



**Causeway
Coast & Glens
Borough Council**

Planning Committee Report	28th June 2017
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	Principal Planning Officer
Cost: (If applicable)	N/a

Ramore Avenue

**Lansdowne Road, Bath Road,
Bath Terrace, Bath Street, Church
Pass, Atlantic Avenue, Main
Street, Eglinton Street (from
Causeway Street to Train Station)
Dunluce Avenue (Eglinton Street
to Dunluce Car Park), Causeway
Street (Main Street to Library)**

LA01/2017/0379/F

28th June 2017

<u>No:</u>	LA01/2017/0379/F	<u>Ward:</u> PORTRUSH and DUNLUCE
<u>App Type:</u>	Full Planning	
<u>Address:</u>	Public Realm improvement scheme including Ramore Avenue Lansdowne Road, Bath Road, Bath Terrace, Bath Street, Church Pass, Atlantic Avenue, Main Street, Eglinton Street (from Causeway Street to Train Station) Dunluce Avenue (Eglinton Street to Dunluce Car Park), Causeway Street (Main Street to Library)	
<u>Proposal:</u>	Public Realm Scheme including resurfacing footways in granite and exposed aggregate concrete, decorative street lighting, feature seating areas along the promenade, new street furniture, re-arrangement of car parking at Bath Road and outside the Coastal Zone, new controlled pedestrian crossing on Causeway Street, improved pedestrian access between Bath Terrace and Bath Road, improved stepped access and wall at War Memorial	
<u>Con Area:</u>	No	<u>Valid Date:</u> 21.03.2017
<u>Listed Building Grade:</u>	N/A	
Agent:	N/A	
Applicant:	Causeway Coast and Glens Borough Council Cloonavin 66 Portstewart Road Coleraine BT52 1EY	
Objections: 2	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 RECOMMENDATION

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

2 SITE LOCATION & DESCRIPTION

- 2.1 The site is largely located within the Portrush development limits as defined in the Northern Area Plan 2016 and covers most of the pedestrian and road network within the peninsula, with the exception of Kerr Street Mark Street and Ramore Avenue. The north of the site covering Lower Lansdowne Road is located outside of the development limit and includes the area of open space on the seaward side of Lansdowne Road.
- 2.2 The site covers a wide area and includes the main commercial centre of the town, a number of residential streets and the coastal fringe where the character is less formal.

3 RELEVANT HISTORY

LA01/2017/0024/PAN

- 3.1 The proposal falls within the Major category of development and as such the applicant entered into pre-application community consultation including the submission of a Proposal of Application Notice (PAN). A series of public consultation events were organised with appropriate community notification and advertisement. The applicant submitted a pre-application community consultation report with the application which documents the comments raised at the public meeting and how the application was amended in response to the consultation process.

4 THE APPLICATION

- 4.1 Planning permission is sought for environmental improvements including resurfacing footways in granite and exposed aggregate concrete, decorative street lighting, feature seating areas along the promenade, new street furniture, re-arrangement of car parking at Bath Road and outside the Coastal Zone, new controlled pedestrian crossing on Causeway Street, improved pedestrian access between Bath Terrace and Bath Road, improved stepped access and wall at War Memorial.
- 4.2 Proposed works to Ramore Avenue have been withdrawn from this application and are now covered in a separate application (LA01/2017/0626/F).

4.3 This planning application was considered in light of the assessment requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc) Regulations (Northern Ireland) 1995 (as amended) by Shared Environmental Service on behalf of Causeway Coast and Glens Borough Council which is the competent authority responsible for authorising the project and any assessment of it required by the Regulations. Having considered the nature, scale, timing, duration and location of the project it is concluded that, subject to mitigation, the proposal will not have an adverse effect on site integrity of any European site.

PRE COMMUNITY CONSULTATION REPORT

4.4 The consultation process was advertised in the Coleraine Chronicle and Coleraine Times on the 20th and 27th December 2016. The public consultation presentation took place on 4th January 2017, while the details of the scheme remained on display in the Portrush Library for a further three weeks. Specialist consultations were also undertaken with Portrush Business Group, RNIB, Imtac and door to door trader consultation.

4.5 132 questionnaires were returned following the consultation, the main issues which received negative feedback included:

- Changes to parking and loading along Main Street
- The reconfiguration of Main Street/Causeway Street junction to give priority to traffic from Causeway Street
- The reconfiguration of Eglinton Street/Station Square junction – option A and option B
- Prioritising through traffic from Main Street to Mark Street
- No new car parking created in the town centre
- The style of the public realm along Lansdowne Road did not adequately reflect the character of the natural environment

4.6 The scheme was redesigned between 27th January and 7th March to address issues raised from the consultation process. A second public event was advertised and took place on 8th March. This was attended by over 50 people throughout the day however there was no opportunity for feedback as the event was for information only. The planning application was then submitted based on the revised plans.

