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| Title of Report: | Planning Committee Report – LA01/2020/1349/F |
| Committee Report Submitted To: | Planning Committee |
| Date of Meeting: | 27th October 2021 |
| For Decision or For Information | For Decision |

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| 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 |

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

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| 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: |

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| Data Protection Impact Assessment (DPIA) | Screening Completed: | N/A | Date: |
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| <u>App No:</u> | LA01/2020/1349/F | <u>Ward:</u> | Portrush and Dunluce |
| <u>App Type:</u> | Full Planning | | |
| <u>Address:</u> | Partial site of former University of Ulster Catering College 35-43 Ballywillin Road, Portrush | | |
| <u>Proposal:</u> | <p>Development of new Mill Strand Integrated Primary School and Nursery (relocation of existing school from Dhu Varren) to provide a new 14 No. classroom primary school building and double nursery unit. Associated hard and soft play areas. Minor relocation of existing entrance and new exit point on Ballywillin Road. Internal vehicular configuration to include car parking, pick up and drop off areas and zebra crossing points. Other work to include new underground drainage system and underground stormwater pipe along Ballywillan Road with installation of pre-cast constructed headwall to facilitate drainage to the tar burn, LPG and bin storage areas, fencing, landscaping, temporary construction compound areas and associated site works.</p> | | |
| <u>Con Area:</u> | N/A | <u>Valid Date:</u> | 10/12/2020 |
| <u>Listed Building Grade:</u> | N/A | | |
| Applicant: | Trustees of Mill Strand IPS | | |
| Agent: | Resolve Planning & Development | | |
| Objections: | 0 | Petitions of Objection: | 0 |
| Support: | 0 | Petitions of Support: | 0 |

Executive Summary

- The proposal is considered acceptable at this location having regard to the Northern Area Plan 2016 and all other material considerations.
- The site is located within Portrush settlement limit.
- No letters of objection have been received in relation to this application.
- No concerns have been raised by statutory consultees in relation to this proposal.
- The design, scale and massing of the school and nursery buildings are visually acceptable at this location.
- The proposal will not adversely harm neighbouring residential amenity.
- There are no archaeological concerns.
- There are no objections from a drainage or flood risk perspective.
- There are no objections in relation to contamination.
- Natural Heritage interests are protected.
- The proposed development has satisfactory access and parking.
- The proposal complies with all relevant planning policies including the Northern Area Plan, SPPS, A Planning Strategy for Rural Northern Ireland, PPS 15, PPS 6, PPS 3 and PPS 2.

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

1.0 RECOMMENDATION

- 1.1 That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 9 and the policies and guidance in sections 7 and 8 and resolves to **APPROVE** planning permission subject to the conditions set out in section 10.

2.0 SITE LOCATION & DESCRIPTION

- 2.1 The application site is located at the partial site of former University of Ulster Catering College, 35-43 Ballywillin Road, Portrush. The site at the front extends to the Tar Burn along the Ballywillan Road. The site measures approx. 1.95 hectares. The site comprises grassland, tarmac areas and is relatively flat. Vehicle access to the site is gained from the Ballywillin Road in the west of the site and a pedestrian entrance is slightly north of this. The former catering college building was located centrally on the site, surrounded by car parking to the north boundary and hard standing and grass areas occupying the remainder.
- 2.2 To the north boundary, there is an electrical sub-station. The front of the site is defined by a render wall and gates as well as a row of mature trees. The northern boundary consists of render walls, fencing and vegetation. The eastern boundary comprises vegetation and fencing and the southern boundary is undefined. The Tar Burn runs along the southern boundary of the former college site, 80m from the site at its closest point.
- 2.3 The site is located within Portrush settlement limit as designated by NAP 2016. The site is in a suburban area and fronts onto the Ballywillin Road. The site is surrounded by a mixture of residential dwellings to the north and west and further to the south with a caravan park to the east.

3.0 RELEVANT HISTORY

3.1 LA01/2020/0706/PAN

Site of former University of Ulster Catering College, 35-43 Ballywillin Road, Portrush

Development of new Mill Strand Integrated Primary School (relocation of existing school from Dhu Varren) including new primary school buildings, recreational areas, car parking and ancillary works. Minor relocation of existing access and exit point on to Ballywillin Road

PAN Acceptable - 15.09.2020

3.2 LA01/2019/0902/PAD

Site of the Former University of Ulster Catering College, 35-43 Ballywillin Road, Portrush

Relocation and re-development existing school accommodation with new primary school, recreational areas, car parking and ancillary works. Minor relocation of existing access and exit point provided onto the Ballywillin Road.

PAD Concluded - 24.02.2020

3.3 C/2014/0435/O

Former Campus (Portrush Catering College) University Ulster lands at Ballywillan Road, Portrush,
Proposed housing development

Approval - 04.05.2016

3.4 C/2011/0433/O

Former Campus (Portrush Catering College) University of Ulster Ballywillan Road Portrush

Renewal of existing permission for proposed housing development C/2007/1028/O

Approval - 14.12.2011

3.5 C/2007/1028/O

University of Ulster Ballywillan Road, Portrush

Proposed housing development

Approval - 16.12.2008

3.6 LA01/2020/0317/O

Former Campus (Portrush Catering College) Ulster University lands at Ballywillan Road, Portrush

Proposed residential development - outline application for a mixture of detached, semi-detached and terraced townhouse type units @ an estimated density of 20-25 units per hectare
Under Consideration

4.0 THE APPLICATION

- 4.1 Development of new Mill Strand Integrated Primary School and Nursery (relocation of existing school from Dhu Varren) to provide a new 14 No. classroom primary school building and double nursery unit. Associated hard and soft play areas. Minor relocation of existing entrance and new exit point on Ballywillin Road. Internal vehicular configuration to include car parking, pick up and drop off areas and zebra crossing points. Other work to include new underground drainage system and underground stormwater pipe along Ballywillan Road with installation of pre-cast constructed headwall to facilitate drainage to the Tar Burn, LPG and bin storage areas, fencing, landscaping, temporary construction compound areas and associated site works.

