

Title of Report:	DfI Call-In Londonderry Hotel/Atlantic Bar, Portrush
Committee Report Submitted To:	Planning Committee
Date of Meeting:	23 November 2022
For Decision or For Information	For Decision

Linkage to Council Strategy (2021-25)	
Strategic Theme	Improvement and Innovation
Outcome	Council maintains its performance as the most efficient of NI's local authorities
Lead Officer	Head of Planning

Budgetary Considerations	
Cost of Proposal	nil
Included in Current Year Estimates	n/a
Capital/Revenue	n/a
Code	34001
Staffing Costs	No additional costs

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:

1.0 Background

- 1.1** Planning Committee, at its meeting held on 23 January 2019 resolved to grant planning approval and listed building consent for applications LA01/2017/0689/F and LA01/2018/0446/LBC for the Retention and part refurbishment/restoration of the structural walls, shop fronts and roofs of both No 39 and 41 Main Street and demolition of the residual elements of the listed building within the full extent of the site at 39-41 Main Street and 2 Atlantic Avenue Portrush, so as to erect a three to five storey, 87 bedroom hotel with a restaurant, bar and all associated ancillary services. Planning Committee members resolved that the proposal would:
- Be of economic importance to the area
 - Proposal will have no physical impact on the surrounding listed buildings when considering the adjacent apartment building which is higher
 - Proposal will retain the important features of the building – front and side façade and shop fronts
 - There is nothing internally that is so important to retain apart from those features proposed to be retained
 - Impact on residents minimal when considering the apartment block adjacent to the residential properties and use of obscure glazing will minimise overlooking
 - Sympathetic materials to be detailed prior to issuing decision
 - Demonstrate that this is an exception due to the £6.5m investment and the viability of the proposal makes good business sense.

2.0 Details

- 2.1** As the resolution to grant consent was against the advice of the Department of Communities Historic Environment Division, Council notified the Department of its intention to grant listed building consent in accordance with Section 89 of the Planning Act (Northern Ireland) 2011.
- 2.2** The Department issued holding letters on 20 February 2019 stating that it required more time to consider whether the applications should be referred to it for determination and instructing Council not to issue the decisions.
- 2.3** On 29 August 2019, the Department directed under Section 88 of the Planning Act (Northern Ireland) 2011 that planning application LA01/2018/0446/LBC be referred to it for determination. Furthermore, the Department directed under Section 29 of the Planning Act (Northern Ireland) 2011 that application LA01/2117/0689/F be referred to it for determination. The Department stated that it issued these Directions in view of the proposed development's potential conflict with regional built heritage planning policies and with key aspects of the Strategic Planning Policy Statement in terms of sustainable development. It considered that the regional issues raised would benefit from further scrutiny by the Department.
- 2.4** On 27 October 2022, the Department issued the Notices of Opinion for LA01/2017/0689/F and LA01/2018/0446/LBC stating their opinion to grant planning permission and listed building consent subject to conditions and informatives. Council has 28 days from the service of the notice to request in writing an opportunity

to appear before and be heard by the Planning Appeals Commission, or a person appointed by the Department for the purpose of a hearing. On request, the Dfl extended the time period for response to 40 days from the service of the notice.

2.5 Since the issue of the Notice of Opinion by Dfl letters of objection have been received by the Planning Department in relation to the proposed development. These are included in the attached appendix. However, it will be the Dfl who will make the final decision on this application, not Council.

3.0 Recommendation:

3.1 IT IS RECOMMENDED that the Committee agrees to either Option 1 or Option 2

Option 1

AGREE with the Department's opinion to grant planning permission for application LA01/2017/0689/F and listed building consent for LA01/2018/0446/LBC and **DO NOT REQUEST** to be heard by the Planning Appeals Commission, or a person appointed by the Department for the purpose of a hearing and agrees for the Head of Planning to write to Dfl to advise.

Or

Option 2

DISAGREE with the Department's opinion to grant planning permission for application LA01/2017/0689/F and listed building consent for LA01/2018/0446/LBC and **REQUEST** to be heard by the Planning Appeals Commission, or a person appointed by the Department for the purpose of a hearing and agrees for the Head of Planning to write to Dfl to advise.

Strategic Planning Directorate



Department for

Infrastructure

An Roinn

Bonneagair

Department for

Infrastructure

www.infrastructure-ni.gov.uk

Clarence Court
10-18 Adelaide Street
BELFAST
BT2 8GB
Tel: 0300 200 7830

Email: planning@infrastructure-ni.gov.uk

Denise Dickson
Head of Planning
Causeway Coast and Glens Borough Council
By e-mail
denise.dickson@causewaycoastandglens.gov.uk

Our reference: LA01/2017/0689/F &
LA01/2018/0446/LBC
Your reference:

Date: 11 November 2022

Dear Denise,

**RE: NOTICES OF OPINION - Londonderry Hotel/Atlantic Bar, Portrush -
LA01/2017/0689/F and LA01/2018/0446/LBC**

I refer to your correspondence of 31 October 2022 in respect of notices of opinion issued by the Department on 27 October 2022 under Section 29(7) of the Planning Act (Northern Ireland) 2011 for the above planning applications.

Having considered your request for an extension to the requisite 28 days period stipulated in both NOPs to 40 days, the Department hereby accedes to your request.

As such the Council has now until **6 December 2022** to make a request in writing for an opportunity to appear before and be heard by the Planning Appeals Commission, or a person appointed by the Department for the purpose of a hearing.