5 PUBLICITY & CONSULTATIONS

External – there are 2 objections raising concerns below

- 5.1 The first raises concern regarding the provision of traffic control measures along Ramore Avenue. This element of the scheme has now been withdrawn from the application following a redesign (Para 4.2). However, this objection will be fully covered under the revised and new application which include the works to Ramore Avenue (LA01/2017/0626/F).
- 5.2 The second objection outlines a series of observations and suggestions regarding disabled parking and access. The matters raised have been discussed with the applicant and revisions have been made to accommodate these suggestions, where possible. The objector was notified of the amended plans on 7th June and the consultation period closes on 21st June. If further representations are received these will be fully considered and detailed within an addendum to the Committee report.

Internal

Historic Environment Division – No Objection subject to conditions.

Environmental Health Department – No Objection

NIEA – Natural Heritage and Conservation Areas: No Objection subject to conditions.

NIEA – Water Management Unit: No Objection subject to conditions.

NIEA – Marine Division: No Objection subject to conditions.

Shared Environmental Service - No Objection subject to conditions.

Transport NI – No objection pending formal response. Final position to be set out in an addendum.

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 2: Natural Heritage

Planning Policy Statement 3: Access, Movement and Parking

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

Addendum to Planning Policy Statement 6: Areas of Townscape Character

Planning Policy Statement 8: Open Space, Sport and Outdoor Recreation

Planning Policy Statement 16: Tourism

Planning Policy Statement 21: Sustainable Development in the Countryside

Planning Strategy for Rural Northern Ireland

8.0 CONSIDERATIONS & ASSESSMENT

8.1 The main considerations in the determination of this application relate to natural heritage and potential impact on designated sites, Transport Movement and Parking, Archaeology, Impacts on Areas of Townscape Character, Impact on Open Space, Tourism, Development lying outside the settlement limit and the impact on visual amenity.

Planning Policy

8.2 The site is located within the settlement limit for Portrush with the exception of the northern and eastern portion where the development limit is set back to protect the coastline.

8.3 The principle of the type and scale of development proposed must be considered having regard to the SPPS and PPS policy document specified above.

Northern Area Plan 2016

8.4 Given the broad range of the site area it includes a number of designations as identified within the Plan including the Area of Archaeological Potential, Area of Townscape Character and Local Landscape Policy Area.

8.5 The Area of Archaeological Potential and Area of Townscape Character designations are considered below with the context of PPS6 and the associated addendum.

Natural Heritage & Potential Impact on Designated Sites

- 8.6 PPS2 provides a policy context for the protection of designated sites including European sites and Areas of Special Scientific Interest. In considering the potential impact the Council has consulted Shared Environmental Service and the Northern Ireland Environment Agency.
- 8.7 In NIEA Marine Division consideration, it outlines that the application site is directly adjacent and, in parts, within a national designated site and in close proximity to a European designated site. Those sites are:
- Ramore Head and the Skerries ASSI which is declared under the Environment Order (Northern Ireland) 2002; and
 - The Skerries and Causeway SCI which is designated under the EC Habitats Directive (92/43/EEC on the conservation of natural habitats and of wild fauna and flora).
- 8.8 Ramore Head and the Skerries ASSI is designated for earth science and seabirds. Skerries and Causeway SCI is a European designated site, designated for sandbanks which are slightly covered by sea water all the time, reefs, submerged or partially submerged sea cliffs and Harbour Porpoise. Parts of the proposal are directly adjacent to the HWM and the boundary of Ramore Head and the Skerries ASSI and Skerries and Causeway SCI.
- 8.9 NIEA also sought clarification on the proposed construction methods and proximity of the proposed works above the Mean High Water Spring Tide (MHWST). The construction methodology stated there will be minimal disturbance during the construction works and that there will be no pile driving, rock dumping, blasting or drilling works. In addition to designated sites marine mammals are afforded protection throughout their range through the following nature conservation legislation:
- The Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended); and
 - The Wildlife (Northern Ireland) Order 1985 (as amended).

This includes marine mammals such as cetaceans and seals. Harbour Porpoise are also a site selection feature of the

Skerries and Causeway cSAC. All plans/projects within or adjacent to the marine environment must therefore provide appropriate mitigation, if required. That said, NIEA has considered the impacts of the proposal and on the basis of the information provided is content with the proposal subject to condition.

