Title of Report:	**Planning Committee Report – LA01/2025/0112/F**
Committee Report Submitted To:	**Planning Committee**
Date of Meeting:	**25th November 2026**
For Decision or For Information	**For Decision – Objection Item**
To be discussed In Committee YES/NO	**No**

Linkage to Council Plan (2026-31)	
Strategic Theme	Governance, Quality & Continuous Improvement
Outcome	Governance arrangements that ensure compliance, transparency and effective decision-making
Lead Officer	Development Management Manager

Budgetary Considerations	
Cost of Proposal	Nil
Included in Current Year Estimates	N/A
Capital/Revenue	N/A
Code	N/A
Staffing Costs	N/A

Legal Considerations	
Input of Legal Services Required	**NO**
Legal Opinion Obtained	**NO**

Screening Requirements	Required for new or revised Policies, Plans, Strategies or Service Delivery Proposals.		
Section 75 Screening	Screening Completed:	N/A	Date:
	EQIA Required and Completed:	N/A	Date:
Rural Needs Assessment (RNA)	Screening Completed	N/A	Date:
	RNA Required and Completed:	N/A	Date:
Data Protection Impact Assessment (DPIA)	Screening Completed:	N/A	Date:
	DPIA Required and Completed:	N/A	Date:

App No: LA01/2025/0112/F **Ward: Atlantic**

App Type: Full Planning

Address: Former Mill Strand Integrated School & Nursery, 33 Dhu Varren, Portrush

Proposal: Proposed residential development of 9no apartments and 9no townhouses, car parking, private and public amenity, landscaping and all associated site and access works.

Con Area: N/A **Valid Date: 13.02.25**

Listed Building Grade: N/A **Target Date: 29.05.25**

Agent: TSA Planning, 20 May Street, Belfast, BT1 4NL

Applicant: The Residences Portrush Ltd, Crobane Enterprise Park, 25 Hilltown Road, Newry, BT34 2LJ

Objections: 52 **Petitions of Objection: 0**

Support: 0 **Petitions of Support: 0**

Executive Summary

- This full planning application seeks a proposed residential development of 9no apartments and 9no townhouses, car parking, private and public amenity, landscaping and all associated site and access works at Former Mill Strand Integrated School & Nursery, 33 Dhu Varren, Portrush.

- The site is located within the Portrush Settlement Development Limit as designated within the Northern Area Plan 2016. The site is white land with no zonings or other designations.

- No objections have been raised by statutory consultees in relation to this proposal.

- A total of 52 objections have been received for this application.

- The layout and design proposed is considered to result in a development which will integrate appropriately onto the site and into the wider area without detrimental impact to the character of the area through the scale, massing and design of the blocks proposed.

- The proposal will not result in any unacceptable impact on the residential amenity of existing or proposed residential receptors.

- The access, drainage and sewerage arrangements are acceptable.

- The proposal does not result in adverse impact on natural or built heritage.

- The proposal complies with planning policies including the Northern Area Plan, SPPS Ed 2, PPS 2, PPS 3, PPS 6, PPS 7, APPS 7, PPS 15, Creating Places, Departmental Parking Standards, DCAN 8 and DCAN 15.

- Approval is recommended.

Drawings and additional information are available to view on the Planning Portal- https://planningregister.planningsystemni.gov.uk/

1 RECOMMENDATION

1.0 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 **GRANT** planning permission for the reasons set out in section 10.

2.0 SITE LOCATION & DESCRIPTION

2.1 The application site is located at Former Mill Strand Integrated School & Nursery, 33 Dhu Varren, Portrush. On the site is a two storey school building with attic level accommodation. The building has a single storey extension which extends to the rear and side of the building. This building is located on the northern portion of the site where a small school yard and ancillary spaces are also located. The southern portion of the site is includes by single storey mobile classrooms, an asphalt playground and three sets of foundations. The site is mostly hardstanding with some small landscaped areas which are located along the northern and western site boundaries.

2.2 The site has two existing vehicular access points onto the public road which is shared with the adjoining caravan park.

2.3 The site is elevated above the main road and properties on Dhu Varren resulting in the existing site being visually prominent. The access road rises south to the vehicular access points. Car parking is located along the access road including areas adjoining No. 35 Dhu Varren and to the east of the access points.

2.4 The area is characterised by a range of residential uses: dwellings to the north-west, north and north-east, a children's home to the west, a caravan park to the south-west, south and south-east.

2.5 The site is located within the Portrush Settlement Development Limit as designated within the Northern Area Plan 2016. The site is white land with no zonings or other designations.

3.0 RELEVANT HISTORY

3.1 C/1986/0716 - GLENMANUS HSE 33 DHU VARREN PORTRUSH - Change of use from offices to primary school with nursery unit – Permission Granted – 20th March 1987

LA01/2016/0588/F - Millstrand Integrated Primary School, 33 Dhu Varren, Portrush - Provision of additional car parking and footpath. Replace the existing timber fence with 1.2m roll top fence and existing roll top gates to be replaced with exact same – Permission Granted – 10th August 2016

THE APPLICATION

4.1 The application seeks the proposed residential development of 9no apartments and 9no townhouses, car parking, private and public amenity, landscaping and all associated site and access works.

5.0 PUBLICITY & CONSULTATIONS

5.1 **External:** All neighbours identified for notification within the terms of the legislation were notified on 24th February 2025, 6th November 2025 and 17th July 2026. The application was advertised on 5th March 2025, 19th November 2025 and 29th July 2026.

52 objections has been received for this application. It is highlighted that the last objection received on this scheme was in March 2026. No objections have been received since the scheme was amended and re-publicised in July 2026. A summary of concerns raised are as follows:

<u>Layout, Design and Visual Impacts</u>

- Concerns with density, scale, massing, height and layout which are excessive and out of keeping with the established residential character of the area.

- Proposal has been designed without regard to existing permanent homeowners.
- Impact on ambience and appearance of the area.
- Impact on existing rural townscape of Dhu Varren.
- Replacement of single two storey building with eight three storey buildings is not in character with the area.
- Building will be an intimidating structure as site is elevated and a three storey building will appear much higher when viewed from main road and coastal path.
- Large mass modern and box based and not in keeping with existing sloping roofs and variety of design solutions.
- Design study of character is incorrect/selective.
- Impacts on wider Portrush community.
- Boundary treatments and proposed landscaping unacceptable.
- Unacceptable impact on skyline of Portrush.
- Front terraces/balconies not characteristic of the streetscape.
- No accurate imagery provided to demonstrate increased size, mass, height and relationship to existing building which change the skyline of the area, contrary to planning policy.
- Planning Department has a duty of care to safeguard and protect existing residential character and to not allow town cramming in existing residential areas and brownfield development.
- Reference to images showing separation distances in Design and Access Statement not meeting Creating Places guidance.
- Quality of private and public amenity space is very low.
- Insufficient public and private amenity space provision based on number of dwellings reflecting density is too high.
- Local community supports 2 storey maximum moved away from existing properties and buffered by new public amenity space and considered boundaries.
- Annotated versions of site plan highlighting concerns and a re-designed scheme which was deemed to be more acceptable.
- Updated P1 form breaking down the number of units is inaccurate.

- Updated diagram highlights increase in scale and size of Block A in relation to existing building and does not show larger Block B in context of the existing building.

Access and Movement

- Proposed 15no. 2 bed and 6no. 3 bed apartments is an increase of 96 bed spaces on the site and development only proposes 36 no. parking spaces which is too low. This has the potential for unwanted disturbance and nuisances by parking along road edge towards junction or on the main road.
- Insufficient car parking provision will add to congestion and traffic, road safety issues in the area and could cause sight line issues when using the junction or crossing the road.
- Lack of adequate assessment on local parking.
- Existing excessive traffic problems in Dhu Varren and increase the number of houses onto this small road will cause issues to traffic flow and safety.
- Road Safety audit is required.
- Area previously had fatal accidents.
- 25no dwellings is going to add to gridlock and query what is in place to resolve this issue.
- Lack of car parking impacts on existing residents, assuming that a lot of families have more than one vehicle and leading to hazards as people park on footpaths endangering pedestrians and blocking resident access.
- Reference to Table 7 of Creating Places and DCAN 8 and deficit of 3 – 9 spaces on site which results in potential for unwanted disturbance and nuisance of parking along road edge of No. 35 Dhu Varren.
- The main road between Portrush and Portstewart is a protected route and intensification within development limits is restricted and should be given careful consideration. Proposal seeks intensification onto a protected route.

Planning Policy

- Contrary to criteria (a), (c), (d), (f), (g) and (h) of Policy QD 1.
- Reference to Policy QD 1 and emphasis on will not be permitted where they would result in unacceptable damage

to the local character, environmental quality or residential amenity of these areas.

- Contrary to Policy LC 1 criteria (a), (b) and (c).
- Contrary to Policy DES 2.
- Reference to PCP 1 of PPS 12 with emphasis on respect that of adjacent housing and safeguard the privacy of existing residents.
- Any proposal for residential development which fails to produce an appropriate quality of design will not be permitted, even on land identified for residential use in a development plan.
- Reference to DCAN 8, DCAN 15 and Creating Places

Built Heritage

- Glenmanus House is a Victorian-era property with architectural and cultural significance which needs retaining for preserving the historic character of the area and align with key planning policies.
- PPS 6 outlines principle of safeguarding heritage assets even those not statutorily protected and supports retention of buildings that contribute to local character and place.
- Draft Historic Environment Policy and Circular Economy Strategy for Northern Ireland advocate the adaptive reuse and retrofitting of traditional or older buildings to reduce embodied carbon and mitigate against climate change. Demolition and newbuild would result in significant material waste and carbon emissions, whereas conservation and reuse promote sustainability and resilience.
- Preserving Glenmanus House supports heritage consistent with regional policy objectives.

Residential Amenity

- Privacy and Overlooking
- Erosion of residential amenity.
- Overshadowing of properties and gardens.
- Visual intrusion and rights to use and enjoy property and gardens to respect a private family life without constantly being overlooked.
- Oppressive width, height and dominance of glazed terraces.

- Limited hours of overlooking of a school building are different from 24hour overlooking intrusion of residential use.
- Proximity of new development on the footprint of existing building is not appropriate for residential use.
- New car parking and new access road will promote headlights to shine directly into habitable rooms.
- Impact on No. 27 Dhu Varren including overlooking from ground floor up with proposed first and second floors overlooking family rear garden.
- Two storey application would address overlooking concerns.
- There will be issues with CCTV on the properties if they are located to the front of the buildings and breaking of data protection laws must be designed out at the design stage. Breaking of these laws will be an invasion of privacy.
- Overlooking to a Children's Home from 12 apartments with elevated glass balconies and habitual rooms on 1st and 2nd floors is shameless. Overlooking on this scale is a breach of planning policy and morally and ethically wrong.
- Height of the building and balconies can hold a significant number of people at one time estimated up to 36 - 48 people at one time would cause loss of privacy in bathroom, kitchen and living space, three bedrooms and front and rear gardens of existing properties.
- A shadow study should be undertaken to determine the quality of north west facing garden private amenity space proposed to meet quality requirements.
- Large glazed windows and raised terraces at first and second levels not appropriate for this location and cause overlooking into private bedrooms, habitual rooms and living spaces and remove privacy from gardens and this contradicts planning policy to protected homes and amenity space of residents.
- Bins and servicing arrangements need to be designed to avoid being left next to houses. Potential smell and need for odour assessment.
- Balconies facing neighbours represent a significant noise disturbance and loss of amenity to properties and an acoustic study should be requested to illustrate negative impact caused by the development.

- Photographs within amenity space of No. 43A Dhu Varren showing relationship to existing development on school site.

