

<b>Planning Committee Report LA01/2020/1004/F</b>	<b>24<sup>th</sup> February 2021</b>
<b>PLANNING COMMITTEE</b>	

<b>Linkage to Council Strategy (2015-19)</b>	
<b>Strategic Theme</b>	Protecting and Enhancing our Environment and Assets
<b>Outcome</b>	Pro-active decision making which protects the natural features, characteristics and integrity of the Borough
<b>Lead Officer</b>	Development Management & Enforcement Manager
<b>Cost: (If applicable)</b>	N/A

<b><u>No:</u></b>	<b>LA01/2020/1004/F</b>	<b><u>Ward:</u></b>	<b>University</b>
<b><u>App Type:</u></b>	<b>Full</b>		
<b><u>Address:</u></b>	<b>Cloonavin, 66 Portstewart Road, Coleraine, BT52 1EY.</b>		
<b><u>Proposal:</u></b>	<b>Installation of replacement lighting to include 30no. 8m and 12no. 6m lighting columns along existing public pathways and car parks to satisfy lighting regulations.</b>		
<b><u>Con Area:</u></b>	<b>N/A</b>	<b><u>Valid Date:</u></b>	<b>30.09.2020</b>
<b><u>Listed Building Grade:</u></b>	<b>N/A</b>		
<b>Agent:</b>	<b>N/A</b>		
<b>Applicant:</b>	<b>Causeway Coast &amp; Glens Borough Council</b>		
<b>Objections:</b>	<b>0</b>	<b>Petitions of Objection:</b>	<b>0</b>
<b>Support:</b>	<b>0</b>	<b>Petitions of Support:</b>	<b>0</b>

## **EXECUTIVE SUMMARY**

- The site is located within the settlement development limits of Coleraine as defined in the Northern Area Plan 2016. Part of the the site falls within a major area of open space and within the University LLPA under designation CEL 04.
- The scheme consists of the Installation of replacement lighting to include 30no. 8m and 12no. 6m lighting columns along existing public pathways and car parks to satisfy lighting regulations.
- When assessed against the SPPS and policy DES 2, the scale and design of the development is considered acceptable, in that, it will not detract from the existing character of the immediate context and is of a replacement nature. The scheme will respect the existing townscape at this location.
- No consultees have raised any areas of concern with the proposed development.
- There are no third party representations submitted with this development.
- Approval is recommended.

Drawings and additional information are available to view on the Planning Portal- <http://epicpublic.planningni.gov.uk/publicaccess/>

## 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, guidance and consideration 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 at the existing Council site at Cloonavin, 66 Portstewart Road, Coleraine. Cloonavin is the civic headquarters of Causeway Coast and Glens Council and is set in landscaped grounds consisting of broadleaved and conifer trees. There are existing car park areas, amenity grassland and the site is bounded by the River Bann, Portstewart Road, and housing estates. There are 42 lights in total and they located with the existing car parks, internal footways and green spaces on the Council site. The existing building on site consists of a three-storey modern contemporary building and the existing lights surround the grounds. They provide lighting along these locations and provide visibility and a form of security for members of the public, Council workers and elected members in the local context. Each of the existing lights are approximately 6-8m in height and have been finished with aluminium.
- 2.2 The surrounding area is predominately residential and is characterised by two-storey detached and semi-detached dwellings. The University of Ulster is located in close proximity to the site and the existing Council site has a Marina to the south-east. There are some community and commercial buildings in the immediate context and some retail shops along the Millburn Road
- 2.3 The site is located within the settlement development limits of Coleraine as defined in the Northern Area Plan 2016. Part of the site falls within a major area of open space and within the University LLPA under designation CEL 04.

## 3 RELEVANT HISTORY

- 3.1 There is no relevant planning history.

## **4 THE APPLICATION**

- 4.1 Installation of replacement lighting to include 30no. 8m and 12no. 6m lighting columns along existing public pathways and car parks to satisfy lighting regulations.

## **5 PUBLICITY & CONSULTATIONS**

### **5.1 External**

No letters of objection or letters of support were received with this application.

