



Planning Committee Report LA01/2019/0630/F	26th February 2020
PLANNING COMMITTEE	

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

<u>No:</u>	LA01/2019/0630/F	<u>Ward:</u>	Roeside
<u>App Type:</u>	Full		
<u>Address:</u>	Lands to the rear of the existing Limavady Wolfhounds Pitch off Scroggy Road, Limavady		
<u>Proposal:</u>	Proposed new grass pitch and 4G training area including flood lighting, the provision of team dugouts, ball catch nets, goal posts & fencing plus the provision of community walking path with 1m high bollard lighting and associated site works.		
<u>Con Area:</u>	N/A	<u>Valid Date:</u>	11.06.2019
<u>Listed Building Grade:</u>	N/A		
<u>Agent:</u>	AQB Architectural Workshop, 12A Ebrington Terrace, Derry, BT47 6JS		
<u>Applicant:</u>	Limavady Wolfhounds GAA, Scroggy Road, Limavady, BT49 0NA		
<u>Objections:</u>	0	<u>Petitions of Objection:</u>	0
<u>Support:</u>	0	<u>Petitions of Support:</u>	0

Executive Summary

- This proposal is acceptable at this location having regard to the Northern Area Plan 2016 and all other material considerations.
- The site is located within the settlement development limit of Limavady Town and forms an expansion to an existing sports facility.
- The proposal is sited on lands zoned for housing within the Northern Area Plan 2016.
- The application follows on from previous application for housing development LA01/2015/0349/O, which sought to rationalise the existing housing and open space zonings at this location and required the submission and implementation of a planning application for recreational facilities as part of that approval.
- The proposed playing fields will preserve the existing levels of open space at this location and provide quality sporting facilities which are accessible to the local and wider community.
- There will be no significant adverse impact on the natural environment, residential amenity or drainage system as a result of the proposed development.

Drawings and additional information are available to view on the Planning Portal- www.planningni.gov.uk

1 RECOMMENDATION

- 1.1 That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 9 and the policies and guidance in sections 7 and 8 and resolves to **APPROVE** full planning permission subject to the conditions set out in section 10.

2 SITE LOCATION & DESCRIPTION

- 2.1 The application site is located at lands to the rear of the existing Limavady Wolfhounds Pitch off Scroggy Road, Limavady. The application site is accessed via the existing Christ the King church premises, which provides access to the existing GAA premises. The application site includes the existing GAA site which includes the playing pitch and changing facilities and gym. The remainder of the site is located to the south of the existing playing field and consists of a parcel of unused land. This parcel of land rises relatively steeply in an eastern direction with a change in levels of approximately 7.5m from the North Western corner to the South Eastern corner.
- 2.2 The southern part of the site is enclosed on all four sides by existing boundaries. The north eastern boundary is defined by a 1.8m high paladin fence, with a mix of timber fences and intermittent hedgerow and trees associated with the adjacent dwellings at Castle Park and Bellshill. The south eastern boundary is defined by a 1.8m high paladin fence and mature hedge approximately 2.5-4.5/5m in height. The south western boundary is defined by a band of trees which are approximately 8m in height. The north western boundary which separates the existing playing field from the southern portion is also defined by trees approximately 8-9m in height. The northern most boundary which separates the application site from the adjacent Limavady United Football Ground is defined by fencing and hedgerow and the existing changing facilities within the site.
- 2.3 The application site is located within the settlement limit of Limavady Town as defined in the Northern Area Plan 2016. The application site is located on lands identified as existing open space and on lands zoned for housing within the Northern Area Plan 2016 under zoning

LYH 18. The surrounding land use in the area includes a mix of land uses with existing housing to the immediate north east of the site at Castle Park and Bellshill, with housing also located to the south of the site at Shanreagh Park, separated from the application site by a strip of open space. To the west of the application site is a large area of land currently used by the Limavady Wolfhounds GAC for recreational purposes, with the north portion identified in the Northern Area Plan as open space and the southern portion forming the remaining portion of Housing zoning LYH18. To the immediate north of the site is Limavady United Football Club (existing open space) with the Church of Christ the King and parochial house located to the North West, from which access to the site is obtained.

