

Title of Report:	Planning Committee Report – LA01/2022/0649/F
Committee Report Submitted To:	Planning Committee
Date of Meeting:	22nd February 2023
For Decision or For Information	For Decision – Council Interest

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	Development Management and Enforcement Manager

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:

No: LA01/2022/0649/F **Ward:** Causeway

App Type: Full

Address: 1 Causeway Street, Portrush

Proposal: Proposed Change of use from ground floor restaurant to 3no. apartments, including external balconies to each proposed apartment. Partial enclosure of existing external dining area at lower ground floor.

Con Area: N/A

Valid Date: 10.06.2022

Listed Building Grade: N/A

Agent: The Harbour Studio, 20 West Strand Road, Portrush, BT56 8ET

Applicant: Colin Fletcher

Objections: 0 **Petitions of Objection:** 0

Support: 0 **Petitions of Support:** 0

Executive Summary

- This proposal is considered acceptable at this location having regard to the Northern Area Plan 2016 and all other material considerations.
- The application site falls within the designated town centre of Portrush and an Area of Archeological Potential.
- No letters of objection have been received in relation to this application.
- No objections have been raised by statutory consultees in relation to this proposal.
- The proposal meets the requirements of Policy QD1 of PPS 7 and Policies LC1 and LC2 of the Addendum to PPS 7 in terms of the apartment conversion.
- The partial enclosure of the existing external dining area at the lower ground floor is visually acceptable at this location.
- The proposal is considered acceptable in terms of layout, design, scale and massing respecting the surrounding context and is appropriate to the character and topography of the site.
- The proposal is not considered to create conflict with adjacent land uses and there is no unacceptable adverse effect on neighbouring properties.
- The proposal does not harm the setting of nearby listed buildings.
- The proposal is acceptable in terms of archaeology.
- Access and parking arrangements are acceptable.
- The proposal does not result in natural heritage issues.
- The proposal complies with all relevant planning policies including the Northern Area Plan, SPPS, PPS 7, Addendum to PPS 7, PPS 6, PPS 3 and PPS 2.

Drawings and additional information are available to view on the Planning Portal- <https://planningregister.planningssystemni.gov.uk/>

1.0 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.

2.0 SITE LOCATION & DESCRIPTION

- 2.1 This site is irregular in shape and comprises No. 1 Causeway Street, Portrush. The site operates as “55 Degrees North”, a bistro/café on the basement, a restaurant on the ground floor and apartments on the first floor. The site slopes downwards in a northern direction. Access to the site is predominately from Causeway Street as well as from the promenade located north. The building is finished in stone cladding and render. The design of the building is modern with large expanses of glass to avail of seaward views. The apartments on the upper floors have balcony areas. The roof form is generally curved throughout.
- 2.2 The surrounding area is characterised by a mixture of uses. There are several commercial properties along Eglinton Street and Causeway Street as well as residential properties. The site is located south west of the Arcadia. The site is located within the town centre of Portrush settlement and is within an Area of Archaeological Potential as designated under NAP 2016.

3.0 RELEVANT HISTORY

- 3.1 LA01/2017/0264/F
1 Causeway Street, Portrush
Proposed change of use of existing apartments at first and second floor level to create new restaurant and bar/waiting area

with associated extensions to facilitate proposal. Provision of single storey glazed extension to lower ground level café to enable flexible dining for inclement weather.

Approval – 20/12/2018

4.0 THE APPLICATION

- 4.1 Proposed Change of use from ground floor restaurant to 3no. apartments, including external balconies to each proposed apartment. Partial enclosure of existing external dining area at lower ground floor.

5.0 PUBLICITY & CONSULTATIONS

5.1 External:

No letters of objection have been received in relation to this application.

5.2 Internal:

NI Water (No objections)

Environmental Health (No objections)

DFI Roads (No objections)

Historic Environment Division: Historic Buildings (No objections)

Historic Environment Division: Historic Monuments (No objections)

DAERA: Water Management Unit (No objections)

DAERA: Marine and Fisheries Division (No objections)

Shared Environmental Services (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 (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)

