

<b>Planning Committee Report LA01/2017/0689/F</b>	<b>23<sup>rd</sup> January 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>	LA01/2017/0689/F	<b><u>Ward:</u></b>	Causeway
<b><u>App Type:</u></b>	Full		
<b><u>Address:</u></b>	39-41 Main Street and 2 Atlantic Avenue, Portrush		
<b><u>Proposal:</u></b>	Retention and Part refurbishment/restoration of the structural walls, shop fronts and roofs of both No 39 and 41 Main Street and demolition of the residual elements of the listed building within the full extent of the site at 39-41 Main Street and 2 Atlantic Avenue Portrush, so as to erect a three to five storey, 87 bedroom hotel with a restaurant, bar and all associated ancillary services		
<b><u>Con Area:</u></b>	N/A	<b><u>Valid Date:</u></b>	30.05.2017
<b><u>Listed Building Grade:</u></b>	B1		
<b><u>Agent:</u></b>	Consarc Design Group, 4 Cromac Quay, The Gas Works, Ormeau Road, Belfast, BT7 2JD		
<b><u>Applicant:</u></b>	Andras Hotels, 60 Great Victoria Street, Belfast, BT2 7BB		
<b><u>Objections:</u></b>	127	<b><u>Petitions of Objection:</u></b>	0
<b><u>Support:</u></b>	18	<b><u>Petitions of Support:</u></b>	0

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 reasons for the recommendation set out in section 9 and the policies and guidance in sections 7 and 8 and resolves to **REFUSE** planning permission for the reasons set out in section 10.

## **2 SITE LOCATION & DESCRIPTION**

- 2.1 The site is located at 39-41 Main Street and 2 Atlantic Avenue, Portrush. It is a corner site within the central area of Portrush town centre. The principal elevation faces onto Main Street, albeit the Atlantic Bar, which forms part of the buildings has its access off Atlantic Avenue. The site is surrounded predominately by commercial properties on Main Street to the north and south, residential properties to the west and a church directly opposite on Main Street.
- 2.2 The existing building is three storey with a basement and was previously used as a hotel and public house. The hotel is no longer in operation while the public house to the rear along Atlantic Avenue continues to trade, with a music venue operating on, predominately, weekends. The front of the building has an art nouveau projecting shopfront which forms part of a terrace of three similar building comprising 39, 41 and 43 Main Street. This frontage, which is onto Main Street, is more elaborate than the side elevation fronting Atlantic Avenue. The front of the building is articulated with six dormers (three on each building), decorative timber barge boards and finials with uPVC rainwater goods, rendered walls and rendered quoins to the corners. The rear of the building fronting Atlantic Avenue was built at a later point in 1914. The Atlantic Bar also has a decorative shopfront. Although the building is all interlinked internally, it is still readable as several units externally with the art Nouveau decorative ground floor shops, hotel and bar front, clearly defining the division.
- 2.3 The building was listed by the Department for Communities on 9.06.2017. The Listing includes the public house, former shop,

former hotel, mosaic paving to the entrance to the bar, mosaic paving to the entrance the former shop and mosaic paving to the entrance of the former hotel.

- 2.4 There is a mix of architectural styles found in the vicinity of the site. Attached to the north western boundary of the site is the Trocadero at no. 43 Main Street which is a B1 Listed Building and is currently occupied by a toy store. Diagonally opposite the site is the old bank building which is a B+ Listed Building and currently lies vacant. To the north east at no. 62 Main Street is the Holy Trinity church which is a B1 Listed Building.
- 2.5 The site is bound by Atlantic Road to the south and Main Street to the north east. The land to the south lay vacant as open space for some time but is now being developed to create a mixed use development with retail on the ground floor and residential use on the upper floors. The land to the north east on the opposite side of Main Street hosts a Church hall which is gable ended to the road and further back of the road is the church of the Holy Trinity. The site is bound to the west by an alleyway (Mark Street Lane) accessing the rear of both premises fronting Main street and the rear of properties on Mark Street.
- 2.6 The site is located in the urban area within the settlement limit of Portrush. The site lies within Portrush Town Centre and an Area of Archaeological Potential as designated in the Northern Area Pan 2016.

### **3.0 RELEVANT HISTORY**

C/2007/0330/F Erection of 92 bedroom hotel with ancillary areas at Londonderry Hotel, including redevelopment of existing adjacent public house (at junction with No. 2 Atlantic Avenue) in order to also provide new public house/lounge bar. Approved 12.06.2008

C/2000/0532/F Proposed 62 No bedroom hotel with ancillary areas and redevelopment of existing public bar adjacent at Londonderry Hotel in order to provide new public house/lounge bar Approved 18.01.2001

LA01/2017/0422/PAD Construction of a 100 Bed Hotel with ancillary accommodation on existing Londonderry Hotel site. The proposed building footprint fills the site and will replace the existing building within the current footprint. The proposed hotel will include ground plus four upper stories. PAD Concluded

LA01/2018/0446/LBC: Retention and part refurbishment/restoration of the structural walls, shop fronts and roofs of both No. 39 and 41 Main Street and demolition of the residual elements of the listed building within the full extent of the site at 39-41 Main Street and 2 Atlantic Avenue, Portrush, so as to erect a three to five storey, 87 bedroom hotel with a restaurant, a bar and all associated ancillary services. Under Consideration.

