



<b>Title of Report:</b>	<b>Planning Committee Report – LA01/2025/0828/F</b>
<b>Committee Report Submitted To:</b>	<b>Planning Committee</b>
<b>Date of Meeting:</b>	<b>28<sup>th</sup> January 2026</b>
<b>For Decision or For Information</b>	<b>For Decision – Objection Item</b>
<b>To be discussed In Committee YES/NO</b>	<b>No</b>

<b>Linkage to Council Strategy (2021-25)</b>	
Strategic Theme	Cohesive Leadership
Outcome	Council has agreed policies and procedures, and decision making is consistent with them
Lead Officer	Principal Planning Officer

<b>Estimated Timescale for Completion</b>	
Date to be Completed	N/A

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

<b>Legal Considerations</b>	
Input of Legal Services Required	<b>NO</b>
Legal Opinion Obtained	<b>N/A</b>

<b>Screening Requirements</b>	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:

<b><u>No:</u></b>	<b>LA01/2025/0828/F</b>	<b><u>Ward:</u></b>	<b>Royal Portrush</b>
<b><u>App Type:</u></b>	<b>Full</b>		
<b><u>Address:</u></b>	<b>9-11 Atlantic Avenue, Portrush, BT56 8BW</b>		
<b><u>Proposal:</u></b>	<b>Demolition of existing buildings and construction of 4 storey building to provide 4 no. apartments and associated amenity areas. (Renewal of LA01/2020/0327/F)</b>		
<b><u>Con Area:</u></b>	<b>N/A</b>	<b><u>Valid Date:</u></b>	<b>19.08.2025</b>
<b><u>Listed Building Grade:</u></b>	<b>N/A</b>		
<b><u>Agent:</u></b>	<b>Turley, Hamilton House, 3 Joy Street, Belfast</b>		
<b><u>Applicant:</u></b>	<b>Ballygood Developments Ltd, The Diamond Centre, Market Street, Magherafelt, BT45 6ED</b>		
<b><u>Objections:</u></b>	<b>6</b>	<b><u>Petitions of Objection:</u></b>	<b>0</b>
<b><u>Support:</u></b>	<b>0</b>	<b><u>Petitions of Support:</u></b>	<b>0</b>

## Executive Summary

- The application site has a previous approval for the same proposed development of 4 apartments under planning reference LA01/2020/0327/F. Permission Granted 18<sup>th</sup> December 2020. The design and layout remain the same.
- The proposal is considered acceptable at this location having regard to the Northern Area Plan 2016 and other material considerations.
- The application site falls within Portrush Settlement Limit.
- 6 objections have been received in relation to this application.
- No objections have been raised by statutory consultees in relation to this proposal.
- The proposal will not result in unacceptable damage to the character of the surrounding area.
- The proposal is considered acceptable in terms of layout, scale and massing and will not significantly harm the surrounding context and is appropriate to the character and topography of the site.
- The proposal is not considered to create unacceptable conflict with adjacent land uses and there is no unacceptable adverse effect on neighbouring properties
- Access and parking arrangements are acceptable.
- The proposal complies with all relevant planning policies including the Northern Area Plan 2016, SPPS Ed 2, PPS 7, Addendum to PPS 7 and PPS 3.
- The application is recommended for **APPROVAL**.

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 **APPROVE** planning permission subject to the conditions set out in section 10.

## 2.0 SITE LOCATION & DESCRIPTION

- 2.1 The application site consists of nos. 9-11 Atlantic Avenue. It is a compact urban corner site with 2 semi-detached buildings located on the corner with Atlantic Ave. and Mark Street Lane Portrush. The current buildings are 2 storey with return element. There is a pitch roof and artificial tiles. One of the buildings, number 9, has the front appearance of recent blockwork. It has a boarded up shopfront. The adjacent house no 11 is a dwelling and is boarded up. There is a rear return to no 9 and a rear small yard to no 11 with a side door in a boundary wall on Mark Street Lane.
- 2.2 There is a surrounding footpath. This is a mixed use area within the town. On both boundaries to the north east and east there are high boundary walls to 3 storey buildings adjacent. These neighbouring buildings include multiple apartments. There is a pub opposite and a butcher shop opposite.
- 2.3 The land is zoned within the town centre of Portrush as shown on the Northern Area Plan. The site is not within the ATC or conservation area. It is however within a sensitive archaeological area.

