



Planning Committee Report LA01/2017/1368/F	22nd August 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> LA01/2017/1368/F	<u>Ward:</u> Portrush and Dunluce
<u>App Type:</u> Full	
<u>Address:</u> The site of the Former Dunluce Centre, 10 Sandhill Drive, Portrush	
<u>Proposal:</u> Proposed remodelling, refurbishment and extension to existing family entertainment centre to create additional indoor recreation areas comprising a surf centre and wet play area, children’s play areas, restaurant and bar, coffee dock with external seating, staff facilities and community spaces. Creation of new entrance lobby with replacement viewing tower, recladding and redressing of existing elevations, hard and soft landscaping, installation of sculpture and other associated site works. Replacement of coach parking bays from Sandhill Drive to Dunluce Avenue.	
<u>Con Area:</u> N/A	<u>Valid Date:</u> 23.10.2017
<u>Listed Building Grade:</u> N/A	
<u>Agent:</u> MBA Planning, 4 College House, Citylink Business Park, Belfast, BT12 4HQ	
<u>Applicant:</u> 360 Leisure, 22b High Street, Portadown, BT62 1HZ	
<u>Objections:</u> 4	<u>Petitions of Objection:</u> 0
<u>Support:</u> 0	<u>Petitions of Support:</u> 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 application site is located to the south of Portrush town centre. The site forms part of an island in the sense it is surrounded by roads on all four sides; to the north by Sandhill Drive, to the east by Dunluce Avenue, to the south by Crocknamack Road and to the west by Eglinton Street.
- 2.2 The site currently hosts the existing entertainment building known as the Dunluce Centre which ceased to operate in September 2013.
- 2.3 The site is in an elevation location as the land rises from Eglinton Street and Crocknamack Road in a northerly direction. Due to its prominence it is visible on entry into Portrush from the coastal road at the top of Dhu Varren.
- 2.4 The land to the west of the building is a Major Area of Existing Open Space served by some paths and children's play equipment.

3 RELEVANT HISTORY

LA01/2018/0937/PAN - Proposed extension to existing family entertainment centre to create a surf centre and accommodation block comprising hotel and self catering units. Reconfiguration of service yard and provision of additional car parking – Under consideration

LA01/2017/0332/PAN - Proposed remodelling, refurbishment and extension to existing family entertainment centre to create additional indoor recreation areas comprising of a surf centre,

wet play area, trampoline park and ancillary restaurant and public bar. Recladding of building and external hard and soft landscaping works and creation of enclosed courtyard seating area. Creation of a 9 hole putting area within Metropole Park – PAN Acceptable 21.07.2017

4 THE APPLICATION

- 4.1 This application seeks planning permission to remodel the existing centre including extensions on three sides in order to create wet and dry play facilities along with a restaurant, bar and café.
- 4.2 The water based activities comprise a surf centre which aims to attract adults and a splash zone which seeks to attract children and families. The surf centre would be located on the north eastern elevation fronting Dunluce Avenue and would have a curved roof with an overall height of 13.3m. The surf centre would be finished with translucent panels, and light grey roof cladding.
- 4.3 The surf centre would be accessed from reception along an external covered walkway on the north eastern elevation.
- 4.4 The splash zone would be located in another extension on the south west elevation fronting the existing area of open space. It would have an overall height of 12m and would be served by external and internal slides.
- 4.5 In terms of dry based activities, the proposal includes a climbing wall, a 'little world of work' and an area of soft play located in between the surf centre and the splash zone.
- 4.6 A major element of the proposal involves relocation of the entrance from south west elevation (fronting the open space) to the south east corner. The new entrance which fronts the car park (Dunluce Avenue) would comprise a 20m high tower with protruding overhang element (extending 18m) to articulate the entrance. It would have a viewing platform on the upper level. It would be finished in corten steel panels on all sides with glazing on the upper level. The existing tower in the middle of the building would be removed and replaced with roof lights.

