



**Causeway
Coast & Glens
Borough Council**

| | |
|---|---------------------------------|
| Planning Committee Report Item F | 25th May 2016 |
| 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 | Shane Mathers |
| Cost: (If applicable) | N/a |

Item F

**Portnaboe Ltd
Lands at The Nook
48 Causeway Road
Bushmills
Co. Antrim
BT57 8SU.**

**E/2013/0130/F
Full Planning**

25th May 2016

| | | | |
|--------------------------------------|--|--------------------------------|------------------------------------|
| <u>No:</u> | E/2013/0130/F | <u>Ward:</u> | Bushmills |
| <u>App Type:</u> | Full Planning | | |
| <u>Address:</u> | Lands at The Nook, 48 Causeway Road, Bushmills | | |
| <u>Proposal:</u> | Provision of 10 no. Guest Bedrooms in two new Buildings contained within the Curtilage of The Nook. | | |
| <u>Con Area:</u> | N/A | <u>Valid Date:</u> | 22nd August 2013 |
| <u>Listed Building Grade:</u> | B1 | <u>Target Date:</u> | |
| Agent: | Donaldson Planning, 50a High Street, Holywood BT21 0PQ | | |
| Applicant: | Portnaboe Ltd | | |
| Objections: | 3 | Petitions of Objection: | 0 |
| Support: | 1 | 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 section 7 and resolves to **GRANT** planning permission subject to the conditions and informatives set out in section 10.

2 SITE LOCATION & DESCRIPTION

- 2.1 The site is located within the Causeway Coast and Glens ANOB, the Distinctive setting for the World Heritage Site and adjacent a listed building The Nook (HB05/08/012). The existing listed Nook building is road side and located at the entrance to the Giants Causeway visitor centre and car park. To

the North east on an elevated site is listed building School house and Gate screen (HB05/08/013) and the Causeway Coast Hotel to the west (HB05/08/093).

- 2.2 The site is bounded to the north boundary by an embankment, a retaining wall defines the curtilage with sloping grass embankment of the car park to the north, a wall and hedge defining the west boundary and raised picnic area to the east.

3 RELEVANT HISTORY

E/2001/0140/F - Change of use of existing dwelling house to public house with minor window alteration to rear (east) elevation

Approved 10.08.2001

4 THE APPLICATION

- 4.1 Planning permission is sought for two blocks to the rear and side of the Nook providing 10 bed accommodation and parking.
- 4.2 The Nook currently operates as a restaurant and public house. The development is proposed within the existing car park and embankment. The development will require the removal of: the hedge to the rear of the Nook; the raised picnic area, and; the grassed embankment to the rear.
- 4.3 The applicant seeks to develop a 10 guest bedrooms adjacent to the Nook to enhance a tourist amenity and meet the direct needs of visitors. It also aims to secure the commercial viability of The Nook.

5 PUBLICITY & CONSULTATIONS

External

- 5.1 **Neighbours: (3) Three** objectors to the proposal.

The following points have been raised in the objections

The proposal is contrary to:

- PPS 6 - Policies BH5 and BH6
- PPS 16 – Policy TSM 7
- PPS 21 – Policies CTY 13 and CTY 14
- PPS 2 – Policy NH 6

- NAP – Policies COU3 and COU 4.
- Insufficient information to assess impact on the AONB
- Supports Landscape Branch response that the proposal will have a negative effect on the WHS and AONB
- Contrary to UNESCO World Heritage Centres Natural Heritage Strategy 2006
- Cumulative impact with other development
- National Trust have objected that they lease part of the site from the Council and P1 notice was not served on them.
- Contrary to the AONB Management Plan

Internal

5.2 Transport NI: Has no objection to the proposal subject to conditions.

Environmental Health: Has no objection to the proposal subject to conditions.

NIEA Natural Environment Division: Is objecting to this proposal in relation to design.

NIEA Protecting Historic Monuments Unit: Has no objection subject to condition.

Northern Ireland Tourist Board: Has no objection to this proposal.

NI Water - Strategic Applications: No objections subject to informatives.

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
- 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 both a new local plan strategy and local policies plan are adopted, and found to be sound, councils will apply specified retained operational policies.
- 6.5 Due weight should be given to the relevant policies in the development plan.

7 RELEVANT POLICIES & GUIDANCE

PPS 2 – Planning and Nature Conservation

PPS 3 – Access, Movement and Parking (Revised)

PPS 6 – Planning, Archaeology and the Built Heritage

PPS 16 – Tourism

PPS21 – Sustainable Development in the Countryside

Supplementary Planning Documents

Causeway Coast and Glens AONB

Causeway Coast AONB Management Plan 2013-2023

8.0 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to: the principle of the proposed development; tourism; World Heritage Site; built heritage; visual amenity and landscape character, traffic and parking and other matters.

