



Title of Report:	Planning Committee Report - LA01/2019/1217/F
Committee Report Submitted To:	Planning Committee
Date of Meeting:	26th October 2022
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>	LA01/2019/1217/F	<u>Ward:</u>	
<u>App Type:</u>	Full		
<u>Address:</u>	Lands at & adjacent to No. 34 Agherton Road, Portstewart.		
<u>Proposal:</u>	Full planning application submission for a proposed extension to existing holiday park comprising 74 static sites, 13 touring pitches, open space, 2no. children's play areas (1 no. upgraded), site office/site managers accommodation, laundrette/welfare buildings, garage, motorhome maintenance area, landscaping, , pond feature, retention of existing tourer/motorhome area, 2 no. gated access points, access control parking & extension to existing pedestrian footpath.		
<u>Con Area:</u>	N/A	<u>Valid Date:</u>	4th Nov. 2019
<u>Listed Building Grade:</u>	N/A	<u>Target Date:</u>	
Applicant:	Bonalston Caravans Ltd		
Agent:	Clyde Shanks		
Objections:	8	Petitions of Objection:	0
Support:	1	Petitions of Support:	0

Executive Summary

- The proposed development is considered acceptable in this location having regard to the NAP 2016 and other material considerations, including the SPPS.
- The site is located in the rural area as designated in the Northern Area Plan.
- Part of the site which includes the existing caravan park to the north side of Agherton Road is within the Cromore LLPA.
- There has been 8 objections received on this application.
- There has been 1 letter of support.
- A detailed landscape scheme has been submitted.
- The proposed development includes 74 static sites and 13 touring pitches, open space and 2 children's play areas and associated buildings. The proposal will not have a detrimental impact on the landscape.
- The proposal is in compliance with relevant planning policies including the SPPS, PPS 21, PPS 16 and PPS 3.

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 site is located in the countryside approximately 0.5 miles outside the settlement limits of Portstewart and is located on both sides of the Agherton Road. The application site consists of mostly agricultural pasture fields but it also includes an existing established dwelling owned by the applicant and an associated touring caravan site. The site is on both sides of a long bend which has established mature hedging along the roadsides. There are also mature trees within the site on the southern side of the site. The fields mostly are defined with post and wire fencing and hedging. In terms of topography the site is within low lying land which sweeps up to the east and west.
- 2.2 Lands surrounding the site are used predominantly for agricultural purposes. There are a number of dwellings in proximity to the site, mostly to the north west and north east. There is a listed building located west of the site on the roadside.
- 2.3 The site is located in the rural area as designated in the Northern Area Plan.

3 RELEVANT HISTORY

LA01/2018/1551/PAN for holiday park.
PAN acceptable 10/01/2019.

C/1992/0095 Land off Agherton Road Portstewart, Development of a static caravan park including conversion of existing

workshop into toilet, laundry & office facilities Permission
Granted: 19/05/1992

4 THE APPLICATION

- 4.1 The proposed extension to existing holiday park comprising 74 static sites, 13 touring pitches, open space, 2no. children's play areas (1 no. upgraded), site office/site managers accommodation, laundrette/welfare buildings, garage, motorhome maintenance area, landscaping, , pond feature, retention of existing tourer/motorhome area, 2 no. gated access points, access control parking & extension to existing pedestrian footpath.

Design & Access Statement

- 4.2 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.
- 4.3 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.
- 4.4 The report dated October 2019 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

- 4.5 This proposal was subject to an environmental impact assessment screening as highlighted by, The Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2017.
- 4.6 The application was considered to fall within Schedule 2: Category 12(e) of the Regulations- Permanent camp sites and

caravan sites which states that the threshold is when the area of the development exceeds 1 hectare. The site has been reduced from approx.13 hectares to approx. 6 hectares.

- 4.7 Its is considered the environmental effects from the development would be limited to the site and the immediate surrounding area. The impact on the LLPA will be thoroughly considered and managed during the processing of the planning application. The development is not considered to be unusually complex or hae any potentailly hazaarous environmental effects. Therefore it is considered that the development proposal will not have significnat environemntal impact.
- 4.8 Having considered the Planning (EIA) Regulations(NI) 2017 and taking into account the above assessment, it is considered opinion that the development proposal will not have likely impacts of such a significance locally and in wider terms as to warrant and environmental statement.