Proposal of Application Notice

- 4.2 As this application is considered a major application it must comply with the Proposal of Application Notice and carry out community consultation at least 12 weeks prior to the submission of the application.
- 4.3 A Proposal of Application Notice was received on the 10th July 2020 under application LA01/2020/0706/PAN. As a result of Covid-19 it has not been possible to hold any face to face public events. The Planning (Development Management) (Temporary Modifications) (Coronavirus) Regulations (Northern Ireland) 2020 temporarily suspend the requirement for a Pre-Application Community Consultation public event. The applicant advised that they intended to undertake the following forms of consultation:
- A dedicated website will be live during a specific timeframe. This website will provide details of the proposed development, including contact details for the applicant and agent, and digital boards in place of the presentation boards

normally provided at Public Information Events. An online feedback form will be provided.

- A webinar will be held on a specific date for those requiring further information where the design team will present the scheme. Members of the public will be able to register for the webinar and submit questions to the design team in advance. Once completed, a link to a recording of the event will be placed on the website.
- The website and webinar will be advertised in the Coleraine Chronicle and Coleraine Times and promoted through a leaflet drop to all properties in a 200m radius of the site.
- The website and webinar will also be promoted by the school and will be advertised on social media.
- Elected members for the District Electoral Area and certain MLAs will be given a copy of the Proposal of Application Notice.

Community Consultation Report

- 4.4 The community consultation report was submitted as part of the planning application, received on 4th December 2020 which is more than 12 weeks after the Proposal of Application Notice was received, as required by the legislation.
- 4.5 The community consultation report is structured relating to The Proposal of Application Notice; Community Consultation; Community Consultation Feedback; Design Team Response; and Conclusions. It also demonstrates how the design of the proposal has been developed and evolved as part of the community and stakeholder engagement exercise. The report demonstrates that consultation was implemented as agreed in the Proposal of Application Notice.
- 4.6 The Digital Public Information Event took the form of a dedicated website which was live for 4 weeks between the dates of 21st August and 18th September 2020. A webinar was held on 4th September 2020 via Zoom. This was held on a weekday lunchtime and was uploaded to the website to facilitate those who might have been busy during the day or wanted to attend after work or family mealtime. Members of the design team were online to explain the nature of the project to members of the public and answer any pre-submitted questions that were raised about the proposal. The deadline for the public to submit

their views on the development, via the online feedback form or directly to the Agent was advertised as 18th September 2020. Once completed a link to the recording of the event was placed onto the website.

- 4.7 These events were advertised locally in the Coleraine and Ballymoney Times and in the Coleraine Chronicle. Advertising also occurred through the facebook page of Mill Strand Integrated Primary School and presentation boards were advertised on the school's website throughout the events being live.
- 4.8 A neighbour leaflet drop totalling 339 occurred on 10th August 2020 to properties and residents within 200m of the application site. Elected council members of the Causeway Electoral Ward area and East Londonderry MLAs were notified of the submission of the PAN notice.
- 4.9 9 people registered and attended the webinar and 2 written responses were returned during the consultation period. Feedback was positive with both responses in support of the redevelopment proposal on the site. However, there were some specific issues and questions raised relating to Traffic/Parking; Bin Storage; and Sport and Recreation. For a review of all feedback please see Section 4.0 Community Consultation Feedback of the Pre-Application Community Consultation Report (Doc 01) submitted in support of this application.
- 4.10 All feedback received was considered and responses to the queries raised are detailed in Section 5.0 Design Team Response of the Pre-Application Community Consultation Report (Doc 01) submitted in support of this application. In relation to Traffic/Parking, it was concluded that the proposal will have negligible impact on the adopted road network as the relocation of the school is in close proximity to the existing school site, the trips associated with the proposed development are already existing on the road network and would be classed as redistributed rather than new, thus the traffic impact is greatly reduced. In relation to Bin Storage, the impact is reduced given hedging is planted along the boundary with residential properties. Bins would not be in use during the summer months. Noise would be no more significant than domestic bin collections that already occur in the area. Bin storage is best kept open to

facilitate air circulation. In relation to Sport and recreation, the facilities are determined by the Department of Education NI and hard play areas as well as informal grass play areas have been provided.

- 4.11 Upon review of the community consultation, no amendments were deemed necessary to the layout or buildings relating to the development of Mill Strand. The community consultation report demonstrates that adequate community consultation has taken place and the feedback received has been considered prior to the submission of the application.

Design & Access Statement

- 4.12 A Design & Access Statement is required under Article 6 of the Planning (General Development Procedure) Order (NI) 2015 as the application is considered to be a major application. The Design & Access Statement provides details of the design principles and concepts that have been applied to the development and how issues relating to access to the development have been dealt with.
- 4.13 A Design and Access Statement (Doc 02) received on 4th December 2020 and a Design and Access Statement Addendum (Doc 25) received on the 6th August 2021 was submitted in support of this application. Doc 02 describes the background to the development, the proposed site and sets out the rationale for the design of the scheme. It explores the site and surrounding area in terms of location and topography. The proposed development is considered in relation to the project requirements, pedestrian and vehicular access, car and bus parking, cycling, external play provision, the school building, material/finishes, and accessibility. Doc 25 is an Addendum taking into account the amendments submitted to this scheme including the requirement for a new storm sewer pipe from the site to Tar Burn in response to consultation responses from DFI Rivers.
- 4.14 The applicant has undertaken detailed consideration of the proposal in terms of the design principles and concepts, in relation to the scale and design of the school buildings and the impact on the character of the immediate context.

