

Title of Report:	Planning Committee Report – LA01/2024/1121/F
Committee Report Submitted To:	Planning Committee
Date of Meeting:	22nd October 2025
For Decision or For Information	For Decision
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

Estimated Timescale for Completion	
Date to be Completed	N/a

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>	LA01/2024/1121/F	<u>Ward:</u>	Portrush and Dunluce
<u>App Type:</u>	Full Planning		
<u>Address:</u>	Adjacent and North of No. 01 Mark Street, Portrush		
<u>Proposal:</u>	Proposed mixed use development comprising two ground floor retail units, and two first floor apartments, amenity space, parking, bin and bike storage, access and ancillary site works		
<u>Con Area:</u>	N/A	<u>Valid Date:</u>	14.10.2024
<u>Listed Building Grade:</u>	N/A	<u>Target Date:</u>	
Agent:	Bell Rolston Ltd, The Corner House, 183-185 Ballyclare Road, Newtownabbey, BT36 5JP		
Applicant:	SM Devine Homes NI Ltd, 7 Glenshane Enterprise Centre, 441A Ballyquin Road, Dungiven, BT47 4NQ		
Objections: 8	Petitions of Objection:	0	
Support: 0	Petitions of Support:	0	

Executive Summary

- Planning permission is sought for a proposed mixed use development comprising two ground floor retail units, and two first floor apartments, amenity space, parking, bin and bike storage, access and ancillary site works.
- The application site will be accessed via Mark Street.
- The site is located with the Portrush Settlement Development Limit as designated in the Northern Area Plan 2016. The site lies predominantly within Portrush Town Centre, within an Area of Archaeological Potential and Area of Townscape Character Designation PHT 02.
- The application has been assessed against the relevant policies within the NAP, SPPS, PPS3, PPS 6, APPS 6, PPS7, APPS7, and PPS8.
- The proposal complies with all relevant policies.
- Consultation was carried out with DfI Roads, Environmental Health, Historic Environment Division. No objections were raised by these consultees. Issues with sewerage capacity have been highlighted by NI Water and NIEA Water Management Unit and would be subject to negative conditions.
- There have been 8 representations received in relation to this application.
- 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 **APPROVE** planning permission for the reasons set out in section 10.

2.0 SITE LOCATION & DESCRIPTION

- 2.1 The site is located adjacent and North of No. 01 Mark Street, Portrush. The site comprises mostly hardstanding with an area of open space which is grassed with paving located to the southeast. The site is located above an area of car parking which is associated with No's 1 – 7 Kerr Street located to the rear of the site. The site has concrete walls located along the southwest and northwest boundaries. The north east boundary along Mark Street is bound by temporary fencing. The boundary with Portrush Town Hall to the southeast comprises an existing stone wall.
- 2.2 The site is located within the settlement development limit of Portrush and is located predominately within Portrush Town Centre with a section of the site to the northwest falling outside. The site is located within an Area of Archaeological Potential and Area of Townscape Character Designation PHT 02 as set out in the Northern Area Plan 2016.
- 2.3 The site is located towards the southeast end of Mark Street which has a strongly residential character. To the southeast of the site is Portrush Town Hall and the wider town centre which consists of a mixture of commercial and retail uses. The immediate area has a mixed character. The northeast side of Mark Street is primarily defined by 2 and 3 storey terraced residential development, the exception being across from the site which comprises two storey flat roof properties. The southwest side of Mark Street comprises mostly the rear of properties on Kerr Street with the exception being semi-detached properties located approximately 10 metres to the northwest. To the southeast of the site is a mixture of 3 and 4 storey properties.

3.0 RELEVANT HISTORY

- 3.1 C/2007/0250/F - No's 1-7 Kerr Street, Portrush - 54 apartments with secure basement parking – Permission Granted – 12.09.2008
- 3.2 LA01/2015/0058/F - Nos 1-7 Kerr Street, Portrush, Co. Antrim, BT56 8DG - Demolition of former bed and breakfast and construction of 19 No. two bedroom apartments and 8 No. three bedroom apartments with secure carparking, general stores, binstore and LPG tank storage area – Permission Granted – 01.02.2016
- 3.3 LA01/2017/1095/F – Lands including no. 3 Mark Street adjacent to Portrush Town Hall and no. 5 Mark Street and to the rear of nos. 1 to 7 Kerr Street, Portrush - Additional level of car parking accessed from surface level at Mark Street to serve approved apartment development ref LA01/2015/0058/F with associated access to lower level car parking and reconfiguration of storage areas at lands including no. 3 Mark Street, adjacent to Portrush Town Hall and no. 5 Mark Street and to the rear of nos. 1 to 7 Kerr Street, Portrush – Permission Granted – 12.04.2018
- 3.4 LA01/2018/0190/DC - 1 - 7 Kerr Street, Portrush - Discharge of condition 3 of LA01/2015/0058/F – Condition Partially Discharged – 11.04.2018
- 3.5 LA01/2018/0429/DC - Nos 1-7 Kerr Street, Portrush - Discharge of Condition 3 of planning approval LA01/2015/0058/F – Condition Discharged – 13.08.2018
- 3.6 LA01/2018/0884/F - Lands including No.3 Mark Street adjacent to Portrush Town Hall and No.5 Mark Street and to the rear of Nos.1 to 7 Kerr Street, Portrush - Construction of 8 No. 2 bedroom apartments with secure parking, bin store, private garden and associated works – Application Withdrawn
- 3.7 LA01/2019/0598/F – Land at no 1-7 Kerr Street, Portrush - Retention of 7 apartments (Design amendments to previously approved scheme reference LA01/2015/0058/F) – Permission Granted – 02.03.2020
- 3.8 LA01/2020/0676/F – Lands including No.3 Mark Street adjacent to Portrush Town Hall & No.5 Mark Street & to the rear of nos.1 - 7 Kerr Street, Portrush - Replacement of velux rooflights to apartments 10, 11 & 12 in Phase 2 & apartment 7 in Phase 3 on

3rd floor level to the Kerr Street elevation with combination rooflights – Permission Granted – 21.09.2020

- 3.9 LA01/2022/0771/F - Lands at 6 and 7 Kerr Street, Portrush - Provision of private amenity space at roof level to serve third floor apartments 10, 11 and 12 – Permission Granted – 17.10.2022

4.0 THE APPLICATION

- 4.1 Full permission is sought for a proposed mixed use development comprising two ground floor retail units, and two first floor apartments, amenity space, parking, bin and bike storage, access and ancillary site works.

