

<b>Planning Committee Report LA01/2019/0830/F</b>	<b>23<sup>rd</sup> September 2020</b>
<b>PLANNING COMMITTEE</b>	

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

<b><u>App No:</u></b>	<b>LA01/2019/0830/F</b>	<b><u>Ward:</u></b>	<b>Portrush and Dunluce</b>
<b><u>App Type:</u></b>	<b>Full Planning</b>		
<b><u>Address:</u></b>	<b>55 &amp; 57 Causeway Street, Portrush.</b>		
<b><u>Proposal:</u></b>	<b>Demolition of an existing building to facilitate a residential development comprising 4 no. semi-detached dwellings, re use and alteration to existing stone outbuilding to 1no duplex apartment (holiday let), external domestic stores, car parking, landscaping and all associated site and access works</b>		
<b><u>Con Area:</u></b>	<b>N/A</b>	<b><u>Valid Date:</u></b>	<b>08.07.2019</b>
<b><u>Listed Building Grade:</u></b>	<b>N/A</b>		
<b>Applicant:</b>	<b>Drumeen Construction Ltd, 7 Seven House, Upper English Street, Armagh, BT61 7LA</b>		
<b>Agent:</b>	<b>TSA Planning, 20 May Street, Belfast, BT1 4NL</b>		
<b>Objections:</b>	<b>24 (12 objectors)</b>	<b>Petitions of Objection:</b>	<b>0</b>
<b>Support:</b>	<b>0</b>	<b>Petitions of Support:</b>	<b>0</b>

**Drawings and additional information are available to view on the Planning Portal- [www.planningni.gov.uk](http://www.planningni.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 a large plot outside the designated town centre but within the settlement limit of Portrush. The site is occupied by an existing 3.5 storey dwelling known as Strandmore House, and encompasses an area of approx. 0.33 hectares. Access to the site is from Causeway Street and the driveway rises slightly towards the existing dwelling to the north of the site where it becomes flat. The red line of the site also includes one property fronting onto Causeway Street (No. 57) south of this access.
- 2.2 There is a yard area as well as a large outbuilding to the rear of the dwelling in the north western section of the site. Bins are kept in this area as well as other domestic equipment. There is a garden area to the east and south of the dwelling which has some usable flat sections however it slopes eastwards towards East Strand. There is a private pedestrian walkway linking this site to the public promenade adjacent to East Strand. The site boundaries are primarily stone walls to the east and west with some vegetation situated along the north, south and eastern boundaries.
- 2.3 The site sits in an elevational position and benefits from panoramic views of the coastline and beyond. This in turn results in critical views of the site from various viewpoints along the Coast for example, East Strand beach, East Strand Water

sports centre, the Arcadia and further north along the coast at the Salmon Fisheries.

- 2.4 The site is located within Portrush settlement limit and Portrush Area of Archaeological Potential. Part of the site falls within the Ramore Head Local Landscape Policy Area (LLPA) (Designation PHL 01 from NAP 2016). The site is located within close proximity to Portrush Town Centre and adjacent to East Strand beach so there is a mixture of uses within the locality. The immediate context of the site is primarily residential in nature with existing dwellings/apartments located to the north, west and south of the site. The surrounding residential character comprises a mix of 2-3 storey terraced houses along Causeway Street, many of which have modern extensions. Contemporary 4 storey apartment buildings such as Sandy Bay and The Vue are located south of the site.

### **3.0 RELEVANT HISTORY**

LA01/2017/1293/F

Demolition of existing building to facilitate development of 6 no. apartments, re-use and alteration to existing stone outbuilding to 1 No. duplex apartment (holiday let), external domestic stores for each apartment, car parking, landscaping and all associated site and access works including minor alterations to the front elevation of no. 57 Causeway Street

Approval – 09.04.2019

LA01/2018/0250/PAD

Demolition of existing building to facilitate development of 7 no. townhouses, re-use and alteration to existing stone out building to 1 no. duplex apartment, external domestic stores for each dwelling, car parking, landscaping and all associated site and access works including minor alterations to the front elevation of 57 Causeway Street.

LA01/2017/0543/PAD

Demolition of Strandmore House and erection of residential development comprising 13 no. apartments, car parking, landscaping and all associated site

C/1987/0309

Change of use from vacant machine gun post to confectionery shop

Approval - 23.09.1987

C/1980/0063

Conversion of dwelling to licensed restaurant and flat

Approval - 10.03.1980

C/1979/0721

Site for dwelling in garden of Strandmore House

Approval - 11.12.1979

#### **4.0 THE APPLICATION**

- 4.1 Demolition of an existing building to facilitate a residential development comprising 4 no. semi-detached dwellings, re use and alteration to existing stone outbuilding to 1 no duplex apartment (holiday let), external domestic stores, car parking, landscaping and all associated site and access works.

#### **5.0 PUBLICITY & CONSULTATIONS**

##### **5.1 External:**

24 letters of objection have been received in relation to this application. The main issues raised are summarised below and will be considered and assessed in the remainder of this report:

##### Demolition of Strandmore House

- Demolition of Strandmore House as this building is of historical significance to Portrush and is in keeping with the Victorian terraces on Lansdowne Crescent, Bath Terrace and The Arcadia Building.

##### Impact on Ramore Head Local Landscape Policy Area (LLPA)

- This proposal results in further encroachment into the LLPA than the recently approved apartment development under LA01/2017/1293/F.

- The majority of the proposed development does not sit on the existing footprint of Strandmore House.
- Contrary to guidance of open space/recreational facilities as detailed in NAP 2016 in terms of the Ramore LLPA.
- Contrary as the proposal does not represent an appropriately sited building; is not a building ancillary to the enjoyment of open space; and is not used in conjunction with existing recreational facilities.
- Contrary to Policy ENV 1 of NAP 2016 as the proposal does not maintain the environmental value and character of Ramore Head or its integrity.
- A further precedent will be set allowing future development encroaching into LLPA zonings.

### Loss of Open Space

- Conflicts with Policy OS1 of PPS 8 as it does not bring substantial benefits that would outweigh the loss of open space.
- Site contributes to open character of Portrush so it is an area of substantial public amenity value notwithstanding its private land status.
- The gardens of Strandmore House are not previously developed land and as such constitute public open space of significant amenity value in this landscape setting.
- The gardens in the site provide a passive function as a natural and semi-natural urban green space and a visual amenity green space in accordance with Annex 1 of PPS 8.

### Impact on neighbouring residential amenity

- Loss of existing view
- Loss of privacy
- Overlooking of neighbouring properties (Causeway Street and No. 7 Strandmore)
- Bedrooms 1 & 3 in sites 1 & 2 overlook living/kitchen area of No. 43 Causeway Street. Private amenity area (balcony) will also be overlooked.
- Overlooking worse than apartment development approved.
- Loss of light, overshadowing and dominance.
- Closer to the common boundary with No. 7 Strandmore and East Strand than previously permitted.
- Separation distances between development and Causeway Street properties are less than 10m guidelines.

## Residential Development contrary to SPPS, DES 2, PPS 7 and Addendum to PPS 7

- Unacceptable height, scale, massing, width of proposal
- Inappropriate design and siting of development
- Modern design blocky with large towers/chimneys which are not reflective of local character
- Chimneys dominant
- Overdevelopment of site
- Increased footprint of development
- Demolition and site intensification detrimental to the character and appearance of the area
- Negative impact on the townscape character of Portrush
- Design, scale and massing unsympathetic to the area and does not respect the sensitive landscape character
- The siting, scale, layout, design and materials detracts from the existing character and residential amenity and has a negative impact on adjoining buildings and amenity space.
- The gardens of the proposed dwellings are not private
- Development too close to the sea
- Removal of the open character of the East Strand
- Not enough viewpoints displayed in the Landscape and Visual Impact Assessment with photomontages. The selected views do not give an accurate representation of the true visual impact of the development from East Strand.
- Site is very prominent so there will be an adverse visual impact due to visibility along the full length of the beach and from various viewpoints along the promenade.
- Less landscaping on proposed site plan compared with approved site plan.

