



Title of Report:	Planning Committee Report – LA01/2024/0992/F
Committee Report Submitted To:	Planning Committee
Date of Meeting:	22nd January 2024
For Decision or For Information	For Decision – Council Interest
To be discussed In Committee YES/NO	No

Linkage to Council Strategy (2021-25)	
Strategic Theme	Cohesive Leadership
Outcome	Council has agreed policies and procedures and decision making is consistent with them
Lead Officer	Development Management and Enforcement 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:

<u>App No:</u>	LA01/2024/0992/F	<u>Ward:</u>	Giant's Causeway
<u>App Type:</u>	Full Planning		
<u>Address:</u>	65 Main Street, Bushmills		
<u>Proposal:</u>	The proposal seeks a change of use to 3 self contained self catering studio rooms to serve the growing demand for short term guest accommodation in the area. The proposal retains the original ground floor retail unit.		
<u>Con Area:</u>	Yes	<u>Valid Date:</u>	02.09.2024
<u>Listed Building Grade:</u>	B2	<u>Target Date:</u>	16.12.2024
Agent:	R Robinson & Sons Ltd, Albany Villas, 59 High Street, Ballymoney, BT53 6BG		
Applicant:	Stephen and Sharon McKillop, 250 Castlecat Road, Dervock, BT53 8BP		
Objections: 0	Petitions of Objection: 0		
Support: 0	Petitions of Support: 0		

Executive Summary

- Planning permission is sought for the change of use to 3 self contained self catering studio rooms to serve the growing demand for short term guest accommodation in the area. The proposal retains the original ground floor retail unit.
- The site is located within the Bushmills Settlement Development Limit and Bushmills Town Centre as designated in the Area Plan. The site is also within the Bushmills Conservation Area and Area of Archaeological Potential and is a listed building. A Listed Building Consent accompanies this full application (LA01/2024/0993/LBC). The site is located within Causeway Coast AONB. The building is on the Buildings at Risk Register.
- The site is located within the 1 in 100 year fluvial floodplain of the River Bush. DfI Rivers has been consulted and requested a Flood Risk Assessment. Following consideration of a Flood Risk Assessment and the DfI Rivers response under application LA01/2021/1503/F relating to redevelopment of the building, it is considered that a change of use of the listed building proposed is acceptable within the flood plain.
- Full consultation has been carried out with the relevant authorities and no consultee raises any objection.
- Approval is recommended subject to conditions.

Drawings and additional information are available to view on the Planning Portal-

<https://planningregister.planningsystemni.gov.uk/>

1.0 RECOMMENDATION

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

2.0 SITE LOCATION & DESCRIPTION

- 2.1 The application site is located at 65 Main Street, Bushmills. The site has a derelict two storey listed building which is located on a prominent site within Bushmills' Market Square. To the west of the property is a laneway and area of hardstanding. The building is a Grade B2 listed building currently on the Heritage at Risk register. Works are currently being carried out to the building.
- 2.2 The site is located within the Bushmills Settlement Development Limit. The site is located within Bushmills Town Centre, Bushmills Conservation Area, an Area of Outstanding Natural Beauty and an Area of Archaeological Potential as designated under the Northern Area Plan 2016.

3.0 RELEVANT HISTORY

- 3.1 LA01/2024/1239/DC - Conditions 10 & 11 of LA01/2021/1503/F – 65 Main Street, Bushmills – Condition Discharged -

LA01/2023/1092/NMC - Existing sliding sash windows to front facade to be retained and repaired - 65 Main Street, Bushmills – Non-Material Change Granted – 05.02.2024

LA01/2023/0473/DC - Discharge of Condition No 9 of LA01/2021/1503/F – 65 Main Street, Bushmills - Condition Discharged – 02.08.2023

LA01/2021/1503/F - Partial retention and redevelopment of listed building at 65 Main Street Bushmills comprising of ground floor shop and flat at first and second floor - 65 Main Street, Bushmills

