

<b>Planning Committee Report</b>	<b>24th March 2021</b>
<b>LA01/2019/0758/F</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>App No:</u></b>	<b>LA01/2019/0758/F</b>	<b><u>Ward:</u></b>	<b>Ballycastle</b>
<b><u>App Type:</u></b>	<b>Full</b>		
<b><u>Address:</u></b>	<b>Lands at Clare Park, approx 40m North of 62 Clare Road, Town Parks, Ballycastle.</b>		
<b><u>Proposal:</u></b>	<b>Proposed extension to existing holiday park (including regularisation of as built minor amendments) comprising mobile caravans, bin stores, landscaping and ancillary site works.</b>		
<b><u>Con Area:</u></b>	<b>N/A</b>	<b><u>Valid Date:</u></b>	<b>09.07.2019</b>
<b><u>Listed Building Grade:</u></b>	<b>N/A</b>		
<b><u>Applicant:</u></b>	<b>Atlantic View Leisure Park Ltd, 27 Clare Road, Ballycastle. BT54 6DB</b>		
<b><u>Agent:</u></b>	<b>Clyde Shanks, 2<sup>nd</sup> floor, 7 Exchange Place, Belfast. BT1 2NA</b>		
<b><u>Objections:</u></b>	<b>0</b>	<b><u>Petitions of Objection:</u></b>	<b>0</b>
<b><u>Support:</u></b>	<b>0</b>	<b><u>Petitions of Support:</u></b>	<b>0</b>

## Executive Summary

- Full planning permission is sought to extend the existing holiday park together with regularisation of the as built minor amendments involving mobile caravan layout, bin storage, landscaping and ancillary site works.
- As designated by the Northern Area Plan, the site is within the countryside being located outside the development limits of Ballycastle and is within the Causeway Coast AONB. The site is also located within an Archaeological Site and Monument, Clare Park LLPA and is adjacent to Castle Point ASSI. The western section of the site is designated as Clare Park Historic Park, Garden and Demesne.
- This is a Major application that was accompanied by a Community Consultation Report and a Design and Access Statement.
- The proposal was subject to an environmental impact assessment screening which concluded that the development would not have any likely impacts of significance to warrant an environmental statement.
- No letters of objection have been received in relation to the application.
- The location, siting, scale, design and layout of the proposed holiday park extension and minor alterations to the existing phase is acceptable and respects the surrounding landscape, rural character and site context.
- There are no adverse impacts upon archaeology, listed buildings and natural heritage.
- Access and parking arrangements are acceptable and the proposal does not prejudice road safety or significantly inconvenience the flow of traffic.
- The proposal follows relevant planning policies including the SPPS, PPS 2, PPS 3, PPS 6, PPS 15, PPS 16 and PPS 21.

Drawings and additional information are available to view on the Planning Portal- <http://epicpublic.planningni.gov.uk/publicaccess/>

## 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 This planning application relates to Atlantic View Leisure Park and adjoining plot of undeveloped land. The subject site extends to approximately 8.9 hectares overall and stretches from the Northern side of Clare Road across to the cliff edge which defines the Northern boundary secured by 1.8m chain link fencing. The Eastern and Western boundaries are defined by well-established vegetation, particularly to the East which adjoins an area of mature woodland. The Southern boundary consists of a stone wall and roadside verge and contains both the vehicular and pedestrian access points serving the existing leisure park. The topography of the site overall is relatively flat, with some areas of raised and undulating ground levels within the existing leisure park.
- 2.2 The site is within the countryside being located outside the development limits of Ballycastle and is within the Causeway Coast AONB as designated by the Northern Area Plan. The site is also located within an Archaeological Site and Monument, Clare Park LLPA and is adjacent to Castle Point ASSI. The western section of the site is designated as Clare Park Historic Park, Garden and Demesne. The surrounding area is semi-rural in character, comprising of agricultural land to the West and is dominated by holiday parks immediately adjacent to the East and South with residential housing beyond.

## 3 RELEVANT HISTORY

A search has revealed extensive planning history exists on the site for a range of development stretching back to the 1990's including a change of use of the land to a 9-hole golf course, a conference centre

and several hotel developments incorporating restaurants, bars, holiday chalets and apartments.

A search of recent planning history has revealed the following:

E/2015/0023/F Lands at Clare Park, Clare Road, Ballycastle. Proposed Holiday Park comprising Mobile Caravans, Site Office/Resource Centre, Landscaping and Access. Permission granted.

LA01/2017/0566/NMC Lands at Clare Park, Clare Road, Ballycastle. Change the specification of the 1.8m high mesh panel fence along the cliff face to a 1.8m high galvanised chain link fence. Non material change granted.

LA01/2017/0986/NMC Lands at Clare Park, Clare Road, Ballycastle. Proposed Holiday Park comprising mobile caravans, site office/resource centre, landscaping and access. Non material change refused.

LA01/2017/0998/DC Lands at Clare Park, Clare Road, Ballycastle. Partial discharge of Conditions 14,19 & 20 of approval E/2015/0023/F, Condition 15 not discharged. Condition discharged.

LA01/2018/1249/PAN Lands at Clare Park approx. 40m North of 62 Clare Road, Town Parks, Ballycastle. Proposed extension to existing holiday park (including regularisation of as built minor amendments) comprising mobile caravans, bin stores, landscaping and ancillary site works. Proposal of application notice is acceptable.

