

Planning Committee Report LA01/2017/1293/F	27th March 2019
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>App No:</u>	LA01/2017/1293/F	<u>Ward:</u>	Portrush and Dunluce
<u>App Type:</u>	Full Planning		
<u>Address:</u>	55 Causeway Street, Portrush.		
<u>Proposal:</u>	Demolition of existing building to facilitate development of 6 no. apartments, re-use and alteration to existing stone outbuilding to 1 No. duplex apartment (holiday let), external domestic stores for each apartment, car parking, landscaping and all associated site and access works including minor alterations to the front elevation of no. 57 Causeway Street		
<u>Con Area:</u>	N/A	<u>Valid Date:</u>	05.10.2017
<u>Listed Building Grade:</u>	N/A	<u>Target Date:</u>	15.01.2018
Applicant:	Drumeen Construction Ltd, 7 Seven House, Upper English Street, Armagh		
Agent:	T S A Planning Ltd, 29 Linenhall Street, Belfast, BT2 8AB		
Objections:	78	Petitions of Objection:	0
Support:	0	Petitions of Support:	0

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

1.0 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.

2.0 SITE LOCATION & DESCRIPTION

- 2.1 This site is irregular in shape and comprises a large plot outside the designated town centre but within the settlement limit of Portrush. The site is occupied by an existing 3.5 storey dwelling known as Strandmore House, and encompasses an area of approx. 0.33 hectares. Access to the site is from Causeway Street and the driveway rises slightly towards the existing dwelling to the north of the site where it becomes flat. The red line of the site also includes one property fronting onto Causeway Street (No. 57) south of this access.
- 2.2 There is a yard area as well as a large outbuilding to the rear of the dwelling in the north western section of the site. Bins are kept in this area as well as other domestic equipment. There is a garden area to the east and south of the dwelling which has some usable flat sections however it slopes eastwards towards East Strand. There is a private pedestrian walkway linking this site to the public promenade adjacent to East Strand. The site boundaries are primarily stone walls to the east and west with some vegetation situated along the north, south and eastern boundaries.
- 2.3 The site sits in an elevational position and benefits from panoramic views of the coastline and beyond. This in turn results in critical views of the site from various viewpoints along the Coast for example, East Strand beach, East Strand Water sports centre, the Arcadia and further north along the coast at the Salmon Fisheries.

- 2.4 The site is located within Portrush settlement limit and Portrush Area of Archaeological Potential. Part of the site falls within the Ramore Head Local Landscape Policy Area (LLPA) (Designation PHL 01 from NAP 2016). The site is located within close proximity to Portrush Town Centre and adjacent to East Strand beach so there is a mixture of uses within the locality. The immediate context of the site is primarily residential in nature with existing dwellings/apartments located to the north, west and south of the site. The surrounding residential character comprises a mix of 2-3 storey terraced houses along Causeway Street, many of which have modern extensions. Contemporary 4 storey apartment buildings such as Sandy Bay and The Vue are located south of the site.

3.0 RELEVANT HISTORY

LA01/2018/0250/PAD

Demolition of existing building to facilitate development of 7 no. townhouses, re-use and alteration to existing stone out building to 1 no. duplex apartment, external domestic stores for each dwelling, car parking, landscaping and all associated site and access works including minor alterations to the front elevation of 57 Causeway Street.

LA01/2017/0543/PAD

Demolition of Strandmore House and erection of residential development comprising 13 no. apartments, car parking, landscaping and all associated site

C/1987/0309

Change of use from vacant machine gun post to confectionery shop

Approval - 23.09.1987

C/1980/0063

Conversion of dwelling to licensed restaurant and flat

Approval - 10.03.1980

C/1979/0721

Site for dwelling in garden of Strandmore House

Approval - 11.12.1979

4.0 THE APPLICATION

- 4.1 Proposed site for demolition of existing building to facilitate development of 6 no. apartments, re-use and alteration to existing stone outbuilding to 1 No. duplex apartment (holiday let), external domestic stores for each apartment, car parking, landscaping and all associated site and access works including minor alterations to the front elevation of no. 57 Causeway Street.

5.0 PUBLICITY & CONSULTATIONS

5.1 External:

78 letters of objection have been received in relation to this application. The main issues raised are summarised below and will be considered and assessed in the remainder of this report:

Demolition of Strandmore House

- Strandmore House is unique in design, scale and location and was built around 1860. This building is of historical significance to Portrush and is in keeping with the Victorian terraces on Lansdowne Crescent, Bath Terrace and The Arcadia Building. The historical connections of Strandmore House, most recently with the Kennedys will be lost.

Impact on Ramore Head Local Landscape Policy Area (LLPA)

- Apartment building and car parking protrudes into the LLPA zoning.
- Contrary to guidance of open space/recreational facilities as detailed in NAP 2016 in terms of the Ramore LLPA.
- Contrary as the proposal does not represent an appropriately sited building; is not a building ancillary to the enjoyment of open space; and is not used in conjunction with existing recreational facilities.
- Contrary to Policy ENV 1 of NAP 2016 as the proposal does not maintain the environmental value and character of Ramore Head or its integrity.
- Precedent will be set allowing future development encroaching into LLPA zonings.

Residential Development contrary to SPPS, DES 2, PPS 7,
Addendum to PPS 7 and DCAN 8

- Unacceptable height, scale, massing, width of proposal
- Incongruous and dominant
- Development overpowering compared to neighbouring properties
- Extent of development beyond footprint of existing building
- Demolition and site intensification detrimental to the character and appearance of the area
- Inappropriate design which does not respect local character and environmental quality. Design is neither in context or represents a good fit with the prevailing character of the present area.
- Overdevelopment of site
- The siting, scale, layout, design and materials detracts from the existing character and residential amenity and has a negative impact on adjoining buildings and amenity space.
- Unacceptable form of development and is out of context to the adjoining development.
- The proposed density is significantly higher and the proposal is not in keeping with the LLPA or the residential character of the area.
- Unacceptable density going from 1 house to 12 apartments
- Site very prominent with views from the Arcadia, in particular the pool/playpark/outside coffee area.
- Site in full view of Designation PHL 04 Royal Portrush LLPA.
- Adverse visual impact due to visibility along the full length of the beach and on approach from the Arcadia as well as from parts of the golf course given proposal overbearing in terms of height and width.
- Proposed apartment building and associated car park will be unsightly from the East Strand Beach.
- Erosion of the traditional townscape character of Portrush.
- Limited amenity space for the apartments as the outdoor space is on very sharply sloping ground ending in a set of steps down to a walkway at the sea side of the site and is not considered usable for domestic purposes.
- Inadequate landscape buffer planting.
- The site is bordered by a right of way with no public lighting and is frequently used as a “toilet break”. The proposal will attract increased crime/anti-social behaviour by virtue of high value/lack of occupancy.
- There is no need for more apartments in Portrush.

- Cumulative effect of proposal with the apartments already approved in this area.
- No provision of a mix of house types in Portrush to promote choice and meet the needs of the local community.
- Access to walkway on promenade not suitable for wheelchair users, families with prams and those with mobility issues.
- Impact upon walkers along the pathway leading to the Arcadia as they will be in the shade of this dominant and overbearing development.
- Contravenes PPS 7 – “the promotion of more housing in urban areas should not be allowed to result in town cramming or damage to areas of distinctive townscape character. In established residential areas the overriding objective will be to avoid any significant erosion to the local character and the environmental quality, amenity and privacy enjoyed by existing residents.”

Apartment Outbuilding concerns

- Duplex Apartment is contrary to Policy LC2 of the Addendum to PPS 7 as the floor space is below the threshold of greater than 150m² and is wholly in the rear and without access to the public street.
- Duplex Apartment does not have adequate outlook contrary to DCAN 8 and it does not provide a quality residential environment contrary to Policy QD1 of PPS 7.
- Overlooking of neighbouring residential properties.

Impact on neighbouring residential amenity

- Loss of existing view
- Loss of privacy
- Overlooking from converted outbuilding apartment.
- Overlooking from roof terrace of Apartment Building.
- Overlooking of rear of properties along Causeway Street. Large number of windows look directly into their bedroom, living area and outdoor space which is located to the rear of their properties.
- Overlooking from amended scheme – rear facing stairwell and rear windows still overlook private amenity.
- Query over raised ceiling heights of second floor apartments - lack of consideration of rear extensions to Causeway Street properties.
- Large glass stairwell will be directly facing bedroom and living areas of No. 55 Causeway Street. As it is a communal area there will be regular lighting which will be intrusive.