Yours sincerely

Graeme Walker

Strategic Planning Directorate

Strategic Planning Directorate



Head of Planning
Causeway Coast & Glens Borough Council
Cloonavin
66 Portstewart Road
Coleraine
BT52 1EY

DfI Strategic Planning Directorate
Clarence Court
10-18 Adelaide Street
Belfast
BT2 8GB

Date: 27 October 2022
Your Ref:
Our Ref: **LA01/2017/0689/F**
(Please quote at all times)

Please Contact: Louise Leighton

Dear Sir/Madam,

Proposal: Retention and part refurbishment/restoration of the structural walls, shop fronts and roofs of both No. 39 and 41 Main Street and demolition of the residual elements of the listed building within the full extent of the site at 39-41 Main Street and 2 Atlantic Avenue Portrush, so as to erect a three to five storey, 83 bedroom hotel with a restaurant, cafe/bar and all associated ancillary services.

Location: 39-41 Main Street and 2 Atlantic Avenue Portrush.

I refer to the above mentioned matter, and enclose a copy of the Department's Notice of Opinion in connection with this application. The Department must receive any request in writing for an opportunity to appear before and be heard by the Planning Appeals Commission, or a person appointed by the Department for the purpose of a hearing.

Any requests must be made within **28 days** from the date of service of the Notice.

Yours faithfully

Graeme Walker
Strategic Planning Directorate

DfI Strategic Planning
Clarance Court
10-18 Adelaide Street
Belfast
BT2 8GB

NOTICE OF OPINION

The Planning Act (Northern Ireland) 2011

Application Ref; **LA01/2017/0689/F**

Date of Application: 15 May 2017

Site of Proposed Development: 39-41 Main Street and 2 Atlantic Avenue Portrush

Description of Proposal: Retention and part refurbishment/restoration of the structural walls, shop fronts and roofs of both No. 39 and 41 Main Street and demolition of the residual elements of the listed building within the full extent of the site at 39-41 Main Street and 2 Atlantic Avenue Portrush, so as to erect a three to five storey, 83 bedroom hotel with a restaurant, cafe/bar and all associated ancillary services

Applicant: Andras Hotels
Address: 60 Great Victoria Street
Belfast
BT2 7BB

Agent: Consarc Design Group
Address: 4 Cromac Quay
The Gas Works,
Ormeau Road
Belfast
BT7 2JD

Drawing Ref: 01A, 02D, 03C, 04C, 05C, 06B, 07C, 10C, 11A, 12B, 13A, 14A, 15A, 16B, 20A, 21A, 22, 23, 24 and 25

In pursuance of its power under Section 29 (7) of the above mentioned Act, the Department for Infrastructure hereby gives notice that full permission for the above mentioned development in accordance with your application **SHOULD IN ITS OPINION BE GRANTED** subject to compliance with the following conditions which are imposed for the reasons stated:

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

Reason: Time Limit.

2. The development hereby approved shall be designed and acoustic mitigation measures implemented in order that the cumulative rated level of noise at receptors (external façade) detailed within Table 1, shall achieve as a minimum the noise limits, 0dB above the background level of noise daytime L_{Ar} (1 hour) and night-time L_{Ar} (15mins), when measured and assessed in accordance with BS 4142:2014 + A1:2019 “Methods for rating and assessing industrial and commercial sound”.

Noise limits for receptor locations/dwellings which lawfully exist or have planning permission for construction at the date of this consent but are not listed in the table below shall be those of the physically closest location listed in the table, unless otherwise agreed by the Council.

Table 1

Receptor Location	Noise Limit	Noise Limit
	L_{Ar} (daytime – 1 hour) External Facade	L_{Ar} (night-time – 15mins) External Facade
11 Atlantic Avenue	42dB	37dB
4 Atlantic Avenue		
Apartments Mark Street		
Development Reference: C/2014/0313/F		

Reason: For the protection of amenity from noise of nearby residential properties

3. External facades shall be capable of providing a sound reduction index of at least 55dB Rw

Reason: For the protection of amenity from noise of nearby residential properties

4. The glazing to the first floor bedrooms (façade overlooking Main Street) shall incorporate secondary glazing, which shall achieve as a minimum the Sound Reduction Index (Rw 40dB) as prescribed within Table 7 "*Acoustic Properties of Glazing and Sound Reduction – First Floor overlooking Main Street (Retained Windows)*", (Noise Impact Assessment, date stamped 16th April 2018).

Reason: For the protection of amenity from noise of nearby residential properties

5. The window systems to bedrooms on the façade overlooking Mark Street Lane shall achieve (as a minimum) the Sound Reduction Index (Rw 39dB) utilising 6-12-11 or better thermal double glazed window units as prescribed within Table 6 "*Acoustic Properties of Glazing and Sound Reduction – Plant Noise*" (Noise Impact Assessment, date stamped 16th April 2018).

Reason: For the protection of amenity from noise of nearby residential properties

6. The window systems to bedrooms on the facades overlooking Atlantic Avenue and Main Street shall achieve (as a minimum) the Sound Reduction Index (Rw 34dB) utilising 4-12-4 double glazed window units as prescribed within Table 5 "*Acoustic Properties of Glazing and Sound Reduction Plant Noise*" (Noise Impact Assessment, date stamped 16th April 2018).

Reason: For the protection of amenity from noise of nearby residential properties.

7. Internal construction and acoustic properties shall be built in accordance with recommendation included within Section 8 of the Noise Impact Assessment, date stamped 16th April 2018.

