

Title of Report:	Planning Committee Report – LA01/2019/0993/F
Committee Report Submitted To:	Planning Committee
Date of Meeting:	26th May 2021
For Decision or For Information	For Decision

Linkage to Council Strategy (2021-25)	
Strategic Theme	Cohesive Leadership
Outcome	Council has agreed policies and procedures and decision making is consistent with them
Lead Officer	Senior Planning Officer

Budgetary Considerations	
Cost of Proposal	Nil
Included in Current Year Estimates	N/A
Capital/Revenue	N/A
Code	N/A
Staffing Costs	N/A

Screening Requirements	Required for new or revised Policies, Plans, Strategies or Service Delivery Proposals.		
Section 75 Screening	Screening Completed:	N/A	Date:
	EQIA Required and Completed:	N/A	Date:
Rural Needs Assessment (RNA)	Screening Completed	N/A	Date:
	RNA Required and Completed:	N/A	Date:

Data Protection Impact Assessment (DPIA)	Screening Completed:	N/A	Date:
	DPIA Required and Completed:	N/A	Date:

<u>App No:</u>	LA01/2019/0993/F	<u>Ward:</u>	Loughguile and Stranocum
<u>App Type:</u>	Full Planning		
<u>Address:</u>	Lands North of Mill Cottage Drive, Stranocum. Ballymoney		
<u>Proposal:</u>	Proposed residential development comprising 19no. dwellings and waste water treatment plant.		
<u>Con Area:</u>	N/A	<u>Valid Date:</u>	12.09.2019
<u>Listed Building Grade:</u>	N/A	<u>Target Date:</u>	23.12.2019
<u>Applicant:</u>	McAllister Builders		
<u>Agent:</u>	Vision Design		
<u>Objections:</u>	7	<u>Petitions of Objection:</u>	0
<u>Support:</u>	0	<u>Petitions of Support:</u>	0

Executive Summary

- The application proposes the construction of 19 dwellings with an associated private waste water treatment plant to serve the development.
- The site is located within the Stranocum Settlement Development Limit and is a committed housing site (Designation SMH 01) as defined by the Northern Area Plan 2016.
- Previous permission was granted for the erection of 23 dwellings, including 2 apartments with detached garages and waste water treatment unit under application D/2008/0359/F. Permission expired on 22-Dec-2014.
- Access is taken from the existing publicly adopted road serving development at Mill Cottage and requires a small area of the existing plot at No 1 Mill Cottage Drive.
- Private Street Determination plans have been submitted and approved by DFI Roads.
- Connection to the public waste water treatment works is not achievable. The application includes a private treatment package plant.
- A Drainage Assessment has been submitted as part of the application. Discharge is proposed to an undesignated watercourse to the north-east of the site.
- Consultation has been carried out with NI Water Rivers Agency and DAERA Water Management Unit.
- 7 objections have been received raising issues in relation to sewerage capacity, access arrangements, traffic impact, impact on bats, drainage / flooding, impact on residential amenity and loss of views.
- The proposal is considered acceptable (subject to conditions) in this location having regard to the Northern Area Plan 2016, and other material considerations, including the SPPS.

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 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 proposed site consists of a large rectangular plot of land extending to approximately 0.9 hectares and comprising a cut out of a larger agricultural field which is used for grazing. The site is back-land in nature located to the rear of Nos 20-30 Main Street, Stranocum. The site is accessed to the south-eastern corner via the existing adopted public road which serves an adjacent private housing development at Mill Cottage Way and Mill Cottage Drive. The proposed red line also incorporates an area of the rear private amenity space which serves No 1 Mill Cottage Drive in order to facilitate the necessary access roadway alignment.
- 2.2 The site is set approximately 1-1.5m below the back garden levels of the properties at Mill Cottage Drive and continues to slope towards the northern boundary. The southern site boundary which is adjacent these properties is defined by a combination of post and wire fencing, wooden slatted fencing and retaining walls. The eastern boundary which backs onto the properties along Main Street is generally defined by a post and wire fence with a number of mature trees. A small sheugh exists along this site boundary and continues north beyond the site. The northern boundary is defined by a low ditch with a low, fairly sparse hedge while the remaining western boundary is undefined.

2.3 The character of the area is almost entirely residential and characterised by existing development at Mill Cottage and Main Street. Mill Cottage Drive which abuts the site comprises a fairly homogenous architectural style consisting of two storey semi-detached dwellings with two storey front projections. Only two have small detached garages to the rear. Mill Cottage Way is of similar architectural style but incorporates a number of semi-detached single storey properties adjacent the access road to the proposed site. Main Street comprises a more eclectic mix in dwellings comprising a variety of architectural styles, sizes and finishes. The vast majority of the dwellings which back onto the proposed site are detached, single storey dwellings set on similar sized linear plots. The only non-residential buildings on the western side of Main Street are a small community hall adjacent No 16 and agricultural buildings to the rear of Nos 34 and 44 which are to the north-east of the site.