- 8.10 NIEA Water Management Unit has considered the impacts of the proposal on the surface water environment and on the basis of the information provided is content with the proposal subject to condition.
- 8.11 NIEA Natural Environment Division has considered the impacts of the proposal on the designated sites and are content that the proposal will not have any adverse impact on the ASSI and N2K sites provided that the proposal is carried out as described.

Transport Movement and Parking

- 8.12 Transport NI has been involved in the project from a pre-application stage. They have requested some modifications to the parking layout to Bath Road and are currently considering the revised layout but has no objection to the proposal.

Archaeology

- 8.13 The Historic Environment Division has been consulted with regards the impact on Archaeological Potential and Listed Buildings which abut the boundary of the site. In both cases they are content with the proposal subject to a developer-funded programme of archaeological works.

Impact on Areas of Townscape Character

- 8.14 Church Pass and Atlantic Avenue fall within the ATC designation as defined in the NAP 2106. Policy ATC 2 of the addendum states that planning permission will only be approved for development proposals in an Area of Townscape Character where the development maintains or enhances its overall character.

8.15 The extent of the work which falls within the ATC is relatively minor and includes the resurfacing of pathways on Church Pass and Atlantic Avenue and the refurbishment of the pedestrian steps which link Mark Street and Kerr Street. Given the nature of the proposed works, officials are satisfied that it will make a positive contribution to the overall character and appearance of the designation.

Impact on Open Space

8.16 Policy OS1 of PPS8 establishes a presumption against development that would result in the loss of existing open space. There are several areas of undesignated open space within the area of the site to the north Lansdowne Road and adjacent to Bath Terrace. The proposed works in these areas include the introduction of street furniture including additional seating and picnic tables. It is also proposed to remove the old shelter building from the space at Lansdowne.

8.17 The works would not result in the loss of open space and would enhance the appearance and amenity value of the areas.

Tourism

8.18 Policy TSM1 of PPS16 supports the provision of appropriate tourist amenities within settlements. The proposed works are in keeping with the spirit of the policy and will enhance the tourist experience for visitors. The proposed works make a positive contribution to the character and environmental quality of the main urban areas and enhance amenity value by extending the coastal walkway/promenade which links Curran Stand, Ramore Head, the Harbour and Mill Strand.

Development lying outside settlement limit

8.19 There are several areas along the coastal edge of the peninsula that fall outside of the development limit of Portrush. While they are outside the limit they are read within the context of the urban environment. The nature and scale of the works would not detract from the character of the area. While there is no policy provision under CTY1 of PPS21 for this type of development, as the works are largely for the replacement of

existing paving and street furniture an objection on PPS21 grounds could not be sustained.

Impact on Visual Amenity

- 8.20 Policy DES2 from the Rural Planning Strategy requires development proposals in towns and villages to make a positive contribution to townscape and be sensitive to the character of the area surrounding the site in terms of design, scale and use of materials.
- 8.21 The proposed works include the resurfacing of footpaths and street furniture, including lighting columns, benches and picnic tables. There are feature railings, planters and paving detail. A number of retaining structures are also introduced to Main Street, Eglinton Street and Bath Road. These are intended to improve accessibility for wheelchair users and to address concerns with the compliance of older steps.
- 8.22 The area of the proposed site works is extensive. However, the nature of the works is relatively minor, including resurfacing, seating and street furniture and lighting. Much of the urban fabric within the existing public realm is in need of revitalisation. The existing paving and lighting columns are very dated while much of the street furniture is utilitarian. This sits in contrast with Station Square and the promenades at Curran and Mill Strand which have been the subject of environmental improvements in recent years.
- 8.23 The proposed works make a positive contribution to the environmental quality of the area. It includes good quality materials and well-designed street furniture. The design details reflect the character and context of the area and by linking Curran and Mill Strand the development provides a cohesive public realm which enhances the environment for visitors and residents and promotes accessibility.

9.0 CONCLUSION

- 9.1 This proposal is to provide public realm improvements including resurfacing footways, decorative street lighting, feature seating areas along the promenade, new street furniture, re-arrangement of car parking at Bath Road and outside the

Coastal Zone, a new controlled pedestrian crossing on Causeway Street, improved pedestrian access between Bath Terrace and Bath Road, improved stepped access and wall at War Memorial.

- 9.2 The proposal is in accordance with the policies outlined in section 7, in that the development makes a positive contribution to the environmental quality of the area and enhances how the public use and enjoy the area. Having considered the impact on designated sites it has been demonstrated that the proposed works would not have a significant impact on the qualifying features of the designations. The proposal is considered acceptable having regard to the Area Plan and other material considerations. Approval is recommended.