### **3.0 RELEVANT HISTORY**

- 3.1 The application site has a previous approval for the same proposed development of 4 apartments under planning reference LA01/2020/0327/F. Permission Granted 18<sup>th</sup> December 2020. The design and layout remain the same.
- 3.2 The applicant has submitted information to show a material start on site. This includes an element of foundation works of approx. 4 metres in length on the Mark Street Lane elevation, which include the dug foundation, poured concrete and 4 rows of blockwork on their flat known as 'footings'. The photos were submitted on 12<sup>th</sup> Dec. 2025 within the 5 year approved timeframe for commencement of development. No formal CLOPUD has been submitted.

### **4.0 THE APPLICATION**

- 4.1 Proposed site for Demolition of existing buildings and construction of 4 storey building to provide 4 no. apartments and associated amenity areas (Renewal of LA01/2020/0327/F permission granted 18<sup>th</sup> Dec. 2020).

### **5.0 PUBLICITY & CONSULTATIONS**

#### **5.1 External:**

6 objections have been received in relation to this application. The main issues raised are summarised below and will be considered and assessed in the report below:

- Overlooking and Loss of privacy to neighbouring apartments and roof terrace amenity
- Overshadowing/loss of light to neighbouring apartments and roof terrace
- Excessive height going from 2 storeys to 4 storeys
- Increased traffic congestion, parking and access concerns

- Concerns about neighbouring emergency exit and access for emergency services
- Noise and disruption
- Reduction in value of neighbouring apartments

## 5.2 **Internal:**

DFI Roads: No objections

NI Water: No objections

Environmental Health: No objections

NIEA Water management and marine team: No objections

HED archaeology and buildings: No objections

## 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 (NAP)

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

6.4 The Strategic Planning Policy Statement for Northern Ireland (SPPS) Edition 2 (2025) 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) Edition 2 (2025)

PPS 3: Access, Movement and Parking

PPS 7: Quality Residential Environments

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

### **Supplementary Planning Guidance**

DCAN 8 – Housing in Existing Urban Areas

Creating Places

## **8.0 CONSIDERATIONS & ASSESSMENT**

### **Planning Policy**

- 8.1 The site is located within Portrush settlement limit. Policy SET 2 of NAP 2016 applies for development within settlement development limits. The land is also zoned within the town centre of Portrush as shown on the Northern Area Plan. The site is not within the ATC or conservation area. It is however within a sensitive archaeological area. Planning permission will be granted provided that the proposal is sensitive to the size and character of the settlement.
- 8.2 The proposal must be considered having regard to the NAP 2016, SPPS, PPS policy documents and supplementary planning guidance specified above. The main considerations in the determination of this application relate to: Local Character,

Environmental Quality and Residential Amenity, Sewerage, Access and Parking.

### **Local Character, Environmental Quality and Residential Amenity**

- 8.3 PPS 7 promotes quality residential development in all types of settlements. DCAN 8 and Creating Places provide additional guidance intended to supplement this policy in terms of improving the quality of new housing development.

#### **Policy QD1 - Quality in New Residential Development**

- 8.4 This policy sets out a presumption against housing development in residential areas where they would result in unacceptable damage to the local character, environmental quality or residential amenity of these areas. Proposals for new residential development should comply with the following criteria:

**(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 buildings, structures and landscaped and hard surfaced areas;**

- 8.5 The proposal involves the demolition of the existing two storey buildings on site. One was a dwelling and the other was previously half changed from a shop to a takeaway but not completed. The buildings are in a dilapidated state and in need of redevelopment. The proposal is to be build a new block of apartments. It will have the appearance of a 3 storey building with mansard roof which will have living accommodation in the roof area. Therefore, there will be 4 floors incorporating 4 apartments. Each upper floor apartment

will have stair and lift access. There is a roof terrace for communal amenity with a glazed obscure boundary balustrade.

- 8.6 There is a bin storage area on the ground floor within an alley way which provides shared access from the neighbouring property (Bob & Berts), and the proposed development. There is access onto the street on both facades to the Atlantic Avenue and Mark Street Lane. There will be 3 x two bedroom apartments and 1 x one bedroom apartment. Each apartment will have a double frontage with a large window over the corner area. The height of the building is 12 metres high which is similar to the neighbouring building (Bob & Berts and associated apartments above). It has an approximate footprint of 11 metres x 11 metres. Parking is provided on street. The building will be finished with smooth render and a natural slate roof. The windows will be pvc and the doors hardwood.
- 8.7 In terms of height and massing, the building utilises the full footprint of the site as it has a modest footprint. Objections included the excessive height of the building. It is on a corner site and reflects the similar heights in the area, and particularly the neighbouring buildings. As it occupies the corner it will provide a modern redevelopment which will help the visual amenity of the town centre as the current site is an eyesore with unfinished older smaller buildings which do not maximise the potential of the site within the commercial centre of Portrush. It is considered that the proposal will respect the character of the area. The objection regarding height does not warrant sufficient weight to refuse the application. The design and layout is satisfactory and is appropriate to the character of the surrounding area.
- 8.8 The application site has a previous approval for the same proposed development of 4 apartments under planning reference LA01/2020/0327/F. Permission Granted 18<sup>th</sup> December 2020. The design and layout remain the same.