LA01/2018/1241/LBC Refurbishment, restoration, alteration and small rear ground floor extension to the Grade B+ listed former bank building to facilitate a change of use to an aparthotel type development with 6 serviced apartments, a ground floor café bar and all associated ancillary facilities. Under Consideration.

LA01/2018/1247/F Refurbishment, restoration, alteration and small rear ground floor extension to the Grade B+ listed former bank building to facilitate a change of use to an aparthotel type development with 6 serviced apartments, a ground floor café bar and all associated ancillary facilities. Under Consideration.

## **4.0 THE APPLICATION**

- 4.1 Planning permission is sought to retain and partly refurbish/restore the structural walls, shop fronts and roofs of both 39 and 41 Main Street while seeking consent to demolish the rear of the Listed Building in order to create a three to five storey hotel providing 87 bedrooms with a restaurant, a bar and ancillary services.
- 4.2 The proposal has been changed as a result of the existing building becoming listed during the processing of the application which has resulted in a further 6 options being explored. Option F is the preferred Option, which is described in Paragraph 4.1. Option A was the original submission and is now no longer being pursued.

- 4.3 Option B involved full retention of the existing building which would provide 27 hotel rooms. It would require significant reorganising of the internal layout to provide a fit for purpose hotel with considerable costs to make it comply with current DAA regulations and building regulations. This option was not considered commercially viable by the applicant due to the low profit generated compared with the project costs.
- 4.4 Option C considered an alternative use, which would retain the existing building in order to create a mixed use development with café/retail on the ground floor and 11 apartments in the upper floors. This option was not taken forward as it was not considered commercially viable. The applicant makes the point that while both these retention options were considered, neither would have necessarily have complied with policy BH 8 due to the comprehensive internal alterations required to make it fit for purpose.
- 4.5 Option D sought to retain only the ground floor shop fronts and replace the remainder of the building with a new build hotel. This option was not considered further by the applicant as officials and HED did not consider it to be sympathetic to the adjacent Listed Building.
- 4.6 Option E sought to retain the front of the building, having particular regard to the shop frontages and the group relationship with the adjacent listed building (no. 43 Main Street). However it would remove the upper floor of no. 41 Main Street and introduce three additional storeys above the existing shop front. This option was not taken forward as officials and HED did not consider it to be sympathetic to the existing and adjacent Listed Building.
- 4.7 Option F, the subject proposal of this report, is the applicant's preferred option. It proposes the retention and part refurbishment/restoration to the structural walls, shop fronts and roofs of both no. 39 and 41 Main Street and demolition of the building to the rear along Atlantic Avenue in order to erect a three to five storey hotel.
- 4.8 Officials provided comment on this proposal informally prior to formal submission and indicated there was concern about the

relationship between the old and the new, and the impact of the proposed new element on the historic character of the Listed Building. The applicant then explored a final option, (G), which would set back the proposed new four storey element further away from the retained three storey Listed Building. The applicant has considered this option and has shown indicative plans in the Design and Access Statement. The applicant advised that in order to facilitate the stepped reduction in the massing, it would be necessary to re-locate the lifts (vertical circulation core) to the centre of the building which in according to the applicant would severally compromise the accessibility and functionality of the hotel. The proposed floor plan would locate the reception to the front of the building. However if the new element was to be set further back, the applicant advised the lifts would need to be set back, further from the reception area, which compromises visitor experience as guest would need to take bags and luggage through the restaurant to access the lifts. The relocation of the lift further to the back of the building would necessitate the creation of an additional lift in the front retained element of the Listed Building to comply with accessibility and fire regulations. By reason of the space needed to serve the lift, the applicant argues it would compromise the experience of the listed building and would limit any potential for the listed building to be animated from the street scene.

4.9 Furthermore, it would reduce the number of bedrooms which would be provided to 74. The sketches provided show the building further set back from the listed building and in the opinion of the applicant, would result in an incongruous external appearance as it would lose the vertical bay division provided in option F. The Viability Assessment reports that the project cost compared to a valuation of the building, leaves a shortfall and even after the used of grant funding would still leave a substantial shortfall, particular in comparison to the preferred option, and the applicant considered this is not viable.

4.10A PAD was submitted prior to the submission of the original scheme which also included complete demolition with a new hotel replacing all the original buildings. However, the buildings have since become listed and complete demolition is no longer realistic.

4.11 Once a building becomes listed, consent is required for its demolition and for any works of alteration or extension in any manner which would affect its character as a building of special architectural or historic interest. The applicant has applied for Listed Building Consent which is also under consideration (LA01/2018/0446/LBC).

### **Habitat Regulations Assessment**

4.12 The application was considered in light of the assessment requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) by Shared Environmental Service on behalf of Causeway Coast and Glens Borough Planning Authority.

4.13 The potential impact of 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). Shared Environmental Services was consulted via email and are content that the proposed development would not be likely to have a significant effect on the features, conservation objectives or status of any of these sites. Having considered the nature, scale, timing, duration and location of the project, in consultation with Shared Environmental Services, the proposal will not have an adverse effect on the site integrity of the Skerries and Causeway SAC.

## **5.0 PUBLICITY & CONSULTATIONS**

### **5.1 External**

**Neighbours:** There have been 127 letters of objection and 18 letters of support.

### **5.2 OBJECTIONS**

The objections raised matters of concern in relation to:

### Appearance

- Height of proposal would be out of place with other buildings on the street.
- The scale is inappropriate for the site.
- The scale, massing and elevational treatment and roof profile of the proposal bears no relation to the adjacent and surround buildings and streetscape nor the townscape character of Portrush
- A 5 storey development is out of scale in relation to the 2 storey residential properties on Atlantic Avenue and the 2 storey residential properties and garages on the junction of Atlantic Avenue/Mark Street Lane.

