

# **Addendum and Erratum**

## **LA01/2016/1328/F**

### **Full Planning Permission**

#### **Addendum**

#### **Paragraph 8.25**

This paragraph states that The Londonderry Hotel was served with a Building Preservation Notice on 1<sup>st</sup> June 2017. It should be noted that the Department for Communities, in consultation with the Historic Buildings Council and Causeway Coast and Glens Borough Council, confirmed the listing of this building on 9<sup>th</sup> June 2017. The planning application submitted on this site still remains under consideration.

#### **Paragraph 8.119**

This is an addendum to Bullet Point 6 in Paragraph 8.119. Under Natural Environment, it should also make reference to the submission of an Ecological Appraisal (Document 9 Date Received 20<sup>th</sup> October 2016), as follows:

The applicant submitted an Ecological Appraisal which has considered the legislation and planning policy context, outlines the reports methodology, considers the baseline conditions and impact assessment, and concludes with a conclusion and mitigation measures. The report considers various species including badgers, otters, birds, and common lizard. The Natural Environment Division of NIEA has been consulted as the competent authority in this regard and advises that it has considered the impacts of the proposal on designated sites and other natural heritage interests and, on the basis of the information provided, has no concerns. NED also state that although letters of objection advise that the application site may be used by protected species, the Ecological Appraisal dated 5 October 2016 and NED ornithology records indicate the proposed development is unlikely to have an impact on protected species. There is no objection to the proposal or the ecological appraisal, and therefore the proposal complies with PPS2: Natural Heritage.

## Conditions

Section 10 of the Planning Committee Report sets out the recommended conditions. The agent contacted the Council querying the need to deliver a right turn lane before any development commences, as this is only required to facilitate traffic once the development becomes operational.

Council has discussed this matter with DfI Roads who accept that the right turn lane is not necessary for construction traffic, but is required once the development is occupied and operational. Therefore DfI Roads is satisfied that, subject to the access and visibility splays being in place before any other development commences, that the right turn lane can be constructed before any of the development becomes operational. Having regard to this matter, the conditions as currently proposed would not appear to meet the tests for conditions as set out in Paragraph 5.65 of the SPPS as these would not be reasonable. As conditions 28 and 30 are no longer reasonable, a suggested wording for revised conditions is set out below:

No development shall commence until the vehicular access, including visibility splays is provided in accordance with Drawing No's 56 (Access Detail Plan), 43C (Longitudinal Section), 40C, 41C, 42C, 46C, 53A (Cross Sections) bearing the date stamp 3<sup>rd</sup> April 2017 and Drawing No. 52C (Construction Details) bearing the date stamp 15<sup>th</sup> May 2017. 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.

The development hereby permitted shall not become operational until the proposed right turn lane is provided in accordance with Drawing No's 56 (Access Detail Plan), 43C (Longitudinal Section), 40C, 41C, 42C, 46C, 53A (Cross Sections) bearing the date stamp 3<sup>rd</sup> April 2017 and Drawing No. 52C (Construction Details) bearing the date stamp 15<sup>th</sup> May 2017.

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

The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992.

The development hereby permitted, shall not be operational until the works necessary for the improvement of a public road have been completed in accordance with the details outlined in blue on Drawing No. 56 bearing the date stamp 3<sup>rd</sup> April 2017. The Department hereby attaches to the determination a requirement under Article 3(4A) of the above Order that such works shall be carried out in accordance with an agreement under article 3 (4C).

REASON: To ensure that the road works considered necessary to provide a proper, safe and convenient means of access to the development are carried out.

## **Erratum**

### **Correction of error in text – Paragraph 8.96**

The existing Paragraph 8.96 reads:

8.96 Having regard to all the views surrounding the site, and in particular the critical views, the proposal will have a visual impact on the landscape. However, it is considered that, on balance, these impacts are not so significant and unacceptable in policy terms to carry determining weight in this case and warrant withholding of planning permission. It is therefore considered that this proposal complies with policies TSM7 of PPS 16 and CTY13 & CTY14 of PPS21.

However there is an error in the statement in the final sentence. This sentence reads:

*“It is therefore considered that this proposal complies with policies TSM7 of PPS 16 and CTY13 & CTY14 of PPS21.”*

It should read:

*“It is therefore considered that this proposal complies with policies TSM7 of PPS 16 and CTY13, CTY14 & CTY 15 of PPS21.”*

With regard to Policy CTY 15, comment is made on the setting of the settlement (Portstewart) and urban sprawl in Paragraph 8.94 of the Planning Committee report.

### **Correction of error in text – Paragraph 8.119**

There is a typo error in the 6<sup>th</sup> Bullet Point of Paragraph 8.119 starting Natural Environment. There is also a need to include reference to Paragraphs 4.11-4.12 – The first sentence reads:

*“The impact on the setting of the Skerries and Causeway SNI, LLPA and SLNCI are considered within Paragraphs 8.97-8.99.”*

It should read:

*“The impact on the setting of the Skerries and Causeway SCI, LLPA and SLNCI are considered within Paragraphs 4.11-4.12 and 8.97-8.99.”*

### **Recommendation**

That the Committee notes the content of this addendum and erratum, and agrees with the recommendation to approve as provided in the committee report. That the Committee agrees to the revised conditions.