Sewerage

- Impacts on water supply, water pressure and foul water in the area placing more demands on capacity.
- Consultation with NI Water required and sewerage is a material consideration.
- Poor existing infrastructure in Portrrush.
- If NI Water state the system is able of coping can highlight areas where sewage disposal into the environment is an ongoing problem and flash floods is not the problem.

Drainage and Flood Risk

- Surface / flood water has been an issue on the road and drains are at fully capacity at peak times.
- Increased runoff and hard surfaces putting properties at risk of flooding.

Other matters

- No planning gain from the development.
- Proposal encourages second home economy which has destroyed towns on the North Coast.
- This development would not benefit the town or local families in close proximity.
- If the units are promoted as short let 'Airbnb style' rentals this will bring more vehicles/traffic causing seasonal impact upon Dhu Varren and undermining the stability of the local population.
- Reference to Portrush Town Plan 2025 which presents a vision for future of Portrush and prioritise affordable housing, youth development and community empowerment.
- Portrush Town Plan 2025 highlights second homes and short term lets as a key weakness which impacts housing availability and threatens year round population and rental availability creating 'ghost town' conditions in winter and this development proposed directly impacts this.
- Portrush Town Plan 2025 highlights that second homes are driving up costs and pushing out local families and this

could undermine the very community and environment which attract visitors in the first place and this development proposed directly impacts this.
- Portrush Town Plan 2025 highlights that a managed, sustainable approach is essential to protect Portrush's identity and this development proposed contradicts this point which is identified in the plan.
- The report states that many residents feel ignored by decision makers and often feel unheard and excluded around planning decisions.
- Unclear if the flats are for full-time occupancy or holiday homes.
- Garden stores may be at some point developed into garden rooms/sleeping accommodation increase impact on services.
- Construction disturbance on the road and impact on working from home arrangements.
- Impacts on property value.
- Impacts on sea views from existing properties.
- Impact on community wellbeing.

5.2 **Internal:**

DFI Roads: No objections subject to conditions

Environmental Health: No objection

DAERA Natural Environment Division: Content

DAERA Water Management Unit: Content

DAERA: Regulation Unit: No objection subject to conditions

NI Water: Content subject to conditions

DFI Rivers: Content subject to conditions

NIE Ballymena: Content

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

6.3 The Regional Development Strategy (RDS) is a material consideration.

6.4 The Strategic Planning Policy Statement Edition 2 for Northern Ireland (SPPS Ed 2) 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 Edition 2 (SPPS Ed 2)

Planning Policy Statement 2: Natural Heritage

Planning Policy Statement 3: Access, Movement and Parking

Planning Policy Statement 7: Quality Residential Environments

Planning Policy Statement 7 (Addendum): Safeguarding the Character of Established Residential Areas

Planning Policy Statement 15: Planning and Flood Risk

Creating Places

Departmental Parking Standards

8.0 CONSIDERATIONS & ASSESSMENT

8.1 The main considerations in the determination of this full application is the principle of development, visual amenity and design, access, movement and parking, amenity space, drainage, natural heritage, residential amenity, sewerage and water supply, contamination and other matters. The main policy consideration is contained in the Northern Area Plan 2016, Strategic Planning Policy Statement Edition 2 and Planning Policy Statements 2, 3, 6, 7, 7 (Addendum), and 15.

Principle of Development

8.2 Policy QD 1 of Planning Policy Statement 7 outlines that planning permission will only be granted for new residential development where it is demonstrated that the proposal will create a quality and sustainable residential environment. The design and layout of residential development should be based on an overall design concept that draws upon the positive aspects of the character and appearance of the surrounding area.

In established residential areas proposals for housing development will not be permitted where they would result in unacceptable damage to the local character, environmental quality or residential amenity of these areas.

All proposals for residential development will be expected to conform to nine criteria which are considered under each the sections of this report.

Any proposal for residential development which fails to produce an appropriate quality of design will not be permitted, even on land identified for residential use in a development plan.

8.3 Policy LC 1 of Planning Policy Statement 7 (Addendum) sets out additional criteria to be met when assessing housing in

established residential areas. These further policy matters are considered under the Visual Amenity and Design section of this report.

8.4 The application site is located within the settlement development limit where growth is supported, and the proposal seeks to re-utilise a derelict site. As the character and established use of the area is residential, the principle of development of a residential use on this site is considered acceptable.

Visual Amenity and Design

8.5 Policy QD 1 of PPS 7 outlines two criteria relating to design. Criterion (a) requires the development to respect the surrounding context and be 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. Criterion (g) requires the design of the development to draw upon the best local traditions of form, materials and detailing.

8.6 Policy LC 1 of APPS 7 relates to established residential areas and outlines three criteria for consideration. Criterion (a) requires the proposed density is not significantly higher than that found in the established residential area. Criterion (b) requires the pattern of development is in keeping with the overall character and environmental quality of the established residential area. Criterion (c) requires that all dwelling units and apartments are not built to a size not less than those set out in Annex A of the planning policy statement.

8.7 Significant amount of objection has been received on this proposal in relation to the density, scale, size, massing and design of development on the site. Objectors consider the proposal is contrary to criterion (a) of Policy QD 1 relating to character, topography and layout and design, criterion (g) of Policy QD 1 relating to form, materials and detail and Policy LC 1 relating to density (criterion (a)), pattern of development (criterion (b)) and unit size (criterion c)). Concerns have been raised in relation to the elevated site levels and the prominence of the existing two storey development on the site which is to be replaced by a three storey development.

8.8 Concerns have been raised in relation to non-compliance with Policy PCP 1 of PPS 12 and Policy DES 2 Townscape of A Planning Strategy for Rural Northern Ireland. Policy PCP 1 of PPS 12 is not operational planning policy and is only used for local development plan formulation. Matters of townscape under Policy DES 2 are considered under Policy QD 1 which is the principle and subject policy for residential development.

8.9 Some objectors have considered Dhu Varren to be a rural location. However, the site is located within the settlement development of Portrush and consequently is urban in planning terms and falls to be considered under the outlined policies.

8.10 The proposal relates to the re-development of an existing school site comprising a two storey hipped roof school building with associated single storey extensions and modular outbuildings, playground and open space areas. The site is accessed from the public road Dhu Varren and has a shared vehicular access running through the site with an adjoining caravan park. The access road rises south from Dhu Varren towards the existing two storey school building which is located on a prominent ridge. The existing school building is a prominent feature in the area sitting higher than development to the north along Dhu Varren. There are both short and long distance views of this building showing it's prominent position in its context.

8.11 The proposal relates to the replacement of the school use with a residential use comprising three blocks. Block A is a three storey apartment building. Blocks B and C are both sets of 2.5 storey townhouses. Block B relates to three townhouses and Block C relates to six townhouses.

8.12 This proposal involves the demolition and clearance of the site to facilitate the use. An objector has raised that the two storey school building is Glenmanus House a Victorian-era property with architectural and cultural significance. The preservation of this property is highlighted to be required and that this is supported under PPS 6, SPPS, Draft Historic Environment Policy and the Circular Economy Strategy for Northern Ireland. Preservation of this building is outlined to mitigate against climate change with demolition and newbuild resulting in significant waste and carbon emissions. The retention of this building is outlined to protect the historic character of the Dhu

Varren area.

8.13 The objector has acknowledged that this building is not subject to statutory protection. On review, the building is identified as Glenmanus House on historical Ordinance Survey mapping. The building is not listed and is not located in an area which is protected on grounds of townscape character or architectural or historical interest e.g. a Conservation Area. In these areas demolition is generally subject to consent from the Planning Department.

8.14 As this building has no statutory protections it can be demolished under Part 33, Class A of The Planning (General Permitted Development) Order (NI) 2015 i.e. without planning permission.

8.15 PPS 6 and SPPS encourages the retention of vernacular buildings. Policy BH 15 of PPS 6 specifically relates to the re-use of non-listed vernacular buildings. This policy is to be used to assess a development proposal for such a development. The application submitted involves the re-development of the site. It is agreed that the retention of historic buildings should be sought and their re-use is encouraged. The burden on the environment from demolition and construction is also acknowledged. However, the Council is required to assess the application before it under its statutory functions and cannot insist on the retention of a building which is not subject to any statutory protections and which can be demolished without consent.

8.16 The application site sits in context of existing residential uses to the west, north and east. Residential development to the west comprises a care home, townhouse development associated with Cove Hill Court and detached dwellings on Dhu Varren. To the north are detached and semi-detached dwellings and a small apartment block associated with Dhu Varren, Blackrock Park and Blackrock Road. To the east are detached and semi-detached dwellings along Dhu Varren and higher density apartment developments at the Whins.

8.17 No objections have been received since the development was revised in July 2026. The original scheme submitted related to the development of 3no. three storey blocks of apartments. A subsequent revised scheme sought 2no. three storey blocks of

apartments. The current scheme has been reduced further and relates to 1no. three storey apartment block and 2no. blocks of townhouses. The scheme has been amended and some objection points on layout and design of previous revisions are no longer applicable to the current proposal. There are still also general objection points which are relevant in relation to density, scale, massing, design and site topography.

8.18 The application site is 0.88 hectares with 18no. units proposed resulting a density of 20.4 dwellings per hectare. The proposal seeks to re-development the entirety of the former school site for a residential use.

8.19 The area has a mixed residential character and density varies by development. The single dwellings comprising No's 21 – 25 Dhu Varren, 35 – 43B Dhu Varren has a density of 13.75 dwellings per hectare. The Blackrock Road/Park development including the dwellings and apartment building fronting onto Dhu Varren which are clustered with Blackrock Road/Park has a density of 32 dwellings per hectare. The development at the Whins to east of No. 21 Dhu Varren comprises dwellings and apartments and has a density of 47 dwellings per hectare.

8.20 Considering the varying density of developments in the area which are at a higher density than that proposed, the density proposed is not considered to be significantly higher than that found in the established residential area.

8.21 Block A relates to a three storey apartment block containing nine 2no. bed properties. The block is made up of three storey gable fronted pitched roof sections with external chimneys. The two external pitched sections are each connected to the middle pitched roof section by a three storey flat roof section. The flat roof sections are recessed in from the front building lines of the pitched sections. The sections are orientated in a staggered arrangement. The lift overrun is located in the flat roof sections and projects above the eaves of the pitched sections. The design is suburban in character. The blocks have terraces at first and second floor which are located above a ground floor front projection. The front windows have a horizontal emphasis associated with the terraces and are otherwise more vertically emphasised on other elevations. Solar PV panels are located on

the pitched roof sections.

8.22 The frontage length of Block A is 37.5 metres. However, given the staggered arrangements and set back of the flat roof sections, each pitched section is read. Each pitched roof section has a frontage length of 9.3 metres. The eastern section sits slightly below the other sections by 0.3 metres. The eaves height of each of the pitched sections is 9.8 metres. The ridge height of each of the pitched sections is 12.7 metres. The flat roof sections have a height of 9.5 metres. The lift overrun has a height of 10.6 metres. The side elevations excluding the ground floor front projection and balconies is 16 metres in length. Including the ground floor projection, the side elevations are 18 metres in length.

8.23 The materials and finishes for Block A comprise white painted render finished upper floor walls and ground floor level walls finished in light grey facing brick. The roof is finished with fibre cement roof tiles. The windows and doors are finished in PPC aluminium and the rainwater goods in PVC. The balconies have glass balustrades and the chimneys have wet-cast reconstituted stone coping. The fascia above the entrance is to be finished in PPC aluminium cladding.

8.24 The Block A design is the similar to that as revised in November 2025 with some minor changes to the flat roof sections from curtain walling to rendered walls and alteration of the positioning and level of glazing at the ground floor entrances. Objections were previously received in relation to the design of Block A.