LA01/2019/0072/F Lands at Clare Park Road, Ballycastle. Variation of condition 14 (regarding submission of construction environmental management plan) and condition 19 (regarding programme of archaeological works) for application E/2015/0023/F (proposed holiday park comprising mobile caravans, site office/resource centre, landscaping and access) Permission granted.

LA01/2020/0001/DC 27 Clare Road, Ballycastle. Discharge of Condition 19 of LA01/2019/0072/F Condition discharged.

LA01/2020/0019/DC Lands at Clare Road, Ballycastle. Discharge of Condition 14 of LA01/2019/0072/F Condition discharged.

## **4 THE APPLICATION**

- 4.1 Full planning permission is sought to extend the existing holiday park together with regularisation of the as built minor amendments involving mobile caravan layout, bin storage, landscaping and ancillary site works.
- 4.2 The proposed extension of the existing holiday park constitutes the second phase of development on the site and covers approximately one third of the overall site area. The proposal involves an additional 52 new caravans together with associated road and footpath networks, bin storage and areas of open space to the existing tourist business. Atlantic View Leisure Park currently comprises 109 caravans, together with a resource centre, car parking, children's play park, areas of open space and associated roads and footpaths. The total scheme will now accommodate 161 caravan pitches
- 4.3 The proposed regularisation of minor as built alterations to the first phase of the site involves the reconfiguration of some of the caravan groupings, together with the parking area, picnic area and children's play area to those approved under E/2015/0023/F. The agent has stated that these amendments provide greater operational efficiency, the consolidation of open space, improved vehicle manoeuvrability and maximisation of sea views for caravans. There will be no addition to the number of caravans originally approved and the existing access and site boundaries remain unaffected by the alterations. A tree survey accompanying the application indicates and the root protection areas of the trees under Tree Protection Orders (TPO) are not adversely affected.

### **Design & Access Statement**

- 4.4 A Design & Access Statement is required under Article 6 of the Planning (General Development Procedure) Order (NI) 2015 as the application is a major application.
- 4.5 The design and access statement provides details of the design principles and concepts that have been applied to the development and how issues relating to visual impact and integration of the development have been dealt with.
- 4.6 The report date received on 9<sup>th</sup> July 2019 demonstrates that the applicant undertook detailed consideration of the proposal in terms of

the design principles and concepts in relation to the location of the caravan pitches, the proposed layout and the impact on the character of the immediate context.

## **ENVIRONMENTAL IMPACT ASSESSMENT**

- 4.7 This proposal was subject to an environmental impact assessment screening as highlighted by, The Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2017.
- 4.8 The application was considered to fall within Schedule 2: Category 12(e) of the Regulations- Permanent campsites and caravan sites which states that the threshold is when the area of the development exceeds 1 hectare. The site is 8.89 hectares.
- 4.9 Having considered the Regulations and the guidance set out in DCAN 10, the development proposal would not have any likely impacts of such a significance to warrant an environmental statement.

## **5 PUBLICITY & CONSULTATIONS**

### **External**

- 5.1 Neighbours: No letters of objection or support have been received in relation to the application.

### **5.2 Internal**

- **Environmental Health Department:** No objections
- **DAERA:** Marine and Fisheries Division: No objections
- **DAERA:** Water Management Unit: No objections
- **DAERA:** Regulation Unit: No objections
- **DAERA:** Natural Environment Division: No objections
- **DFI Roads:** No objections
- **Geological Survey of Northern Ireland:** No objections
- **Shared Environmental Services:** No objections

- **DFI Rivers:** No objections
- **Historic Environment Division:** No objections
- **Tourism Northern Ireland:** No objections
- **CC&G Borough Council Tree Officer:** No objections
- **CC&G Borough Council Coast and Countryside:** No objections

### **Proposal of Application Notice**

- 5.3 As this application is considered a major application it must comply with the Proposal of Application Notice and carry out community consultation at least 12 weeks prior to the submission of the application.
- 5.4 A Proposal of Application Notice was submitted on 11<sup>th</sup> October 2018 December 2016 under LA01/2018/1249/PAN. The applicant advised that they intended to undertake the following forms of consultation:
- 5.5 A public consultation was held on Wednesday 5<sup>th</sup> December 2018 at The Lodge, Atlantic View Leisure Park, 27 Clare Road, Ballycastle. Information boards were displayed setting out details of the proposal, the site and the background to the development and representatives of the appointed technical team attended to describe the proposal and answer any questions.
- 5.6 Public notification of the event was provided by way of an advert in the local newspaper. Causeway Coast and Glens Borough Council Member Services were informed via email correspondence and notice was provided to all properties within 100 metres of the site via letter.

### **Community Consultation Report**

- 5.7 The community consultation report (CCR) was submitted as part of the planning application, received on 18<sup>th</sup> July 2019 which is more than 12 weeks after the Proposal of Application Notice was received, as required by the legislation.
- 5.8 It contains a copy of the methods of consultation carried out comments and feedback from the consultation exercise in the local

context. The report demonstrates that consultation was implemented as agreed in the Proposal of Application Notice.

