



<b>Title of Report:</b>	<b>Planning Committee Report - LA01/2023/0211/F</b>
<b>Committee Report Submitted To:</b>	<b>Planning Committee</b>
<b>Date of Meeting:</b>	<b>26<sup>th</sup> April 2023</b>
<b>For Decision or For Information</b>	<b>For Decision – Council Interest Item</b>

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

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

<b>Screening Requirements</b>	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:

<b><u>App No:</u></b>	<b>LA01/2023/0211/F</b>	<b><u>Ward:</u></b>	<b>Dungiven</b>
<b><u>App Type:</u></b>	<b>Full Planning</b>		
<b><u>Address:</u></b>	<b>Lands within Dungiven Sports Centre, 32 Curragh Road, Dungiven, BT47 4SE</b>		
<b><u>Proposal:</u></b>	<b>Section 54 application for the Variation of condition 2 (Hours of use of bowling green and floodlighting) of Planning Approval LA01/2021/1472/F (Proposed Outdoor Bowling Green)</b>		
<b><u>Con Area:</u></b>	<b>N/A</b>	<b><u>Valid Date:</u></b>	<b>13.03.2023</b>
<b><u>Listed Building Grade:</u></b>	<b>N/A</b>	<b><u>Target Date:</u></b>	<b>26.06.2023</b>
<b>Agent:</b>	<b>Causeway Coast and Glens, Cloonavin, 66 Portstewart Road, Coleraine, BT52 1EY</b>		
<b>Applicant:</b>	<b>Causeway Coast and Glens, Cloonavin, 66 Portstewart Road, Coleraine, BT52 1EY</b>		
<b>Objections: 0</b>	<b>Petitions of Objection: 0</b>		
<b>Support: 0</b>	<b>Petitions of Support: 0</b>		

## Executive Summary

- Planning Approval LA01/2021/1472/F granted permission for a proposed Outdoor Bowling Green on an existing grass area subject to conditions. The approved scheme included the following details, the external dimensions of the Bowling Green including perimeter pathways are 45m by 38.6m. The Bowling green is to be completed with floodlighting, digital scoreboard, pedestrian fencing, team shelters and seating. A new retaining wall is proposed along the western side of the Bowling Green, with other grading works proposed outside the bowling green perimeter on the other sides due to the existing ground topography (Sloping ground).
- Planning permission is sought to vary the wording of condition 2 of Planning Approval LA01/2021/1472/F, which relates to the permitted hours of use of the bowling green and associated floodlighting.
- Condition 2 restricts use of the Bowling Green and associated floodlighting to between the hours of 08:00 and 21:00.
- The variation sought is to allow for the use of the Bowling Green and associated floodlighting to between the hours of 08:00 and 22:30.
- The application does not alter any of the approved details under LA01/2021/1472/F in terms of layout or design.
- The application has been advertised and all relevant neighbours have been notified and to date no representations have been received.
- Approval is recommended subject to conditions.

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

## **1 RECOMMENDATION**

- 1.0 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.

## **2.0 SITE LOCATION & DESCRIPTION**

- 2.1 The application site is located at the existing Dungiven Sports Centre complex which contains a leisure centre with outdoor 3G pitch, floodlighting and associated car parking. The application site boundary comprises the extent of the previously approved bowling green which is at an advanced stage of construction. The western site boundary abuts the rear boundaries of several dwellings at O’Cahan Place with the boundary comprising a mix of timber close boarded fencing, the rear facades of garages and intermittent hedgerows.
- 2.2 The application site is located within the settlement limit of Dungiven and is located on lands identified as a Major Area of Existing Open Space as defined in the Northern Area Plan 2016. The application site is located at the eastern periphery of the settlement along Curragh Rd with the overall recreational facility abutting the settlement limit to its north eastern boundary. There are housing developments located to the south and west of the application site at Greenhaven and O’Cahan Place respectively, with St Canice’s Primary School a short distance to the south-west.

## **3.0 RELEVANT HISTORY**

B/2004/0010/F - Erection of sports pavilion and play area with alterations to existing car park - Opposite Greenhaven Junction, Curragh Road, Dungiven – Approved 07.06.2004.

