

Title of Report:	Planning Committee Report – LA01/2022/0575/F
Committee Report Submitted To:	Planning Committee
Date of Meeting:	23rd August 2023
For Decision or For Information	For Decision – Council Interest

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:

No: LA01/2022/0575/F **Ward:** Portrush and Dunluce

App Type: Full

Address: Adjacent to Shanty, Lansdowne Shelter, Lower Lansdowne Road, Portrush

Proposal: Proposed temporary food kiosk and outdoor seating area

Con Area: n/a **Valid Date:** 20.05.2022

Listed Building Grade: n/a

Agent: Nigel Jones Architect Ltd, 330 Seacoast Road, Limavady, BT49 0LA

Applicant: Lisderg Holdings Ltd, 10 Lisderg Gardens, Portstewart, BT55 7UG

Objections: 1 **Petitions of Objection:** 0

Support: 0 **Petitions of Support:** 0

EXECUTIVE SUMMARY

- Full planning permission is sought for a proposed temporary food kiosk and outdoor seating area located Adjacent to the Shelter Lower Lansdowne Road Portrush.
- The site is located just outside the development limit of Portrush and is within the defined countryside area as highlighted under the Northern Area Plan 2016. The site falls within the Ramore Head Local Landscape Policy Area, Designation PHL 01, which also lies within the Ramore Head and Skerries ASSI.
- The application site is located within the curtilage of the Shelter, Lower Lansdowne Road, Portrush, Co. Antrim, a Grade B2 Listed Building (HB03 10 061).
- The principle of development is considered unacceptable having regard to Policy CTY 1 of PPS 21 in that the principle of development is considered unacceptable.
- The proposal fails to comply with the relevant planning policies including Policy ENV 1 of the Northern Area Plan 2016, the Strategic Planning Policy Statement, and Planning Policy Statement 6.
- Historic Environment Division – Historic Buildings was consulted on this application and considered that the proposal shall have an adverse impact on the Grade B2 Listed Building.
- One letter of objection has been received in respect of this application.
- The application is recommended for refusal.

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

RECOMMENDATION

- 1.1 That the Committee has taken into consideration and agrees with the reasons for recommendation set out in Section 9 and the policies and guidance in sections 7 and 8 and resolves to **REFUSE** full planning permission for the reasons set out in section 10.

2 SITE LOCATION & DESCRIPTION

- 2.1 The application site is located adjacent to the Shanty Restaurant at the Landsdowne Shelter on Lower Landsdowne Road in Portrush. The site accommodates a stand-alone, single storey, temporary, food kiosk, with adjacent outdoor seating area. The kiosk has powder coated aluminium panel cladding finished in a dark grey colour, with white/cream coloured panels to the corners, and pvc window frames and casements. The roof is a single ply membrane roofing sheet in dark grey. The site lies within an area of hardstanding used as a viewing platform and containing an information notice board. Views are directed towards the coastline and North Atlantic.
- 2.2 The site lies within the curtilage of a single-storey grade B2 listed building, built in 1860 and formerly used as the Royal National Lifeboat Institution (RNLI) lifeboat shelter. The existing building has a white-rendered finish and red-rendered detailing a base and eaves levels. Below the red-rendered detailing at the base level is an existing stone base.
- 2.3 The site lies within the countryside, outside of the defined settlement development limit for Portrush as highlighted under the NAP 2016. The application site lies within close proximity to the Skerries and Causeway SAC and is within the Ramore Head and Skerries ASSI and the Ramore Head LLPA Designation PHL 01

3 RELEVANT HISTORY

C/2011/0591/F – Lansdowne Shelter, Lower Lansdowne Road, Portrush, BT56 8AY.

Restoration and Refurbishment of Existing Shelter Building. Demolition of Existing Internal Toilets. Re-roofing. Re-Rendering. Construction of New Public WC Facilities and entrance lobby linked to Shelter.

Permission Granted – 07.02.2012

LA01/2018/1184/LBC – Old Lifeboat Shelter, Ramore Avenue, Portrush, BT56 8AY.

Provision of a Single Storey Side Extension to an existing vacant building, including internal refurbishment for the change of use to a licensed restaurant.

Permission Granted – 25.03.2020

LA01/2018/1193/F – Old Lifeboat Shelter, Ramore Avenue, Portrush, BT56 8AY.

Provision of a Single Storey Side Extension to an existing vacant building, including internal refurbishment for the change of use to a licensed restaurant.

Permission Granted – 25.03.2020

LA01/2022/0967/LBC – Lansdowne Shelter, Lower Lansdowne Road, Portrush.

Application to regularise works that are variations of the current planning approvals for a Change of use to Licenced Restaurant - LA01/2018/1193/F and LA01/2018/1184/LBC. The Proposed variations include retention of the existing Public WC external structure, repositioning and extension of the kitchen block and roof terrace (addition of staff facilities), external fire escape staircase from roof terrace. Ground floor terrace form to be amended to reflect the shape of the original slipway and adjacent access walkway extended to provide access.