### **5.2 Internal**

**NI Water-** No objections

**Environmental Health-** No objections

**DFI Roads-** No objections

**HED- Historic Monuments-** No objections

**Shared Environmental Services-** No objections

**NIEA-** 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:
- The 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 RELEVANT POLICIES & GUIDANCE**

The Northern Area Plan 2016

The Strategic Planning Policy Statement (SPPS)

A Planning Strategy for Rural Northern Ireland

Planning Policy Statement 2 Natural Heritage

PPS 6: Planning, Archaeology and the Built Heritage

## **8 CONSIDERATIONS & ASSESSMENT**

- 8.1 The main considerations in the determination of this application relate to the principle of development, design, visual impact and visual amenity, natural heritage interests, light impacts, potential impacts on the LLPA and open space, archaeology and the built heritage.

### **Planning Policy**

- 8.2 The site is located within the settlement development limits of Coleraine as defined in the Northern Area Plan 2016. Part of the site falls within a major area of open space and within the University LLPA under designation CEL 04
- 8.3 The proposal must be considered having regard to the SPPS, PPS policy documents and supplementary planning guidance specified above.

### **Principle of Development**

- 8.4 Paragraphs 4.1-4.40 of the SPPS outline the general principles for planning with paragraphs 4.23-4.30 identifying the need for good design and positive place-making.

- 8.5 The SPPS promotes sustainable development throughout the planning system. The guiding principle for planning authorities is that sustainable development should be permitted, having regards to the development plan and all other material considerations, unless the proposed development will cause demonstrable harm to interests of acknowledged importance.
- 8.6 The proposal is for the installation of 42 new lights which will replace the existing lights at these locations. The lights already exist at each of these locations and the principle of having these new 6-8m high lights has been established over time. The proposed development is considered an appropriate development and is a form of local infrastructure and utility considered acceptable in the immediate context. The scheme is in compliance with paragraph 6.238 of the SPPS in that it will result in a minimal environmental impact.
- 8.7 Policy DES 2 of *A Planning Strategy for Northern Ireland* sets out the assessment for considering this type of proposal within a townscape location. It states that proposals should make a positive contribution to townscape and be sensitive to the character of the area surrounding the site. Therefore, the principle of installing 42 replacement lights at these locations is acceptable provided it is sensitive to its character and makes a positive contribution in the townscape. It is considered that if these 2 tests are satisfied, the proposal meets the criteria in terms of good planning and design principles as identified within the SPPS. The principle of the development is considered acceptable.

### **Design, Visual impact and residential amenity**

- 8.8 There are 2 main design elements to this scheme. Each of which will be visible from public vantage points along the pathways and green spaces and car parks from the Portstewart Road. The lights will have public aspects which have the potential to affect visual amenity. The first main design element is the proposed lighting columns of each of the lights. 30 of the lights will reach a height of 8m and 12 of the lights will reach a height of 6m. The majority of the 6m high lights will be located towards the car park adjacent to the marina. The 8m high lights will be located in the upper car park, the car park at the front of the main building and at locations directly at the front of the main building. The other main design element is the light itself upon each of the lighting columns. Each of these lights will have a wattage of 12W LED which will ensure the proposed lights have not have a negative

impact upon visual amenity. From a design perspective each of the lights will replace existing lighting columns and lights which are in a state of disrepair. It is good design to repair existing defective development and this is determined to be a planning gain as the lights will replace existing development which is in a state of disrepair. The design of the scheme is considered acceptable.

- 8.9 In visual amenity terms the proposed lights will replace existing lights which already exist and therefore, there will be no greater impact to the existing character or local context. The lights will provide a form of visual guidance to members of the public, council workers and elected members, who may wish to traverse these pathways, car parks and green spaces during night time hours and the dark winter months. This will also provide a form of security for members of the public and council workers and elected members as well as they will ensure that these proposed locations will be appropriately illuminated which will help reduce potential crime. The proposed scheme is acceptable in terms of visual amenity.