LA01/2015/0354/F - Redevelopment of existing sport and leisure facilities to provide improved formal car parking and vehicular access, 1 new 3G synthetic 55x90m soccer pitch with 3m security fencing/6m ballstop fencing/15m pitch floodlighting and a new build sports centre providing changing facilities, 4 court indoor sports hall, fitness suite, community meeting rooms and ancillary accommodation. The existing children's play park is to be retained. - Existing Playing Pitches, Curragh Road, Dungiven adjacent to housing development along O'Cahan Place and opposite Greenhaven – Approved 17.12.2015.

LA01/2016/1326/F - Provision of a new external GAA handball court facility consisting of 9m x 11.5m hardstanding with associated line markings, 5m high concrete rebound wall and 3m high metal mesh fencing with associated access gate - Playing Pitches, Curragh Road, Dungiven – Application Withdrawn 27.02.2018.

LA01/2021/1472/F - Proposed Outdoor Bowling Green in existing grass area. External dimensions of Bowling Green including perimeter pathways at 45m and 38.6m. Bowling green to come complete with floodlighting, digital scoreboard, pedestrian fencing, team shelters and seating. A new retaining wall is proposed along western side of the Bowling Green, with other grading works proposed outside the bowling green perimeter on the other sides due to the existing ground topography (Sloping ground) - Lands within Dungiven Sports Centre, 32 Curragh Road, Dungiven - Approved 06.06.2022.

LA01/2023/0138/F - Alteration to pre-existing perimeter fencing to 3G pitch (between 3-6m high) and bowling green (1.2m high) with new extended height fencing to complete perimeter of 3G pitch (6-8m high) and bowling green (6m high) - Dungiven Sports Complex, 32 Curragh Road, Dungiven BT47 4SE – Current Application.

## **4.0 THE APPLICATION**

- 4.1 The application seeks to vary the wording of Condition 2 of Planning Approval LA01/2021/1472/F, which relates to the permitted hours of use of the bowling green and associated floodlighting. The variation is sought to extend the permitted

hours of use of the bowling green and associated floodlighting beyond that originally approved from 21.00hrs to 22.30 hrs.

## **Habitat Regulations Assessment**

- 4.2 The potential impact of this proposal on Special Protection Areas, Special Areas of Conservation and Ramsar sites has been assessed under planning application LA01/2021/1472/F in accordance with the requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc) Regulations (Northern Ireland) 1995 (as amended). It was concluded that the proposal would not be likely to have a significant effect on the features of any European site. As this application does not propose any physical alterations to the layout and design of the development it is considered that the proposal will not result in any adverse impact on any European designated site.

## **5.0 PUBLICITY & CONSULTATIONS**

### **External**

- 5.1 Advertising: 22.03.2023  
Neighbours: There are no objections to the proposal.

### **Internal**

- 5.2 **Environmental Health** – No objections

## **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 8: Open Space, Sport and Outdoor Recreation

## **8.0 CONSIDERATIONS & ASSESSMENT**

8.1 The principle of development for a bowling green was established on the site through planning permission LA01/2021/1472/F which was granted planning approval on 06.06.2022, subject to conditions. This planning approval has been implemented and is currently at an advanced stage of construction.

### **Condition 2**

8.2 The original Planning Permission for the bowling green under LA01/2021/1472/F was granted subject to conditions. The approved wording of Condition 2 states as follows;

The Bowling Green and associated floodlighting shall only be used between the hours of 08:00 and 21:00.

Reason: In the interest of residential amenity.

- 8.3 The reason for the condition was in the interests of maintaining the residential amenity enjoyed by the residential properties immediately adjacent to the bowling green and to keep the proposed use in line with the overall sport and leisure complex.
- 8.4 The application seeks to extend the permitted hours of use of the bowling green and associated floodlighting beyond 9pm (21:00) as originally approved, until 10:30pm (22:30).
- 8.5 The applicant has advised that the facility is to be used by Dungiven Bowling Club. The Club plays league matches and would have 8 home matches spread throughout the season. In addition to league games, the club is involved in cup and championship matches, which depending on the draw, could extend home matches to 15 weeknights. The start time for weeknight play is not discretionary and the Northern Ireland Provisional Bowling Association's (governing body to which Dungiven Bowling Club is affiliated) constitution dictates the starting times for matches as 7pm during May, June and July.
- 8.6 It is advised that a game can last between 2.5 to 3 hours and consequently condition 2, as approved, is much too restrictive for the club to successfully operate in a weekday league while complying with the conditions of approval.
- 8.7 Planning application LA01/2021/1472/F was assessed against the relevant planning policies in relation to the provision of recreational/sports facilities. In particular, the proposal was assessed against Policies OS4, OS5 and OS7 of PPS8 which, amongst other criteria, assessed the impact of the proposal on residential amenity in terms of light pollution and noise nuisance, whereby it was accepted that there would be no significant impact on the surrounding residential properties.
- 8.8 No changes are proposed to the floodlighting scheme which includes 4no. 10m high floodlighting columns, each containing 2



floodlights, to be sited to the northern (x2) and southern (x2) sides of the bowling green. The lighting assessment submitted as part of application LA01/2021/1472/F, has been re-submitted which assesses the illumination levels at adjacent residential properties based on a MIDSTREAM 330W LED Floodlight.