- 5.9 In total seven members of the public attended the information event on 5<sup>th</sup> December 2018 with five attendees completing the sign in sheet. There was no written feedback volunteered, however the report provides a summary of verbal comments that were received, which included that the information provided was well illustrated and explanatory and that the existing park is very well presented, with the proposed phase 2 completing the park. The area of open space to the south east of the site was welcomed together with the considerable separation distance to residential dwellings and the proposal will also stimulate the local economy and create jobs in the local area. The only negative feedback which was received related to the considerable construction noise during phase 1 caused by rock hammer excavations. Attendees were assured that if approved, control measures will be implemented during the construction of phase 2 to manage noise and vibrations together with restricted working hours.
- 5.10 The CCR demonstrates that adequate community consultation has taken place and the key issues of concern have been considered prior

## **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 development 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 the 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)

PPS 2: Natural Heritage

PPS 3: Access, Movement and Parking

PPS 6: Planning, Archaeology and the Built Heritage

Revised PPS 15: Planning and Flood Risk

PPS 16: Tourism

PPS 21: Sustainable development in the countryside

## **8.0 CONSIDERATIONS & ASSESSMENT**

- 8.1 The main considerations in the determination of this application relate to planning policy, principle of the development, visual impact and rural character, access and parking, natural heritage, Local Landscape Policy Area, flooding, archaeology, Habitats Regulation Assessment, and other matters.

### **Planning Policy**

- 8.2 The RDS promotes a sustainable approach to the provision of tourism infrastructure. The principle of development proposed must be considered having regard to the Northern Area Plan (NAP), the SPPS, and relevant Planning Policy Statements specified above.

- 8.3 The site is located within the designated Clare Park Local Landscape Policy Area (BEL 08) This area of parkland, associated with the former large residence at Clare Park, is almost unique on the North Coast, where the land immediately behind the bold cliffs west of Ballycastle incorporate significant tree groups.
- 8.4 Policy ENV 1 of the Northern Area Plan is relevant and planning permission will only be granted for development proposals that would not be liable to affect adversely those features, or combination of features, that contribute to the environmental quality, integrity or character of a designated LLPA.
- 8.5 Policy ENV 3 is also relevant and relates to trees, hedges and landscape features. Development that would result in the loss of trees, hedges or other features that contribute to the character of the landscape, or are of nature conservation value, will not be permitted unless provision is made for appropriate replacement planting and the creation of new features.
- 8.6 Policy OSR 1 relates to rights of way and states, permission will not be granted for development proposals that would have an adverse impact on the route, character, function or recreational value of the Ulster Way, the National Cycle Network, public rights of way or permissive paths. Proposals that improve these routes will be permitted, provided the proposal is compatible with, and sensitive to, the local environment.
- 8.7 The Northern Area Plan 2016 does not have any specific policy on Tourism, however, it states on page 17 that “Tourism related development consistent with the principles of sustainable development and the protection of the Northern Plan Area’s finest landscapes will be provided in line with regional planning policies”.
- 8.8 Paragraph 6.255 states that the aim of the SPPS in relation to tourism development is to manage the provision of sustainable and high quality tourism developments in appropriate locations within the built and natural environment.
- 8.9 The SPPS also states that for acceptable tourist development in the countryside a new or extended holiday park must be of a high quality and sustainable form of tourism development. It continues under paragraph 6.265 that a positive approach should be adopted in determining applications for tourism development so long as proposals are sustainable, are in accordance with the LDP, and will result in high quality forms of development. Important

considerations will include whether the nature, scale and design of the specific proposal is appropriate to the site context. Paragraph 6.266 states that applications for tourism development will also be assessed in accordance with normal planning criteria such as access arrangements, design, environmental and amenity impacts to ensure high quality, safe and otherwise satisfactory forms of development.

### **Principle of development**

- 8.10 This proposal is for the extension of the existing holiday park, Atlantic View Leisure Park and will include providing an additional 52 static caravan pitches and associated roadways, footpaths, refuse area and open space. A pedestrian access is proposed onto Clare Road at the south east of the site with the vehicular access via the existing park entrance. The proposal also seeks the regularisation of minor amendments made to the existing first phase of development involving the reconfiguration of some of the caravan groupings, together with the car parking area, picnic area and children's play area.
- 8.11 Policy CTY 1 of PPS 21 Sustainable Development in the Countryside directs that planning permission will be granted for tourism development in accordance with the TOU policies of the Planning Strategy for Rural Northern Ireland. These TOU policies have been superseded by PPS 16. Therefore, PPS 16 provides the main policy basis to assess the proposal. The most relevant policy in PPS 16 is TSM 6 New and Extended Holiday Parks in the Countryside. Also relevant is TSM 7 Criteria for Tourism Development. TSM 6 recognises that holiday parks are important for the domestic tourism market in terms of the volume of rural tourism bed spaces they provide, and the economic benefits that flow from this scale of tourism activity.
- 8.12 Policy TSM 6 states that planning permission will be granted for a new holiday park or an extension to an existing facility where it is demonstrated that the proposal will create a high quality and sustainable form of tourism development. The location, siting, size, design, layout and landscaping of the holiday park proposal must be based on an overall design concept that respects the surrounding landscape, rural character and site context.
- 8.13 Proposals for holiday park development must be accompanied by a layout and landscaping plan, which has been provided in this instance. TSM 6 of PPS 16 requires that all proposals must meet a

set list of criteria (a-g). Criterion (a) requires that the site is located in an area that has the capacity to absorb the holiday park development, without adverse impact on visual amenity and rural character. Criterion (b) requires effective integration into the landscape which must be secured primarily through the utilisation of existing natural or built features. 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 its integration with the surrounding area.

