

ITEM 21**Ards and North Down Borough Council**

Report Classification	Unclassified
Council/Committee	Meeting of Members of the Council
Date of Meeting	28 July 2021
Responsible Director	Director of Regeneration, Development and Planning
Responsible Head of Service	Head of Regeneration
Date of Report	19 July 2021
File Reference	REG66/160135/RDP77
Legislation	
Section 75 Compliant	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Other <input type="checkbox"/> If other, please add comment below:
Subject	Portaferry Ropewalk Improvement Scheme
Attachments	Appendix 1 - Images of Car Parking - Sun 27.6.21 Appendix 2 - Images of Car Parking - Sun 11.7.21 Appendix 3 - Map of Portaferry Appendix 4 - Ecological Survey report Appendix 5 - Tree Survey report Appendix 6 - AECOM review of design layouts Appendix 7 - Campaign Alternative Proposal Appendix 8 - DfI Rivers Response Appendix 9 - Council Alternative Proposal Option 2 Appendix 10 - Council Alternative Proposal - Option 3 Appendix 11 - Council Original Option 1 Appendix 12 - Map of Trees to be removed in Option 1

1. Introduction

There are currently 87 car parking spaces, (including 3 disabled spaces and 1 EV charging point) at the Ropewalk Car Park, Portaferry. As outlined in a report to Council, September 2019, the Ropewalk has no coach parking or coach turning, and there is no footpath necessitating visitors walking along the roadway to access the main parking section. The only current toilet arrangement is an electronic kiosk, which receives numerous complaints. The report further outlined that, with the successful reopening and upgrade of Exploris, the visitor numbers to Portaferry have greatly increased, resulting in a number of issues in terms of the lack of car and coach parking and health and safety and access challenges in and around the site, as well as anti-social behaviour issues.

Pre-closure Exploris generated around 67,000 visitors per year. This has increased to over 100,000 visitors per year following reopening. The operators have invested £1.43m to date in refurbishing, with a vision to further increasing these numbers. Developments include a new otter enclosure and penguin experience. 57 staff are currently employed at Exploris, and there are plans to recruit a further six.

Tourism currently supports 14% of all jobs within the Borough (over 39,000 jobs) and is valued at £42m to the Ards and North Down economy each year. Portaferry is outlined as a key tourism hub within the Integrated Tourism Economic Development and Regeneration Strategy with ambitious plans to grow the tourism offering available through new experiences, such as the recent Nugent's Wood Trail, and canoeing experiences such as 'Paddle the Port'.

2. Background

Council agreed in September 2019 to proceed with a redesign for the Ropewalk Car Park, and a funding application to the Rural Development Programme Fund. Updates to the scheme were further reported and agreed by Council in October 2019, June 2020, August 2020, November 2020 and February 2021.

The Portaferry Village Plan was consulted upon in November 2015 and March 2016 with a final draft of the Plan presented in June 2016. Although the original Plan stated that there was over-provision of parking in that area, this was a result of the closure of Exploris between 2014 – 2016. At a meeting of the Portaferry Village Plan Forum, October 2019, it was agreed that the demand for parking had increased significantly and that the Ropewalk Scheme should, therefore, be included in the Portaferry Village Plan. The scheme was also presented and discussed at a Portaferry Steering Group meeting in September 2019.

The proposed works are intended to be undertaken pursuant to Permitted Development Rights (PD Rights) afforded to the Council under Part 13 of The Planning (General Permitted Development) Order (Northern Ireland) 2015. However, given recent representations, it has been decided that, prior to the Council seeking to act upon its intentions under PD Rights, it will carry out a screening decision of the proposal, in accordance with Part 3(8) of the above Order, into whether or not the proposal amounts to EIA development (in accordance with The Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2017 to

consider the likely environmental impacts of any development before acting upon such PD Rights. A screening determination is currently under consideration and being assessed by an officer without prior knowledge of the case. The environmental impact assessment shall identify, describe and assess in an appropriate manner, in the light of the proposal, the direct and indirect significant effects of the proposed development on the following factors—

- a) population and human health;
- b) biodiversity, with particular attention to species and habitats protected under Directive 92/43/EEC(a) and Directive 2009/147/EC(b) and ;
- c) land, soil, water, air and climate;
- d) material assets, cultural heritage and the landscape; and
- e) the interaction between the factors referred to in paragraphs (a) to (d) above.

