

Planning Committee Report LA01/2019/0511/F	22 January 2020
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> LA01/2019/0511/F	<u>Ward:</u> MOUNTSANDEL
<u>App Type:</u> Full Planning	
<u>Address:</u> 20 Circular Road, Coleraine, BT52 1PS	
<u>Proposal:</u> Change of Use and Alterations to Ground Floor Retail Unit to Provide 4 no. Residential Apartments	
<u>Con Area:</u> N/A	<u>Valid Date:</u> 15.05.2019
<u>Listed Building Grade:</u> N/A	
Agent: H R Jess Ltd, 1 Jordanstown Road, Newtownabbey, BT37 0QD	
Applicant: Mr Sam McNeill, Fountain Court, 20 Circular Road, Coleraine, BT52 1PS	
Objections: 2	Petitions of Objection: 1
Support: 0	Petitions of Support: 0

Executive Summary

- This proposal is acceptable at this location having regard to the Northern Area Plan 2016 and all other material considerations.
- The site is located within the Coleraine Settlement Limit, Coleraine Town Centre, Committed Housing Zoning Policy CEH 13 and an Area of Archaeological Potential within the Northern Area Plan 2016.
- There has been two objections received and one petition of objection received on this application. No statutory consultee has raised any concerns with the proposal.
- The proposal relates to the change of use and alterations to a ground floor retail unit to provide four residential apartments.
- The proposal involves the loss of a retail unit from the town centre. There is an existing housing zoning and residential uses operating on the site and within the surrounding area. There will be no adverse impact on the vitality or viability of Coleraine town centre.
- There is considered to be sufficient parking for the proposal, having regard to existing parking availability in the area, the town centre location and no objection from DFI Roads.
- Following consultation with Historic Environment Division, there will be no impact on the Area of Archaeological Potential.

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 **GRANT** planning permission subject to the reasons set out in section 10.

2 SITE LOCATION & DESCRIPTION

- 2.1 The site is located at 20 Circular Road, Coleraine. On site is a two storey apartment building with a ground floor retail unit forming the frontage onto Circular Road. To the northwest of the site and to the rear of the building is an area for car parking and bin storage.
- 2.2 The application site is located within the Coleraine Settlement Development Limit, Coleraine Town Centre, Committed Housing Zoning CEH 13 and An Area of Archaeological Potential as defined in the Northern Area Plan 2016. The surrounding area is a mixture of recreational, residential and commercial uses. An area of housing is located to the east and southeast of the site. To the south of the site is an area for recreation including a play park and pitches. To the west and north of the site are fields.

3 RELEVANT HISTORY

C/2002/0828/F - 20 Circular Road, Coleraine - Ground floor showroom with apartments over and to rear - Granted - 22.10.2003

4 THE APPLICATION

- 4.1 Full Planning Permission is sought for the change of use and alterations to ground floor retail unit to provide 4 residential apartments.

5 PUBLICITY & CONSULTATIONS

5.1 External

Neighbours: There were two objections and one Petition of Objection

submitted.

The objections raised matters of concern in relation to:

- Existing bin storage area at capacity and concerns as to where additional bins would be stored.
- Associated pest/environmental problems if bins stored throughout the development.
- Traffic impact on the parking facilities.
- Existing difficulty for vehicles accessing the front of the development for picking down and dropping off passengers.
- Unauthorised usage of parking facilities within Fountain Court due to lack of parking facilities.
- Parking facilities limited to one hour on-street parking and pay and display facilities at Mall car park.
- Traffic impact on the area which will have an unacceptably adverse effect on freedom of movement and access to adequate parking due to an increased influx of vehicles.
- Inadequate parking provisions in the area.
- Concerns as to where residents of proposed apartments would park.
- Existing residents cannot move their vehicles without potentially surrendering their only viable parking space for indefinite periods of time.
- Implementation of further residential apartments will worsen an already existing and unacceptable traffic problem in the area, negatively impact on residents of Circular Road and a resident's parking scheme for Circular Road is required to address this.
- The previous petition for a Resident's Parking Scheme to Coleraine Council in 2011 and disagreement with the findings of the Council, that a Resident's Parking Scheme was unwarranted on the grounds that residents of Circular Road have adequate parking provisions.

