

Title of Report:	Planning Committee Report – LA01/2024/0054/S54
Committee Report Submitted To:	Planning Committee
Date of Meeting:	24 April 2024
For Decision or For Information	For Decision

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	Principal 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: LA01/2024/0054/S54 **Ward:** Portrush and Dunluce

App Type: Full Planning

Address: Lands at Stanalane, to West and South of Dunluce School, 16 Dunluce Road, Bushmills

Proposal: Variation of Condition Nos. 13 (Visibility Splays right turn lane and footpath link),14 (Retaining Walls/Earth Bank and Culvert extension) & 17 (Private Streets Determination) of LA01/2018/0040/F (Proposed Holiday Park comprising mobile homes and touring pitches)

Con Area: N/A **Valid Date:** 16.01.2024

Listed Building Grade: N/A

Applicant: Portnaboe Ltd

Agent: Donaldson Planning Ltd

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

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

Executive Summary

- Planning Approval LA01/2018/0040/F was granted permission on 26/09/2019 for Proposed Holiday Park comprising mobile homes and touring pitches with new reception and administrative building and associated landscaping and access works.
- This application seeks planning permission to vary the wording of conditions 13, 14 and 17 of Planning Approval LA01/2018/0040/F.
- Condition 13 relates to visibility splays, right turn lane and footpath link. Condition 14 relates to retaining walls/earth bank and culvert extension. Condition 17 relates to the Private Streets Determination.
- Consultation took place with DFI Roads who advised the site access including visibility splays shall be located in the position indicated and hard surfaced to facilitate use by construction vehicles prior to development commencing. The right turn lane and footpath link can be provided prior to the operation of the development. DFI Roads advise only approval and not construction of the proposed retaining walls/earth bank and culvert extension requiring Technical Approval is necessary prior to development commencing. DFI Roads confirm the works necessary for the improvement of a public road can be completed prior to operation of the holiday park instead of prior to commencement of development.
- The application does not alter any of the approved details under LA01/2018/0040/F in terms of site layout and external design.
- Approval is recommended subject to conditions.

Drawings and additional information are available to view on the Planning Portal:

<https://planningregister.planningsystemni.gov.uk/simple-search>

1 Recommendation

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

2 SITE LOCATION & DESCRIPTION

- 2.1 The site is located on the southern side of the A2 Dunluce Road, about 250m from its junction with Ballaghmore Road. The site is to the west and south of the playing pitch associated with Dunluce Secondary School. The site is irregular in shape and is approx. 8.3 hectares in size. The site is boggy grassland, used as rough pasture, with intermittent hedges which divide the site into smaller fields. Levels vary throughout the site but there is a steep rise along the southern boundary. A densely planted scarp slope is located to the rear of the site. A watercourse runs along the site boundary with the school playing pitches. Access to the site is gained through a field gate from Dunluce Road and this access runs parallel with the playing fields adjacent.
- 2.2 The site is approx. 600m from Bushmills Village centre and approx. 250m from the tramway halt which connects to the Giant's Causeway. Dunluce Secondary School and grounds are located north and east of the site. North of the site and on the southern side of Dunluce Road are derelict stone buildings. Planning permission has been granted for 1 replacement dwelling and the conversion of two buildings to dwellings under reference C/2015/0130/F. South of the site are two residential properties Nos. 3 & 5 Craigaboney Road, Bushmills.
- 2.3 The site is outside the settlement development limit of Bushmills as defined in the Northern Area Plan 2016. The site is within Montalto Local Landscape Policy Area (Designation BSL 01)

and the entire area is within the Causeway Coast Area of Outstanding Natural Beauty.

3 RELEVANT HISTORY

- 3.1 LA01/2018/0040/F
Lands at Stanalane to West and South of Dunluce School, 16 Dunluce Road, Bushmills
Proposed Holiday Park comprising mobile homes and touring pitches with new reception and administrative building and associated landscaping and access works
Approval - 26.09.2019
- 3.2 LA01/2017/0040/PAN
Lands at Stanalane, to West and South of Dunluce School, 16 Dunluce Road, Bushmills
Proposed holiday park comprising mobile homes and touring and touring pitches with new reception and administrative building and associated landscaping and access works
PAN Acceptable - 25.01.2017
- 3.3 LA01/2017/0041/PAD
Lands at Stanalane, West and South of Dunluce School, 16 Dunluce Road, Bushmills
Proposed holiday park comprising mobile homes and touring pitches with new reception and administrative building and associated landscaping and access works
PAD concluded - 19/04/2017
- 3.4 C/2015/0130/F
Lands adjacent to the West Boundary of Dunluce Secondary School, Dunluce Road, Bushmills
Proposed 1 No. replacement dwelling and 2 No. dwellings reusing existing vernacular building, renewal of previous planning permission C/2009/0487/F
Approval - 21.09.2015