Reason: For the protection of amenity from noise of nearby residential properties

8. Noise from construction activities shall –
- (a) not exceed 65 dB LAeq, 1hr between 07.00 hours and 19.00 hours on Monday to Fridays, or 65 dB LAeq, 1hr between 08.00 hours and 13.00 on Saturdays, when measured at any point 1 metre from any façade of any residential accommodation, and
 - (b) not exceed 55 dB LAeq, 1hr between 19.00 hours and 22.00 hours on Monday to Fridays, or 13.00 hours to 22.00 hours on Saturdays when measured at any point 1 metre from any façade of any residential accommodation, and
 - (c) not be audible between 22.00 hours and 07.00 hours on Monday to Fridays, before 08.00 hours or after 22:00 hours on Saturdays, or at any time on Sundays, at the boundary of any residential accommodation. (As a guide the total level (ambient plus construction) shall not exceed the pre-construction ambient level by more than 1 dB(A). This will not allow substantial noise producing construction activities but other “quiet” activities may be possible). Routine construction and demolition work which is likely to produce noise sufficient to cause annoyance will not normally be permitted between 22.00 hours and 07.00 hours.

Reason: For the protection of amenity from noise of nearby residential properties

9. Prior to the proposed development first becoming commercially operational, the system for the suppression and dispersal of cooking odours shall be installed in accordance with the Envest ‘Odour Risk Assessment Report’, dated March 2018 and bearing the Causeway Coast and Glens Borough Council date stamp 16 April 2018. The system shall be positioned and permanently retained and maintained in full working order in accordance with the manufacturer’s instruction.

Reason: For the protection of amenity from noise of nearby residential properties

10. The kitchen extract flue is to be erected to emit @1metre above the roof of the hotel as per the annotated drawings.

Reason: For the protection of amenity from noise of nearby residential properties

11. No site works of any nature or development shall take place until a programme of archaeological work (POW) has been prepared by a qualified archaeologist,

submitted by the applicant and approved in writing by the Council in consultation with Historic Environment Division, Department for Communities.

The POW shall provide for:

- The identification and evaluation of archaeological remains within the site;
- Mitigation of the impacts of development through licensed excavation recording or by preservation of remains in-situ;
- Post-excavation analysis sufficient to prepare an archaeological report, to publication standard if necessary; and
- Preparation of the digital, documentary and material archive for deposition.

Reason: to ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded.

12. No site works of any nature or development shall take place other than in accordance with the programme of archaeological work approved under condition 11.

Reason: to ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded.

13. A programme of post-excavation analysis, preparation of an archaeological report, dissemination of results and preparation of the excavation archive shall be undertaken in accordance with the programme of archaeological work approved under condition 11. These measures shall be implemented and a final archaeological report shall be submitted to the Council within 12 months of the completion of archaeological site works, or as otherwise agreed in writing with the Council.

Reason: To ensure that the results of archaeological works are appropriately analysed and disseminated and the excavation archive is prepared to a suitable standard for deposition.

14. Any fuel storage tanks (and associated infra-structure) shall be fully decommissioned and removed in line with current Guidance for Pollution prevention and the quality of surrounding soils and groundwater verified. Should contamination be identified during this process, Conditions 15 and 16 will apply.

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

15. If during the development works, new contamination or risks are encountered which have not previously been identified, the Council shall be notified immediately and works shall cease pending submission and agreement of a written report detailing the proposed investigation, risk assessment and remediation scheme. In the event of unacceptable risks being identified, a remediation strategy shall be agreed with the Council in writing, and subsequently implemented and verified to its satisfaction.

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

16. After completing the remediation works under Conditions 14 and 15; and prior to occupation of the development, a verification report needs to be submitted in writing and agreed with the Council. The verification report should present all the remediation, waste management and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and wastes in achieving the remedial objectives.

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

Informatives

- 1 This full application must read in conjunction with the associated Listed Building Consent LA01/2018/0446/LBC.
- 2 It is the responsibility of the developer to satisfy themselves that the development has commenced/is being carried out in compliance with all relevant conditions of the outline planning permission and reserved matters consent.

- 3 This determination relates to planning control only and does not cover any consent or approval which may be necessary to authorise the development under other prevailing legislation as may be administered by the Planning Authority or other statutory authority.
- 4 This permission does not confer title. It is the responsibility of the developer to ensure that they control all the lands necessary to carry out the proposed development.
- 5 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.
- 6 The applicant shall ensure that all plant and equipment used in connection with the proposal are so situated, operated and maintained as to prevent the transmission of noise and odour to surrounding sensitive receptors.
- 7 The development may entail the demolition of the existing building/s on the site. The applicant should ensure due regard to relevant Health and Safety legislative requirements with regard to potential asbestos containing materials. A pre-demolition asbestos survey of the site should be undertaken prior to any such works commencing.
- 8 All wastes must be managed and disposed of in accordance with waste management legislative requirements. The relevant regulatory bodies with regard to Health and Safety and Waste Management are the Health and Safety Executive NI and NIEA Waste Management Unit, who may be contacted directly for advice and direction accordingly.
- 9 The applicant should be aware that an updated Atlas of Radon Affected Areas in NI has been published in August 2015, via Public Health England. A radon affected area is defined as 1% probability or higher of present or future homes above the action level – 200Bq/m³ (annual average radon concentration). The applicant is strongly recommended to access the updated atlas at:
<http://www.ukradon.org/information/ukmaps> and
<https://www.gov.uk/government/publications/radon-indicative-atlas-for-northern-ireland>.

