



<b>Planning Committee Report LA01/2019/0787/F</b>	<b>24<sup>th</sup> June 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>No:</u></b> LA01/2019/0787/F	<b><u>Ward:</u></b> Kinbane
<b><u>App Type:</u></b> Full Planning	
<b><u>Address:</u></b> Portaneevy Car Park, Whitepark Road, Ballintoy.	
<b><u>Proposal:</u></b> Proposed viewing points and landscape works to include surface and boundary treatment, provision of bins and picnic tables and associated access works.	
<b><u>Con Area:</u></b> N/A	<b><u>Valid Date:</u></b> 11.07.2019
<b><u>Listed Building Grade:</u></b> N/A	
<b><u>Agent:</u></b> GM Design Associates, 22 Lodge Road, Coleraine.	
<b><u>Applicant:</u></b> Causeway Coast and Glens Borough Council, 14 Charles Street, Ballymoney.	
<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

## Executive Summary

- Full planning permission is sought to provide improvements and alterations to the existing Portaneevy public car park and amenity area.
- The site is located approximately 2km East of Ballintoy and falls within the open countryside as designated in Northern Area Plan 2016.
- The site is located within the Causeway Coast Area of Outstanding Beauty (AONB).
- The site is not within an Area of Archaeological Potential and is not in close proximity to an Archaeological Site or Monument.
- The site is located within 35 metres of the Carrickarede ASSI and in close proximity to nesting seabirds.
- No letters of objection have been received in relation to the application.
- DfI Roads, Environmental Health Department, NIEA, Shared Environmental Services and Geological Survey of Northern Ireland have been consulted and raise no objection in respect of the application.
- The proposed development complies with the SPPS and has been assessed and considered to comply with the relevant policies in PPS 21 (Sustainable Development in the Countryside), PPS 2 (Natural Heritage), PPS 3 (Access, Movement and Parking), PPS 8 (Open Space, Sport and Outdoor Recreation) and PPS 16 (Tourism).
- The proposal is considered acceptable in that the improvements can successfully integrate into their surroundings, therefore respecting the character of the AONB. The proposed works will not create any significant environmental impacts or prejudice road safety and traffic flow. Approval is recommended.

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 **APPROVE** planning permission subject to the conditions set out in section 10.

## 2 SITE LOCATION & DESCRIPTION

- 2.1 The subject site is triangular in shape, extending to 0.8 hectares in area and contains the Portaneevy public car park and amenity area situated at the Portaneevy coastal walkway trail head, Whitepark Road, Ballintoy. The roadside site is located on the eastern side of Whitepark Road and extends towards the coastline, comprising of an existing tarmac car park, grass picnic and open space amenity areas, together with circuitous pathways and viewing points. The existing roadside boundary consists of a timber post and rail fence approximately 1m in height together with sections of vegetation and contains the access point serving the carpark. The northern boundary follows the natural line of the cliff edge and is defined in part by a low wall adjoining the footpath access into the site, with the remainder defined by a 1.2m high timber post and rail fence bolstered by chain link wire and sections of vegetation. The eastern boundary is defined by a 1.2m high concrete post and chain link wire fence together with some areas of vegetation. The topography of the site is mostly flat with no significant changes in ground levels.
- 2.2 The application site falls within the Causeway Coast Area of Outstanding Beauty (AONB). The proposal is not within an Area of Archaeological Potential and is not in close proximity to an Archaeological Site or Monument. The surrounding area is rural in character, comprising predominantly of agricultural land, with areas of public open amenity space, dominated by the North Antrim coastline.

## 3 RELEVANT HISTORY

There is no relevant planning history for this site.

## **4 THE APPLICATION**

- 4.1 Full planning permission is sought to provide improvements and alterations to the existing Portaneevy public car park and amenity area. The entire site will be redeveloped involving the renewal of the existing car park to include designated parking spaces, cycle stand and pedestrian crossing points. A new grass area of open space complete with picnic tables, benches, litter bins and sections of biodiversity will provide improved amenity and will be accessed by a new pedestrian footpath. The two existing viewing points will be refurbished and feature new areas of hard standing and boundary treatments. The site curtilage will also benefit from new sections of stone wall, stock proof fencing and timber rail fencing.

## **5 PUBLICITY & CONSULTATIONS**

### **External**

- 5.1 Neighbours: There are no objections to the proposal  
Advertising: No objections were raised in relation to the proposal.