- Overlooking of No. 7 Strandmore from building and from balconies.
- This proposal should be refused based on overlooking as it is similar to appeal decision 2014/A0109 for lands to the north of 24-36 Bangor Road, Holywood for 6 Apartments which was dismissed on impact on neighbouring residential amenity.
- Close proximity of development with the properties along Causeway Street and No. 7 Strandmore resulting in loss of light, overshadowing and dominance.
- Inadequate separation distances between residential properties and Apartments. The separation distance to the common boundary with the properties on Causeway Street is approx. 4m despite the annotation on the plans showing 20.4m. Creating Places guidance states “where development abuts the private garden areas of existing properties a minimum separation distance of 15m should be provided between the rear of the apartments and the common boundary”.
- Council have already refused application LA01/2018/1112/F based on overlooking from a first floor bedroom window in that it adversely impacted upon neighbouring residential amenity. This approach should be repeated with this application as there are several bedroom windows facing the rear amenities of the properties on Causeway Street.
- Contrary to SPPS as there is clear harm to residential amenity of existing adjoining residents and the environmental and landscape asset, which ought to be protected in the public interest.
- Causeway Street properties already have traffic at the front so approval of this proposal would result in a car park at the rear. Residents will be surrounded by the associated noise of traffic/parking.

Noise and Disturbance concerns

- Noise from generators on roof.
- Noise and disturbance from bin storage and domestic storage units.
- Noise from prospective residents of the apartments.

Impact on Listed Building contrary to PPS 6

- The proposal will dominate the backdrop of the Arcadia listed building when travelling from the coastal zone (salmon fisheries).
- Impact upon historic buildings in proximity of the site.

Impact on Archaeology contrary to PPS 6

- The site is in an Area of Archaeological Potential and there is a “pillbox” within the site approx. 20m from the edge of the apartment block.

Impact on Road Safety contrary to PPS 3 and DCAN 15

- Increase of traffic on a narrow, busy main arterial route.
- Insufficient visibility with regard to pedestrians and wheelchair users are particularly at risk.
- Exiting vehicles will present a major hazard to pedestrians and to vehicles on Causeway Street.
- Significantly inconvenience the flow of traffic.
- Not enough parking spaces on the site for this development resulting in overflow onto Causeway Street.
- Road safety issues at the proposed entrance on Causeway Street.
- Cars park on Causeway Street so vehicles exiting the proposed access for the apartments do not have acceptable visibility. Forward visibility/site distance remains unacceptable. Access prevents any intervisibility between vehicles using the minor road (access) and those proceeding along the priority road (Causeway Street). This would result in a vehicle encroaching some 2.5m into the road, given the restricted forward sight distance is 10m.
- No additional parking provided for the Apartment Outbuilding.
- Lack of cycle provision, mobility impaired car parking and visitor parking.
- Distance of parking spaces from the entrance.
- Causeway Street cannot cope with this additional traffic given the existence of Sandy Bay, The Vue and Curran Gate.

Impact on Natural Heritage contrary to PPS 2

- Potential impact upon Bats.
- Garden areas contain newts so potential impact upon species.

Drawing Inaccuracies

- Inaccuracy between Proposed Landscape Plan and Proposed site plan in terms of number of trees proposed.
(There is a difference in terms of tree numbers however, Drawing No. 05B is the detailed landscape plan which will be conditioned on any approval granted.)

- Existing site survey drawing and site location plan are not consistent in terms of the actual portrayal of property Nos. 39 – 45 Causeway Street.
 (Drawing No. 01 is the site location plan which seeks to show the red line of the application site in terms of identifying the location for development. The existing site survey, Drawing No. 02A, is a more detailed portrayal of the site and neighbouring properties and assessment is made on this drawing combined with all other drawings and following a site inspection.)
- No horizontal site section to show the relationship with No. 7 Strandmore.
 (The proposed site plan, Drawing No. 04B, shows ground levels within the site and the eaves and ridge height levels of No. 7 Strandmore so an assessment can be made with the details already provided and from the site inspection.)
- Existing window arrangements of Nos. 39-45 Causeway Street have not been shown on the Contextual Elevations (Drawing No. 13B) and No. 7 Strandmore is missing.
 (The contextual elevations show existing Strandmore House and the proposed apartment block in relation to the existing built form. Council is fully aware of the window locations on neighbouring properties from the site inspection. No. 7 Strandmore is shown on the plans although the roof dormers have not been plotted.)
- Drawing No. 17B (Site sections) do not show the rear returns of the Causeway Street properties.
 (The site sections do not show the rear returns of these properties but it does reflect the topography of the existing and proposed development in comparison to the existing properties along Causeway Street. The Council is fully aware of the extent of these rear returns from objections raised, a site inspection and from submitted plans.)

5.2 Internal:

Shared Environmental Services (No objections)

DAERA: Natural Environment Division (No objections)

DAERA: Marine and Fisheries Division (No objections)

DAERA: Regulation Unit Land and Groundwater Team (No objections)

DAERA: Water Management Unit (No objections)

DFI Roads (No objections)

NI Water (No objections)

Environmental Health (No objections)

Historic Environment Division: Historic Buildings (No objections)

Historic Environment Division: Historic Monuments (No objections)

Rivers Agency (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 Strategy for Rural Northern Ireland.

PPS 2 – Natural Heritage

PPS 3 - Access, Movement and Parking

PPS 6 – Planning, Archaeology & the Built Heritage

PPS 7 – Quality Residential Environments

Addendum to PPS 7 - Safeguarding the Character of Established Residential Areas

PPS 15 – Planning and Flood Risk

PPS 16 – Tourism

Supplementary Planning Guidance

DCAN 8 – Housing in Existing Urban Areas

Creating Places

Development Control Advice Note 15 Vehicular Access Standards

8.0 CONSIDERATIONS & ASSESSMENT

Planning Policy

- 8.1 The site is located within Portrush settlement limit and Portrush Area of Archaeological Potential. Policy SET 2 of NAP 2016 applies for development within settlement development limits. Planning permission will be granted provided that the proposal is sensitive to the size and character of the settlement. Part of the site falls within the Ramore Head LLPA (Designation PHL 01) from NAP 2016. Policy ENV 1 of NAP 2016 falls for consideration as this applies to LLPAs. The proposal is in close proximity to European and National designated sites – The Skerries and Causeway SAC and Ramore Head and Skerries ASSI.
- 8.2 The proposal must be considered having regard to the NAP 2016, SPPS, PPS policy documents and supplementary planning guidance specified above. The main considerations in the determination of this application relate to: Impact on LLPA, local character, environmental quality and residential amenity, impact on townscape, tourism development, flooding, archaeology, listed buildings, access and parking, natural heritage and contamination.

Impact on LLPA

- 8.3 Part of the site falls within the Ramore Head LLPA (Designation PHL 01) from NAP 2016. Policy ENV 1 of NAP 2016 applies for LLPAs and development proposals must not adversely affect the environmental quality, integrity or character of a designated LLPA. Ramore Head LLPA features of importance include:
- The prominent dolerite headland which is one of the outstanding natural features of the North Coast
 - An area of great geological and landscape interest as well as being in the Ramore Head and the Skerries ASSI
 - The area is almost entirely in public ownership, with most of the headland used for passive recreation with a network of paths.
- Uses ancillary to the enjoyment of open space and existing recreational facilities will be given favourable consideration.

- 8.4 The scale of this LLPA designation is significant, and while it excludes the existing dwelling and built form on the site, including the existing stone outbuilding, the rear yard and the garden to the north, the LLPA does include much of the dwelling's curtilage. As this is an existing dwelling, the dwelling and land benefit from Permitted Development rights, as set out under the General Permitted Development Order, which is material in the consideration of this application.
- 8.5 The Duplex apartment is a conversion of the existing stone outbuilding which falls outside the LLPA designation. The proposed apartment block is generally positioned on the existing footprint of Strandmore House although extends this existing footprint. The section of the proposed apartment building which extends southwards (approx. 6.2m) encroaches into the LLPA zoning. Almost, if not all, of this land is already in hardstanding, which is currently used as a patio, and car parking. This is a very small part of the overall LLPA, and it does not include any of the prominent features of importance and will not undermine the LLPA designation. Furthermore, this area of land is not within public ownership. Having regard to this matter, it is considered, on balance, that this slight extension of built form into the LLPA would not, in itself, warrant the withholding of planning permission.
- 8.6 The proposed area of car parking is also located within this LLPA designation. Much of this entrance and parking area, is already the existing drive of the dwelling and forms part of the current parking area. Regard must also be had to fact this is land that lies within the curtilage of the existing dwelling. The car parking and access have been restricted to the west and south of the site with very little extension eastwards. This eastern area is currently undeveloped, and is the most open and prominent part the current garden area. If planning permission was forthcoming, this eastern area remains untouched and will form part of the communal private grounds. Therefore, with the eastern and southern garden to the front of the existing dwelling remaining intact, the works required to facilitate the required car parking and access limited to the area where the current drive and parking exists, and with no further built development proposed, this is considered, on balance, to be acceptable.