### Historic Buildings

- It is out of scale and overbearing towards the adjoining 2.5 storey Listed Building of the Whitehouse department store, the Listed Buildings of Holy Trinity Parish Church & hall and Northern Bank building

### Parking

- No provision of parking for guest or staff.
- There is no space for an additional 130 car parking spaces.
- The Car Parking Statement submitted alongside the application highlights that 151no. Parking spaces would be the maximum requirement for hotel development of this size when fully occupied. The proposal has not demonstrated how it will promote the use of alternative modes of transport beyond the private car and also makes reference to the use of on-street parking on Kerr Street, Mark Street and Main Street which already operate at capacity during peak times of the year, when the hotel is likely to be fully occupied.
- There is no vehicular access, accessible parking and/or drop-off, general drop-off or goods delivery within the curtilage of the application site. The current proposals do not address where hotel guests arriving by taxi etc. will be dropped off without impeding the flow of traffic on Main Street or blocking traffic completely on Atlantic Avenue. The current proposal allows for deliveries to be made via a door opening onto Mark Street Lane. Mark Street Lane is not a public highway and current owners/occupiers of properties on Mark Street and Main Street have a right of way along it to access their properties, garages, car parking etc. The proposed



application outlines that the average number of goods vehicles attending the premises will increase from 1no. to 5no. per day. As Mark Street Lane is a narrow, single lane carriageway deliveries will not be possible without blocking access to the lane completely. There is also an issue with the size of goods vehicle capable of making the reversing turn from Atlantic Avenue onto Mark Street Lane.

- Atlantic Avenue is also a main pedestrian thoroughfare from the East Strand and Town Centre to Kerr Street and West Strand pedestrian movement and safety also needs to be addressed. The current application fails to address any of these issues.

### Amenity

- Goods in and bin stores would be on Mark Street Lane which is narrow and continuously in use giving access to apartments and businesses. Deliveries would block access. Could cause noise nuisance.
- Will overlook properties on Mark Street and result in a loss of privacy
- Increased noise and odour from deliveries, restaurant/bar and ancillary services.
- Will restrict access to private garages and gardens on St Marks Lane

### Other

- The existing building should be retained and utilised
- The proposed new jobs would not outweigh the number of jobs lost at the current premises: bar staff, door staff, management staff, DJ's, musicians etc.
- There are other sites more suitable for building a hotel. It would be better to utilise a derelict site.
- A hotel or restaurant of a smaller scale would be better on this site.

### Arguments as to why Atlantic Bar should be retained

- The building should not be lost to accommodate a one off event.
- It has been a place of community spirit.
- A long established and treasured music venue
- A reputable place for young rising music to play gigs
- One of the only music venues in the area

- Detrimental impact on cultural heritage
- Popular venue for locals and tourists
- Unique in character and status within the town.
- We should be promoting and encouraging the arts and small businesses in the town and investing in the community
- There is no demand for this hotel.
- Council should consider long term future of the Portrush community, instead of accepting all tourism development.
- Its status as a non-sectarian live band venue during The Troubles, with a significantly international clientele, gives it a degree of cultural status, not to mention the predominantly local spirit in its shows.
- It is a landmark building with historical value
- There is a greater need for a music venue than a hotel.
- It provides live entertainment for tourists. There is nowhere else for tourists to see local talent.
- Its loss would force creative people to move to Belfast in order to develop.
- It is a unique venue which welcomes all members of the community as it promotes equality and diversity. It is paramount to the social cohesion of Portrush.
- It should be restored to its former glory.
- The existing business is successful and an asset in the town.
- The Hotel frontage and Atlantic side bar Windows have character and I thought was actually listed. Portrush is losing so much of its character with new builds, to lose more will be to the detriment of the town.
- If the Council wish for an update then give it some funding, invest in the local businesses that we have and love and don't waste your time trying/hoping that your next bar venture might work. Look at the Playhouse.
- The Atlantic Bar/Dockers represents one of the few original music venues and supporters on the north coast, eliminating it will eliminate yet another element of true culture from the area, further homogenising it.

## **SUPPORT**

5.3 The representations made in support of the application have raised the following matters:

- Applicant is well respected and has a proven track record/history of delivering hotel development

- Providing additional bedroom accommodation
- High quality design, sensitive to context and Portrush, reduced/revised scheme retains character/important components, existing Main Street frontage remains (retains 39/41 Main Street)
- Reflects history of Portrush
- Appeals to tourists/increase tourists
- Not branded hotel but boutique
- Job creation, economic opportunities and supports existing businesses
- Helps regeneration, further economic growth and investment, and economic driver
- £7 million investment and increase tourist spending by £1.4/1.5 million
- Supports the Government Investment in Portrush
- TSM 3 seeks to resist change of use from hotels to non-tourism use
- Will cater for the coach tour market which is an untapped market.

