



Title of Report:	Planning Committee Report – LA01/2021/0294/LBC
Committee Report Submitted To:	Planning Committee
Date of Meeting:	22nd June 2022
For Decision or For Information	For Decision

Linkage to Council Strategy (2021-25)	
Strategic Theme	Cohesive Leadership
Outcome	Council has agreed policies and procedures and decision making is consistent with them
Lead Officer	Principal Planning Officer

Budgetary Considerations	
Cost of Proposal	Nil
Included in Current Year Estimates	N/A
Capital/Revenue	N/A
Code	N/A
Staffing Costs	N/A

Screening Requirements	Required for new or revised Policies, Plans, Strategies or Service Delivery Proposals.		
Section 75 Screening	Screening Completed:	N/A	Date:

	EQIA Required and Completed:	N/A	Date:
Rural Needs Assessment (RNA)	Screening Completed	N/A	Date:
	RNA Required and Completed:	N/A	Date:
Data Protection Impact Assessment (DPIA)	Screening Completed:	N/A	Date:
	DPIA Required and Completed:	N/A	Date:

<u>App No:</u>	LA01/2021/0294/LBC	<u>Ward:</u> Giant's Causeway
<u>App Type:</u>	Listed Building Consent	
<u>Address:</u>	75 Main Street, Bushmills	
<u>Proposal:</u>	Refurbishment of and extension to Bushmills Courthouse. New three-storey extension to Bushmills Courthouse comprising cafe, retail space, shared community space, individual work units and community garden and bicycle parking. This includes provision of new storm drainage through adjacent public car park to the southwest	
<u>Con Area:</u>	N/A	<u>Valid Date:</u>
<u>Listed Building Grade:</u>	N/A	<u>Target Date:</u>
Agent:	Hamilton Architects, 3 Joy Street, Belfast, BT2 8LE	
Applicant:	Enterprise Causeway Ltd, Sandel Village, 17 Knocklynn Road, Coleraine	
Objections: 0	Petitions of Objection: 0	
Support: 0	Petitions of Support: 0	

Executive Summary

- The proposal complies with all relevant planning policies including the Northern Area Plan, SPPS and PPS 6.
- The site is located within Bushmills settlement limit and Conservation Area.
- The potential impacts of the proposal relate to the impact upon the Listed Building.
- HED: Historic Buildings have no objections to this proposal.
- The proposal is acceptable in relation to the requirements of the SPPS paragraphs 6.12 and 6.13 of the SPPS and policies BH 7, BH 8 and BH 11 of PPS 6. The proposal will not impact upon the listed buildings within this site.
- The proposal is acceptable subject to planning conditions.

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

1 RECOMMENDATION

- 1.0 That the Committee has taken into consideration and agrees with the recommendation set out in 9 and the policies and guidance in sections 7 and 8 and resolves to **GRANT** Listed Building Consent subject to the conditions set out in section 10.

2.0 SITE LOCATION & DESCRIPTION

- 2.1 The application site is located at 75 Main Street, Bushmills. On site is a three storey with associated yard at the rear. The application site also includes lands adjoining to the west of the curtilage of the property, a laneway and part of a public car park. The building is a Grade B1 listed building currently on the Heritage at Risk register. The building is derelict and the rear yard is overgrown. The building is the only three storey building in its context making it a prominent feature in the streetscene.
- 2.2 The site is located within the Bushmills Settlement Development Limit and is zoned for housing as a committed site under Designation BSH 04. The site is located within Bushmills Town Centre, Bushmills Conservation Area, an Area of Outstanding Natural Beauty and an Area of Archaeological Potential as designated under the Northern Area Plan 2016.

3.0 RELEVANT HISTORY

- 3.1 LA01/2021/0293/F - Refurbishment of and extension to Bushmills Courthouse. New three-storey extension to Bushmills Courthouse comprising cafe, retail space, shared community space, individual work units and community garden and bicycle parking. This includes provision of new storm drainage through adjacent public car park to the southwest - 75 Main Street, Bushmills – Under Consideration

LA01/2020/0902/PAD - Refurbishment of and extension to Bushmills Courthouse. New three storey extension to Bushmills

Courthouse comprising cafe, retail space, shared community space, individual work units and community garden with sculpture and bicycle parking - 75 Main Street, Bushmills – PAD Accepted

E/2008/0027/F - Refurbishment of existing listed building Courthouse (75 main Street Bushmills), with change of use into shop with office above. New development at rear comprising 4 No.retail units with 6 No 2 bedroom units and 2 No. 1 bedroom units above. With associated parking and access provision - 75 Main Street, Bushmills – Permission Granted - 21.11.2011

