



Title of Report:	Planning Committee Report - LA01/2022/0864/F
Committee Report Submitted To:	Planning Committee
Date of Meeting:	22nd February 2023
For Decision or For Information	For Decision – Council Interest Item

Linkage to Council Strategy (2021-25)	
Strategic Theme	Cohesive Leadership
Outcome	Council has agreed policies and procedures and decision making is consistent with them
Lead Officer	Senior Planning Officer

Budgetary Considerations	
Cost of Proposal	Nil
Included in Current Year Estimates	N/A
Capital/Revenue	N/A
Code	N/A
Staffing Costs	N/A

Screening Requirements	Required for new or revised Policies, Plans, Strategies or Service Delivery Proposals.		
Section 75 Screening	Screening Completed:	N/A	Date:

	EQIA Required and Completed:	N/A	Date:
Rural Needs Assessment (RNA)	Screening Completed	N/A	Date:
	RNA Required and Completed:	N/A	Date:
Data Protection Impact Assessment (DPIA)	Screening Completed:	N/A	Date:
	DPIA Required and Completed:	N/A	Date:

App No: LA01/2022/0864/F Ward: Portrush and Dunluce

App Type: Full Planning

Address: Whiterocks Beach Car Park, Strand Avenue, Portrush.

Proposal: Site For Catering Kiosk For Seasonal Use.

Con Area: N/A Valid Date: 11.08.2022

Listed Building Grade: N/A Target Date: 28.11.2022

Agent: Bailey Architecture, 9 Glenview Road, Ballycastle. BT54 6QE

Applicant: Keith Douthart, 17 Kilcregg Park, Ballycastle.

Objections: 1 Petitions of Objection: 0

Support: 0 Petitions of Support: 0

Executive Summary

- Full planning permission is sought for a site for a catering kiosk on a seasonal basis.
- The site is located within the countryside, being outside any development limits as set out in the Northern Area Plan 2016 and is designated as an area of Local Nature Conservation Importance as well as being within the Causeway Coast AONB. The site also falls within a Local Landscape Policy Area - PHL 04, Royal Portrush LLPA.
- The proposal has been assessed against the relevant policy, mainly the SPPS, Northern Area Plan 2016 and PPS 21 and has been found acceptable in terms of the Principle of Development, Local Landscape Policy Area (LLPA), Integration and design, Rural Character, and Amenity.
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- This proposal is considered acceptable at this location having regard to the Northern Area Plan 2016 and all other material considerations.
- Environmental Health Department has been consulted and raise no objection in respect of the application.
- One objection has been received in relation to the application.
- Approval is recommended subject to the proposed conditions.

Drawings and additional information are available to view on the Planning Portal- <https://planningregister.planningsystemni.gov.uk>

1 RECOMMENDATION

- 1.0 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 reasons set out in section 10.

2.0 SITE LOCATION & DESCRIPTION

- 2.1 The application site is located within the principal Whiterocks Beach public car park, Portrush which is accessed from Strand Avenue and Whiterocks Road on the northern side of Dunluce Road. The site as delineated by the red line is rectangular in shape and contains a single car parking space. The southern roadside boundary is open with timber marker posts to each corner, while the rear northern boundary is defined by a low-level kerb and footpath. The eastern boundary is established by a grass verge containing an electricity supply cabinet and the remaining western boundary is open to the car park and wider public amenity areas. The topography of the site is relatively flat with no significant changes in ground level.
- 2.2 The site is located at the termination of Whiterocks Road adjacent to the Beach and approximately 4.2km east of Portrush Town Centre. The surrounding area is characterised by open space and public amenity comprising of an extensive area of land extending south to Dunluce Road which includes a toilet block, additional car parks, and coastal grassland habitats. This overall area adjoins Royal Portrush Golf Club and sand dunes to the west, with open space and limestone cliffs to the east.
- 2.3 The site is located within the countryside, being outside any Settlement Development Limits and is designated as an area of Local Nature Conservation Importance as well as being within the Causeway Coast AONB. The site is also included in a Local Landscape Policy Area - PHL 04, Royal Portrush LLPA as indicated by Map No 3 and 3/04a of the Northern Area Plan 2016.

3.0 RELEVANT HISTORY

3.1 There is no relevant planning history relating to this application site.

4.0 THE APPLICATION

4.1 The application seeks full planning permission for a site for a catering kiosk on a seasonal basis operating from 1st March until 30th September. The proposal will provide catering activities primarily consisting of the sale of hot beverages and ice cream. The exact design of the trailer is detailed in Drawing No. 03A, dated 24th October 2022.

5.0 PUBLICITY & CONSULTATIONS

External:

Advertising: 31.10.2022.

One (1) objection has been received in relation to this application raising concerns that the kiosk would be in a blot on the surrounding natural landscape.

No neighbours were identified for notification within the terms of the legislation.

Internal:

- Environmental Health Department: No objection.

