

Title of Report:	Planning Committee Report – LA01/2022/0761/F
Committee Report Submitted To:	Planning Committee
Date of Meeting:	24th September 2025
For Decision or For Information	For Decision – Objection Item
To be discussed In Committee YES/NO	No

Linkage to Council Strategy (2021-25)	
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

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

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

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:

No: LA01/2022/0761/F

Ward: Portstewart

App Type: Full

Address: 26 Seafield Park, Portstewart

Proposal: Demolition of existing single dwelling and construction of a new 2-storey dwelling.

Con Area: N/A

Valid Date: 04.07.2022

Listed Building Grade: N/A

Agent: Bradley McClure Architects, 86 Lisburn Road, Belfast
BT9 6AL

Applicant: Mrs S Wright, 26 Seafield Park, Portstewart, BT55 7JU

Objections: 28 **Petitions of Objection:** 0

Support: 0 **Petitions of Support:** 0

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

Executive Summary

- The proposal is considered acceptable at this location having regard to the Northern Area Plan 2016 and other material considerations.
- The application site falls within Portstewart Settlement Limit.
- 28 objections have been received in relation to this application.
- No objections have been raised by statutory consultees in relation to this proposal.
- The proposal will not result in unacceptable damage to the character of the surrounding area.
- The proposal is considered acceptable in terms of layout, scale and massing and will not significantly harm the surrounding context and is appropriate to the character and topography of the site.
- The proposal is not considered to create unacceptable conflict with adjacent land uses and there is no unacceptable adverse effect on neighbouring properties
- The proposal is regarded acceptable from a sewage perspective and will not result in an environmental impact.
- Access and parking arrangements are acceptable.
- The proposal complies with all relevant planning policies including the Northern Area Plan 2016, SPPS, PPS 7, Addendum to PPS 7 and PPS 3.

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

1.0 RECOMMENDATION

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

2.0 SITE LOCATION & DESCRIPTION

- 2.1 The application site is in a low density residential area within the development boundary of Portstewart as defined by the Northern Area Plan 2016. The site comprises an existing detached single storey dwelling, with front and rear amenity and in-curtilage parking. The land falls from the site in the western direction down the Seafield Road. Site boundaries are defined by a front low wall on the southern side, a low natural stone wall to the western side, no definition to the rear side apart from a small tree and the eastern side has a low wall to the front/side and a 2m wooden fence to the rear side.
- 2.2 This street is characterised by detached bungalows, some of which have upper floor accommodation. The main character of the immediate surrounding area consists of detached dwellings with front and rear gardens and low front walls. In the wider surrounding area there are many examples of newly built replacement dwellings which include replacing bungalows to 2 storey dwellings. Mostly the replacement dwellings are modern contemporary style and design with smooth plaster finish.

3.0 RELEVANT HISTORY

- 3.1 No on site history.

4.0 THE APPLICATION

- 4.1 Full planning permission is sought for the demolition of existing single dwelling and construction of a new 1.5 storey dwelling.
- 4.2 The proposal has been amended during the processing of the application which has changed from two new dwellings to one replacement dwelling.

5.0 PUBLICITY & CONSULTATIONS

5.1 External:

Advertising: Initially Advertised on 27th July 2022, Re-Advertised on 9th October 2024 and again on 6th November 2024.

Neighbours:

28 letters of objection have been received from 10 separate addresses in relation to this application. The main issues raised are summarised below and will be considered and assessed in the report below:

- Loss of privacy
- Overshadowing
- Rear balconies would have an unduly intrusive overview of neighbouring garden
- Overlooking
- Increased traffic and parking concerns
- Proposal is out of character with the existing location
- Not in keeping with ridgeline
- Overdevelopment of the site
- Over domineering
- Lack of separation
- Sewage pressure
- Error with drawings

5.2 Internal:

DFI Roads: No objections

NI Water: No objections

Environmental Health: No objections

6.0 MATERIAL CONSIDERATIONS

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

6.2 The development plan is:

- Northern Area Plan 2016 (NAP)

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

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

[Northern Area Plan 2016.](#)

[Strategic Planning Policy Statement \(SPPS\)](#)

[PPS 3: Access, Movement and Parking](#)

[PPS 7: Quality Residential Environments](#)

[Addendum to PPS 7: Safeguarding the Character of Established Residential Areas](#)

Supplementary Planning Guidance

[Development Control Advice Note 15 Vehicular Access Standards](#)

[DCAN 8 – Housing in Existing Urban Areas](#)
[Creating Places](#)

8.0 CONSIDERATIONS & ASSESSMENT

Planning Policy

- 8.1 The site is located within Portstewart settlement limit. Policy SET 2 of NAP 2016 applies for development within settlement development limits. Planning permission will be granted provided that the proposal is sensitive to the size and character of the settlement.
- 8.2 The proposal must be considered having regard to the NAP 2016, SPPS, PPS policy documents and supplementary planning guidance specified above. The main considerations in the determination of this application relate to: Local Character, Environmental Quality and Residential Amenity, Sewerage, Access and Parking.

