



Planning Committee Report LA01/2019/0008/F	23rd September 2020
PLANNING COMMITTEE	

Linkage to Council Strategy (2015-19)	
Strategic Theme	Protecting and Enhancing our Environment and Assets
Outcome	Pro-active decision making which protects the natural features, characteristics and integrity of the Borough
Lead Officer	Development Management & Enforcement Manager
Cost: (If applicable)	N/a

<u>No:</u> LA01/2019/0008/F	<u>Ward:</u> Dunluce
<u>App Type:</u> Full Planning	
<u>Address:</u> Magheracross Car Park, Magheracross, Portrush	
<u>Proposal:</u> Proposed Landscape improvements including removal of existing hard landscaped features (Parking areas, paths, raised planting beds and site fencing), provision of replacement car/coach parking, fencing paths, soft landscaping and two new viewing platforms at the NE and NW corners of the site.	
<u>Con Area:</u> N/A	<u>Valid Date:</u> 21/12/2018
<u>Listed Building Grade:</u> N/A	
<u>Agent:</u> GM Design, 22-24 Lodge Road, Coleraine.	
<u>Applicant:</u> Causeway Coast and Glens Borough Council	
Objections: 0	Petitions of Objection: 0
Support: 0	Petitions of Support: 0

Executive Summary

- Full planning permission is sought to provide improvements and alterations to the existing Magheracross public car park and amenity area, to include 2 viewing platforms to the NW and NE corners, increased parking including disabled spaces and coach parking and layby for food vans, cycle stand, picnic areas with benches, grassed open space and wildflower areas.
- The site is located approximately 1km west of Dunluce Castle and falls within the open countryside as designated in Northern Area Plan 2016.
- The site is located within the Causeway Coast Area of Outstanding Beauty (AONB). The site is also within the Dunluce Area of Significant Archaeological Interest (ASAI).
- The site is located within the White Rock's ASSI and in close proximity to nesting seabirds. The application site is adjacent to the Skerries and Causeway SAC.
- No letters of objection have been received in relation to the application.
- DfI Roads, Environmental Health Department, NIEA Natural Heritage and Water Management, Shared Environmental Services, Historic Environment Division for buildings & archaeology and Geological Survey of Northern Ireland have been consulted and raise no objection in respect of the application. NIEA NED require bird monitoring for 3 years following completion.
- The proposed development complies with the SPPS and has been assessed and considered to comply with the relevant policies in PPS 21 (Sustainable Development in the Countryside), PPS 2 (Natural Heritage), PPS 3 (Access, Movement and Parking), PPS 8 (Open Space, Sport and Outdoor Recreation) and PPS 16 (Tourism).
- The proposal is considered acceptable in that the improvements can successfully integrate into their surroundings, therefore respecting the character of the AONB. The proposed works will not create any significant environmental impacts or prejudice road safety and traffic flow. Approval is recommended.

Drawings and additional information are available to view on the Planning Portal- www.planningni.gov.uk

1 RECOMMENDATION

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

2 SITE LOCATION & DESCRIPTION

- 2.1 The application site currently exists as a large plot of roadside land on the edge of the coastline cliffs. It extends to 0.87 hectares in area and contains the Magheracross public car park and amenity area which is situated approximately 380 metres west of Dunluce Castle on the Magheracross coastal walking trailhead and scenic viewpoint, Dunluce Road, Portrush. The roadside site is located on the northern side of Dunluce Road and extends towards the coastline and cliff edge, comprising of an existing tarmac car park, grass picnic and open space amenity areas, together with circuitous pathways and viewing areas along the cliff edge which has existing wooden fencing. The existing roadside boundary consists of a timber post and rail fence approximately 1m in height and contains the access point serving the carpark. The northern and western boundaries of the site follow the natural line of the cliff edge and is defined by a low wooden fence set back from the grass area and walkways. The southern boundary has a road frontage with an existing footpath along Dunluce Road. The eastern boundary has an existing low wooden fence. The topography of the site is mostly flat with no significant changes in ground levels. The site falls slightly to the cliff edges.
- 2.2 The application site falls within the Causeway Coast Area of Outstanding Beauty (AONB). The proposal is also within the Dunluce Area of Significant Archaeological Interest as it is within 380 metres of Dunluce Castle. The surrounding area is rural in character, comprising predominantly of agricultural land, with areas of public open amenity space, dominated by the North Antrim coastline.

