

Implementation Date: 01 September 2023

Template for Requesting Speaking Rights at the Planning Committee

The Protocol for the Operation of the Planning Committee provides for interested person(s) to register to speak on a planning application that is scheduled to be determined at the next meeting of the Planning Committee. This request must be received by the Planning Department no later than 10am on the Monday before the Planning Committee meeting via email account planning@causewaycoastandglens.gov.uk.

Planning Reference	LA01/2023/0615/F
Name	David Donaldson Murray Bell
Contact Details	DD Tel: MB Tel: Email:
Support or Objection – please tick relevant box	Support ☒ * Objection ☐
Written representation summarising key points to be addressed and supplementary information in support of your case (minimum font size 10 and maximum length two sides of A4 page). SEE ATTACHED SUBMISSION:	

This proposal was submitted in 2023. It has been substantially reduced in scale from the original proposal. There are two main considerations:

- i) Will the proposal have an adverse impact on the LLPA? and
- ii) Will the proposal adversely affect residential amenity?

ISSUE 1 – IMPACT ON LLPA

The proposal does not offend Policy ENV1 of the Northern Area Plan.

The site is within the designated settlement limit of Portstewart in the NAP. Plainly the site and its surroundings were regarded throughout the statutory process as being part of the urban fabric of the town.

The proposed development, within the local context, is illustrated below:



Proposed West Elevation in Context (Montage)

The site is within the Dominican Walk LLPA. Policy ENV1 provides the policy for LLPAs.

Significantly, Policy ENV1 does not prohibit development. Its objective is to ensure that **the features that contribute to ‘quality, integrity or character’ should not be adversely affected.** The supporting text also notes that development in LLPAs should not ‘**dominate** (my emphasis) **areas of distinctive landscape and townscape character.**’

If a proposal does not adversely affect the key features of the LLPA then it should be approved.

The key features identified by **PTL06** in this case are the **shoreline, the grass areas and the low cliffs** which provide the setting for the coastal path.

Significantly:

- this proposal has no impact upon the shoreline;
- it has no impact upon the open grassed areas; and
- the grassed bank to the rear will remain.

The supporting text in PTL06 notes that ‘**no further development is appropriate, other than the replacement of existing buildings of comparable footprint and height**’. Does this mean of comparable footprint and height to the building to be replaced, or of comparable footprint and height to the buildings which already provide the local context?

But in essence it does not matter. The **policy is set out in ENV1** of the NAP. The fundamental point in this case is that the proposal does not affect the quality, integrity or character of this LLPA.

The Committee Report urges Members to ignore the three-storey development at Rock Drive immediately to the south of this proposal and to focus only on the two houses to the north.



This cannot possibly be correct – the consideration must refer to the character of the **LLPA as a whole**, which has an eclectic collection of buildings. And within the wider context is the extensive development at higher level along Strand Road, which forms an important backdrop.

ISSUE 2 – RESIDENTIAL AMENITY

The Officer Report considers that the proposal will have a dominant impact on No 38, which sits to the north. However this concern cannot be sustained, for the following main reasons:

- i) the revised proposal is now **less than 1cm** higher than No 38;
- ii) the 'gable to gable' separation is around 7 metres, which is not at all unusual in urban areas;
- iii) the principal outlook from No 38 will not be affected;
- iv) the proposal has only one first floor gable window – a side bedroom window. This does not overlook private space but can easily be obscured if required; and
- v) the proposal sits to the south of No 38. There will be negligible impact on the sun path to either front or rear of No 38.

Conclusions

The overriding objective of Policy ENV1 is clear. This proposal will not adversely affect the key features which have justified the LLPA designation.

And the proposal cannot be viewed in a vacuum – the context is already set by existing urban development within Portstewart.

Nor can development of comparable height to its neighbour, and positioned gable to gable, be considered to adversely affect amenity.

It can be concluded that the proposal accords with Development Plan policy and objectives – the presumption in favour of sustainable development should prevail.

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