5 PUBLICITY & CONSULTATIONS

External

- 5.1 **Neighbours:** 1 letter of support from a neighbouring occupant of the listed building.
8 objections from a total of 3 neighbouring properties were received in regard to this application. The key concerns raised include:

Roads Issues

- Road safety, concern regarding access and traffic impact
- Kiltinny Road is a very narrow rural road
- Pedestrian access safety concerns
- No footpath or cycle lane

Natural Heritage Impacts

- Impact on protected species bats
- Incomplete ecological survey
- Ecological survey refers only to Ballyleese road

Visual Impact

- Visual impact as the area is oversaturated with caravan trade
- Impact on views and the countryside
- Development overbearing and out of scale and character
- Adverse impact from new earth mounds including loss of light

Noise and Amenity concerns

- Noise and light disturbance
- Proposal potential for anti-social behaviour

Not in keeping with the focus of the NAP to rebuild the town

- Contrary to NAP sustainable tourism

Land ownership

- Concern that blue land includes area to the front of neighbour's land onto Cromore Road

Internal

5.2 **Historic Environment Division – Archaeology and Historic Buildings:** No objections.

NIEA NED : Has no objections.

NIEA Land soil air: No objections

NIEA Water Management : No objections

DFI Roads: No concerns with the proposed development.

NI Water – No objections subject to conditions

Environmental Health – Has no objections

DFI Rivers Agency- Has no objection.

Shared Environmental Services- Has no objection

Proposal of Application Notice

- 5.3 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.

5.4 A Proposal of Application Notice was submitted 20th December 2018 and approved 10th Jan 2019 under LA01/2018/1551/PAN. The applicant advised that they intended to undertake the following forms of consultation:

- Press notice of the public event in a local paper and details of where additional information could be obtained.
- Letters sent to 17 residents within 100 metres of the proposed site boundary including from 20-52 Agherton Road and letters sent to residents at 35- 45 Kiltinny Road.
- Notice served to Causeway Coast and Glens Borough Council Member Services.

5.5 It was stated that the public event would held on 14th March 2019 in recreation hall of the existing Ballyleese Town and Country Caravan Park, 34 Agherton Road, Portstewart.

Community Consultation Report

5.6 The community consultation report (CCR) was submitted as part of the planning application, received on 4th Nov. 2019 which is more than 12 weeks after the Proposal of Application Notice was received, as required by the legislation.

5.7 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.

5.8 A total of 20 members of the public attended the event with only 7 of these completing the sign in sheet. It was also stated that of those who attended the event only 7 people provided feedback on the proposal. The key issues raised relate to the scale of the development, traffic safety, visual impact, noise impacts. These responses are set out in detail in the CCR.

5.9 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.

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 development 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
- 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

Regional Development Strategy (RDS)

Northern Area Plan 2016

Strategic Planning Policy Statement (SPPS) 2015

Planning Policy Statement 2 (PPS2): Natural Heritage

Planning Policy Statement 3 (PPS3): Access Movement and Parking

Planning Policy Statement 6 (PPS 6): Planning Archaeology and the Built Heritage

Revised Planning Policy Statement 15 (PPS 15): Planning and Flood Risk

Planning Policy Statement 16 (PPS 16): Tourism

Planning Policy Statement 21 (PPS 21): Sustainable Development in the Countryside

8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to planning policy, principle of the development, impact on amenity and crime, traffic/road issues, flood risk and drainage, archaeology and built heritage, visual integration and rural character, the setting of settlements, natural heritage, Habitats Regulation Assessment, economic consideration and other matters.

Planning Policy

- 8.2 The RDS promotes a sustainable approach to the provision of tourism infrastructure. The principle of development proposed must be considered having regard to the Northern Area Plan (NAP), the SPPS, and relevant Planning Policy Statements specified above.
- 8.3 NAP 2016 does not have any specific policy on Tourism, however, it states on page 17 that “Tourism related development consistent with the principles of sustainable development and the protection of the Northern Plan Area’s finest landscapes will be provided in line with regional planning policies”.
- 8.4 Paragraph 6.255 states that the aim of the SPPS in relation to tourism development is to manage the provision of sustainable and high quality tourism developments in appropriate locations within the built and natural environment.

