

<b>Planning Committee Report LA01/2019/0551</b>	<b>27<sup>th</sup> November 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>No:</u></b> LA01/2019/0551/F	<b><u>Ward:</u></b> Ballycastle
<b><u>App Type:</u></b> Full Planning	
<b><u>Address:</u></b> Causeway Coast and Glens Borough Council Market Street Depot, 25 – 39 Market Street Ballycastle	
<b><u>Proposal:</u></b> Proposed extension into car park to provide parking areas for council vehicles and staff including erection of new fencing, gates and lighting columns.	
<b><u>Con Area:</u></b> n/a	<b><u>Valid Date:</u></b> 23/05/2019
<b><u>Listed Building Grade:</u></b> n/a	
<b><u>Applicant:</u></b> Causeway Coast and Glens Borough Council Cloonavin, 66 Portstewart Road, Coleraine BT52 1EY	
<b><u>Agent:</u></b> N/A	
<b><u>Objections:</u></b> 0	<b><u>Petitions of Objection:</u></b> 0
<b><u>Support:</u></b> 0	<b><u>Petitions of Support:</u></b> 0

## **EXECUTIVE SUMMARY**

- Planning permission is sought for the proposed extension, into car park, to provide parking areas for Council vehicles and staff including erection of new fencing, gates and lighting columns.
- The site is located within Ballycastle and is within the town centre. The land is within an Area of Archaeological Potential and an AONB.
- The proposal includes the erection of fencing to demark the area to be used for parking for the Council Depot, with necessary access gates and some lighting.
- Due to the nature and scale of the proposed development and the current use, it is considered that there will be no adverse impact on the surrounding area or to residents.
- DfI Roads, HED and Environmental Health have all been consulted and raises no objection.
- There have been no objections received to this application.
- The proposal complies with all relevant planning policies including the Northern Area Plan, SPPS and PPS'.

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

## **2 SITE LOCATION & DESCRIPTION**

- 2.1 The site accommodates an existing carpark on land which is at a higher level than the Depot. There is an existing wall and fence around the Depot with a wall running through the car park which identifies the southern boundary.
- 2.2 The site is located within the Town Centre of Ballycastle and is within an Area of Archaeological Potential and an Area of Outstanding Natural Beauty.
- 2.3 The proposal is for an extension into existing carpark to provide parking area for council vehicles and staff including erection of fencing, gates and light columns.

## **3 RELEVANT HISTORY**

There is no relevant planning history.

## **4 THE APPLICATION**

- 4.1 Planning permission is sought for the proposed extension, into car park, to provide parking areas for Council vehicles and staff including erection of new fencing, gates and lighting columns.
- 4.2 The potential impact of this proposal on Special Protection Areas, Special Areas of Conservation and Ramsar sites has been assessed in accordance with the requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended). The

proposal would not be likely to have a significant effect on the features of any European site.

## **5 PUBLICITY & CONSULTATIONS**

### **5.1 External**

No objections have been received.

### **5.2 Internal**

**Environmental Health:** Has no objection to the proposal.

**Historic Environment Division:** Has no objection to the proposal.

**DfI Roads:** Has no objection to the proposal.

## **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:

- 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 both 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 RELEVANT POLICIES & GUIDANCE**

Northern Area Plan 2016

Strategic Planning Policy Statement (SPPS)

Planning Policy Statement 3 (PPS3): Access Movement and Parking

Planning Policy Statement 3 (PPS3): Access Movement and Parking

PPS 6 Planning, Archaeology and the Built Heritage

## **8.0 CONSIDERATIONS & ASSESSMENT**

- 8.1 The main considerations in the determination of this application relate to Car parking & traffic, Impact from Noise & Light, Impact on Listed Buildings, Archaeology and; Other designations.

### **Planning Policy**

- 8.2 The site is located within the settlement limit of Ballycastle as defined in the Northern Area Plan. Policy SET2 explains that each town within the Plan area has a settlement development limit, which defines the area where appropriate development will be acceptable in principle.
- 8.3 The site lies within the Town Centre boundary with the exception of the access from Market Street. The site is also within an Area of Archaeological Potential. The town of Ballycastle is located within the Antrim Coast and Glens Area of Outstanding Natural Beauty.
- 8.4 The principle of this development proposed must be considered having regard to the PPS policy documents specified above and the supplementary guidance

## **Car parking & traffic**

- 8.5 This application proposes to extend parking for vehicles and staff at the existing Market Street Council Depot into part of the car parking accessed from Castle Street. The access to this extended parking area will be from Market Street, through the existing Depot site with a proposed ramp to facilitate access into the proposed site area which is currently used as a public car park. Access to the remaining public car parking spaces will be retained from Castle Street.
- 8.6 As well as a ramp access from the Market St. Depot to the car park to facilitate access, and compensate for the change in levels, the proposal includes the introduction of 2.4 metre high fence with gate to the west of the site. The south of the site will have a 2.4 metre high fence provided on top of the existing wall within the car park, as will the eastern part of the site. However, the eastern part of the fence is set @1.5 metres from the existing kerb, to retain the right of way to no. 15 Market Street. The north east part of the site will continue the 2.4 metre high fence along the back of the paved area, following the existing ground profile. The northern part of the site will retain the existing wall and fence between the Depot and car park. The north western part of the site is where the proposed access ramp will provide the required access between the lands with a new opening to be provided within the existing wall. A new gate is also proposed in this location. The existing pedestrian access will be retained.
- 8.7 The use of the land will continue as car parking; albeit for the use of staff and vehicles located within the Council Depot rather than for use of the public. While extending the curtilage of the Depot Yard over the existing car park results in the loss of public car parking (@40 spaces), the Castle Street car park is within the Council's ownership where Council could have availed of parking its/staff vehicles. Weight is given to this matter and this proposal creates a more formal arrangement with Council Depot staff and vehicles accessing from Market Street, with the public car park and parking accessed from Castle Street and no conflict between any parties using the site.
- 8.8 Planning Policy AMP 9 relates to Design of Car Parking. It states that a high standard of design, layout and landscaping to

accompany all proposals for car parking is expected and planning permission will only be granted for a proposal where all the following criteria are met:

- (a) it respects the character of the local townscape / landscape;
- (b) it will not adversely affect visual amenity; and
- (c) provision has been made for security, and the direct and safe access and movement of pedestrians and cyclists within the site.