Approved stainless steel horizontal balustrade to be replaced by 1.5m high frameless glass balustrade/guarding and addition of lightweight retractable awning structure. Provision of enclosed external amenity space, storage units and covered bin storage area. Retention of existing internal first floor structure and

staircase, reinstatement of previously demolished floor area and addition of 3 no. flat roof windows.

Under Consideration

LA01/2022/0969/F – Lansdowne Shelter, Lower Lansdowne Road, Portrush.

Application to regularise works that are variations of the current planning approvals for a Change of use to Licenced Restaurant - LA01/2018/1193/F and LA01/2018/1184/LBC. The Proposed variations include retention of the existing Public WC external structure, repositioning and extension of the kitchen block and roof terrace (addition of staff facilities), external fire escape staircase from roof terrace. Ground floor terrace form to be amended to reflect the shape of the original slipway and adjacent access walkway extended to provide access.

Approved stainless steel horizontal balustrade to be replaced by 1.5m high frameless glass balustrade/guarding and addition of lightweight retractable awning structure. Provision of enclosed external amenity space, storage units and covered bin storage area. Retention of existing internal first floor structure and staircase, reinstatement of previously demolished floor area and addition of 3 no. flat roof windows.

Under Consideration

4 THE APPLICATION

- 4.1 Full planning permission is sought on a temporary basis for a proposed temporary food kiosk and outdoor seating area. As stated on the P1 Form submitted on 17th May 2022, “the temporary food kiosk is necessary for business to trade whilst works are being carried out to the main restaurant facilities at the adjacent Shelter building for a period of six months”.
- 4.2 It is noted that at the restaurant is now operational and has been since July 2022.

5 PUBLICITY & CONSULTATIONS

5.1 External

One letter of objection has been received in relation to this application which raised the following issues:

Undesirable development carried out at a listed and locally important building and its surroundings, within the Ramore Head LLPA.

5.2 Internal

Historic Environment Division – Historic Buildings: Initial response 9th September 2022 stated no objection, however, HED requested the following condition: “The Temporary Food Kiosk shall be installed on the site for a period of six months only from its installation”. Revised response 26th of July 2023 stated that HED considers the proposal, as presented, shall have an adverse impact on the listed building.

DAERA – Marine and Fisheries Division: No objections to this proposal. However, the MFD recommends that the impacts of climate change and coastal flooding be considered when determining this application.

DfI Roads: No objections to this proposal.

Environmental Health: No objections to this proposal.

6 MATERIAL CONSIDERATIONS

- 6.1 Section 77 (7) of the Planning Act (Northern Ireland) 2011 states that where an application is made for a planning agreement to be discharged or modified, the Authority may determine if the agreement no longer serves a useful purpose that it can be discharged.
- 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 both 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

Regional Development Strategy (RDS) 2035

Northern Area Plan 2016

Strategic Planning Policy Statement (SPPS)

Planning Policy Statement 21: Sustainable Development in the Countryside

Planning Policy Statement 6: Planning, Archaeology and the Built Heritage

Supplementary Planning Guidance

DCAN 4 Restaurants, Cafes and Fast Food

8 CONSIDERATIONS & ASSESSMENT

- 8.1 The proposed development is located just outside the development limit of Portrush and is within the defined countryside area as highlighted under the NAP 2016. The proposal must be considered having regard to the NAP 2016, SPPS, PPS policy documents and supplementary planning guidance specified above.
- 8.2 The main considerations in the determination of this application relate to: principle of development; impact on the setting of a listed building, Ramore Head LLPA, integration and rural character.

Principle of Development

- 8.3 Paragraph 6.73 of the Strategic Planning Policy Statement (SPPS) and Planning Policy Statement 21 – Sustainable Development in the Countryside, Policy CTY 1 states there are a range of types of development which in principle are considered to be acceptable in the countryside and that will contribute to the aims of sustainable development. All proposals for development in the countryside must be sited and designed to integrate sympathetically with their surroundings and to meet other planning and environmental considerations.
- 8.4 The subject development fails to fall within the range of development considered acceptable as outlined in Policy CTY 1 of PPS 21 and is therefore contrary to Policy CTY 1 of PPS 21.

Impact on the Setting of a Listed Building

- 8.5 Paragraph 6.12 of the Strategic Planning Policy Statement (SPPS) states that Listed Buildings of special architectural or historic interest are key elements of our built heritage and are often important for their intrinsic value and for their contribution to the character and quality of settlements and the countryside. It is important therefore that development proposals impacting upon such buildings are assessed, paying due regard to these considerations, as well as the rarity of the type of structure and any features of special architectural or historic interest which it possesses.
- 8.6 Policy BH11 of Planning Policy Statement 6 states that development will not normally be permitted which would adversely affect the setting of a Listed Building. The policy confirms that proposals will normally only be considered appropriate where all the following criteria are met:
- (a) the detailed design respects the listed building in terms of scale, height, massing and alignment;
 - (b) the works proposed make use of traditional or sympathetic building materials and techniques which respect those found on the building; and
 - (c) the nature of the use proposed respects the character of the setting of the building.