4 THE APPLICATION

- 4.1 This is a section 54 application for the Variation of Condition Nos. 13 (Visibility Splays right turn lane and footpath link), 14 (Retaining Walls/Earth Bank and Culvert extension) & 17 (Private Streets Determination) of LA01/2018/0040/F (Proposed Holiday Park comprising mobile homes and touring pitches).

Habitat Regulations Assessment

- 4.2 The potential impact of this proposal on Special Protection Areas, Special Areas of Conservation and Ramsar sites has been assessed under planning application LA01/2018/0040/F in accordance with the requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended). It was concluded that the proposal would not be likely to have a significant effect on the features of any European site. As this application seeks permission to implement some of the road requirements prior to operation of the Holiday Park instead of prior to commencement, it is considered that the proposal will not result in any adverse impact on any European designated site.

Design & Access Statement

- 4.3 A Design & Access Statement is required under Article 6 of the Planning (General Development Procedure) Order (NI) 2015 as the application is classified as major and the variation of condition refers to access and road requirements.
- 4.4 The Agent has resubmitted the Design and Access Statement received for application LA01/2018/0040/F. This document provided details of the design principles and concepts that have been applied to the development and how issues relating to access to the development have been dealt with. The report demonstrated 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 design and the impact on the character of the immediate context.

Proposed landscaping, layout and servicing were also key considerations.

Environmental Impact Assessment

- 4.5 The previously approved application LA01/2018/0040/F was considered to fall within Schedule 2: Category 12(e) of The Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2017 - Permanent camp sites and caravan sites. The threshold for this development is where it exceeds 1 hectare. As the site area measured approx. 8.3 hectares this threshold was exceeded. Following an environmental impact assessment screening in accordance with The Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2017, the approved development did not require submission of an Environment Statement.
- 4.6 The purpose of the new proposal is to vary conditions relating to road requirements prior to the operation of the holiday park instead of prior to commencement. Having reviewed the previous EIA determination under LA01/2018/0040/F completed on 28/08/2019 and conducted a new EIA screening on 23/01/2024, it is concluded that this determination remains unchanged. Therefore, having considered the Regulations, the development proposal would not have any likely significant effects on the environment.

5 PUBLICITY & CONSULTATIONS

5.1 External:

No letters of representation have been received in relation to this application.

5.2 Internal:

DFI Roads: Advice provided.

- 5.3 Regulation 2(1)(b) of the DM Regulations has the effect that any change to or extension of an existing major development is to be treated as major where the change or extension itself meets or exceeds the relevant threshold or criterion in the corresponding entry in Column 2 of the Thresholds Table.
- 5.4 Application LA01/2018/0040/F was classified as major as it exceeded the thresholds outlined in the table within the Schedule. However, where an application is submitted for a change or extension to 'Major Development' the proposal is not subject to Pre-Application Community Consultation.

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 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) and the site falls outside the settlement limit of Bushmills. The site is located in Montalto Local Landscape Policy Area (BSL 01) and the Causeway Coast Area of Outstanding Natural Beauty.
- 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) 2015

Planning Policy Statement 2: Natural Heritage

Planning Policy Statement 3: Access Movement and Parking

Planning Policy Statement 6: Planning Archaeology and the Built Heritage

Revised Planning Policy Statement 15: Planning and Flood Risk

Planning Policy Statement 16: Tourism

Planning Policy Statement 21: Sustainable Development in the Countryside

Supplementary Planning Guidance

DCAN 15 – Vehicular Access Standards

8 CONSIDERATIONS & ASSESSMENT

Principle of Development

- 8.1 This proposal relates to the variation of 3 planning conditions of full planning permission reference LA01/2018/0040/F. This approved application was for Proposed Holiday Park comprising mobile homes and touring pitches with new reception and administrative building and associated landscaping and access works. Planning approval was granted on 26.09.2019. The application is currently extant.

