



Title of Report:	Planning Committee Report – LA01/2024/1096/F
Committee Report Submitted To:	Planning Committee
Date of Meeting:	26th February 2025
For Decision or For Information	For Decision – Major Item
To be discussed In Committee YES/NO	No

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	Development Management and Enforcement Manager

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

Legal Considerations	
Input of Legal Services Required	NO

Legal Opinion Obtained	NO
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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:
Data Protection Impact Assessment (DPIA)	Screening Completed:	N/A	Date:
	DPIA Required and Completed:	N/A	Date:

App No: LA01/2024/1096/F **Ward:** Waterside

App Type: Full Planning

Address: Lands North of 1-7 Laurel Park, west of 73-89 Strand Road, east of Laurel Hill Gardens and south of Killowen Primary School, Coleraine.

Proposal: Residential development (social & affordable tenure) on Housing Zoning CEH55, comprising 80 no units, including 6 no. 1 bed apartments, 14 no. 2-bed apartments, 9 no. two-storey town houses, 40 no. two-storey semi-detached dwellings and 7 no. two-storey detached dwellings, with open space and associated works, including stopping up of private laneway onto Strand Road and new access onto Laurel Park and the reallocation of surplus lands to residential curtilages.

Con Area: N/A

Valid Date: 07.10.2024

Listed Building Grade: N/A

Target Date: 05.05.2025

Agent: JPE Planning Ltd, Unit 1A Nixon, Ledcom Industrial Estate, 100 Bank Road, Larne, BT40 3AW

Applicant: Radius Housing Association, 25F Longfield Road, Eglinton, BT47 3PY

Objections: 57 **Petitions of Objection:** 3 (149 signatures)

Support: 0 **Petitions of Support:** 0

Executive Summary

- Full planning permission is sought for a residential development (social & affordable tenure) on Housing Zoning CEH55, comprising 80 no units, including 6 no. 1 bed apartments, 14 no. 2-bed apartments, 9 no. two-storey town houses, 40 no. two-storey semi-detached dwellings and 7 no. two-storey detached dwellings, with open space and associated works, including stopping up of private laneway onto Strand Road and new access onto Laurel Park and the reallocation of surplus lands to residential curtilages.
- The application site falls within the Coleraine Settlement Development Limit, a housing zoning, Area of Archaeological Potential and a Local Landscape Policy Area. The site adjoins a listed building and Tree Preservation Order.
- 57 letters of objection and three petitions with a total of 149 signatures has been received in relation to this application.
- No objections have been raised by statutory consultees in relation to this proposal. The response from NIEA NED is outstanding.
- The proposal meets the requirements of Policy QD 1 of PPS 7 and Policy LC 1 of APPS 7 in relation to the layout and design of the housing development proposed.
- The proposed access arrangements to serve the proposal was previously approved under LA01/2021/1173/F. There are no concerns in relation to traffic or road safety issues arising from the proposal. The principle of the reallocation of surplus lands to residential curtilages was accepted at this time.
- The proposal is not considered to result in unacceptable impacts on both built and natural heritage and in terms of flooding and drainage.
- The proposal is considered to not have an unacceptable adverse effect on neighbouring properties.
- The proposal does not adversely impact on the Local Landscape Policy Area, Tree Preservation Order or listed building.
- The proposal complies with planning policies including the Northern Area Plan, SPPS, PPS 3, PPS 6, PPS 7, APPS 7 and PPS 15.
- A favourable consultation response from NIEA Natural Environment Division (NED) including any suggested conditions is required for assessment under the requirements of PPS 2.

Drawings and additional information are available to view on the Planning Portal-
<https://planningregister.planningsystemni.gov.uk/simple-search>

1 RECOMMENDATION

- 1.0 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 and a favourable consultation response from NIEA Natural Environment Division (NED) including any suggested conditions.

2.0 SITE LOCATION & DESCRIPTION

- 2.1 The application site is located on lands north of 1-7 Laurel Park, west of 73-89 Strand Road, east of Laurel Hill Gardens and south of Killowen Primary School, Coleraine.
- 2.2 The site encompasses an area of parkland characterised by rising slopes from east to west. The land is grassed with mature trees located throughout. The boundaries of the parkland to the north comprise a stone wall with fencing along eastern and western boundaries. The site includes an existing laneway providing access to these lands and dwellings at No. 93A and 95 Strand Road. This laneway is fenced off by a post and wire fence where it adjoins the area of parkland. Where the proposed access is located the site is vegetated with trees and hedges. The area of visibility splays serving the access incorporates the road at Laurel Park.
- 2.3 The area is mostly characterised by residential uses which are located to the east, south and west. To the north of the site is a church and graveyard, to the northeast of the site is a primary school and to the northwest is a former MOD site utilised by commercial premises.
- 2.4 The site lies within the settlement development limit for Coleraine. The site is located within Housing Zoning CEH 55 Killowen, Local Landscape Policy Area CEL 17 Laurel Park and partially within the Coleraine Area of Archaeological Potential.

The site adjoins a Tree Preservation Order along a section of the western boundary. Listed buildings associated with Laurel Hill House are located to the northwest of the site. To the north of the site is St John's (RC) Church which is also listed.

3.0 RELEVANT HISTORY

3.1 The following planning history is relevant to this application site

LA01/2024/0971/PAD - Lands north of 1-7 Laurel Park, west of 73-89 Strand Road, east of Laurel Hill Gardens and south of Killowen Primary School, Coleraine - Lands north of 1-7 Laurel Park, west of 73-89 Strand Road, east of Laurel Hill Gardens and south of Killowen Primary School, Coleraine – PAD Concluded – 7th October 2024

LA01/2024/0407/PAD - Lands north of 1-7 Laurel Park, West of 73-89 Strand Road, East of Laurel Hill Gardens and South of Killowen Primary School, Coleraine - Residential development (social & affordable) on Housing Zoning CEH55, with open space and associated works including stopping up of private laneway onto Strand Road and new access onto Laurel Park – PAD Concluded – 26th June 2024

LA01/2024/0051/PAN - Lands north of 1-7 Laurel Park, west of 73-89 Strand Road, east of Laurel Hill Gardens and south of Killowen Primary School, Coleraine - Residential development (social & affordable) on Housing Zoning CEH55, with open space and associated works including stopping up of private laneway onto Strand Road and new access onto Laurel Park – PAN Acceptable – 24th January 2024

LA01/2023/1215/PAN - Lands north of 1-7 Laurel Park, West of 73-89 Strand Road, East of Laurel Hill Gardens and South of Killowen Primary School, Coleraine - Residential development (social & affordable) on Housing Zoning CEH55, with open space and associated works, including stopping up of private laneway onto Strand Road and new access onto Laurel Park – Application Withdrawn

LA01/2023/0545/PAN - Lands North of 1-7 Laurel Park, West of 73-89 Strand Road, East of Laurel Hill Gardens & South of Killowen Primary School, Coleraine - Residential development

(social & affordable) on Housing Zoning CEH55, with open space and associated works, including stopping up of private laneway onto Strand Road and new access onto Laurel Park – PAN Acceptable – 15th June 2023

LA01/2021/1173/F - Land opposite nos 2 & 2A and at Laurel Park, Coleraine - Proposed access road including access alterations along Laurel Park, Coleraine to service social housing zoning - CEH55 in Northern Area Plan 2016 – Permission Granted – 2nd November 2023

LA01/2018/0817/RM – Site opposite 2a Laurel Park & to the rear of 95 Strand Road, Coleraine - Proposed 2-storey dwelling to include garage, access, driveway, site works and landscaping – Permission Granted – 25th October 2018

LA01/2016/0144/F - Nos 93 & 95 Strand Road (Off Laurel Hill Road) Coleraine (east of No 6 Laurel Hill Road) - Proposed Social Housing. 30 no dwellings comprising 6 no. three storey 1 bed apartments, 8 no. two storey 2 bed apartments, 6 no. two storey 2 bed dwellings, 10 no. two storey 3 bed dwellings and roadways/parking areas for Private Streets Determination – Permission Granted – 22nd March 2017

LA01/2015/0323/F – 83, 85, 87 & 89 Strand Road, Coleraine – Retrospective planning application for change of house type to sites 3, 4 & 5 comprising 3 No. detached dwellings with associated landscaping, car parking and private gardens as approved under extant full Planning Permission C/2013/0142/F – Permission Granted – 19th October 2015

C/2015/0151/O - Site to Rear of 95 Strand Road, Coleraine, BT51 3AD – Proposed Dwelling – Permission Granted – 2nd December 2015

4.0 THE APPLICATION

- 4.1 Planning permission is sought for a residential development (social & affordable tenure) on Housing Zoning CEH55, comprising 80 no units, including 6 no. 1 bed apartments, 14 no. 2-bed apartments, 9 no. two-storey town houses, 40 no. two-storey semi-detached dwellings and 7 no. two-storey detached

dwellings, with open space and associated works, including stopping up of private laneway onto Strand Road and new access onto Laurel Park and the reallocation of surplus lands to residential curtilages.

- 4.2 The proposal falls within Major category of development 6 as the proposal exceeds 50 units and the site exceeds 2ha. As such the applicant entered into pre application community consultation including the submission of a Proposal of Application Notice (PAN).
- 4.3 Three Proposal of Application Notices were submitted in relation to this site. An initial PAN was submitted under LA01/2023/0545/PAN. The most recent PAN was submitted on 17th January 2024 (LA01/2024/0051/PAN) and was found to be acceptable and meet the legislative requirements on 24th January 2024.
- 4.4 The proposed consultation arrangements under LA01/2024/0051/PAN were outlined within a submitted PAN Engagement Methodology Report and the PAN application form. These arrangements were outlined to be a series of workshops to be held during January and February with the first scheduled for 8th February 2024. It was outlined that dependent upon attendance that a further workshop may be held. This workshop was outlined to inform the design development prior to the Public Information event which was to be held on 7th March 2024. A roundtable event between local MLAs, representatives of the project delivery team and residents are outlined to be held to discuss all issues relating to the application. A website is to be designed to host all exhibition boards with a facility to collate feedback. This is indicated to run for approx. 2 weeks commencing 7th March 2024 with feedback to be returned by 22nd March 2024 at the latest. The applicant's team is indicated to follow up with the local community who have engaged via the website as appropriate.
- 4.5 The PAN report outlines advertisement of the Design Workshops on Event Brite and the consultation website from 21st January 2024 until 8th February 2024 and the Public Information Event in the Coleraine Times on the week commencing 26th February 2024. Both events were indicated to be held at West Bann Community Centre, 8 – 10 Killowen Court, Coleraine.

- 4.6 Invitations are outlined to be issued to local stakeholders/community groups/political representatives by email and posted letter. The stakeholders were outlined as any community/resident groups identified through a stakeholder audit and an email would be sent to notify the DEA Councillors and Elected Members. The stakeholder audit outlines that the design team will try to engage with local community groups directly throughout January and February 2024 and run alongside other events subject to availability. Copies of the PAN are outlined to have been served to DEA MLA's and Councillors on 17th January 2024.
- 4.7 A leaflet drop was to take place within 200 metres of the site, week commencing 26th February 2024 which would include preliminary details of the proposal along with details of how to access the public event and website and alternative options of how to get involved. Feedback is outlined to be requested by 22nd March 2024.
- 4.8 This planning application was submitted on 24th September 2024 after the expiration of the statutory 12 week pre-consultation period.

Pre-Application Community Consultation

- 4.9 A Pre-Application Community Consultation Report has been submitted with the application outlining the consultation carried out.
- 4.10 For the Public Information Event, Press Notices were outlined to be published in The Coleraine Times on 28th February 2024 to advertise the planning application prior to the event. A copy of this is included within an appendix to the Pre-Application Community Consultation Report.
- 4.11 An information leaflet was distributed to over 700 residential properties within 200m of the application site in advance of the Public Information Event. It is outlined that around 40 people attended the Public Information Event including representatives from local businesses, neighbours from surrounding properties, local political representatives and people from the local area interested in applying for homes in the development.

- 4.12 Feedback forms were provided for anyone wishing to leave views and all completed forms are indicated to be included in Appendix 7 of the Consultation Report.
- 4.13 A Key Stakeholder Round Table event was held on 31st May 2024. A total of 20 people attended the roundtable which began with a brief presentation serving as an updated iteration of the original consultation event and included updated display boards with an updated layout. Details of this layout and a copy of the presentation are included in the report. An open floor dialogue was followed with discussion on the progress and potential modifications taking into account feedback from the previous events.
- 4.14 Web based consultation is outlined to be live from 7th March 2024 until 29th March 2024. Extracts of the website and feedback forms are included in the report.
- 4.15 Copies of emails regarding engagement with elected representatives are included in the appendices to the report. Dedicated engagement is indicated to have occurred with Cllr Tanya Stirling on 12th March 2024 and Cara Hunter MLA on 31st July 2024.
- 4.16 Feedback from consultation including the events, websites and correspondence, this has been summarised within the report as 40+ verbal feedback, 9 feedback forms via public exhibition, zero feedback forms via the website, zero email/letters and 3 phone calls.
- 4.17 The feedback forms indicated of the respondents that 1 was very opposed, 1 was opposed, 3 were undecided, 4 were supportive and 0 were very supportive. The following matters were raised:
- Volume of traffic
 - Need for speed bumps
 - Traffic issues
 - Green space well designed
 - Risk of overlooking – want more trees
 - Increase in traffic
 - Speed calming measures
 - Increase in buffer
 - Great discussion with architect/design team
 - All concerns accommodated

- Open space and houses well planned
- Additional trees

4.18 The verbal feedback was indicated to be generally reflective of that summarised above, that most people were broadly supportive of housing and understood the site was zoned for housing and would be developed at some stage. Some concerns, particularly from some neighbours living in the nearby Laurel Park raised the following issues:

- Social Housing Tenure
- Traffic impacts
- Natural Heritage
- Layout

4.19 The primary concern raised is outlined to be social housing tenure and its impact on the existing community including the demographic of residents who would be allocated with concerns that this could result in unsuitable neighbours and potentially lead to increase in crime or disturbances and whether the allocation of social housing could contribute to an increase in anti-social behaviour or heightened drug and alcohol use in the local area.

4.20 The response provided indicates the applicant and Radius Housing Association engaged with attendees at each event on this matter. It is outlined that the legislative framework and allocation process for social housing was clarified to provide high-quality affordable homes for a diverse range of individuals including families, single people, couples and those over age of 55. It is also outlined that the team sought to dispel misconceptions that social housing tenants may include people in low-income employment who receive rental assistance, as well as individuals with specialised housing needs, such as families with members who have disabilities. Radius Housing explained their management system and tenancy agreement including examples of how antisocial behaviour is addressed. The housing mix was also clarified to reflect housing need in the area as high proportion of mid to larger sized family homes and inclusion of units designed to meet complex needs such as single storey and adapted housing. The low number and design of apartments was also highlighted to illustrate the development would not resemble large-scale apartment complexes with

shared stairwells.

- 4.21 The report outlines that attendees generally appreciated the explanations provided and expressed that they do not oppose social housing as a means to support families in need but have concerns about the potential for residents with complex social issues to be relocated to the area and how this could impact the quality of life for residents.
- 4.22 The development acknowledges these concerns but noted that no changes were made as these matters are more related to social policy than planning considerations. They reaffirm that Radius Housing's ongoing management systems are designed to address and mitigate any potential issues that may arise.
- 4.23 The second principal issue raised was in relation to traffic and particularly the proposed access location, potential impact of increased vehicular movement. The following concerns are noted from residents of the adjacent Laurel Park neighbourhood:
- Proposed development would significantly increase traffic volume.
 - Excessive speeding is already an issue on Laurel Park and raised risk of accidents.
 - High speeds on Strand Road and Screen Road could result in an increased likelihood of traffic accidents with additional vehicles.
 - Potential safety risks for young children crossing roads in the vicinity.
 - Concerns that vehicles from the development site could slide down the road and impact homes in Laurel Park, particularly during adverse weather conditions.

Design and Access Statement

- 4.24 A Design and Access Statement is required under Article 6 of the Planning (General Development Procedure) Order (NI) 2015 as the application is a major application.
- 4.25 The Design and 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.

- 4.26 The report date received 4th October 2024 demonstrates that the Applicant undertook detailed consideration of the proposal in terms of the design principles and concepts and the impact on the character of the immediate context.

Environmental Impact Assessment

- 4.27 This application was subject to an Environmental Impact Assessment screening as highlighted under The Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2017.
- 4.28 The application 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 within this category is when the development exceeds 0.5ha. The area exceeds this threshold and is 3.78 hectares.
- 4.29 Having considered the Regulations and the guidance set out in Development Management Practice Note 9B, the development proposal was determined on 23rd December 2024 to not have any likely impacts of such a significance to require an environmental statement.

5.0 PUBLICITY & CONSULTATIONS

External

- 5.1 Neighbours: 57 objections and three petitions of objection with a total of 149 signatures. The following issues were raised:

Access, Traffic and movement

- Road safety concerns to pedestrians, cyclists and motorists.
- Site located on two blind corners with tight bend
- Road width of Laurel Park and blockage by parking.
- Traffic and vehicle volumes.
- Affect local road networks.

- Existing and increased traffic volumes associated with the school.
- Existing road designed in the 1970s, already dangerous and barely fit for purpose with morning and afternoon traffic exceeding the road capacity.
- Limited visibility from bend at lower Laurel Park to the point of access and to increased traffic emerging onto Lower Laurel Park and Screen and Strand Road.
- Strand Road and Screen Road busy and unsuited for additional traffic.
- Existing road network not designed to sustain any additional traffic. Very low traffic flow in residential area and impact along entire existing housing developments in the surrounding area.
- Accidents at junction onto the main Strand Road in last number of years with further traffic from proposal further endangering lives of existing, new residents and traffic on main Strand Road.
- Entrance to Laurel Park is dangerous and will result in tragedy.
- Usage of Screen Road as a slip road leading to Strand Road is ring road is busy making difficult to get out with proposal exacerbating the traffic.
- Usage of grass verge for children playing.
- Car parking on existing roadways blocking access.
- Objection to entrance being opened onto Laurel Park and safety/traffic concerns associated with the vehicular access and unsuitable location for extra traffic.
- Cars using Laurel Park to access Strand Road or Screen Road.
- Junction out onto Strand Road A29 is very congested and a dangerous junction.
- Potential 100 extra cars using the entrance/exit and not suitable.
- Laurel Park and Screen Road unable to cope with increase in traffic.
- Traffic Survey carried out by MRA Associates, October 2022 indicates new road entrance on a particularly dangerous double bend will increase traffic uplift by 220% with the recommended traffic uplift in a similar area is 10%.

- Substantial increase in traffic since MRA Associates survey with Marks & Spencer store putting further increase on an already inadequate road system.
- Potential further increase with opening of a new Lidl Store and depot involving more heavier traffic.
- Original TAF confirmed estimated daily traffic from 78 private dwellings and 14 social housing units of 410 vehicles per day combined with a traffic flow on Laurel Park at circa 200 per day, the total if over 600 vehicles per day after development of proposal.
- The Design Manual for Roads and Bridges DMRB CD 123, geometric design of at-grade priority and signal controlled junctions confirms that minor road traffic above 300 vehicles per day would normally require a right lane turn.
- At every juncture and every health and road safety objection by residents and professional chartered civil engineers specialising in transport planning and highway design, DFI Roads continue to be content to support all associated applications to alter a public road by adding a new junction without the requisite right turning lane.
- DFI Roads are setting aside their own procedures to permit this access without a right turn lane.
- DFI Roads continually content to facilitate the access working to the absolute minimum forward visibility lines appropriate for speeds of 19mph and road is 30mph.
- Despite evidence submitted by residents and chartered civil engineers indicating speeds more 19mph are achieved, DFI Roads state 33 metres is satisfactory splay up to 25mph. This can be the case in exceptional circumstances to improve an existing access and in the original proposal under LA01/2021/1173/F there was and still is no existing access and no exceptional circumstances resulting in a potentially unsafe access being foisted upon extant residents because required land to achieve a safer access is unavailable.
- DFI Roads considered the access under LA01/2021/1173/F to be consistent with DMRB CD123 and DCAN 15 and professional chartered civil engineers disagree it could not comply with both as they seek different design standards.
- CD123 states 2.1.1 priority junctions should not be located on a sharp curve on a major road and continues 2.1.2 priority junction should be located on level ground or w here

the approach gradient does not exceed 2% over the applicable desirable minimum stopping sight distance. The gradient at the double blinded bend at the bottom of Laurel Park exceeds 2%. If CD123 was to be appropriately applied, it would have been clear the proposed opening of access at associated Planning Application LA01/2021/1173/F.

- At Planning Committee on 25th October 2023, the members of the Planning Committee saw fit to pass LA01/2021/1173/F creating circumstances for the current application.
- Impacted residents from Laurel Park, Laurel Grove, Screen Road, Strand Road and professional chartered civil engineers have been left dismayed since onset of this process in Autumn 2021. The consistent stance of DFI Roads has been to set aside their own published guidelines to deliver access to lands which CC&GBC have a financial interest in.
- On 28th October 2024, on Radio Ulster a former PSNI member provided legal guidance to Stephen Nolan regarding a traffic matter related to Knock Road dual carriageway in Belfast observing that restricted sight lines kill. Such an insight from a former road traffic professional sadly confirms what those of us residing in Laurel Park, Laurel Grove, Screen Road and Strand Road have continually pointed out to DFI Roads and CC&GBC.
- The potential life-threatening set of circumstances that DFI Roads and CC&GBC are generating by setting aside guidelines render LA01/2021/1173/F and therefore the proposal not appropriate for the intended purpose has sadly continued to fall on deaf ears.
- Proposal should not go ahead until extant traffic systems are seriously addressed.
- Over the Christmas period, the roads around Laurel Park, Laurel Grove, Screen Road and Strand Road have become hazardous due to traffic build up, flooding and several accidents have been narrowly avoided. This traffic build up is representative of what will occur when Lidl opens.
- PSNI cannot take a view until significant incident/fatality on road. Should the application go ahead in face of strenuous public opposition a representative/representative body should be nominated from array of individuals and groups

who facilitated it who will be held publicly accountable for any tragedy that occurs at the junction.

