

Title of Report:	Planning Committee Report - LA01/2022/1520/F
Committee Report Submitted To:	Planning Committee
Date of Meeting:	28th June 2023
For Decision or For Information	For Decision – Council Interest Item

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:

App No: LA01/2022/1520/F Ward: Rasharkin

App Type: Full Planning

Address: Land to rear of 25-28 Bamford Park Rasharkin.

Proposal: Removal of existing pedestrian steps and handrail and construction of new ramped access path, handrails, retaining wall with associated earthworks and soft landscaping.

Con Area: N/A Valid Date: 18.12.2022

Listed Building Grade: N/A Target Date: 23.03.2023

Agent: G M Design Associates, 22 Lodge Road, Coleraine.

Applicant: Causeway Coast and Glens Borough Council, Riada House, 14 Charles Street, Ballymoney.

Objections: 0 Petitions of Objection: 0

Support: 0 Petitions of Support: 0

Executive Summary

- Full planning permission is sought to remove the existing pedestrian steps and handrail and construct a new ramped access path, together with handrails, retaining wall and associated earthworks and soft landscaping.
- The site is located within the defined settlement limits of Rasharkin as set out in the Northern Area Plan 2016 and falls within a Local Landscape Policy Area – RNL 01, Drumbolcan LLPA.
- The proposal has been assessed against the relevant policy, mainly the SPPS and A Planning Strategy for Rural Northern Ireland and has been found acceptable in terms of the Principle of Development, Local Landscape Policy Area (LLPA), Townscape, and Open space.
- This proposal is considered acceptable at this location having regard to the Northern Area Plan 2016 and all other material considerations.
- Historic Environment Division has been consulted and raise no objection in respect of the application.
- No objections have been received in relation to the application.
- Approval is recommended subject to the proposed conditions.

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

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 reasons set out in section 10.

2.0 SITE LOCATION & DESCRIPTION

- 2.1 The application site is located within the grounds of Rasharkin Community Centre and Drumbolcan Park, which is accessed from Duneany Road. The site as delineated by the red line is irregular in shape and consists of public open space made up of a grass embankment, concrete steps, and pathway. The northern and eastern boundaries are undefined and open to the remainder of park grounds. The southern boundary is established by metal security fencing approximately 1.8m to 2m in height, while the western boundary is defined by a 1.5m high timber close boarded fence. The topography of the site falls steeply from west to east with a maximum difference in ground levels of approximately 4.9m.
- 2.2 The site is located between Rasharkin Community Centre building and the public play park and all-weather sports pitch, approximately 0.7km south-east of Rasharkin Village Centre. The surrounding area is characterised by open space and public amenity to the east and south, with well-established housing to the north and west.
- 2.3 The site is located within the defined settlement limits of Rasharkin and is included in a Local Landscape Policy Area - RNL 01, Drumbolcan LLPA as indicated by Map No. 2/09 of the Northern Area Plan 2016.

3.0 RELEVANT HISTORY

3.1 A planning history search, revealed the following most recent and relevant applications relating to the site:

- D/2012/0214/F - Proposed New Path, Outdoor Gym Area & Associated Car Park Extension. Drumbolcan Park, 135 Duneany Road, Rasharkin. Permission granted.
- D/2012/0110/F - Proposed Equipped Play Area for Older Children, Kick About Enclosed with 42m Mesh Fence and Four 6m High Lighting Columns, Culverting of Part of the Stream, Connecting Paths and Mesh Fence 1.6m High. Greenspace at Rasharkin Community Centre, Duneany Road, Rasharkin. Permission granted.
- D/2004/0049/F - Extension to building. Rasharkin Community Centre, Duneany Road, Rasharkin. Permission granted.

4.0 THE APPLICATION

4.1 The application seeks full planning permission to remove the existing pedestrian steps and handrail and construct a new ramped access path, together with handrails, sections of retaining wall, associated earthworks and soft landscaping.

5.0 PUBLICITY & CONSULTATIONS

External:

Advertising: 11.01.2023.

Neighbours: No letters of objection have been received in relation to this application.

Internal:

Historic Environment Division: No objection.

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

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)

A Planning Strategy for Rural Northern Ireland – Policy DES 2

PPS 8: Open Space, Sport and Outdoor Recreation

8.0 CONSIDERATIONS & ASSESSMENT

8.1 The main considerations in the determination of this application relate to: The Principle of Development, Local Landscape Policy Area (LLPA), Townscape and Open space.