2.4 The site is located within the Stranocum Settlement Development Limit and is a committed housing site (Designation SMH 01) as defined by the Northern Area Plan 2016. The proposed site incorporates two boundaries which form the defined settlement development limit. The site is not affected by any designations, hazards or constraints and is not in proximity to known archaeology or listed buildings.

3 RELEVANT HISTORY

D/2008/0359/F - Erection of 23 dwellings, including 2 apartments with detached garages where appropriate, landscaping, amenity, roads, sewers and waste water treatment unit. Permission Granted 22-Dec-2009. This permission incorporated access taken to the north via an existing laneway adjacent No 44 Main Street.

4 THE APPLICATION

4.1 Construction of 19 dwellings with a waste water treatment plant. Dwellings are two storey with private amenity space, in-curtilage car parking and landscaped areas. Finished floor levels range from 46.0 to 50.8 and reflects the existing site levels. Access is taken from the existing public roadway serving the adjacent housing development at Mill Cottage Way / Mill Cottage Drive.

The proposed access roadway is to be adopted. The applicant intends to use a waste water treatment plant and discharge and dispose of surface water to an existing watercourse to the west of the site.

Habitat Regulations Assessment

- 4.2 An undesignated watercourse exists 74m west of the site and is hydrologically connected to the River Bush which exists 430m to the north-west. The River Bush is hydrologically connected to a designated AONB, ASSI and SAC north of Bushmills and is separated from the proposal by over 17km. 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 7 No. objections to the proposal from 6 separate identified addresses. The reasons for objecting are summarised below:

- Impact on existing access arrangements.
- Proposed access arrangements, layout and proximity to adjacent properties. Additional traffic and road safety (including during construction phase).
- Sewerage capacity.
- Potential surface run-off and Flooding.
- Potential impact on local facilities and services including local Primary School.
- Potential impact on protected species – namely bats.
- Requirement for retaining structures to rear of existing properties (1-19 Mill Cottage Drive).
- Impact on existing views.
- Potential additional noise impact

5.2 Internal

Environmental Health: No objection to the proposal subject to conditions and satisfactory consent and building methods in relation to sewerage arrangements.

DFI Roads: No objection to the proposal subject to conditions.

Rivers Agency: No objection from drainage or flood risk perspective subject to condition.

NI Water: Waste water treatment capacity is not available for the proposed development. NI Water advise that the use of a permanent wastewater facility is at the applicants own expense and may or may not be adopted by NIW in the future.

NIEA:

Natural Environment Division has considered the impacts of the proposal on designated sites and other natural heritage interests and raise no objections subject to hedgerow retention.

Water Management unit and Inland Fisheries note the fact that a WWTW is to be constructed to serve this development and that storm water sewer provision exists within 20m of the proposed site which can although the applicant has proposed to discharge storm water to the watercourse. If the proposal is considered acceptable Water Management Unit refer the Planning Authority to DAERA Standing Advice on Multiple Dwellings and point out that there is no guarantee that Discharge Consent will be granted in relation to the private waste water facility.

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 3: Access, Movement and Parking

Planning Policy Statement 7: Quality Residential Environments

PPS 7 Addendum: Safeguarding the Character of Established Residential Areas

DCAN 8 - Housing in Existing Urban Areas

PPS11 – Planning and Waste Management

Planning Policy Statement 15: Planning and Flood Risk

DCAN 15 - Vehicular Access Standards

Parking Standards

Creating Places – Achieving Quality in Residential Environments

8.0 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to: principle of development; the design and layout; impact of the development on the character of the area; traffic and road safety; impact from drainage; impact from proposed waste water treatment and proximity to public waste water treatment works; and impact on the residential amenity of surrounding properties.
- 8.2 The site has been the subject of previously granted planning permission and the area to be developed is identified in the local plan as a committed site for proposed housing development.

Principle of Development

- 8.3 The principle of development must be considered having regard to the Northern Area Plan, the SPPS and PPS policy and guidance documents above. Paragraph 3.8 of the SPPS asserts a presumption in favour of development which accords with an up-to-date development plan unless the proposed development will cause demonstrable harm to interest of acknowledged importance.
- 8.4 The principle of development was established under previous planning permission (D/2008/0359/F) for the erection of 23 dwellings, including 2 apartments with detached garages. The site is identified as being within the Stranocum Village Settlement Development Limits and as a committed site for residential development (SMH 01) as per the Northern Area Plan 2016. The principle of development is therefore considered acceptable.

