

<b>Planning Committee Report LA01/2017/0532/F – Juniper Hill Caravan Park, 70 Ballyreagh Road, Portstewart</b>	<b>23rd August 2017</b>
<b>PLANNING COMMITTEE</b>	

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

**Juniper Hill Caravan Park  
70 Ballyreagh Road  
Portstewart**

**LA01/2017/0532/F**

**23<sup>rd</sup> August 2017**

<b><u>No:</u></b>	LA01/2017/0532/F	<b><u>Ward:</u></b>	Atlantic
<b><u>App Type:</u></b>	Full Planning		
<b><u>Address:</u></b>	Juniper Hill Caravan Park, 70 Ballyreagh Road, Portstewart, BT55 7PT		
<b><u>Proposal:</u></b>	Change of Use of Shop and Store to Café		
<b><u>Con Area:</u></b>	No	<b><u>Valid Date:</u></b>	21.04.2017
<b><u>Listed Building Grade:</u></b>	N/a		
<b><u>Agent:</u></b>	N/a		
<b><u>Applicant:</u></b>	Causeway Coast and Glens Borough Council Cloonavin 66 Portstewart Road Coleraine BT52 1EY		
<b><u>Objections:</u></b>	0	<b><u>Petitions of Objection:</u></b>	0
<b><u>Support:</u></b>	0	<b><u>Petitions of Support:</u></b>	0

Drawings and additional information are available to view on the Planning Portal- [www.planningni.gov.uk](http://www.planningni.gov.uk)

## 1 RECOMMENDATION

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

## 2 SITE LOCATION & DESCRIPTION

- 2.1 The site comprises of a single storey recreational building currently incorporating a shop, TV room, store, WC and recreation room. The building features a sloping roof with the accommodation over the entire footprint of the building at ground floor. The sloping roof is occupied with solar panels. A ramp behind a low level wall and railings provides level access to the main doors of the building on the

front sea facing elevation. The roof extends over the front of the building providing a canopy around and over the main door area and front of the building. This is supported by intermittent steel posts across the front elevation. Windows extend across most of the front and rear of the building. The north side elevation of the building features a set of double doors and a single window. The south side elevation has one set of double doors. Finishes to the building include smooth rendered walls and aluminium windows. Door are painted timber. A small area of cladding faces part of the rear elevation wall.

- 2.2 The subject building is associated with the warden's office and car park at the main entrance to Juniper Hill Caravan Park from Ballyreagh Road. The site sits higher than the main road with land continuing to rise behind. The caravan park is mainly occupied by static caravans. Ballyreagh Golf Course is located north of the caravan park.
- 2.3 The site is outside any development limit as set out in the Northern Area Plan 2016 and has no specific designations. By way of falling outside of the adjacent Portrush and Portstewart limits of development the site should be assessed as being in the countryside.

### **3 RELEVANT HISTORY**

#### C/2006/0909/F

New security/boundary fence

Juniperhill Caravan Park, 68 Ballyreagh Road, Portstewart

Permission Granted - 19.02.2007

#### C/2009/0666/F

Demolition of existing and construction of new laundry block. (single storey)

Juniper Hill Caravan Park Ballyreagh Road Portstewart

Permission Granted - 18.11.2009

#### C/2015/0068/F

Construction of a new Council maintained MUGA (Multi-Use Games Area), with polymeric surfacing and fencing, (fencing ranging from 5m to 6m). MUGA Size:- 18.5m x 30m

Juniper Hill Caravan Park, 70 Ballyreagh Road, Portstewart.

Permission Granted - 02.06.2015

## **4 THE APPLICATION**

- 4.1 Planning Permission is sought for a change of use of the shop and store area within the recreation building to a Café. Only a small alteration to the external elevations is proposed. At the North side of the building the existing set of double doors are to be replaced with a single door to facilitate proposed internal arrangements necessary to support the change of use. The floorplan shows the café having a dining area, service counter, kitchen and WC.

## **5 PUBLICITY & CONSULTATIONS**

### **5.1 External**

Advertising: No objections raised in respect of the proposal

Neighbours: There are no objections to the proposal

### **5.2 Internal**

Environmental Health Department: No objections

NI Water: No objections

DAERA Water Management Unit: No objections

DFI Roads: No objections

## **6 MATERIAL CONSIDERATIONS**

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

- 6.2 The development plan is:

- Northern Area Plan 2016 (NAP)

- 6.3 The Regional Development Strategy (RDS) is a material consideration.
- 6.4 The Strategic Planning Policy Statement for Northern Ireland (SPPS) is a material consideration. As set out in the SPPS, until such times as a new local plan strategy is adopted, councils will apply specified retained operational policies.
- 6.5 Due weight should be given to the relevant policies in the development plan.
- 6.6 All material considerations and any policy conflicts are identified in the “Considerations and Assessment” section of the report.

## **7.0 RELEVANT POLICIES & GUIDANCE**

The Northern Area Plan 2016

Strategic Planning Policy Statement (SPPS)

Planning Policy Statement 3: Access, Movement and Parking

Planning Policy Statement 21: Sustainable Development in the Countryside

Planning Policy Statement 16: Tourism

## **8.0 CONSIDERATIONS & ASSESSMENT**

- 8.1 The main considerations in the determination of this application relates to the principle of development, access and amenity.
- 8.2 The site is outside any defined settlement development limit as set out in the Northern Area Plan and is not subject to any specific designations or zonings. The main policy consideration is contained within the Northern Area Plan 2016, the Strategic Planning Policy Statement and the relevant Planning Policy Statements. As this proposal is in relation to a change of use from a shop to a café, the main policy considerations are within paragraphs 6.256, 6.260 of the SPPS and CTY1 and 4 of PPS21.