### **5.2 Internal**

- Environmental Health Department: No objection
- DAERA, Natural Environment Division (NED) : No objection
- DAERA, Coastal Development: No objection
- DFI Roads: No Objection
- Geological Survey of Northern Ireland: No objection
- Shared Environmental Services: No objection

## **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 (PPS 2): Natural Heritage

PPS 3: Access, Movement and Parking

PPS 8: Open Space, Sport and Outdoor Recreation

PPS 16: Tourism

PPS 21: Sustainable development in the countryside

Planning Strategy for Rural Northern Ireland (PSRNI)

## **Supplementary Planning Guidance**

### Antrim Coast and Glens AONB Design Guide

#### Development Control Advice Note 15 - Vehicular Access Standards

## **8.0 CONSIDERATIONS & ASSESSMENT**

8.1 The main considerations in the determination of this application relate to: Principle of development, Integration and design, and Natural Heritage.

### **Principle of Development**

- 8.2 The principle of development must be considered having regard to the SPPS and PPS policy documents before mentioned.
- 8.3 The site is located within the open countryside given it falls outside any settlement development limits and is within the Antrim Coast and Glens AONB as set out in the Northern Area Plan 2016.
- 8.4 The main policy consideration is contained within the Northern Area Plan 2016, the Strategic Planning Policy Statement and the relevant Planning Policy Statements (PPS's). As this proposal is in relation to the redevelopment and improvement of an existing public car park and amenity area located on the coastline, the main policy considerations are within paragraphs 6.39, 6.41, 6.260 and 6.262 of the SPPS, Policy OS 3 of PPS 8, Policies TSM 2 and TSM 7 of PPS 16, and Policy CTY1 of PPS21.
- 8.5 The SPPS takes account of coastal development stating that Northern Ireland is valued for its beautiful and relatively unspoilt coast including well known features such as the Giant's Causeway and Causeway Coast. Of particular relevance is paragraph 6.39 which highlights the need to protect areas of amenity within the developed coast from inappropriate development. Paragraph 6.41 goes on to state that in considering development proposals within the developed or undeveloped coast attention must be paid to the retention of existing public accesses and coastal walkways. Proposals to extend access to the coastline or for the provision of associated facilities such as pathways or picnic areas, should not impact adversely on the nature conservation, archaeological/built heritage, geological or landscape value of the area.

8.6 PPS 21, Policy CTY1 sets out the types of development which in principle are considered acceptable in the countryside. Policy CTY1 states that planning permission will be granted for outdoor sport and recreational uses in accordance with PPS 8 and tourism development in accordance with the TOU Policies of the Planning Strategy for Rural Northern Ireland. PPS 16: Tourism superseded the tourism policies within the PSRNI.

8.7 Policy OS 3 of PPS 8 sets out the criteria that must be met by proposals for outdoor recreational use in the countryside. The proposed development:

- must not create adverse impact on features of importance to nature conservation, archaeology or built heritage;
- visual amenity or the character of the local landscape and the development should be readily absorbed into the landscape by taking advantage of existing vegetation and/or topography;
- the development shall not prejudice public safety and must be compatible with other countryside uses in terms of the nature, scale, extent and frequency or timing of the recreational activities proposed.
- The proposed facility should also take into account the needs of people with disabilities and be, as far as possible, accessible by means of transport other than the private car;
- the road network being capable of safely handling the extra vehicular traffic the proposal will generate as well as satisfactory arrangements being provided for access, parking, drainage and waste disposal;
- there shall be no permanent loss of the best and most versatile agricultural land and no unacceptable impact on nearby agricultural activities or on the amenities of people living nearby; and
- any ancillary buildings or structures proposed shall be designed to a high standard and be of a scale appropriate to the local area together with being sympathetic to the surrounding environment in terms of their siting, layout and landscape treatment;

It is considered that as this proposal seeks to maintain and enhance this existing outdoor amenity area and will not result in any adverse impacts on the natural and built environment. It will not undermine the integrity of this area of outdoor space. The proposal complies with Policy OS 3 of PPS 8.