- Traffic impact will increase as a result of increased residential dwellings with no provision of parking residents having been proposed by Causeway Coast and Glens Borough Council to address this fact.
- No approaches by Causeway Coast and Glens Borough Council outside of official notification of the proposal have been made for consultation with residents of Circular Road and Fountain Court regarding the resolution of existing parking difficulties for said residents.
- The continued absence of a Resident's Parking Scheme for Circular Road area will unacceptably limit and even possibly preclude future access to electrical vehicle charge points.
- Usage of a 7th parking space belonging to defunct Coleraine Kitchen Company which is currently inaccessible for parking.
- Where contractors would park their vehicles and equipment to implement the proposal.
- No special provision for residents parking through the proposal.

5.2 Internal

DFI Roads – No objection

Environmental Health – No objection

NI Water – No objection

DFI Rivers - No objection

Historic Environment Division - No objection

6 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 RELEVANT POLICIES & GUIDANCE

Northern Area Plan 2016.

Strategic Planning Policy Statement (SPPS)

Planning Policy Statement 3 – Access, Movement and Parking

Planning Policy Statement 7 – Quality Residential Environments

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

Supplementary Planning Guidance

Creating Places

8 CONSIDERATIONS AND ASSESSMENT

8.1 The main considerations in the determination of this application relate to: principle of development, design, parking and residential amenity.

Principle of Development

- 8.2 The proposal is located within Coleraine Town Centre. The SPPS states the regional strategic objective to secure a town centres first approach for the location of future retailing and other main town centre uses. Main Town Centre uses include cultural and community facilities, retail, leisure, entertainment and businesses. Residential uses are not specified under Main Town Centre uses under the SPPS. Under paragraph 6.279, the SPPS states that all proposals must ensure that there will be no unacceptable adverse impact on the vitality and viability of an existing centre within the catchment, and meet requirements of policy elsewhere in the SPPS. Given that the existing use is a ground floor retail unit, and is located in the town centre, the preferential location for retail development, the loss of retailing within the town centre should be resisted. However, the site also includes Committed Housing Zoning CEH 13 which was developed under C/2002/0828/F which includes the ground floor retail unit to which this proposal relates and apartments above.
- 8.3 Consultation with Development Plan reveals no objection to the proposal. They advise that the rate of demolition/vacancy in Coleraine Town Centre (excluding the Diamond Centre) sits at 17% as of 2019. Furthermore that the 2016 Nexus Report states that the town centre is nearly 50% bigger than the average NI Town Centre and at that time the town centre had a vacancy rate of 19.7% against the UK average of 11.3%. They conclude that the loss of retail space from this proposal would not impact on the vitality and viability of the town centre given the oversupply of retail land available.
- 8.4 With regard to this, the committed housing zoning, residential uses on the site and in the surrounding area, it is considered that the loss of this retail unit is acceptable and the residential use is appropriate in this location.

Design

- 8.5 The proposal involves the removal of the existing shop front and signage and the replacement with an access and windows serving each unit. Windows will be white UPVC with a sashed design. The walls are cedar wood cladding and natural stone cladding. An

existing corner window serving the retail unit is being retained for the sitting room of Unit 1. There are no changes in the scale and massing of the building and the layout of the site from the proposal. The proposal utilises the existing building, the design is considered to be attractive with respect to the existing building and will not be out of character with either the building or development in the surrounding area. The sashed window design is in keeping with that of the existing windows and both the stone and wood cladding are considered to complement the existing building. The proposed windows are smaller than that existing but the shape and proportions are considered to be compatible. All landscaping and hard surfaced areas will be existing.

- 8.6 The proposal is located within the curtilage of an existing building which has its own areas for parking, bin storage and open space. These areas are indicated on the submitted site layout map to serve the proposal. The private amenity space is located to the north and east sides of the building. These areas are not substantial and are quite narrow. However, it is noted that there was no other private amenity space approved under C/2002/0828/F. As highlighted by the agent and noted from the site visit, adjoining the site to the east and south are two large areas of public open space. Although the private amenity space is not substantial, it is considered to be adequate given the abundance of public space available. Bin storage is separate from the private amenity space and adjoins the parking at the northwest corner of the site. There is no requirement for landscaping, given that the apartment building and its curtilage is already existing.
- 8.7 There are no built heritage and landscape features located on the site. There will be no impact on any these features in the surrounding area from the proposal. HED were content with regard to the Area of Archaeological Potential and there is no impact on this designation given the re-use of the existing building. The units are self-contained and are designed to deter crime and promote personal safety. There is no requirement for local neighbourhood facilities given the scale of the proposal. The design and layout does not conflict with any neighbouring uses as there are existing residential uses both on and adjoining the site and the proposal relates to the change of use of an existing unit.
- 8.8 The proposal provides four residential units to include 3 one bedroom apartments and 1 bedsit. The proposal is located on the ground floor of an existing apartment building. The uses