Planning Policy Statement 7- Quality Residential Environments- Creating Places

- 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. All proposals for residential development are expected to conform to all of the criteria outlined below:

- 8.6 Part (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'*.
- 8.7 Although the site extends to just over 0.9 ha the site is located on the outer extent of the identified SDL and is quite back-land in nature being located to the rear of a number of properties which access onto Main Street and adjacent the northern boundary of a small housing development at Mill Cottage. Access is taken from Main Street via the existing singular access which serves the Mill Cottage development and extends to the boundary with the site. For this reason the site has limited presence within the village context and critical views of the site are fairly restricted. The character of the area within immediate proximity of the site is almost entirely residential with the exception of a small community hall adjacent (18 main Street) and a small number of agricultural buildings to the north-east of the site located to the rear of Nos 34 and 44 Main Street.
- 8.8 Dwellings within the Mill Cottage development comprise a variety of house types mainly consisting of single storey, chalet bungalows, and two storey, which are for the most part finished in a mix of red facing brick and pebble dash with brown concrete interlocking roof tiles. Some semi-detached dwellings incorporate slightly different finishes with smooth render plinths and raised quoins. Dwellings are both detached and semi-detached. The dwellings at Millbrooke Drive which directly abut the site comprise two storey semi-detached dwellings with pitched roofs.
- 8.9 The properties fronting onto Main Street comprise a variety of architectural styles, sizes and finishes. The vast majority of the dwellings which back onto the proposed site are detached, single storey dwellings set on similar sized linear plots with levels falling to the north.
- 8.10 Density levels within the surrounding context vary between approximately 23 per hectare at Mill Cottage and approximately 11 units per hectare along Main Street which would be

considered low density as per PPS12. The proposed development comprises a density level of approximately 25 units per hectare which would also be considered low as defined within PPS12 and is appropriate in terms of the character of the area.

8.11 Creating Places outlines that not only does the density, form and materials within a development strongly influence the quality of the residential environment but the mix of dwellings as well. A variety of different types and sizes of houses provides greater choice within a development, creates a balanced community by attracting a variety of people and households and also creates visual variety and interest.

8.12 The proposed dwellings comprise a variety of both detached and semi-detached dwellings including two storey with hipped roof (HTA, A1 & B) and two storey detached with pitched roof (HTC). The variety of dwelling types is reflective of the existing surrounding residential character of the area. The site is accessed at the furthestmost south-eastern corner connecting to the existing road level which is elevated above the subject site. Proposed road levels fall quite steeply over the first 12m and continue to gradually fall towards the northern boundary (approximately 7.5 over the site from southern to northern boundary). The finished floor levels of existing dwellings along Mill Cottage Drive which abut the site fall to the west but are generally approximately 2- 3m above the finished ground level at sites 1-5 which also fall slightly to the west. Finished floor levels have been annotated on the submitted plan. The proposed road levels layout and finished floor levels are appropriate and reflective of the site contours and designs are generally acceptable.

8.13 The layout comprises a single access road which traverses the site, addressing the site contours and terminating at a turning head towards the northern extent of the boundary. The layout generally comprises a mix of detached and semi-detached dwellings presenting onto the adopted roadway all with in-curtilage car parking and small front gardens with areas of private amenity space to the rear. Although the front gardens do not provide practical usable space, they serve an important function in softening the appearance of the development and providing areas of defensible space between the dwellings and the public footpath. Additionally, some landscaped areas are

also proposed at the site entrance, around the private treatment plant and along the northern and western boundaries which define the settlement development limit. The use of additional planting areas softens the appearance of the development and in combination with in-curtilage parking reduces the dominance of cars / hardstanding within the development retaining the feel of being low density.

- 8.14 Some issues do exist in relation to the proposal including the view from the road frontage area between sites 9 and 14 and from the dwellings opposite (Nos 11 and 12) which presents a critical view through the rear gardens of sites 6-9 and 14-17. Creating Places determines that layouts should be designed to ensure that buildings are located and orientated to present an attractive outlook facing onto all roads, existing and proposed. Small detached garages are proposed for a number of these dwellings and there is the likelihood of additional residential paraphernalia such as washing lines etc, which has the potential to present an unattractive vista from a critical view within the interior of the development. In order to address this the application includes a small landscape area adjacent to the public footpath incorporating a proposed hedgerow with additional 1.8m wall. As this relates to a very small area of the development and the layout otherwise presents all development to the public road layout, this is generally considered acceptable and will significantly off-set any potential unattractive views or outlook from neighbouring dwellings.
- 8.15 An area of communal car parking is proposed between sites 5 and 10 providing car parking for 6 vehicles. This is fairly small area laid out as a shared surface which provides access to No 5 as well as additional car parking / visitor parking within the development without impacting on neighbouring dwellings or dominating the streetscape. An additional small area of shared surface providing two car parking spaces is located to the northern extent of the proposed road layout with additional visitor car parking spaces within the adopted roadway.
- 8.16 The Addendum to PPS7 Safeguarding the Character of Established Residential Areas - Annex A outlines the minimum space standards for housing types. Based on these standards the proposed dwellings all exceed the identified minimum space standards bracket and are in keeping with the scale and character of dwellings within the surrounding context.