Habitat Regulation Assessment

- 4.2 Habitat Regulations Habitat Regulations Assessment Screening Checklist - Conservation (natural Habitats, etc) (Amendment) Regulations (Northern Ireland) 2015: 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 16th October 2024 and re-notified on 29th August 2025. The application was advertised on 30th October 2024.

Eight objections have been received for this application from six addresses. A summary of concerns raised include:

- Need for the proposal given level of vacancy retail premises and empty sites and not necessary/desirable on a residential street.
- Concerns with noise both during and after construction without restriction on opening hours of business premises and creating

disturbance to residents particularly on Kerr Street. Request for noise impact assessment.

- Disturbance from light pollution caused by premises lighting.
- Rubbish generation, food waste and increased vermin from unoccupied units.
- Odour concerns, smells from potential fast food or catering premises and request for odour assessment.
- Additional retail units/proposed development on a primarily residential street and opposite a care home.
- Loss of light particularly to No's 5 – 7 Kerr Street from height of the proposed building within 8 – 10 metres which could create darkness during the day and remove light/sunshine from east and south. Request for a light and sun study showing the impact of the proposal on the Kerr Street apartments.
- Loss of Privacy particularly to No's 5 – 7 Kerr Street including overlooking from side facing windows within 8 – 10 metres.
- A 6.5 metre high blank rear façade to existing properties is not an acceptable urban design approach in a constricted urban setting nor an acceptable elevation to present to existing properties on Kerr Street as a means to reduce privacy concerns.
- Rear elevation is oppressive and dominating that is detrimental to amenity and visual lookout from existing 27 no properties.
- During initial construction a set of steps leading to Mark Street were installed as a fire exit which were subsequently removed when SM Devine Homes NI Ltd took over. Serious concerns about how residents could evacuate safely in the event of a fire or if the main gates were blocked. Clarification is required in event of approval and consultation with NI Fire & Rescue Service is strongly recommended.
- Concerns with construction of proposal including traffic, damage to footpath and road, removal of street lights and storage of materials on site.
- Planning permission was granted for the site as additional parking for Pier West, with access from Mark Street and was constructed with a solid concrete base suitable for building.
- Proposal not in compliance with Planning Policy Statement 7 Quality Residential Environments which should protect residential amenity, ensure development is appropriate, sustainable and respectful of its context and local character and streetscape are not affected.
- Overdevelopment with approval for 27 no apartments under LA01/2015/0058/F.

- Land is zoned for green amenity space under LA01/2015/0058/F and cannot be reused within a subsequent application when it was a material consideration of a previous approval.
- No street elevations, contextual elevations or 3d visualisations set against the historic streetscape and listed building at the town hall have been received and should be requested as elevations are misleading in context.
- Concerns in relation to the proposed scale, massing and design within setting and streetscape.
- Detrimental visual effect to setting of surrounding listed buildings and monuments including town hall.
- Previous scheme LA01/2018/0884/F was withdrawn prior to refusal. This should be given material weight and consideration.
- Car parking spaces for 2 retail units and 2 x 2 bed apartments, is insufficient creating even more parking challenges for residents on Mark Street and beyond. Traffic congestion.

5.2 Internal:

Environmental Health: No objections to the proposal.

Northern Ireland Water: Objections to the proposal.

DFI Roads: No objections to the proposal.

HED: Content, subject to a condition regarding external materials/ finish.

NIEA Water Management Unit: Objections to the proposal.

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

Northern Area Plan 2016

Strategic Planning Policy Statement (SPPS)

Planning Policy Statement 3: Access, Movement and Parking

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

Planning Policy Statement 6 (Addendum): Areas of Townscape Character

Planning Policy Statement 7 (PPS 7) Quality Residential Environments

Addendum to PPS 7 - Safeguarding the Character of Established Residential Areas

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

Creating Places - Achieving quality in residential developments

8.0 CONSIDERATIONS & ASSESSMENT

- 8.1 The main consideration in the determination of this full application relate to the Principle of Development, Retailing and Town Centres, Quality of Residential Environment, Access, Movement and Parking, Built Heritage and Other Matters.

Principle of Development

- 8.2 The principle of development must be considered having regard to the SPPS, PPS and other policy documents mentioned before.
- 8.3 The application site is located within Portrush Settlement Development Limit as designated within the Northern Area Plan 2016. The site is located predominantly within Portrush Town Centre where it falls within an Area of Archaeological Potential and Area of Townscape Character Designation PHT 02. Where the site falls outside the Town Centre it falls within both the aforementioned Area of Archaeological Potential and Area of Townscape Character designations.
- 8.4 The proposal is associated with planning history to the rear (west) of the site relating to No's 1 – 7 Kerr Street, a constructed apartment building. This building was originally granted permission under application LA01/2015/0058/F which involved the creation of 19 no. two bedroom apartments and 8 no. three bed apartments. This permission included the building fronting onto Kerr Street and involved the creation of rear car parking which is encompassed by the existing application site.
- 8.5 Further to the approval of LA01/2015/0058/F, a further application was approved under LA01/2017/1095/F. This application sought the creation of an additional level of car parking accessed from surface level at Mark Street to serve the approved apartment development reference LA01/2015/0058/F with associated access to lower level car parking and reconfiguration of storage areas.
- 8.6 The additional level of car parking under LA01/2017/1095/F has been developed on site with a roof present over the car

parking area approved under LA01/2015/0058/F. Consequently, development though commenced under application LA01/2017/1095/F has not been completed.