surrounding the site are predominately residential. There will be no impact on local character, environmental quality or residential amenity of the surrounding area given the residential use established within the area. The proposed design is not considered to impact on local character. The proposed stone cladding to the front is considered to complement the existing building and its setting with the proposed windows well-proportioned and in a similar architectural style to that of the existing building. There is no impact on form given the usage of an existing unit. The original property does not have greater than 150 square metres of gross internal floorspace. The internal floorspace sits at approximately 139 square metres. Paragraph 2.16 of APPS7 advises that a more flexible approach to the floorspace requirement may be applied where an existing property is less than 150sqm and is located within a designated town centre. The proposal is located within Coleraine Town Centre with three of the units only slightly below the minimum floorspace requirements for one bedroom apartments and a bedsit. It is considered that the unit is appropriate for conversion given that the minimum requirements are broadly met. All the apartments are self-contained with their own facilities including kitchens, bathrooms and access directly onto Circular Road.

Parking

- 8.9 Regarding parking provision, there are 9 two bedroom apartments existing on the site. Under C/2002/0828/F there are six in-curtilage parking spaces indicated and parking to the front of the site. It is noted that the parking arrangements approved, differ from that currently on the site and that the application pre-dates the Departments Parking Standards document which was published in 2005. The current proposal requires 5 parking spaces as per Table 7 of Parking Standards. The agent confirmed that the existing in-curtilage parking is not designated and would be available for usage by the proposed units. The existing plans indicate seven spaces available. Applying Parking Standards to the existing building 14 spaces are required. However, Parking Standards also advises that lesser provision may be acceptable in inner urban locations. The agent has submitted a map showing on street public parking in the surrounding area. This includes the Mall public car park and on street parking along Circular Road. The Mall car park is Council owned and a paid car park. On street car parking is restricted between 9am – 5pm, Monday – Saturday.

- 8.10 DFI Roads were consulted regarding the proposal and advised that they had no objection. Page 69 of Volume 2 of the Northern Area Plan 2016 advises that there are approximately 2574 parking spaces available for public use in Coleraine town centre, of which 630 (24%) are on-street. Most of these on-street spaces are unrestricted, having no time limit applied to them, and are well used.
- 8.11 It is considered that given that given the town centre (inner-urban) location, the car parking available at Mall car park and along Circular Road and the lack of objection from DFI Roads that there is sufficient levels of car parking available to serve the proposal.

Residential Amenity

- 8.12 Given the increase in the number of units on site, there will be an increase in the number of bins. The existing bin storage area is to be enlarged to facilitate the increased number of bins. Environmental Health have raised no concerns with regard to impact regarding the increase in bin storage requirements and have provided informatives. There will be no unacceptable adverse effect on existing or proposed properties in terms of overlooking, loss of light or overshadowing given the location within an existing ground floor unit. Noise will be generated from the use of the units but this is not considered to be unacceptable given the use is residential and some occasional noise is expected. Environmental Health have no objection to the proposal.

Area of Archaeological Potential

- 8.13 Historic Environment Division were consulted regarding the impact on the Area of Archaeological Potential. Historic Monuments responded stating that they were content that the proposal is satisfactory to SPPS and PPS 6 archaeological policy requirements.

Flood Risk

- 8.14 The site lies just out the 1 in 100 fluvial and 1 in 200 coastal floodplains. DFI Rivers have advised of design measures in relation to the finished floor levels of the proposal.

Other Matters

- 8.15 This planning application has been submitted to Causeway Coast and Glens Borough Council to determine whether a change of use and alterations to a ground floor retail unit to provide four residential apartments at 20 Circular Road, Coleraine is acceptable in so far as related to the Development Management Planning function of the Council. This planning application has been submitted by a private individual and the Council is undertaking its planning functions in providing a determination of this application.
- 8.16 The decision making process for a planning application requires the notification of any identified occupiers on neighbouring land which in this instance includes the residents of Circular Road. The extent of the decision making process under the powers granted to the Council under The Planning Act (Northern Ireland) 2011 relates to a consideration of the proposal submitted under the planning application. The petition for a Resident's Parking Scheme is acknowledged. However, a Resident's Parking Scheme cannot be addressed or brought forward under this planning application as the determination in this case relates to the proposal under consideration. Similarly, the matters raised in relation to the Council providing car parking, contacting residents regarding resolving existing car parking concerns, and the findings of a previously submitted petition cannot be dealt with through this application as it goes beyond the remit of the planning application.
- 8.17 The unauthorised usage of parking facilities within Fountain Court, and where contractors park their vehicles/store their equipment is a management issue for the apartment development. Access to parking spaces within the curtilage of 20 Circular Road is regulated by the owner of the property and is a private matter.
- 8.18 The impact on access to electrical vehicle charging points by unauthorised parking is a matter for the Department for Infrastructure who controls on-street car parking and the Council's enforcement provider in the case of Council operated car parks.