E/2008/0028/LB - Refurbishment of existing listed building Courthouse (75 main Street Bushmills), with change of use into shop with office above. New development at rear comprising 4 No.retail units with 6 No 2 bedroom units and 2 No. 1 bedroom units above. With associated parking and access provision - 75 Main Street, Bushmills – Permission Granted - 21.11.2011

4.0 THE APPLICATION

- 4.1 The application is a Listed Building Consent application seeking the refurbishment of and extension to Bushmills Courthouse. New three-storey extension to Bushmills Courthouse comprising cafe, retail space, shared community space, individual work units and community garden and bicycle parking. This includes provision of new storm drainage through adjacent public car park to the southwest

5.0 PUBLICITY & CONSULTATIONS

External:

Neighbours: N/A

Internal:

Historic Environment Division – No objections.

Conservation Section – No objections.

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 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.

7.0 RELEVANT POLICIES & GUIDANCE

Regional Development Strategy 2035.

The Northern Area Plan 2016

Strategic Planning Policy Statement (SPPS) 2015

Planning Policy Statement 6: Planning, Archaeology and the Built Heritage.

8.0 CONSIDERATIONS & ASSESSMENT

Principle of Development

- 8.1 The proposed development must be considered having regard to the Area Plan, SPPS and PPS documents specified above.

The application site is located is zoned for housing as a committed site under Designation BSH 04. The site is located within Bushmills Town Centre, Bushmills Conservation Area and an Area of Archaeological Potential as designated under the Northern Area Plan 2016.

- 8.2 The principle of the proposed use was assessed under accompanying application LA01/2021/0293/F and was found to be acceptable given the community benefits of the application and the bringing of the site and derelict listed building back into use.
- 8.3 Given that the proposal relates to a listed building and is located within a Conservation Area it falls to be considered under the remit of Policies BH 7, BH 8 and BH 11 of Planning Policy Statement 6: Planning, Archaeology and the Built Heritage.

Historic Environment

- 8.4 The application site consists of a three storey, Grade B1 listed building formerly used as a court house. The building is currently derelict though his substantially intact. The building has a cuboidal form with a dash rendered frontage. The gable elevation consists of stone. There are chimneys located on each gable. The roof is tiled with slates. The front of the building has an open sided, pitched roof portico with pillars in a neo-classical style. Windows were not visible and were decorated with art given the derelict nature of the building. The openings have a horizontal emphasis. The rear of the building has a two storey lean-to style return. The windows are bricked up at the rear. At the rear of the site is an overgrown yard which extends to the rear of the premises. This yard is bound by walls and buildings of adjoining properties except at the rear which is open. The rear leads into an area of hardstanding located between a workshop and Orange Hall. The application site runs along the eastern side of the garage and encompasses a section of an existing car park leading up to the River Bush.

- 8.5 Policy BH 7 of PPS 6 states that a change of use will normally be permitted where it secures the upkeep, survival, character and architectural or historic interest of the building is preserved or enhanced. Proposals should incorporate details of all intended alterations to the building and its curtilage to demonstrate their effect on its appearance, character and setting.
- 8.6 Policy BH 8 of PPS 6 states that consent will normally only be granted for the extension or alteration of a listed building where the essential character of the building and its setting are retained and its feature 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 match or are in keeping with the building.
- 8.7 Policy BH 11 of PPS 6 states that the development not normally be permitted which would adversely affect the setting of a listed building. Development proposals will normally only be considered appropriate where 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.
- 8.8 The proposal relates to the refurbishment of the existing courthouse building and the provision of a three storey extension. The ground and first floor of the existing building is to be used as retail/exhibition space with two meeting rooms located on the second floor. The proposed extension consists of a ground floor entrance lobby leading into the rear of the listed building and café on the ground floor. There are staff facilities and kitchens at ground floor associated with the café use. The first floor consists of space for 13 workshops with a break out area within kitchen and toilets. The second floor consists of two shared workshops and two shared space areas with toilet and shower facilities. Both the first and second floors are also accessible from the first floor of the existing building.
- 8.9 The proposed elevations for the existing building indicate demolition/removal, repair and replacement of sections of the

existing building including the portico, windows, guttering and downpipes, roof tiles/slates, chimneys and walls. The proposed elevations indicate lime render to the courthouse exterior with rusticated finish to ground floor, natural slate roof, cast iron gutters and chimneys repointed. The scale, massing and design of the existed listed building is identical to that existing. The materials and finishes differ given the nature of the repair and replacement of the external materials on the building.