The Council will be updated as soon as possible in respect of the outcome of the screening process. It should be aware that should the assessment return a positive determination, i.e. that the proposal does represent EIA development, then the Council will be unable to rely on its PD Rights and a planning application will be required.

Subject to a negative screening, it is a condition of the PD Rights granted to the Council to attain confirmation prior to commencement of development that the proposal will not adversely affect the integrity of the designated site (in this case Strangford Lough) under The Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995(a). Given that the EIA screening will assess such impacts as required under bullet (b) above, the Council will consult with the Shared Environmental Service for confirmation of any findings in this respect.

The art piece (the turbine blade) requires planning permission, and a planning application has been submitted.

Section 127 of the Planning Act (Northern Ireland) 2011 states that trees within a designated Conservation Area are protected as if a Tree Preservation Order (TPO) is in place. All the trees within the Ropewalk Car Park Scheme fall within the Portaferry Conservation Area, thus Council made three applications to the Planning Service to carry out works to a total of 14 trees within this location. They were dealt with under 'Works to Trees Application'. The Planning Service subsequently advised that they had no objection to any of the proposed works and decision letters were issued in each of the applications.

The Council received a petition with more than 50,000 signatures through change.org, on the 29th June 2021 from the Portaferry Save the Trees Campaign Group requesting Council take into consideration the widespread public opposition to the destruction of the 14 trees at Portaferry Ropewalk for the creation of additional car and coach parking. The Group also undertook a deputation to Council at its meeting of 30th June 2021.

3. Proposed Scheme and Rural Development Programme (RDP) Funding

This is a significant investment in the regeneration of Portaferry with the total project costs c£475,000, including an RDP grant of £350,000. The agreed business case for the proposal includes the following enhancements:

- Additional Car Parking: the proposal was to create 54 additional car parking spaces (including 5 disabled), plus 3 coach parking spaces and coach turning. Providing additional car parking for both Exploris and the village.
- Installation of a footpath to provide a safe walking route through the car park for all pedestrians.
- Refurbishment of the disused amenity block to provide three toilets – 2 unisex and 1 disabled.
- New lighting scheme: the pathway into the village from the top car park will be formalised and includes the installation of bollard lighting, better linking the centre with the main car parking and visitor facilities.
- Installation of CCTV to discourage antisocial behaviour.
- New NIE connection/supply to future-proof the site.
- Installation of an art piece (turbine) celebrating the area's marine links.

Council received the RDP Letter of Offer, March 2021, providing up to a maximum of £350,000 towards the project, with a completion date of 30 November 2021 and a final submission claim date of 28 December 2021. The outlined Project Objectives are:

- To appoint contractors to undertake the works by 31 March 2021 (completed).
- To complete the programme of improvement works by 30 November 2021 – note that the contractor has outlined a 20-week work programme. Currently they plan to be on site end August/early September, therefore, an extension until the end of January 2022 will be requested/required. (This cannot be requested until the project is on site.)
- To increase car park usage by 5% per year.

Although the original business case was based on the benefits of the scheme as outlined, including the additional 54 car parking spaces, DAERA has confirmed that the grant is not based on the actual number of car parking spaces, but rather on an increase in car park usage. However, the Letter of Offer is issued by the LAG Board and any change to the scheme will need to be approved by it. There is no simple calculation to equate the number of spaces to usage, however, it would be realistic to assume a correlation, and that any significant reduction in the number of additional spaces provided would affect usage and indeed the overall viability of the scheme.

It should be noted that the original Leader contract end date was 31/12/2020, however this was extended to 31/03/2022. Council have asked DAERA if a further extension would be allowed, however they have confirmed that all projects must complete by 31/03/2022 with retention expenditure the only exception to this.

