

<b>Title of Report:</b>	<b>Planning Committee Report – LA01/2023/0454/F</b>
<b>Committee Report Submitted To:</b>	<b>Planning Committee</b>
<b>Date of Meeting:</b>	<b>25<sup>th</sup> October 2023</b>
<b>For Decision or For Information</b>	<b>For Decision – Council Interest Item</b>
<b>To be discussed In Committee YES/NO</b>	<b>NO</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	<b>N/A</b>
Capital/Revenue	N/A
Code	N/A
Staffing Costs	N/A

<b>Legal Considerations</b>	
Input of Legal Services Required	<b>NO</b>
Legal Opinion Obtained	<b>NO</b>

<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>	LA01/2023/0454/F	<b><u>Ward:</u></b>	Drumsum
<b><u>App Type:</u></b>	Full Planning		
<b><u>Address:</u></b>	Drumsum Community Centre, Beech Road, Drumsum, BT49 0PR		
<b><u>Proposal:</u></b>	Installation of new single storey modular unit and associated site works		
<b><u>Con Area:</u></b>	N/A	<b><u>Valid Date:</u></b>	24.04.2023
<b><u>Listed Building Grade:</u></b>	N/A	<b><u>Target Date:</u></b>	07.08.2023
<b><u>Agent:</u></b>	Taggarts (Acting as Agent for Causeway Coast & Glens Borough Council), 23 Bedford Street, Belfast,		
<b><u>Applicant:</u></b>	Drumsum Community Association, 3 Donald's Hill Court, Limavady, BT49 0GU		
<b><u>Objections:</u></b>	<b>0</b>	<b><u>Petitions of Objection:</u></b>	<b>0</b>
<b><u>Support:</u></b>	<b>0</b>	<b><u>Petitions of Support:</u></b>	<b>0</b>

## Executive Summary

- This proposal is considered acceptable at this location having regard to the Northern Area Plan 2016 and all other material considerations.
- The site consists of a small parcel of land located along the western boundary of the existing open space football pitch. The site previously accommodated an existing mobile unit serving as a community centre.
- The proposal is for a new single storey modular unit and associated site works.
- There is an extant planning approval on the site for a similar proposal granted permission under application LA01/2019/0326/F.
- There have been no objections received regarding the proposed development. All concerns raised by the statutory consultees have been addressed.
- The proposal complies with all relevant planning policies including the Northern Area Plan, SPPS, PPS2, PPS3, PPS6, PPS8, PPS15, PPS18 and the Planning Strategy for Rural Northern Ireland.
- The proposal is acceptable in terms of design, access and relationship with adjacent properties.
- Approval is recommended.

**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 Drumsurn Community Centre, Beech Road and is set within the Settlement Development Limit of Drumsurn. The application site is on an area which is identified as a major area of existing open space within the Northern Area Plan 2016.
- 2.2 The site consists of a parcel which includes an existing football pitch, play park and an area of hardstanding which is used for car parking and where the former community building was sited. The site is bounded by a wire fence and concrete beams with mature vegetation to all boundaries. There is a small watercourse running along the western boundary of the site.
- 2.3 There are surrounding residential properties in close proximity within Rushie Park and the area is characterised as residential.

## **3.0 RELEVANT HISTORY**

B/2003/0468/F - Erection of community hall and football pitch with associated parking - Off Beech Road, Drumsurn, Limavady – Approved 16.11.2003.

LA01/2019/0326/F - Demolish existing modular single storey community centre. Installation of new single storey modular unit

and associated site works - Drumsurn Community Centre,  
Beech Road, Drumsurn – Approved 07.10.2020.

## **4.0 THE APPLICATION**

- 4.1 The application seeks full planning permission for the installation of a new single storey modular unit and associated site works. The building measures 17.1m in length and 7.6m wide and has a ridge height of 4.28m above ground level. The associated site works include the provision of a formalised car parking area and pathway linking the car park to the existing play park on site. The proposal also includes the installation of solar panels on the roof of the building and the installation of an air source heat pump on the rear (southern) elevation.

## **5.0 PUBLICITY & CONSULTATIONS**

### **External**

- 5.1 Advertising: 10/05/2023 and 31/05/2023  
Neighbours: There are no objections to the proposal.