Planning Policy

- 8.2 The site is adjacent to the boundary of the World Heritage Site and within the Distinctive Landscape setting of the WHS as defined by Designation COU 3 of NAP.

Principle of development

- 8.3 Policy COU 4 of NAP restricts development within the Policy Area except for modest scale facilities, without landscape detriment, which are necessary to meet the direct needs of visitors to the WHS.
- 8.4 Policy CTY 1 of PPS 21 sets out the range of types of development which, in principle, are considered to be acceptable in the countryside and that will contribute to the aims of sustainable development. In the case of tourism projects refers to the prevailing policy, PPS 16 Tourism.

Tourism

- 8.5 Policy TSM 5 permits self-catering units for tourist accommodation in any 3 circumstances subject to criteria. The proposal meets with criteria (b) 'a cluster of 3 or more new units provided at or close to an existing or approved tourist amenity that is a significant visitor attraction in its own right'. The proposal is adjacent the Giants Causeway World Heritage Site and within the curtilage of an existing Public Bar and Restaurant.
- 8.6 Policy also requires the development to be subsidiary in scale and ancillary to the primary tourism use of the site. The scale and number of units (10) is considered to be subsidiary and ancillary to the use of the site and the adjacent tourist amenity.
- 8.7 Policy TSM 7 of PPS 16 sets out design criteria for all tourism development to be considered against. The proposed layout is relatively small. However, the layout and design is considered appropriate and complements the design of the surrounding site context and associated buildings. The general criteria is discussed in the report below.

World Heritage Site

- 8.8 The site is adjacent to the WHS and within designation COU 3 'The Distinctive Landscape Setting of the Giants Causeway World Heritage Site' adopted in NAP. Policy COU 4 of NAP permits development within this designation in 3 exceptions. This proposal is assessed under the first exception. This

considers that some visitor related development is acceptable in the Distinctive setting. However, it should be small scale, both in terms of built form and be directly related to the WHS and require a location in proximity to it, rather than a facility to meet the needs of the visitor to the general area.

- 8.9 Policy BH5 'The Protection of World Heritage Sites' of PPS 6 states that "The Planning Authority will operate a presumption in favour of the preservation of WHS. Development which would adversely affect such sites or the integrity of their settings will not be permitted unless there are exceptional circumstances."
- 8.10 The justification to the policy requires that particular attention is paid to the impact of the proposals on critical views, access and public approaches and the understanding and enjoyment of the site by visitors.
- 8.11 The Nook is nestled into the landscape and though a standalone building it reads with the Hotel to the west with glimpses of the new visitor centre in between. To the east the car park and embankment rises to agricultural land and then the prominent listed school house.
- 8.12 Throughout the assessment of the proposal, revisions and further information including photomontages and historical photographs of the area have been received. The Planning Authority are now satisfied, that the proposal would not break the skyline nor would significantly impact on the natural landscape, the WHS and built form of the area. The proposal is small scale and contained within the boundary of the existing site. The contemporary nature is preferred as a contrast between the listed Nook building and the School house to the west.
- 8.13 NIEA Ned Landscape Architects find that the contemporary nature of the proposal for the barn –like building to the rear, would in their opinion be out of keeping with the surrounding character of the area. Landscape Branch prefer a previous design type. However, Historic Buildings requested the current contemporary proposal.

Built Heritage

- 8.14 Policy BH11 'Development affecting the setting of a listed building' restricts development that would adversely affect its setting unless the detailed design respects the listed building in terms of scale, height, massing and alignment, sympathetic materials and techniques and the nature of the use proposed respects the character of the setting of the building.
- 8.15 The proposed block to the rear following the west boundary is 1 storey mimicking small scale vernacular buildings that step up to the rear of the site. They feature pitched roofs with natural slate on the internal elevation and seam metal to the outer edge.
- 8.16 The second building to the rear is barn style with a barrel roof, 2 storey with car parking at ground floor level.
- 8.17 The design is vernacular in style and is in keeping with the listed building. The barn will be the most visible with the Nook, is of contemporary style and provides a suitable contrast to the listed building with rural design features. The buildings due to their size and scale would not dominate the landscape and would not be of detriment to this important area.
- 8.18 NIEA HBU are content with the proposal subject to condition requesting a detailed landscape plan to be submitted.