4. Car Parking Requirement

As previously outlined the number of visitors to Exploris has risen significantly since it reopened, putting an added demand on parking provision, (see images in Appendices 1 and 2 attached). The Council's recent *Borough Car Parking Strategy* also outlined that parking within Portaferry village centre was 67% utilised in the afternoons (of which 37% was long stay), with no capacity remaining in these areas for anticipated seasonal increases.

Using the DoE Parking Standards for Art Galleries/Museums (the closest description comparable to Exploris) would give a requirement of 233 visitor car parking spaces plus 21 for staff. However, on reviewing various major mature attractions such as the Giants Causeway and Carrick a Rede, the amount of car parking is proportionally much less to encourage sustainable transport alternatives. The recently opened Gobbins attraction has a proportionately higher ratio of car park spaces per 100,000 visitors and, therefore, using parking standards and ratios from other tourism sites would indicate Exploris requiring in the range of 145 -250 spaces. Reviewing the peak daily usage figures a minimum of 2 coach parking spaces is also recommended. It should be noted that these figures are purely for Exploris, and the Ropewalk Car Park is for wider visitor/community use.

5. Site Designations, Trees and Wildlife

The site lies within the settlement development limit of Portaferry and the Strangford and Lecale Area of Outstanding Natural Beauty. It is designated as existing amenity Open Space and Recreation, the majority being within the Portaferry House Historic Park, Garden and Demesne, and the Portaferry Conservation Area as well as within a Local Landscape Policy Area, and a small section lies within an Area of Archaeological Potential (see Map at Appendix 3).

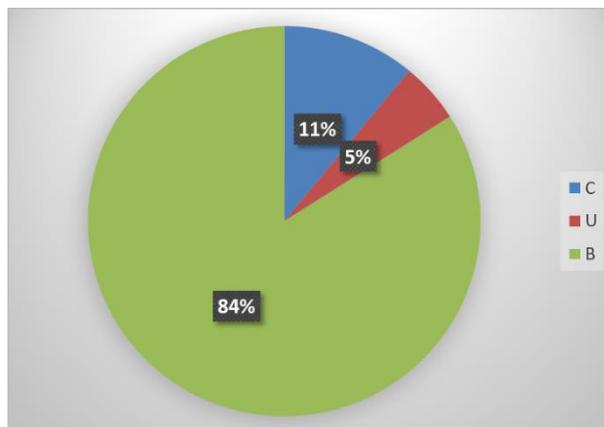
The site is not within an ASSI, and none of the land affected is recorded as priority habitat by NIEA. It sits outside the Portaferry Wood and the ancient woodland (Nugent's Wood) which is some 300m away.

An Ecological Survey in respect of our duties under the Wildlife (Northern Ireland) Order 1985 – namely the protection of bats and birds – was carried out in May and June 2021 (Report attached at Appendix 4). All trees, except for one, were assessed as having negligible or low Bat Roost Potential (BRP), with a single mature Lime tree assessed as having a moderate BRP. This tree (Tree 13 in the Ecological Survey/T054 in the Tree Survey) also held an active rook's nest. The survey concluded that the proposed project is not anticipated to negatively impact roosting bats or the local bat population in general, and no mitigation measures specific to bats are considered necessary for this development. Tree 13/T054 cannot be felled until after the bird breeding season or unless the nest is no longer active. A Breeding Bird Survey will be undertaken within 48 hours preceding any proposed tree works and, should nesting birds be found, tree works will be postponed until all young have fledged the nest.

The professional ecologist has also carried out an initial assessment and confirmed that there is no evidence of red squirrels, pine martens or badgers residing in or

around these trees. He also noted that the habitats are generally of low conservation value as the area around the trees consists primarily of amenity grassland that is subject to regular mowing. Council has also spoken to NIEA's Wildlife Officer, who is content with the actions taken to date.

Council has also undertaken a BS5837 Trees Survey of all 64 trees within the area of the scheme (Report attached at Appendix 5).