- 8.8 Paragraph 6.260 of the SPPS highlights the need to carefully manage tourism development to protect rural amenity, wider sustainability objectives and the long term health of the tourism industry. It states that the guiding principle should be to ensure policies and proposals facilitate appropriate tourism development in the countryside. Paragraph 6.262 sets out that there are many diverse features of the built and natural heritage of Northern Ireland that can be regarded as tourism assets, in that they are important in attracting tourists and sustaining the tourism industry. The safeguarding of such tourism assets from unnecessary, inappropriate or excessive development is a vital element in maintaining a healthy tourism industry.
- 8.9 The Planning Department assesses that this proposal is in compliance with the provisions of the SPPS. The proposal is located in an area used by a large volume of visiting tourists. Furthermore, the proposal involves improvements to an existing public amenity area for the purposes of sightseeing and recreation within an area of countryside with no detrimental impact to the surrounding rural amenity or tourism assets.
- 8.10 Policy TSM 2 of PPS16 deals with tourist amenities in the countryside and states that the impact of proposals on rural character, landscape and natural/built heritage is an important consideration in their assessment, particularly within areas designated for their landscape, natural or cultural heritage qualities. In addition to the other policy provisions of PPS 16 a proposed tourism use will be subject to the general and design criteria set out in Policy TSM 7. The criteria are intended to achieve satisfactory forms of tourism development and a high standard of design. Good design is important for tourism development projects because the ability to attract tourists will often be influenced by the visual quality of the development and its success in reflecting local character and distinctiveness. Accessibility and ease of use are also important design considerations. Developments that are easy to reach, particularly for pedestrians, cyclists, users of public transport and people with mobility impairments, are likely to be successful in attracting visitors in the first instance and encouraging them to return. Biodiversity is one of tourism's greatest assets and is fundamental to its long-term sustained growth. Enhancing biodiversity will be encouraged in order to reduce any negative impact of tourism development.



- 8.11 The proposed development provides the necessary improvements both visually and functionally to the existing car park and amenity area. This includes a new wildflower area and biodiversity area which enhances and retains existing planting areas and the creation of new habitats. It is considered that the proposal complies with the relevant policies outlined in PPS16.
- 8.12 Planning Policy CO 1, The Undeveloped Coast, contained within the Planning Strategy for Rural Northern Ireland aims to conserve the natural character and landscape of the undeveloped coast, with greater emphasis being placed on the visual impact of proposals within the coastal zone. In general development will only be permitted where there is a clear site specific need and particular attention will be paid to the maintenance of public views to the coast. The proposed development does not conflict with this policy.

### **Integration and Design**

- 8.13 Policy CTY 1 of PPS 21 and paragraph 6.70 of the SPPS state that all proposals must be sited and designed to integrate into its setting, respect rural character, and be appropriately designed. As noted above, the principle of development is considered acceptable on this site.
- 8.14 This application proposes the improvement and alteration of the existing car park and associated amenity areas. The proposal involves redevelopment of the parking area to provide designated parking spaces for coaches, vendor's stalls and motor vehicles, including disabled spaces and a cycle stand. The open space will be improved to provide a new grass amenity area with sections of wild flowers and biodiversity. The existing viewing points which are currently defined by dilapidated timber post and rail fencing will both be renewed and will now be enclosed by 1.1m high vertical stainless steel fins. The contemporary steel enclosures will improve the safety of the viewing platforms, preventing access to the cliff edge together with reducing the visual impact due to their minimalist design and appearance. The facilities are further improved through the provision of new timber picnic tables, bench seating, litter bins, bollards and associated footpath serving the site. New sections of stone wall, stock proof fencing and timber rail fencing are proposed to the northern, eastern and western boundaries respectively. Overall, development is confined to relatively unobtrusive ground works and the size of the site will not be extended beyond its current curtilage.

8.15 The site is currently in use as a car park and grass amenity area with associated pathways and viewing points. The proposed layout and design seeks to largely replicate the existing appearance of the site, with the car park, amenity area and viewing points all being retained approximately in their current location. There will be no permanent development within the site, with all visual elements consisting of the new picnic tables, seating, and street furniture together with the boundary treatments, landscaping and additional planting. The proposed materials utilised throughout the site are considered to be of a high quality and are sympathetic with the sites setting within the A.O.N.B. The scale and design of the improved facilities are also considered acceptable and can successfully integrate into their surroundings without creating a prominent feature on the landscape.

### **Natural Heritage**

8.16 The application site is within 35 metres of Carrickarede Area of Special Scientific Interest (ASSI) which is of national importance and is protected by the Environment (Northern Ireland) Order 2002. PPS 2, Policy NH3 states that Planning permission will only be granted for a development proposal that is not likely to have an adverse effect on the integrity, including the value of the site to the habitat network, or special interest of an Area of Special Scientific Interest, a Nature Reserve, a National Nature Reserve, or a Marine Nature Reserve. A development proposal which could adversely affect a site of national importance may only be permitted where the benefits of the proposed development clearly outweigh the value of the site. In such cases, appropriate mitigation and/or compensatory measures will be required. NIEA, Natural Environment Division (NED), have considered the impact on the adjacent ASSI and are content that the works would not result in any adverse effects on this designated site.