#### 5.4 Internal

**Historic Environment Division:** *Historic Buildings* OBJECTS to the proposal.

**Historic Environment Division:** *Historic Monuments* No objection to the proposal

**Environmental Health:** No objection to the proposal

**DFI Roads:** No objection to the proposal

**NI Water:** No objection to the proposal

**SES:** No objection to the proposal

**Rivers Agency:** No objection to the proposal

## 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 development 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 3 (PPS 3): Access Movement and Parking

Planning Policy Statement 6 (PPS 6): Planning, Archaeology and the Built Heritage

Planning Policy Statement 16: Tourism

**Supplementary Planning Guidance**

Parking Standards

DCAN 15: Vehicular Access Standards

In addition to the policies and guidance highlighted above, there is further information and drawings available on the Planning Portal. All information, including email/telephone correspondence and photographs, are available on the main file.

## **8.0 CONSIDERATIONS & ASSESSMENT**

- 8.1 The main considerations in the determination of this application relate to: the principle of the development, demolition of a Listed Building, the impact on the setting of the Listed Building; extension and alteration to a listed building; the economic assessment; criteria for tourism development; archaeology; traffic matters; and other matters.

### **Planning Policy**

- 8.2 The principle of the type and scale of development proposed must be considered having regard to the Regional Development Strategy, NAP 2016, SPPS and Planning Policy Statements specified above.

### **Regional Development Strategy (RDS)**

- 8.3 The RDS recognises that there is a need to encourage environmentally sustainable tourism development and that the development of tourism infrastructure needs to be appropriate to the location to ensure that the natural assets are protected and enhanced.

### **Northern Area Plan**

- 8.4 The site is located on the Portrush Peninsula. In the Northern Area Plan 2016 the site is located within the settlement development limit for Portrush and is located within the Town Centre Designation PHT 01. The building is Listed, and is located within an Area of Archaeological Potential. It is also in proximity to three further Listed Buildings.
- 8.5 One of the objectives of NAP is to facilitate economic development and the creation and maintenance of employment along with promoting the vitality and viability of town centres. In terms of hotel accommodation in Portrush, NAP recognised the

investment in refurbished and expanded hotel. It seeks to protect the remaining stock of hotels and guesthouses to ensure the town retains a range of tourist serviced accommodation.

## **SPPS**

- 8.6 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.
- 8.7 The site is within the town centre of Portrush. The SPPS encourages new appropriate commercial developments to be located within the town centre. This proposal would bring a building back into use a building which has been underutilised and in a poor state of repair for some time.

## **Principle of Development**

- 8.8 In considering the principle of developing this building and site, it is important to recognise that the building, in its entirety, is a listed building. The principle of demolishing a/part of a listed building is set out in Paras 8.15 – 8.26.
- 8.9 The policy context for assessing proposals for developing tourist uses is set out in Regional Policy Planning Policy Statement 16: Tourism. The primary policy is TSM1 which relates to tourism development in settlements.
- 8.10 TSM1 states that *“Planning permission will be granted for a proposal for tourism development (including a tourist amenity or tourist accommodation) within a settlement; provided it is of a nature appropriate to the settlement, respects the site context in terms of scale, size and design, and has regard to the specified provisions of a development plan.”*
- 8.11 Therefore policy supports tourist accommodation in settlements subject to the appropriateness of the proposal within its context while having regard to the development plan. There is no direct conflict with any Northern Area Plan policy or designation designated through the local plan process, and is therefore unlikely to undermine any specified provision of NAP 2016.

8.12 Turning to Paragraph 7.4 of the supporting text of TSM 1, it states that:

*“...While the policy will provide for tourism development within settlements, account will be taken of the nature, size, scale and design of the development and its impact on the appearance and character of the surrounding area and neighbouring residential amenity. These considerations and the need for high quality design in particular, will be afforded substantial weight within Conservation Areas and Areas of Townscape Character.”*

8.13 As this proposal involves the partial demolition of a listed building and redevelopment, the scale, size and design of the proposal needs to be high quality and must be considered against its impact on the listed building which is the immediate appearance and character, and must also take account of the neighbouring residential amenity.

8.14 Therefore the consideration of partially demolishing the listed building and the proposals impact on this is fully assessed under Paragraphs 8.15 - 8.37, and forms the main consideration on assessing if the principle of development, in this case, is acceptable.

### **Demolition of Listed Building**

8.15 This proposal was originally submitted in May 2017 and the proposal involved the complete demolition of the existing building to deliver a hotel providing 103 bedrooms over five storeys. However in June 2017, subsequent to the submission of the planning application, the building became a Listed Building.

8.16 Following the listing of the building by the Department for Communities 09.06.2017 the original scheme (now Option A) was no longer considered feasible. As such, the applicant further engaged the services of conservation experts, and have since submitted various submissions with HED and Council officials to consider alternative design options.

8.17 The applicant considered six design options (Options B – G) as a result of the building becoming listed during the processing of the originally submitted scheme. These options are considered and discussed in the applicant’s Planning Statement, Economic

Impact Statement, and Viability Assessment for proposed development options, the revised design and access statement and a Heritage Impact Statement. The applicant commissioned a condition survey of the existing building in June 2017 to inform an appraisal of the character and significance of the buildings, including identification of the extent of its original material, its condition and its potential for conservation and reuse. It has also informed the viability assessment for each option. A summary of each option is set out above in paragraphs 4.2- 4.9.

8.18 Policy BH 10 of PPS 6 relates to Demolition of a Listed Building. The policy requirements are similarly reflected within the SPPS. Policy BH10 states that:

*“There will be a presumption in favour of retaining listed buildings. The Department will not permit the demolition of a listed building unless there are exceptional reasons why the building cannot be retained in its original or a reasonably modified form. Where, exceptionally, listed building consent is granted for demolition this will normally be conditional on prior agreement for the redevelopment of the site and appropriate arrangements for recording the building before its demolition.”*

8.19 There are two key considerations in assessing this proposal. The first is whether the principle of demolishing any of the listed building is acceptable; and secondly if partial demolition is acceptable, is the proposed redevelopment going to have any adverse impact on the remaining on building or is it considered acceptable.