- 8.17 A small sheugh extends along the eastern boundary of the site with mature trees and hedgerow which defines the boundary to adjacent off Main Street. The existing trees are indicated as being retained and although two are in fairly close proximity to proposed dwellings the retention of these trees would generally appear to be feasible. No drainage works in relation to the sheugh are proposed and it does not appear to require culverting.
- 8.18 The northern and western site boundaries form part of the Stranocum SDL. The northern boundary comprises a poor quality hedgerow with post and wire fence while the western boundary is currently undefined. Paragraph of 4.28 of PPS7 states that the integration of development at the edges of settlements is important and buffer planting will be required to help assimilate and soften its impact. The current proposal incorporates a significant planting buffer along the northern and western boundaries of appropriate. A number of garages are proposed in conjunction with the properties along the western boundary which are sufficiently removed to facilitate the proposed levels of planting. Site 18 and 19 are position in fairly close proximity to the proposed planting buffer but do not impact on it and incorporate large side gardens which off-set the limited back garden depth. These properties back onto agricultural land which is outside the SDL.
- 8.19 Part (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'*.
- 8.20 The site is not affected by or located within proximity of any archaeological sites or monuments and no listed buildings exist in proximity of the site locality. The landscape features along the eastern boundary are identified and incorporated within the development including retention of mature trees and existing hedgerow. Similarly, along the northern boundary a number of semi-mature trees and existing boundary hedge are incorporated within a wider planting buffer and the overall development. Landscape features have been suitably integrated into the design and layout of the proposal.

- 8.21 A Biodiversity Checklist has been completed and submitted by the applicant. DAERA (Natural Environment Division) has been consulted and advise that the impacts of the proposal on designated sites have been considered along with other natural heritage interests. On the basis of the information provided, no have been raised.
- 8.22 The application proposes the installation of a waste water treatment works to serve the development. Discharge to the nearby watercourse (approx. 65m west) has been proposed with the addition of discharge of storm water. Water Management Unit and Inland Fisheries has pointed out that a public storm water sewer exists within 20m of the proposal and could be utilised to serve the proposal (as confirmed by NI Water) but do not indicate that the proposed arrangements are unacceptable subject to the necessary discharge consents.
- 8.23 The existing watercourse is 65m from the development site and is linked to the Bush River which is a further 338m away. The Bush River is hydrologically connected to designated sites but these are located approximately 17km away and therefore the potential impact on any designated site is very unlikely. A HRA screening has been undertaken and consultation with SES was not deemed necessary due to the separation distance.
- 8.24 Part (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'*.
- 8.25 Adequate provision of public and private open space as an integral part of a development is a requirement for all proposals. Public open space is a requirement for new residential development of 25 units or more, or on sites of one hectare or more. The proposed site does not meet the threshold for the provision of public open space within the development. The adjacent development at Mill Cottage is a historic approval and the subject site would not be deemed as piecemeal.

8.26 In terms of private amenity space Creating Places advises that a variety of different garden sizes should be provided to promote choice for residents. Back gardens should therefore be calculated as an average for the development as a whole and should be around 70sqm per house or greater. Garden sizes larger than the average would generally be considered to suit dwellings designed for families while smaller areas may be appropriate for 1-2 bedroom houses or those located opposite or adjacent public or communal open space. Creating Places also determines that an area of around 40sqm will generally be unacceptable.

8.27 The development comprises a variety of private garden sizes and depths. The majority of these comprise fairly rectangular plots with reasonable garden depths extending to approximately 9-10m which is acceptable. A number of proposed units include the provision of optional garages to the rear. The level of private amenity space proposed in those instances is sufficient to accommodate these garages and retain sufficient levels of private amenity space.

8.28 Sites 18 and 19 incorporate a more awkward arrangement with very limited separation distances to the site boundary (approximately 4m) much of which is incorporated within the wide planted boundary defining the site where it forms part of the SDL. As a result private amenity space is proposed to the side of these dwellings. These areas exceed the expectation if amenity provision for these types of family dwellings and are quite practical and of a good residential quality. In terms of privacy Site 19 incorporates the north-eastern corner of the development site and privacy is easily achievable. The amenity space serving site 18 is more open and abuts the public road on two boundaries. It is however, located within a more secluded part of the site and include the erection of a boundary wall set back from the public footpath. This forms a small part of the overall development providing privacy and will not in itself significantly impact the visual aspect of the overall development.

8.29 Some small areas outside private ownership is proposed within the development which do not appear to be retained in private ownership including in relation to the shared surface areas, planted areas and the private waste water treatment plant. While small areas of planting / residual space as well as a variety of surface treatments can serve to soften the appearance

of the development it is important that such areas are maintained to retain the quality of the development and a management maintenance agreement is necessary.

8.30 In terms of proposed planting a landscaping scheme has been submitted and indicates those trees and hedgerows to be retained. While it does not specify the planting species as part of the planting scheme this can be satisfactorily conditioned.