- Road opening envisaged on blind double bend at foot of Laurel Park which is clearly a traffic hazard that has been disregarded by DFI Roads and difficult to understand how planning permission by local Councillors has been granted on this matter.
- Visibility on corner approach and proposed road junction is estimated as leaving narrow margin for error even at low speed.
- DFI Roads estimate speed of 19mph, on 30mph road and dashcam footage submitted previously showed percentile speed at 21.5 – 23mph. While not all traffic may traffic this speed, delivery vans/members of public do and are within the law.
- Proposed road design contains no availability for a turning lane which should be mandatory given the proposed number of dwellings.
- Only matter of time before serious accident and a fatality will have to occur before the police can take a view on the matter and this is currently within view of Council, DFI Roads and the developers.
- Impacts of increased volumes on Screen Road omitted from associated access application.
- Downplaying of impact on residents and visitors of Laurel Park and Laurel Park Gardens from traffic volumes.
- Increased traffic from proposal on residents and visitors of proposed distributor road i.e. Screen Road and section of Strand Road which links Laurel Park to Screen Road overlooked.
- Residential area with limited road capacity.
- Congestion.
- Give way on Strand Road before main give way at main road already blocked by heavy traffic at peak times and cars cannot turn right or move forward towards Shuttle Hill.
- Increased danger and traffic during construction phase of access road and building phase and road unsuitable for heavy construction vehicles.
- Alternative access must surely be available to development lands directly from Strand Road or Laurel Hill which would be more able to cope with traffic.

- Existing road is hazard in inclement weather and with climate change winters are going to be more extreme with little chance of Roads Service salting a side road due to cuts.
- To build 50 plus houses a turning lane is needed but strangely not needed here.
- Laurel Park and Screen Road are a rat run because of traffic.
- New access an accident black spot and do not understand why houses cannot be accessed from Laurel Hill.
- UK average of 1.2 vehicles per household with 80 to 100 dwellings, domestic vehicles using the access could be in excess of 96 to 100 which results in a significant uplift of traffic utilising Laurel Park area, approximately 220% and the legal limit is 10%.
- For DFI Roads to indicate they are content that the volume of traffic will not have a significant impact on the extant road network is alarming and patently untrue.
- Strongly disagree with comments from DFI Roads response dated 23rd December 2024 which implies that the impact on Screen Road as a distributor road was assessed under planning application LA01/2021/1173/F. Advise that extremely concerned that impacts on Screen Road are once again being totally overlooked.

Parking

- Limited on-street car parking in area and especially Strand Road during school hours and proposal will exacerbate this problem inconveniencing residents and visitors.

Design and Layout

- Overdevelopment and impact on basic infrastructure.
- Number of new properties constructed in recent years in West Bann/Laurel Hill/Greenhall Highway area.
- Building and new road layout.
- New houses do not seem to be very environmentally friendly as no car charging points etc.
- Not a suitable site for such a development with more suitable land available.
- Loss of last prime environmental green space within West Bann area.

- Secure by Design report supports resident concerns as reading a report on how to make a housing development safe against crime is extremely concerning for any resident who has invested money into their property in an area they felt was safe. If development proceed residents have proper assurance that there is appropriate privacy and security in place and that the school is safeguarded.

Historic Environment

- Area has historical significance for the region and played a significant role in development of localised history.
- Site was once an old monastery founded by St Carberius in 6th century and dedicated to St John, had a castle and was the site of the administrative centre of original County Coleraine.
- References to tunnels in area which could be outworkings of either the monastery, castle or administrative town.
- Nearness of resource near a school should not be overlooked and developed to give sense of tradition and pride.
- Concreting over site will see precious historical site go way of St Mary's Abbey, now Diamond Centre.
- Purported links to site of ancient monastery which used to be on or near the site.
- Further decline of Coleraine's historical sites.
- Historical significance of the area.
- Impact on environment.

Natural Environment

- Impact on environment.
- Site haven for wildlife.
- Loss of green space in proximity to River Bann and town centre at odds with Causeway Coast and Glens Town Fund Programme "Creating more green spaces".
- Impact on local environment.
- Requirement for mitigation of negative effects on green spaces or wildlife habitats.
- Potential impact of lighting on wildlife.
- Natural springs add environmental value, essential components of local ecosystems, providing water for wildlife and contributing to biodiversity.
- Impact on wildlife and removal of trees.

- Environmental damage from construction.
- Impact on birds nesting on trees.
- Green area and safe haven for wildlife.
- Council has to provide local housing but not at expensive of town green areas and provision of green areas for citizens must be considered.
- Coleraine Chronicle March 2024, Chancellor hands Coleraine £20million regeneration boost part of which would be creating green spaces of which Laurel Park has always been there, a field giving flora and fauna in abundance. Council getting money to make more open spaces and not do away with them.
- Loss of green space, mature trees and biodiversity.
- Impact on local environment from building housing.
- Huge percentage of tree being removed for the development and little attempt to keep the trees and build around them and protect wildlife and the environment.
- Following Laurel Hill Ecology survey June 2010 whereby survey investigates conservation sites, habitat, fauna, species, Japanese knotwood etc. can council confirm an equally comprehensive survey has been completed as findings are based within the closest proximity to land being sold.
- Air, light and earth pollution as site closed in with buildings.
- Recent substantial loss of trees which improve soil health, prevent soil erosion, run off, support wellbeing, absorb carbon dioxide, flora and fauna flourish and flooding.
- Laurel Hill Field would be an ideal place to plant trees and support loss of nature and tree loss.

Drainage and Flooding

- Drainage capacity for additional dwellings.
- Substantial runoff during periods of heavy rain on 45 degree sloping field.
- Field contains several watercourses (some underground) and several wells. Some of the wells fed by underground flow systems and are historical with one used by inhabitants of Strand Terrace as a resource for their water.
- Flow systems render land liable to subsidence and slippage which has occurred during certain periods of continuous rain which gathers in back gardens of Strand Court, Strand Road and on flooding on Strand Road.

- Difficult to see how building of housing and associated roadworks can be achieved without resorting to favela-style constructions of South America or khlong buildings of Thailand which are constructed on sloping ground above water and are notoriously structurally insecure creating a potential major hazard to occupiers of dwellings or residents on Strand Road.
- Run-off created by construction work would greatly increase a flood hazard on flood plain of River Bann.
- Impact on drainage with new development exacerbating both risk and occurrences of flooding.
- Believed natural springs running through the land.
- Existing land floods which presents significant challenges and risks with risk to property including two properties proposed beside No. 73 Strand Road.
- Construction impacts on drainage and flooding leading to soil erosion, water pollution and damage to local drainage ecosystems.
- Economic loss and increased costs from flooding due to property damage and increased insurance premiums.
- Additional permits and approvals and compliance with stricter building codes and regulations for building on flood prone land.
- PSNI advise of flooding on Strand Road which occurs during heavy rainfall.
- Field can't cope with flooding.
- Impact on their property from ground flowing onto their property on Saturday 23rd November and concerns of impact of building work with heavy rain on their property and if the land can cope. Photographs enclosed to illustrate impact.
- Flooding during storms.
- Surface runoff – rain from area comes into garden from hills.
- Concrete area will increase the surface runoff and possibly damage their property.
- Risk of Coleraine flooding from Storm Ashley.
- Flooding at Strand Road/Screen Road occurs over winter months every year causing safety issues for local residents and any new development including at inclement weather and high tides.
- Scale of housing on a steep hill and state of drainage system and existence of natural springs is likely to

exacerbate flooding along Strand Road period of wet weather.

- Land lies adjacent to a flood plain and properties at the foot of the hill are being charged a premium for flood insurance and water from downflow on the hill comes into their back gardens. Insurance rates would rise substantially which is not a problem for the developers.
- Flooding during heavy rainfall at 73 Strand Road during Storm Bert.
- Proposal has not adequately addressed the issue of surface water and totally downplayed impact of surface water on existing properties at the top of Strand Road.

Sewerage

- Sewerage system capacity for additional dwellings.
- Antiquated system and constant over-development through continuous unchecked building ensured existing system cannot cope.
- Drains frequently fail in heavy rain and storm and discharge into environment at various access points.
- Public health risks from discharge from sewers.
- Discharge visible from below Sandelford Bridge from houses built on Killowen side of the river.
- Discharge into river affecting wildlife, creating algae and unpleasant smell from river.
- No development should proceed until the existing inadequate drainage and sewage systems have been thoroughly assessed, reviewed and addressed.
- Further strain on water supply, leading to potential shortages and disruptions for existing residents.
- Insufficient water, sewage infrastructure and services to new properties and inability for existing system to cope.
- Potential sewerage overflows, environmental pollution and public health risks.
- Major concerns in NIW report and no indication how development can be accommodated.
- Long standing rainwater, sewage issues in the area and system not fit for purpose with tankers regularly attending to regulate the flow.
- Currently foul smells from sewage system and could not cope with 80 additional buildings and associated sewage.

- Drains/manholes lifting during storms causing sewage flooding due to infrastructure being built in the 1970s.
- Raw sewage flowing out onto surface of Christie Park from manholes including on 06/12/24 demonstrating area under great pressure.
- Assumed development will not go ahead due to water service feedback and surely approval must be withheld at least until current sewerage system capacity has been upgraded and is fully functional.

Residential Amenity

- Noise pollution including from number of proposed houses and residents in addition to heavily populated locality would be significant.
- Privacy and overlooking from proximity of proposal to existing homes.
- Increased density causes privacy loss with two houses in extremely close proximity to house and garden of No. 73 Strand Road including impact on right side and 5 bedroom houses at the back.
- Light pollution.
- Requirement for minimised light pollution and excessive artificial light can disrupt the natural night time environment and residents sleep quality.
- Impact of air pollution from increase in traffic volumes and household emissions from proposal on residents of Laurel Park Gardens, Laurel Park, Strand Road, Strand Place and Screen Road.
- Noise, disturbance and pollution from increased traffic including its density and scale.
- Risk to children health from air pollution from more traffic.
- Concerns noise impact assessment focuses purely on residents of proposed new development and does not consider impact on increase in noise levels, particularly relating to traffic on existing residents of Laurel Park, Laurel Grove, Strand Road, Strand Place and Screen Road.
- Secure by Design report raises dusk to dawn lighting should be included and night time light causes health problems with studies showing links to depression, heart disease and alzheimers. If required dusk to dawn lighting then the application should be refused.

Land Ownership

- Dispute on land ownership relating to strip of land between existing laneway on site and Laurel Park with owner not consenting to the land being part of or used as access in the application.
- Bank below No. 1 Laurel Park is privately owned.
- Concern application has been allowed to progress when ownership is under legal dispute.
- Note from letter from JPE Planning dated 18th December that bank through access is maintained and controlled by Department of Infrastructure and was previously mentioned in paragraph tree of letter from JPE Planning to Nicky Smith (who owns the bed and soil of the bank). This is at odds with local anecdotal evidence that residents themselves maintain the bank so that accidents are avoided.
- Requested under Freedom of Information on 15th September 2023, a record of maintenance, planning maps and records as to when the road and bank were adopted by Council/DFI Roads with letter included in appendices to objection. This requested confirmation on who is claiming that the verge is maintained by them and is on its maintenance schedule between DFI Roads or Council or both, a request of copy of signed maintenance records from whichever party to said verge indicating dates and times work was carried out and copy of maps and records pertaining to the adoption of the road through Laurel Park and are of land relating to the verge in question. To date there has been no satisfactory reply, and requested documentation has not been forthcoming. Council has also been approached and commented. Assumption that such records do not exist and anecdotal accounts by local residents are correct.

Community Consultation

- Attended the Design Workshop meeting on 8th February and signed form for photo not to be taken but photo is in the report along with others who completed the form.
- Reflection of the meeting is different from what captured in the report.
- Consultation was a tick-box exercise.
- Significant short comings with MLA Round table event on 31/05/2024.

- Weren't listened to at roundtable event.
- Purpose of the roundtable invitation to facilitate a comprehensive dialogue between the Laurel Hill Phase 3 project delivery team, local MLAs and residents concerning all aspects of the project application did not happen.
- Acoustics were not good in the room, no microphone and was difficult to hear what was said and those with hearing difficulties were excluded.
- Was only one/two MLA in attendance and they were not asked questions or invited to give thoughts/opinions.
- Roundtable should have been rescheduled to ensure a higher number of MLAs could attend and should have been dialogue with MLAs.
- Attendees felt talked at, not listened to rather than there being a meaningful or indeed any, discussion.
- Would have been more useful and reassuring if had been Braidwater professionals who were experts in their field and qualified to answer all concerns.
- No competent authority present from Braidwater group to answer specific concerns around safety and the environment. The presenter rebutted concerns providing bland answers despite admitting not to being qualified and after third event were this approach was taken reinforced feeling were not listened to.
- Video presentation showed tweaks based on previous comments but were tweaks which should not have been needed and made wonder what else had been missed from a safety, environmental and heritage perspective.
- Did not appreciate the event being sidetracked into a general discussion about the mishaps of life during the event which was not the purpose of the event.
- Requested a copy of minutes which were not provided.

Other Matters

- Benefits of the proposed scheme overinflated and disbenefit glossed over/omitted.
- Consultees need to know exactly what they are assessing.
- Councillors/decision makers need to have access to full information to provide a robust challenge and make an informed and effective decision.
- Re-classification of site brownfield and query as to whether this reclassification was accidental/is incorrect.

- Strain on existing local amenities including schools, parks and healthcare facilities and associated overcrowding, reduced quality of care and capacity of these services.
- Increased noise and traffic for school environment at Killowen School and impact on children's education.
- Detrimental impact on children with special educational needs.
- Lack of privacy for children due to close proximity of housing to school.
- Tunnel runs below this land from army barracks and has this been investigated.
- Impact on property prices.
- Presumably land suitable for development is available and is being ignored despite local objections to this application and previous access application.
- No consultation with the local people and some who objected to the access have been ignored for letter of 10th October 2024.
- Lack of notification.
- Consider public opinion.
- Loss of community.
- Insufficient electric infrastructure and services to new properties.
- How can agreements be made for surrounding houses when a sale has not been completed.
- What was the outcome of the reevaluation of land.
- As the Council are sellers of this land and also the decision-makers can residents be assured that an impartial party shall be present at the meeting.
- Wish objection to include all previous objections under application for proposed access.
- Shocked and disbelief that Council Planning Department have deemed a development of this size, nature, location and obvious negative impact on the environment and does not need to be accompanied by an Environmental Impact Assessment. We believe that the development would undoubtedly fail an Environmental Impact Assessment and very surprising that Planning have made this decision.
- Wider problem of town planning, allowing building to go unchecked, turning Coleraine into a building site and giving rise to serious problems of traffic, sewage etc. as detailed

above and below. 2025 would be a good time to re-appraise the situation starting with the development in question.

Internal

- 5.2 No consultations were issued given the nature of the proposed development.

Environmental Health Department: No objection

DFI Roads: No objection

DAERA Natural Environment Division: Response pending

DAERA Water Management Unit: No objection

DAERA Regulation Unit: No objection

Historic Environment Division: No objection

DFI Rivers: No objection

NI Water: No objection

Northern Ireland Electricity: No objection

Northern Ireland Housing Executive: No objection

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

Strategic Planning Policy Statement (SPPS)

Planning Policy Statement 2: Natural Heritage

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

Planning Policy Statement 7 (Addendum): Safeguarding the Character of Established Residential Areas

Planning Policy Statement 8: Open Space, Sport and Outdoor Recreation

Planning Policy Statement 15: Planning and Flood Risk

DCAN 8

DCAN 15

Creating Places

8.0 CONSIDERATIONS & ASSESSMENT

8.1 The main considerations in the determination of this application relate to, the principle of development, access and parking and other matters.

Planning Policy

8.2 The proposal must be considered having regard to the Northern Area Plan 2016, SPPS, PPS policy documents and supplementary planning guidance specified above.

Housing Zoning CEH 55 Killowen and Social Housing

8.3 The application site is located within the settlement development limit for Coleraine, fully within Housing Zoning CEH 55 Killowen and Local Landscape Policy Area CEL 17 Laurel Hill LLPA and partially within an Area of Archaeological Potential, as defined by the NAP 2016.

8.4 Housing Zoning CEH 55 Killowen is a 3.66ha site with the following key site requirements:

1. Development shall be within the range of 15 to 25 dwellings per hectare, to ensure the character of the area is maintained.
2. A minimum of 14 dwellings shall be provided for social housing.
3. Development shall not be greater than two storeys in height to ensure the character of the area is respected.
4. The development of the site will require additional lands to provide an access from a public road.

8.5 Policy LC 1 of Planning Policy Statement 7 (Addendum) requires that the proposed density is not higher than that found in the established residential area.

8.6 The key site requirements specify a density of 15 to 25 dwellings per hectare which based on the size of the zoning is 55 to 92 dwellings for the zoning.

8.7 The application site encompasses the entirety of the housing zoning and the proposal relates to the provision of 80 housing units in the form of 60 dwellings and 20 apartments. The

proposed density is in keeping within the dwelling range specified within the key site requirements. This density range was specified to ensure the character of the area is maintained. Consequently, the proposed density would not be significantly higher than that of the established residential area.

- 8.8 Policy HOU 2 of the Northern Area Plan 2016 outlines on more than 25 residential units, or on sites of 1 hectare or more that schemes will be required to meet the needs of the wider community, where there is an established need for social or specialist housing, as established by the Housing Needs Assessment. It continues that where the Housing Needs Assessment establishes there is a need in an identified settlement or within a locality for social or specialist housing, a minimum of 20% of the total number of dwellings in the scheme will be required to be provided, subject to the level of need identified and in agreement with the Northern Ireland Housing Executive.
- 8.9 The Northern Area Plan 2016 outlines that a HOU 2 Key Site Requirement has been attached to each of the uncommitted housing zonings under Allocation HOU 3. In relation to Housing Zoning CEH 55 Killowen this is 14 units.
- 8.10 The proposal seeks 80 proposed housing units to be utilised as social and affordable tenure.
- 8.11 Northern Ireland Housing Executive have been consulted on the proposal and have advised that the Housing Executive carries out Housing Need Assessments (HNAs) annually to identify social housing need. This proposed development is located within the Coleraine Town Housing Need area, which has an unmet need of 509 social housing units for the 2023-28 period. At September 2024, there were 660 applicants in housing stress in the Coleraine Town housing area.
- 8.12 The Housing Executive has advised that they support the proposed 77 no. social units and welcomes the proposed 3 no. intermediate houses as part of the scheme. NIHE advise that the mix they support for the social units is:
- 6 no. 2 Person 1 Bedroom Apartments
 - 6 no. 3 Person 2 Bedroom Apartments

- 8 no. 3 Person 2 Bedroom Cat 1 Apartments (for Elderly Applicants)
- 22 no. 3 Person 2 Bedroom Houses
- 3 no. 3 Person 2 Bedroom Wheelchair Bungalows (for Complex Needs Named Applicants)
- 20 no. 5 Person 3 Bedroom Houses
- 2 no. 5 Person 3 Bedroom Wheelchair House
- 1 no. 5 Person 3 Bedroom Wheelchair Bungalow (for Named Applicant)
- 6 no. 6 Person 4 Bedroom Houses
- 1 no. 7 Person 5 Bedroom House
- 2 no. 7 Person 5 Bedroom Wheelchair Houses (for Named Applicants)

8.13 NIHE advise that the submitted revised site layout plan Rev C 04A now illustrates what we support and is deemed acceptable to the Housing Executive.

8.14 The proposal satisfies the key site requirements for social housing provision and Policy HOU 2 of the Northern Area Plan 2016 in this respect.

Design and Layout

8.15 The proposal relates to the development of 80 housing units. The layout comprises a main development road (Road 1) off which there are located two cul-de-sacs comprising shared surfaces roads (Road 4, 5 and 6) and a road looping back to the main development road (Roads 2 and 3).

8.16 The housing development is located to the southern and eastern sides of the site with the northern and western sides of the site comprising open space areas. A further open space area is located centrally within the site adjoining the main development road. Detailed comment on open space is made with the Open Space and Landscaping section below.

8.17 The contours on the submitted site survey indicate the site sitting generally around the 6.0 – 7.0 contour levels at the eastern side of the site. However, there are lower points with the spot levels on the proposed site plan indicate garden areas to sit at 4.94 within the plot of Unit 62. The site rises sharply to the west and sits at the 26.0 contour at the highest point of the site

on the western boundary. This height is not consistent along the western boundary. However, the levels are read consistently as rising considerably from the east of the site to the west.

