



Planning Committee Report LA01/2019/0891/F	24th March 2021
PLANNING COMMITTEE	

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

<u>App No:</u>	LA01/2019/0891/F	<u>Ward:</u>	Castlerock
<u>App Type:</u>	Full		
<u>Address:</u>	Castlerock Golf Club, 65 Circular Road, Castlerock		
<u>Proposal:</u>	Retrospective application for reconfiguration of Castlerock Golf Course		
<u>Con Area:</u>	N/A	<u>Valid Date:</u>	16.08.2019
<u>Listed Building Grade:</u>	N/A		
Applicant:	Castlerock Golf Club		
Agent:	Donaldson Planning		
Objections:	2	Petitions of Objection:	0
Support:	14	Petitions of Support:	0

Executive Summary

- Retrospective planning permission is sought for reconfiguration of Castlerock Golf Course
- The site comprises the existing golf course which extends to 66 hectares. The application specifically seeks permission for works undertaken on the 1st, 2nd, 11th, 13th, 15th and 18th holes.
- This is a Major application that was accompanied by a Community Consultation Report and a Design and Access Statement
- Two letters of objection and 14 letters of support have been received in relation to the application.
- The proposal is considered acceptable with regard to the key issues comprising: visual amenity; natural/ built heritage interests; residential amenity and access.
- These issues were considered with regard to the main relevant policies which are the Northern Area Plan 2016, the SPPS, PPS 2, PPS 3, PPS 6 and PPS 21.
- Approval is recommended subject to conditions.

Drawings and additional information are available to view on the Planning Portal- <http://epicpublic.planningni.gov.uk/publicaccess/>

1 Recommendation

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

2 SITE LOCATION & DESCRIPTION

- 2.1 The application site comprises the existing Castlerock Golf Course which is located just outside the village of Castlerock. The course is a links course which extends to 66 hectares.
- 2.2 The site is located just outside the defined settlement limit of Castlerock. It is within Castlerock Dunes Local Landscape Policy Area and Castlerock Golf Club Site of Local Nature Conservation Importance. It is also connected to designated sites including the Bann Estuary ASSI/SAC.

3 RELEVANT HISTORY

LA01/2019/0199/PAN – Retrospective application for reconfiguration of Castlerock Golf Course. PAN Acceptable.

4 THE APPLICATION

- 4.1 The application seeks permission for works carried out for the reconfiguration of the existing golf course, which comprised works to the 1st, 2nd, 11th, 13th, 15th & 18th holes. A summary of the works undertaken is set out within the submitted Design & Access Statement.

Design & Access Statement

- 4.2 A Design & Access Statement is required under Article 6 of the Planning (General Development Procedure) Order (NI) 2015 as the application is considered to be a major application.
- 4.3 The design and access statement provides details of the design principles and concepts that have been applied to the development and how issues relating to access to the development have been dealt with.
- 4.4 The report date received 14th August 2019 demonstrates that the applicant undertook detailed consideration of the proposal in terms of the design principles and concepts. Impacts on natural and built heritage have also been considered.

5 PUBLICITY & CONSULTATIONS

External

- 5.1 **Neighbours:** 2 letters of objection and 14 letters of support

Objection letter

2 letters of objection have been received from the same address. The issues raised include the following;

- No public consultation appears to have taken place with any outside body
- Archaeological site exists in the right rough on 15th hole
- Concerns regarding studies carried out to assess impact on coastal habitat prior to works carried out
- Loss of enjoyment for those traversing the circular road. Daily walkers no longer have the opportunity to view the golf course, especially at the 2nd green
- Views of the sea and countryside have been obstructed for some residents
- Work commenced in October 2018 with 12 hour working days. Large trucks and excavators necessary which created constant noise.

The applicant has demonstrated that public consultation has been carried out. A community consultation report has been submitted with this application. The agent has confirmed that advice was sought from a number of statutory bodies prior to the works being carried out. Consultation with NIEA and Shared Environmental Service has been undertaken as part of the processing of the retrospective application and there are no concerns. Historic Environment Division was consulted in relation to the archaeological site and are content. Photos of the golf course before and after works were completed have been submitted with the application. Site photos were taken which show that the golf course can still be viewed travelling along circular road. The works have already been completed and no further works are proposed. Environmental Health have no concerns regarding noise given that works have already been completed.