8.7 Objectors have raised concerns over the impact upon this LLPA (full details under sub heading “Impact on Ramore Head LLPA” in Paragraph 5.1). Consideration of the LLPA is set out in Paragraphs 8.3 - 8.6. There is a landscape buffer proposed to the front of the car parking area which seeks to protect views from the public walkway. Policy ENV 1 states favourable consideration will be given to uses ancillary to the enjoyment of open space and existing recreational facilities. The proposal is located within the curtilage of an existing private dwelling on an area already comprised of hardstanding, with new buffer landscaping proposed protecting public views. In addition, the proposal seeks to retain the sloped garden area to the site frontage adjacent to the public walkway and east strand. It is considered this encroachment into the LLPA will not adversely affect the environmental quality, integrity or character of the designated Ramore Head LLPA.

8.8 Objectors also raise concerns about the precedent that will be set allowing development within the Ramore Head LLPA as then other designated LLPAs will be under threat. If planning permission is forthcoming, this encroachment into the LLPA will not set an undesirable precedent as each application is assessed on its own merits, it is development within the existing curtilage of a dwelling, and the most prominent and important contribution of this site to the LLPA is being retained.

Local Character, Environmental Quality and Residential Amenity

8.9 PPS 7 promotes quality residential development in all types of settlements. DCAN 8 and Creating Places is additional guidance intended to supplement this policy in terms of improving the quality of new housing development.

Policy QD1 – Quality in New Residential Development

This policy sets out a presumption against housing development in residential areas where they would result in unacceptable damage to the local character, environmental quality or residential amenity of these areas. Proposals for new residential development should comply with the following criteria:

(a) the development respects the surrounding context and is appropriate to the character and topography of the site in terms of layout, scale, proportions, massing and appearance of buildings, structures and landscaped and hard surfaced areas;

The proposal entails demolition of Strandmore House with erection of an apartment block comprising 6 units and a duplex apartment in the existing stone outbuilding.

Objectors raise concerns in relation to the demolition of Strandmore House as this building is of historical significance to Portrush and in keeping with the Victorian terraces on Lansdowne Crescent, Bath Terrace and The Arcadia. While Strandmore House may have featured along this promenade since 1860, this dwelling is neither listed nor is it located within Portrush Area of Townscape Character, so there is no policy basis to control demolition, or to retain this building.

The original proposal included 12 Apartments so significant amendments have been received reducing the proposal to 6 Apartments with a Duplex Apartment in the existing stone outbuilding.

The layout of the apartments in terms of the building footprint is acceptable as it is generally in the same location as the existing building although larger in size. The encroachment in terms of the proposed building footprint into the LLPA has already been considered in paragraphs 8.3 – 8.8 and found to be acceptable. The proposal respects the existing topography of the land as the front garden areas are being retained with the built form located towards the rear of the site. Hard surfacing and proposed landscaping is satisfactory. The contextual elevation and visuals provided show that the development although larger in size than Strandmore House, is acceptable in visual terms with the existing built form in this area due to its overall height. The extensive use of plate glass on the front elevation lightens the building and reduces its visual massing.

The application site is not subject to any design criteria or guide and it is not located within a conservation area or an Area of Townscape Character. The proposal does not impact upon the setting of listed buildings in proximity of the site as HED: Historic

Buildings have no objections. In terms of design, there is no policy basis to limit or restrict apartment development or contemporary/modern design.

Taking into consideration the mix of houses and apartments in the locality of Portrush and the more recent apartment developments in the immediate area (The Vue, Sandy Bay and Curran Gate), the design is satisfactory.

The apartment development does not cause unacceptable damage to the character of the surrounding area and is considered appropriate to the character and topography of the site in terms of layout, scale, proportions, landscaping and hard surfaced areas.

(b) features of the archaeological and built heritage, and landscape features are identified and, where appropriate, protected and integrated in a suitable manner into the overall design and layout of the development;

HED: Historic Buildings and HED: Historic Monuments were consulted and have no objections so features of the archaeological and built heritage are protected. For full assessment see sub headings “Listed Buildings” and “Archaeology”.

Part of the site is located within the Ramore Head LLPA with part of the built form of the proposed apartment building and car parking being in the area zoned as the LLPA. This encroachment is considered acceptable as assessed in detail under sub heading “Impact on LLPA”.

Overall the proposed development will not have a detrimental impact on features of archaeological, built heritage or landscape importance.

(c) adequate provision is made for public and private open space and landscaped areas as an integral part of the development. Where appropriate, planted areas or discrete groups of trees will be required along site boundaries in order to soften the visual impact of the development and assist in its integration with the surrounding area;

Adequate provision for public and private open space and landscaped areas should be an integral part of the development. Creating Places, paragraph 5.20 states “In the case of apartment or flat developments, private communal open space will be acceptable in the form of landscaped areas, courtyards or roof gardens. These should range from a minimum of 10 – 30m² per unit.

Extensive garden areas are located north, east and south of the proposed apartment building which all prospective residents have access to. An area to the north west of the proposed apartment building comprises a bin store as well as domestic stores for all 6 units. Apartments 1 & 2 will have access to the gardens and stores which is considered satisfactory in terms of amenity requirements. Balcony areas approx. 17m² each have been provided for Apartments 3 & 4. Balcony areas approx. 15m² each have been designed for Apartments 5 & 6.

It is considered that all 6 apartments within this development have satisfactory private communal open space meeting minimum requirements. In addition, due to the site location future residents will benefit from further public amenity space accessible by the retained pedestrian link onto the promenade.

Objectors mention the amenity space for these apartments is limited given the outdoor space is on sharply sloping ground and is not usable for domestic purposes. As considered above, the proposal meets the minimum amenity requirements as 4 apartments have balcony areas above 10m² each and the 2 ground floor apartments have access to the garden areas and yard containing stores. Although the ground adjacent to the promenade does slope due to the existing topography it does not render it all unusable. There are small areas relatively flat or with a gentle slope which could be utilised for amenity purposes.

(d) adequate provision is made for necessary local neighbourhood facilities, to be provided by the developer as an integral part of the development;

Not applicable to a development of this scale. The site location is close to the town centre of Portrush with various amenities available so neighbourhood facilities are not required as an integral part of this development.

(e) a movement pattern is provided that supports walking and cycling, meets the needs of people whose mobility is impaired, respects existing public rights of way, provides adequate and convenient access to public transport and incorporates traffic calming measures;

The site is within the settlement limit of Portrush and the site is served well by public transport with a bus stop located at Dunluce Avenue and Portrush train station situated approx. 0.3 miles away that provides connections to Coleraine and onward links to Belfast and Derry/Londonderry. The site is within walking distance of local retail units, cafes, restaurants, primary schools, churches, recreational uses such as Barry's Amusements and Portrush recreation grounds.

The proposed development has links to Causeway Street utilising the existing access and the existing pedestrian link to the promenade adjacent to east strand is being retained. The proposal therefore promotes more sustainable modes of transport such as walking and cycling. The proposal provides convenient access to public transport.

Objectors detail concerns about the pedestrian link to the promenade not being suitable for wheelchair users, families with prams and those with mobility issues. The existing pedestrian link does contain steep steps due to the land topography but this is unavoidable. However, access to the promenade can still be attained by those who have mobility issues by exiting onto Causeway Street and entering East Strand car park where there is level access.

(f) adequate and appropriate provision is made for parking;

The proposal has been assessed in detail under the sub-heading "Access and Parking" and is considered compliant with this criterion.

(g) the design of the development draws upon the best local traditions of form, materials and detailing;

The proposed apartment building has a contemporary architectural style, characterised by extensive glazing with a low solid-to-void

ratio. The architectural design features assist with breaking up the overall scale and massing with the floors stepped in and a roof feature which is a raised ceiling height for the upper apartments.

There is a mixture of house and apartment types and designs within Portrush so the design of this development is considered satisfactory.

Proposed materials/finishes are dark grey zinc roof covering and fascia. Rainwater goods are dark grey aluminium. Walls are dark grey zinc cladding, smooth white render, weatherboard cladding, granite/marble wall panels. Windows are dark grey PPC aluminium and doors are hardwood sheeted with painted finish. These contemporary materials are satisfactory as they are in keeping with those used in other developments within the wider area.

The scale, form, massing and appearance, materials and detailing of the apartment block and apartment outbuilding is acceptable.

(h) the design and layout will not create conflict with adjacent land uses and there is no unacceptable adverse effect on existing or proposed properties in terms of overlooking, loss of light, overshadowing, noise or other disturbance;

Neighbouring residential dwellings are located to the west and north of this application site. Several objections have been received from the properties in Causeway Street and No. 7 Strandmore in terms of the proposal impacting upon their residential amenity. All concerns are detailed under the sub heading "Impact on neighbouring residential amenity" in paragraph 5.1.

Objectors mention the loss of existing view as the main amenity areas for the Causeway Street properties are situated to their rear to maximise sea views. The loss of view is seen to be in the private interest, not necessarily in the public interest and as stated in paragraph 2.3 of the SPPS, "The planning system... does not exist to protect the private interests of one person against the activities of another...". The loss of view has been considered, however the protection of a private view is not enough to warrant a refusal.

