

<b>Title of Report:</b>	<b>Planning Committee Report – LA01/2023/0187/F</b>
<b>Committee Report Submitted To:</b>	<b>Planning Committee</b>
<b>Date of Meeting:</b>	<b>22<sup>nd</sup> January 2025</b>
<b>For Decision or For Information</b>	<b>For Decision – Referred 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	Development Management and Enforcement Manager

<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>NO</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>App No:</u></b>	<b>LA01/2023/0187/F</b>	<b><u>Ward:</u></b>	<b>Roeside</b>
<b><u>App Type:</u></b>	<b>Full Planning</b>		
<b><u>Address:</u></b>	<b>25 Church Street, Limavady, BT49 0BX</b>		
<b><u>Proposal:</u></b>	<b>Change of use of existing outbuilding with WC to a one bed self contained dwelling. New pedestrian opening in boundary wall. Associated external works to create external amenity space.</b>		
<b><u>Con Area:</u></b>	<b>N/A</b>	<b><u>Valid Date:</u></b>	<b>20.02.2023</b>
<b><u>Listed Building Grade:</u></b>	<b>N/A</b>	<b><u>Target Date:</u></b>	<b>05.06.2023</b>
<b>Agent:</b>	<b>Nathan Armstrong Architect Ltd, 9 Scroggy Park, Limavady, BT49 0DE</b>		
<b>Applicant:</b>	<b>Joe Moses, Smithy Cottage, Challoch, Newtonstewart, DG8 6RB</b>		
<b>Objections: 0</b>	<b>Petitions of Objection: 0</b>		
<b>Support: 0</b>	<b>Petitions of Support: 0</b>		

## **Executive Summary**

- Planning permission is sought for a proposed Change of use of existing outbuilding with WC to a one bed self contained dwelling. New pedestrian opening in boundary wall. Associated external works to create external amenity space.
- The application site is located 25 Church Street, Limavady, BT49 0BX
- The application has been assessed against the relevant policies within the NAP, SPPS, PPS2, PPS3, PPS6, PPS7, Addendum to PPS7
- The proposal, if permitted, would result in overdevelopment of a restrictive site and provide for an unsatisfactory form of development. It does not respect the surrounding context, fails to protect residential amenity in terms of overlooking, fails to provide acceptable outlook to main habitable rooms resulting in low quality living conditions of potential occupiers, fails to provide a satisfactory level of amenity space for future residents and is inappropriate to the character of the area. In short, it would provide unsatisfactory accommodation.
- The proposal, if permitted, would result in a proposed density significantly higher than that found in the established residential area; a pattern of development not in keeping with the overall character and environmental quality of the established residential area.
- Consultation was carried out with DFI Roads, Environmental Health, DAERA, Historic Environment Division and NI Water. No objections were raised by any consultee.
- No representations have been received in relation to this application.
- Refusal is recommended.

**Drawings and additional information are available to view on the Planning Portal- <https://planningregister.planningssystemni.gov.uk/>**

## **1 RECOMMENDATION**

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

## **2.0 SITE LOCATION & DESCRIPTION**

- 2.1 The site comprises an irregular shaped portion of land measuring 0.02 hectares. However, as shown on the block plan the actual site is rectangular shaped measuring 89 sqm / 0.0089 hectares when the private yard for No.25 Church Street is removed from consideration. The site is a corner site being accessed from Alexander Road. No.25 Church Street is an existing 2 storey detached dwelling with an existing concrete yard separated from its single storey flat roofed outbuilding by an existing 2 metre timber fence. There is a level gradient through the site then a slight drop from the front of the outbuilding to the footpath. The topography drops slightly towards the neighbouring dwelling at No.117 Alexander Road.
- 2.2 The existing domestic store / outbuilding is built along the south western and south eastern boundaries. The finish is light brown brick. The south eastern boundary wall backs onto a graveyard and Church. The north western boundary is undefined at the edge of the footpath with a ramp rising to the front door of the outbuilding. The north eastern boundary as proposed on the block plan is defined by a 2 metre timber fence.
- 2.3 There is no mature vegetation within the site. There is no watercourse in the vicinity of the site. Critical views are limited to the public road adjacent the site. There is a NI Water mains water pipe that traverses under the outbuilding.
- 2.4 The character of dwellings in the area are 2 storey detached and 2 storey terrace. The site is located inside the settlement limit of Limavady within a residential area as shown in the

Northern Area Plan 2016. The site is within an area of archaeological potential.

