



Planning Committee Report LA01/2017/0924/F	28th March 2018
PLANNING COMMITTEE	

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

<u>No:</u>	LA01/2017/0924/F	<u>Ward:</u>	Portrush and Dunluce
<u>App Type:</u>	Full		
<u>Address:</u>	No 2. Main Street Portrush		
<u>Proposal:</u>	Demolition of existing vacant retail and residential unit and erection of new café and 2 residential units. Development comprises of new café at ground floor street level. 1st residential unit at lower ground floor and 2nd residential unit at first and second floors		
<u>Con Area:</u>	N/A	<u>Valid Date:</u>	03.07.2017
<u>Listed Building Grade:</u>	N/A		
Agent:	2020 Architects		
Applicant:	Mr Stephen Culbertson		
Objections:	12	Petitions of Objection:	0
Support:	0	Petitions of Support:	0

Drawings and additional information are available to view on the Planning Portal- 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 **APPROVE** planning permission subject to the conditions set out in section 10.

2 SITE LOCATION & DESCRIPTION

- 2.1 The site is located at 2 Main Street Portrush at a corner site that adjoins Causeway Street. Currently on site is a split level property with one storey fronting onto Main Street and two stories backing on to the area of open space to the rear of the site. The site is bounded to the front by an existing footpath and Main Street. The site is bounded to the rear by an area of open space with some vegetation and planting. To the southern side the site is bounded by an area of planting which bounds the existing concrete steps which lead toward the Promenade pathway. To the north the site is bounded by an existing split level property with two stories fronting onto Main Street and three stories backing onto the area of open space to the rear.
- 2.2 The proposed site is located within the designated town centre of Portrush which is made up predominantly of commercial premises but also includes some residential properties. These commercial premises include amusement arcades, chemists, fast food takeaways and cafes. The site is also located within proximity to four listed buildings which includes the Arcadia, Methodist Church, Presbyterian Church and Craig Vara. Development within this area is made up of a range of one, two, three and four storey buildings.

3 RELEVANT HISTORY

No relevant planning history.

4 THE APPLICATION

- 4.1 Demolition of existing vacant retail and residential unit and erection of new café and 1 residential unit. Development comprises of new café at ground floor street level and residential unit at first and second floors.

5.0 PUBLICITY & CONSULTATIONS

5.1 External Neighbours and Representation

Public Representation – To date there have been 12 representations which includes 12 separate objections.

5.2 Internal

Transport NI: Has no objection to the proposal, subject to them finalising a recommended condition regarding TAS consent.

NI Water: Has no objection to the proposal.

DAERA: Has no objection to the proposal.

Environmental Health: Has no objection to the proposal

Historic Environment Division: Has no objection to the proposal.

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 Policy Statement 3 (PPS 3): Access Movement and Parking

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

Planning Policy Statement 7: Quality Residential Environments

Addendum to Planning Policy Statement 7: Safeguarding the Character of Established Residential Areas

Planning Policy Statement 8: Open Space, Sport and Outdoor Recreation

A Planning Strategy for Rural Northern Ireland

Supplementary Guidance

DCAN 4: Restaurants, Cafes and Fast Food Outlets
Creating Places

8.0 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to: the principle of development; quality in new residential

development; design considerations; the impact on the character of the surrounding area; movement and parking; and objections.

Principle of development

- 8.2 In the Northern Area Plan 2016 the site is located within the settlement development limit for Portrush and is located within the designated town centre designation PHT 01. The site abuts a Major Area of Existing Open Space and a Local Landscape Policy Area designation PHL 01 which is located directly to the rear of the site. However, the site is not located directly within any of these designations and it is considered that the proposal would not have a significant detrimental impact on these designations. The site is located within an Area of Archaeological Potential and is located in proximity to two archaeological sites and monuments. There are no other designations linked to this site.
- 8.3 The principle of the type and scale of development proposed must be considered having regard to the SPPS and PPS policy documents specified above.
- 8.4 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.

Quality in New Residential Development

- 8.5 Policy QD 1 states that planning permission will only be granted for new residential development where it is demonstrated that the proposal will create a quality and sustainable residential environment.