- 8.7 The associated planning history on the site after LA01/2017/1095/F under LA01/2019/0598/F, LA01/2020/0676/F and LA01/2022/0771/F relates to amendments to the design of the building and creation of creation of amenity space at the third floor/roof level.
- 8.8 The planning history following on from the original permission under LA01/2015/0058/F for 27 apartments does not result in the creation of any further units. Consequently, there is no further parking burden which would require the additional parking spaces approved under LA01/2017/1095/F.
- 8.9 The principle of development for this proposal is subject to whether application LA01/2017/1095/F is required to be fully implemented in accordance with Condition 4 so as to ensure adequate amenity space provision for No's 1 – 7 Kerr Street.
- 8.10 This current application seeks to develop the additional level under LA01/2017/1095/F to provide a building consisting of two retail units and two apartments with associated hard and soft landscaping areas.
- 8.11 The additional planning permissions under LA01/2019/0598/F, LA01/2020/0676/F and LA01/2022/0771/F have resulted in the creation of additional amenity space on the site. This space is in the form of roof terraces which serve the third floor units. The planning history indicates that out of the 27 apartments, 17 are reliant solely on the ground floor, rear amenity area.
- 8.12 From observations on site, the layout of the outdoor area to the rear of No's 1 – 7 Kerr Street is similar but not identical to that approved. The roof over the car parking level is not considered to unacceptably impact the quality of this area for sitting out and No's 1 – 7 Kerr Street are not considered to be reliant on the additional amenity space under LA01/2017/1095/F.

- 8.13 Objectors have indicated that the application should be refused and space returned to the condition proposed as part of the original plans. The use of the application site as additional car parking has been highlighted. There is no planning requirement for this arrangement to be delivered as required by Condition 4 given the acceptable car parking and amenity space provisions at No's 1 – 7 Kerr Street.
- 8.14 An objector has also raised that the land is already zoned for green amenity space as part of LA01/2015/0058/F and cannot be reused within a subsequent application when it was a material consideration of a previous approval.
- 8.15 The open space area has been developed and although it is not zoned, it is protected under Policy OS 1 of PPS 8. This area is indicated to be retained as part of the proposal.
- 8.16 Objectors have raised safety concerns regarding the removal of a stairwell providing fire escape during the construction of No's 1 – 7 Kerr Street when SM Devine Homes NI Ltd took over the development. They raise serious concerns about how residents could evacuate safely in the event of a fire or if the main gates were blocked. Clarification is requested on how this matter will be addressed if the proposed development proceeds and consultation with NI Fire & Rescue Service is strongly recommended.
- 8.17 The proposal does not indicate any access from the lower car park and there is no planning reason as to why access would be required as the apartment building at No's 1 – 7 Kerr Street has dedicated and adequate amenity space and car parking as approved under the original permission LA01/2015/0058/F and subsequently under LA01/2019/0598/F, LA01/2020/0676/F and LA01/2022/0771/F.
- 8.18 The matter of access for fire escape purposes from No. 1 – 7 Kerr Street to the application site or from the application site to No. 1 – 7 Kerr Street is not a planning matter. This matter is assessed by Building Control under building regulations which is a separate remit to planning. This matter was queried with Building Control and it was advised that this access is not required. Consultation has been requested with NI Fire & Rescue Services. This is not deemed necessary. The

development is required to comply with fire safety legislation which is beyond the remit of planning to enforce.

- 8.19 The proposal seeks proposed retail and residential uses on the site. These matters are assessed under the Retailing and Town Centres policies of the SPPS and Planning Policy Statement 7: Quality Residential Environments.

Retailing and Town Centres

- 8.20 The application site is located predominantly within the town centre designation with most of the building located within this designation.
- 8.21 Paragraph 6.273 of the SPPS requires a town centre first approach for the location of future retailing and other main town centre uses.
- 8.22 Objectors have raised the matter of need for the proposed retail units outlining vacancy levels within the town centre and queried whether leases have been secured. The location of the proposed retail units on a predominantly residential street have also been raised.
- 8.23 The position of the objectors are noted in terms of the residential nature of the street. However, this proposal is located primarily in the town centre designation and this is the policy preference in terms of the location of retail units. Given the site layout and that majority of the site is within the town centre, it is considered that this is an acceptable location for the proposed retailing use. The securing of leases is a commercial matter and beyond the remit of planning to consider.
- 8.24 Paragraph 6.292 of the SPPS outlines that to ensure high quality and otherwise satisfactory forms of development all applications for retailing development or other main town centre type uses will also be assessed in accordance with normal planning criteria including transportation and access arrangements, design, environmental and amenity impacts.
- 8.25 Objections have raised the impact on residential amenity from the proposed retailing uses particularly noise from operations, querying the associated hours of operation, nuisances including

light pollution, rubbish and odours associated with the use as potential fast food or catering premises. Objectors have requested a noise impact assessment and an odour assessment.

- 8.26 The proposal is seeking two ground floor retail units and is not seeking a hot food use. Planning policy under Policy PH 02 of the Northern Area Plan 2016 restricts the development of hot food takeaways on the peninsula. If this scheme was granted, a change to such a use would require planning permission as a sui generis use.
- 8.27 Environmental Health upon initial consultation on this proposal requested further information regarding noise/odour impacts and requested information on any noise generating plant/equipment associated with the retail units such as air conditioning/kitchen extraction systems and information on proposed hours of operation.
- 8.28 In relation to noise, Environmental Health highlighted the site location within a busy town centre location including Currys Funpark and Portrush Town Hall which are licensed for entertainment. High levels of extraneous noise may be anticipated from traffic and activities associated with the aforementioned premises. A Noise impact Assessment was requested specifically to deal with inward noise. No concerns were raised in terms of outward noise.
- 8.29 The submitted Noise Impact Assessment indicates that no external plant is proposed and that the hours of the retail units will operate during daytime hours only i.e. 0700 – 2300 hours with exact hours within this range not confirmed. The NIA recommends sound reduction values of 38dBRw by the installation of suitably rated windows. Mechanical ventilation to provide the option to negate the necessity of opening windows is also recommended.
- 8.30 Following review of the Noise Impact Assessment, Environmental Health have raised no objections requesting conditions in relation to noise, ventilation and hours of operation. Informatives are also provided in relation to construction noise, outdoor lighting and storage of waste.