Planning Policy

- 8.2 The proposal must be considered having regard to the Northern Area Plan 2016, SPPS and PPS policy documents specified above.

Principle of Development

- 8.3 The application site is located in an urban setting and is within the Drumbolcan LLPA, Designation RNL 01. The main policy considerations are within paragraphs 4.23 to 4.30 of the SPPS, Policy ENV 1 of the NAP and Policy OS1 of PPS 8.
- 8.4 The site forms part of Drumbolcan Park and Rasharkin Community Centre grounds and consists of a grass embankment together with a single flight of concrete steps and painted metal handrails which currently provide a pedestrian link between Bamford Park and the public facilities within the park. The proposal involves the removal of the steps and the construction of a new 2m wide path which takes a circuitous route parallel with the slope of the embankment to conform with the existing topography.
- 8.5 The path is constructed from macadam with concrete edging kerbs and intervening ramp sections formed by paving setts. Given the layout and existing topography, the development requires two sections of retaining wall to the upper portion of the site, with a short section to the north-eastern side of the path and a longer section to the north-western side. These structures consist of a mortar free segmented retaining wall system which varies in height up to a maximum height of 1.5m. A paved platform replaces the existing steps and establishes the start of the new path from the highest point of the site. This area is protected by a mild steel handrail and guarding 1.1m with new shrub planting proposed adjacent to the north-east. Additional tree planting is proposed to the north of the site on both sides of the pathway. A 1.2m high timber post and 'D' rail fence will be erected to the top of the longer section of retaining wall on the north-western side of the path. A 2.5m high timber finger post is proposed at the junction of the new path with the existing footpath network at the lower level and provides direction to the various facilities within the park.

Local Landscape Policy Area (LLPA)

The site is located within the defined settlement limits of Rasharkin and lies within the Drumbolcan Local Landscape Policy Area (LLPA), Designation RNL 01.

- 8.6 The features that contribute to the environmental quality, integrity or character of this area are listed below:
- This LLPA on the eastern edge of Rasharkin includes Drumbolcan Park, nearby woodlands and the earthworks of Drumbolcan fort.
 - This area provides an attractive setting for the entrance to the village from Duneany Road.
 - Part of this LLPA is also within Drumabolcan SLNCI.
- 8.7 Policy ENV 1 of NAP 2016 applies to this development. Planning permission will not be granted for development proposals that would be liable to affect adversely those features, or combination of features, that contribute to the environmental quality, integrity or character of a designated LLPA. Where development is permitted, it will be required to comply with any requirements set out for individual LLPAs in the District Proposals.
- 8.8 The proposal involves the construction of a pedestrian path together with retaining walls, fencing, handrail and associated hard and soft landscaping within an existing area of grass open space which is only partly maintained on account of the steep sections of topography.
- 8.9 The Plan policy supporting RNL 01 does not include specific criteria for further development within this LLPA. The proposed development is considered to be of a modest scale and has been designed to be as sympathetic to the setting as is practicable. The design and materials allow the path, associated works, and new planting to integrate successfully reducing any impact on the site and wider area. The proposed development and hard landscaping are outweighed by the improvements made to the existing infrastructure within the park and will not adversely affect the features which contribute to the environmental quality, integrity, or character of the designated LLPA. The proposal therefore is in compliance with Policy ENV 1.

Townscape

8.10 Policy DES 2 requires development proposals in towns and villages to be sensitive to the character of the area surrounding the site in terms of design, scale and use of materials. The proposal has been designed to be compatible with the existing features and built form of the surrounding area and can sympathetically integrate into its surroundings without impacting on the character of the area. The proposal complies with Policy DES 2.

Open Space

8.11 Section A1 in Annex A of PPS 8 defines open space to mean all open space of public value, including not just land, but also inland bodies of water such as rivers, canals, lakes and reservoirs which offer important opportunities for sport and outdoor recreation and can also act as a visual amenity. Section A2 further illustrates the broad range of open spaces that are of public value which include green corridors, including river and canal banks, amenity footpaths, and cycleways. Planning Policy OS 1 of PPS 8 Open Space, Sport and Outdoor Recreation exists to protect open space. The policy states that development will not be permitted where it would result in the loss of existing open space or land zoned for the provision of open space. The presumption against the loss of existing open space will apply irrespective of its physical condition and appearance. Policy continues by outlining exceptions to this restrictive test. It states, "An exception will be permitted where it is clearly shown that redevelopment will bring substantial community benefits that decisively outweigh the loss of the open space."

