



<b>Title of Report:</b>	<b>Planning Committee Report – LA01/2023/1142/F</b>
<b>Committee Report Submitted To:</b>	<b>Planning Committee</b>
<b>Date of Meeting:</b>	<b>28<sup>th</sup> January 2026</b>
<b>For Decision or For Information</b>	<b>For Decision – Objection 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>
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## Executive Summary

- Full Planning Permission is sought to replace the existing two storey semi-detached dwelling with a detached 2.5 storey dwelling with a 3 storey rear return, and detached garden room/ artist's studio/ garage.
- The application site is located within the Settlement Development Limit of Portrush. The site is not subject to any other specific zonings or designations as set out in the Northern Area Plan 2016.
- The application has been assessed against the relevant policies within the NAP 2016, SPPS Edition 2 (2025), PPS 2, PPS 3, PPS 7, PPS 7 (Addendum) – Safeguarding the Character of Established Residential Areas, A Planning Strategy for Rural NI, and Creating Places Guidance.
- Consultation has been carried out with DfI Roads, NI Water, CCG Environmental Health. No objections have been raised by consultees.
- 12 Letters of Objection have been received and taken into consideration.
- The proposal is considered acceptable at this location and complies with the relevant policies listed.
- Approval is recommended.

**Drawings and additional information are available to view on the Planning Portal-**

**<https://planningregister.planningsystemni.gov.uk/simple-search>**

## **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 **APPROVE** planning permission as set out in section 10.

## **2.0 SITE LOCATION & DESCRIPTION**

- 2.1 The application site is located in an urban setting, and the surrounding land is currently being used for residential purposes. The overall size of the site is approx. 0.09 hectares. The site will be accessed from Dhu Varen to the front and Blackrock Road to the rear. There is residential development to the west, east, and beyond Blackrock Road to the North of application site. The surrounding residential development primarily consists of semi-detached and detached dwellings. At the time of site inspection, the site located to the rear of the development site was being actively developed (LA01/2021/1527/F).

- 2.2 According to the Northern Area Plan 2016, the site is located within the Settlement Development of Portrush. The site is not subject to any specific zonings or designations as set out in the northern Area Plan 2016.

- 2.3 It is proposed to replace the existing 2 storey semi-detached dwelling on site with a 2.5 storey detached dwelling with a 3 storey rear return, and detached garage/ garden room/ artist's studio.

## **3.0 RELEVANT HISTORY**

### Surrounding Area

C/2008/0456/F. Lands at No.9 Blackrock Road, Portrush.  
Demolition of existing dwelling and garage and erection of 3No.

dwellings comprising 1No. detached and 2No. semi-detached.  
Approved 11/02/09.

C/2012/0502/F. 10 & 10a Blackrock Road. Demolition of existing two and a half to three storey dwellings to provide three storey replacement dwelling with associated car parking and landscaping. Approved 11/02/13.

LA01/2017/1110/F. 44 Dhu Varen. Proposed balcony to rear of existing 3-storey dwelling and relocation of rear boundary fence to provide parking spaces with demolition of garage. Approved 12/03/18.

LA01/2019/0936/F. 9 Blackrock Road. Demolition of existing dwelling and garage and proposal for 2 new detached dwellings and associated site works. Approved 21/12/20.

LA01/2021/1329/F. 44 Dhu Varen. Proposed alterations to rear first floor windows and proposed new roof top terrace to rear return at second floor level and internal alterations at same level. Approved 26/04/22.

LA01/2021/1527/F. 9 Blackrock Road. Demolition of existing dwelling and proposal of 2no detached dwellings with integral garages and all associated site works. (Change of house type for Site 2 approved under LA01/2019/0936/F). Approved 27/04/22.