9.0 CONCLUSION

- 9.1 The proposal is considered acceptable in this location having regard to the Northern Area Plan 2016 and other material considerations.

10 CONDITIONS

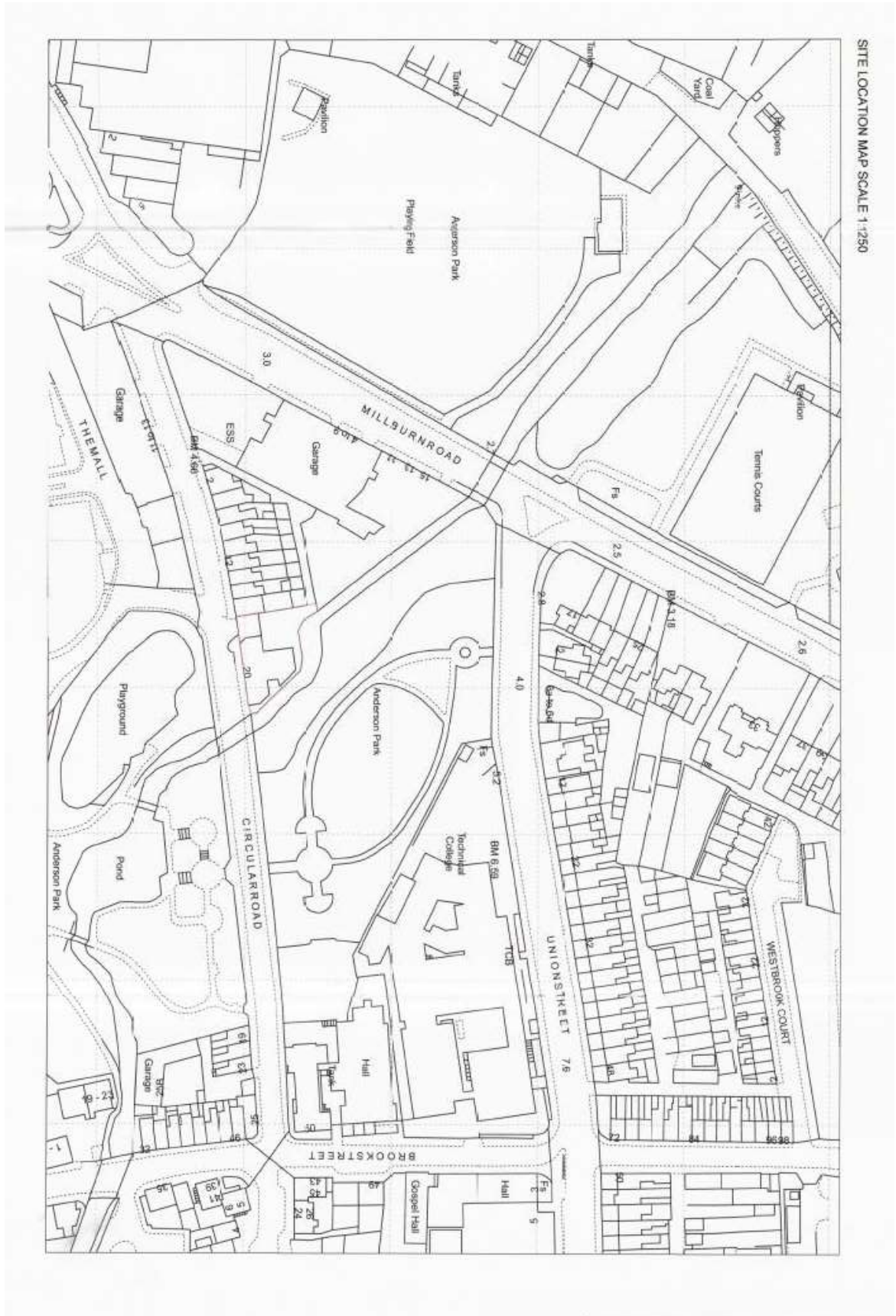
1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.

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/>.

Site Location Plan



Site Layout Plan

