

Planning Committee Report	25 November 2020
LA01/2020/0235/F	
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	

No:	LA01/2020/0235/F	Ward: Portrush and Dunluce

App Type: Full Planning

Address: West Bay portrush

<u>Proposal</u>: Widening the South Pier vehicular access ramp. Demolition of the existing, non-compliant, pedestrian access ramp at southern end of West Bay. Construction of new pedestrian access ramp at the Southern end of West bay, with provision of stepped access. Temporary vehicular access ramp at Western end and temporary working platform from access ramp. Westwards

Con Area:N/AValid Date: 20/2/2020Listed Building Grade:N/AAgent:Doran Consulting Norwood House, 96-102 Great Victoria Street
BELFAST BT2 7BEApplicant:Causeway Coast and Glens Borough CouncilObjections:1Petitions of Objection:0Petitions of Support:0

Executive Summary

- Full planning permission is sought to widen the south pier vehicular access ramp and also to demolish the existing pedestrian access ramp at the southern end of West bay and construct a new pedestrian access ramp with provision of stepped access. There will be temporary vehicular access ramp at the western end and temporary working platform from access rampwestwards.
- The site is located on West bay and associated public open space area, with part of the application site within the settlement development limits of Portrush and part outside on the beach as designated in Northern Area Plan 2016.
- The site is located in close proximity to the West Strand ASSI.
- The application site is in close proximity to the Skerries and Causeway and The Maidens SAC.
- 1 letter of objection has been received in relation to the application.
- Dfl Roads, Environmental Health Department, NIEA Natural Heritage and Water management, Shared Environmental Services, Historic Environment Division for buildings & archaeology, Rivers agency 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 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 area. 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 <u>http://epicpublic.planningni.gov.uk/publicaccess/</u>

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 currently includes two parcels of land at opposite ends of the West Bay strand in Portrush. They include the pedestrian access point onto the beach at either end of the strand. At the northern end there is an existing ramp which provides access from the harbour and open space area to the north and east down onto the strand. It has a wall along the eastern boundary and a steel rail along the western boundary of the ramp. There is a low incline with a difference in ground levels of approximately 2 metres. The ramp is approximately the width of a vehicle and has a concrete surface. The strand is approximately a kilometre long and at the southern end there is another existing concrete ramp with rails which has fallen into disrepair. It provides access for pedestrians only and falls from the upper walkway promenade down to the strand. There is a difference in ground levels of approximately 3 metres. There is open space and a promenade above the ramp with an associated beach car park.
- 2.2 The application site is in close proximity to the Skerries and Causeway and The Maidens SAC and also in close proximity to West Strand ASSI. The surrounding area is all public open space including the strand, walkway promenade, and harbour area and surrounding North Antrim coastline.

3 RELEVANT HISTORY

- 3.1 There is relevant planning history for this site. A PAD was submitted under reference LA01/2019/0103/PAD.
- 3.2 A subsequent application was submitted for an Environmental Impact Assessment under reference LA01/2019/0120/DETEIA. The Planning Authority made a positive determination for an environmental statement.
- 3.3 The current application LA01/2020/0235/F, received in February 2020, had a description which originally included new revetment works replacing existing sheet pile capping beams which currently hold and retain the promenade walkway. These proposed works are no longer part of the application as from May 2020. The description on the P1 form was amended and the scheme reduced to now only include -Widening the South Pier vehicular access ramp; Demolition of the existing, non-compliant, pedestrian access ramp at southern end of West Bay. Construction of new pedestrian access ramp at the Southern end of West bay, with provision of stepped access. Temporary vehicular access ramp at Western end and temporary working platform from access ramp-Westwards. Therefore the Revetment remedial works is removed from the scope of works and any assessment of this within the Environmental Statement is no longer applicable.

4 THE APPLICATION

4.1 Full planning permission is sought to provide improvements and alterations to the existing pedestrian access ramp at the southern end of the West bay Strand and also the vehicle access at the north end of the strand adjacent to the harbour. The improvements include widening the vehicle access near the harbour and renewing the steps and ramp at the southern end of the strand onto the public walkway promenade.

