

Derry City and Strabane District Council Planning Committee Report

COMMITTEE DATE:	17 th June 2020
APPLICATION No:	LA11/2020/0135/F
DATE OF APPLICATION:	14 th February 2020
APPLICATION TYPE:	Full Planning Application
PROPOSAL:	Provision of accessible amenity space including timber edge planter & tree, 1no. seat, litter bin, entrance sign, wishing well feature and associated landscaping
LOCATION:	Lands south east of Ballynameen Bridge, Claudy, Co. Derry
APPLICANT:	Derry City and Strabane District Council
AGENT:	GM Design Associates
ADVERTISEMENT:	5 th March 2020
STATUTORY EXPIRY:	19 th March 2020
RECOMMENDATION:	Approval
REASON FOR PRESENTATION TO COMMITTEE:	Council Application

All planning application forms, drawings, letters etc. relating to this planning application are available to view on www.planningni.gov.uk

1. Description of Proposed Development

The proposal is for the provision of accessible amenity space which will include a timber edge planter & tree, 1no. seat, a litter bin, an entrance sign, a wishing well feature and associated landscaping. The proposal will also include new small sett concrete pavers replacing the existing grass.

2. EIA Determination

This application has been screened by Council and as the development does not meet any thresholds, as set down in The Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2017, an EIA determination is not required.

3. HRA Carried Out: No

While there is a watercourse close to this site it is unlikely that there will any adverse effects from development works on integrity of any National or European site given the minor nature of the works. Some trees on this site will have the overhang removed up to 4m high, however, it is unlikely that this proposal will adversely affect a priority species or their habitat which is afforded protection.

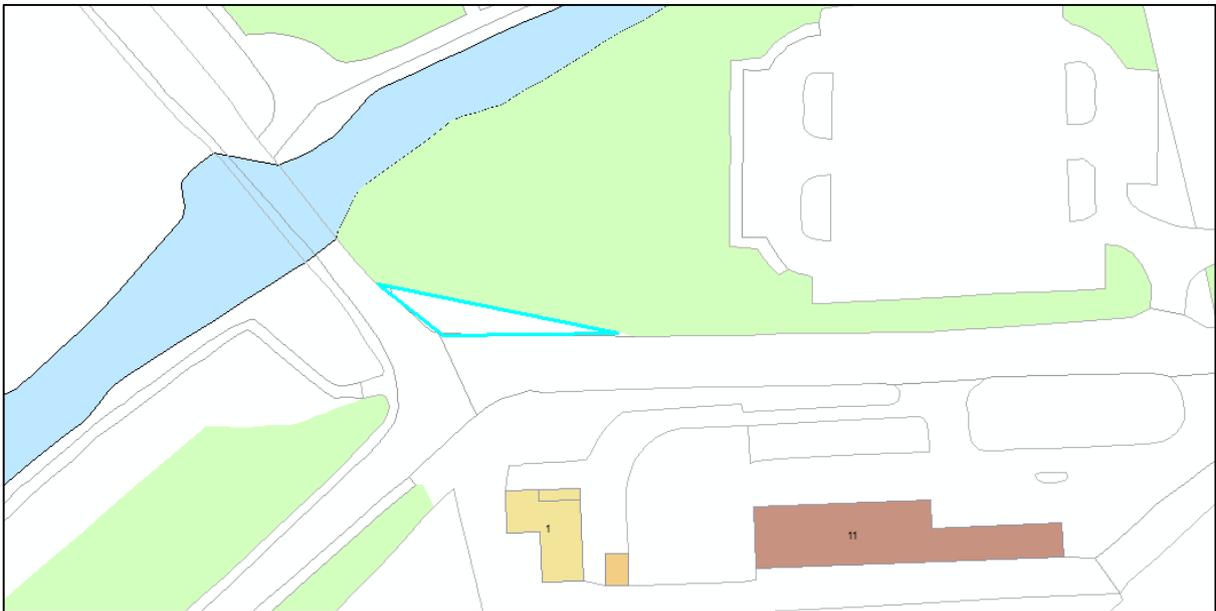
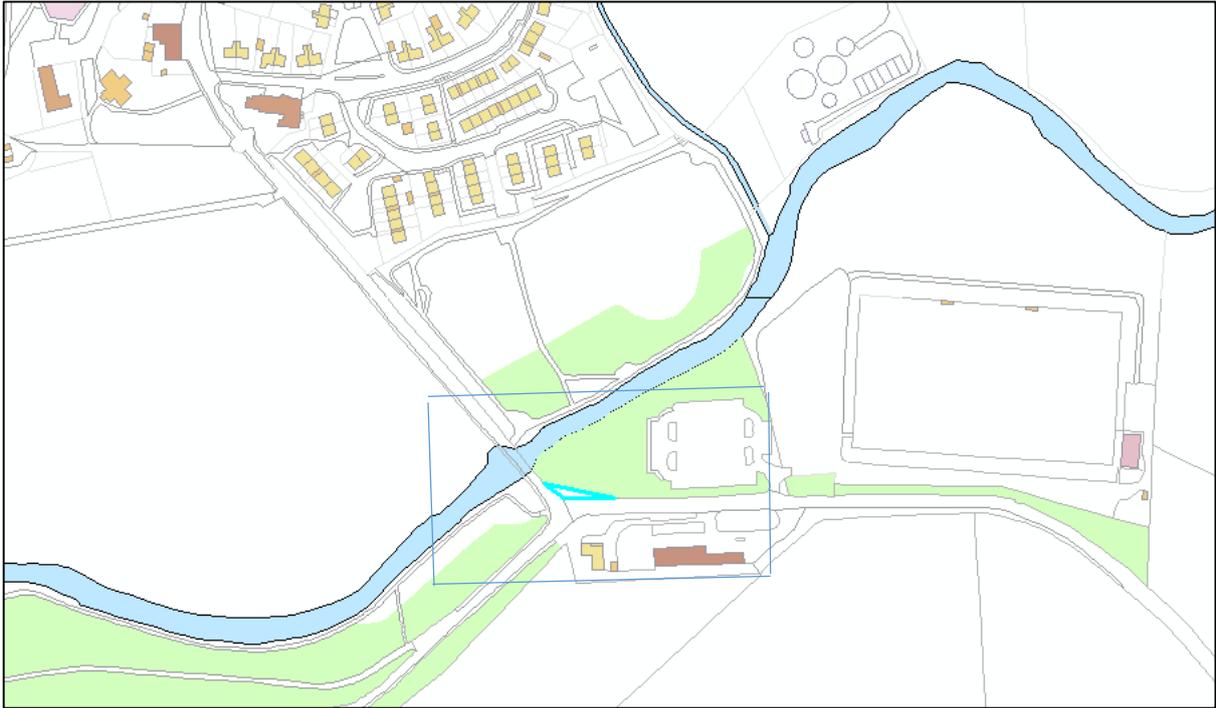
4. Site and Surrounding Area