### Coastal Erosion

- Development is contrary to Marine Policy Statement, section 2.6.8 and the SPPS Section 3.13 as the proposal is adjacent to an area which is categorised as high risk from coastal erosion events in recent years.

### Site Drainage and Flood Risk

- No Drainage Assessment has been submitted despite the proposal clearly exceeding the 1000m<sup>2</sup> threshold as per Policy FLD 3 of PPS 15.

- The development could result in unacceptable surface water run off or pollution.

### Other Matters

- No re-consultation with SES despite several consultations with DAERA: M&FD  
(DAERA returned their first consultation response on 05/11/19 and SES replied on 18/11/19. SES were aware of the coastal concerns at the time of their response. SES provide assessment on the HRA and have no objections. No further consultations to SES were deemed necessary.)
- Query over site address, P2A form and Certificate C.  
(The site address is correct as Nos. 55 & 57 Causeway Street are located within the existing red line of the application. Although no alterations are now occurring to No. 57 Causeway Street, the exclusion of this property from the red line is not a planning requirement. An amended P2A form was not provided as no works are now occurring to No. 57 Causeway Street and there is no prejudice. An amended P2A form is not necessary as the red line of this application has not increased.)
- Query over advertisements and neighbour notifications not following procedures and being incorrect  
(The last advertisement date for this application was 11/03/2020. There was no need to re-advertise when additional Documents 10 and 11 were received as these were regarded as further clarification/information and not substantive new information. The last neighbour notification date was 21/08/2020 so neighbours have been notified of all additional information received as well as amended plans.)

## 5.2 Internal:

NI Water (No objections)

Environmental Health (No objections)

DFI Rivers (No objections)

DFI Roads (No objections)

Historic Environment Division: Historic Monuments (No objections)

Historic Environment Division: Historic Buildings (No objections)

Shared Environmental Services (No objections)

DAERA: Water Management Unit (No objections)

DAERA: Regulation Unit Land and Groundwater Team (No objections)

DAERA: Natural Environment Division (No objections)

DAERA: Marine and Fisheries Division (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)

Planning Strategy for Rural Northern Ireland.

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

PPS 15 – Planning and Flood Risk

PPS 16 – Tourism

### **Supplementary Planning Guidance**

DCAN 8 – Housing in Existing Urban Areas

Creating Places

Development Control Advice Note 15 Vehicular Access Standards

## **8.0 CONSIDERATIONS & ASSESSMENT**

### **Planning Policy**

- 8.1 The site is located within Portrush settlement limit and Portrush Area of Archaeological Potential. Policy SET 2 of NAP 2016 applies for development within settlement development limits. Planning permission will be granted provided that the proposal is sensitive to the size and character of the settlement. Part of the site falls within the Ramore Head LLPA (Designation PHL 01) from NAP 2016. Policy ENV 1 of NAP 2016 falls for consideration as this applies to LLPAs. The proposal is in close proximity to European and National designated sites – The Skerries and Causeway SAC and Ramore Head and Skerries ASSI.
- 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: Impact on LLPA, local character, environmental quality and residential amenity, impact on townscape, tourism development, flooding, archaeology, listed buildings, access and parking, contamination and natural heritage.

### **Impact on LLPA**

- 8.3 Part of the site falls within the Ramore Head LLPA (Designation PHL 01) from NAP 2016. Policy ENV 1 of NAP 2016 applies for LLPAs and development proposals must not adversely affect the environmental quality, integrity or character of a designated LLPA. Ramore Head LLPA features of importance include:
- The prominent dolerite headland which is one of the outstanding natural features of the North Coast
  - An area of great geological and landscape interest as well as being in the Ramore Head and the Skerries ASSI
  - The area is almost entirely in public ownership, with most of the headland used for passive recreation with a network of paths.

Uses ancillary to the enjoyment of open space and existing recreational facilities will be given favourable consideration.

- 8.4 The scale of this LLPA designation is significant, and while it excludes the existing dwelling and built form on the site, including the existing stone outbuilding, the rear yard and the garden to the north, the LLPA does include much of the

dwelling's curtilage. As this is an existing dwelling, the dwelling and land benefit from Permitted Development rights, as set out under the General Permitted Development Order.

- 8.5 Planning history has been approved for an apartment development (LA01/2017/1293/F) on this application site which is extant to 2024. This planning permission allowed the new building to extend southwards (approx. 6.2m) encroaching into the LLPA zoning. It also permitted the proposed area of car parking for this apartment development within the LLPA designation. Reasons for approval were due to land already being in use as hardstanding (driveway, patio & car parking) as well as it being a very small part of the overall LLPA. The area being encroached by this development did not include any of the prominent features of importance and would not undermine the LLPA designation. The eastern area which is currently undeveloped and is the most open and prominent part of the current garden area remained untouched. Furthermore, this area of land was not within public ownership as it was land within the curtilage of the existing dwelling. Approval was granted as this slight extension of built form into the LLPA would not, in itself, warrant the withholding of planning permission.
- 8.6 The new proposal for this application site includes a Duplex apartment which entails the conversion of the existing stone outbuilding which falls outside the LLPA designation. This proposed Duplex apartment remains the same as the layout and design already approved under the previous planning permission (LA01/2017/1293/F).
- 8.7 The new proposal also includes 4 dwellings which are generally positioned on the existing footprint of Strandmore House although extends this existing footprint into the LLPA. The encroachment of the building is in a south eastern direction approx. 9.2m into the LLPA which is an increase of 3m from the approved apartment layout. The proposal also includes balconies at first floor level which would slightly protrude over the LLPA boundary.
- 8.8 It is important to note that this revised scheme has reduced the overall amount of encroachment into this LLPA from the original submission from 23m to 9.2m which is a significant reduction. The encroachment into this LLPA is considered, on balance, to

be acceptable given the extent of encroachment remains in the same general area which is already in hard surfacing, does not include any of the prominent features of importance of the LLPA, still retains the eastern area of gardens adjacent to the promenade, and is a small difference to the approved apartment layout. The proposal will not undermine this LLPA designation.

- 8.9 Objectors have raised concerns over the impact upon this LLPA (full details under sub heading “Impact on Ramore Head LLPA” in Paragraph 5.1). Consideration of the LLPA is set out in Paragraphs 8.3 - 8.8. There is a landscape buffer in the form of proposed hedging to the front of car parking spaces 1-8 which seeks to help protect some views from the public walkway. Policy ENV 1 states favourable consideration will be given to uses ancillary to the enjoyment of open space and existing recreational facilities. The proposal is located within the curtilage of an existing private dwelling on an area already comprised of hardstanding, with new buffer landscaping. In addition, the proposal seeks to retain the sloped garden area to the site frontage adjacent to the public walkway and east strand. It is considered this encroachment into the LLPA will not adversely affect the environmental quality, integrity or character of the designated Ramore Head LLPA.
- 8.10 Objectors also raise concerns about the precedent that will be set allowing development within the Ramore Head LLPA as then other designated LLPAs will be under threat. If planning permission is forthcoming, this encroachment into the LLPA will not set an undesirable precedent as each application is assessed on its own merits, it is development within the existing curtilage of a dwelling, and the most prominent and important contribution of this site to the LLPA is being retained.
- 8.11 Objection points as set out above in para 5.0 raise concern that the proposal is contrary to PPS 8, Open Space, Sport and Outdoor recreation, in that the development would result in a loss of open space. The proposed site is within the existing curtilage of a dwelling. The definition of open space is as set out in Annex A of PPS 8. It advises that “open space is taken to mean all open space of public value...” Para A2 of the Annex lists a range of open spaces that are of public value. The first one being parks and gardens – including urban parks, country parks, forest parks and formal gardens. This existing private

residential garden would not meet with the definition of open space. As such PPS 8 would not apply. The amenity value has been recognised under the LLPA policy and guidance and discussed in the preceding paragraphs.

