to ensure details of this is provided. Given this the proposed arrangement is considered acceptable.

8.40 In regard to the remainder of the site the proposed design and layout of the development ensures that there are no issues arising in relation to crime and personal safety. Objections have been raised in regard to the potential for anti-social behaviour. The public amenity spaces are overlooked by the fronts of dwellings and apartments which will provide surveillance. 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. Further to this the proposed site will be managed by Radius Housing Association. As part of this management new tenants sign up to a tenancy agreement which is legally binding and covers aspects such as the maintenance of gardens and hedgerows and also anti-social behaviour and nuisance.

Impact on the character of the surrounding area

8.41 Policy LC 1 does not apply to sites along designated arterial routes within larger towns. This policy has been considered relevant to the proposal in that only the access road adjoins the arterial route and the proposed development is abounded by existing residential development on three sides. Policy LC1 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.

8.42 This proposal will provide 87 dwellings on a greenfield site within the Portstewart Settlement Development Limit. This site is zoned for housing under designation PTH 51. Within the key site requirements it is stated that Development shall be within the range of 15 to 25 dwellings per hectare, to ensure the character of the area is maintained. This scheme provides 87 units on a site area of 3 hectares which equates to 29 units per hectare which is higher than the site requirements. Concern was raised in regard to this and within a letter submitted by Radius and a letter dated 25th February 2019 by the agent it was stated that this provision is necessary to enable the delivery of social housing on this site. It was stated that any lesser yield is simply not viable and would jeopardise the delivery of social housing.

8.43 Within these letters it was stated that other material planning considerations should be taken into account in considering the proposed density which is higher than the key site requirements. These material considerations include the fact that social housing need has existed from the publication of DNAP in 2005 and remains unmet, that high land costs which has resulted in prohibitive development costs, that the funding requirements for social housing delivery requires demonstration of value for money which generally promotes a minimum of 30 dwellings per hectare and that the site has capacity to deliver a higher density.

8.44 The Development Plan Team was consulted in regard to the letters received to consider the proposed density further. It was stated that since the plan was adopted the social housing need has increased. It was stated that although the resultant density is higher than that contained in the adopted plan, the rationale for this range, as set out in the Plan, is to ensure the character of the area is maintained. The increased density is not considered to be out of context with the some of the housing in the immediate area of the application site. It was also identified that the proposal meets the purpose of the zoning to provide social housing for Portstewart, in a range of house types from 1 and 2 bed apartments and 2, 3 and 4 bed roomed houses. Given this

response and the fact that the proposed development will meet a social housing requirement in the area it is considered that on balance the increased density is acceptable.

8.45 A number of objections has been received in regard to the scale and number of units for social housing associated with the scheme. However, the proposed density is considered acceptable and the overall site is zoned for housing and one of the key site requirements is that 71 units shall be provided for social housing. This has been provided as part of the scheme.

8.46 The site and surrounding area is characterised with residential development which includes a number of housing developments. There is also a detached dwelling and business located at 191 Coleraine Road located south of the site. Dwellings include a mix of two storey detached and semi-detached dwellings, 2.5 storey dwellings and bungalows. These dwellings are finished with a mix of smooth render and red brick. The character of the area is therefore mixed. The proposed development includes provisions for 87 dwellings which includes a mix of house types to include 20 apartments, 9 no two storey townhouses, 54 no 2-storey semi-detached dwellings and 4 no 2-storey detached dwellings. The dwellings proposed are all two storey and are finished with a mix of smooth render and grey and red brick. These dwelling types and finishes will respect the character of the area.

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

Access and Parking

8.48 Access to the public road is proposed via the Coleraine Road, utilising an existing agricultural access. An application for a right hand turning lane was approved under planning reference LA01/2016/1580/F. Although initial concern was raised by DFI Roads amended plans have been provided and DFI Roads has now requested a full package of PSD drawings.