- 4.7 The new centre would create four rooms on the first floor available for hire by the community along with a larger community room in the southern section of the building. The larger community room would have a terrace overlooking the car and open space.
- 4.8 The centre would be served by a restaurant café in the surf centre, a café in the central area and a coffee kiosk which would extend onto the hard standing to the south west corner of the building.
- 4.9 The proposal also involves relocating the coach parking bay from Sandhill Drive to Dunluce Avenue.

5 PUBLICITY & CONSULTATIONS

5.1 External Neighbours and Representation

- 5.2 Four letters of objection (two from the same objector) were received which made the following points:
- The regeneration of the Dunluce Centre is needed but it should be done by the Council not a commercial property developer.
 - There is no information on the subsequent phases of this centre. There needs to be reassurance that the greens and public park is retained in any future development.
 - There is inadequate information to demonstrate the financial viability of the scheme.
 - The proposed design is very poor for such a prominent site with the use of unattractive modern materials. The building needs to blend with the landscape with natural wood cladding, or a living roof. There should be no high fencing around the site.
 - The centre should operate 365 days a year and not just focus on the tourist market.
 - The operator should not be granted a bar licence as it is in a residential area and should not be allowed to operate a 24 hr fast food restaurant. The facility should not be open past 9pm in the evening as this is a residential area.

- The viewing tower looks directly into residential properties.
- The utilities/ vent systems should not be directed towards Crocknamack Road
- The car park should remain free.
- The public green and sand dune space should not be sold to the developer or fenced off as this is a public right of way.
- There is an objection to any form of extension facing the Crocknamack Road.

Internal

Transport NI: Has no objection to the proposal.

NI Water: Has no objection to the proposal.

Environmental Health: Has no objection to the proposal.

Historic Environment Division: Has no objection to the proposal.

DfI Rivers: 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 8: Open Space, Sport and Outdoor Recreation

Planning Policy Statement 15: Planning and Flood Risk

DES2 Townscape of the Planning Strategy for Rural Northern Ireland

8.0 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to: the principle of development; parking and impact on road safety; economic considerations; impact on open space; Local Landscape Policy Area; design; impact on the historic environment; drainage; impact on amenity and other issues.

Principle of development

- 8.2 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.

- 8.3 The site is located outside the town centre of Portrush but within the development limit as defined in the Northern Area Plan 2016. Policy SET 2 of the Northern Area Plan supports development proposals within settlement limits provided it is sensitive to the size and character of the settlement.
- 8.4 The principle of this form of development (entertainment centre) has been established for some time with the existing building and previous operations on the site. As such, the principle of the development is acceptable. However the proposal will be assessed against all other relevant planning policies.

Parking and Road Safety

- 8.5 The proposal would be accessed via the existing access point from Dunluce Avenue and the parking would remain the same (119 spaces) with 12 additional spaces in the service yard for staff.
- 8.6 The proposal also involves relocation of the coach drop off lay by from Sandhill Drive to Dunluce Avenue.
- 8.7 DfI Roads was consulted on the application and have raised no objection subject to a number of conditions.
- 8.8 As such, the proposal is considered to comply with Policies AMP2: Access to Public Roads and AMP7: Car Parking and Servicing Arrangements of PPS3: Access, Movement and Parking.

Economic Considerations

- 8.9 The Dunluce Centre has been closed for business since September 2013. The proposal would bring it back into use and increase the offer to both tourists and the local population. The additional footfall within Portrush as a result of the proposed new uses would bring about economic benefit to surrounding businesses.

Open Space

8.10 The site abuts an identified Major Area of Existing Open Space on the south west boundary. The proposal would extend to the boundary, but it would not encompass into the area of open space. As such, Policy OS 1 Protection of Open Space of PPS8 does not apply and the area of open space would continue to be accessible by the public.