8.10 The proposed elevations for the new return indicate a three storey return. This is connected to the existing listed building by a three storey flat roofed linkage. The return is comprised of three sections each with a pitched roof. The return is subordinate to the existing building with the eaves and ridge heights below the existing eaves and ridge heights of the building. The northern side of the return is rendered with vertical emphasised windows. Chimneys are present at the ridges and along the extent of the return. There is a rendered section sitting above the eaves to accommodate the lift and a roof dormer-like screening wall located towards the rear which conceals the rooftop plant serving the return. The walls are to be composed of a silicon based render system. The flat roof elements of the external plant area and the flat roof linkage comprise a single ply membrane roof. The pitched roof is to comprise a single ply membrane roof with standing seam profiles to correspond with standing seam joints to zinc cladding associated with the eaves level windows on the southern elevation of the return. The windows on the southern elevation and rear have a vertical emphasis as with that on the northern elevation. The ground floor is stepped in from the first and second floors which overhang it. The ground floor southern elevation has 50mm thick stone panels along its entirety. The return utilises aluminium downpipes.

8.11 Access is available from the return onto Main Street via a laneway located along the side of the building. The laneway is to be finished with concrete and natural stone paving. It has 9 bicycle stands and a community garden. This leads to an external area at the rear which comprises a community garden with wild garden planting, bin store and porous asphalt open area. Fencing and a new build dwarf concrete blockwork wall with mild steel railings to achieve a height of 1.8m are located

along the rear boundary.

- 8.12 A section of the application site is located within a Council owned car park which is to facilitate storm water disposal.
- 8.13 Signage is indicated on the plans but would require a separate advertisement consent.
- 8.14 The existing listed building is a prominent building given its location on Main Street and its three storey height which is unique in context of the surrounding two storey buildings. The closest views those possible of the existing building on approach from both directions along Main Street, from Dunluce Road and the public car park to the south of the site. More distant views are possible of the existing building from Bridge Street and Millennium Park.
- 8.15 Similar views are possible of the proposed rear return. However, the extent of these views vary given the length and siting of the rear return at the rear and its scale and height relative to other properties.
- 8.16 Historic Environment Division were consulted on the proposal in relation to the impact on the listed building and its setting and in relation to the impact on listed building and their associated settings within the surrounding area.
- 8.17 Historic Environment Division (Historic Buildings) advised that having considered the impacts on the proposal on the listed building and on the basis of the information provided that they are content with the proposal, as presented with conditions. They outline that these comments were made in relation to the requirements of paragraphs 6.12 and 6.13 of the SPPS and policies BH 7, BH 8 and BH 11 of PPS 6.
- 8.18 The building is of special historical interest, is derelict and is currently on the heritage at risk register. The proposed re-use of the listed building and extension will ensure its upkeep and survival by bringing the building back into use. No objections have been raised in relation to the demolition, repair and renovation works to the existing building or the design of the proposed rear return by Historic Environment Division. The character, architectural and historic interest of the listed building

will be both preserved and enhanced. The proposed materials and finishes, architectural features and design are not traditional but are considered to be sympathetic and in keeping and would not be detrimental to the character of the listed building. There are no changes in the scale, height, alignment and massing of the existing listed building. There are minor design changes but given the poor condition of the building, these design changes will enhance it. The design of the rear return respects the scale, height, massing and alignment of the existing listed building. The proposed change of use, alterations and extension of the listed building is considered to be acceptable and the proposal will not adversely affect the setting of a listed building. Policies BH 7, BH 8 and BH 11 of PPS 6 is satisfied.

9.0 CONCLUSION

- 9.1 The proposal is considered acceptable having regard to the Northern Area Plan 2016 and other material considerations. The scheme is compliant with current planning policy as highlighted above. Consent is recommended.

10.0 Conditions and Informatives

Conditions

- 1 The works hereby permitted shall be begun not later than the expiration of 5 years beginning with the date on which this consent is granted.

Reason: As required by Section 94 of the Planning Act (Northern Ireland) 2011

- 2 Replacement timber sliding sash windows to the Old Court House shall be detailed as indicated on Drawing No. 20 date received 15th July 2021 and shall be single glazed, putty fronted.

Reason: in order to retain the character and appearance of the special architectural and historic interest of this listed building.

- 3 The existing cast iron column shall be retained at it fill height

Reason: in order to safeguard the special architectural or historic interest of this listed building.

- 4 The historic newel post, capping the cast iron column, shall be carefully removed and securely stored and retained.

Reason: in order to safeguard the special architectural or historic interest of this listed building.

Informatives

- 1 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.
- 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 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.
- 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 Map and Site Plan