Further information regarding radon (How it affects you and Guidance with respect to what mitigation measures will be required to safeguard health) can be accessed from the Causeway Coast and Glens Borough Council website Health and Built Environment Department – Environmental Protection/Building Control sections accessed at: <https://www.causewaycoastandglens.gov.uk/live/health-and-built-environment/environment-health-and-well-being/environmental-protection>”.

*Building Regulations (NI) 2012 Guidance Technical Booklet C “Site Preparation and Resistance to Contaminants and Moisture, October 2012 : Section 3 provides further information on the level of protection required and directs to the Building Research Establishment (BRE Reports) which provide detailed guidance on protective measures relevant to new dwellings in NI).

Technical Booklet C can be accessed at: <http://www.buildingcontrol-ni.com/regulations/technical-booklets>

Note :The guidance in BR211 applies to all new buildings, extensions, conversions and refurbishment for domestic or non-domestic use (unless subject to local exemptions contained within the above Regulations).

The current 2015 edition of BR211 covers the whole of the UK and replaces three earlier guidance documents:

BRE Report BR211 Radon: guidance on protective measures for new buildings – originally introduced in 1991 and amended in 1992, 1999 and 2007 covering England and Wales.

BRE Report BR376 Radon: guidance on protective measures for new dwellings in Scotland – introduced in 1999. (Please note that whilst this guide has been superseded it is still referred to in Scottish Technical Handbook guidance.)

BRE Report BR413 Radon: guidance on protective measures for new dwellings in Northern Ireland – introduced in 2001. (Please note that whilst this guide has been superseded it is still cited for Building Regulations purposes)

BR211 (2015) includes guidance for all building types including extensions, conversions and refurbishment. The report identifies the areas of England, Wales, Scotland and Northern Ireland where measures should be taken to provide protection against radon and offers extensive guidance on the technical solutions that are required to satisfy Building Regulations requirements.

- 10 Please refer to the HED guidance document Development and Archaeology: Guidance on Archaeological Works in the Planning Process which contains advice on how to fulfil the requirements of the archaeological conditions attached to your planning approval.

Please allow sufficient time in advance of the commencement of site works for the agreement of the programme of archaeological work document with the planning authority and for your archaeological consultant to obtain an archaeological excavation licence. For guidance on the preparation of the programme of archaeological work please contact:

Historic Environment Division – Heritage Development & Change Branch

Ground Floor

9 Lanyon Place

Belfast

BT1 3LP

Tel: 02890 823100

Email: HEDPlanning.General@communities-ni.gov.uk

Quote reference: SM11/1 ANT002:014 and LA01/2017/0689/F

11. Adequate arrangements for the storage and disposal of waste must be made available at the premises, the applicant is advised that a wastewater grease trap should be provided to drains serving the kitchen in order to prevent the discharge of grease into the main sewerage system.
12. Any smoking enclosures must meet the requirements of the Smoking (NI) Order 2006 and the subsequent regulations made under the Order. The behaviour of patrons using the area should be strictly controlled so as to prevent noise disturbance to any residential property, particularly at night-time. For the avoidance of doubt no smoking enclosures have been submitted or forms any part of this approval.
13. No new mechanical services (including for example pipes, soil-stacks, flues, vents or ductwork or other fixtures) shall be fixed on the external faces of the building other than any shown on the stamped approved drawings.
14. No new or electrical services (including grilles, security alarms, lighting, security or other cameras or other fixtures) shall be fixed on the external faces of the building other than any shown on the stamped approved drawings.

15. Discussions with Building Control should be initiated at an early stage; changes may be required in relation to fire, sound, thermal insulation, etc that would affect the historic fabric of the building. If such requirements are not considered in this application, further revisions may be required that may not comply with PPS6.

16. It is a common misconception that only the exterior, the front or only a portion of a building is listed. The building is listed in its entirety, internally and externally (as are all listed buildings, irrespective of grade) and any alterations will require listed building consent, an application made through your local council. This includes any change to materials, details and arrangement (internal / external or setting). All listed buildings are afforded the same protection, irrespective of grade.

17. This approval does not apply to any signs or advertising material which the developer or occupier may wish to erect at the premises.

18. The purpose of conditions 15 - 17 is to ensure that any site risk assessment and remediation work is undertaken to a standard that enables safe development and end-use of the site such that it would not be determined as contaminated land under the forthcoming Contaminated Land legislation i.e. Part 3 of the Waste and Contaminated Land Order (NI) 1997. It remains the responsibility of the developer to undertake and demonstrate that the works have been effective in managing all risks.

In respect of condition 16, any new contamination shall be fully investigated in accordance with the Model Procedures for the Management of Land Contamination (CLR11).

19. The applicant is advised of the comments by Northern Ireland Water.

20. The applicant is advised of the comments by DAERA-NIEA.

Dated

Signed: _____
Authorised Officer

for Strategic Planning Directorate

Strategic Planning Directorate



Head of Planning
Causeway Coast & Glens Borough Council
Cloonavin
66 Portstewart Road
Coleraine
BT52 1EY

DfI Strategic Planning Directorate
Clarence Court
10-18 Adelaide Street
Belfast
BT2 8GB

Date: 27 October 2022

Your Ref:

Our Ref: **LA01/2018/0446/LBC**
(Please quote at all times)

Please Contact: Louise Leighton

Dear Sir/Madam,

Proposal: Retention and part refurbishment/restoration of the structural walls, shop fronts and roofs of both No. 39 and 41 Main Street and demolition of the residual elements of the listed building within the full extent of the site at 39-41 Main Street and 2 Atlantic Avenue Portrush, so as to erect a three to five storey, 83 bedroom hotel with a restaurant, cafe/bar and all associated ancillary services.

