

Planning Committee Report LA01/2019/0627/F	18th December 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>No:</u> LA01/2019/0627/F	<u>Ward:</u> DERVOCK
<u>App Type:</u> Full Planning	
<u>Address:</u> Lands to the rear of 22 Carncullagh Road, Dervock	
<u>Proposal:</u> Proposed landscaping works including the provision of a polytunnel, steel shed, seating, boundary railings and gates and paving.	
<u>Con Area:</u> n/a	<u>Valid Date:</u> 11.06.2019
<u>Listed Building Grade:</u> n/a	
Agent: GM Design, 22 Lodge Road, Coleraine, BT52 1NB	
Applicant: Causeway Coast and Glens Borough Council, 14 Charles Street, Ballymoney, BT53 6DZ	
Objections: 0	Petitions of Objection: 0
Support: 0	Petitions of Support: 0

EXECUTIVE SUMMARY

- Full planning permission is sought for proposed landscaping works including the provision of a polytunnel, steel shed, seating, boundary railings and gates and paving.
- The site is located within the settlement of Dervock as defined in the Northern Area Plan 2016.
- The principle of development is considered acceptable as the site is located within a settlement and relates to the provision of community facilities.
- The siting, scale, layout, design and use of materials are acceptable and the proposal complies with Policy DES 2 of the Planning Strategy for Rural Northern Ireland.
- Due to the nature and scale of the proposed development there will be no adverse impact on the surrounding area or to residents.
- DfI Roads has been consulted and raises no objection. The proposal complies with PPS3.
- There are no objections to the proposal.
- The application is recommended for Approval.

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 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 located off the Carncullagh Road in Dervock and is situated to the rear of No. 22, an existing Orange Hall. The site comprises a rectangular shaped portion of land which is currently surfaced in loose gravel, and with a pile of scraped earth/plant and rubbish materials. An existing wooden shed is situated in the northern part of the site, with an existing oil tank in the north western corner of the site.
- 2.2 The site boundaries are defined by metal paladin fencing approx. 1.2m high to the north and east, and the existing hall to the south. An existing stone wall, of varying height, defines the western boundary. Parts of the wall are covered in vegetation, with sections that will require repair. Access to the site is from the existing laneway serving the Doctors Surgery.
- 2.3 The surrounding area is characterised by the existing Orange Hall adjoining the site to the south, and the Doctors Surgery to the rear of the site. The adjacent site to the west of the application site is currently vacant and overgrown. There are existing mature trees adjacent to the northern boundary of the site.
- 2.4 In the Northern Area Plan 2016 the site is located within the settlement of Dervock and lies within the Dervock Area of Archaeological Potential. The site is also located within the Dervock River Local Landscape Policy Area, Designation DVL 01, and adjacent to land zoned for housing, Designation DVH 03.

3 RELEVANT HISTORY

There is no relevant planning history.

4 THE APPLICATION

- 4.1 Full planning permission is sought for proposed landscaping works including the provision of a polytunnel, steel shed, seating, boundary railings and gates and paving.
- 4.2 The application will provide a community garden for Dervock.

Habitats Regulation Assessment

- 4.3 The potential impact this proposal on Special Areas of Conservation, Special Protection Areas 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, conservation objectives or status of any of these sites.

5 PUBLICITY & CONSULTATIONS

5.1 External

Neighbours: No representations received.

5.2 Internal

DFI Roads: No objection.

HED Historic Buildings: No objection.

HED Historic Monuments: No objection.

Development Plan Team: 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:
- 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 both 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 RELEVANT POLICIES & GUIDANCE

Northern Area Plan 2016

A Planning Strategy for Rural Northern Ireland

Planning Policy Statement 3 – Access, Movement and Parking

Planning Policy Statement 6 – Planning, Archaeology and the Built Heritage

8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to the design & siting, impact on listed buildings, Dervock River LLPA, Dervock Area of Archaeological Potential and Access.