8.25 Block B and C relates to 2.5 storey, 3no. bed townhouse properties. Block B contains three properties and Block C contains six properties. Block B and C have a similar design with the exception of the number of properties and that the designs for each block are mirrored.

8.26 The townhouses in Block B and C have pitched roofs and have frontages defined by their eaves level flat roof dormers and low level windows which at floor level on the first and second floors. The dwellings are in a suburban style though windows are mostly vertically emphasised. The townhouses have roof lights and roof level solar panels.

8.27 The frontage length of Blocks B and C vary due to the difference in number of units. Block B has a length of 18.2 metres and Block C has a length of 35.7 metres. The frontage length of each townhouse unit is the same at 5.9 metres. The eaves heights are 6.5 metres and ridge heights are 10.6 metres. Where the dormers adjoin and sit flush with the gables, the eaves height is read higher at 8.5 metres. The gable depths are 11.8 metres.

8.28 The materials and finishes for Block B and C comprise white painted render finished upper floor walls and ground floor level walls finished in light grey facing brick. The roof is finished with fibre cement roof tiles. The windows and doors are finished in PPC aluminium and the rainwater goods in PVC.

8.29 No objections were received on the design of the townhouse blocks as these elements were only introduced in the latest amended proposal for which no objections were received.

8.30 On their own merits, the blocks are considered to be well designed with appropriate scale, massing, design and materials which provide visual interest.

8.31 Objectors have raised concern with the size of proposed units under criterion (c) of Policy LC 1.

8.32 The ground floor apartments of Block A are the largest with internal spaces of 133sqm, 134sqm and 137sqm. The first and second floor apartments are smaller with floor areas of 122sqm, 124sqm and 127sqm. Each of the units within Blocks B and C has an internal space of 174sqm.

8.33 Annex A of Planning Policy Statement 7 (Addendum) outlines space standards for developments. The minimum standards for a four person, 2no. bedroom property is 70/75sqm and for a 3 storey, six person, 3no. bedroom property is 100/105sqm.

8.34 The proposed units exceed the space standards under Annex A, are considered to be an acceptable size and are compliant with criterion (c) of Policy LC 1.

8.35 Although acceptable on their own merits, the acceptability of the layout and design is with regard to how it respects the surrounding context and is appropriate to the character and

topography of the site.

8.36 The existing school building sits on a prominent ridge. The public road at Dhu Varren is indicated to sit at spot level 21.460. This road rises to the entrance of the caravan park which sits at spot level 25.780. The height of the road where the front steps into the existing school building is located is 25.02. It is between the public road and the location of the existing school building where the most significant rise happens. The existing ground levels on the school site itself is in the 25.00 – 27.00 range across the entirety of the site. The finished floor level of the school is 26.55. Based on the contextual sections the ridge height of the school is 10.5 metres.

8.37 The proposed layout indicates that the existing road levels are to remain similar to that existing. Eight car parking spaces are to be located along the existing road in a similar arrangement to existing. An exception to the change in the existing road level is where the new access point onto a proposed car park to serve the apartments is located with the levels increasing by 0.09 metres. The car parking area is located to the rears of No's 35 – 41 Dhu Varren. The access road through this car parking area has reduced ground levels than existing but rises towards the rear of the car parking area where a turning head is located. This turning head is indicated to have the same levels as existing. The car parking area is to be finished in tarmacadam. To the south of this car parking area is Block A which adjoins six private garden areas to the west which are associated with the upper floor apartments. To the front (north) and side (east) of Block A are shared landscape amenity areas which comprise paths and lawn areas with tree and shrub planting. To the south of Block A is a similar landscape amenity area with pathways, lawn and tree planting. To the southeast of Block A is further vehicular access point where an access road runs to the southwest ending at a turning head which provides access to Blocks B and C. Located off the northern edge of the turning head is a shared surface road.

8.38 Objectors have raised issues with the contextual drawings submitted and that they do not show other development on the site or properties on Dhu Varren. The need for street contextual images is outlined. The contextual drawings submitted relate to contextual sections and consequently the section through the

front of the property would not show all properties on Dhu Varren. The objections related to earlier revisions of the scheme and since Blocks B and C now proposed have a lower height than Block A and based on their position further back on the site they would not obviously read with Block A when viewed from the north/front of the site. Long section CS03 illustrates No. 35 Dhu Varren relative to the blocks. Street contextual images along Dhu Varren would show the level differences from the front of the site where the existing school is located relative to the lower properties along Dhu Varren. However, assessment is possible of this using the site levels and scaled drawings submitted. The height differences between the proposal and existing development are indicated on the contextual sections. Street elevations are not required as requested.

8.39 Objections raise issues with apartment development on the site with the area defined by single storey and 1.5 – 2 storey dwellings, the introduction of three storeys of development on the site and the location of the site in a visually prominent and elevated location. Specific design elements have been raised including usage of pitched roofs and a “box based” design. Concerns are raised in relation to the heights of the proposal relative to existing properties in Dhu Varren, especially those on the lower levels. Photographs to illustrate the impact of the development were submitted and are acknowledged. A site visit was carried out on 19th March 2025 to assess the impact of this development with observations made at that time.

8.40 In relation to the introduction of apartment development onto the site, there is apartment development located in the Dhu Varren area including at The Whins and Ocean Court apartments. Furthermore, Paragraph 4.16 of the SPPS Edition 2 outlines that:

The planning process also has an important role to play in the delivery of good quality housing that supports the creation of more balanced communities. Balanced communities can contribute positively to the creation and enhancement of shared spaces and vice-versa. Offering a variety of house types, sizes and tenures in housing schemes will therefore help with meeting the diverse needs of all the community and enhance opportunities for shared neighbourhoods. The aim should be to

create well-linked, mixed-tenure neighbourhoods, with opportunities for communities to share access to local employment, shopping, leisure and social facilities.

Given the presence of apartments within the area and the SPPS promotes a variety of house types in the area, apartments are not considered to be principally unacceptable. The acceptability of apartments is dependent on whether an acceptable design can be provided on the site which is not detrimental to the character of the site and area or impacts adversely on existing properties.

8.41 With regard to critique of specific design elements including the roof design and form, Paragraph 4.29 of the SPPS Edition 2 outlines that *Planning authorities should not attempt to impose a particular architectural taste or style arbitrarily.* The Planning Department cannot insist on usage of specific design features on a proposal.

8.42 Comparing the heights of Block A to the existing building, the flat roof sections have a ridge height 1 metre below that of the ridge height of the existing school building. However, ridge height of the pitched roof sections have is 2.2 metres higher. Block A has a greater overall scale and massing than the existing school building. Section CS03 shows substantial differences between the single storey development on the site to the rears of No's 35 – 39 Dhu Varren and the three storey height of Block A now proposed. The three storey elements of Block A replacing the single storey school buildings in situ will be a new introduction into the streetscape in addition to the higher ridge height where the existing two storey school building is sited.

8.43 The scale and massing of Block A needs to be weighed up against the differences in siting than the existing buildings. The comparative site plan shows the siting of the proposal relative to the existing single storey and two storey buildings. The orientation of the back building of the two storey school building results in differences in distances. However, generally Block A is sited 15 – 16 metres back into the site from the rear of the back of the school building. The front of the school building is located further forward than Block A in the 29 – 30 metre range.

8.44 Block A has a finished floor level of 26.000 and 26.250 which is

lower than the 26.55 finished floor level of the existing school. In the round, this difference will not be visually appreciable.

8.45 However, the further set back in the site is significant with Block A located off the prominent ridge onto the flatter areas of the site. Although Block A introduces a greater scale and massing onto the site than existing, the setback changes how the dwelling is read in context of the established development in the Dhu Varren area.

8.46 A Landscape and Visual Impact Assessment has been submitted from Park Hood which shows the existing development, the original proposal and Block A now amended.

8.47 It is agreed with objectors that the impact of the original scheme sitting forward on the ridge line and skyline was not visually acceptable. However, the impact of the setback is immediately apparent in both the short and long distance views where the proposal is seen to integrate with the existing built form.

8.48 The design of Block A in its staggered arrangement assists in the short distance views to break up its massing and the three storey height is not considered to be unacceptable in this context. The existing development is immediately apparent on the skyline and the proposed height differences between existing and proposed development considered against the setback indicated is not considered to make the development more prominent in or to dominate the skyline given how it reads behind and adjoining existing development on Dhu Varren. The relationship between Block A and the properties located at a lower level on Dhu Varren (No's 25 – 39) is not considered to be unacceptable or detrimental to the character of the area. Where the three storey elements of Block A exists, single storey development currently exists, the built form proposed in this area is considered to read appropriately with the surrounding built form along Dhu Varren. The proposed rooftop solar panels are considered to be acceptable visually within the built form of the building. Block A is considered to be appropriate to the character and topography of the site in terms of its scale, proportions and appearance.

8.49 The existing development on the site is read within the streetscape of Dhu Varren. However, it does not contribute to

rhythm of the street in terms of building lines, fenestration patterns or roof forms. Given the topography of the site, the proposal as with the existing development on site could not be expected to contribute to the streetscape in these ways. The existing building on the site is unique in its prominent siting and scale. Block A is considered to read appropriately with the development in Dhu Varren in a manner not significantly different than that established with the two storey development. The pattern of development is considered to be in keeping with the character and environmental quality of the area in this respect.

8.50 Block B and C are located to the rear of the site. The proposed access road serving these blocks rises from the existing road to level 26.098 before falling to 25.316 on the turning head. The road then rises again along the shared surface road. The finished floor levels of Block B and C are 25.750. There is a relatively minor change in levels in this area from existing with the most extensive differences in the 0.3 metre range. Views of Blocks B and C are from the residential development to the north including the Children's Home and No's 43, 43A and 43B Dhu Varren as well as the caravan park to the south given the setback on the site and location behind Block A. Block C is orientated towards the turning had and shared surface road whereas Block B is orientated towards the internal road to the east of the turning head. The closest permanent development to both blocks is the children's home which is 11.5 – 16.35 metres away. The scale and massing is more comparable with this building than the static caravans located within the caravan park which are single storey. These caravans are not permanent development and do not dictate the prevailing character of the area. Both blocks use dormers in their design and they are not considered to be detrimental to the character of the area in this location. The proposed rooftop solar panels are considered to be acceptable visually within the built form of the buildings. The scale, massing and design of Block's B and C are considered to be acceptable in their context and having regard to the character and topography of the site and area. The pattern of development provided by Block B and C is considered to be acceptable with regard to the character and environmental quality of the established residential area.

8.51 The materials and finishes for both blocks are similar with rendered finishes, fibre cement roof tiles, aluminium PPC doors and windows and PVC rainwater goods. These materials and finishes are found within the Dhu Varren area and consequently are not out of character with the area. The design of the development is considered to draw upon the best local traditions of form, materials and detailing. The proposed development satisfies criterion (g) of Policy QD 1.

8.52 The layout proposed is based centrally around Block A which is set within landscaped grounds. Block A is surrounded by lawns which are contained with 1.1 metre high estate rails. Private gardens associated with the apartments are located to the west. There are public open space areas located to the east of Block A along the entrance to the development and along the access road serving Blocks B and C. Landscaping includes hedgerow, shrub and tree planting. The presence of these areas assists in softening the development and is an improvement to the extensive hardstanding on the existing school site. These landscaped areas are also associated with the car parking area which similarly assists in softening its visual impact. The levels proposed for the apartment car parking level are reduced from existing and this is considered to be visually acceptable in relation to how it ties into the existing road. A 1.8 metre high boundary fence is proposed along the boundary with No's 35 – 39 Dhu Varren. The level difference with these properties is shown on the contextual sections with the presence of existing retaining walls/earthworks on the site on these boundaries. The fencing proposed is acceptable in this location. The fencing extends around onto the access road towards Dhu Varren and runs to the rear building line of No. 35 Dhu Varren to protect their privacy. The existing fencing in this location is lower than proposed. However, the fencing is not considered to result in an unacceptable impact or dead frontage onto the streetscape.