PPS 2 – Natural Heritage

PPS 3 - Access, Movement and Parking

PPS 6 – Planning, Archaeology & the Built Heritage

PPS 7 – Quality Residential Environments

Addendum to PPS 7 – Safeguarding the Character of Established Residential Areas

Supplementary Planning Guidance

Creating Places

DCAN 8 – Housing in Existing Areas

Development Control Advice Note 15 Vehicular Access Standards

8.0 CONSIDERATIONS & ASSESSMENT

Planning Policy

- 8.1 The site is located within Portrush settlement limit so Policy SET 2 of NAP 2016 applies and planning permission will be granted provided the proposal is sensitive to the size and character of the settlement. The application site also falls within Portrush Town Centre and an Area of Archaeological Potential.
- 8.2 The proposal must be considered having regard to the NAP 2016, SPPS, PPS policy documents and supplementary planning guidance specified above. The main considerations in the determination of this application relate to: Local character, environmental quality and residential amenity, Bistrot Alterations, sewerage, archaeology and the built heritage, access and parking, and natural heritage.

Local Character, Environmental Quality and Residential Amenity

- 8.3 PPS 7 promotes quality residential development in all types of settlements. DCAN 8 and Creating Places is additional guidance intended to supplement this policy in terms of improving the quality of new housing development.

Policy QD1 – Quality in New Residential Development

- 8.4 This policy sets out a presumption against housing development in residential areas where they would result in unacceptable damage to the local character, environmental quality or residential amenity of these areas. Proposals for new residential development should comply with the following criteria:

(a) the development respects the surrounding context and is appropriate to the character and topography of the site in terms of layout, scale, proportions, massing and appearance of buildings, structures and landscaped and hard surfaced areas;

- 8.5 The proposed site is located within the town centre of Portrush settlement limit. The proposal entails conversion of the ground floor restaurant to 3 No. Apartments. Changes to the existing building are the inclusion of several windows, doors and balcony areas to facilitate the apartment development. The overall height and width of the building remains the same as existing. The proposed scale and massing is acceptable and the proposal does not visually detract from the character and appearance of the surrounding area.
- 8.6 The proposal does not cause unacceptable damage to the character of the surrounding area. The proposal is considered acceptable in terms of layout, scale and massing respecting the surrounding context and is appropriate to the character and topography of the site.

(b) features of the archaeological and built heritage, and landscape features are identified and, where appropriate, protected and integrated in a suitable manner into the overall design and layout of the development;

- 8.7 The site is located within an area of archaeological potential so consultation occurred with HED: Historic Monuments. Their response indicated no archaeological objection. The site is within proximity of one listed building but HED: Historic Buildings have no objections. For detailed consideration see sub-heading “Archaeology and the Built Heritage”. There are no landscape

features within the site. There are no integration concerns given the proposal is located within the development limit of Portrush. Overall the proposed development will not have a detrimental impact on features of archaeological, built heritage or landscape importance.

(c) adequate provision is made for public and private open space and landscaped areas as an integral part of the development. Where appropriate, planted areas or discrete groups of trees will be required along site boundaries in order to soften the visual impact of the development and assist in its integration with the surrounding area;

8.8 Adequate provision for public and private open space and landscaped areas should be an integral part of the development. Creating Places, paragraph 5.20 states for apartment or flat developments, private communal open space will be acceptable in the form of landscaped areas, courtyards or roof gardens. These should range from a minimum of 10 - 30 sq metres per unit, having regard to the particular context of the development and the overall design concept.

8.9 All Apartments have internal store areas incorporated into their layout. A dedicated space for bin storage is located on the East Elevation which is easily accessible for prospective residents. Each Apartment has access to a balcony. The balcony areas measure approx. 10.08m² for Apartment 1, 10.29m² for Apartment 2 and 10.08m² for Apartment 3. The size of the balcony areas are now acceptable following amendments meeting minimum recommended requirements.

(d) adequate provision is made for necessary local neighbourhood facilities, to be provided by the developer as an integral part of the development;

8.10 The site is located within the settlement limit of Portrush with various amenities available so neighbourhood facilities are not required as an integral part of this development.

(e) a movement pattern is provided that supports walking and cycling, meets the needs of people whose mobility is impaired, respects existing public rights of way, provides

adequate and convenient access to public transport and incorporates traffic calming measures;

- 8.11 The site is within the settlement limit of Portrush and within walking distance of local retail units, cafes, restaurants, schools and recreational uses as well as having convenient access to public transport links.

(f) adequate and appropriate provision is made for parking;

- 8.12 The proposal has been assessed in detail under the sub-heading “Access and Parking” and is considered compliant with this criterion.