3 RELEVANT HISTORY

There is no relevant planning history for this site.

4 THE APPLICATION

- 4.1 Full planning permission is sought to provide improvements and alterations to the existing Magheracross public car park and amenity area. The entire site will be redeveloped involving the renewal of the existing car park to include increased designated parking spaces, disabled spaces, coach parking and layby parking for food vans, cycle stand and pedestrian crossing points. New grass areas of open space complete with picnic tables, benches, litter bins and sections of wild flower biodiversity will provide improved amenity and will be accessed by new pedestrian footpaths. There will be two new viewing platforms which will extend beyond the existing cliff edge boundary to the north-west and north-east corners and feature new areas of hard standing and boundary treatments.

5 PUBLICITY & CONSULTATIONS

External

- 5.1 Neighbours: There are no objections to the proposal

Advertising: No objections were raised in relation to the proposal.

5.2 Internal

- Environmental Health Department: No objection
- DAERA, Natural Environment Division (NED) : No objection
- DAERA, Water Management Unit: No objection
- DEARA Coastal development : No objection
- DFI Roads: No Objection
- Geological Survey of Northern Ireland: No objection
- Shared Environmental Services: No objection

- Historic Environment Division Archaeology and Built Environment:
No objections

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 (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)

Planning Policy Statement (PPS 2): Natural Heritage

PPS 3: Access, Movement and Parking

PPS 6: Planning, Archaeology and built environment.

PPS 8: Open Space, Sport and Outdoor Recreation

PPS 16: Tourism

PPS 21: Sustainable development in the countryside

Planning Strategy for Rural Northern Ireland (PSRNI)

Supplementary Planning Guidance

Antrim Coast and Glens AONB Design Guide

Development Control Advice Note 15 - Vehicular Access Standards

8.0 CONSIDERATIONS & ASSESSMENT

8.1 The main considerations in the determination of this application relate to: Principle of development, Integration and design, and Natural Heritage.

Principle of Development

- 8.2 The principle of development must be considered having regard to the SPPS and PPS policy documents before mentioned.
- 8.3 The site is located within the open countryside given it falls outside any settlement development limits. It is located within the Antrim Coast Area of Outstanding Natural Beauty as zoned in the Northern Area Plan 2016.
- 8.4 The main policy consideration is contained within the Northern Area Plan 2016, the Strategic Planning Policy Statement and the relevant Planning Policy Statements (PPS's). As this proposal is in relation to the redevelopment and improvement of an existing public car park and amenity area located on the coastline, the main policy considerations are within paragraphs 6.39, 6.41, 6.260 and 6.262 of the SPPS, Policy OS 3 of PPS 8, Policies TSM 2 and TSM 7 of PPS 16, and Policy CTY1 of PPS21.
- 8.5 The SPPS takes account of coastal development stating that Northern Ireland is valued for its beautiful and relatively unspoilt coast including well known features such as the Giant's Causeway and Causeway

Coast. Of particular relevance is paragraph 6.39 which highlights the need to protect areas of amenity within the developed coast from inappropriate development. Paragraph 6.41 goes on to state that in considering development proposals within the developed or undeveloped coast attention must be paid to the retention of existing public accesses and coastal walkways. Proposals to extend access to the coastline or for the provision of associated facilities such as pathways or picnic areas, should not impact adversely on the nature conservation, archaeological/built heritage, geological or landscape value of the area.