- 8.5 The SPPS also states that for acceptable tourist development in the countryside a new or extended holiday park must be of a high quality and sustainable form of tourism development. It continues under paragraph 6.265 that a positive approach should be adopted in determining applications for tourism development so long as proposals are sustainable, are in accordance with the LDP, and will result in high quality forms of development. Important considerations will include whether the nature, scale and design of the specific proposal is appropriate to the site context. Paragraph 6.266 states that applications for tourism development will also be assessed in accordance with normal planning criteria such as access arrangements, design, environmental and amenity impacts so as to ensure high quality, safe and otherwise satisfactory forms of development.

Principle of development

- 8.6 This proposal is for the extension to existing holiday park comprising 74 static sites, 13 touring pitches, open space, 2no. children's play areas (1 no. upgraded), site office/site managers accommodation, laundrette/welfare buildings, garage, motorhome maintenance area, landscaping, , pond feature, retention of existing tourer/motorhome area, 2 no. gated access points, access control parking & extension to existing pedestrian footpath.
- 8.7 Policy CTY 1 of PPS 21 Sustainable Development in the Countryside directs that planning permission will be granted for tourism development in accordance with the TOU policies of the Planning Strategy for Rural Northern Ireland. These TOU policies have been superseded by PPS 16. Therefore, PPS 16 provides the main policy basis to assess the proposal. The most relevant policy in PPS 16 is TSM 6 New and Extended Holiday Parks in the Countryside. Also relevant is TSM 7 Criteria for Tourism Development. TSM 6 recognises that holiday parks are important for the domestic tourism market in terms of the volume of rural tourism bed spaces they provide, and the economic benefits that flow from this scale of tourism activity.
- 8.8 Policy TSM 6 states that planning permission will be granted for a new holiday park or an extension to an existing facility where it is demonstrated that the proposal will create a high quality

and sustainable form of tourism development. The location, siting, size, design, layout and landscaping of the holiday park proposal must be based on an overall design concept that respects the surrounding landscape, rural character and site context.

- 8.9 Proposals for holiday park development must be accompanied by a layout and landscaping plan, which has been provided in this instance. TSM 6 of PPS 16 requires that all proposals must meet a set list of criteria (a-g). Criterion (a) requires that the site is located in an area that has the capacity to absorb the holiday park development, without adverse impact on visual amenity and rural character. Criterion (b) requires effective integration into the landscape which must be secured primarily through the utilisation of existing natural or built features. 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 its integration with the surrounding area.
- 8.10 The proposed development will be located on both sides of the Agherton Road. The site utilises the existing established touring caravan site and expands to within the adjacent field to the east while also expanding across the road into adjacent pasture fields. The character of the area is farmland with mature boundary hedging. The roadside along this stretch of road has mature hedging. Although this will be opened up for 2 access points opposite each other, there is a detailed landscaping scheme addressing the loss of hedges involved in visibility splay creation. The site has been drastically reduced from more prominent land to the east towards Kiltinny Road down to the lower flat land now shown in red on the location plan. Objections from Kiltinny Road residents were received with regards to proposed earth mounds along Kiltinny Road. As the red line has been reduced and the scheme now does not include this land beside Kiltinny Road residents, the earth mounds are no longer proposed. Therefore this addresses the residents' concerns about detrimental impact from earth mounds. Due to the reduction in the site, the critical views have in turn reduced significantly to the approaches on both side and on passing. It is considered that the scheme will now not have a detrimental impact on the immediate context of the area and its rural character. Due to the topography and nature of the site,

the proposal does have the capacity to absorb the proposed holiday park without having adverse impact on visual amenity and rural character.

- 8.11 Given the natural screening in the area with natural defined field boundaries, the site will blend in with the existing landscape and will integrate into the area. A landscaping plan has been submitted as part of the application which will not only retain as much natural vegetation as possible, including an important row of mature trees but it will supplement where necessary and replant behind the new visibility splays. It is considered that the extent of this landscaping will benefit the surrounding countryside allowing it to blend into the surrounding landscape. There will be a high degree of new planting which is of benefit to the area. The additional planting includes native species woodland planting which will be of benefit to the local natural habitat. The proposal therefore complies with criteria (a) and (b) of this policy.
- 8.12 Criterion (c) of TSM 6 requires adequate provision (normally around 15% of the site area) is made for communal open space (including play and recreation areas and landscaped areas), as an integral part of the development. The proposal allows for over this threshold as it provides 2 large areas of central open space in the middle of clusters B and C. There is also a playpark between clusters B & C. There is also a playpark in the northern part of the site for the touring caravans. The proposed development is therefore considered acceptable having regard to this criteria.
- 8.13 Criteria (d) of TSM 6 states that the layout of caravan pitches/motor homes should be informal and characterised by discrete groupings or clusters of units separated through the use of appropriate soft landscaping. Criteria (e) states that the design of the development, including the design and scale of ancillary buildings and the design of other elements including internal roads, paths, car parking areas, walls and fences, is appropriate for the site and the locality, respecting the best local traditions of form, materials and detailing.
- 8.14 The proposal has a layout which is deemed acceptable. The layout has considerate design and provides a suitable layout design for the residents. There is new boundary of native