### **3.0 RELEVANT HISTORY**

3.1 B/1987/0083, 25 Church Street Limavady, Change of use of part of dwelling to funeral undertakers. Permission Granted. 12.05.1987

B/1992/0431, 25 Church Street Limavady , Erection of single storey rear extension to office. Permission Granted. 05.03.1993.

B/1997/0376, Gable of 25 Church Street Limavady, Erection of wall mounted display panel. Appeal Dismissed. 12.06.1998.

B/2002/0413/F, Alexander Road Estate, Limavady, Replacement of front and/or rear garden fencing and gates to 60 dwellings, closure of pedestrian through routes with fencing, provision of in-curtilage parking to 30 dwellings, provision of hedge and railing enclosures to 34 dwellings, provision of amenity shrub planting, paved pedestrian routes and new block paved shared surface court. Permission Granted. 18.04.2005.

B/2006/0442/F, To the rear of 25 Church Street Limavady, Replacement of single storey, flat roofed office/workshop with two storey, pitched roof office/workshop with flat over. Permission Refused. 10.01.2008.

B/2008/0284/F, To the rear of 25 Church Street Limavady, Replacement of existing office/workshop with a (temporary) office/workshop and associated minor entrance/exit alterations. Permission Refused. 20.11.2008.

B/2009/0409/F, 25 Church Street Limavady, Change of use from 2nd floor commercial offices into 2no. apartments (raising the roof of the existing rear return to 2 storey). Permission Granted. 21.01.2010.

LA01/2020/0307/F, 25 Church Street Limavady, Change of use to residential with disabled facilities. The garage/store we would like to keep as is for storage of house repair tools and supplies. Permission Granted.17.06.2020.

## **4.0 THE APPLICATION**

- 4.1 The application seeks full planning permission for a proposed Change of use of existing outbuilding with WC to a one bed self contained dwelling. New pedestrian opening in boundary wall. Associated external works to create external amenity space.

## **5.0 PUBLICITY & CONSULTATIONS**

- 5.1 **External:** All neighbours that have been identified for notification within the terms of the legislation have been notified on 3rd March 2023 & 22nd January 2024. The application was advertised on 15th March 2023 & 31st January 2024.

No representations have been received for this application.

### **5.2 Internal:**

Environmental Health: No objection to the proposal.

Northern Ireland Water: No objections to the proposal.

DFI Roads: No objection to the proposal.

DAERA - Drainage and Water: No objection to the proposal.

Historical Environment Division – Historic Buildings - No objection.

Historical Environment Division – Historic Monuments - No objection.

## **6.0 MATERIAL CONSIDERATIONS**

- 6.1 Section 45(1) of the Planning Act (Northern Ireland) 2011 requires that all applications must have regard to the local plan, so far as material to the application, and all other material considerations. Section 6(4) states that in making any determination where regard is to be had to the local development plan, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

### **6.2 The development plan is:**

- Northern Area Plan 2016

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

## **7.0 RELEVANT POLICIES & GUIDANCE**

The Northern Area Plan 2016

Strategic Planning Policy Statement (SPPS)

Planning Policy Statement 2: Natural Heritage

Planning Policy Statement 3: Access, Movement and Parking

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

Planning Policy Statement 7 (PPS 7) Quality Residential Environments

Addendum to Planning Policy Statement 7: Safeguarding the Character of Established Residential Areas (DOE August 2010)

## **8.0 CONSIDERATIONS & ASSESSMENT**

- 8.1 The main consideration in the determination of this full application relate to the principle of development, Access, Movement and Parking, Safeguarding residential and work environs, Archaeology & Listed Buildings, Natural Heritage, Other supporting information, Habitat Regulation Assessment and representations.