8.53 Blocks B and C have car parking located to their front. These car parking areas are to be finished in tarmacadam with concrete pin kerbs between which will assists in breaking up these areas. Estate railings are proposed at the entrance to the site and provide an attractive entrance feature to the site associated with the soft landscaping. Boundary treatment is indicated to be as existing adjoining the caravan park and adjoining No's 43, 43A, 43B Dhu Varren. The existing boundary arrangements are

considered visually acceptable on the basis of existing conditions. The suitability in relation to amenity space provision is considered under criterion (c) of Policy QD 1. A 2.4 metre high screening wall is proposed along the boundary with the Children's Home. There is existing boundary treatment in this location in the form of a high level fence. This wall is to be screened with a landscape buffer and there is limited views of this wall within the development given its location behind Blocks B and C. A wall of this height and length is visually acceptable in its context. However, no detailed plans have been provided for its appearance and it should be conditioned to be submitted. The private garden areas are bound by 1.8 metre high fences with 1.5 metre high brick walls to the front. These gardens are mostly screened by Block A with some views of Private Gardens 4 – 6 across the car park area. In context of the soft landscaping proposed, any visual impact is not considered to be unacceptable.

8.54 A Landscape Management and Maintenance Plan has been submitted which outlines the short and long term management arrangements for the soft and hard landscaping proposed. This plan includes management and maintenance arrangements for the open space areas, planting, fencing, paths, walls and roads. The arrangements indicated are considered to be acceptable and should be subject to a condition requiring details of a management company to be provided to implement the management and maintenance arrangements indicated.

8.55 Objectors have raised that the planting proposed is not suitable for the coastal environment and the usage of stone and timber gates rather than painted render and galvanised metal railings.

8.56 The landscaping plan indicates usage of salt tolerant coastal shrub planting in addition to other planting. The proposed planting will be subject to condition to ensure its implementation. The condition wording will include replacement planting for any vegetation that dies within five years. The proposed site frontage boundary treatment is considered to be acceptable.

8.57 Overall, the layout, landscaping and hard surfaced areas are considered to respect the surrounding context and be appropriate to the character and topography of the site.

8.58 Objectors raise that the proposal has been designed without regard to permanent homeowners. The plans received have indicated the relationship to adjoining properties through annotated separation distances on the plans as well as provision of contextual sections which show existing properties. The Planning, Design and Access Statement also acknowledges existing properties in the area. Concerns raised by objectors were also highlighted to the agent and are publicly available for their viewing.

8.59 Annotated plans were received from objectors to highlight an amended two storey scheme which would address impact to adjoining properties and which would be acceptable to them. This is noted and was available for the agent who is the designer of the scheme. Comment was made to the agent in seeking revisions to this proposal during the processing of this application including the impact of Block A in the streetscape and to adjoining properties.

8.60 Accuracy of the information has been questioned by objectors including spot levels and 3d images. There has been no evidence submitted which challenges the veracity of the spot level information submitted. From review of the information, it appears to be accurate and there is no reason for this to be doubted. 3d imagery is usable to provide an impression of what the development will look like. However, assessment is made against the scaled drawings submitted.

8.61 Boundary treatments are outlined by an objector to be required to be considered at a public consultation event. However, there is no requirement for a public consultation event to be carried out for this proposal. Any public consultation event would be a matter for the agent.

8.62 Commentary has been made by objectors on the design study provided by the agent and that it is incorrect and selective. The content of the conceptual assessments are a matter for the agent.

8.63 The errors in the P1 form breaking down the number of units is noted. The number of units is accurately outlined in the description of development and is apparent from the plans

submitted.

8.64 On consideration of the layout and design sought, the proposal is considered to comply with the requirements of criterion (a) and (g) of Policy QD 1 and criteria (a), (b) and (c) of Policy LC 1 having regard to the guidance of Creating Places and DCAN 8.

Amenity Space

8.65 Criterion (c) of Policy QD 1 requires adequate provision for public and private open space and landscaped areas as an integral part of the development.

8.66 Objectors have raised that the proposal is non-compliant with criterion (c). Concerns have been raised that there is insufficient public and private amenity space and that indicates that the density of the development is too high. Concerns have been raised with the usage of terraces instead of traditional gardens and that they are not characteristic of the area. The quality of the private garden areas for the apartments has been raised given the heights of the boundary treatment and blocks and concerns that they will be overshadowed.

8.67 Paragraph 5.19 of Creating Places outlines that private gardens should be a minimum of 40sqm with an average space standard across the development of around 70sqm per house or greater. Garden sizes larger than the average will generally suit dwellings designed for use by families, while smaller areas will be more appropriate for houses with 1 or 2 bedrooms or houses located opposite or adjacent to public or communal open space.

8.68 Paragraph 5.20 outlines in the case of apartment or flat developments, or 1 and 2 bedroomed houses on small urban infill sites, private communal open space will be acceptable in the form of landscaped areas, courtyards or roof gardens. These should range from a minimum of 10sqm per unit to around 30sqm per unit.

8.69 The private amenity space provision for the proposed townhouses is in the form of a private rear garden. Each of these gardens has a space standard exceeding the 40sqm minimum outlined within Creating Places. However, the average space provision is 50sqm which is below the 70sqm figure

outlined in Creating Places. This development is indicated to provide accommodation for Over 55's and consequently not for families which Creating Places outlines that larger garden sizes are more suited for. Although this may be the case, the occupation of units by certain age groups cannot be controlled under a planning application. Creating Places outlines that smaller areas will be more appropriate for houses located opposite or adjacent to public or communal space. A shared landscaped amenity area adjoins the townhouses in Block B.

8.70 The proposal does not satisfy the 70sqm guidance of Creating Places. However, the policy requirement is as to whether adequate provision is made for private open space. Considering that the minimum garden size has been exceeded for all units which each have their own private garden there is no unacceptable garden provision. Each unit benefits from access to shared landscaped amenity areas in the development. Although, the occupiers of housing units cannot be controlled some weight is afforded to the re-development of the site for accommodation for those over age 55 and not family homes. In the instance that the townhouses were sold and marketed differently the garden space provision is not unacceptable. Creating Places acknowledges the provision of housing for a mixture of circumstances. In this instance, adequate provision is considered to be made for private amenity space for the townhouses.

8.71 The apartment building is in three pitched roof sections attached by two flat roof sections. Each of these three pitched roof sections contains three apartments. Each pitched roof section of the building has a ground level communal amenity area in the form of lawns located to the front/rear/side of the building. These amenity areas are 258sqm, 140sqm and 273sqm in size and each serve the ground floor apartments. The space provision provided for the ground floor apartments exceeds the 30sqm space provision for each unit outlined in Creating Places. The upper floor apartments each have their own private balcony with a space provision of 11sqm.

8.72 Creating Places allows usage of balconies for apartment development as amenity space. Their acceptability in the area is also subject to whether there are residential amenity issues arising. This is considered under criterion (h) of Policy QD 1.

There are also six private gardens which are located on the western boundary. Each of the upper floor apartments are indicated to each have their own private garden. The total size of these gardens is 231sqm. The provision of amenity space in the form of private terraces and gardens for the upper floor apartments is above the 30sqm provided for each unit. The quality concerns in relation to the overshadowing of the private garden areas for the apartments from the boundary treatment and blocks is acknowledged. The upper floor apartments have a choice of usage of their private garden or terrace. Overshadowing from the blocks would be limited to during the morning and the 4.25 metre width of the gardens is sufficient to not result in any unacceptable overshadowing from the 1.8 metre high fencing enclosing the gardens. The private amenity space provision for the apartments is considered to be acceptable.

8.73 Policy OS 2 of PPS 8 requires public open space for proposals of 25 units or more units or on sites of one hectare or more. The proposal does not satisfy either of these requirements.

8.74 Public open space has been provided as part of this proposal and comprises two areas of shared landscaped amenity as well as a grassed area associated with the internal road serving the townhouses. Although, there is some reliance on this due to the shortfall in amenity space for the townhouses, this provision is beyond the policy requirements and is welcomed in improving the quality of the development and visual amenity of the area.

8.75 The bin storage arrangement for the proposal comprises areas for bin storage for the townhouses in their private gardens. The apartment blocks have communal bin storage and bin holding areas indicated to the west adjoining the boundary with No. 43B and the Children's Home car park and north of the building within the car park.

8.76 Objectors have raised concerns in relation to the bins and servicing arrangements to ensure that bins are not left to houses.

8.77 The Design and Access Statement submitted indicates that the site will have a managed waste collection strategy and waste plan and details have been provided on the collection

arrangements including travel distances and storage calculations. The bin storage area for the townhouses in their rear gardens is a typical arrangement for a residential property and there are no odour concerns with this arrangement. The communal bin storage area adjoining the Children's Home adjoins a car park and is beyond the common rear boundary of No. 43B. This arrangement is not unacceptable in relation to odour generation given the relationship to a car park and given the location beyond the back of the rear garden of No. 43B and the small extent at which this area adjoins this boundary. Environmental Health have raised no concerns in relation to the bin arrangements.

8.78 Details of the dedicated Waste Collection Strategy and Waste Plan for this development should be required under condition to be submitted for agreement prior to occupation of any dwelling.

8.79 The proposal is considered to be compliant with criterion (c) of Policy QD 1 having regard to the guidance of Creating Places.

Drainage and Flood Risk

8.80 The applicant submitted a Drainage Assessment which outlines that the site is not at risk of fluvial, tidal or pluvial flooding.

8.81 Objections have been raised in relation to the increase in hard surfacing from the proposal increasing the risk of flooding. Surface water flooding has been highlighted as an issue on the road and the drains are at fully capacity at peak times.

8.82 Paragraph 6.115 of the SPPS and Policy FLD 3 of Revised Planning Policy Statement 15 – Planning and Flood Risk indicates the requirement for a Drainage Assessment due to the size of the development exceeding 10no. units.

8.83 The Drainage Assessment indicates that upon development of this site, a dedicated storm water drainage system will be installed which will be suitably sized to serve the site in accordance with NI Water Sewers for Adoption.

8.84 DFI Rivers were consulted on the proposed drainage arrangements and advised that the Drainage Assessment has

demonstrated that the design and construction of a suitable drainage network is feasible. It indicates that the 1 in 100 year event with an additional allowance for climate change (10%) and urban creep (10%) could be contained in the attenuation system, when discharging at existing green field runoff rate, and therefore exceedance waters can be safely dealt with without breaching the consented discharge rate. Further assessment of the drainage network will be made by NIW prior to adoption. This may involve alterations to the drainage network design. Therefore, in order ensure compliance with PPS 15, Rivers Directorate request that the potential flood risk from exceedance of the network, in the 1 in 100 year event, with an additional allowance for climate change (10%) and urban creep (10%) is managed by way of a condition.

8.85 With adherence to the proposed condition from DFI Rivers to agree a final Drainage Assessment by the Council in consultation with DFI Rivers, the proposal satisfies Policy FLD 3 of PPS 15. With adherence to this condition, a drainage network will be designed which will address any potential surface water runoff or flooding from the site.

8.86 DFI Rivers advise that the site is not located within any floodplain. Policy FLD 1 of PPS 15 is not relevant to this proposal.

8.87 DFI Rivers advise that there are no designated watercourses on the site. In the event that an undesignated watercourse is present on the site then Policy FLD 2 of PPS 15 will apply.

8.88 Policy FLD 4 of PPS 15 is not relevant to the development as no culverting is proposed.

8.89 Policy FLD 5 of PPS 15 relates to development with a potential flood inundation area of a controlled reservoir and is not applicable to this proposal.