- 8.31 With adherence to these conditions it is considered that the proposed retailing use would not result in unacceptable impacts to the residential amenity of adjoining properties.
- 8.32 Having regard to the response from Environmental Health, an odour assessment would not be required to be submitted. No concerns have been raised in relation to bin storage arrangements and there are no concerns in relation to management of refuse on the site. The submitted information indicates that the proposal would be a standalone development. However, if there was a joint management company any associated costs for rubbish and cleaning would be a commercial matter beyond the remit of planning.
- 8.33 The proposal does not indicate any outdoor lighting as a part of permission. The internal lighting is not considered to result in any harmful impacts on amenity considering the urban context of the site and the hours of operation proposed.
- 8.34 The matters of privacy, overshadowing, loss of light and dominance from the retail use are considered under criterion (h) below.
- 8.35 Objectors have raised issues with the lack of car parking provision for the proposal.
- 8.36 The proposed retailing use has a parking burden. Departmental Parking Standards differentiate between food retail and non food retail. The proposal does not distinguish between either use. The total floorspace of both retail units is 205sqm. This requires a total of 15 spaces for food retail and 11 spaces for non food retail.
- 8.37 The proposal includes 5 in-curtilage spaces with four of these spaces dedicated to the two apartments. The proposal has one space in-curtilage to serve the retail function. The proposal has a shortfall in parking provision for the retailing function when assessed against the guidance of Departmental Parking Standards.
- 8.38 Policy AMP 7 of PPS 3 outlines that proposals are required to provide adequate provision for car parking and appropriate servicing arrangements. The precise amount of car parking is

to be determined according to the specific characteristics of the development and its location having regard to published standards.

- 8.39 Policy AMP 7 outlines that a reduced level of car parking provision may be acceptable where the development is in a highly accessible location well served by public transport and where the development would benefit from spare capacity available in nearby public car parks or adjacent on street car parking.
- 8.40 In the case of this proposal, significant weight is given to the town centre location of the proposal and availability of parking and public transport within close proximity to the site including bus and train routes. There is limited car parking available on street along Mark Street given its highly residential nature and its reliance upon on-street car parking. However, public car parks are within walking distances and with the proposed retail uses there is the potential for linked trips associated with other premises which would reduce the parking burden. The parking provision for the proposal is considered to be acceptable and considered compliant with Policy AMP 7 of PPS 3.

Quality of Residential Environment

- 8.41 Planning Policy Statement 7, Quality Residential Environments, Policy QD1 Quality in New Residential Development is a material consideration and states the following criteria within QD1 must be met:

(a) The development respects the surrounding context and is appropriate to the character and topography of the site in terms of layout, scale, proportions, massing and appearance of building, structures and landscaped and hard surfaced areas; The characteristics of the site and area is set out in the relevant section above.

- 8.42 The proposal seeks the development of a building comprising two retail units at ground floor and two apartments at first floor. This building is located to the northern end of the site with an area of hardstanding providing parking and open space area located to the southern end of the site. The site is

predominately hardstanding with grassed areas to the rear of the building and within the open space area. The proposed building fronts directly onto the street. The site conditions are flat.

- 8.43 The proposed building is two storey with a flat roof. The first floor is recessed from the rear building line with balconies adjoining the first floor gables. The form is cuboidal in nature with a length of 26 metres, gable depth from ground floor of 9.7 metres and height of 7.3 metres above ground level. The ground floor is finished with smooth render whilst the first floor is finished with zinc cladding. The shop fronts comprise ceiling to floor vertical glazing. No security grills or shutters are indicated to be proposed. The first floor windows have a sashed design.
- 8.44 Objectors have raised concerns in relation to overdevelopment, and scale and massing. Reference was made to a previous scheme which was withdrawn.
- 8.45 The principle of residential development on this site has been previously established with application C/2007/0250/F granting permission for 54 apartments on land encompassing both the application site and that of No's 1 – 7 Kerr Street.
- 8.46 This proposal is a standalone development detached from that approved under LA01/2015/0058/F and consequently cannot be considered to constitute overdevelopment. In any case, given that 54 apartments were previously approved on land encompassing both sites, the total number of residential units arising from both this proposal and that extant at No's 1 – 7 Kerr Street as 29 units would not result in overdevelopment considering the previous history and having regard to the design and layout of the scheme proposed.
- 8.47 The application site is located within Area of Townscape Character Designation PHT 02 which outlines the key features of the area including a mixture of two and three storey buildings with generally uniform consistent eaves, prevalence of smooth and painted render buildings with plain facades, strong vertical emphasis of elevations with pitched mainly slated roofs and commentary on design features including presence of bay windows, chimneys, dormer windows, sliding sash windows

and commentary on traditional materials and finishes.

- 8.48 Policy ATC 2 of APPS 6 outlines that proposals will only be permitted in an Area of Townscape Character where the development maintains or enhances its overall character and respects the built form of the area. It is required that any trees, archaeological or other landscape features which contribute to the distinctive character of the area are protected and integrated in a suitable manner into the design and layout of the development.
- 8.49 The contemporary and flat roof design is atypical within the streetscape and the proposal does not include most of the key features outlined within the Area of Townscape Character designation.
- 8.50 The proposed design concept is similar to that of the flat roof accommodation associated with Antrim House which is located across the road from the site and which is not located within the Area of Townscape Character.
- 8.51 This proposal results in the redevelopment of this derelict site with re-introduction of a building into the streetscene. It is considered that some weight should be apportioned to this in consideration of the production of an acceptable form of development.
- 8.52 The proposal is considered to maintain the overall character of the Area of Townscape Character and to respect the built form of the area. The proposal results in the redevelopment of the site which will reduce impact on the wider ATC designation and will partially screen views of the back of development on Kerr Street. The scale, massing, proportions and appearance of the proposed building is acceptable within the context of the contemporary design across from the site and is appropriate to the character and topography of the site. HED: Historic Buildings have not raised any design concerns regarding impact on the adjoining listed building. There is no requirement for the eaves line to match that of the rear apartment building and continuity in eaves and ridge heights and the building lines would be set by development on Mark Street and not the development to the rear of the site. The building fronts directly onto the street but there is a limited development along the

western extent of Mark Street given that the area predominantly encompasses the rear of properties along Kerr Street. This arrangement is similar to that found within the immediate area particularly on Causeway Street.