woodland planting surrounding the site and also internally providing divisions and from a visual aspect this will aid integration and screening from the public viewpoints on passing the site. The proposed site is located around two large clusters of open space. The proposed ancillary buildings are one storey and would not have a detrimental impact on the landscape. The proposed landscaping along the boundaries of the site are considered acceptable. Taking into consideration the layout the proposed development is meets with criteria (d) and (e) of this policy.

- 8.15 Mains water and mains sewerage is available however there are network capacity issues in the wider area. NIWater have been consulted as the competent authority and have no objections subject to conditions regarding the wastewater network engineering solution to mitigate the downstream foul capacity issues. NIEA water management stated that they would have no objections if NIWater had no objections, so both are now content to proceed. The proposal is therefore compliant with criterion (g) of TSM 6 and criterion (j) of TSM 7 of PPS 16.
- 8.16 All tourism developments must also comply with 6 design criteria and 9 general criteria set out in Policy TSM 7 of PPS 16. These criteria relate to design, layout, boundary treatment, drainage, crime, impact on character and neighbouring residents, access arrangements, sewage disposal and impacts on features of natural or built heritage. Criteria relating to design, layout, boundary treatment and sewage disposal has been considered under paragraphs 8.6 to 8.14 of this report. The other criteria will be considered in detail in the remainder of this report.

Impact on Amenity

- 8.17 The proposed development is located in proximity to a number of residential premises located along Agherton Road and Kiltinny Road. Originally the site was adjacent to the Kiltinny Road houses but the site has since been reduced significantly and there is now sufficient separation distances between the Kiltinny residences and the site. This separation and the landscaping scheme submitted allows for a development which will not negatively impact upon the Kiltinny residents. Due to the reduced size of the site, all other neighbouring residences are

sufficiently removed from the development also. It is considered that the proposal will not have a detrimental impact on the amenity of these residents.

- 8.18 Environmental Health was consulted regarding the proposed development to further consider the potential impacts of the proposed development on the amenity of neighbouring residents. Environmental Health raised no concerns.
- 8.19 A number of objections has been received in regard to the proposed development which raises concern in regard to noise impacts, light disturbance, anti-social behaviour, impact of litter, impact on sleep, safety of animals and concern that no fire risk has been provided. Environmental Health was consulted in regard to these representations. Environmental Health have no objections. EHO stated that, where artificial lighting is proposed the applicant is advised to ensure that the lighting is designed to obviate any adverse impacts arising from light spill and glare encroaching onto light sensitive properties. In terms of any concerns in relation to noise and litter arising from the occupants of the caravan park would be issues dealt with by effective site management.

Traffic/road issues

- 8.20 The proposed development will be accessed via Agherton Road. The existing lane access on Kiltinny Road will remain but will have a access control barrier. It is only used for access to the neighbouring dwelling. A Transport Assessment form was provided to assess the impacts of the proposal on traffic flow and parking. DFI Roads was consulted in regard to this proposal and have no objections. The proposal is therefore in compliance with Policy AMP 2 of PPS 3.
- 8.21 A number of objections have been raised in regard to the proposed development which includes concern relating to road safety, increased traffic, the potential for accidents, concern regarding pedestrian safety. In regard to these concerns DFI Roads was consulted but raised no specific concerns in regard to the objections. It has been demonstrated that the proposal will not have a detrimental impact on road safety or significantly inconvenience the flow of traffic.

Flood Risk and Drainage

8.22 Under Policy FLD 3 of Planning Policy Statement 15, a Drainage Assessment will be required for a development site in excess of 1 hectare. The proposed development exceeds this threshold. A drainage assessment was provided as part of the application and a consultation was sent to DfI Rivers for consideration. DfI Rivers considered 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 have no objections and attach a condition as part of any planning approval.

