

Planning Committee Report Item 5.8	24th August 2016
PLANNING COMMITTEE	

Linkage to Council Strategy (2015-19)	
Strategic Theme	Protecting and Enhancing our Environment and Assets
Outcome	Pro-active decision making which protects the natural features, characteristics and integrity of the Borough
Lead Officer	Shane Mathers
Cost: (If applicable)	N/a

ITEM 5.8

Housing Development comprising 32 Semi-Detached and 8 Detached Properties and Garages and all Associated Siteworks, Landscaping and Roads (reduction in density from that approved under D/2005/0859/RM).

**D/2014/0106/F
Full Application**

24th August 2016

<u>App No:</u>	D/2014/0106/F	<u>Ward:</u>	Dunloy
<u>App Type:</u>	Full Planning		
<u>Address:</u>	Opposite 31 Bellaghy Road, Dunloy, Ballymena. Co. Antrim		
<u>Proposal:</u>	Housing Development comprising 32 Semi-Detached and 8 Detached Properties and Garages and all Associated Siteworks, Landscaping and Roads (reduction in density from that approved under D/2005/0859/RM).		
<u>Con Area:</u>	N/A	<u>Valid Date:</u>	21.05.2014
<u>Listed Building Grade:</u>	N/A	<u>Target Date:</u>	
Applicant:	Ovalbridge Ltd		
Agent:	TSA Planning 29 Linenhall Street, Belfast.		
Objections:	0	Petitions of Objection:	0
Support:	0	Petitions of Support:	0

Drawings and additional information 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 sections 7 and 8 and resolves to **APPROVE** planning permission subject to the conditions set out in section 10.

2 SITE LOCATION & DESCRIPTION

- 2.1 The site is roadside located on the south-eastern periphery of Dunloy village. The site incorporates three existing agricultural fields fronting onto Bellaghy Road comprising 2.17 hectares and extending back from the public road approximately 120 metres. The land is utilised for grazing and is located to the south-east

of an existing housing development which comprises a single storey dwelling to the roadside (No 30) and a number of chalet bungalows with rear first floor dormers to the north-western boundary.

- 2.2 The central portion of the site rises very slightly from the public road to a crest which runs north/south through the site before falling to the rear boundary. That part of the site to the rear of No 30 Bellaghy Road is more pronounced in terms of the falling levels to the rear of the site. The roadside boundary is defined by a fairly mature hedgerow approximately 1 ½ metres in height with a small number of mature trees interspersed. The rear and south-eastern boundaries as well as the existing internal site boundaries are also well defined with mature hedgerows consisting mainly of hawthorn. The remaining boundary to the north-east is defined by a mixture of domestic hedgerows including laurel, conifers and a small section of hawthorn.
- 2.3 The site is located within the existing Settlement Development limit as defined within the Northern Area Plan 2016. The site is partially affected by the setting of two archaeological sites and monuments and is marginally affected by a very small area identified as being prone to pluvial ponding to the north-western corner.
- 2.4 The land adjacent to the north-west is suburban in character particularly along the eastern side of Bellaghy Road while some dwellings also exist just beyond the SDL on the western side of Bellaghy Road.

3 RELEVANT HISTORY

D/2004/0308/0- Site for housing development at Land adjacent 30 Bellaghy Road, Dunloy Allowed on Appeal 14/12/2004

D/2005/0859/RM- Housing development (51 units) at Land adjacent 30 Bellaghy Road, Dunloy Approved 19/01/2007

D/2008/0537/F- Amendment to previous planning approval (D/2005/0859/RM) incorporating revised road layout, landscaping and relocation/ amendment of 3 house types at Land adjacent 30 Bellaghy Road, Dunloy Approved 25/09/2009

4 THE APPLICATION

- 4.1 Planning Permission is sought for a proposed residential development with private amenity space, car parking, access and ancillary site works.
- 4.2 The initial proposal was for 41 units incorporating a mix of housing including detached and semi-detached. Following discussions to improve the scheme, a revised proposal was submitted reducing the number of units by 1 No. unit from original submission to 40 units.
- 4.3 The 40 No units, consists of 32 semi-detached and 8 detached properties with garages, private amenity space, landscaping, access and ancillary works.
- 4.4 A single vehicular access onto Bellaghy Road with a 2.0m wide footpath and 4.5 x 145m sight visibility splays is the shown access arrangement.
- 4.5 The dwelling units are proposed as two storey with a ridge height of 8 metres
- 4.6 The application is accompanied by the following documentation:
- Archaeological Evaluation Report
 - Drainage Assessment
 - Standard Construction Details
- 4.7 An EIA determination was carried out under The Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2015 on 10th June 2014. It was determined that given the scale, nature and location of the proposal, that it is unlikely to have significant environmental effects and an environmental statement is not required.