- 8.14 The proposed development is located in a gap site situated between the first phase of the existing caravan park and a neighbouring caravan park to the east with an area of mature woodland between. A further neighbouring caravan park also exists to the south on the opposite side of Clare Road. The roadside boundary is retained including the shelter belts of existing trees and provides a good degree of natural screening. Critical views when travelling east and west along Clare Road are limited given the retention of the existing boundary treatments in particular the mature area of woodland along the eastern boundary. Development of the site is limited solely to the installation of static caravans and the proposed layout makes best use of the site's topography with most caravans sited along the cliff edge where ground levels are lower than those of the public road. The limited development results in the highest point of this second phase of development being approximately 5.5 metres lower than the highest point of the existing first phase of development to the west. An area to the eastern end of the roadside boundary lacks any existing trees and will rely on new planting. This area is also in closest proximity to residential properties. It is proposed however to restrict development of this area and it has been designated as open space reducing any adverse impacts on visual amenity. It is considered that the scheme will not have a detrimental impact on the immediate context of the area and its rural character. Due to the topography, existing neighbouring development and existing natural screening of the site, the area has the capacity to absorb the proposed holiday park without having adverse impact on visual amenity and rural character. And the site is appropriate for such development.
- 8.15 Criterion (c) of TSM 6 requires adequate provision (normally around 15% of the site area) is made for communal open space (including play and recreation areas and landscaped areas), as an integral part of the development. Overall, the proposal provides a

multipurpose sport pitch, focal point areas of open space around which caravans are sited and a large area of open space to the south eastern corner of the site. Cumulatively these areas of open space amount to approximately 1.8 hectares which equates to just over 20% of the site area. The proposed development is therefore considered acceptable having regard to this criterion.

- 8.16 As set out in Criterion (d) of TSM 6, the layout of caravan pitches/motor homes should be informal and characterised by discrete groupings or clusters of units separated through the use of appropriate soft landscaping. Criterion (e) states that the design of the development, including the design and scale of ancillary buildings and the design of other elements including internal roads, paths, car parking areas, walls and fences, is appropriate for the site and the locality, respecting the best local traditions of form, materials and detailing.
- 8.17 As required by policy, the site layout shows an informal layout for the caravans characterised by use of small clusters and a linear sea view group which follows the natural irregular cliff edge. The clusters create discreet groups of caravans separated by banks of vegetation and appropriate landscaping. Similarly, the internal road and footpath networks have been laid out in an informal manor and meander through the site. Overall, the proposed second phase of development follows a similar design and layout to the previously approved first phase seeking to replicate the best local traditions of form, materials and detailing allowing for a seamless extension of the existing leisure park. There are no ancillary buildings proposed within the second phase and the existing resource centre within the first phase is as previously approved. The walls and fencing located along the boundaries of the site are considered acceptable and the proposal therefore will not have any detrimental impacts on the landscape. Taking into consideration the layout the proposed development complies with criteria (d) and (e) of this policy.
- 8.18 The environmental assets of the site including natural habitats, trees and landscape features will all be retained and integrated into the proposed layout. The existing first phase of the park is served by both mains water and sewerage. It is proposed that the extension of the park will avail of the same provisions. NI Water and NIEA Water Management Unit was consulted regarding this and raised no concern. NI Water confirmed the existence of mains water and sewer both within 20m of the proposal and that capacity

was available. The applicant proposes to discharge surface water to sea. Water Management Unit is content with the proposal subject to Conditions, the applicant noting the advice contained within the Explanatory Note, the applicant referring and adhering to Standing Advice, and any relevant statutory permissions being obtained. Marine and Fisheries Division has considered the impacts of the proposal and on the basis of the information provided refers to standing advice. The proposal is therefore in compliance with criteria (f) and (g) of TSM 6.

- 8.19 The proposal conforms to the identified criteria (a-g) in Policy TSM 6 of PPS 16 as assessed above and meets the requirements of Appendix 4 – Landscape Design considerations for holiday parks.
- 8.20 All tourism developments must also comply with the 6 design criteria and 9 general criteria set out in Policy TSM 7 of PPS 16. These criteria relate to design, layout, boundary treatment, drainage, crime, compatibility with surrounding land uses, landscape quality and character of the surrounding area, impact on neighbouring amenity, access arrangements, sewage disposal and impact on features of natural or built heritage.
- 8.21 The majority of criteria relating to Policy TSM 7 is a duplication of Policy TSM 6 and have already been explored and assessed under paragraphs 8.11 - 8.24 above and are deemed acceptable.
- 8.22 In accordance with criterion (g) The proposal involves the extension of the existing Atlantic View Leisure Park within a gap site which adjoins Causeway Coast Holiday Park immediately to the east, with Hayes Caravan Park to the south on the opposite side of Clare Road. The proposal is therefore considered compatible with surrounding land uses. Given the low elevation single storey nature of the static caravans occupying the proposed plots, together with the retention of the existing trees, the use or built form of the proposal will not detract from the landscape quality and character of the surrounding area.
- 8.23 Consideration of criterion (h) is also required to ensure there is no adverse impacts to the amenities of nearby residents. No. 62 Clare Road and No. 76 Moyle Road are considered to be the closest neighbouring properties and are located towards the south-eastern corner of the site on the opposite side of Clare Road. Both these properties appear associated with the existing Hayes Caravan Park and are well screened by high timber fencing and hedging which defines the perimeter of the Park. No. 81 Moyle

Road is located further to the east on the opposite side of Moyle Road and is sufficiently separated from the site. Furthermore, the proposed layout provides a large area of open space together with new planting within the south-eastern area of the site which significantly increases the separation distance between the caravan plots and any existing neighbouring dwellings. It is anticipated therefore that no adverse impacts will be created on the amenities of nearby residents.