8.6 PPS 21, Policy CTY1 sets out the types of development which in principle are considered acceptable in the countryside. Policy CTY1 states that planning permission will be granted for outdoor sport and recreational uses in accordance with PPS 8 and tourism development in accordance with the TOU Policies of the Planning Strategy for Rural Northern Ireland. PPS 16: Tourism superseded the tourism policies within the PSRNI.

8.7 Policy OS 3 of PPS 8 sets out the criteria that must be met by proposals for outdoor recreational use in the countryside. The proposed development:

- must not create adverse impact on features of importance to nature conservation, archaeology or built heritage;
- visual amenity or the character of the local landscape and the development should be readily absorbed into the landscape by taking advantage of existing vegetation and/or topography;
- the development shall not prejudice public safety and must be compatible with other countryside uses in terms of the nature, scale, extent and frequency or timing of the recreational activities proposed.
- The proposed facility should also take into account the needs of people with disabilities and be, as far as possible, accessible by means of transport other than the private car;
- the road network being capable of safely handling the extra vehicular traffic the proposal will generate as well as satisfactory arrangements being provided for access, parking, drainage and waste disposal;
- there shall be no permanent loss of the best and most versatile agricultural land and no unacceptable impact on nearby agricultural activities or on the amenities of people living nearby; and

- any ancillary buildings or structures proposed shall be designed to a high standard and be of a scale appropriate to the local area together with being sympathetic to the surrounding environment in terms of their siting, layout and landscape treatment;

Formal consultation has taken place with the appropriate competent bodies including DEARA Natural Heritage with regards the protected birds breeding and nesting in the area. Historic Environment Division have also been consulted as the site is within the Dunluce Area of Significant Archaeological Interest (ASAI) as it is in close proximity to Dunluce castle and associated settlement complex which is in state care.

Both consultees are content with the development proposal as long as the appropriate mitigation measures are carried out to protect nature conservation and the archaeology and built integrity of this important area. DFI Roads have also been consulted as a competent authority with regards the safety of the road, footpaths and parking. There will be increased parking throughout the site and DFI are content with the proposal. It is considered that as this proposal seeks to maintain and enhance this existing outdoor amenity area which currently exists and will not result in any adverse impacts on the natural and built environment, then it has a proposal which is acceptable and it will to make the environment a more pleasant experience for visitors to enjoy the world famous coastline amenities and spectacular views. It will not undermine the integrity of this area of outdoor space. The proposal complies with Policy OS 3 of PPS 8.

- 8.8 Paragraph 6.260 of the SPPS highlights the need to carefully manage tourism development to protect rural amenity, wider sustainability objectives and the long term health of the tourism industry. It states that the guiding principle should be to ensure policies and proposals facilitate appropriate tourism development in the countryside. Paragraph 6.262 sets out that there are many diverse features of the built and natural heritage of Northern Ireland that can be regarded as tourism assets, in that they are important in attracting tourists and sustaining the tourism industry. The safeguarding of such tourism assets from unnecessary, inappropriate or excessive development is a vital element in maintaining a healthy tourism industry.
- 8.9 The Planning Department assesses that this proposal is in compliance with the provisions of the SPPS. The proposal is located in an area

used by a large volume of visiting tourists. The site is located on a world famous causeway coast road network linked to the Giant's Causeway and also the North Atlantic Way. Furthermore, the proposal involves improvements to an existing public amenity area for the purposes of sightseeing and recreation within an area of countryside with no detrimental impact to the surrounding rural amenity or tourism assets.

8.10 Policy TSM 2 of PPS16 deals with tourist amenities in the countryside and states that the impact of proposals on rural character, landscape and natural/built heritage is an important consideration in their assessment, particularly within areas designated for their landscape, natural or cultural heritage qualities. In addition to the other policy provisions of PPS 16 a proposed tourism use will be subject to the general and design criteria set out in Policy TSM 7. The criteria are intended to achieve satisfactory forms of tourism development and a high standard of design. Good design is important for tourism development projects because the ability to attract tourists will often be influenced by the visual quality of the development and its success in reflecting local character and distinctiveness. Accessibility and ease of use are also important design considerations. Developments that are easy to reach, particularly for pedestrians, cyclists, users of public transport and people with mobility impairments, are likely to be successful in attracting visitors in the first instance and encouraging them to return. Biodiversity is one of tourism's greatest assets and is fundamental to its long-term sustained growth. Enhancing biodiversity will be encouraged in order to reduce any negative impact of tourism development.

