

Planning Committee Report LA01/2017/0533/F	27th September 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

**Carrick Dhu Caravan Park
12 Ballyreagh Road
Portrush**

LA01/2017/0533/F

27th September 2017

<u>No:</u>	LA01/2017/0533/F	<u>Ward:</u>	Atlantic
<u>App Type:</u>	Full Planning		
<u>Address:</u>	Carrick Dhu Caravan Park, 12 Ballyreagh Road, Portrush.		
<u>Proposal:</u>	Change of Use of Shop and Store to Café		
<u>Con Area:</u>	No	<u>Valid Date:</u>	27.04.2017
<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:	0	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 condition set out in section 10.

2 SITE LOCATION & DESCRIPTION

- 2.1 The site is located within Carrick Dhu Caravan Park and comprises single storey recreational building currently incorporating a shop, TV room, store, WC and recreation hall. The site includes the building and associated parking and is located on a roadside site at the Park's entrance on Ballyreagh Road.

- 2.2 The development limit for the western side of Portrush forms a linear strip which follows the line of built form. As such the subject building is within the development limit while associated lands to the front and rear fall outside the development limit. The building is read within the context of a frontage of residential development onto Ballyreagh Road, however the car parking and associated open space of the site acts as a buffer. No.16A and 16B are located 40 metres to the west while no. 10 is approximately 100m to the east.

3 RELEVANT HISTORY

No relevant history

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. There are small internal alterations to the layout of the building extending the store to create a kitchen while the existing shop space forming the seating area.

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

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 16: Tourism

DCAN 4: Restaurants, Cafés and Fast Food Outlets

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 principle of development must be considered having regard to the SPPS and PPS policy documents.
- 8.3 The site is a caravan park within the Portrush settlement development limit as designated in the Northern Area Plan and is not subject to any specific designations or zonings. The main policy considerations are 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, 6.259 of the SPPS and Policy TSM1 of Planning Policy Statement 16: Tourism.

Principle of Development

- 8.3 The site is within the development limit as set out in the Northern Area Plan 2016 and is not subject to any specific designations or zonings.
- 8.4 Paragraph 6.256 of the SPPS outlines the regional strategic objectives while paragraph 6.259 states that there will be a general presumption in favour of tourism development within settlements, subject to meeting normal planning requirements.
- 8.5 This proposal is in compliance with the provision of the SPPS in that the application seeks to establish additional tourist amenities within an area highly used by visiting tourists.
- 8.6 Policy TSM 1 of PPS16 states that planning permission will be granted for a proposal for tourism development (including a tourist amenity or tourist accommodation) within a settlement; provided it is of a nature appropriate to the settlement, respects the site context in terms of scale, size and design, and has regard to the specified provisions of a development plan. The proposal involves reuse of only part of the overall existing building and therefore complies with this policy.

Access

- 8.7 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
- 8.8 Access to the café is proposed via the existing access to the caravan park from Ballyreagh Road. 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 within an existing caravan park.

Amenity

- 8.9 DCAN4 provides specific advice on the considerations of an application for a café. Consultation with Environmental Health has been carried out as the competent authority on general amenity issues. When considering noise and odour, Environmental Health advises 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 which can be readily achieved.
- 8.10 When considered in the context of DCAN 4, it is considered that any issues of noise and general disturbance or odour would not result in demonstrable harm to neighbouring amenity. The separation distance afforded to the neighbouring properties would limit the potential impact of odour while the servicing of the site through the existing car park would not exacerbate the existing impact of the shop unit. Environmental Health raises no objection. A condition relating to noise and odour will be attached to any permission granted and other relevant issues will be included as informatives. Having regard to this, the proposal is considered acceptable in terms of amenity.

9.0 CONCLUSION

- 9.1 Having regard to the Northern Area Plan and other material considerations, including DCAN 4 and PPS 16 Tourism, the proposal is considered acceptable. The nature and scale of the proposal to change the use of a shop to a café on a caravan site 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.

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 should 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. 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.
7. It should be noted that all commercial kitchens should have a suitable properly maintained grease trap on their effluent pipes.



Site Location Plan 1:2500