### **Local Character, Environmental Quality and Residential Amenity**

- 8.12 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**

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;***

The proposal entails demolition of Strandmore House with erection of 4 dwellings and a duplex apartment in the existing stone outbuilding.

Objectors raise concerns in relation to the demolition of Strandmore House as this building is of historical significance to Portrush and in keeping with the Victorian terraces on Lansdowne Crescent, Bath Terrace and The Arcadia. While Strandmore House may have featured along this promenade since 1860, this dwelling is neither listed nor is it located within Portrush Area of Townscape Character, so there is no policy basis to control demolition, or to retain this building.

The original proposal included 7 townhouses with a duplex apartment in the existing stone building. Amendments were requested as there was an impact on the residential amenity of

No. 7 Strandmore given inadequate separation distances and unacceptable design as the gable fronts were roof heavy and not appropriate for this context. Amendments were received reducing the proposal to 2 pairs of semi-detached dwellings with a Duplex Apartment.

The proposed dwellings include a layout over three floors and are accessed via a pedestrian path along the south western site boundary. Therefore, the front of the dwellings face the rear of Causeway Street properties and the rear of proposed dwellings face East Strand. The proposed layout shows living/kitchen areas on the ground floor with an outside rear patio area. Bedrooms are located on the first floor with a projecting rear balcony. Additional bedrooms are located on the second floor with a recessed rear balcony. The patio and balconies provide extensive views over East Strand. The Duplex Apartment was not amended from the original proposal and remains the same layout and design as that approved under planning reference LA01/2017/1293/F which is acceptable.

The layout of the proposed dwellings in terms of the building footprint is acceptable as it is generally in the same location as the existing building although larger in size. The amended proposal maintains the same separation distance from No. 7 Strandmore (10m) as that approved under the apartment development reference LA01/2017/1293/F. The proposed dwellings follow the same approved layout as the apartment development in terms of the frontage/building line however, there are first floor balconies measuring 1.8m deep x 3.9m wide projecting beyond this towards East Strand. The proposed built form does not extend as close to the properties along Causeway Street when compared with the approved apartment layout increasing separation distances.

The main difference from the previously approved apartment development is the extension of built form in a south eastern direction encroaching further into the LLPA. This encroachment in terms of the proposed building footprint and the projecting balconies into the LLPA has already been considered in paragraphs 8.3 – 8.10 and found to be acceptable. The proposal respects the existing topography of the land as the grassed areas adjacent to the promenade are being retained with the built form primarily located on and near the existing

footprint of Standmore House towards the rear of the site. Hard surfacing and proposed landscaping is satisfactory.

The dwellings have an approximate depth of 10.5m with a frontage of 6.5m each. The ridge height of the dwellings is approx. 9m at the front and 9.8m at the rear. On reviewing the proposed site section B/B, the proposal has a smaller depth with the overall height remaining similar to the apartment development approved. The proposed chimneys project beyond the approved height by approx. 1m but this is considered satisfactory.

The contextual elevation and visuals provided show that the development although larger in size than Strandmore House, is acceptable in visual terms with the existing built form in this area due to its design, scale, massing and height. The proposed pair of semi-detached dwellings blend with surrounding development with their own frontage with mansard roofs and chimneys which are features reflective of neighbouring properties.

Objectors have raised concern that not enough viewpoints have been displayed in the Landscape and Visual Impact Assessment with photomontages (Doc 08 Rev A). The viewpoints provided are satisfactory furthermore all views surrounding and within the vicinity of the site have been considered during inspection and assessment of this application.

The application site is not subject to any design criteria or guide and it is not located within a conservation area or an Area of Townscape Character. The proposal does not impact upon the setting of listed buildings in proximity of the site as HED: Historic Buildings have no objections. In terms of design, there is no policy basis to limit or restrict contemporary/modern design.

Taking into consideration the mix of houses and apartments in the locality of Portrush and the more recent apartment developments in the immediate area (The Vue, Sandy Bay and Curran Gate), the design is satisfactory.

The proposal does not cause unacceptable damage to the character of the surrounding area and is considered appropriate to the character and topography of the site in terms of layout, scale, proportions, landscaping and hard surfaced areas.

***(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;***

HED: Historic Buildings and HED: Historic Monuments were consulted and have no objections so features of the archaeological and built heritage are protected. For full assessment see sub headings “Listed Buildings” and “Archaeology”.

Part of the site is located within the Ramore Head LLPA with part of the built form of the proposed buildings and car parking being in the area zoned as the LLPA. This encroachment is considered acceptable as assessed in detail under sub heading “Impact on LLPA”.

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;***

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 “In the case of 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 – 30m<sup>2</sup> per unit. Creating Places, paragraph 5.19 states all houses should have an area of private open space behind the building line and it should be approx. 70m<sup>2</sup> per house or greater. Smaller areas may be more appropriate for houses with 1 or 2 bedrooms but any individual house with an area of less than around 40m<sup>2</sup> will generally be unacceptable.



The Duplex Apartment contains its own private yard, enclosed by a 1.8m wall, with a small landscaped area and store so there is adequate space for bins. This space measures approx. 16.8m<sup>2</sup> which meets minimum requirements.

Dwelling 1 has a rear amenity space measuring approx. 57.6m<sup>2</sup> with 2 balconies measuring a total of 22.93m<sup>2</sup> which equates to 80.53m<sup>2</sup>. Dwellings 2 & 3 have rear amenity spaces of 54m<sup>2</sup> each, with balconies measuring 17.98m<sup>2</sup> so overall amenity figures are 71.98m<sup>2</sup> per dwelling. Dwelling 4 has a rear amenity space of 181.5m<sup>2</sup> with balconies measuring 17.98m<sup>2</sup> so the total amenity is 199.48m<sup>2</sup>. These figures for all the dwellings are above minimum requirements and are considered sufficient for amenity purposes. Measurements relating to the front gardens are not included as these are not private given their location with low boundary enclosures and the pedestrian access pathway adjacent. An area to the north west of the proposed dwellings comprises domestic stores for these 4 dwellings. Bin storage compounds for all the dwellings are located in their front gardens but this is visually acceptable given their enclosure with render walls and pre-finished sheeted gates.

Occupants of the Duplex Apartment and residents of the dwellings also have access to the extensive garden areas located adjacent to the eastern site boundary. Although the ground adjacent to the promenade does slope due to the existing topography it does not render it all unusable. There are small areas relatively flat or with a gentle slope which could be utilised for amenity purposes. Due to the site location future residents will also benefit from further public amenity space accessible by the retained pedestrian link onto the promenade.

The proposed landscape plan shows existing planting to be retained and augmented. The boundary adjacent to Causeway Street properties is to be planted out with a mix of smaller trees and understory planting. Climbing plants are proposed for the walls. Parking spaces will be separated by shrub and ground cover planting. Hedging and grass areas are proposed to the front of the car parking and hard surfaced area. Along the boundary adjacent to the promenade, meadow areas are proposed. The proposed landscape plan contains no new trees when compared with the approved landscape plan for the apartment development.