8.11 The proposed development provides for the necessary improvements both visually and functionally to the existing car park and amenity area. The proposed design is of high quality as it seeks to enhance the existing amenity for tourists to enjoy. The design includes increased parking facilities with paved spaces for the disabled. It includes an efficient layout with parking for cars, coaches and a layby for food vans. It has a cycle stand for travellers by bicycle. It has a network of pathways and crossings for pedestrian safety and function. These are finished in screened raw limestone (red limestone). The roadways are finished in decorative aggregate concrete. There are large grassed areas and also a new wildflower area and biodiversity area which enhances and retains existing planting areas and the creation of new habitats. There are new picnic tables and two new viewing platforms in the north-east and north-west corners of the cliff edge with views towards Dunluce castle to the east

and views towards White Rocks and the Skerries in the other direction. It is considered that the proposal complies with the relevant policies outlined in PPS16.

8.12 Planning Policy CO 1, The Undeveloped Coast, contained within the Planning Strategy for Rural Northern Ireland aims to conserve the natural character and landscape of the undeveloped coast, with greater emphasis being placed on the visual impact of proposals within the coastal zone. In general development will only be permitted where there is a clear site specific need and particular attention will be paid to the maintenance of public views to the coast.

8.13 The views of this stretch of coastline are famous and very important due to the close proximity to the Dunluce Castle and the Giant's Causeway which is not too far away to the east. There are impressive views from the site over the sea and also from the sea upwards. Great attention has been utilised to design appropriate viewing platforms which will not interfere with the views along the coastline. The viewing platforms are now designed to accord with this policy. They will be 5 metres in diameter with 1.5m access pathways. They will rest on both the NE and NW corners overlooking the sea. The NE point is built on the existing ground level with a slight fall in ground level from the car park area down to the platform. The other platform in the NW corner will be raised elevated above the existing lower ground level on piles. It will be screened from the rest of the car park by an earth mound covered in grass approx. 1500m high. It extends beyond the existing fence line. The access immediately from the pathway to the NW viewing point will have a natural stone wall made from basalt on either side. The viewing points will be finished in brushed stainless steel 1100m high with non-slip decks. The boundary to the east, north and most of the west will have a post and wire fence. There is a small portion of the south boundary which will have a different style of fence with timber fence and steel cable fence. The proposed development does not conflict with this policy.

Integration and Design

8.14 Policy CTY 1 of PPS 21 and paragraph 6.70 of the SPPS state that all proposals must be sited and designed to integrate into its setting, respect rural character, and be appropriately designed. As noted above, the principle of development is considered acceptable on this site.

8.15 This application proposes the improvement and alteration of the existing car park and associated amenity areas including two viewing

point platforms. The proposal involves redevelopment of the parking area to provide designated parking spaces for coaches, food vans and motor vehicles, including disabled spaces and a cycle stand. The open space will be improved to provide a new grass amenity area with sections of wild flowers and biodiversity. The existing viewing area which is currently defined by dilapidated timber post fencing will have renewed fencing and two new viewing platforms. They will be finished in high quality materials, brushed stainless steel 1.1 metre high sides and non-slip floors. There will be additional basalt stonework to the NW corner entrance area from the pathway into the viewing platform. The contemporary steel enclosures will improve the safety of the viewing platforms, preventing access to the cliff edge together with reducing the visual impact due to their minimalist design and appearance. The facilities are further improved through the provision of new timber picnic tables and associated footpaths serving the site. Overall, development is integrated and designed appropriately for the locality.