- 8.18 The proposed layout rises from the access at Laurel Park onto Road 1, the main development road. This road rises to its highest point in front of Units 32 before falling towards the turning head at the end of the road where it rises again to west and falls to the east. The finished floor levels of the properties generally follow the main road levels rising to the highest point of the road at Units 32 and 78 before falling towards Unit 64.
- 8.19 As the site levels rise from east to west, the development roads proposed to the west rise from the main development road. The finished floor levels rise from Unit 1 towards Unit 9, Unit 34 to Units 12, 13 and 14, Unit 49 to Unit 45 and 46, Units 62 and 63 to Units 55 and 56.

Retaining Walls

- 8.20 Due to the changing levels within the site, this requires the use of retaining walls to facilitate development. These retaining walls can vary in height dependent on the site levels. These retaining walls are located within the curtilage of some of the proposed properties and also onto sections of the open space areas located to the west of the site. To the west of the apartment units 18 – 23, 39 – 44 and 45 – 48 the slopes are to be graded. Where the properties rise to the highest point at the southwest of the site there are proposed retaining walls separating Units 7 – 8, 9 – 11, 12 – 13, 14 – 15 and 16 – 17 from an area of woodland planting.
- 8.21 Retaining walls are proposed to be constructed with Macwall vertica segmental block retaining wall systems, 10N blocks or dwarf wall kerbs. No finish is specified for the 10N blocks and dwarf wall kerbs. These structures should be conditioned for the finishes to be agreed prior to the commencement of development to ensure that these structures do not detrimentally impact on the character and appearance of the area.
- 8.22 Given the extent of the increase in levels across the site, the proposal will result in a considerable amount of earthworks to

create a level site for development of the housing and open space areas.

- 8.23 No other buildings or structures are proposed other than the housing units, boundary treatments and retaining walls. Permitted development should be removed in relation to the construction of any further buildings or structures due to the topography of the site and the potential for visual impact from further development.

House Types

- 8.24 The proposal includes 15 house types of which 4 are apartments and 11 are dwellinghouses. House Types A, T3, Y and Z relate to apartments and House Types C7, C9, D, F3, G, H1, K, K1, M3, N and Q relate to dwellinghouses.
- 8.25 Apartment units T3 and House Types H1 have been designed as dual fronted properties given their aspects onto the development roads and open space.
- 8.26 The properties have a modern suburban design and are considered on their own merits to be well designed in terms of their scale, massing, proportions and external appearance.
- 8.27 Annex A of Planning Policy Statement 7 (Addendum) outlines the required space standards for new properties.
- 8.28 House Types N and Q relate to two storey, 7 person/5 bedroom properties. Annex A does not specify space standards above 7 person/4 bedroom properties which has a standard for two storey dwellings as 115/120sqm. House Type N has a floorspace of 118sqm and House Type Q has a floorspace of 150sqm. As these properties would satisfy the standards for 7 people with 4 bedrooms and as the floorspaces typically vary by 5sqm when an additional bedroom is included for the same number of people proposed, the space standards for both units is deemed acceptable.
- 8.29 All other house types proposed satisfy or exceed the required space standards within Annex A of APPS 7.

- 8.30 Key Site Requirement 3 of Zoning CEH 55 states that development shall not be greater than two storeys in height to ensure the character of the area is respected.
- 8.31 House Types F3 and K1 are single storey bungalow properties. The remainder of the properties are indicated to have two levels of accommodation on the submitted floor plans. The scale and design of these properties indicate a large roof form which could facilitate a half storey of accommodation.
- 8.32 The response from the Planning Department's Development Plan Team on the proposal outlines that the purpose of Key Site Requirement 3 was to ensure any new development respected the character of the area. They advise that this key site requirement was written prior to the development of the lands that comprise phases 1 and 2. Therefore, the immediate context for the development has changed in the intervening time.
- 8.33 The development of 2.5 storey properties is contrary to the Key Site Requirement 3.
- 8.34 The proposal should be designed to be appropriate to the character and topography of the site.

Main Views

- 8.35 From site visit, there are localised views which will allow views of sections of the development. Views will be possible of the proposal from Laurel Park at the access point into the development and heading in both directions along the road. Views are possible travelling east into Laurel Hill Gardens towards the open space area at the end of the development. Due to the height of the stone wall along Laurel Hill Road views are limited on street. However, views are possible entering along the pathway into the Primary School site. Drumard Drive and St John's Chapel are elevated allowing views into the northern end of the site. These views are towards the proposed woodland area of the site and the development beyond.
- 8.36 Views from Strand Road to the western edge of the River Bann and to the eastern side of Coleraine allow a more comprehensive view of the site. These include views from the eastern side of the River Bann from the Sandleford Bridge and

from Mountsandel Road and its bridge which are elevated and Beresford Place on the eastern edge of the river. Current views show the upper slopes of the site in context of the surrounding development and vegetation located on site, its environs and within Christie Park.

- 8.37 Photomontages have been submitted which have sought to identify the viewpoints where there was likely to be a significant number of visual receptors. These include Mountsandel Bridge and along Mountsandel Road, Christie Park, Strand Road, Laurel Hill Gardens and St John's Church.
- 8.38 The viewpoint from Mountsandel Bridge indicates the tops of the roofs of the units at southwest corner and towards the northern end of the site. Views of the proposed development from this location indicate it to sit below the development at Laurel Hill Gardens and in context of the surrounding development.
- 8.39 The viewpoint from Christie Park indicates the single storey development located to the rear of the properties on Strand Road with vegetation and dwellings along Strand indicated to screen the development out. This viewpoint is towards the southern end of the site and faces towards Strand Place.
- 8.40 The viewpoint from St John's Chapel indicates the first floor and roofs of the dwellings at the northern end of the site. These views are over the proposed woodland area and are indicated to sit in context of this vegetation.
- 8.41 The viewpoint from Laurel Hill Gardens is indicated to show some planting beyond the fence and the roofs of the proposed units.
- 8.42 The views of the development are not considered to be intrusive within the area. The scale and design of the dwellings and apartments is such that the development sits lower than the higher development to the west.
- 8.43 The proposed layout is such that development has been kept off the highest points of the site which are the most prominent locations when viewed from the east of the site.

- 8.44 When viewed from Christie Park and Strand Road that there will be views of more development than indicated in the photomontage. Views from the eastern end of the park will introduce views of more development than that on the western side of the park. These views are not considered to be unacceptable having regard to the views of scale of development and extent of views relative to existing development. The proposed development sits in context of the surrounding area.
- 8.45 The localised views within the surrounding road network and from St John's Chapel are not of the development in its entirety. These views are not unacceptable having regard to the extent of the views and siting, layout and scale of proposed housing.
- 8.46 The views of the proposal in context of the surrounding development are acceptable as the proposal has been designed to reflect the characteristics of the site and area. The topography of the site has been considered with regard to the scale, massing and design of the dwellings and their siting. The extensive landscaping scheme and retention of existing trees will assist in integration of the development.
- 8.47 With regard to key site requirement 3, the housing units have been designed as large two storey properties which on the basis of their scale indicates the potential for an additional half storey.
- 8.48 In the case that these proposed housing units are viewed as 2.5 storey properties, the proposal does not satisfy the key site requirement. However, the layout/siting and design of these properties would not have an adverse impact on the character of the area having regard to the scale, massing and design of the units and their siting, extent of views possible, the extensive existing and proposed landscaping and weighing up the change in the wider site characteristics as advised by the Development Plan Team.
- 8.49 The units do not have a consistent building line along the main development road. However, the pattern of development will read generally as straight along this road with two Units of House Type Q located facing onto the road at the end of the street.

8.50 The proposed layout is spacious and has regard to the site constraints in relation to the change in topography across the site. The orientation of Units 1 and 2 and 62 – 63 are at variation with the general linear relationship of development. However, this pattern of development is not unacceptable.

8.51 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 and structures.

8.52 The pattern of development proposed is overall in keeping with the character and environmental quality of the established residential area.

Materials and Finishes

8.53 The proposed materials and finishes are similar across the development. House Types A, D, G and M3 comprise flat black roof tiles, white windows and red brick walls. House Types C7 and C9 comprise flat black roof tiles, white windows, red brick and white render walls. House Types F3, H1, K, K1, Q, T3, Z and Y and Z comprise flat black roof tiles, white windows, white and grey walls and grey facing brick plinths. House Type N comprises flat black roof tiles, white windows, white render walls and grey facing brick plinth.

8.54 The properties on Laurel Park, Laurel Park Gardens and Strand Road adjoining the site are predominately rendered properties with some brick finishes.

8.55 The design of the development draws upon the best local traditions of form, materials and detailing in this respect.

Crime and Personal Safety

8.56 The proposal seeks to utilise the principles of Secure by Design for designing out crime from the built environment. A report has been submitted indicating the submission of a Secure by Design application to the PSNI. This report details comment from the PSNI on the associated design requirements for this development.

8.57 Under application LA01/2021/1173/F it was proposed to transfer the existing laneway accessing the application site from Strand Road to be incorporated within the curtilages of the adjoining properties. This was agreed in principle under LA01/2021/1173/F.

8.58 A plan has been submitted indicating the transfer of the laneway to two properties, No's 1A Laurel Park and No. 95 Strand Road. The laneway is indicated to be retained for No. 95 Strand Road to where it adjoins No. 1A Laurel Park for access to be provided to their garage. For No. 1A Laurel Park, the laneway is located to the east and rear of the property. The tarmac is to be removed, new soil provided and graded to existing levels and planted with grass in the first available planting season. Boundary treatment comprising 1.8 metre high close boarded fencing is to be provided to enclose the former laneway area within their respective curtilages.

8.59 This arrangement is acceptable such as to remove the redundant laneway and remove any potential anti-social behaviour from the retention of this area within the layout of the proposed development.

8.60 The layout of the dwellings has been designed such that properties have oversight over the public areas including the open space and road network. There are several pedestrian walkways within the site which provide access to car parking areas. However, these are located in-curtilage and there are oversight of these areas from properties such as to reduce the potential for crime. The layout is considered to have been designed to deter crime and promote personal safety.

Objections

8.61 Objectors have raised that the site results in overdevelopment, the loss of the last green space within the West Bann area, the considerable number of new properties constructed in recent years in the West Bann/Laurel Hill/Greenhall Highway area and that the site is not suitable for development.

8.62 This planning application seeks the development of 80 units within a housing zoning CEH 55 as zoned within the Northern Area Plan 2016. The site was identified for zoning through the

development plan process. This development plan was subject to public consultation. The development plan is adopted and it is a statutory requirement under Article 45 of The Planning Act (NI) 2011 that decisions are made with regard to the local development plan so far as material to the application. The identified housing zoning is a location where housing is acceptable in principle. The zoning requirement outlines the required density of 15 – 25 dwellings per hectare which the proposal satisfies. Consequentially, the proposal is not considered to be overdevelopment.

- 8.63 Concerns have been raised in relation to the building and new road layout. The proposed houses are outlined to not be very environmentally friendly as there are no car charging points etc.

As previously outlined, the site layout and building design is considered to be compliant with policy requirements. Although, environmentally friendly development is encouraged there is currently no planning policy requirement for the inclusion of car charging points, domestic microgeneration equipment etc. within a development.

- 8.64 Secure by Design report supports resident concerns as reading a report on how to make a housing development safe against crime is extremely concerning for any resident who has invested money into their property in an area they felt was safe. If development proceeds residents have proper assurance that there is appropriate privacy and security in place and that the school is safeguarded.

The proposal seeks to use 'Secured by Design' which is a UK project for promoting the principles of designing out crime from the built environment. Design requirements have been provided by the PSNI to assist in this. The proposal is considered to deter crime and promote personal safety as previously outlined.

Open Space and Landscaping

- 8.65 Policy OS 2 of Planning Policy Statement 8 requires for proposals for new residential development comprising 25 or more units or on sites for one hectare or more that public open space is provided as an integral part of the development. Due to the numbers of units proposed and the size of the application site, the policy requirements are provision of open space

consisting of an area at least 10% of the total site area.

- 8.66 There is no requirement for the provision for local neighbourhood facilities to form as integral part of this proposal having regard to the scale and location of this development.
- 8.67 Public open space is required under Policy OS 2 to conform to the following criteria:
- it is designed in a comprehensive and linked way as an integral part of the development;
 - it is of demonstrable recreational or amenity value;
 - it is designed, wherever possible, to be multi-functional;
 - it provides easy and safe access for the residents of the dwellings that it is designed to serve;
 - its design, location and appearance takes into account the amenity of nearby residents and the needs of people with disabilities; and
 - it retains important landscape and heritage features and incorporates and protects these in an appropriate fashion.
- 8.68 Planning permission is not to be granted until the developer has satisfied the Department under that suitable arrangements will be put in place for the future management and maintenance in perpetuity of areas of public open space required under Policy OS 2.
- 8.69 The site layout plan submitted indicates three areas of open space, an area of parkland and area of proposed new woodland planting. Full details of the planting within these areas are located on the proposed landscaping plan.
- 8.70 A centralised area of open space is located between the Apartment Units 39 – 44 and Road 1, the main development road. This area is to include paths throughout the space with benches and grass, shrub and tree planting.
- 8.71 The western area of open space and parkland is connected to a further area of open space located to the northwest of the development by paths. These areas of open space and parkland are located at the highest points of the site and the existing contours indicate the steepness of the topography at this portion of the site.

- 8.72 Cross-section drawings have been submitted which indicate levels through these open space areas. Section D-D indicates a gentle slope from east to west through the open space to the pathway at the lower edge of the parkland. The parkland area rises steeply and is flat towards the top where an informal path is indicated. Section C-C is located through the open space to the northwest and indicates a gradual rise from east to west through the open space.
- 8.73 The landscaping plan indicates planting throughout the parkland and western areas of open space including adjoining the pathways.
- 8.74 The woodland area is located to the north of the proposal and is indicated to be fenced off from the remainder of the development. The landscaping plan indicates native woodland planting in this area comprising tree planting.
- 8.75 The centralised open space has an area of 919sqm. The western and northwestern areas including the parkland has an area of 6904sqm. The woodland area has an area of 3523sqm.
- 8.76 The application site has an area of 3.78ha. Of this area, 0.78ha of the site comprises the open space and parkland areas. This relates to 20.6% of the site area.
- 8.77 Concerns had been initially raised in relation to the demonstrable recreational and amenity value of the open space arrangements and its access and usability for those with disabilities given the topography of the western portion of the site.
- 8.78 The open space is mostly located to the edge of the site with paths adjoining Sites 18, 45 and 56 providing connectivity throughout the development. The sectional drawings indicate that the levels for the western portion of open space would meet the needs of people with disabilities. The further open space area adjoining Units 39 – 44 is more centralised and has flat levels allowing more utilisation and access of this space.
- 8.79 The woodland area is fenced off from the development and is not accessible. However, it will provide visual amenity within the

area.

- 8.80 The amount of open space provision is compliant with Policy OS 2.
- 8.81 The open space is considered to have demonstrable value within the site with linkages and connectivity through the development. The landscaping of the open space and layout and design with path connections allow multi-functional uses for recreation as well as amenity. The open space areas are easily accessible and located at safe locations within the development. Heritage features are protected by retention of views through to the listed building through retention of these areas within the site as open space.
- 8.82 Beyond the open space areas the site includes woodland planting extending from the southern boundary of the site, along the boundary west and through to northwest of the site. This landscaping provides a buffer between existing development on Laurel Park, Laurel Grove, Laurel Hill Gardens and business units at the former MOD site off Laurel Hill Road. This extensive landscaping buffer will assist in providing a visual break between development to the west and the proposal.
- 8.83 Tree and shrub planting is proposed within the front garden areas of the dwellings. The main development road is bound by trees along its length located within the front garden areas giving the impression of a tree lined avenue. The front garden areas comprise lawns with some hardstanding for paths. The rear garden areas comprise of lawns. Both front and rear gardens are to be seeded with grass. The lawn areas, tree and shrub planting will assist in softening the visual impact of the proposed dwellings/apartments, boundary treatments/retaining structures and driveway/car parking areas.
- 8.84 Conditions should be applied to ensure the provision of the soft landscaping proposed as it is fundamental to the softening of the development and the provision of an acceptable layout.
- 8.85 There is landscaping indicated on the site plan which is not indicated on the landscaping plan. This includes landscape buffer planting along the eastern boundary with properties on Strand Road. This was referred to in the Pre-Application

Community Consultation report as to be provided further to feedback. A condition should be applied to require this planting.

8.86 Boundary treatment forward of the building lines comprises 1.2 metre high metal railings. This is combined with retaining walls where the site rises. These retaining walls are indicated to be under 1 metre. No details on finishes are indicated on the drawings for retaining walls and this should be conditioned to be a painted render.

8.87 A Landscape Management and Maintenance Plan has been submitted with the application which outlines the soft landscaping requirements including the planting requirements to establish the amenity grass areas with open space and their long term maintenance. The contents of this plan are considered to be acceptable.

8.88 The Landscape Management and Maintenance Plan outlines maintenance for a period up to 20 years. However, the requirements of Policy OS 2 is for management and maintenance in perpetuity. This should be provided through a condition.

8.89 Limited detail has been submitted on hard surfacing. The site layout indicates that the site utilises shared surface roadways and includes paved parking bays. Surface finishes for the roadways are otherwise dictated by the Private Street Determination requirements.

8.90 The landscaping plan indicates the presence of paving for garden paths and permeable block paving for car parking areas.

8.91 A condition should be applied to seek agreement of the surface finishes for hard surfacing areas prior to the commencement of development.

8.92 The loss of green space is highlighted by objectors. However, the site itself is not considered to be open space to be protected under Policy OS 1 by virtue of the housing zoning designated on the site.

8.93 The public open space provision is considered to be adequate and compliant with the requirements of Policy QD 1 of PPS 7

with adherence to conditions.

Private Amenity Space

8.94 Paragraphs 5.19 and 5.20 of Creating Places provides guidance on the levels of private open space for dwellings and apartment developments.

8.95 The proposal includes 15 residential unit types. Of these 15 unit types, 11 are dwellings and 4 are apartments.

8.96 Paragraph 5.19 outlines that on green-field sites and in lower density developments all houses should have an area of private open space behind the building line. To promote choice for residents a variety of different garden sizes should be provided and back garden provision should therefore be calculated as an average space standard for the development as a whole, and should be around 70sqm per house or greater. For any individual house however an area less than 40sqm will generally be unacceptable.

8.97 Paragraph 5.20 outlines that in the case of apartment or flat developments or 1 and 2 bed roomed houses on small urban infill sites, private communal open space will be acceptable in the form of landscaped areas, courtyards or roof gardens. These should range from a minimum of 10sqm per unit to around 30sqm per unit. Generally developments in inner urban locations and other high-density areas will tend towards the lower figure. Apartment developments on green-field sites and within lower density areas should normally seek to provide the higher figure, although this may be reduced where some private open space is provided in the form of patios or balconies.

8.98 The application site is a greenfield site. Consequently, amenity space provision for dwellings should be in the form of private gardens. For the apartments, the higher figure of amenity space should be sought.

8.99 The dwellings proposed have a private amenity space greater than 40sqm. All proposed dwellings have a private amenity space above 60sqm with the average space standard across the development of 104.5sqm. The private amenity space provision for the dwellings is compliant with the guidance within Creating

Places.

- 8.100 The amenity space areas for most of the dwellings are enclosed by 1.8 metre high close boarded fences which is an acceptable design and height to enclose the amenity space areas. Retaining walls and dwarf kerbs are also proposed within the rear amenity space areas for the dwellings where the site changes levels. The dwarf kerbs are indicated to be less than 0.6 metres and retaining wall heights vary based on location but are differentiated as being under or over 1 metre.
- 8.101 The rear boundary between Units 28 – 29 and 35 – 38 has been amended from retaining wall structures to comprise a graded landscape buffer with boundary fence situated in the middle so as to reduce the impact on owners of Units 28 and 29 from large retaining structures at the rear of the units.
- 8.102 The amenity space provision for the dwellings are located to the rear of the property. Due to the layout of the development and house types proposed, this results in some properties with rear gardens adjoining or with aspect onto the proposed development road. This occurs at Sites 11, 24, 27, 30, 34, 49, 51, 54, 55, 56, 61, 64 and 80 and boundary treatment on these boundaries is in the form of 1.8m high screen walls. This is a high quality solution and given the boundary treatment proposed this relationship is considered to be acceptable.
- 8.103 The private amenity space provision proposed for the apartment development takes the form of both private gardens and communal space.
- 8.104 The apartments at Units 12 and 13 each have private gardens measuring 106sqm and 90sqm respectively which is acceptable based on the size of the units as 1 bedroom, two person apartments. These areas are bound by 1.8 metre high close boarded timber fencing at the sites with retaining walls at the rear.
- 8.105 The remaining apartments have communal open space. Units 18 – 23 have open space located to the rear of the three blocks of apartments measuring 216sqm. These areas are bound by 1.2 metre high metal railings onto the car parking area and 1.5 metre high metal railings onto the open space area.

Applying the upper threshold of 30sqm per apartment, the space provision is compliant with Creating Places.

8.106 Units 39 – 44 have open space located to the west adjoining the proposed bin store which comprises a lawn area and bounded by tree/shrub planting and 1.5 metre high metal railings. This area adjoins the area of public open space to the east. This area is 101sqm. There is further open space accessible from the ground floor units at Units 39 – 40 and Units 41 – 42 and to the front, rear and side of Units 43 – 44. These areas are bound by 1.2 metre and 1.5 metre high metal railings. The open space areas at Units 39 – 40 and 41 – 42 are 21sqm. The open space areas at Units 52 – 53 are 116sqm. Considering the communal space and dedicated spaces available for these units, the private amenity space provision is acceptable.