The proposal complies with criterion a.

**(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;**

- 8.9 The site is within the Portrush Area of Archaeological Potential (AAP) as defined by the Northern Area Plan 2016. Consultation was carried out with Historic Environment Division (Historic Monuments) who have assessed the application and on the basis of the information provided - and the nature and scale of the development - are content that the proposal is satisfactory to SPPS and PPS 6 archaeological policy requirements.
- 8.10 The proposal is also within close proximity to a number of listed buildings. Historic Environment Division (Historic Buildings) have considered the impacts of the proposal on the listed buildings and based on the information provided advise that they are content, subject to conditions. However, it is considered the conditions are not necessary as the site is within the town centre, with sufficient separation from the listed buildings and the site is not located within the conservation area or within the ATC. It is not considered normal standard practice to consult the in-house conservation officer when a site is not within the conservation area. The design is considered acceptable as it has smooth render walls and natural slate finish to the roof and will not have any detrimental impact on surrounding buildings or character of the area. It is considered that the proposal complies with criterion b.

**(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 discrete 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;**

- 8.11 The proposal includes a roof terrace with communal amenity for all apartment residents. There is approx. 60 sqm which provides an average of 15 sqm per apartment. This is in keeping with an urban town centre site in a built-up high-density area. It is considered that this meets the requirements of Creating Places guidance. The communal amenity reflects the existing character of neighbouring apartments. The neighbouring apartment block also has a roof terrace. There is a level difference of 1 metre with the new development being 1 m higher. There will be a low 200mm wall with 1800 high obscure glazing to keep both terraces private and

avoid any detrimental impact. The neighbouring roof terrace has a length of 14 metres to separate the neighbouring apartments and the new proposed building. The proposed roof terrace design is deemed satisfactory. The proposal complies with 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;**

8.12 Not applicable to a development of this scale. The site is within the settlement limit and town centre of Portrush with various amenities available. Neighbourhood facilities are not required as an integral part of this development.

**(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;**

8.13 The site is within the settlement limit and town centre of Portrush. The site is within walking distance of local amenities and has convenient access to public transport links. There is a footpath at the front of the property and parking available on street. The proposal complies with criterion e of this policy.

**(f) adequate and appropriate provision is made for parking;**

8.14 The proposal has no parking provided as it is within the town centre. There is on street parking. DFI roads have been consulted and offer no objections. There has been no change in policy since the previous approval. Criterion f is satisfied.

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

8.15 The design of the development in terms of form, materials and detailing would be considered acceptable. The proposal is of a modern style. It uses standard urban materials such as rendered walls and natural slate roof material. There are pvc window frames and corner glazed areas for living accommodation. It is of a design which is apparent throughout the surrounding neighbouring apartment blocks. It is of a similar height and form to neighbouring apartment blocks. The proposal respects the character and appearance of the surrounding area and is contextually appropriate with neighbouring properties. The proposal complies with criterion g.

**(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;**

8.16 Objections have been received from neighbouring properties in relation to this proposal. Concerns relate to overlooking and loss of privacy; overshadowing and loss of light.

8.17 The site is surrounded by neighbouring residential apartment properties and the relevant properties have been neighbour notified as per statutory procedure. There have been objections with regards to impact on the neighbouring roof terrace and the enjoyment and privacy of that terrace and concern regarding detrimental impact on the neighbouring top floor bedrooms with regards loss of light and overlooking. There is a submitted plan showing the relationship of the proposed roof terrace with the neighbouring existing roof terrace. It will be on a similar level but will have a floor level approx. 1 metre higher. There will be the provision of a barrier between the two roof terraces in the form of a 1800mm glazed obscure balustrade on top of a low 200mm upstand. It is considered that this is sufficient to separate the

proposed roof terrace from the existing roof terrace without detriment to the existing or the future residents of the new apartment block. It is considered that the glazed obscure balustrade will be an appropriate boundary screening. The neighbouring existing terrace and top floor bedrooms will not be overlooked and given the similar heights involved there will not be any overshadowing either. There is a separation distance from the neighbouring roof apartments of 14 metres to the shared boundary of the proposed building. It is considered to be sufficient separation distance from the proposed roof terrace to the existing neighbouring roof apartments to avoid any detrimental impact in terms of noise, disturbance, overlooking or overshadowing.