The proposed apartment block is located approx. 10m away from No. 7 Strandmore House. Adjacent to No. 7 Strandmore the height of the ground and first floor levels is approx. 6m with the third floor level set back approx. 0.6m with an additional height of 2.8m. The raised ceiling heights for Apartments 5 & 6 is set further back from No. 7 Strandmore approx. 3.4m with an additional height of 1.3m. The overall height of the apartment building is approx. 10.2m. The proposed apartment building is lower than Strandmore House however, more built form is located 2m forward of the existing building rising to 3.5 stories. Taking into consideration the scale and massing of the building, the site orientation, location of development and separation distances, there will be no significant adverse effect due to overshadowing and loss of light to No. 7 Strandmore that would warrant a refusal.

The proposal will not be overly dominant to No. 7 Strandmore due to the open aspect of their front garden which will be retained, the stepping in of the upper floors and the architectural design features as well as adequate separation distances.

Strandmore House has existing ground, first, second and third floor windows totalling 9 in the gable directly facing No. 7 Strandmore. The proposed apartment building has kitchen, dining and ensuite windows at ground, first and second floor levels directly facing No. 7 Strandmore totalling 10 windows however, 3 of these are for ensuites with obscure glass. The kitchen windows are at a higher level and any person will be stepped back due to the kitchen units with restricted views. The dining room windows are narrow being less than 0.5m wide so this offers restricted views and it would appear these windows have been designed as a source of light for the apartments. It is considered that overlooking of No. 7 Strandmore is not unacceptable as potential views of their private rear amenity are limited. It is unreasonable to prohibit the location of windows in side elevation 4 facing No. 7 Strandmore as weight is given to the existing arrangement of windows that directly overlook this property.

Balconies are proposed for Apartments 5 & 6 but these have been fitted with full height permanent louvered privacy screens following amendments to limit overlooking of No. 7 Strandmore. These louvered privacy screens are tilted to prohibit views back towards No. 7 Strandmore. Views from these balconies will be restricted to

an easterly aspect to East Strand and beyond rather than orientated towards the side elevation and gardens of No. 7 Strandmore so residential amenity should not be adversely affected.

The proposal will not result in unreasonable overshadowing or dominance to the properties to the rear of the site on Causeway Street. This is due to the site orientation, the location of the new apartment block, adequate separation distances, the reduced height of the development and the topography of the site.

Objectors state that the separation distance from the properties on Causeway Street and the apartment block do not meet the requirements of Creating Places. This guidance states “where development abuts the private garden areas of existing properties a minimum separation distance of 15m should be provided between the rear of the apartments and the common boundary.” The separation distance from the rear elevation of the apartment block is approx. 3-4m from the rear boundary in front of Nos. 41, 39 and 37 Causeway Street. The separation distance from the rear elevation of the apartment block is approx. 9.4m from the rear boundary in front of property Nos. 33, 35 and 37 although the Apartment Outbuilding sits along this boundary.

Notwithstanding the above, this development does not abut the private garden areas of all the properties in Causeway Street because there is a hardcore lane immediately adjacent to the application site. Only Nos. 31, 33 & 35 immediately abut the application site. Separation distances range from approx. 15-17m between the rear elevation of the apartment block and the rear of the returns related to the properties of Causeway Street. Although the separation distances advised in Creating Places are not adhered to, the lesser distances are acceptable in this particular instance because of the lower ground level of the proposed apartment block combined with the height. The raised ceiling height is set back from the rear of the apartment block by approx. 7m reducing the overall scale and massing to these properties. The apartment block height when viewed from the existing ground level of the hardcore lane to the rear of the properties along Causeway Street will only appear 5m high with the raised ceiling height (an additional 1.2m) set back approx. 7m from the rear elevation.

Due to the existing levels between the properties on Causeway Street and the application site, overlooking will not unacceptably impact upon residential amenity. It is acknowledged Causeway Street properties have their bedrooms, living and balcony areas to the rear to maximise sea views. Property Nos. 43, 41, 39 and 37 will be overlooked to some extent by the first and second floor levels of the apartment block given the difference in ground levels. This includes 2 bedroom windows, 2 ensuite windows finished in obscure glazing and the communal stair area located in rear elevation 3. Property Nos. 31, 33 and 35 will be overlooked by the communal stair area, 2 bedroom windows and an ensuite window finished in obscure glass on the second floor of the apartment block in rear elevation 3. This is because views from the windows on the lower floors are restricted by the positioning of the Apartment Outbuilding.

There are no anticipated overlooking issues from the ensuite windows as these are finished in obscure glass. A total of 4 bedroom windows overlook these Causeway Street properties, and this amount of overlooking is not unacceptable given the urban location of the site, separation distances available and considering the existing use of the site. Furthermore, regard is had to the small size of the bedroom windows which minimise overlooking opportunities.

The communal stair area comprises stairs and a void. Overlooking from this area will not be for prolonged periods as it is transient given it is a linkage corridor to access the apartments. Amendments have reduced the amount of glazing in this area by adding a wall of solid timber cladding and the window in front of the void has a vertical screen to limit overlooking.

There are additional windows in the roof however, these are connected to Apartments 5 & 6 but no overlooking of neighbouring properties will occur from these given their height above finished floor level.

It is important to note that the application site is located in an urban context in a high density neighbourhood. There is already existing overlooking between various properties so it would be unreasonable to expect no overlooking from development in these areas.

Objectors mention refusal of application LA01/2018/1112/F based on overlooking from a first floor bedroom window in that it adversely impacted upon neighbouring residential amenity. This refused application differs from the development proposal because the bedroom window was 2m from the boundary and directly overlooked the neighbour's private rear amenity space. The upper floor bedroom windows in the rear elevation facing the properties on Causeway Street differ in terms of separation distances and the relationship as shown on the proposed site section. The impact of overlooking from this proposal has already been assessed earlier in this report and is not significantly detrimental to residential amenity to warrant refusal or further amendments.

Objectors have attached an appeal decision 2014/A0109 relating to apartment development at land to the north of 24-36 Bangor Road, Hollywood. No further details were provided in this regard. This appeal was dismissed in part due to an adverse impact on residential amenity in terms of overlooking from bedroom windows into private rear amenity areas. As each site is different, the specific site characteristics at Bangor Road, Hollywood do not identically replicate those of this proposal. Each application must be assessed on its own merits, having regard to the relevant planning policy and guidance at that time, including a proposals relationship with neighbouring properties.

Noise and disturbance is a material consideration of this application. Objectors have raised concerns in terms of noise from generators on the roof – this aspect has been removed through the submission of amended plans. Objectors have issues with the location of the car park, bin storage and domestic storage units in terms of noise and disturbance from prospective residents. The location of the proposed parking for the apartments is in the existing area of hard standing adjacent to the western boundary. Cars do park in the same location at present albeit less in number associated with a domestic dwelling curtilage. Noise levels from this source and from prospective residents using bins and stores is not anticipated to be unacceptable and Environmental Health have no objections subject to noise informatives. This proposal is for residential development adjacent to existing housing within the settlement limit of Portrush so this proposed residential use is considered compatible with adjacent land uses in this regard.

(i) the development is designed to deter crime and promote personal safety.

The development has been designed to deter crime and promote personal safety. The boundaries of the site will be tapered stone walls. Proposed apartments are designed with security in mind and there is an enclosed yard and bin storage area with access to the open space towards the front of the site.

The proposed development will not lead to the creation of spaces where anti-social activity will be encouraged. The grass areas in the eastern section of the site are overlooked by public areas given the views available from the promenade and east strand so this provides surveillance of this space.

Objectors advise the site is bordered by a right of way with no public lighting so the proposal will attract increased crime/anti-social behaviour by virtue of high value/lack of occupancy. It is an assumption to suggest that the apartments will be high value with a lack of occupancy as this is unknown at this stage. The proposal is not accessed by the right of way access lane.

- 8.10 The Addendum to PPS 7 seeks to safeguard the character of Established Residential Areas. The key consideration is to ensure that new residential schemes are sensitive in design terms to people living in existing neighbourhoods and are in harmony with the local character of established residential areas, villages and smaller settlements.

Policy LC1 – Protecting Local Character, Environmental Quality and Residential Amenity

The proposal consists of demolishing the existing Strandmore House and replacing with 6 apartments and 1 duplex apartment. Previously the application included 12 apartments so there has been a significant reduction in numbers.

The surrounding area consists of dwellings, converted buildings to apartments, and new build apartment blocks such as Sandy Bay, The Vue and Curran Gate.

The application site measures 0.34 hectares so this proposal at 7 Apartments is considered low in density. The plot size is large with a good ratio of built form to garden area. The apartments have

high amenity space provision and meet parking requirements. The application site in terms of density respects the surrounding context taking into consideration the apartment developments already built and terrace housing within the immediate vicinity. The density is acceptable for the site within an urban area so close to the town centre.