8.31 The proposal impacts on the amenity space serving the existing dwelling at No 1 Mill Cottage Drive. An area of this property is required to facilitate the necessary access arrangements to serve the proposed development. This impacts on the extent of amenity space remaining which is reduced to approximately 53 sqm and also removes a side tarmac area serving the dwelling although the proposed road layout is sufficiently separated from the gable of this property. In the overall scheme of both existing and proposed development the impact on this dwelling is not unacceptable and also requires the consent of the owner for any works to his property. The applicant indicates that he is currently in ownership of all lands required to facilitate the development and the remaining area of private amenity space serving No 1 Mill Cottage is already defined.

8.32 Part (d): *'adequate provision is made for necessary local neighbourhood facilities, to be provided by the developer as an integral part of the development'*.

8.33 The proposal is located within the Settlement of Stranocum. The scale of the proposal does not require facilities to be provided within the site.

8.34 Part (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'*.

8.35 The site is within a small village setting with access via Main Street taken through the existing development at Mill Cottage and is within reasonable walking distance of the limited facilities within the village (the local petrol filling station and convenience shop is located south approximately 210m south of the site). The movement pattern supports walking and cycling and the road layout is currently considered acceptable.

- 8.36 Part (f): *'adequate and appropriate provision is made for parking'*.
- 8.37 The majority of residential parking is in-curtilage with an additional private area of communal parking located to adjacent site 10. Provision is also made for on-street visitor car parking. The northern part of the site comprises limited visitor car parking within proximity of sites 14-19 (although two are proposed). DFI Roads has been consulted and advise that the current road layout and submitted PSD is acceptable.
- 8.38 Part (g): *'the design of the development draws upon the best local traditions of form, materials and detailing'*
- 8.39 The design of the proposed dwellings comprises a variety of house types and finishes include detached and semi-detached, all of which are two storey. House Type A comprises a two storey, hipped roof Georgian style dwelling. The dwelling is approximately 9.9m x 7.8m externally with Georgian bar style windows, horizontal plaster band and moulded front door canopy. The roof is hipped and incorporates exposed rafter ends with black, flat profile roof tiles. Wall finishes include the option of smooth render or red brick finish with brick header detailing.
- 8.40 House Type A1 only relates to site 1 and comprises a similar dwelling type but is dual frontage to reflect its corner site location at the entrance to the development and includes a small flat roofed projection. HT B is semi-detached comprising a slightly smaller proportioned dwelling to HTA but in design terms is effectively a semi-detached version of this dwelling again with the option of red brick finish.
- 8.41 House Type C is a detached two storey property approximately 7.2m x 8.8m with pitched roof and similar pseudo – Georgian styling. This includes the vertically emphasised fenestration detailing, transom window and side lights to the front door and moulded door canopy. Finishes are in keeping with HTA and HTB with the option of red-brick finish.
- 8.42 The character of the area incorporates a variety of house types including both two storey and chalet bungalow dwellings as well as a variety of finishes including red brick and smooth render. The design of the proposed dwellings draw upon the best local traditions in terms of form, materials and detailing. The proposed dwellings are acceptable from a design perspective and do not

appear incongruous or inappropriate within the surrounding context.

8.43 There are a number of corner sites within the development. Creating Places determines that specific designs are required for buildings occupying internal and external corner sites which may provide an opportunity to design landmark buildings. The current proposal incorporates dual frontage design in relation to site 1 which is a key building at the entrance to the site and presents acceptable elevations to the public road.

8.44 Part (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'*.

8.45 Units 1-5 comprise three detached and two semi-detached, two storey dwellings which back onto existing development at Mill Cottage Drive. All proposed dwellings incorporate first floor bedroom windows. The existing dwellings at Mill Cottage Drive are also two storey and incorporate number of rear elevation first floor windows directly overlooking the site. Creating Places recommends that a separation of greater than 20m will generally be appropriate to minimise overlooking with a minimum of around 10m between the rear of new houses and the common boundary.

8.46 Separation distances between existing and proposed dwellings are generally around 20m with the exception of site 5 which is approximately 18.5 m as Nos 9 and 11 Mill Cottage Drive are set slightly further back. Finished floor levels of proposed dwellings are also considerably lower than those which exist therefore significantly reducing any potential overlooking between rear first floor windows and particularly to existing properties. Back garden depths and separation distances for the proposed properties are generally acceptable and while some degree of overlooking will result into the rear amenity space of the proposed dwellings this is to be expected within an urban context and is not to the extent that it would be considered unacceptable.

8.47 In-curtilage car parking is proposed which increases the separation between the gables of proposed dwellings with the exception of site 4 and 5 which are approximately 4m apart. The gables of Sites 1-2 and 3-4 have first floor facing bathroom

windows and are approximately 6.2m apart therefore limiting the potential for direct overlooking. Although Sites 4 and 5 are closer site 5 only incorporates a first floor bathroom window on the gable while the opposing gable of site 4 is blank.

8.48 Units 6-9 are two storey comprising two detached and two semi-detached properties. Unit 6 is in close proximity to the adjacent boundary at approximately 4m but does not incorporate any first floor gable windows which would introduce overlooking to adjacent sites fronting onto Main Street. The site directly adjacent which fronts onto Main Street does not currently incorporate any existing dwellings and the current proposal will not compromise existing levels of privacy due to the fact that properties fronting onto Main Street all incorporate extensive rear gardens and are generally single storey properties.