Despite this change, the level of landscaping proposed for this urban site is considered visually acceptable.

While the rear of these dwellings face East Strand and their amenity areas can be viewed from a distance by the public this is a similar arrangement with development approved at the Former Castle Erin Hotel and Conference Centre, Castle Erin Road, Portrush under LA01/2015/0459/F and LA01/2019/0459/F. This is a similar arrangement to the application site, as both have elevations facing the sea so rear amenity spaces require sensitive boundary treatment to ensure visual amenity is retained. Both sites are also elevated which helps to provide some degree of privacy to the rear amenity spaces however, a balance has to be reached to ensure appropriate design in a sensitive location along the promenade.

The site is elevated and each rear amenity space for the dwellings is sub-divided with a row of hedging which helps add an element of privacy. However, it is acknowledged these spaces are not entirely private. The recessed balcony on the second floor level of the dwellings should provide a more private space given the height above ground level. Due to the characteristics of the site and with access only available from Causeway Street, some concessions are required when weighing up assessment of the whole development. The fact that the rear amenity space is not completely private has been attributed less material weight given the unique location and characteristics of this site combined with the appropriate contextual relationship.

It is considered that the 4 dwellings and duplex apartment within this development have satisfactory amenity space meeting minimum requirements.

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

Not applicable to a development of this scale. The site location is close to the town centre 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;***

The site is within the settlement limit of Portrush and the site is served well by public transport with a bus stop located at Dunluce Avenue and Portrush train station situated approx. 0.3 miles away that provides connections to Coleraine and onward links to Belfast and Derry/Londonderry. The site is within walking distance of local retail units, cafes, restaurants, primary schools, churches, recreational uses such as Barry's Amusements and Portrush recreation grounds.

The proposed development has links to Causeway Street utilising the existing access and the existing pedestrian link to the promenade adjacent to east strand is being retained. The proposal therefore promotes more sustainable modes of transport such as walking and cycling. The proposal provides convenient access to public transport.

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

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;***

The proposal has a contemporary architectural style, particularly in the rear elevation facing onto East Strand as there is extensive glazing with projecting and recessed balconies and pronounced chimneys. The front elevation facing Causeway Street properties and proposed side elevations have smaller sized windows except for hall and landing areas resulting in a higher solid-to-void ratio overall. The proposed development is considered to be visually appropriate in this context and should not negatively impact local character.

There is a mixture of house and apartment types and designs within Portrush so the design of this development is considered satisfactory.

Proposed materials/finishes are dark grey metal roof covering with standing seam detail. Rainwater goods are dark grey PPC aluminium. Walls are white smooth render, dark grey metal wall covering and coloured weatherboard cladding. Windows are dark grey PPC aluminium and doors are pre-finished sheeted H/W or composite. These contemporary materials are satisfactory as they are in keeping with those used in other developments within the wider area.

The scale, form, massing and appearance, materials and detailing of the proposed dwellings and apartment outbuilding is acceptable.

***(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;***

Neighbouring residential dwellings are located to the west and north of this application site and several objections have been received in terms of the proposal impacting upon their residential amenity. All concerns are detailed under the sub heading “Impact on neighbouring residential amenity” in paragraph 5.1.

Objectors mention the loss of existing view as the main amenity areas for the Causeway Street properties are situated to their rear to maximise sea views. The loss of view is seen to be in the private interest, not necessarily in the public interest and as stated in paragraph 2.3 of the SPPS, “The planning system... does not exist to protect the private interests of one person against the activities of another...”. The loss of view has been considered, however the protection of a private view is not enough to warrant a refusal.

The proposed dwellings are located approx. 10m away from No. 7 Strandmore House. Adjacent to No. 7 Strandmore, the height of Dwelling 4 is approx. 9.8m with the chimney extending beyond the ridge height by 1.4m. The proposed dwellings are lower than Strandmore House however, more built form is located forward of

the existing building. Dwelling 4 has a depth of 10.5m at three storey height which drops to two stories for a further 2.5m which is much less bulky than the apartment development approved as the depth was 15.3m at three storey height. The proposal results in a better relationship with No. 7 Strandmore. Taking into consideration the scale and massing of the buildings, the site orientation, location of development and separation distances, there will be no significant adverse effect due to overshadowing and loss of light to No. 7 Strandmore. The proposal will not be overly dominant to No. 7 Strandmore due to the open aspect of their front garden which will be retained, adequate separation distances and appropriate scale and massing.

Strandmore House has existing ground, first, second and third floor windows totalling 9 in the gable directly facing No. 7 Strandmore. The approved apartment building has kitchen, dining and ensuite windows at ground, first and second floor levels directly facing No. 7 Strandmore totalling 10 windows however, 3 of these are for ensuites with obscure glass. Proposed Dwelling 4 has 8 windows/doors facing No. 7 Strandmore however 2 of these are finished in obscure glass. There are no anticipated concerns with proposed ground floor windows/doors. A first floor bedroom window, first floor landing and second floor bedroom window directly face No. 7 Strandmore. This amount of overlooking is considered reasonable given these are not main habitable rooms and the relationship is better than the approved apartment layout which comprised living and kitchen windows in this side elevation. It is considered that overlooking of No. 7 Strandmore is not unacceptable as potential views of their private rear amenity are limited. It is unreasonable to prohibit the location of windows in the side elevation of Dwelling 4 facing No. 7 Strandmore as weight is given to the existing arrangement of windows that directly overlook this property.

Balconies are proposed within this development. There will be no overlooking of No. 7 Strandmore from the second floor balcony as this area is recessed. The first floor balcony projects outwards however, this area is set back from the side gable of Dwelling 4 by 2.6m. Given this arrangement combined with separation distances, views are restricted towards the sea and front of No. 7 Strandmore's garden. It is not considered necessary to provide a screen on this balcony as views back towards No. 7 Strandmore

are limited by the actual proposed building. The residential amenity of No. 7 Strandmore should not be adversely affected.

The proposal will not result in unreasonable overshadowing or dominance to the properties to the rear of the site on Causeway Street. This is due to the site orientation, the location of the proposed dwellings, adequate separation distances, the scale and massing of development and the topography of the site.

Objectors state that the separation distance from the properties on Causeway Street and the proposed dwellings do not meet the requirements of Creating Places. This guidance states in paragraph 7.16 “where the development abuts the private garden areas of existing properties, a separation distance greater than 20m will generally be appropriate to minimise overlooking, with a minimum of around 10m between the rear of new houses and the common boundary.” The separation distances from the front elevations facing Causeway Street properties and the rear boundary of the site are approx. 7.4m from Dwelling 1, 8m from Dwelling 2 and 13.8m from Dwellings 3 & 4. These measurements exclude the small front entrance projections.

Notwithstanding the above, this development does not abut the private garden areas of all the properties in Causeway Street because there is a hardcore lane immediately adjacent to the application site. Only Nos. 31, 33 & 35 immediately abut the application site. Separation distances range from approx. 15-19.5m between the front elevation of the dwellings and the rear of the returns related to the properties of Causeway Street. Although the separation distances advised in Creating Places are not adhered to, the lesser distances are acceptable in this particular instance because of the lower ground level of the proposed dwellings combined with the height. The height of the dwellings when viewed from the existing ground level of the hardcore lane to the rear of the properties along Causeway Street will only appear 4.6m high for the entrance porch rising to 6m. This proposal actually reduces the overall scale and massing of development to the Causeway Street properties when compared with the approved apartment scheme in Site Section A/A. Separation distances have been increased with proposed development set further away from the rear boundary of the site by approx. 1.8m.