Environmental Impact Assessment

- 4.15 Upon review of the application against The Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2017, the proposal was considered to fall within Schedule 2: Category 10(b) of the Regulations- The carrying out of development to provide for urban development projects, including the construction of shopping centres and car parks. The threshold for requiring an EIA determination is when the area of the development exceeds 0.5 hectare, or the site is within a sensitive area. The site is approximately 1.95 hectares. Having considered the Regulations and the guidance set out in DCAN 10, it was determined that the development proposal would not have any likely impacts of such a significance to warrant an environmental statement.

Habitats Regulations Assessment

- 4.16 The application was considered in light of the assessment requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) by Causeway Coast and Glens Borough Planning Authority.
- 4.17 The proposal is approx. 1 km upstream from Skerries and Causeway SAC. A Habitat Regulations Assessment (Doc 10 Rev A) date received 23rd April 2021 was submitted in support of this application. DAERA and SES were consulted in relation to this application and express no objections. The proposed development will not result in an adverse impact upon designated sites.
- 4.18 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). The proposal would not be likely to have a significant effect on the features of any European site.

5.0 PUBLICITY & CONSULTATIONS

5.1 External:

No letters of representation have been received in relation to this application.

5.2 Internal:

NI Water (No objections)

Environmental Health (No objections)

DFI Rivers (No objections)

DFI Roads (No objections)

Historic Environment Division: Historic Monuments (No objections)

Shared Environmental Services (No objections)

DAERA: Water Management Unit and Inland Fisheries (No objections)

DAERA: Regulation Unit Land and Groundwater Team (No objections)

DAERA: Natural Environment Division (No objections)

6.0 MATERIAL CONSIDERATIONS

- 6.1 Section 45(1) of the Planning Act (Northern Ireland) 2011 requires that all applications must have regard to the local plan, so far as material to the application, and all other material considerations. Section 6(4) states that in making any determination where regard is to be had to the local development plan, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

6.2 The development plan is:

- Northern Area Plan 2016 (NAP)

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

6.4 The Strategic Planning Policy Statement for Northern Ireland (SPPS) is a material consideration. As set out in the SPPS, until such times as a new local plan strategy is adopted, councils will apply specified retained operational policies.

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

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

7.0 RELEVANT POLICIES & GUIDANCE

The Northern Area Plan 2016

The Strategic Planning Policy Statement (SPPS)

Planning Policy Statement 2 (PPS 2): Natural Heritage

Planning Policy Statement 3 (PPS 3): Access, Movement and Parking

Planning Policy Statement 6: Planning, Archaeology and the Built Heritage

Planning Policy Statement 15 (Revised) (PPS 15) – Planning and Flood Risk

A Planning Strategy for Rural Northern Ireland

Supplementary Planning Guidance

Development Control Advice Note 15 Vehicular Access Standards

Parking Standards

8.0 CONSIDERATIONS & ASSESSMENT

Planning Policy

- 8.1 The site is located within Portrush settlement limit. Policy SET 2 of NAP 2016 applies for development within settlement development limits. Planning permission will be granted provided that the proposal is sensitive to the size and character of the settlement.
- 8.2 The proposal must be considered having regard to the NAP 2016, SPPS, PPS policy documents and supplementary planning guidance specified above. The main considerations in the determination of this application relate to: Principle of Development, Scale and Design, Residential Amenity, Archaeology, Flooding, Sewerage, Contamination, Access and Parking and Natural Heritage.

Principle of Development

- 8.3 The application seeks permission for 'Development of new Mill Strand Integrated Primary School and Nursery (relocation of existing school from Dhu Varren) to provide a new 14 No. classroom primary school building and double nursery unit. Associated hard and soft play areas. Minor relocation of existing entrance and new exit point on Ballywillin Road. Internal vehicular configuration to include car parking, pick up and drop off areas and zebra crossing points. Other work to include new underground drainage system and underground stormwater pipe along Ballywillan Road with installation of pre-cast constructed headwall to facilitate drainage to the tar burn, LPG and bin storage areas, fencing, landscaping, temporary construction compound areas and associated site works'.
- 8.4 The proposed Mill Strand Integrated Primary School is moving approx. 1 mile to the east of its current site on Dhu Varren, Portrush. The proposal will provide the School with a new 14 classroom school building and detached nursery unit along with larger and more practical outdoor play areas for pupils. The redevelopment of the school is required to provide suitable

educational facilities to meet the curricular needs of 420 pupils and 52 nursery school pupils.

- 8.5 The application site is within the settlement limit of Portrush as designated by NAP 2016. The previous use on the site was the former Catering College building. Given educational use was previously located on this site, the proposal for a new school and nursery is regarded acceptable in principle.