### **Internal**

- 5.2 **DfI Roads:** No objections

**Northern Ireland Water:** Advice provided

**Environmental Health:** Advice provided

**Historic Environment Division:** No response

**DAERA Water Management Unit:** No objections

**DAERA Natural Environment Division:** Conditions & Informatives provided.

**Shared Environmental Services:** Conditions provided

**DfI Rivers:** Advice provided

**Loughs Agency:** 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 (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 2: Natural Heritage](#)

[Planning Policy Statement 3: Access, Movement and Parking](#)

[Planning Policy Statement 8: Open Space, Sport and Outdoor Recreation](#)

[Planning Policy Statement 15: Planning and Flood Risk](#)

[Planning Policy Statement 18: Renewable Energy](#)

[The Planning Strategy for Rural Northern Ireland](#)

## **8.0 CONSIDERATIONS & ASSESSMENT**

8.1 The main considerations in the determination of this application relate to: principle of development, siting and design, relationship to adjacent properties, access and parking, flood risk, natural heritage, Habitats Regulations Assessment, renewable energy and Archaeology.

### **Principle of Development**

8.2 The application site is sited within an Existing Area of Open Space as identified within the Northern Area Plan 2016. Policies relating to open space are contained within the SPPS and PPS8: Open Space, Sport and Outdoor Recreation.

8.3 Policy OS1 of PPS8 relates to the Protection of Open Space, and advises that development will not be permitted that would result in the loss of existing open space or lands zoned for the provision of open space.

8.4 The proposed community building is sited on an existing hardcore area and is proposed to be sited on the footprint of the former community building, now demolished, and on the same footprint of the building approved under Planning Approval LA01/2019/0326/F which is still extant.

8.5 The proposed building is approximately 9.7 sq.m larger in footprint than the building approved under LA01/2019/0326/F, which the Planning Department consider not to be a significant increase. The siting and scale of the proposed building is such that it will enable the building to be kept on the area of hardcore without encroaching onto the grassed area of open space.

8.6 There will be approximately 35 Sq. m of grassed area lost at the northern end of the car park to accommodate the formalised area of car parking however, it is noted that the submitted plans propose to provide new grassed areas around the proposed building and perimeter footpath. This arrangement will result in an overall reduction to the level of hardstanding within the site and an increase in usable open space within the site. The proposal therefore will not result in the loss of usable open space and the scheme results in an

overall benefit by providing additional car parking for the facilities that previously did not exist. The proposal complies with Policy OS1 of PPS8.

### **Siting and design**

- 8.7 The proposed building is sited in a similar position to the previous building on site, approved in 2003 and the building approved under application LA01/2019/0326/F. The proposed building is single storey and has a linear floorplan measuring 17.1m in length and 7.6m wide. The building is gable ended with a shallow pitched roof and an overall height of 4.28m above ground level.
- 8.8 The building materials proposed are common place for a modular building and include profiled metal cladding for the roof, uPVC windows rainwater goods and aluminium doors and windows. The building will have a similar appearance to the previous mobile structure on the site and to that approved under LA01/2019/0326/F. The building is of a modest scale and views will only be readily achievable from within the application site/area of open space and from the immediately adjacent houses. The building will satisfactorily integrate within the site and is appropriate to the area in terms of land use scale and design, meeting with Policy DES2 of a Planning Strategy for Rural Northern Ireland.

### **Relationship to adjacent properties**

- 8.9 The application site is located in close proximity to dwellings at both Beech Rd to the west and Rushie Park to the north. The proposed building is sited approximately 8.5m from the curtilage of No. 14 Beech Rd and approximately 23m from its rear façade. There are two windows on the western façade of the proposed building which are aligned with the rear garden of No. 14 however these serve WC rooms. It is anticipated that such windows will use obscured glazing to maintain privacy, however this issue can be reinforced by way of condition. Additionally, there is mature vegetation along the western site boundary which will provide screening from the site. The scale and design of the building will not have an unacceptable impact on amenity through loss of light or privacy.



- 8.10 The building proposes to install an air source heat pump. Initially it was proposed to install the heat pump in the western façade of the building, however due to comments from Environmental Health regarding a potential impact on residential amenity due to operational noise the heat pump was relocated to the rear façade of the building. Environmental Health were re-consulted with the amended plans and offer no objection subject to a planning condition requiring noise levels to be at an acceptable level in proximity to habitable rooms at No. 14.