### **Potential Light Impacts**

- 8.10 Environmental Health was consulted in relation to the proposed scheme. They stated that the external lighting scheme shall be constructed in accordance with the Institute of Lighting Professionals (ILP) Guidance Notes for the Reduction of Intrusive Light 2011, and Guidance Note 01/2020, suburban classification. The maximum value of vertical illuminance on properties shall be 10 lux pre-curfew and 2 lux post-curfew as per Drawing No.3 date stamped 1st September 2020. Provided that the Council comply with these aspects the proposed lighting scheme will not have any negative impacts to the surrounding context in terms of illumination.

### **Potential impacts on the University LLPA and open space**

- 8.11 The site falls within the University LLPA. The NAP 2016 states that 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. The continued development of institutional buildings within this area will be acceptable but will be required to have regard to the landscape framework of this area. The

proposed lights are considered development of a modest scale which will enhance the use of this area during night time hours and the winter months. They will provide a security aspect for the use of the open space and pathways in that they will be appropriately illuminated which will help reduce potential anti-social behaviour and potential crime at this location. The proposed development will not have a negative impact on the LLPA or the major area of open space at this location. The development will in fact enhance the LLPA and open space at this location.

### **Archaeology and the Built Heritage**

- 8.12 The site is within close proximity to an archaeological site and monument. As such Historic Environment Division- Protecting Historic Buildings and Monuments was consulted in relation to the development. Historic Monuments did not indicate that the site was within any protected archaeological designations. HED (Historic Monuments) has assessed the application and on the basis of the information provided - and the nature and scale of the proposal - is content that the proposal is satisfactory to SPPS and PPS 6 archaeological policy requirements. The proposed development will have no negative impacts on built heritage interests or on archaeology within the immediate context. The proposed scheme complies with PPS6.

### **Natural heritage interests and Habitats Regulation Assessment**

- 8.13 Both Shared Environmental Services and Northern Ireland Environmental Agency were consulted in relation to the scheme due to the proximity of the site in relation to the River Bann and existing mature trees on site. NIEA- Natural Environment Division stated that using the information submitted, NED is content that the proposed replacement lighting scheme is unlikely to significantly impact protected or priority species. NED notes that Drawing Number 03 shows that there will be no light spill greater than 1lux on any natural heritage features and therefore has no concerns in relation to the development. NIEA has indicated that the proposed scheme will have no negative impacts on natural heritage interests.
- 8.14 As the site was located in close proximity to the River Bann there was potential impacts on European Designated sites through hydrological links. Shared Environmental Services stated that, having considered the nature, scale and location of the project it is concluded that it is

eliminated from further assessment because it could not have any conceivable effect on the selection features, conservation objectives or status of any European site. 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. The proposed scheme complies with PPS2 Natural Heritage.

## **9 CONCLUSION**

- 9.1 The proposal is considered acceptable at this location having regard to the Northern Area Plan, and other material considerations, including the SPPS. The proposed lighting scheme is acceptable and will replace existing defective lights. The scheme is compatible with the character of the area and meet with the provisions of the SPPS, PPS2, PPS6 and DES 2. The development will make a positive contribution and enhance the University LLPA and the immediate context. 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. The proposed street pole /columns shall not become operational until it has been certified to the Department for Infrastructure's DfI Roads by a Chartered Civil or Structural Engineer as having been designed and erected in accordance with the BD2 Technical Approval of Highway Structures : Volume 1: Design Manual for Roads and Bridges.

Reason: To ensure that the street pole / mast is designed and constructed in accordance with BD2 Technical Approval procedures.

3. The external lighting scheme shall be constructed in accordance with the Institute of Lighting Professionals (ILP) Guidance Notes for

the Reduction of Intrusive Light 2011, and Guidance Note 01/2020, suburban classification. The maximum value of vertical illuminance on properties shall be 10 lux pre-curfew and 2 lux post-curfew as per Drawing No.3 date stamped 1st September 2020.

Reason: In the interests of public and visual amenity.

### **Informatives**

1. This approval does not dispense with the necessity of obtaining the permission of the owners of adjacent sites 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