5.0 PUBLICITY & CONSULTATIONS

5.1 External

There are no objections to the proposal.

5.2 Internal

Historic Environment Division: HED Historic Monuments (HED: HM) has considered the impacts of the proposal. HED: HM is content that the proposal satisfies PPS 6 policy requirements, subject to conditions for the agreement and implementation of a developer-funded programme of archaeological works and a letter confirming acceptance of any financial risk and potential time restraints as a result of the investigation and mitigation process.

Transport NI: Has no objection to the proposal.

NI Water: Has no objection to the proposal.

NIEA Natural Environment Division: Has no objection to the proposal.

NIEA Water Management Unit: has no objection to the proposal.

Environmental Health: Has no objection to the proposal.

Rivers Agency: Has no objection to the proposal.

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 both 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

Strategic Planning Policy Statement (SPPS)

Planning Policy Statement 3: Access, Movement and Parking

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

Planning Policy Statement 7: Quality Residential Environments

PPS 7 Addendum: Safeguarding the Character of Established Residential Areas

PPS 8: Open Space, Sport and Outdoor Recreation

Planning Policy Statement 12: Housing in Settlements

Planning Policy Statement 15: Planning and Flood Risk

DCAN 8 - Housing in Existing Urban Areas

DCAN 15 - Vehicular Access Standards

Parking Standards

Creating Places

8.0 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to: the proposed design and layout; impact on residential amenity; flood risk and sewerage/drainage.
- 8.2 In the Northern Area Plan, the site is not zoned for any specific use and is considered to be a whiteland site within the settlement development limit of Dunloy.
- 8.3 The principle of the type and scale of development proposed must be considered having regard to the SPPS and PPS policy documents specified above.

Proposed Design and Layout

- 8.4 The site is located within the settlement development limit for Dunloy as defined by the Northern Area Plan 2016. Policy QD2 (Design Concept Statements) of Planning Policy Statement 7 (Quality Residential Environments) requires *'the submission of a Design Concept Statement, or where appropriate a Concept Master Plan, to accompany all planning applications for residential development'*. It states that quality design proposals should emerge from a careful analysis of the sites location, surrounding context and the specific characteristics of the site itself. The Local Planning Authority expects to see a clear demonstration of the design thinking behind schemes and how this has developed from the analysis. The applicant has submitted an acceptable concept plan statement with the proposal, as required by Policy QD2 of PPS7.
- 8.5 PPS 7 also provides specific policy guidance in relation to housing proposals. Policy QD1 sets out the planning criteria which all proposals for residential development should conform to. This is assessed below:

(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;

The character of the immediate area consists of a mix of bungalows and chalet bungalows with a strong building line along Bellaghy Road defined by those properties extending

from the junction with Bellaghy Park. The existing density within the locality is quite low. The proposed density is approximately 19 units per hectare which is within the low bracket as identified in PPS12. The proposed layout along Bellaghy Road reflects the existing building line as well as the number of semi-detached properties within the area.

The previous approval comprised dwellings of a similar ridge height which were of an angular design incorporating a variety of roof pitches, projections and fenestration detail. The previous approval also incorporated a number of fairly large blocks comprising short terraces as well as a crescent of four units to the north-western corner of the site.

The proposed house types are two storey comprising substantial gables (11m) with a more modest front elevation and are of a simpler and more modest design which reflects the existing character of the area.

The current proposal is broadly similar to that previously approved but now incorporates a substantial reduction in density (from 51 to 40) as well as more appropriate built form (the larger blocks have been replaced with semi-detached dwellings) and is more appropriate to the character of the area.