### **Access and Parking**

- 8.11 Access to the application site will continue to utilise the existing access via the adjacent housing development at Beech Rd. DFI Roads were consulted on the proposal and offer no objections. The proposal complies with Policy AMP2 of PPS3 in that it will not prejudice road safety.
- 8.12 Policy AMP 7 of PPS3 states that development proposals will be required to provide adequate provision for car parking and appropriate servicing arrangements in line with their published standards. The document entitled 'Parking Standards' provides the parking standards for a variety of development types but is silent on community buildings of the nature proposed.
- 8.13 The proposal includes the provision of a new area of bitmac which will accommodate 12 parking space. Given the scale and nature of the proposal the Planning Department are content that the provision of 12 parking spaces is satisfactory in that the application site is located within a reasonable walking distance for the majority of Drumsurn residents. Additionally, a requirement to provide additional parking spaces, above that proposed would result in a loss of formalised open space, which would be contrary to Policy OS1, with no substantial community benefits to be gained from its loss.

### **Flood Risk**

- 8.14 The north west corner of the application site is identified as being within a fluvial floodplain. This area is currently occupied

by a children's playpark, which does not form part of the current application. The proposed works to formalise the car park area do not extend further into the floodplain than already exists and does not propose to increase the levels of the site. As such there will be no impact upon the extent of floodplain/flooding both within and beyond the application site. The extent of car parking reflects that granted within the extant planning approval LA01/2019/0326/F. A pathway leading from the car park to the playground was initially proposed within the identified floodplain. Amended plans have been submitted to re-site the path to outside the floodplain. The proposed community building is sited outside of the fluvial floodplain.

- 8.15 DFI River have been consulted on the application and offer no objections to the proposed building however, advise that the finished floor level of the building is provided at 600mm above current ground level. The submitted plans indicate that the building is to be sited 600mm above current ground level. The Planning Department are satisfied that the proposal does not offend Policy FLD1 of PPS15.
- 8.16 Due to the presence of a watercourse along the western site boundary DFI Rivers requested that a 5m maintenance strip is provided and kept free from impediment in line with the requirements of Policy FLD2. Amended Plans have been submitted which provided for a maintenance strip along the western site boundary. The Proposal meets with Policy FLD2.
- 8.17 Due to the size and nature of the proposed development a Drainage Assessment is not required under Policy FLD3 of PPS15.

### **Natural Heritage**

- 8.18 The application site contains a watercourse which runs along the western boundary which provides a hydrological connection to the River Roe and Tributaries ASSI/SAC via the Rushie Park Drain site into the Castle River and into the River Roe, therefore distant hydrological connections are also likely to exist to the Lough Foyle ASSI/SPA/RAMSAR site and Roe Estuary NNR. Given the location of the application site and the physical characteristics of the site a Biodiversity Checklist and

Preliminary Ecological Appraisal (PEA) were submitted to assess the ecological value and potential impact of the development on habitats, species and designated sites.

- 8.19 In addition, an outline Construction Environment Management Plan was submitted to outline the pollution prevention measures to be implemented in order to avoid pollution of the watercourse.
- 8.20 The PEA found no evidence of badgers or otters or other protected species within the site and is classified as being of moderate quality for foraging and commuting bats and low ecological value for birds. The PEA provides for mitigation in order to avoid adverse impact on habitats and species including the retention of and avoidance of excessive illumination of existing vegetation within the site, timing of vegetation removal and implementation of appropriate pollution prevention measures in proximity to the watercourse.
- 8.21 DAERA Natural Environment Division were consulted on the application and having considered the content of the supporting information have no objections to the proposal subject to mitigation by way of conditions. The Planning Department are satisfied that the proposal will not have any significant adverse impact on any European or National designated site or protected or priority habitats or species in accordance with the policy requirements of the SPPS and PPS2.

### **Habitat Regulations Assessment**

- 8.22 A hydrological connection exists to the River Roe and Tributaries SAC via the Rushie Park Drain running through the west of the site into the Castle River and into the River Roe, with distant hydrological connections also likely to exist to the Lough Foyle Special Protection Area/RAMSAR site.
- 8.23 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). Following an appropriate assessment in accordance with the Regulations

and having considered the nature, scale, timing, duration and location of the project, SES advises the project would not have an adverse effect on the integrity of an European site either alone or in combination with other plans or projects subject to the implementation of appropriate mitigation in the form of the submission of a final Construction Environment Management Plan (CEMP) by the appointed contractor prior to the commencement of development.

- 8.24 Causeway Coast and Glens Borough Council in its role as the competent Authority under the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended), and in accordance with its duty under Regulation 43, has adopted the HRA report, and conclusions therein, prepared by Shared Environmental Service, dated 09/08/2023. This found that the project would not have an adverse effect on the integrity of any European site.

