

<b>Title of Report:</b>	<b>Planning Committee Report – LA01/2021/0423/O</b>
<b>Committee Report Submitted To:</b>	<b>Planning Committee</b>
<b>Date of Meeting:</b>	<b>24<sup>th</sup> April 2024</b>
<b>For Decision or For Information</b>	<b>For Decision – Objection 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	Development Management and Enforcement Manager

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

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

<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:

**No:** LA01/2021/0423/O

**Ward:** Clogh Mills

**App Type:** Outline

**Address:** 31 to 33 Main Street, Cloughmills Ballymena.

**Proposal:** Outline planning application for proposed new housing development consisting of 4 no. new 2.5 storey semi-detached dwellings with front and rear amenity space and communal car parking to rear, on site of former PSNI Station at 31 to 33 Main Street, Cloughmills

**Con Area:** N/A

**Valid Date:** 12.04.2021

**Listed Building Grade:** N/A

**Agent:** A.C.E Architectural Services Ltd. 138 Queen Street, Ballymena BT42 2BQ.

**Applicant:** A and L Developments Ltd. 10b Buckna Road, Broughshane. Ballymena. BT42 4NJ.

**Objections:** 7      **Petitions of Objection:** 0

**Support:** 0      **Petitions of Support:** 0

## Executive Summary

- Outline planning permission is sought to replace existing disused police station with four number 2 ½ storey dwellings.
- The site is located within the settlement development limit of Cloughmills.
- 7 representations have been received from 6 addresses.
- No objections have been raised by statutory consultees in relation to the proposal.
- Subject to Reserved Matters the proposal is considered to provide an acceptable residential environment with no significant impact on character, privacy or residential amenity. The site has been demonstrated as acceptable for the development proposed and access arrangements and amenity provision is acceptable. The proposal is considered acceptable in this location having regard to the Northern Area Plan and other material considerations including Policy LC1 of PPS7 Addendum and Policy QD1 of PPS7.
- The application is recommended for Approval.

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

## 1 RECOMMENDATION

- 1.1 That the Committee has taken into consideration and agrees with the reasons for 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 SITE LOCATION & DESCRIPTION

- 2.1 The subject site comprises a rectangular and fairly level roadside site extending to approximately 0.09 ha located along Main Street, Cloughmills. The site is set to the immediate rear of the public footpath and consists of a disused police station compound. The site is entirely enclosed with security walling and fencing to both sides and to the rear of the site which extend to approximately 8m in height.
- 2.2 The existing built form comprises a low-set, fairly large linear building set to the front of the site with blank elevation forming the roadside boundary. The remainder of the site appears to comprise an open yard with a small, separate building set to the rear of the site. The rear site boundary backs onto a communal laneway which is accessed from Main Street to the immediate south of No 35 and serves the rear of the adjacent properties and nearby agricultural buildings.
- 2.3 Adjacent residential properties exist to either side. No 35, located to the immediate south comprises a large, detached, two storey dwelling with hipped roof and is set on a large plot immediately adjacent the existing police station. To the opposite (northern) side of the site, development comprises a number of two storey, semi-detached dwellings, some of which have been converted to ground floor retail / hot food takeaway. A large petrol filling station and convenience store exists further north along Main Street. A local primary school and grounds is located on the opposite side of the public road from the subject site.

- 2.4 The site is located within the defined SDL of Cloughmills village and is not zoned for any specific use (whiteland). The western boundary of the laneway to the rear of the site forms part of the defined SDL. The surrounding character comprises a variety of uses including a number of residential properties within the immediate site context on the western side of Main Street, with commercial / retail premises further north. The opposite side of Main Street is dominated by a local primary school with residential properties beyond this.
- 2.5 The site falls within the consultation zone of a known archaeological site.

### **3 RELEVANT HISTORY**

D/1988/0258 - Demolition of vacant dwelling (No 29) to form new access to police station. Permission Granted.

D/2014/0141/O - 31-33 Main Street, Cloughmills. Proposed Two number Detached Two Storey Apartment Development. Total 8 No. Two Bedroom Apartments with Associated On-Site Car Parking. Permission refused 5-10-2015.

### **4 THE APPLICATION**

- 4.1 Outline planning application is sought for a proposed new housing development located on site of former PSNI Station at 31 to 33 Main Street, Cloughmills, consisting of 4 no. new 2.5 storey semi-detached dwellings with front and rear amenity space and communal car parking to rear.

### **5 PUBLICITY & CONSULTATIONS**

#### **External**

- 5.1 None

#### **Internal**

Statutory      NI Water      Advice

Advice and Guidance Environmental Health Dept. Substantive Response

Statutory	NI Electricity	Standing Advice
Statutory	HED	Content
Statutory	DFI Roads	Advice
Statutory	DFI Rivers	Content
Statutory	NIEA (WMU)	
	NIEA (RU)	
	NIEA (NED)	Content

## **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 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)

The Regional Development Strategy (RDS) is a material consideration.

6.3 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.