Scale and Design

- 8.6 Policy DES 2 – Townscape within a Planning Strategy for Rural Northern Ireland requires development proposals in towns and villages to make a positive contribution to townscape and be sensitive to the character of the area surrounding the site in terms of design, scale and use of materials.
- 8.7 A design and access statement accompanied this development. Mill Strand Integrated Primary School is a non-denominational co-educational primary school. The School wishes the design to follow the ethos of their school values “Promoting Excellence, Celebrating Difference”, for the benefit of everyone from the pupils to the staff, parents, governors and external partners.
- 8.8 The proposed school is located centrally within the site with hard and grass play areas to the rear. The school has a central, formal entrance and a secure courtyard. This courtyard can also be utilised for sheltered hard play. The multi-purpose hall is located to the north portion of the site to allow independent use when required. The height of the school ranges from approx. 4.5m to 7.0m. Materials/finishes for the School include facing brickwork, white render, coloured composite panels for the walls and a low profile standing seam single ply roof.
- 8.9 The Nursery building and associated play area is located south west of the school building at the front of the site along the southern boundary. It is single storey with a maximum ridge height of 4.1m. Materials/finishes include white render for the walls, coloured composite panels and low profile standing seam single ply roof.
- 8.10 There will be two vehicle accesses for the application site for entry and exit to facilitate drop off and collection of pupils. A car parking area is located to the front of the school and adjacent to

the Nursery. This car park includes a total of 54 parking spaces of which 3 are for disabled use. Car parking spaces will be finished in brick setts whereas roads will be finished in asphalt/bitmac. The entrance area to the front of the school and nursery buildings will be finished in flag feature paved areas. The proposed surfacing within the site is considered acceptable given the variety and materials chosen seeking to soften the visual impact.

- 8.11 Landscaping is proposed for the application site (Drawing No. 36A). The existing vegetation (trees) along the front of the site is to be retained except where accesses are required. New trees are being proposed to the south east of the site entrance along the front of the site. Other trees and vegetation are proposed throughout the site and for full details please refer to Drawing No. 36A. The proposed landscaping for the site is considered satisfactory in relation to educational use and in an urban context.
- 8.12 The front boundary adjacent to Ballywillin Road is to be formed by brick walls and piers with railings over and pedestrian and vehicular gates. New gates will also be erected along the front boundary to allow access to the culvert wayleave. The brick piers measure approx. 2.9m high with the wall and railings measuring 2.4m. The gates and railings are to be PPC finished black. The northern boundary adjacent to existing residential properties is to be formed by new hedging and retention of existing vegetation. A 2.4m high paladin fence will also be erected along this boundary. The eastern boundary adjacent to the caravan park will consist of retained vegetation and a meadow margin. A 2.4m high paladin fence will also be erected along this boundary. The southern boundary will be defined by new hedgerows and a new 2.4m high paladin fence. All proposed boundary treatments are considered visually acceptable.
- 8.13 Public views of the application site are from the Ballywillin Road when travelling both directions. Views of the proposal will be relatively short range given the screening provided by the mature trees along the front of the site and the built development north of the application site fronting onto Ballywillin Road. The School building and Nursery are set back from the road approx. 63m and 23m respectively so development will not be prominent along this streetscape. The school and nursery buildings are

modest in scale and of an appropriate design so the proposal will not be detrimental to the character and appearance of the area.

- 8.14 The scale and design of the school and nursery respects the existing character along the Ballywillin Road in terms of its overall massing and visual presence within the streetscape. However, it is noted that the proposed front boundary treatment along the Ballywillin Road including the brick walls and piers with railings over and pedestrian and vehicular gates could be regarded as prominent given the height and in the context of neighbouring residential front boundary treatments. It is considered that this front boundary treatment is acceptable attributing material weight to the need for school security. In addition, the gates are located approx. 7m from the road and the existing mature trees along the front boundary are being retained as well as new trees being planted which will assist as an appropriate backdrop.
- 8.15 The school and nursery buildings have been designed not to appear as a dominant or conspicuous development using materials which are common place in the wider urban area. The school and nursery will provide attractive modern buildings which are considered appropriate for this location.

Residential Amenity

- 8.16 The application site has residential properties located opposite on Ballywillin Road and along the northern boundary (Nos. 33 Ballywillin Road, Nos. 26, 21 and 23 Randal Park). The eastern boundary is adjacent to a caravan park and the southern boundary is adjacent to the remainder of the former catering college land. A planning application has been received for the remaining land south of the application site, reference LA01/2020/0317/O for a housing development which is currently under consideration.
- 8.17 Environmental Health was consulted in relation to this application and reviewed various documentation submitted in relation to Noise, Air Quality Impact Assessment, Dust Management Plan, Land contamination and the Outline CEMP.
- 8.18 A Noise Impact Assessment (Doc 15 Rev A) and an Acoustic Baseline Survey (Doc 16) was submitted in support of this application. External impact associated with educational

developments are considered to be external plant noise, external activity noise on play areas and vehicular noise on the internal site road. The reports concluded that whilst it is predicted that construction noise will be significant, with the choice of suitable plant and proposed mitigation measures the short-term construction noise can be controlled to within relevant guidelines levels for daytime and night-time. Plant associated with the facility will be selected and designed to ensure any noise impact is below the existing background noise level. Transportation noise is unlikely to result in any measurable noise impact. The impact of external activity on the pitches and playing fields will be perceptible at the most proximate properties, however the noise levels predicted will be below the relevant noise guidelines for external amenity spaces and gardens.

- 8.19 To help protect neighbouring residential amenity from noise and nuisance an acoustic fence is proposed between the hard and grass play areas and Nos. 21 and 23 Randal Park. An acoustic fence also proposed close to the southern boundary adjacent to the hard and grass play areas as well as the Nursery play area because the land south of the application site will probably be developed as housing (current planning application submitted for a housing development which is under consideration). The presence of these fences will assist in alleviating potential noise/nuisance to existing and proposed residential properties. Environmental Health have no objections in relation to noise from this proposal and recommend planning conditions.
- 8.20 It is considered that neighbouring residential amenity will not be significantly harmed through noise generated within the application site given the school layout; the proposed boundary treatments with additional acoustic fencing; separation distances; and the periodic use of these external spaces within the school site.
- 8.21 The proposal should not result in unacceptable overlooking, loss of privacy, overshadowing or dominance to neighbouring properties given the modest scale of the school and nursery buildings; the adequate separation distances; and the appropriate boundary treatments.
- 8.22 The school has proposed to locate the bin storage area close to the northern boundary so the closest neighbouring properties are Nos. 33 Ballywillin Road and 26 Randal Park. It is approx.