8.20 The Historic Environment Division in DfC is the competent authority on listed buildings and has been consulted at relevant stages throughout the processing of the application. A meeting was also held on 12<sup>th</sup> September 2018 with the applicant and their agent, with HED in attendance.

8.21 Where a proposal would result in the demolition of a significant part of a listed building, paragraph 6.25 of Policy BH 10 requires consideration of the following factors:

(a) the condition of the building, the cost of repairing and maintaining it in relation to its importance and to the value derived from its continued use.



(b) the adequacy of efforts made to retain the building in use. The Council must be satisfied that genuine efforts have been made without success to continue the present use or to find compatible alternative uses for the building.

(c) the merits of alternative proposals for the site. Whilst these are a material consideration, the Council's view is that subjective claims for the architectural merits of proposed replacement buildings will not in themselves be held to justify the demolition of any listed building.

8.22 The proposals seek to demolish the listed terrace, No.2 Atlantic Avenue and the buildings along Mark Street Lane (as identified within the application site). The historic fabric to be retained, as noted on the accompanying drawings, is limited to the front and side facades, the main internal cross wall and nib returns to the rear walls of Nos 39-41 Main Street; the external shell of the building. Para 6.15 of the SPPS requires that ...'demolition of a listed building or any significant part of it must not be permitted unless there are exceptional reasons why it cannot be retained in its original or reasonably modified form.' This aligns with the policy requirements of BH10 of PPS6. This policy also sets out in para 6.4 ... 'consent will not be given simply because redevelopment is economically more attractive to the developer rather than repair and reuse of the building, or because the developer acquired the building at a price that reflected the potential for redevelopment rather than the condition and constraints of the building'.

8.23 HED raises concerns with the proposal, as the proposed demolition involves the removal of over two thirds of the listed building. If permitted, the works will result in the loss of the historical understanding of the development of the site and facilitate the further erosion of the remaining historic streetscape character within the heart of Portrush town centre. The loss of the Atlantic Bar shop front in particular, will also considerably compromise the essential character of the listed grouping and the historic context in which the surrounding listed buildings are understood, appreciated and experienced. It should be noted that in a comment prepared in response to the HED submissions of 29<sup>th</sup> June and 20<sup>th</sup> July 2018 by the agent, that the applicant is committed to relocating the entirety of the Atlantic Bar shopfront as a feature within a publicly accessible area of the new wing at

ground level. The agent has stated that they are willing to accept this as a condition of any planning permission granted.

8.24 In considering the assessment of Paragraph 6.25, point 1 looks at the costs involved. A Viability Assessment of the proposed development options has been submitted, along with an Economic Impact Statement. Further consideration of these matters is set out in Paragraphs 8.38 – 8.44. Having regard to these matters, including the consultation responses from HED, it is considered that the economic arguments made are not significant enough to set aside policy to allow the current proposed redevelopment, when assessing the loss of part of the listed building, the impact of the new works on the remaining parts of the buildings and the listed buildings in the immediate area. It is considered, on balance, that the proposal does not meet this factor.

8.25 The next 2 factors, (b) & (c) set out in Paragraph 8.21, relate to alternative uses/alternative proposals. The applicant has explored a number of options regarding to a hotel development/ tourist accommodation. An apartment scheme of 11 apartments has also been considered. This is a town centre site and no further alternatives have been considered. Of the 7 options explored, 4 have been fully costed within a Viability Assessment, with the other 3 being discounted as they fail to generate the profit or valuations required to make any investment realistic. Factor B also sets out that in exploring alternatives, the offer of the unrestricted freehold of the building on the open market at a realistic price reflecting the building's condition is explored. No evidence has been presented in this regard and therefore this part of BH10 has not been satisfied.

8.26 Notwithstanding this, and taking advice from the competent authority on matters relating to Listed Buildings, the proposal fails to satisfy the policy requirements of Para 6.15 of the SPPS and Policy BH10 of PPS6, in that exceptional reasons to justify the partial demolition of the building have not been sufficiently provided, and there is no persuasive evidence why the proposed redevelopment, in the modified form, is reason to set aside this policy. It is considered, on balance, that the proposal fails to meet this policy requirement.

## Impact on the character and setting of a Listed Building

8.27 Policy BH11 of PPS 6 relates to development affecting the setting of a listed building. Policy states that:

*“The Department will not normally permit development which would adversely affect the setting of a listed building. Development proposals will normally only be considered appropriate where all the following criteria are met:*

- *the detailed design respects the listed building in terms of scale, height, massing and alignment;*
- *the works proposed make use of traditional or sympathetic building materials and techniques which respect those found on the building; and*
- *the nature of the use proposed respects the character of the setting of the building.”*

8.28 The term ‘setting’ is explained in HED Guidance on Setting and the Historic Environment para 2.1,p.7. in that it applies to ‘the physical space that is part of – and contributes to – the significance and distinctive character of a heritage asset, and through which the asset may be seen, experienced, understood and enjoyed.’