### **Visual Impact and Rural Character**

- 8.24 Permission will be granted where the proposal can be visually integrated into the surrounding landscape and it is of an appropriate design. Permission will be granted where the proposed building will not cause a detrimental change to, or further erode the rural character of an area.
- 8.25 Although the overall site covers a significant area being 8.89 hectares, the majority of the existing and proposed caravan plots, together with the existing resource centre and play park are located away from the public road. The additional 52 new plots proposed are laid out towards the cliff edge of the site to take advantage of the sea views. The existing mature trees which are retained along the roadside provide an adequate natural screen and limit views into the site. The south-eastern end of the site is more open to Clare Road and this area has been utilised as green open space with additional planting provided to enclose the caravan plots. The proposed layout creates a substantial separation distance at this point of the site which also helps to limit public views into the site and reduce the overall visual impact.
- 8.26 Overall, the proposed holiday park has been designed to sympathetically blend with the existing landform and natural topography of the site. The retention of existing vegetation, together with the addition of new landscaping will allow the proposal to visually integrate into the surrounding area and the built form has been suitably designed. Whilst the holiday park will occupy a site that was previously countryside, it does not erode the rural character of the area given the land use of neighbouring development and the proximity to the settlement limit of Ballycastle. The proposal is therefore in compliance with paragraph 6.70 of the SPPS.

## Access and Parking

- 8.27 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.
- 8.28 Access to the proposal is via the existing access serving Atlantic View Leisure Park. The internal road network will be extended to serve the additional 52 caravan pitches that constitute the second phase of development situated immediately to the east of the existing caravan park consisting of 109 caravans. The proposal also includes as built minor amendments to a section of the originally approved internal roadway and the car parking area located adjacent to the resource centre within the existing park. A Transport Assessment Form was submitted with the application and assess the retained access arrangements of phase 2 of Atlantic View Leisure Park. The existing vehicular access has been constructed in accordance with the original planning permission granted under E/2015/0023/F with visibility splays of 4.5m x 120m, a right-hand turn lane and a footpath link from the site to the existing public footpath on Clare Road. Traffic generation has been summarised within Appendix 1 of the TAF and in addition the trip rate information (TRICS) for phase 2 has also been added. DFI Roads has been consulted and requested several amendments which included the location of the pedestrian crossing point situated at the south eastern end of the site and the gate providing access which will now feature a self-closing device. The width of the proposed footpath link at the pedestrian crossing point on the opposite side of Clare Road has also been reduced in width to 1.8m with a dropped kerb provided to each side of the crossing point. Following re-consultation DFI Roads are content with the proposals which are now deemed to not prejudice road safety or significantly inconveniences the flow of traffic. The proposal complies with PPS 3.



## Natural Heritage

- 8.29 The application site is adjacent to Castle Point Area of Special Scientific Interest (ASSI) which is of national importance and is protected by The Environment (Northern Ireland) Order 2002. The application site also contains species protected by The Wildlife (Northern Ireland) Order 1985 (as amended). Planning Policy Statement 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. A Construction Environmental Management Plan, Tree Survey Report, Tree Constraint Plan, Ecology Report and Peregrine Falcon Survey have all been undertaken and accompany the application. NIEA state that the application site is separated from the marine environment by a large cliff face that is currently not at risk from coastal erosion. The proposed development is therefore unlikely to have a significant impact on the marine area and coastal processes, provided appropriate pollution prevention measures are in place. Natural Environment Division has considered the impacts of the proposal on designated sites and other natural heritage interests and, on the basis of the information provided, has no concerns subject to recommendations.
- 8.30 Natural Environment Division have indicated that Peregrines have been recorded nesting and foraging along the cliff edge of the site. While NED is content that there is a sufficient buffer in place between the construction of the proposed structure and the access paths, they would recommend mitigation measures are put in place in order to minimise any disturbance to the species. The removal of existing hedgerow/trees/shrubs should be kept to a minimum. Where vegetation removal is unavoidable, clearance works should take place outside of the bird breeding season (01st March – 31st July inclusive). NED also highly recommend that the broken band of scrub that currently runs along the cliff edge is fully retained. Additionally, a 25m buffer should be implemented between any works and the cliff edge during the bird breeding

season. NED is content that the proposal is unlikely to have a significant impact on any other protected species or habitats.

- 8.31 The Tree Officer has confirmed that there is an existing Tree Preservation Order (TPO) on site (TPO/2007/0001) with a large number of mature trees protected within the surrounding area of the site. The trees are formed in a number of shelter belts along Clare Road and the associated lands which all help contribute to the visual amenity and character of the area and provide significant local landscape features in this approach to the settlement of Ballycastle. The submitted Tree Reports include a detailed health and condition survey of all trees on site with recommendations for tree works in terms of site safety. The trees on site consist mainly of Austrian Pine, Sitka Spruce and also include species of Ash and Sycamore, located along the south-western roadside boundary of the site and also to the west and north-western boundaries. The Tree Officer welcomes that effort has been made in the design and layout of the holiday park to ensure that the treed character and visual amenity of the site is maintained with minimal impact on the TPO Trees on site. The Root Protection Areas and associated amenity separation distances of the protected TPO Trees are also respected by the new development. In addition, a comprehensive landscaping scheme has also been proposed which includes a significant level of new Tree and shrub planting that will maintain a high quality landscape on site. In summary the Tree Officer has no objection to the proposal subject to conditions being attached to any approval notice.
- 8.32 Policy NH 6 of PPS 2 requires proposals within AONBs to be sensitive to the distinctive special character of the area and the quality of their landscape, heritage and wildlife. The proposal as considered in detail under sub-headings 'Tourism', and 'Visual Impact and Rural Character' above will not have a detrimental visual impact upon the existing Causeway Coast AONB.
- 8.33 The proposal fulfils the requirements of Policies NH 1, 2, 3, 5 & 6 of PPS 2.

