

# **ITEM E**

**Former GAA Grounds, Leyland  
Road, Ballycastle**

**E/2010/0219/F**

**Full Planning**

**27 May 2015**

<b><u>No:</u></b>	<b>E/2010/0219/F</b>	<b><u>Ward:</u></b>	<b>Kinbane</b>
<b><u>App Type:</u></b>	<b>Full Planning</b>		
<b><u>Address:</u></b>	<b>Former GAA Grounds, Leyland Road, Ballycastle</b>		
<b><u>Proposal:</u></b>	<b>Housing development incorporating 96 dwellings</b>		
<b><u>Con Area:</u></b>	<b>N/A</b>	<b><u>Valid Date:</u></b>	<b>27 July 2010</b>
<b><u>Listed Building Grade:</u></b>	<b>N/A</b>	<b><u>Target Date:</u></b>	
<b>Agent:</b>	<b>Diamond Design Studio, 5 Straid Road, Ballycastle</b>		
<b>Applicant:</b>	<b>Manor Homes &amp; Glencloy Construction, 40 Killygore Road, Rathkenny</b>		
<b>Objections:</b>	<b>0</b>	<b>Petitions of Objection:</b>	<b>0</b>
<b>Support:</b>	<b>0</b>	<b>Petitions of Support:</b>	<b>0</b>

**Drawings are available to view on the Planning Portal-  
[www.planningni.gov.uk](http://www.planningni.gov.uk)**

## **1 RECOMMENDATION**

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

## **2 SITE LOCATION & DESCRIPTION**

The site is the former Ballycastle GAA pitch and grounds is located within the settlement limits of Ballycastle. The site is relatively flat however there has been a large portion of infilling to the eastern boundary with Gortamaddy Drive which has raised the levels along this boundary. Access is off Leyland Road.

The site is bound to the east by Gortamaddy Drive, which is a mixed residential development consisting of semi detached and detached single storey, one and a half storey and two storey dwellings.

### **3 RELEVANT HISTORY**

E/2003/0371/O: Site for housing development. Allowed at Appeal  
Decision Date: 16.11.2009

### **4 THE APPLICATION**

- 4.1 Planning permission is sought to develop the subject land for a Housing development comprising a total of 96 dwelling units with open space areas. The scheme comprises mainly semi detached (80 units), detached (9 units) house types in addition to (4) townhouses and (3) apartments.
- 4.2 Revisions to the scheme have been received during processing of the application. These have sought to improve the scheme by reducing the number of dwellings (by 2) to improve the density and layout. A desk top contamination report and a proposal to use a Temporary Waste Water Treatment Plant was also submitted.

### **5 PUBLICITY & CONSULTATIONS**

#### **External:**

- 5.1 **Neighbours: None (0)** representations received.

#### **Internal:**

- 5.2 **Transport NI:** The proposed access, development layout are considered to be acceptable, subject to conditions regarding Private Streets, street lighting and provision for public transport facilities.

**NI Water:** Waste Water Treatment Works are presently not available to serve this proposal. However Ballycastle WWTW has been identified for an upgrade.

**NIEA Water Management Unit:** Subject to the consent from NIW for discharge and connections and the use of a temporary

treatment plant for 9 No dwellings. NIEA WMU recommend that storm drainage should be designed to the principle of Sustainable Drainage Systems.

**Environmental Health:** Require construction activity is kept to within certain timeframes and if any potential land contamination is encountered that all works cease and the Council is informed. They have also raised concern with the proximity of the proposed Temporary Waste Water Sewerage plant to the existing properties at Gortnamaddy Drive.

**NIEA Land Resource Management Unit (LRM):** Due to the existence of possible contaminants LRM recommend the use of negative conditions to fully inform an updated risk assessment and remediation strategy to ensure all unacceptable risks are identified and appropriately managed.

**Rivers Agency:** No objection

**NIEA Natural Heritage:** No objection and recommend the retention of the boundary hedgerow.

## **6 MATERIAL CONSIDERATIONS**

- 6.1 Article 45 of the Planning Act (Northern Ireland) 2011 states that, “where an application is made for planning permission, the council or, as the case may be, the Department, in dealing with the application, must have regard to the local development plan, so far as material to the application, and to any other material considerations.”
- 6.2 The development plan is:
  - draft Northern Area Plan 2016
- 6.3 The Regional Development Strategy (RDS) is a material consideration.
- 6.5 Due weight should be given to the relevant policies in the development plan.
- 6.6 All material considerations and any policy conflicts are identified in the “Considerations and Assessment” section of the report.