6.4 Due weight should be given to the relevant policies in the development plan.

6.5 All material considerations and any policy conflicts are identified in the “Considerations and Assessment” section of the report.

## **7 RELEVANT POLICIES & GUIDANCE** RDS – 2035.

Northern Area Plan 2016.

Strategic Planning Policy Statement for NI (SPPS)

PSRNI

SP18 – Design In Towns And Villages– To promote high standards of siting and design within towns and villages.

DES2- Townscape - To require development proposals in towns and villages to make a positive contribution to townscape and be sensitive to the character of the area.

PPS2 – Natural Heritage.

PPS6 – Planning, Archaeology and the Built Heritage.

PPS7 – Quality Residential Environments

Policy QD1 – Quality in New Residential Development.

Addendum to PPS7 – Safeguarding the Character of Established Residential Areas.

PPS 12 – Housing in Settlements.

PPS 15 – Planning and Flood Risk (Revised).

## **Guidance**

DCAN 8 Housing in existing urban areas

Creating Places

## **8 CONSIDERATIONS & ASSESSMENT**

- 8.1 The main considerations in the determination of this application relate to the principle of development, quality of residential environment, impact on surrounding amenity, impact on character and access / parking.

### **Principle of Development**

- 8.2 A previous application for apartment development was submitted under D/2014/0141/O and subsequently refused on 5/10/2015.

- 8.3 The current application was submitted on 12/4/2021 for outline permission for 14 apartments and has been subsequently amended to 4 dwellings (two pairs of semi-detached). The Northern Area Plan 2016 identifies the site as being located within the settlement development limit of Cloughmills.
- 8.4 The RDS 2035 seeks to promote more sustainable housing development within existing urban areas through encouraging compact urban forms as well as promoting more housing within existing urban areas by recycling land and buildings and by making use of other suitable sites. The RDS emphasises the need for the creation of high-quality accessible housing within existing urban areas without causing unacceptable damage to the local character and environmental quality or residential amenity of these areas.
- 8.5 The Strategic Planning Policy Statement for N. Ireland (SPPS) promotes sustainable development throughout the planning system. The guiding principle for planning authorities is that sustainable development should be permitted, having regard to the development plan and all other material considerations, unless the proposed development will cause demonstrable harm to interests of acknowledged importance. With regard to housing in settlements, the SPPS states that the use of greenfield land for housing should be reduced and more urban housing accommodated through the recycling of land and buildings and the encouragement of compact town and village forms.
- 8.6 The SPPS was introduced in September 2015 and is a material consideration in determining planning applications and appeals. The SPPS states that a transitional period will operate until such times as a Plan Strategy for the whole of the Council area has been adopted. During this transitional period existing policy contained within identified policy documents will be applied together with the SPPS.
- 8.7 The SPPS and planning policy supports the principle of the reuse or replacement of an existing dwelling within the urban area to provide additional residential units subject to the proposal satisfying relevant planning policies. Para 6.137 of the SPPS states, *the use of greenfield land for housing should be reduced and more urban housing accommodated through the*



*recycling of land and buildings and the encouragement of compact town and village forms.*

- 8.8 PCP1 of PPS12 promotes increased density in housing development where appropriate, in line with the RDS by encouraging more compact urban forms. PCP1 also states that in established residential areas any increase in housing density needs to be handled sensitively in relation to character, environmental quality, amenity, density, form, scale massing and layout to prevent town cramming
- 8.9 The site comprises a disused police station with existing built form remaining on site and consists of a brownfield site located within the defined Settlement Development Limits of Cloughmills village. The site is not zoned for any specific use and the western boundary of the adjacent laneway to the rear forms part of the defined SDL. The character of the area is mixed but includes significant residential immediate adjacent and within the context of the site.
- 8.10 Based on the location of the site within the defined settlement development limit as well as the character of the area, the principle of development is considered acceptable subject to all other planning and environmental considerations.

### **Quality of Residential Environment and Impact to Amenity**

- 8.11 Although an outline permission, the application is prescriptive and therefore it is necessary to ensure the principle of development is not only acceptable but that the site is capable of accommodating the form of development as described.
- 8.12 The Policy QD1 of PPS7 (Quality Residential Environments) states that planning permission will only be granted for new residential development where it is demonstrated that the proposal will create a quality and sustainable residential environment.
- 8.13 All proposals for residential development will be expected to conform to all the following criteria:

- 8.14 *(a) the development respects the surrounding context and is appropriate to the character and topography of the site in terms of layout, scale, proportions, massing and appearance of buildings, structures and landscaped and hard surfaced areas;*
- 8.15 The existing site comprises a derelict police station which appears incongruous within the remainder of the current streetscape. The character of the immediate area is mixed but includes a variety of detached and semi-detached dwellings some of which have been altered. No 35 exists to the immediate south of the site and comprises a detached suburban two storey dwelling with landscaped garden. To the north of the site, existing development comprises three pairs of semi-detached properties fronting directly onto the public footpath with pedestrian access between. These properties would have historically formed part of a fairly traditional Irish market town streetscape, comprising modest, two storey dwellings with pitched roofs, ridgeline internalised chimneys and slate roofs. These properties form a fairly strong building line, albeit over a short distance and have been the subject of a number of alterations including a change of use to the ground floor of at least two of the properties providing a takeaway and butchers. The rear of the site backs onto an existing laneway which forms the defined settlement development limit with agricultural land extending west.
- 8.16 As an outline application, full design details have not been proposed. However, a design concept plan has been submitted in conjunction with the amended description which describes the proposed development as an outline planning application for proposed new housing development consisting of 4 no. new 2.5 storey semi-detached dwellings.
- 8.17 The proposed concept plan indicates two pairs of semi-detached dwellings with a pedestrian access between the two blocks and communal vehicular access to the northern extent which is redolent of the existing character adjacent the site and is appropriate to the site context. The footprints are comparable to neighbouring properties and the proposal incorporates small areas of defensible space to the front of the properties, which, although not characteristic of the immediate context, generally retains the existing building line and character.

- 8.18 While existing properties are fairly modest two storey properties, if handled sensitively, the addition of 2 ½ storey properties within the streetscape would not be unacceptable subject to modest increase in height as well as suitable design taking account of the existing character and potential impact on surrounding properties. Finished floor levels are not indicated and will be a required of Reserved Matters to prevent inappropriate underbuild and subsequent impact on the streetscape.
- 8.19 The proposed layout incorporates enclosed private amenity areas as well as in-site communal parking to the rear of the properties which has no visual impact from the site frontage, is reflective of the backland nature of areas to the rear of adjacent properties and retains the character of the streetscape. As part of a Reserved Matters application, full details of all demolition will be required including alterations to existing security walls which form the existing boundaries. The submitted concept plan indicates proposed boundary planting to the rear portion of the site. Additional details will be required regarding feasibility of such planting although it is not a likely requirement given the existing site character and context.
- 8.20 The proposed concept generally respects the surrounding context and topography of the site and is generally reflective of the overall surrounding character in terms of layout, scale, proportions, etc.
- 8.21 *(b) Features of the archaeological and built heritage, and landscape features are identified and, where appropriate, protected and integrated in a suitable manner into the overall design and layout of the development;*
- 8.22 The site is within the consultation zone of an archaeological site (rath) but is not within the vicinity of any listed buildings. A local landscape policy area exists further south, and the subject site does not comprise any existing landscape features. HED has been consulted in relation to the potential impact on archaeological sites / built heritage. HED (Historic Monuments) has 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 requirements.

- 8.23 Paragraph 4.28 of PPS7 outlines that the integration of development at the edges of settlements is important, and buffer planting, generally of indigenous species (around 8-10 metres in depth), will be required to help assimilate and soften its impact on the countryside. The existing settlement boundary is outside the subject site and is poorly defined at this location. The proposal satisfies criterion (b).
- 8.24 *(c) adequate provision is made for public and private open space and landscaped areas as an integral part of the development. 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 in its integration with the surrounding area;*
- 8.25 The site proposes two pairs of semi-detached dwellings within an urban context. Policy does not require the provision of public open space for a development of this scale.
- 8.26 The proposed dwellings indicated in the concept plan extend to approximately 8.6m x 6.5m which would equate to an overall floorspace of approximately 112 sqm over 2 floors and retains a good level of private amenity around each dwelling. Any proposed dwelling design will be required to meet the required space standards outlined in Annex A of the Addendum to PPS7.
- 8.27 Para 4.31 of Policy QD1 states that well-designed space around buildings can add greatly to the attractiveness of a development and that the provision of adequate garden space is particularly important for new family dwellings. While varying levels of private amenity space is acceptable "Creating Places" recommends that for houses, private back gardens should be around 70sqm per house or greater, while smaller areas will be more appropriate for smaller houses with 1 or two bedrooms. Creating Places also determines that an area of around 40sqm will generally be unacceptable. The type / level of accommodation proposed is not indicated as part of this outline application, however the proposal is likely to relate to family dwellings (approx. 3 - 4 bed). The level of amenity space provided is towards the lower end of the acceptable spectrum at approximately 45 sqm. However, given it's location within the centre of the village, with public amenities and services within short walking distance, the level of amenity provision within a

small development of this nature is considered acceptable. The amenity space allows provision of small recreational areas as well as storage for bins, washing lines and other domestic paraphernalia. Amenity areas are enclosed which provides separation from communal parking and turning areas creating safe, private and practical areas.