The majority of the trees are not native, but naturalised. 11% of the trees have been categorised 'C', which category includes unremarkable trees of limited merit, small-growing, young species which have a relatively low potential amenity value and low landscape benefits. 5% of the trees have been categorised 'U'. Trees in this category are in such a condition that they cannot realistically be retained as living trees in the context of the current land use for longer than 10 years and/or are unsuitable for retention in the proximity of new dwellings or area of public open space. The remainder (84%) are classed 'B', which category includes healthy attractive trees with remediable defects that are in a condition to make a significant contribution for a maximum of 20 years. The report has been passed to the Parks and Cemeteries Manager.

6. Scheme Options

The original Council approved scheme sets out to maximise the economic benefits while taking into consideration the environmental and social issues. Council received an alternative proposal from the Portaferry Save the Trees Campaign Group, and, following representation from the campaign group, Council appointed AECOM, the infrastructure consulting firm, to review both layouts (Council's and the campaign's alternative proposal) and give its expert advice on both, and propose any other solutions.

AECOM reviewed both and proposed two alternative design options. Appendix 6 details the full review of each scheme as summarised below. It should be noted that all options require the removal of some trees.

Scheme	Additional Car Spaces		Coach Parking	Removal of Trees	Risks
	Outlined in Plan	Realistically Achievable			
Council Original Option 1 (141 spaces)	54	54	3	13 + stump	<ul style="list-style-type: none"> Removal of Trees AECOM recommend 2 coach parking spaces
Campaign alternative (129 spaces)	42	36 best case 5 worst case	3	3	<ul style="list-style-type: none"> Construction costs / Grant level Footpath can't be achieved Deliverable new car parking – 6 not feasible within Roundabout and 31 subject to building over culvert Roundabout Turning Circle H&S Building over the River Culvert Maintenance using Grass system
Council Option 2 (128 spaces)	41	41	2	3 + stump	<ul style="list-style-type: none"> Construction costs / Grant level Loosing 1 caravan pitch Maintenance using Gravel system
Council Option 3 (140 spaces)	53 (c23 subject to culvert)	30	2	3 + stump	<ul style="list-style-type: none"> As above plus Building over the River Culvert Deliverable new car parking – 23 subject to building over the culvert

6.1 Portaferry Save the Trees Campaign Group Alternative Proposal (see Appendix 7)

Although there are some merits to parts of the proposal, a number of issues mean that this option has been ruled out. Issues include:

- Car parking spaces in the middle of a roundabout is not advised due to H&S issues
- The public footpath is proposed on private land, outwith land in Council ownership.
- The majority of car parking spaces outlined require work to be undertaken to the river culvert, which would ultimately require Schedule 6 Consent from DfI Rivers adding time delay and likely significant costs, (see response from Rivers at Appendix 8).
- The number of additional spaces achieved is low, particularly if it is not possible to build over the culvert.
- Although a worthy concept, the proposed grass paver solution is not recommended for these conditions, see 6.4 below.

The three trees to be removed under this proposal include:

T001	Maple	Height 7m Life Stage: Mature Rem. Contrib. 20+ yrs	Single stemmed tree, healthy but partially suppressed crown	B1
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T002	Common Ash	Height 7m Life Stage: Early Mature Rem. Contrib. 20+ yrs	Single stemmed tree, healthy but partially suppressed crown	B1
T005	Sycamore	Height 7m Life Stage: Early Mature Rem. Contrib. 20+ yrs	Single stemmed tree, healthy but partially suppressed crown	B1

6.2 Council Option 2 (see Appendix 9)

This proposal, as prepared by AECOM, is based on the premise that the number of car parking spaces as outlined in the original business case cannot be delivered: 41 additional spaces delivered rather than 54. However, it only requires the removal of three trees, as outlined below.

T002	Common Ash	Height 7m Life Stage: Early Mature Rem. Contrib. 20+ yrs	Single stemmed tree, healthy but partially suppressed crown	B1
T044	Walnut	Height 5m Life Stage: Semi Mature Rem. Contrib. 10+ yrs	Single stemmed tree, healthy spreading crown. Minor wounds	C1
T042	Oak	Height 5m Life Stage: Semi Mature Rem. Contrib. 10+ yrs	Single stemmed tree, Poor crown with loss of vigour	C1
	Stump	Tree not on the survey already felled		

To offset the loss of these three trees, the proposal is to plant 20 native trees. These will be as large as possible, taking into consideration budget and availability.