## **4.0 THE APPLICATION**

4.1 The proposal is for a replacement dwelling and garage.

## **5.0 PUBLICITY & CONSULTATIONS**

### **5.1 External**

**Advertising:** Advertised on 29<sup>th</sup> November 2023.

**Neighbours:** 12 Letters of Objection have been received. The reasons for objecting are summarised below:

- Lack of clarity on how their property (Attached neighbour, 40 Dhu Varen) will be protected during the separation process.
- They were informed by the applicant that demolition would happen August- September 2025 and permission has not been granted. They say this raises concerns regarding the correct procedural steps being followed.
- Request assurance that formal notification will be issued to neighbouring properties before demolition can proceed and that Building Control must be involved.
- Requests confirmation of demolition process and assurance that all legal and safety obligations will be adhered to.
- Proof of building/ construction insurance.
- Proposed garage/ outbuilding: The level of amenities (Garage, artist's studio, garden room, store) raises concerns about use as a short-term rental. This would exacerbate existing parking issues.
- Plans do not show where the 1.5 parking spaces required for a short stay holiday let (e.g. Airbnb) would be provided.
- They acknowledge a recent new dwelling in the immediate area has been built to a similar scale but warn that this should not be used as precedent to justify the scale of the proposal.
- The proposed garage would reduce light into their properties (40 & 44 Dhu Varen) and negatively affect the character and amenity of the surrounding area.
- The proposed 2 storey garage/ dwelling at the bottom of the garden would devalue their property.
- The proposal will box in No.40 having an unacceptable impact to light.
- Will flat roof be in line with their bedroom terrace (No. 40) and therefore not overshadow their entire house.

- Balconies, terraces and other windows would directly overlook No. 44's garden.
- Heavy construction work on Blackrock Road (private road not adopted) would further deteriorate the surface. The proposed work should be agreed upon by all those that paid for the upkeep of the road.
- Children currently use Blackrock Road for playing and to learn how to ride a bike. The increased traffic (as a result of the proposal) would create an unacceptable risk.
- The established building lines are not accurate as they use No. 44's balcony incorrectly.
- The proposed rear elevation is over dominant.
- Proposal is contrary to policy/ guidance as it is overdevelopment in terms of scale, height and massing.
- The design does not respect the surrounding context.
- Cars parked on main road (Dhu Varen) will obstruct sight lines of Nos. 38, 38a and 36 Dhu Varen.
- The argument that No 9b Blackrock Road has a double storey building (fronting Blackrock Road) is not reasonable or comparable.
- If permission is granted for another garage/ apartment on Blackrock Road on the basis of No. 9b it sets a precedent for all properties on Dhu Varen with access to Blackrock Road to do the same
- No 38a Dhu Varen paid for Blackrock Road to be tarmacked, and they are considering lifting the surface.

Objections to the first iteration of the proposal are summarised below:

- Inappropriate scale in context with surrounding dwellings.
- Front elevation not in keeping.
- The rear return is overbearing.
- Unacceptable overlooking to the rear.
- Will significantly reduce light to 40, 44, 38a and 38 Dhu Varen.

- Contemporary design not in keeping.
- Proposed dwelling sits forward and will be prominent.
- Roof terrace potentially has a 360 degree view into adjacent properties.
- Proposed windows will overlook.
- Rear balcony has no privacy screening.
- Overdevelopment.
- 40 Dhu Varen not notified.

## **5.2 Internal**

- DFI Roads – No objection.
- CCG Environmental Health – No objection.
- NI Water – 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 (NAP)

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

6.4 The Strategic Planning Policy Statement for Northern Ireland (SPPS) Edition 2 2025 is a material consideration. As set out in the SPPS Ed 2, 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](#)
- [The Regional Development Strategy \(RDS\) 2035](#)
- [The Strategic Planning Policy Statement \(SPPS\) Edition 2 2025](#)
- [Planning Policy Statement \(PPS\) 3 – Access, Movement and Parking](#)
- [Planning Policy Statement \(PPS\) 7: Quality Residential Environments](#)
- [Addendum to Planning Policy Statement \(PPS\) 7: Safeguarding the Character of Established Residential Areas](#)
- [A Planning Strategy for Rural Northern Ireland \(PSRNI\)](#)
- [Creating Places Guidance](#)

## 8.0 CONSIDERATIONS & ASSESSMENT

8.1 The main considerations in the determination of this application relate to; the principle of development, impact of the development on the character of the area, scale, design and visual impact, impact to surrounding residential amenity, access and parking, habitat regulations assessment and other matters.