Planning Policy

- 8.2 The proposal must be considered having regard to the SPPS, PPS policy documents and supplementary planning guidance specified above.
- 8.3 Paragraphs 4.1 – 4.40 of the SPPS outline the general principles for planning within paragraphs 4.23 – 4.30 relating to good design and positive place-making.
- 8.4 As the site is located within a settlement and relates to the provision of community facilities the principle of the development is considered acceptable. The relevant policy for consideration is Policy DES 2 of the Planning Strategy for Rural Northern Ireland.

Design & Siting

- 8.5 Policy DES 2 sets out current planning policy for development proposals affecting townscape and requires development proposals in towns and villages to make a positive contribution to townscape and be sensitive to the character of the area surrounding the site in terms of siting, scale, layout, design and use of materials.
- 8.6 The proposal is sited to the rear of the existing Orange Hall and proposes to bring an existing piece of unused ground into use as a Community Garden. The scale of the proposal is sensitive to the size of the site and the existing features including the stone wall and the neighbouring mature trees. The design includes grassed areas, a seating area, a patio area, concrete paved paths, storage, seating, planters, a shed and a polytunnel.
- 8.7 The existing stone wall which runs along the western site boundary is to be cleared back of vegetation and ivy, and minor repair work carried out where necessary. Two different types of seating are proposed which will provide variation within the development. The northern and eastern site boundaries will be

defined by new 1.2m high powder coated black steel railings. This is an acceptable boundary treatment given the proposed use of the site and the character of the surrounding area.

- 8.8 The application originally proposed the use of artificial grass to the grassed areas. Concerns were raised in relation to the potential impact on the root protection area of the trees adjacent to the northern boundary as a result of the sublayers required for the construction of the artificial lawn. The proposal was amended to include natural grass in order to remove the potential for any impact on the root protection zone of the trees and to improve biodiversity within the scheme.
- 8.9 A shed and polytunnel are incorporated within the scheme. They are proportionate to the size of the site. Materials and finishes are acceptable. The proposal complies with Policy DES 2.

Impact on Listed Buildings

- 8.10 As the nearby building at 15 Carncullagh Road is listed, Historic Buildings Unit (HBU) was consulted as the competent authority in relation to the proposal. HBU considers the proposal would have no greater demonstrable harm on the setting of the nearby listed buildings when considered against the policy requirements. Officials would agree with this assessment.
- 8.11 The proposal therefore satisfies paragraph 6.12 of the SPPS and Policy BH 11 of PPS 6 as the proposal will not adversely affect the setting of the listed building.

Dervock River LLPA

- 8.12 The site is within the Dervock River Local Landscape Policy Area, Designation DVL 01 in NAP 2016. This is designated due to the visually significant tree groups which characterise the settlement. Policy ENV 1 of Volume 1 of NAP 2016 states that planning permission will not be granted for development proposals that would be liable to affect adversely those features or combination of features that contribute to the environmental quality, integrity or character of a designated LLPA. Where development is permitted, it will be required to comply with any requirements set out for individual LLPAs in the District Proposals. There is no specific policy requirements set out for this LLPA designation.

8.13 Amendments were sought to the proposal to remove any works from the root protection zone of the trees. The artificial grassed areas have been replaced with real grass to improve biodiversity within the site. The proposal now complies with Policy ENV 1.

Dervock Area of Archaeological Potential

8.14 The site is located within the Dervock Area of Archaeological Potential. Historic Monuments Unit (HMU) was consulted in relation to the proposal as the competent authority on archaeological matters. HMU has assessed the application and on the basis of the information provided, and the nature and scale of the development, is content that the proposal is satisfactory to the SPPS and PPS 6 archaeological policy requirements. Officials agree with this assessment and content that the proposal complies with the requirements of Policy BH 2, which covers *The Protection of Archaeological Remains of Local Importance and their Settings*.

Access

8.15 Access to the site is from the existing laneway serving the Doctors Surgery. It is not proposed that vehicles will enter the site. It is envisaged that any vehicles visiting the site will avail of the existing on street parking. DfI Roads has been consulted as the competent authority on roads matters and raises no objection to the proposal. The proposal complies with Policy AMP 2 of PPS 3.

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 proposed development is an acceptable use of the land and its scale, design, layout and appearance will not have any significant detrimental impact. Approval is recommended.

10 CONDITIONS & INFORMATIVES

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.

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



Block Plan