It has the added benefit of providing a new footpath, linking Exploris to the car park and to the Nugent's Wood Trail, although this requires the removal of a small piece of the newer wall and one of the original touring caravan parking sites.

A combination of board walks (acting as a root bridge) and reinforced gravel surfaces are required in sections of the scheme to limit damage to the trees. Although these have been recommended by both AECOM and the Arboricultural Consultant, the scheme still requires detailed design and the construction costs are currently unknown. Both types of surfaces are likely to also require additional maintenance during their design life.

6.3 Council Option 3 (see Appendix 10)

This proposal, as prepared by AECOM, has many of the benefits outlined in Option 2, however, as 43% of the additional car parking spaces rely on work to be undertaken to the river culvert, this option has been ruled out.

Grass Paver / Gravel Paver Solutions

The grass paver system proposed by the Portaferry Save the Trees Campaign Group alternative proposal is a proprietary product that is either overlain with turf or sown out with grass seed. AECOM contacted two Councils who have used this type of system previously:

Belfast City Council (BCC) - Malone House car park
Antrim and Newtownabbey Borough Council (ANBC) - Antrim Castle Gardens.

BCC advised that this type of surface is suitable as a short-term solution - for a few years. While maintenance was reasonable, it does get untidy as the product ages. BCC eventually ended up replacing this surface with bitmac. The surface was not directly under large trees and was relatively flat.

ANBC advised that with over 500,000 visitors every year and since the installation of this type of surface at Antrim Castle Gardens they have had serious issues. It ended up replacing the grass with a gravel infill (the plastic cellular paver 'bodpave' was retained and infilled with gravel). This change has been positive but has resulted in some soft spots which require regular topping up.

Discussions with National Trust also took place and it confirmed that it is not recommended to use the grass paver system under trees.

In terms of site-specific constraints, the Council need to be mindful that grass under shade from either cars or from trees will not thrive (unless a suitably hardwearing seed mix is used), will eventually become compacted and turn to mud. There is also a reasonable cross-fall on part of the car park where this surface is proposed and slip resistance would be an issue.

However, in order to maximise car parking under existing trees, a low impact surface is required, capable of taking the load of cars, relatively easy to maintain, not impacting the health of the trees, and offering reasonable slip resistance on an incline. In this context the plastic cellular paver filled with gravel has been recommended as an alternative solution. Construction and maintenance costs need to be taken into consideration.

6.4 Council Original Option 1 (see Appendix 11)

Council officers reviewed a range of options, including the potential purchase of additional land adjacent to the site, when drawing up the original proposal. However, this was ruled out following a site visit with officers from Historic Environment Division who objected to this proposal as it interfered with the direct line of sight between the graveyard and the Manor House, and they would not accept any development in that area.

On review this option delivers the greatest benefits in terms of car parking spaces and is the only option to offer close to the recommended minimum spaces required. The only recommended change to the scheme is the reduction from 3no. coach parking spaces to 2no., to future-proof the site for larger coaches. It also carries limited risk as the scheme can be delivered within the budget/business case parameters, a contractor is ready to start and a Letter of Offer has been agreed.

It would mean, however, the removal of 13 trees, plus the stump, as outlined below, (see map in Appendix 12).