8.90 The proposal satisfies the requirements of Planning Policy Statement 15.

Natural Heritage

8.91 The application site is developed as a former school site. The school site was predominantly hardstanding with some grassed areas in use as play areas and as visual amenity. These areas are primarily to the west of the existing site.

8.92 A Preliminary Ecological Appraisal and Bat Survey were submitted as part of the application.

8.93 The Preliminary Ecological Appraisal outlines that there was no evidence of badger, otter, smooth newt, red squirrel, pine marten or common lizard on the site. The habitat was deemed to be open and assessed as having Negligible bat foraging potential with no large trees within the site which could have roost features. Four holes were identified in the school building with two assessed as having Low bat roost potential and two are assessed as having Moderate bat roost potential. The separate mobile buildings around the site had no potential roost features. A bat roost potential survey was recommended. Birds were identified on the site with no further surveying deemed to be required. No other protected species were identified on site.

8.94 The Bat Survey submitted outlines that no bat roosts were located within the building or adjacent wall and no droppings or physical evidence of roosting bats was found. The FLIR data corroborated the surveyor results, showing clear evidence that bats were not roosting within the site and that there was very little foraging activity. 2 bat species were recorded at the site at very low levels. The Bat Survey outlines that only a very small bat community use this site, which will not be negatively impacted by the proposed development. The Bat Survey notes the increased landscaping proposed for the site in terms of gardens and a central ‘green amenity spaces’ which will only but improve this site in the future for foraging and commuting bats.

8.93 NIEA Natural Environment Division were consulted on the proposal. NED acknowledge that the application site comprises of a school complex, with a hardcore car park and playground, with some vegetation on site in the form of amenity grassland lawn and non-native shrub species. NED is content that the proposal will not see any impact to priority habitats. As a means of enhancing the biodiversity value of the site, NED encourage the use of a mix of native plant species for any proposed

planting on site.

8.94 NED is content that no bats were found to be roosting within the building at the time of the survey, with very low bat activity recorded on the site.

8.95 NED is content that the proposal is unlikely to impact on other protected/priority species given a lack of suitable habitat on site and a lack of evidence to support the presence of such species on site.

8.96 Based on the information submitted, NED is content with the proposal and recommends informatives.

8.97 The site does not have a hydrological link to any designated site.

8.98 Having regard to the responses from NED, the proposal is considered to satisfy the requirements of Planning Policy Statement 2 Natural Heritage.

Access, Movement and Parking

8.99 The existing access arrangements comprise a vehicular access from the former school site onto a road shared with the adjoining caravan park which then accesses onto the Dhu Varren road which is a protected route with the Northern Area Plan 2016.

8.100 Objectors have raised concerns with existing traffic on Dhu Varren with tailbacks to Tides Restaurant on the approach to Portrush. Concerns have been raised with the number of units (25 at the time of objection) and that the increase in the number of units onto the access road will cause issues to traffic flow, road safety and impact on access from existing properties in the area. Fatal accidents in the area have been raised with danger to those trying to access and depart the access road. A road safety audit is outlined to be required. The location of Dhu Varren as a protected route is highlighted and the proposal is outlined to cause intensification onto the protected route.

8.101 Policy AMP 2 of PPS 3 Access, Movement and Parking applies and states planning permission will only be granted for a

development proposal involving direct access, or the intensification of the use of an existing access, onto a public road where:
a) such access will not prejudice road safety or significantly inconvenience the flow of traffic; and
b) the proposal does not conflict with Policy AMP 3 Access to Protected Routes,

8.102 The clarification of Policy AMP 3 of PPS 3 states that planning permission will only be granted for a development proposal involving direct access, or the intensification of the use of an existing access:
(a) where access cannot reasonably be taken from an adjacent minor road; or
(b) in the case of proposals involving residential development, it is demonstrated to the Department's satisfaction that the nature and level of access onto the Protected Route will significantly assist in the creation of a quality environment without compromising standards of road safety or resulting in an unacceptable proliferation of access points.

8.103 Guidance in relation to vehicular access design is outlined under DCAN 15.

8.104 The proposed vehicular access arrangement comprises the creation of two vehicular accesses onto the access road shared with the caravan park.

8.105 The northern access point to be created provides access to a car parking area for the proposed apartments and terminates at a turning head.

8.106 The southern access point provides access to a new road from which the proposed townhouses are accessed.

8.107 DFI Roads responded on the application with conditions and informatives.

8.108 DFI Roads advise that the Local Planning Authority should consider whether this proposal meets the requirements of Other Protected Routes – Within Settlement Limits as detailed in PPS 3.

8.109 The application site is land-locked with development on all sides and access from an adjacent minor road is not possible. The traffic generation from the former school use was shared with that of the caravan park.

8.110 A Transport Assessment Form was submitted for the original scheme on site in relation to 24 residential units. The current scheme relates to 18 residential units. The TAF recognises that Dhu Varren is a protected route and states that Policy AMP3 does not engage because there is no intensification of use of the access because the proposed housing generates less traffic than the school which was on the site until recently. The TAF continues that even if intensification was occurring, the protected routes policy would allow use of this access because it is in the settlement limit and there is no adjacent minor road from which access can be achieved.

8.111 The TAF outlines usage of TRICS database to quantify the users arriving at the site by all modes for the proposed land use. The database is indicated contains a wide range of developments, both in terms of size and location. Flats Privately Owned have been selected as the most representative land use for the proposed use as the parking is based on private dwellings. Based on the TRICS database information, the busiest hour for vehicles will be the normal PM peak (17:00-18:00). TRICS indicated this will be 8 trips in total. During the normal AM peak (08:00-09:00) TRICS indicated this will be 7 trips in total. Given this is for over 55s, it seems likely there will be less commuting and more leisure trips.

8.112 DFI Roads are the competent authority in relation to public roads and advise the Planning Department in relation to road safety and technical road matters. No objection has been raised by DFI Roads in relation to access arrangements, vehicle movements or road safety issues associated with this proposal. A road safety audit is not considered to be required.

8.113 The access to the public road is existing and is currently utilised by the existing caravan park and formerly by staff and parents travelling to and from the school use. Consequently, there is already traffic movements from the site onto the public road. Traffic movements will differ between a school use with number of vehicle movements at the start and end of the school

day versus a residential use with vehicle movements throughout the day with peaks during commuting. The vehicle movements associated with the proposal are not considered to be more intensive than that comparable to the school use as outlined in the Transport Assessment Form.

8.114 Having regard to the response from DFI Roads, the content of the Transport Assessment Form and the existing site conditions with no possible access from a minor road the proposal is considered to comply with the requirements of Policies AMP 2 and AMP 3 of PPS 3 and DCAN 15.

8.115 Criterion (f) of Policy QD 1 requires that adequate and appropriate provision is made for car parking.

8.116 Objectors have raised concerns with lack of car parking outlining that it has not been assessed adequately. Calculations were made by objectors under Parking Standards outlined under Table 7 of Creating Places and DCAN 8 with a deficit of 3 – 9 spaces noted. Concerns have been raised that this result in disturbance and nuisances from unregulated car parking on the public road and on footpaths causing congestion, traffic and road safety issues.

8.117 The site layout indicates a communal car parking area to serve the apartments. The apartments comprise 3 no. two bedroom apartments and 6 no. three bedroom apartments. The total space provision for the apartments is 26 spaces. A total of 9 spaces are located along the access road to Dhu Varren. There are existing car parking spaces in this area. The remaining 17 spaces are located to the north of the site adjoining the boundaries with No's 35 – 39 Dhu Varren.

8.118 The car parking for the dwellings comprises parking to the front of the units. Each of the townhouses are 2.5 storey, three bedroom units. There is provision of 2no. spaces for each of the nine townhouses. Five additional spaces are available on the internal road providing access to the townhouses.

8.119 Departmental Parking Standards indicates the requirements of 1.75 spaces for two bedroom apartments and 2.0 spaces for three bedroom apartments. These standards are the same as those outlined in Creating Places by the objectors. Departmental Parking Standards indicates that three bedroom

terrace houses require 2.25 spaces. Departmental Parking Standards indicates that the total requirements given include spaces for residents, visitors and other callers.

8.120 A total of 17.25 spaces are required to serve the apartments based on the required standards. A total of 26 no. spaces have been provided which satisfies the parking standards required.

8.121 Each of the townhouses has 2 spaces provided of the 2.25 space parking burden created. The remaining 0.25 space requirement for nine units results in a further 2.25 space requirement. These spaces can be catered for on the internal road which has five spaces.

8.122 The car parking provision is adequate in relation to the number of spaces provided and is appropriate in relation to its location within the development with respect to the location of residential units served. Objections on car parking provision related to earlier revisions of the scheme which related to a higher density development for 24no. units which was subsequently reduced to 21no. units and then 18no. units as now proposed. The parking burden generated by the proposal can be catered for within the application site. The proposal complies with criterion (f) of Policy QD 1 in this respect.

8.123 The application site sits on the top of a ridge. The site is developed and formerly operated as a school. Access to the public road on Dhu Varren is shared with a caravan park. The site access road has an existing footpath and the proposed layout also indicates a footpath from Dhu Varren into the site. The gradient rises up to the site and is steep. However, the layout arrangements supports walking and cycling. The site layout allows for movement for those whose mobility is impaired. The layout respects existing public rights of way. Public transport links are available on Dhu Varren. Traffic calming measures have not been requested by DFI Roads as part of the proposal. The existing road has speed bumps which would reduce the speed of road vehicles. The proposal complies with criterion (e) of Policy QD 1.

Residential Amenity

8.124 Criterion (h) of Policy QD 1 requires the design and layout not to conflict with adjacent land uses and for there to be no unacceptable adverse effect on existing or proposed properties in terms of overlooking, loss of light, overshadowing or noise.

8.125 A significant level of objection has been received raising concerns with overlooking, visual intrusion/privacy issues including with CCTV cameras, loss of light, overshadowing, dominance and other nuisances including from light. Objectors raise that the former school use has a limited period of operation whereas a residential use is a 24 hour use. The siting, scale, massing and design of the blocks with a greater scale than existing development on the site are raised as impacting on residential amenity. The concerns indicate these issues are compounded by the site topography which is greater than the surrounding properties especially those which sit lower along the public road on Dhu Varren. Specific objection is also raised in relation to overlooking towards the adjoining Children's home which is highlighted to impact on the wellbeing and safety of vulnerable children. Objectors consider the proposal to be contrary to criterion (h) of Policy QD 1.

8.126 Guidance on assessing impacts on privacy of residential properties is outlined under Paragraphs 7.13 – 7.20 of Creating Places.

8.127 Paragraph 7.16 of Creating Places outlines that where development abuts the private garden areas of existing properties, a separation distance greater than 20 metres will generally be appropriate to minimise overlooking, with a minimum of around 10 metres between the rear of new houses and the common boundary. An enhanced separation distance may also be necessary for development on sloping sites.

8.128 Paragraph 7.17 of Creating Places outlines that greater care will be needed where new residential schemes, such as apartments, include living rooms or balconies on upper floors as this can cause a significant loss of amenity to adjoining dwellings, particularly where they are close to the boundaries of existing properties. Where such development is proposed on green field sites or in lower density areas, good practice indicates that a separation distance of around 30m should be observed or, alternatively consideration given to a modified design. Where such development, abuts the private garden

areas of existing properties, a minimum distance of around 15m should be provided between the rear of the apartments and the common boundary.

8.129 The application site adjoins residential uses of a varying nature with dwellings located to the northwest, north and northeast on Dhu Varren, a children's care home to the west on Dhu Varren and a caravan park to the south/south-east/south-west.

8.130 The development under consideration is a revision to that originally submitted on the application. The existing school building sits at the top of a prominent ridge. The original proposal sought a three storey apartment block sited within the same footprint as the existing building. The current apartment block has been set back further into the site away from this ridge.