13m from the rear return of No. 33 Ballywillin Road and 22m from the rear elevation of No. 26 Randal Park. The bin storage area ranges from 3-5m from the shared boundaries. The location of the bin storage area is considered satisfactory given the separation distances; the hedging proposed along the shared boundary; and Environmental Health have raised no concerns. In addition, these neighbouring properties have not objected to this proposal.

Archaeology

- 8.23 An Archaeological Impact Assessment (Doc 03) was submitted in support of this application. Consultation occurred with HED: Historic Monuments who advised this application should be conditional on the agreement and implementation of a pre-development archaeological mitigation strategy, as per Policy BH 4 of PPS 6. HED: Historic Monuments have no objections to this proposal subject to planning conditions. The proposal is compliant with PPS 6 policy requirements.

Flooding

- 8.24 A Drainage Assessment (Doc 14 Rev B) and Reservoir Flood Risk Assessment (Doc 06) was submitted in support of this application. Following consultation with DFI Rivers the Flood Hazard Map (NI) indicates that the development does not lie within the 1 in 100 year fluvial or 1 in 200 year coastal flood plain. DFI Rivers advised there are no designated watercourses within the site.
- 8.25 A small portion of this site is affected by an undesignated, culverted watercourse. This watercourse passes through part of the site from neighbouring land along the eastern boundary in both the south eastern and south western corners. Under Policy FLD 2 of PPS 15 there is a general presumption against the erection of buildings or other structures over the line of a culverted watercourse in order to facilitate replacement, maintenance or other necessary operations. A suitable maintenance strip of minimum 5m has been provided as shown on Drawing No. 04C date received 29th September 2021.
- 8.26 There is no artificial modification of watercourses within the site so no culverting is proposed in relation to development of this

application site. However, there is an existing culverted watercourse as shown on Drawing No. 04C which will remain with a 5m maintenance strip. Fencing is proposed within the wayleave area at the rear of the site which is acceptable as this can be easily removed should access be required. There was concern with the erection of brick walls and railings within the culvert wayleave at the front of the site as this required foundations. Following email correspondence with DFI Rivers, this approach is unacceptable. Plans were then amended showing the erection of gates over the culvert wayleave area which is a satisfactory solution enabling access. The agent is aware that should the culverted watercourse require replacement, maintenance or any other necessary operation, the applicant will cover the cost of the removal and re-instatement of the approved boundary treatments within the section of the wayleave requiring work. Planning conditions and informatives in relation to this existing culvert will issue with any approval granted.

- 8.27 DFI Rivers reservoir inundation maps indicate that this site is in a potential area of inundation emanating from Craigahulliar Reservoir. DFI Rivers is in possession of information confirming that Craigahulliar Reservoir has 'Responsible Reservoir Manager Status'. Consequently, DFI Rivers has no reason to object to the proposal from a reservoir flood risk perspective.
- 8.28 DFI Rivers, while not being responsible for the preparation of the Drainage Assessment accepts its logic and has no reason to disagree with its conclusions. DFI Rivers cannot sustain a reason to object to the proposed development from a drainage or flood risk perspective. The responsibility for the accuracy, acceptance of the DA and implementation of the proposed flood risk measures rests with the developer and their professional advisors. The proposal complies with Policies FLD 1, 2, 3, 4 & 5 of PPS 15.

Sewerage

- 8.29 DAERA: Water Management Unit (WMU) was consulted in relation to this application. Concerns were raised that the sewage loading associated with this proposal has the potential to cause an environmental impact if transferred to North Coast WwTW. WMU advise if NI Water determine the sewer network can cope with the additional load, with no adverse effect on the WwTW or sewer

network's ability to comply with their Water Order Consents, then WMU no longer object to this application.

- 8.30 NI Water was consulted in relation to this application and advised on 01/11/2019 NI Water had responded to a Predevelopment Enquiry (PDE) in respect of this proposal but this PDE was only valid for a maximum of 12 months. A further PDE should be submitted to ensure capacity previously identified as being available to serve this proposal, still exists. The Agent submitted a PDE received by NI Water on the 10th October 2019 (Doc 21).
- 8.31 NI Water was re-consulted and advised there is a foul sewer within 20m of the site and there is capacity to serve this development. Capacity is based on detailed calculations by the Drainage Consultant which propose to remove the existing storm discharges from the combined network. This is a reduction from 36.2 l/s to 9.6 l/s. Therefore, NI Water have no objections to this proposal.

Contamination

- 8.32 Consultation occurred with DAERA: Regulation Unit (RU) (Land and Groundwater Team) to consider the potential for contamination to be present at the site that could impact on environmentally sensitive receptors including groundwater and surface water.
- 8.33 A Preliminary Risk Assessment – PRA (Doc 04) and a Generic Quantitative Risk Assessment – GQRA (Doc 05 Rev A) have been submitted in support of this application. The GQRA is informed by site investigations and environmental monitoring data from across the planning area. The site was formerly a catering college with an electrical transformer and boiler house indicated from the site history provided. No other off site sources have been identified which are likely to impact the development. Limited soil contamination has been detected and only low level groundwater exceedances, which do not pose unacceptable risks to environmental receptors, have been identified at the site. There is the potential for localised unforeseen contamination at the site for which conditions are recommended. RU have no objections to this development provided conditions and informatives are placed on the planning decision notice.