(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;

There are no issues arising in relation to listed buildings – there are no listed buildings close to the application site. Historic Environment Division (Historic Monuments) has been consulted as the site falls within an area of known archaeology. HED initially requested the submission of an Archaeological assessment in line with Policy BH3 of PPS6 but have subsequently advised that they are prepared to accept the use of a negative condition regarding this matter on the condition that a letter is received from the client stating that they are fully prepared to accept the financial risks and potential time constraints should any archaeological remains be found. A letter was forwarded from the agent to this effect on 14 October 2014.

(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;

Policy OS2 (Public Open Space in New Residential Development) is engaged, by reason that the proposal is for more than 25 No. units.

Relative to the previous scheme, the provision of private amenity space has increased. The proposal provides for circa 10% of public open space throughout the layout set within three central areas with additional residual green space along that part of the proposal which fronts the public road. All areas of open space incorporate further planting with retention of existing trees and hedgerows where possible along site boundaries.

(d) adequate provision is made for necessary local neighbourhood facilities, to be provided by the developer as an integral part of the development;

No issues are arising in relation to local neighbourhood facilities. Given the size of the proposal, it is not of such significance as to require the provision of neighbourhood facilities as it is located within an established residential area.

(e) a movement pattern is provided that supports walking and cycling, meets the needs of people whose mobility is impaired, respects existing public rights of way, provides adequate and convenient access to public transport and incorporates traffic calming measures;

No issues are arising in relation to the movement pattern - the movement pattern is acceptable, given that access to the site is restricted on three sides. Footpath links are to be provided to Bellaghy Road.

(f) adequate and appropriate provision is made for parking;

No issues are arising in relation to parking provision- Transport NI has been consulted as the competent authority and no objections have been raised regarding the level of parking provision.

(g) the design of the development draws upon the best local traditions of form, materials and detailing;

The proposal promotes a mix of dwelling types as advocated by PPS7 including detached and semi-detached. The proposed dwellings are of simpler and more modest design which is considered appropriate in this suburban context and reflects the existing character of the area.

(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;

Creating Places and DCAN8 provide guidance and advice supplementing PPS7. Creating Places suggests that rear gardens should be a minimum of 10m on greenfield and low density developments (7.15 & 7.16), but allows for greater flexibility in relation to apartment, high density and inner urban locations. While 10m is suggested as a generally appropriate rear garden dimension to minimise overlooking, this can be increased or decreased given the particular circumstance of each case.

As above, the proposed layout, orientation and separation distances are broadly similar to that previously approved. The proposed layout incorporates greater separation between a number of dwellings which are designed and orientated to limit any significant issues of direct overlooking or impact on privacy in terms of the relationship between first floor windows.

Separation distances between rear facing first floor windows generally meet the figure of 20m as stated in Creating Places, although some fall slightly below this. However, this is sufficiently marginal as not be fatal to the proposed layout and

is mitigated against by off-setting these properties in relation to each other to prevent a direct relationship between opposing rear elevations.

One of the main considerations in relation to residential amenity is the potential impact on neighbouring properties, particularly No 30 Bellaghy Road as well as those along the north eastern boundary (Bellaghy Park).

While some degree of overlooking in an urban context is inevitable the current proposal incorporates an acceptable level of separation between the existing and proposed properties as well as reasonable back garden depths (from the two storey portion of the proposed dwellings). Finished floor levels are as per previously approved although the ridge heights of the proposed dwellings have been increased by ½ metre to just below 8.0 metres from finished floor level.

Some loss of light may occur to the rear amenity space of the existing dwellings in Bellaghy Park however this is unlikely to result in a significant loss of amenity due the orientation relative to the path of the sun. The potential impact on No 30 Bellaghy Road is negligible.

(i) the development is designed to deter crime and promote personal safety.

The proposal incorporates considerable supervisory overlooking of all public open space from surrounding properties and does not include any areas which would be likely to promote or accommodate anti-social behaviour. No issues are arising in relation to crime and personal safety.

Flood Risk

- 8.6 A drainage assessment was submitted with the planning application. Rivers Agency has been consulted as the competent authority in this regard and raises no objection.

Sewerage / Drainage

- 8.7 The applicant intends to use mains sewerage. NI Water has no objection to the proposed sewerage disposal arrangements. NIEA Water Management Unit has no objection to the impact on the surface water environment.