14 letter of support have been submitted. These include the following points;

- Works have improved the quality of the golf course
- Improved visual impact
- Increased revenue and will boost the economy in the area
- Changes have been made very sympathetically and have enhanced the “links” feel to the course.

Internal

5.2 **DAERA Marine & Fisheries Division:** Concern in relation to proposed mitigation measures which may be required and the impacts of these upon coastal erosion.

DfC Historic Environment Division: No objection

DfI Rivers: No objection

DfI Roads: No objection

Environmental Health: No objection

NIEA: No objection

Sea Fisheries: No objection

Shared Environmental Services (SES): No objection

Proposal of Application Notice

- 5.3 As this application is considered a major application it must comply with the Proposal of Application Notice and carry out community consultation at least 12 weeks prior to the submission of the application.
- 5.4 A Proposal of Application Notice was received on 5th March 2019 under LA01/2019/0199/PAN.
- 5.5 Members of the community were consulted on the proposal by press advertisement in Coleraine Chronicle on 19th March 2019 and Coleraine Times on 20th March 2019.
- 5.6 A public display was held in Castlerock Golf Club on 1st April 2019.

Community Consultation Report

- 5.7 The community consultation report (CCR) was submitted as part of the planning application, received on 14th August 2019 which is more than 12 weeks after the Proposal of Application Notice was received, as required by the legislation.
- 5.8 It contains a copy of the methods of consultation carried out comments and feedback from the consultation exercise in the local context. The report demonstrates that consultation was implemented as agreed in the Proposal of Application Notice.
- 5.9 The public display was held on 1st April 2019 in the Club House at Castlerock Golf Club, 65 Circular Road, Castlerock. A total of five people attended. Most of the attendees sought to clarify whether the application related to the works undertaken or whether further works were proposed. Emailed information packs were also issued to elected representatives, statutory bodies and community groups.
- 5.10 The CCR demonstrates that adequate community consultation has taken place and the key issues of concern have been considered prior to the submission of the application.

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 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
- 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 RELEVANT POLICIES & GUIDANCE

Regional Development Strategy (RDS)

Northern Area Plan 2016

Strategic Planning Policy Statement (SPPS) 2015

Planning Policy Statement 2 (PPS2): Natural Heritage

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

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

Planning Policy Statement 21 (PPS 21): Sustainable Development in the Countryside

8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to planning policy, principle of the development, impact on amenity, flood risk and drainage, archaeology and built heritage, visual impact, natural heritage, Habitats Regulation Assessment, and other matters.

Planning Policy

- 8.2 The RDS promotes a sustainable approach to the provision of tourism infrastructure. The principle of development proposed must be considered having regard to the Northern Area Plan (NAP), the SPPS, and relevant Planning Policy Statements specified above.
- 8.3 The site is located within the countryside outside any settlement development limit as defined by the Northern Area Plan 2016. It is located within Binevenagh Area of Outstanding Natural Beauty. The site is adjacent to the Bann Estuary SAC/ASSI, which is a designated site. It is also within Castlerock Dunes Local Landscape Policy Area and Castlerock Dunes Site of Local Nature Conservation Importance.
- 8.4 The Strategic Planning Policy Statement (SPPS) for Northern Ireland sets out under 'Sustainable Development in the Countryside' that other types of development in the countryside, other than those set out in the policy, should be considered as part of the development plan process in line with the other policies set out within the SPPS. These policies are considered below.

Principle of development

Development in the Countryside

- 8.5 This proposal is for the reconfiguration of the existing Castlerock Golf Course.

- 8.6 Policy CTY 1 of PPS 21 states that there are a range of types of non-residential development that may be acceptable in principle in the countryside. Other types of development will only be permitted where there are overriding reasons why that development is essential and could not be located in a settlement, or it is otherwise allocated for development in a development plan. Proposals for such development will be considered in accordance with existing published planning policies.
- 8.7 The retrospective application seeks permission for works undertaken on the 1st, 2nd, 11th, 13th, 15th and 18th holes. The project was primarily a bunker project where the shapes were modified to be more in keeping with traditional links bunkers. The works represent improvements to an existing established golf course. Policy CTY 1 of PPS 21 states that permission will be granted for outdoor sport and recreational uses in accordance with PPS 8.