– Permission Granted – 03.11.2022

LA01/2020/0942/LBC - Partial retention and redevelopment of listed building at 65 Main Street Bushmills comprising of ground floor shop and flat at first and second floor - 65 Main Street, Bushmills – Permission Granted – 03.11.2022

E/2011/0129/LBC - Works to Listed Building including new back return extension and reconstructed outbuilding- 65 Main Street, Bushmills – Permission Granted - 21.12.2011

E/2010/0276/F- Restoration of existing shop & living accomm. Together with 5 No. small "craft shop" units/toilets & hard & soft landscaping to create streetscape style.- No. 65 Main Street, Bushmills– Permission Granted - 13.01.2012

4.0 THE APPLICATION

- 4.1 The application seeks a change of use to 3 self contained self catering studio rooms to serve the growing demand for short term guest accommodation in the area. The proposal retains the original ground floor retail unit.

Habitat Regulation Assessment

- 4.2 The potential impact of this proposal on 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 sites.

5.0 PUBLICITY & CONSULTATIONS

- 5.1 **External:** All neighbours that have been identified for notification within the terms of the legislation have been notified on 12th September 2024 and 7th October 2024. The application was advertised on 25th September 2024.

No representations have been received for this application.

5.2 Internal:

Environmental Health: No objection to the proposal.

Northern Ireland Water: No objections to the proposal.

DFI Roads: No objection to the proposal.

Historical Environment Division – Historic Buildings - No objection.

Historical Environment Division – Historic Monuments - No objection.

DFI Rivers: Raises concern regarding finished freeboard and potential flood risk

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

7.0 RELEVANT POLICIES & GUIDANCE

The Northern Area Plan 2016

Strategic Planning Policy Statement (SPPS)

Planning Policy Statement 2: Natural Heritage

Planning Policy Statement 3: Access, Movement and Parking

Planning Policy Statement 6 (PPS 6) Planning, Archaeology and Built Heritage

Planning Policy Statement 16 (PPS 16) Tourism

Departmental Parking Standards

8.0 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to the principle of development, Historic Environment, Design, AONB, Amenity, Sewerage, Drainage and Flooding, Access and Parking, and Other Matters.
- 8.2 The proposed development must be considered having regard to the Area Plan, SPPS and PPS documents specified above.
- 8.3 The site is located within the Bushmills Settlement Development Limit, Causeway Coast AONB, Bushmills Town Centre, Bushmills Conservation Area and an Area of Archaeological Potential as designated under the Northern Area Plan 2016.

Principle of Development

- 8.4 Policy TSM 1 of Planning Policy Statement 16 outlines that planning permission will be granted for a proposal for tourism development (including a tourist amenity or tourist accommodation) within a settlement; provided it is of a natural appropriate to the settlement, respects the site context in terms of scale, size and design and has regard to the specified provisions of a development plan.

- 8.5 The application site is located within Bushmills town centre and the proposed tourist accommodation use is acceptable in a town centre. This proposal will have a positive impact on the town providing bringing the site and derelict listed building on the heritage at risk register back into use. The principle of the proposed tourism use is acceptable in this respect.

Historic Environment

- 8.6 The proposal relates to the change of use of a listed building and is located within a Conservation Area. Consequently, the proposal falls to be considered under the remit of Policies BH 7, BH 8, BH 11 and BH 12 of Planning Policy Statement 6: Planning, Archaeology and the Built Heritage.
- 8.7 The application site consists of a two storey, Grade B2 listed building. Planning permission and listed building consent was previously granted under LA01/2021/1503/F and LA01/2020/0942/LBC for the partial retention and redevelopment of listed building at 65 Main Street Bushmills comprising of ground floor shop and flat at first and second floor.
- 8.8 Policy BH 7 of PPS 6 states that a change of use of a listed building will normally be permitted where it secures the upkeep, survival, character and architectural or historic interest of the building is preserved or enhanced. Proposals should incorporate details of all intended alterations to the building and its curtilage to demonstrate their effect on its appearance, character and setting.
- 8.9 Policy BH 8 of PPS 6 states that consent will normally only be granted for the extension or alteration of a listed building where the essential character of the building and its setting are retained and its feature of special interest remain intact and unimpaired, the works proposed make use of traditional and/or sympathetic building materials and techniques which match or are in keeping with those found on the building and the architectural details match or are in keeping with the building.
- 8.10 Policy BH 11 of PPS 6 states that the development not normally be permitted which would adversely affect the setting of a listed building. Development proposals will normally only be

considered appropriate where the detailed design respects the listed building in terms of scale, height, massing and alignment, the works proposed make use of traditional or sympathetic building materials and techniques which respect those found on the building and the nature of the use proposed respects the character of the setting of the building.