Location: 39-41 Main Street and 2 Atlantic Avenue Portrush.

I refer to the above mentioned matter, and enclose a copy of the Department's Notice of Opinion in connection with this application. The Department must receive any request in writing for an opportunity to appear before and be heard by the Planning Appeals Commission, or a person appointed by the Department for the purpose of a hearing.

Any requests must be made within **28 days** from the date of service of the Notice.

Yours faithfully

Graeme Walker
Strategic Planning Directorate

DfI Strategic Planning
Clarence Court
10-18 Adelaide Street
Belfast
BT2 8GB

NOTICE OF OPINION

The Planning Act (Northern Ireland) 2011

Application Ref; **LA01/2018/0446/LBC**

Date of Application: 16 April 2018

Site of Proposed Development: 39-41 Main Street and 2 Atlantic Avenue Portrush

Description of Proposal: Retention and part refurbishment/restoration of the structural walls, shop fronts and roofs of both No. 39 and 41 Main Street and demolition of the residual elements of the listed building within the full extent of the site at 39-41 Main Street and 2 Atlantic Avenue Portrush, so as to erect a three to five storey, 83 bedroom hotel with a restaurant, cafe/bar and all associated ancillary services

Applicant: Andras Hotels
Address: 60 Great Victoria Street
Belfast
BT2 7BB

Agent: Consarc Design Group
Address: 4 Cromac Quay
The Gas Works,
Ormeau Road
Belfast
BT7 2JD

Drawing Ref.: 01, 02C, 03B, 04B, 05B, 06B, 08B, 09A, 10A, 11A, 12A, 13A, 14B 18 19A, 20A, 21A, 22, 23 and 24

In pursuance of its power under Section 88 (7) of the above mentioned Act, the Department for Infrastructure hereby gives notice that Listed Building Consent for the above mentioned development in accordance with your application **SHOULD IN ITS OPINION BE GRANTED CONSENT** subject to compliance with the following conditions which are imposed for the reasons stated:

- 1 The works hereby permitted shall be begun not later than the expiration of 5 years beginning with the date on which this consent is granted.

Reason: As required by Section 94 of the Planning Act (Northern Ireland) 2011

- 2 No additional repair or remedial works are proposed to be undertaken as part of this application.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the buildings under Section 80 of The Planning Act (NI) 2011.

Informatives

- 1 This Listed Building Consent application must read in conjunction with the associated Full application LA01/2017/0689/F.
- 2 This determination relates to planning control only and does not cover any consent or approval which may be necessary to authorise the development under other prevailing legislation as may be administered by the Planning Authority or other statutory authority.
- 3 This permission does not confer title. It is the responsibility of the developer to ensure that they control all the lands necessary to carry out the proposed development.
- 4 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.
- 5 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 a party wall or boundary whether or not defined.

6 Historic Environment Division - Additional information/advice for applicant's awareness:

Legislation & policy

- The Planning Act (NI) 2011
- Strategic Planning Policy Statement for Northern Ireland (SPPS NI) - Planning for Sustainable Development.
Planning Policy Statement 6 - Planning, Archaeology and the Built Heritage.

Guidance

- Link to various HED advice and guidance in the planning process:
<https://www.communities-ni.gov.uk/articles/historic-environment-advice-and-guidance-planning-process>
- Consultation Guide - Guidance on making changes to Listed Buildings:
<https://www.communities-ni.gov.uk/publications/guidance-making-changes-listed-buildings-making-better-application-listed-building-consent>
- Consultation Guide - Consulting HED on development management applications
<https://www.communities-ni.gov.uk/sites/default/files/publications/communities/consulting-hed-development-management-applications-consultation-guide.pdf>
- Consultation Guide - Setting Guidance <https://www.communities-ni.gov.uk/publications/guidance-setting-and-historic-environment>
- British Standard - BS 7913:2013 Guide to the conservation of historic buildings
- HED Technical Notes - <https://www.communities-ni.gov.uk/articles/repair-and-maintenance-guidance>
- Historic Environment Map Viewer -
<https://dfcgis.maps.arcgis.com/apps/webappviewer/index.html?id=6887ca0873b446e39d2f82c80c8a9337>
- Development Practice Note 5 - Historic Environment, September 2017 - <https://www.planningni.gov.uk/index/advice/practice-notes/dmpn05-historic-environment.pdf>
- HED Framework statement to development management:
<https://www.communities-ni.gov.uk/sites/default/files/publications/communities/our-planning-services-and-standards-framework.pdf>

Dated

Signed: _____
Authorised Officer

for Strategic Planning Directorate

DRAFT

Aileen McGarry

From: Robinson, Alan <[REDACTED]>
Sent: 10 November 2022 16:02
To: Planning
Subject: Fw: The Atlantic Bar, Portrush - File AR1221

Good Afternoon Planning,

I have received a number of emails opposing the proposed development at Atlantic Bar, Portrush which I have said I would forward onto the planning department.