Outdoor Recreation in the Countryside

- 8.8 Policy OS 3 of PPS 8 states that the Department will permit the development of proposals for outdoor recreational use in the countryside where all the following criteria are met:
- (i) there is no adverse impact on features of importance to nature conservation, archaeology or built heritage;
- 8.9 The application site is adjacent to the Bann Estuary SAC/ASSI. DAERA, Natural Environment Division (NED) has considered the impacts of the proposal on designated sites and is content that the proposal will not have an adverse impact on these sites.
- 8.10 NED highlighted that preclearance works have been completed on site before appropriate ecological assessments were completed, potentially impacting the biodiversity and ecological value the site possessed, and potentially resulting in adverse impacts on areas of priority habitat outwith the application site. A Construction Method Statement was requested detailing the method undertaken to reduce the impacts of construction to the

watercourse and priority habitats. Following the submission of further information by the agent, NED is content that the development was unlikely to have significantly impacted priority habitats during the construction works.

8.11 Work to the 16th hole was originally planned as part of the redevelopment which includes a potential Prehistoric Sandhills Site. Scheduled Monument Consent was granted by Historic Environment Division (HED) on 7th September 2017. The 16th hole was removed from the programme of work and development never encroached on the monument site. Works to the 2nd and 15th holes which border the monument site were undertaken outwith the scheduled area. HED was consulted during the processing of the application and is content that the proposal is satisfactory to the SPPS and PPS 6 archaeological policy requirements.

(ii) there is no permanent loss of the best and most versatile agricultural land and no unacceptable impact on nearby agricultural activities

8.12 The works were carried out within an existing established golf course and therefore did not result in the loss of any agricultural land. The golf course is long established and there are no unacceptable impacts on nearby agricultural activities.

(iii) there is no adverse impact on visual amenity or the character of the local landscape and the development can be readily absorbed into the landscape by taking advantage of existing vegetation and/or topography;

8.13 The works undertaken involved the reconfiguration of a limited number of holes only and not the entirety of the golf course. The works involved re-turfing of greens and re-profiling of bunkers on the existing golf course. Photographs of the course before and after works were undertaken have been submitted. There is no significant visual impact resulting from the works carried out.

8.14 There is an existing Club House, access and car parking associated with the golf course. No further works are proposed.

- (iv) there is no unacceptable impact on the amenities of people living nearby;
- 8.15 The nearest residential dwellings are located on Circular Road, which is adjacent to parts of the golf course. The works involved the improvement of an existing golf course.
- 8.16 The Environmental Health department was consulted and stated that the main concern would be the impact of construction noise for such earth works and reconfiguration. The works have already been undertaken. Environmental Health are not in receipt of any current or historical complaints relating to the application and have no objections to the proposal.
- (v) public safety is not prejudiced and the development is compatible with other countryside uses in terms of the nature, scale, extent and frequency or timing of the recreational facilities proposed;
- 8.17 The golf course is an existing use and the development sought to improve the course. There are no adverse impacts on public safety.
- (vi) any ancillary buildings or structures are designed to a high standard, are of a scale appropriate to the local area and are sympathetic to the surrounding environment in terms of their siting, layout and landscape treatment;
- 8.18 There are no ancillary buildings or structures proposed under this application.
- (vii) the proposed facility takes into account the needs of people with disabilities and is, as far as possible, accessible by means of transport other than the private car.
- 8.19 The proposal takes into account the needs of people with disabilities and is accessible by means of transport other than the private car.

- (viii) the road network can safely handle the extra vehicular traffic the proposal will generate and satisfactory arrangements are provided for access, parking, drainage and waste disposal;
- 8.20 Given the nature of the works carried out, there will be no extra vehicular traffic generated. The existing access and parking arrangements will remain the same. DfI Roads was consulted and have no objections.

Flood Risk and Drainage

- 8.21 The Strategic Flood Map (NI) indicates that the development lies outside the 1 in 100 year fluvial flood plain and the 1 in 200 year coastal flood plain. DfI Rivers has no specific reason to object to the proposed development from a fluvial or coastal flood risk perspective.
- 8.22 A Drainage Assessment was submitted with the application which states “the reconfiguration works will not result in an adverse impact to the hydrological regime of the area and will not increase flood risk and drainage risk elsewhere”. DfI Rivers was consulted and comment that while not being responsible for the preparation of the drainage assessment, accepts its logic and has no reason to object to the proposed development from a drainage or flood risk perspective.