8.17 The site contains nesting birds, protected by the Wildlife (Northern Ireland) Order 1985 (as amended) (known as the Wildlife Order). Habitats, species or features of natural heritage importance are protected under PPS 2, Policy NH5 where planning permission will only be granted for a development proposal which is not likely to result in the unacceptable adverse impact on, or damage to known priority habitats, priority species, active peatland, ancient and long-established woodland, features of earth science conservation importance, features of the landscape which are of major importance for wild flora and fauna, rare or threatened native species, wetlands (includes river corridors); or other natural heritage features worthy of protection. A development proposal which is likely to result in an

unacceptable adverse impact on, or damage to, habitats, species or features may only be permitted where the benefits of the proposed development outweigh the value of the habitat, species or feature. In such cases, appropriate mitigation and/or compensatory measures will be required. NIEA, NED, have considered the impact of the development on breeding birds. They are content that the development would not have an adverse impact subject to conditions, namely the control of works which can take place within the bird breeding season.

8.18 Planning Policy Statement 2, Policy NH6 states that new development within an Area of Outstanding Natural Beauty will only be granted where it is of an appropriate design, size and scale for the locality and where it is sympathetic to the special character of the area. Proposals should be sensitive to the distinctive special character of the area and the quality of their landscape, heritage and wildlife. Proposals should respect local architectural styles and patterns as well as local materials, designs and colour. In terms of siting, design, scale and massing, the proposal is considered sympathetic to this AONB location. It also respects local styles and patterns and conserves features of importance to the character, appearance or heritage of the landscape within proximity of the site. The proposal therefore is in compliance with Paragraph 6.187 of the SPPS and Policy NH 6 of PPS 2.

### **Access**

8.19 Access to public roads is set out under Policy AMP 2 of PPS 3.

Planning permission will only be granted for a development proposal involving direct access, or the intensification of the use of an existing access, onto a public road where such access will not prejudice road safety or significantly inconvenience the flow of traffic, and the proposal does not conflict with Policy AMP 3 Access to Protected Routes.

8.20 Access to the proposal is via the existing access point to the car park from Whitepark Road and involves the realignment of the existing kerb radii to improve the current arrangements. DFI Roads has been consulted during the consideration of the application and have commented with no objection to the proposed access works. The proposal is assessed that it will not prejudice road safety or significantly inconveniences the flow of traffic.

## **Habitats Regulations Assessment**

8.21 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.

## **Environmental Impact Assessment**

8.22 This proposal is considered to fall within Category 10 (B) of Schedule 2- The carrying out of development to provide for urban development projects, including the construction of shopping centres and car parks. As part of the process to determine whether an Environmental Statement was required, consultations were carried out with the competent authorities. Having considered The Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2015 and taking into account the above information, it is considered that the proposed development is not EIA development and would not require the preparation of an Environmental Statement. This determination was made on 05/12/2019.

## **9.0 CONCLUSION**

9.1 The proposal is considered acceptable in this location having regard to the Northern Area Plan, and other material considerations, including the SPPS. The proposed alterations, additions and re-development will provide necessary improvements to the amenity of the site and provide a quality and sustainable tourist amenity without creating any adverse impacts on visual amenity or environmental features. Approval is recommended.

## **10 CONDITIONS**

### **10.1 Regulatory conditions**

1. As required by Section 61 of 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. No development shall commence until the vehicular access, including visibility splays and any forward sight distance, shall be

provided in accordance with Drawing No. 03B bearing the date stamp 6th March 2020, prior to the commencement of any other development hereby permitted. 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.

3. No works shall take place within 10m of the cliff face on the northern boundary, between 1st March and 31st August inclusive.

Reason: To protect breeding birds nesting on the cliffs.

4. No vegetation clearance shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a detailed check for active bird's nests immediately before clearance/demolition and provided written confirmation that no nests are present/birds will be harmed and/or there are appropriate measures in place to protect nesting birds. Any such written confirmation shall be submitted to the Planning Authority within 6 weeks of works commencing.

Reason: To protect breeding birds nesting in the willow scrub or other vegetation.

5. All services within the development should be laid underground.

Reason: In the interest of visual amenity.

## 10.2 Informatives

1. 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.

2. 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.

3. 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.

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 Planning Authority or other statutory authority.

5. 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 (East), Jobs and Benefits Office, 37-45 John Street, Ballymoney, BT53 6DT. A monetary deposit will be required to cover works on the public road.

6. 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.

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

8. 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.

9. 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/>.

# Site Location Map



# Block Plan