### **Principle of development**

8.2 According to the Northern Area Plan 2016 (NAP), the site is located within the Settlement Development Limit of Portrush. The site is not subject to any other specific zonings or designations as set out in the Plan.

8.3 There are currently existing residential dwellings to the south (opposite), east, north (under construction at the time of site inspection) and west of the application site. These residential dwellings are primarily semi-detached and detached.

8.4 As the character and established use of the area is predominantly residential, and it is proposed to replace an existing dwelling with another, the principle of development is considered acceptable.

## **Scale/Design, Local Character, Environmental Quality and Residential Amenity**

- 8.5 Paragraphs 4.23 to 4.30 of the Strategic Planning Policy Statement (SPPS) Ed 2 are relevant to this application which relate to good design. Design is a material consideration in the assessment of all applications and good design should be encouraged. The SPPS Ed 2 outlines the aim to provide sustainable development and with respect to that should have regard to the development plan and any other material considerations. The general planning principles with respect to this proposal have been complied with.

### **Planning Policy Statement (PPS) 7: Quality Residential Environments**

#### **Policy QD 1 – Quality in New Residential Development**

- 8.6 *Planning permission will only be granted for new residential development where it is demonstrated that the proposal will create a quality and sustainable residential environment. The design and layout of residential development should be based on an overall design concept that draws upon the positive aspects of the character and appearance of the surrounding area.*

*In established residential areas proposals for housing development will not be permitted where they would result in unacceptable damage to the local character, environmental quality or residential amenity of these areas.*

*All proposals for residential development will be expected to conform to all of 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;***

- 8.7 The surrounding area comprises a mix of house types and designs. There is residential development surrounding the site

comprising predominantly of semi-detached and detached dwellings. On this stretch of Dhu Varen, 30 - 46, the character is primarily defined with a more traditional elevation fronting Dhu Varen Road and large, pitched and flat roofed, 2 and 3 storey projections to the rear where the ground level falls toward Blackrock Road. The front elevation of the final iteration of the scheme is contemporary with more traditional elements such as fenestration with a vertical emphasis and a pitched roof dormer set into the roof. The roof pitches away from the main road. The eaves height of the front elevation matches that of 40 Dhu Varen. The part of the front elevation closest to No. 40 will be marginally set back creating the illusion of a 2 storey projection aligning with the proposed dormer. The existing dwelling and No. 40 both feature a 2 storey front projection. The front elevation, and the entirety of the proposal, makes use of some contemporary finishes which, although a departure from the dwelling to be replaced, is not considered out of keeping with the immediate environs. Finishes include coloured render and zinc cladding.

- 8.8 The subject section of development fronting Dhu Varen Road rises from east to west. The proposed ridge height of the dwelling will be approximately 0.6m greater than 40 Dhu Varen and 0.2m lower than 44 Dhu Varen, following the rising of the road. The proposed dwelling and No. 40 will be read as separate buildings with shared and sympathetic features. The front/ side elevation features a small project at 3<sup>rd</sup> floor level which will incorporate a window facing towards Dhu Varen Road for a proposed shower room. The building line to the front of the proposal will match 40 Dhu Varen. The existing small amenity area to the front of the site will be retained and enhanced.

In terms of respecting context, character, topography, scale and proportion, massing and appearance the front elevation of the proposal is considered acceptable. It is considered that it will not appear unduly prominent or be detrimental to visual amenity.

- 8.9 The proposed dwelling will have a flat roof 3 storey rear projection. At ground floor level the rear return will be aligned with the large three storey rear projection of 44 and 46 Dhu Varen and project approximately 2m from the rear elevation of

the rear return at 40 Dhu Varen. A proposed first floor terrace will project 1.8m further towards Blackrock Road than the first floor terrace at 40 Dhu Varen and align with the rear elevation of 44 Dhu Varen's 3 storey return. On the first floor the rear elevation (discounting the terrace) will sit 2.5m behind the rear elevation of No.44, and 3.2m forward of the first floor rear elevation (discounting 40's first floor terrace) of 40 Dhu Varen. The same relationship applies for the proposed second storey.