Kind regards,

Lesley Fingland on behalf of Alan Robinson MLA

6-8 Catherine Street,
Limavady,
BT49 9DB

Email: [REDACTED]
Tel: 028 777 69191

From: ciaran lyons <[REDACTED]>
Sent: Thursday, November 10, 2022 2:55 PM
To: Robinson, Alan <[REDACTED]>
Subject: Re: The Atlantic Bar, Portrush

Hi Lesley,

Many thanks for getting back to me and yes, I would be happy for you to forward my concerns to the planning office. To underline my message I would add that the Atlantic might not be everyone's cup of tea; it's not Barry's or the Ramore, but it still plays a vital role in the local music scene and it provides an alternative space. If we loose it, Portrush would become more homogenous, more bland and lacking in character. If the planning office had a straight choice between more apartments and the existence of the bar, then the argument might be more nuanced. But as the situation stands it seems incredulous to loose an asset to the town in order to create more accommodation when there are other development opportunities available. Local authorities are not there to make things easier for developers, they must help protect the culture of the area too!

Kind regards,

Ciaran

Sent from [Outlook](#)

From: Robinson, Alan <[REDACTED]>
Sent: 10 November 2022 14:25
To: ciaran lyons <[REDACTED]>
Subject: Re: The Atlantic Bar, Portrush

Good Afternoon Ciaran,

Thank you for your email on 8th November regarding the development at Atlantic Bar in Portrush. If you are happy for me to share your thoughts, I can forward them to the planning office on your behalf. Please email me authorisation and I will forward your concerns on.

Kind regards,

Lesley Fingland on behalf of Alan Robinson MLA
Tel 028 77796191

From: ciaran lyons <[REDACTED]>

Sent: Tuesday, November 8, 2022 9:43 PM

To: Robinson, Alan <[REDACTED]>

Subject: The Atlantic Bar, Portrush

You don't often get email from [REDACTED] [Learn why this is important](#)

Dear Mr Robinson,

I am writing to ask you to do whatever you can in your position to save the Atlantic Bar in Portrush. As I'm sure you are aware, planning permission has now been given for the development of an apartment/hotel complex on the site. This will lead to the destruction of what I hope to persuade you is an important local asset.

The Atlantic is not an upmarket establishment. But there are plenty of those in the Portrush/Portstewart area. I have been to all of them and enjoyed the fantastic hospitality on offer. The turn around in terms of the North Coast in recent years has been fantastic and we now have excellent accommodation and food and drink venues at hand. I first came to the area as a student 30 years ago. To say the least, the place has come on in leaps and bounds. Back then, the Atlantic was an important venue, but one of many places that catered for what might now be termed an 'alternative' crowd. Now, it is the only such place. To loose it would be to destroy a venue that offers something unique in that whole area: a constant varied live music programme.

In terms of the music culture of this part of the world, places like the Atlantic are precious. It provides a low (or even no) cost place for bands to play and for the public to see them. It's not just important for Portrush/Portstewart, it's important for the whole scene on this island. Britain has a legendary history of clubs like Manchester's Hacienda or Liverpool's Cavern promoting a music scene. We have our own, and the Atlantic is one of a dwindling number of places that still play that role. Please do what you can to stop it being torn down. These places provide the soul of a town.

I'm not against economic developments and investors trying to make a profit. I am in the fortunate position of owning an apartment in Portrush, and it's fine if more get developed. But not when something has to get torn down to make way. There are plenty of other development opportunities; much of Lansdowne Crescent is still vacant, the old Eglinton Hotel opposite the train station has been derelict for decades. Develop these, but don't let them take away something that's unique. There's an obvious analogy to Barry's. Thankfully it wasn't destroyed to make way for more holiday accommodation. The Atlantic may not be as widely known, but it's still important. There is no need to destroy it when the developers have ample other opportunities.

I hope you will do what you can.

With every good wish,

Ciaran Lyons

Sent from [Outlook](#)

Aileen McGarry

From: Robinson, Alan <[REDACTED]>
Sent: 10 November 2022 16:03
To: Planning
Subject: Fw: Save the Atlantic bar - file AR1221

Good Afternoon Planning,

I have received a number of emails opposing the proposed development at Atlantic Bar, Portrush which I have said I would forward onto the planning department.

Kind regards,

Lesley Fingland on behalf of Alan Robinson MLA

6-8 Catherine Street,
Limavady,
BT49 9DB

Email: [REDACTED]
Tel: 028 777 69191

From: robyn clendinning <[REDACTED]>
Sent: Thursday, November 10, 2022 3:58 PM
To: Robinson, Alan <[REDACTED]>
Subject: Re: Save the Atlantic bar

You don't often get email from [REDACTED] [Learn why this is important](#)

Thank you Lesley,

I am happy for you to share, please see below with amended letter with a typo fix.

I write to you as a concerned member of the public. I am from Portrush but now living in Glasgow.

The Atlantic bar is the most important presence in the town in my opinion. It is where I can go to reconnect with friends, where my husband proposed and where I can meet new people.

The Atlantic is more than just a bar. It is a community hub. In the past 20 years it has been made difficult by the building tourist industry for the locals to have a place to go where they can call home.

Portrush has been taken over by the Golfing elite and the privileged few. It is difficult for local people to gain housing in Portrush due to the housing prices and growing cost of living.

Due to this many have had to leave however the Atlantic has always remained a constant.

I urge you to help to Save the Atlantic from yet another development which will harm the town. That will make the traffic 3 hours long rather than it's already outrageous 2 in peak periods and will drive more local people away from the place they call home.