- 8.11 Policy BH 12 of PPS 6 states that development for new buildings, alterations, extensions and changes of use in or which impact on the setting of a conservation area will normally only be permitted when the development preserves or enhances the character and appearance of the area, the scale, form, materials and detailing of the development respects the characteristics of adjoining buildings in the area, the development does not result in environmental problems such as noise, nuisance or disturbance which would be detrimental to the particular character of the area, important views within, into and out of the area are protected, trees and other landscape features contributing to the character or appearance of the area are protected and the development conforms with the guidance set out in Conservation Area documents.
- 8.12 The condition of the building and the design proposed was previously considered under LA01/2020/0942/LBC and LA01/2021/1503/F with the design being considered acceptable and structural elements of the existing building identified to be retained. Further non-material changes to the building were made under LA01/2023/1092/NMC to allow the retention of the existing front sliding sash windows. This application seeks a change of use with no external works proposed. As the listing extends to the internal fabric of the building this is required to be considered.
- 8.13 Historic Environment Division was consulted on the proposal in relation to the impact on the listed building and its setting and in relation to the impact on listed building and their associated settings within the surrounding area. It advises that having considered the impacts of the proposal on the listed building and on the basis of the information provided that they are content with the proposal, as presented.
- 8.14 In their explanatory note Historic Buildings outline that no changes are made to exterior of the listed building and the

internal alterations are minor in nature and do not affect the essential character of the listed building.

- 8.15 The proposed change of use, is considered to be acceptable and the proposal will not adversely affect the setting of a listed building. Policies BH 7, BH 8 and BH 11 of PPS 6 are satisfied.
- 8.16 The building is located within the Market Square and the Conservation Area. Extensive views are possible of the front façade of the building given its position within the square. Views are also possible of the rear from Dunluce Road. No external works are proposed to the building and the views within the Conservation Area will be similar to that considered under LA01/2021/1503/F. The proposal will not impact on the setting of the Conservation Area as the changes are internal. The shop use was previously considered under LA01/2021/1503/F and the self-catering use although more intensive is similar to the residential use as an apartment. The proposal complies with the guidance of the Bushmills Conservation Area Design Guide. The proposal is considered to comply with Policy BH 12 of PPS 6.
- 8.17 The application site is located within an Area of Archaeological Potential as designated within the Northern Area Plan 2016. Historic Environment Division: Historic Monuments was consulted and advised that on the basis of the information provided and due to its scale and nature was content that the proposal is satisfactory and meets the SPPS and PPS 6 archaeological policy requirements.
- 8.18 It is considered that the proposal would satisfy the requirements of Policy BH 4 of PPS 6 given the previous discharge of archaeological requirements.

Design

- 8.19 The proposal relates to the change of use of the apartment within the existing building. The site layout and external building design will be unchanged from that previously approved and being implemented as no external works are proposed. No landscaping or boundary treatment is proposed and there is limited scope for its provision at the front given the siting of the building fronting directly onto the footpath. Landscaping or

boundary treatment is not necessary at the rear given the limited public views. There are existing walls at the rear located to the north and south of the rear yard. No area of outdoor storage is proposed. However, storage could be accommodated within the rear yard out of public view.

8.20 With implementation of the proposal the building would comprise the shop and self catering uses. The surrounding uses are a mixture of residential and commercial. The self-catering use is not dissimilar in terms of the apartment in that comprise uses as accommodation. The tourism nature of this use would not detract from landscape quality and character of the surrounding area in this town centre location and having regard to the design and layout of the proposal. There are no changes to built form which would detract from the landscape quality and character of the surrounding area as no external changes are proposed.