ENVIRONMENTAL IMPACT ASSESSMENT

- 4.2 The applicant submitted an application for an Environmental Impact Assessment Determination under LA01/2019/0120/DETEIA. This proposal was subject to an environmental impact assessment screening as highlighted by, The Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2017.
- 4.3 The proposed development was considered to fall within Schedule 2 Part 10(m) of the Planning (Environmental Impact Assessment) Regulations (NI) 2019 for 'Coastal Work to combat erosion- all development' and the site is also within a 'Sensitive Area'. As such a positive determination was made on 7th May 2019. An Environmental Statement was submitted with the application LA01/2020/0235/F.
 - 4.4 Regulation 11 of the Planning (Environmental Impact Assessment) Regulations (NI) 2019 states that an EIA application shall be accompanied by an Environmental Statement and sets out the requirements for an Environmental Statement in terms of provision of information. The submitted Environmental Statement contains the relevant information and therefore is considered to satisfy the requirements under Regulation 11.
- 4.5 The report concludes that the visual impact of the proposed works can be considered positive. There is visual improvement to the ramp and associated steps at the southern end of the promenade as the existing landing to the ramp is formed by a spur protruding beyond each side of the revetment perpendicular to the beach and when the sand levels are low especially in winter, the height from the spur to the ground is up to 500mm representing a fall from height risk. The spurs are proposed to be removed and the ramp extended to the lowest level of sand in a direction parallel to the beach improving access.
- 4.6 The report concludes that the temporary construction access at the southern end of the promenade has potential to damage the underlying peat but the potential impact will be minimized by the construction of a working platform of geotextiles and hardcore on the

beach. If the programme of works is carried out in summer months as recommended when the beach sand levels are at a maximum, the natural sand cover will provide additional protection to the peat. It is concluded on the basis of the Assessment undertaken, no negative impact on ancient peat is envisaged.

- 4.7 The report concludes that the proposed works are considered acceptable following implementation of the archaeological Mitigation Strategy (AMS) and on this basis no negative impact on ancient peat is envisaged.
- 4.8 The report concludes that no negative impact on the water environment is envisaged.
- 4.9 The report concludes that in terms of coastal processes the access improvement works at the existing south pier vehicular access ramp will increase by 3 metres and is likely to have a neutral impact as no adverse impact have been observed since the first construction of the ramp in 2013 mainly because the area is sheltered by Portrush Harbour South Pier rock armour breakwater.
- 4.10 The report concludes no negative impact with regard construction traffic is envisaged.
- 4.11 The report concludes no negative impact on biodiversity is envisaged subject to mitigation measures proposed to avoid disturbance of ecologically sensitive species and geology.
- 4.12 The report concludes no negative impact with regard Health and air quality is envisaged.

5 PUBLICITY & CONSULTATIONS

External

5.1 Neighbours & advertising: There is one objection to the proposal

5.2 Internal

- Environmental Health Department: No objection

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- DAERA, Natural Environment Division (NED): No objection
- DAERA, water management: No objection
- DEARA Coastal development : No objection
- DFI Roads: No Objection
- Shared Environmental Services: No objection
- Historic Environment Division Archaeology and Built Environment: No objections
- Rivers Agency: No objections.

6.0 MATERIAL CONSIDERATIONS

- 6.1 Section 45(1) of the Planning Act (Northern Ireland) 2011 requires that all applications must have regard to the local plan, so far as material to the application, and all other material considerations. Section 6(4) states that in making any determination where regard is to be had to the local development plan, the determination must be made in accordance with the plan unless material considerations indicate otherwise.
- 6.2 The development plan is:
 - Northern Area Plan 2016 (NAP)
- 6.3 The Regional Development Strategy (RDS) is a material consideration.
- 6.4 The Strategic Planning Policy Statement for Northern Ireland (SPPS) is a material consideration. As set out in the SPPS, until such times as a new local plan strategy is adopted, councils will apply specified retained operational policies.
- 6.5 Due weight should be given to the relevant policies in the development plan.
- 6.6 All material considerations and any policy conflicts are identified in the "Considerations and Assessment" section of the report.