## **Principle of Development**

- 8.2 Planning Policy Statement 7, Quality Residential Development, Policy QD 1 Quality in New Residential Development applies and states all the following criteria must be met:
- 8.3 (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;
- 8.4 The proposed block plan for the proposal shows how the site would be developed. On this basis, the consideration of the proposal is based on the proposed block plan and not the site location plan which overlaps with the proposed back yard area of the existing dwelling at No. 25 Church Street. The proposed development is not respectful of the area in terms of layout and is contrary to Creating Places guidance and the tests of this policy. The Applicant stated at a meeting on 30th November 2023 that to maintain amenity space for no. 25, he could park on the wide part of the footpath or use on-street parking. It is not satisfactory to park on the footpath when the public should be able to walk on footpath areas unhindered without having to walk around parked cars however it is acceptable to use on street parking.
- 8.5 There is a rear of dwelling to side gable relationship between No.25 Church Street and the proposal and all main windows of the proposal face the rear elevation of the existing dwelling at No.25 Church Street. The separation distance between the proposal and the existing dwelling No.25 Church Street is 4.8 metres. Creating Places guidance is that 20 metres separation distance is usually appropriate to minimise overlooking, with a minimum of around 10m between the rear of a new house and the common boundary. The proposal has its main windows facing No.25 Church Street and only has 1.8 metres to the proposed common boundary. The separation distances for the proposed dwelling and the existing dwelling No.25 Church Street are unsatisfactory. The Applicant has annotated the kitchen / living room and bedroom with obscure glazing in an attempt to overcome the adverse impacts of overlooking.



However, it is not a quality residential environment having obscure glazing on main rooms meaning outlook from these main habitable rooms is unsatisfactory.

- 8.6 The scale and massing of the proposal with a single storey flat roof is out of keeping with pitched roofs on Alexander Road and Church Street. The proposal is contrary to criteria 'a'.
- 8.7 (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;
- 8.8 The site is within an area of archaeological potential and in proximity to a Listed Building. Historic Environment Division have been consulted and are content. There is no mature vegetation on site. The proposal complies with criteria 'b'.
- 8.9 (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;
- 8.10 The proposed side amenity space area is detailed in paragraph 8.4 above. The identified amenity space is not private because the proposal will have a 1.1 metre fence adjacent Alexander Road meaning this side area will not be screened from public views as the public can look over the 1.1 metre fence. The proposal entails 25 sqm private amenity space. Creating Places guidance is 70 square metres on average but with a minimum required of 40 square metres, the proposal does not comply with Creating Places guidance. No.25 Church Street is left with 66 square metres of a rear yard area, this area is also used for parking for No.25, this will reduce the level below what is required for a 3 bedroom detached dwelling which should be closer to 70 square metres. This is unsatisfactory private amenity space when the overall intensified site layout is considered. The proposal is contrary to criteria 'c'.

