

ITEM C

Land Adjacent to 16 Scally Park, Loughguile

D/2015/0026/F

Full Planning

27 May 2015

<u>No:</u>	D/2015/0026/F	<u>Ward:</u>	Ballyhoe And Corkey
<u>App Type:</u>	Full Planning		
<u>Address:</u>	Land Adjacent to 16 Scally Park, Loughguile		
<u>Proposal:</u>	Proposed erection of play equipment and associated safety surfacing.		
<u>Con Area:</u>	N/A	<u>Valid Date:</u>	2 February 2015
<u>Listed Building Grade:</u>	N/A	<u>Target Date:</u>	
<u>Agent:</u>	R Robinson & Sons Ltd, 59 High Street, Ballymoney BT53 6BG		
<u>Applicant:</u>	Ballymoney Borough Council, Riada House, 14 Charles Street Ballymoney BT53 6DZ		
<u>Objections:</u>	0	<u>Petitions of Objection:</u>	0
<u>Support:</u>	0	<u>Petitions of Support:</u>	0

**Drawings are available to view on the Planning Portal-
www.planningni.gov.uk**

1 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 section 7 and resolves to **Grant** planning permission subject to the reason set out in section 10.

2 SITE LOCATION & DESCRIPTION

- 2.1 The application site is located at lands between No 16 and No 18 Scally Park, Loughguile. It is a corner site and an existing amenity area with a path traversing it.

3 RELEVANT HISTORY

None

4 THE APPLICATION

- 4.1 Planning permission is sought to provide a small play park for children in the area up to the age of 6 years old.

5 PUBLICITY & CONSULTATIONS

External:

No Objections received.

Internal:

- 5.2 **Transport NI:** Has no concerns with the proposal subject to condition of approval.

NIEA: Historic Monuments Unit has no archaeological concerns regarding this proposal.

6 MATERIAL CONSIDERATIONS

- 6.1 Article 45 of the Planning Act (Northern Ireland) 2011 states that, “where an application is made for planning permission, the council or, as the case may be, the Department, in dealing with the application, must have regard to the local development plan, so far as material to the application, and to any other material considerations.”

- 6.2 The development plan is:

- North East Area Plan 2002
- draft Northern Area Plan 2016

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

- 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 RELEVANT POLICIES & GUIDANCE

PPS 1 General Principles

PPS 3 Access, Movement and Parking

PPS 8 Open Space, Sport and Outdoor Recreation

Planning Strategy for Rural Northern Ireland

Supplementary Planning Guidance

Living Places

8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to: the principle of this type of development, and; the amenity of the adjacent properties.

Planning Policy

- 8.2 The site lies within the settlement development of Loughguile as defined in the dNAP 2016.
- 8.3 The principle of the type and scale of development proposed must be considered having regard to the PPS policy documents specified above and Policy DES 2 of The Planning Strategy.

Principle

- 8.4 The site is an existing area of informal open space within Scally Park and is afforded protection under Policy OS 1 of PPS 8. The proposal is to provide play facilities for the younger children within the area. This would be in keeping with policy and therefore acceptable in principle.

Amenity

- 8.5 There are four different types of equipment all aimed at the 18month - 6year old age category. A climbing tower, the tallest structure proposed is 0.9m in height and is located at the road side and furthest from the residential properties. The other facilities will be low in height and will not cause any significant impact on the neighbouring properties.

9.0 CONCLUSION

- 9.1 The proposal is acceptable in policy terms and **Approval** is recommended.

10 Conditions / Informatives

10.1 Conditions

1. As required by Section 61 of 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. Subject to the above conditions, the development shall be carried out in accordance with the stamped approved Drawing Nos: 01 and 02 dated 2 February 2015 and 03 dated 28 April 2015.

Reason: To ensure the development is carried out in accordance with the approved plans.