The pattern of development is in keeping with the overall character of the established residential area. The spacing between neighbouring properties is acceptable as well as scale, height and massing.

All apartment units are satisfactory in terms of size requirements.

Impact on Townscape

- 8.11 Other key policies in relation to the proposal are Policies SP 18 and DES 2 of a Planning Strategy for Rural Northern Ireland. Policy SP 18 requires a high standard of design. Policy DES 2 requires development proposals in towns and villages to make a positive contribution to townscape and be sensitive to the character of the area in terms of design, scale and use of materials. Consideration has been given to design and local character in paragraphs 8.3 – 8.10. In addition, this area is dominated predominately by the rear returns of buildings fronting Causeway Street. The retention of built form fronting towards the East Strand and the promenade presents a more attractive façade rather than the rear of buildings and any walls, outbuildings and enclosures. The buildings on Causeway Street also provide a backdrop to the proposed apartment building which aids its assimilation into the street scene as the proposed building is absorbed with this existing development. It is therefore considered, on balance, that this proposal complies with the requirements of Policy DES 2 and is sensitive to the existing townscape.

Tourism Development (PPS 16)

Policy TSM 1 - Tourism Development in Settlements

Policy TSM 7 - Criteria for Tourism Development

- 8.12 Apartment Outbuilding 7 falls for consideration under Tourism because this residential use is for holiday let. It is not for permanent residential accommodation. The location of this Duplex Apartment is within a settlement and it is considered to respect the site context in terms of scale, size and design as it is a conversion of the existing outbuilding with minor alterations. The height of the Duplex apartment remains the same as the existing outbuilding. A square bay window is proposed for the living area directly facing the new apartment block. Access is gained via stairs through side elevation 4. A small private amenity area with bin storage is located adjacent to side elevation 4 enclosed by a 1.8m high wall. The proposal is considered compliant with Policy TSM 1 of PPS 16.
- 8.13 All tourism developments must also comply with the 15 criteria set out in TSM 7 of PPS 16. These criteria relate to design, layout, boundary treatment, drainage, crime, impact on character and neighbouring residents, access arrangements, sewage disposal and impacts on features of natural or built heritage.
- 8.14 The Duplex Apartment is accessed from Causeway Street and DFI Roads have no objections. The Duplex Apartment has its own small amenity area with store and landscaped area but it also has access to the larger amenity spaces within the site. The amenity area and store is well screened with a 1.8m high wall. The Duplex Apartment has acceptable sewage disposal and DAERA: Water Management Unit have no objections. The location of the Duplex apartment is to the rear of the site behind the new build apartment block so public views are somewhat limited. Regardless, the Duplex apartment is considered to be of appropriate design, scale and massing and is a sympathetic conversion of an existing stone building. The Duplex apartment should not adversely affect features of the natural or built heritage and will not detract from the landscape quality and character of the surrounding area.
- 8.15 The Duplex Apartment will be finished in dark grey roof slates, dark grey zinc roof covering & fascia. Rainwater goods will be dark grey aluminium. The walls will be finished in dark grey zinc

standing seam cladding and the existing stonework will be retained. Weatherboard cladding is also proposed. Windows and doors will be dark grey PPC Aluminium and Hardwood Sheeted with painted finish. These materials/finishes are considered satisfactory for this converted outbuilding.

- 8.16 Objectors have issues with this Duplex Apartment detailed under the sub heading “Apartment Outbuilding concerns” in paragraph 5.1. Objections relate to this apartment building being contrary to Policy QD1 of PPS 7, Policy LC2 of the Addendum to PPS 7 and DCAN 8. However, these policies do not fall for consideration for this duplex apartment given its tourism use. Inadequate outlook is mentioned in terms of the living room window directly facing the proposed apartment block. The view from the first floor living room window only has direct views of the new build apartment block, an environment which is not suitable for permanent residential accommodation. However, the proposal is for holiday let so it is considered acceptable on the basis of non-permanent occupation. A condition will issue with any approval granted prohibiting use of this converted outbuilding as permanent residential accommodation.
- 8.17 Objectors have concerns with overlooking from this Duplex apartment. Rear Elevation 3 directly faces the properties on Causeway Street. The only alteration is velux windows which are approx. 2m high from finished floor level so overlooking will be minimal. Side Elevation 2 remains similar to existing except for the inclusion of a bay window approx. 0.5m behind the existing gable wall. Overlooking from this bay window will not adversely harm neighbouring residential amenity as views are primarily of the new build apartments with an oblique angle view of the concrete laneway leading to the properties along Causeway Street. Side Elevation 4 includes a new first floor kitchen door with stair access. Overlooking of Nos. 29 & 31 Causeway Street and No. 7 Strandmore is restricted by the existing high stone wall. The Duplex Apartment is considered not to result in unacceptable overlooking of neighbouring properties. The Duplex Apartment will not result in overshadowing or loss of light to neighbouring properties as it is a conversion of the existing stone building with small alterations and there is no increase in height.
- 8.18 The proposal is considered to be compliant with Policy TSM 7 of PPS 16 given the above assessment.

Flooding (PPS 15)

Policy FLD 1 – Development in Fluvial Flood Plains

Policy FLD 3 – Development and Surface Water

- 8.19 A Drainage Assessment was submitted with this application and consultation occurred with DFI Rivers. The Strategic Flood Map (NI) indicated that the site lies adjacent to the 1 in 200 year coastal flood plain. The predicted 1 in 200 year sea level at this location is 3.17mOD. DFI Rivers recommends that development in areas which are in danger of flooding from the sea should be constructed above a sea level which has a 1 in 200 year return period so new development should be allowed an additional freeboard of 600mm. The existing path which abuts the site, sits at a level of approx. 2-4mOD, with the FFL of the proposed development at 9.10mOD. It is therefore unnecessary to require a further 600mm, as the proposed development sits well above the level of 3.77mOD (3.17 + 0.6 (freeboard) = 3.77). DFI Rivers have no objections to this proposal provided the drainage works in the Drainage Assessment document are implemented as the development should not increase the risk of flooding to the development or elsewhere. The proposal complies with Policies FLD 1 & FLD 3 of PPS 15.

Archaeology (PPS 6)

Policy BH 2 - The Protection of Archaeological Remains of Local Importance and their Settings.

- 8.20 The proposal is located within the Area of Archaeological Potential (APP) for Portrush. Archaeological remains of the origins and development of the historic town may be encountered in this area. The application site contains a pillbox (ANT002:022). Consultation occurred with HED: Historic Monuments who noted that the majority of proposed redevelopment is on the footprint of the existing buildings. Consequently due to the scale and nature of the proposal, the proposal is satisfactory to SPPS and PPS 6 archaeological policy requirements.

Listed Buildings (PPS 6)

Policy BH 11 - Development affecting the setting of a listed building.

- 8.21 The proposal is in proximity of 5 Craigvara Terrace, Portrush and the Arcadia, 6 Craigvara, Portrush both of which are listed buildings. Consultation occurred with HED: Historic Buildings who have no objections to this scheme. HED notes that there has been significant new development neighbouring the site and considers, in the light of previous consents, the scale and detailing of the current proposal does not represent a demonstrable negative impact on listed buildings. The proposal therefore, satisfies paragraph 6.12 of the SPPS and Policy BH 11 of PPS 6.

Access and Parking (PPS 3 & DCAN 15)

Policy AMP 1 – Creating an Accessible Environment

Policy AMP 2 – Access to Public Roads

Policy AMP 7 – Car Parking and Servicing Arrangements

- 8.22 Planning permission will only be granted provided the proposal does not prejudice road safety or significantly inconvenience the flow of traffic. The proposed development utilises the existing access point to Strandmore House from Causeway Street. The access and driveway have been widened to 6 metres to allow for the safe passage of vehicles. A Transport Assessment Form was submitted with the application. The proposal includes the provision of 12 communal unassigned spaces formally laid out within a car park for 6 apartments and a converted apartment outbuilding. The Agent advises additional on-street parking is also available on Causeway Street.
- 8.23 DFI Roads was consulted and have no objections to this application subject to conditions and informatives. The proposal is acceptable in terms of the proposed access and the car parking provision for this development.
- 8.24 Several objections have been raised in terms of the proposal being contrary to PPS 3 and DCAN 15 (full list can be viewed under the sub heading “Impact on Road Safety” in paragraph 5.1). Objections relating to road safety were forwarded to DFI Roads during assessment of this proposal. DFI Roads advise the

proposed vehicular access and sight visibility splays are in accordance with DCAN 15. DFI Roads advise the car parking being provided within the site curtilage is satisfactory. Objectors have concerns over lack of cycle provision for this apartment development. Although cycle provision is not detailed on the plans there is ample space within the site (store area) for bikes to be stored.