7.0 RELEVANT POLICIES & GUIDANCE

The Northern Area Plan 2016

Strategic Planning Policy Statement (SPPS)

A Planning Strategy for Rural Northern Ireland

Planning Policy Statement (PPS 2): Natural Heritage

PPS 3: Access, Movement and Parking

PPS 6: Planning, Archaeology and built environment.

PPS 8: Open Space, Sport and Outdoor Recreation

PPS 16: Tourism

Supplementary Planning Guidance

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 Although the site is on the strand beside the town, it is located within the open countryside given it falls outside any settlement development limits. It is located within the West Bay Local Landscape Area as zoned 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). The proposal is in relation to the

redevelopment and improvement of existing ramps and steps located on the coastline, as the ramps and steps provide access for the public onto the West Strand open public amenity area, 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, 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 Policy CO2 'The Developed Coast' encourages and supports the enhancement and regeneration of urban waterfronts. The proposal further meets with the policy in the retention of the and improvement of the public access along the coast whilst protecting the existing wildlife habitats, promoting a vibrant and attractive waterfront.
- 8.7 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.
- 8.8 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;
- 8.9 Formal consultation has taken place with the appropriate competent bodies including DEARA Natural Heritage with regards to the strand and water environment adjacent to the site. Historic Environment Division have also been consulted as part of the site is within the Portrush Area of Archaeological potential.
- 8.10 Both consultees are content with the development. DFI roads have been consulted as a competent authority with regards the safety and technical information of the ramp access for vehicle and pedestrian access onto the road. DFI roads are content with the proposal. It is considered that as this proposal seeks to maintain and enhance this existing outdoor amenity area which currently exists and will not result in any adverse impacts on the natural and built environment, then it has a proposal which is acceptable and it will to make the environment a more pleasant experience for visitors to enjoy the West Strand and surrounding amenity area. It will not undermine the integrity of this area of outdoor space. The proposal complies with Policy OS 3 of PPS 8.
- 8.11 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.

- 8.12The 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. The site is located on a world famous causeway coast. Furthermore, the proposal involves improvements to an existing public amenity area for the purposes of recreation within the coastal area of N. Ireland with no detrimental impact to the surrounding amenity or tourism assets.
- 8.13 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.
- 8.14 The proposed development provides for the necessary improvements both visually and functionally to the existing West Strand amenity area. The proposed design is of high quality as it seeks to enhance the existing ramps and steps which have fallen into disrepair and have been closed off due to safety reasons. The vehicle access from the northern end adjacent to the harbour will be re designed and an additional 3 metres added. It will be widened to allow for emergency vehicle access onto the beach. The southern end of the beach will have a redesigned pedestrian ramp and new steps to allow for safer

access onto the strand. It is considered that the proposal complies with the relevant policies outlined in PPS16.

Natural Heritage

- 8.15The application site is part within the West Strand 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. DEARA Natural Environment Division (NED) have been consulted as the competent authority and have considered the impact on the ASSI and are content that the works would not result in any adverse effects on this designated site. The works involved are replacing existing steps and ramps onto the strand from the upper promenade down onto the sand.
- 8.16The site is also within the West Bay LLPA designation PHL 02 as zoned within the Northern area Plan. The Area Plan states that the features that contribute to the environmental quality include: The West Strand and related slopes; the area is mostly in public ownership and is dominated by the natural environment t and amenity open space; and the area lies within the West strand ASSI. The plan seeks to maintain the integrity of this open space by protecting it from any development other than refurbishment or modest extensions to existing buildings and thereby maintain the outstanding vista of the peninsula, across West bay from the western approaches to Portrush. As the proposal involves the replacement and improvement of existing vehicle ramp onto the beach and doesn't involve any buildings, the proposal complies with the LLPA policy within the Area Plan.
- 8.17 DAERA NED are content that the development would not have an adverse impact subject to mitigation conditions. Shared Environmental services have also been consulted and are content

with the proposal. The proposal therefore is in compliance with Paragraph 6.187 of the SPPS and Policy NH 6 of PPS 2.