Local Character, Environmental Quality and Residential Amenity

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

Policy QD1 - Quality in New Residential Development

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

(a) the development respects the surrounding context and is appropriate to the character and topography of the site in terms of layout, scale, proportions, massing and appearance of buildings, structures and landscaped and hard surfaced areas;

- 8.5 The principle of replacing the existing dwelling with a new dwelling on site is acceptable subject to the consideration of the design and layout, as detailed below. The original proposal was for the demolition of the existing single dwelling and construction of 2 new semi-detached 2 storey dwellings but this was subsequently reduced to one replacement dwelling.
- 8.6 The new dwelling will be sited in the same position as the existing dwelling. It is gable fronting with an uneven roof design. The highest point of the ridge is approximately 6.7 metres from ground level. The new dwelling will still have front and rear gardens, with a front driveway swapped from the existing western side to the eastern side which will involve a new access point and the closing of the existing access point.
- 8.7 The separation distance from the front of the dwelling at the closest point to the public footpath is 5.7 metres. The separation distance on both sides is 2 metres between the house and the side boundaries. To the rear there is a garden with a separation distance of 11.7 metres at the western end and the closest point of 7.8 metres at the eastern side. The average distance from house to rear boundary along most of the rear is approximately 10 metres. The proposed rear amenity level far exceeds the recommended level for a residential dwelling of this size in this locality. The design is modern but not unusual and the critical views along the frontage on the street are satisfactory. The proposed frontage eaves height of the dwelling is similar with adjacent properties

as shown on the contextual elevation. The ridge line is in keeping with the surrounding houses. There is a mixture of dwelling types in the locality with bungalows, chalet dwellings, 1.5 storey and 2 storey buildings, all of various design types. It is considered that the proposed new dwelling is acceptable in terms of design, height, scale and massing and it is deemed that the proposal will fit in with the existing streetscape and reflect the character of the area. Objections were received regarding these issues including, height, size, scale and character. However, it is considered that the amended proposal for a single replacement dwelling ensures the development results in an appropriate contextual relationship with neighbouring properties.

8.8 There were objections regarding the replacement of the existing dwelling with 2 new semi-detached dwellings, however the application was subsequently reduced and amended to an application proposal with only one new detached dwelling. Therefore these specific objections regarding the density increase no longer hold sufficient weight to warrant refusal. An objection was also received regarding the accuracy of the street elevation, however the drawings appear to be accurate.

8.9 The proposal is considered acceptable in terms of layout, scale, massing and design. The proposal respects the surrounding context and is appropriate to the character and topography of the site.

(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;

8.10 The application site does not contain any listed buildings or monuments. There are no important landscape features within the site. A block plan has been submitted showing the boundary treatments for the new proposal. A 1.8m fence with a new privot hedge will enclose the rear garden ensuring privacy. The landscaping provided is sufficient for a site located within the settlement limit of Portstewart.

(c) adequate provision is made for public and private open space and landscaped areas as an integral part of the

development. Where appropriate, planted areas or discrete groups of trees will be required along site boundaries in order to soften the visual impact of the development and assist in its integration with the surrounding area;

8.11 Adequate provision for public and private open space and landscaped areas should be an integral part of the development. Creating Places, paragraph 5.19, states all houses should have an area of private open space behind the building line and it should be approx. 70m² per house or greater. Smaller areas may be more appropriate for houses with 1 or 2 bedrooms but any individual house with an area of less than around 40m² will generally be unacceptable. The proposed landscaping includes new privot hedging along the rear boundaries which will add to the soft landscaping on the property.

8.12 The proposal shows rear garden private amenity measuring approximately 200 m² which is well above recommended requirements. The rear garden is considered acceptable for domestic purposes. Proposed landscaping includes a proposed boundary hedge to the rear private garden amenity area.

(d) adequate provision is made for necessary local neighbourhood facilities, to be provided by the developer as an integral part of the development;

8.13 The site is located within the settlement limit of Portstewart with various amenities available so neighbourhood facilities are not required as an integral part of this development.

(e) a movement pattern is provided that supports walking and cycling, meets the needs of people whose mobility is impaired, respects existing public rights of way, provides adequate and convenient access to public transport and incorporates traffic calming measures;

8.14 The site is within the settlement limit of Portstewart and within walking distance of local amenities and has convenient access to public transport links.

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

- 8.15 The proposal has been assessed in detail under the sub-heading “Access and Parking” and is considered compliant with this criterion.

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

- 8.16 The design is of a gable fronted house with uneven roof spans. There are ground floor bedrooms and lounge area, and a first floor with open plan living with an additional snug and bathroom. There is a total of 5 bedrooms. On the first floor there is a large window to the front but no windows on the rear facing elevation. There is a large window to the rear facing west, but this does not directly overlook the neighbouring property to the west due to the separation distance of approximately 15 metres. The adjacent neighbouring property to the north has a long garden and it will not be directly overlooked due to the west facing angle of the window.
- 8.17 The roof material is blue/black slate and the lower walls are finished in grey facing brick while upper elevation is white render. The windows and doors are grey aluminium. These materials are acceptable and in keeping with other properties in the local area.
- 8.18 Objections have been received, with specific concerns raised in relation to balconies. The rear balcony has subsequently been removed from the design within the amended proposal. A Juliette balcony is proposed to the side (west facing) elevation. There is still a front small balcony, but this is overlooking the front of the property and will not impinge on any neighbouring private amenity. The highest point of the ridge is approximately 6.7 metres from ground level. It is considered that the design of the dwelling is acceptable in terms of scale and massing, and the frontage length and gable depths are satisfactory. The proposal respects the character and appearance of the surrounding area and is contextually appropriate with neighbouring properties.