## **Principle of Development**

- 8.3 The principle of development must be considered having regard to the SPPS and PPS policy documents before mentioned.
- 8.4 The site is outside any development limit as set out in the Northern Area Plan 2016 and is not subject to any specific designations or zonings.
- 8.5 Paragraph 6.260 of the SPPS highlights the need for the Planning Authority to carefully manage tourism development to protect rural amenity, wider sustainability objectives and the long term health of the tourism industry. It states that the guiding principle should be to ensure policies and proposals facilitate appropriate tourism development in the countryside such as the re-use of rural buildings and appropriate redevelopment and expansion proposals for tourism purposes
- 8.6 The Planning Authority assesses that this proposal is in compliance with the provision of the SPPS. The proposal is adjacent to the Golf Links and Eastern Costal Area Local Landscape Policy Area and area highly used by visiting tourists. Furthermore, the proposal concerns the change of use of part of an existing recreational building for the purposes of a café within an area of countryside with no detrimental impact to the surrounding rural amenity or tourism assets.
- 8.7 Planning Policy Statement 21, Policy CTY1 sets out the types of development which in principle are considered acceptable in the countryside. CTY1 states that planning permission will be granted for tourism development in accordance with the TOU Policies of the Planning Strategy for Rural Northern Ireland. Planning Policy 16: Tourism, superseded the tourism Policies within the PSRNI.
- 8.8 Policy TSM 2 of PPS16 states that a proposal for the extension of an existing tourism amenity will be permitted where the scale and nature of the proposal does not harm the rural character, landscape quality or environmental integrity of the local area. Where possible such proposals will be expected to be accommodated through the conversion, reuse or extension of existing buildings on site. The proposal involves reuse of only part of the overall existing building and therefore complies with this policy.

## **Access**

- 8.9 Policy AMP 2 provides the Policy context for assessing a development proposal that includes access to a public road. The access must not prejudice the road safety or significantly inconvenience the flow of traffic or conflict with Policy AMP3, Access to Protected Routes
- 8.10 Access to the café is proposed via the existing access to the caravan park from Ballyreagh Road. The applicant has stated and expected increase in 34 vehicles visiting the premises on a daily basis. An access road and car parking is already in place to serve the existing use of the caravan park. DFI Roads has been consulted during the consideration of the application and have commented with no objection to the proposed change of use. The proposal is assessed that it will not prejudice road safety or significantly inconvenience the flow of traffic. With regard to policy AMP3 the proposal would not result in intensification given the established use as a shop.

## **Amenity**

- 8.11 Environmental Health as the competent authority were consulted regarding amenity issues. With regard to noise and odour, they advised that the applicant is to ensure that all plant and equipment used in connection with the proposal are so situated, operated and maintained as to prevent the transmission of noise and odour to surrounding sensitive receptors. In addition, given the proximity of receptors, a requirement to install an odour abatement system is required. Further comment was made about appropriate provision for trade refuse. Having regard to this, the proposal is considered acceptable in terms of amenity. These issues will be added to the decision notice as a planning condition and informative.

## **9.0 CONCLUSION**

- 9.1 Having regard to the development plan and other material considerations the proposal is considered acceptable. The nature and scale of the proposed development is appropriate for the location and is unlikely to unduly affect the amenities of nearby residents. Approval is recommended.



## 10 CONDITIONS

### 10.1 Regulatory Conditions:

1. As required by Section 61 of the Planning Act (Northern Ireland) 2011, the development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

Reason: Time Limit.

2. Prior to the proposed development first becoming commercially operational, the system for the suppression and dispersal of cooking odours shall be installed in accordance with the DEFRA Guidance on the Control of Noise and Odour from Commercial Kitchen Exhaust Systems. The system shall be permanently retained and maintained in full working order.

Reason: To protect public health and residential amenity

3. All services within the development should be laid underground.

Reason: In the interest of visual amenity.

### 10.2 Informatives:

1. 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.
2. 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.
3. The applicant shall ensure that all plant and equipment used in connection with the proposal are so situated, operated and maintained as to prevent the transmission of noise and odour to surrounding sensitive receptors.
4. The applicant should be aware that the premises would require registration under relevant Food Safety legislative requirements at least 28 days prior to commencement and will need to comply with the standards contained in the Food Hygiene Regulations (NI) 2006 prior to becoming operational.

5. The applicant should ensure that provisions are in place for suitable and sufficient storage and the adequate disposal of trade refuse on a regular basis.
6. 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 Waterline on 08457 440088.
7. The applicant is advised to contact NIW through its Customer Relations Centre on 08458 770002 or [waterline@niwater.com](mailto:waterline@niwater.com), upon receipt of this decision notice to discuss any areas of concern.
8. 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 Planning Authority or other statutory authority.
9. It should be noted that all commercial kitchens should have a suitable properly maintained grease trap on their effluent pipes.
10. The applicant should be informed that it is an offence under the Water (Northern Ireland) Order 1999 to discharge or deposit, whether knowingly or otherwise, any poisonous, noxious or polluting matter so that it enters a waterway or water in any underground strata. Conviction of such an offence may incur a fine of up to £20,000 and / or three months imprisonment.
11. The applicant should ensure that measures are in place to prevent pollution of surface or groundwater as a result of the activities on site, both during construction and thereafter.



Site Location Plan 1:2500



Site Layout Plan 1:500