8.107 Two adjoined bin stores individually serve Units 18 – 23 and Units 39 – 44 in addition to the private amenity space proposed. The bin store for Units 18 – 23 adjoins Unit 23 and the bin store for Units 39 – 44 adjoins Unit 39 and the open space area serving Units 39 – 44. In terms of impact on amenity, bin storage is typically within the private amenity space area of a property and both sets of apartment units are to be managed by the applicant. The submitted plans indicate the bin storage areas to be enclosed by white render walls. The proposed bin store arrangement is acceptable.

8.108 Units 45 – 46, 47 – 48 and 52 – 53 each have shared garden areas bounded by 1.8 metre fences. These gardens are 52sqm, 160sqm and 125sqm respectively. The rear boundaries of Units 45 – 46 and 47 – 48 have retaining walls resulting in them sitting higher than Units 49 – 51 and 52 – 53. The private amenity space provision is considered to be acceptable.

8.109 The private amenity space provision is adequate for the proposed units and compliant with the requirements of Policy QD 1 of PPS 7.

Access and Traffic

8.110 The proposal includes the creation of a new vehicular access onto Laurel Park with associated internal development roads

within the site.

8.111 The proposal falls to be considered under Policy AMP 2 of Planning Policy Statement 3: Access, Movement and Parking.

8.112 Policy AMP 2 states that planning permission will only be granted for a development proposal involving direct access, or the intensification of the use of an existing access, onto a public road where:

(a) such access will not prejudice road safety or significantly inconvenience the flow of traffic and

(b) the proposal does not conflict with Policy AMP 3 Access to Protected Routes.

8.113 Policy AMP 2 continues that acceptability of access arrangements including the number of access points will be assessed against the Departments published guidance and also having regard to:

the nature and scale of the development

the character of existing development

the contribution of the proposal to the creation of a quality environment, including the potential for urban / village regeneration and environmental improvement

the location and number of existing access and

the standard of the existing road network together with the speed and volume of traffic using the adjacent public road and any expected increase.

8.114 Planning permission was previously granted under LA01/2021/1173/F for a proposed access road including access alterations along Laurel Park, Coleraine to service social housing zoning - CEH55 in Northern Area Plan 2016 on 2nd November 2023.

8.115 This approved access is indicated on the proposed site layout to be used under this application to serve the proposed housing.

8.116 Planning permission LA01/2021/1173/F is currently live and expires on 2nd November 2028. Consequently, this access point can currently be implemented on site.

- 8.117 Key site requirement 4 of Housing Zoning CEH 55 outlines that the development of the site will require additional lands to provide an access from a public road.
- 8.118 This requirement is satisfied with the approval of the access under LA01/2021/1173/F and its usage under this application.
- 8.119 The Private Streets (NI) Order 1980 and the Private Streets (Amendment) Order 1992 provide the statutory basis for the adoption of roads constructed by developers. Access roads serving new residential developments in excess of 5 dwellings are normally be determined and adopted provided they are designed and constructed to the appropriate standards.
- 8.120 Adoption of the road is sought under this application through the submission of Private Street Determination Drawings.
- 8.121 A Transport Assessment Form has been submitted in support of the application completed by SW Consultancy. The assessment outlines that Laurel Park is lightly trafficked as established through a classified traffic survey undertaken on Tuesday April 27, 2021. Further junction counts were conducted on 20th March 2024 with similar very low levels of traffic movement observed on Laurel Park throughout the survey including at peak residential network times. Based on very low network flows on Laurel Park and low development flows the approved access plan is deemed sufficient to accommodate all development trips. Traffic speed on Laurel Park and on the surrounding route is 30mph, and identified local speeds much lower.
- 8.122 The Transport Assessment continues that the previous assessment considered 14 social and 78 privately owned housing units and that this proposal generates significantly lower level of vehicle trips than previously assessed and approved as there are fewer dwellings (80 instead of 92), apartment units generate lower vehicle trips than housing units and social housing (apartments and houses) generate fewer vehicle trips than privately owned houses or apartments.
- 8.123 To robustly assess the level of trips generated by mixed use social housing proposal, SW Consultancy outline that they have interrogated the TRICS database. TRICS (Trip Rate Information

Computer System) is a database that provides trip rates for a variety of development land uses throughout the UK and Ireland and is used for transport planning purposes specifically to quantify the trip generation of new developments, including private and affordable/social housing proposals.

- 8.124 The TAF outlines that the site is located close to local amenities and local housing and that for residential (social housing) developments, particularly in an urban setting there will be a high proportion of pedestrian trips generated. The internal layout design is outlined to restrict vehicle speeds and is designed to accommodate pedestrian movement with appropriate pedestrian provision. It is outlined that the site is within easy walking distance of schools and shops and other local housing. Killowen Primary School is 300m walking distance of the development proposal. The daily number of pedestrian trips for 60 social houses and 20 social apartments is indicated to be 84 arrivals and 85 departures.
- 8.125 For cycling, the TAF outlines that there are no dedicated crossing points in the vicinity of the site and cyclists will share the road with other road users where dedicated paths are not available. The daily number of cycling trips for 60 social houses and 20 social apartments is indicated to be 13 arrivals and 13 departures.
- 8.126 The site is indicated to have two bus stops within walking distance of the site. One to the west of the site (Laurel Hill Road) and one east of the site on Strand Road. The walk distance to both stops is outlined as approximately 500m, at the higher end of the walking distance metric provided in Table 4 of the CIHT Buses in Urban Developments guide, but within walking distance.
- 8.127 Total daily vehicular trips for 60 social houses and 20 social apartments is indicated to be 141 arrivals and 132 departures for 273 2-way vehicular trips. This is outlined to be lower than the previous proposal for 78 private houses and 14 social houses which generated a total of 202 vehicle arrivals and 208 vehicle departures or 410 2-way daily trips. This proposal is outlined to generate 33.41% fewer 2-way trips than the previous assessment.

8.128 In relation to peak traffic in the existing network, the TAF outlines that flows are much higher on Laurel Park at the Strand Road end than at the Screen Road end. At Strand Road/Laurel Park the AM peak hour (0815-0915) generated only 92 vehicle movements, with the predominant movement a through movement on Strand Road. During the PM network peak hour 1500- 1600 76 vehicles, mainly Strand Road, and 1700-1800 67 vehicles were generated, again the predominant movement was on Strand Road. Low traffic flows are indicated to reflect minimal arrival and departure patterns on a quiet part of the Coleraine road network. It is outlined that if we consider Laurel Park traffic only (Strand Road end) there were 3 vehicle arrivals and 9 vehicle departures during the AM Peak Hour (0815-0915). At 1500-1600 there were 20 vehicle arrivals and 16 vehicle departures during that hour on Laurel Park. At 1700-1800 there were 14 vehicle arrivals and 12 vehicle departures during the hour.

8.129 In relation to the development proposal it is advised that low levels of vehicular trips will also be generated by this housing proposal during a typical day with minimal impact on the wider road network. The peak hour and interpeak hour trips are likely to coincide with existing traffic peaks. 0800-0900 would generate 7 new vehicle arrivals and 13 new vehicle departures. 1500-1600 the proposal would generate 10 vehicle arrivals and 8 vehicle departures. At 1700-1800 the proposal would generate 20 vehicle arrivals and 12 vehicle departures.

8.130 The TAF concludes that it has identified the traffic and transport impact of the proposed development of 60No. social and affordable houses and 20No. social and affordable apartments, that the 4 key site requirements can be met, and the scheme can be introduced without adversely impacting the surrounding road network. Sustainable travel modes have been considered and this scheme will be accessed by a variety of travel modes for both residents and visitors.

8.131 DFI Roads has been consulted on the plans, documentation received and objector comments and have advised that the proposed access to the development from Laurel Park (Drg 02C Approved entrance road layout and section) has been previously assessed by DFI Roads under planning application LA01/2021/1173/F which was granted approval on 2nd

November 2023, DFI assessed this against various standards such as Development Control Advice Note 15 – Vehicular Access Standards. Considerations for the proposal include access geometry, visibility requirements, drainage, gradient of access and the number of vehicles likely to use the access and the speed of the traffic on the road the access comes onto etc.

- 8.132 DFI Roads continue that the threshold where a detail Transport Assessment may be necessary include 100 residential units, or 100 trips in the peak hour. Under planning application LA01/2021/1173/F which was granted, within the supporting transport assessment form the applicant noted up to 92 units and significantly fewer trips in the peak hour, based on a traffic count survey of existing traffic and TRICS analysis provided for the proposed housing, subsequently under the current planning application LA01/2024/1096/F the applicant has now noted 80 units as opposed to 92 units which was analysed and previously granted in LA01/2021/1173/F which further lowers the number of trips in the peak hour and traffic volume from the proposed development.
- 8.133 DFI Roads advise that Laurel Park is considered to be a residential access road rather than a local distributor road, as it is a loop road connected at both ends to Screen Road which would be the distributor road in this area linking to the rest of the network.
- 8.134 DFI Roads advise that they are content that the surrounding road network has the spare capacity to safely accommodate the combined traffic volumes of Laurel Park and the proposed development and will not have a significant impact on the road network, based in the information provided by the developer in the Transport Assessment Form.
- 8.135 A large number of objections have raised concerns with the access, traffic and road safety. The issues with the existing road network have been highlighted including the usage of the residential roads to bypass the roundabout, difficulty accessing onto Strand Road and parking and congestion associated with the school. The access location onto Laurel Park has been raised including matters of traffic, road safety and disagreement with the conclusions under LA01/2021/1173/F including road speeds and the requirement for a right turn lane. Issues of traffic

and road safety have been raised based on the proposed number of units.

- 8.136 DFI Roads were consulted on further objections, plans and drawings received in relation to the private streets determination process advising that Dfl Roads notes the new objections and the roads related points raised in the most recent objections have been considered and I would refer you to our previous consultation response which address these.
- 8.137 Further comment has been made by DFI Roads stating that they had previously assessed the proposed access under application LA01/2021/1173/F against the requirements of the relevant standards DCAN15, Creating Places documents and Detailed Transport Assessment and recommended approval on that basis. This was granted approval by Causeway Coast and Glens Planning committee and subsequently incorporated into the design for the proposed development under planning application LA01/2024/1096/F.
- 8.138 DFI Roads advise that Laurel Park is an unclassified urban development road with low traffic volume and low speed of traffic due to the road geometry. The existing carriageway is 5.5m wide with 2m footways with the proposed access carriageway 6.0m wide with 2m footways and 6m kerb radii. This road layout is considered adequate for up to 400 dwellings (ref. Creating Places document) which is well above the number of existing and proposed dwellings in this area.
- 8.139 Dfl Roads advise they are content that the surrounding road network has the spare capacity to safely accommodate the combined traffic volumes of Laurel Park and the proposed development.
- 8.140 For these reasons DFI Roads advise they have no objections to the proposal and recommends approval, subject to conditions and informatives.
- 8.141 The proposed conditions and informatives relate to the implementation of the roads details and the Private Streets Determination process.

8.142 As previously outlined, the access under LA01/2021/1173/F has planning permission. Consequently, there is a fall back position in that the access indicated on the proposed plans can be constructed regardless of the decision-making under this application.

8.143 As advised by DFI Roads, the proposal now under consideration results in a less intensive usage of this access as considered under LA01/2021/1173/F and the access has been designed to and considered against vehicular access standards and found to be compliant.

8.144 The proposal is located within a housing zoning which has a density requirement of 15 – 25 dwellings per hectare. The housing zoning also outlines the requirement of additional land to provide access to the zoning from a public road. The housing zoning has a size of 3.66ha resulting in the provision of 55 – 92 dwellings on the site to satisfy the zoning requirements. Objections have raised issues with the existing road network including road safety, accidents, traffic and congestion. At a minimum, this site is required to have 55 housing units accessing onto the existing road network as required by the key site requirements. The proposal seeks 80 units beyond the minimum threshold of the key site density requirements. However, this is still below the upper threshold for the number of units required on the site.

8.145 The proposed access is able to accommodate the number of units sought. Consideration of the access was explored in detail under the previous application.

8.146 There are no concerns in relation to the requirements of Policy AMP 2 having regard to the response from DFI Roads. The proposal is not considered to prejudice road safety or significantly inconvenience the flow of traffic.

8.147 As previously outlined, the access under LA01/2021/1173/F has planning permission. Consequently, there is a fall-back position in that the access indicated on the proposed plans can be constructed regardless of the decision-making under this application.

- 8.148 As advised by DFI Roads, the proposal now under consideration results in a less intensive usage of this access as considered under LA01/2021/1173/F and the access has been designed to and considered against vehicular access standards and found to be compliant.
- 8.149 The proposal is located within a housing zoning which has a density requirement of 15 – 25 dwellings per hectare. The housing zoning also outlines the requirement of additional land to provide access to the zoning from a public road. The housing zoning has a size of 3.66ha resulting in the provision of 55 – 92 dwellings on the site to satisfy the zoning requirements. Objections have raised issues with the existing road network including road safety, accidents, traffic and congestion. At a minimum, this site is required to have 55 housing units accessing onto the existing road network. The proposal seeks 80 units beyond this minimum. However, this is still below the upper threshold for the number of units required on the site.
- 8.150 The proposed access is able to accommodate the number of units sought. Consideration of the access was explored in detail under the previous application.
- 8.151 There are no concerns in relation to the requirements of Policy AMP 2. The proposal is not considered to prejudice road safety or significantly inconvenience the flow of traffic.
- 8.152 The proposal provides a movement pattern that supports walking and cycling. The site has connectivity throughout by the internal road network and paths through the open space areas. The site is accessed from Laurel Park and includes vehicular and pedestrian access to the existing road network. The site has adequate and convenient connections to public transport on Strand Road and Laurel Hill Road which are within walking distance of the site. The site respects existing rights of way. The site topography is such that it rises from east to west. The site layout and house types have been designed to meet the needs of people whose mobility is impaired with some house types specifically designed for those with mobility issues. The site respects existing public rights of way by the way of its layout. The Private Street Determination drawings indicate the utilisation of raised junctions in the road layout which would assist in reducing speeds. No traffic calming measures are indicated to

be required by DFI Roads.

Parking

- 8.153 Departmental Parking Standards provides guidance for the level of car parking provision for dwellings and apartments.
- 8.154 For majority of the proposed dwellings car parking spaces have been provided in-curtilage.
- 8.155 The exceptions to in-curtilage car parking provision is the case for car parking for dwellings at Units 56, 57 and 58 and Units 73 and 74 which have car parking located to the front of the property accessed directly from the road.
- 8.156 In the case of Units 73 and 74, there are two car parking spaces located to the front of each of the units. This arrangement is acceptable as dedicated car parking is available for these units.
- 8.157 Units 56, 57 and 58 comprise one 2 bedroom property and two 3 bedroom properties. These three units are attached and the space arrangement comprises 5 spaces to the front of the units. The suitability of this arrangement is dependent on the space requirements for the units and is considered further below.
- 8.158 The dwellings at Units 11, 24, 27, 30, 34, 49, 54 and 64 have dedicated car parking. However, their car parking spaces are detached from the associated dwellinghouses. In most cases these dwellings are accessible by a path which leads directly to the car parking or they are accessible via the associated private amenity space for the properties. It would be preferential that a greater degree of outlook could be provided over these spaces to deter crime. However, the distances to these spaces are not excessive and these units are not indicated to be for those with complex needs where accessibility may be an issue.
- 8.159 The proposed dwellings are predominately 2 or 3 bedroom properties. The exceptions being House Type N, a 5 bedroom detached property and House Type Q, a 5 bedroom semi-detached property. The sole House Type N is located at Unit 64 and the two semi-detached House Type Q properties are located

at Units 59 and 60.

- 8.160 Departmental Parking Standards does not outline requirements for two bedroom detached or semi-detached properties. For 3 bedroom semi-detached properties with two spaces provided in-curtilage the space requirement is 2.5 spaces. For 3 bedroom detached properties with two spaces provide in-curtilage the space requirement is 2.75 spaces.
- 8.161 Paragraph A8 of Departmental Car Parking Standards clarifies that the total requirements given with respect to the residential car parking standards include spaces for residents, visitors and other callers.
- 8.162 Having regard to Paragraph A8, there is adequate and appropriate car parking provision for the proposed two and three bedroom dwellings with sufficient in-curtilage car parking and space on-street for visitors and other callers.
- 8.163 In relation to Units 56, 57 and 58 specifically, a total of five spaces are indicated to the front. These units are attached with Unit 57, a two bedroom unit comprising the middle unit. There are no space requirements outlined for two bedroom properties. However, a two bedroom property will have a lesser parking burden than a three bedroom property. The provision of five spaces to serve these properties would be adequate provision, with further space for visitors and other callers on street as allowed for under the standards. The spaces are located such as they are separated from the front gardens of the units by the pavement and this arrangement is acceptable in terms of privacy.
- 8.164 Units 59, 60 and 64 are five bedroom properties which with two spaces provided in-curtilage requires 3.25 spaces provided. Having regard to the provision of two in-curtilage spaces for these properties, the small number of these house types proposed and the space availability on street to the front of these units, the parking space provision for these units is acceptable.
- 8.165 The apartment development proposed is located at Units 12 -13, 18 – 23, 39 – 44, 45 – 46, 47 – 58 and 52 – 53. Units 12 – 13, and 47 – 48 have in-curtilage car parking. Units 18 – 23, 39

– 44, 45 - 46 have communal car parking.

- 8.166 Parking standards for apartments are based on whether the spaces are assigned or unassigned with the assigned space requirement higher.
- 8.167 The apartments at Sites 12 and 13 each have their own driveways with two car parking spaces. These apartments are one bedroom and the assigned space requirement is 1.5 spaces which is satisfied.
- 8.168 The apartments at Sites 18 – 23 have eleven car parking spaces located to the front of the properties on street. These spaces are broken up into two sets of two spaces, a set of three and set of four spaces. The six apartments within this block each comprise two bedroom apartments. With the space requirement for two bedroom unassigned spaces the parking requirement is 1.5 spaces per unit. For assigned spaces the higher requirement is 1.75 spaces per unit. The space requirement for assigned spaces is 10.5 spaces. The parking requirements for the six apartments are satisfied by the eleven spaces indicated.
- 8.169 The apartments at Sites 39 – 44 have a car parking area located to the front of the building on the western side. This car parking area has ten spaces. The apartments with this block comprise 2 two bedroom apartments and 4 one bedroom apartments. The total unassigned requirement is 8.5 spaces and the total assigned requirement is 10 spaces. The parking requirements for the six apartments are satisfied by the ten spaces indicated.
- 8.170 The parking arrangements for Apartments 45 – 46 and 47 – 48 have been clarified by the agent. Four car parking spaces for Units 45 and 46 are located to the front of the properties, on street. This area is communal and comprises two car parking. Two sets of in-curtilage car parking spaces are indicated for Units 47 and 48 which are separated by a fence. Both car parking areas comprise two spaces which lead to the front doors of the respective apartments. These apartments are all the same house type and have two bedrooms. The car parking requirements for each building containing two apartments is 3 unassigned spaces or 3.5 assigned spaces. The car parking requirements are satisfied for both sets of units, with four spaces

on street to serve Units 45 – 46 and two sets of two spaces in-curtilage to serve Units 47 – 48.

8.171 Units 52 – 53 are the two bedroom apartments and the same house type as Units 45 – 48. The car parking arrangement for these units are three spaces on street to the front of the building. The space requirements are 1.5 unassigned spaces or 1.75 assigned spaces. The car parking requirements for these units are satisfied.

8.172 Objectors have raised concern in relation to car parking within the area surrounding the site advising that there is limited on-street car parking in area, especially on Strand Road during school hours and that the proposal will exacerbate this problem inconveniencing residents and visitors.

8.173 As highlighted in the above assessment, the car parking to serve the proposal can be achieved mostly in-curtilage with some car parking required on-street. The on-street car parking would be achievable within the development roads proposed with this development with no car parking required to serve the proposal within the existing road network.

8.174 Overall, the number of spaces provided within the development is adequate. The space provision is appropriate with respect to their locations within the development relative to the units they are proposed to serve.

Residential Amenity

8.175 Criterion (h) of Policy QD 1 requires that the design and layout to not create conflict with adjacent land uses.

8.176 The proposed use is a residential use and adjoins residential uses to the east, south and west. The north-west of the site comprises a former MOD site which contain business units. These units are separated from the site by the open space areas and there are no issues with compatibility with these uses. To the north-east is a Primary School which adjoins the proposed new woodland planting area and Units 59 – 62 at the north of the site. The school adjoins existing residential development and educational and residential uses are

compatible given the nature of the use.