- 8.11(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 The proposal is within the settlement of Limavady and is for one dwelling so it will be serviced by the available neighbourhood facilities of Limavady. The proposal complies with criteria 'd'.
- 8.13(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;
- 8.14 The proposal is considered to have a satisfactory movement pattern that supports walking and cycling. There is no public rights of way nearby. The proposal is located on Alexander Road so it has access to buses / public transport. There is a bus stop 20 metres from the proposal. The proposal complies with criteria 'e'.
- 8.15(f) adequate and appropriate provision is made for parking; Initially the Applicant proposed to park in front of the entrance door to the proposed dwelling in a space measuring 4.52 metres by 2.4 metres. Standard space dimensions for parking a car is 4.8 metres by 2.4 metres. The initial parking space does not have the suitable dimensions for parking 1 car clear of the footpath meaning the public who use the footpath may be affected. Subsequently, the Applicant submitted an amended plan indicating parking for one vehicle in front of No.25 Church Street. DFI Roads has been consulted and they have commented that public parking would not be significantly affected. Alexander Road and Church Street both have unrestricted on street parking and there is a bus stop 20 metres from the proposal on Church Street. There is adequate provision made for parking due to the small scale of the development requiring only one space and that unrestricted parking is available on street and a bus stop is within 20 metres of the proposal which means there is alternative modes of travel available other than a private car. The proposal complies with criteria 'f'.

- 8.16(g) the design of the development draws upon the best local traditions of form, materials and detailing;  
The proposal has a single storey flat roof which is out of keeping with pitched roofs on Alexander Road and Church Street for other dwellings. However, it is a material consideration that the outbuilding is existing being in situ many years therefore the appearance would be satisfactory since the changes to the front elevation are minimal. The proposal complies with criteria 'g'.
- 8.17(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;
- 8.18 The adjacent land uses are existing residential dwellings on 2 sides and a graveyard to the rear. There is a rear of dwelling to side gable relationship between No.25 Church Street and the proposal and all main windows of the proposal face the rear elevation of the existing dwelling at No.25 Church Street. The separation distance between the proposal and the existing dwelling No.25 Church Street is 4.8 metres. Creating Places guidance is that 20 metres separation distance is usually appropriate to minimise overlooking, with a minimum of around 10m between the rear of a new house and the common boundary.
- 8.19 The proposal has the majority of its windows facing No.25 Church Street and has 1.8 metres to the proposed common boundary. The separation distances for the proposed dwelling and the existing dwelling No.25 Church Street are unsatisfactory. The Applicant has annotated the kitchen / living room and bedroom with obscure glazing in an attempt to overcome the adverse impacts of overlooking as these windows are orientated towards the rear of No. 25 Church Street. Given that these windows are the only windows that would provide natural light into the bedroom, kitchen and living room, to fit obscure glazing would have an unacceptable adverse impact on the living conditions and outlook for any potential occupier of this proposed dwelling. Appeal 2021/A0169, at No.3 River Street, Newry for Conversion of commercial property to four number self contained one bedroom apartments was dismissed on this basis. It is not a

quality residential environment having obscure glazing on main habitable rooms and it will not overcome the adverse impacts of overlooking and loss of privacy on existing residents at No.25 Church Street or for future residents of the proposed dwelling.

8.20 The height of the proposal is single storey with a flat roof for a proposed dwelling meaning it will not have an impact on overshadowing, noise or other disturbance. There will be adverse impacts from overlooking from no. 25 to the amenity space of the proposal. Drawing 03 shows an existing living space in the garage. This is not an accurate representation of the approved layout in application LA01/2020/0307/F for the outbuilding. The layout in LA01/2020/0307/F shows the building is a garage, toilet and workshop which is ancillary to No.25 Church Street. The proposal is contrary to criteria 'h'.

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

The positioning of the proposal will mean windows overlook the front and side yard which will deter crime and promote personal safety. The proposal complies with criteria 'l'.

Overall, the proposal is contrary to Policy QD 1.

8.22 Addendum to PPS 7 : Safeguarding the Character of Established Residential Areas applies and Policy LC 1 Protecting Local Character, Environmental Quality and Residential Amenity. It states that in established residential areas, planning permission will only be granted for the redevelopment of existing buildings, or infilling of vacant site (including extended garden areas) to accommodate new housing, where all the criteria set out in Policy QD 1 of PPS 7, and all the additional criteria set out below are met:

8.23(a) the proposed density is not significantly higher than that found in the established residential area;

The proposal has a density of 112 dwellings per hectare (dph), approximately twice that of adjacent development on Alexander Road. It has not been demonstrated that the proposal has a density in keeping with that found in the surrounding established residential area. The proposal is contrary to criteria 'a'.