- 8.25 A key concern of objectors is the lawfully parked cars on Causeway Street obstructing the visibility splays for the access to the development. DFI Roads advise in an email dated 3rd December 2018 that DCAN15 states that the x-distance of visibility splays is measured along the centre-line of the minor road (access) from the edge of the running carriageway of the priority road. The y-distance is measured along the near edge of the running carriageway of the priority road from the centre-line of the minor road (access). In an urban situation the visibility splays are measured to the kerb line and this development proposal meets this requirement.
- 8.26 In the urban situation, there is, however, high parking demand and limited on-street parking availability so it may become inevitable that parking spaces are required adjacent to visibility splays. It does present a perceived contradiction. However, a practical balance needs to be struck between parking demand and developer's access rights.
- 8.27 Given the low speeds of urban roads due to congestion etc. the parking arrangement highlighted has become more commonly accepted and is considered to meet the requirements of DCAN15. There would be very few developments with such accesses in the urban situation and there is a low risk to road safety due to the nature of the traffic.

Natural Heritage (PPS 2)

Policy NH 1 – European and Ramsar Sites - International

Policy NH 2 – Species protected by law

Policy NH 3 – Sites of Nature Conservation Importance - National

Policy NH 5 – Habitats, Species or Features of Natural Heritage Importance

- 8.28 The proposal is in close proximity to European and National designated sites – The Skerries and Causeway SAC and Ramore Head and Skerries ASSI. The Skerries and Causeway SAC is designated for sandbanks which are slightly covered by sea water all the time, reefs, submerged or partially submerged sea cliffs and Harbour Porpoise. Ramore Head and Skerries ASSI is primarily designated for earth science features.
- 8.29 The application site contains trees, hedgerow, a dwelling and buildings which need to be demolished and converted. Following consultation with DAERA: Natural Environment Division (NED), a biodiversity checklist was required to assess the site for potential presence of bats and newts. It was considered the dwelling and building have the potential to be used by roosting bats. NED consider that it is highly unlikely for newts to be present on site as it does not contain freshwater bodies or suitable terrestrial habitat. A biodiversity checklist was provided however, emergence/re-entry surveys were required to verify the presence or absence of any bat roosts on site. A Bat Survey Report was provided by the Agent and following re-consultation with NED, the proposal is unlikely to significantly impact the local bat population.
- 8.30 Consultation occurred with DAERA: Marine and Fisheries Division. The proposal is approx. 35m away from HWM and 70m from the boundary of Skerries and Causeway SAC designated site. The only site selection feature that may be impacted is harbour porpoise through noise disturbance. A Construction Environmental Management Plan (CEMP) was submitted showing the types of construction work proposed for this development. Marine and Fisheries Division following re-consultation with the CEMP, have no objections to this proposal because there will be no rock dumping, blasting, drilling or piling activities for the development so there will be no risk to Harbour Porpoise through noise disturbance.
- 8.31 Consultation occurred with SES who has no objections to this proposal. Having considered the nature, scale, and location of the project it is concluded that further assessment is not required because it would not have a likely significant effect on the selection features, conservation objectives or status of any European Site.

- 8.32 Based on all assessments from Marine & Fisheries Division, NED and SES, the proposal fulfils the requirements of Policies NH 1, 2, 3 & 5 of PPS 2.

Habitats Regulations Assessment

- 8.33 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.

Contamination

- 8.34 Consultation occurred with DEARA: Regulation Unit (RU) (Land and Groundwater Team) and it was noted that previous uses of the application site and/or the adjacent sites may have caused the land to be affected by contamination. RU must consider the potential for contamination to be present at the site that could impact on environmentally sensitive receptors including groundwater and surface water.
- 8.35 A Preliminary Risk Assessment (PRA) was submitted by the Agent and no unacceptable risk to the water environment has been identified. Bedrock geology is identified as Portrush Sill and this is overlain by blown sand. An unnamed watercourse is located at c. 180m to the south east and discharges to the sea at East Strand. Two potential on-site sources of contamination are an above ground oil storage tank and made ground. One off-site potential is hydrocarbon storage. A laundry located c. 20m from the site entrance is considered to pose a low risk to the site given its down gradient location.
- 8.36 Key environmental receptors are shallow water in any made ground or superficial deposits; the unnamed watercourse; North Atlantic Ocean at Portrush East Strand and; bedrock aquifer. The PRA concludes the site appears to be have been cut, not filled, to achieve current levels and historical infilling is unlikely. Inspection of oil storage tanks confirms good condition with no evidence of staining or spillages.

- 8.37 RU have no objections to this development as the application site is a low risk to the water environment in terms of onsite and offsite sources.
- 8.38 Environmental Health was consulted and have no objections to this proposal. The applicant is advised that the onus to consider land contamination risk and ensure that a site is safe and suitable for its intended use rests with the developer.

9 CONCLUSION

- 9.1 The proposal is considered acceptable at this location having regard to the Northern Area Plan 2016 and other material considerations. The proposal meets the requirements of planning policies and provides a quality residential development. The development will not impact upon the Ramore Head LLPA. The Duplex Apartment is acceptable as a conversion of the existing stone building in terms of its tourism use. The apartment building will not adversely impact upon the surrounding context given the development assimilates with the existing built form and due to the presence of other apartment buildings nearby. The proposal is appropriate to the character and topography of the site in terms of layout, scale, massing, design, landscaping and hard surfaced areas. Private amenity areas for the apartments are adequate in size. The design and layout does not unacceptably impact upon neighbouring residential amenity. There are no archaeological or listed building concerns. The drainage works are acceptable and the development should not increase the risk of flooding to the development or elsewhere. The proposed development has satisfactory access and parking. The proposal does not harm the Skerries and Causeway SAC and Ramore Head and Skerries ASSI. The proposal will not impact upon protected species. There are no contamination issues with this development. 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. All hard and soft landscape works shall be completed in accordance with Drawing No. 05B date stamped 4th December 2019 respectively within the first available landscaping season after the occupation of the first apartment, unless otherwise agreed by the Planning Authority in writing.

Reason: To ensure the provision of amenity afforded by appropriate landscape design.

3. If within a period of 5 years from the date of the planting of any tree, shrub or hedge, that tree, shrub or hedge is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Council, seriously damaged or defective, another tree, shrub or hedge of the same species and size as that originally planted shall be planted at the same place, unless the Council gives its written consent to any variation.

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

4. All mitigation and management measures detailed in the CEMP (Document 07 date stamped 29th January 2018) must be implemented and adhered to throughout the programme of works.

Reason: To prevent polluting discharges entering and impacting upon the Skerries and Causeway SAC.

5. Any proposed planting within the application site shall be of native species.

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

6. The 1 No. duplex apartment within the existing stone outbuilding hereby permitted shall only be used for holiday accommodation and shall not be used for permanent residential accommodation.

Reason: Approval is granted solely for this conversion of the existing stone building because of its holiday use/tourist purpose.

7. No development shall commence until the vehicular access, including visibility splays and any forward sight distance is provided in accordance with Drawing No. 04A and DFI Roads FCD 1 form bearing the date stamp 18th June 2018. 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.

8. The access gradient to the dwellings hereby permitted shall not exceed 8% (1 in 12.5) over the first 5m outside the road boundary. Where the vehicular access crosses 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.

9. As part of site clearance works, all remaining fuel storage tanks and associated infrastructure on the site shall be fully decommissioned in line with Guidance on Pollution Prevention No. 2 (GPP2) and Pollution Prevention Guidance No. 27 (PPG27). Soil and groundwater sampling shall be undertaken for a suitable analytical suite. Should contamination be identified the requirements of Condition 10 will apply.

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

10. If during the development works, new contamination or risks to the water environment are encountered which have not previously been identified, works should cease and the Planning Authority shall be

notified immediately. This new contamination shall be fully investigated in accordance with the Model Procedures for the Management of Land Contamination (CLR11). In the event of unacceptable risks being identified, a remediation strategy shall be agreed with the Planning Authority in writing, and subsequently implemented and verified to its satisfaction.

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

11. After completing all remediation works under Condition 9 and 10 and prior to occupation of the development, a verification report needs to be submitted in writing and agreed with the Planning Authority. This report should be completed by competent persons in accordance with the Model Procedures for the Management of Land Contamination (CLR11). The verification report should present all the remediation and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and achieving the remedial objectives.

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

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 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.
3. 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.
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. Historic Environment Division: Historic Monuments advise the application site contains a pillbox which is protected under Policy BH2 of PPS 6. Any dumping or storage of machinery or materials should avoid this area.

6. DFI Roads advise the following:

Notwithstanding the terms and conditions of the Causeway Coast and Glens Borough Council's approval set out above, you are required under Articles 71-83 inclusive of the Roads (NI) Order 1993 to be in possession of the Department for Regional Development's consent before any work is commenced which involves making or altering any opening to any boundary adjacent to the public road, verge, or footway or any part of said road, verge, or footway bounding the site. The consent is available on personal application to the Roads Service Section Engineer whose address is: DFI Roads, Northern Division, Causeway Coast and Glens (West), County Hall, Castlerock Road, Coleraine, BT51 3HS. A monetary deposit will be required to cover works on the public road.