- 8.177 Criterion (h) of Policy QD 1 also requires that there is no unacceptable adverse effect on existing or proposed properties in terms of overlooking, loss of light, overshadowing, noise or other disturbance.
- 8.178 Paragraph 7.15 of Creating Places outlines that on green-field sites and in low-density developments, good practice indicates that a separation distance of around 20m or greater between the opposing rear first floor windows of new houses is generally acceptable.
- 8.179 Paragraph 7.16 of Creating Places outlines that where the development abuts the private garden areas of existing properties, a separation distance greater than 20m will generally be appropriate to minimise overlooking, with a minimum of around 10m between the rear of new houses and the common boundary. An enhanced separation distance may also be necessary for development on sloping sites.
- 8.180 Paragraph 7.17 of Creating Places outlines that where residential schemes, such as apartments, including living rooms or balconies on upper floors this can cause a significant loss of amenity to adjoining dwellings, particularly where they are close to boundaries of existing properties. Where such development adjoins is proposed on green-field sites or in lower density areas, good practice indicates that a separation distance of around 30m should be observed or, alternatively, consideration given to a modified design. Where such development abuts the private garden areas of existing properties, a minimum distance of around 15m should be provided between the rear of the apartments and the common boundary.
- 8.181 Paragraph 7.21 outlines that layout and dwellings should be planned to provide acceptable levels of daylight into interiors and that the building spacing required for privacy will normally ensure a satisfactory level of daylight and an acceptable minimum amount of sunlight.
- 8.182 The application site comprises a green-field site and is a sloping site given the rise in levels from east to west.

- 8.183 Objectors have raised concerns with privacy and overlooking from proximity of proposal to existing homes. Concerns have been specifically raised in relation to the increased density causing privacy loss with two houses in extremely close proximity to house and garden of No. 73 Strand Road including impact on right side and 5 bedrooms at the back of the property.
- 8.184 Existing residential receptors adjoining the site comprise those on Strand Road, Strand Place, Laurel Park, Laurel Grove and Laurel Hill Gardens.
- 8.185 The spot levels at the rear of the properties from No's 73 – 81 Strand Road and No's 3 and 6 Strand Place indicate that the finished floor levels of proposed Units 62 – 80 sit higher than these properties.
- 8.186 The separation distances from the rear walls of Units 64 – 79 range from 10 – 12 metres from the rear boundary with No's 73 – 81 Strand Road and No's 3 and 6 Strand Place.
- 8.187 There are no concerns in relation to unacceptable overlooking, loss of light, overshadowing or dominance from Units 64 – 76 to No's 73 and 81 Strand Road having regard to the difference in heights of the proposed units to these properties due to the extensive separation distances from the back-to-back relationships of these properties. The most private areas of amenity space for these properties are located a significant distance away from the rear windows of Units 64 – 76 and the proposed planting along this boundary will assist in reduction of impact.
- 8.188 Units 62 and 63 do not have a direct back-to-back relationship with No. 73 Strand Road. The closest boundary between these units and No. 73 is located 17.5 metres from Unit 62 and 17.9 metres from Unit 63. The orientation of these units is such that direct views are towards the northern portion of this property. Given the separation distances achievable within the plots of these units, there are no unacceptable overlooking, loss of light, overshadowing or dominance concerns towards No. 73 Strand Road. The proposed planting will again assist in reducing any impact on this property.

- 8.189 The impacts on No's 3 and 6 Strand Place are from Units 74 – 80. Details for No's 3 and 6 Strand Place are available under LA01/2015/0323/F. These properties are orientated such that they have a side relationship to the application site. The separation distance from the side of these properties to the common boundary varies between 1.2 – 1.8 metres. The properties are both House Type C properties with three windows on the side elevation facing the site. These windows serve a kitchen at ground floor and bathroom and ensuite at first floor.
- 8.190 The impacts from Sites 76 – 78 to No's 3 and 6 Strand Place are to the sides and front garden of the properties. The properties on Sites 76 – 78 are all single storey properties. The two first floor windows of No's 3 and 6 are bathroom and ensuite uses which due to the nature there are no privacy concerns. The kitchen window has a height of 1 metre and width of 1.25 metres. Given the separation distances involved to the common boundary between 11.6 – 11.8 metres, the proposed boundary treatment and the size of the windows on the existing properties, any overlooking is, on balance, not unacceptable from these units.
- 8.191 Units 74 – 76 have views towards the private amenity space of No. 3 Strand Place and Units 78 – 80 have views towards the private amenity space of No. 6 Strand Place. The views from Units 74 to No. 3 Strand Place and Unit 78 to No. 6 Strand Place are oblique and there are no privacy concerns in relation to views from these windows. Direct views from Unit 75 to No. 3 Strand Place are towards the rear part of the rear garden. Oblique views towards the most private area of amenity space of No. 3 are not unacceptable. The siting of Unit 76 is such that the gable sits in line with the rear of the flat roof single storey return of No. 3. Similarly, to Unit 75, any views into the most private area will be oblique. There is no unacceptable overlooking into the rear garden of No. 3 Strand Place.
- 8.192 Unit 79 is House Type F3, a single storey property with rear windows serving two bedrooms and a kitchen. A rear door serves a dining room. Views from these windows are from the rear wall of the rear return of No. 6 Strand Place over the rear garden. Unit 80 is House Type C7, a two storey property with a kitchen window and dining room patio door at the ground floor rear and two bedroom windows at the first floor rear. Separation

distances to the boundary with No. 6 Strand Place varies with the direct views from the rear over the back half of the rear garden. The distances from the rear of Unit 80 exceeds 10 metres to the common boundary with No. 6 Strand Place. Views will be possible over the rear garden. However, views towards the most private amenity space area of No. 6 Strand Place are significant. Given these distances there are no concerns in relation to unacceptable overlooking. The separation distances from Unit 79 to No. 6 Strand Place are less. However, views at the rear of No. 6 Strand Place are screened by the single storey rear return allowing private areas to remain within the property. Given the design and location of the windows of House Type F3, views from the windows will not all be directly into the most private amenity area of No. 6 Strand Place. Views are not considered to be unacceptable towards No. 6 Strand Place from Unit 79.

8.193 There are no loss of light, overshadowing or dominance concerns to No's 3 or 6 Strand Place given the separation distances involved to the proposed units.

8.194 Properties at No's 1, 2 and 4 Strand Place, No's 83 – 97 Strand Road and to the east and southeastern side of the road along Laurel Park are sited too far from the proposal for there to be any unacceptable impact on their residential amenity from overlooking, overshadowing, loss of light or dominance.

8.195 The incorporation of part of the existing laneway into the property at No. 1A Laurel Park results in Unit 80 adjoining the property. Views southeast from Unit 80 towards No. 1A are over the western side portion of the garden of No. 1A which has a public outlook. Views from the rear of Unit 80 facing northeast will have oblique views towards the private amenity space of No. 1A and these views are not unacceptable. Similarly Unit 79 has views towards the private amenity space of No. 1A. However, these views are primarily over the rear of the garden of No. 6 Strand Place. These views are not unacceptable. Both Units 79 and 80 are sufficiently separated from the dwelling at No. 1A Laurel Park so as to not result in any unacceptable overlooking, overshadowing, loss of light or dominance.

8.196 No. 93A Strand Road is accessed from the remainder of the existing laneway which is to be closed off. The curtilage of this

property is separated from Units 8 and 9 in part by the existing laneway and by the proposed landscape buffer planting which comprises native woodland planting. The property at Unit 9 sits lower than No. 93A due to the presence of retaining structures were Unit 9 adjoins the landscape buffer. There are no overlooking, loss of light, overshadowing or dominance concerns to this property from the proposal.

8.197 Properties at No's 3, 4 and 5 Laurel Grove are located beyond the curtilage of No. 93A to the southwest. With regard to the consideration of the impact on No. 93A, there are no concerns in relation to impact on the residential amenity of these properties.

8.198 No's 1, 3, 7 and 9 Laurel Park are separated from Units 1 – 8 by the existing laneway. Due to the topography of the site, the finished floor levels of these units rise from north east to south west. The southeast edge of the existing laneway is located is vegetated with mature trees. Most of the laneway to No. 93A is outside the application site but it is indicated to be within blue land. The distance from the rear boundary of Units 2 – 8 to the boundaries with No's 1, 3 and 7 Laurel Park are in excess of 20 metres. Given the separation distances involved from these units extending beyond the curtilage of the properties and the existing laneway to No's 1, 3 and 7 Laurel Park, there are no concerns in relation to unacceptable overlooking, loss of light, overshadowing or dominance to these properties. No. 9 Laurel Park is located to the south of Unit 8 and the orientation of this unit results in no unacceptable overlooking. Unit 1 is orientated with its rear facing away from No. 1 Laurel Park such as to result in no unacceptable overlooking. Given the siting of Units 1 – 8 there are no unacceptable overlooking, loss of light, overshadowing or dominance to No's 1, 3, 7 and 9 Laurel Park.

8.199 Properties within Laurel Hill Gardens adjoin the proposed landscape buffer and sit at a higher topography than that of the proposed housing. Within the Laurel Hill Gardens development, a portion of the housing is separated from the site boundary by an open space area. There will be no unacceptable overlooking, loss of light, overshadowing or dominance from any proposed dwelling to any residential property on Laurel Hill Gardens. The proposed parkland area partially adjoins the boundary with No. 58 Laurel Hill Gardens. This boundary is proposed to have

native woodland planting on the proposed landscaping plan which will create separation from the parkland area to this property. There are no privacy concerns in relation to the impact of the open space area towards No. 58 Laurel Hill Gardens.

8.200 The business uses within the MOD site and primary school are sufficiently detached from the proposed dwellings so as to not result in any unacceptable impact on their amenity. The nature of the proposed residential use is unlikely to result in any adverse effect on these uses.

8.201 In relation to impact from the proposed properties within the proposed layout, most of the properties indicate a typical back-to-back relationship.

8.202 Units 1 and 2 have two rear facing windows serving a bedroom and landing at first floor. Due to the arrangement of these units there is overlooking from these windows into the corresponding units. The most private area of amenity space is the first 3 – 4 metres of the garden from the rear of the property. The bedroom windows are located on the returns of the properties and the landing windows on the main property. The most intrusive views are from the bedrooms and views from these windows will only be oblique views into the most private area of each property. The overlooking is not considered to be unacceptable. The relationship of these properties will mean that there will be some overshadowing between both units. However, considering the sunpath this would not be considerable and not unacceptable. There are no dominance or loss of light concerns in relation to these properties having regard to their siting.

8.203 The relationship of Units 3 – 8 are side relationships and given the topography of the site, the properties rise from northeast to southwest. The proposed House Type M3 does not result in any unacceptable overlooking, loss of light, overshadowing or dominance in this relationship. Views to front of the units are towards the street. The rear gardens located at Sites 27 and 30 are detached such as to not result in unacceptable impact in terms of overlooking.

8.204 Units 9 – 11 have a side relationship and rear separation distances of 16 metres to the boundary with Unit 12. Views from the front and side are onto the street. House Type G at Unit 9

does not have gable windows resulting in no overlooking towards No. 93A. Units 9 – 11 are acceptable in terms of overlooking, loss of light, overshadowing and dominance.

8.205 Units 12 – 13 are House Type A apartments. The first floor unit has windows looking into the private amenity space of both units. Although, the units have dedicated gardens, the nature of apartments is such that guidance of Creating Places indicates that they communal private amenity space. There are no privacy concerns in relation to the views from the first floor unit into the amenity space of the ground floor unit in this respect. The top floor unit has two windows serving a hall/stairwell and views from these units are not unacceptable given the nature of the use of the rooms. There are no windows facing the private amenity spaces of Unit 11. Views towards the gardens of Units 9 and 10 are oblique and not unacceptable. The siting of both units does not result in any unacceptable loss of light, overshadowing or dominance.

8.206 The windows at the front of Units 14 – 17 face onto the street. There are views from Units 15 – 17 towards the rear garden area of Unit 24. However, given the separation distances involved there would be no unacceptable views into their private amenity space. The rear of Units 14 – 15 face towards the proposed buffer planting. Laurel Hill Gardens is located beyond and there is no unacceptable overlooking due to the distances and change in site levels to these properties. Units 16 – 17 have rear windows facing the landscape buffer and open space/parkland beyond. There are no concerns in relation to these views. The House Types for Units 14 – 16 have no side windows and consequently no overlooking. Unit 17 has a dual fronted design. However, views from the side face towards the open space area and beyond that the apartment block at Units 18 – 23. These views are not unacceptable in terms of views. Having regard to the siting of the units and their proposed finished floor levels, there would be no unacceptable loss of light, overshadowing or dominance.

8.207 Units 18 – 23 have views from the front onto the street. The distance to the private amenity space of Unit 34 is too distant from Units 21 – 23 having regard to the change in site levels to result in unacceptable overlooking. The views from the rear are over the units associated private amenity space, the car parking

area serving Units 39 – 44 and towards the open space. These views are not unacceptable. The gables of the block are associated with Units 18 - 19 and 22 - 23. The side elevation for Units 22 and 23 has no windows. Units 18 - 19 has three gable windows on each floor each serving a living room, kitchen and dining room. Views are towards Unit 17 but are separated by the open space area. Units 18 – 23 are sited behind Unit 17 such that the living room window has views towards the private amenity space of Unit 17. However, considering the distances involved these views are not unacceptable. Having regard to the siting of the units and their proposed finished floor levels, there would be no unacceptable loss of light, overshadowing or dominance.

8.208 Units 24 – 38 are sited in a close interrelationship. The corner units at Units 24, 27, 30 and 34 are House Type H1 which are dual fronted. The remainder of the units comprise two House Type G properties at Sites 31 – 33 and nine House Type D properties for the remaining sites. Views to the front are over the street with some views towards rear amenity spaces of Sites 11 from Units 24 – 27. Due to the layout and the distances involved these views are not unacceptable. The relationships within Units 24 – 38 are mostly side relationships stemming from the views from Units 24 – 27 and Units 30 – 34 towards Units 28 – 29 and 35 – 38. Units 28 – 29 and 37 - 38 have a back-to-back relationship. The boundary treatments here have been amended so as to not result in an unacceptable impact on the occupiers of Units 28 and 29 from large retaining walls. The boundary between Units 28 – 29 and Units 37 – 38 comprise a graded slope with woodland planting and fencing. This boundary treatment is the same for Units 35 – 36 to the rear garden area of Unit 31. Due to the topography of the site, Units 30 – 34 sit lower than Units 24 – 27 with Units 28 – 29 and Units 35 – 38 rising towards Units 30 – 34.

8.209 Units 28 – 29 and 37 – 38 can achieve a 20 metre back-to-back relationship with separation distances of 10 metres to the common boundaries. The views from Units 28 – 29 towards Units 37 – 38 are acceptable due to these distances. The views from Units 28 – 29 to Units 24 – 27 and Units 30 – 36 are oblique and not unacceptable. The views from Units 30 – 31 are directly towards Unit 29. The boundary of Unit 29 is angled such that the separation distances from the rear wall of Units 30 – 31

vary. The extent of views towards the rear amenity space of Unit 29 are over 12 metres away which is an acceptable separation distance to not result in any unacceptable overlooking from Units 30 – 31. Views to Units 35 – 36 are oblique and Units 37 – 38 are too distant to be unacceptable. Units 32 – 34 have a side relationship to Unit 35 and its rear garden. Unit 32 has direct views into the rear of the rear garden of Unit 35 which are not unacceptable. Unit 33 has two upper floor windows comprising a bathroom and bedroom. The separation distance from Unit 33 to the boundary with Unit 35 is 8 metres which is less than that recommended within Creating Places. The positioning of this unit is such that the bedroom window faces the corner of Unit 35. Views towards the most private area of amenity space of Unit 35 are considered to be oblique. Due to the change in levels in combination with the distances achievable, Unit 33 would not be dominant to Unit 35 or result in any unacceptable loss of light or overshadowing. Unit 34 is sited such as views are oblique towards the most private area of the rear garden of Unit 35. There is no unacceptable overlooking from Units 32 – 34. Units 35 – 36 have direct views towards the rear garden of Unit 35 – 36. Unit 35 also has some views towards the rear of the garden of Unit 32 which are not unacceptable. Due to the change in levels on the site, Units 35 – 36 are raised above Units 30 – 31. However, the separation distances of Units 35 – 36 are in excess of 10 metres to the common boundary with Unit 31 and views are primarily over the rear of the garden. These views are not considered to be unacceptable. There will be no unacceptable dominance, loss of light or overshadowing from Units 35 – 36 relative to Units 30 – 31 given the siting of the units.

- 8.210 Units 37 – 38 have a 10 metre separation distance to the boundary with Units 28 – 29. However, these units have a sloping site relationship which Creating Places outlines may require a greater separation distance. The relationship between these units meets the guidance of Creating Places on non-sloping sites. Cross-sections have been submitted and Section E-E indicates the extent of the relationship. With implementation of the woodland planting, the relationship is acceptable as the planting would screen most views out. Overlooking is not unacceptable from these units with this planting implemented.

8.211 Units 24 – 27 have a side relationship to Units 28 and 38 and sit higher than these units. The views from Unit 27 are towards the blank gable of Unit 28. Unit 24 has views from a small bedroom window towards the most private area of amenity space of Unit 38. The distance to the gable of Unit 38 from this window is 13 metres. The views from Units 25 and 26 towards the gable of Units 28 and 38 respectively are also 13 metres. Views are possible from Units 24 – 26 into the private gardens of Units 28 and 38. On balance, on the basis of the separation distances achievable and weighing up the sloping nature of the site with the extent of views, the siting arrangement is acceptable.

8.212 The siting of Units 24 – 38 are sufficiently separated such that there would be no unacceptable loss of light, overshadowing or dominance between these units considering the change in levels.

8.213 The front windows of Units 39 – 44 face over the car parking area serving the units and the western open space area. The rear windows face over the eastern open space area. These views are not unacceptable. Units 39 – 40 have oversight over the side amenity space serving the units with views towards the gable of Units 22 - 23 which has no windows. The gable windows serving Units 43 – 44 look towards the street and the rear gardens of Units 45 – 46 and Unit 49 beyond. These side views are not unacceptable having regard to the extent of views possible and the separation distances achievable in the case of the rear garden areas of Units 45 – 47 and Unit 49. Having regard to the siting of the units and their proposed finished floor levels, there would be no unacceptable loss of light, overshadowing or dominance.

8.214 Units 49 – 51 have a separation distance of 12.7 metres to the common boundary with Units 45 – 48. These distances to Units 45 – 48 are acceptable such as to no result in no unacceptable overlooking. Units 45 – 46 are sited 3.2 metres from Units 47 – 48 and Units 45 – 46 will overshadow Units 47 – 48. The windows on Units 47 – 48 facing Units 45 – 46 comprise two bathroom windows facing towards a hall and two bedroom windows. Units 45 – 46 will overshadow these two bathroom windows. Due to the nature of these rooms, there are no concerns in relation to unacceptable loss of light or

overshadowing as non-main rooms. The loss of light to these windows will be primarily in the morning with light available later in the day given the sunpath and siting of the units. Given that the windows on units 47 – 48 comprise bathroom windows there will be no unacceptable overlooking towards these windows given the private nature of these rooms which would be obscure glazed. The separation distance from Units 45 – 46 to the boundary with Units 49 – 51 is 5 metres. However, the windows facing this boundary from Units 45 – 46 comprise two bathroom windows from which there will be no unacceptable overlooking given the nature of the usage of the rooms. Unit 47 – 48 has a ground floor bedroom and first floor bedroom and hall window facing towards Units 51 and 52 – 53. The house type at Unit 47 – 48 is the same as that at Unit 51 – 52 and the windows facing towards Unit 47 – 48 from Unit 51 – 52 are also the same ground floor bedroom and first floor bedroom and hall window. Views from the hall window are not unacceptable given the room usage. The views from the first floor bedroom window at Units 47 – 48 and Units 52 – 53 allows views into the private garden areas which would be intrusive given the separation distances to the common boundary between these units. These windows are not considered to satisfy the policy requirements. However, in context of the scheme in its entirety, it is not considered that refusal could be sustained on overlooking from these windows. Unit 52 has two dining room, a kitchen, hall windows and a front door facing Unit 51 which has a blank gable and there are no concerns in relation to this relationship. There is the potential for glimpsed views from the kitchen window located above the front door into the private amenity space of Unit 51 and the hall window has views into this space. The kitchen rooms are obscured in part by the gable of the property and the hall windows views are not unacceptable due to the nature of the room. Having regard to the siting of the units and their proposed finished floor levels, there would be no unacceptable loss of light, overshadowing or dominance

8.215 Units 54 and 55 have windows facing two bathroom windows on Unit 52 – 53 and given the nature of the views of the bathrooms and the separation distances from the rear walls of Units 54 – 55 there are no concerns in relation to overlooking between these properties. Unit 55 has limited impact on the private amenity space to the west of Unit 52 – 53. Having regard to the siting of the units and their proposed finished floor levels,

there would be no unacceptable loss of light, overshadowing or dominance

8.216 Units 56 – 61 are sited with views over the public street. Views from Unit 61 to the rear garden of Unit 64 are separated by the road and are oblique and not unacceptable. Views from the rear are directly towards the woodland planting areas or the school site. These views are not unacceptable. The arrangement of these units is staggered. Unit 61 sits forward of Unit 60 and has no side windows. Units 59 and 60 have no gable windows such as to introduce overlooking from the gables to the units at the side. Similarly, Unit 58 has no gable windows facing Unit 59. Unit 56 is dual fronted and the side windows face towards the open space area. Oblique views are possible from the rears of Unit 61 to the garden area of Unit 60 and Unit 59 to the garden area of Unit 58 due to the staggered arrangement. These views will not be intrusive and are not unacceptable. Having regard to the siting of the units and their proposed finished floor levels, there would be no unacceptable loss of light, overshadowing or dominance

8.217 Units 62 – 63 have rear facing windows onto Strand Road for which overlooking has been previously been assessed and found to not be unacceptable. These units have no gable windows facing onto the school or No. 73 Strand Road. The siting of Unit 63 is staggered such that it has no direct views into the private amenity space of Unit 64. Views from Unit 63 to Unit 61 private garden are considered to be limited. Unit 62 has direct views towards Unit 61. Given the siting of Unit 61, the front facing windows of this unit have a larger direct separation distance to the most private amenity space area of Unit 61 than to the rear boundary of Unit 61 which is less private. These views are not considered to be unacceptable. Having regard to the siting of the units and their proposed finished floor levels, there would be no unacceptable loss of light, overshadowing or dominance

8.218 Units 64 – 79 has a side relationship and comprise six different house types. The outlook from these properties are onto the street at the front. At the rear these properties face towards properties on Strand Road and Strand Place previously accessed. The exception being Site 64 which has views towards Site 63. The distance from the rear wall of Site 64 to the fencing

to the side of Site 63 bounding its rear amenity space is 13.6sqm which is sufficient to result in no unacceptable overlooking. The views towards the front of the property at Site 63 and its driveway are not unacceptable. Majority of these house types do not have windows on their gables which would not result in any overlooking issues. House Type F3 is single storey with a single dining room window on one gable. House Type K1 is single storey with a single small lounge window on one gable. House Type N has two windows on a single gable with a bathroom window on first floor and kitchen window on ground floor. On the basis of the size of the windows serving House Type F3 and K1, the interrelationship between the side windows of these properties at Sites 76 – 79 and towards Sites 75 and 80 are not considered to be unacceptable. House Type N1 at Site 64 has a side relationship to House Type D with no gable windows. The building line is not consistent. However, the extent of projection forward or behind the building line of the adjoining property is not significant enough to result in any significant issues in terms of loss of light or overshadowing. There are no dominance issues due to the siting of the properties relative to each other.