Archaeology and Built Heritage

8.23 The application site is in proximity to a listed building and also a listed curtilage. There are no zoned archaeological monuments on site, Historic Environment Division Archaeological unit have been consulted as a precaution. Policy BH2 of PPS 6 which relates to the Protection of Archaeological Remains of Local Importance and their Settings applies.

8.24 An Archaeological Impact Assessment was submitted as part of the application. Historic Environment Division was consulted to consider this report and are content that the proposal satisfies PPS 6 policy requirements, subject to conditions for the agreement and implementation of a developer-funded programme of archaeological works. This is to identify and record any archaeological remains in advance of new construction, or to provide for their preservation in situ, as per Policy BH 4 of PPS.

8.25 The proposed development is located close to a listed curtilage for a residential home on Cromore Road. The proposed development is also located close to a listed building No. 22 Agherton Rd. No. 22 is a Grade B2 listed building. The original submission included land immediately opposite but this land has since been removed from the application site. HED Historic Buildings consider that the proposal is sufficiently removed from the listed building. There is now also additional landscaping along the western boundary of the site. It is considered there will not be a detrimental impact on the listed building or its

setting. The proposal therefore will not have a detrimental impact on the setting of any listed building and is compliant with Policy BH 11 of PPS 6.

Visual Integration and Rural Character

- 8.26 Permission will be granted where the proposal can be visually integrated into the surrounding landscape and it is of an appropriate design. Permission will be granted where the proposed building will not cause a detrimental change to, or further erode the rural character of an area. Within paragraph 6.70 of the SPPS it is stated that all development in the countryside must integrate into its setting, respect rural character, and be appropriately designed.
- 8.27 The development site includes agricultural pasture fields which have mature hedging boundaries and some mature trees. Given the low lying nature of the land surrounded by rising land and the existing mature boundary vegetation, this helps to integrate the site. A detailed landscaping scheme has been submitted which includes new planting of native woodland species surrounding the whole development. This will help to visually integrate the site. There are short critical views on both approaches east, west and on passing the proposed site. However, given the existing terrain and the reduced amended application site, the views are now reduced significantly as the site does not include the more elevated land which previously extended to Kiltinny Road to the east. As the site is now on the lower flat land views are restricted by the existing mature vegetation and the surrounding topography. The existing hedging and trees and the proposed new landscaping screening would be considered sufficient to reduce the adverse impact on rural character from the loss of roadside hedging from new visibility splays. It is considered that the proposed development will visually integrate into the landscape. The proposal therefore complies with Policies CTY 13 & 14 of PPS 21.
- 8.28 A number of objections have been raised in regard to the proposed development's visual impact on the countryside, impact on rural character, potential for urban sprawl, impact of caravans on the site, impact of loss of vegetation. The rural

character and integration of the site has been carefully considered throughout the processing of the application. The objections have been considered in this assessment set out above. It has been assessed that the proposal meets with the policies of PPS 16.

8.29 Impact on LLPA

A part of the application site falls within the Cromore LLPA (Designation PTL 01) from NAP 2016. Policy ENV 1 of NAP 2016 applies for LLPAs and development proposals must not adversely affect the environmental quality, integrity or character of a designated LLPA. Cromore LLPA features of importance include:

- The Cromore estate is one of the few well-wooded areas close to the North Coast.
- It forms a most attractive landward setting for Portstewart.
- There are also a number of listed Buildings within the LLPA.
- The tree and hedge lined route of the former coach Road from Cromore House towards Portstewart is a valued natural corridor providing a most attractive pedestrian/ cycle route.

8.30 The part of the site which is north of Agherton Road is within the LLPA. This includes the existing long established caravan park. The application involves the extension of this tourist facility within the adjacent fields to the east on the northern side of the road within the LLPA. The LLPA does not extend to the south side of the Agherton Road. Within the LLPA there is a presumption against new development. However, favourable consideration may be given to the extension of existing tourism facilities providing the integrity and quality of the LLPA is not adversely affected as required under Policy ENV 1 of the Plan.

8.31 The proposal will include extending the existing caravan park into adjoining fields, there has been a detailed landscaping scheme provided and it shows the new areas will be surrounded by new native species woodland planting. The critical views of this area are short and limited and the new site is absorbed into the existing built up form which provides a backdrop to the new proposal on the north side of the Agherton Road within the LLPA. There is no loss of mature trees within the LLPA although roadside hedging will be removed for an

entrance on the north side of Agherton Road. New planting behind the new splays is shown on the landscape plan. DAERA Natural Environment Division have been consulted and are content with the proposal.