- 8.10 On the ground and first floor the rear return will be the width of the dwelling frontage. On the second floor, facing No.44 the side elevation will be stepped in approximately 1.3m. The rear elevation of the rear return features extensive glazing; patio doors on the ground floor, providing access to a ground floor seating area, patio doors on the first floor to a proposed terrace and a Juliette balcony on the second floor. Large 2/ 3 storey rear returns are a common feature to the rear of this stretch of Dhu Varen, as is extensive glazing facing seaward. The layout, scale, proportions, massing and appearance of the rear return respects the surrounding context and is appropriate to the character and topography of the site.
- 8.11 Several objections acknowledge the recent dwellings in the immediate area but warn that their scale should not be used to justify the scale of the proposal. The scale of recent development on the opposite side of Dhu Varen and the redevelopment of No.38 Dhu Varen has not been used as a precedent to justify this proposal. The scale, massing and design of the proposal is considered to be acceptable on its own merits.
- 8.12 The proposed detached garage building will be located approximately 14m from the rear elevations of 44 and 40 Dhu Varen. The ridge height of the proposed garage building will be approximately 5.3m from ground level. The footprint of the garage extends to the entire width of the site, with a covered walkway providing pedestrian access from Blackrock Road. A garage door is positioned on the ground floor elevation onto Blackrock Road. The garage building will provide a double garage, covered walkway and garden store at ground floor level, with a w.c and garden room on the first floor. A Juliette balcony with glazed double doors and a small window face seaward onto Blackrock Road. There will be a high level

window, approximately 1.4m from first floor level facing back towards the rear elevation of the proposed dwelling. The proposed garage will feature a mansard-type roof and be finished externally to match the dwelling. Views of the garage from the rear of dwellings will be mitigated to a degree by the falling ground levels.

8.13 Several objections have raised concern in relation to the 2 storey scale of the proposed garage, the use of the proposed garage and that it would de-value their property. The garage building is subordinate in footprint and height to the existing dwelling. While that proposed garage will be taller than many neighbouring ancillary buildings fronting onto Blackrock Road, the proposed height and scale is not considered unacceptable or unduly detrimental to the existing character of the area considering the sizeable ancillary building being developed directly opposite. The level of accommodation provided within the proposed garage is considered to be ancillary to the main dwelling and is considered acceptable in this regard. A condition is included restricting the use of the building for ancillary purposes only. Any effect on surrounding property values is a consideration that would be given limited weight having regard to the information provided.

8.14 In summary, the proposed 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. The application meets criterion (a) of QD1.

**(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;**

8.15 There are no landscape, built heritage or archaeological features identified within the site or the surrounding area. The application meets criterion (b) of QD1.

**(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;**

8.16 Creating Places, paragraph 5.19 states that all houses should have an area of private open space behind the building line and it should be approx. 70sqm 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 40sqm will generally be unacceptable. Private open space for the proposed dwellings is 83sqm at ground level, incorporating a patio and grassed area, which is considered adequate for a development of this type within an urban area. The application meets criterion (c) of QD1

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

8.17 The site is located within the Settlement Development Limit of Portrush. Due to the limited scale of the proposal (single dwelling) there is no requirement to provide neighbourhood facilities. The site is located within an urban area with convenient access to surrounding local facilities. The application meets criterion (d) of QD1.

**(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;**

8.18 The site is located within the Settlement Development Limit of Portrush. The application site is within walking distance of public transport links and there are footpaths provided from the site into the town centre. The application meets criterion (e) of QD1.