- 8.9 In line with the 'Institute of Lighting Professionals Guidance: GN (01/21), Reduction of Obtrusive Light' the surrounding area has been classified as falling within Environmental Zone E3 (suburban) which allows for levels of up to 10 Lux pre curfew and up to 2 Lux post Curfew (23:00 hours). The report calculates that the levels of vertical illuminance will not exceed the maximum values of vertical illuminance within Environmental Zone 3 as detailed within Lighting Professionals Guidance: GN (01/21), Reduction of Obtrusive Light Table 3 during the intended hours of use.
- 8.10 Environmental Health were consulted and have no objections subject to conditions which require the lighting scheme to be installed in accordance with submitted Lighting Strategy, and that the vertical Lux levels at receptors shall not exceed those submitted. In regards noise, EH have advised that 22:30hrs falls within daytime hours and have confirmed that they have no adverse comments to add if the use of the bowling green was extended from 21:00hrs to 22.30hrs.
- 8.11 Officials accept that by its nature, the outdoor bowling would not be a significant noise generating activity when considered against the examples cited within policy OS5, and would be likely to generate less noise than patrons using the adjacent football pitch. In assessing the proposal, officials are satisfied that an extension of the permitted hours of use of the bowling green and associated floodlighting as proposed, will not have any adverse impact on the amenity of the surrounding residential properties by way of light pollution or noise nuisance, and will maintain the proposals compliance with Policies OS4, OS5 and OS7 of PPS8.

## **9.0 CONCLUSION**

- 9.1 The variation of condition 2 of planning approval LA01/2021/1472/F as proposed will not have an unacceptable impact on the residential amenity on the surrounding residential

properties at O’Cahan Place and Greenhaven. The proposal complies with the Northern Area Plan and all other relevant planning policies. Approval is recommended.

## **10.0 Conditions and Informatives**

### **10.1 Regulatory Conditions:**

1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.

2. The Bowling Green and associated floodlighting shall only be used between the hours of 08:00 and 22:30.

Reason: In the interest of residential amenity

3. The lighting scheme for the development hereby approved shall be designed, installed, operated and maintained in accordance with the submitted Lighting Assessment (received 1st March 2023). 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 and restriction of the lighting system after 22:00 hours.

Reason: In the interest of Residential Amenity

4. Vertical Lux levels at nearest receptors as depicted within Lighting Assessment (received 1st March 2023) shall not exceed, Appendix B maximum values of vertical illuminance for Exterior Lighting Installation applicable to Environmental Zone E3.

Reason: In the interest of Residential Amenity

5. The existing natural screening along the western boundary, as indicated on the stamped approved Drawing No. 04 Rev 01 of application LA01/2021/1472/F date stamped received 9<sup>th</sup> May 2022, shall be retained unless necessary to prevent danger to the public in which case a full explanation shall be given to the

Planning Authority in writing. In addition, the proposed landscaping along the western boundary as indicated on the stamped approved Drawing No. 04 Rev 01 of application LA01/2021/1472/F date stamped received 9<sup>th</sup> May 2022, shall be carried out during the first available planting season following commencement of the development.

Reason: To ensure the maintenance of screening to the site and to protect and maintain a key foraging and commuting feature for Bats which are a Protected Species.

6. If within a period of 5 years from the date of this approval any hedgerow is removed, uprooted, destroyed or dies, or becomes, in the opinion of the Planning Authority, seriously damaged or defective, another hedge of the same species and size as that originally planted shall be planted at the same place, unless the Planning Authority gives its written consent to any variation.

Reason: To ensure the maintenance of screening to the site and to protect and maintain a key foraging and commuting feature for Bats which are a Protected Species.

7. Prior to the development hereby permitted becoming operational the retaining wall, shall be designed, constructed and certified by a suitably competent person.