### **Local Landscape Policy Area**

- 8.34 The Northern Area Plan identifies the site as Clare Park Local Landscape Policy Area (LLPA) BEL 08 and states that 'those features or combination of features that contribute to the environmental quality, integrity or character of this area are as

follows; *'This area of parkland associated with the former large residence at Clare Park, is almost unique on the North Coast, where the land immediately behind the bold cliffs west of Ballycastle incorporate significant tree groups.'* As previously mentioned, the Tree Officer has welcomed the efforts made to retain the treed character which is protected under a Tree Preservation Order. The proposal is deemed to have a minimal impact on the TPO within the site and therefore is not liable to adversely affect those features, or combination of features, that contribute to the environmental quality, integrity, or character of the designated LLPA. The proposal complies with Policy ENV 1.

## **Flooding**

- 8.35 A Drainage Assessment has been submitted as part of the application and provides an independent drainage assessment of the proposal in accordance with PPS 15. The Flood Hazard Map (NI) indicates that the development does not lie within the 1 in 100-year fluvial or the 1 in 200-year coastal flood plain. There are no watercourses which are designated under the terms of the Drainage (Northern Ireland) Order 1973 within this site. The site may be affected by undesignated watercourses of which DFI Rivers have no record, in the event of an undesignated watercourse being discovered, Policy FLD 2 will apply.

The development is located partially within a predicted flooded area as indicated on the Surface Water Flood Map. The Drainage Assessment and Conceptual Design Layout drawing submitted as part of the application indicates that storm water will discharge to the sea, via a soakaway, at a rate of 176.90l/s (1 in 2-year storm event), with a suitably sized drainage system that will be designed in accordance to NI Water Sewers for Adoption. The Drainage Assessment demonstrates there will be no out of sewer flooding up to and including a 1 in 100-year storm event. In relation to maintenance responsibilities, a letter provided by Sheehy Consulting dated 16th November 2020 indicates maintenance responsibilities and management procedures will be carried out by Atlantic View Leisure Park Ltd. Following consultations, DFI Rivers have indicated that while not being responsible for the preparation of the DA they accept its logic and have no reason to disagree with its conclusions. Consequently, DFI Rivers cannot sustain a reason to object to the proposed development from a drainage or flood risk perspective.

## **Archaeology**

- 8.36 The site is located within an Archaeological site and monument. Development proposals which would adversely affect archaeological sites or monuments which are of local importance or their settings will only be permitted where the Department considers the importance of the proposed development or other material considerations outweigh the value of the remains in question. Having reviewed the Archaeological Evaluation Report submitted as part of the application, HED (Historic Monuments) were content that the proposal satisfies PPS 6 policy requirements, subject to conditions for the agreement and implementation of a developer-funded programme of archaeological works. This is to identify and record any archaeological remains in advance of new construction, or to provide for their preservation in situ, as per Policy BH 4 of PPS 6. Nothing of archaeological significance was encountered for this part of the site. Parts of the site have not yet been archaeologically evaluated or tested. The western section of the site is part of Clare Park, a supplementary site within the Department's Historic Parks and Gardens register (AN/108). Clare Park is a 17th Century demesne with a house from 1698 set in a spectacular site above the Antrim coast. It is possible that the Ballycastle set of the MacDonnells may be located within the vicinity of the application site. The site also contains a graveyard (ANT004:067). Parts of this site have been evaluated under licenses AE/19/01, AE/17/183, and AE/10/163E. Historic Buildings has no comment to make, since there are no listed buildings in the vicinity of the application site. The building referenced HB05/12/002 Clare Park is not a listed building, being delisted on 26th June 1986.

## **Habitats Regulations Assessment**

- 8.37 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

- 8.38 Geological Survey of Northern Ireland (GSNI) were consulted and assessed the planning proposal in view of stability issues relating to abandoned mine workings. A search of the Geological Survey of Northern Ireland “Shafts and Adits Database” indicates that the proposed site is not in an area of known abandoned mine workings.
- 8.39 Environmental Health Department has no objection in principle to the proposal subject to informatives and compliance with the Caravans Act (NI) 1963, the DOENI Model Licensing Conditions for Caravan Site 1992.
- 8.40 Coast & Countryside Team was consulted with regard to existing and alleged Public Rights of Way within the site. The Access to the Countryside (Northern Ireland) Order 1983 Article 16. – 1 states that the Department may make a public path extinguishment order or a public path diversion order where the Department is satisfied that it is necessary to do so to enable development to be carried out in accordance with planning permission or to be carried out by a government department. Currently the pathway running diagonally from the south-eastern corner of the site has been alleged to exist but evidence to enable it to be asserted as a Public Right of Way (PROW) has not been gathered. The proposal includes a new cliff top path/Right of Way. Details were requested to indicate all existing PROWs within the development and how they will be protected, together with clarification as to how the proposed path/ROW will be achieved. The applicant proposed removing the PROW running diagonally from the south-eastern corner of the site and offsetting the loss by extending the cliff top PROW to run the entire length of the overall site. This area is open plan in grass with secure fencing to the cliff edge. Following further discussions, it was agreed to connect the extended cliff top PROW back to Clare Road. Coast & Countryside Team have stated that the layout is now acceptable and fulfils the proposals with the Causeway Coast Way Blueprint.
- 8.41 Article 3 (3) of the Access Order requires Council to compile and preserve maps of PROW's in its area. To meet this duty the applicant has forwarded a 1:2500 scale map indicating the extended route of the pathway to the Coast & Countryside Team for assertion by Council. The applicant has also signed an accompanying assertion statement. Coast & Countryside are now