8.131 The proposed apartment block is a three storey building with large glazed surburban style windows and three first and second floor balconies to the front of the building. The design by its nature results in more intrusive views than the existing school use. Objectors raise the number of persons that the balconies/terraces can hold and this number ranges between 36 – 48 persons. Assessment of the impacts of the balconies/terraces is based on their location and consideration of all views as well the intensity.

8.132 The overlooking impact to properties on Dhu Varren is primarily from the apartments in Block A. The townhouses comprising Blocks B and C are too far detached from properties on Dhu Varren to result in any unacceptable overlooking. The apartment balconies are the closest element of the built form of Block A to No's 25 – 41 Dhu Varren. These properties are all located at a lower level than the application site and consequently overlooking is exacerbated.

8.133 The separation distance from the eastern balcony of Block A to the common boundary with No. 27 Dhu Varren is 34.2 metres at the closest point. The separation distance from the western balcony of Block A to the common boundary of No's 35 and 37 Dhu Varren is 34.3 metres. Where the rear boundary of No. 39 Dhu Varren adjoins the application site is 37 metres from the western balcony of Block A. Where the rear boundary of No. 41

Dhu Varren adjoins the application site is 31.9 metres from the western balcony of Block A. Views towards No. 39 and 41 are screened partially by the garage on the site of No. 41.

8.134 The dwellings at No's 35, 37 and 39 sit slightly above street level along Dhu Varren. Their rear gardens then rise up from the rear of the properties to the rear boundary with the application site. The difference in levels and the distance of the apartment blocks from the common boundary will assist in reducing the impact from views.

8.135 The relationships to No. 27 Dhu Varren and No. 41 Dhu Varren differ. No. 27 Dhu Varren is orientated towards the site access road and has a rear garden which sits closer to Block A. No. 41 Dhu Varren sits higher than No's 35 – 39 with a lessened impact by the level and building height differences.

8.136 Ultimately, views will be inevitable from Block A towards No's 25, 27, 35 – 39 and 41 Dhu Varren.

8.137 Policy QD 1 only prohibits overlooking which is unacceptable. Consequently, within the policy there is an allowance for overlooking which is acceptable. The policy test does not prohibit all forms of overlooking.

8.138 Creating Places outlines that a minimum distance of 15 metres should be provided from the rear of apartments and the common boundary. The distances calculated from the rear are anticipated to be where privacy issues are most likely to occur and consequently are applicable to all overlooking matters. The distances from Block A to No's 25, 27, 35, 37, 39 and 41 Dhu Varren exceed this minimum separation distance. However, Creating Places also outlines that an enhanced separation distance may also be necessary for development on sloping sites. This enhanced separation distance is not quantified.

8.139 The distances calculated all exceed 30 metres and these distances are to the common boundary. The dwellinghouses and their windows are beyond these distances. The dwelling at No. 27 Dhu Varren is 49.7 metres from the closest balcony of Block A to this property. Distances to the dwellings at No's 35 – 39 Dhu Varren are in excess of 50 metres. The distances towards the dwelling at No. 39 approved under

LA01/2026/0105/F will not be significant different than existing. No. 41 Dhu Varren is closer at 42 metres.

8.140 The distances of Block A to No's 25, 27, 35 – 39 and 41 Dhu Varren are significant and any overlooking is considered to be acceptable to these properties from Block A weighing up against the extent of views and the difference in levels.

8.141 No's 43, 43A and 43B Dhu Varren are located to the northwest of Block A and north and northeast of the two blocks of townhouses. The finished ground levels along the boundary with No's 43, 43A and 43B are indicated to be the same as existing. Consequently, differences in levels between the sites should not compound any potential overlooking.

8.142 Block A is orientated with its gable onto No's 43, 43A and 43B. The gable four windows across each of its floors and two upper floor balconies at first and second floor levels. The windows serve identical rooms across all floors – a master bedroom, ensuite, bedroom and living room. The ground floor windows are screened out by intervening development located between the block and the common boundary including the garden areas, pathways, private gardens and associated boundary treatments. Views are possible from the first, second floor windows and terraces towards No's 43, 43A and 43B. The impact is primarily from the terraces on the western section of the block given the staggered arrangement of the building and distance from the middle and eastern sections towards No's 43, 43A and 43B. The distances from the gable to the common boundary ranges from 14.3 – 14.5 metres. These distances are slightly below the Creating Places minimum separation distance of 15 metres. Views at the minimum 15 metres separation distance would be into the rear sections of the rear gardens of No's 43, 43A and 43B which are not the most private garden areas of these properties. The dwellings at No's 43, 43A and 43B are sited in a staggered arrangement and distances vary due to their siting. The closest dwelling is No. 43 which is 20 metres away from the corner of Block A where the terraces are located. The terraces are 22.5 metres away from the dwelling at No. 43A and 26.2 metres from the dwelling at No. 43B. The upper floor living room windows are 23.3 metres from the dwelling at No. 43, 24 metres from the dwelling at No. 43A and 26.6 metres from the dwelling at No. 43B. The bedroom and

ensuite windows which are less intrusive room uses are greater distances away than the terrace and living room uses. The distances achievable are not considered to result in any unacceptable overlooking. Views towards the common boundary slightly below Creating Places guidance are not unacceptable given that this area is not afforded a significant level of privacy.

8.143 The Block B townhouses are orientated northwest with the rear of No's 43, 43A and 43B facing southeast. The siting of Block B results in the eastern end unit facing No. 43B Dhu Varren. However, the middle and western unit have views northwards towards No's 43, 43A and 43B. The distance to the common boundary is 23 metres with the distance between the dwellings in excess of 40 metres. Views over these distances are not unacceptable. The Block C townhouses are orientated facing northeast and any views towards No's 43, 43A and 43B would be oblique and not unacceptable.

8.144 A children's care home is located to the north of the proposed townhouses and to the west of the apartment block. Objectors have raised concerns in relation to boundary treatments adjoining the children's home. At the location of the townhouses, a landscape buffer comprising woodland planting and a 2.4 metre high masonry wall from adjacent property level is proposed. The wall extends along the entirety of the boundary where it is adjoins the application site. The orientation of the apartments at Block A results in the rear windows facing away from the care home. Very oblique views would be possible along the inside of the boundary where the landscape buffer is proposed from the rear windows. Views are also possible from the side windows towards the grounds to the front of the care home. These views are not considered unacceptable given their possible extent. Block B townhouses are sited with their rear wall 11.3 metres from the proposed 2.4 metre wall. This separation distance is compliant with Creating Places guidance. Views are primarily from the first floor bedroom and ensuite windows and second floor studio/office rooflights. These views are principally onto the carpark area of the care home. Oblique views are possible to the care home. However, these views are over a significant distance and such views are not considered to be intrusive or unacceptable on overlooking grounds. The townhouses at Block C sit parallel

with the landscaped buffer boundary and there are no windows proposed on the gable. Views from the front windows of the closest dwellings to the boundary have some oblique views towards the corner of the car parking area where it adjoins the application site. These views are not unacceptable.

8.145 The caravan park on lands to the south contains static caravans. Static caravans given the nature of their use for tourism purposes, their location in a high density environment and their frequency of their use as temporary accommodation, they are not afforded the same level of privacy as a dwellinghouse.

8.146 The apartments at Block A are 18 – 19 metres away from the site boundary with the road to the caravan park. Creating Places recommends distances of around 15m between the rear of the apartments and the common boundary. The separation distances from the apartment block and the caravan park satisfies the Creating Places guidance. Furthermore, there are views from the public road towards the closest static caravan units to the apartment block. The location of the site entrance road to the townhouses is to the front of the apartments. The former school usage resulted in significant public movement within this area. Given the extensive existing views, the views from the apartment block are not considered to be anymore intrusive than those already present within the area. There are no overlooking concerns from Block A towards the caravan site.

8.147 There is an existing paladin fence which separates the southwestern part of the site where the townhouses are proposed from the caravan park. This area is to be retained and screened with proposed hedging.

8.148 The townhouses at Block B are 21.4 metres from the boundary with the caravan park. Views towards the common boundary with the caravan park are from the front of the dwellings over the their driveway, the site access road and an area of open space to the common boundary. Given the distance over which views are possible and the extent of views there is no unacceptable overlooking towards the caravan park from Block B.

8.149 Block C is sited and orientated such that it's gable and rear elevations have views towards the caravan site. The views from the gable include a ground floor living room window, a first floor stairs/landing window and second floor studio/office window. The ground floor window is screened out by the proposed planting along the site boundary. Views from a first floor window stair/landing are not unacceptable given the transient nature of the room. The second floor window serving the studio/office has views over the boundary fencing and across the caravan park road towards the static caravans. The window is a secondary window within the room with the main views from the rear window. Views from this window are not considered to overly intrusive given the height of the window above the static caravans and the extent of possible views. The rear windows on Block C have a separation distance of 10 metres to the existing rear boundary and this distance is in compliance with Creating Places guidance. On the basis of the boundary treatment, the distance over which views are possible and the lesser level of residential amenity afforded to a static caravan, there are no overlooking concerns from Block C towards the static caravans.

8.150 There is potential for overlooking within the grounds of the proposed development including the proposed internal roads, paths, gardens and parking areas. The road adjoining the rears of No's 35 – 39 is indicated to have a finished level lower than existing with a 1.8 metre high fence proposed along the boundary with these properties. The level difference and proposed fencing would restrict any overlooking into these properties. There is existing car parking along the side of No. 35 and this layout is replicated in the proposal. Views in this location are not considered to be dissimilar than existing. A spot level on the turning head into the northern car park area indicates the same levels as existing towards No. 41. The boundary adjoining No's 41, 43, 43A and 43B is indicated to be retained as existing. There are no level changes proposed adjoining these properties and any views would be consequently similar to existing. There are no changes to the road and boundary treatment associated with No. 27. The finished ground levels around the apartment building are existing or lower than existing and views would not be unacceptable. As previously noted, the boundary with the caravan park is to be planted with hedging and otherwise

remains as existing. Views from the internal road providing access to Blocks B and C are not unacceptable towards the caravan park. Views from this road towards the childrens home will be restricted by the wall. Levels along this boundary are the same or slightly lower than existing. There are no unacceptable views towards the childrens home.

8.151 The perception of overlooking from the presence of the built form of the blocks and their terraces on the site is acknowledged. However, in an urban context some overlooking is to be expected given the nature of urban living. The proposal meets the Creating Places separation distances with the exception of the separation distances from Block A towards No's 43, 43A and 43B Dhu Varren. In that instance, the difference between the guidance separation distance figure of 15 metres and the figure achieved on the layout of 14.3 – 14.5 metres is not significant. The degree of overlooking from the proposal is not considered to be unacceptable.

8.152 An objector has raised privacy concerns in relation to CCTV cameras. From a review of the plans, CCTV cameras are not proposed.

8.153 Conditions should be applied to ensure the provision of the boundary treatment proposed and the landscape buffer to ensure there is no unacceptable overlooking prior to the occupation of any unit.

8.154 Given the significant separation distances indicated from the proposed development to the existing boundaries and the relationship between the siting of the apartment block and two blocks of townhouses, any loss of light or overshadowing is not considered to be unacceptable to existing or proposed properties from the proposal. The 2.5 and 3 storey heights of the blocks are acknowledged. However, direct natural sunlight would not be unacceptably blocked based on the siting of the blocks and separation distances achieved. The boundary treatments proposed will not result in any unacceptable loss of light or overshadowing given their heights. The 2.4 metre wall adjoining the Children's Home is the highest level boundary treatment proposed and it adjoins the car park of the home. Impact onto the car park is not unacceptable. An overshadowing assessment has been requested but this is not

considered to be necessary as it is apparent from the siting of the blocks and separation distances between existing and proposed properties indicated that any overshadowing would not be unacceptable.