Reason: To ensure the stability of the retaining wall.

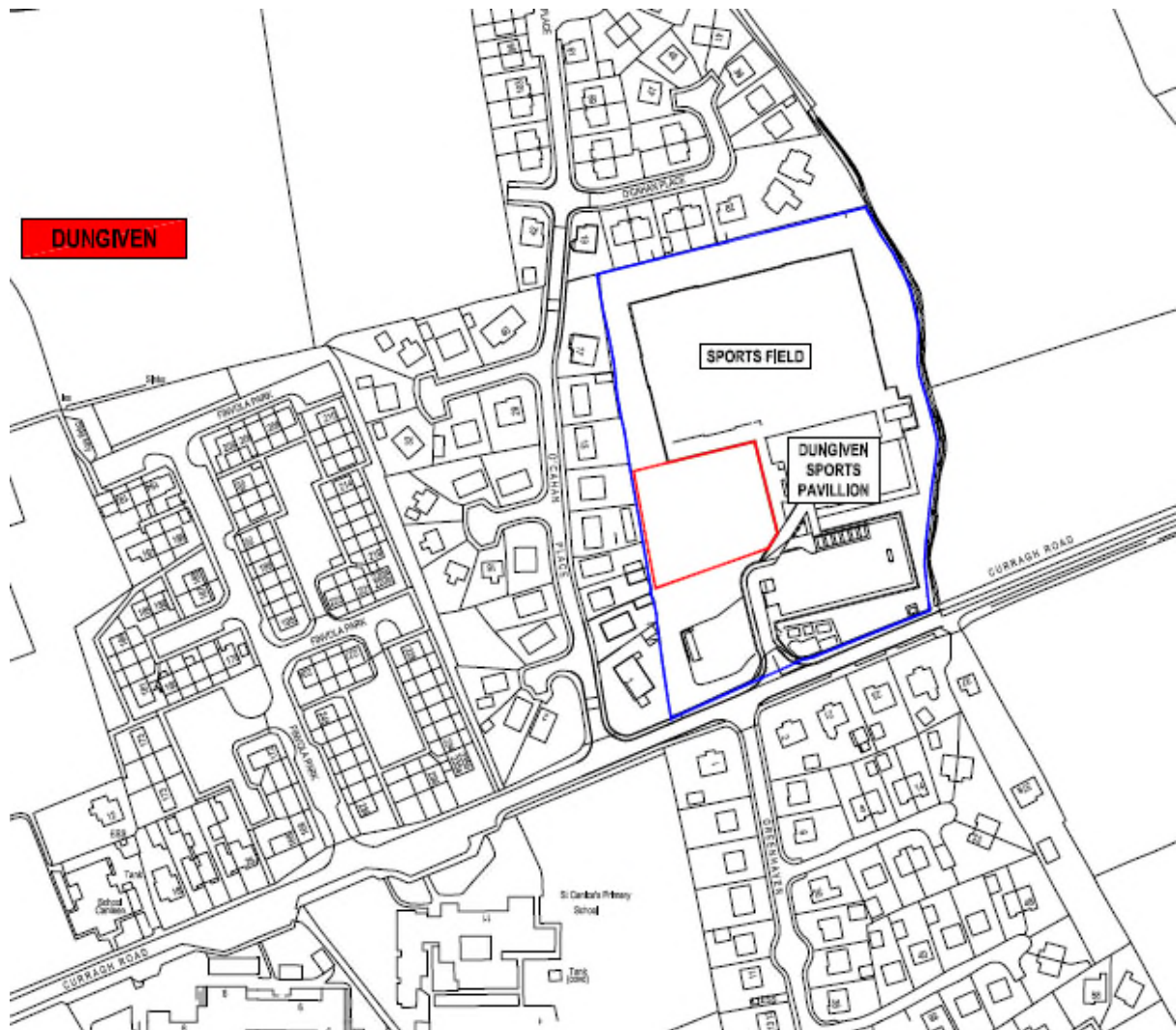
### Informatives

1. 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.
2. 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.
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.

4. This determination relates to planning control only and does not cover any consent or approval which may be necessary to authorise the development under other prevailing legislation as may be administered by the Council or other statutory authority.
5. You should refer to any other general advice and guidance provided by consultees in the process of this planning application by reviewing all responses on the Planning Portal at <https://planningregister.planningssystemni.gov.uk/simple-search>.

# Site Location Map



# Approved Site Layout – LA01/2021/1472/F