8.7 The proposal would result in an adverse impact on the setting of the listed building. Its siting, the temporary nature of its design and the materials fail to respect the historic character and integrity of the adjacent listed building. Consultation was first carried out with HED – Historic Buildings on the 9th September 2022 at which time, owing to the specific position with regards to the works carried out to the Listed Building, approval was recommended subject to a condition restricting installation on the site for 6 months only. In the intervening period, subsequent applications have been received relating to the regularisation of works carried out to the Listed Building.

8.8 The proposal seeks full permission on a temporary basis as detailed on the application form, for business to trade while works are being carried out to the main restaurant facilities at the adjacent Shelter building for a period of six months. As the restaurant is operational, further consultation was carried out with HED – Historic Buildings. In their response dated 26th July 2023 HED – Historic Buildings consider that the proposal shall have an adverse impact on the listed building. The accompanying explanatory note details that now the restaurant located within the listed building is operational there is no requirement for the temporary kiosk which impacts upon the setting of the listed building. The proposal is contrary to paragraph 6.12 of the SPPS and Policy BH 11 of PPS 6.

Ramore Head LLPA

8.9 The site is located within the Ramore Head LLPA (Designation PHL 01) as highlighted under the NAP 2016. The features that contribute to the environmental quality, integrity or character of this area are listed below:

1. This prominent dolerite headland is one of the outstanding natural features of the North Coast.
2. It is an area of great geological and landscape interest as well as being in the Ramore Head and the Skerries ASSI.
3. The area is almost entirely in public ownership, with most of the headland used for passive recreation with a network of paths. It includes an area of recreation grounds provided by the Borough Council and the NIEA Portrush Countryside Centre.

The Department will give favourable consideration to appropriately sited buildings for uses ancillary to the enjoyment of open space and existing recreational facilities.

- 8.10 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.
- 8.11 The proposed temporary food kiosk obstructs the panoramic vistas of the North Coast and Atlantic Ocean from a public vantage point. Furthermore, the proposal results in significant harm to the landscape character and conveys significant visual harm to the area. It has been considered that the proposal will have a significant impact on these unique features within the Ramore Head LLPA. Issues raised within the letter of objection relate to the impact of the proposal with regards to the Ramore Head LLPA. As the proposal would adversely impact the special characteristics and features of the Ramore Head LLPA it is contrary to Policy ENV 1: Local Landscape Policy Areas of the Northern Area Plan 2016.

Integration and Rural Character

- 8.12 The SPPS advises in Paragraph 6.70 that all development in the countryside must integrate into its setting, respect rural character and be appropriately designed. Furthermore, PPS 21 Policy CTY 1 Development in the Countryside, states that all proposals for development in the countryside must be sited and designed to integrate sympathetically with their surroundings and to meet other planning and environmental consideration. Therefore, it is considered that the proposal as presented fails to integrate sympathetically with its surroundings and would adversely impact rural amenity and landscape character by reason of its inappropriate design which appears incongruous in this location. The proposal is contrary to paragraph 6.70 of the SPPS and Policy CTY 1 of PPS 21.

Habitats Regulations Assessment

- 8.13 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 unacceptable in this location having regard to the Northern Area Plan 2016 and other material considerations including the Strategic Planning Policy Statement (SPPS), Planning Policy Statement 21 – Sustainable Development in the Countryside and Planning Policy Statement 6 – Planning, Archaeology and the Built Heritage. The principle of development is unacceptable having regard to Policy CTY 1. The proposal has an unacceptable impact on the setting of the listed building and is contrary to Policy BH 11 of PPS 6. Refusal is Recommended.

10.0 REFUSAL REASONS

1. The proposal is contrary to Policies ENV 1 and PHL 01 of the Northern Area Plan 2016 as it would, if permitted, affect adversely those features that contribute to the environmental quality, integrity and character of the Ramore Head Landscape Policy Area.
2. The proposal is contrary to paragraph 6.73 of the Strategic Planning Policy Statement for Northern Ireland and Policy CTY 1 of Planning Policy Statement 21, Sustainable Development in the Countryside in that there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement.

3. The proposal is contrary to paragraph 6.12 of the Strategic Planning Policy Statement for Northern Ireland and Policy BH 11 of Planning Policy Statement 6 Planning, Archaeology and the Built Heritage, in that the proposed development would adversely affect the setting of the Grade B2 Listed Shelter, Lowed Lansdowne Road, Portrush.

4. The proposal is contrary to paragraph 6.70 of the Strategic Planning Policy Statement for Northern Ireland and Policy CTY 1 of Planning Policy Statement 21, Sustainable Development in the Countryside in that it would fail to integrate sympathetically with the surroundings.

Site Location