8.155 Objectors have raised concerns on the design including heights, width of the blocks and consider it to be oppressive, intimidating and result in increased dominance from that of existing development on the site.

8.156 Block A is a three storey property consisting of three pitched roof sections joined by flat roof links. The usage of pitched roofs, the variation in the massing by breaking up of the block into sections and the fenestration pattern assists in reducing dominance. The separation distance of Block A to the site boundaries is sufficient to not result in any unacceptable dominance. Block's B and C are 2.5 storey townhouses with very similar designs. The dominance impacts from both blocks are towards the Children's Home and the caravan park which are the closest adjoining property and premises. The differences are the length of the blocks. Block B has the shorter length of the two blocks and has a sufficient separation distance to both the Children's Home and caravan park. The rear separation distances to the caravan park from Block C are sufficient to not result in any unacceptable dominance to the caravans located on the rear boundary. The gables of Block C are orientated towards the caravan park and Children's Home with a small separation distance to the common boundary around 3 metres. The 2.5 storey, 10.6 metre ridge height and 8.5 metre eaves height of the townhouses on Block C are separated from the Children's Home by the proposed landscape buffer and screening wall. The impact of Block C is onto the car park of the Children's Home. These boundary treatments will assist in reducing impact on the Children's Home from dominance. The gable facing the Children's Home is blank but the difference in materiality between the ground and upper floors will also assist in breaking up the visual aspects of the gable. Block C is not considered to be unacceptably dominant to the Children's Home. The gable of Block C facing the Caravan Park has the same materiality differences between ground and upper floors as the gable facing the Children's Home. However, this gable has a reduced massing as the dormers are set off the gable resulting in a 6.5

metre eaves height in addition to the windows present which break up the gable. The boundary is to be planted with hedgerow and the impact is onto the access road. Block C is not considered to be unacceptably dominant to the caravan park. The separation distances between the proposed blocks does not result in any unacceptable dominance.

8.157 The proposed boundary treatment is not considered to be dominant to existing or proposed properties. The screening wall towards the Children's Home is 2.4 metres and has a length of 54.8 metres. There is an existing high level fence (approximately 1.8 metres in height) along this boundary separating the Children's Home from the school site. Given the existing boundary treatment present and considering the differences in height between the existing boundary treatment, it is not considered that this wall would be dominant.

8.158 A two storey development is outlined by objectors to address overlooking concerns. It is agreed that a two storey development would reduce any residential amenity impacts including overlooking, loss of light, overshadowing or dominance from that of the 2.5 storey and 3 storey development proposed on the site as well as integrate better visually. However, the Planning Department is required to assess the proposal in front of it and the residential amenity impacts in terms of overlooking, loss of light, overshadowing or dominance are not considered to be unacceptable and would be policy compliant.

8.159 Environmental Health initially responded on 10th March 2025 on the original development proposed and did not raise any concerns in relation to impact on residential amenity. Re-consultation was sought on the amended development now under consideration and on 13th August 2026, Environmental Health indicated that the amended proposal did not materially alter their previous comments. Environmental Health highlighted that the inclusion of a backup generator within the submitted drawings was noted. However, the agent has confirmed that the generator is intended to provide backup power to the evacuation lifts in the event of an emergency, as well as for routine maintenance and testing purposes. On this basis, the EHD has no objection to the proposal.

8.160 The response from Environmental Health indicates no unacceptable adverse impact from noise or any other disturbance to existing or proposed properties.

8.161 There are no concerns in relation to any unacceptable noise from the blocks or vehicles or light nuisances from the proposal. Any noise or light generation will be typical for any residential use. An acoustic study is not required for this proposal. Any unacceptable noise can be reported as a statutory nuisance to the Environmental Health Department. In relation to impacts from headlights, there is an existing road running through the site used by vehicles. The presence of the car park to the front of the site is acknowledged, there is boundary treatment proposed in this location and the levels are to be reduced by approximately 0.5 metres along the access road to the car park which along with the boundary treatment will assist in reducing impacts. A traffic flow and light study is not considered to be required. Any noise or light nuisances generated are not considered to be unacceptable.

8.162 Potential anti-social behaviour has been raised in relation to usage of the terraces. Any anti-social behaviour arising from the proposal is speculative and is a matter for the Police Service of Northern Ireland.

8.163 Objectors raise that screening trees to prevent overlooking should be proposed and No. 27 Dhu Varren should have a screening of trees.

8.164 A Landscaping Plan has been submitted which shows hedge tree planting throughout the site including in the car parking area. Hedge and tree planting in the car parking area would assist in reducing views from the terraces and Block A when developed. A landscaped buffer is proposed along the boundary with the Children's Home which will assist in preventing overlooking towards this property. In relation to No. 27 Dhu Varren, it is noted that the existing grass verges adjoining this property are outside the application site. The areas within the application site adjoining No. 27 Dhu Varren are existing hardstanding areas where car parking is located. Consequently, there is limited scope for planting on the boundaries of this property. In any case, the separation

distances to this property are significant such that any overlooking is not unacceptable.

8.165 The rights to enjoyment of ones property, right to privacy and respect for a private family life without being overlooked are raised by an objector. Rights are considered in the formulation of planning policy which have been applied in the consideration of this proposal.

8.166 An objector has raised that they when they bought their property they were aware of the impact of the school and they have invested money into their property which has now been wasted by potential intrusive development.

8.167 A landowner is entitled to apply for planning permission for development on their property. The particularities of a specific development proposal is assessed under a planning application to ensure that there is no unacceptable impact on existing properties.

8.168 The proposal is considered to comply with criterion (h) of Policy QD 1.

Sewerage and Water Supply

8.169 The application form submitted indicates that the proposal seeks the utilisation of mains water supply and sewerage and disposal of surface water.

8.170 Objectors have raised that there are issues with water supply, water pressure and foul sewerage in the area. The existing water and foul infrastructure is outlined to be poor and the number of proposed units will have a negative impact on capacity in an area where the system is already struggling. Discharge of sewage into the sea and environment has been highlighted due to sewerage capacity issues. It has been queried as to whether upgrades are in place. Consultation with NI Water is indicated to be necessary and sewerage is a material consideration with inadequate assessment of available utilities carried out.

8.171 NI Water were consulted on the proposal and have responded on the proposal and have recommended approval with standard planning conditions and response specific conditions.

NI Water advise of available capacity in the Wastewater Treatment Works and a public foul sewer, public water main and public surface water sewer within 20m of the proposed development boundary which can adequately serve the proposal. NI Water advise that the proposal results in a reduction in foul flow based on their calculations. NI Water advise of a water main traversing the site and a condition has been requested to ensure no impact on the public sewers. This condition should be applied on any approval to ensure that there is no damage or disturbance to the watermain and in the interests of public safety.

8.172 NIEA Water Management Unit have acknowledged the response from NI Water and have no objection to the proposal.

8.173 Having regard to the responses from NI Water and NIEA Water Management Unit the water supply and sewerage arrangements to serve the proposal are considered to be acceptable.

Contamination

8.174 A Preliminary Risk Assessment was submitted in support of the application.

8.175 The Preliminary Risk Assessment outlines that the vacant school building structure poses no significant contamination risks, no asbestos-containing materials are suspected, and limited amounts of made ground are anticipated on-site due to the alignment of site levels with the natural topography. The Portrush railway line is indicated to be 100 metres south and sits on glacial till with low-permeability and the site is topographically upgradient, minimising the likelihood of contaminant migration from the railway line. No visual or olfactory evidence of oil leakage or spillage was noted from the school's heating system and made ground exposed in three excavations in the southern part of the site consists of quarried basalt gravel, which would not be considered a significant contaminant source. Overall, no complete contamination linkages have been identified in relation to the site's proposed redevelopment. The site's risk classification is considered Very Low to Low for its proposed use, with no further assessment required under the Land Contamination Risk Management

(LCRM) framework.

8.176 Consultation was sought with NIEA Regulation Unit and Environmental Health on the submitted Preliminary Risk Assessment.

8.177 Environmental Health referencing the conclusions of the Preliminary Risk Assessment that the site risk classification is considered very low to low has raised no objection to the proposal on grounds of contamination. Conditions have been requested in relation to identification of new contamination and risks on site during development.

8.178 NIEA Regulation Unit advise that Land and Groundwater Team in assessing this planning application are to consider the potential for contamination to be present at the site that could impact on environmentally sensitive receptors including groundwater and surface water. Having reviewed the Preliminary Risk Assessment, Regulation Unit advise that they have no objections to the development provided conditions and informatives are placed on any Planning Decision Notice, as recommended. These conditions relate to identification of new contamination and risks on site during development and remediation works.

8.179 Having regard to the responses from Environmental Health and NIEA Regulation Unit there are no concerns in relation to site contamination. The requested conditions should be provided on approval to ensure any new contamination identified would be remediated.

Other Matters

8.180 Objectors have objected under criterion (d) of Policy QD 1 which requires necessary local neighbourhood facilities to be provided by the developer. The proposal is outlined to not result in any planning gain or benefit the town or local families in proximity.

8.181 The re-development of a derelict site is considered to result in a planning gain. There is no requirement for the provision of local neighbourhood facilities as part of this proposal given the scale and location of the development. The proposal satisfies

the requirements of criterion (d) of Policy QD 1.

8.182 The development has been designed to deter crime and promote personal safety. The dwellings and apartments are orientated with oversight of the road. The layout is open and allows for safe movement throughout the site. The proposal is considered to satisfy the requirements of criterion (i) of Policy QD 1.

8.183 NIE were consulted on the proposal and have raised no objection. There are no concerns in relation to impact on existing electrical infrastructure on the site.

8.184 A significant number of objections raise the development of second homes and usage of proposed units as short term holiday lets. The matter of whether the flats are for full-time occupancy or holiday homes is queried. The need for permanent homes for families is highlighted. Reference has been made to Portrush Town Plan 2025 and highlights the negative impacts that second homes and short term lets have including on housing supply, vacancy rates throughout the year creating a ghost town effect and loss of community wellbeing, pushing out local families and driving up costs. The need for a sustainable approach on second homes and short term lets is outlined. The Council Planning Department is highlighted to identify a high priority action to cap short-term lets to keep families in the town, protect local character and provide housing security. The approval of this application is outlined to run counter to all these points.

8.185 The concerns around short term holiday lets and second homes and the negative impact they can have are acknowledged.

8.186 Paragraph 1.3 of the Planning Statement submitted outlines that:

“The proposal aims to provide high quality housing options for over 55’s living, fostering a sense of place, creating a community whilst respecting individuality and providing permanent residences. The later living concept would enable the residents to live independently and safely, creating a safe and secure environment so that residents can enjoy a sociable

and independent lifestyle."

8.187 Use Class C1 relates to dwellinghouses and is outlined under The Planning (Use Classes) Order (Northern Ireland) 2015 to be:

Class C1: Dwellinghouses

Use as a dwellinghouse (whether or not as sole or main residence)—
(a)by a single person or by people living together as a family; or
(b)by not more than 6 residents living together as a single household where care is provided for residents.

8.188 Dwellinghouses are Use Class C1 and short-term holiday lets are considered by the Planning Department to be a sui generis use. A material change of use from a dwellinghouse to a short term holiday let may require planning permission. The application under consideration relates to apartments and townhouses which are Use Class C1. Consequently, this proposal does not relate to development of apartments and townhouses for short term letting.

8.189 In relation to second homes, Uses Class C1 does not distinguish between use of a dwellinghouse as the main residence or a second home. Consequently, there is no change of use from a main residence to a second home i.e. planning permission is not required. As a second home fits within Use Class C1, the usage of a dwelling as a second home is outside the control of the Planning Department. The Planning Department cannot control the frequency of occupation of a dwellinghouse. The information submitted under the application indicates the dwellings are to be permanent homes for over 55's.

