



Title of Report:	Planning Committee Report - LA01/2022/0080/F
Committee Report Submitted To:	Planning Committee
Date of Meeting:	21st December 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	Principal 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>	LA01/2022/0080/F	<u>Ward:</u>	Dundooan
<u>App Type:</u>	Full		
<u>Address:</u>	Craigahulliar Holiday Park, 23 Ballymacrea Road, Craigahulliar Td, Portrush, BT56 8NS		
<u>Proposal:</u>	Retention of design amendments to previously approved caravan park (approved under planning permission C/2013/0097/F), including 59no. caravan pitches suitable for static caravans in lieu of 48no. approved touring caravan pitches and 14no. approved static caravan pitches (a reduction from 62no. approved to 59no. pitches constructed), Laundry Building in lieu of Amenity Caravan, relocation of Bin Store and Gas Tank Compound. Reconfiguration of Play Area.		
<u>Con Area:</u>	N/A	<u>Valid Date:</u>	
<u>Listed Building Grade:</u>	N/A	<u>Target Date:</u>	
Applicant:	Blair Caravans Limited		
Agent:	David Dalzell CMLI MRTPI		
Objections:	0	Petitions of Objection:	0
Support:	0	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 in the rural area as designated in the Northern Area Plan.
- The site comprises an existing holiday park accessed off Ballymacrea Road, Portrush. Part of the site, as approved in 2017, has been constructed. This application relates to the remainder of the site which was not constructed/ laid out as approved.
- There have been no representations received on this application.
- A detailed landscape scheme has been submitted.
- The proposed development includes 59 static site pitches, open space and a children's play area and associated buildings. This is in lieu of 14 static sites and 48 touring pitched approved in this part of the site in 2017. 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 and PPS 16.

**Drawings and additional information are available to view on the Planning Portal-
<https://planningregister.planningsystemni.gov.uk/simple-search>**

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 This is a roadside site located at the south eastern side of the junction between Ballymacrea Road to the North and Craighulliar Road to the west. The site is currently developed with a holiday park on site. Access to the site is from an existing road on to Ballymacrea Road which also serves the landfill facility to the southeast of the site within the former quarry. The western boundary is defined by a fence with existing semi-mature vegetation and grass bank verge separating and screening the site from the Craighulliar Road and existing residential properties. There is semi-mature vegetation planted located along the northern boundary along Ballymacrea Road adjacent to the access point. The eastern boundary is defined by earth bunds with planting which is located outside the site. The area within the eastern boundary comprises access roads and the gas compound. The topography of the site is a similar height at the north and south extent and falls towards the middle of the site.
- 2.2 The site is in the countryside outside Portrush. There are dwellings located around the Ballymacrea/Craighulliar junction, with further rural dwellings located along both roads. The site is close to the Causeway Coast and Glens AONB located to the north and Craighulliar ASSI located to the southeast, although

the application site is not located within either of these designations.

- 2.3 The site is located within the rural area as defined in the Northern Area Plan 2016.

3 RELEVANT HISTORY

C/1993/0600 Craigahulliar Quarry, 45 Craigahulliar Road, Portrush. Change of use from quarry to landfill waste disposal facility. Granted 24.04.1995

C/2008/0191(LDE) Portrush Blockyard, Craigahullier Quarry, 45 Craigahullier Road, BT56 8NN. The existing use sees the concrete blockworks, operating as a satellite blockyard importing all its raw materials via heavy goods vehicles to site, via the existing access before storage within the production building prior to being made into ready mixed concrete and in turn into a variety of block sizes. The blocks are being made using 'egg laying' type machinery on the external concrete base and are left to cure. These blocks are then wrapped/strapped and placed via forklift into the stocking areas; in stacks. The blocks are then loaded onto flatbed HGV's which use their own loading hoists prior to delivery via road to customers. The two buildings within the blockyard area are the Protection building and the Vehicle store/Maintenance Shed. Granted 14.05.2008

C/2008/0311/F 45 Craigahulliar Road, Portrush, BT56 8N. Erection of a concrete batching plant with an associated acoustic barrier and boundary landscaping. Deemed Invalid 18.04.2011