Precautions shall be taken to prevent the deposit of mud and other debris on the adjacent road by vehicles travelling to and from the construction site. Any mud, refuse, etc. deposited on the road as a result of the development, must be removed immediately by the operator/contractor.

All construction plant and materials shall be stored within the curtilage of the site.

It is the responsibility of the Developer to ensure that water does not flow from the site onto the public road (including verge or footway) and that existing road side drainage is preserved and does not allow water from the public road to enter the site.

7. NI Water advise the following:

Public water supply within 20m of your proposal, consultation with NIW is required to determine how your proposals can be served. Application to NIW is required to obtain approval to connect.

Foul sewer within 20m of your proposal, consultation with NIW is required to determine how your proposal can be served. Application to NIW is required to obtain approval to connect.

Surface water sewer within 20m of your proposal, consultation with NIW is required to determine how your proposal can be served. Application to NIW is required to obtain approval to connect.

Available capacity for Waste Water Treatment Works / Sewer Network.

The water requirements for this proposal may be eligible for the provision of a public watermain if it will serve more than 1 property (1 property if accessed directly from a public road/area) and each property will have an individual supply direct from the proposed public watermain under Article 76 of the above order.

From the 23rd May 2016 the Developer must enter into an Agreement for Adoption of the Sewers under Article 161 of the above order. They must be designed to meet the criteria as set out in the current Sewers for Adoptions specification. A connection to the public sewer will not be permitted until such times as the Article 161 Agreement has been authorised by NIW.

Existing sewer crossing site.

No construction to be made, trees planted or other obstruction made within 3m (or 1.5 times the depth whichever is greater) of sewers, or 4m (or 1.5 times the depth whichever is greater) of watermains <350mm diameter or 8m of watermains of 350mm diameter or greater. A diversion may be necessary. Consultation with NIW is required at an early design stage to prevent disturbance/damage to existing sewers/watermains and in the interest of public safety.

The applicant is advised to contact NIW through its Customer Relations Centre on 08457440088 or waterline@niwater.com, upon receipt of this consultation to discuss any areas of concern. Application forms and guidance are also available via these means.

If during the course of developing the site the developer uncovers a pipe not previously evident, NIW should be notified immediately

in order that arrangements may be made for investigation and direction in respect of any necessary measures required to deal with the pipe. Notify NIW Customer Relations Centre on 08458 770002.

Although it has been determined above if NIW infrastructure is within 20m of your proposal, consultation with NIW is required at an early design stage by means of a Predevelopment Enquiry to obtain details of the availability of existing water and sewerage infrastructure and how their proposal may be serviced. Waste Water Treatment Facilities (North Coast WWTW) are presently available to serve this proposal.

No connection should be made to the public sewer from 23rd May 2016, in accordance with the Water and Sewerage Services (Northern Ireland) Order 2006 (as amended Water and Sewerage Services Act (Northern Ireland) 2016, until the mandatory Sewer Adoption Agreement has been authorised by NIW.

Statutory water regulations are in force, which are designed to protect public water supplies against contamination, undue consumption and misuse. All internal plumbing installation must comply with the current Water Supply (Water Fittings) Regulations (Northern Ireland). Applicants should contact NI Water's Water Fittings Regulations team via waterline@niwater.com if they have any queries.

8. DAERA: Natural Environment Division advise the following:

The applicant's attention is drawn to The Conservation (Natural Habitats, etc) Regulations (Northern Ireland) 1995 (as amended), which states that it is an offence to deliberately capture, injure or kill a wild animal of a European protected species included in Schedule II of these Regulations, which includes all species of bat. It is also an offence to;

- (a) Deliberately to disturb such an animal while it is occupying a structure or place which it uses for shelter or protection;
- (b) Deliberately to disturb such an animal in such a way as to be likely to;
 - (i) Affect the local distribution or abundance of the species to which it belongs;
 - (ii) Impair its ability to survive, breed or reproduce, or rear or care for its young; or

- (iii) Impair its ability to hibernate or migrate;
- (c) Deliberately to obstruct access to a breeding site or resting place of such an animal; or
- (d) To damage or destroy a breeding site or resting place of such an animal.

If there is evidence of bat activity / roosts on the site, all works must cease immediately and further advice must be sought from the Wildlife Team, Northern Ireland Environment Agency, Klondyke Building, Cromac Avenue, Gasworks Business Park, Belfast BT72JA. Tel. 028 905 69605

The applicant's attention is drawn to Article 4 of the Wildlife (Northern Ireland) Order 1985 (as amended) under which it is an offence to intentionally or recklessly:

- kill, injure or take any wild bird; or
- take, damage or destroy the nest of any wild bird while that nest is in use or being built; or
- at any other time take, damage or destroy the nest of any wild bird included in Schedule A1; or
- obstruct or prevent any wild bird from using its nest; or
- take or destroy an egg of any wild bird; or
- disturb any wild bird while it is building a nest or is in, on or near a nest containing eggs or young; or
- disturb dependent young of such a bird.

Any person who knowingly causes or permits to be done an act which is made unlawful by any of these provisions shall also be guilty of an offence.

It is therefore advised that any tree, hedge loss or vegetation clearance should be kept to a minimum and removal should not be carried out during the bird breeding season between 1st March and 31st August.

9. DAERA: Marine and Fisheries Division advise the following:

Marine National Protected Species

The applicant's attention is drawn to Article 10 of the Wildlife (Northern Ireland) Order 1985 (as amended), under which it is an offence to intentionally or recklessly kill, injure or take any wild

animal included in Schedule 5 to the Order. This includes the common seal (*Phocavitulina*), grey seal (*Halichoerus grypus*), basking shark (*Cetorhinus maximum*), angel shark (*Squatina squatina*), common skate (*Dipturus batis*) short snouted seahorse (*Hippocampus hippocampus*), spiny seahorse (*Hippocampus guttulatus*), spiny lobster (*Palinurus elaphus*) and fan mussel (*Atrina fragilis*).

Article 11 of the Wildlife (Northern Ireland) Order 1985 (as amended) provides that a person shall not be guilty of an offence under Article 10 (killing or injuring a species listed in Schedule 5 (as amended)) if the act was incidental to a lawful operation (i.e. activity permitted by a Marine Licence or Planning Permission) and could not reasonably be avoided. A separate marine Wildlife Licence is therefore not required for national marine protected species if a Marine Licence/Planning Permission has been granted, since adherence to the conditions of the Marine Licence should reduce the likelihood of harm to marine national protected species.

Under Article 10 it is an offence to intentionally or recklessly disturb; common seals, grey seals or basking sharks. It is also an offence under Article 10 to intentionally or recklessly damage or destroy, or obstruct access to, any structure or place which these animals (Schedule 5¹) use for shelter or protection; damage or destroy anything which conceals or protects any such structure; or disturb any such animal while it is occupying a structure or place which it uses for shelter or protection.

Under Article 13 it is an offence to sell or transport any Schedule 7 animal dead or alive at any time².

Any person who knowingly causes or permits an act which is made unlawful under Article 10 or Article 13 shall also be guilty of an offence. It is the applicant's responsibility to ensure that an offence is not committed. Further advice can be sought from DAERA Marine and Fisheries Division, Klondyke Building, Cromac Avenue, Belfast BT7 2JA.

Under the Wildlife (Northern Ireland) Order 1985 (as amended) a licence may be required for any operations which might impact on protected species.

¹ Common skate and angel sharks in respect to Article 10 (1) only and within 6 nautical miles of coastal water only.

² Schedule 7 species includes all Schedule 5 species listed in Appendix A, with the exception of the common skate and angel shark. Sea urchin is protected under Schedule 7 only.

Marine European Protected Species

The applicant's attention is drawn to regulation 34 of The Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended), which states that it is an offence to deliberately capture, injure or kill a wild animal of a European Protected Species included in Schedule 2 to these Regulations. This includes all species of dolphins, porpoises and whales and the marine turtle species.

- (1) It is also an offence to;
 - (a) deliberately disturb such an animal while it is occupying a structure or place which it uses for shelter or protection;
 - (b) deliberately disturb such an animal in such a way as to be likely to;
 - (i) affect the local distribution or abundance of the species to which it belongs;
 - (ii) impair its ability to survive, breed or reproduce, or rear or care for its young; or
 - (iii) impair its ability to hibernate or migrate;
 - (c) deliberately take or destroy the eggs of such an animal;
 - (d) deliberately obstruct access to a breeding site or resting place of such an animal; or
 - (e) damage or destroy a breeding site or resting place of such an animal.