8.34 Environmental Health was consulted and have no objections from a contamination perspective provided planning conditions issue with any approval granted. The applicant is advised that the onus to consider land contamination risk and ensure that a site is safe and suitable for its intended use rests with the developer.

Access and Parking

8.35 Planning permission will only be granted provided the proposal does not prejudice road safety or significantly inconvenience the flow of traffic.

8.36 A Traffic Statement (Doc 20) was submitted in support of this application in accordance with Policy AMP 6 of PPS 3. Mill Strand Integrated Primary School currently has a total of 326 pupils, 49 part time nursery places and facilities for afterschool provision. At present, there are 13 teaching staff and 27 support staff. Pupil numbers are expected to increase to 406 at the school and to 52 children in the Nursery unit. Staff levels are to increase to 17 teaching staff and 30 support staff.

8.37 The relocation of the school is in close proximity to the existing school site (approx. 1 mile to the east of its current site on Dhu Varren, Portrush), therefore trips associated with Mill Strand Integrated Primary School are already existing on the road network and classed as redistributed rather than new, thus the traffic impact is greatly reduced.

8.38 The proposal includes 1 no. entrance and 1 no. exit from the Ballywillin Road. The access is an existing historic access associated with the previous catering college on the site. The proposed exit is a new vehicular access. A total of 54 car parking spaces have been provided including 3 accessible spaces. The pedestrian accesses are via the existing footpaths which are extended into the site. A total number of 16 no. cycle stands have been incorporated as part of the development. There is no bus provision to or from the School.

8.39 DFI Roads was consulted in relation to this application and advise the auto tracking for buses and service vehicles is satisfactory. The Parking Standards document requires a total of 53 parking spaces to be provided for a School and Nursery development and this proposal meets that request. Cycling provision is considered

satisfactory at 16 No. stands as it is noted that it may not be practical for pupils of nursery and primary school age attending school to use cycling as a mode of transport. DFI Roads have no objections to this proposal subject to planning conditions. The proposal complies with the requirements of Policies AMP 1, 2, 7 and 8 of PPS 3.

Natural Heritage

- 8.40 The proposed development site is within an area of previously developed land which now consists of areas of hard standing, neutral grassland, disturbed rubble areas and is bordered by patches of introduced scrub species and linear planted trees. The site is adjacent to the Tar burn 80m distant and is located 860m south from Skerries and Causeway marine SAC. The surrounding area is primarily residential comprising largely detached dwellings usually with a significant area of mature garden.
- 8.41 DAERA: Inland Fisheries provided comment on this planning application. Inland Fisheries are content that, given foul water is to go to NIW mains system and surface water is to be attenuated to greenfield run-off rates, there is unlikely to be any significant impact to fisheries interests in the vicinity of the site. It is the intention to construct a headwall for the discharge of surface water to the Tar Burn so this will require permission under Section 48 of the Fisheries Act (NI) 1966.
- 8.42 DAERA: Natural Environment Division (NED) was consulted in relation to this application. An Outline CEMP, Drainage Assessment, Habitat Regulations Assessment Screening and Appropriate Assessment, Bat Roost Potential and Ecological Impact Assessment date received 4th December 2020 was submitted in support of this application. NED consider that provided all the mitigation included within the above documents is adhered to throughout construction and operational phase of the development, there will be no likely significant impact on the designated sites.
- 8.43 NED is content that all habitats on site have been comprehensively mapped and assessed for impacts. Adequate mitigation has been proposed where minor negative impacts have been identified.

- 8.44 NED agree that the site falls short of being classified as Open Mosaic Priority Habitat. Surveys for protected fauna did not reveal any areas of concern with the exception of impacts to breeding birds via vegetation clearance. NED agree that this should be undertaken outside the bird breeding season. All species of breeding birds and their nests are protected under the Wildlife (NI) Order and also the Wildlife & Natural Environment Act. Appropriate consideration should be given to the presence of nesting birds, and NED recommend any vegetation clearance is completed outside of the bird breeding season (1st March – 31st August). Should these operations be required during this period, NED agree that a qualified ecologist is appointed to survey the vegetation prior to removal for evidence of active and in use nests. Should any nests be identified, the nest and associated concealing vegetation will need to remain until all dependent young have fledged and the nest is no longer in use.
- 8.45 A single sycamore tree which has been classified as having low BRP was identified on site. However, it is proposed to retain this tree which mitigates impacts to potential roosts.
- 8.46 Sea buckthorn (Schedule 9 species of the Wildlife (Northern Ireland) Order 1985 (as amended) was recorded on site. A detailed ISMP which includes comprehensive and appropriate management and monitoring measures has been submitted and addresses any NED concerns regarding this issue if implemented in full. NED agree that proposals contained in section 5.1 of the Ecological Impact Assessment will improve the biodiversity of the site and welcome these proposals.
- 8.47 To summarise, NED is content that an appropriate check for potential impacts to Natural Heritage interests has been carried out and suitable mitigation proposed. NED have no objections to this planning application and have recommended conditions to ensure all mitigation measures identified are implemented.
- 8.48 In relation to this application, consultation also occurred with SES who have no objections to this proposal subject to conditions. SES having considered the nature, scale, timing, duration and location of the project, advises the project would not have an adverse effect on the integrity of any European site either alone or in combination with other plans or projects.

- 8.49 Causeway Coast and Glens Borough Council in its role as the competent Authority under the Conservation (Natural Habitats, etc) Regulations (NI) 1995 (as amended), and in accordance with its duty under Regulation 43, has adopted the HRA report, and conclusions therein, prepared by SES, dated 23rd March 2021. This found the project would not be likely to have an adverse effect on the integrity of any European site.
- 8.50 There is the potential for polluting discharges during the construction phase entering the Skerries and Causeway SAC via the new onsite surface water drainage to the Tar Burn watercourse. A final CEMP should be submitted before commencement of works and this plan should contain all the appropriate environmental mitigation to protect the features of Skerries and Causeway SAC.
- 8.51 Following assessment, the proposal is acceptable in terms of natural heritage interests and is considered to meet the requirements of Policies NH 1, 2 & 5 of PPS 2.