C/2013/0097/F Portrush Blockyard, Craigahulliar Quarry, 45 Craigahulliar Road, Portrush, Co. Antrim, BT56 8NN. Demolition of Existing Sheds. Proposed Caravan Park including Sites for 51 no. Touring Caravans, 49 no. Static Caravans, 18 no. Camping Cabins, Manager's and Amenity Caravans, Access Roads and Landscaping. Improvement of Ballymacrea Road (including new public footpath) to improve site access and carriageway improvements at No's 39, 90m west of 59d, 59c /59g and 67 Ballymacrea Road, and at the Ballymacrea/Ballybogey Roads Junction. Granted 28.09.2017

LA01/2017/1641/DC - Portrush Blockyard, Craigahulliar Quarry

45 Craighulliar Road, Portrush - Discharge of conditions 3 & 13 of C/2013/0097/F – Condition Discharged – 04.10.2018

LA01/2018/0995/DC - Portrush Block Yard, 45 Craighulliar Road, Portrush - Discharge of condition 5 of planning approval C/2013/0097/F – Condition Discharged – 03.06.2019

LA01/2018/1331/DC - Portrush Block Yard, 45 Craighulliar Road, Portrush - Discharge of condition 3 of planning approval C/2013/0097/F – Condition Discharged – 07.12.2018

LA01/2019/0705/PAN Craighulliar Holiday Park 23 Ballymacrea Road Portrush. Design amendments to previously approved caravan park (approved under planning permission C/2013/097/F). PAN Acceptable 03.07.2019

LA01/2020/0007/F Craighulliar Holliday Park, 23 Ballymacrea Road, Craighulliar Rd, Portrush Design amendments to previously approved caravan park (approved under planning permission C/2013/0097/F) Invalid Application

4 THE APPLICATION

- 4.1 Retention of design amendments to previously approved caravan park (approved under planning permission C/2013/0097/F), including 59no. caravan pitches suitable for static caravans in lieu of 48no. approved touring caravan pitches and 14no. approved static caravan pitches (a reduction from 62no. approved to 59no. pitches constructed), Laundry Building in lieu of Amenity Caravan, relocation of Bin Store and Gas Tank Compound. Reconfiguration of Play Area.

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 January 2022 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 and ancillary buildings and areas, design and landscaping 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 is 2.33 hectares.
- 4.7 It is considered the environmental effects from the development would be limited to the site and the immediate surrounding area. The development is not considered to be unusually complex or have any potentially hazardous environmental effects. Therefore it is considered that the development proposal will not have significant environmental 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 an environmental statement. This determination was made on 12 September 2022.

5 PUBLICITY & CONSULTATIONS

External

- 5.1 **Neighbours:** 9 addresses were notified of the proposal. No representations were received in regard to this application.

Internal

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

NIEA Land soil air: No objections

NIEA Water Management: No objections

DFI Roads: No objections

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 25th June 2019 and approved 3rd July 2019 under LA01/2019/0705/PAN. The applicant advised that they intended to undertake the following forms of consultation:

- Press notice of the public event in a local paper.
- Letters sent to residents within 100 metres of the proposed site boundary no later than seven days before the event including 1 – 18 and 9A Skerryview, Portrush, 46 – 52 Craighulliar Road, Portrush, 32, 33, 34 and 40 Ballymacrea Road and Craighulliar Landfill site, 45 Ballymacrea Road.
- Notice served to elected members of Causeway Coast and Glens Borough Council for the Causeway DEA.

- 5.5 It was stated that the public information event would held on 11th September 2019 from 3pm – 8pm in Magherabuoy House Hotel, 41 Magheraboy Road, Portrush.

Community Consultation Report

- 5.6 The community consultation report (CCR) was submitted as part of the planning application, received 24th January 2022 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 5 members of the public attended the event, 3 from Skerry View and 2 from Craigahulliar Road. The attendees were invited to complete a feedback form on the day or forward them to BLAIRS Caravans Ltd by Wednesday 25th September 2019. No completed questionnaires were received on the day of the event, by 25th September or since.
- 5.9 The CCR demonstrates that adequate community consultation has taken place.

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, traffic/road issues, flood risk and drainage, archaeology and built heritage, visual integration and rural character, natural heritage, Habitats Regulation Assessment, 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 to ensure high quality, safe and otherwise satisfactory forms of development.