- 8.18 In terms of general noise and disturbance, this should only be relevant during construction and the developer will have to adhere to construction rules and guidance in terms of operation times. These are included on informatives in the Environmental Health response.
- 8.19 Objections were received regarding the access arrangements for emergency services in the event of emergencies for the neighbouring block which incorporates Bob & Berts and the apartments above. The agent for the application has confirmed that any fire escape will remain unimpeded. The plans show a door leading from the neighbouring property at ground floor level leading onto the rear alley of the new proposal and leading out to the exit on Mark Street Lane. The arrangement for emergency services is for the both management of the neighbouring building and the new management for the proposed development and not under control of Planning.
- 8.20 The objections do not hold sufficient weight to warrant refusal. This application is a renewal of an extant approved development. Nothing has changed on site and the application layout and design is the same as before. Policy has not changed since the previous approval. It is considered that the proposal fully complies with policy.

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

8.21 The development has been designed to deter crime and promote personal safety.

8.22 Objections were received regarding loss of value for the neighbouring apartments. No evidence of this has been provided. Open market valuation is not under the control of Planning. This objection does not hold sufficient weight to warrant refusal.

The proposal complies with policy QD1 of Planning Policy Statement 7 Quality Residential development.

### **Sewerage**

8.23 NI Water was consulted in relation to this application and have no objections. There is a public surface water sewer and public water main within 20m of the site boundary which can adequately service this proposal. The proposal is regarded acceptable from a sewage perspective and will not result in an environmental impact.

### **Access and Parking**

8.24 Concerns have been raised by objectors in relation to Increased traffic congestion, parking and access concerns.

8.25 DFI Roads was consulted in relation to this application and express no objections. The site is within the town centre and there is on street parking. There has been no change in policy since the previous approval. The proposal is acceptable in terms of road safety and does not prejudice road safety or inconvenience the flow of traffic. The proposal meets the requirements of Policy AMP 2 of PPS 3.

### **Habitats Regulations Assessment**

8.26 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.

## **9.0 CONCLUSION**

9.1 The proposal is considered acceptable at this location having regard to the Northern Area Plan 2016, SPPS and other material considerations. The proposal will not result in unacceptable damage to the character of the surrounding area. The proposal is considered acceptable in terms of layout, scale and massing and will not significantly harm the surrounding context and is appropriate to the character and topography of the site. The proposal is not considered to create unacceptable conflict with adjacent land uses and there is no unacceptable adverse effect on neighbouring properties. The proposal is regarded acceptable from a sewage perspective and will not result in an environmental impact. Access arrangements are acceptable. Approval is recommended.

## **10.0 CONDITIONS**

1. As required by Section 61 the Planning Act (Northern Ireland) 2011 the development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

Reason: Time Limit.

2. The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992. The Department hereby determines that the width, position and arrangement of the streets, and the land to be regarded as being comprised in the streets, shall be as indicated on Drawing No. 02 published 30th September 2025.

Reason: To ensure there is a safe and convenient road system within the development and to comply with the provisions of the Private Streets (Northern Ireland) Order 1980.

3. The roof terrace, 1800mm high obscure glass balustrade and all hard landscaping incorporated in the approved Drawing No. 05 shall be completed in accordance with these plans before occupation of the first residential unit in the development.

Reason: To ensure the provision of a high standard of landscape and adequate amenity space, consistent with Planning Policy Statement 7 'Quality Residential Environments'.

4. The roof area of the building hereby permitted shall not be accessible as a balcony, roof garden or amenity area unless the 1800mm high obscure glass balustrade has been provided in accordance with Drawing No. 05. The 1800mm high obscure glass balustrade shall be retained at all times in accordance with the approved plans.

Reason: To safeguard the amenities of the adjacent property.

## **11            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 approval does not dispense with the necessity of obtaining the permission of the owners of adjacent buildings for the removal of or building on the party wall or boundary whether or not defined.
3. 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.

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>



# Proposed Block Plan

Note 1  
 Area Shown Red To Be Subject To  
 A Private Streets Determination By D F I  
 Roads Service  
 All New Road Works Shall Be In Accordance With  
 Private Streets (Construction) Regulations (NI) 1996  
 And The Private Streets (Construction) Regulations (SI) 2001  
 Extent Of Existing Footpath Outlined In Blue