(g) the design of the development draws upon the best local traditions of form, materials and detailing;

- 8.13 The scale, form, massing and appearance, materials and detailing of the proposal is acceptable. The proposal entails a conversion of the existing ground floor restaurant with alterations including fenestration, doors and balcony areas. Materials and finishes remain as existing with frameless glass balustrades proposed for the balconies. Public views of the proposal are from Causeway Street, Eglinton Street, Craig Vara and the Promenade north of the application site. The design of this proposal is visually appropriate for this context and should not detract from the character and appearance of the area.

(h) the design and layout will not create conflict with adjacent land uses and there is no unacceptable adverse effect on existing or proposed properties in terms of overlooking, loss of light, overshadowing, noise or other disturbance;

- 8.14 The application site sits on its own with the closest neighbouring residential property being No. 1 Craig Vara and upper floor apartments on Causeway Street. Generally, properties to the west and south of the site are commercial in nature.
- 8.15 Given this relationship the proposed conversion of the restaurant to 3 Apartments will not harm neighbouring residential amenity due to large separation distances. In relation to the apartments on

Causeway Street, the upper floor windows in the south elevation remain the same as existing as the change of use is occurring at ground floor level. Proposed alterations to the East Elevation will not affect the amenity of No. 1 Craig Vara given separation distances and the only difference being a high level bedroom window within vicinity of their property. The proposal will not harm neighbouring residential amenity in terms of overlooking, loss of light or overshadowing.

- 8.16 Noise is not perceived to be an issue as this proposal is for an apartment conversion in the town centre within proximity of other apartment developments in the settlement limit of Portrush and Environmental Health have no objections.
- 8.17 Environmental Health advised the change of use to 3 Apartments is above an existing food business. The development may therefore be subject to potential noise and odour emissions associated with activities of the existing food business. The site is located within a busy town centre next to licensed premises. Subsequently high levels of extraneous noise will be anticipated from traffic and activities associated with licensed premises. Environmental Health requested submission of a Noise Impact Assessment and an Odour Impact Assessment which was submitted by the Agent.
- 8.18 On re-consultation with Environmental Health, there is no further objection to this application in terms of noise or odour to prospective residents. For their detailed assessment of Noise and Odour, please review the consultation response dated 5th December 2022. Planning conditions will issue with any approval granted ensuring adherence to recommended noise and odour mitigation measures. Noise generating plant and equipment, on the eastern façade serving the ground floor restaurant shall be decommissioned and removed. Given a high level of odour control is necessary, a number of odour mitigation measures are recommended to be included within the proposed/upgraded kitchen extraction system design and specification.
- 8.19 The proposal is not considered to create conflict with adjacent land uses and there is no unacceptable adverse effect on the residential amenity of neighbouring properties or proposed properties.

(i) the development is designed to deter crime and promote personal safety.

- 8.20 The development has been designed to deter crime and promote personal safety.
- 8.21 The Addendum to PPS 7 seeks to safeguard the character of Established Residential Areas. The key consideration is to ensure that new residential schemes are sensitive in design terms to people living in existing neighbourhoods and are in harmony with the local character of established residential areas, villages and smaller settlements.

Policy LC1 – Protecting Local Character, Environmental Quality and Residential Amenity

- 8.22 This policy requires the proposed density is not significantly higher than that found in established residential areas. It requires the pattern of development to be in keeping with the overall character and environmental quality of the established residential area. It states all dwelling units and apartments should meet the appropriate space standards.
- 8.23 The pattern of development is in keeping with the overall character of the established residential area as the proposal entails conversion of an existing restaurant. The proposal at 3 Units is not uncharacteristic of the surrounding area and is not significantly higher than other properties in the residential area. All proposed apartments are satisfactory in terms of size requirements in accordance with Annex A. Apartments 1 & 3 are generous sized units with 2 bedrooms and Apartment 2 is a smaller unit with 1 bedroom.

Policy LC2 – The Conversion or Change of Use of Existing Buildings to Flats or Apartments

- 8.24 All apartments are self-contained with none wholly located in the rear of the property without access to the public street. The first floor of the building measures well above 150m² so conversion is acceptable. The conversion would entail removing the restaurant

use to facilitate the apartment development. The proposal maintains the form and character of the existing building as alterations only include fenestration, door alterations and the inclusion of balcony areas. The proposal does not harm local character or environmental quality as visually the proposal would not detract from the character and appearance of the area.