Principle of development

- 8.6 This proposal is for the retention of design amendments to part of the previously approved caravan park (approved under planning permission C/2013/0097/F), including 59no. caravan pitches suitable for static caravans in lieu of 48no. approved touring caravan pitches and 14no. approved static caravan pitches (a reduction from 62no. approved to 59no. pitches constructed), Laundry Building in lieu of Amenity Caravan, relocation of Bin Store and Gas Tank Compound. Reconfiguration of Play Area.
- 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. Policy TSM 6 of PPS 16 requires that all proposals must meet a set list of criteria (a-g). 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 emissions/effluents and impacts on features of natural or built heritage. Criteria relating to design, layout, boundary treatment and sewage disposal and emissions/effluents has been considered under paragraphs 8.10 to 8.16 of this report. The other criteria will be considered in detail in the remainder of this report.

- 8.10 Criterion (a) of Policy TSM 6 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.
- 8.11 The proposed development is located on lands to the south of Ballymacrea Road and to the east of Craighulliar Road and Skerryview. The site has permission for a holiday park under C/2013/0097/F which involved the change of use of the site from a former quarry. The current application is primarily retrospective and relates to changes to C/2013/0097/F including an altered layout to facilitate static caravans instead of touring caravans, a relocated gas tank and bin storage area, reconfigured play area and replacement of an amenity caravan with a laundry building. Given the previous approval as a holiday park and the current proposal as alterations to a holiday park, the proposal is compatible with surrounding land uses and will not detract from the landscape quality and character of the surrounding area.
- 8.12 The proposal utilises the previously approved access and has a similar layout to that previously approved. Where the touring caravans are replaced by static caravans, there is a greater area of hardstanding associated with access and caravan pitch sizes. The laundry building, gas tank, and bin store are located to the east of the site with the play park further to the south of this area. The layout of this area has been altered from that of C/2013/0097/F with the bin store now located within the

acoustic mounding as opposed to adjoining the gas tank storage. The gas tanks and in storage are screened from public view given their location behind the ancillary buildings, planting and acoustic mounding. The laundry building replaces an amenity caravan and is located beside a static caravan plot. The building is a single storey pitched roof building with wet dash render painted grey walls, dark grey concrete tiled roof, uPVC white doors and windows and black uPVC rainwater goods. This plot was previously approved as the managers/reception caravan. The reconfigured play park has more equipment which is sited differently within the park.

- 8.13 The area has significant development located in close proximity to the site. A cluster of housing adjoins the site to the west with a further part of the approved holiday park development to the south. A landfill site is located further south. The land to the east and north is more rural in character. The application site has previous approval for a holiday park under C/2013/0097/F. There has been no change in tourism policy since that application was determined.
- 8.14 The site boundaries to the west and north benefit from existing planting which assists in screening the site. The site layout plan submitted indicates extensive landscaping across the site. The change from a holiday park of predominately touring caravans to that solely of static caravans is not considered to significantly impact on the ability of the site to absorb the development. Static caravans though larger with a degree of permanence than touring caravans the extent of visual impact is not considered to be dissimilar due to the landscaping on the site. There is semi-mature planting located along both Craigahulliar Road and Ballymacrea Road which assists with the screening and integration of the proposal. The extent of critical views of the site is the same of that of the previously approved holiday park. Views are primarily travelling in both directions along Craigahulliar Road. Views from Ballymacrea Road are primarily on approach and passing the site given the built form located along the road to the northwest of the site and topography when travelling east and the roadside vegetation travelling west. It is considered that the scheme will not have a detrimental impact on the immediate context of the area and its rural character any more than that of the previous approval. The proposal has the capacity to absorb the proposed holiday park without having

adverse impact on visual amenity and rural character and benefits from existing planting which assists with integration. The site layout, building design, associated infrastructure and landscape arrangements are of high quality in accordance with Department's published guidance and assist the promotion of sustainability and biodiversity. Appropriate boundary treatment and means of enclosure are provided with areas of outside storage screened from public view. The proposal therefore complies with criteria (a) and (b) of Policy TSM 6 and criteria (b), (c) and (g) of Policy TSM 7.