Kindest regards,
Robyn McAllister

From: Robinson, Alan <[REDACTED]>
Sent: Thursday, November 10, 2022 2:24:32 PM
To: robyn clendinning <[REDACTED]>
Subject: Re: Save the Atlantic bar

Good Afternoon Robyn,

Thank you for your email on 8th November regarding the development at Atlantic Bar in Portrush. If you are happy for me to share your thoughts, I can forward them to the planning office on your behalf. Please email me authorisation and I will forward your concerns on.

Kind regards,

Lesley Fingland on behalf of Alan Robinson MLA
Tel 028 77796191

From: robyn clendinning <[REDACTED]>
Sent: Wednesday, November 9, 2022 10:42 AM
To: Robinson, Alan <[REDACTED]>
Subject: Save the Atlantic bar

You don't often get email from [REDACTED] [Learn why this is important](#)

Dear Alan,

I write to you as a concerned member of the public. I am from Portrush but now living in Glasgow.

The Atlantic bar is the most important presence in the town in my opinion. It is where I can go to reconnect with friends, where my husband proposed and where I can meet new people.

The Atlantic is more than just a bar. It is a community hub. In the past 20 years it has been made difficult by the building tourist industry for the locals to have a place to go where they can call home.

Portrush has been taken over by the Golfing elite and the pro sledged few. It is difficult for local people to gain housing in Portrush due to the housing prices and growing cost of living.

Due to this many have had to leave however the Atlantic has always remained a constant.

I urge you to help to Save the Atlantic from yet another development which will harm the town. That will make the traffic 3 hours long rather than it's already outrageous 2 in peak periods and will drive more local people away from the place they call home.

Kindest regards,
Robyn McAllister

Aileen McGarry

From: Robinson, Alan <[REDACTED]>
Sent: 10 November 2022 16:03
To: Planning
Subject: Fw: Atlantic Bar, Portrush. - File AR1221

Good Afternoon Planning,

I have received a number of emails opposing the proposed development at Atlantic Bar, Portrush which I have said I would forward onto the planning department.

Kind regards,

Lesley Fingland on behalf of Alan Robinson MLA

6-8 Catherine Street,
Limavady,
BT49 9DB

Email: [REDACTED]

Tel: 028 777 69191

From: Curtis Dunlop <[REDACTED]>
Sent: Thursday, November 10, 2022 3:44 PM
To: Robinson, Alan <[REDACTED]>
Subject: Re: Atlantic Bar, Portrush.

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Hi, and thank you for the reply. Yes I authorize you to forward my concerns to the planning office.

Many thanks,
Curtis.

From: Robinson, Alan <[REDACTED]>
Sent: Thursday, 10 November 2022, 14:26
To: Curtis Dunlop <[REDACTED]>
Subject: Re: Atlantic Bar, Portrush.

Good Afternoon Curtis,

Thank you for your email on 9th November regarding the development at Atlantic Bar in Portrush. If you are happy for me to share your thoughts, I can forward them to the planning office on your behalf. Please email me authorisation and I will forward your concerns on.

Kind regards,

Lesley Fingland on behalf of Alan Robinson MLA

Tel 028 77796191 Good Afternoon George,

From: Curtis Dunlop <[REDACTED]>

Sent: Wednesday, November 9, 2022 11:00 AM

Subject: Atlantic Bar, Portrush.

Some people who received this message don't often get email from [REDACTED] [Learn why this is important](#)

Hello Sir/Madam

I am writing to you today to inform you of my firm opposition to the building of a new luxury hotel on the site of the Atlantic bar in Portrush.

The Atlantic is a vibrant part of the local culture, and has been part of the music scene on the north coast for decades, many have fond memories of listening to local talent, or playing their first gigs there.

The building of a new hotel on the site of the Atlantic would be a disappointment to so many in the community, and would leave a permanent scar on local culture. In addition, the hotel would not provide enough jobs to replace those lost at the Atlantic, and the lack of space for parking will cause traffic nightmares in the summer.

I would greatly appreciate it if you brought up this issue at the council or to other party members, the Atlantic is an important part of the community, and many would be deeply saddened by its loss.

Kind regards -

Curtis Dunlop.

Aileen McGarry

From: Matthew Faith <[REDACTED]>
Sent: 11 November 2022 14:20
To: [REDACTED]
Cc: Matthew Faith; Planning
Subject: Londonderry Hotel, Portrush Planning and LBC consent

LA01/2017/0689F & LA01/2018/0446/LBC - Representation/ Objection

FAO MLA's and CC& G Planning Committee

I am contacting you with regards to the two applications noted above.

In terms of a brief overview, the CC & G BC professional planners report recommended refusal in both cases, the 'competent authority' in terms of Listed Buildings also offered reasons for refusal in terms of policy. The Councils elected members on the Planning Committee overturned the recommendation resulting in the applications being called in by the Department for Infrastructure.

Subsequent amendments were made by the applicant which are visually poorer than those submitted and refused by the professional planners working for Council. These amendments effectively remove the stepping back of the upper floors resulting in a dominant juxtaposing block set onto the mostly demolished listed building.

I fail to comprehend how an application for listed building consent can ignore the recommendation of the professional planners, competent authority in this case HED, who are the expert advisor/ consultee/ statutory consultee.

A token gesture of retention has been made, which demolishes approximately 90% of the listed building. Sub section 7 of Section 80 provides that 'the following shall be treated as part of the listed building'

- a. Any object or structure within the curtilage of the building and fixed to the building
- b. Any object or structure within the curtilage of the building which although not fixed to the building, forms part of the land and has done so since before 1st October 1973.