- 8.53 The site layout has similarities with previous approval LA01/2017/1095/F in terms of the open space area and hardstanding for car parking which was previously found acceptable in this Area of Townscape Character. The layout, landscaped and hard surfaced areas are appropriate to the character and topography of the site on this basis. The proposal includes structures in the form of an enclosed bin store by 1.8 metre high fencing. This bin store is mostly screened from the public road by the boundary treatment and proposed building. Some views are possible across the area used for gas storage. These views would not be intrusive or detrimental to the character of the area.
- 8.54 Boundary treatment comprises existing walls along the western boundary to be retained as existing. Proposed walls include 1.2 metre smooth render painted walls along the site frontage with a 1.5 metre smooth render painted wall adjoining the boundary with the northern gable. The boundary adjoining the gas tank storage area to the north of the site comprises an existing 1.3 metre high block wall which is to be smooth rendered and painted. The proposed boundary treatment is acceptable in context of the street scene and character of the area.
- 8.55 The proposal adheres to criterion (a) and Policy ATC 2 of APPS 6.
- (b) features of the archaeological and built heritage and landscape features are identified and, where appropriate, protected and integrated in a suitable manner into the overall design and layout of the development;*
- 8.56 The site is within an area of archaeological potential and adjoins Portrush Town Hall.
- 8.57 HED Historic Buildings are content with the proposal as presented.

8.58 HED Historic Monuments advise that the proposal forms a part of the application site for LA01/2015/0058/F for which a Programme of Works was submitted under LA01/2018/0190/DC. Condition 3 of LA01/2015/0058/F relating to the Programme of Works was subsequently fully discharged under LA01/2018/0429/DC.

8.59 HED: Historic Monuments advise that due to the identified reduction of land surface to bed rock at the rear of 1-7 Kerr Street as stated in the above mentioned Programme of Works, HED (Historic Monuments) has assessed the application and on the basis of the information provided is content that the proposal is satisfactory to SPPS and PPS 6 archaeological policy requirements.

8.60 The landscaped area on site is considered under criterion (c) below. There are no other landscape features located on the site.

8.61 The application meets criteria (b) of this planning policy.

(c) adequate provision is made for public and private open space and landscaped areas as an integral part of the development. Where appropriate, planted areas or discreet groups of trees will be required along site boundaries in order to soften the visual impact of the development and assist in its integration with the surrounding area;

8.62 This proposal includes an existing area of open space located to the southeast of the site. The Design and Access Statement outlines that this space is included as it is immediately adjacent to it, it reads with the proposed development and its management and maintenance can be linked to the proposed retail and residential units.

8.63 This proposal by the way of the number of units proposed does not fall to be considered under Policy OS 2 of PPS 8 which requires public open space to be provided as an integral part of the development.

8.64 As the site contains existing open space, this is protected under the policy remit of Policy OS 1 which outlines that development that would result in the loss of existing open

space will not be permitted.

- 8.65 On the basis of the information within the Design and Access Statement, this open space area is only to be accessible to the retail and residential uses on site. Consideration of the access to this space by the adjoining apartment development at No's 1 – 7 Kerr Street has been previously considered within this report and is not deemed necessary.
- 8.66 The incorporation of this space into the site is welcomed and it will assist in the softening of development in this inner urban location.
- 8.67 Private amenity space is in the form of balconies which serve each apartment. The proposed balconies are each 10sqm. Creating Places outlines that amenity space provision for apartments should be within the range of 10 – 30sqm and that generally developments in inner urban locations and other high-density areas will tend towards the lower figure. The proposed private and communal amenity provision is considered to be acceptable.
- 8.68 The proposal includes a bin store to the northwest corner of the site which serves both the retailing and residential units. This bin store is enclosed by 1.8 metre high close boarded fencing. This arrangement is considered acceptable and screened from public view.
- 8.69 The proposal adheres to criterion (c).

(d) adequate provision is made for necessary local neighbourhood facilities, to be provided by the developer as an integral part of the development;

- 8.70 Considering the scale and location of the development, the provision of neighbourhood facilities is not required. The site is located predominantly within the town centre and the prospective residents will have access to local neighbourhood facilities within the settlement. The application meets criterion (d).

(e) a movement pattern is provided that supports walking and cycling, meets the needs of people whose mobility is impaired,

respects existing public rights of way, provides adequate and convenient access to public transport and incorporates traffic calming measures;

- 8.71 The site is located predominantly in and partially adjoining the town centre within the designated development limit of Portrush and will have access to local public transport links within the settlement including the nearby train station. Access to the public road is easily attainable where walking and cycling is supported. The proposal has a layout and design which meets the needs of people whose mobility is impaired. The proposal respects existing public rights of way. Traffic calming measures are not required to be incorporated within the proposal. The application meets criterion (e) of this policy.

(f) adequate and appropriate provision is made for parking

- 8.72 The proposal includes the creation of 2 no. two bedroom apartments. The site layout includes five spaces with two spaces dedicated to each apartment. As per Departmental Parking Standards the proposed residential development requires 3.5 parking spaces. The proposal includes cycle parking in the form of four Sheffield Bike Stands. To encourage alternative forms of transport this cycle parking provision should be conditioned to be provided. The parking burden created by the retail units has been previously considered as part of the assessment of the retail element earlier in this report. The proposed parking arrangement complies with criterion (f).