- 8.15 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 has three distinct areas of open space located to the west/north, south and east of the site. The eastern open space area includes a play park which has been reconfigured. A plan has been submitted which highlights the open space areas as exceeding 15% of the total site area. Given the change from touring caravans to static caravans and associated differences in layout the overall open space provision has been reduced. However, as the space provision still exceeds 15% the proposed development is therefore considered acceptable having regard to this criteria.
- 8.16 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.
- 8.17 The proposal has a layout which is not a signature departure from that previously approved under C/2013/0097/F and is deemed acceptable. The layout has considerate design and provides a suitable layout design for the residents. Public views are limited to the Craighulliar Road and Ballymacrea Road running along the northwest of the site. There is existing planting located along the site boundaries which has been

augmented with additional tree and hedge planting along Craighulliar Road. This planting assists with the screening of the site. The internal layout is informal with planting and open space areas located throughout the site which provides a contrast between the bitmac access road and concrete pitches. The eastern extent of the caravan pitches is defined by an acoustic barrier mounding with native woodland trees and shrubs which assists in enclosing the site. Open space is located along the western extent of the site curving around to the north and in clusters to the east including the play park and south. There is one proposed ancillary building, a laundry building with switch room which is one storey and would not have a detrimental impact on the landscape. The landscaping along the boundaries of the site is considered acceptable. Taking into consideration the layout the proposed development is meets with criteria (d) and (e) of this policy.

- 8.18 Mains water and mains sewerage is available. NI Water have recommended the proposal be approved with standard planning conditions. NIEA Water Management Unit have stated that they would have no objections if NI Water state the additional load can be taken. The proposal is therefore compliant with criterion (g) of TSM 6 and criterion (j) of TSM 7 of PPS 16.

Impact on Amenity

- 8.19 The proposed development is located in proximity to a number of residential premises located along Craighulliar Road, Ballymacrea Road and Skerryview. The application site does not comprise the full extent of the site under C/2013/0097/F. The proposal relates to a change from the use of 48 touring caravan pitches and 14 static caravans to 59 static caravans which results in a reduction in the total number of pitches by 3. The impacts on neighbouring residents from static caravans is not considered to be dissimilar from that of touring caravans. The proposed usage of the site as a holiday park was previously approved and a reduction in the number of pitches on site will reduce the amount of impact. It is considered that the proposal will not have a detrimental impact on the amenity of these residents.

8.20 Environmental Health was consulted regarding the proposal and noted the noise impact assessment submissions on the previous application. No objection was raised by Environmental Health in relation to the impact on the amenity of neighbouring residents. The proposal is compliant with criterion (h) of Policy TSM 7 of PPS 16.

Access and Movement

- 8.21 The proposal will be accessed from an existing access from Ballymacrea Road as approved under C/2013/0097/F. Conditions were applied in relation to this access to be constructed in relation to Departmental guidance. Given the change from touring caravan pitches to static caravan pitches and relocated/altered ancillary buildings and structures, the internal site road has been amended. The locations of the road are broadly similar with that previously approved. DFI Roads were consulted in regard to this proposal and have no objections. There is an overall reduction in the number of plots on the site from the proposal. The proposal does not access onto a protected route. The existing road network can safely handle any vehicular traffic the proposal will generate and the access will not prejudice road safety or significantly inconvenience the flow of traffic. The proposal is therefore in compliance with Policy AMP 2 of PPS 3 and criterion (k), (l), (m) and (n) of Policy TSM 7 of PPS 16.
- 8.22 The proposal provides a movement pattern that supports walking and cycling given the access to the public road which is a cycle route and footpath from the site access. The site meets the needs of people whose mobility is impaired and respects existing public rights of way. Given the countryside location, public transport links are limited in close proximity to the site. However, a bus stop is available on Ballywillan Road at the end of Ballymacrea Road which is within a reasonable distance from the site. Criterion (a) of Policy TSM 7 of PPS 16 is considered to be satisfied.
- 8.23 The proposal does not extinguish or significantly constrain an existing or planned public access to the coastline or a tourism asset. The proposal is compliant with criterion (o) of Policy TSM