- 8.32 The proposal is deemed satisfactory by Historic Environment Division: Historic Buildings, in terms of respecting the setting of the closest listed building No. 22 Agherton Road and the setting of the estate of Cromore House.
- 8.33 The development of this site within this LLPA zoning is considered acceptable as the proposal will not undermine this LLPA designation and will not adversely affect the environmental quality, integrity or character of the designated Cromore LLPA.

Natural Heritage

- 8.34 Planning permission will only be granted for a development proposal that is not likely to harm a European protected species. Planning permission will only be granted for a development proposal that is not likely to harm any other statutorily protected species and which can be adequately mitigated or compensated against. DAERA Natural Environment Division was consulted in regard to this application and had raised concern in regard to the impact of the proposal on the natural environment. An ecological assessment was completed and submitted as part of the application. DAERA Natural Environment Division have no objections with the quality of the Ecological Survey and are now content with the proposal. The proposal therefore complies with Policy NH 1 and NH 2 of PPS 2.
- 8.35 Concerns have been raised in regard to the ecological survey and the impacts on protected species namely bats. The Ecological statement has been submitted by a professional company with professional qualifications and DAERA NED have assessed it and have no objections to the conclusions of the report. The Ecological Survey refers to bats and states that the present trees are not suitable for bats and that the new landscaping and new native species woodland boundaries will benefit the bat habitat in future. DAERA Natural Environment Division was made aware of these comments but are content.

Therefore, the objections do not hold sufficient weight to warrant refusal of the proposal.

HABITAT REGULATIONS ASSESSMENT

- 8.36 The application was considered in accordance with the 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.
- 8.37 A formal consultation was sent to Shared Environmental Services to consider the proposed development. SES stated that having considered the nature, scale, timing, duration and location of the project it is concluded that further assessment is not required because it would not have a likely significant effect on the selection features, conservation objectives or status of any European site.
- 8.38 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

Other Matters

- 8.39 An objector raised concern regarding the ownership of blue land in front of their property. The site map does not show blue coloured land in front of the property. However, this is a civil matter and this office does not hold the appropriate powers to investigate this matter to a conclusion. The objector may explore this matter with appropriate legal guidance.

9 CONCLUSION

- 9.1 The proposed development is considered acceptable in this location having regard to the NAP 2016 and other material considerations, including the SPPS. The proposal has been considered against the policy tests set out for tourism

development in the countryside and is considered to provide a high quality and sustainable form of tourism development that respects the surrounding landscape, rural character and site context. The proposal meets with the LLPA policy in the Northern Area Plan as an extension to existing tourist development. DFI Roads are content with the access proposal. Approval is recommended.

10 CONDITIONS

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.

2. All soft and hard landscaping incorporated in the stamped approved landscape plan, Drawing No. 17/3 bearing Planning Authority date stamp 14th April 2022, shall be completed in accordance with these plans and the appropriate British Standard or other recognised Codes of Practice in the first available planting season following commencement of the development or before occupation of the first caravan residential unit in the development, whichever is the later.

Reason: To ensure the provision of a high standard of landscape and adequate open space, consistent with Planning Policy Statement 16 'Tourism'.

3. No development shall commence until the vehicular access, including visibility splays and any forward sight distance is provided in accordance with Drawing No. 15/4. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250mm above the level of the adjoining carriageway and such splays shall be retained and kept clear thereafter.

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

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

The Department hereby determines that the width, position and arrangement of the streets, and the land to be regarded as being comprised in the streets, shall be as indicated on Drawing No. 15/4 bearing the date stamp 6th June 2022.

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.

5. 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 Drawing No. 15/4 bearing the date stamp 6th June 2022.

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.

6. The gradient of the accesses to the development hereby permitted shall not exceed 4% (1 in 25) over the first 10 m outside the road boundary. Where the vehicular access crosses a footway, the access gradient shall be between 4% (1 in 25) maximum and 2.5% (1 in 40) minimum and shall be formed so that there is no abrupt change of slope along the footway.

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

7. No other development hereby permitted shall become operational until the existing accesses indicated on Drawing No. 15/4 bearing the date stamp 6th June 2022 have been permanently closed and the footway / verge reinstated to the satisfaction of DfI Roads.