(g) the design of the development draws upon the best local traditions of form, materials and detailing;

- 8.73 The proposed development is typical of nearby contemporary schemes in terms of form, materials and detailing particularly that of the flat roof accommodation associated with Antrim House across from the site. External finishes are considered acceptable. The application meets criteria (g) of this policy.

(h) the design and layout will not create conflict with adjacent land uses and there is no unacceptable adverse effect on existing or proposed properties in terms of overlooking, loss of light, overshadowing, noise or other disturbance; and

- 8.74 There will be no undue impact in terms of overlooking. The proposed residential units each have one rear facing window which serves a bathroom. These windows are to be obscure glazed and will not result in any unacceptable overlooking. This glazing will be conditioned. The proposed balconies have obscure glazed screens which wrap around the balconies from the rear to the sides which will assist in removing the closest views. It is possible to stand to the front of the balconies and look back towards properties along Kerr Street including No's 1 – 7 Kerr Street, 8 Kerr Street and No. 3B Mark Street. However, the extent of views are not considered to be significantly different from that viewed from Mark Street. The balconies will not result in any unacceptable overlooking. The retail units are located on ground floor and do not have any rear facing windows. There are two windows located in an alcove to the rear of the unit, views are limited to the rear. The positioning and outlook from the gable windows does not result in any unacceptable overlooking.
- 8.75 Objectors have raised concerns with the impact of the proposal in terms of overlooking/privacy including from the proposed balconies, overshadowing, loss of light and dominance particularly due to design and separation distances indicated. Concerns have also been raised in relation to noise and other disturbances including lighting, refuse and odour. A light and sun study has been requested to be submitted.
- 8.76 It is accepted that standing within the site that there is the potential for closer views than that on street and consequently a more adverse impact in terms of privacy. However, the planning permission under LA01/2017/1095/F facilitated development of this upper level area which allowed for similar views standing in the open space and parking areas. On this basis, no objection is considered to be sustained on views from the external areas of the site. The proposed residential and retail uses would not result in any unacceptable overlooking.
- 8.77 In terms of loss of light and overshadowing the main impacts are on the rear of No. 1 – 7 Kerr Street, the gable and rear garden of No. 3B Mark Street and rear of No. 8 Kerr Street. Sufficient information has been submitted with the application to allow assessment of this matter and a light and sun study is

not deemed to be necessary.

- 8.78 With the approval and development of the upper level under LA01/2017/1095/F, No. 1 – 7 Kerr Street has already been impacted in terms of loss of light and overshadowing. The proposed section drawing indicates the height of the proposal relative to the rear of No. 1 – 7 Kerr Street. Where this section is provided the proposal is 10 metres from No. 1 – 7 Kerr Street. The closest point between the proposal and No. 1 – 7 Kerr Street is slightly further to the south where the building projects to the east which has a separation distance of 7 metres. The rear projections of No. 1 – 7 Kerr Street have windows which serve stairwells providing internal access throughout the apartment building. These are not occupiable areas and there are no overshadowing or loss of light concerns to these windows for this reason. The proposal varies in terms of separation distances to No. 1 – 7 Kerr Street from the proposed building by 8.7 metres at the closest point excluding these projections.
- 8.79 The site is comprised of a parking and open space area on southern portion and where No. 1 – 7 Kerr Street adjoins there would not be any significant difference in site conditions in terms of loss of light and overshadowing.
- 8.80 The design of the building includes a smaller first floor area which is stepped in off the rear building line by 2 metres. The exception to this is a small area encompassing the stairwells which is 1.4 metres from the rear building line.
- 8.81 The proposal is considered to result in an impact on No's 1 – 7 Kerr Street given the positioning to the east and southeast. However, weighing up the separation distances, the extent of impact from the existing upper level area, the extent of the impact based on the sunpath, the design of the building including its two storey height, flat roof and set back at first floor that any impact in terms of loss of light or overshadowing on No's 1 – 7 Kerr Street would not be so significant so as to warrant refusal. The bin store is enclosed in 1.8 metre high fencing adjoining the boundary and given its limited scale relative to the existing rear boundary treatment is unlikely to result in an unacceptable impact.

- 8.82 No. 3B Mark Street is located to the northwest of the site. The proposed building is separated by an area of gas tank storage. The total separation distance between the proposed building and the dwelling at No. 3B Mark Street is 9.6 metres at the closest point. No. 3B Mark Street has no windows on its gable reducing the impact on this property. The impact on the rear garden is not considered to be unacceptable given the separation distances and the location of the building forward of the rear building line of No. 3B.
- 8.83 The impact on No 8 Kerr Street relates predominantly to overshadowing to the rear garden of the property given the design of the proposal and separation distances involved. There is closer development than the proposal located to this property at No's 1 – 7 Kerr Street and No. 3B Mark Street which would result in a greater impact in terms of overshadowing and loss of light. Given the extent of the impact there will be no unacceptable impact to No. 8 Kerr Street in terms of loss of light and overshadowing.
- 8.84 The properties to the eastern side of Mark Street will be impacted in terms of overlooking from the front and side windows and balconies. Given the front facing aspect of these properties and the separation by the road any impact would not be unacceptable. Similarly, in terms of loss of light and overshadowing, the separation distances created by the road would not result in any unacceptable impact.
- 8.85 In terms of dominance, concerns have been raised by objectors that a 6.5 metre high blank rear façade to existing properties is not an acceptable urban design approach to resolve the overlooking in a constricted urban setting nor an acceptable elevation to present to existing properties on Kerr Street. The rear elevation is outlined to be oppressive and dominating and detrimental to amenity and visual lookout from existing 27 no properties.
- 8.86 As previously outlined, due to the siting and footprint of the proposed building it does not adjoin the entirety of the boundary with No's 1 – 7 Kerr Street with approximately half of No's 1 – 7 Kerr Street being directly affected. The design of the proposed building incorporates different materiality between the rendered ground floor and cladded first floor

which assists in breaking up the building visually. Furthermore, the openings, albeit limited, and the set back of the first floor from the rear building assists in reducing the impact. Weighing up these matters with the separation distances achieved it is considered that the proposal would not be dominant to No. 1 – 7 Kerr Street. There is no dominance to any other properties given the separation distances achieved with development on Mark Street.