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

- 8.19 The existing 5 bedroom dwelling has a single storey detached garage suitable for off street parking of a single vehicle. The proposed dwelling will have 4 bedrooms and provide 2 in-curtilage parking spaces in the proposed garage. Parking Standards identifies the parking requirement for the development as 3 spaces. However, as it is proposed to replace a dwelling with 5 bedrooms and only 1 in-curtilage parking space with a proposed 4 bedroom dwelling with 2 in-curtilage spaces, the arrangement is considered acceptable.
- 8.20 Several objectors have raised concern in relation to the scale and use of the proposed garage. The proposed garage provides garage space on the ground floor and limited space for ancillary use on the first floor. There is no proposed intensification of use of the site and therefore extra parking has neither been sought nor requested by the Planning Department. The proposal enhances the existing parking provision with a larger garage. The proposed garage building will be ancillary and conditioned as such.
- 8.21 Several objectors have raised concerns about the use of the proposed garage as a short term rental property, with related impact to existing parking issues. The proposed garage building is not a dwelling, is described as a garage by the applicant, contains limited ancillary accommodation and will be conditioned to remain ancillary should an approval be agreed. There is no proposed intensification of use of the site and therefore extra parking has neither been sought nor requested by the Planning Department. The proposal enhances the existing parking provision with a larger garage. The proposed garage building will be ancillary and conditioned as such. Planning permission would be required for the use as a short stay holiday let. The level of amenities, a relatively small first floor room with limited head height, w.c, garage and garden store is not considered excessive and is therefore acceptable to the Planning Department.
- 8.22 An objector raised concern that cars parked on Dhu Varen, related to the subject site, will obstruct sight lines of Nos. 38,

38a and 36 Dhu Varen. This situation could occur with the existing dwelling on site. The Planning Department has no control over parking on Dhu Varen Road. The parking provision of the site will be enhanced with the proposed larger garage. DFI Roads have no objection to the proposal. The application meets criteria (f) of QD1.

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

8.23 The scale, massing, height and use of materials is generally consistent with the existing development to the rear of this section of Dhu Varen. Large 2 and 3 storey rear returns are commonplace, as are upper floor terraces/ balconies and detached ancillary buildings fronting Blackrock Road. The proposal presents a more traditional elevation to the main road with the more contemporary design elements to the rear; this is consistent with the general form of development in the immediate area. The the proposal will not appear unduly prominent or conspicuous within the existing context.

8.24 The application meets criteria (g) of QD1.

**(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; and***

8.25 The attached neighbour at 40 Dhu Varen raised concerns regarding the lack of clarity on how their property will be protected during the separation process. They state that they were also informed by the applicant that demolition would happen August- September 2025. The agent has confirmed (on file) that it was never the intention to simply render the unattached gable at No.40 and that an insulated cavity wall will be constructed. The Agent goes onto state that a structural engineer has confirmed the foundation arrangement and proposals necessary in liaison with them, and this has been shared and discussed with the applicant and the owners of no.40, with both parties content this proposal is appropriate.

The exterior wall will be finished to match the existing. The proposal extends the current roofline and gutter arrangement.

8.26 The proposed side elevation facing towards the opposing elevation of No. 44, will have a bedroom window, laundry/ utility window, external door, and outdoor seating area on the ground floor. There are ground floor dining room and kitchen windows on the opposing elevation at No. 44 however this is a form of development replicated within the existing streetscape. For example, the dwelling to be replaced has a large ground floor bay window to a family room facing towards the side elevation of No.44. No.40 also has side windows on the ground floor facing towards the application site. Only the ground floor laundry/ utility window will be directly opposite a ground floor window on the side elevation of No. 44. Considering the existing arrangement and pattern of development, in which there are some ground floor windows on the existing dwelling, facing towards the opposing elevation of No 44, there will be no undue additional impact on the private amenity of No.44 as a result of proposed GF windows. On the first floor of the side elevation facing towards No.44 will be three windows to proposed kitchen/ dining area and an external door accessed via an external stairway accessed from ground level. There are no windows on the opposing elevation of No.44 that could be affected by the proposed kitchen windows. Proposed privacy screening will prevent lateral views from the stairway, landing and door into the opposing elevation of No.44. Views from the first floor balcony will be adequately screened by proposed 1.8m privacy screening. It is noted that the dwelling to be replaced has a first floor bedroom window facing into the side elevation of No. 44. On the second floor side elevation facing towards No.44 will be a high level window which will adequately prevent overlooking.

