

**Derry City and Strabane District Council Planning Committee Report**

COMMITTEE DATE: 17<sup>th</sup> June 2020

APPLICATION No: LA11/2020/0136/F

DATE OF APPLICATION: 14<sup>th</sup> February 2020

APPLICATION TYPE: Full Planning Application

PROPOSAL: Removal of existing benches, bin and bus shelter and replacement with new hardwood seat, timber planters, bin and hardwood bus shelter with built-in bench

LOCATION: Lands at the junction of Learmount Road and Altinure Road, Park, Co. Derry

APPLICANT: Derry City and Strabane District Council

AGENT: GM Design Associates

ADVERTISEMENT: 5<sup>th</sup> March 2020

STATUTORY EXPIRY: 19<sup>th</sup> 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](http://www.planningni.gov.uk)

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**1. Description of Proposed Development**

The proposal is for the removal of existing benches, bin and bus shelter and replace them with a new hardwood seat, timber planters, bin and hardwood bus shelter with built-in bench.

**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**

There is no watercourse directly abutting this site therefore, it is unlikely that there will any adverse effects from development works on integrity of any National or European site. There are no trees or landscape features on this site which will be impacted by this proposal. Therefore, it is unlikely that this proposal will adversely affect a priority species or their habitat which is afforded protection.