Due to the existing levels between the properties on Causeway Street and the application site, overlooking will not unacceptably impact upon residential amenity. It is acknowledged Causeway Street properties have their bedrooms, living and balcony areas to the rear to maximise sea views. Causeway Street properties will be overlooked to some extent by the second floor windows of the dwellings given the difference in ground levels. This includes 4 bedroom windows and 4 landing windows. The approved apartment scheme had 2 bedroom windows and 3 obscure glass windows at second floor level directly facing these properties as well as a communal stair area. In terms of the proposed dwellings, regard is had to the small size of the bedroom windows which minimise overlooking opportunities. These windows are also located at an increased separation distance when compared to the apartment layout approved. In addition, the landing windows are 1.8m above finished floor level so overlooking is restricted. This amount of overlooking is not unacceptable given the urban location of the site, separation distances available and considering the existing use of the site.

It is important to note that the application site is located in an urban context in a high density neighbourhood. There is already existing overlooking between various properties so it would be unreasonable to expect no overlooking from development in these areas.

Noise and disturbance is a material consideration of this application. The location of proposed parking for the dwellings and apartment outbuilding is in the existing area of hard standing adjacent to the western boundary. Cars do park in the same location at present albeit less in number associated with a domestic dwelling curtilage. Noise levels from this source and from prospective residents using bins and stores is not anticipated to be unacceptable and Environmental Health have no objections subject to noise informatives. This proposal is for residential development adjacent to existing housing within the settlement limit of Portrush so this proposed residential use is considered compatible with adjacent land uses in this regard.

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

The development has been designed to deter crime and promote personal safety. The boundaries of the site will be tapered stone walls. Units are designed with security in mind with front gardens bounded and there is an enclosed storage area. All units have access to the open space towards the front of the site.

The proposed development will not lead to the creation of spaces where anti-social activity will be encouraged. The grass areas in the eastern section of the site are overlooked by public areas given the views available from the promenade and east strand so this provides surveillance of this space.

- 8.13 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*

The proposal consists of demolishing the existing Strandmore House and replacing with 4 dwellings and 1 duplex apartment. Previously the application included 7 townhouses so there has been a reduction in numbers.

The surrounding area consists of dwellings, converted buildings to apartments, and new build apartment blocks such as Sandy Bay, The Vue and Curran Gate.

The application site measures 0.34 hectares so this proposal at 4 dwellings and a Duplex Apartment is considered low in density. The plot size is large with a good ratio of built form to garden area. The dwellings and the Duplex Apartment have private and communal amenity space provision and meet parking requirements. The application site in terms of density respects the surrounding context taking into consideration the apartment developments already built and terrace housing within the immediate vicinity. The density is acceptable for the site within an urban area so close to the town centre.



The pattern of development is in keeping with the overall character of the established residential area. The spacing between neighbouring properties is acceptable as well as scale, massing and height.

All dwellings and apartment units are satisfactory in terms of size requirements.

### **Impact on Townscape**

- 8.14 Other key policies in relation to the proposal are Policies SP 18 and DES 2 of a Planning Strategy for Rural Northern Ireland. Policy SP 18 requires a high standard of design. Policy DES 2 requires development proposals in towns and villages to make a positive contribution to townscape and be sensitive to the character of the area in terms of design, scale and use of materials. Consideration has been given to design and local character in paragraphs 8.3 – 8.12. In addition, this area is dominated predominately by the rear returns of buildings fronting Causeway Street. The retention of built form towards the East Strand and the promenade presents an attractive uniform facade. The buildings on Causeway Street also provide a backdrop to the proposed development which aids its assimilation into the street scene as the proposed building is absorbed with this existing development. It is therefore considered, on balance, that this proposal complies with the requirements of Policy DES 2 and is sensitive to the existing townscape.

### **Tourism Development (PPS 16)**

*Policy TSM 1 - Tourism Development in Settlements*

*Policy TSM 7 - Criteria for Tourism Development*

- 8.15 Apartment Outbuilding falls for consideration under Tourism because this residential use is for holiday let. It is not for permanent residential accommodation. The location of this Duplex Apartment is within a settlement and it is considered to respect the site context in terms of scale, size and design as it is a conversion of the existing outbuilding with minor alterations. The height of the Duplex apartment remains the same as the existing outbuilding. A square bay window is proposed for the living area directly facing the front of the new dwellings. Access is gained via stairs through

side elevation 4. A small private amenity area with bin storage is located adjacent to side elevation 4 enclosed by a 1.8m high wall. The proposal is considered compliant with Policy TSM 1 of PPS 16.

- 8.16 All tourism developments must also comply with the 15 criteria set out in TSM 7 of PPS 16. These criteria relate to design, layout, boundary treatment, drainage, crime, impact on character and neighbouring residents, access arrangements, sewage disposal and impacts on features of natural or built heritage.
- 8.17 The Duplex Apartment is accessed from Causeway Street and DFI Roads have no objections. The Duplex Apartment has its own small amenity area with store and landscaped area but it also has access to the larger amenity spaces within the site. The amenity area and store is well screened with a 1.8m high wall. The Duplex Apartment has acceptable sewage disposal and DAERA: Water Management Unit have no objections. The location of the Duplex apartment is to the rear of the site to the front of dwellings 3 & 4 so public views are somewhat limited. Regardless, the Duplex apartment is considered to be of appropriate design, scale and massing and is a sympathetic conversion of an existing stone building. The Duplex apartment should not adversely affect features of the natural or built heritage and will not detract from the landscape quality and character of the surrounding area.
- 8.18 The Duplex Apartment will be finished in dark grey roof slates, dark grey zinc roof covering & fascia. Rainwater goods will be dark grey aluminium. The walls will be finished in dark grey zinc standing seam cladding and the existing stonework will be retained. Weatherboard cladding is also proposed. Windows and doors will be dark grey PPC Aluminium and Hardwood Sheeted with painted finish. These materials/finishes are considered satisfactory for this converted outbuilding.
- 8.19 The Duplex Apartment contains a living room window directly facing the front of new dwelling No. 3. Outlook is considered sufficient for a holiday let but this environment would not be suitable for permanent residential accommodation. The proposal is for holiday let so it is considered acceptable on the basis of non-permanent occupation. A condition will issue with any approval granted prohibiting use of this converted outbuilding as permanent residential accommodation.

- 8.20 The potential impact of this Duplex Apartment on the residential amenity of neighbouring properties requires assessment. Rear Elevation 3 directly faces the properties on Causeway Street. The only alteration is velux windows which are approx. 2m high from finished floor level so overlooking will be minimal. Side Elevation 2 remains similar to existing except for the inclusion of a bay window approx. 0.5m behind the existing gable wall. Overlooking from this bay window will not adversely harm neighbouring residential amenity as views are primarily of the new dwellings with an oblique angle view of the concrete laneway leading to the properties along Causeway Street. Side Elevation 4 includes a new first floor kitchen door with stair access. Overlooking of Nos. 29 & 31 Causeway Street and No. 7 Strandmore is restricted by the existing high stone wall. The Duplex Apartment is considered not to result in unacceptable overlooking of neighbouring properties. The Duplex Apartment will not result in overshadowing or loss of light to neighbouring properties as it is a conversion of the existing stone building with small alterations and there is no increase in height.
- 8.21 The potential impact of this Duplex Apartment on the amenity of prospective residents of the proposed dwellings requires assessment. The Duplex Apartment is located to the front of new dwellings 3 & 4. The front elevation of this apartment contains 3 windows at ground floor level relating to a study and bedroom and 2 windows at first floor level for a living and dining area. The majority of these windows are small and narrow which assists in restricting views. Most views would be attainable from the first floor living room given its window size and positioning. Views would be possible of the front gardens belonging to these new dwellings as well as views into their halls, landing and some bedrooms. While some overlooking may occur, this is not unacceptable given the use of this Duplex Apartment as holiday accommodation; the open character to these front gardens with a pedestrian path and low boundary treatment so privacy is not a key consideration from this aspect; and there is ample amenity space to the rear.
- 8.22 The proposal is considered to be compliant with Policy TSM 7 of PPS 16 given the above assessment.