(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;

- 8.6 The proposed development includes an apartment which stretches over two floors and a ground floor café. Development within the area is made up of a mix of 1, 2, 3 and 4 storey

developments. In regard to the design of the proposed development regard has been had for the existing buildings located along Main Street in terms of form. This includes a mix of different styles from different eras. The building directly adjoining the proposed building is two storey fronting on to Main Street. Given the mix of building heights located within this area the proposed development at 3 storey fronting onto Main Street and 4 storey backing on toward the Promenade pathway is considered acceptable.

- 8.7 The topography of the site has been considered in the assessment of the site. The land falls away from Main Street toward the Promenade pathway. This is a split level site with three stories fronting onto Main Street and four stories backing onto the Promenade pathway. In terms of layout, scale, proportions, massing, appearance of buildings and structures the scheme is considered acceptable. Landscaping will be used to enhance the existing open space and planting will be used along the roof terrace to break up the built form. In regard to this criteria the scheme is considered acceptable.

(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;

- 8.8 The site is located within An Area of Archaeological Potential and is located within proximity to two Archaeological Sites and Monuments. Historic Environment Division was consulted as the competent authority and raised no objection to the proposed development.
- 8.9 The site is also located within proximity to four listed buildings which includes the Arcadia, Methodist Church, Presbyterian Church and Craig Vara. Historic Environment Division was consulted as the competent authority and raised no objection to the proposed development. Therefore the proposal also meets the requirements of Policies BH 2 and BH 11 of Planning Policy Statement 6.

(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;

8.10 There are adequate provisions for private open space for the apartment provided which includes a roof terrace. This provides approximately 30 sq metres of private amenity space which meets the 10 to 30 sq metre recommendation in the Creating Places document for apartment development. There is also an area on the lower ground floor provided for bin storage.

8.11 This development is small scale with 1 apartment which is well below the 25 unit threshold as stated in PPS 8 Open Space and Recreation policy OS 2 relating to open space in new residential development. As such there is no need to provide public open space as part of this proposal.

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

8.12 Given the small scale nature of this proposal to provide one apartment provisions for local neighbourhood facilities are not required. The proposal is located within the designated town centre for Portrush and potential residents can use facilities located nearby.

(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;

8.13 The apartments are located within the Settlement Development Limit for Portrush and the designated town centre. Therefore potential residents are located close to the main town centre

which is convenient for walking and cycling and is located close to public transport networks.

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

8.14 The application site lies within the designated Town Centre of Portrush as indicated in the Northern Area Plan 2016. No parking provisions has been provided as part of the scheme. DFI Roads raised no concern in regard to parking provisions.

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

8.15 The proposed design is considered acceptable in regards to form, materials and detailing. The front elevation provides a more traditional form with shop front combining contemporary materials to include anodised metal sheet cladding and smooth finished cast in situ concrete. The second floor plan which includes roof terrace is stepped back approximately 2 metres and this reduces its visual impact. The overall height of the proposed building extends 1 metre above the neighbouring property at 4 to 10 Main Street. The overall height is considered acceptable having regard to the context of the area. It is considered that the proposed development integrates effectively with the existing development located along Main Street.

8.16 The rear elevation includes a frameless glazing system combined with anodized metal sheet glazing. This elevation is made up predominantly of glazing. The use of glazing will make use of the views along the coast. Consideration has been given to the building located at 1 Causeway Street which houses the 55 Degrees North café bar and restaurant. The rear elevation of this building is also made up predominantly of glazing. In terms of context this proposal is considered acceptable having regard to design. Overall it is considered that the proposed design integrates effectively into the site and is sympathetic with the existing built form.

(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;

- 8.17 In terms of layout and design the proposed development given its nature has the potential to have an impact on neighbouring properties. In regard to noise and odour a Noise Impact Assessment and Odour Assessment has been provided as part of the application. As no concern was raised in regard to noise it was considered that a further neighbour notification was not required. Environmental Health was consulted in regard to this and had no objection subject to conditions.
- 8.18 Given the location of the proposed development at a corner site the proposed development does not adjoin a neighbouring property on its southern side. The greatest impact of the proposed development will be on the buildings located at 4 to 10 Main Street Portrush. In regard to the overall height of the proposed development it sits approximately 1 metre above the existing property located at 4-10 Main Street Portrush. The second floor is also set back from the main building by approximately 2 metres which reduces the visual impact of the proposed development. It is therefore considered that the proposed development would not have a detrimental impact on neighbouring properties through loss of light or overshadowing.
- 8.19 The proposal provides a roof terrace at 1st floor level. Given the elevated nature of this roof terrace there is the potential for overlooking. However consideration has been given to this in terms of the design. On the boundary of the neighbouring property a wall will be used to prevent overlooking toward the existing property at 4-10 Main Street. In regard to the overall design no windows are proposed along the boundary which adjoins the neighbouring building. The proposed glazing on the rear elevation will overlook an existing area of public open space which is considered acceptable. It is therefore considered that the proposed development would not have an unacceptable adverse effect on existing or proposed properties in terms of overlooking.