3 RELEVANT HISTORY

- 3.1 LA01/2019/1036/F - Application under Section 54 to vary conditions 5 (transfer of social housing units), 7 (landscaping), 13 (Programme of Archaeological Work) 8 (Siting of Dwellings) of Planning Approval LA01/2015/0349/O to enable the phased development of this site - Land situated adjacent and south of The Church of The Christ King Parochial House, 4 Scroggy Road, Limavady – Current Application

LA01/2019/0070/PAN - Proposed new grass GAA pitch & 4G training area including flood lighting the provision of team dugouts, ball catch nets, goal posts & fencing plus the provision of a community walking path & associated site works – Lands adjacent to Limavady Wolfhounds GAC existing pitch and changing rooms at Scroggy Road, Limavady and immediately to the rear of 154, 156, 158, 160, 162, 164, 166, 192, 194, 196, 198, 200, 202 Castle Park and 39 & 40 Bells Hill Limavady – PAN Acceptable 05.02.2019

LA01/2015/0349/O - Proposed residential development and open space with access onto Scroggy Road (rationalisation of housing and open space lands as identified under dNAP 2016 resulting in an overall increase in the provision of open space) - Lands Situated Adjacent and South Of The Church Of The Christ King Parochial, House 4 Scroggy Road, Limavady – Permission Granted 28.08.2018

B/2014/0102/F - Extension and alterations to existing changing facility to include new external store and gym. Plus the provision of a new boundary fence, tuck shop and turnstile, access gates, new pitch dug outs and 4G finish to goals plus associated site works - Existing

4 THE APPLICATION

- 4.1 The proposal seeks consent for the provision of a new playing pitch measuring 130m x 80m, with associated goal posts 10.65m in height, ball-stop nets 80m wide and to a maximum of 15m in height, team dug-outs, floodlighting and spectator fencing around the perimeter of the pitch at a height of 1.23m. The application also proposes a 4G training area measuring 100m X 50m, with floodlighting and spectator fencing around the perimeter of the pitch at a height of 1.23m. Provision of the playing field and 4G pitch will require earthworks in the form of cut and fills across the site to varying degrees. The playing field will require approximately 4m of cut to the south eastern corner and 1m of fill to the north western corner. The 4G pitch will require close to 2m of cut to the south eastern corner and approximately 2m of fill to the north western corner. The training pitch will sit an elevated position relative to the playing pitch by approximately 3m.
- 4.2 The application includes the provision of 1km community walking path within the application site which circles the perimeter of the existing and proposed pitches with 1m high bollard lighting.

Design & Access Statement

- 4.3 A Design & Access Statement is required under Article 6 of the Planning (General Development Procedure) Order (NI) 2015 as the application is considered to be a major application.
- 4.4 The Design & 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.
- 4.5 The statement demonstrates that the applicant undertook detailed consideration of the proposal in terms of the design principles and concepts in relation to the location of the proposed pitches, location of floodlighting, provision of additional landscaping and the impact on the character of the immediate area.

Proposal of Application Notice

- 4.6 As this proposal is categorised as major development, it must comply with the Proposal of Application Notice and carry out community consultation at least 12 weeks prior to the submission of the application.
- 4.7 A Proposal of Application Notice was submitted on 25th January 2019 under LA01/2019/0070/PAN. The applicant advised that they intended to undertake the following forms of consultation:
- Press notice of a public event in Northern Constitution on 29th January 2019, one week before the event on 12th February 2019.
 - Information letters sent to adjoining neighbours at Scroggy Rd, Bellshill, Castle Park and Shanreagh Park.
 - Notice was sent to DEA Local Alderman and Councillors 24th January 2019.
- 4.8 The public event was held 12th February 2019 from 8pm to 9pm at St Mary's High School, Irish Green Street, Limavady.