8.2 This application seeks variation of conditions 13, 14 and 17 of LA01/2018/0078/F.

Condition 13 states:

8.3 No development shall commence until the vehicular access including visibility splays, right turn lane and footpath link to existing public footpath on Dunluce Road are provided in accordance with Drawing No's 18C, 19C, 20C, 25C and 29A bearing the date stamp 3rd September 2019. The area within the visibility splays and any forward sight line 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 means of access in the interests of road safety and the convenience of road users.

Condition 14 states:

8.4 The development hereby permitted shall not be commenced until the proposed retaining walls / earth bank and culvert extension requiring Technical Approval, as specified in the Roads (NI) Order 1993, has been approved and constructed in accordance with BD2 Technical Approval of Highways Structures : Volume 1: Design Manual for Roads and Bridges.

Reason: To ensure that the structure is designed and constructed in accordance with BD2 Technical Approval of Highways Structures: Volume 1: Design Manual for Roads and Bridges.

Condition 17 states:

8.5 The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992. No other development hereby permitted shall be commenced until the works necessary for the improvement of a public road have been completed in accordance with the details outlined blue on Drawing No. 25D bearing the date stamp 3rd September 2019
The Department hereby attaches to the determination a requirement under Article 3(4A) of the above Order that such works shall be carried out in accordance with an agreement under Article 3 (4C).

Reason: To ensure that the road works considered necessary to provide a proper, safe and convenient means of access to the development are carried out.

- 8.6 The Agent submitted a supporting statement advising the approved road works are extensive, and implementation will require a road bond, technical approval etc before the works can be completed. In addition, because the Dunluce Road is a busy tourist route during the spring and summer months, great care will be required in relation to traffic management measures during the implementation period. The Applicant is now committed to implementation of the development. However, in order to provide sufficient flexibility to ensure delivery over the next number of months, the access conditions should be varied to require the improvements prior to the operation of the approved holiday park, as opposed to prior to any construction works. This should be acceptable as the right turn lane will only be needed to accommodate the volume of traffic movements which will arise once the facility is operational. The Agent requests that conditions 13, 14 and 17 are varied to stipulate that ‘the development hereby permitted shall not become operational until....’
- 8.7 DFI Roads was consulted in relation to this application and presented with the Supporting Statement as well as further information dated 11th March 2024 from the Agent. In relation to Condition 13, DFI Roads has advised the site access including visibility splays shall be located in the position indicated and hard surfaced to facilitate use by construction vehicles prior to development commencing. However, the right turn lane and footpath link can be provided prior to the operation of the development. In relation to Condition 14, DFI Roads has advised development cannot commence until the proposed retaining walls/earth bank and culvert extension requiring Technical Approval have been approved. It is now not required for this also to be constructed prior to commencement of development. In relation to Condition 17, DFI Roads advise the works necessary for the improvement of a public road should be completed prior to operation of the holiday park instead of prior to commencement of development.
- 8.8 These amendments are considered acceptable so the wording of these conditions will be amended for the decision notice as recommended by DFI Roads.

9 CONCLUSION

- 9.1 The proposed variation of 3 conditions relating to the previously approved permission is considered acceptable, subject to DFI Roads recommendation. Condition 13 relates to visibility splays, right turn lane and footpath link. Condition 14 relates to retaining walls/earth bank and culvert extension. Condition 17 relates to the Private Streets Determination. DFI Roads has advised the site access including visibility splays shall be located in the position indicated and hard surfaced to facilitate use by construction vehicles prior to development commencing. The right turn lane and footpath link can be provided prior to the operation of the development. DFI Roads advise only approval and not construction of the proposed retaining walls/earth bank and culvert extension requiring Technical Approval is necessary prior to development commencing. DFI Roads confirm the works necessary for the improvement of a public road should be completed prior to operation of the holiday park instead of prior to commencement of development. The Planning Department agrees with the position of DFI Roads as the changes are acceptable in terms of road safety and convenience of road users. This proposal is considered acceptable having regard to the Northern Area Plan 2016, PPS 3 and other material considerations. 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. No site works of any nature or development shall take place until a programme of archaeological work has been implemented, in accordance with a written scheme and programme prepared by a qualified archaeologist, submitted by the applicant and approved by the Department. The programme should provide for the identification and evaluation of archaeological remains within the site, for mitigation of the impacts of development, through excavation recording or by preservation of remains, and for preparation of an archaeological report.

