

<b>Planning Committee Report</b>  LA01/2017/1203/LBC	<b>19<sup>th</sup> December 2018</b>
<b>PLANNING COMMITTEE</b>	

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

<b><u>No:</u></b> LA01/2017/1203/LBC	<b><u>Ward:</u></b> Waterside
<b><u>App Type:</u></b> Listed Building Consent	
<b><u>Address:</u></b> The Old Courthouse, Castlerock Road, Coleraine	
<b><u>Proposal:</u></b> Proposed extension to the rear of the existing licensed premises to provide kitchen and toilet accommodation at ground floor level and a roof terrace over at first floor level. Plus the provision of an open beer garden and children's play area under at lower ground floor level. Included also internal alterations to accommodate the new extension and the change of use from a first floor apartment and lower ground floor plant room and store too licensed floor area.	
<b><u>Con Area:</u></b> N/A	<b><u>Valid Date:</u></b> 21.08.2017
<b><u>Listed Building Grade:</u></b> B1	
<b><u>Agent:</u></b> AQB Architectural Workshop Ltd	
<b><u>Applicant:</u></b> W & R Holdings	
<b><u>Objections:</u></b> 0	<b><u>Petitions of Objection:</u></b> 0
<b><u>Support:</u></b> 0	<b><u>Petitions of Support:</u></b> 0

Drawings and additional information are available to view on the Planning Portal- [www.planningni.gov.uk](http://www.planningni.gov.uk)

## 1 RECOMMENDATION

- 1.1 That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 9 and the policies and guidance in sections 7 and 8 and resolves to **REFUSE** listed building consent for the reasons set out in section 10.

## 2 SITE LOCATION & DESCRIPTION

- 2.1 The site is located at the Old Courthouse, Castlerock Road, Coleraine. On the site is a two-storey building which is at a split level and has a lower ground floor level to the rear of the building. The building has been finished with ashlar sandstone and is being used as a public house/restaurant. The building has a neo-Classical style fronted by a large tetra-style portico, built in 1852 and extended in 1908. The site is located at the junction of Captain Street Lower and Castlerock Road in Coleraine town centre. The majority of the external architectural detailing is intact and the Victorian character is largely preserved. Prominently sited, this is a landmark building in the town, of significant local interest and makes an important contribution to the character of Coleraine town centre. Its interest is enhanced by the addition of the Bridewell in 1859 including the curved boundary wall which still exists. Surrounding the site are residential and commercial uses. Directly at the rear of the site is an existing apartment building.
- 2.2 The area is of a mixed use and is characterised by public houses, retail units, residential dwellings, apartment buildings, medical facilities, schools and government buildings. The site is located within the defined development limit of Coleraine and falls within the town centre area of Coleraine as defined under the Northern Area Plan 2016. The existing building on site is a grade B1 listed building and the site is zoned as white land under the NAP 2016. The site is located within the Coleraine Area of Townscape Character and is within an area of archaeological potential.

### **3 RELEVANT HISTORY**

C/1993/0045- Old Courthouse Castlerock Road Coleraine- Change of use from vacant courthouse to restaurant/wine bar & alterations/renovations to same (Listed Building)- Approval granted: 26.11.1993.

C/1999/0297- The Old Courthouse Castlerock Road Coleraine- Change of use of part of first floor into manager's accommodation and internal alterations to form public house- Approval granted: 14.10.1999.

C/2006/0898/F- The Old Courthouse, Castlerock Road, Coleraine- Erection of 2No. 4m x 4m jumbrellas with fixed bases, 2No. brass/copper pendant lanterns on chains suspended in portico, additional railings to match existing in portico- Permission refused: 22.10.2007.

### **4 THE APPLICATION**

- 4.1 Listed building consent is sought for an extension to the rear of the existing licensed premises to provide kitchen and toilet accommodation at ground floor level and a roof terrace over at first floor level. Plus the provision of an open beer garden and children's play area under at lower ground floor level. Included also internal alterations to accommodate the new extension and the change of use from a first floor apartment and lower ground floor plant room and store too licensed floor area.
- 4.2 External finishes will consist of: K-Rend wall render colour white; grey concrete coping; iron balustrade; reconstituted stone coping; reconstituted stone encasement to steel; Tobermore concrete slabs; landing balustrade and landing supports in wrought iron; square concrete encased columns and all proposed external finishes will match the existing sandstone of the existing building.

### **5 PUBLICITY & CONSULTATIONS**

#### **5.1 External**

N/A

## 5.2 Internal

HED-Historic Environment Division- Protecting Historic Buildings and Monuments was consulted in relation to the scheme and offered no objections to the proposal subject to conditions and informatives. HED made these comments in reference to the additional plans submitted on 22/12/17

## 6 MATERIAL CONSIDERATIONS

- 6.1 Section 45(1) of the Planning Act (Northern Ireland) 2011 requires that all applications must have regard to the local plan, so far as material to the application, and all other material considerations. Section 6(4) states that in making any determination where regard is to be had to the local development plan, the determination must be made in accordance with the plan unless material considerations indicate otherwise.
- 6.2 The development plan is:
- The 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 RELEVANT POLICIES & GUIDANCE

The Northern Area Plan 2016

The Regional Development Strategy 2035

The Strategic Planning Policy Statement for (NI) SPPS 2015

Planning Policy Statement 6 Planning, Archaeology and The Built Heritage

## 8 CONSIDERATIONS & ASSESSMENT

- 8.1 The application site falls within the Coleraine Area of Townscape Character and the existing building on site is grade B1 listed.
- 8.2 The proposal must be considered having regard to the SPPS, PPS policy documents and supplementary planning guidance specified above. The main considerations in the determination of this listed building consent application relate to the principle of the development and built heritage matters.

### **Principle of development**

- 8.3 The concept of this development is considered unacceptable in that the principle of a beer garden/smoking area adjacent to residential properties will have a detrimental impact on surrounding residents. This is an inappropriate location for this form of development. The full planning application is considered unacceptable in terms of residential amenity and design issues. Therefore, as the principle of development is unacceptable, the principle of the accompanying listed building consent application is also considered unacceptable. Details regarding this are given in the Planning Committee Report, LA01/2017/1244/F.

### **Built Heritage matters**

- 8.4 HED Historic Buildings considers the proposal satisfies SPPS 6.13/Change of Use Extension or Alteration of a Listed Building of the Strategic Planning Policy Statement for Northern Ireland (SPPS): Planning for Sustainable Development and Policy BH8/Extension or

Alteration of a Listed Building of the Department's Planning Policy Statement 6: Planning, Archaeology and the Built Heritage. They have advised that most of the amendments and detailed information identified in their response of 24-10-17 have been addressed. Although the external terrace roof remains heavy in appearance, the change to the detailing of the columns is acceptable.

## **9 Conclusions**

- 9.1 While the design is acceptable regarding work to a listed building, the proposed development is considered unacceptable in that the principle of a beer garden/smoking area adjacent to residential properties will have a detrimental impact on surrounding residents. Listed Building Consent is not acceptable as the principle of the scheme is considered unacceptable under the full planning application.

## **10 Reasons for Refusal**

- 10.1 The proposal is contrary to policy BH8 of Planning Policy Statement 6, Planning, Archaeology and the Built Heritage and paragraph 6.13 of the Strategic Planning Policy Statement for Northern Ireland (SPPS) 2015, in that the proposed extension and alteration to the listed building would harm the residential amenity of the apartment block at Nos 1-3 Captain Street Lower by reason of unacceptable noise, odours, nuisance and general disturbance.



**Site plan**