8.24(b) the pattern of development is in keeping with the overall character and environmental quality of the established residential area; and

The proposal is currently an outbuilding in the rear garden of No.25 Church Street. The proposal has insufficient private amenity space and this limited amount of yard area identified is north east facing so will attract limited amount of sunlight. This area is not screened sufficiently to protect privacy when viewed from the adjacent footpath being enclosed by a proposed 1.1 metre high timber fence adjacent the footpath. Given the building is existing the design with the flat roof is acceptable. The proposal is contrary to criteria 'b'.

8.25(c) all dwelling units and apartments are built to a size not less than those set out in Annex A.

The proposed block plan shows the one bedroom dwelling has floor space of approximately 38 square metres. After the meeting on 30th November 2023, the Applicant reduced the size of the bed in the bedroom and said it was for 1 person. There is no space standard within Annex A: Space Standards for a one person / one bedroom dwelling so the closest comparable within it is a 1 person / 1 bedroom flat which has space standards of 35/40 square metres. On balance, the space standard is acceptable. The proposal complies with criteria 'c'.

The proposal is contrary to criteria 'a' and 'b' and Policy LC 1.

### **Access, Movement and parking**

8.26 Policy AMP 2 of PPS 3 Access, Movement and Parking applies and states planning permission will only be granted for a development proposal involving direct access, or the intensification of the use of an existing access, onto a public road where:

- a) such access will not prejudice road safety or significantly inconvenience the flow of traffic; and
- b) the proposal does not conflict with Policy AMP 3 Access to Protected Routes.

8.27 DFI Roads has been consulted and they confirmed they have no objection to the proposal in terms of AMP 2. Alexander

Road is not a protected route. As DFI Roads are content, the proposal complies with Policy AMP 2 of PPS 3 Access, Movement and Parking.

8.28 Policy AMP 7 Car Parking and Servicing Arrangements applies and states development proposals will be required to provide adequate provision for car parking and appropriate servicing arrangements. The precise amount of car parking will be determined according to the specific characteristics of the development and its location having regard to the Department's published standards or any reduction provided for in an area of parking restraint designated in a development plan. Proposals should not prejudice road safety or significantly inconvenience the flow of traffic.

8.29 The Applicant initially proposed to park in front of the entrance door to the proposed dwelling in a space measuring 4.52 metres by 2.4 metres. The parking space at the front of the proposed unit is inadequate, it falls short of what is required and does not have the suitable dimensions for parking, loading and unloading a vehicle clear of the footpath meaning the public who use the footpath may be affected. However, subsequently the Applicant has submitted an amended plan indicating on-street parking for one vehicle in front of No.25 Church Street. DFI Roads has been consulted and they have commented that public parking would not be significantly affected. Alexander Road and Church Street both have unrestricted parking and there is a bus stop 20 metres from the proposal on Church Street. The proposal as amended complies with AMP 7 of PPS 3 due to the small scale of the development requiring only one space and that unrestricted parking is available on street and a bus stop is within 20 metres of the proposal which means there is alternative modes of travel available other than a private car.

### **Sewerage Connection**

8.30 The Applicant has indicated mains for foul sewage disposal. NI Water has been consulted and have no objection.

## **Archaeology and Listed Buildings**

8.31 The site is within an area of archaeological potential and there is a listed building nearby. HED Historic Buildings and Historic Monuments has been consulted and are content. HED consider the proposal to not adversely affect any archaeological sites or monuments or the setting of a listed building. The proposal complies with Policies BH 2 and BH 11 of PPS 6.