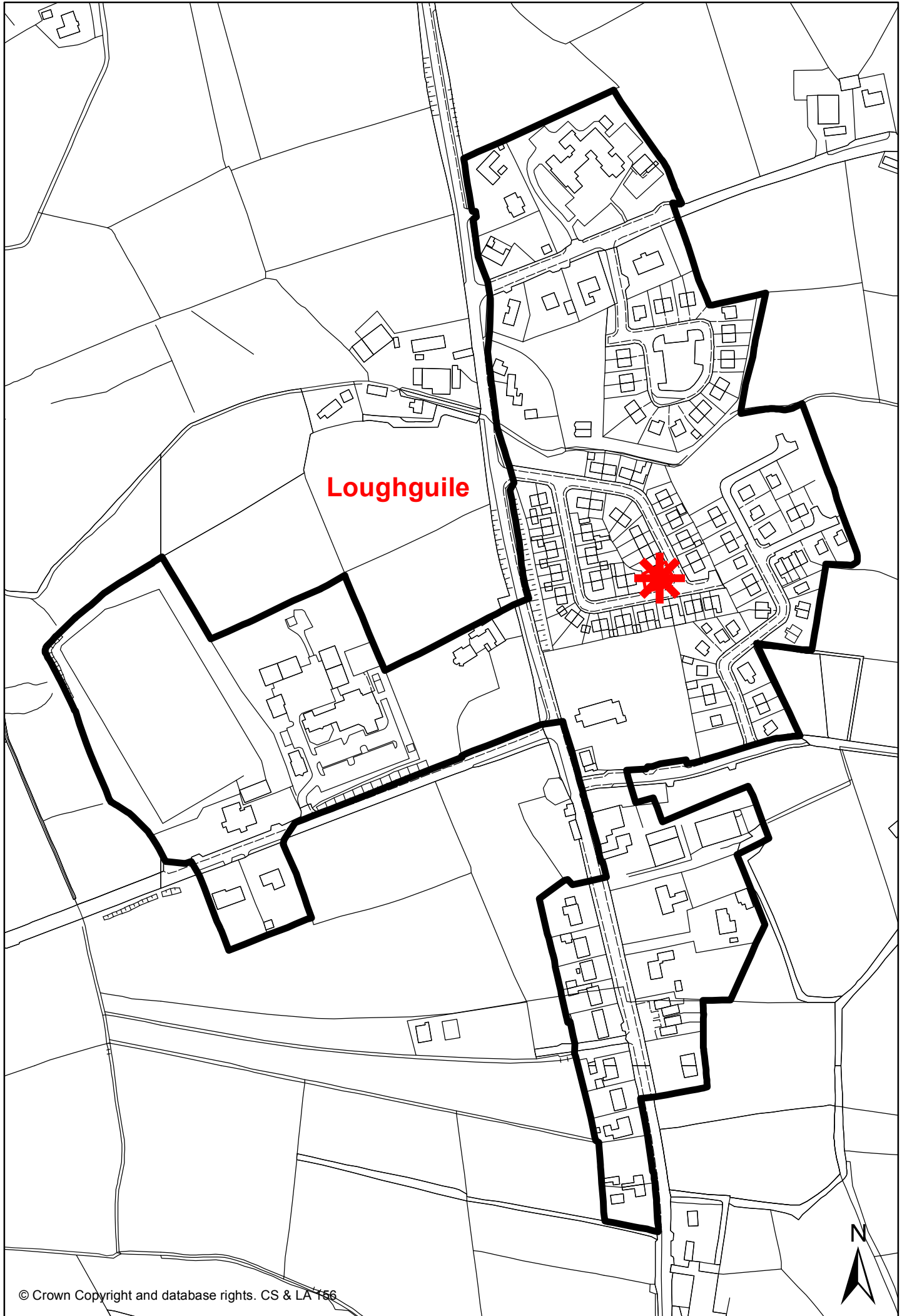
3. No part of the proposed fence and gates should encroach beyond the back of the public footpath.