Area of Outstanding Natural Beauty

8.21 The site is located within Causeway Coast AONB and falls to be considered under Policy NH 6 of PPS 2 which only permits new development to be granted where it is of an appropriate design, size and scale for the locality, the siting and scale is sympathetic to the special character of the AONB, the proposal respects or conserves features of importance to the character, appearance or heritage of the landscape and respects local architectural styles and patterns, traditional boundary details and local materials, design and colour.

8.22 The proposal relates to a change of use of an apartment in an existing listed building to three self catering units. The proposal does not involve any external alterations to the building and does not change the site layout. External works are being carried out under LA01/2021/1503/F. As this proposal relates to internal alterations and change of use for three self-catering units there will be no impact on the AONB in terms of the design, siting size and scale of the development. The building is a listed building and the design is compatible with features of importance for heritage. The proposal satisfies Policy NH 6 of PPS 2.

Amenity

- 8.23 The proposal replaces the apartment use with three self-catering units. Both the apartment use and self-catering uses relate to accommodation and have similarities in terms of the nature of the use. The proposal results in the development of three units which results in more intensification of the accommodation uses within the building. Environmental Health was consulted on the proposal and advises of no objection with informatives.
- 8.24 The proposal is likely to result in an increase in waste generation from three self-catering units rather than a single apartment. This can be achieved in the rear yard.
- 8.25 With adherence to the advice from Environmental Health the proposal would not harm the amenities of nearby residents.

Sewerage

- 8.26 The proposal intends to use mains for water supply and sewage disposal and surface water disposal. NI Water have recommended the application be approved with standard planning conditions. They advise of capacity at the waste water treatment works and that the public foul sewer, surface water sewer and water supply may be already connected to the existing network with applications required to re-use the existing connection. The proposal utilises mains sewerage and is considered to be capable of dealing with any emission or effluent in accordance with legislative requirements.

Drainage and Flooding

- 8.27 DfI Rivers was consulted on the proposal advising that the proposal is located within the 1 in 100 year fluvial flood plain and fell to be considered under Policy FLD 1 of PPS 15. The policy required that it be demonstrated that the proposal constitutes one of the exceptions to policy.
- 8.28 There are no designated watercourses on the site as indicated by DfI Rivers under LA01/2021/1503/F, any undesignated watercourse identified will fall under Policy FLD 2. The proposal does not require a drainage assessment under Policy FLD 3

given the scale of development proposed and it is the developers responsibility to assess the flood risk and drainage impact and mitigate the risk to the development and any impacts beyond the site.

- 8.29 Dfl Rivers were previously consulted on the proposal under LA01/2021/1503/F for which the proposal was considered to constitute an exception as replacement of an existing building. A Flood Risk Assessment was submitted under LA01/2021/1503/F which outlined a 1 in 100 year fluvial flood level of 8.88m OD rising to 8.99m OD under climate change. Dfl Rivers advised it is in agreement with these levels.
- 8.30 Dfl Rivers advised that the building will have a finished floor level of 8.98mOD which is less than the 600mm recommended freeboard. Dfl Rivers highlighted Section 4.2.2 of the FRA which included flood resistant and resilient construction up to a level of 9.48m OD. Dfl Rivers recommended that these measures were followed.
- 8.31 Section 4.2.2 recommends the use of flood resilient materials on the ground floor. It acknowledges that the selection of materials will be dictated by the requirements of the listed building status and where no improvement is possible the situation remains neutral when compared to the existing situation.
- 8.32 Dfl Rivers previously advised that the Planning Authority should make the final decision on whether the flood plan, proposed development and scale of the intensification of use are acceptable. Dfl advise that the Planning Authority may consider the proposal to be an intensification of use which will increase flood risk and advised consideration of Paragraph 6.21 of PPS 15.
- 8.33 Under LA01/2021/1503/F the Council considered that the site conditions will be the same as existing and any impacts from flooding would be the same as existing given the re-development of that proposal. Given that any flood impacts would be the same as existing, it would be a matter for the applicant in relation to the implementation of the flood management plan. The proposal was not considered to be an intensification in use given the re-development nature of the

proposal. The proposal under LA01/2021/1503/F sought the redevelopment of an existing derelict listed building were there is limited scope for the usage of flood resilient materials in its construction given the protected nature and character of the building. As highlighted by Section 4.2.2 of the Flood Risk Assessment it is considered that the site characteristics would be as existing with no change to the current situation with construction of the proposal.