## **Natural Heritage**

8.32 PPS 2 Policy NH2 – Species Protected by Law and Policy NH5 – Habitats, Species or Features of Natural Importance are applicable. There is no mature vegetation on site. There is no watercourse in the vicinity of the site. The building to be converted on inspection is watertight with no overhanging tiles so would be unsuitable for wildlife to nest. On this basis the proposal complies with policies NH 2 and NH 5 in that it has been demonstrated that the proposal is not likely to harm any European protected species, Habitats, Species or Features of Natural Importance.

## **Other Supporting Information**

8.33 A Supporting Statement was received on 9th August 2024. All of the relevant policy considerations mentioned have been considered above in the main body of the report. The report comments on how many policies have been met without detailing how they have been met. 3 precedents have been listed;

LA01/2021/0762/F – House extension

LA01/2022/0338/F – Extension and alteration of dwelling

LA01/2021/0294/F – The reference LA01/2021/0294/LBC is for refurbishment and extension to Bushmills Courthouse.

Having considered the 3 examples it is considered that all 3 examples are not comparable to this proposal.

## **Habitat Regulation Assessment**

8.34 Habitat Regulations Assessment Screening Checklist - Conservation (natural Habitats, etc) (Amendment) Regulations

(Northern Ireland) 2015: The potential impact of this proposal on Special Areas of Conservation, Special Protection Areas and Ramsar sites has been assessed in accordance with the requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended). There are no watercourses in the vicinity of the proposal. The proposal would not be likely to have a significant effect on the features, conservation objectives or status of any of these sites.

## **Representations**

8.35 There are no representations made on the application.

## **9.0 CONCLUSION**

**9.1** The proposal is considered unacceptable at this location having regard to the Northern Area Plan and other material considerations, including the SPPS and Planning Policy Statement 7 and the Addendum to Planning Policy Statement 7. The proposal is intensification and overdevelopment of a restrictive site. It provides an unsatisfactory form of development which does not respect the surrounding character of the area. By reason of lack of outlook with obscured windows and poor amenity space, the proposal presents as substandard accommodation. Refusal is recommended.