6.0 MATERIAL CONSIDERATIONS

6.1 Section 45(1) of the Planning Act (Northern Ireland) 2011 requires that all applications must have regard to the local plan, so far as material to the application, and all other material considerations. Section 6(4) states that in making any determination where regard is to be had to the local development plan, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

6.2 The development plan is:

- Northern Area Plan 2016

- 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 21: Sustainable development in the countryside

8.0 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to: The Principle of Development, Local Landscape Policy Area (LLPA), Integration and design, Rural Character, and Amenity.

Planning Policy

- 8.2 The proposal must be considered having regard to the Northern Area Plan 2016, SPPS and PPS policy documents specified above.

Principle of Development

- 8.3 The main policy consideration is contained within the Northern Area Plan 2016, the Strategic Planning Policy Statement and the relevant Planning Policy Statements (PPSs). The proposal is in relation to an existing car parking space within the public car

park to accommodate a single concessionary trading trailer for catering activities. The main policy considerations are within paragraphs 4.23 to 4.30, 6.70, 6.74 to 6.75 and 6.77 of the SPPS, Policy ENV 1 of the NAP and Policy CTY 1 of PPS 21.

Local Landscape Policy Area (LLPA)

- 8.4 The site is located within the countryside, outside any settlement development limits and lies within the Royal Portrush LLPA, Designation PHL 04.
- 8.5 The features that contribute to the environmental quality, integrity or character of this area are listed below:
- This area dominated by Curran Strand, commonly known as East Strand and the related extensive sand dunes and the slopes rising behind, provides one of the most memorable vistas along the North Coast, especially when approaching Portrush from the east.
 - This area is also within the Causeway Coast AONB.
 - It also contains the Portrush Golf Links SLNCI.

No further development will be acceptable other than minor modifications and extensions to existing buildings.

- 8.6 Policy ENV 1 of NAP 2016 applies to this development. Planning permission will not be granted for development proposals that would be liable to affect adversely those features, or combination of features, that contribute to the environmental quality, integrity or character of a designated LLPA. Where development is permitted, it will be required to comply with any requirements set out for individual LLPAs in the District Proposals.
- 8.7 The proposal involves an existing area of hardstanding utilised as the first available parking space on approach, located to the northern side of the car park. The plot is demarcated by timber posts at each corner to the roadside with a low-level kerb and adjoining footpath at the rear. It is proposed that the trailer will be parked within this area. A small grass area together with an electricity supply cabinet adjoin the eastern side of the site.

8.8 The Plan policy supporting PHL 04 states that no further development will be acceptable other than minor modifications and extensions to existing buildings, which in this case relates to the existing public toilet block within the car park, opposite the siting of the proposed trailer. The proposed siting of a concessionary trading trailer is considered to be a modest facility on account of its scale, seasonal operation and use which is anticipated to be limited by operating hours and restricted to those utilising the surrounding amenity of Whiterocks Beach. The nature of the proposal allows for the removal of the trailer out of season, further reducing any impact on the site and wider area. The proposed trailer is compatible with its surroundings and does not require any invasive development works. It will therefore not adversely affect the features which contribute to the environmental quality, integrity, or character of the designated LLPA and is in compliance with Policy ENV 1.

Integration and design

- 8.9 Policy CTY 1 of PPS 21 and paragraph 6.70 of the SPPS state that all proposals in the countryside must be sited and designed to integrate into its setting and be appropriately designed.
- 8.10 The proposal involves a converted steel trailer which has been adapted to operate as a catering kiosk and will be set directly onto an area of hardstanding. The proposed trailer scales approximately 3.65m long x 2.3m wide x 2.65 high. Timber painted signage fitted around the top of the structure results in an overall height of approximately 3.2m above ground level. Staff access is via double doors to the northern end elevation, together with a single access door to the eastern side elevation. An up and over-serving hatch is positioned on the principal western elevation. The towing hitch and water supply tanks will be boxed in, and the agent has indicated that the trailer is easily towed away from the site and does not require the use of specialist lifting equipment. The kiosk is designed to be securely closed, enabling it to remain in situ outside its hours of operation. Overall, it is considered that the trailer is of an appropriate scale and design that can successfully integrate into the surrounding landscape both visually and functionally.
- 8.11 A similar design of concessionary trading kiosk located within West Strand public car, Portrush has recently been granted

planning approval by the Planning Committee under LA01/2022/0735/F.

Rural Character

8.12 Paragraph 6.70 of the SPPS also sets out that all development in the countryside is required respect rural character.

8.13 The objection raised the issue of the impact on the landscape. Although the site is designated as being within the countryside, the character of the immediate area can be described as a popular and busy coastal location which sees visitors embarking on a wide range of recreational activities. It is considered that the scale and design of the proposal would not cause a detrimental change to the character of this sensitive landscape given its relatively modest size, seasonal operation and the existing surrounding land use.

Amenity

8.14 Despite the proposal being located within an existing public park and adjoining amenity areas popular with both locals and tourists the closest 3rd party residential receptors are approximately 230m away to the south. Given the existing established use of the public car park and amenities it is considered that the proposed works will not exacerbate any existing impact on residential amenity. It is anticipated that there will not be a significant increase in the average number of persons and vehicles attending the premises on a daily basis given the wider use of the area and therefore impact on amenity will be negligible.