### **Renewable Energy**

- 8.25 Policy RE1 of PPS18 states that development that generates energy from renewable resources will be permitted provided the proposal, and any associated buildings and infrastructure, will not result in an unacceptable adverse impact on:
- (a) public safety, human health, or residential amenity;
  - (b) visual amenity and landscape character;
  - (c) biodiversity, nature conservation or built heritage interests;
  - (d) local natural resources, such as air quality or water quality;
  - and
  - (e) public access to the countryside.
- 8.26 The application proposes the installation of 30 photovoltaic panels on the roof of the proposed building and an air source heat pump on the rear elevation of the building. No consultees have raised any objection to the proposed renewable energy technologies. Given the nature of the renewable energy sources it is considered unlikely that they will have an adverse impact on public safety, human health, biodiversity, nature conservation or built heritage interests or upon local natural resources.

- 8.27 As outlined above at paragraphs 8.10 Environmental Health were consulted in regard to the proposed air source heat pump and offer no objection subject to a planning condition requiring noise levels to be at an acceptable level in proximity to habitable rooms at No. 14. Planning officials are satisfied that the proposal will not have an adverse impact on residential amenity.
- 8.28 The application site is located within a well enclosed site within the village of Drumsurn. The application site is bounded by mature vegetation which provide screening to the proposed development from outside of the application site. Views of the proposal will only be readily attainable from within the application site, and the immediately adjacent lands to the north and west. In the context of the development the photovoltaic panels and air source heat pump will not have any significant visual impact and will not have any impact on visual amenity or landscape character.
- 8.29 The application site is within the village of Drumsurn. As such, and the proposed development will not restrict access to the countryside.
- 8.30 In addition to Policy RE1 the proposal also meets with Policy RE2 of PPS18.

### **Archaeology**

- 8.31 The application site is located within the consultation zone of site LDY017:062 (Ecclesiastical Site).
- 8.32 Historic Environment Division: Historic Monuments have been consulted on the application however, to date, have not provided a formal response. The area on which development is proposed within this application matches that of previous planning application LA01/2019/0326/F, which HED were consulted on and offered no objections. Given the previous comments from HED in relation to the application site, officials are satisfied that the proposal is satisfactory to SPPS and PPS 6 archaeological policy requirements.

## **9.0 CONCLUSION**

9.1 The proposal is considered acceptable at this location having regard to the Northern Area Plan and other material considerations including the SPPS, PPS 2, PPS3, PPS6, PPS8, PPS 15 and the Planning Strategy for Rural Northern Ireland. The design is appropriate for the location and the proposal will have an acceptable relationship with neighbouring development or feature of natural heritage importance. 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. A minimum 5m buffer from the watercourse, as indicated on approved Drawing 02 REV 03 must be protected from impediments (including tree planting, hedges, permanent fencing and sheds), land raising or future unapproved development.

Reason: For the protection of flood defence and drainage infrastructure.

3. No development shall take place on site until all existing trees shown on approved Drawing 02 REV 03 as being retained shall be protected by appropriate fencing in accordance with British Standard 5837:2012 Trees in relation to design, demolition and construction - Recommendations. 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 other than in accordance with the approved plans and particulars, without the written approval of the Planning Authority.

Reason: To protect the biodiversity value of the site, including protected species.

4. The existing natural screenings, along the western and southern boundaries of this site, shall be permanently retained, unless necessary to prevent danger to the public in which case a full explanation shall be given to the Council in writing prior to their removal.

Reason: To ensure the development integrates into the surroundings and to ensure the maintenance of screening to the site.

5. During construction, a buffer of at least 5m must be established and maintained between any drainage ditches/ watercourses and the location of all refuelling, storage of oil/fuel, concrete mixing and washing areas, storage of machinery/material/spoil etc.

Reason: To protect the aquatic environment.

6. Prior to discharge to the watercourse, any surface water generated during the construction phase must first pass through appropriate treatment, such as silt fencing.

Reason: To prevent any adverse effect to River Roe and Tributaries SAC downstream of proposal.

7. At least 8 weeks prior to the commencement of development the appointed contractor must submit a Final Construction Environmental Management Plan (CEMP) for approval by Causeway Coast and Glens Borough Council Planning. This plan must contain all the appropriate environmental mitigation as contained within the site specific Outline CEMP by Taggart Consulting May 2023 and as advised by NIEA WMU and NIEA NED in their responses to the consultation dated 03/05/2023.

Reason: To ensure that the appointed contractor is aware of and implements the appropriate environmental mitigation during construction phase that will negate effects on the hydrologically connected features of River Roe and Tributaries SAC.

8. The proposed floor level of the development shall be set a minimum of 600mm above the current ground level.

Reason: In the interests of visual amenity and to ensure the development is not at risk from the adjacent watercourse.

### 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



# Proposed Site Layout

