

<b>Planning Committee Report LA01/2019/0731/F</b>	<b>25<sup>th</sup> September 2019</b>
<b>PLANNING COMMITTEE</b>	

<b>Linkage to Council Strategy (2015-19)</b>	
<b>Strategic Theme</b>	Protecting and Enhancing our Environment and Assets
<b>Outcome</b>	Pro-active decision making which protects the natural features, characteristics and integrity of the Borough
<b>Lead Officer</b>	Development Management & Enforcement Manager
<b>Cost: (If applicable)</b>	N/A

<b><u>App No:</u></b>	<b>LA01/2019/0731/F</b>	<b><u>Ward:</u></b>	<b>Cloughmills</b>
<b><u>App Type:</u></b>	<b>Full Application</b>		
<b><u>Address:</u></b>	<b>Cloughmills Community Action Team, 60 Main Street, Cloughmills, BT44 9LF.</b>		
<b><u>Proposal:</u></b>	<b>Installation of gas fired heating system with associated gas bottle storage, buildiers and electrical work (including external boilerhouse and balanced flue).</b>		
<b><u>Con Area:</u></b>	<b>N/A</b>	<b><u>Valid Date:</u></b>	<b>26/06/2019</b>
<b><u>Listed Building Grade:</u></b>	<b>N/A</b>	<b><u>Target Date:</u></b>	<b>09/10/2019</b>
<b><u>Applicant:</u></b>	<b>Cloughmills Community Action Team, 5 Rosemount, Cloughmills, BT44 9LO.</b>		
<b><u>Agent:</u></b>	<b>Cogan and Shackleton, 10 New Row, Coleraine, BT52 1AF.</b>		
<b><u>Objections:</u></b>	<b>0</b>	<b><u>Petitions of Objection:</u></b>	<b>0</b>

## **Executive Summary**

- This proposal is considered acceptable at this location having regard to the Northern Area Plan 2016 and all other material considerations.
- The site is located within the Cloughmills Water Local Landscape Policy Area (Designation CSL 01). Due to the nature and scale of the proposed development there will be no adverse impact on the LLPA or the surrounding area.
- There have been no objections received to this application and no statutory consultee have raised any concerns with the proposal.
- The proposal complies with all relevant planning policies including the Northern Area Plan, SPPS, PPS 6 and 15.

**Drawings and additional information 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 recommendation set out in 9 and the policies and guidance in sections 7 and 8 and resolves to **APPROVE** planning permission subject to the conditions set out in section 10.

## **2 SITE LOCATION & DESCRIPTION**

- 2.1 The application site is located within the development limits of Cloughmills as set out in the Northern Area Plan 2016. The site is currently used for recreational and community purposes, this use shall not change as a result of this proposal. The site comprises of four buildings, of which the heating system is to facilitate one of these. The site also comprises of car parking facilities and a play area. Running parallel to the southern boundary of the application site is walkway, which also runs parallel with the Cloughmills Water Extension. There are residential units to the south and north of the application site with medical facilities being located to the north east of the application site.

## **3 RELEVANT HISTORY**

LA01/2017/0964/F – PERMISSION GRANTED for the proposed refurbishment and alterations to existing community building (RDP Grant application) as a resource to the existing community activities at Edible Cloughmills and extension into derelict adjacent structure to provide communal spaces, training kitchen and storage facilities.

LA01/2015/0242/F – PERMISSION GRANTED for the restoration of the old mill building to accommodate new camping barn, meeting rooms, workshops, a store and ancillary accommodation.

D/2015/0027/F – PERMISSION GRANTED for the alterations to building to provide disabled toilet facilities.

## **4 THE APPLICATION**

- 4.1 Full planning permission is sought for a gas heating system with associated gas bottle storage (including an external boiler house and a balanced flue). The recreational use of the land is to remain unchanged.

## **5.0 PUBLICITY & CONSULTATIONS**

### **5.1 External**

Neighbours: There are no objection to this proposal.

### **5.2 Internal**

Historic Environment Division: No objections

Environmental Health: No objections

DFI Rivers: No objections

## **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 6: Planning, Archaeology and the Built Heritage

Planning Policy Statement 15: Planning and Flood Risk

## **8.0 CONSIDERATIONS & ASSESSMENT**

- 8.1 The proposed dwelling must be considered, having regard to the SPPS, PPS policy documents and supplementary planning guidance specified above. The main considerations in the determination of this application relate to: principle of the development, built heritage, flooding, amenity and visual impact.

### **Principle of Development**

- 8.2 The SPPS promotes sustainable development throughout the planning system. The guiding principle for planning authorities is that sustainable development should be permitted, having regards to the development plan and all other material considerations, unless the proposed development will cause demonstrable harm to interests of acknowledged importance.
- 8.3 The application site, as highlighted in the Northern Area Plan 2016, is located within the Cloughmills Development Limits.
- 8.4 The application site is also located within the Cloughmills Water Local Landscape Policy Area (Designation CSL 01). Any proposals for development within this area will be considered under the terms of Policy ENV 1 in Volume 1 of the Northern Area Plan 2016. Policy ENV 1 of the Northern Area Plan 2016 is to help ensure that new development does not adversely affect those features that contribute to the environmental quality, integrity or character of a designated LLPA. It has been determined that the scale and nature of the proposed heating system shall not have any detrimental impacts upon the

landscaping area around Cloughmills Water and therefore, will not have an adverse impact on the LLPA.