8.27 The proposed ground floor outdoor seating area will be adequately screened with 1.8m privacy screening to prevent lateral views into the area to the immediate rear of No.44.

There will be no undue impact in terms of privacy with the side elevation windows, doors, stairway/ landing, outdoor seating area and first floor terrace facing towards No.44 as they are adequately screened or positioned to mitigate impact.

- 8.28 Proposed planting and a 1.8m boundary fence will adequately mitigate lateral views from then outdoor seating area into the area to the immediate rear of No.40. Ther is a certain amount of intervisibility between the subject site and its immediate neighbours at present. No. 40's terrace has a view of the area immediately to the rear of the subject site and does No.44's terrace. The proposed screening is considered adequate to mitigate unacceptable overlooking from the proposed formal seating area and terrace.
- 8.29 Three of the small, proposed windows on the side elevation facing towards No.40 will be obscure glazed with no view out. The only other window proposed to this elevation will be high level preventing harmful overlooking. The first floor terrace will be adequately screened to prevent views into No. 40 with a 1.8m obscure glass screen. There will be no undue impact in terms of privacy with the side elevation windows and first floor terrace facing towards No.40 as they are adequately screened, obscure glazed or positioned to mitigate impact.
- 8.30 The proposed glazing and terrace to the rear elevation will also not unduly affect surrounding dwellings in terms of overlooking. Privacy screening to the terrace will prevent views into the immediate rear of No.40 and No.44. The screening will also mitigate impact in terms of overlooking into the rear first floor balcony of No.44 and the area immediately to the rear of that property. Similarly there will be no views from the glazing at the Juliette balcony back into the areas at the immediate rear of No.40 or No.44.
- 8.31 The proposed garage will have a high level window facing into the rear of the application site. Given the separation distance to neighbouring dwellings on Dhu Varen and the use of a high level window over a staircase, the window will not have an undue impact on surrounding amenity. It is noted that the immediate rear of No.40 is open to public view from Blackrock Road through the existing gate and railings. Google street view shows the rear gate of No.44 open with its amenity area open to public view.
- 8.32 The proposed first floor windows on the seaward facing elevation of the garage will not create undue impact in terms of overlooking. On the opposite side of Blackrock Road will be a

detached garage/ ancillary building which has a small kitchen and stairwell window fronting Blackrock Road however it will not be located directly opposite the proposed garage therefore there will be no views into these windows. Any views onto Blackrock are acceptable considering this area is open to public view at present.

- 8.33 In terms of overshadowing and loss of light, it is acknowledged that the rear return will affect light received by No.40 to a degree. Although formulated for assessing extensions, PPS7 Addendum, provides guidance for assessing overshadowing/ impact to light which is helpful in this case. PPS 7 Addendum states, *to help assess the loss of light as a result of a proposed development to the front or rear of a residential property, the 60 degree and 45 degree lines, for single storey and two storey extensions respectively, will be employed. These lines will be taken from the centre of the closest neighbouring window. It should be noted that where the closest window is located at first floor level it may be more appropriate to consider this against the 60 degree line.* The ground floor of the rear return of No.40 has side windows facing towards the application site and a solid wall is proposed opposite them. However, it is noted that the affected room has extensive glazing facing seaward and that the level of 'boxing in' would not exacerbate the current arrangement to an unacceptable degree. The current arrangement between No.40 and the application site boxes in a ground floor area to the immediate rear of the subject dwelling to a degree. When measured from the middle of the seaward facing glazing on the ground floor of the rear elevation of No.40's rear return, the proposal passes the 45 degree light test detailed in policy/guidance. Similarly, as the rear elevation of the proposal is aligned with the rear building line of No.44 it also passes the 45 degree light test when measured from the middle of the glazed doors which provide access to their balcony.