Reason: In order to minimise the number of access points on to the public road in the interests of road safety and the convenience of road users.

8. No development shall proceed beyond sub-floor construction until the wastewater network engineering solution to mitigate the downstream foul capacity issues is approved in writing by Council in consultation and agreement with NI Water.

Reason: To ensure a practical solution to sewage disposal from this site.

9. No caravan units or properties shall be occupied until the approved wastewater network engineering solution to mitigate the downstream foul capacity issues has been delivered.

Reason: To ensure a practical solution to sewage disposal from this site.

10. The lighting scheme for the development hereby approved shall be designed, installed, operated and maintained in accordance with the submitted Drawing, No. 16/2, date stamped 14th April 2022. Light pollution shall be obviated by ensuring adherence to the Institute of Lighting Professionals: Guidance Notes for the Reduction of Obtrusive Light GN: 01/21.

Reason: In the interests of neighbouring amenity.

11. Light intrusion shall be limited from the exterior lighting scheme on surrounding premises and shall not exceed the maximum value of vertical illuminance as detailed within Drawing No. 16/2, date stamped 14th April 2022 and Table 3 , “Maximum values of vertical illuminance on premises” applicable to Environmental Zone E2 (Institute of Lighting Professionals: Guidance Notes for the Reduction of Obtrusive Light GN: 01/21)”.

Reason: In the interests of neighbouring amenity.

12. Prior to the commencement of any of the approved development on site, a final drainage assessment, containing a detailed drainage network design and compliant with Annex D of PPS 15 must be submitted to the Planning Authority for its consideration and approval.

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

13. If during the development works, new contamination or risks 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) and/or the Land Contamination: Risk Management (LCRM) guidance, as applicable. 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. This strategy should be completed by competent persons in accordance with the Model Procedures for the Management of Land Contamination (CLR11) and/or the Land Contamination: Risk Management (LCRM) guidance, as applicable.

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

14. After completing the remediation works under Condition 13 and prior to occupation of the development, a Verification Report needs to be submitted in writing and agreed with Planning Authority. This report should be completed by competent persons in accordance with the Model Procedures for the Management of Land Contamination (CLR11) and/or the Land Contamination: Risk Management (LCRM) guidance, as applicable. 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.

15. No development should 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: This condition is both to ensure protection to the aquatic environment and to help the applicant avoid incurring unnecessary expense before it can be ascertained that a feasible method of sewage disposal is available. The applicant should note this also includes the purchase of any waste water treatment system.

16. No development activity, including ground preparation or vegetation clearance, shall take place until a final Construction and Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Planning Authority. The approved CEMP shall be implemented in accordance with the approved details and all works on site shall conform to the approved CEMP, unless otherwise agreed in writing by the Planning Authority. The CEMP shall include the following:
 - a. Construction methodology and timings of works; including construction of storm water outlet to watercourse;
 - b. Pollution Prevention Plan; including suitable buffers between the location of all construction works, storage of excavated spoil and construction materials, any refuelling, storage of oil/fuel, concrete mixing and washing areas and any watercourses or surface drains present on or adjacent to the site;
 - c. Site Drainage Management Plan; including Sustainable Drainage Systems (SuDS), foul water disposal and silt management measures;
 - d. Details of appropriate mitigation measures to protect badgers, including an updated survey prior to works commencing;
 - e. Water Quality Monitoring Plan;
 - f. Environmental Emergency Plan;

Reason: To protect Northern Ireland priority habitats and species, to ensure implementation of mitigation measures identified within the Ecological Statement and to prevent likely significant effects on the Bann Estuary ASSI/SAC.

17. No retained tree 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 to be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Planning Authority. Any arboricultural work or tree surgery approved shall be carried out in accordance with British Standard 5837:2012 Trees in relation to design, demolition and construction –recommendations.