## **7 RELEVANT POLICIES & GUIDANCE**

North Eastern Area Plan 2002 (NEAP)

draft Northern Area Plan 2016 (dNAP)

PPS 1 General Principles

PPS 3 Access, Movement and Parking

PPS 7 Quality Residential Environments

PPS 8 Open Space, Sport and Outdoor Recreation

PPS 15 Planning and Flood Risk

Supplementary Planning Guidance

Creating Places

Living Places

DCAN 8 Housing in Existing Urban Areas

DCAN 15 Vehicular Access Standards

Supplementary Planning Documents

Trees and Development

## **8 CONSIDERATIONS & ASSESSMENT**

- 8.1 The main considerations in the determination of this application relate to: the principle of the proposed development in this location; the suitability of the scheme in terms of character and context; the standard of residential environment the proposal would provide; the impact on neighbouring amenity; the acceptability of the road infrastructure; landscaping and; design.

### **Planning Policy**

- 8.2 The site is located within the built up area of Ballycastle as defined by both the NEAP and dNAP.

- 8.3 The principle of the type and scale of development proposed must be considered having regard to the PPS policy documents specified above and extant and draft Area Plans.

### **Principle of Development**

- 8.4 The site is shown as a Major Area of Existing Open Space in dNAP and an existing area of recreational use in NEAP. However, the principle of housing on the site was established at a Planning Appeal for 87 dwellings in 2009. As the site has an established presumption in favour of housing development, it is considered an appropriate use. As such, the loss of this area of open space site to housing development is acceptable.

### **Character and Context**

- 8.5 The application site is on the edge of the existing development limits of Ballycastle. The site is bounded to the east by Gortamaddy Drive which is a mixed residential development consisting of semi detached and detached single storey, one and a half storey and two storey dwellings. A pair of road frontage one and a half storey dwellings to the south east of the site and a relatively new residential development to the west, mainly two storey detached and semi detached. Agricultural land abounds the north east and north west of the site. The roadside boundary is defined by a 1.5 stepped wall and gate, whilst the remaining boundaries are defined by semi mature hedging.
- 8.6 Critical views of the site are from Leyland Road and Whitepark Road.
- 8.7 The application site is presently elevated above Gortamaddy Drive to the east with a 1-5 m bank defining this boundary. This provides a physical separation from the residential use below. The applicant proposes to regrade the application site to its original contours resulting in similar ground levels at the eastern portion to the lands at Gortamaddy Drive.
- 8.8 The site frontage onto Leyland Road is limited to 47 metres. The proposal here comprises two detached dwellings, one on either side of the development road. These dwellings are accessed from the development road with the rear amenity

visible from the Leyland Road. This would not be reflective of the character of existing development along Leyland Road.

- 8.9 The PAC approval restricted the proposed development to 23 dwellings per hectare. The proposed density of this development is 25 dwellings per hectare while it is in keeping with the density of adjacent developments and would normally be acceptable on such an edge of town site, for the reasons outlined below the density is not appropriate in this case.

### **Standard of Residential Environment**

- 8.10 Planning permission is only permitted where the new residential development has demonstrated that it will create a quality and sustainable residential environment. Para 4.5 of PPS 7 advises that the quality of a development resides not only on the design of its parts, but also the totality of what is created – it's over all character. New developments should be based on a clear concept which ideally should be based on a network of spaces rather than a hierarchy of roads. This will ensure the creation of surroundings with an attractive human scale and a distinctive overall sense of place.
- 8.11 The proposal is designed around a looped type road layout which dominates the overall scheme. The proposal includes a number of areas of open space. However, these would not be considered to be central or designed as an integral part of the overall layout, rather residual undevelopable plots. This does not provide for a quality residential layout or contribute to the attractiveness or distinctiveness of the development.
- 8.12 The open space provision to the north east corner is again residual land that in this case has no appropriate surveillance and would encourage antisocial behaviour. The actual useable area of open space provision is approximately 8% of the total site area and under the 10% standard specified by Policy OS 2 of PPS 8 Open Space, Sport and Outdoor Recreation.
- 8.13 Private rear garden sizes within the proposed development satisfactorily meet average space standard requirements of 70 sq m per house specified by para 5.19 of Creating Places. None of the rear gardens fall below the absolute minimum standard of 40 sq m.