- 8.28 A suitable condition regarding any fencing / landscaping details will be necessary as part of any Reserved Matters. The proposal satisfies criterion (c).
- 8.29 *(d) adequate provision is made for necessary local neighbourhood facilities, (e) a movement pattern is provided that supports walking and cycling, meets the needs of people whose mobility is impaired, provides adequate and convenient access to public transport and (f) adequate and appropriate provision is made for parking;*
- 8.30 Walking and cycling is practical and public footpaths exist along both sides of Main Street as does access to the public transport network insofar as it serves Cloughmills village (the village is located within proximity of a nearby park and ride facility provided as part of the A26 Dualling scheme).
- 8.31 Communal, in-site parking is provided for the proposed development comprising 8 parking spaces while additional on-street parking exists within the surrounding site context. DFI Roads has been consulted regarding the proposed access and parking arrangements and no road safety concerns or objections have been raised based on relevant standards. DFI Roads propose the inclusion of a condition. Refuse collection will be via the existing road frontage with a pedestrian walkway between the two blocks of semis and vehicular access to the northern extent of the site.
- 8.32 *(g) the design of the development draws upon the best local traditions of form, materials and detailing;*
- 8.33 As an outline application, specifics regarding form, materials and detailing are not provided. The concept plan indicates two pair of semi-detached dwellings in a form which is in keeping with the existing urban context. The residential character of the area

comprises fairly simple semi-detached properties with pitched roofs and a mix of finishes.

- 8.34 Some variety exists in ridge heights between existing semi-detached properties. The design of the proposed 2 ½ storey properties submitted at Reserved Matters must be cognisant of existing dimensions. Some increase in height is acceptable to facilitate the additional accommodation in the description and this appears to be feasible in a manner which will not appear incongruous in the context. Full design details will be assessed at Reserved Matters stage.
- 8.35 Annex A of The Addendum to PPS7 (Safeguarding the Character of Established Residential Areas) outlines the minimum internal space standards required for dwellings based on the level of accommodation. The proposal appears capable of meeting the necessary space standards.
- 8.36 *(h) the design and layout will not create conflict with adjacent land uses and there is no unacceptable adverse effect on existing or proposed properties in terms of overlooking, loss of light, overshadowing, noise or other disturbance; and*
- 8.37 In terms of conflict with adjacent land uses, the site is within a residential area and the concept plan indicates a layout which can be developed without significant impact on neighbouring properties.
- 8.38 The existing building / use on site retains security paraphernalia which would have impacted on privacy of neighbouring properties. The proposed use will remove these along with much of the existing security walling which currently dominates adjacent dwellings.
- 8.39 The existing building line is generally respected as per the concept plan but does have the potential to introduce some additional overlooking due to a front-to-back relationship between the proposed dwellings and No 35. The existing boundary walls are extensive and could be partially retained in a manner which reduces the sense of dominance to No 35 while retaining an appropriate level of screening. No 35 includes a first-floor gable window, and any proposed design at Reserved Matters must take account of surrounding properties and context

to ensure an unacceptable impact on neighbouring properties does not arise.

- 8.40 No 27 Main Street which forms the northern boundary, comprises a blank elevation facing the site. The proposal incorporates vehicular access adjacent his property creating a reasonable buffer between existing and proposed properties. Although the vehicular access may introduce some additional noise, any traffic entering or exiting the site will be very slow moving and noise levels are likely to be limited. EHD has not raised any specific concerns regarding the impact of noise on existing residential properties. As 2 ½ storey properties are proposed, the potential impact from ridge height, overshadowing and privacy / overlooking will be a key consideration and the use of rooflights at second floor level could aid in preventing privacy issues. The most private rear amenity area to the rear of No 35 remain well screened from the northern boundary due to existing garage and outbuildings which form part of this property.
- 8.41 The previous use as a police station has the potential for on-site contamination as a result of vehicle and security equipment storage. Consultation has been carried out with NIEA and Environmental Health regarding potential contamination of soil or groundwater on site. NIEA (WMU) Water Management Unit has no objection to the proposal and refer to Standing Advice.
- 8.42 NIEA – Reg Unit (RU) required the submission of a Preliminary Contaminated Land Risk Assessment (PRA) to assess the potential impact from previous activities onsite. A Phase 1 Preliminary Risk Assessment (PRA) has been completed which includes a Conceptual Site Model (CSM). The outline CSM developed in the Phase 1 PRA has identified potential human health and environmental risks associated with the site, primarily due to the long history of use of the site as a secure police station. The site was the subject to redevelopment following a bomb blast and has the potential for associated storage and use of some hydrocarbons on the site (not confirmed). The site would appear to have some previous use prior to this historically and as such made-ground is identified as likely to be present. Based upon the information assessed, the PRA identifies the potential risk to human health and the environment as Low-Moderate Risk. Given the presence of the identified pollutant linkages, it was recommended that these are further investigated

and quantified by way of an intrusive site investigation and subsequent Phase 2 Generic Quantitative Risk Assessment (GQRA).