8.16 The site is currently in use as a car park and grass amenity area with associated pathways and viewing area. The proposed layout and design seeks to largely replicate the existing appearance of the site, with an increased car park layout and enhanced amenity area. The new viewing platforms are an additional new element to the whole scheme. The proposed materials utilised throughout the site are considered to be of a high quality and are sympathetic with the site's setting within the A.O.N.B. The scale and design of the improved facilities are also considered acceptable and can successfully integrate into their surroundings without creating adverse impact on this landscape.

Natural Heritage

8.17 The application site is within the White Rock's Area of Special Scientific Interest (ASSI) which is of national importance and is protected by the Environment (Northern Ireland) Order 2002. PPS 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. DEARA Natural Environment Division (NED) have been consulted as the competent authority and have considered the impact on the ASSI and are content that the works would not result in any adverse effects on this designated site.

8.18 Due to the site being adjacent to the cliff edge, there are protected birds in the area. Bird surveys were carried out and of note there were sightings of some rare protected birds in the vicinity of the site. The nesting birds in the area, are protected by the Wildlife (Northern Ireland) Order 1985 (as amended) (known as the Wildlife Order). Habitats, species or features of natural heritage importance are protected under PPS 2, Policy NH5 where planning permission will only be granted for a development proposal which is not likely to result in the unacceptable adverse impact on, or damage to known priority habitats, priority species, active peatland, ancient and long-established woodland, features of earth science conservation importance, features of the landscape which are of major importance for wild flora and fauna, rare or threatened native species, wetlands (includes river corridors); or other natural heritage features worthy of protection. A development proposal which is likely to result in an unacceptable adverse impact on, or damage to, habitats, species or features may only be permitted where the benefits of the proposed development outweigh the value of the habitat, species or feature. In such cases, appropriate mitigation and/or compensatory measures will be required.

8.19 DAERA Natural Environment Division NED have considered the bird surveys submitted and the impact of the development on breeding birds and nests. A pair of adult Peregrines were spotted but they did not nest in the vicinity of the site. This area used for nesting is topographically screened from the site. As observations suggest that the Dunluce area would still be the preferred nesting site, should breeding resume, the likelihood of disturbance to Peregrines using this area from construction work or subsequent operation of the car park is negligible.

8.20 DAERA NED also state that there were ten confirmed or probable breeding species of birds within or adjacent to the site. Four additional species were considered to be possible breeders and twelve nonbreeding terrestrial species were recorded. Confirmed or probable breeders included two Red-listed species of conservation concern in Ireland (Meadow Pipit and Twite), four Amber-listed species (Black Guillemot, Skylark, Robin and Linnet) and one NI Priority Species

(Dunnock). The majority of the above species nested outside the area directly impacted by the proposed works but some may be affected by the removal of scrub on the cliff top. This will largely be compensated by new amenity plantings and it is unlikely that any species currently nesting within the site boundary or adjacent fields will be significantly impacted at the local population level in the long term.

8.21 DAERA state that Twite is probably Northern Ireland's rarest regularly breeding songbird. The survey found two, possibly three pairs of twite nesting on the cliff slope adjacent to the site and feeding on seeding grasses within the car park itself. This represents 11% to 17% of the Twite breeding population and makes this area a significant location for this species. NED state that given this position of the nesting area, it is unlikely that breeding birds would be disturbed by day to day use of the car park but it is essential that potentially greater risk of disturbance to this regionally threatened species from construction work is minimised during the breeding season and that good foraging conditions are maintained in the area after the works are completed.

8.22 A small number of fulmars were present in the area but there was no direct evidence of breeding by this species in sensitive locations. Black Guillemots were observed immediately off shore from the site and it is considered likely they nest in boulders at the bottom of the cliff and of danger of falling debris during construction. Therefore NED advise the works be carried outside the breeding season. The survey lists a range of potential mitigation measures and NED recommend that all are carried out. The mitigation includes that the use of herbicides should be minimised or eliminated and grass cutting of the grass areas and the wildflower areas should be reduced to the one late cut. NED also state that there is a requirement to monitor the site for three years.