The site is located within the rural remainder as set out in the Derry Area Plan 2011 and just outside the development limits of Claudy Village. It is also located within the Sperrin AONB, and opposite the site (to the west) is an Area of Local Nature Conservation and Amenity Importance – a wooded area which runs along the River Faughan (Cumber Woods).

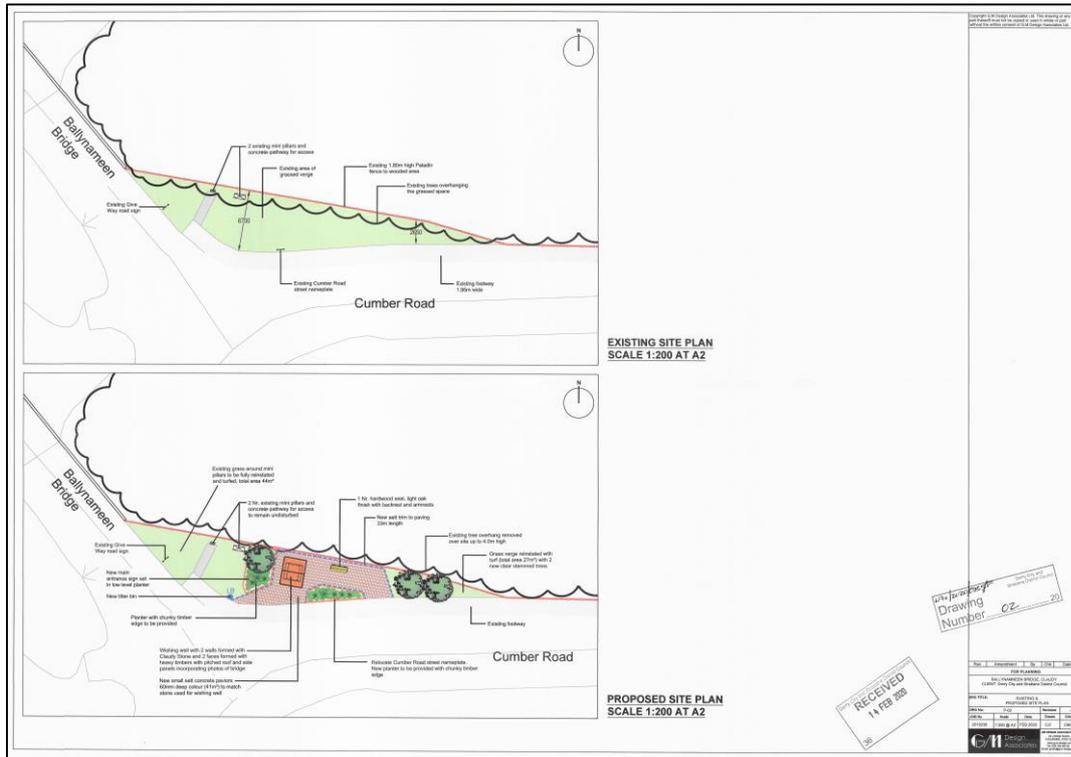
The site sits at the junction of the Cumber Road and the Ballynameen Bridge with Claudy Village to the north of the site. To the east is the Council Recycling depot and John Mitchell's GAC. To the south of the site is a dwelling.

The site is currently a triangular piece of grassed land which has a BT network cabinet and a DfI Roads sign with a footpath between the grass and the road.