satisfied that the extension of the existing clifftop PROW by extending the path to run the entire length of the overall site will provide a valuable resource and enhance the facilities and attractiveness of the area to promote a positive image, encourage visitors and support tourism.

## **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, including the SPPS. The proposed extension to the existing leisure park has been considered against the policy tests set out for tourism development in the countryside. The proposal conforms to Policies TSM 6 & 7 of PPS 16 as the location, siting, size, design and layout of the second phase is acceptable and does not adversely impact the surrounding landscape, rural character and site context. The holiday park does not adversely impact neighbouring residential amenity. Despite the proposed development being within the LLPA and the Causeway Coast AONB, it is not considered to undermine the open character of this area and development is not prohibited. There are no adverse impacts upon archaeology, natural heritage or access and parking arrangements. The as built minor amendments to the existing operational phase of the park are also considered acceptable and will not lead to the creation of any adverse impacts. As such approval is recommended.

## **10 Conditions**

1. As required by Section 61 the Planning Act (Northern Ireland) 2011 the development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

Reason: Time Limit.

2. The holiday park hereby permitted shall only be used for holiday accommodation and shall not be used for permanent residential accommodation.

Reason: The site is located within the countryside where development is restricted and this approval is granted solely at this location because of its holiday use/tourist purpose.

3. The pedestrian access, including visibility splays and footpath link to existing public footpath on Clare Road, shall be provided in

accordance with Drawing No. 10A bearing the date stamp 9th July 2020 prior to the commencement of any other development hereby permitted. The area within the visibility splays 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 pedestrian access in the interests of road safety and the convenience of road users.

4. All hard and soft landscape works shall be carried out in accordance with the details shown on Drawing No. 04A date received 8th January 2021 and No. 05B date received 9th July 2020 and the appropriate British Standard. The existing planting shall be permanently retained and the proposed planting (trees, grass areas, open space areas, hedgerows) shall be undertaken during the first available planting season following commencement of development.

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

5. Should any retained or newly planted tree, shrub or hedge be removed, uprooted or destroyed or dies or becomes, in the opinion of the Planning Authority seriously damaged or defective within 5 years, another tree, shrub or hedge of the same species as the originally planted shall be planted at the same place, unless the Planning Authority gives its written consent to any variation.

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

6. If during the development works, new contamination or risks to the water environment are encountered which have not previously been identified, works should cease and the Department shall be notified immediately. This new contamination shall be fully investigated in accordance with the Model Procedures for the Management of Land Contamination (CLR11). In the event of unacceptable risks being identified, a remediation strategy shall be agreed with the Department in writing, and subsequently implemented and verified to its satisfaction.

Reason: Protection of environmental receptors to ensure the site is suitable for use.

7. After completing any remediation works required under condition 1 and prior to occupation of the development, a verification report

needs to be submitted in writing and agreed with Department. This report should be completed by competent persons in accordance with the Model Procedures for the Management of Land Contamination (CLR11). The verification report should present all the remediation and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and achieving the remedial objectives.

Reason: Protection of environmental receptors to ensure the site is suitable for use

8. A suitable buffer of at least 10m must be maintained between the location of all construction works including refuelling, storage of oil/fuel, concrete mixing and washing areas, storage of machinery/material/spoil etc and Castle Point ASSI present along the North RLB. Natural Heritage & Conservation Areas

Reason: To protect the features of Castle Point ASSI.

9. Any fencing erected along the North RLB should not obstruct visibility of Castle Point ASSI.

Reason: To maintain access to the visibility features of Castle Point ASSI.

10. The existing hedgerow/scrub that runs along the cliff edge shall be retained as is.

Reason: To minimise any disturbance to existing peregrine falcon nests.

11. The removal of any existing hedgerows/trees/ scrub shall only occur outside the bird breeding season (01st March – 31st July inclusive).

Reason: To protect breeding birds while maintain existing biodiversity levels

12. No site works shall take place within 25m of the cliff edge during the bird breeding season (01st March – 31st July inclusive).

Reason: To minimise any disturbance to existing peregrine falcon nests.

13. When a contractor is appointed, a final Construction Environmental Management Plan (CEMP) must be submitted to



Water Management Unit at least 8 weeks prior to the commencement of construction.

Reason: To ensure effective avoidance and mitigation measures have been planned for the protection of the water environment.

14. The lands granted Planning Permission are affected by a Tree Preservation Order (TPO). No protected tree, other than those identified to be removed as indicated on the approved Drawings, (Proposed Site Layout Plan 5B and Tree constraint Plan by Dr Philip Blackstock 20th Nov 2020), shall be, cut down, uprooted or destroyed, or have its roots within its root protection area damaged or subject to any soil level changes, or be subject to any form of tree surgery, without the prior written consent of the Council, other than in accordance with the approved plans and particulars of this application. Development will be taken to include the main development, any associated buildings, access and service provision.