8.23 DAERA NED are now content that the development would not have an adverse impact subject to mitigation conditions, namely the control of works which should take place outside the bird breeding season and constant monitoring of the site for 3 years. Shared Environmental Services have also been consulted and are content with the proposal.

8.24 Planning Policy Statement 2, Policy NH6 states that new development within an Area of Outstanding Natural Beauty will only be granted where it is of an appropriate design, size and scale for the locality and where it is sympathetic to the special character of the area. Proposals should be sensitive to the distinctive special

character of the area and the quality of their landscape, heritage and wildlife. Proposals should respect local architectural styles and patterns as well as local materials, designs and colour. In terms of siting, design, scale and massing, the proposal is considered sympathetic to this AONB location. It also respects local styles and patterns and conserves features of importance to the character, appearance or heritage of the landscape within proximity of the site. The proposal therefore is in compliance with Paragraph 6.187 of the SPPS and Policy NH 6 of PPS 2.

Archaeology and built environment

- 8.25 The application site is within the Dunluce Area of Significant Archaeological Interest (ASAI) as defined by the Northern Area Plan 2016. The ASAI includes the distinctive area of historic landscape surrounding the Dunluce Castle and settlement complex both of which are under state care and scheduled for protection under the Historic Monuments and archaeological Objects (NI) Order 1995.
- 8.26 Policy BH 1 of Planning Policy Statement 6 Planning, Archaeology and the Built Environment applies. In this policy it states that as the presumption is in favour of the physical preservation in situ of archaeological remains and their settings, development which would adversely affect such sites of regional importance or the integrity of their settings will not be permitted unless there is exceptional circumstances.
- 8.27 Policy ENV 5 of the Northern Area Plan 2016 also applies (Area of Significant Archaeological Interest). Within the designated Area of Significant Archaeological Interest, planning permission will not be granted for proposals for large scale development, unless it can be demonstrated that there will be no significant impact on the character and appearance of this distinctive historic landscape. Particular attention will be given to the impact of proposals when viewed from the monuments and other critical viewpoints within the ASAI and on the character of the area experienced while moving in and around its various monuments. The single ASAI designated in the Plan area focuses on Dunluce Castle, one of the most recognised and iconic monuments in Northern Ireland, and its associated historic landscape.
- 8.28 The inter-relationship between the surrounding landscape and upstanding remains often heightens the appreciation of an

archaeological site. The preservation of such sites and their settings is of the highest priority.

8.29 Historic Environment Division were consulted as the competent authority and have assessed the visual impact of the proposed development and any impact on the ASAI. HED are now content that the viewing platforms and the proposed car park and are sufficiently integrated into the landscape to avoid any detrimental impact on the Dunluce ASAI. A programme of archaeological works shall be conditioned. The Planning Authority are also now content that the viewing platforms are sensitively designed to avoid any detrimental impact on this significant coastal landscape.

Access

8.30 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.

8.31 Access to the proposal is via the existing access point to the car park from Dunluce Road and as there is an existing footpath it does not need altered. However there are entrance stone pillars to be removed and signage relocated. The layout of the car park will be altered with increased parking. DFI Roads has been consulted as the competent authority during the consideration of the application and have commented with no objection to the proposal. Therefore it is considered that the proposal will not prejudice road safety or significantly inconvenience the flow of traffic.

Habitats Regulations Assessment

8.32 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.

Environmental Impact Assessment

8.33 This proposal is considered to fall within Category 10 (B) of Schedule 2- The carrying out of development to provide for urban development projects, including the construction of shopping centres and car parks. As part of the process to determine whether an Environmental Statement was required, consultations were carried out with the competent authorities. Having considered The Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2015 and taking into account the above information, it is considered that the proposed development is not EIA development and would not require the preparation of an Environmental Statement.

9.0 CONCLUSION

9.1 The proposal is considered acceptable in this location having regard to the Northern Area Plan, and other material considerations, including the SPPS. The proposed re-development will provide necessary improvements to the amenity of the site and provide a quality and sustainable tourist amenity without creating any adverse impacts on visual amenity or environmental features. Approval is recommended.