8.29 Not only is the development proposed on the site of a listed building, but furthermore there are listed buildings in the immediate context, and the proposal will requires assessment against their settings. These are:

- HB03/10/018B Trocadero, No. 43 Main Street, Portrush Grade B1
- HB03/10/021 Northern Bank, No. 60 Main Street, Portrush Grade B+
- HB03/10/017A Holy Trinity Parish Church, No.62 Main Street, Portrush Grade B1 HB03/10/017B

- Holy Trinity Parish Church Hall, Main Street, Portrush  
Grade B2

8.30 HED has raised concerns with the proposal's impact on the listed building (Londonderry Hotel), in that, the proposal would significantly detract from the essential character of the listed building in terms of :

1. The required demolition as set out in the paragraphs 8.15-8.26 above.
2. The scale, height, massing, form and detailed design of the extension reads as an incongruous extension which would if permitted become a competing focus to the listed building. The proposed development fails to respect the essential character of the listed building in that:
  - The height of the extension dominates and overshadows the scale of the listed building.
  - The extension does not maintain, even in part, the existing ridge height of the existing terrace building along Atlantic Avenue, and fails to provide a sympathetic gradual step up along the incline of the road.
  - The mansard roof profile is at odds with the traditional gable pitched roofs which are synonymous with the historic character of Main Street.
  - The works proposed do not make use of traditional or sympathetic building techniques which respect those found on the listed building.

8.31 Having regard to the bullet points set out in Paragraph 8.30, the proposal will detract from the setting of the surrounding listed buildings. Council officials are in agreement with the above assessments in that the development proposals would, if permitted, significantly detract from the character and the setting of the listed buildings. Therefore it is considered that the proposal does not comply with the policy requirements of BH 11.

## **Alterations and extensions to the Listed Building**

8.32 Policy BH 08 sets out the policy context for assessing alterations and extensions to listed buildings. Paragraphs 6.12 and 6.13 are the relevant sections of the SPPS. BH 08 states that:

*“The Department will normally only grant consent to proposals for the extension or alteration of a listed building where all the following criteria are met:*

*the essential character of the building and its setting are retained and its features of special interest remain intact and unimpaired;*

*the works proposed make use of traditional and/or sympathetic building materials and techniques which match or are in keeping with those found on the building; and*

*the architectural details (e.g. doors, gutters, windows) match or are in keeping with the building.”*

8.33 The proposed drawings accompanying the application however fail to provide adequate reassurances that the existing historic structure and remaining detailing will be retained, repaired or reinstated.

8.34 Drawing No.14 Existing Elevations Restoration Work, notes the repair and reinstatement works to the historic shop fronts, windows, doors, rainwater goods, render and barge boards/finials. HED supports this aspect of the proposal and welcomes the opportunity to reinstate the historical detailing either lost or in poor repair. Reinstatement of the detailed iron railings to the balconies is encouraged.

8.35 The proposed demolition plans indicate the entire removal of the 1st and 2nd floors, including internal walls, doors, ceilings, cornices and beams. Details of works to the roof have not been included. Upon review of the Structural inspection report dated 9th October 2017, however, it is noted that the plans included in Appendix D, conclude that the first and second floors can be ‘repaired and supplemented, subject to a detailed survey.’ The extent of the proposed removal of historic fabric required by this application therefore appears excessive and fails to demonstrate a conservation led approach. This change would significantly

compromise the essential character of the listed building and its setting, and result in the loss of features of special interest. Proposals for the reinstatement works to the interior of the listed building have not accompanied the application. HED, as the competent authority, has therefore not provided comment on this aspect of the application.

8.36 Having regard to the comments from HED, it is considered the proposed development fails to satisfy the policy requirements of Policy BH8 of PPS6.

8.37 Taking account of the assessment set out in Paragraphs 8.15 – 8.36, it is considered, on balance, the proposal fails to meet the policy requirements of Policies BH8, BH 10 & BH11 of PPS 6. As the proposal is contrary to these policies and fails to respect the site's context in terms of scale, size and design, the proposal is also contrary to policy TSM 1 of PPS16, and the principle of the development, as proposed, is unacceptable.

### **Economic Assessment**

8.38 The SPSS has five core planning principles which are set out in para 4.1. One is to 'improve health and well-being' and another is to 'support sustainable economic growth'. The SPSS requires Planning Authorities to support provision of jobs, services and economic growth to contribute positively to health and well-being. This is a need to take a positive approach to appropriate economic development proposals and proactively support and enable growth generating activities.

8.39 The application is supported by an Economic Impact Statement which sets out the expected economic impacts generated by the construction and operation of the proposed development both locally and regionally, and the costing for 4 alternative options in the Viability Assessment. The Viability Assessment has been published in redacted format, due to commercial sensitivities, and is available on both the file and the Portal. A copy of the Viability Assessment in an un-redacted format can be made available to Committee Members, on request, due to the private and confidential nature of this document.

8.40 The Economic Impact Statement concludes with the following statistics in relation to economic benefits:

- Investment of £6.56m in construction of the proposal
- 32 Full time temporary jobs created during estimated 18 month construction period.
- Creation of 31 additional full time employment opportunities, inclusive of 30 for residents of Causeway Coast and Glens
- Circa £1.4m in visitor expenditure annually generation through the accommodation of additional trips.
- Payment of £65,000 in business rates each year.

8.41 It is self-evident that the size and scale of any development will have an impact on the level of investment, but any construction jobs are short term. A smaller hotel would also create employment opportunities and rates will also be applicable depending on the use and size of any building. These considerations that do not carry significant weight, and would not be persuasive enough to allow the partial demolition and redevelopment as proposed on this site, contrary to policy.