Bistro Alterations

- 8.25 The proposal also entails partial enclosure of the existing external dining area at the lower ground floor. This area is outside but it is currently covered. This proposal seeks to partially enclose this area to be a conservatory dining area while also maintaining a covered dining terrace. The proposed conservatory dining area is to be finished in glass with a polyester powder coated aluminium frame. This design alteration is considered to be visually acceptable at this location and is in keeping with the glass frontage of this building in the North Elevation.

Sewerage

- 8.26 DAERA: Water Management Unit was consulted in relation to this application and have no objections.
- 8.27 NI Water was consulted in relation to this application and advised refusal because there are Foul Sewer Network Capacity issues. Submission of a Wastewater Impact Assessment to NI Water is required. On further re-consultation with NI Water, approval is recommended. Although Portrush catchment is operating at capacity, this proposal can be approved on the basis of reduced loading. The drainage consultant has confirmed (with hydraulic calculations) that storm flows which currently discharge to existing combined/foul sewer will be separated and discharged to adjacent storm sewer. This will create the hydraulic headroom within the existing foul system to recommend approval of this proposal. The proposal is now regarded acceptable from a sewage perspective and will not result in an environmental impact.

Archaeology & the Built Heritage

- 8.28 The site is located within the Area of Archaeological Potential for Portrush so consultation occurred with HED: Historic Monuments. Following assessment of the application and on the basis of the

information provided, HED: Historic Monuments expresses no objections to this proposal having considered the scale and nature of the proposal, and previous ground disturbance. The development is satisfactory to SPPS and PPS 6 archaeological policy requirements.

- 8.29 Consultation also occurred with HED: Historic Buildings who advised the site is within proximity to HB03/10/032 Arcadia, 6 Craig Vara Terrace, Portrush, which is a Grade B2 Listed Building of special architectural and historic interest. HED: Historic Buildings has no objections as the proposal as presented satisfies the policy requirements of paragraph 6.12 of the SPPS and Policy BH11 of PPS 6.

Access and Parking

- 8.30 Planning permission will only be granted provided the proposal does not prejudice road safety or significantly inconvenience the flow of traffic. This proposal is for a change of use of the existing restaurant to 3 No. Apartments. No new road access is proposed as part of this development. Creating Places document advises for unassigned spaces that 1.5 parking spaces are required per apartment. This results in a total of 5 spaces being required for this apartment conversion. Given the application site is located within the town centre, the previous use as a restaurant, on-street parking is considered sufficient for this proposal. In addition, DFI Roads was consulted in relation to this application and express no objections.
- 8.31 The proposal is acceptable in terms of the access and the car parking provision for this development. The proposal complies with Policies AMP 1, 2 and 7 of PPS 3.

Natural Heritage

- 8.32 The application site is in close proximity and hydrologically linked, due to the site's topography to the following marine protected areas: Skerries and Causeway SAC and Ramore Head and The Skerries ASSI. DAERA: Marine and Fisheries Division was consulted in relation to this application and have no objections to this proposal. There should be no adverse impacts on marine conservation, provided standing advice for development that may

have an effect on the water environment (including groundwater and fisheries) is adhered to.

- 8.33 Consultation occurred with Shared Environmental Services. Following an appropriate assessment in accordance with the Regulations and having considered the nature, scale, timing, duration and location of the project, SES advises the project would not have an adverse effect on the integrity of any European site either alone or in combination with other plans or projects. In reaching this conclusion, SES has assessed the manner in which the project is to be carried out including any mitigation.
- 8.34 Causeway Coast and Glens Borough Council in its role as the competent Authority under the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended), and in accordance with its duty under Regulation 43, has adopted the HRA report, and conclusions therein, prepared by Shared Environmental Service, dated 20/12/2022. This found that the project would not have an adverse effect on the integrity of any European site.
- 8.35 Following assessment, the proposal is acceptable in terms of natural heritage interests and is considered to meet the requirements of Policies NH 1 and 3 of PPS 2.

Habitats Regulations Assessment

- 8.36 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). The proposal would not be likely to have a significant effect on the features, conservation objectives or status of any of these sites.

9.0 CONCLUSION

- 9.1 The proposal is considered acceptable at this location having regard to the Northern Area Plan 2016 and other material considerations. The proposal meets the requirements of planning

policies. The Apartment conversion provides a quality residential development with satisfactory amenity provision. The proposed apartment density is considered acceptable. The partial enclosure of the existing external dining area at the lower ground floor is visually acceptable at this location. The proposal is considered acceptable in terms of layout, design, scale and massing respecting the surrounding context and is appropriate to the character and topography of the site. The proposal is not considered to create conflict with adjacent land uses and there is no unacceptable adverse effect on neighbouring properties.