8.49 None of the proposed dwellings comprise first floor facing bedroom windows on opposing gables and separation distances between gables are fairly good. Sites 6-9 are also back to back to sites 14-17 and although all dwellings are two storey with rear first floor bedroom windows, the separation distance is 20m and is acceptable as per Creating Places. The rear of these properties are not significantly overlooked from Units 11 and 12 due to the addition of screen walling and planting adjacent the public footpath.

8.50 Units 10-13 are two storey comprising four semi-detached dwellings. Unit 10 is on the opposite side of the access road and faces the gable of Unit 9 (albeit at an angle) which incorporates a first floor bathroom window with a separation distance of approximately 15m. The gable of unit 10 incorporates a bathroom gable window and is over 18m from the front of Units 4 and 5. In terms of the relationship between dwellings 11 and 12, there are no directly facing first floor bedroom windows on opposing gables (which are approximately 6.5m apart) and the rear of these dwellings overlooks adjacent agricultural land. Areas of rear private amenity space serving these units are not overlooked to an unacceptable degree.

8.51 Unit 14-17 incorporates two semi-detached and two detached dwellings with good separation between dwellings due to in-curtilage car parking for all dwellings. Sites 15 and 16 incorporate first floor gable bathroom windows and therefore no unacceptable overlooking exists between properties. These

dwellings include a 20m separation between the rear of these dwellings and sites 6-9.

8.52 Units 18 and 19 are set in close proximity to the rear boundary but positioning is acceptable. Sufficient separation is proposed limiting the potential impact on either property. No issues of overlooking exist between proposed properties or those which exist along Main Street which incorporate large back gardens and the fact that units 17 and 19 only include first floor gable bathroom windows. The extensive back garden depths of properties at Main Street also limits the potential for any significant overshadowing or sense of dominance which would be considered unacceptable.

8.53 The site falls within the consultation zone of a waste water treatment works (wwtw) and NIW has pointed out that there is the potential for nuisance from noise and odour to arise as a result. A noise and odour impact assessment has also been submitted in relation to the proposed private treatment plant to serve the development. The Council's Environmental Health Department has been consulted and raise no objections as a result of the impact on residential amenity from the nearby works or private treatment plant.

8.54 Part (i): *'the development is designed to deter crime and promote personal safety'*.

8.55 The application site does not incorporate any public open space and there are few areas which would encourage anti-social behaviour. Although some small areas are outside private ownership these are minimal and well supervised. Access to the package plant will also be restricted.

Addendum to Planning Policy Statement 7 – Safeguarding the Character of established Residential Areas.

8.56 The previously granted permission on site comprised 23 dwellings including 2 apartments. The current application proposes 19 dwellings in total therefore the proposed density is slightly lower and not significantly higher than that found in the established residential area. The layout and siting of dwellings is generally reflective of the pattern of development within the area, and is acceptable within the residential context. The potential impact on the existing character and more widely the character of Stranocum village is very limited due to the limited presence

which the development has from critical views. The proposed dwellings also meet the requirements of Annex A (Space Standards).

- 8.57 Overall the potential impact of the proposal in the immediate context is acceptable in that it would not introduce a pattern of development or density not in conformity with the local context. The proposal is therefore in general conformity with criteria (a) and (b) of Policy LC1.

DCAN 8 : Housing in Existing Urban Areas

- 8.58 Additional guidance contained in DCAN 8 notes the importance of a design led approach, appreciating the context, protecting local character and maintaining environmental quality. The proposed scheme is in keeping with the guidance contained within DCAN8.

Flood Risk and Drainage Assessment

- 8.59 The site does not lie within the 1 in 100 year fluvial flood plain and is unaffected by a designated watercourse. The site is not considered to be at risk from either fluvial flooding or pluvial ponding. DFI Rivers also advises that site inspection did not reveal any obvious undesignated watercourses. As part of the application a Drainage Assessment (DA) has been submitted which indicates that there is no evidence of live drainage infrastructure within the site boundary which could pose a flood risk and the existing site has no recorded instances of groundwater flooding. The DA demonstrates how runoff from the site will be controlled by a storm-water attenuation system and safely disposed of at an acceptable rate to the identified undesignated watercourse. Schedule 6 consent from DFI Rivers is included with the submitted DA. The application does not include any proposal to modify the route of an existing watercourse or culvert.
- 8.60 DFI Rivers has no objection from a drainage or flood risk assessment subject to a proposed condition.

