

Planning Committee Report Item 5.6	24th August 2016
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	Shane Mathers
Cost: (If applicable)	N/a

ITEM 5.6

Unit 7 Old Court Market Castlerock Road Coleraine

**LA01/2015/0705/F
Full Planning**

24th August 2016

<u>App No:</u>	LA01/2015/0705/F	<u>Ward:</u>	Waterside
<u>App Type:</u>	Full Planning		
<u>Address:</u>	Unit 7 Old Court Market, Castlerock Road, Coleraine		
<u>Proposal:</u>	Proposed conversion of first floor office to 1 No. apartment.		
<u>Con Area:</u>	N/A	<u>Valid Date:</u>	28 September 2015
<u>Listed Building Grade:</u>	N/A	<u>Target Date:</u>	
Applicant:	Todds Developments Ltd., Campsie Industrial Estate, 6 Courtald Way, Eglinton		
Agent:	Moore Design, Market Court, 63 New Row, Coleraine		
Objections:	0	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 on the southern side of Castlerock Road, Coleraine. The site comprises a vacant first floor unit located at the southern end of the host building. The unit is finished in buff brick to the south-east and north-west elevation, while the roof is finished in black non-profiled roof tiles. There is a dormer

window on the south-east (front) elevation and windows in the north-west (rear) elevation.

- 2.2 The existing character can be defined as mixed use, consisting of commercial and residential premises. The site is located within a block comprising a coffee shop/ cafe (which is directly below the unit to be converted), a charity shop at ground level, a spar convenience store at ground floor level to the north-east; a petrol filling station to the east; an off license with theatre company to the north-west; 2 No. fast food takeaways to the south; and a butchers and vacant units above and to the side with apartments above (to the south-east). A high retaining wall and embankment define the south-west boundary of the complex. A public footpath runs along the north-east boundary of the complex. There are car parking spaces within the complex and to the south-west of the application site. The rear elevation of the site is located close to a number of air conditioning / condenser units relating to the adjacent business premises. The rear yard (to the west) is used for refuse collection.
- 2.3 The site is located within Coleraine Settlement Development Limit. The site is also located within Coleraine Town Centre and an Area of Archaeological Potential.

3 RELEVANT HISTORY

C/2001/1190/F - Redevelopment to provide petrol filling station / convenience shop, 4 no. retail units, offices and car display / sales area. Approved 12.12.2002

C/2003/1162/F - Alterations to approved building design to provide office accommodation within roof void over retail units 3 & 4, covered external display area to units 2 and relocation of retaining wall within site to provide enlarged yard area.
Approved 04.03.2004

C/2005/0349/F - Coffee shop and sandwich bar (unit 3).
Approved 01.08.2005

4 THE APPLICATION

- 4.1 Planning permission is sought for conversion of a first floor office to an apartment. Proposed access to the apartment is from a door located between the charity shop and coffee shop/ cafe at ground level. The proposal was originally submitted for change of use from 2 No. offices (units 7 & 8) to 2 No. apartments.
- 4.2 The Local Planning Office advised the applicant of their permitted development rights under Part 4 of the Schedule of The Planning (General Permitted Development) Order (Northern Ireland) 2015 which allowed for the change of use from one of the offices which is above shop to residential (apartment) without the need to submit a planning application. This element has now been removed from this application.
- 4.3 The agent has now revised the extent of the proposal to only include the office which would not benefit from permitted development rights and is seeking permission to change this to 1 No. apartment.

5.0 PUBLICITY & CONSULTATIONS

5.1 External

Neighbours: There are no objections to the proposal.

5.2 Internal

NIEA Water Management Unit: Has no objection to the proposal.

Transport NI: Has no objection to the proposal.

NI Water: Has no objection to the proposal.

Environmental Health: Has no objection to the proposal.

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: Access, Movement and Parking

Planning Policy Statement 7: Quality Residential Environments

PPS 7 Addendum: Safeguarding the Character of Established Residential Areas

PPS 8: Open Space, Sport and Outdoor Recreation

DCAN 8 - Housing in Existing Urban Areas

DCAN 15 - Vehicular Access Standards

Parking Standards

Creating Places

8.0 CONSIDERATIONS & ASSESSMENT

8.1 The main considerations in the determination of this application relate to the principle of the proposed use and the proposed design/ layout.

Principle of development

8.2 The site is located within the Settlement Development Limit of Coleraine and within the defined Town Centre as defined by the Northern Area Plan.

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 principle of residential use above shops and other business premises should be facilitated within town centres, where appropriate, under paragraph 6.137 of the SPPS.

Proposed Design and Layout

8.5 Planning Policy Statement 7 (Quality Residential Environments) provides the main policy in relation to housing proposals. The applicant submitted a concept plan / statement with the proposal, as required by Policy QD2 of PPS7. Policy QD1 expects all proposals for residential development to conform to the following criteria:

- *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;*

The proposal is for a change of use, with no external changes. Visual impact is not an issue given that there are no external changes proposed to the external envelope of the building.

- *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;*

The proposal raises no issues with regard to features of archaeological and built heritage or landscape features.

- *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;*

The proposal does not require the provision of public amenity space, as defined in Policy OS2 of PPS8. However, it should provide private amenity space. The advice at paragraph 5.20 of Creating Places recommends a minimum of 10 sq.m of private amenity space per apartment on small urban infill sites, and gravitates towards that figure in inner urban locations and other high density areas. This development proposes no private amenity space.

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

The proposal is not of such significant size as to require the provision of neighbourhood facilities.

- *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;*

The movement pattern is acceptable.

- *adequate and appropriate provision is made for parking;*

TransportNI as the competent authority has no objection to the level of parking provision.

- *the design of the development draws upon the best local traditions of form, materials and detailing;*

The proposal is for a change of use with no external changes. Visual impact is not an issue given that there are no external changes proposed to the external envelope of the building.

- *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; a*

Criterion h of Policy QD1 requires that there is no unacceptable adverse effect on existing or proposed properties in respect of a number of matters. In this case the proposed residential unit will have limited amenity by reason of it being accessed from and primarily looking into a petrol filling station forecourt. Furthermore, it will have no external amenity space.

However, this needs to be balanced against other considerations and relevant planning policy. Other considerations include the location of the approved apartments (accessed from Captain Street Lower) which also look into the forecourt to some extent. Another consideration is that had the ground floor been used as a shop rather than a coffee shop/ café, permitted development rights would have allowed the change of use without the need for a planning application. This is the basis on which the adjacent unit is being converted to residential accommodation.

In terms of planning policy, determining weight can be given to Policy CET 01 of the Northern Area Plan 2016 which designates Coleraine Town Centre. The Plan seeks to maintain a vibrant, compact, multi-functional town centre. Providing residential accommodation within the town centre goes towards meeting this objective. Para 6.137 of the SPPS further underlines that within town centres residential use above shops and other business premises should be facilitated, where appropriate, as this can promote sustainability through utilising underused

space, maintaining the fabric of buildings and contributing to the vitality and viability of town centres.

- *the development is designed to deter crime and promote personal safety.*

The proposal does not raise any issues with regard to crime and personal safety.

9.0 CONCLUSION

- 9.1 This proposal is considered acceptable in this location having regard to the Northern Area Plan, and other material considerations, including the SPPS. While it offers limited amenity, on balance it is considered acceptable when determining weight is given to the specific policy objectives of the Area Plan and SPPS in addition to the particular circumstances of this location. Approval is recommended.

10 Conditions

- 10.1 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.