- (2) It is an offence for any person;
 - (a) to have in his possession or control,
 - (b) to transport,
 - (c) to sell or exchange, or
 - (d) to offer for sale or exchange,any live or dead animal which is taken from the wild and is of a species listed in Annex IV(a) to the Habitats Directive, or any part of, or anything derived from, such an animal.

It is the applicant's responsibility to ensure that an offence is not committed. Further advice can be sought from DAERA Marine and Fisheries Division, Klondyke Building, Cromac Avenue, Belfast, BT7 2JA.

Under this legislation a licence may be required for any operations which might impact on European Protected Species.

¹ Following two European Court of Justice cases (C-103/00 and C-221/04) "deliberate actions are to be understood as actions by a person who knows, in the light of the relevant legislation that applies to the species involved, and the general information delivered to the public, that his action will most likely lead to an offence against a species, but intends this offence or, if not, consciously accepts the foreseeable results of his action"
http://jncc.defra.gov.uk/PDF/consultation_epsGuidanceDisturbance_all.pdf

Further information

The applicant's attention is also drawn to the following links which provide advice to be considered:
http://www.planningni.gov.uk/index/advice/northern_ireland_environment_agency_guidance/developers_guides.htm

https://www.planningni.gov.uk/index/advice/northern_ireland_environment_agency_guidance/standing_advice_4_pollution_prevention.pdf

10. DAERA: Regulation Unit Land and Groundwater Team advise the following:

The purpose of the Conditions 9, 10 and 11 is to ensure that any site risk assessment and remediation work is undertaken to a standard that enables safe development and endues of the site such that it would not be determined as contaminated land under the forthcoming Contaminated Land legislation i.e. Part 3 of the Waste and Contaminated Land Order (NI) 1997. It remains the responsibility of the developer to undertake and demonstrate that the works have been effective in managing all risks.

The applicant should ensure that the management of all materials onto and off this site are suitably authorized through the Waste

Management Regulations (NI) 2006 and/or the Water Order (NI) 1999.

11. Rivers Agency advise the following:

Developers should acquaint themselves of their statutory obligations in respect of watercourses as prescribed in the Drainage (Northern Ireland) Order 1973, and consult the Rivers Agency of the Department of Agriculture accordingly on any related matters.

Any proposals in connection with the development, either temporary or permanent which involve interference with any watercourse at the site:- such as diversion, culverting, bridging; or placing any form of structure in any watercourse, require the written consent of the Rivers Agency. Failure to obtain such consent prior to carrying out such proposals is an offence under the Drainage Order which may lead to prosecution or statutory action as provided for.

Any proposals in connection with the development, either temporary or permanent which involve additional discharge of storm water to any watercourse require the written consent of the Rivers Agency. Failure to obtain such consent prior to permitting such discharge is an offence under the Drainage Order which may lead to prosecution or statutory action as provided for.

If, during the course of developing the site, the developer uncovers a watercourse not previously evident, he should advise the local Rivers Agency office immediately in order that arrangements may be made for investigation and direction in respect of any necessary measures required to deal with the watercourse.

Under the terms of Schedule 6 of the Drainage (NI) Order 1973 any proposal either temporary or permanent, in connection with the development which involves interference with any watercourse such as culverting, bridging, diversion, building adjacent to or discharge of stormwater etc. requires the written consent of DFI Rivers. This should be obtained from the Coleraine Office, 37 Castleroe Road, Coleraine BT51 3RL.

12. Environmental Health advise the following:

The applicant shall ensure minimisation of airborne and impact noise transmission between residential units, sound insulation requirements should be met, not less than those specified within Technical Booklet G, 2012 " Resistance to the passage of sound". (Conformance with Building Control Legislative Requirements).

Where any outdoor amenity space is included the applicant shall ensure consideration to location and design to avoid noise issues to adjacent and proposed properties.

Adequate acoustic design shall be incorporated to minimise extraneous noise impacting future users.

Noise Impact: Site Demolition/Preparation and Construction.
BS 5228: 2009 in relation to construction activities states,

"Noise and vibration can be the cause of serious disturbance and inconvenience to anyone exposed to it and in certain circumstances noise and vibration can be a hazard to health."

In relation to any preparatory/construction works on site (demolition, ground works, excavation and construction), the applicant shall minimise disturbance to noise sensitive receptors located in proximity to the site, by restricting noise emissions at source, employing quiet plant and equipment, restricting hours of working and ensuring noise emissions are within the following limits.

"Noise from construction activities should –

- (a) not exceed 75 dB $L_{Aeq, 1hr}$ between 07.00 hours and 19.00 hours on Monday to Fridays, or 75 dB $L_{Aeq, 1hr}$ between 08.00 hours and 13.00 on Saturdays, when measured at any point 1 metre from any façade of any residential accommodation, and*
- (b) not exceed 65 dB $L_{Aeq, 1hr}$ between 19.00 hours and 22.00 hours on Monday to Fridays, or 13.00 hours to 22.00 hours on Saturdays when measured at any point 1 metre from any façade of any residential accommodation, and*

- (c) *not be audible between 22.00 hours and 07.00 hours on Monday to Fridays, before 08.00 hours or after 22:00 hours on Saturdays, or at any time on Sundays, at the boundary of any residential accommodation. (As a guide the total level (ambient plus construction) shall not exceed the pre-construction ambient level by more than 1 dB(A). This will not allow substantial noise producing construction activities but other “quiet” activities may be possible). Routine construction and demolition work which is likely to produce noise sufficient to cause annoyance will not normally be permitted between 22.00 hours and 07.00 hours.”*
- (d) In relation to any site enabling/construction activities which may entail vibration generation, the applicant shall ensure that the mitigation measures specified within BS5228: 2009, Part 2 are employed.
- (e) The applicant may wish to consider employing an environmental construction management plan, and include a complaint response system in order to expediently address any adverse impacts associated with such works (Please refer to the Construction Advice Note for further information).

Any proposed external noisy plant and equipment should be so specified, located and maintained in order to obviate any adverse impacts to noise sensitive properties.

Informative - Adequate Refuse Storage Provision

Adequate arrangements for refuse storage must be provided with provision for suitable collection, communal bin areas where included should be appropriately constructed, sited and managed so as to obviate odour/pest issues to either existing or new properties. Cleaning out of such areas requires management procedures, adequate water supply and drainage provision may be required. Please refer to Technical Guidance on Bin Storage, further information/guidance with regard to refuse storage provision can be obtained by contacting the Technical Services Department.

Informative - Dust/Demolition

As demolition of existing buildings is to be undertaken, adequate measures to control dust must be considered.

The applicant should have cognisance to the Guidance contained within Institute of Air Quality Management "Guidance on the Assessment of Dust from Demolition and Construction", 2014 (in relation to demolition/site enabling and construction).

With regard to any demolition works, the applicant shall undertake a pre-demolition asbestos survey in compliance with relevant Health and Safety legislative requirements, (Control of Asbestos Regulations). Any asbestos containing materials identified must be removed and disposed in accordance with waste management legislative requirements.

Regulation with regard to Health and Safety and Waste Management will be the responsibility of the Health and Safety Executive NI and the NI Environment Agency Waste Management Unit. The applicant should seek further advice/guidance as required.

Informative Land Contamination.

The applicant should be aware that the onus to consider land contamination risks and ensure that a site is safe and suitable for its intended use rests with the developer. As part of a "due diligence" process any future developer should consider that at least a desk study/Phase 1 report is completed in order to identify any potential pollutant linkages (source-pathway-receptors).

Sufficient appraisal of the site (in relation to land contamination risks) e.g. pre-demolition asbestos survey and removal/disposal of asbestos containing materials; potential hydrocarbon impacts (oil spills and leaks) and imported "made ground", which could give rise to ground gas, or from contamination sources migrating should be undertaken - (it should be noted that aforementioned contamination sources should not be read as an exhaustive list). The output from the Phase 1 will inform as to the requirement and the extent of any further intrusive investigation.

Informative - Lighting Scheme

Where artificial lighting is proposed (e.g. architectural/temporary lighting/ or for security) the applicant is advised to ensure that the lighting is designed, specified and installed to obviate any adverse impacts arising from light spill and glare encroaching onto light sensitive properties.

The applicant should have due regard to the Institute of Lighting Professionals: "Guidance Notes for the Reduction of Obtrusive Light": GN01:2011.

Site Location Map



KEY:
 EXTENT OF LAND RELATING TO APPLICATION
 SITE SIZE = - 0.34HA / 0.85AC

Causeway Coast and
Glens Borough Council

Drawing
Number

Project Ref:	17140	Client:	Drumeen Construction Ltd	Date:	29/09/17
Drawing Ref:	S01	Project Title:	Proposed Residential Development, Strandmore House, 55 Causeway Street, Portrush	Scale:	1:1250
Revision:		Drawing Title:	LOCATION MAP	Drawn By:	JMCL
				Checked By:	DMCL
				Drawn by:	
				Checked by:	

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