Archaeology and built environment

8.18 Part of the site lies within the Portrush Area of Archaeological Potential as defined by the Northern Area Plan 2016.

Policy BH 1 of Planning Policy Statement 6 Planning, Archaeology and the Built Environment applies. In this policy it states that as the presumption is in favour of the physical preservation in situ of archaeological remains and their settings, development which would adversely affect such sites of regional importance or the integrity of their settings will not be permitted unless there is exceptional circumstances.

Historic Environment Division were consulted as the competent authority. HED are content that the proposal will not have a detrimental impact on the area. A programme of archaeological works shall be conditioned. The Planning Authority are also content that given the proposal is replacing existing infrastructure there will not be any harm to this location.

Access

- 8.19 Creating an accessible environment under Policy AMP 1 of PPS 3 applies. Within this policy it states that developments should take account of the specific needs of people with disabilities and others whose mobility is impaired. The appropriate criteria applicable to this application includes the convenient movement along pathways, removal of unnecessary obstructions, pedestrian priority to facilitate pedestrian movement within land uses. Access should be improved as opportunities arise through alterations.
- 8.20 The proposal involves the widening of the vehicle ramp adjacent to the pier at the northern end of the West Strand. It also involves the removal and replacement of the pedestrian ramp and steps at the southern end of the West Strand. The proposal will result in a new access for pedestrians and vehicles onto the strand. Access to the proposal at present is via the existing ramp and steps. The steps and ramp for pedestrians at the southern end of the beach are closed off

due to the disrepair and safety concerns. The proposal will create a new accessible proposal to modern standards and will provide a safe access to the strand for all users. This is to be welcomed for the public as a whole to access the beach area safely. DFI Roads has been consulted as the competent authority during the consideration of the application and have commented with no objection to the proposal. Therefore it is considered that the proposal will not prejudice pedestrian and vehicle safety.

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.

Other matters

8.22 One objection was received regarding land ownership. The applicant since removed the disputed area from the proposal. The P1 form Certificate A has been signed therefore declaring full ownership of the existing application site. Re-neighbour notification took place and no further objections were received.

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 new development will provide necessary improvements to the amenity of the site and provide a quality and safe access to the west strand 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. Construction Traffic Management Plan shall be agreed in writing with Dfl Roads, Traffic Section (County Hall, Coleraine) prior to the commencement of the development hereby approved.

Reason: In the interest of road safety and convenience of road users.

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

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

4. No site works of any nature or development shall take place other than in accordance with the programme of archaeological work approved under condition 3.

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

5. A programme of post-excavation analysis, preparation of an archaeological report, dissemination of results and preparation of the excavation archive shall be undertaken in accordance with the programme of archaeological work approved under condition. These

measures shall be implemented and a final archaeological report shall be submitted to The Planning Authority within 12 months of the completion of archaeological site works, or as otherwise agreed in writing with The Planning Authority.

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

6. A Final Construction Environmental Management Plan (CEMP) must be submitted by the appointed contractor to the planning authority for agreement prior to the commencement of works on site. This CEMP must be adhered to during construction phase and contain all the mitigation within the Outline CEMP dated February 2020.

Reason: To ensure that the appointed contractor is aware of and implements all the environmental mitigation required to protect the European Site features identified in the HRA.

10.2 Informatives

1. 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.

2. 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.

3. 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.

4. This determination relates to planning control only and does not cover any consent or approval which may be necessary to authorise the development under other prevailing legislation as may be administered by the Council or other statutory authority.

5. You should refer to any other general advice and guidance provided by consultees in the process of this planning application by reviewing all responses on the Planning Portal at

http://epicpublic.planningni.gov.uk/publicaccess/.

Drawing numbers:

06/1, 07/1, 08/1, 09/1, 10/1, 11/1, 12, 15/1, 16/1, 17/1, 18/1, 19/1, 20/1

Documents:

DOC 01 Environmental Statement Non Technical Summary.

DOC 02 Environmental Statement

DOC 05 Transport Assessment

DOC 06 Photos

DOC 10/1 Amended HRA