Impact on Coastal Processes

- 8.23 The proposal is in close proximity to an area identified as being at high risk from coastal erosion and the impacts of climate change in the Baseline Study and Gap Analysis of Coastal Erosion Risk Management in Northern Ireland Study. This area of coastline is potentially at risk from coastal erosion due to wave action, sea level rise and increased storm events, all of which are likely to be exacerbated by climate change.
- 8.24 NIEA Marine and Fisheries Division had concerns with the resilience of the proposal to future climate change impacts and therefore the appropriateness of the development in close

proximity to an area which has been identified as being at high risk to coastal erosion.

- 8.25 Further information was submitted by the agent (Doc 05 dated 27th July 2020) in response to the response of Marine & Fisheries Division. This states that the extent of the works carried out was limited and that there was no work in proximity to the coastline. The report refers to a Construction Methodology Statement prepared by Sol Construction Ltd.
- 8.26 Marine & Fisheries Division has considered this information and is content that there should be no adverse impacts from the retrospective works on the marine environment. However, they continue to have concerns regarding any future drainage and erosion control works. They state that these measures may impact on the natural processes of the existing coastline which have already been modified by the presence of the existing golf course and that under current Marine Policy the applicant has a responsibility to consider the implementation of more natural defence systems. They go on to state that until such time as there is more up to date published guidance regarding coastal zone management in Northern Ireland, it is recommended that any works to control coastal erosion are postponed or planned in close consultation with DAERA Marine & Fisheries Division and NIEA.
- 8.27 The Planning Department has reviewed the response from DAERA and consider that the proposal is acceptable provided that any future erosion control and drainage works are subject to regulation. To achieve this objective, the Agent was contacted to request removal of references to future erosion control and drainage works in their supporting documentation. In addition, appropriate conditions can be attached to the permission which would remove the ability of the applicant to carry out such activities without the prior consent of the Council (in consultation with DAERA). This would allow for further consideration of any erosion control measures and the impacts these would have on coastal erosion. The Agent agreed to remove references to future erosion control and drainage works in their supporting documentation, with a revised version of DOC 5 received on 08 March 2021. On this basis the proposal is now considered acceptable with regard to its impact on coastal processes.

Archaeology and Built Heritage

- 8.28 Work to the 16th hole was originally planned as part of the programme of works which includes a potential Prehistoric Sandhills Site. Scheduled Monument Consent was granted by HED on 7th September 2017. In the end the 16th hole was removed from the programme of work and therefore the development never encroached on the monument site. Works to the 2nd hole and the 15th hole which border the monument site were undertaken outwith the scheduled area.
- 8.29 Historic Environment Division has assessed the application and on the basis of the information provided is content that the proposal is satisfactory to SPPS and PPS 6 policy requirements.

Natural Heritage

Designated Sites

- 8.30 The application site is adjacent to the Bann Estuary SAC/ASSI, which is a designated site of international and national importance.
- 8.31 NED has considered the impacts of the proposal on the designated sites and on the basis of the information provided, is content that the proposal will not have any adverse impact on the ASSI and N2K sites provided that the proposal is carried out as described in the planning application.

Priority Species/Habitats

- 8.32 The application site encompasses a Site of Local Nature Conservation Importance and is in proximity to designated sites and priority habitat. Paragraph 6.190 of the SPPS and Policy NH 4 of PPS 2, Natural Heritage, states that planning permission will only be granted for a development proposal that is not likely to have a significant adverse impact on a Site of Local Nature Conservation Importance. Paragraph 6.183 of the SPPS and Policy NH 3 of PPS 2 states that planning permission will only be granted for a development proposal that

is not likely to have an adverse effect on the integrity or special interest of designated sites. Paragraph 6.192 of the SPPS and Policy NH 5 of PPS 2 states that planning permission should only be granted for a development proposal which is not likely to result in an unacceptable impact on; or damage to known priority habitats.

- 8.33 NED highlighted that preclearance works have been completed on site before appropriate ecological assessments were completed, potentially impacting the biodiversity and ecological value the site possessed, and potentially resulting in adverse impacts on areas of priority habitat outwith the application site.
- 8.34 Following the submission of further information, including a Construction Methodology, Natural Environment Division is content that the development was unlikely to have significantly impacted priority habitats during the construction works.