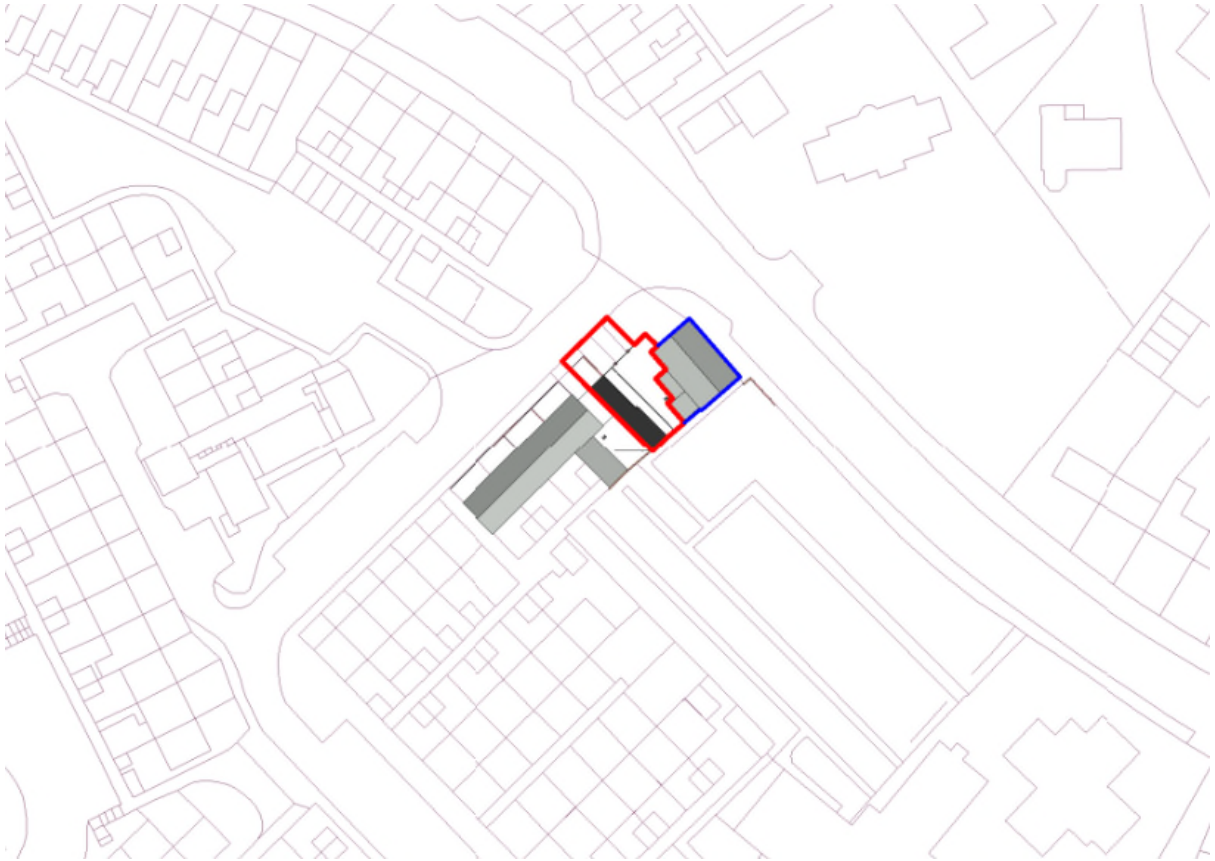
## **10.0 Reasons**

1. The proposal is contrary to the requirements of paragraphs 4.12 & 6.137 of the Strategic Planning Policy Statement and criterion (a), (c) and (h) of Policy QD 1 of Planning Policy Statement 7: Quality Residential Environments in that it would not provide a quality residential environment.
2. The proposal is contrary to the requirements of Policy LC 1 of Addendum to Planning Policy Statement 7: Safeguarding the Character of Established Residential Areas criteria (a) and (b) in that it would, if permitted, result in a proposed density significantly higher than that found in the established residential area; a pattern of development not in keeping with the overall

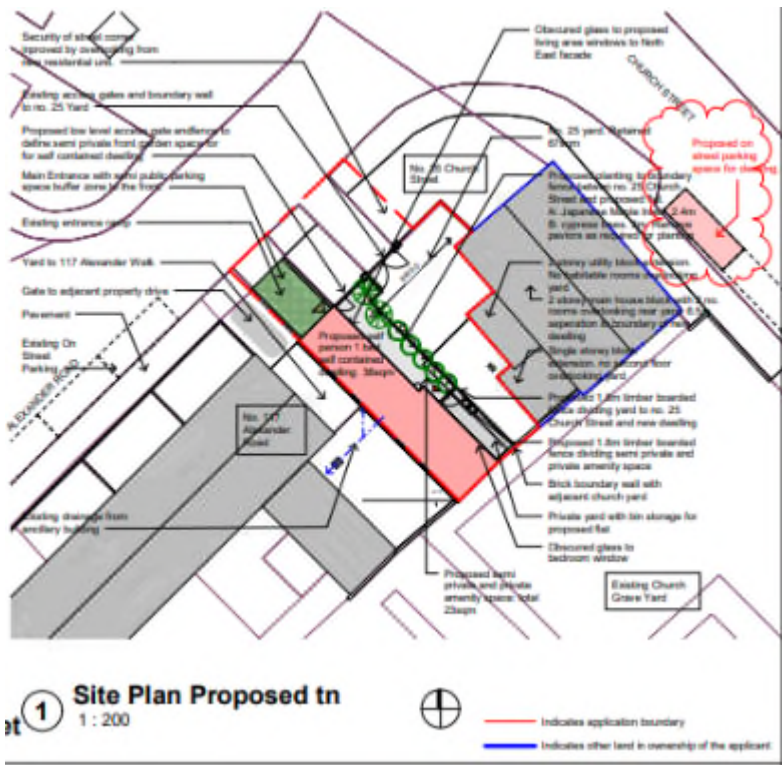


character and environmental quality of the established residential area.