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

4. Access shall be afforded to the site at all reasonable times to any archaeologist nominated by the Department for Communities – Historic Environment Division to observe the operations and to monitor the implementation of archaeological requirements.

Reason: To monitor programmed works in order to ensure that identification, evaluation and appropriate recording of any archaeological remains, or any other specific work required by condition, or agreement is satisfactorily completed.

5. No development activity shall commence on site until a protection zone, clearly marked with posts joined with hazard warning tape, has been provided from each badger sett as shown on Drawing Number 11E date stamped by the Planning Authority 10th June 2019 (Application LA01/2018/0040/F) at a radius of 25 metres. No works, clearance, disturbance by machinery, dumping or storage of materials shall take place within that/those protection zone without the consent of the Department. The protection zone shall be retained and maintained until all construction activity has been completed on site.

Reason: To protect badgers and their setts.

6. A suitable buffer of at least 10 m must be maintained between the location of refuelling, storage of oil/fuels, concrete mixing and washing areas, storage of machinery/materials/spoil etc. and all watercourses within or adjacent to the red line boundary.

Reason: To prevent polluting discharges entering the River Bush and impacting on the site integrity of Skerries and Causeway SAC.

7. Storm drainage of the site, during construction and operational phases, must be designed to the principles of Sustainable Drainage Systems (SuDS) in order to prevent the polluting effects of storm water on Skerries and Causeway SAC. Construction of SuDS should comply with the design and construction standards as set out in The SuDS Manual - Construction Industry Research and Information Association (CIRIA) Report C753.

Reason: To prevent polluting discharges entering and impacting on the site integrity of Skerries and Causeway SAC.

8. All hard and soft landscape works shall be carried out in accordance with the details shown on Drawing Nos. 11E and 26 received 10th June 2019 (Application LA01/2018/0040/F) 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.

9. 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.

10. Native species trees and hedging shall be planted along the length of the eastern boundary prior to the occupation or operation of the proposed holiday park. There shall be maximum retention of hedgerow to all boundaries and minimal disruption to the existing landscape. New planting shall be carried out during the first planting season of the development. Trees or shrubs dying, removed or becoming seriously damaged within five years of being planted shall be replaced in the next planting season with others of similar size and species unless the council gives written consent on any variation.

Reason: To protect the character of the setting of the listed buildings.

11. Half standard trees shall be planted along the eastern boundary of the site adjacent to the playing fields of Dunluce School and along the western boundary in accordance with Drawing No. 26 date received 10th June 2019 (Application LA01/2018/0040/F). Half standard trees as well as the mounded screening as shown in Section A-A on Drawing No. 26 date received 10th June 2019 (Application LA01/2018/0040/F) shall be planted along the northern site boundary behind the derelict buildings fronting onto Dunluce Road. These landscape buffers must be formed and planted prior to occupation of the development hereby approved.

Reason: In the interests of visual amenity.

12. A 5m maintenance strip shall be provided in accordance with Drawing No. 11F date stamped 13th August 2019 (Application LA01/2018/0040/F) and should be protected from impediments (including tree planting, hedges, permanent fencing and sheds), land raising or future unapproved development.

Reason: To enable maintenance of the adjacent watercourse under Schedule 5 of the Drainage Order Northern Ireland 1973.

13. No development shall commence until the vehicular access including visibility splays and any forward sight distance are provided in the position indicated in accordance with Drawing No's 18C, 19C and 20C bearing the date stamp 3rd September 2019 (Application LA01/2018/0040/F) and hard surfaced to facilitate use by construction vehicles. The area within the visibility splays and any forward sight line 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. Prior to the operation of the Holiday Park hereby approved, the right turn lane and footpath link to the existing footpath on Dunluce Road must be provided in accordance with Drawing No's 18C, 19C, 20C, 25D and 29A bearing the date stamp 3rd September 2019 (Application LA01/2018/0040/F).

Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.