Community Consultation Report

- 4.9 The Community Consultation Report (CCR) was submitted as part of the planning application, received on 16th March 2019 which is more than 12 weeks after the Proposal of Application Notice was received, as required by the legislation.
- 4.10 The CCR contains a copy of the press advertisement and template of the neighbour notification letter used to advise of the public event. The report demonstrates that consultation was carried out as suggested in the Proposal of Application Notice.
- 4.11 The Community Consultation Event (12/02/2019) was attended by Limavady Wolfhound club committee members and some elected members. In addition 21 people attended the event. Each attendee was asked to provide some feedback on the proposal via a questionnaire, a copy of which is contained within the CCR. 19 questionnaires were returned with 7 making positive comments on the value of the proposal to the whole community. An e-mail account set-up to receive comment during the consultation period received no responses at the date of submission.

4.12 The CCR demonstrates that adequate community consultation has taken place and the key issues of concern have been considered.

Environmental Impact Assessment

4.13 An Environmental Impact Assessment was carried out by the Council under Regulation 8(1) a) of The Planning (Environmental Impact Assessment) Regulations (NI) 2017 as to whether the proposal would be an EIA development as defined by the same regulations. The proposal falls within the scope of Schedule 2, Category 10 (B) The carrying out of development to provide for urban development projects, including the construction of shopping centres and car parks because the site area exceeds 0.5ha. The Council determined on 12.02.2020 that the proposal is not EIA development, and as such, this planning application was not required to be accompanied by an Environmental Statement.

5 PUBLICITY & CONSULTATIONS

5.1 External

Community Consultation event was organised by the applicant in line with the Pre-Application Notification LA01/2019/0070/PAN.

No letters of objection were received.

5.2 Internal

DAERA Natural Heritage and Conservation Areas: No objections

DAERA Drainage and Water: No objection.

DFI Roads: No objections.

DFI Rivers: No objections.

Environmental Health: No objections.

NI Water: No objections.

6 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:
- The 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 & Assessment” section of the report.

7 RELEVANT POLICIES & GUIDANCE

The Northern Area Plan 2016

The Strategic Planning Policy Statement (SPPS)

Planning Policy Statement 2 (PPS 2): Natural Heritage

Planning Policy Statement 3 (PPS 3): Access, Movement and Parking

Planning Policy Statement 8 (PPS8): Open Space, Sport and Outdoor Recreation

Planning Policy Statement 15 (Revised) (PPS 15) – Planning and Flood Risk

8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to the principle of development, PPS8, other residential amenity issues, access and parking, natural environment and biodiversity, drainage and flood risk.

Planning Policy

- 8.2 The proposal must be considered having regard to the NAP 2016, SPPS, and PPS policy documents specified above.

Principle of Development

- 8.3 The application site is within the defined settlement limit of Limavady and is sited partly at the existing GAA facilities and is also partially located on lands Zoned for Housing under designation LYH18. Consequently the application is considered to be contrary to the Northern Area Plan 2016, in that a different land use is proposed on lands zoned for housing, and should be refused planning permission unless other material considerations indicate otherwise.
- 8.4 Planning application LA01/2015/0349/O was previously submitted and granted planning approval on 28.08.2018 for a proposed residential development and open space with access onto Scroggy Road. The application sought the rationalisation of housing and open space lands as identified and zoned under NAP 2016, effectively swapping the eastern portion of housing zoning LHY18, on which the current application sits, and the section of existing open space to the west of the existing Limavady Wolfhounds GAC, and south of the Christ the King Church.
- 8.5 In order to meet the objectives of the SPPS and PPS8, in particular Policy OS1, in order to preserve the existing level of open space Planning Application LA01/2015/0349/O was granted approval subject to a condition requiring the area of land hatched orange on approved drawing 01, to have gained planning permission for a training pitch facility and that the pitch was completed in its entirety prior to any housing being constructed elsewhere on the site.

- 8.6 Within application LA01/2015/0349/O the level of open space proposed on the housing zoning was previously calculated to result in a loss of approximately 755m² against the amount of existing open space proposed to be developed for housing. Since that application has been approved the Limavady Wolfhounds have completed the purchase of lands from the local parish (previous applicant) as reflected by the red line of the current application. The application site boundary of the current application has increased the area proposed for the open space conditioned under condition 18 of approval LA01/2015/0349/O. Consequently the area of housing zoning transferred to open space is approximately 26300m² while the area of open space remaining, to be given up to housing measures approximately 25300m². As such there will be no deficit in open space as a result of the rationalisation of land use in the locality, and the proposal for the provision of the recreational training pitches still meets with the requirements of Policy OS1 of PPS8.
- 8.7 With respect to the concept plan (Drawing 10D) approved under LA01/2015/0349/O, the proposed application will intrude slightly on the proposed layout, namely the open space corridor and primary road along the eastern boundary of the housing development. The applicant has confirmed that the red line of the application site is drawn to the legal ownership. Additionally the applicant has advised that for legal/insurance reasons, the lands under their control will have to be secured along the ownership boundary. The resulting change in land ownership may result in some tweaks to the approved concept. However, it is not envisaged that this will be significantly detrimental to the ability of the outline approval to be fulfilled through the submission of reserved matters applications in general conformity with the concept plan.