9.0 CONCLUSION

- 9.1 The proposed housing development is considered acceptable in this location having regard to the development plan and other material considerations. The development is an appropriate use of the land and is acceptable in terms of its effect on residential amenity, effect on heritage / archaeological interests and layout/ appearance. All matters can be secured by planning condition. Approval is recommended.

10 CONDITIONS

10.1 Regulatory Conditions:

- 01 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.

- 02 The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992. The Department hereby determines that the width, position and arrangement of the streets, and the land to be regarded as being comprised in the streets, shall be as indicated on Drawing. No. 10, (Drg no. 06023:12 rev G Site Layout), bearing the date stamp 02 Dec 2015.

Reason: To ensure there is a safe and convenient road system within the development and to comply with the provisions of the Private Streets (Northern Ireland) Order 1980.

- 03 The gradient of the access road shall not exceed 4% (1 in 25) over the first 10m from the edge of the public road (Bellaghy Road).

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

04 The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992. No other development hereby permitted shall be occupied until the works necessary for the improvement of a public road have been completed in accordance with the details outlined blue on Drg. No. 10, (Drg no. 06023:12 rev G Site Layout), bearing the date stamp 02 Dec 2015. 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.

05 The access gradients to the dwellings hereby permitted shall not exceed 8% (1 in 12.5) over the first 5 m 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.

06 The visibility splays of 4.5 metres by 145 metres at the junction of the proposed access road with the public road (Bellaghy Road), shall be provided in accordance with Drg. No. Drg. No. 10, (Drg no. 06023:12 rev G Site Layout), bearing the date stamp 02 Dec 2015, prior to the commencement of any other works or other development.

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

07 No dwelling hereby approved shall be occupied until that part of the service road which provides access to it has been constructed to base course; the final wearing course shall be applied on the completion of the development

Reason: To ensure the orderly development of the site and the road works necessary to provide satisfactory access to each dwelling.

08 No dwelling hereby approved shall be occupied until works for the disposal of sewage have been provided on site to serve the development.

Reason: In the interest of public health

09 No existing tree to be retained as identified on drawing 14 which was received on 08-DEC-2015 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 be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Department. Any approved arboricultural work or tree surgery shall be carried out in accordance with British Standard 3998, 1989. Recommendations for Tree Work.

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

10 All planting comprised in the approved details of drawing No 14 date stamped 08-DEC-2014 shall be carried out during the first planting season following the commencement of the development and any shrubs which, within a period of five years from the completion of the development, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with other similar size and species.

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

- 11 The proposed open space indicated on the stamped approved drawing No. 14, received on 08-DEC-2015, shall be maintained in perpetuity to the satisfaction of the Council. A signed copy of the Memorandum and Articles of Association insofar as this relates to the open space shall be submitted to the Council and agreed in writing prior to the occupation of any dwelling.

Reason: To ensure successful establishment and long term maintenance of open space/amenity areas in the interests of visual and residential amenity.

- 12 No site works of any nature or development shall take place until a programme of archaeological work has been implemented, in accordance with a written scheme and programme prepared by a qualified archaeologist, submitted by the applicant and approved by the Planning Authority. The programme should provide for the identification and evaluation of archaeological remains within the site, for mitigation of the impacts of development, through excavation recording or by preservation of remains, and for preparation of an archaeological report.

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

- 13 Access shall be afforded to the site at all reasonable times to any archaeologist nominated by the Planning Authority to observe the operations and to monitor the implementation of archaeological requirements.

Reason: To monitor programmed works in order to ensure that identification, evaluation and appropriate recording of any archaeological remains, or any other specific work required by condition, or agreement is satisfactorily completed.

Informatives

- 01 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.

- 02 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.
- 03 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.
- 04 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 Department or other statutory authority.
- 05 The Private Streets (Northern Ireland) Order 1980 and The Private Streets (Amendment) (Northern Ireland) Order 1992. Under the above Orders the applicant is advised that before any work shall be undertaken for the purpose of erecting a building the person having an estate in the land on which the building is to be erected is legally bound to enter into a bond and an agreement under seal for himself and his successors in title with the Department to make the roads (including road drainage) in accordance with The Private Streets (Construction) Regulations (Northern Ireland) 1994 and The Private Streets (Construction) (Amendment) Regulations (Northern Ireland) 2001. Sewers require a separate bond from Northern Ireland Water to cover foul and storm sewers.
- 06 The Applicant is advised that developers are also now responsible for the cost of supervision of the construction of streets determined under The Private Streets Order. A fee of £1,000 plus 2% of the total Bond value will be paid directly to Roads Service before the Bond Agreement is completed.
- 07 Under the terms of The Private Streets (Construction) (Amendment) Regulations (Northern Ireland) 2001, design for any Street Lighting schemes will require approval from TransportNI's Street Lighting Consultancy, 40a Benson Street, Lisburn. The Applicant is advised to contact Roads Service Street Lighting Section at an early stage. The Applicant/Developer is also responsible for the cost of supervision of all street works