14. The development hereby permitted shall not be commenced until the proposed retaining walls / earth bank and culvert extension requiring Technical Approval, as specified in the Roads (NI) Order 1993, have been approved in accordance with BD2 Technical Approval of Highways Structures : Volume 1: Design Manual for Roads and Bridges.

Reason: To ensure that the structure is designed and constructed in accordance with BD2 Technical Approval of Highways Structures: Volume 1: Design Manual for Roads and Bridges.

15. The access gradient to the development hereby permitted shall not exceed 4% (1 in 25) over the first 20 m from the edge of the public road. Where the vehicular access crosses a footway, the access gradient shall be between 4% (1 in 25) maximum and 2.5% (1 in 40) minimum and shall be formed so that there is no abrupt change of slope along the footway.

Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.

16. The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992.

The Department hereby determines that the width, position and arrangement of the streets, and the land to be regarded as being comprised in the streets, shall be as indicated on Drawing No. 25D bearing the date stamp 3rd September 2019 (Application LA01/2018/0040/F).

Reason: To ensure there is a safe and convenient road system within the development and to comply with the provisions of the Private Streets (Northern Ireland) Order 1980.

17. The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992.

No development hereby permitted shall become operational until the works necessary for the improvement of a public road have been completed in accordance with the details outlined blue on Drawing No. 25D bearing the date stamp 3rd September 2019 (Application LA01/2018/0040/F).

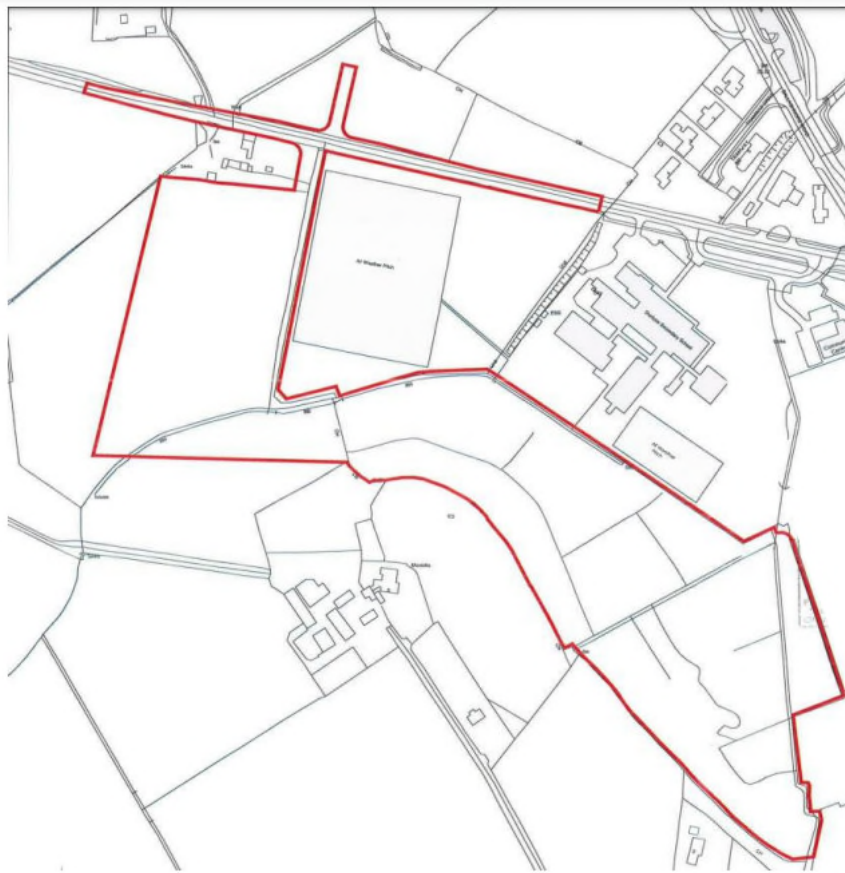
The Department hereby attaches to the determination a requirement under Article 3(4A) of the above Order that such works shall be carried out in accordance with an agreement under Article 3 (4C).

Reason: To ensure that the road works considered necessary to provide a proper, safe and convenient means of access to the development are carried out.

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 <https://planningregister.planningssystemni.gov.uk/simple-search>

Site Location



VARIATION OF CONDITIONS ON
LA01/2018/0040/F
SITE LOCATION PLAN
SCALE 1/2500@A3

Block Plan