PPS8

- 8.8 The SPPS defines an intensive sports facility as one which facilitates one or more activity fundamental to maintaining individual health and fitness. This may include stadia, sports halls, leisure centres, swimming pools and other indoor (and outdoor) sports facilities. They can also serve as a focus for the community. The SPPS outlines that intensive sporting facilities should be located in settlements to maximise the use of existing infrastructure. The application site is located within the settlement limit of Limavady Town, satisfying this criteria of the policy. PPS8 Policy OS4 makes provision for intensive

sports facilities in settlements subject to specific criteria including: residential amenity; nature conservation; archaeological and built heritage; design; accessibility and; access and parking.

- 8.9 The proposal relates to the provision of a playing field and a training pitch, which includes ancillary structures comprising of goal posts, dugouts and ball-stop nets, and a 1.23m high perimeter fence around each pitch. The western boundary of the application site will be defined by a 2.4m high paladin fence. No buildings are proposed. The proposed ball-stop nets comprise three sections with a maximum height of 15m to the central section and 10m either side. The total width of the nets is 80m. The dugouts are to be block built measuring 8m in length and 3m in height. Given the siting of the application site within the settlement, views of the site will be limited to those areas within the immediate vicinity. Given the nature of works proposed there will be no significant adverse visual impacts. The major infrastructure to the site comprises the tall columns to serve the floodlighting and ball-stop nets and given their narrow form will not appear as significant visual features within the wider setting, with the floodlighting head being of a slim line design.
- 8.10 There are no features of archaeology or built heritage importance within the immediate setting of the application site which would be impacted upon by the proposed development. Features of nature conservation importance is discussed within the sections below.
- 8.11 Officials consider that for the reasons above, and those considered in the sections below that the proposal complies with the policy requirements for intensive sporting facilities within the SPPS and Policy OS4 of PPS8.
- 8.12 Policy OS7 – The Floodlighting of Sports and Outdoor Recreational Facilities will only permit the development of floodlighting associated with sports and outdoor recreational facilities where all the following criteria are met:
- (i) there is no unacceptable impact on the amenities of people living nearby;
 - (ii) there is no adverse impact on the visual amenity or character of the locality; and
 - (iii) public safety is not prejudiced.

- 8.13 The proposal seeks to provide floodlighting to both proposed pitches. Both pitches propose six floodlight columns with the larger playing field proposing columns to 21.3m in height and the 4G training pitch proposing columns to 15.m in height. The proposed training pitch will see the floodlighting columns to the eastern side of the pitch located 12-15m from the site boundary and rear boundaries of the dwellings within Castle Park. These are the closest floodlighting columns to any existing dwellings which surround the site. To the south/south east of the site there is a wedge of open space between the application site and the dwellings within Shanreagh Park, with the closest dwelling (No. 39) approximately 37.5m from the site boundary and a further 25m (approximately) to the closest lighting column. There is currently no dwellings to the west of the pitch. However, as per the concept statement approved under LA01/2015/0349/O, there will be dwellings in the vicinity of the proposed playing field, to be separated by a green corridor and primary road within the indicative layout. As no reserved matters or full application exists on the site there is no fixed point to measure the impact on any potential dwellings to the west. However, the lighting columns along the western side of the playing field are located between 9-10m from the western application boundary.
- 8.14 A lighting assessment was submitted by the applicant, which outlines the predicted level of light spill from the proposed floodlighting. Environmental Health, as the competent authority, were consulted on the lighting report and commented that there may be light spill onto the lands to the south of the site where there are no dwellings. Additionally it notes that minimal levels of light infringe on the dwellings adjacent the site at Castle Park. Environmental Health noted that while not ideal, the level of light spill is low and have not objected to the floodlighting. Environmental Health had advised however, that a post installation inspection should be carried out to ensure no additional light or glare affects residents living nearby.
- 8.15 Following an initial request from Environmental Health to clarify the operating times of the floodlighting the applicant has advised that they wish to be flexible in their use of the facilities and outline that they seek permission to be able to use the floodlighting up to 10pm daily outside of summer months.
- 8.16 The applicant advised in a written submission received 8th July 2019 that the club operates seven days a week and therefore may need floodlighting Monday to Sunday every week during the reduced daylight hours. The applicant has advised that it is very unlikely that