## **Flooding (PPS 15)**

Policy FLD 1 – Development in Fluvial Flood Plains

Policy FLD 2 – Protection of Flood Defence and Drainage Infrastructure

Policy FLD 3 – Development and Surface Water

- 8.23 Consultation occurred with DFI Rivers in relation to this application. The Strategic Flood Map (NI) indicated that the site lies just outside the 1 in 200 year coastal flood plain. The site is unaffected by a designated watercourse and a site inspection did not reveal any obvious undesignated watercourses. A Drainage Assessment is required if the proposal involves an increase in hardstanding of 1000m<sup>2</sup> or more. Measurement of these areas did not exceed this threshold so a Drainage Assessment was not requested. Drawing No. 38 provided by the Agent confirms there is only an increase in hard surfacing of 283m<sup>2</sup> from the existing arrangement. DFI Rivers have no reason to object to the proposal from a coastal floodplain perspective. The proposal complies with Policies FLD 1, FLD 2 & FLD 3 of PPS 15.

## **Archaeology (PPS 6)**

Policy BH 2 - The Protection of Archaeological Remains of Local Importance and their Settings.

- 8.24 The proposal is located within the Area of Archaeological Potential (APP) for Portrush. Archaeological remains of the origins and development of the historic town may be encountered in this area. The application site contains a pillbox (ANT002:022). Consultation occurred with HED: Historic Monuments who advised the proposed works do not appear to have any impact on the pillbox. Any dumping or storage of materials should avoid this area. HED notes that the majority of the proposed redevelopment has been amended to be on the footprint of the existing buildings. Consequently, due to the scale and nature of the proposed development, HED is content the proposal satisfies PPS 6 policy requirements, subject to conditions for the agreement and implementation of a developer-funded programme of archaeological works.

## Listed Buildings (PPS 6)

### Policy BH 11 - Development affecting the setting of a listed building.

- 8.25 The proposal is in proximity of 5 Craig Vara Terrace, Portrush, the Arcadia, 6 Craig Vara, Portrush and St.Patrick's R.C. Church, Causeway Street, Portrush all of which are listed buildings. Consultation occurred with HED: Historic Buildings who have no objections to this scheme. HED notes that the current, amended proposal satisfies paragraph 6.12 of the SPPS and Policy BH 11 of PPS 6.

## Access and Parking (PPS 3 & DCAN 15)

### Policy AMP 1 – Creating an Accessible Environment

### Policy AMP 2 – Access to Public Roads

### Policy AMP 7 – Car Parking and Servicing Arrangements

- 8.26 Planning permission will only be granted provided the proposal does not prejudice road safety or significantly inconvenience the flow of traffic. The proposed development utilises the existing access point to Strandmore House from Causeway Street. The access and driveway will be 5.5m wide to allow for the safe passage of vehicles. A Transport Assessment Form was submitted with the application. The proposal includes the provision of 10 parking spaces for use by the dwellings and apartment outbuilding and 2 visitor parking spaces formally laid out within a car park. Additional on-street parking is also available on Causeway Street.
- 8.27 DFI Roads was consulted and have no objections to this application subject to conditions and informatives. The proposal is acceptable in terms of the proposed access and the car parking provision for this development.

## Contamination

- 8.28 Consultation occurred with DEARA: Regulation Unit (RU) (Land and Groundwater Team) to consider the potential for contamination to be present at the site that could impact on environmentally sensitive receptors including groundwater and surface water.

- 8.29 A Preliminary Risk Assessment (PRA) was submitted by the Agent which summarises the site history and environmental site situation. No potentially contaminating land uses are identified at the site, and no unacceptable risks to environmental receptors are identified for the development.
- 8.30 RU have no objections to this development provided conditions and informatives are placed on the planning decision notice.
- 8.31 Environmental Health was consulted and have no objections to this proposal. The applicant is advised that the onus to consider land contamination risk and ensure that a site is safe and suitable for its intended use rests with the developer.

### **Natural Heritage (PPS 2)**

*Policy NH 1 – European and Ramsar Sites - International*

*Policy NH 2 – Species protected by law*

*Policy NH 3 – Sites of Nature Conservation Importance - National*

*Policy NH 5 – Habitats, Species or Features of Natural Heritage Importance*

- 8.32 The application site is in close proximity to North Antrim Coast SAC, Skerries and Causeway SAC and is hydrologically connected to Portrush West Strand ASSI, White Rocks ASSI and Ramore Head and The Skerries ASSI which are of international and national importance.
- 8.33 The application site contains trees, hedgerow, a dwelling and buildings which need to be demolished and converted. DAERA: Natural Environment Division (NED) was consulted for comments on the Biodiversity Checklist, Preliminary Ecological Appraisal and Bat Survey Report. NED is content that the building to be removed does not currently support roosting bats. NED also notes that the bat activity across the site was low and therefore is content that the proposed development is unlikely to significantly impact the local bat population.
- 8.34 NED advised it is unlikely the development will have any significant direct impacts to the earth science features of the designated sites around the coastline. NED acknowledges submission of the

Construction Environmental Management Plan (CEMP) which incorporates pollution control measures to prevent the egress of pollutants and sediments into the adjacent aquatic environment along the eastern boundary of the site. NED have considered the impacts of the proposal on designated sites and other natural heritage interests and have no objections subject to a final CEMP being submitted for review prior to works commencing.

- 8.35 Consultation occurred with SES who have no objections to this proposal. Having considered the nature, scale, timing, duration and location of the project it is concluded that provided mitigation is conditioned in any planning approval, the proposal will not have an adverse effect on site integrity of any European site. Mitigation measures include submission of a final CEMP before commencement of any works on site.
- 8.36 Consultation occurred with DAERA: Marine and Fisheries Division (M&FD). A CEMP was submitted showing the types of construction work proposed for this development. Provided there is no piling associated with construction works, the proposal is unlikely to have a significant impact on protected species.
- 8.37 M&FD advise the proposal is adjacent to an area which is categorised as high risk from coastal erosion and has experienced several erosion events in recent years. Concerns relate to the sustainability of a development which is directly adjacent to an area at high risk of erosion and the impact that hard sea defence structures required to protect the property in the future may have on the adjacent marine environment and protected areas. The protected habitats situated adjacent to this site and along adjacent areas of the coastline are subject to hydrographic processes, which are specific to maintaining the conditions necessary for those habitats to function. Future sea defences may not necessarily impact areas immediately adjacent to the site, but may impact areas further along the coast as a result of changes in sediment movement and wave action. M&FD considers the proposal contrary to Marine Policy Statement, section 2.6.8 and SPPS section 3.13.
- 8.38 The Agent provided documents dated 27<sup>th</sup> February 2020 and 20<sup>th</sup> March 2020 seeking to address coastal development issues which

were forwarded to M&FD for further assessment. M&FD still has reservations about increasing the amount of development on this site. The cumulative impact of further development will contribute to increased pressure on this coastal strip, resulting in coastal squeeze. The site is bounded by a promenade and hard engineered sea defences. It is a high energy section of the coastline and overtopping of the promenade does occur during storm events. As this is a coastal strip at high risk of erosion, M&FD recommend implementation of the precautionary principle which is supported in the Marine Policy Statement and the draft Marine Plan for NI.