8.9 The application site is already an area of parking within the centre of Ballycastle and will remain as an area of parking. The fence is required to delineate parking areas between the Depot and public parking areas. Having regard to the existing and propose use, and that it is the end user that is altered, the proposal does not conflict with AMP 9 and is considered acceptable.

8.10 Although the parking will be used for staff and Council vehicles, it would be undesirable to lose an area of existing parking. Therefore it is necessary to condition that this area shall remain as an area of parking and storing of vehicles only and for no other use. This will prevent the erosion of parking over a period of time and may, in the future, allow it to revert back to public parking if ever required or necessary.

8.11 DfI Roads has been consulted as the competent authority on road and traffic matters, and it raises no objection to the proposal.

### **Impact from Noise & Light**

8.12 The proposal will remain as an area of parking for the use of the Council Depot. As the use continues to operate as parking there will should be no substantial change to noise levels. That said, there are a number of residential dwellings in proximity to this area. The applicant states there will be no expected increase in vehicles or visitors and Environmental Health has been consulted in this regard. Environmental Health, while acknowledging that work patterns and vehicle levels are to remain the same, consider a condition is necessary to protect the amenity of existing receptors by restricting the vehicle movements to and from the site. The suggested wording is:

*Deliveries and collections by commercial vehicles shall not be permitted to/from the premises between 17:00 and 07:00 hours unless otherwise agreed in writing with the Council, or in the exception of emergencies.*

8.13 The proposal includes the retention of existing lighting columns with the introduction of 2no. additional lights on to these, a new 8 metre high lighting Column with 1 LED light, and further low level lighting. Environmental Health has been consulted to consider any potential undesirable impacts on surrounding receptors.

8.14 An obtrusive light impact assessment has been submitted in the legend of this drawing. This indicates the rear of houses on Castle Street will be unaffected by the additional lighting column and illuminance will be significantly below the maximum allowable value within ILP Guidance Notes for Reduction of Obtrusive Light GN01:2011. Environmental Health has considered this and to ensure additional lighting does not negatively impact on the amenity of residents it is recommended a condition is attached. The suggested wording is:

*Lighting columns shall be erected in accordance with the positioning and performance detailed in Drawing No 05 date stamped 23rd May 2019 and associated Obtrusive Light Compliance Report detailed within Drawing No 05.*

8.15 Having regard to the consultation responses provided from Environmental Health who raise no objection, it is considered that the proposal will not have an unacceptable impact on the amenity of existing properties. Furthermore, it is considered that the imposition of the suggested conditions provide a mechanism to protect these.

### **Impact on Listed Buildings,**

8.16 The site is located close a number of listed buildings. Historic Environment Division: Historic Buildings has been consulted as the competent authority on listed buildings. It considers the proposal is sufficiently removed from the listed buildings and would have no greater demonstrable harm on their setting when considered against the policy requirements of paragraph 6.12 of Strategic Planning Policy Statement (SPPS) and Policy BH11 Development affecting the Setting of a Listed Building of the



Department's Planning Policy Statement 6: Planning, Archaeology and the Built Heritage. Officials would agree with this approach.

### **Archaeology**

8.17 This site is located within the Area of Archaeological Potential for Ballycastle as defined in the Northern Area Plan 2016. Historic Environment Division: Historic Monuments has assessed the application and on the basis of the information provided, and given the nature and scale of the proposals, is content that the proposal is satisfactory to SPPS and PPS 6 archaeological policy requirements. Officials would agree with this approach.

### **Other designations**

8.18 The site is adjacent to Ballycastle Conservation Area. As the site lies outside the Conservation Area it is not constrained by its guidance. The proposal will not have an adverse impact on it, as the use remains as a parking area, and the introduction of the fence is not considered to be so detrimental to harm the Conservation Area interests.

8.19 The site is also within an AONB. That said, as the proposal will not detract or undermine any listed buildings or the Conservation Area, that given the AONB is a much larger designation, the proposal will not unacceptably undermine or impact on the integrity and features of the AONB.

## **9 CONCLUSION**

9.1 The proposal is considered acceptable in this location having regard to the Northern Area Plan 2016 and other material considerations. The proposed development is an acceptable use of the land and its layout and appearance will not have any significant detrimental impact. There will be no unacceptable impact on neighbouring amenity given its existing use as a car park, and conditions are provided to ensure this is retained further. 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: Time Limit

2. Lighting columns shall be erected in accordance with the positioning and performance detailed in Drawing No 05 date stamped 23<sup>rd</sup> May 2019 and associated Obtrusive Light Compliance Report detailed within Drawing No 05.

Reason: To protect the amenity of existing neighbours.

3. Deliveries and collections by commercial vehicles shall not be permitted to/from the premises between 17:00 and 07:00 hours unless otherwise agreed in writing with the Council, or in the exception of emergencies.

Reason: To protect the amenity of existing noise sensitive receptors.

4. The development hereby approved shall be used as an area for the parking of vehicles and for no other purpose.

Reason: To ensure the land is retained as car parking.

## **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/>.

## Site Location