T001	Maple	Height 7m Life Stage: Mature Rem. Contrib. 20+ yrs	Single stemmed tree, healthy but partially suppressed crown	B1
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T002	Common Ash	Height 7m Life Stage: Early Mature Rem. Contrib. 20+ yrs	Single stemmed tree, healthy but partially suppressed crown	B1
T005	Sycamore	Height 7m Life Stage: Early Mature Rem. Contrib. 20+ yrs	Single stemmed tree, healthy but partially suppressed crown	B1
T009	Common Ash	Height 8m Life Stage: Mature Rem. Contrib. 20+ yrs	Single stemmed tree, suspected Ash Dieback	B1
T010	Maple	Height 7m Life Stage: Mature Rem. Contrib. 20+ yrs	Single stemmed tree, healthy crown but overhands road	B1
T042	Oak	Height 5m Life Stage: Semi Mature Rem. Contrib. 10+ yrs	Single stemmed tree, Poor crown with loss of vigour	C1
T044	Walnut	Height 5m Life Stage: Semi Mature Rem. Contrib. 10+ yrs	Single stemmed tree, healthy spreading crown. Minor wounds	C1
T046	Lime	Height 18m Life Stage: Mature Rem. Contrib. 20+ yrs	Single stemmed tree, healthy but partially suppressed crown	B1
T047	Sycamore	Height 18m Life Stage: Mature Rem. Contrib. 20+ yrs	Single stemmed tree, healthy but partially suppressed crown	B1
T048	Common Ash	Height 17m Life Stage: Mature Rem. Contrib. 20+ yrs	Single stemmed tree, suspected Ash Dieback	B1
T049	Sycamore	Height 18m Life Stage: Early Mature Rem. Contrib. 20+ yrs	Single stemmed tree, healthy but partially suppressed crown	B1
T050	Lime	Height 10m Life Stage: Early Mature Rem. Contrib. 20+ yrs	Single stemmed tree, healthy but partially suppressed crown	B1
T054	Lime	Height 18m Life Stage: Mature Rem. Contrib. 20+ yrs	Single stemmed tree, healthy spreading crown	B1
	Stump	Tree not on the survey already felled		

It should be noted that sustainability is not solely about environmental issues, rather it includes economic and social sustainability. A viable economy depends on a healthy society, both of which rely on a sustainable environment. Sustainability occurs when all three work in balance with each other. The Council's improvement plans for Portaferry Ropewalk were taken holistically and in an attempt to find a balance.

The proposal is to replant 20 native trees, these will be as large as possible, taking into consideration budget and availability. The Head of Parks is also hoping to undertake an additional replanting scheme in a location close to Portaferry, current proposal is for a 0.5ha site at Cloughey Road, Portaferry. Planning is at preliminary stage but depending on the ground conditions, 0.5ha could allow the planting of up

to 5,000 whips. These plans will significantly offset the carbon footprint of the new scheme and are in line with Council's Tree and Woodland Strategy.

7. Budget

The budget available to deliver the scheme is £475,000. Option 1 is fully costed and deliverable within the budget, including a small 5% contingency.

Income		Expenditure (Option 1)	
Council Regeneration Unit	75,000	Construction & Trees	418,905
Council Assets & Property Unit	50,000	Utilities & CCTV	11,245
RDP Grant	350,000	Asbestos	5,220
		Fees	5,590
		Surveys	6,330
		Contingency	27,710
Total	475,000	Total	475,000

Any changes to the scheme will require detailed design and costings.

8. Conclusion

This represents a potential c£475,000 regeneration scheme which will bring significant benefits to Portaferry and the Borough, including:

- Ongoing sustainability of Exploris
- Overcoming current H&S issues on the site
- Supporting tourism, jobs and the economy for both Portaferry and the Borough
- Better linkages with the village, and provision of additional car parking for both Exploris and Portaferry
- Toilet provision
- Lighting and CCTV to help with the anti-social behaviour issues.

The previously approved Council Scheme, Option 1, delivers these benefits and carries the lowest risk. However, should Council wish to place more emphasis on the environmental considerations then Option 2 still delivers a number of the benefits. It should be noted that until detailed design and discussions are undertaken with the contractor and funder, there is no guarantee that this option can be delivered within budget/grant. The deadlines for the grant, as outlined in section 3 should also be noted.

Option 2 only delivers 88% of the recommended car parking spaces required (at the lower end). Therefore to support the sustainability of Exploris and potential tourism/community growth for Portaferry, additional solutions will be required going forward. These could include, for example, a park and ride, and/or additional parking within Portaferry, better signage throughout the village, and/or additional budget and scope to work with DfI Rivers to understand the potential to build over the river culvert. These considerations would need to be reviewed as part of the Council's Car Parking Strategy and ongoing regeneration plans.

RECOMMENDATION

It is recommended that Council considers the report and approves the undertaking of further design and costings in order to assess fully the viability of Option 2, with a final report to be brought back to Council for a decision at the meeting on 25th August 2021.