- 8.39 An additional document dated 23<sup>rd</sup> June 2020 was forwarded by the Agent for further assessment by M&FD. The final consultation response from M&FD refers to appeal decision 2019/A0094 in which key issues to be taken into account are whether the proposed development is acceptable in principle; exacerbate coastal erosion or have an unacceptable adverse impact on the conservation objectives of designated sites. M&FD advise there is a considerable lack of up to date scientific data available to fully assess the potential impacts of climate change on the coast in NI. It is considered the impact of climate change is greater than what is contained within existing predictions used for modelling and this should be taken into account. M&FD cannot make a full assessment until further scientific evidence detailing predicted impacts of coastal erosion and climate change on the Northern Irish coastline are available. M&FD refer to the precautionary principle in that a proposal should only be allowed where the public benefit clearly outweighs the potential adverse impact.
- 8.40 Section 6.38 of the SPPS advise the need of this development should be assessed and Section 6.42 of the SPPS states that development will not be permitted in areas of the coast known to be at risk from flooding, coastal erosion, or land instability. Section 6.33 of the SPPS states that the RDS recognises that coastal areas need to be protected from coastal squeeze, to safeguard against loss of distinctive habitats, and to help adaptation to climate change.
- 8.41 Consideration has been given to the information provided by the Agent and M&FD. However, approval has been granted for 6



apartments and 1 No. duplex apartment under planning reference LA01/2017/1293/F on 9<sup>th</sup> April 2019 which is extant until 8<sup>th</sup> April 2024. During the processing of this previous planning application consultation also occurred with DAERA:M&FD but no coastal issues were raised as a concern so planning permission was granted. Coastal squeeze concerns have been identified in the processing of this current application with M&FD recommending refusal based on the precautionary principle. This approach is not considered a viable option given the previously approved development can be built on the site up until 2024. Also, this application results in a reduction in numbers with only 4 dwellings and 1 apartment proposed as opposed to 7 apartments approved. Although the proposed footprint is larger than the approved layout the difference is considered minor in that the additional pressure in terms of coastal squeeze would not be so significant to warrant refusal of this application. The proposal is therefore considered acceptable at this location giving significant material weight to the extant planning permission at this site. The proposal is considered to meet the requirements of Policies NH 1, 2, 3 & 5 of PPS 2.

### **Habitats Regulations Assessment**

- 8.42 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 and provides a quality residential development. The development will not negatively impact upon the Ramore Head LLPA. The Duplex Apartment is acceptable as a conversion of the existing stone building in terms of its tourism use. The proposal will not adversely impact upon the surrounding context given the development assimilates with the existing built form. The proposal

is appropriate to the character and topography of the site in terms of layout, scale, massing, design, landscaping and hard surfaced areas. Private and communal amenity areas for proposed units are adequate in size. The design and layout does not unacceptably impact upon neighbouring residential amenity. There are no archaeological or listed building concerns. There are no concerns with site drainage and the proposal is acceptable from a coastal floodplain perspective. The proposed development has satisfactory access and parking. There are no contamination issues with this development. The proposal does not harm the Skerries and Causeway SAC and Ramore Head and Skerries ASSI. The proposal does not impact on designated sites or protected species. However, a final CEMP should be submitted for review prior to works commencing. While there are concerns with coastal squeeze, this proposal is considered acceptable at this location giving significant material weight to the extant planning permission at this site. 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. All hard and soft landscape works shall be completed in accordance with Drawing Nos. 29D and 32A date stamped 19<sup>th</sup> March 2020 respectively within the first available landscaping season after the occupation of the first dwelling, unless otherwise agreed by the Planning Authority in writing.

Reason: To ensure the provision of amenity afforded by appropriate landscape design.

3. If within a period of 5 years from the date of the planting of any tree, shrub or hedge, that tree, shrub or hedge is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Council, seriously damaged or defective, another tree, shrub or hedge of the same species and size as that originally planted shall

be planted at the same place, unless the Council gives its written consent to any variation.

Reason: To ensure the provision, establishment and maintenance of a high standard of landscape.

4. Any proposed planting within the application site shall be of native species.

Reason: To ensure the provision, establishment and maintenance of a high standard of landscape.

5. The 1 No. duplex apartment within the existing stone outbuilding hereby permitted shall only be used for holiday accommodation and shall not be used for permanent residential accommodation.

Reason: Approval is granted solely for this conversion of the existing stone building because of its holiday use/tourist purpose.

6. No development shall commence until the vehicular access, including visibility splays and any forward sight distance is provided in accordance with Drawing No. 29D and DFI Roads FCD 1 form bearing the date stamp 19<sup>th</sup> March 2020. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250mm above the level of the adjoining carriageway and such splays shall be retained and kept clear thereafter.

Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.

7. The access gradient to the dwellings hereby permitted shall not exceed 8% (1 in 12.5) over the first 5m outside the road boundary. Where the vehicular access crosses footway, the access gradient shall be between 4% (1 in 25) maximum and 2.5% (1 in 40) minimum and shall be formed so that there is no abrupt change of slope along the footway.

Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.

8. A final Construction Environmental Management Plan and finalised Site Drainage Plan shall be submitted by the applicant/approved

contractor to the Planning Authority for agreement prior to works commencing. This should reflect and detail all the pollution prevention, mitigation and avoidance measures as outlined within the Construction Environmental Management Plan (date stamped 08/07/2019) and all additional submitted information.

Reason: To prevent polluting discharges entering and impacting upon the Skerries and Causeway SAC. To ensure that the appointed contractor is aware of and implements the appropriate environmental mitigation during construction phase.

9. If during the development works, new contamination or risks to the water environment are encountered which have not previously been identified, works should cease and the Planning Authority shall be notified immediately. This new contamination shall be fully investigated in accordance with the Model Procedures for the Management of Land Contamination (CLR11). In the event of unacceptable risks being identified, a remediation strategy shall be agreed with the Planning Authority in writing, and subsequently implemented and verified to its satisfaction.

Reason: Protection of environmental receptors to ensure the site is suitable for use.

10. After completing all remediation works under Condition 9 and prior to occupation of the development, a verification report needs to be submitted in writing and agreed with the Planning Authority. This report should be completed by competent persons in accordance with the Model Procedures for the Management of Land Contamination (CLR11). The verification report should present all the remediation and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and achieving the remedial objectives.

Reason: Protection of environmental receptors to ensure the site is suitable for use.

11. Details of the maintenance and management for the communal landscaped areas shall be submitted to and agreed with the Planning Authority before occupation of the first unit of the development approved.

Reason: To ensure the provision, establishment and maintenance of a high standard of landscape.

12. No site works of any nature or development shall take place until a programme of archaeological work (POW) has been prepared by a qualified archaeologist, submitted by the applicant and approved in writing by Causeway Coast and Glens Borough Council in consultation with Historic Environment Division, Department for Communities. The POW shall provide for:
- The identification and evaluation of archaeological remains within the site;
  - Mitigation of the impacts of development through licensed excavation recording or by preservation of remains in-situ;
  - Post-excavation analysis sufficient to prepare an archaeological report, to publication standard if necessary; and
  - Preparation of the digital, documentary and material archive for deposition.

Reason: to ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded.

13. No site works of any nature or development shall take place other than in accordance with the programme of archaeological work approved under condition 12.

Reason: To ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded.

14. A programme of post-excavation analysis, preparation of an archaeological report, dissemination of results and preparation of the excavation archive shall be undertaken in accordance with the programme of archaeological work approved under condition 12. These measures shall be implemented and a final archaeological report shall be submitted to Causeway Coast and Glens Borough Council within 12 months of the completion of archaeological site works, or as otherwise agreed in writing with Causeway Coast and Glens Borough Council.