8.12 The site currently consists of a grass embankment to the rear of existing dwellings at 25 to 28 Bamford Park which is only partly maintained and slopes down towards the existing picnic area and playpark facilities within Drumbolcan Park. Pedestrian access is available either via an existing public pathway located at the higher level between Bamford Park and Rasharkin Primary school or from the existing footpath network within Drumbolcan Park which is at a lower level with a difference in ground levels of approximately 2.95m. A single flight of concrete stairs and painted metal handrails provides a link between the

two ground levels and provides a convenient means of access to the facilities from Bamford Park and adjacent housing. The main entrance to the park and Community Centre from Duneany Road is not as accessible to local residents given its proximity closer to the development limits and is better suited to visitors arriving by vehicle.

- 8.13 The proposed removal of the steps and construction of a new pathway across the embankment will provide an improved link between the higher and lower ground levels both in terms of accessibility and safety. The design of the path does however require a substantial area of this existing area of open space in order to provide an acceptable gradient. While the existing grass embankment is not completely useable given the topography, it is still afforded protection under the policy. The proposed works have been designed to bring about substantial community benefits that would decisively outweigh the loss of any open space in this instance. The proposed path will have an amenity benefit and is considered to be in compliance with Policy OS1 of PPS 8.

Other Matters

- 8.14 Surface water drainage will be dealt with by perforated land drainage pipework and a sustainable drainage system (SuDS) which connects to an existing manhole within the Community Centre grounds. Given the minor scale of this layout consultation was not considered necessary. A condition is attached in respect of its design.
- 8.15 The site is identified as being within the consultation zone of two ecclesiastical sites, ANT026:010 (Holy Well and Souterrain) and ANT 026:011 (Church in ruins and possible souterrain) which are located approximately 150m east of the site and 310m southwest of the site respectively. It was considered appropriate to consult with Historic Environment Division in relation to the proposal. Having assessed the application and on the basis of the information provided, Historic Monuments is content that the proposal is satisfactory to SPPS and PPS 6 archaeological policy requirements due to its scale and nature.

Habitats Regulations Assessment

- 8.16 The potential impact of this proposal on Special Areas of Conservation, Special Protection Areas and Ramsar sites has

been assessed in accordance with the requirements of Regulation 43 (1) of the conservation (Natural habitats, etc) Regulations (Northern Ireland) 1995 (as amended). The proposal would not be likely to have a significant effect on the features, conservation objectives or status of any of these sites.

9.0 CONCLUSION

- 9.1 The proposal is considered acceptable having regard to the Northern Area Plan 2016 and other material considerations. The proposal is relatively minor in terms of scale and visual amenity and provides improved accessible public access to the park facilities. The design can successfully integrate into the surroundings and will not detract from the character of the existing area or adjacent amenities. Approval is recommended.

10.0 CONDITIONS AND INFORMATIVES

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. No development shall commence on site (other than site clearance, site preparation, demolition and the formation of foundations and trenches) unless details of the SUDS scheme have been submitted to and approved in writing by the Council. The proposed SUDS scheme shall be designed by a competent person. The development shall be carried out in accordance with the approved details.

Reason: To ensure sustainable drainage of the development.

3. The scheme of planting as approved in Drawing No. 03 date stamped 7 December 2022 shall be carried out during the first planting season after the commencement of development. Trees or shrubs dying, removed or becoming seriously damaged within five years of being planted shall be replaced in the next planting season with others of a similar size and species unless the Council gives written consent to any variation.