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

8.20 This proposal will not lead to the creation of areas where anti-social may be encouraged. This proposal will redevelop a vacant site within Portrush Town Centre and will be secured adequately.

Impact on the character of the surrounding area

8.21 Policy LC 1 states that in established residential areas planning permission will only be granted for the redevelopment of existing buildings, or the infilling of vacant sites (including extended garden areas) to accommodate new housing, where all the criteria set out in Policy QD 1 of PPS 7, and all the additional criteria set out below are met:

(a) the proposed density is not significantly higher than that found in the established residential area;

(b) the pattern of development is in keeping with the overall character and environmental quality of the established residential area; and

(c) all dwelling units and apartments are built to a size not less than those set out in Annex A.

8.22 This proposal will provide one apartment and will replace an existing apartment. It is therefore considered that the proposed density is acceptable at this site.

8.23 The apartment proposed is of a size not less than those set out in Annex A of the policy.

Assessment of Cafe

8.24 The Retailing and Town Centres section of the SPPS is relevant in this consideration. The key in terms of this policy is to secure a town centres first approach for the location of future retailing and other town centre uses. This policy defines a main town centre use as being made up of cultural and community facilities, retail, leisure, entertainment and businesses. The use as a cafe would be considered an acceptable town centre use.

DCAN 4: Restaurants, Cafes and Fast Food Outlets

8.25 In regard to the above guidance applications for change of use from the shop to local services, such as building society offices, banks and estate agents, restaurants or hot food take away premises may be acceptable except where,

- There would be a significant loss of retail floorspace at ground level;
- A clustering of non-retail uses is created;
- The area overall is tending to be dominated by non-retail uses.
- The impact of the proposal
- The impact in terms of the size
- The quality and attractiveness of the proposed development,
- The likely effects on the amenity of the shopping area and residents within it.
- The impact of the development on the vitality and viability of the centre,
- Noise disturbance, smells and fumes; refuse and litter;- traffic considerations and car parking;
- Provision for people with disabilities.

8.26 This proposal involves a change of use from a retail unit to a cafe. Although this proposal will involve the loss of a retail unit within the designated town centre the proposed use as a Café would be considered an acceptable town centre use in regard to the SPPS. The existing retail unit is currently vacant and provides approximately 30 square metres of retail space. The redevelopment of this site will provide occupancy within this building.

8.27 Within this area there are a mix of retail units to include opticians, butchers and gift shops. There are also a range of cafes and restaurants and amusement arcades. Given the wide range of uses it is considered that there would not be a clustering of non-retail units.

8.28 In terms of size, the proposed development will provide a café on the existing ground floor. The café will have a total gross

floor space of approximately 96 square metres. The proposed design is considered acceptable in regards to form and scale and consideration has been given to existing development surrounding the site. The front elevation provides a more traditional form with shop front combining contemporary materials to include anodised metal sheet cladding and smooth finished cast in situ concrete. The second floor plan which includes roof terrace is stepped back approximately 2 metres and this reduces its visual impact.

8.29 The rear elevation includes a frameless glazing system combined with anodized metal sheet glazing. This elevation is made up predominantly of glazing. The use of glazing will make use of the views along the coast. Consideration has been given to the building located at 1 Causeway Street which houses the 55 Degrees North café bar and restaurant. The rear elevation of this building is also made up predominantly of glazing. In terms of context this proposal is considered acceptable having regard to design.

8.30 As this proposal involves the use as a café it will have the potential to create noise disturbance, smells and fumes and litter which could have an impact on the amenity of the shopping area and neighbouring properties. Environmental Health was consulted and a request was made for a Noise Impact Assessment and an Odour Assessment which has been provided. Environmental Health was content with the details provided within these reports subject to conditions. Environmental Health also raised concern in regard to refuse collection which was absent from the original plan. The apartment located on the ground floor has been replaced with a bin store which is considered acceptable.