Reason: To ensure the retention of trees protected by the TPO and to ensure continuity of the landscape amenity afforded by these trees.

15. All Arboricultural work shall be implemented in accordance with the detail in the submitted Tree Survey Report by Dr Philip Blackstock. Any remedial works to be carried out by a competent Tree Surgeon, preferably an Arboricultural Association approved contractor.

Reason: To ensure the continuity of amenity afforded by existing trees and provision of a professional standard of workmanship.

16. Prior to the commencement of any of the approved development on site, a final drainage assessment, containing a detailed drainage network design and compliant with Annex D of PPS 15 must be submitted to the Planning Authority for its consideration and approval.

Reason: To safeguard against flood risk to the development and elsewhere.

17. 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 Causeway Coast and Glens Borough Council 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.

18. No site works of any nature or development shall take place other than in accordance with the programme of archaeological work approved under condition 17.

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

19. 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 17. These measures shall be implemented and a final archaeological report shall be submitted to Causeway Coast and Glens Borough Council within 12 months of the completion of archaeological site works, or as otherwise agreed in writing with Causeway Coast and Glens Borough Council.

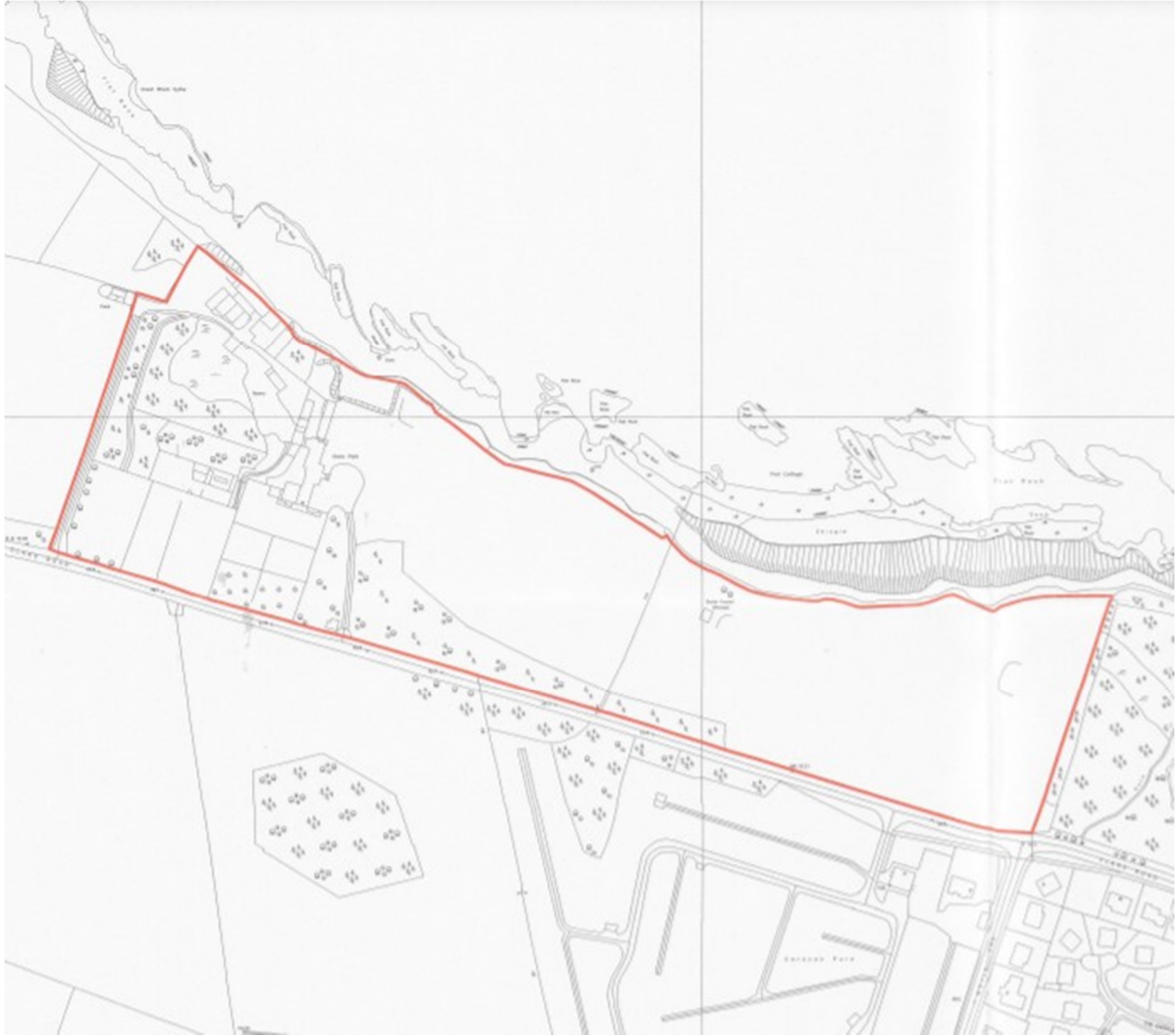
Reason: To ensure that the results of archaeological works are appropriately analysed and disseminated and the excavation archive is prepared to a suitable standard for deposition.

## **11 INFORMATIVES**

1. 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.
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 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 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 Map



## Site Plan