8.42 There has also been a Viability Assessment looking at the costs associated with 4 potential options. While there is no reason to doubt these figures at face value, there appears to be an anomaly when it comes to the valuation figures of Options 1 & 2. Option 1 is the applicant's preferred option, and when fully costed and having regard to a future valuation figure, comes out at the most financially attractive option. However when assessed against Option 2 in the paper (which was feasibility option (G)), the valuation of Option 1 comes in at approx. 36% higher than Option 2, despite option 2 only having 13 less bedrooms which equates to @11% less bedroom accommodation.

8.43 The difference in the financial viability of the 2 options is largely dependent on this future valuation figure. There is a lack of evidence to support and substantiate these valuation figures, the weight attributed to these figures is not so significant as to allow the proposed demolition and redevelopment at the expense of built heritage and the listed building.

8.44 Therefore, having regard to the economic considerations, it is considered that these are not so significant, when balanced against other alternative uses and options, to carry determining weight on this occasion.

## Criteria for Tourism Development

8.45 Policy TSM7: Criteria for Tourism development set out a design criteria and general criteria to achieve a high standard of design. As the proposal is for a tourism use, policy TSM 7 of PPS 16 must be assessed against the following design criteria:

*(a) a movement pattern is provided that, insofar as possible, supports walking and cycling, meets the needs of people whose mobility is impaired, respects existing public rights of way and provides adequate and convenient access to public transport;*

The site is located within Portrush, and is located within walking distance to both the train and bus stations. It is a town centre site and utilises the site of an existing building. It will not impact on a public right of way as the proposal is located within the footprint of the existing built form. The proposal complies with this criterion.

*(b) the site layout, building design, associated infrastructure and landscaping arrangements (including flood lighting) are of high quality in accordance with the Department's published guidance and assist the promotion of sustainability and biodiversity;*

The proposal does not assist in the promotion of sustainability due to the degree of loss of a listed building and the competing building design. The proposal does not comply with this criterion.

*(c) appropriate boundary treatment and means of enclosure are provided and any areas of outside storage proposed are screened from public view;*

This is an urban site and will be exposed to public views. The building is positioned along the back of footpath with the storage areas along Mark St. Lane. The proposal is acceptable in this regard.

*(d) utilisation of sustainable drainage systems where feasible and practicable to ensure that surface water run-off is managed in a sustainable way;*

The proposal is located within the town centre and will link to the existing drainage system.



*(e) is designed to deter crime and promote personal safety;*

The proposal is for a hotel within Portrush town centre and is designed to deter crime and promote personal safety with the entrance being located on the principal elevations and not at the rear.

*(f) development involving public art, where it is linked to a tourism development, needs to be of high quality, to complement the design of associated buildings and to respect the surrounding site context.*

While the listed mosaic tiles are to be retained along Main Street, there is no direct development involving public art.

8.46 The proposal is also subject to the following general criteria (g – o) which are also set out under TSM 7.

*(g) it is compatible with surrounding land uses and neither the use or built form will detract from the landscape quality and character of the surrounding area;*

The proposal is not compatible with the surrounding land uses as the built form will detract from the character of the surrounding area as set out in paragraphs 8.15 – 8.37.

*(h) it does not harm the amenities of nearby residents;*

Environmental Health has been consulted and raises no objection to the proposal. The proposal is within the town centre and the existing building is a public bar and nightclub venue. Having regard to the existing uses, and the proposed use as a hotel and the overall fenestration of the development, it is unlikely the proposal will harm the amenities of nearby residents.

*(i) it does not adversely affect features of the natural or built heritage;*

The proposal has an unacceptable impact on built heritage as set out in paragraphs 8.15-8.37.

*(j) it is capable of dealing with any emission or effluent in accordance with legislative requirements. The safeguarding of water quality through adequate means of sewage disposal is of particular importance and accordingly mains sewerage and water supply services must be utilised where available and practicable;*

The site is located in Portrush Town centre and all the necessary consultees have been consulted in this regard, including NIW, and no objection is raised.

*(k) access arrangements must be in accordance with the Department's published guidance; (l) access to the public road will not prejudice road safety or significantly inconvenience the flow of traffic; (m) the existing road network can safely handle any extra vehicular traffic the proposal will generate;*

DfI Roads has been consulted as the competent authority on traffic matters and raises no objection in this regard.

*(n) access onto a protected route for a tourism development in the countryside is in accordance with the amendment to Policy AMP 3 of PPS 3, as set out in Annex 1 of PPS 21. (o) it does not extinguish or significantly constrain an existing or planned public access to the coastline or a tourism asset, unless a suitable alternative is provided;*

Criteria (n) and (o) are not applicable to this application.

8.47 As the proposal fails to meet criterion (b), (g) and (i), it is contrary to Policy TSM 7 of PPS 16.

### **Archaeology**

8.48 The site is located within an Area of Archaeological Potential as identified in the Northern Area Plan. An archaeological programme of works has been submitted and subsequently amended. Historic Environment Division: Historic Monuments (HM) has been consulted as the competent authority on archaeological matters.

8.49 HM has reviewed the amended archaeological programme of works and agrees with the archaeological mitigation strategy proposed. However, in relation to bullet point 3 in Section 3.2

Methodology it is asked that a detailed plan of the proposed groundworks to be monitored is included as part of the archaeological License Application.