10 CONDITIONS

10.1 Regulatory conditions

1. As required by Section 61 of 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. No development shall commence until the vehicular access, including visibility splays and any forward sight distance, shall be provided in accordance with Drawing No. 11/4 date stamped 9/10/19 and Drawing No. 12/4 date stamped 22/10/19, prior to the commencement of any other development hereby permitted. 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.

3. The access gradient to the car park shall not exceed 4% (1 in 25) over the first 20 m outside the road boundary. 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.

4. There shall be no works, including vegetation clearance, during the bird breeding season (1 March to 31 August inclusive), unless otherwise agreed in writing with the Planning Authority.

Reason: To protect breeding birds.

5. A buffer of at least 10 metres between construction activity and cliff edge will be maintained where possible.

Reason: To protect breeding birds.

6. All proposed planting shall constitute the native species which occurs in the area unless otherwise agreed in writing with Planning.

Reason: To protect breeding birds.

7. The wildflower areas (Appendix 3) must be managed according to “Don’t Mow Let it Grow” principles. There must only be one cut and removal of cuttings in August/September

Reason: To protect breeding birds.

8. Monitoring of breeding twite and peregrine at the site must be instigated and continued for 3 years from commencement of development of the approved scheme. Regular monitoring of the bird nests should be carried out and any impacts of visitor presence recorded. In the event of any adverse impact being detected this should be reported and a visitor management protocol agreed with DAERA NED.

Reason: To protect breeding birds.

9. There should also be annual monitoring of the floral constituents in the proposed wildflower meadow to maintain good foraging conditions for Twite and ensure the wildflower mix contains seed bearing species. This monitoring will be carried out as part of bird survey in condition No 8.

Reason: To protect breeding birds.

10. 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 The Planning Authority 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.

11. No site works of any nature or development shall take place other than in accordance with the programme of archaeological work approved under condition 10.

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

12. 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. These measures shall be implemented and a final archaeological report shall be submitted to The Planning Authority within 12 months of the completion of archaeological site works, or as otherwise agreed in writing with The Planning Authority.

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.

13. The Mitigation measures stated in Figure 2 of the Document No. 03 Habitats Regulations Assessment (HRA) date stamped 12/04/2019 shall be carried out after commencement of development of the approved development.

Reason: In the interests of protecting the environment.

14. All soft and hard landscaping incorporated in the stamped approved site plan, Drawing No. 11/4 date stamped 9/10/19 and planting plan, Drawing No. 12/4 date stamped 22/10/19 shall be completed in accordance with these plans and the appropriate British standards or recognised codes of practice in the first available planting season following commencement of the development and the management of the landscaping shall be carried out in accordance with the Landscape Management and maintenance Plan Doc. 01 date stamped 21/12/18.

Reason: To ensure the provision of a high standard of landscape within the AONB.

15. A detailed Construction Method Statement, for works in, near or liable to affect any waterway as defined by the Water (Northern

Ireland) Order 1999, must be submitted to DEARA Water Management Unit, at least 8 weeks prior to the commencement of the works or phase of works.

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

10.2 Informatives

1. This approval does not dispense with the necessity of obtaining the permission of the owners of adjacent dwellings for the removal of or building on the party wall or boundary whether or not defined.
2. This permission does not alter or extinguish or otherwise affect any existing or valid right of way crossing, impinging or otherwise pertaining to these lands.
3. This permission does not confer title. It is the responsibility of the developer to ensure that he controls all the lands necessary to carry out the proposed development.
4. This determination relates to planning control only and does not cover any consent or approval which may be necessary to authorise the development under other prevailing legislation as may be administered by the Council or other statutory authority.
5. You should refer to any other general advice and guidance provided by consultees in the process of this planning application by reviewing all responses on the Planning Portal at <http://epicpublic.planningni.gov.uk/publicaccess/>

Site Plan