the floodlights will be used every day from an economic point of view. However, they do wish to have the flexibility to use the lights to 10pm if required and to operate in line with other local pitches. Having researched similar recreational facilities in the vicinity the following examples are relevant. Limavady United Football Club are located immediately adjacent and north of the site and operate floodlighting for evening matches. Planning permission was granted for floodlighting under B/1996/0391 with no restriction on operating times. A planning application was submitted by the former Limavady Borough Council, and granted planning approval under application B/2010/0273/F for the erection of single storey changing pavilion & associated ancillary accommodation with 2no. pitches & associated flood lighting, fencing and CCTV and car parking at lands to the rear of 25-39 Scroggy Rd. The floodlighting columns approved within that application were 20m in height and were in the vicinity of dwellings to the west and south of the proposed pitches. Planning approval was granted with no restriction on hours of operation.

- 8.17 Following clarification on the proposed hours of operation, Environmental Health were re-consulted along with the Lighting Assessment and offer no objection to the proposed hours of operation. In considering the response from Environmental Health and information from the applicant, officials recommend allowing the use of floodlighting up to 10pm. The use of floodlighting should be restricted via condition to ensure that the floodlighting can only be in use when the associated pitches are in use.
- 8.18 The proposed development is located within an urban environment and will be enclosed by development on all sides. Therefore in terms of the visual impact of the proposed development there is likely to be limited widespread views given the screening by existing buildings. The most critical views are likely to be within the immediate vicinity of the application site. There may be some views of the upper levels of the floodlight columns along some of the surrounding roads. However these will be read with the floodlighting columns at Limavady United Football Club and will not appear out of character or significantly impact the visual amenity of the area. With respect to public safety, given the information submitted within the lighting report the light spill will be contained, for the most part to the application site, with some levels encroaching onto adjacent open space and the rear gardens of residential properties. Therefore the level of illumination and glare should not adversely impact on public road users. DFI Roads or Environmental Health have not raised any concerns in respect to road

safety, although this issue can be reviewed as part of the post installation report required to ensure the proposed lighting does not have any greater impact than outlined in the submitted lighting report.

- 8.19 Based on the information submitted and the comments provided by Environmental Health, officials find that there will be no significant adverse impact on residential amenity of adjacent properties, visual amenity or public safety in line with the requirements of Policy OS7 of PPS8.

Other Residential Amenity issues

- 8.20 During the consultation process Environmental Health raised no concerns regarding the potential impact from noise associated with the proposed pitches and walking path. During internal discussions on the application Environmental Health outlined that the noise levels associated with the use proposed would not be likely to result in any adverse impacts when considered against existing background noise levels in the area, and the acceptable noise levels permitted during “daytime” hours (07:00-23:00). During the processing of the application Planning Officials liaised with Environmental Health over the potential addition of low level bollard lighting to the scheme to illuminate the proposed walking path, as a means of ensuring that floodlighting was not required for that specific activity. Environmental Health confirmed that the addition of the low level lighting would not result in any adverse impact on residential amenity, and would not require any additional survey work to be carried out to assess this issue. The Planning Department are content that there will be no significant adverse impact on residential amenity from the proposed development.
- 8.21 The proposed earthworks within the site will not increase the site levels relative to the existing dwellings at Castle Park and Bellshill which immediately abut the application site to the north east. The proposed walking path will follow the natural topography of the site along the north eastern boundary with only a minimal projection above ground level. The rear boundaries of the aforementioned adjacent dwellings are defined by close boarded timber fencing and intermittent hedgerow, which prevent views into the rear amenity space or properties. The proposed development proposes to plant additional hedgerow along this boundary where there are gaps, to reinforce the screening between the site and residential properties. Given the existing and proposed boundary treatments along this site boundary

and the general maintenance of existing levels, there will be no loss of privacy from the proposed development.