Local Landscape Policy Area

8.11 This site is within Local Landscape Policy Area designation PHL03 (Metropole) which incorporates all land to the west, north and east of the site. The land is designated due the amount of open space it provides within the town providing valued recreational activities. The policy seeks its retention as an open area albeit permitting incidental buildings which relate to tourism and recreation. Given the nature of this proposal is leisure, and its location would not reduce the amount of public open space, the proposal is considered to comply with Policy ENV1: Local Landscape Policy Areas as it would not adversely affect the features that contribute to the environmental quality, integrity or character of the LLPA.

Design

8.12 The existing building is to be clad with perforated grey sheet cladding. The proposed new entrance tower would be finished with a rusty coloured corten steel panel. The surf centre, splash zone and the extension to create the café is to be finished with translucent panels. These finishes are modern and would be an improvement to the existing building as the variety in materials would break up the bulk of the building. The developer considers a total rebuild as unviable, therefore the recladding was chosen as the preferred option for the retained building.

8.13 New elements include the entrance tower, the surf centre and the addition of slides. The agent advised that “the slides have been designed to be deliberately big, bold and obvious to emphasise a sense of enjoyment and entertainment and to engage the outsider”.

- 8.14 Each element of the proposal is articulated with a different material and finish. The proposed entrance by reason of its scale will be legible when travelling from any direction towards Portrush. The addition of the coffee kiosk and community room at first floor is welcomed as it opens up the building towards the open space.
- 8.15 As this site sits on an island the design needed to address each elevation. The closest buildings being the Fire Station, the Primary School and the Amenity Centre offer no distinguished character of built form. Consequently, the proposed building with its scale, design and variety of finishes is not considered to detract from the visual amenity of the area. The details of materials will be conditioned to ensure a high quality finish is achieved. The proposal therefore complies with DES2 as it will be sensitive to the character of the area surrounding the site.

Historic Environment

- 8.16 The site is located within an Archaeological site and monument (Castle of Fire) which is located to the north. Historic Buildings and Historic Monuments from HED were consulted. The site is sufficiently removed from both Listed Buildings and given the extent of previous disturbance on the ground at this site it was not considered to detrimentally impact archaeological remains. HED raised no objections to the application as it is considered to satisfy Policy BH 11: Development affecting the Setting of a Listed Building and Policy BH2: The Protection of Archaeological Remains of Local Importance and their Settings of PPS6: Planning, Archaeology and The Built Heritage Archaeological Sites and Monuments.

Drainage

- 8.17 Due to the size of the site, it was necessary for the developer to undertake a drainage assessment. It was assessed against Policy FLD3: Development and Surface Water (Pluvial) Flood Risk Outside Flood Plains of PPS15: Planning and Flood Risk. The drainage assessment was submitted and subject to consultation with DfI Rivers.
- 8.18 DfI Rivers raised no objection to the findings of the drainage assessment. However it advised that the proposed internal site

drainage must comply with appropriate legislation and include for exceedance. This can be regulated by planning condition.

8.19 As such, the proposed drainage arrangements are considered to comply with Policy FLD2: Development and Surface Water (Pluvial) Flood Risk Outside Flood Plains of PPS15: Planning and Flood Risk.

Amenity

8.20 The proposal includes the creation of a restaurant café in the surf centre, a café in the central area and a coffee kiosk which would extend onto the open space. The agent appointed a consultant to undertake a noise impact assessment and odour impact assessment.

8.21 The closest residential properties are located to the south, on the southern side of Crocknamack Rd, namely 22 Crocknamack Rd and 4 Crocknamack Square which are both located 135m from the proposal.

8.22 The noise impact assessment considered noise from deliveries, plant or equipment, breakout noise from play areas, surf centre and car movements.

8.23 The odour impact assessment considered the impact of odour from the kitchen extraction system which would be installed on the north western elevation (facing Sandhill Drive) on sensitive receptors.

8.24 Environmental Health were consulted on both the noise and odour impact assessments and raised no objection subject to the imposition of conditions relating to noise levels, and the installation of an odour abatement system. Environmental Health are considered the competent authority on such matters.