9.0 CONCLUSION

- 9.1 The proposal is considered acceptable at this location having regard to the Northern Area Plan 2016 and other material considerations. The proposal meets the requirements of planning policies for this type of development. The educational use proposed at this site is acceptable. The design, scale and massing of the school and nursery buildings are visually appropriate at this location. The proposal will not adversely harm neighbouring residential amenity. There are no archaeological concerns. There are no objections to this proposed development from a drainage or flood risk perspective. There are no objections from a contamination perspective provided planning conditions issue with any approval granted. The proposal is acceptable in terms of natural heritage interests. The proposed development has satisfactory access and parking. Approval is recommended.

10 CONDITIONS

1. As required by Section 61 the Planning Act (Northern Ireland) 2011 the development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

Reason: Time Limit.

2. No site works of any nature or development shall take place until a programme of archaeological work (POW) has been prepared by a qualified archaeologist, submitted by the applicant and approved in writing by Causeway Coast and Glens Borough Council in consultation with Historic Environment Division, Department for Communities. The POW shall provide for:
 - The identification and evaluation of archaeological remains within the site;
 - Mitigation of the impacts of development through licensed excavation recording or by preservation of remains in-situ;
 - Post-excavation analysis sufficient to prepare an archaeological report, to publication standard if necessary; and
 - Preparation of the digital, documentary and material archive for deposition.

Reason: To ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded.

3. No site works of any nature or development shall take place other than in accordance with the programme of archaeological work approved under condition 2.

Reason: to ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded.

4. A programme of post-excavation analysis, preparation of an archaeological report, dissemination of results and preparation of the excavation archive shall be undertaken in accordance with the programme of archaeological work approved under condition 2. These measures shall be implemented and a final archaeological

report shall be submitted to Causeway Coast and Glens Borough Council within 12 months of the completion of archaeological site works, or as otherwise agreed in writing with Causeway Coast and Glens Borough Council.

Reason: To ensure that the results of archaeological works are appropriately analysed and disseminated and the excavation archive is prepared to a suitable standard for deposition.

5. If during the development works, new contamination or risks are encountered which have not previously been identified, works should 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. 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. This strategy should be completed by competent persons in accordance with Land Contamination: Risk Management (LCRM) guidance.

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

6. After completing the remediation works under Condition 5 and prior to occupation of the development, a Verification Report needs to be submitted in writing and agreed with Planning Authority. This report should be completed by competent persons in accordance with the Model Procedures for the Land Contamination: Risk Management (LCRM) guidance. 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

7. No development shall commence until the vehicular accesses, including signage and visibility splays is provided in accordance with Drawing No. 18B bearing the date stamp 26th July 2021. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250mm above

the level of the adjoining carriageway and such splays shall be retained and kept clear thereafter.

Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.

8. The gradient of the access/exit to the development hereby permitted shall not exceed 4% (1 in 25) over the first 10.0m outside the road boundary. Where the vehicular access crosses a footway, the access gradient shall be between 4% (1 in 25) maximum and 2.5% (1 in 40) minimum and shall be formed so that there is no abrupt change of slope along the footway.

Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.

9. The development hereby permitted shall not become operational until the proposed internal road markings have been provided in accordance with Drawing No.27B bearing the date stamp 26th July 2021.

Reason: To ensure satisfactory traffic management arrangements have been provided within the site.

10. The development hereby permitted shall not become operational until the existing access indicated on Drawing No. 18B bearing the date stamp 26th July 2021 has been permanently closed and the footway properly reinstated to the satisfaction of DfI Roads.

Reason: In order to minimise the number of access points on to the public road in the interests of road safety and the convenience of road users.

11. Prior to the commencement of any of the approved development on site, a final drainage assessment, containing a detailed drainage network design and compliant with Annex D of PPS 15 must be submitted to the Planning Authority for its consideration and approval in writing.

Reason: To safeguard against flood risk to the development and elsewhere.

12. No tree or hedgerow clearance, shall take place between the 1st of March and 31st of August inclusive, unless a competent ecologist has undertaken a detailed check for active bird's nests in the hedgerows, trees, or bramble scrub, immediately before works commence and provided written confirmation that no nests are present/birds will be harmed and 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.

Reason: To protect breeding birds

13. A suitable buffer of at least 10m must be maintained between the location of all construction works, including refuelling, storage of oil/fuel, concrete mixing and washing areas, storage of machinery/material/spoil etc. and the watercourse on site.

Reason: To protect the water environment and designated sites of nature conservation importance.

14. There shall be no direct discharge of untreated surface water run-off during construction to the watercourse onsite.

Reason: To protect the water environment.

15. 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 to be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Planning Authority. Any arboricultural work or tree surgery approved shall be carried out in accordance with British Standard 5837:2012 Trees in relation to design, demolition and construction – Recommendations.

Reason: To ensure the continuity of the biodiversity value afforded by existing trees.

16. The approved Invasive Species Management Plan (Doc 11 Rev A) date received 23rd April 2021 shall be implemented in accordance with the approved details, unless otherwise approved in writing by the Planning Authority.

Reason: To prevent the spread of invasive plant species listed on Schedule 9 of the Wildlife (Northern Ireland) Order 1985 (as amended) and to minimise the impact of the proposal on the biodiversity of the site.