Natural Environment/ Biodiversity

- 8.22 The application site is not located within any designated European or National designation, and there is no identified hydrological link to any designated site. Given the nature of the works proposed there is unlikely to be any far reaching impact from the proposal that would impact on any designated site. The proposal will not require the installation of foul treatment facilities and surface water will be disposed of via an infiltration system as detailed below. Discharge of storm water to the aquatic environment will require consent from DAERA Water Management Unit under separate legislation.
- 8.23 The application site contains two mature and well established bands of trees along the southern section of existing playing pitch and along the western section of the site. The proposed construction of the two pitches initially proposed the removal of both bands of trees in their entirety. A Biodiversity Checklist was submitted 5th July 2019 outlining that the trees to be removed have low bat roosting potential, and therefore their removal will not adversely impact on bats. In addition the Biodiversity Checklist outlined that the loss of trees will be mitigated against by planting along the eastern and southern boundaries. An amended site plan was submitted which shows the location of the proposed planting. In addition a section of the band of existing trees between the existing pitch and proposed 4G pitch can be retained and have been annotated to be retained on the site plan. DAERA Natural Environment Division has been consulted on the proposal including the Biodiversity Checklist and revised plans and following the provision of the compensatory planting are content with the proposal subject to a condition being attached with respect to landscaping being carried out in the first available planting season following completion of works. Officials consider that the proposed development will not have any adverse impact on any designated sites, priority habitats or protected or priority species and therefore meets with the policy requirements of the SPPS and PPS2 with respect to natural heritage.

Access

- 8.24 Access to the site is currently via the car park at Christ the King Church, which is accessed from Scroggy Rd. Access to the site is

located to the North West corner of the application site and comprises a narrow road and parking spaces leading to the existing changing facilities and pitch. The applicant, within the design and access statement, has advised that existing parking within the site and the parking facilities at the adjacent church (for which they have permission) provide adequate parking. DFI Roads have been consulted on the proposal and offer no objection. The proposal therefore complies with the policy requirements of the SPPS and PPS3, Policies AMP 2 and AMP 3 in that it will not prejudice road safety.

8.25 The application site is within the urban environment of Limavady Town, which is well serviced by public transport. There are several bus stops within 500m of the application site which would facilitate access to the facilities for the wider community, while within the immediate vicinity the site layout plan indicates provision of an access gate to facilitate access to the site from the adjacent housing lands in line with the concept plan approved under LA01/2015/0349/F.

8.26 The community footpath around the site and parking arrangements have been designed to take into account the needs of those with disabilities.

Drainage/Flood risk

8.27 The application site is not located within the identified fluvial or coastal floodplains. As such Policy FLD1 of PPS15 is not engaged.

8.28 Given the size of the application site and the proposed level of hardstanding to be created a drainage assessment was required to be submitted in line with the policy requirements of Policy FLD3 – Development and Surface Water (Pluvial) Flood Risk Outside Flood Plains, within PPS15.

8.29 A Drainage Assessment was submitted by the applicant on 7th October 2019. The Drainage Assessment outlines that there are no available storm sewers to serve the proposal or available watercourse to discharge the storm water to. The applicant therefore proposes to dispose of storm water via infiltration system with a cellular storage tank proposed to collect the initial runoff before discharging to the groundwater. The drainage assessment provides details in respect of percolation test results, greenfield run off results and the required level of storage required. DFI Rivers was consulted with the drainage assessment and have commented that they accept the logic and have

no reason to disagree with its conclusions. DFI Rivers however, advise that granting permission for discharging to the underground strata is outside of their remit. Consent to discharge will therefore be required from the relevant body under separate legislation. The Planning Department consider that the proposal meets the requirements of Policy FLD3 of PPS15.