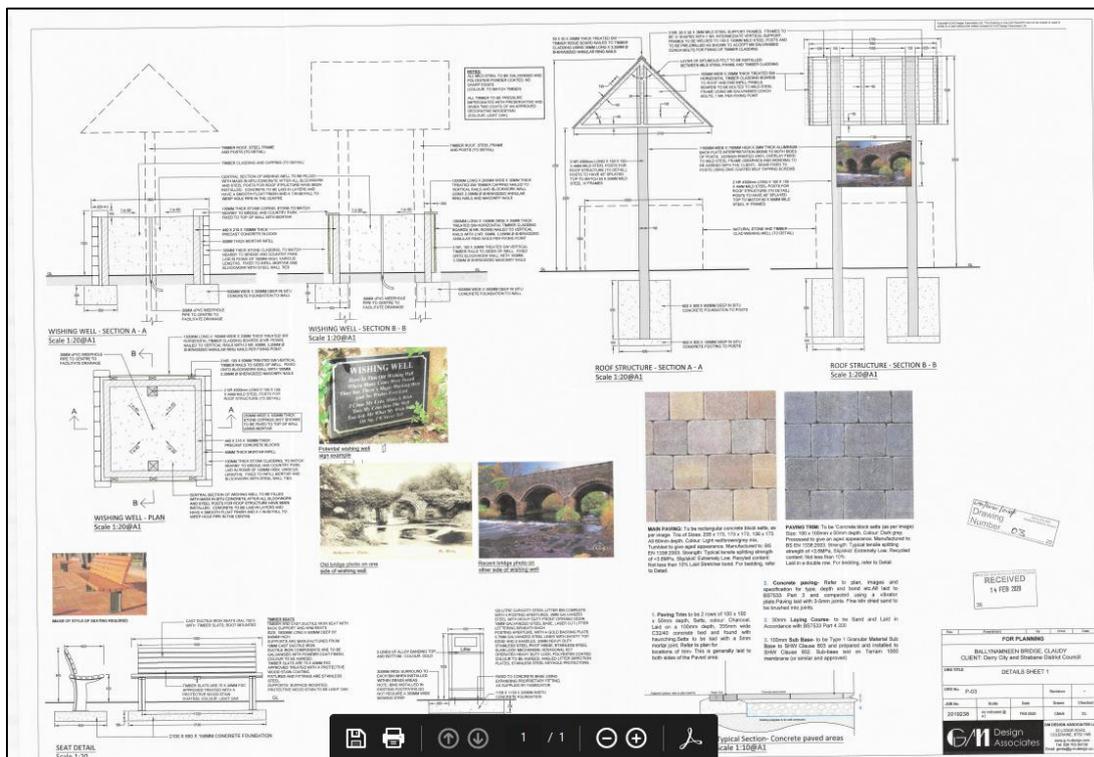
4.1. Site maps



4.2 Plans and photos



Drawing No 02: - proposed site plan



Drawing No 03: - Details Sheet 1

Drawing No 04: - Details Sheet 2

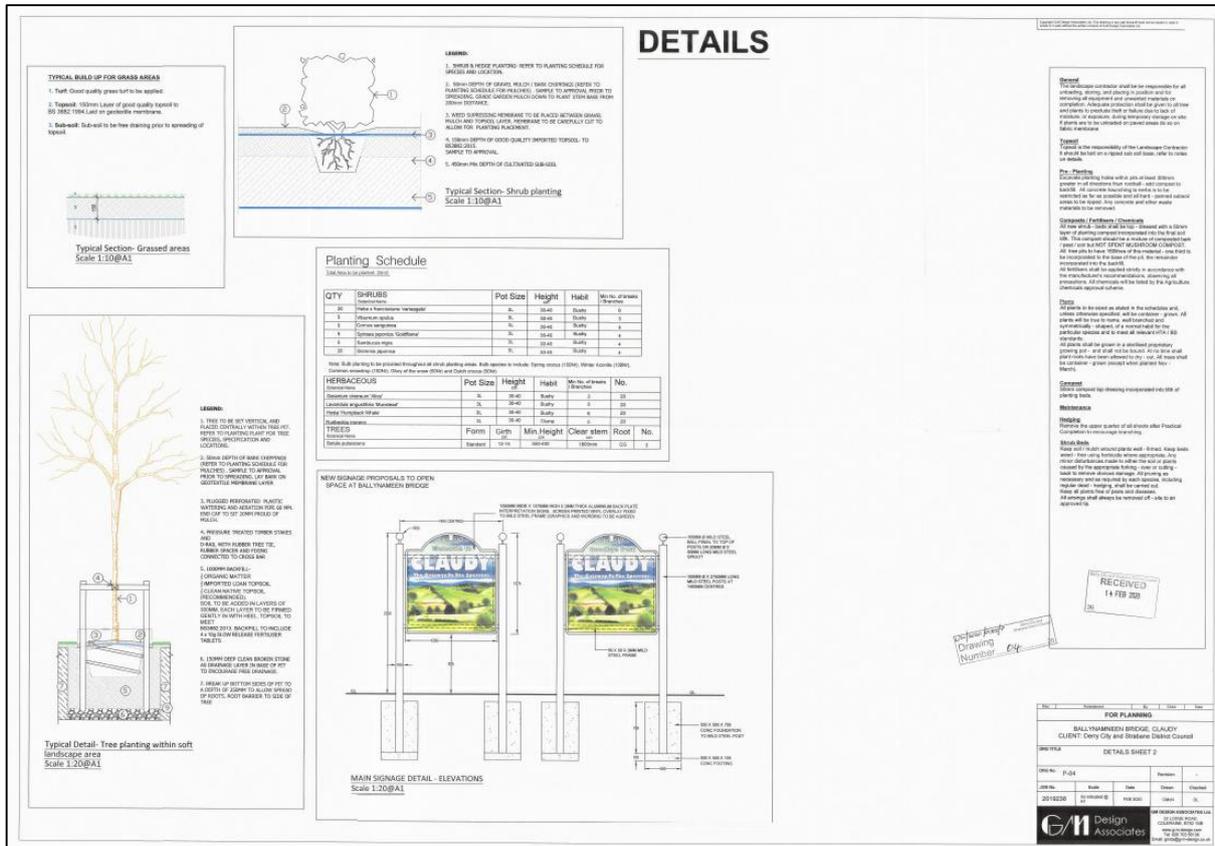


Photo 1: The site from the entrance to Cumber Woods.