- 8.87 Through consultation with Environmental Health comment has been provided in relation to noise. Environmental Health advise that the site is located within a busy town centre location, in proximity to ‘Currys Funpark’ and ‘Portrush Town Hall’, which is licensed for Entertainment. Subsequently, high levels of extraneous noise may be anticipated from traffic and activities associated with the aforementioned premises.
- 8.88 Environmental Health continue that the proposed apartments may be affected by inward noise emissions due to surrounding extraneous sources including road/vehicle traffic, commercial/ business operations within a busy town centre, music and patron noise from the adjacent licensed premises and potential noise/vibration transmission from the ground floor retail units. This is not an exhaustive list.
- 8.89 A Noise Impact Assessment was requested by Environmental Health to assess the impact of noise on the apartment building. Environmental Health have not raised any concerns in relation to impact of noise from the proposal to adjoining receptors.
- 8.90 Given the nature of a residential use, it is considered that any noise generation would be typical of a residential use and given the existing context highlighted by Environmental Health that any noise generation would not be unacceptable.
- 8.91 Conditions were requested by Environmental Health following review of the Noise Impact Assessment to limit inward noise to the units and the requested condition in relation to this matter should be applied in the event of approval.
- 8.92 There are no further nuisances or other disturbances identified associated with the residential use and Environmental Health

have raised no further concerns. The residential element of this mixed use scheme would not result in any significant odour generation given the nature of the use. Any concerns regarding rubbish generation and bin storage on site could be subject to an Environmental Health complaint. No concerns have been raised in relation to the bin store arrangement indicated.

8.93 Assessment of the impact of the retail units in these terms are outlined under the Retailing and Town Centre sections above.

8.94 The proposal complies with Criterion (h).

(i) the development is designed to deter crime and promote personal safety;

8.95 The proposed development will not lead to the creation of areas where anti-social behaviour may be encouraged. The proposed amenity area and rear of the building will be overlooked by surrounding residential units. The building fronts directly onto the street and does not have any defensible space. The residential units are located on the upper level with the retail units below. This arrangement is considered to be acceptable and in keeping with development in the area. The proposal meets criteria (i) of this policy.

8.116 The proposal is in accordance with Policy QD1 of PPS 7.

8.117 Annex D of Addendum to PPS 7 - Safeguarding the Character of Established Residential Areas outlines circumstances under which Policy LC 1 does not apply which includes designated city centres, and designated town centres within large towns. Large towns are defined under Annex D as having a population of over 5000 which would apply to Portrush. The proposal does not fall to be considered under Policy LC 1.

Access, Movement and Parking

8.118 Policy AMP2 of PPS3 Access, Movement and Parking applies and states for access to public roads planning permission will only be granted for a development proposal involving direct access, or the intensification of the use of an existing access, into 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 AMP3 Access to Protected Routes.

8.119 Objectors have raised traffic congestion created by the proposal.

8.120 The proposed vehicular access arrangements comprise the creation of a new access onto Mark Street with the removal of existing yellow lines. DFI Roads have responded positively to the proposed access arrangements and have requested conditions which should be applied in the event of approval. The proposal does not involve access to a protected route. DFI Roads are the competent authority in relation to access and traffic and have not raised any concern in relation to the proposed access arrangements.

8.121 Having regard to the access arrangements indicated and the response from DFI Roads, Policy AMP 2 is satisfied.

Built Heritage

8.122 Policy BH11, Development affecting the Setting of a Listed Building, states the Council *will not normally permit development which would adversely affect the setting of a listed building. Development proposals will normally only be considered appropriate where all the following criteria are met:*

(a) the detailed design respects the listed building in terms of scale, height, massing and alignment;

(b) the works proposed make use of traditional or sympathetic building materials and techniques which respect those found on the building; and

(c) the nature of the use proposed respects the character of the setting of the building.

- 8.123 The application site impacts upon Town Hall Kerr Street, Portrush Grade B+, War Memorial at Junction between Kerr St. and Mark St. Grade B1, Portrush Presbyterian Church 3 Main Street Portrush Grade B2, Presbyterian Manse, Main Street, Portrush Grade B2 and the Former Railway Station, 16 Eglinton Street, Portrush which are of special architectural or historic interest and is protected by Section 80 of the Planning Act (NI) 2011.
- 8.124 Historic Environment Division (HED), Historic Buildings were consulted on the proposal advising that they consider the views along Mark Street towards the listed buildings to be significant to the buildings contextual and historical setting and proposed finishes shall be of an appropriate quality and detail. Historic Buildings requested clarification and further information regarding proposed finishes.
- 8.125 Further consultation was sought with Historic Environment Division (HED), Historic Buildings on amended plans which provided clarification and further information on the proposed finishes. HED: Historic Buildings advised that they have considered the impacts of the proposal on the listed buildings and on the basis of the information provided, advises that they are content with the proposal as presented.
- 8.126 Objectors have raised concerns that the proposal would have a detrimental visual effect on the setting of listed buildings and monuments. Concerns have been raised in relation to PPS 6 requirements, and the scale, massing and design of the proposal. It has been raised that the elevations are misleading in context and that no street elevations, contextual elevations or 3d visualisations have been submitted and should be requested.
- 8.127 Historic Environment Division are the competent authority in relation to listed buildings and monuments. The further contextual elevations and visualisations outlined to be requested by objectors are not deemed to be necessary. Assessment of the impact can be based upon the elevations and block plan information received showing the siting of the building.

- 8.128 As per HED's response, the proposal is acceptable in the setting of the listed buildings and is in accordance with Policy BH11 of PPS 6.