- 8.43 A Phase 2 Generic Quantitative Risk Assessment (GQRA) has subsequently been completed which indicates that made-ground / infill was encountered in all 3 completed boreholes reaching a maximum depth of 1.2m. A visual and olfactory examination of the borehole arisings indicated no obvious contamination. Soil analysis indicated the presence of SGV exceedances relating to the PAH`s in one sample only (BH2 0.4m). With regards to these SGV exceedances, an unacceptable pollutant linkage was concluded in the revised CSM, and as such, a remedial measure has been proposed, consisting of 600mm clean cover layer in all soft landscaping areas.
- 8.44 The proposed remedial measure is subject to approval by the local authority prior to the start of site works. Groundwater sampling and analysis on all 3 No. boreholes indicated no obvious impact. A gas risk assessment carried out at the site has classified the site as CS1 (very low risk) with no specific gas protection measures considered to be required.
- 8.45 Reconsultation with NIEA (RU) states that as part of the Generic Quantitative Risk Assessment no unacceptable risks to the water environment are identified. Regulation Unit Land and Groundwater Team have no objection to this application subject to conditions and informatives as provided. Environmental health also raises no objections subject to proposed conditions.
- 8.46 On this basis the subject site appears to be suitable for the proposed use and no significant health or safety issues have been identified as a result of contamination.
- 8.47 The site does not negatively affect any designations or landscape features including those as part of the nearby LLPA or archaeology.
- 8.48 NIE infrastructure exists within the site context and NIE has been consulted in relation to the proposal. No objections have been raised subject to proposed development taking account the position of any NIE Networks' equipment in the area to ensure safety.



- 8.49 The applicant has indicated that surface water and foul sewage will be disposed of via public infrastructure. NIW has confirmed that there is a public foul sewer within 20m of the proposed development boundary which can adequately service the proposal and available capacity exists at the serving wastewater treatment works. NIW propose conditions.
- 8.50 The current proposal is considered to meet criterion h of Policy QD1.
- 8.51 *(i) the development is designed to deter crime and promote personal safety*
- 8.52 The proposal only includes privately owned areas and therefore will not promote or accommodate anti-social behaviour.
- 8.53 Additional criteria are introduced in Policy LC1 of the Addendum to PPS7 Protecting Local Character, Environmental Quality and Residential Amenity. This states that in established residential areas planning permission will only be granted for the redevelopment of existing buildings, or the infilling of vacant sites (including extended garden areas) to accommodate new housing, where all the criteria set out in Policy QD 1 of PPS 7, and all the additional criteria set out below are met:
- 8.54 (a) The proposed density is not significantly higher than that found in the established residential area;
- 8.55 (b) The pattern of development is in keeping with the overall character and environmental quality of the established residential area; and
- 8.56 (c) The footprint of the dwelling units indicates that they are capable of meeting the minimum standards set out in Annex A.

### **Habitats Regulation Assessment**

- 8.57 The application has been considered in light of the assessment 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 Council which is the competent authority responsible for authorising the project.

- 8.58 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.

### **Natural Heritage**

- 8.59 The application is for outline planning permission for the demolition of two buildings on the site of a former PSNI station. NED were previously consulted with a Biodiversity Checklist and a Preliminary Roost Assessment Report. Buildings on the site were classed as having Bat Roost Potential, and in response dated 25th October 2021 NED requested the submission of further information, i.e. further bat emergence/re-entry surveys. These have been provided and NIEA NED has raised no further objections subject to proposed conditions relating to obtaining a protected species licence, provision of a lighting plan as part of the Reserved Matters and restriction of development outside the bird breeding season. The submitted scheme indicates the inclusion of bat boxes on the rear boundary wall which is to be retained.

### **Drainage / Flooding**

- 8.60 The development site does not lie within the 1 in 100 year fluvial or 1 in 200 year coastal flood plain and there are no watercourses which are designated under the terms of the Drainage (Northern Ireland) Order 1973 within this site.
- 8.61 The proposal has been amended from 14 units to 4 units and as such a Drainage Assessment is not required as the proposal does not exceed any of the thresholds outlined in FLD 3 of PPS 15 (Revised).

### **Representations**

- 8.62 Seven representations have been received from 6 separate address.
- 8.63 The objections primarily relate to the original scheme which proposed a 3 storey apartment block containing 14 apartments.

The residential scheme has since been significantly reduced to four semi-detached dwellings which are 2 ½ storeys in height. The representations raise a number of issues including:

- 8.64 Impact on Character / unacceptability of apartment development: The scheme has been significantly reduced and now proposes 4 semi-detached dwellings which are 2 ½ storey in height. Residential development is appropriate within the locality and the concept plan and description indicates a form of development which is considered appropriate to the site context.
- 8.65 Privacy / Overlooking/ Loss of light. Existing neighbouring properties are two storey and positioned to the north and south of the subject site. The proposed dwellings are positioned to the front of the site and will cause some overshadowing to the front garden of No 35 early in the morning and some to No 27 late in the evening. However, the existing premises currently incorporates extensive built form including security walling around the entire site perimeter. The current proposal is unlikely to result in significant overshadowing or loss of light given the positioning relative to existing properties and the fact that it relates to modest 2 ½ storey dwellings.
- 8.66 Traffic volume / Parking / Access / Road safety. A number of representations reference existing traffic volume within the site context and raise concerns regarding additional traffic and impact on road safety associated with the development. The proposal now incorporates 4 dwellings served by 8 communal parking spaces provided within the site. Access arrangements are taken from the northern extent of the site which is comparable to the original access serving the existing police station. A local Primary School exists on the opposite side of the public road and is set within a large site with vehicular access, in-curtilage parking as well as separate on-street parking. The proposed development is modest and will not result in a significant increase in traffic volume. DFI Roads has been consulted regarding the proposed access and parking arrangements and no issues of concern have been raised in relation to parking provision or road safety issues. Proposed construction works may cause some obstruction but is temporary and can be suitable managed. The existing road network is deemed capable of accommodating the proposed development.