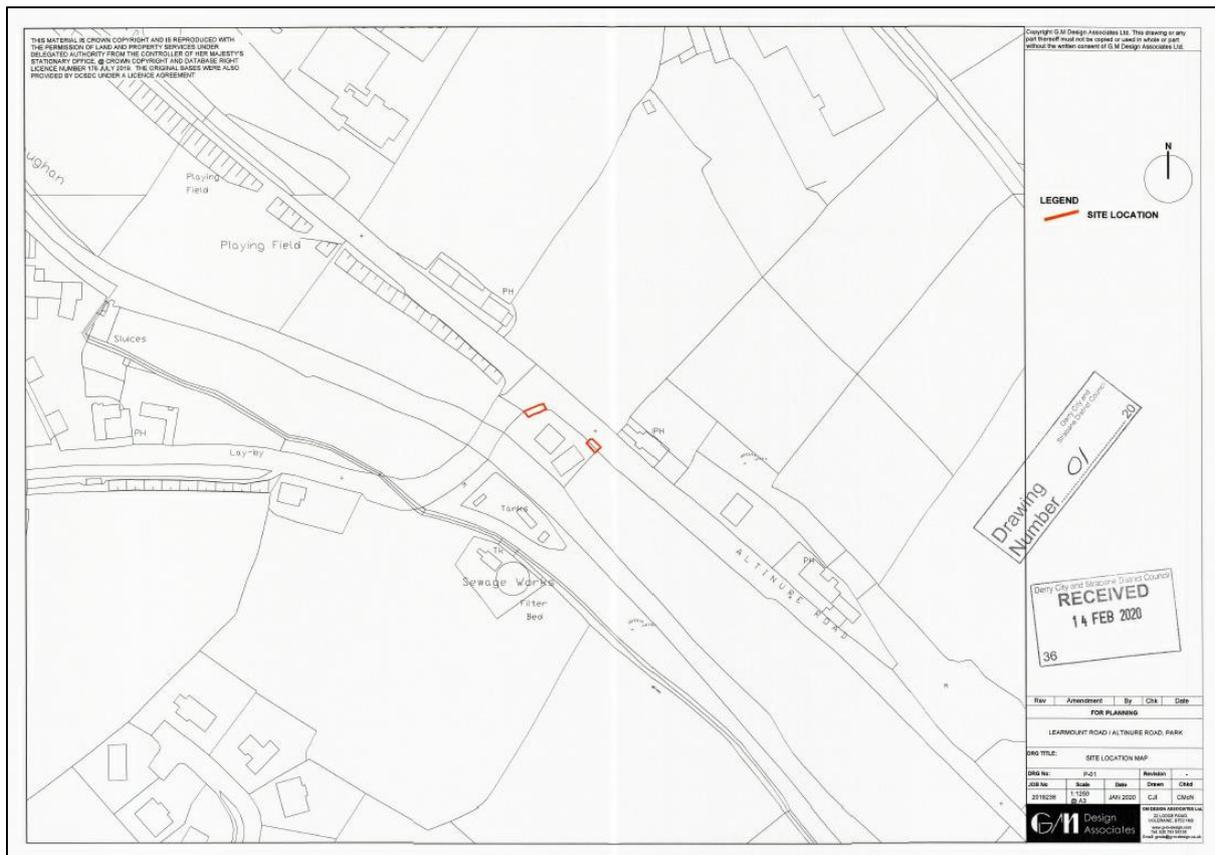
**4. Site and Surrounding Area**

The site is located within the rural remainder as set out in the Derry Area Plan 2011 and just on the boundary of the development limits of Park Village. It is also located within the Sperrin AONB, and opposite land zoned for recreation and open space use.

The site sits at the junction of the Altinure Road and the Learmount Road with Park Village to the west of the site. To the North West is an area of land zoned for recreation and open use. Between the site of the bus shelter and the seats there is a large agricultural shed.

The site is currently a piece of land which has a BT network cabinet, a bus shelter, bin and two seats on the side of the road verge.