9 CONCLUSION

- 9.1 The proposal will ensure the preservation of existing levels of open space within the settlement of Limavady in line with the SPPS and PPS8 and will provide new sporting facilities in line with the requirements of planning approval LA01/2015/0349/F. The proposal will provide quality facilities for the local community without any significant adverse impacts on the amenity of local residents, natural and built environment, or upon visual amenity and character of the area. The proposal complies with the policy requirements of the SPPS, PPS2, PPS3, PPS8, and PPS15. Approval is recommended.

10 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. The existing natural screening of the site as indicated on approved drawing 02 Rev 05 date stamped received 31st January 2020 shall be retained unless necessary to prevent danger to the public in which case a full explanation shall be given to the Planning Authority in writing.

Reason: To minimise the impact of the proposal on the biodiversity value of the site.

3. The landscaping and planting plans shall be carried out in accordance with the approved details and the appropriate British Standard or other recognised Codes of Practice. The planting plan shall be carried out during the first available planting season after the development becomes operational, in accordance with Drawing

No.02 Rev-05 '*Proposed Site Layout*' date stamped received 31st January 2020. If within a period of 5 years from the date the development is completed any tree, shrub, or hedge is removed, uprooted, destroyed, dies, or becomes, in the opinion of the Council, seriously damaged or defective, another tree, shrub, or hedge of the same species and size as that originally planted shall be planted at the same place, unless the Council gives written consent to any variation.

Reason: To minimise the impact of the proposal on the biodiversity value of the site.

4. The floodlighting hereby permitted shall only be operational when the associated pitch is in use and shall not be in use outside the following hours 07:00 to 22:00 hours.

Reason: To safeguard the living conditions of residents in adjoining and nearby properties.

5. Within 6 months of becoming operational post-installation checks shall be carried out to ensure that the floodlights are correctly positioned and a maintenance programme shall be submitted to and approved by the Planning Authority to ensure future unacceptable lighting issues do not arise.

Reason: In the interest of residential amenity

6. The walking path and associated bollard lighting hereby permitted shall not be in use outside the following hours 07:00 to 23:00 hours.

Reason: To safeguard the living conditions of residents in adjoining and nearby properties.

7. The 2.4m high boundary fence proposed along the western boundary shall be erected as indicated on approved drawing 02 Rev 05 date stamped received 31st January 2020 either prior to the playing fields becoming operational or within three months of the date of commencement of the housing development to the immediate west of the application site whichever is the later.

Reason: In the interests of residential amenity.

Informatives

1. This approval does not dispense with the necessity of obtaining the permission of the owners of adjacent dwellings for the removal of or building on the party wall or boundary whether or not defined.
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 <http://epicpublic.planningni.gov.uk/publicaccess/>.
6. Under the terms of Schedule 6 of the Drainage (Northern Ireland) Order 1973 the applicant must submit to DfI Rivers, for its consent for any proposal to carry out works which might affect a watercourse such as culverting, bridging, diversion, building adjacent to or discharge of storm water etc. Failure to obtain such consent prior to carrying out such proposals is an offence under the aforementioned Order which may lead to prosecution or statutory action as provided for.
7. Developers should acquaint themselves of their statutory obligations in respect of watercourses as prescribed in the Drainage (Northern Ireland) Order 1973, and consult the Rivers Agency of the Department of Agriculture accordingly on any related matters.
8. Any proposals in connection with the development, either temporary or permanent which involve interference with any watercourse at the site:- such as diversion, culverting, bridging; or placing any form of structure in any watercourse, require the written consent of the Rivers Agency. Failure to obtain such consent prior to carrying out such proposals is an offence under the Drainage Order which may lead to prosecution or statutory action as provided for.

9. Any proposals in connection with the development, either temporary or permanent which involve additional discharge of storm water to any watercourse require the written consent of the Rivers Agency. Failure to obtain such consent prior to permitting such discharge is an offence under the Drainage Order which may lead to prosecution or statutory action as provided for.
10. If, during the course of developing the site, the developer uncovers a watercourse not previously evident, he should advise the local Rivers Agency office immediately in order that arrangements may be made for investigation and direction in respect of any necessary measures required to deal with the watercourse.

Site location Map