8.49 In regard to the access arrangements a number of objections have been received in regard to the impact of the development on road safety. These are outlined in section 5.1 of this report. DFI Roads was consulted in regard to these concerns and it was stated that the proposed access road will have access visibility splays of 4.5 metres x 120 metres onto Coleraine Road, suitable

for traffic speeds of approximately 44mph on the main Coleraine Road. DFI Roads identified that the proposed right hand turning lane will be provided on Coleraine Road to facilitate the new housing development road which will have a reducing effect on traffic speeds. In regard to the access width it was stated that the proposed development road width of 5.5 metres can accommodate up to 400 houses and will be designed in accordance with the Departments Creating Places Design Guide. In regard to the business at 191 Coleraine Road it was identified that the kerb line in front of Bells of Cappagh will be lowered to accommodate the business.

8.50 In regard to the objections DFI Roads raised no additional concerns. Given this the proposed development will not significantly inconvenience the flow of traffic or prejudice road safety.

Natural Environment

8.51 Within a representation letter an issue was raised in regard to the impacts of the proposal on the local environment and wildlife habitats. It was also stated that no Environmental Impact Appraisal has been provided. As part of the application a biodiversity checklist and statement was submitted. DAERA Natural Environment Division was consulted in regard to this scheme and are content with the conclusions made by the ecologist. DAERA NED also welcome the retention of hedgerows on the site. Conditions will be used to ensure the retention of existing hedgerows and the provisions of new landscaping. An Environmental Impact Assessment was completed by the Planning authority and it was found that the development proposal would not have any likely impacts of such a significance to warrant an environmental statement. 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

8.52 The 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.

- 8.53 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. 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 was consulted in regard to this and stated that details of how runoff from the site will be controlled by a stormwater attenuation system and safely disposed of at greenfield rate of 30l/s supported by relevant correspondence from Northern Ireland Water has been submitted as part of the drainage assessment. 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, DFI Rivers cannot sustain a reason to object to the proposed development from a drainage or flood risk perspective.
- 8.54 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 surface water flooding/drainage issues throughout the site or on adjacent properties.

Wind Turbine Drop Zone

- 8.55 Within a representation letter concern was raised that the proposed site is within the drop zone of an existing wind turbine located at 191 Coleraine Road. Within paragraph 1.3.52 of the Best Practice Guidance to PPS 18 Renewable energy document it is stated that for wind farm developments the best practice separation distance of 10 times the rotor diameter to occupied property should comfortably satisfy safety requirements. However, it goes on to state that for smaller individual wind turbines the fall over distance is the height of the turbine to the tip of the blade plus 10% is often used as a safe separation distance. The existing turbine would fall within this category. The height of the turbine to the tip of the blade is 18.1 metres plus 10% which equates to 19.91 metres. No occupied property is located within this area. Tree planting has been proposed

around the turbine on the southern boundary of the site. It is also stated in this guidance document that the very few accidents that have occurred involving injury to humans have been caused by a failure to observe manufacturer and operators instructions for the operation of the machines. It is stated that there has been no example of injury to a member of the public. Given no occupied property will be located within the drop zone the relationship between the turbine and the proposed dwellings is considered acceptable.

8.56 Concern was raised that children would play in the area of open space within the turbine drop zone and could potentially interfere with the wind turbine. A query was raised in regard to insurance and liability if this turbine was to fall. In regard to insurance and liability this is not a material planning consideration. It is stated within the best practice guidance that the only source of possible danger would be from blade failure which they state is most unlikely if maintained correctly. It is also considered that if a turbine was to drop that this would likely be during a period of adverse weather in which it is unlikely that anyone would be using the open space.

Land Ownership

8.57 A query was raised in regard to the southern boundary of the site and the existing wall between the proposed site and the dwelling at 191 Coleraine Road. The resident of 191 Coleraine Road stated that the wall and an area of 750 mm on the other side of the wall was within the resident's ownership. This matter was raised with the agent and folio maps and a topographical survey was provided which appeared to confirm all the lands are in the ownership of the applicant. A solicitor letter was also submitted to confirm this. This matter has been investigated and is now a legal matter which is not a material planning consideration.

Other Issues

8.58 Some concern was raised in regard to impact of the proposed development on the valuation of existing properties and its potential impact on existing businesses. These concerns are not material planning considerations. A query was raised in regard to the meaning of affordable housing as annotated on the original site layout. This was queried as it would not be possible to condition this to ensure its use as affordable housing. The

use of this phrase has been removed from the current site layout plan. An issue was raised in regard to the description of site boundaries in the Preliminary Risk Assessment it is noted that these boundaries also include residential fencing.