Photos 2: Views of the site along the Cumber Road from the east



Photos 3: DfI Roads signage



5. Site Constraints

Loughs Agency Consultation Zone- No Issues.
Sperrin AONB

6. Neighbour Notification Report

Neighbours for LA11/2020/0135/F
As at 16/03/2020

Neighbours Notified

Neighbour Address	Date Neighbour Notified
11 Learmount Road, Park, Claudy, Londonderry, BT47 4AQ	26/02/2020
1 Learmount Road Park Claudy Londonderry BT47 4AQ	26/02/2020

7. Relevant Site History

- A/1975/0572 – Country Park – APPROVED
- A/2008/0353/F - Proposed erection of 4 no. changing rooms, shower and wc facilities, to include generator and general storage area, all within 1no single storey building – APPROVED
- A/2009/0687/F - Alterations and extension to existing changing rooms to include 2no. additional changing rooms, shower, WC facilities together with associated general store and plant room, all within single storey building – APPROVED
- A/2010/0324/F - Erection of new street cabinet to facilitate provision of new fibre optic infrastructure across the BT network. Cabinet dimensions approx 1600mm High , 1200mm Wide, 450mm Deep - APPROVED

8. Policy Framework

Derry Area Plan (2011)

Strategic Planning Policy Statements for Northern Ireland

9. Representations

No letters of objection or support received.

10. Planning Assessment, including Other Material Considerations

The application site is located just outside the development limits of Claudy Village as defined within the Derry Area Plan 2011. It is within the Sperrin AONB and is just outside an area of local nature conservation and amenity importance.

The SPPS is a material consideration and is the context by which planning applications will be assessed and determined. Para.2.3 - states that the planning system operates in the public interest of local communities. The basic question is whether the proposal would unacceptably affect amenities of owners or occupiers of neighbouring properties and the existing use of the land and buildings that ought to be protected in the public interest. Para 5.72 relates to the refusal of planning permission. Sustainable development should be permitted having regard to the local development plan and all other material considerations unless the proposal will cause demonstrable harm to interests of acknowledged importance.

The SPPS introduces transitional arrangements which will operate until the Council's Plan Strategy has been adopted. During this period planning authorities will apply the existing policy (contained in the PPS's, referred to as the retained policy) together with the SPPS. Any conflict between the SPPS and the retained policy must be resolved in favour of the SPPS. The SPPS contains a specific policy in respect of open space, sport and outdoor recreation. Where it is the case that the SPPS is silent or less prescriptive on a particular planning policy matter than retained policies this should not be judged to lessen the weight to be afforded to the retained policy.

Under 6.212 of the SPPS it states that 'The Northern Ireland countryside lends itself to accommodating a wide range of recreational activities. LDPs should contain policy for the consideration of development proposals for outdoor recreation in the countryside. In doing so councils should have regard to a range of issues including:

- visual and residential amenity;
- public safety, including road safety;
- any impact on nature conservation, landscape character, archaeology or built heritage; and
- accessibility.

This proposal is for provision of accessible amenity space including timber edge planter and tree, 1 no seat, litter bin, entrance sign, wishing well feature and associated landscaping. The site is currently a triangular piece of grassed land at the side of the road junction of the Cumber Road and the

Ballynameen Bridge at Claudy. It currently has a BT network cabinet and a DfI Roads sign. The proposal is to create an amenity space which can be used by the public. The sign will welcome people to the village and provide a seating area and photos of the Ballynameen Bridge on the sides of the wishing well all within a paved area. The wishing well is to be built with natural stone and timber while the seat will be made of timber slats and iron. The proposal will complement and enhance the existing visual amenity at this gateway location to Claudy Village, and according approval is recommended in accordance with the DAP 2011 and SPPS.

11. Conclusion and Recommendation

The proposal is visually acceptable and is the gateway into the village of Claudy. It is appropriate in design and nature given its setting close to the Cumber Woods and the Sperrin AONB. The proposal is considered to be in compliance with the relevant policy documents and therefore is recommended for approval, subject to conditions and informatives.

12. Conditions

1. As required by Section 61 of the Planning Act (Northern Ireland) 2011, the development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

REASON: Time Limit.

2. The sign hereby approved shall be erected in the position shown on the stamped approved Drawing Number 02 bearing the date stamp 14 February 2020.

REASON: In the interests of road safety and the convenience of road users.

3. A detailed programme of works and any required / associated traffic management proposals shall be submitted to and agreed by the planning authority, prior to the commencement of any element of road works.

REASON: To facilitate the convenient movement of all road users and the orderly progress of work in the interests of road safety.

4. Subject to the above condition, the development shall be carried out in accordance with the stamped approved Drawing Numbers 01, 02, 03 and 04 bearing the date stamp 14 February 2020.

REASON: To ensure the development is carried out in accordance with the approved plans.