8.25 The viewing tower at an overall height of 20m would create opportunity for patrons to look out to the north. Views to the south towards residential properties on Crocknamack Road would be very limited as the staircase of the tower is on the southern side of the tower.

Representations

- 8.26 There have been 4 objections to this proposal. The majority of the issues raised including amenity and design have been considered under the relevant sections above.
- 8.27 With regards the private sector nature of the proposal and its commercial viability this is not a material planning consideration given significant weight.
- 8.28 The operation of a bar will require a separate license application which will be duly considered.
- 8.29 The applicant has now submitted a Pre-Application Notice (LA01/2018/0937/PAN - Proposed extension to existing family entertainment centre to create a surf centre and accommodation block comprising hotel and self-catering units. Reconfiguration of service yard and provision of additional car parking) for the second phase of the proposal. Public consultation will now take place prior to any further planning application being submitted.
- 8.30 Periods of operation throughout the year/seasonality is a matter for the operator to consider. It is not appropriate to regulate this matter by planning condition.
- 8.31 The daily opening hours have not been conditioned as Environmental Health did not consider such necessary to protect the amenity of neighbours.

Environmental Impact Assessment

- 8.32 The proposal is to extend and remodel the existing facility which falls within Category 10 (b) Urban development projects of Schedule 2 of the Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2017.
- 8.33 Under regulation 12 of The Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2017 (hereafter

referred to as “the Regs”), the Planning Authority is required to make a determination as to whether the proposed development would or would not be deemed to be EIA development taking into account the selection criteria. The selection criteria is set out in Schedule 3 of the Regs.

8.34 Having considered the Planning (EIA) Regulations (NI) it was the considered opinion that the development proposal will not have likely impacts of such a significance locally and in wider terms as to warrant an environmental statement as such one was not requested. This assessment was made 12.01.2018.

Habitats Regulation Assessment

8.35 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 principle as the site has an established use as an entertainment centre. The scale, design and finishes of the proposed extensions are sensitive to the character of the area surrounding the site. The impact on amenity of neighbours has been considered and it is considered to cause no detrimental impact. Having regards to the Northern Area Plan 2016, the SPPS, relevant planning policy statements and other material considerations the proposal is considered acceptable. 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 permitted shall not become operational until the proposed coach lay-byes on Dunluce Avenue have been constructed, the existing coach lay-byes on Sandhill Drive removed and all road markings provided in accordance with Drawing No. 09B bearing the date stamp 3rd July 2018.

Reason: To ensure there is satisfactory coach parking and in the interest of road safety.

3. Prior to commencement of development details and specifications of all proposed materials and finishes shall be submitted to and approved by the Council.

Reason: To ensure suitability of detailed design and in the interests of visual amenity.

4. Prior to commencement of development details and specifications of the boundary treatment along the northern boundary of the site (Sandhill Drive) shall be submitted to and approved by the Council. The boundary treatment should be close lapped, with no gaps and should have a minimum self-weight of 5kg/m².

Reason: To ensure suitability of detailed design and in the interests of amenity.

5. Prior to the development becoming operational, a detailed scheme of hard and soft landscaping shall be submitted to and approved by the Council.

Reason: To ensure the suitability of landscaping and in the interests of visual amenity.

6. The approved landscaping shall be carried out during the first available planting season after the commencement of development. Trees or shrubs dying, removed or becoming seriously damaged within five years of being planted shall be

replaced in the next planting season with others of a similar size and species unless the Planning Authority gives written consent to any variation.

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

7. The building facade will provide a minimum noise reduction of 25 dB(A)

Reason: To protect the amenity of the area.

8. Noise levels at the external facade of the Surf Centre shall not exceed 75 dB(A).

Reason: To protect the amenity of the area.