- 9.2 The proposal is regarded acceptable from a sewage perspective and will not result in an environmental impact. The proposal will not have an adverse impact upon the setting of nearby listed buildings. The development is satisfactory to archaeological policy requirements. The proposal has satisfactory access and parking. The proposal is acceptable in terms of natural heritage interests. Approval is recommended.

10 CONDITIONS

1. As required by Section 61 the Planning Act (Northern Ireland) 2011 the development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

Reason: Time Limit.

2. The 1.8m high obscure glass panels shall be erected in the positions shown between Apartments 1 & 2 and 2 & 3 in accordance with Drawing Nos. 05B and 06B date received 14th December 2022 and permanently retained as such.

Reason: In the interests of residential amenity.

3. Prior to the occupation of the apartments hereby approved all existing noise generating plant and equipment on the eastern façade serving the ground floor restaurant shall be decommissioned and removed.

Reason: In the interests of residential amenity.

4. Bedrooms of apartments (elevations overlooking the Road: FR Marks noise impact assessment: acoustic design statement (Document 03, date stamped 20th October 2022)) shall have upgraded window units (glazing and frames) which shall attain as a minimum a Sound Reduction: 32dB in order to achieve BS 8233:2014 and World Health Organisation Guidelines in noise sensitive rooms for both daytime and night-time.

Dwellings (Reference Section 7.7.2, Table 4, BS 8233: 2014
“Guidance on sound insulation and noise reduction for buildings”

Activity	Location	07:00 to 23:00	23:00 to 07:00
Sleeping (daytime resting)	Bedroom	dB LAeq, 16 hour	30 dB LAeq, 8 hour 45dB LAmax (WHO)

Reason: In the interests of residential amenity.

5. All apartments shall achieve the acoustic design criteria as stated:
Dwellings (Reference Section 7.7.2, Table 4, BS 8233: 2014
“Guidance on sound insulation and noise reduction for buildings”

Activity	Location	07:00 to 23:00	23:00 to 07:00
Resting	Living Room	35dB LAeq, 16 hour	-
Dining	Dining Room	40dB LAeq, 16 hour	-
Sleeping (daytime resting)	Bedroom	35dB LAeq, 16 hour	30 dB LAeq, 8 hour 45dB LAmax (WHO)

Reason: In the interests of residential amenity.

6. Bedrooms of apartments (elevations overlooking the Road: FR Marks noise impact assessment: acoustic design statement (Document 03, date stamped 20th October 2022)) shall incorporate an acoustic ventilation system (with equivalent glazing Sound Reduction: R_w :32dB Dn,e) with specification to comply with Building Control Technical Booklet K and ventilation rates in accordance with Table 2.2 of Technical Booklet K.

Reason: In the interests of residential amenity.

7. In accordance with the Aona Environmental Consulting Ltd, Odour Impact Assessment (Doc 02 date received 20th October 2022), the odour abatement technology and extraction system serving the development hereby approved shall be designed, operated and maintained in order to achieve Very High Level Odour Control in accordance with EMAQ Guidance: “Control of Odour and Noise from Commercial Kitchen Exhaust Systems” (2022).

Reason: To Protect Amenity of Receptors

8. There shall be no direct discharge of untreated surface water run-off during the construction phase of the development on the slope towards the Skerries and Causeway SAC.

Reason: To ensure that the appointed contractor is aware of and implements the appropriate environmental mitigation during construction phase that will negate any potential effects on the features of Skerries and Causeway SAC.

9. Prior to construction a suitable buffer of at least 10m must be maintained between the location of any refuelling, storage of oil/fuel, concrete mixing and washing areas, storage of machinery/material/spoil etc. and the slope adjacent to the proposal.

Reason: To ensure that the appointed contractor is aware of and implements the appropriate environmental mitigation during construction phase that will negate any potential effects on the features of Skerries and Causeway SAC.

11 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 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.

3. 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.
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 through the Consultee Hub:
<https://consulteehub.planningsystemni.gov.uk>

Site Location Map

ACEmap[®] Online Scale 1:1250 Plan No. 00609NE1
Printed: 28/05/2009 Customer Ref. Plot I.D. 45578-1
This map relates to the following address or grid reference



Proposed Floor Plans