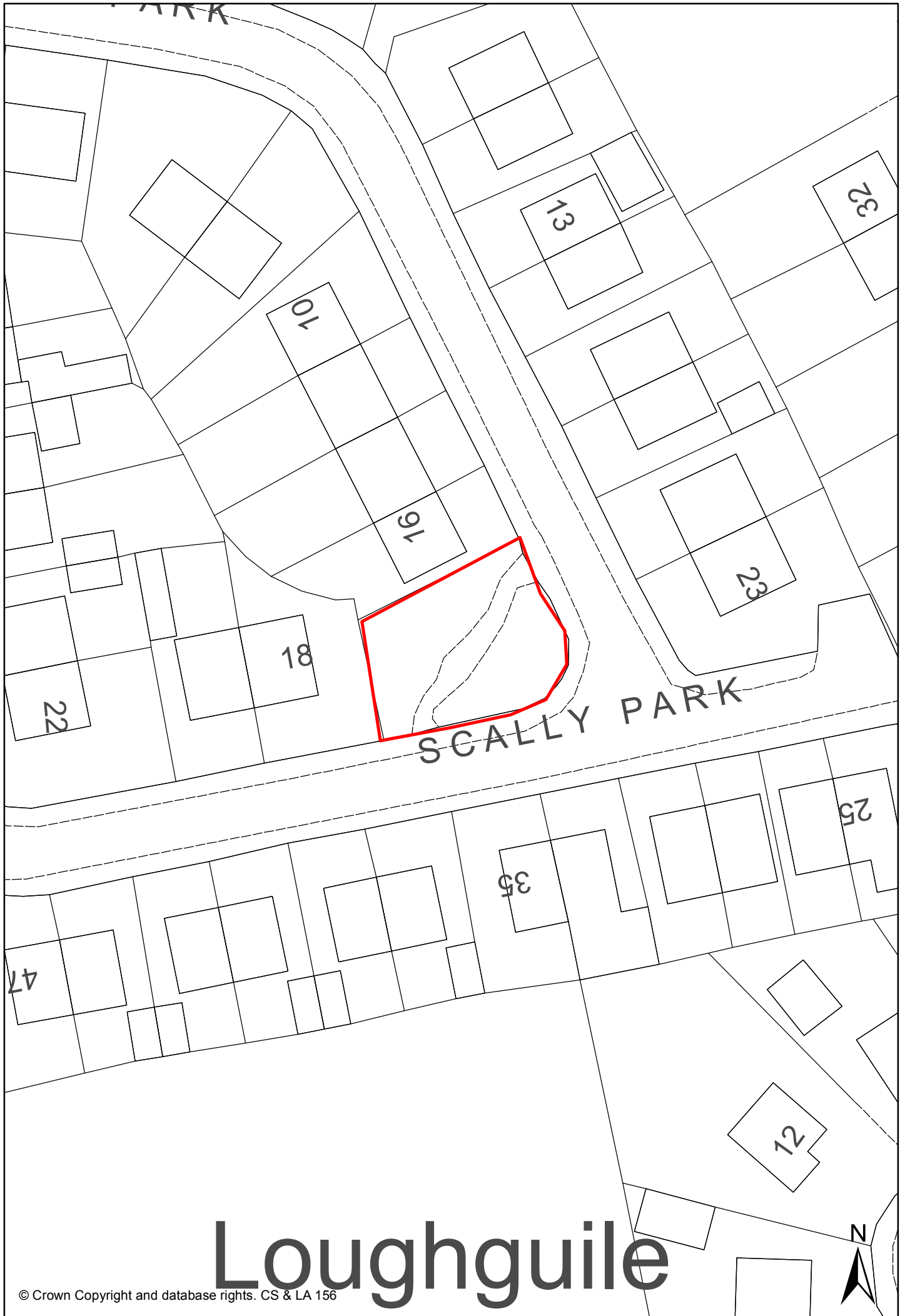
Reason: In the interests of pedestrian safety.

Informatives

1. 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.
2. This permission does not alter or extinguish or otherwise affect any existing or valid right of way crossing, impinging or otherwise pertaining to these lands.
3. This permission does not confer title. It is the responsibility of the developer to ensure that he controls all the lands necessary to carry out the proposed development.
4. This determination relates to planning control only and does not cover any consent or approval which may be necessary to authorise the development under other prevailing legislation as may be administered by the Planning Authority or other statutory authority.
5. Precautions shall be taken to prevent the deposit of mud and other debris on the adjacent road by vehicles travelling to and from the construction site. Any mud, refuse, etc. deposited on the road as a result of the development, must be removed immediately by the operator/contractor.
6. Notwithstanding the terms and conditions of the Planning Authority's approval set out above, you are required under Articles 71-83 inclusive of the Roads (NI) Order 1993 to be in possession of the Department for Regional Development's consent before any work is commenced which involves making or altering any opening to any boundary adjacent to the public road, verge, or footway or any part of said road, verge, or footway bounding the site. The consent is available on personal application to the TransportNI Section Engineer whose address is Trillick House, 49 Queen Street, Ballymoney. A monetary deposit will be required to cover works on the public road.

7. All construction plant and materials shall be stored within the curtilage of the site.





Loughguile