8.190 An objector highlights that as properties are sold it is irrelevant to the age limit of the person or persons and raises what is to stop these being transferred to younger persons. Initial stipulations in place are indicated to be sidelined over time.

8.191 This scheme has been designed and submitted with the intention to be marked to the Over 55's market. The objector is correct that the Planning Department cannot stipulate who lives

in a development. Assessment of the proposal is fundamentally in relation to whether the proposal results in an acceptable residential development. However, weight can be apportioned to various material considerations in the assessment of an application. The matter of the age of occupiers is a material consideration and this has been considered in relation to amenity space provision as this development is to be developed for this purpose based on the information submitted.

8.192 Garden stores are highlighted to maybe developed in garden rooms or sleeping accommodation in the future.

8.193 The future use of any unit in or area within the proposed development as a short term holiday let, second home or any other use is speculative and cannot be considered as it is not the proposal submitted.

8.194 Any cap on short term holiday lets would require a change in planning policy or an updated local development plan to stipulate figures or areas capped.

8.195 Impact on property value and sea views has been raised. Devaluation of property and private views are not planning matters.

8.196 Whether a short-let licence or increased council tax will apply to new development properties has been raised.

8.197 Any licencing of short term lets or increases to Council tax are beyond the remit of planning to consider.

8.198 Construction disturbance along the road and to properties has been raised. The process of construction is beyond the remit of planning. Health and safety matters in relation to construction sites are regulated by the Health and Safety Executive.

8.199 An objector has quoted from the Portrush Town Plan 2025 that residents feel ignored by decision makers and often feel unheard and excluded around planning decisions.

8.200 The Planning Department is required under Section 45(3) of The Planning Act (NI) 2011 in determining any application for planning permission to take into account any representations

relating to that application which are received by it within such period as may be specified by a development order.

Habitats Regulations Assessment

8.201 The potential impact of the proposal on any 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 designations.

9.0 CONCLUSION

9.1 The proposal seeks a proposed residential development of 9no apartments and 9no townhouses, car parking, private and public amenity, landscaping and all associated site and access works at Former Mill Strand Integrated School & Nursery, 33 Dhu Varren, Portrush. The layout and design proposed is considered to result in a development which will integrate appropriately onto the site and into the wider area without detrimental impact to the character of the area through the scale, massing and design of the blocks proposed. The proposal will not result in any unacceptable impact on the residential amenity of existing or proposed residential receptors. The access, drainage and sewerage arrangements are acceptable. There will be no adverse impact on natural or built heritage. The proposal is considered to be acceptable having regard to the requirements of the Northern Area Plan 2016, SPPS Ed 2, PPS 2, PPS 3, PPS 6, PPS 7, APPS 7, PPS 15, Creating Places, Departmental Parking Standards, DCAN 8 and DCAN 15. The objector comments have been fully considered in this assessment.

10.0 Conditions

1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

   Reason: As required by Section 61 of the Planning Act

(Northern Ireland) 2011.

2. The development hereby permitted shall not be occupied until hard surfaced areas have been constructed in accordance with approved Drawing No. 03B to provide adequate facilities for parking and circulating within the site. No part of these hard surfaced areas shall be used for any purpose at any time other than for the parking and movement of vehicles.

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

3. Prior to the construction of the drainage network, the applicant shall submit a Drainage Assessment, compliant with FLD 3 & Annex D of PPS 15, to be agreed with the Council which demonstrates the safe management of any out of sewer flooding emanating from the surface water drainage network, agreed under Article 161, in a 1 in 100 year event with an additional allowance for climate change (10%) and urban creep (10%).

   Reason – In order to safeguard against surface water flood risk.

4. If during the development works, new contamination or risks 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 Land Contamination: Risk Management (LCRM) guidance available at: https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks 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.

5. After completing any remediation works under Condition 4, and prior to occupation of the development, a verification report needs to be submitted in writing and agreed with Planning Authority. This report should be completed by competent persons in accordance with the Land

Contamination: Risk Management (LCRM) guidance available at: https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks The verification report should present all the remediation, waste management and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and wastes in achieving the remedial objectives.

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

6. All hard and soft landscaping works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development unless otherwise agreed in writing by the Council. Any existing or proposed trees or plants indicated on the approved plans which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size, details of which shall have first been submitted to and approved in writing by the Council. All hard landscape works shall be permanently retained in accordance with the approved details

   Reason: In the interests of the character and appearance of the area.

7. No development shall commence until the applicant provides evidence, to the satisfaction of the Council, that NI Water has confirmed the proposed works will not affect the existing watermain traversing the site.

   No construction to be made, trees planted or other obstruction permitted over this watermain, or within the permitted wayleave width.

   Reason: To prevent disturbance / damage to water infrastructure and in the interest of public safety.

8. Notwithstanding the provisions of the Planning (General Permitted Development) Order (Northern Ireland) 2015 (or

any order revoking and/or re-enacting that order with or without modification), no extension, garage, shed, outbuilding, wall, fence or other built structures of any kind (other than those forming part of the development hereby permitted) shall be erected without express planning permission.

Reason: Any further extension or alteration requires further consideration to safeguard the visual amenity of the area.

9. The developer shall nominate and appoint a Management Company to implement, manage and maintain the soft and hard landscaping in accordance with Landscape Management Plan Doc 01. The areas of public open space, soft works including site vegetation and hard works including fencing, walls, paths and roads identified in the Landscape Management Plan Doc 01 shall be maintained in perpetuity, to the satisfaction of the Council. A signed copy of the Memorandum and Articles of Association shall be submitted to the Council prior to the occupation of any dwelling.

Reason: To ensure the continuity and sustainability of the approved landscape design through its successful establishment and long-term maintenance and to achieve a quality residential development consistent with Planning Policy Statement 7 'Quality Residential Environments'.

10. The development hereby approved shall not be occupied or until a Waste Collection Strategy and Waste Plan for the bin collection and transfer arrangements been submitted to and approved in writing by the Council. Thereafter the bin collection arrangements shall accordance with the approved Waste Collection Strategy and Waste Plan

Reason: In the interests of the provision of a quality residential environment and amenity of the area.

11. No development shall commence until details of the materials and finishes of the 2.4 metre high screening wall indicated on Drawing No's 13B and 14B have been submitted and approved in writing by the Council.

The 2.4 metre high screening wall shall be erected in accordance with the approved materials and finishes prior to the occupation of any part of the development.

The 2.4 metre high screening wall shall be retained thereafter in perpetuity.

Reason: In the interests of the privacy and to ensure an appropriate finish in the interest of the character of the area.

12. The 1.8 metre concrete post and timber fence indicated on Drawing No. 13B shall be erected along the rear boundary of the private gardens of Block C adjoining the existing caravan park.

Reason: In the interests of the privacy of the occupiers of Block C and users of the caravan park.

Informatives

1. This approval does not dispense with the necessity of obtaining the permission of the owners of adjacent properties for the removal of or building on the party wall or building on the party wall or boundary whether or not defined.

2. 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.

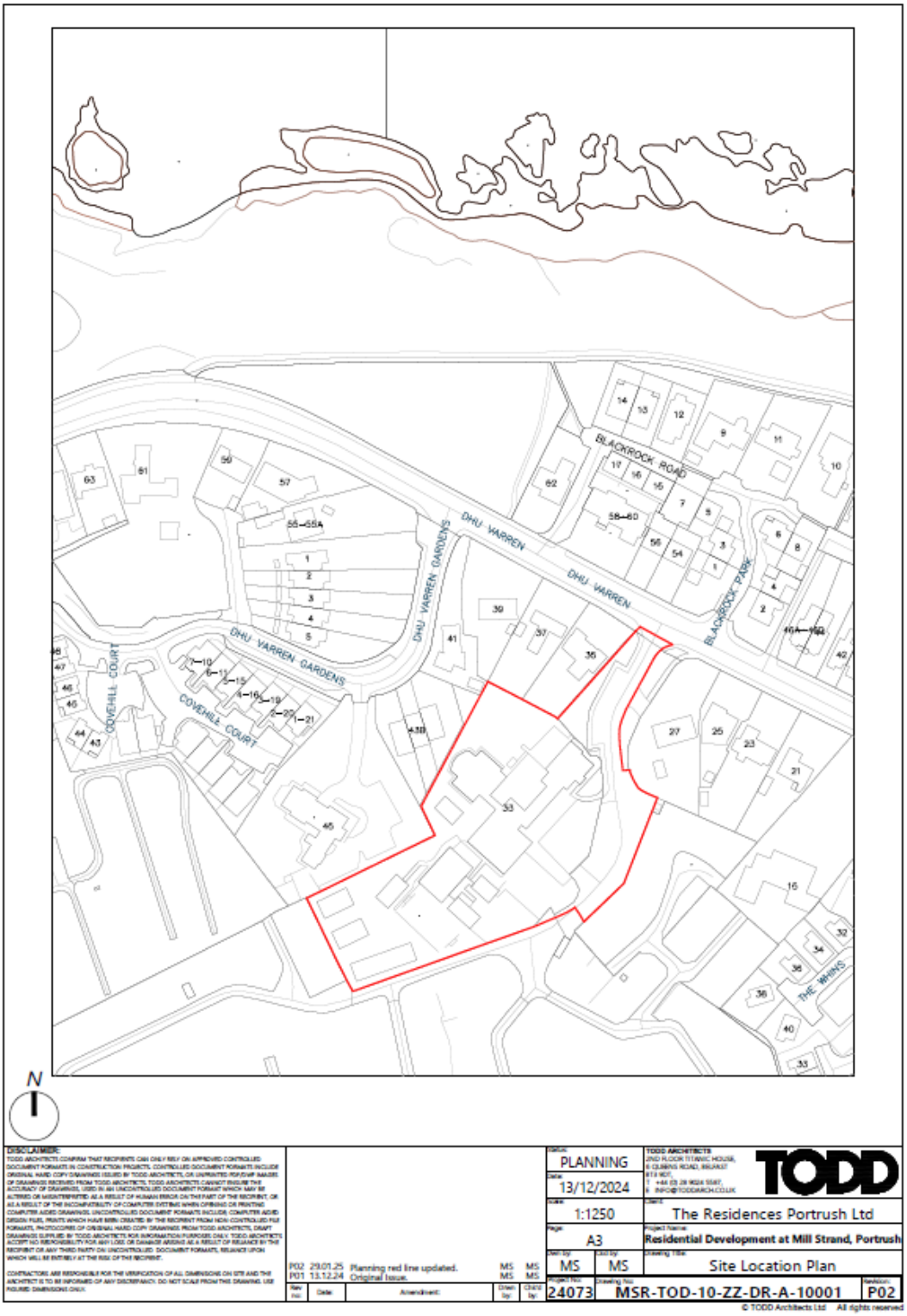
3. This permission does not confer title. It is the responsibility of the developer to ensure that he controls all the lands necessary to carry out the proposed development.

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. You should refer to any other general advice and guidance provided by consultees in the process of this planning application by reviewing all responses on the Planning Portal at:https://planningregister.planningsystemni.gov.uk/simple-

search

Site Location Plan



Site Plan


OVEHILL COURT
DHU VARREN GARDENS
DHU VARREN
CS01
CS02
CS03
CS04
SHARED SURFACE
TURNING HEAD
FFL 25.750
FFL 26.250
FFL 26.000
BLOCK B
PG 1
PG 2
PG 3
PG 4
PG 5
PG 6
KEY
Site boundary
Right of way
Proposed Level
Existing Level
TODD
SITE PLAN - PROPOSED
Residential Development at Mill Strand, Portrush
The Residences Portrush Ltd
PLANNING