Reason: To ensure that the results of archaeological works are appropriately analysed and disseminated and the excavation archive is prepared to a suitable standard for deposition.

15. Notwithstanding the provisions of the Planning (General Permitted Development) Order (NI) 2015, or any Order revoking and re-enacting that Order, no external extensions/alterations to the front or rear of the dwellings hereby approved, nor buildings (including outbuildings, garden sheds/stores, dog kennels etc), walls, gate pillars, fences or other structure, nor hard surface or enclosure or access onto an unclassified road, shall be permitted within the curtilage of the application site, without prior written consent from the Council.

Reason: To preserve townscape character and protect the design integrity of the scheme.

## 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 at <http://epicpublic.planningni.gov.uk/publicaccess/>.
6. Historic Environment Division: Historic Monuments advise the following:

Please refer to the HED guidance document Development and Archaeology: Guidance on Archaeological Works in the Planning Process which contains advice on how to fulfil the requirements of the archaeological conditions attached to your planning approval.

Please allow sufficient time in advance of the commencement of site works for the agreement of the programme of archaeological work document with the planning authority and for your archaeological consultant to obtain an archaeological excavation licence. For guidance on the preparation of the programme of archaeological work please contact:

Historic Environment Division – Heritage Development & Change  
Branch Ground Floor 9 Lanyon Place Belfast BT1 3LP

Tel: 02890 823100 Email: HEDPlanning.General@communities-ni.gov.uk

Quote reference: SM11/1 ANT002:022 and LA01/2019/0830/F

7. DAERA: Natural Environment Division advise the following:

The applicant's attention is drawn to The Conservation (Natural Habitats, etc) Regulations (Northern Ireland) 1995 (as amended), under which it is an offence:

- a) Deliberately to capture, injure or kill a wild animal of a European protected species, which includes all species of bat;
- b) Deliberately to disturb such an animal while it is occupying a structure or place which it uses for shelter or protection;
- c) Deliberately to disturb such an animal in such a way as to be likely to –
  - i. affect the local distribution or abundance of the species to which it belongs;
  - ii. Impair its ability to survive, breed or reproduce, or rear or care for its young; or
  - iii. Impair its ability to hibernate or migrate;
- d) Deliberately to obstruct access to a breeding site or resting place of such an animal; or
- e) To damage or destroy a breeding site or resting place of such an animal.

If there is evidence of bat activity / roosts on the site, all works must cease immediately and further advice must be sought from the Wildlife Team, Northern Ireland Environment Agency, Klondyke Building, Cromac Avenue, Gasworks Business Park, Belfast BT72JA. Tel. 028 905 69558 or 028 905 69557.

The applicant's attention is drawn to Article 4 of the Wildlife (Northern Ireland) Order 1985 (as amended) under which it is an offence to intentionally or recklessly:

- kill, injure or take any wild bird; or
- take, damage or destroy the nest of any wild bird while that nest is in use or being built; or
- at any other time take, damage or destroy the nest of any wild bird included in Schedule A1; or
- obstruct or prevent any wild bird from using its nest; or
- take or destroy an egg of any wild bird; or
- disturb any wild bird while it is building a nest or is in, on or near a nest containing eggs or young; or
- disturb dependent young of such a bird.

Any person who knowingly causes or permits to be done an act which is made unlawful by any of these provisions shall also be guilty of an offence.

It is therefore advised that any tree, hedge loss or vegetation clearance should be kept to a minimum and removal should not be carried out during the bird breeding season between 1st March and 31<sup>st</sup> August.

8. DAERA: Regulation Unit Land and Groundwater Team advise the following:

The purpose of the Conditions 9 and 10 is to ensure that any site risk assessment and remediation work is undertaken to a standard that enables safe development and endues of the site such that it would not be determined as contaminated land under the forthcoming Contaminated Land legislation i.e. Part 3 of the Waste and Contaminated Land Order (NI) 1997. It remains the responsibility of the developer to undertake and demonstrate that the works have been effective in managing all risks.

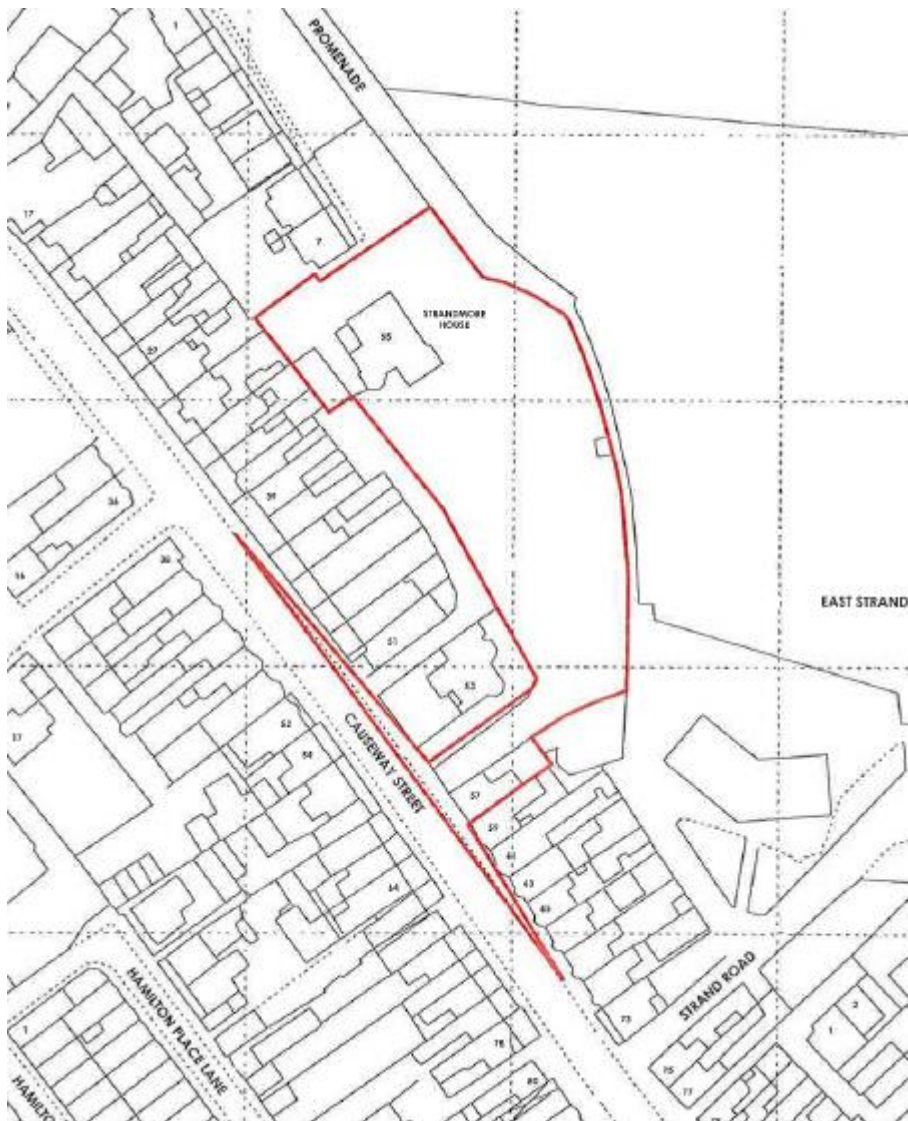
The applicant should ensure that the management of all materials onto and off this site are suitably authorized through the Waste



Management Regulations (NI) 2006 and/or the Water Order (NI) 1999.

RU recommend that the applicant consult with the Water Management Unit within the NIEA regarding any potential dewatering that may be required during the redevelopment works including the need for discharge consent. Discharged waters should meet appropriate discharge consent conditions.

# Site Location Map



# Block Plan