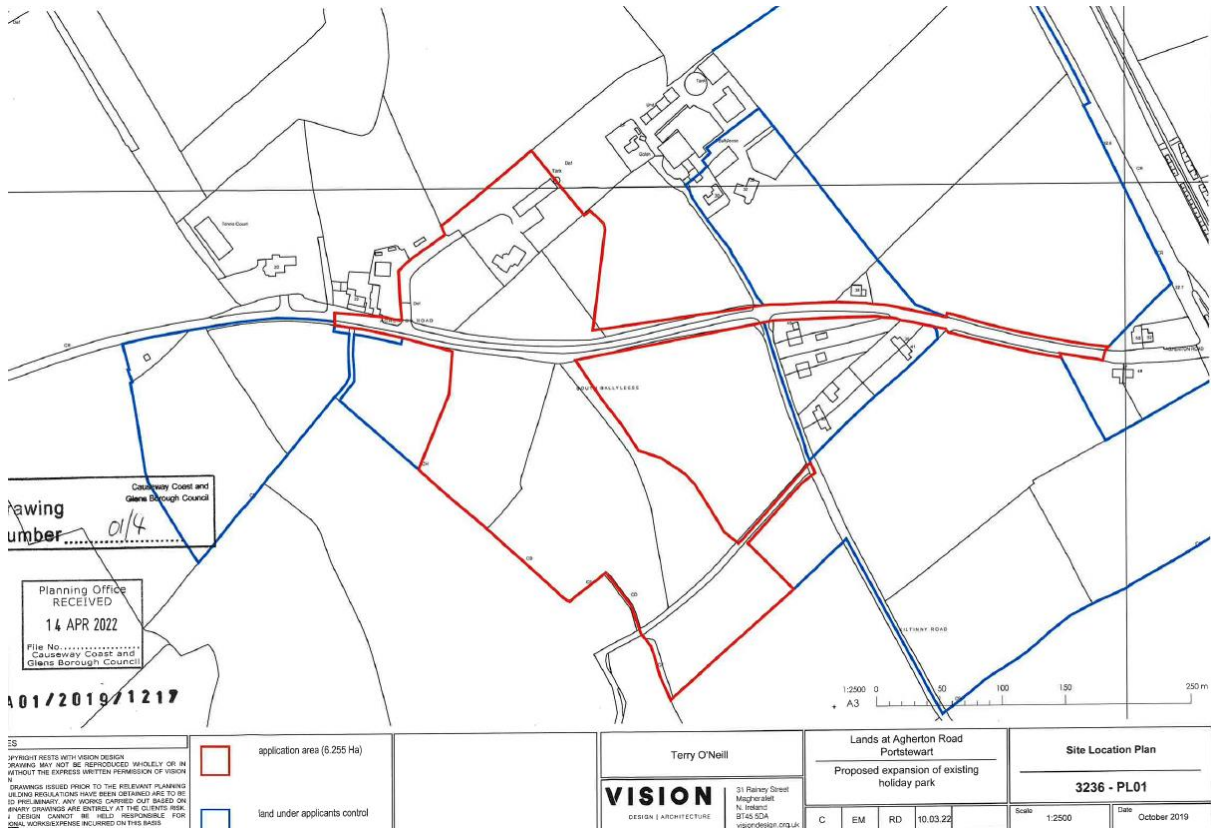
Reason: To ensure the continuity of the biodiversity value afforded by existing trees.

18. All lighting shall be carried out in accordance with Drawing number 16/2 Lighting Layout and Light spill Contours, date stamped 14/04/22, with less than 1 lux on areas off boundary and onsite vegetation.

Reason: To protect local bat populations

APPENDIX 1

Site location Plan



Drawing number 01/4
 Causeway Coast and Glens Borough Council
 Planning Office RECEIVED
 14 APR 2022
 File No. 101/2019/1217

© COPYRIGHT RESTS WITH VISION DESIGN DRAWING MAY NOT BE REPRODUCED WHOLLY OR IN PART WITHOUT THE EXPRESS WRITTEN PERMISSION OF VISION DESIGN. DRAWINGS ISSUED PRIOR TO THE RELEVANT PLANNING PERMISSION HAVING BEEN OBTAINED ARE TO BE USED AS A GUIDE ONLY. ANY WORKS CARRIED OUT BASED ON ANY DRAWINGS ARE ENTIRELY AT THE CLIENTS RISK. VISION DESIGN CANNOT BE HELD RESPONSIBLE FOR ANY WORKS CARRIED OUT ON THIS BASIS.	application area (6.255 Ha)	Terry O'Neill VISION DESIGN ARCHITECTURE 31 Rainey Street Magherafelt Co. Louth BT45 5DA visiondesign.org.uk	Lands at Agherton Road Portlewart Proposed expansion of existing holiday park				Site Location Plan 3236 - PL01	
	land under applicants control		C EM RD 10.03.22	Scale 1:2500	Date October 2019			

APPENDIX 2

Landscape Plan