8.219 Unit 80 has a staggered orientation relative to Unit 79. There is oblique views from the rear of the dwelling towards the rear garden of Unit 79 which are not considered be unacceptable. Views to the front of the property are over the street. Views from towards No. 1A Laurel Park and No. 6 Strand Place from the side and rear have previously been considered and are not unacceptable. The side facing Site 79 comprises a single bathroom window at first floor and due to the nature of the use of this room, there are no overlooking concerns. The siting of the dwelling does not result in any unacceptable loss of light, overshadowing or dominance.

8.220 The proposal is located on a sloping site and consequentially there is potential for overlooking from areas on-street and the open space areas into the rear gardens of properties. The open space areas including viewing platforms specifically. The properties adjoining the western open space and parkland area are mostly apartments for which the communal nature of the open space has a reduced level of privacy. Views from the open space at the highest points are at a distance from the properties and although these views are into private amenity space they

are not unacceptable.

8.221 With the exception of Units 47 – 48 and 52 – 53 as previously justified, the proposed layout of the residential units and development as a whole is not considered to give rise to any unacceptable overlooking, loss of light, overshadowing or dominance to any of the proposed units.

8.222 A Noise Impact Assessment has been submitted in support of the application. The assessment raises the impact of traffic noise on the proposal.

8.223 The Noise Impact Assessment raises that suitable internal noise levels are met with standard double glazing R_w (Ctr) 29 (-4) dB and trickle vent $D_{n,e,w}$ (Ctr) 31 (0) dB when calculated with the measured road traffic from the baseline noise survey. The assessments carried out are outlined to show that the site is suitable on noise grounds and the proposed residential development site shall be in line with the Noise Policy aims.

8.224 Environmental Health was consulted on the proposal and advised that it was noted that a Noise Impact Assessment carried out by MCL Consulting was submitted in support of this application and that following review, they would recommend that a planning condition is attached should planning permission be granted in order to ensure the protection of residential amenity.

8.225 This condition relates to sound reduction performance of the windows and façade of the proposed dwellings and should be applied in the event of an approval so as to establish a quality residential environment for the occupiers of the proposed properties.

8.226 Objectors have raised the noise impact from proposal including the proposed housing units and traffic. These impacts are outlined to be in combination with the noise from existing properties. Concerns have also been outlined that the Noise Impact Assessment does not consider the impact of the proposal on existing properties including particularly from traffic.

8.227 Consultation was sought with Environmental Health specifically on these objections. Environmental Health

responded on 22nd January 2025 stating that The Transport Assessment Form dated September 2024 states that this proposal will generate 273 daily 2-way vehicle trips, 33.41% fewer 2-way trips than the previous assessment. They advise that they consider that the Noise Impact Assessment dated April 2024 has appropriately considered noise.

8.228 The proposal relates to a residential use and due to the nature of this use there is unlikely to be any noise generation beyond that which is typical for a residential unit. There are no concerns in relation to noise arising from the proposal having regard to this and the response from Environmental Health.

8.229 Further to the initial response on the application, an Air Quality Impact Assessment was submitted and Environmental Health consulted.

8.230 The Air Quality Impact Assessment advises that an assessment of construction phase impacts have been undertaken following the IAQM construction dust guidance and that mitigation measures are recommended to reduce the risk of dust and particulate matter being generated and re-suspended. It advises with implementation of appropriate measures, no significant impacts are anticipated during the construction phase.

8.231 The AQIA advises in relation to operational phase emissions that it has been compared the development against screening criteria outlined in the EPUK-IAQM guidance and based on findings of this comparison and the existing background air quality, it is considered that the development is likely to have an insignificant impact on air quality at existing and proposed sensitive receptors once it is operational. It is advised that it is considered unlikely that the relevant air quality standards will be exceeded and ambient air is not expected to have significant adverse effects on future site users. It is advised that there will be no air quality constraints.

8.232 Objectors have raised concerns in relation to the risks from air pollution from the increase in traffic and household emissions on existing residents and children health.

8.233 In the response dated 10th February 2025, Environmental Health advise that they have considered the objector letters and

Air Quality Impact Assessment carried out by MCL Consulting. They advise that the AQIA used data from the Transport Assessment for a screening level assessment against EPUK-IAQM criteria. Environmental Health advise that they consider that the AQIA has appropriately considered air quality arising from the construction phase impacts and operational phase emissions. They advise that they previously provided advice and guidance in relation to dust control during the construction phase, that Best Practice Means are followed to ensure that emissions are mitigated. Environmental Health advise that they have no further comments to their response of 25th October 2024 and previous conditions remain valid.

8.234 Having regard to the content of the AQIA and the response from Environmental Health, there are no concerns in relation to air pollution arising from the proposal including on resident health.

8.235 Light pollution has also been raised by objectors with excessive artificial light disrupting the natural night time environment and residents sleep quality. It has been highlighted at the Secure by Design report raises dusk to dawn lighting and the potential health problems caused by the effect of night time light including links to depression, heart disease and alzheimers. It has been raised if the proposal requires dusk to dawn lighting that the application should be refused.

8.236 Environmental Health has not raised any concerns into relation to lighting and advised that they have considered objections in their response of 10th February 2025. Informatives in relation to artificial light impact have been provided in the Environmental Health response of 25th October 2024. This guidance highlights the statutory nuisance for light pollution under The Clean Neighbourhoods and Environment Act (NI) 2011 and to ensure that any lighting scheme is suitably designed to ensure there is no light pollution due to spill or glare affecting sensitive receptors. The guidance of the Institute of Lighting Professionals Guidelines on the avoidance of obtrusive light are highlighted.

8.237 The proposal does not indicate any details of lighting proposed. However, as the development road is to be adopted it will include street lighting for which its agreement is conditional

as requested by DFI Roads. The Secure by Design reports refers to Dusk to Dawn lighting to be included to illuminate each elevation and each door set used by the public visitors or residents. It is outlined that this is to include patio door sets. This form of lighting is domestic scaled lighting which is not development and accordingly, does not require detail in the planning application.

8.238 Environmental Health has not raised concerns in relation to any other disturbance arising from the proposal. Informatives have been provided in relation to the proposal on contamination, artificial light, refuse, sewerage and water supply, noise/vibration/dust and construction matters.

8.239 There are no concerns in relation to any other disturbance arising from the proposal.

Water Supply and Sewerage

8.240 The P1 form submitted indicates the proposed use of mains for water supply, foul and surface water sewerage.

8.241 Further use of SuDs for surface water disposal is indicated and considered under the Drainage and Flooding section.

8.242 NI Water was consulted on the proposal and initially recommended refusal, requesting engagement of the applicant with them directly.

8.243 Issues were raised by NI Water in relation to the availability of capacity within the foul sewerage network to serve the proposal.

8.244 NI Water advised that a foul sewer was located within 20 metres of the proposed development boundary. However, the downstream catchment is constrained by overloaded sewage infrastructure including one or more downstream Unsatisfactory Intermittent Discharges (UID's) which are causing a negative impact on the environment. These were located at Castle Lane Waterside Coleraine CSO, Strand Road WwPS and Waterside WwPS which discharge to Lower Bann and Ballycairn Coleraine North Coast TPS, Ballycairn Coleraine Screw WwPS, which

discharge to Lower Bann & Bann Estuary.

- 8.245 Public water mains and public surface water sewers are indicated to be available within 20 metres of the proposed development boundary with available capacity. The Wastewater Treatment Works is also indicated to have available capacity.
- 8.246 Public sewers are also indicated to cross the site which will require engagement to prevent damage or disturbance to these sewers.
- 8.247 Within the initial consultation received, a Wastewater Impact Assessment under ref DS72161 was advised to be completed with the proposed development able to be supplied from the network without causing a detrimental impact to existing customers. A further WWIA was indicated to be in progress under ref DS72163.
- 8.248 Further to the receipt of this consultation response, the agent submitted a letter indicating that following the response of 10th October 2024, that Foyle Consulting Engineers have been working with NI Water via the Impact Assessments team for both a Foul and Storm Connection to the Public sewers on Laurel Park, Coleraine.
- 8.249 The agent advised that as part of the Wastewater Impact Assessment (NIW Ref: DS72163) they have come to an agreement for their client to connect to the existing 315mmØ Storm Sewer on Laurel Park and also as part of the agreement their client is removing existing Road gullies from the combined sewer and connecting to the existing 315mmØ Storm Sewer on Laurel Park as detailed in a submitted Drainage Drawing.
- 8.250 The agent advised that NI Water Impact Assessments Team have confirmed this via an email dated 23rd August 2024 and Foyle Consulting Engineers have submitted Stage 2 and now await final approval from NI Water Impact Assessment Team.
- 8.251 NI Water were consulted on this letter and responded indicating the proposal to be approved with conditions.
- 8.252 In relation to foul sewerage, NI Water advise that Wastewater Impact Assessment ref DS72163 - Stage 2 has

been completed. NI Water advise that they have agreed a downstream engineering solution with the applicant to mitigate the foul capacity issue and allow connection for this development proposal. They advise that this solution is to be fully funded and delivered by the applicant. Conditions have been requested in relation to this matter.

8.253 The advice in relation to water supply, surface water sewerage and the wastewater treatment works capacity were reiterated in this further response.

8.254 Objections have raised issues with the condition of the existing water and sewerage network and currently occurring pollution events from discharge from sewers and manholes. The impact of these discharges are indicated to be visible below Sandelford Bridge from houses built on Killowen side of the river. Public health and environmental concerns have been raised with this. It has been raised that the proposal will exacerbate existing issues with the sewage network which will cause further environmental issues and impact on existing residents. Advice from NI Water has been quoted. It is outlined that no development should proceed until existing inadequate drainage and sewage systems have been assessed, reviewed and addressed.

8.255 The requirement of planning is that a means of water supply and sewerage is achievable which is sustainable, that ensures a quality residential environment and does not cause environmental issues.

8.256 The public water and sewerage network is within control of NI Water and it is within their remit as to control of access to this network.

8.257 NI Water has advised of sewage discharges occurring within the area but that they are content with conditions having engaged with the applicant on a solution to mitigate the foul capacity issues. All other connections are indicated to be available.

8.258 The conditions applied in relation to this matter will ensure that capacity is available to serve the proposal and that the proposal will not result in pollution to the environment. The

conditions sought will mean that the proposal cannot proceed until these issues are resolved with NI Water.

8.259 Conditions should be applied to ensure a sustainable means of sewerage disposal is available.

8.260 Conditions should also be applied in relation to the protection of existing sewerage infrastructure crossing the application site.

Drainage and Flooding

8.261 Policies on flooding are outlined under PPS 15: Planning and Flood Risk and relate to development in fluvial and coastal flood plains, surface water flooding, protection of flood defence and drainage infrastructure, development and surface water flood risk, reservoirs and artificial modification of watercourses.

8.262 A Drainage Assessment was submitted in support of the application which concluded that there is no flood risk to the proposed development and no adverse impacts to other development or features of importance to nature conservation, archaeology, or the built heritage and that proposed development is compliant with the requirements of PPS 15 Policy FLD 3.

8.263 DFI Rivers was consulted on the proposal and advised that the development does not lie within the 1 in 100 year fluvial or 1 in 200 year coastal flood plain and that Policies FLD 4 and FLD 5 are not applicable to the site.

8.264 DFI Rivers advise that there are no watercourses which are designated under the terms of the Drainage (Northern Ireland) Order 1973 within this site. The site may be affected by undesignated watercourses of which we have no record, in the event of an undesignated watercourse being discovered, Policy FLD 2 will apply.

8.265 The Drainage Assessment advises that there are no designated or undesignated watercourses running through the site, however the proposed site is in the vicinity of 4 no. designated watercourses. The main water course No. 175 Lower Bann is approximately 415m southeast of the site. Watercourse

U2303D Screen Road Drain Extension No.2 is approximately 300m west of the site and Watercourse U2303 Screen Road Drain is approximately 225m south of the site. Watercourse U2301A Hazelbank Burn is approximately 375m north of the site.

- 8.266 The Drainage Assessment outlines that the proposed storm drainage system will be limited to a maximum discharge rate of 36.90 l/sec by the use of a vortex (Or similar approved) flow control devices. Attenuation is provided in the form of Aqua Cells, oversized pipes and large diameter manholes creating a storage volume in excess of 270m³ within the open space and road network to be adopted by NI Water under an Article 161 agreement.
- 8.267 The Drainage Assessment outlines that attenuation system provided can accommodate the 1 in 100-year return event plus 10% climate change rainfall event with no flooding within the proposed site.
- 8.268 The Drainage Assessment also outlines that the finished floor levels of the proposed building have been set at least 150mm above adjacent ground levels to ensure the new properties are protected should the 1 in 30-year return event be exceeded. Final development levels and gradients have been profiled as necessary to direct any excess water away from dwellings to roads, open green areas, and existing overland drainage pathways. Both the foul and storm sewer networks for the proposed development will be designed and constructed to an adoptable standard in accordance with NI Water's Sewers for Adoption.
- 8.269 DFI Rivers advised that they reviewed the Drainage Assessment and required a PDE response letter from NIW confirming acceptance of the proposed 36.9l/s to their system.
- 8.270 Further to this response, the agent submitted a letter advising that as part of the Wastewater Impact Assessment (NIW Ref: DS72163) they have come to an agreement for their client to connect to the existing 315mmØ Storm Sewer on Laurel Park. Also, as part of the agreement their client is removing existing Road gullies from the combined sewer and connecting to the existing 315mmØ Storm Sewer on Laurel Park as detailed

in an attached Drainage Drawing. Email correspondence was attached with their letter.

8.271 DFI Rivers was consulted on this information and advised that The DA has demonstrated that the design and construction of a suitable drainage network is feasible, however, it states that the proposals are preliminary. Further assessment of the drainage network will be made by NIW prior to adoption. This may involve alterations to the drainage network design. Therefore, in order ensure compliance with PPS 15, Rivers Directorate request that the potential flood risk from exceedance of the network, in the 1 in 100 year event, with an additional allowance for climate change (10%) and urban creep (10%) is managed by way of a condition.

8.272 The proposed condition requires that prior to the construction of the drainage network, the applicant shall submit a Drainage Assessment, compliant with FLD 3 & Annex D of PPS 15, to be agreed with the Council which demonstrates the safe management of any out of sewer flooding emanating from the surface water drainage network, agreed under Article 161, in a 1 in 100 year event with an additional allowance for climate change (10%) and urban creep (10%).

8.273 This condition should be applied in the event of an approval to safeguard against surface water risk.

8.274 With adherence to this condition, the proposal is considered to satisfy Policy FLD 3 of PPS 15.

8.275 Water Management Unit advise that they have considered the impacts of the proposal on the surface water environment and would advise the proposal has the potential to adversely affect the surface water environment.

8.276 Concerns have been raised by Water Management Unit in relation to sewerage due to lack of availability of connections. This matter has since been resolved with NI Water who have recommended approval.

8.277 An Outline Construction Environmental Management Plan was submitted in support of the application. The purpose of the CEMP is to detail the environmental factors and mitigating

measures that are to be implemented during the construction works to minimise the effects of the site operations on the various environmental receptors. These include descriptions of the site environmental setting, identification of sensitive receptors, description of the main site construction activities that could generate pollution sources, provision of a framework to ensure that all parties are aware of their responsibilities, identification of main pollution control techniques expected to be deployed, including details of areas for storage of construction materials, oils, fuels and chemicals, details of appropriate storage requirements and details of pollution prevention measures to be employed during the pre-construction and construction.

8.278 The CEMP identifies residential properties in all cardinal directions, a communal area to the north at Christie Park, green space to the east and commercial uses to the west.

8.279 The CEMP notes no Industrial Heritage or Historical Land use records within the site, that review of the GSNi borehole database indicates that there are no boreholes located on site and that within a 250m radius of the site there are 6no. boreholes located within the basalt bedrock with the closest borehole located c.30m northwest. The deepest borehole is indicated to be drilled to 3m. No registered licensed groundwater abstractions are indicated to be on or within 500m of the site. There are no consented industrial discharge sites within 250m of the site.

8.280 The lands of the site are considered to have moderate drainage, indicating the potential for infill to the local groundwater during heavy rainfall. It is expected that heavy rainfall has the potential to cause surface water runoff from the site. Infiltrating waters may subsequently drain into the River Bann. The construction phase of the proposed development is indicated to pose a number of potential environmental risks which require management and mitigation.

8.281 The CEMP identifies environmental impacts including impact on groundwater and surface water receptors from leakage of hydrocarbons and chemicals and the impact from suspended solids and dirty water including from surface runoff, washing on site and waste storage. Impacts of dust, noise generation and

traffic are also outlined.

- 8.282 Water management for pollution prevention is outlined with the site groundwater likely hydraulically connected to local surface water receptors (River Bann) and that minimal dewatering is required. The main risk to the water environment is indicated to be from spills of cements, chemicals or oils and migration of suspended solids / dirty water via infiltration into the ground and surface runoff.
- 8.283 Management practices for the management of the surface water environment are indicated including in relation to on site working practices, methods for disposal of water from excavations, dewatering and pumping, disposal of contaminated water and management of site run off, sewage management and mitigation of risks from vehicle washing, cleaning activities, concrete, cement and grout.
- 8.284 The CEMP outlines details for construction operations including development of the site compound, hours of operation, waste management and pollution prevention measures.
- 8.285 Water Management Unit advises that they note the Outline Construction Environmental Management Plan (OCEMP) uploaded in support of the application and that it appears to somewhat generic. Recommendations have been made in relation to content of the final CEMP. A condition should be applied in relation to the submission of this document prior to the commencement of development so as to ensure the protection of the environment including nearby receptors from construction operations.
- 8.286 Objectors have raised issues regarding flooding and drainage including that on site, the surrounding area and the impact that the proposal will have. The site characteristics being that of a sloping site have been raised with the presence of wells, springs, underground flows and watercourses on site. It has been outlined that the site is liable to subsidence and slippage and that in heavy rain/storms that water is flowing into the back gardens of properties from the site. Runoff has been raised as a concern during both construction and operations of the proposal and the drainage capacity of the site. The proposal is considered by objectors to exacerbate the risk of flooding,

increase the potential for soil erosion and water pollution, and increase impact on the flood plain on the River Bann. Photographs have been submitted from No. 73 Strand Road to indicate the impact on runoff from the site onto their land. Flood events associated with recent storms and on Strand Road and Screen Road have been highlighted. Flood events are highlighted to occur during winter time. It is indicated that existing properties flood insurance premiums will increase due to flood risk from the proposal and potential economic loss. The house design and road works are queried as to how they are achievable without resorting to favela-style constructions of South America or khlong buildings of Thailand which are constructed on sloping ground above water and are notoriously structurally insecure creating a potential major hazard to occupiers of dwellings or residents on Strand Road. The proposal is indicated to increase hardstanding and runoff with additional permits and approvals required.

- 8.287 Objections were highlighted to DFI Rivers and NIEA Water Management Unit who have advised that they have been considered.
- 8.288 As previously highlighted, a Drainage Assessment was submitted which is required under Policy FLD 3 of PPS 15. The requirements of Policy FLD 3 are that development will be permitted where it is demonstrated through the Drainage Assessment that adequate measures will be put in place so as to effectively mitigate the flood risk to the proposed development and from the development elsewhere.
- 8.289 The issues raised in relation to surface runoff and pluvial flooding are recognised under Policy FLD 3. The Drainage Assessment has been considered by DFI Rivers. The drainage system proposed is associated with the sewage system which collects surface water. DFI Rivers are conditionally content with the proposal and deem that the design and construction of a suitable drainage network is feasible. They advise that further assessment of the drainage network will be made by NIW prior to adoption which may alter the drainage network design. The condition DFI Rivers request requires the submission of a further Drainage Assessment to be agreed with the Council that demonstrates the safe management of any out of sewer flooding emanating from the surface water drainage network. The

Council will consult with DFI Rivers on this further Drainage Assessment. With adherence to this condition, there are no pluvial flooding concerns as the drainage will be designed such as to ensure compliance with Policy FLD 3.