- 8.67 Noise / Demolition works. While demolition and construction works will create some level of disturbance to surrounding dwellings, the impact is temporary and can be suitably managed to limit the potential for disruption or disturbance. EHD has been consulted and do not raise any significant issues of concern regarding this matter.
- 8.68 Height: The original scheme proposed 3 storey development encompassing the majority of the site. The current application proposes a reduced scheme which incorporates four dwellings, private amenity areas and communal car parking / turning areas. The existing security walling will be reduced in height and the proposed 2 ½ storey dwellings are considered appropriate to the context subject to appropriate design at Reserved Matters.
- 8.69 Existing access to laneway from No 31-33. The original police station incorporates a security door from the rear boundary onto the adjacent laneway. One representation states that the laneway is within their ownership, and they do not wish this doorway to remain onto the laneway from the proposed development. The submitted concept plan does not incorporate any rear boundary access onto this laneway.

## **9 CONCLUSION**

- 9.1 The proposal is considered acceptable in this location having regard to the Northern Area Plan and other material considerations. The proposal relates to replacement of a disused police station with outline planning permission for four number 2 ½ storey dwellings (two pairs of semi-detached). Subject to Reserved Matters the proposal is considered to provide an acceptable residential environment with no significant impact on character, privacy or residential amenity. The site has been demonstrated as acceptable for the development proposed and access arrangements and amenity provision is acceptable. The proposal is considered compliant with Policy QD1 of PPS7 and LC1 of PPS7 Addendum and is recommended for approval.

## 10 Conditions:

10.1	<p>As required by Section 62 the Planning Act (Northern Ireland) 2011, application for approval of the reserved matters shall be made to the Planning Authority within 3 years of the date on which this permission is granted and the development, hereby permitted, shall be begun by whichever is the later of the following dates:-</p> <ul style="list-style-type: none"><li>i. the expiration of 5 years from the date of this permission; or</li><li>ii. the expiration of 2 years from the date of approval of the last of the reserved matters to be approved.</li></ul> <p>Reason: Time Limit</p>
10.2	<p>Approval of the details of the siting, design and external appearance of the buildings, the means of access thereto and the landscaping of the site (hereinafter called "the reserved matters"), shall be obtained from the Planning Authority, in writing, before any development is commenced.</p> <p>Reason: To enable the Planning Authority to consider in detail the proposed development of the site.</p>
10.3	<p>The dwellings hereby permitted shall be in general conformity with Drawing Nos 03C.</p> <p>Reason: To ensure a satisfactory form of development.</p>
10.4	<p>A scale plan and accurate site survey at 1:500 (minimum) shall be submitted as part of the reserved matters application showing the access to be constructed and other requirements in accordance with the attached form RS1 dated 3 March 2022.</p> <p>Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.</p>

10.5	<p>A plan indicating finished floor levels of the proposed dwellings in relation to existing and proposed ground levels shall be submitted as part of the reserved matters application.</p> <p>Reason: To ensure a satisfactory form of development.</p>
10.6	<p>The depth of underbuilding between finished floor level and existing ground level shall not exceed 0.45 metres at any point.</p> <p>Reason: In the interest of visual amenity.</p>
10.7	<p>The proposed dwellings shall have a ridge height of less than 8.5 metres above finished floor level.</p> <p>Reason: To ensure a satisfactory form of development.</p>
10.8	<p>A landscaping scheme shall be agreed with the Planning Authority at Reserved Matters stage. The scheme shall detail species types, siting and planting distances and a programme of planting for all additional landscaping on the site and will comply with the appropriate standard or other recognised Codes of Practise. The works shall be carried out during the first available planting season after the occupation of the first dwelling.</p> <p>Reason: To ensure the provision of a high standard of landscape.</p>
10.9	<p>A plan indicating details of all fences, walls or any other structures in addition to the proposed dwellings shall be submitted to and agreed with the Planning Authority at Reserved Matters stage.</p> <p>Reason: To ensure that the development is in keeping with the locality.</p>
10.10	<p>Development shall not be occupied until the foul water drainage works on-site and off-site have been submitted to and approved by the relevant authority and constructed by the developer in line with approved design.</p> <p>Reason: In the interest of public health.</p>