Flood Risk and Drainage

- 8.24 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 previously submitted and considered under C/2013/0097/F. DFI Rivers were consulted under this application and advised that their comments under planning application C/2013/0097/F in relation to Policies FLD1, FLD3 and FLD4 remain valid. They advise that Policy FLD 1 is not applicable to this development as demonstrated within the Flood Risk Assessment provided by Flood Risk Consulting dated 5th July 2013 under C/2013/0097/F. They note that from the document submitted with this application entitled Summary of Implementation Report that proposals for the drainage infrastructure have already been implemented as per Condition 10 of the planning approval.
- 8.25 Condition 10 relates to the construction of the swale works and connection to an approved sewer system as set out in the submitted Flood Risk Assessment under C/2013/0097/F. This matter was to be discharged through the Council. However, this condition was not discharged. The Summary of Implementation Report states that this was agreed directly with DFI Rivers through a Schedule 6 consent and NI Water under an Article 163 consent. DFI Rivers and NI Water were consulted on this application and have not objected on this matter. Criterion (d) of Policy TSM 7 relates to the utilisation of sustainable drainage systems and is considered to be satisfied.
- 8.26 A Flood Risk Assessment and Drainage Assessment was submitted under C/2013/0097/F. DFI Rivers advised that while not being responsible for the preparation of the Flood Risk Assessment and Drainage Assessment accepts its logic and has no reason to disagree with its conclusions. Consequently, Rivers Agency cannot sustain a reason for objecting of this proposed development from a drainage or flood risk perspective. Policy FLD 3 of PPS 15 is considered to be satisfied.

- 8.27 DFI Rivers advised that planners may wish to consider the existing undesignated, culverted watercourse which traverses the site from the eastern boundary to the western boundary (under Craighulliar Road). Under C/2013/0097/F DFI Rivers advised that under FLD 4 of Planning Policy Statement 15, Artificial modification of a watercourse is normally not permitted unless it is necessary to provide access to a development site or for engineering reasons. This matter was assessed under C/2013/0097/F given the location of the culvert and no objection is sustained in relation to the culvert on site. A map has been provided showing the location of the line of the existing culvert on site. DFI Rivers were re-consulted who noted that temporary structures were located over the line of the culvert i.e. caravans and that the applicant should be made aware of their responsibilities to maintain the watercourse and establish suitable access and egress when maintenance works are required. Policy FLD 2 and FLD 4 is considered to be satisfied.
- 8.28 Policy FLD 5 in relation to development in proximity to reservoirs has been advised by DFI Rivers as to not be applicable to this site. 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

- 8.29 The application site is in proximity to an unscheduled archaeological monuments on site. Historic Environment Division Archaeological unit were consulted on the application and advised that they have assessed the application and on the basis of the information provided is content that the proposal is satisfactory to SPPS and PPS 6 archaeological policy.
- 8.30 The proposal therefore will not have a detrimental impact on the setting of any historic monuments and is compliant with the requirements of the SPPS and PPS 6 and criterion (i) of Policy TSM 7 of PPS 16 in this respect.

Visual Integration and Rural Character

- 8.31 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.
- 8.32 The proposal relates to design changes to a previously approved holiday park under C/2013/0097/F. The proposed changes to static caravans from touring caravans, re-configured play area, relocated gas tank storage and bin store and substituted laundry building are contained within the same application site as that of C/2013/0097/F. These proposed changes will not cause a detrimental change to or further erode the rural character of the area as they are located in context of a holiday park previously approved. The proposed laundry building is single storey and the static caravans will have a similar visual impact as that of the previously approved touring caravans. The site boundaries are the same as that previously approved with semi-mature planting located along both Craighulliar Road and Ballymacrea Road. The site layout plan indicates a landscaping scheme with extensive planting implemented across the site which will help to visually integrate the site. Critical views were previously highlighted under paragraph 8.12. The existing hedging and trees as indicated on the site layout plan is considered sufficient to reduce the adverse impact on rural character. 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.

Contamination

- 8.33 Conditions were previously applied to C/2013/0097/F in relation to land contamination on the site given the former use of the site and close proximity to a landfill site. Conditions had been requested by both NIEA Land and Groundwater team and Environmental Health in relation to impacts on the environmental and human health respectively following consideration of supporting information submitted by the agent. These conditions related to the implementation of remedial

measures to address site conditions as agreed in the remediation strategy, how to address any new contamination or risks identified and the requirement for the submission of a verification report to present remediation and monitoring works undertaken on site.