- 8.14 To promote quality of the residential environment and to deter crime it is always preferable that gardens should back onto each other rather than onto common open space, rear access footpath or parking. Para 5.25 of Creating Places. In exceptional cases specific design measures such as hedging and high boundary wall treatment can be used. The rear gardens of the dwellings fronting the Leyland Road are exposed to this main thoroughfare. The Agent has proposed a 1.2m high wall to these properties and all other instances throughout the proposed development at sites 68, 64, 79, 70, 80, 38, 39, 88, 89, 81 and units 90-96. The use of a 1.2 m high wall would not adequately provide appropriate screening to protect the privacy of the residents and would also fail to screen the ancillary amenities such as washing lines, sheds etc. The separation of car parking from dwellings at certain sites is also inappropriate. Due to the restrictive nature of some of the plot sizes, their locations and points discussed above would generally indicate that the site is over developed.
- 8.15 The movement pattern within the development supports walking and cycling through the provision of footpaths alongside the main development road.

### **Neighbouring Amenity**

- 8.16 The central residential block at sites 90-96 has a three storey element. It has a 20m separation with the properties to the rear. However, good practice indicates, in areas such as this, that a separation distance of around 30m should be observed. This proposal also fails to meet the criteria of a minimum 15 m distance from the development to where it abuts the private gardens of the adjoining sites.
- 8.17 Throughout the remainder of the site rear gardens, where they adjoin gardens of existing properties, are for the most part at least 10 metres in depth, according with para 7.16 of Creating Places.
- 8.18 A Temporary Sewage Water Treatment plant is located to the north east corner of the site where it abounds Gortnamaddy Drive. Current guidance for the location of such plants is that they are located at least 15metres from the nearest habitable



dwelling. The dwelling on the adjoining boundary No 66 Gortnamaddy Drive is 17m from the plant. The private amenity space of No 66 is within the 15m range, and the WWTW may cause nuisance to the residents in their enjoyment of their space.

## **Road Infrastructure**

- 8.19 As discussed above PPS 7 promotes quality residential environments, that are designed to have a sense of place, reflecting local character and not dominated by road layouts. Para 4.34 of PPS 7 advises that the Road layouts which meet the Department's technical requirements but do not pay due regard to the quality of residential development will be unacceptable.
- 8.20 In terms of the technical requirements, the development provides satisfactory road access and internal layout. While traffic volumes in the immediate area will increase as a result of the development, DRD Transport NI as the competent authority is satisfied with the proposals.
- 8.21 Adequate provision is made for parking through mainly in-curtilage arrangements and on street provision. However, the on street parking provision and the use of traffic calming measures such as raised tables throughout the development only further exacerbates the dominance of the road layout.
- 8.22 The road layout in this instance has dictated the positioning of the housing and open space and has prevented the proposal from providing a quality residential development.

## **Landscaping**

- 8.23 The proposal retains the existing hedgerows bounding the site to the north, east and west. No landscaping or management and maintenance plan was submitted as part of this application.

## **Design**

8.17 The scheme comprises a variety of dwelling types. The Agent has used different house styles in an attempt to reflect the design needs of sites. The use of gables fronting onto the Leyland Road would however not be in keeping with the character of the area. While detailed design varies throughout the remainder of the development, it is not in keeping with the local area. The apartment block, scale, height and materials proposed, is too dominant and also not in keeping with character of the surrounding area or at such an edge of town location.

### **Other Matters**

8.18 As the principle for development was established at appeal for 87 units, the 87 units have been accounted for by NIW. The increase of 9 units has been catered by the use of a temporary sewage treatment plant until which time that the NIW infrastructure has been upgraded.

## **9 CONCLUSION**

9.1 The proposed housing development is considered unacceptable in this location having regard to the draft Northern Area Plan and other material considerations. The development is an appropriate use of the land. However, the current proposal is unacceptable in terms of its layout and appearance and would result in unacceptable damage to the local character, environmental quality and residential amenity. In accordance with para 52 of PPS 1, significant harm would be caused to neighbouring amenity. Refusal is recommended.

## **10 Refusal reasons:**

10.1 The proposal is contrary to Policy QD1 of Planning Policy Statement 7, Quality Residential Environments, the Department's Design Guide Creating Places and Development Control Advice Note 8 Housing in Existing Urban Areas and Planning Policy Statement 1, in that the development as proposed fails to provide a quality residential environment and would if approved cause significant harm to neighbouring amenity.