Areas of Outstanding Natural Beauty

- 8.35 The site is located within Binevenagh Area of Outstanding Natural Beauty. Paragraph 6.187 of the SPPS and Policy NH 6 of PPS 2 requires development proposals in Areas of Outstanding Natural Beauty to be sensitive to the distinctive special character of the area and the quality of their landscape, heritage and wildlife.
- 8.36 The development comprised works to the existing golf course, which is long established. The works were carried out to improve the existing golf course and this was limited to 6 holes and not the entire course. Given the nature and location of the works carried out, there is no adverse impact on the AONB.

HABITAT REGULATIONS ASSESSMENT

- 8.37 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.

- 8.38 The site is hydrologically linked to the Bann Estuary SAC/ASSI which is a European protected site. A formal consultation was sent to Shared Environmental Services to consider the proposed development. SES stated that having considered the nature, scale, timing, duration and location of the project it is concluded that further assessment is not required because it would not have a likely significant effect on the selection features, conservation objectives or status of any European site.
- 8.39 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.

Visual Impact

- 8.40 The works undertaken involved the reconfiguration of a limited number of holes only and not the entirety of the golf course. The works involved re-turfing of greens and re-profiling of bunkers on the existing golf course. A site inspection was carried out. Photographs of the golf course before and after works were undertaken have been submitted. There is no significant visual impact resulting from the works carried out.

Other Matters

- 8.41 The site lies within Castlerock Dunes Local Landscape Policy Area (Designation CKL 02). This includes an extensive area of dunes largely in the ownership of Castlerock Golf Club and includes the Castlerock Golf Course SLNCl. The LLPA extends south across the railway to include the setting of Spring Vale and its associated mature tree stands.
- 8.42 When assessing the proposal against policy ENV 1 in The Northern Area Plan, it will not undermine or impact unacceptably on any of the identified features and therefore meets the policy requirement.

- 8.43 CKL 02 states that this LLPA will be protected from all development other than that which is necessary for the functioning of the Golf Club and would not have significant environmental effects. The application is for improvements to the existing golf course. Consultation with NIEA and SES was undertaken which confirms that the works were unlikely to have any significant environmental effects. The Development Plan team was consulted and their response states that the works, in the context of the extensive LLPA overall, is small scale in nature and it is considered would not cause significant adverse effects to its character and appearance. The proposal complies with this policy relating to this designation.
- 8.44 Policy ENV 2 of the Northern Area Plan states that planning permission will not be granted for development that would be liable to have a significant adverse effect on the intrinsic nature conservation interest of the designated SLNCI.
- 8.45 The application site comprises Castlerock Golf Course Site of Local Nature Conservation Importance. The development was carried out to improve the course and works were limited to 6 holes within the course. The development does not have an adverse effect on the SLNCI.

9 CONCLUSION

- 9.1 The proposal is considered to be acceptable in this location having regard to the Northern Area Plan 2016 and other material considerations including the SPPS, PPS 21, PPS 2 and Policy OS 3 of PPS 8. The proposal is considered to represent improvements to the existing golf course and will not have an adverse effect on the environment, visual or residential amenity. Approval is recommended.

Conditions

10.1 Conditions:

1. This approval is effective from the date of this decision notice and is issued under Section 55 of the Planning Act (Northern Ireland) 2011.

Reason: Retrospective application.

2. Notwithstanding the provisions of the Planning (General Permitted Development) Order (NI) 2015, or any Order revoking and re-enacting that Order, no buildings, walls, gate, pillars, fences or other structure, nor hard surface or enclosure or access onto an unclassified road, shall be permitted within the boundaries of the application site, without prior written consent from the Council.

Reason: To ensure that the development does not adversely affect the marine environment.

3. No erosion control or drainage measures shall be carried out within the application site without the prior consent of the Council in writing.

Reason: To ensure that the development does not adversely affect the marine environment.

4. A 5m maintenance strip shall be provided along the watercourse which must be protected from impediments including tree planting, hedges, permanent fencing and sheds, land raising or future unapproved development. Clear access and egress should be provided at all times.

Reason: To ensure access for the maintenance of the watercourse

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