The token gesture appears to be a total disregard of policy and the opinion of HED (the competent authority).

Car Parking

In terms of car parking, there is zero requirement for an 80+ bedroom hotel, the car parking data clearly doesn't take account of the seasonality of Portrush, and info gathered was taken out of season. It is quite clear that Portrush has a traffic problem during spring and summer. If the town needs a hotel (which I will mention later) then parking is required certainly for staff and more importantly NI based guests.

Representations

The two applications have received in the region of 400 objections which I imagine is one of the highest received by Council for planning applications.

Hotel Need

An outdated report advises of the need for a quality hotel in the area, this information is extremely questionable due to the advent of Airbnb, the approval of a hotel, with health spa adjacent to Royal Portrush (LA01/2020/0560/f - for comparison purposes this application received 5 objections and 4 letters of support).

A boutique hotel by definition should be under 100 rooms, this means almost every hotel in NI is a 'boutique hotel'. The Ramada hotel approximately 100m from the Londonderry Hotel runs on skelton staff for large parts of the year, with few permanent jobs and is therefore seasonal.

With one hotel recently approved adjacent to Royal Portrush Golf Club AND a dormy type accommodation under consideration on the site opposite the Royal Portrush GC, and one hotel under Judicial Review on the Coast Road/ Ballyreagh Rd. It suggests there will be less need for a listed building to be sacrificed purely for financial reasons * which is noted in policy as NOT being a justification for approval. That said, the economic team of DfI advised that the financial information submitted by the applicant was overly optimistic, and requested updated information, the applicant side stepped provding this by saying the market is fluid at present

In the strongest terms possible I feel that should the CC& G Planning Committee members recommend approval during the forthcoming meeting (23rd November 2022), ignoring officer recommendation and the advice of the competent Statutory Authority (HED), it may result in Judicial Review and potentially investigation into the behaviour of elected members. I will therefore use this opportunity to remind them of the Councillors Code of Conduct with regard to Planning Matters as set out in the Northern Ireland Local Government Code of Conduct for Councillors.

Importantly the two applications were called in circa feb 2019, it seems that the caretaker minister Mr O'Dowd (DfI) shuffled this Notice of Opinion on his last day in office, 3 and a half years after the applications were called in, which certainly must raise suspicion.

This proposal should be refused by the Council's Planning Committee and by the Department, as it sets an extremely dangerous precedent in terms of all Listed Buildings and will open the floodgates for disregarding of Planning Policy and protection of our Built Heritage.

There are further considerations outside of 'Planning' scope to consider the cultural value of muisc venues, offering every type of music, and more importantly giving bands the opportunity to play gigs and nurture their skills, this must be considered valuable in every way excluding financially. The gig industry was hurt significantly by covid and should be supported by local authorities.

Finally i would advise that the Refusal reasons set out by the professional planners within the Council, and HED, remain fully applicable and should be upheld by Committe Members and the Department.

Kind regards
M. Faith

Aileen McGarry

From: Robinson, Alan <[REDACTED]>
Sent: 10 November 2022 16:04
To: Planning
Subject: Fw: Atlantic bar Portrush - file AR1221

Good Afternoon Planning,

I have received a number of emails opposing the proposed development at Atlantic Bar, Portrush which I have said I would forward onto the planning department.

Kind regards,

Lesley Fingland on behalf of Alan Robinson MLA

6-8 Catherine Street,
Limavady,
BT49 9DB

Email: [REDACTED]

Tel: 028 777 69191

From: gary hargan <[REDACTED]>
Sent: Thursday, November 10, 2022 3:28 PM
To: Robinson, Alan <[REDACTED]>
Subject: Re: Atlantic bar Portrush

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Mr Robinson that would be fantastic, you have my full cooperation to share anything I've said.

On Thursday, November 10, 2022, Robinson, Alan <[REDACTED]> wrote:
Good Afternoon Gary,

Thank you for your email on 8th November regarding the development at Atlantic Bar in Portrush. If you are happy for me to share your thoughts, I can forward them to the planning office on your behalf. Please email me authorisation and I will forward your concerns on.

Kind regards,

Lesley Fingland on behalf of Alan Robinson MLA
Tel 028 77796191

From: gary hargan <[REDACTED]>
Sent: Wednesday, November 9, 2022 11:20 AM
To: Robinson, Alan <[REDACTED]>
Subject: Atlantic bar Portrush

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Hi, can you please inform me if anything is being done to save the Atlantic bar from yet another pointless hotel being built? With zero parking and zero want/need for the hotel I certainly hope our representative are trying to save a grassroots music Venus.

Aileen McGarry

From: Gorg <[REDACTED]>
Sent: 07 November 2022 12:24
To: Planning
Subject: Atlantic Bar

Good afternoon

I am writing to you today to let you know that I am firmly opposed to the construction of a hotel on the site of the Atlantic Bar in Portrush.

The Atlantic has been a vibrant part of the local community for decades, and it's demolition in favour of more tourist development would leave a permanent scar on the North Coast.

As a local MYP I know that many young people would be sad to see the Atlantic gone, and will be exceptionally disappointed if the council let this development go ahead.

I would be greatly appreciative if the planning committee stepped in to protect the Atlantic, I know many in the community who will be happy to see councillors step up to protect this historic venue.

Kind regards, George McElhinney - Youth MP for East Derry/Londonderry