- 8.290 The Drainage Assessment, CEMP and response from DFI Rivers does not identify any watercourses, springs or wells on the site. Groundwater flows are identified within the CEMP. During the construction phase the CEMP outlines that mitigation will be in place including temporary site drainage to the storm sewer system to ensure runoff waters are directed away from the River Bann and wider environment. A final CEMP is required to be submitted and this should include further information on this to protect residents during the construction phase.
- 8.291 The responses from DFI Rivers and NIEA indicate that the housing unit and road design is appropriate for the site.
- 8.292 The impact on insurance premiums is not a planning matter.
- 8.293 Having regards to these matters the objections in relation to flooding and drainage are not considered to be sustained and the proposal to satisfy the requirements of PPS 15.

Contamination

- 8.294 A Preliminary Risk Assessment has been submitted with the application. The conclusions reached indicate that using all available information, in the context of the data collected for this Preliminary Risk Assessment under LCRM guidance that it has been concluded that a maximum designation of Low is appropriate for the site and that the site is deemed Suitable for Use.
- 8.295 The Preliminary Risk Assessment recommends that during the construction phase if any unexpected material is encountered which may pose a contamination risk, then site works should immediately cease in this area and soil samples should be taken to identify the material. Appropriate remedial actions must be taken before work recommences, if a risk is identified, and the remedial measure would be subject to agreement with NIEA / Local Council (Environmental Health).

8.296 NIEA Regulation Unit were consulted on the proposal and the Preliminary Risk Assessment and advised that no unacceptable risks to environmental receptors have been identified. Regulation Unit Land and Groundwater Team advise that they have no objections to the development provided conditions and informatives are placed on any planning decision notice, as recommended.

8.297 Environmental Health were also consulted on the Preliminary Risk Assessment noting that a walkover was undertaken, the development history of the site was reviewed, that regulator searches were undertaken and an initial Conceptual Site Model was developed. The conclusions of the report were highlighted. Environmental Health advise that following a review of all the documents submitted, that they would recommend that planning permission should be granted with a condition.

8.298 The requested conditions and informatives by NIEA Regulation Unit and Environmental Health should be applied in the case of the approval. There are no concerns in relation to potential site contamination having regard to the responses received and with adherence to conditions.

Natural Heritage

8.299 A Preliminary Ecological Appraisal and Bat Survey were submitted in support of the application.

8.300 The Preliminary Ecological Appraisal outlines that Eolas Ecology were engaged to undertake an Extended Phase I Habitat survey for a proposed residential development on lands along Laurel Park, Coleraine. The PEA notes that a range of habitats have been recorded on site such as scrub, scattered trees, grassland, hedgerows and bare ground. The development will see the loss of areas of scrub, improved grassland, scattered trees and some areas of internal hedgerows. Recommendations have been provided for the protection of retained vegetation, particularly mature trees to the north. Recommendations have also been provided for the inclusion of native species in any planting proposals and enhancement of communal amenity

space with the incorporation of a wildflower meadow.

- 8.301 A number of trees earmarked for felling have been assessed as having suitable roosting features for bats. Additional recommendations have been provided for the survey of these trees in order to establish if roosting bats are present and if the features are deemed suitable after a high-level survey. Recommendations have also been provided for the incorporation of a bat friendly lighting plan within the site.
- 8.302 The PEA notes that no evidence of badgers was noted on site. The area is deemed suitable for this species and recommendations have been provided for a re-survey of the site prior to construction works.
- 8.303 Habitats on site are assessed as being suitable for breeding birds. Recommendations have been provided for the timing of vegetation clearance works to ensure disturbance to breeding birds is avoided.
- 8.304 An invasive species floral survey indicates that no species included within Schedule 9 of the Wildlife Order and WANE Act were recorded on site.
- 8.305 A bat survey including endoscope and emergence surveys was carried out. The survey outlines that the PEA identified a number of trees on site that were observed to comprise of potential roosting features such as cavities and recommendations from the initial survey stated that Further Assessment is Required (FAR) to establish if the cavities penetrated into the tree and if these were deemed suitable for use by roosting bats. The aim of the further assessment is to classify the suitability of the trees and provide further survey of these.
- 8.306 The findings of the surveys indicates that no roosts were identified in any of the trees subjected to an endoscope survey, however trees T019 and T022 still remain suitable and any future works to these trees can only be undertaken once a suitable survey for bats has been undertaken by a qualified ecologist. Emergence surveys were carried out on trees T006, T008, T011 and T032 as these were considered unsuitable for climbing. No roosts were identified in trees T006, T008 and T011

during the surveys. However, a likely roost is present in tree T032. This tree is to be retained on site, however, recommendations have been provided for a derogation licence for the destruction of a bat roost should any arboricultural works to this be required. Trees T006, T008 and T011 are still considered suitable for roosting bats (although roosts were not confirmed within these). Recommendations have been provided for the re-survey of these trees should felling be required.

8.307 Objections have raised the impact on wildlife, flora and fauna including birds and the loss of trees and green space. It has been raised that the proposal is at odds with Causeway Coast and Glens Town Fund Programme “Creating more green spaces” and the Council should be creating green spaces rather than doing away with them. The site is highlighted as being an ideal location for tree planting which would support the loss of nature. The potential of lighting on wildlife has been raised and the environmental value of natural springs on site.

8.308 An objector makes reference to a Laurel Hill Ecology survey June 2010 which investigated conservation sites, habitat, fauna, species, Japanese knotwood etc. It has been queried as to whether the Council can confirm an equally comprehensive survey has been completed as findings are based within the closest proximity to land being sold.

8.309 It is unclear as to what planning application the referred survey is associated with to fully compare. However, the proposal is accompanied by a Preliminary Ecological Appraisal specifically for the site dated June 2024 includes consideration of protected sites and a habitat and protected species survey which identified native and invasive species

8.310 NIEA Natural Environment Division were consulted on the proposal and their response is awaited.

Trees

8.311 The proposal adjoins Tree Preservation Order Ref: TPO/2011/10 (TPO64) which is located adjacent lands at the site of the Old Laurel Hill House, adjacent to MOD lands at

Kyle's Brae, Coleraine.

- 8.312 This TPO is designated for visually significant trees located on a prominent elevated site with views across the town.
- 8.313 A Tree Survey with Arbocultural Impact Assessment has been submitted with the application. This survey relates to every tree on site with an indication of species, siting, height and condition.
- 8.314 The report indicates that 35% of the trees are classed as B defined as including healthy attractive trees with remediable defects that are in a condition as to be able to make a significant contribution for a minimum of 20 years.
- 8.315 40% of the trees have been categorised as C defined as unremarkable trees of limited merit, small-growing, young species which have a relatively low potential amenity value, and low landscape benefits.
- 8.316 25% of the trees are classed as U which are in such a condition that they cannot realistically be retained as living trees in the context of the current land use for longer than 10 years and/or are unsuitable for retention in the proximity of new dwellings or areas of public open space.
- 8.317 The report advises that where possible, it is generally considered desirable for Category 'A' and Category 'B' trees to be retained and incorporated into new developments and layouts. Category 'U' trees are not considered to be appropriate for retention.
- 8.318 The report indicates the draw up of a tree constraints and details methodologies and guidance for the protection of trees including development in proximity to trees and root protection areas and new landscaping provision.
- 8.319 The Planning Department's Tree Officer was consulted in relation to the proposal.
- 8.320 The Tree Officer advises that this TPO site includes visually significant trees on a prominent elevated site with views across town. In addition to these TPO trees there is also standings of

trees along the other site boundaries with a number also within the central section of the site not covered by the existing TPO.

8.321 The Tree Officer advises on assessment of the information, drawings and documents that it is that welcomed that a Comprehensive Tree Survey Report by Arboriculturist Andrew Boe, has been carried out. They advise that this has identified all the trees on site (both TPO and Non-TPO trees), establishing their current Health and Condition along with arboricultural recommendations. The associated Tree Constraints Plan and Layout Drawings is indicated to include full details of all trees on site, with accurate Crown spreads and Root Protection Areas provided.

8.322 The Tree Officer advises that the report identifies 71 Tree and Tree Groups within the site, 9 of which are covered by the TPO. The poor condition of 37 of the trees on site is acknowledged, which have been recommended to fell, unsuitable for retention in the proximity of new dwellings and areas of public open space. This is indicated to be consistent with the findings of the Tree Report carried out at the time of the TPO designation in 2011, hence many of these poor condition trees were excluded as suitable for inclusion within the Confirmed TPO at the time of the designation with their general health deteriorating since. Many defects in these trees of Sycamore, Ash and Beech include large decaying cavities with diseases including Kretzschmaria Deusta, Ganoderma and Ash Dieback evident.

8.323 Of the 9 TPO trees, 3 are reported to be poor condition and marked for removal, these include Tree No.23 (TPO ref 78), Sycamore, decaying Cavity at base and the two Ash trees No.36 (TPO ref 91 & 92), which are affected by Ash Dieback (30-40%). Other proposed tree works in the report involve an expected level of standard minor remedial works, which are all considered acceptable with the proposed works at an expected level of typical tree management. Therefore, there is no issue with regards to the general content of the tree report and the recorded observations and recommendations which represent good arboricultural practice.

8.324 It is advised by the Tree Officer that in terms of Layout design and trees to be removed to facilitate development, this

includes Non TPO Trees 7, 17, 18, 35, 39 & 41, which are to be removed either through physical condition or necessity to facilitate development/ access requirements. In this regard it is important to consider that certain trees will be required to be removed in order to provide access movement through this zoned development land and it is acknowledged that effort has been made in the design process and layout to minimise this impact and requirement. It is also important to consider the new landscaping proposed which will involve a significant level of planting within the new development, particularly at the northern end of the site with a large native woodland planting area. This level of proposed replacement planting helps mitigate any tree loss, helping to maintain the visual amenity level and treed character of the site. It is acknowledged that the submitted design and layout indicates that the retention of trees has been fully considered, with the main interface with the TPO trees being indicated as an open space designation on the elevated land within the site.

8.325 In relation to Tree Protection issues, the Tree Officer welcomes that an Arboricultural Impact Assessment has been provided detailing the measures and level of tree protection, along with the detail works and method statements for works required by necessity to be within the Root Protection Areas. They advise that effort has been made to ensure that the retained trees are not adversely affected by development with Root Protection Areas respected and an appropriate level of separation amenity space also provided. The submitted Layout and Landscape Drawings are indicated to also advise of the location of protective fencing during construction and fully identify the Root Protection Areas (RPA's) of the retained trees. It is noted that development is kept outside the RPA's, with sectional drawings provided showing that the retaining walls and other development are sensitively located to limit impact on retained trees.

8.326 The Tree Officer concludes that it is welcomed that the designer has fully considered and incorporated the trees as a fundamental part of the scheme. Tree loss is kept to a minimum on site with care taken in the design process to limit any impact of development on TPO and retained trees with Root Protection Areas respected. It has been demonstrated that effort has been made to ensure that the character and visual amenity of the site

is maintained, with the level of retained trees on site along with the extensive level of new landscaping and tree planting proposed helping maintain the treed character and attractive local landscape setting on site.

- 8.327 No concerns have been raised and conditions have been recommended in relation to protection of and works to trees on site.
- 8.328 The loss of trees has been highlighted by objectors with little attempt to keep the trees and build around them. It has been highlighted that there is a recent substantial loss of trees which improve soil health, prevent soil erosion, run off, support wellbeing, absorb carbon dioxide, flora and fauna flourish and flooding.
- 8.329 The loss of trees which could be retained is highlighted by the Tree Officer. The proposal will result in the addition of more trees than are lost from the development. Most of the trees identified to be felled were indicated by the arboculturalist as to removed. The loss of other trees will be compensated by the landscaping scheme proposed.
- 8.330 With adherence to these conditions that there will be no impact on protected trees within TPO Designation TPO/2011/10 (TPO64).

Built Heritage

- 8.331 The application site is located partially within an Area of Archaeological Potential. This area runs northwest onto the site along the northeast boundary of the site within the grounds of Killowen Primary School. The area of the site within this designation is the area of proposed woodland planting.
- 8.332 The site is located in proximity to listed buildings associated with Laurel Hill House to the northwest of the site and St John's RC Church located to the north of the site. The listed building at Laurel Hill is identified as a key feature of Laurel Hill LLPA.
- 8.333 An Archaeological Impact Assessment has been submitted in support of the application. This assessment notes nothing of archaeological significance from a site walk over. However, it

notes that it is possible that some evidence for prehistoric activity may survive along the margin between the flood plain and the rising ground within the subject site. The assessment outlines that construction activity associated with the proposed housing and associated access and services would have a negative impact on this evidence and indeed any other archaeological evidence which might survive across the subject site. The AIA proposes test trenching of the site.

- 8.334 Historic Environment Division were consulted on the proposal.
- 8.335 HED: Historic Buildings advise that the application site is in close proximity to a number of listed buildings which are of special architectural and historic interest and are protected by Section 80 of the Planning Act (NI) 2011.
- 8.336 HED Historic Buildings advise that they are content with the proposal as presented and that the proposal has no greater demonstrable harm on the setting of the listed buildings. Historic Buildings advise that they welcome the proposal for the maintenance and enhancement of wooded landscaping to the Northern / North Western boundary areas of the site adjacent to and within the setting of the listed buildings. They acknowledge the PAD application (LA01 2024 0407 PAD) for similar proposals.
- 8.337 HED: Historic Monuments advise that that the application site is partially within the Area of Archaeological Potential (AAP) for Coleraine as designated in the Northern Area Plan 2016.
- 8.338 HED Historic Buildings advise in addition, this general location, close to the River Bann, would have a high archaeological potential to contain below ground archaeological remains of all periods of human occupation in Northern Ireland over the past 10,000 years. Consequently, it is possible that further below ground archaeological remains associated with this demonstrated archaeological potential will extend into this application site.
- 8.339 HED (Historic Monuments) advise they have considered the impacts of the proposal and are content that the proposal satisfies SPPS and PPS 6 policy requirements, subject to

conditions for the agreement and implementation of a developer-funded programme of archaeological works. This is to identify and record any archaeological remains in advance of new construction, or to provide for their preservation in situ, as per Policy BH 4 of PPS 6.

8.340 HED Historic Monuments advise that has reviewed the Archaeological Impact Assessment (AIA) provided and state that it would be useful as a base for the programme of works with an amendment to include the greenspace to the west of the application in archaeological testing due to the potential for below-ground archaeology to be impacted through the course of development.

8.341 The proposed conditions should be applied in the instance of an approval so as to ensure any archaeological remains are identified and preserved as required under PPS 6.

8.342 Objections have raised that the area has historical significance for the region and played a significant role in development of localised history. The site is highlighted to have once been an old monastery founded by St Carberius in 6th century and dedicated to St John, had a castle and was the site of the administrative centre of original County Coleraine. Other objectors have claimed the proposal is near an old monastery site. Objectors make reference to tunnels in the area which could be outworkings of either the monastery, castle or administrative town. The nearness of this resource to a school is outlined to not be overlooked and should be developed to give sense of tradition and pride. The proposal is highlighted to result in the loss of this site with concreting over the site and to result in further decline of Coleraine's historical sites like how the Diamond Centre resulted in the loss of St Mary's Abbey.

8.343 HED were consulted on the objections received. Historic Monuments advise that the concerns mentioned do not relate to any known archaeological assets protected under PPS 6 within the proposed development site and refer to their previous response advising their position remains the same. Historic Monuments reference the requirements for archaeological mitigation ahead of site works.

8.344 HED: Historic Monuments have raised no objection with conditions provided. Adherence to the requested conditions will identify any archaeological remains within the site.

8.345 The proposal is considered to satisfy the archaeological requirements of SPPS and PPS 6 with adherence to the conditions requested.

Local Landscape Policy Area

8.346 The application site is located within Local Landscape Policy Area CEL 17 Laurel Hill LLPA, as defined by the NAP 2016.

8.347 Local Landscape Policy CEL 17 Laurel Hill LLPA is designated as identified on Map No. 3/01a – Coleraine. Those features or combination of features that contribute to the environmental quality, integrity or character of this area are listed below:

1. This area comprises parkland, including mature tree stands, which provides an attractive setting for the prominent Listed Building at Laurel Hill.

Any development will be required to facilitate retention of these trees and maintain views towards the Listed Building.

8.348 Policy ENV 1 of the Northern Area Plan 2016 relates to the assessment of Local Landscape Policy Areas. This policy states that planning permission will not be granted for development proposals that would be liable to affect adversely those features, or combination of features, that contribute to the environmental quality, integrity or character of a designated LLPA. Where development is permitted, it will be required to comply with any requirements set out for individual LLPAs in the district proposals.

8.349 The LLPA indicates the presence of parkland and mature trees which provide an attractive setting to the listed building at Laurel Hill stating that development is required to facilitate retention of these trees and maintain views toward the listed building.

- 8.350 The land is also zoned for housing meaning that any housing development will be required to protect views towards and facilitate retention of trees contributing to the setting of the listed building.
- 8.351 The proposal seeks the development within LLPA to provide a housing development which will impact on the parkland and mature trees on the site.
- 8.352 There are some further trees protected under tree preservation order on the site.
- 8.353 A Tree Survey and Arbocultural Impact Statement has been submitted which recommends removal of trees on the site due to their condition. This includes trees within the centre of the site and along the western boundary.
- 8.354 The proposed plans include removal of trees within the site which were not recommended for felling by the arboculturalist.
- 8.355 The Tree Officer has considered the submitted Tree Survey and Arbocultural Impact Statement and proposed plans and has advised that tree loss is kept to a minimum on site with care taken in the design process to limit any impact of development on TPO and retained trees with Root Protection Areas respected. It has been demonstrated that effort has been made to ensure that the character and visual amenity of the site is maintained, with the level of retained trees on site along with the extensive level of new landscaping and tree planting proposed helping maintain the treed character and attractive local landscape setting on site.
- 8.356 The proposal includes an extensive landscaping scheme which will compensate for trees lost and will introduce further planting to the site especially around the highest points of the site to the west and northwest.
- 8.357 The development of the site will impact on the designation of the area as parkland. However, the site is zoned for housing and to achieve the densities with the height limitations listed within the key site requirements, loss of parkland will be inevitable. The proposed housing is set at the lowest points of the site to the east of where the listed buildings at Laurel Hill House are

located such as to not introduce any competing development which could be read with the listed buildings. The site retains large areas of open space for recreational use and retains in part a parkland function.

8.358 Historic Buildings has raised no objection in relation to impact on the setting of the listed buildings at Laurel Hill House.

8.359 Having regard to the requirements of the housing zoning on the site, the design and layout of the development including location of housing and the retained open space at the highest points of the site to the west, the extent of tree loss and the compensatory landscaping proposed and the responses from HED and Tree Officer, the proposal will not adversely impact the features which contribute to the integrity, quality and character of Laurel Hill LLPA and is considered compliant with Policy ENV 1 of the Northern Area Plan 2016.

Other Matters

8.360 Northern Ireland Electricity was consulted on the application given the location in close proximity to an electric substation and electricity lines. NIE Networks advises that it has no objection to make to the planning application based on the application and associated documentation that has been submitted. However, they do note an existing distribution substation adjacent to the site boundary and this substation is held on lease agreement dated 19th March 2014 and includes a right of way which traverses the site. This right will require a variation should the development become bona fide. Furthermore, they advise due to the scale of the development we encourage the applicant to liaise with the NIE Networks connections department to agree a suitable scheme for this development.

8.361 NIE advise that the proposed development should take into account the position of any NIE Networks' equipment in the area to ensure safety. The developer should maintain statutory clearance from NIE Networks' equipment during the construction and operational phases of the project and also during future maintenance programmes in accordance with HSE Guidance Note GS6 "Avoidance of Danger from Overhead Electric Lines" and HSE Booklet HS(G)47 "Avoiding danger from underground

services”.

8.362 An objection has raised impact on electrical infrastructure and its availability.

8.363 No objection has been raised by NIE in relation to the proposal. The matters raised in relation to rights of way are matter between the landowner and NIE.

8.364 Objection points have been made to the processing of the application and need for consideration of public opinion. Paragraph 3 of Article 45 of The Planning Act (NI) 2011 outlines that in determining any application for planning permission the council or the Department must take into account any representations relating to that application which are received by it within such period as may be specified by a development order. The consideration of the proposal and objection points are outlined within the content of this report.

8.365 Objections have raised the Council’s ownership of the land, and whether an impartial body will be present at the Planning Committee meeting. It has been raised that the owner of the bank does not consent to the land being part of or used as access in the application and that the application is progressing on whilst under legal dispute. It also been queried as to the outcome of the valuation of the land and how a decision can be made when the sale of the land has not been completed. Information has been requested in relation to who owns the verge and details including maintenance schedules for its upkeep and maps/records pertaining to the adoption of the road as it is outlined as being at odds with anecdotal evidence that residents maintain the bank themselves.

8.366 The submission of a planning application requires the completion of a certificate of ownership on the application form. In this instance, Certificate C has been completed by the applicant who have served notice on DFI Roads, Causeway Coast and Glens Borough Council and Nicky Smyth as landowners and Mr & Mrs Crawford and Mr & Mrs McConaghy who are the owners of adjoining property for whom surplus land is to be transferred to their curtilage. Copies of these notices were submitted with the application. Given that the Council is a

part landowner, the determination of the application is also required by the Council's Planning Committee.