8.50HM also advises that, if planning permission is granted, a revised archaeological programme of works as outlined above, may constitute the basis for any subsequent mitigation required under planning condition.

8.51HM has considered the impacts of the proposal and is content that the proposal satisfies PPS 6 policy requirements, subject to conditions for the agreement and implementation of a developer-funded programme of archaeological works. This is to identify and record any archaeological remains in advance of new construction, or to provide for their preservation in situ, as per Policy BH 4 of PPS 6.

### **Traffic Matters**

8.52There has been objections raised on the issue of traffic and car parking. The following information and revisions have been submitted with regards to traffic:

- Transport Assessment Form
- Car Parking Statement

8.53DfI Roads has been consulted as the competent authority on road and traffic matters and has considered the objections relating to these matters and it raises no objection. Given this is a town centre location, it is considered that the proposal complies with the policy requirements of PPS 3.

### **Other Matters**

8.54One letter of support has identified that policy (TSM 3 of PPS 16) seeks to prevent the loss of a tourism use to a non-tourism use. Firstly, proposals for tourism development in the countryside are facilitated through PPS 16 under policies TSM 2 to TSM 7 and therefore TSM 3 relates to development in the countryside, outside of the settlement limit.

8.55Secondly, it is important to read the entire policy which states that “Any proposed change of use or replacement of a hotel, guest

house or tourist hostel **approved under this policy** to a non tourism use will be resisted, unless.....” (emphasis added).

8.56 TSM 3 therefore seeks to prevent applications for a non tourism use where a proposal for accommodation has previously been approved under TSM 3. The will prevent applications for unacceptable uses, where a site has previously gained planning permission for hotel (or similar) accommodation. Given the urban location, it is considered that TSM 3 is not a relevant consideration to be attributed any weight in this case.

8.57 Policy BH 7 of PPS 6 relates to change of uses of listed building. While the building, in its current state, does not operate as a hotel, a public bar and music venue still do. As it may be feasible to restore the internal accommodation without the need for planning permission, Policy BH7 of PPS 6 may be of limited relevance. That said, the proposal is contrary to this policy as it fails to meet the policy requirements for the reasons set out in the consideration of Policies BH 8, BH 10 & BH 11.

### **Portrush Hotel Scoping Study**

8.58 As part of wider regeneration plans for Portrush and to help the Department for Communities establish the need for a hotel in Portrush, the Department for Communities commissioned a hotel scoping study in 2015. The Executive summary of the Hotel Scoping Study was published on the Department for Communities website in December 2016 and a redacted version of the full study published in 2017.

8.59 Section 5.13 of the study identifies the key features of an upmarket hotel scheme appropriate to the area as the following:

- circa 100 bedrooms (with sea-views if possible as this will be important)
- on site car parking
- conference/banqueting facilities to accommodate up to 350 theatre style/ 200 for banquets
- a small number of breakout/meeting rooms (4 rooms accommodation up to 60 theatre style and which can also be used for small private functions)
- high quality restaurant and bar facilities
- health suite/space and swimming pool- these features will help extend the season

- ideally the project will operate under a recognised international brand
- on a site offering 4 to 5 acres of land (5 acres = 2 ha.).

8.60 It is clear that this site is unable to deliver the identified features and although this study may be informative, it is not a planning document and has not been through any formal inquiry or examination, so should therefore be afforded limited weight.

## **9.0 CONCLUSION**

9.1 The proposal is considered unacceptable as it seeks to partially demolish a listed building and redevelop the remaining building with the addition of a new, much larger extension. The consideration has had regard to the Northern Area Plan 2016 and other material considerations, including PPS 6 and PPS 16. The proposed demolition is considered unacceptable due to the partial loss of a listed building and its historic fabric. The redeveloped built form has a detrimental impact on, not only the listed building, but also on the setting of the surrounding listed buildings. As the design, size, scale, nature and impact on the listed buildings are unacceptable, the proposal is contrary to PPS 16, TSM 1 and TSM 7. Refusal is recommended.

## **10 REFUSAL REASONS**

1. The proposal is contrary to Policy TSM 1 of Planning Policy Statement 16 as it fails to respects the site context in terms of scale, size and design.

2. The proposal is contrary to criterion (b), (g) and (i), of Policy TSM 7 of Planning Policy Statement 16 due to the partial loss of a listed building, and the design and scale of proposed extension, and its detrimental impact on the surrounding buildings and built heritage.

3. The proposal is contrary to Paragraph 6.12 & 6.13 of the Strategic Planning Policy Statement for Northern Ireland and Policy BH 8 of Planning Policy Statement 6, in that the essential character of the building and its setting have not been retained, the works proposed fail to make use of sympathetic building materials and techniques which match or are in keeping with

those found on the building; and the architectural details are not in keeping with the building.

4. The proposal is contrary to Paragraph 6.13 & 6.15 of the Strategic Planning Policy Statement for Northern Ireland and Policy BH 10 of Planning Policy Statement 6, in that exceptional reasons to justify the demolition of the building have not been sufficiently provided, evidence of market testing has not accompanied the application, and the development proposals would if permitted significantly detract from the character and the setting of the listed buildings.

5. The proposal is contrary to Paragraph 6.12 & 6.13 of the Strategic Planning Policy Statement for Northern Ireland and Policy BH 11 of Planning Policy Statement 6, in that the detailed design fails to respect the listed buildings in terms of scale, height, massing and alignment and the works proposed fail to make use of sympathetic building materials and techniques which respect those found on the building.

# Site Location Plan