9. A 'High Level of Odour Control' as detailed in the DEFRA document "Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems" shall be fitted before the development becomes operational to include:

"High Level of odour Control-Restaurant Kitchen

1. Fine Filtration or ESP followed by carbon filtration (carbon filters rated with a 0.2-0.4 second residence time).
2. Fine filtration followed by UV ozone system to achieve the same level of control as 1. "

Reason: To protect the amenity of the area.

10. Extraction from the exhaust system shall discharge 1m above eaves at 10-15m/s.

Reason: To protect the amenity of the area.

11. Prior to the development hereby approved becoming operational, internal site drainage and surface water drainage works on-site and off-site shall be carried out in accordance with the approved details set out in Drainage Assessment Report Doc 05 Rev A, unless otherwise agreed in writing by the Council.

Reason: To ensure adequate and suitable drainage from the site and safeguard the site and adjacent land against flooding and standing water.

Informatives

1. Developers should acquaint themselves of their statutory obligations in respect of watercourses as prescribed in the Drainage (Northern Ireland) Order 1973, and consult the Rivers Agency of the Department of Agriculture accordingly on any related matters.

Any proposals in connection with the development, either temporary or permanent which involve interference with any watercourse at the site:- such as diversion, culverting, bridging; or placing any form of structure in any watercourse, require the written consent of the Rivers Agency. Failure to obtain such consent prior to carrying out such proposals is an offence under the Drainage Order which may lead to prosecution or statutory action as provided for.

Any proposals in connection with the development, either temporary or permanent which involve additional discharge of storm water to any watercourse require the written consent of the Rivers Agency. Failure to obtain such consent prior to permitting such discharge is an offence under the Drainage Order which may lead to prosecution or statutory action as provided for.

If, during the course of developing the site, the developer uncovers a watercourse not previously evident, he should advise the local Rivers Agency office immediately in order that arrangements may be made for investigation and direction in respect of any necessary measures required to deal with the watercourse.

2. Notwithstanding the terms and conditions of the Causeway Coast and Glens Borough Council's approval set out above, you are required under Articles 71-83 inclusive of the Roads (NI) Order 1993 to be in possession of the Department for Infrastructure's consent before any work is commenced which involves making or altering any opening to any boundary adjacent to the public road, verge, or footway or any part of said road, verge, or footway bounding the site. The consent is available on personal application to the DfI Roads Section Engineer whose address is DfI Roads, Northern Division, Causeway Coast and Glens (West), County Hall, Castlerock Road, Coleraine, BT51 3HS. A

monetary deposit will be required to cover works on the public road.

The developer is required to enter into a Licence Agreement with the DfI Roads for the carrying out of the road works approved, prior to the commencement of any works to the public road network.

The Licence Agreement shall be issued through the Development Control Officer, Network Planning Section, DfI Roads, Northern Division, County Hall, Coleraine and the developer should allow up to three months for completion of the Licence. Accordingly the developer is advised to make an early personal application for the issue of the Licence.

Precautions shall be taken to prevent the deposit of mud and other debris on the adjacent road by vehicles travelling to and from the construction site. Any mud, refuse, etc. deposited on the road as a result of the development, must be removed immediately by the operator/contractor.

All construction plant and materials shall be stored within the curtilage of the site.

It is the responsibility of the Developer to ensure that water does not flow from the site onto the public road (including verge or footway) and that existing road side drainage is preserved and does not allow water from the road to enter the site

3. The applicant is advised to contact NIW Waterline on 03457 440088 or waterline@niwater.com, upon receipt of this consultation to discuss any areas of concern. Application forms and guidance are also available via these means. Water Supply Requirements Foul and Surface Water sewerage requirements NIW Infrastructure crossing the site (if stated in box to right)

If during the course of developing the site the developer uncovers a pipe not previously evident, NIW should be notified immediately in order that arrangements may be made for investigation and direction in respect of any necessary measures required to deal with the pipe. Notify NIW Waterline on 03458 770002.

Site Location Plan