10.11	<p>Development shall not be occupied until the surface water drainage works on-site and off-site have been submitted, approved and constructed by the developer and the relevant authority.</p> <p>Reason: To safeguard the site and adjacent land against flooding and standing water.</p>
10.12	<p>If during the proposed development works, any new ground contamination or risks are encountered which have not previously been identified, all works on the site should cease, and the Causeway Coast &amp; Glens Borough Council Environmental Health Department shall be notified immediately and sufficient information to assess potential risks submitted. Any necessary mitigation / remediation measures should be clearly specified. The above work should be undertaken by a suitably competent person/s and in accordance with current government guidance.</p> <p>Reason: To ensure that the development site is suitable for use.</p>
10.13	<p>No development shall be commenced until a Sewer Adoption Agreement has been authorised by NI Water to permit a connection to the public sewer in accordance with the Water and Sewerage Services (Northern Ireland) Order 2006 and Sewerage Services Act (Northern Ireland) 2016</p> <p>Reason: To prevent pollution and to ensure public safety. To ensure compliance with the Water and Sewerage Services (Northern Ireland) Order 2006 and the Sewerage Services Act (Northern Ireland) 2016.</p>
10.14	<p>No development shall take place on-site until the method of sewage disposal has been agreed in writing with Northern Ireland Water (NI Water) or a consent to discharge has been granted under the terms of The Water (NI) Order 1999.</p> <p>Reason: To ensure a practical solution to sewage disposal is possible at this site.</p>
10.15	<p>Development shall not be occupied until the surface water drainage works on-site and off-site have been submitted,</p>

	<p>approved and constructed by developer and the relevant authority.</p> <p>Reason: To safeguard the site and adjacent land against flooding and standing water.</p>
10.16	<p>The contaminated land remediation strategy for the development hereby approved shall be implemented in accordance with the criteria stipulated in the P1163 Phase 2 Generic Quantitative Risk Assessment dated 16-SEPT-2022.</p> <p>Reason: In the interest of public health and to ensure that the development site is suitable for use.</p>
10.17	<p>Prior to occupation of the development herein permitted, a verification report shall be provided to the Planning Authority for agreement. The verification report shall present all the remediation and monitoring works undertaken and demonstrate the effectiveness of the works in managing all waste materials and risks and in achieving the remedial objectives as detailed in the O'Sullivan Macfarlane Outline Remediation Strategy report P1163 dated 16-SEPT- 2022.</p> <p>Reason: Protection of receptors to ensure the site is suitable for use.</p>
10.18	<p>If during the development works, new contamination or risks to the water environment are encountered which have not previously been identified, works shall cease, and the Planning Authority shall be notified immediately. This new contamination shall be fully investigated in accordance with the Land Contamination: Risk Management (LCRM) guidance available at: <a href="https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks">https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks</a>. In the event of unacceptable risks being identified, a remediation strategy shall be agreed with the Planning Authority in writing, and subsequently implemented and verified to its satisfaction.</p> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p>
10.19	<p>No works shall be carried out on building B2 as identified in the Bat Emergence Survey Report undertaken by Allen and Mellon Environmental until a NIEA protected species licence</p>



	<p>has been obtained and evidence of this has been submitted to the planning authority.</p> <p>Reason: To protect bats which are a European protected species.</p>
10.20	<p>At Reserved Matters, a Lighting Plan shall be submitted which provides details of proposed artificial lighting, to include an isolux map showing predicted light spillage across the site. There should be less than 1 Lux of light spill at vegetated boundaries and 0 Lux of light spill on compensatory bat roosts.</p> <p>Reason: To minimise the impact of the proposal on the biodiversity of the site, including protected species.</p>
10.21	<p>No works on the existing buildings shall take place between 1 March and 31 August inclusive, unless a competent ecologist has undertaken a detailed check for active bird's nests immediately before demolition and provided written confirmation that no nests are present/birds will be harmed and/or there are appropriate measures in place to protect nesting birds. Any such written confirmation shall be submitted to the Planning Authority within 6 weeks of works commencing.</p> <p>Reason: To protect breeding birds</p>