Sewerage

- 8.61 NI Water has confirmed that the receiving waste water treatment facility at Stranocum is operating at design capacity and is not available to serve the proposed development. NI Water currently recommends that no further connections are made to this network and that if the applicant wishes to proceed he should contact NIW to discuss options such as a permanent wastewater facility at his own expense which may or may not be adopted by NI Water in the future.
- 8.62 As connection to public foul sewer cannot be achieved the application proposes the inclusion of a private treatment package plant located to the north-west corner of the site to serve the development. This will remain private until such time as NI Water are in a position to adopt. The private plant is proposed to discharge to the undesignated watercourse approximately 125m north-west of the site. Storm water is also proposed to be discharged to this watercourse although NIW has pointed out that a 150mm diameter public storm sewer located within Mill Cottage Way can serve this proposal based on a discharge rate of 8.8 l/s (as proposed in the submitted drainage details).
- 8.63 The incorporation of a private treatment plant within the development appears to be achievable and the proposed discharge arrangements include attenuation measures to limit discharge flow during storm events. Consultation with NIW and DAERA – Water Management Unit and Inland Fisheries has been carried out and while WMU indicates the preferred option of connection to the existing public sewer, the proposed arrangement is not considered unacceptable subject to the necessary discharge consents etc. The proposed waste Water treatment measures appear to be satisfactory subject to discharge consent and the proposal will therefore not impact on the public network.

Access / Traffic Impact

- 8.64 The application proposes a single access road serving the development onto Main Street utilising the access from Mill Cottage and incorporating a small area of the lands at No 1 Mill Cottage Drive. The proposed road network is to be publicly adopted with the exception of a private access to site 5 and shared surface area which includes 6 communal parking spaces.

8.65 The application has the potential to increase traffic volume through Mill Cottage and Main Street as referenced by a number of objectors. DFI Roads has been consulted with the proposal and objections and advise that the road layout is in accordance with the relevant standards and no objections are raised regarding impact on the existing road network or proposed parking arrangements. Private Streets Determination drawings have been submitted and agreed and the proposal is acceptable from an access and traffic perspective.

Representations

8.66 Seven objection letters have been received in relation to the proposal which raise a number of issues:

8.67 Potential impact on protected species / bats: A biodiversity Checklist has been submitted which indicates that that the proposal includes lighting and is within 25m of field hedgerows and therefore requires assessment of the potential impact on bats, badgers, birds and otters. The checklist has been undertaken by an Environmental Consultant who advises that surveys were carried out in relation to badgers and otters and that no evidence of protected species was observed on site. The checklist also states that in relation to bats and birds no existing trees / hedgerow are to be removed. NED has been consulted and raise no objections.

8.68 Sewerage Capacity – NIW has confirmed that insufficient capacity exists at the waste water treatment works. The application proposes a private treatment plant with discharge to a nearby watercourse.

8.69 Site Topography /Potential surface runoff and flooding. A Drainage Assessment has been submitted which indicates satisfactory drainage arrangement and DFI Rivers accepts its conclusions. Surface run-off is discharged t nearby watercourse.

8.70 Proposed access arrangements, layout and proximity to adjacent properties. Additional traffic and road safety (including during construction phase).The current proposal includes a road layout and parking arrangements which meet the necessary requirements. DFI Roads has not indicated that the additional traffic associated with this development would result in an unacceptable impact on the public road network / existing access arrangements or that the necessary access and parking

arrangements cannot be achieved. In terms of safety the application is served by public footpaths throughout and the additional traffic is unlikely to raise a significant safety issue for wither existing or proposed residents.

- 8.71 Impact on views: The proposed site is within the SDL, has been the subject of previous planning permission and is identified in the local plan as a committed site therefore the principle of development is well established.
- 8.72 Sufficient retaining structures: The proposed site is set at a lower level than the existing development with back garden depths of approximately 9-10m to the common boundary. Significant changes to the site levels are not proposed and a number of existing dwellings at Mill Cottage Drive appear to currently incorporate retaining structures.
- 8.73 Potential impact on local facilities and services including local Primary School. The current application proposes a maximum number of 19 dwellings which are very unlikely to significantly impact on existing services or local facilities within the area. A small rural primary school may welcome the additional numbers.
- 8.74 Potential additional noise impact. Works during the construction phase can be disruptive but are temporary and can be site managed to limit disruption. A noise impact assessment has been submitted in relation to the treatment plant and no objections have been raised by EHD.

9.0 CONCLUSION

- 9.1 This proposal is considered acceptable in this location having regard to the Northern Area Plan 2016, and other material considerations, including the SPPS. The principle of this development is acceptable in this area which is characterised by residential development. It is acceptable in terms of layout and appearance and will have no significant harm in terms of residential amenity and road safety. Approval is recommended.

10 Conditions:

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

Reason: Time Limit.

- 10.2 The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992.**

The Department hereby determines that the width, position and arrangement of the streets, and the land to be regarded as being comprised in the streets, shall be as indicated on Drg. No. 08C Road Layout – PSD date stamped 20th October 2020.

Reason: To ensure there is a safe and convenient road system within the development and to comply with the provisions of the Private Streets (Northern Ireland) Order 1980.