- 8.34 A condition (No. 11) was applied under LA01/2021/1503/F requiring the submission and agreement of a Flood Risk Management Plan prior to the operations commencing of the development. This flood risk management plan was required to detail how users of premises would be made aware of the risk of flooding in a 1 in 100 year event and include details of how flood risk will be managed and mitigated.
- 8.35 This application relates to the change of use of the building. Any impact from flooding will be similar to that as considered under LA01/2021/1503/F as the proposal involves no external works. The re-use of the building will secure its upkeep and outweighs the location in the floodplain. Condition 11 of LA01/2021/1503/F relating to the flood risk management plan was not discharged. This condition should be brought forward in the instance of an approval to ensure the safety of the users of the premises.
- 8.36 Due to the nature and scale of the development it is a matter for the applicant to manage surface water run-off within the site as highlighted by DfI Rivers. The ability to utilise Sustainable Urban Drainage systems would be limited due to site constraints.

Access and Parking

- 8.37 The proposal relates to the change of use of an existing building. The application site consists of the building fronting onto the street with a rear yard. This yard is accessed from a further yard located to the west and indicated to be within the ownership of the applicant. Vehicular access is available to both yards via a shared access to the south which accesses onto a car park. This access point is beyond the application site and ownership of the applicant. The proposal does not access

onto a protected route.

- 8.38 There is no access proposed as a part of this application with rear access through the existing property for pedestrians or via the existing shared access to the south for vehicles.
- 8.39 The proposal relates to the conversion of an apartment to three one bedroom self catering units. The shop at ground floor is indicated to be existing and has its own parking burden.
- 8.40 Under LA01/2021/1503/F it was deemed that there was adequate and appropriate car parking available to serve the proposal located at the rear of the property within the application site and within the rear area of hardstanding indicated within the applicant's ownership. Car parking was also available on street directly to the front of the property.
- 8.41 The current proposal has an increased parking burden due to the creation of three self-catering units to replace the single apartment.
- 8.42 Departmental Parking Standards does not have any specific parking requirements for self-catering units. However, given the tourism use it is anticipated that the proposals will have a parking requirement with users travelling to stay in the units. The one bedroom apartment standards requires 1.25 spaces per unit. Given the town centre location and the number and size of the units, it is considered that one space would be required per unit plus an additional operational space for the operator. This car parking burden can be accommodated to the rear of the site, on street and within the public car parks located in proximity to the site.
- 8.43 DfI Roads was consulted on the proposal and advised that it has no objection to the proposal subject to informatives. The existing road network is considered to safely handle any extra vehicular traffic the proposal will generate on the basis of the scale of the proposal. The proposal provides a movement pattern that supports walking and cycling and has convenient access to public transport given its town centre location. The development meets the needs of people whose mobility is impaired and respects existing public rights of way. There are no traffic calming measures required for the proposal.

Other Matters

8.44 The proposal does not extinguish or significantly constrain an existing or planned public access to the coastline or a tourist asset, the proposal does not involve any public art. The site layout and building design is as existing and would be designed to deter crime and promote personal safety.

9.0 CONCLUSION

9.1 The proposal is considered acceptable at this location having regard to the Northern Area Plan and other material considerations, including the SPPS and Planning Policy Statements 2, 3, 6 and 16. Approval is recommended.

10. 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 operations of the development hereby approved shall not commence until a flood risk management plan has been submitted and agreed in writing by the Council. The flood risk management plan shall detail how users of premises will be made aware of the risk of flooding in a 1 in 100 year event and include details of how flood risk will be managed and mitigated.