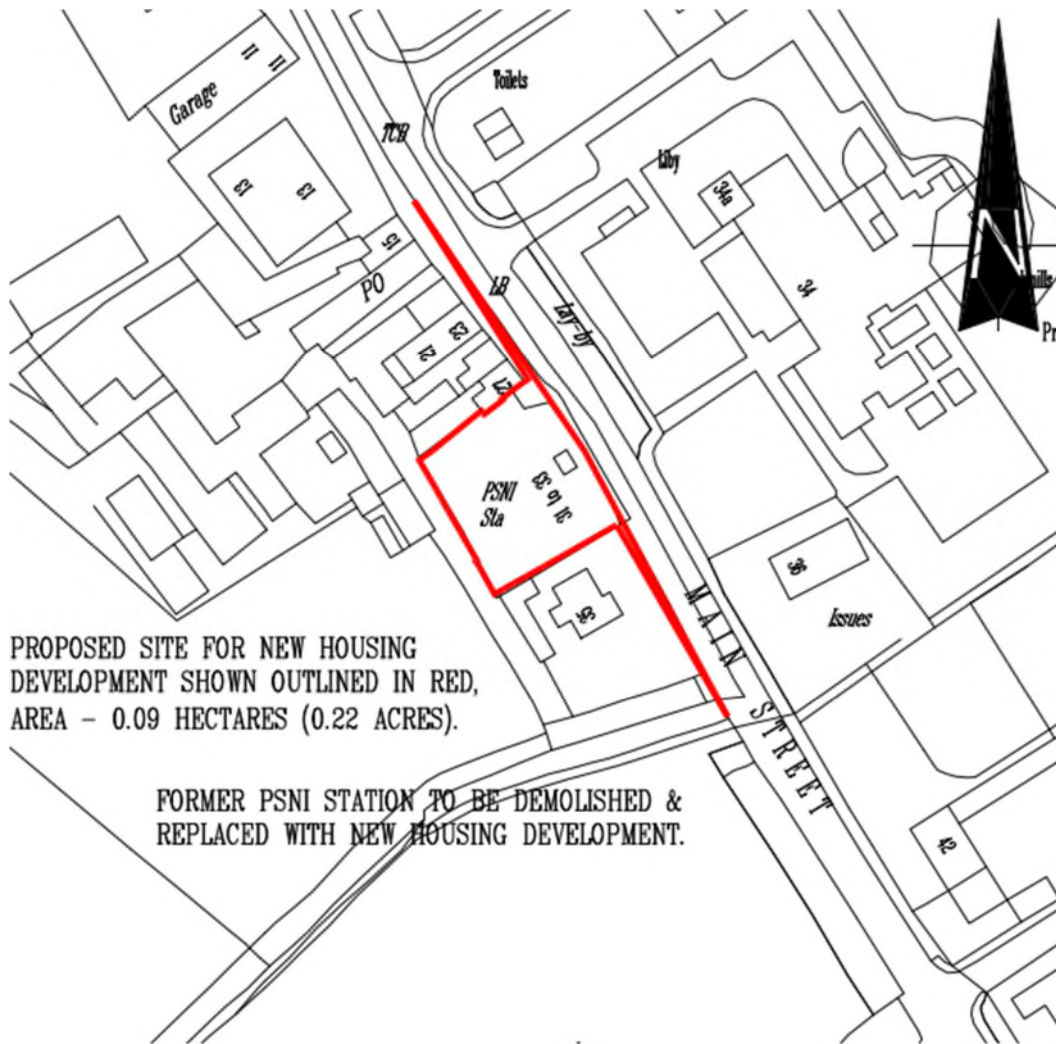
### **Informatives**

10.22	<p>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.</p>
10.23	<p>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.</p>
10.24	<p>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.</p>

10.25	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.
10.26	The applicant is advised to take account of the position of any NIE equipment in the area to ensure safety. The developer should maintain statutory clearance from NIE equipment during the construction phase and also during future maintenance programmes in accordance with HSE Guidance Note GS6. Any infringement of the clearances to NIE equipment may require mitigation work. Any costs associated with this work may be charged to the customer.
10.27	The applicant is advised that the proposed development site is situated within relatively close proximity to extant agricultural buildings and associated agricultural activity. Occupants of the development proposal may suffer intermittent disturbance and loss of amenity, as a result of noise and odour arising from activities associated with extant agricultural business located in the vicinity of the proposed development site. It is advised that recourse under statutory nuisance legislation relating to such impacts may be precluded to future owner/occupiers.
10.28	Developers should acquaint themselves of their statutory obligations in respect of watercourses as prescribed in the Drainage (Northern Ireland) Order 1973 and consult the Rivers Agency of the Department of Agriculture accordingly on any related matters.
10.29	Any proposals in connection with the development, either temporary or permanent which involve interference with any watercourse at the site:- such as diversion, culverting, bridging; or placing any form of structure in any watercourse, require the written consent of the Rivers Agency. Failure to obtain such consent prior to carrying out such proposals is an offence under the Drainage Order which may lead to prosecution or statutory action as provided for.

10.30	Any proposals in connection with the development, either temporary or permanent which involve additional discharge of storm water to any watercourse require the written consent of the Rivers Agency. Failure to obtain such consent prior to permitting such discharge is an offence under the Drainage Order which may lead to prosecution or statutory action as provided for.
10.31	If, during the course of developing the site, the developer uncovers a watercourse not previously evident, he should advise the local Rivers Agency office immediately in order that arrangements may be made for investigation and direction in respect of any necessary measures required to deal with the watercourse.
10.32	The purpose of Conditions 17 and 18 is to ensure that the site risk assessment and remediation work is undertaken to a standard that enables safe development and enduse of the site such that it would not be determined as contaminated land under the forthcoming Contaminated Land legislation i.e. Part III of the Waste and Contaminated Land Order (NI) 1997. It remains the responsibility of the developer to undertake and demonstrate that the works have been effective in managing all risks.
10.33	The applicant 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 <a href="http://epicpublic.planningni.gov.uk/publicaccess/">http://epicpublic.planningni.gov.uk/publicaccess/</a> .

## Site Location



PROPOSED SITE FOR NEW HOUSING DEVELOPMENT SHOWN OUTLINED IN RED, AREA - 0.09 HECTARES (0.22 ACRES).

FORMER PSNI STATION TO BE DEMOLISHED & REPLACED WITH NEW HOUSING DEVELOPMENT.