## Site Location



# Site Layout



# Appendix 1

## Referral Request



Development Management  
Information Note 07  
January 2024

### Annex 1

#### Template for Requesting Referral of a Contentious Delegated Decision to Issue' List Planning Application to Planning Committee for Determination

The Protocol for the Operation of the Planning Committee provides for an Elected Member to request a planning application listed on the weekly list of 'contentious delegated decisions ready' to be referred to Planning Committee for determination. This request must be received by the Planning Department no later than 10am on the Monday following the issuing of the contentious list and submitted via email to [planning@causewaycoastandglens.gov.uk](mailto:planning@causewaycoastandglens.gov.uk).

<b>Planning Reference</b>	LA01/2023/0187/F
<b>Elected Member Name</b>	Alderman John McAuley
<b>Contact Details</b>	Tel: Email:
<b>Refusal Reasons</b>	
<p>1. The proposal is contrary to the requirements of paragraphs 4.12 &amp; 6.137 of the Strategic Planning Policy statement and criterion (a), (c), (f) and (h) of Policy QD 1 of Planning Policy Statement 7: Quality Residential Environments and paragraph 5.19 of Creating Places in that it would, if permitted, result in overdevelopment of a restrictive site and provide for an unsatisfactory form of development which does not respect the surrounding context, fails to protect residential amenity in terms of overlooking, fails to provide natural light to main habitable rooms resulting in low quality living conditions of potential occupiers, fails to provide a satisfactory level of amenity space for future residents and is inappropriate to the character of the area.</p> <p>2. The proposal is contrary to the requirements of Policy LC 1 of Addendum to Planning Policy Statement 7: Safeguarding the Character of Established Residential Areas criteria (a), (b) and (c) in that it would, if permitted, result in a proposed density significantly higher than that found in the established residential area; a pattern of development not in keeping with the overall character and environmental quality of the established residential area and the proposed dwelling is of a size less than current space standards.</p> <p>3. The proposal is contrary to Planning Policy Statement 3, Access Movement and Parking, Policy AMP 7, in that it would, if permitted, prejudice the safety and convenience of road users since adequate provision cannot be made clear of the highway for the parking, loading and unloading of vehicles which would be attracted to the site.</p>	



**Additional Supporting Information:**

- 1) This application seeks permission for a change of use to residential which is in keeping with the surrounding area and will make use of existing building stock promoting urban regeneration
- 2) This proposal has not received any neighbouring objections and has been accompanied by a comprehensive supporting planning statement
- 3) It is considered further consideration is required in light of the information received by the applicant including the supporting planning statement
- 4) Significant on-street public parking is available to accommodate the proposal
- 5) No justification has been provided in respect of the re-consultation with DfI Roads, who in their original consultation response accepted that the proposal is acceptable and no objection was raised. It appears a further consultation was issued to DfI Roads from the planning department without justification that is available on the planning portal.
- 6) Proposal will result in a contribution to the existing streetscape
- 7) Adequate security and privacy is provided as well as acceptable separation distances
- 8) Proposal is in alignment with prevailing planning policy tests set out in PPS7, PPS7 (addendum), SPPS and Creating Places

# **Addendum**

## **LA01/2023/0187/F**

### **1.0 Update**

- 1.1 On 22.01.2025 during the scheduled Planning Committee Meeting, a representative of the Applicant, who had registered to speak in support of the application, advised that due to compelling circumstances they were no longer able to attend. They requested the application be deferred until next month to allow the Applicant fair representation.

### **2.0 Consideration**

- 2.1 The Committee Chairperson resolved to defer to the February Committee Meeting.

### **3.0 Recommendation**

- 3.1 That the Committee note the contents of this Addendum and agree with the recommendation to refuse the application in accordance with Paragraph 1.1 of the Planning Committee report.