8.367 Beyond these matters, the Planning Department has no involvement in land ownership and it is not a planning matter for consideration in the assessment of this application. Planning permission does not confer title of land and it is a matter for the applicant to ensure they own all the land to implement their proposal. Details on maintenance of any Council land is beyond the remit of the Council Planning Department. The Planning Department holds no records in relation to a Private Street Determination for Laurel Park. Decision making in relation to the sale of Council land is made by the Council's Land and Property Section who are a separate department of the Council.

8.368 Objections have raised the lack of consultation with neighbours. Article 8 of The Planning (General Development Procedure) Order (NI) 2015 requires that the Council publish notice of an application in at least one newspaper in the locality in which the land to which the application relates, serve notice to any identified occupier on neighbouring land and publish the advertisement of the application on its website where it uses one and not determine the application before the expiration of 14 days from which the advertisement was published and neighbour notification issued. Advertisement was carried out in Coleraine Chronicle on 23rd October 2024 and 8th January 2025 and neighbour notification on 10th October 2024, 20th December 2024 and 27th January 2025

8.369 Neighbour notification is carried out initially to identified occupiers on neighbouring land as stipulated within the legislation. This encompasses properties whose directly adjoin the application site or who would adjoin except for by a road less than 20 metres. Many of the properties raising this matter do not adjoin the site but will have been encompassed in the application re-notification. The length of advertisement and neighbour notification period is stipulated in legislation as outlined above.

8.370 The advertisement and neighbour notification does not include details in relation to the application beyond the application reference, location and proposal. The inclusion of application drawings and documentation is not a legislative

requirement. The notices include reference to where this information can be viewed.

8.371 Objections have raised issues with how the Community Consultation was carried out. This included unauthorised photographs being taken, different reflections on how the meeting was carried out, that it was a tick box exercise and they weren't listened to. Shortcomings regarding the MLA Round table has been raised, that comprehensive dialogue did not happen amongst parties attending, few MLAs attended, MLA opinion was not asked, lack of expertise present, how they were spoken to, content of the event and that acoustics were bad and could not hear. It was highlighted that the video presentation showed tweaks which should not have been needed and concerns what else had been missed.

The carrying out of pre-application community consultation is a requirement under Section 27 of The Planning Act (NI) 2011 for major development and advice on Pre-Application Community Consultation is outlined under Development Management Practice Note 10. The requirements of the community consultation were agreed under the PAN submission LA01/2024/0051/PAN as previously outlined in this report. What was agreed was the extent of consultation required. The specific functioning of the events is not a statutory requirement. On the basis of the information submitted within the Pre-Application Community Consultation report the consultation events were carried out as agreed. The purpose of these events is to allow community input onto the proposal and this is highlighted to have occurred by the detail of the Pre-Application Community Consultation report and by the objector comment on the video presentation brought with changes they had highlighted. The community consultation is not required for the developer and the community to agree and there are matters outside the developers control in terms of functioning of the events. It is required for the developer to consider the points raised by the community. Many of the points highlighted by the Pre-Application Community Consultation report are also reflected in objections submitted under this application. The report has considered these points and the community consultation is considered to have been carried out in line with statutory requirements.

8.372 Devaluation of property and private views are not planning matters.

8.373 Concerns have been raised in relation to the EIA determination carried out on the application and that an Environmental Statement was not deemed to be required.

The proposal required the completion of an EIA determination as it met the thresholds under Schedule 2, 10B of The Planning (Environmental Impact Assessment) Regulations (NI) 2017 due to the size of the development. The purpose of an EIA determination is to assess whether the proposal would result in a significant environment effect. On the basis of the information and the site characteristics received this was deemed to not be the case and this position remains unchanged. The proposal will result in environmental effects. However, not significant effects such as to require an Environmental Statement.

8.374 Strain on local amenities including schools, parks and healthcare facilities have been highlighted and the impact and strain on these facilities from the proposal.

The introduction of any new housing development will have an impact on local facilities as they will introduce further residents into an area. How these particular amenities react to the demands for their services is a matter for them to consider within their own operations and is beyond the remit of this application.

8.375 The impacts on the operations of the adjoining primary school have been raised in relation to noise and disturbance, traffic, lack of privacy for children, impact on those with special needs and on childrens education.

It is anticipated that the proposal will likely cause impact to the school during the construction phase which is typical for most development and especially one of this size. However, this is temporary. The proposed residential use is compatible with the school use with schools often found within residential communities.

8.376 The benefits of the scheme are indicated to be overinflated and the disbenefits glossed over or omitted. It's outlined that it has to be clear for consultees to know what they are assessing

and that Councillors/decision makers have access to full information to make a robust challenge and an informed effective decision.

The content of the supporting information is a matter for the applicant. This information is reviewed by the Planning Department and consultees. Any additional information or amendments is requested as required. Information on the application is available to Elected Members as a part of the decision-making process.

8.377 It is outlined the wish for objections they submitted under LA01/2021/1173/F to be considered as a part of the proposal.

However, each application is standalone and any comments are required to be made separately under each individual application for consideration. Objections referred to in planning history do not form a part of the specific consideration of this proposal.

8.378 It has been raised that the site has been re-classified as brownfield and it is queried as to whether the re-classification of site as brownfield was accidental/is incorrect.

The application site is designated within a Local Landscape Policy Area which deems the site to be parkland. The site comprises an area of green space. However, it is also zoned for housing. The site is not identified as being a brownfield site. The designation of the site for housing was through the development plan process. This process involved the creation of a plan for Coleraine which identified areas for future housing. The outcome of the zoning of this land was the specific key site requirements which are required to be considered. This plan was subject to public consultation before its adoption.

8.379 It has been raised that land suitable for development is available and is being ignored despite local objections to this application and the previous access application.

This planning application has been submitted to the Council by a private developer. The Council's Planning Department is required to process this application under its statutory functions. The Planning Department does not control submission of a planning application insofar as what the proposal relates to or on

the land on which it is located. The form of development proposed does not require a demonstration of need or sequential location testing.

8.380 A wider problem of town planning has been raised, allowing building to go unchecked, turning Coleraine into a building site and giving rise to serious problems of traffic, sewage etc. 2025 would be a good time to re-appraise the situation starting with the development in question.

The assessment of a planning application involves consideration of all material considerations relevant to the application. This includes assessment of matters within the specialism of town planning and consultation with consultees who are the competent authorities in relation to their own specialisms e.g. DFI Roads on roads and parking, NI Water on sewerage, DFI Rivers on flooding and drainage etc. A decision is then made having regard to the input from the consultees on the proposal. This is evident in this report through consideration of the proposal and highlighting of the consultee comments on this specific proposal.

8.381 Loss of community has been raised.

This proposal relates specifically to housing and has the potential to introduce further housing units into the area which would increase the size of the residential areas and community. How the residents of the proposed development and those of the existing development choose to interact is beyond the control of the Planning Department.

Habitats Regulation Assessment

8.382 The potential impact of this proposal on Special Areas of Conservation, Special Protection Areas 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, conservation objectives or status of any of these sites. This policy sets out planning policy and guidance for achieving quality in relation to proposals for residential extensions and alterations.

9.0 CONCLUSION

- 9.1 The proposal is acceptable in this location having regard to the Northern Area Plan 2016 and other material considerations including the SPPS, PPS 3, PPS 7, APPS 7 and PPS 15 and representations received. The site is located within the Coleraine Settlement Development and proposes housing within a housing zoning. The proposal is acceptable within this zoning. No objections have been raised by statutory consultees in relation to this proposal. The response from NIEA Natural Environment Division is outstanding and a favourable consultation response from NIEA NED including any suggested conditions is required for assessment under the requirements of PPS 2. The proposed access arrangements to serve the proposal was previously approved under LA01/2021/1173/F. There are no concerns in relation to traffic or road safety issues arising from the proposal. The proposal would not result in unacceptable impacts on both built and natural heritage and in terms of flooding and drainage. The proposal would not have an unacceptable adverse effect on neighbouring properties. The proposal does not adversely impact on the Local Landscape Policy Area, Tree Preservation Order or listed buildings. The objections have been considered in the Committee Report. Approval is recommended.

10.0 CONDITIONS AND INFORMATIVES

Conditions

1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.

2. No development shall progress beyond the foundation of buildings stage until it has been demonstrated to the satisfaction of the Council and agreed in writing that the mains sewer and the receiving Waste Water Treatment Works has the capacity to receive the waste water and foul sewage from the development.

Reason: To ensure an adequate means of sewage disposal is provided and to ensure protection of the aquatic environment.

3. No development shall be occupied until connection has been made to the public sewer and the Article 161 Agreement authorised.

Reason: To ensure an adequate means of sewage disposal is provided and to ensure protection of the aquatic environment.

4. No site works of any nature or development shall take place until a final Drainage Assessment compliant with FLD 3 & Annex D of PPS 15 has been submitted by the applicant and approved in writing by the Council in consultation with DFI Rivers. The Drainage Assessment shall demonstrate the safe management of any out of sewer flooding emanating from the surface water drainage network, agreed under Article 161, in a 1 in 100 year event with an additional allowance for climate change (10%) and urban creep (10%).

Reason – In order to safeguard against surface water flood risk.

5. No development shall commence until the applicant has demonstrated to the Council that NI Water are content that the proposed development will not impact on NIW public sewer/s traversing the application site. traverse the proposed development site.

Reason: To prevent disturbance / damage to existing sewers and in the interest of public safety.

6. No development (other than site clearance, site preparation, demolition and the formation of foundations and trenches) shall commence on site until the materials and finishes of the proposed hard landscaping has been submitted to and approved in writing by the Council.
All hard landscaping works shall be carried out and retained in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development unless otherwise agreed in writing by the Council.

Reason: In the interests of the character and appearance of the area, and to promote sustainable drainage.

7. If during the development works, new contamination or risks to the water environment 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 available at: <https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks>.
In the event of unacceptable risks being identified, a remediation strategy shall be agreed with the Planning Authority in writing, prior to the occupation of any housing unit and subsequently implemented and verified to its satisfaction.

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

8. After completing all remediation works identified under Condition 6, and prior to occupation of the development, a verification report needs to be submitted in writing and agreed with the Planning Authority. This report should be completed by competent persons in accordance with the Land Contamination: Risk Management (LCRM) guidance available at: <https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks>
The verification report should present all the remediation, monitoring and waste management works undertaken and demonstrate the effectiveness of the works in managing all development wastes and risks and in achieving the remedial objectives.

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

9. 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 the 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.

10. No site works of any nature or development shall take place other than in accordance with the programme of archaeological work approved under Condition 8.

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

11. 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 8. These measures shall be implemented and a final archaeological report shall be submitted to the Council within 12 months of the completion of archaeological site works, or as otherwise agreed in writing with the 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.

12. The sound reduction performance of window and ventilation systems, shall meet the required façade sound reductions (dB Rw or greater) when measured from outdoor to indoor for daytime and night-time rooms, as prescribed within Table 8 “Predicted internal noise levels for standard double glazing and trickle vent” within the Noise Impact Assessment carried out by MCL Consulting (Report Reference P3240, dated April 2024), submitted in support of this application.

Reason: To ensure a suitable internal noise environment is

achieved.

13. The lands granted Planning Permission are affected by Tree Preservation Order (TPO). No protected tree, other than those required for the purpose of carrying out development as indicated on the approved Drawings, shall be, cut down, uprooted or destroyed, or have its roots within its root protection area damaged or subject to any soil level changes, or be subject to any form of tree surgery, without the prior written consent of the Council, other than in accordance with the approved plans and particulars of this application. Development will be taken to include the main development, any associated buildings, access and service provision.

Reason: To ensure the retention of trees protected by the TPO and to ensure continuity of the landscape amenity afforded by these trees.

14. No development shall commence until all trees identified to be retained as indicated on the approved drawings, have their roots protected, as per the measures detailed in the submitted Tree Survey Report and Arboricultural Impact Assessment Document by Andrew Boe (Dated 23 Sep 2024) and Drawings 04A & 43A . The erection of fencing required for the protection of retained trees, shall be undertaken in accordance with BS5837 (2012) 'Trees in Relation to Construction'. The fencing must be in place before any equipment, machinery or materials are brought on to the site for the purposes of the approved development and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. No materials shall be stored or fires lit within these Root Protection Areas in accordance with this condition. The ground levels within these areas shall not be altered, nor shall any excavation be made or any other works carried out, other than in accordance with the approved plans and particulars of this application.

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

15. All Arboricultural work shall be implemented in accordance with the submitted Tree Survey Report and Arboricultural Impact Assessment Document by Andrew Boe (Dated 23 Sep

2024) and shall be carried out in accordance with BS5837 (2012) 'Trees in Relation to Construction'. Any remedial works shall be carried out by a competent Tree Surgeon, preferably an Arboricultural Association approved contractor.

Reason: To ensure the continuity of amenity afforded by existing trees and provision of a professional standard of workmanship.

16. No housing unit shall be occupied until an updated Landscape Management and Maintenance Plan outlining suitable arrangements for the future management and maintenance in perpetuity of areas of landscaping and public open space has been agreed in writing with the Council.

Reason: In the interest of visual and residential amenity.

17. The proposed open space and amenity areas identified on the Drawings 04B shall be carried out prior to the occupation of any housing unit hereby approved or as otherwise agreed in writing with the Council, and shall be managed and maintained in perpetuity in accordance with the approved Landscape Management and Maintenance Plan under Condition 15.

Reason: In the interest of visual and residential amenity.

18. All proposed planting shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development unless otherwise agreed in writing by the Council. Any existing or proposed trees or plants indicated on the approved plans which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size, details of which shall have first been submitted to and approved in writing by the Council. All planting shall be permanently retained in accordance with the approved details

Reason: In the interests of the character and appearance of the area.

19. The eastern boundary of the application site adjoining properties No. 73 – 81 Strand Road inclusive and No's 3 and 6 Strand Place shall be planted with a native woodland planting mix as defined on Landscaping Proposals Drawing No. 43A.

Reason: In the interests of the character and appearance of the area.

20. The residential units hereby approved shall not be occupied until their respective boundary treatment has been implemented in accordance with Drawing 04B. The boundary treatment shall be retained in accordance with the approved details.

Reason: In the interests of amenity.

21. No part of the development shall be occupied until the section of laneway as indicated on Drawing No's 04B and 33 is transferred to No. 1A Laurel Park and No. 95 Strand Road. The associated ground works and fencing as indicated on Drawing No. 33 shall be completed in full within three months following the transfer or as otherwise agreed in writing with the Council.

Reason: In the interests of the deterrence of crime and in the interests of residential amenity.

22. Notwithstanding the provisions of the Planning (General Permitted Development) Order (Northern Ireland) 2015 (or any order revoking and/or re-enacting that order with or without modification), no extension, garage, shed, outbuilding, wall, fence or other built structures of any kind (other than those forming part of the development hereby permitted) shall be erected without express planning permission.

Reason: Any further extension or alteration requires further consideration to safeguard the amenities of the area.

23. No development shall commence until a final Construction Environmental Management Plan has been submitted and approved by the Council in consultation with DAERA. The final Construction Environmental Management Plan shall outline as to how adjoining sensitive receptors will be protected from surface runoff during the construction phase. The proposal shall

be developed in adherence to this approved Construction Environmental Management Plan.

Reason: In the interest of the protection of the surface water environment and surrounding sensitive receptors.

24. The residential units identified as site numbers 3 - 16 inclusive on Drawing No. 04B hereby approved, shall be used solely for the purposes of Social Housing and shall be managed only by a registered Housing Association.

Reason: To ensure the provision of a minimum of 14 Social Housing units as required by Key Site Requirement 2 of Housing Zoning CEH 55 Killowen of the Northern Area Plan 2016.

25. No unit shall be occupied until the details of the legal agreement for the transfer of the social housing units to a NIHE recognised Housing Association has been submitted to the Council for agreement.

Reason: To ensure the provision of a minimum of 14 Social Housing units as required by Key Site Requirement 2 of Housing Zoning CEH 55 Killowen of the Northern Area Plan 2016.

26. 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 Drg. No. 46 (Drg no. 22, Private Streets Determination Road Layout Drawing Coloured A1) Dated 22/01/25.

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.

27. 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. 46 (Drg no. 22, Private Streets Determination Road Layout Drawing Coloured A1) Dated 22/01/25. 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.

28. The access gradient to the dwellings hereby permitted shall not exceed 8% (1 in 12.5) over the first 5 m outside the road boundary.

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

29. The visibility splays of 2.4 meters by 37 meters at the junction of the proposed (access/access road) with the public road, shall be provided in accordance with Drawing No. Drg. No. 46 (Drg no. 22, Private Streets Determination Road Layout Drawing Coloured A1) bearing the date stamp 22nd January 2025 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.

30. No dwelling(s) 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.

31. The gradient of the access road shall not exceed 4% (1 in 25) over the first 10m from the junction with the public road.

Reason: To ensure there is a satisfactory means of access in

the interests of road safety and the convenience of road user.

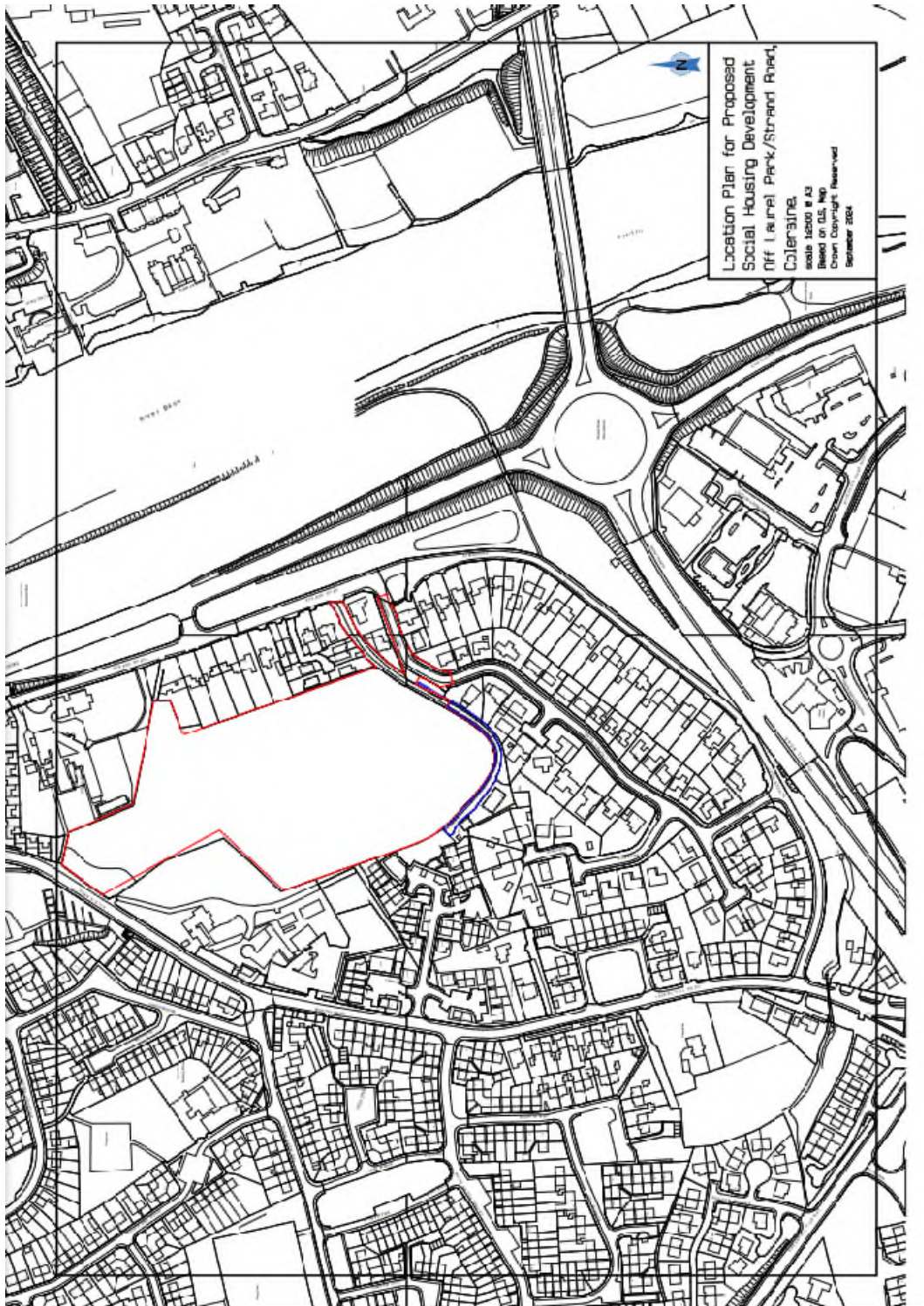
32. No part of the development hereby approved shall be occupied until the Developer has provided an efficient system of street lighting in accordance with Schedule 8 of The Private Streets (Construction) Regulations (Northern Ireland) 1994 as amended by The Private Streets (Construction) (Amendment) Regulations (Northern Ireland) 2001.

Reason: To ensure the provision of adequate street lighting and in the interests of safety.

Informatives

1. This approval does not dispense with the necessity of obtaining the permission of the owners of adjacent sites 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 Council or other statutory authority.
5. 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:
<https://planningregister.planningsystemni.gov.uk/simple-search>

Site Location Map



Site Block Plan