17. The approved CEMP (Doc 19 Rev A) date received 23rd April 2021 shall be implemented in accordance with the approved details and all works on site shall conform to the approved CEMP, unless otherwise agreed in writing by the Planning Authority.

Reason: To ensure implementation of mitigation measures identified within the Ecological Impact Assessment.

18. The appointed contractor must submit a Final Construction and Environmental Management Plan (CEMP) for approval by Causeway Coast and Glens Borough Council Planning before commencement of any works on site. This plan should contain all the appropriate environmental mitigation as detailed in the CEMP by WM Associates (Doc 19 Rev A) date received 23rd April 2021 and the comments/advice of DAERA: WMU and NED dated 26/01/2021 and 20/08/2021.

Reason: To ensure that the appointed contractor is aware of and implements the appropriate environmental mitigation during construction phase that will negate any potential effects on the features of Skerries and Causeway SAC.

19. A 5m maintenance strip shall be provided in accordance with Drawing No. 04C date received 29th September 2021 and should be protected from impediments (excluding the fencing and gates as indicated on Drawing No. 26C date received 8th October 2021), land raising or future unapproved development.

Reason: To enable maintenance of the existing culverted watercourse under Schedule 5 of the Drainage Order Northern Ireland 1973.

20. All hard and soft landscape works shall be completed in accordance with Drawings Nos. 36A date received 23rd April 2021 and 04C date received 29th September 2021. Surfacing throughout the application site should be in accordance with Drawing No. 23A date received 23rd April 2021. These works

should be completed prior to the operation of the proposal, unless otherwise agreed by the Planning Authority in writing.

Reason: To ensure the provision of amenity afforded by appropriate landscape design.

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

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

22. The cumulative rated level of noise emissions from the permitted development, measured in accordance with BS 4142:2014 "Methods of rating and assessing industrial and commercial sound", shall not exceed the existing background noise level (43dB L_{ArT} (daytime)) by more than 0dB and (35dB L_{ArT} (night-time)) by more than 0dB at the boundary of the nearest residential receptor/s.

Reason: To protect neighbouring residential amenity.

23. Site preparation and construction works shall be implemented using best practicable means. Noise impact shall be minimised by employment of good practice and acoustic mitigation measures in accordance with BS 5228, Part 1, 2009, "Code of Practice for Noise and Vibration Control on Construction and Open Sites". Noise emissions shall not exceed the limits as stipulated within Category A; Table E 1 of BS 5228:2009. Such works shall not take place outside of the following hours, without the prior approval of the Planning Department:
- 07:30 - 19:00 hours Monday - Friday
 - 07:30 - 13:00 hours Saturdays
 - No working on Sundays or Bank Holidays

No working outside of these hours shall be permitted without prior notification and the approval of the Planning Authority in consultation with the Environmental Health Services Department.

Reason: To protect neighbouring residential amenity.

24. Vibration impacts shall be minimised by implementation of best practicable means and good practice. The vibration limits/criteria as prescribed within BS 5228: 2009 Part 2 "Code of Practice for Noise and Vibration Control on Construction and Open Sites" should not be exceeded at sensitive receptors.
Piling works shall not take place outside of daytime hours
08:00 - 17:00 hours Monday - Friday
No working on Saturdays, Sundays or Bank Holidays

Reason: To protect neighbouring residential amenity.

25. Dust mitigation measures shall be implemented in accordance with The Air Quality Management Plan (Document 17) and The Dust Management Plan (Document 18), date stamped 4th December 2020 during site preparation/enabling and construction phases to minimise the generation and movement of airborne particulate matter emissions from the development hereby approved to sensitive receptors.

Reason: To protect neighbouring residential amenity.

26. Artificial lighting installations installed during the course of, site preparation, construction and operational phases shall be suitably specified, erected, angled and maintained in order to minimise light pollution due to glare and spill. Light pollution shall be obviated by ensuring adherence to the Institute of Lighting Professionals: Guidance Notes for the Reduction of Obtrusive Light GN:01: 2021".

Reason: To protect neighbouring residential amenity.

27. The front boundary treatment along the Ballywillin Road shall be formed by brick piers, brick walls and railings as well as gates in

accordance with Drawing Nos. 26C and 14C date received 9th October 2021 prior to the operation of the proposal.

Reason: In the interests of visual amenity.

28. The acoustic fencing shall be erected in accordance with Drawing No. 26C date received 9th October 2021 and shall be of the specification identified in Drawing No. 41 date received 29th September 2021 prior to the operation of the proposal.

Reason: In the interests of residential amenity.

11 INFORMATIVES

1. 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.
2. This approval does not dispense with the necessity of obtaining the of the owners of adjacent dwellings for the removal of or building on the party wall or boundary whether or not defined.
3. 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.
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. Signs may require separate approval under the Planning (Control of Advertisements) Regulations (NI) 2015. Their size, construction, content and siting should be approved by the Planning Authority BEFORE any such signs are erected.
6. The construction of a headwall for the discharge of surface water to the Tar Burn will require permission under Section 48 of the Fisheries Act (NI) 1966. More information can be found at: <https://www.daera-ni.gov.uk/publications/application-permit-under-section-48-fisheries-act-ni-1966..> Inland Fisheries will require

more specific information relating to the mitigation measures to be employed during said works when these permits are applied for.

7. The purpose of the Conditions 5 – 6 is to ensure that any site risk assessment and remediation work is undertaken to a standard that enables safe development and end-use 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.
8. The boundary treatments to be constructed within the existing culvert wayleave area as shown on Drawing No. 04C date received 29th September 2021 may need to be removed at the land owner's expense should access be required by DFI Rivers.
9. 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 <http://epicpublic.planningni.gov.uk/publicaccess/>.

Site Location Map