8.15 Environmental Health Department have no adverse comment regarding this application and have provided a number of informatives relating to Food Safety, Health and Safety legislative requirements, Refuse Collection, LPG Installation, Noise from Plant & Equipment and Lighting.

Habitats Regulations Assessment

8.16 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.

9.0 CONCLUSION

- 9.1 The proposal is considered acceptable having regard to the Northern Area Plan 2016 and other material considerations. The proposal is minor in scale and relates to the provision of a site for a single concessionary trading trailer. When in use a single trailer can successfully integrate into the surroundings and will not detract from the existing area and adjacent amenities. The scheme is compliant with current planning policy as highlighted above and approval is recommended.

10.0 CONDITIONS AND INFORMATIVES

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.

2. The development hereby approved shall only be on site between 1st March and 30th September.

Reason: To protect the character and quality of the area and the A.O.N.B.

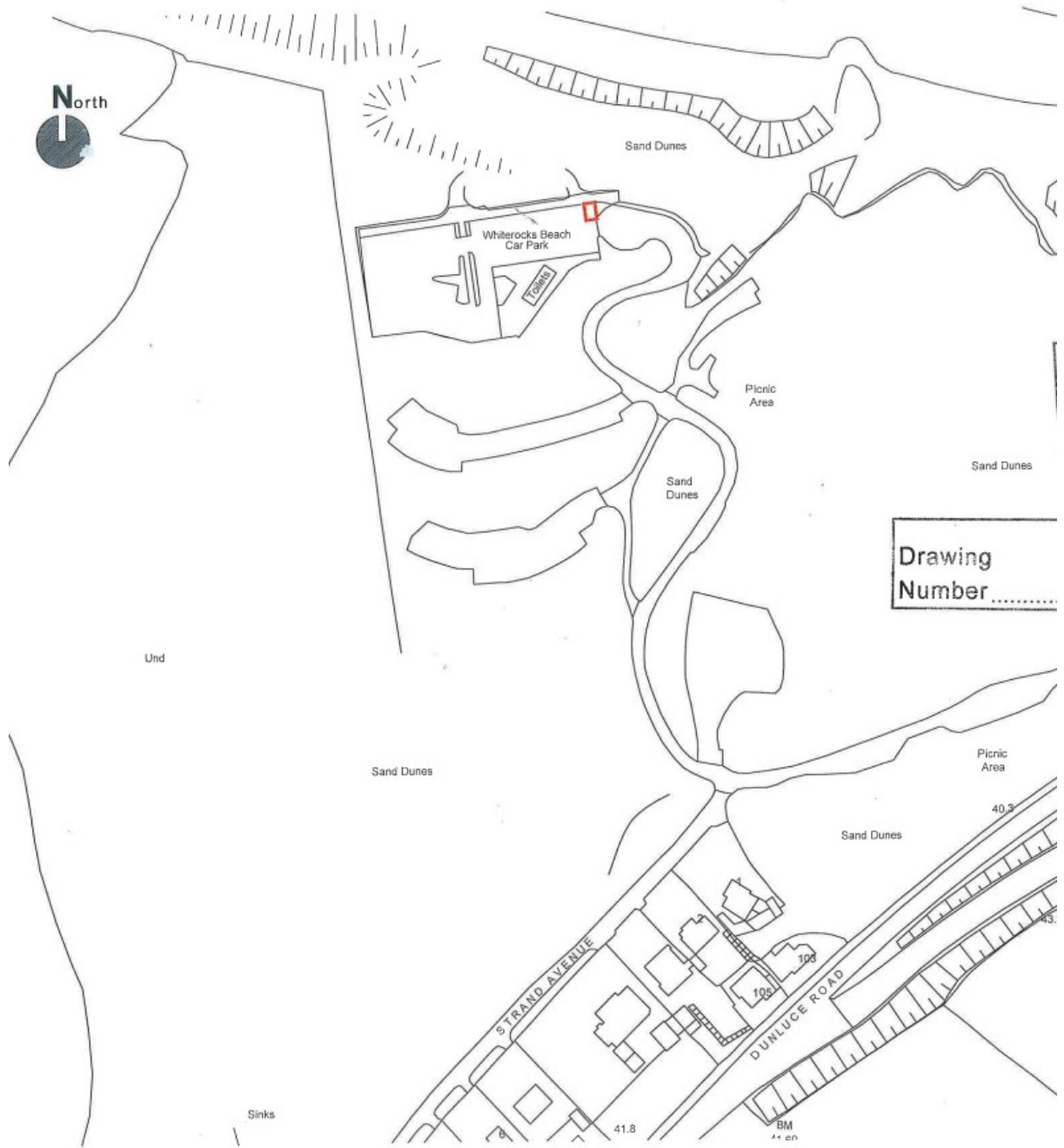
Informatives

1. This approval does not dispense with the necessity of obtaining the permission of the owners of adjacent sites 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:

<https://planningregister.planningsystemni.gov.uk>

Site Location Map



Site Plan