- 8.34 Application LA01/2018/1331/DC sought the discharge of condition 3 of C/2013/0097/F which related to the implementation of remedial measures and notice to be given to NIEA four weeks before the works were due to start to enable them to visit the site during works. This condition was discharged on 7th December 2018.
- 8.35 Application LA01/2018/0995/DC sought the discharge of condition 5 of C/2013/0097/F which related to the submission of a verification report to present remediation and monitoring works undertaken on site. This condition was discharged on 3rd June 2019 on the basis that DAERA and Environmental Health have reviewed the document entitled Interim (Phase 1) Validation Report and have no objections.
- 8.36 DAERA Land and Groundwater team were consulted under the current application and advised that advise it remains the responsibility of the developer to undertake and demonstrate that all works have been effective in managing all risks and requested the inclusion of an informative.
- 8.37 Environmental Health were consulted under the current application and advised that supporting information was only submitted for areas of development under Phase 1. The area covered by Phase 1 did not encompass the entirety of the application site under this current application. Further information was sought in relation to the completion of remediation works for the remainder of the development. A Remedial Verification and Validation Inspection report and an amended Site Location Plan highlighting the extent of Phase 2 was submitted. Environmental Health were re-consulted on this report and advised that they have no further adverse comment concerning the reported information contained within the report.

Natural Heritage

- 8.38 Planning permission will only be granted for a development proposal that is not likely to have an adverse effect on the integrity, including the value of the site to the habitat network, or special interest of an Area of Special Scientific Interest.
- 8.39 Craigahulliar ASSI is located 34 metres to the southeast of the application site and is designated for its Earth Science interest.
- 8.40 The extent of the application site under C/2013/0097/F covered a larger area which was located closer to Craigahulliar ASSI than the current proposal. A final Construction Environmental Management Plan (CEMP) was conditioned to be provided under Condition 13 of C/2013/0097/F which would set out details of how the ASSI would be protected and how mitigation and avoidance measures would be deployed. The CEMP was submitted under discharge of condition application LA01/2017/1641/DC. On review NIEA Natural Environment Division advised that they were content that the works will not comprise the integrity of the geological features of Craigahulliar ASSI. The condition was discharged on this basis.
- 8.41 Given the response from NIEA under LA01/2017/1641/DC, the nature of the designation of the site and the separation distance from the proposal to the designation, the proposal is not likely to have an adverse effect on the integrity, value or special interest of Craigahulliar ASSI. The proposal therefore complies with Policy NH 3 of PPS 2.
- 8.42 As the application site has already been developed as a holiday park and assessment of the development of the site was previously considered under C/2013/0097/F, there are no concerns in relation to adverse impacts or harm on any protected species or designated sites. The proposal is considered to comply with the requirements of PPS 2 and criterion (i) of Policy TSM 7 of PPS 16 in relation to natural heritage.

Crime

- 8.43 The proposal is designed to deter crime and promote personal safety. The site is secured with fencing at all boundaries with access to the site is controlled by a security barrier. The site layout and siting of the caravan pitches assists in deterring

crime with visibility of the site. The proposal is compliant with criterion (e) of Policy TSM 7 of PPS 16.

HABITAT REGULATIONS ASSESSMENT

- 8.44 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.
- 8.45 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 it is eliminated from further assessment because it could not have any conceivable effect on a European site.
- 8.46 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

- 8.47 The proposal does not involve any public art. The proposal is compliant with criterion (f) of Policy TSM 7 of PPS 16.

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. Approval is recommended.

10 CONDITIONS

1. The planning permission has effect from the date which the development hereby approved was carried out.

Reason: As required by Section 55 of the Planning Act (Northern Ireland) 2011.

2. The development hereby approved shall be used for holiday accommodation only and shall not be used for permanent accommodation.

Reason: The site is located outside of any settlement limit where planning policy restricts development and this consent is hereby granted solely because of its proposed holiday use.

3. Gates or security barriers at the access shall be located at a distance from the edge of the public road that will allow the largest expected vehicle to stop clear of the public road when the gates or barriers are closed.

Reason: To ensure waiting vehicles do not encroach onto the carriageway.

4. The existing landscaping as indicated on Drawing No. 06A date stamped 15th September 2022 shall be retained unless necessary to prevent danger to the public in which case a full explanation along with a scheme for compensatory planting shall be submitted to and agreed in writing with the Council, prior to removal.

Reason: To safeguard the amenities of neighbouring occupiers and in the interests of visual amenity and to ensure that the proposed development does not prejudice the appearance of the locality.

5. Within three months from the date of this permission, all fencing located to the east and south of the site shall be constructed of badger friendly fencing and shall be retained permanently.