### **Built Heritage**

- 8.5 Historic Environment Division (HED) were consulted in regards to this proposal. They commented ‘this site is located within the Area of Archaeological Potential for Cloughmills as defined in the Northern Area Plan 2016. Historic Environment Division: Historic Monuments has assessed the application and on the basis of the information provided – and the nature and scale of the proposal is content that the proposal is satisfactory to SPPS and PPS 6 archaeological policy requirements’.

### **Flooding**

- 8.6 The site is located within the 1 in 100 year fluvial floodplain. A Flood Risk Assessment (FRA) was submitted previously on the site to accompany planning application LA01/2015/0242/F. DFI Rivers consider that due to the size and nature of the proposal it will not lead to an increase in flood risk to the site or elsewhere. The proposal would be considered as minor development under the list of exceptions outlined in Policy FLD 1 of PPS 15.
- 8.7 DFI Rivers also highlight that it is essential that a working strip minimum width of 5m is retained. DFI Rivers would recommend that the working strip is protected from impediments (including tree planting, hedges, permanent fencing and sheds), land raising or future unapproved development. This shall be conditioned with this application.

### **Amenity and Visual Impact**

- 8.8 Environmental Health department have raised no objection to the proposal. Additionally, the proposal will not have a detrimental impact upon the character of the area nor will it impact upon residential amenity.

### **Habitat Regulations Assessment**

- 8.9 The potential impact 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.

## **9.0 Conclusion**

9.1 The proposal is considered acceptable at this location having regard to the Northern Area Plan and other material considerations including the SPPS, PPS 6 and PPS 15. Consultees have not raised any concerns with the proposed development due to the nature and scale of the proposal there will be no detrimental impact on the surrounding area. Approval is recommended.

## **10.0 Conditions**

10.1 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.

10.2 A suitable buffer of at least 5m from the watercourse must be protected from impediments (including tree planting, hedges, permanent fencing and sheds), land raising or future unapproved development.

Reason: For the protection of flood defence and drainage infrastructure.

## **11.0 Informatives**

11.1 The applicant is requested to ensure that all plant and equipment including vehicles used in connection with the development is so situated, operated and maintained as to prevent the transmission of noise and vibration to nearby residential properties.

11.2 BS 5228- 1: 2009 + A1:2014 in relation to construction activities states, "Noise and vibration can be the cause of serious disturbance and inconvenience to anyone exposed to it and in certain circumstances noise and vibration can be a hazard to health." In relation to any preparatory/construction works on site (demolition, ground works, excavation and construction), it is advised that the applicant should minimise disturbance to noise sensitive receptors, by restricting noise emissions at source,

employing quiet plant and equipment, restricting hours of working and ensuring noise emissions are within the noise thresholds detailed within Table E 1 of BS 5228 – 1: 2009 + A1:2014.

Table E.1 Example threshold of potential significant effect at dwellings

Assessment category and threshold value period	Threshold value, in decibels (dB) $L_{Aeq,T}$		
	Category A <sup>A)</sup>	Category B <sup>B)</sup>	Category C <sup>C)</sup>
Night-time (23.00–07.00)	45	50	55
Evenings and weekends <sup>D)</sup>	55	60	65
Daytime (07.00–19.00) and Saturdays (07.00–13.00)	65	70	75

**NOTE 1** A potential significant effect is indicated if the  $L_{Aeq,T}$  noise level arising from the site exceeds the threshold level for the category appropriate to the ambient noise level.

**NOTE 2** If the ambient noise level exceeds the Category C threshold values given in the table (i.e. the ambient noise level is higher than the above values), then a potential significant effect is indicated if the total  $L_{Aeq,T}$  noise level for the period increases by more than 3 dB due to site noise.

**NOTE 3** Applied to residential receptors only.

<sup>A)</sup> Category A: threshold values to use when ambient noise levels (when rounded to the nearest 5 dB) are less than these values.

<sup>B)</sup> Category B: threshold values to use when ambient noise levels (when rounded to the nearest 5 dB) are the same as category A values.

<sup>C)</sup> Category C: threshold values to use when ambient noise levels (when rounded to the nearest 5 dB) are higher than category A values.

<sup>D)</sup> 19.00–23.00 weekdays, 13.00–23.00 Saturdays and 07.00–23.00 Sundays.

11.3 No detail is provided on the erection or installation of outdoor lighting on the proposed development. The installation or erection of any outdoor lighting during construction or to the final development should consider any adverse impacts to neighbouring properties. All lighting provisions should meet lighting guidance CIE – International commission on Illumination – Guide on the limitation of the effects of obtrusive light from outdoor lighting installations or ILP – Institute of Lighting Professionals – Guidance notes for the reduction of Obtrusive light.



# SITE LOCATION PLAN