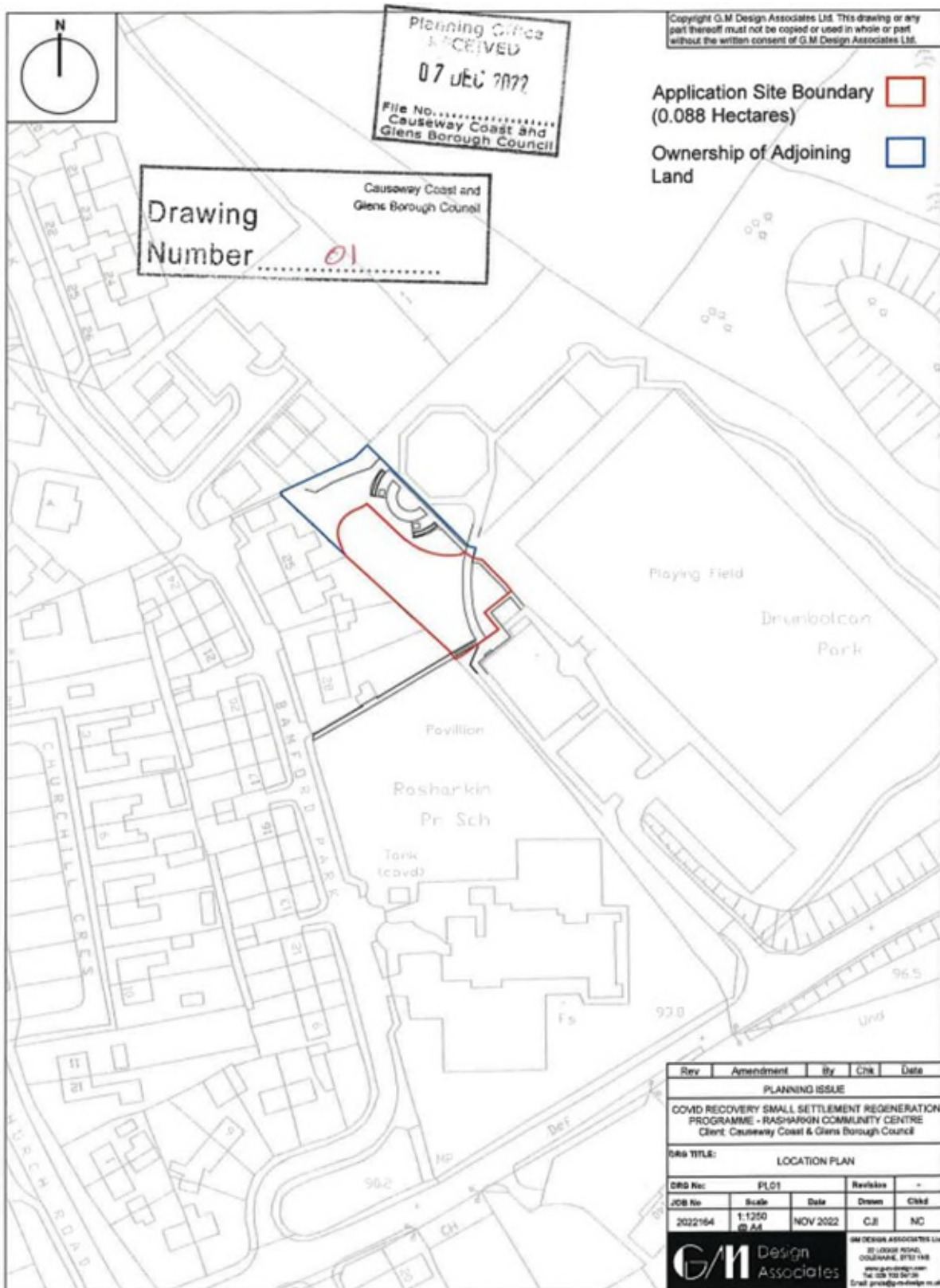
Reason: To ensure the provision, establishment and maintenance of a high standard of landscape in the interests of visual amenity.

Informatives

1. This approval does not dispense with the necessity of obtaining the permission of the owners of adjacent sites for the removal of or building on the party wall or boundary whether or not defined.
2. This permission does not alter or extinguish or otherwise affect any existing or valid right of way crossing, impinging or otherwise pertaining to these lands.
3. This permission does not confer title. It is the responsibility of the developer to ensure that he controls all the lands necessary to carry out the proposed development.
4. This determination relates to planning control only and does not cover any consent or approval which may be necessary to authorise the development under other prevailing legislation as may be administered by the Council or other statutory authority.
5. You should refer to any other general advice and guidance provided by consultees in the process of this planning application by reviewing all responses on the Planning Portal at:

<https://planningregister.planningsystemni.gov.uk>

Site Location Map



Existing Site Plan



Proposed Site Plan