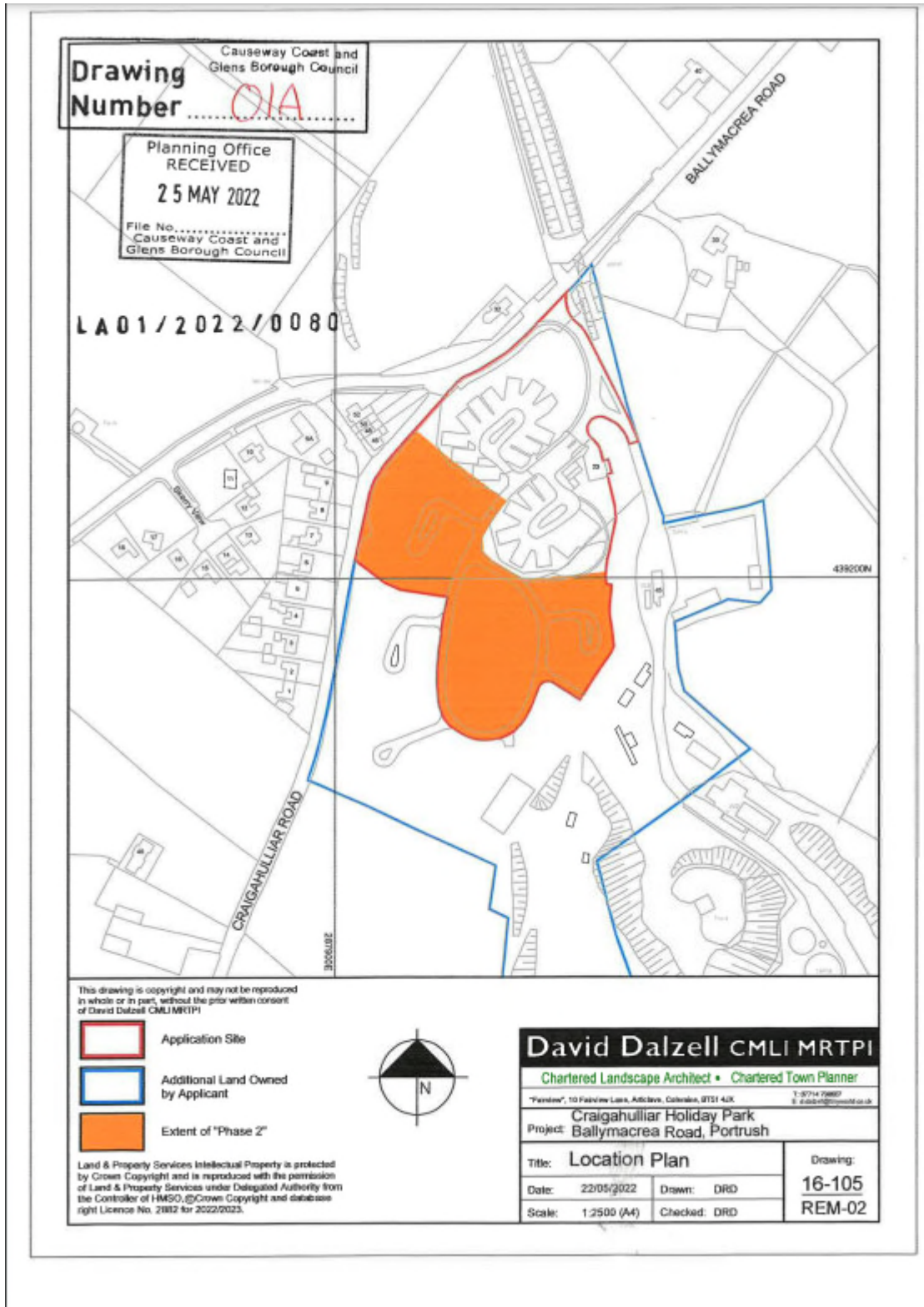
Reason: To safeguard badgers access to feeding grounds.

6. The acoustic barrier mounding as indicated on Drawing No. 06A date stamped 15th September 2022 shall be retained in perpetuity.

Reason: To safeguard the amenity of future occupiers.

APPENDIX 1

Site location Plan



APPENDIX 2

Landscape Plan