8.31 Given the mix of uses within this area and as the proposed use as a café is considered an acceptable town centre it has been found that the development would not have detrimental impact on the vitality and viability of the town centre.

8.32 DFI Roads was consulted and initially had concerns with the detailing provided on the proposed plans. Amendments have since been provided and the scheme is now considered acceptable. The proposed development will provide adequate access for people with disabilities.

PPS 3- Access, Movement and Parking

8.33 Initially DFI Roads raised concerns in regard to the proposed development due to a lack of detailing in regard to footpaths and spot levels. They also raised concern in regard to the impact of the proposed development on the existing footpath onto Main Street. It was also stated that TAS approval would be required for the retaining structures in connection with the proposed basement. This can be conditioned as part of any approval. Amended Plans have been provided and DFI Roads are now content with this proposal subject to finalising a TAS condition. Overall the proposal does not prejudice road safety or significantly inconvenience the flow of traffic.

Representations

8.34 There have been 12 Representations to this proposal and this includes 12 separate objections. The objections have been assessed in the consideration of this proposal and the main issues raised are summarised as follows.

- The proposal extends over an existing area of open space and if permitted would have a detrimental impact on the footpaths and the existing area of open space.
- The proposed development is out of character with the surrounding area and at three stories would set an unwelcome precedent.
- Issue in regard to the proposed design to include colour of the finish and sharp lines used.
- No allowance has been made for car parking.

8.35 Issues with regard to character and design have been considered throughout this report.

Protection of Open Space

8.36 An issue was raised in the representation letters that the proposed development would have an impact on the existing area of open space. The key policy in regard to this is Policy OS 1: Protection of Open Space in Planning Policy Statement 8. Under this Policy development is not permitted that would result in the loss of existing open space irrespective of its physical condition. An exception to this would be if the proposed

development would bring substantial community benefits that outweigh the loss of open space. The proposed site adjoins an Existing Area of Major Open Space as shown in the Northern Area Plan. However, the proposed site is not located directly within this area rather it is beside this area. As the area has an open aspect generally the overhang will have a minimal effect on the amenity of this area. It is therefore considered that the proposed development will not have a significant detrimental impact on the existing area of open space or the existing pathways.

Parking

8.37 Concern was raised in that no parking provision has been provided as part of this proposal. Consideration has been given to the site location within the designated town centre of Portrush. DFI Roads was consulted in relation to this and raised no specific concern in regard to parking.

Impact of Townscape

8.38 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 character throughout this report. It is considered that the proposed development is acceptable as it is sensitive to the character of the area in terms of scale, layout, design and use of materials.

Habitats Regulation Assessment

8.39 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). Shared Environmental Services was informally consulted via email and are content that the proposed development 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 proposed development is considered acceptable in this location having regard to the Northern Area Plan 2016, and other material considerations, including the SPPS. Given the mixed character of the area and mix of different uses within this area the proposed café and residential apartment is considered acceptable. The contemporary design is appropriate for the location. 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 development hereby approved shall not be occupied until a report has been received from a competent person with a copy of their indemnity insurance and agreed in writing by the Planning Authority demonstrating that methods have been employed in the construction of the building to ensure that the dividing floor structures are to provide a Weighted Standardised Level Difference of 43dB D.

Reason: To protect the amenity of neighbouring properties.

3. The combined noise level from any fixed plant located externally to the building, permitted by this permission, shall not exceed 58.7 dB LAeq (5 mins) at a distance of 1 metre from the plant measured on the side facing the nearest sensitive receptor (2 Eglinton Street).

Reason: To protect the amenity of neighbouring properties.

4. The combined noise level from any fixed plant located externally to the building, permitted by this permission, shall not exceed 58.7 dB LAeq (5 mins) at a distance 1 metre from the

plant measured on the side facing the nearest sensitive receptor (2 Eglinton Street).

Reason: To protect the amenity of neighbouring properties.

5. All construction activity shall be confined within site boundaries, and the boundary of the designated areas shall not be disturbed in any way without written consent from the Planning Authority.

Reason: To protect the integrity of Skerries and Causeway SCI and to avoid it being damaged by construction vehicles, deposited materials, contaminated run-off, or any other activity during the construction period or thereafter. Any works occurring within the designated site but outside the red line planning application boundary are subject to The Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) and the Environment (Northern Ireland) Order 2002 (as amended).

6. DFI Roads to advise of TAS condition to be provided in addendum.

Site Location Plan