Other Matters

- 8.129 NI Water were consulted on the proposal and have recommended refusal subject to the applicant engaging with NI Water as outlined in their response. NI Water advise that there is capacity within the Wastewater Treatment Works and a public water main and surface water sewer within 20m of the proposed development boundary which can adequately service the proposal. NI Water advise that there is a public foul sewer within 20m of the proposed development boundary. However, an assessment has indicated network capacity issues which establishes significant risks of detrimental effect to the environment and detrimental impact on existing properties. NI Water recommend connections to the public sewerage system are curtailed and the Applicant is advised to consult directly with NI Water.
- 8.130 NIEA Water Management Unit have raised concerns with sewerage overloading and environmental impact from the proposal having regard to the response from NI Water.
- 8.131 NI Water have requested engagement with the applicant via an application to NI Water for a Wastewater Impact Assessment which will assess the proposal to see if an alternative drainage or treatment solution can be agreed.
- 8.132 The negative conditioning of this matter is considered to be appropriate in this instance with development only permitted where it has been demonstrated that there is sewage capacity to serve the development without detriment to existing properties and the environment. These conditions should be applied on an approval.
- 8.133 Objectors have raised concerns about the construction of the adjoining development at No's 1 – 7 Kerr Street (Pier West) and damage to the pavement, road, blocking of car parking spaces, removal of street lighting, rubbish, construction noise and traffic. The implementation of a development including its construction is a matter for the developer. The public road is

within the ownership of DFI Roads who are responsible for management and maintenance of the roads and granting permissions for its usage for construction purposes.

8.134 Objectors have queried as to whether the proposed residential units are to be used for commercial letting/short term lets and have raised issues with short term lets in the Kerr Street apartment development. This proposal has been submitted to consider residential units which would be considered as Use Class C1 which is dwellinghouses. The units approved at No's 1 – 7 Kerr Street were also approved as Use Class C1. The permanent use as short term holiday lets would require planning permission as a change of use.

8.135 An objector has raised how can they be sure what is constructed is what is approved. Planning permission is required to be implemented in line with the approved details on the drawings and meet condition requirements. Any breach of this would be investigated under an enforcement complaint.

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 3, 6, 6 (Addendum), 7 and 8. All representations have been fully considered. Consultee responses have also been fully considered. The proposal is located predominantly within the designated Town Centre and is considered to result in an acceptable form of development in context. The proposal does not result in the loss of car parking and amenity space provision for the adjoining apartment building at No's 1 – 7 Kerr Street. The design is considered to be acceptable in context and the proposal would not result in any unacceptable impact on the residential amenity of adjoining receptors. Approval is recommended.

10.0 Conditions

1. The development hereby permitted must be begun within five years from the date of this permission.

Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.

2. No development shall progress beyond the foundation of buildings stage until it has been demonstrated to the satisfaction of the Council and agreed in writing that the mains sewer and the receiving Waste Water Treatment Works has the capacity to receive the waste water and foul sewage from the development.

Reason: To ensure an adequate means of sewage disposal is provided and to ensure protection of the aquatic environment.

3. No development shall be occupied until connection has been made to the public sewer.

Reason: To ensure an adequate means of sewage disposal is provided and to ensure protection of the aquatic environment.

4. No development shall commence until the vehicular access, including visibility splays and any forward sight distance are provided in accordance with Drawing No. 03C and DfI Roads FCD 1 form. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250mm above the level of the adjoining carriageway and such splays shall be retained and kept clear thereafter.

Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.

5. The access gradient to the development hereby permitted shall not exceed 8% (1 in 12.5) over the first 5 m outside the road boundary. Where the vehicular access crosses a footway, the access gradient shall be between 4% (1 in 25) maximum and 2.5% (1 in 40) minimum and shall be formed so that there is no abrupt change of slope along the footway.

Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.

6. The development hereby approved shall not be occupied until hard surfaced areas have been constructed in accordance with approved Drawing No. 03C 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.

7. Windows at the proposed development shall have upgraded acoustic glazing providing a Sound Reduction of at least 38dB Rw for noise control in order to achieve BS 8233:2014 and World Health Organisation Guidelines in noise sensitive rooms for both daytime and nighttime. Reference Section 7.7.2, Table 4, BS 8233: 2014 "Guidance on sound insulation and noise reduction for buildings"

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

8. The proposed development shall incorporate an alternative means of primary ventilation, such as a mechanical ventilation system, or similar, with specification to comply with Building Control Technical Booklet K and ventilation rates in accordance with Table 2.2 of Technical Booklet K.

Reason: To provide a quality environment for occupiers.

9. The development retail units shall operate during daytime hours only, 07:00hrs – 23:00hrs. No servicing of these units shall take place outside these hours.

Reason: In the interests of residential amenity.

10. Details of the maintenance and management of the open space, communal areas and landscaped areas by a Management Company supported by a charitable trust or properly constituted residents association with associated management arrangements, or other such arrangements agreeable to the Planning Authority, including a signed copy of the Memorandum and Articles of Association in accordance

with the Management Plan shall be submitted to and agreed with the Planning Authority before the first unit is occupied.

Reason: To ensure the establishment and continuity of the approved open space, communal areas, and amenity areas through the long term maintenance to achieve a quality development.

11. Notwithstanding the provisions of the Planning (General Permitted Development) Order (Northern Ireland) 2015 (or any order revoking and/or re-enacting that order), the windows indicated as “obscure glazing windows to be permanently fixed shut” on Drawing No. 04C shall at all times be glazed with obscure glass to at least Privacy Level 3 (or equivalent) and shall be non-opening.

Reason: To safeguard the privacy of adjacent properties.

12. The balcony screens indicated as “obscure glazing” on Drawing No. 04C shall at all times be glazed with obscure glass to at least Privacy Level 3 (or equivalent) and permanently retained as such.

Reason: To safeguard the privacy of adjacent properties.

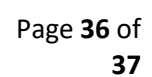
Informatives

1. 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.
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 approval does not dispense with the necessity of obtaining the permission of the owners of adjacent dwellings for the removal of or building on the party wall or boundary whether or not defined.
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 Public Register website at <https://planningregister.planningsystemni.gov.uk/>

PC251022



Site Layout