- 10.3 The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992.**

No other development hereby permitted shall be commenced until the works necessary for the improvement of a public road have been completed in accordance with the details outlined blue on Drg. No. 08C Road Layout – PSD date stamped 20th October 2020. The Department hereby attaches to the determination a requirement under Article 3(4A) of the above Order that such works shall be carried out in accordance with an agreement under Article 3 (4C).

Reason: To ensure that the road works considered necessary to provide a proper, safe and convenient means of access to the development are carried out.

- 10.4 The access gradient to the dwellings hereby permitted shall not exceed 8% (1 in 12.5) over the first 5 m outside the road boundary.**

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

- 10.5 No dwelling(s) shall be occupied until that part of the service road which provides access to it has been constructed to base course; the final wearing course shall be applied on the completion of the development.**

Reason: To ensure the orderly development of the site and the road works necessary to provide satisfactory access to each dwelling.

- 10.6 No part of the development hereby approved shall be occupied until the Developer has provided an efficient system of street lighting in accordance with Schedule 8 of The Private Streets (Construction) Regulations (Northern Ireland) 1994 as amended by The Private Streets (Construction) (Amendment) Regulations (Northern Ireland) 2001.**

Reason: To ensure the provision of adequate street lighting and in the interests of safety.

- 10.7 No other development hereby permitted shall be commenced until the road works indicated on Drawing. No. 08C Road Layout – PSD date stamped 20th October 2020 have been fully completed in accordance with the approved plans.**

Reason: To ensure that the road works considered necessary to provide a proper, safe and convenient means of access to the site are carried out at the appropriate time.

- 10.8 The development hereby permitted shall not be occupied until any highway structure/retaining wall/culvert requiring Technical Approval, as**

specified in the Roads (NI) Order 1993, has been approved and constructed in accordance with BD2 Technical Approval of Highways Structures : Volume 1: Design Manual for Roads and Bridges.

Reason: To ensure that the structure is designed and constructed in accordance with BD2 Technical Approval of Highways Structures: Volume 1: Design Manual for Roads and Bridges.

- 10.9 The existing hedgerows along the northern and eastern boundaries of the site as indicated on drawing No 02A which was received on 21-JUL-2020 shall be permanently retained at a height not less than 2 metres unless necessary to prevent danger to the public in which case a full explanation shall be given to the Council in writing within 28 days.**

Reason: To ensure the development integrates into the countryside.

- 10.10 No existing tree to be retained as identified on drawing 02A which was received on 21-JUL-2020 shall be cut down, uprooted or destroyed or have its roots damaged within the crown spread, nor shall arboricultural work or tree surgery take place on any retained tree (topped or lopped) other than in accordance with the approved plans and particulars, without the written approval of the Council. Any approved arboricultural work or tree surgery shall be carried out in accordance with the relevant standards.**

Reason: To ensure the continuity of amenity afforded by existing trees.

- 10.11 The landscaped buffer areas as indicated on drawing No 02A which was received on 21-JUL-2020 scheme shall comprise native species hedgerows /trees and shrubs of mixed woodland species.**

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

- 10.12 All planting comprised in the approved details of drawing No 02A date stamped 21-JUL-2020 shall be carried out during the first planting season following the commencement of the development and any shrubs which, within a period of five years from the completion of the development, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with other similar size and species.**

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

- 10.13 The management and maintenance of the private treatment plant and all communal areas including trees, shrubs and refuse collection areas as identified on drawing no 02A which was received on 21-JUL-2020 shall be carried out by a Management Company to be appointed by the developer and shall continue to be maintained in perpetuity or as subsequently may be agreed in writing with the Council.**

Reason To ensure the continuity and sustainability of the approved development through its successful establishment and long term maintenance to achieve a quality residential development consistent with policy.

- 10.14 Prior to the commencement of the development hereby approved, a final drainage assessment, containing a detailed drainage network design and compliant with Annex D of PPS 15 shall be agreed in writing with the Council in consultation with DFI Rivers Agency.**

Reason: To safeguard against flood risk to the development and elsewhere.

10.15 The internal noise level from the proposed pumping station shall not exceed 70dB LAeq and the building housing the electric motor shall provide at least 23dB Rw.

Reason: In the interest of residential amenity.

10.16 The odour concentration at the boundary of the nearest sensitive receptors shall not exceed 1.5 ouE/m³ as the 98th percentile of hourly averages.

Reason: In the interest of residential amenity.

10.17 No development shall take place on-site until the method of sewage disposal has been agreed in writing with Northern Ireland Water (NIW) or a Consent to discharge has been granted under the terms of the Water (NI) Order 1999.

Reason: To ensure a satisfactory method of sewage disposal is available and to protect the aquatic environment.

10.18 The depth of underbuilding for proposed garages shall not exceed 0.45 metres at any point between finished floor level and existing ground level.

Reason: In the interest of visual amenity.

11.0 Informatives

11.1 This permission does not confer title. It is the responsibility of the developer to ensure that he controls all the lands necessary to carry out the proposed development.

11.2 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.

- 11.3 **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.**
- 11.4 **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.**
- 11.5 **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 Plan



Site Layout Plan