determined under the Private Streets Order (Northern Ireland) 1980.

- 08 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.

- 09 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 Ballymoney and Moyle Section Engineer, Trillick House, 49 Queen Street, Ballymoney. A monetary deposit will be required to cover works on the public road.

- 10 All construction plant and materials shall be stored within the curtilage of the site.
It is the responsibility of the Developer to ensure that water does not flow from the site onto the public road (including verge or footway) and that existing road side drainage is preserved and does not allow water from the road to enter the site.

- 11 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.

- 12 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.

- 13 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.
- 14 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.
- 15 The applicant is advised that the responsibility for the accuracy, acceptance of the Flood Risk Assessment and implementation of the proposed flood risk measures rests with the developer and their professional advisors.
- 16 Under the terms of Schedule 6 of the Drainage (NI) Order 1973 any proposal either temporary or permanent, in connection with the development which involves interference with any watercourse such as culverting, bridging, diversion, building adjacent to or discharge of storm water etc requires the written consent of Rivers Agency.
- 17 The applicant's attention is drawn to Article 10 of the Wildlife (Northern Ireland) Order 1985 (as amended) under which it is an offence to intentionally or recklessly kill, injure or take any wild animal included in Schedule 5 of this Order, which includes the badger (*Meles meles*). It is also an offence to intentionally or recklessly: damage or destroy, or obstruct access to, any structure or place which badgers use for shelter or protection; damage or destroy anything which conceals or protects any such structure; disturb a badger while it is occupying a structure or place which it uses for shelter or protection.

Any person who knowingly causes or permits to be done an act which is made unlawful by any of these provisions shall also be guilty of an offence.

If there is evidence of badger on the site, all works must cease immediately and further advice sought from the Wildlife Team, Northern Ireland Environment Agency, Klondyke Building, Cromac Avenue, Gasworks Business Park, Belfast BT7 2JA. Tel. 028 905 69605.

- 18 The applicant's attention is drawn to Article 4 of the Wildlife (Northern Ireland) Order 1985 (as amended) under which it is an offence to intentionally or recklessly kill, injure or take any wild bird. It is also an offence to intentionally or recklessly: take, damage or destroy the nest of any wild bird while that nest is in use or being built; or take or destroy an egg of any wild bird. If any person intentionally or recklessly disturbs any wild bird while it is building a nest or is in, on or near a nest containing eggs or young; or disturbs dependent young of such a bird they shall be guilty of an offence.

Any person who knowingly causes or permits to be done an act which is made unlawful by any of these provisions shall also be guilty of an offence.

It is therefore advised that tree and hedge loss should be kept to a minimum and removal should not be carried out during the bird breeding season between 1st March and 31st August.

- 19 The applicant is advised to refer to those comments from NIEA Water Management Unit within consultation response dated 17-JUN-2014 available to view on public access.
- 20 Causeway Coast and Glens Borough Council (Borough Services) would advise that consent to discharge to the mains sewerage system is required from NIEA Water Management Unit.
- 21 The applicant is advised to contact NIW through its Customer Relations Centre on 08458 770002 or waterline@niwater.com, upon receipt of this consultation to discuss any areas of concern.

- 22 If during the course of developing the site the developer uncovers a pipe not previously evident NIW should be notified immediately in order that arrangements may be made for investigation and direction in respect of any necessary measures required to deal with the pipe. Notify NIW Waterline on 08457 440088.

- 23 The applicant is advised that the public sewer or watermain can only be accessed through private property. The applicant is required to obtain permission from the landowner to lay the service pipe through the land to the public sewer or watermain. Formal consent is required with NI Water for the connection.