(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;

- 8.19 Objections have been received from neighbouring properties in relation to this proposal. Concerns relate to overlooking and loss of privacy and overshadowing. It is important to note that the proposal was originally for the replacement of one dwelling for two new dwellings and included balconies to the front and rear. The proposal was subsequently amended and reduced to include only one replacement dwelling, with the balcony then removed from the rear (north facing) elevation.
- 8.20 The amended application has a proposed dwelling with full height windows to the side (west facing) elevation, with a Juliette balcony. Due to the position and separation distances between neighbouring properties this does not result in any direct overlooking of neighbouring properties. There is one window positioned on the side (east facing) elevation which measures 0.8m x 1m at tallest point. Given the size of the window, its position to the front and the orientation there are no overlooking concerns. The neighbouring properties should not experience unacceptable overshadowing or loss of light given the site orientation and adequate separation distances.
- 8.21 Noise is not perceived to be an issue and Environmental Health have no objections.
- 8.22 It is considered that the proposal will not create conflict with adjacent land uses and there is no unacceptable adverse effect on neighbouring properties.

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

- 8.23 The development has been designed to deter crime and promote personal safety.
- 8.24 The Addendum to PPS 7 seeks to safeguard the character of Established Residential Areas. The key consideration is to ensure that new residential schemes are sensitive in design terms to people living in existing neighbourhoods and are in

harmony with the local character of established residential areas, villages and smaller settlements.

Policy LC1 – Protecting Local Character, Environmental Quality and Residential Amenity

- 8.25 The proposed new dwelling is acceptable in terms of density as the principle of replacing this dwelling with one new dwelling will not increase density. The pattern of development is in keeping with the overall character of the established residential area. The spacing between neighbouring properties is acceptable as well as scale, massing and height. The proposed dwelling is satisfactory in terms of size requirements.

Sewerage

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

Access and Parking

- 8.27 The proposal entails the provision of in curtilage parking. The existing access point and driveway is being swapped from the western side to the eastern side. In terms of parking Standards, although the block plan shows parking for 2 cars, it is the considered view that there is sufficient space available for 3 cars. The proposed arrangement is considered acceptable.
- 8.28 The proposed access and in curtilage parking is deemed satisfactory. The proposal is acceptable in terms of road safety and does not prejudice road safety or inconvenience the flow of traffic. DFI Roads was consulted in relation to this application and express no objections subject to conditions. The proposal meets the requirements of Policies AMP 2 of PPS 3.

Habitats Regulations Assessment

- 8.29 The potential impact of this proposal on Special Areas of Conservation, Special Protection Areas and Ramsar sites has been assessed in accordance with the requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc) Regulations (Northern Ireland) 1995 (as amended). The proposal would not be likely to have a significant effect on the features, conservation objectives or status of any of these sites.

9.0 CONCLUSION

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

10.0 CONDITIONS

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

Reason: Time Limit.

2. Before the dwelling hereby approved is substantially complete the existing vehicular access indicated on Drawing No. 02 (Rev. 04) shall be permanently closed and the footway reinstated to the satisfaction of DfI Roads.

Reason: In order to minimise the number of access points on to the public road in the interests of road safety and of road users.

3. All planting, hard and soft landscaping, and boundary treatments comprised in the approved details of Drawing No. 02 (Rev.04) shall be carried out during the first planting season following the occupation of the dwelling and any trees, hedgerow or shrubs which, within a period of five years from the completion of the development, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with other similar size and species.

Reason: In the interests of the character and appearance of the area.

4. Notwithstanding the provisions of the Planning (General Permitted Development) Order (Northern Ireland) 2015 (or any order revoking and/or re-enacting that order with or without modification), no additional or altered windows, doors and openings shall be formed on upper floors without express planning permission.

Reason: Any further openings require detailed consideration to safeguard the privacy of adjacent properties.

INFORMATIVES

1. This permission does not confer title. It is the responsibility of the developer to ensure that he controls all the lands necessary to carry out the proposed development.
2. This approval does not dispense with the necessity of obtaining the permission of the owners of adjacent dwellings for the removal of or building on the party wall or boundary whether or not defined.
3. This permission does not alter or extinguish or otherwise affect any existing or valid right of way crossing, impinging or otherwise pertaining to these lands.
4. This determination relates to planning control only and does not cover any consent or approval which may be necessary to authorise the development under other prevailing legislation as may be administered by the Council or other statutory authority.
5. You should refer to any other general advice and guidance provided by consultees in the process of this planning application by reviewing all responses on the Planning Portal at <https://planningregister.planningsystemni.gov.uk/simple-search>

Site Location Map and Existing Elevations and layout



Block Plan and Elevations