Visual amenity and Landscape Character

- 8.19 The site is located in a sensitive landscape area namely the Distinctive Landscape setting to the WHS and the AONB.
- 8.20 A number of revisions have been received throughout the consideration of the proposal which have reduced the scale and impact of the proposal.
- 8.21 The proposal will be viewed the most travelling towards the site from the south and west. It will first become apparent after the entrance to Ballylinney Holiday Cottages on the Causeway Road. The proposal will cluster with the Nook and integrate into the landscape, with the surrounding landform to the rear. It is not until Finn McCools Hostel on the Causeway Road and on

arrival at the site will the development be more prominent. However, the proposal will read with the cluster of development and will not adversely impact on the landscape.

- 8.22 Travelling from the north east the proposal will only become visible travelling past the listed school house. This view will only be partial and screened by the existing embankment and topography of the land.
- 8.23 At the site the proposal will read with the Nook and Giants Causeway visitor building, and the Causeway Hotel. There is a sufficient break to the North West between the proposed building and the listed school house to provide a visual relief and prevent a suburban style build-up of development.
- 8.24 The proposal is of appropriate scale and design and due to the rising land to the north and east of the site, the site is relatively enclosed and will not be prominent within the landscape. The proposal is considered to meet CTY 13 & CTY 14 of PPS 21 and Policy TSM 7 of PPS 16.

Access and Parking

- 8.25 Transport NI reconsidered the proposal given its unique setting in relation to the Giants Causeway and the availability of parking close to the site. Transport NI has noted that the existing car park is underused and the provision of 15 in curtilage parking spaces for this development is adequate. Therefore, Transport NI have no objections to the proposal.

Other Matters

- 8.26 The National Trust, who abut the boundary to the north and east, have advised that they lease part of the land that comprises the development site from the Council. The National Trust objects to the ownership issue and that the applicant did not complete Certificate C of the P1 application form.
- 8.27 The former Moyle District Council in October 2013 provided deed maps showing that Council land did make up some of the development lands and sought its removal from the application proposal.

8.28 The purpose of Section 42 of the Planning Act (Northern Ireland) 2011 is to ensure that landowners are aware of the planning application. Both the National Trust and Council are fully aware of the proposal and having regard to the specific circumstances of this case no prejudice arises.

8.29 It should be noted that planning permission does not confer title.

9.0 Conclusion

9.1 The proposal is considered acceptable in this location having regard to the Northern Area Plan, and other material considerations, including the SPPS. The principle of developing this land for tourism is acceptable within the Distinctive setting of the World Heritage Site and the Causeway Coast AONB, in accordance with prevailing planning policy. The design is acceptable at this location within the setting of a listed building. 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. A detailed landscape layout drawing, showing hard and soft landscaping proposal, shall be submitted for approval, prior to commencement of works on site.

Reason: To ensure the development integrates sympathetically into the landscape and wider setting of the listed buildings.

3. The development hereby permitted shall not become operational until the car parking has been provided and permanently retained in accordance with Drawing No 05 (Rev 2) bearing the date stamp 15th June 2015.

Reason: To ensure that adequate provision has been made for parking.

4. No site works of any nature or development shall take place until arrangements have been made, and agreed with the Department, for archaeological surveillance of topsoil stripping and site preparation, and for the recording of any archaeological remains which may be identified.

Reason: to ensure that any archaeological remains which may exist within the application site are identified and recorded.

5. Access shall be afforded to the site at all reasonable times to any archaeologist nominated by the Department 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

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.

Notwithstanding the terms and conditions of the Planning Authority'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: Trillick House, 49 Queen Street, Ballymoney, BT53 6JD. 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.

NIEA: Historic Monuments Unit advise the following:

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 Unit

Causeway Exchange

1-7 Bedford Street

Belfast

BT2 7EG

Tel: 028 90823270

Quote reference: SM11/1/ANT 1:23

Application for the excavation licence, required under the Historic Monuments and Archaeological Objects(NI) Order 1995, should be submitted at least 4 weeks before work is due to begin, by a qualified archaeologist responsible for the project, to Historic Environment Division – Historic Monuments Unit, Causeway Exchange, 1-7 Bedford Street, Belfast, BT2 7EG.

The applicant is informed that they have a legal obligation under Part II of 'The Water (Northern Ireland) Order (1999)' to obtain the consent of the Department prior to discharging effluent into a waterway or underground stratum for commercial, industrial or domestic premises. This includes any intended additional discharge to be made from the proposed sewage treatment system as a result of the construction of further toilet facilities as detailed in the application for planning permission.