8.59 Within a representation letter concern was raised that a section of land belonging to the dwelling at 191 Coleraine Road had been zoned for housing without the occupant's knowledge. In regard to this, these zonings would have been subject to a consultation process and public enquiry completed by the PAC. Further to this these lands are not included in the development site.

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 PTH 51. 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.

2. If during the development works, new contamination or risks to the water environment 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 receptors to ensure the site is suitable for use.

3. After completing all remediation works under Condition 2 and prior to occupation of the development, a verification report needs to be submitted in writing and agreed with the 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 and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and achieving the remedial objectives.

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

4. No site works of any nature or development shall take place until a programme of archaeological work (POW) has been prepared by a qualified archaeologist, submitted by the applicant and approved in writing by Causeway Coast and Glens Borough Council in consultation with Historic Environment Division, Department for Communities. The POW shall provide for:
 - The identification and evaluation of archaeological remains within the site;
 - Mitigation of the impacts of development through licensed excavation recording or by preservation of remains in-situ;

- Post-excavation analysis sufficient to prepare an archaeological report, to publication standard if necessary; and
- Preparation of the digital, documentary and material archive for deposition.

Reason: to ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded.

5. Access shall be afforded to the site at all reasonable times to any archaeologist nominated by the Department to observe the operations and to monitor the implementation of archaeological requirements.

Reason: to monitor programmed works in order to ensure that identification, evaluation and appropriate recording of any archaeological remains, or any other specific work required by condition, or agreement is satisfactorily completed.

6. A Mechanical ventilation system should be installed into all apartment blocks facing the existing Kingspan 6kW wind turbine. The specification of the ventilation should comply with Technical Booklet K1. In addition, the minimum ventilation rate should not be less than 0.3l/s per m² of internal floor area (this should include all floors, e.g. ground and first floor areas).

Reason: To protect residential amenity.

7. Glazing used for apartment blocks shall be specified and installed in order to achieve a mean sound reduction of 31dB (6/6/6 typical double glazing) to ensure the achievement of BS8233:2014 internal noise.

Reason: To protect residential amenity.

8. All soft and hard landscaping incorporated in the stamped approved Drawing No.03 Rev 6 bearing Planning Authority date stamp 7th August 2019 and 24 Rev 4 bearing the date stamp 9th September 2019, 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'.

6. The proposed open space and amenity areas identified on the stamped approved Drawing Nos. 03 Rev 06 bearing the date stamp 23rd July 2019 and 24 Rev 04, bearing the date stamp 9th September 2019, and the Landscape Management and Maintenance Plan Doc 8, bearing the date stamp 29th May 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.

7. During the first available planting season after the occupation of the first dwelling, or as otherwise agreed in writing with the Planning Authority, all proposed landscaping shall be carried out in accordance with Drawing Nos. 03 Rev 06 bearing the date stamp 7th August 2019 and 24 Rev 4 bearing the date stamp 9th September 2019 and maintained in accordance with the Landscape Management and Maintenance Plan Doc 8, bearing the date stamp 29th May 2019.

Reason: In the interest of visual and residential amenity.

8. 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.

9. 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 8 date stamped 29th May 2019 and associated Schedule Doc 1B date stamped 23rd July 2019.

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.

10. The proposed landscaping located along the Northern, Southern, Eastern and Western boundaries of the site shall be implemented and permanently retained in line with the Landscape Management Plan Doc 8 dated 29th May 2019.

Reason: In the interests of visual amenity.

11. The existing hedgerow located along the western boundary of the site shall be permanently retained.

Reason: In the interests of visual amenity.

12. The proposed 1.8 metre high screen walls as shown in drawing number 03 Rev 6 date stamped 7th August 2019 shall be constructed before the occupation of the dwellings at sites 1, 2, 3, 26, 27, 28, 41, 42, 45, 46, 50, 51, 52, 53, 60 and 61.

Reason: In the interests of private amenity.

Informatives

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.
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