10 CONDITIONS

10.1 Regulatory Conditions:

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.

- 10.2 A Construction Method Statement (CMS) must be submitted to the Planning Authority, for consultation and agreement with NIEA Water Management Unit, at least eight weeks prior to the commencement of construction. The CMS should include all necessary pollution prevention measures to protect the water environment during the development of this proposal.

Reason: To avoid any adverse effects on the site integrity of Skerries and Causeway SAC

- 10.3 All construction activity shall be confined within site boundaries, and the boundary of the designated areas shall not be disturbed in any way without written consent from the Planning Authority.

Reason: To protect the integrity of Ramore Head and the Skerries ASSI and Skerries and Causeway SCI and to avoid it being damaged by construction vehicles, deposited materials,

contaminated run-off, or any other activity during the construction period or thereafter. Any Coastal Development works occurring within the designated site but outside the red line planning application boundary are subject to The Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) and the Environment (Northern Ireland) Order 2002 (as amended).

- 10.4 Any works in, near or liable to impact a watercourse or the water environment, will need to be addressed within a Construction Method Statement (CMS) which must be submitted to the Planning Authority, for consultation and agreement with NIEA Water Management Unit, at least eight weeks prior to the commencement of construction. The CMS should include all necessary pollution prevention measures to protect the water environment during the development of this proposal.

Reason: To avoid any adverse effects on the site integrity of Skerries and Causeway SAC.

- 10.5 No site works of any nature or development shall take place until a programme of archaeological work has been implemented, in accordance with a written scheme and programme prepared by a qualified archaeologist, submitted by the applicant and approved by the Planning Authority. The programme should provide for the identification and evaluation of archaeological remains within the site, for mitigation of the impacts of development, through excavation recording or by preservation of remains, and for preparation of an archaeological report.

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

- 10.6 Access shall be afforded to the site at all reasonable times to any archaeologist nominated by the Planning Authority to observe the operations and to monitor the implementation of archaeological requirements.

Reason: to monitor programmed works in order to ensure that identification, evaluation and appropriate recording of any

archaeological remains, or any other specific work required by condition, or agreement is satisfactorily completed.

Informatives

1. Effective mitigation measures must be in place to protect the water environment and surrounding water bodies from any discharge into them that may damage ecological status and to ensure that the Water Framework Directive (WFD) objectives for the water body are not compromised nor the WFD objectives in other downstream water bodies in the same and other catchments.

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. 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.

2. A suitable buffer of at least 10m must be maintained between the location of all construction works, including refuelling, storage of oil/fuel, concrete mixing and washing areas, storage of machinery/material/spoil, and the boundary of Ramore Head and Skerries ASSI, Skerries and Causeway SAC.

All surface water run-off during the construction phase shall be directed away from Ramore Head and Skerries ASSI, Skerries and Causeway SAC.

Storm drainage of the site, during construction and operational phases, must be designed to the principles of the Sustainable Drainage Systems (SuDS) in order to prevent the polluting effects of storm water on aquatic environments. Construction of SuDS should comply with the design and construction standards as set out in The SuDS Manual - Construction Industry Research and Information Association (CIRIA) Report C697.

No development, demolition, earth moving shall take place, or material or machinery brought onto the site, until protective fencing has been erected along the length of the work area to prevent the egress of surface water into the Ramore Head and Skerries ASSI, Skerries and Causeway SAC. All protective fencing must be maintained during the construction period in accordance with the approved details.

Any works occurring outside the red line planning application boundary are subject to the Environment (Northern Ireland) Order 2002, which makes it an offence to carry out operations likely to damage an ASSI without prior permission from the Northern Ireland Environment Agency (NIEA) Conservation Designations and Protection Unit, Klondyke Building, Gasworks Business Park, Belfast BT7 2JA. The maximum penalty for offences is £20,000. In addition to a fine, offenders may be liable for the costs of restoring the damaged area to its original condition.

The applicant should refer and adhere to the precepts contained in Standing Advice Note No. 4. Pollution Prevention Guidance, 5. Sustainable Drainage Systems and 11. Discharges to the Water Environment.

3. The applicant is advised to contact NIW Waterline on 03457 440088 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. Water Supply Requirements Foul and Surface Water sewerage requirements NIW Infrastructure crossing the site (if stated in box to right)

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 03458 770002.

4. For guidance on the preparation of the Written Scheme and Programme of Archaeological Work, which should be submitted for approval at least 4 weeks before work is due to

begin, contact: Historic Environment Division – Historic Monuments Causeway Exchange 1–7 Bedford St, Belfast, BT2 7EG Tel: 02890 823100