4.1. Site map – drawing No 01



4.2 Proposed site plan and detailed sheet – drawing No 02

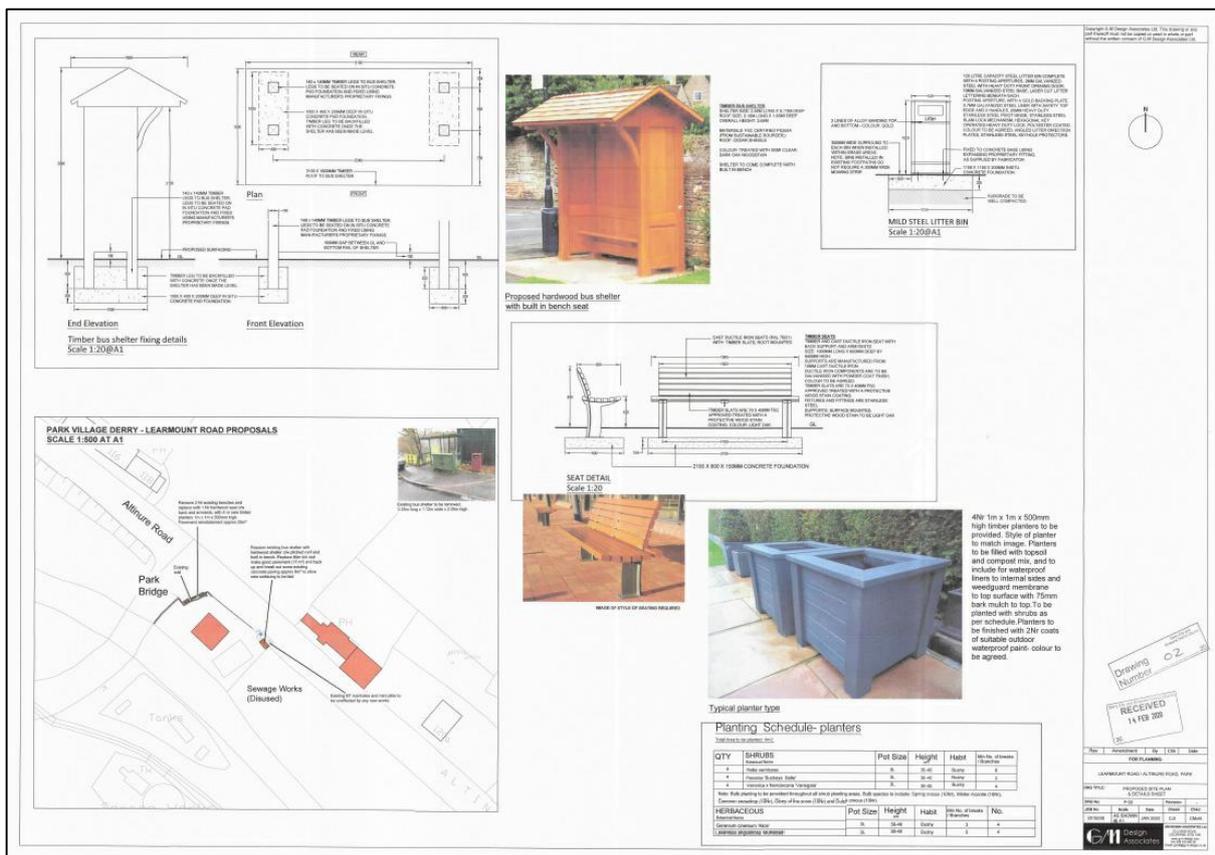


Photo 1: The site from the Altinure Road from the South East.



Photos 2: View of the site from the North West



Photo 3: The existing seating



Photo 4: The existing bus shelter



**5. Site Constraints**

Loughs Agency Consultation Zone- No Issues.

Sperrin AONB

## 6. Neighbour Notification Report

### Neighbours for LA11/2020/0136/F As at 18/03/2020

#### Neighbours Notified

Neighbour Address	Date Neighbour Notified
116 Altinure Road, Claudy, Londonderry, BT47 4DF	26/02/2020
118 Altinure Road Claudy Londonderry BT47 4DF	26/02/2020
120 Altinure Road, Claudy, Londonderry, BT47 4DF	26/02/2020
122 Altinure Road, Claudy, Londonderry, BT47 4DF	26/02/2020
1st Floor, Bridge House, 122 Altinure Road, Claudy, Londonderry, BT47 4DF	26/02/2020
B, Bridge House, 122 Altinure Road, Claudy, Londonderry, BT47 4DF	26/02/2020
Bridge End Shop, 116 Altinure Road, Claudy, Londonderry, BT47 4DF	26/02/2020
Bridge House, 122 Altinure Road, Claudy, Londonderry, BT47 4DF	26/02/2020
Ground Floor, Bridge House, 122 Altinure Road, Claudy, Londonderry, BT47 4DF	26/02/2020

9.

## 7. Relevant Site History

- A/1999/0926/F – Resurfacing of existing footpaths to shop frontages, provision of stretch of new footpath, new stone walling and piers, new block and render of piers, new village entrance signage, tree planting and street lighting. – APPROVED
- A/2004/0208/F - Construction of low stone wall to back of existing footpath, removal of overgrown shrubs & poor trees from adjacent bank & replacement of same with new shrubs & trees, replacement of 3no. existing shelters with new minor surface water centre and provision of seats to open space area – APPROVED
- A/2009/0053/F - Construction of replacement wastewater treatment works consisting of pumping station, inlet works, PSTS, RBCS, FSTS, storm tanks, sludge tanks, MCC buildings and flow splitting chambers - APPROVED
- A/2010/0326/F - Erection of new street cabinet to facilitate provision of new fibre optic infrastructure across the BT network. Cabinet dimensions 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 on the development limits of Park Village as defined within the Derry Area Plan 2011 and is within the Sperrin AONB.

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.

The site is currently comprised of a BT network cabinet, metal bus shelter and bin and 2 no. bench seats. The proposal is to create an amenity space which can be used by the public.

This proposal is for the replacement of the existing bus shelter with a new timber shelter which has three sides and a pitched roof with internal seats, there is also to be a new bin and new surfacing laid. These are to sit facing No 122 Altinure Road while at the junction of this road with the Learmount Road the existing seats are to be replaced with a new seat and 4 no timber planters.

The proposals will complement the existing streetscape in this rural village enhancing the public street furniture sensitively and satisfactorily at this gateway site in the village, in accordance with the DAP 2011 and SPPS 2015. Accordingly approval is recommended.

## **11. Conclusion and Recommendation**

The proposal is visually acceptable and is the gateway into the village of Park. It is appropriate in design and nature given its setting within 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 below.

## **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. Subject to the above condition, the development shall be carried out in accordance with the stamped approved drawings No's 01, 02, 03 and 04 received on 14<sup>th</sup> February 2020.

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