

Addendum

LA01/2016/1267/RM

1.0 Update

1.1 The following plans/document have been submitted in respect of the application

- Landscape Plan – 56 Rev 04 -Received 14th October 2021
- Maintained Open Space – 122 Rev 01 – Received 15th October 2021
- Landscape Management Plan – Doc 01 Rev 02 – Received 15th October 2021

1.2 A further letter of objection was received 21 October 2021, which raises the following points

- Roe Valley Country Park is enjoyed by people of Limavady and beyond
- Seeks an amendment to the layout to safeguard character and environs of Laurel Lane
- The current proposal will irrevocably destroy the peace, tranquillity and open space around Laurel Lane
- The objection seeks the provision of a substantial buffer (densely planted) between laurel lane and development
- If approved as proposed there will be the temptation to provide pedestrian links to Laurel Lane as a shortcut to the Country Park

2.0 Assessment

2.1 The amended Landscape Plan and Maintained Open Space Plan were submitted to ensure conformity with the amended house types received 26th August 2021, and the Site Layout Plan (50 Rev 09) received 8th October 2021. The plans do not propose any amendments to the layout of the development.

2.2 A revised Landscape Management Plan was submitted to address deficiencies within the previously submitted version. The Planning

Department having considered the content of the revised Landscape Management Plan are content that it now contains suitable content to the appointed landscape management company to appropriately establish and manage the hard and soft landscaping of the site in perpetuity.

- 2.3 Proposed Condition 24 on the Planning Committee Report required the submission of a Landscape Management and Maintenance Plan to be submitted and approved prior to the commencement of development. As the revised plan submitted 15th October 2021 is deemed to be satisfactory condition 24 can be removed from the proposed conditions.
- 2.4 Accordingly, Conditions 25 to 40 on the Planning Committee Report can be re-numbered 24-39.
- 2.5 As a consequence of the amended plans, the relevant conditions for approval which makes reference to the drawings will be required to be updated to reflect the new Drawing numbers. The conditions to be amended are No. 23, 24, 26, 27 and 30
- 2.6 Condition 23 will now state;

The proposed communal open space and amenity areas identified on the stamped approved Drawing Nos. 50 Rev 09 received 08/10/2021 and No.122 Rev 01 received 15/10/2021, shall be carried out prior to the occupation of any dwelling hereby approved or as otherwise agreed in writing with the Council.

Reason: In the interest of visual and residential amenity.

Condition 24 will now state;

During the first available planting season after the occupation of the first dwelling, or as otherwise agreed in writing with the Planning Authority, all proposed landscaping shall be carried out in accordance with Drawing No.56 Rev 04 (received 14/10/2021), and maintained in accordance with the Landscape Management and Maintenance Plan (Doc 01 Rev 02), received 15/10/2021.

Reason: In the interest of visual and residential amenity.

Condition 26 will now state;

No tree marked for retention on Drawing Nos. 50 Rev 09 (received 08/10/2021) and No.56 Rev 04 (received 14/10/2021) shall be removed without prior consent being obtained from the Council. If any retained tree is removed, uprooted or destroyed or dies within 5 years from the date of the occupation of any dwelling, another tree or trees shall be planted at the same place and that/those tree(s) shall be of such size and species and shall be planted at such time as may be specified by the Department.

Reason: To ensure the continuity of amenity afforded by existing trees and biodiversity value afforded by existing trees and hedgerow vegetation

Condition 27 will now state;

The developer shall nominate and appoint a Landscape Management Company to implement and maintain the landscape plans No. 50 Rev 09 (received 08/10/2021), No.56 Rev 04 (received 14/10/2021), No.122 Rev 01 (received 15/10/2021) and the Landscape Management and Maintenance Plan (Doc 01 Rev 02) received 15/10/2021. The areas of public open space and amenity space identified on the landscape plans shall be maintained in perpetuity, to the satisfaction of the Council. A signed copy of the Memorandum and Articles of Association shall be submitted to the Planning Authority prior to the occupation of any dwelling.

Reason: To ensure the continuity and sustainability of the approved landscape design through its successful establishment and long term maintenance and to achieve a quality residential development consistent with Planning Policy Statement 7 'Quality Residential Environments'.

Condition 30 will now state;

Prior to any development on site, all trees identified to be retained as indicated on the approved Drawings, must have their roots protected, as per the measures detailed in Nos. 50 Rev 09 (received 08/10/2021), No.56 Rev 04 (received 14/10/2021), No.117 (received 02-OCT-19) and Arboricultural Method Statement (Doc 03 Rev 02 received 5th October 2021). The erection of fencing required for the protection of retained trees covered by a TPO as indicated on Drawing No.56 Rev 04

(received 14/10/2021) shall be undertaken in accordance with BS5837 (2012) 'Trees in Relation to Construction'. The fencing must be in place before any equipment, machinery or materials are brought on to the site for the purposes of the approved development and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. No materials shall be stored or fires lit within these Root Protection Areas in accordance with this condition. The ground levels within these areas shall not be altered, nor shall any excavation be made or any other works carried out, other than in accordance with the approved plans and particulars of this application.

Reason: To protect the sensitive roots of the trees to be retained and ensure their future health and vitality.

2.7 Condition 32 should state;

After completing all remediation works under Condition 31 and prior to occupation of the development, a verification report needs to be submitted in writing and agreed with the Planning Authority. This report should be completed by competent persons in accordance with the Model Procedures for the Management of Land Contamination (CLR11). The verification report should present all the remediation and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and achieving the remedial objectives.

Reason: Protection of environmental receptors to ensure the site is suitable for use.

2.8 The Planning Department propose and additional condition to those listed to ensure the maintenance of residential amenity.

Condition 40 shall state;

40. The proposed 1.8m high brick and render walls as shown on Drawing Nos. 50 Rev 09 (received 08/10/2021) and 45 Rev 01 (received 10/05/2018) shall be constructed prior to the occupation of the dwellings within the respective plots.

Reason: In the interests of private amenity.

- 2.9 Regarding the letters of representation received 21 and 22 October 2021, the Planning Department comments accordingly. The application is a reserved matters application following the granting of outline approval B/2010/0440/O, and is located on lands zoned for housing within the Northern Area Plan. The proposed layout is considered to be in general conformity with the concept masterplan approved at outline stage which indicated residential units in the western portion of the site referred to within the objection. The Planning Department, over the course of the application has negotiated amended layouts which have removed dwellings from the scheme, increased the separation to the western boundary and for the provision of increased landscaping adjacent the western boundary.
- 2.10 The Planning Department acknowledges that development of the site will change the character and appearance of the site. However, the Planning Department is content that the development, as amended through the design process, will not have an unacceptable impact on the enjoyment of the Roe Valley Country Park, which is sited to the south west of the application site.
- 2.11 The Planning Department notes the provision of two pedestrian links to Laurel lane as part of the proposed development, and therefore does not foresee the likelihood of additional openings being carried out to the existing boundary which could compromise its integrity.
- 2.12 The application is considered to be in accordance with the Northern Area Plan, and relevant planning policies.

3.0 Recommendation

- 3.1 That the Committee note the contents of this Addendum and agree with the recommendation to approve the application in accordance with Paragraph 1.1 of the Planning Committee report.