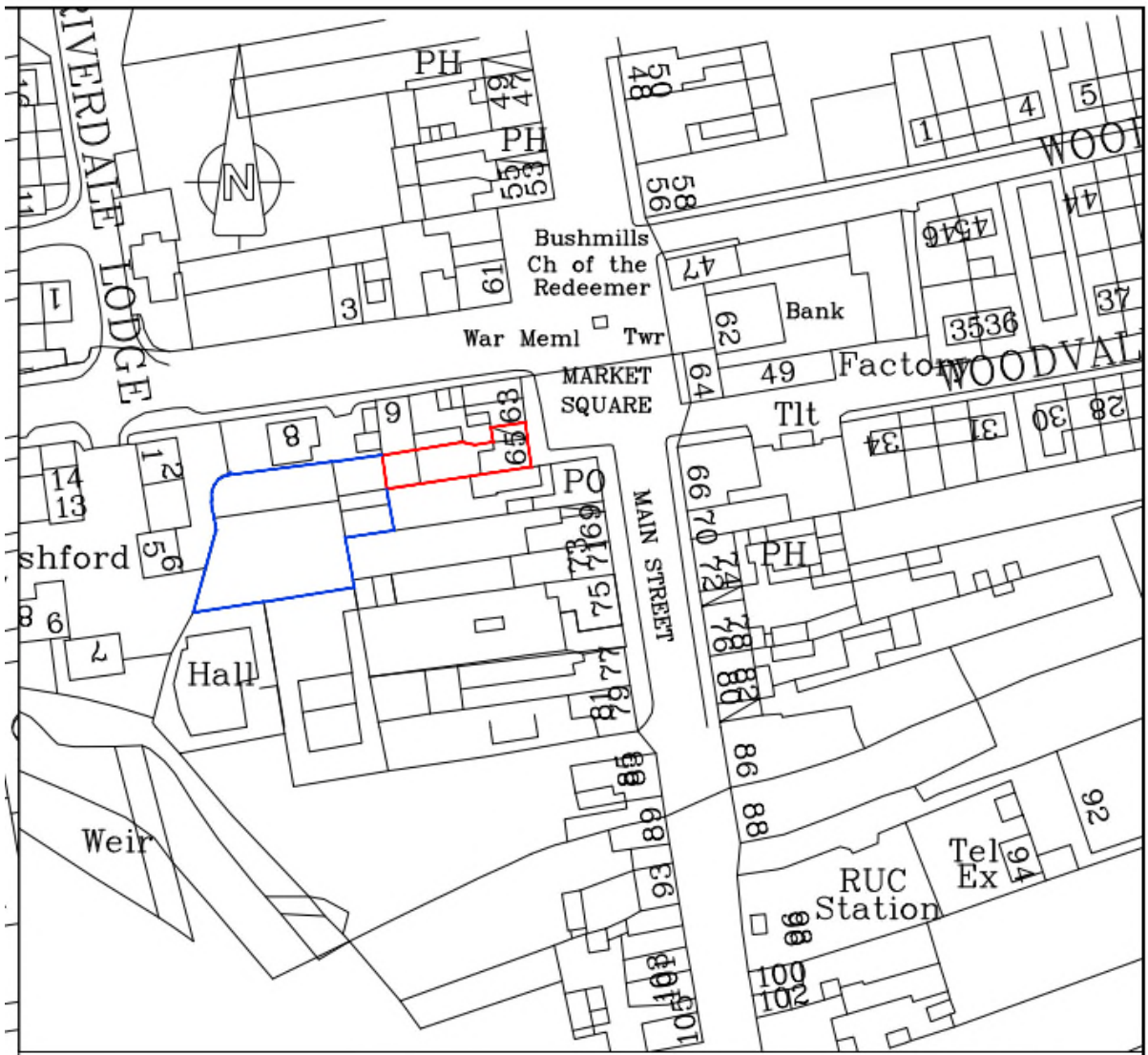
Reason: To ensure the safety of the users of the premises

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.planningssystemni.gov.uk/simple-search>

Site Location



Site Layout