There are examples within the immediate area of where the rear return of one dwelling would not pass the light test when measured from the closest rear facing window at ground level. The surrounding character of the immediate area is defined by substantial built form to the rear.

- 8.34 The most relevant example is the relationship between the existing dwelling and its immediate neighbours. The three storey rear return of No.44 would fail the light test when measured from the rear facing ground floor kitchen window of the dwelling to be replaced. Similarly, the rear return of No. 40 would fail the 45 degree light test when measured from the rear facing ground floor dining room window of the dwelling to be replaced. The relationship between No. 40 and No. 38 provides an extreme example although as stated earlier in this report, it is an anomaly within the streetscape and therefore has not been used for comparison. In summary, although there will be an impact the light received by No.40, the impact will not be unacceptable considering the existing relationships between dwellings within the vicinity and the fact that the proposal passes the light test as detailed in PPS7 Addendum.
- 8.35 An objector raises a concern regarding the accuracy of the plans. They state that the building lines are not accurate as they use No. 44's balcony incorrectly. The submitted plans are considered to be adequate for the purposes of planning permission. The rear elevation of No.44 can be identified from the submitted plans and the relationship between the site and No.44 has been considered earlier in this report.
- 8.36 An objector raised concern that heavy construction traffic on Blackrock Road (private road, no adopted) would further deteriorate the road surface. They go onto state that the proposed works should be agreed upon by all those that paid for the upkeep of the road. An objection form 38a Dhu Varen says that they paid for Blackrock Road to be resurfaced and they are considering removing the tarmac. The condition of Blackrock Road and possible dispute regarding its upkeep is a civil matter and not within the remit of the Planning Department.
- 8.37 There will be no undue impact in terms of noise or other disturbance. At present, properties are located close to each other, and outdoor eating areas/ terraces/ balconies are commonplace. There are no concerns with the proposal in this regard.
- 8.38 Environmental Health were consulted as part of this planning application and are content with the proposal as presented.

- 8.39 It is considered that there will be no unacceptable loss of light, overshadowing, noise or other disturbance resulting from the proposed development.

The application meets criteria (h) of QD1.

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

- 8.40 The application site is surrounded by other residential dwellings. Proposed fencing and boundary treatments will deter crime. The proposed garage building will make unlawful access from the rear of the site difficult. The proposal will not create any areas where antisocial behaviour may be encouraged and does not create any areas which cannot be adequately surveilled. The application meets criteria (i) of QD1.

**Addendum to PPS 7 - Safeguarding the Character of Established Residential Areas**

Policy LC 1 – Protecting Local Character, Environmental Quality & Residential Amenity

- 8.41 This policy sets out additional criteria to be met when assessing housing in established residential areas. As previously mentioned, many of the dwellings present a more traditional elevation to Dhu Varen, with large 2 and 3 storey returns to the rear. The proposal reflects the established pattern of development and is in keeping with the overall character and environmental quality of the established residential area. The proposed density will remain unchanged as a single dwelling is being replaced with another. The proposed dwelling is adequate in terms of space standards. The proposal complies with Policy LC1.

**Access, Movement & Parking**

Policy AMP 2/ AMP 3

- 8.42 Although Dhu Varen is a Protected Route it is not proposed to create an access onto it. Vehicular traffic associated with the site will most likely access via Blackrock Road (Private Road)

which is accessed from Dhu Varen. The existing access will remain unaltered because of the proposal. DFI Roads consultation response states,

*Dfi Roads would advise that Blackrock Road is private and the existing access geometry at Dhu Varren junction is satisfactory. Therefore, we have no objections subject to the following informatives...*

The proposal will enhance the existing in-curtilage parking provision with a larger garage. The application accords with relevant parking, movement and access policy.

### **Habitat Regulations Assessment**

- 8.43 The potential impact of this proposal on Special Protection Areas, Special Areas of Conservation 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 of any European Site.

## **9.0 CONCLUSION**

- 9.1 In conclusion, taking all relevant planning policy and material considerations into account, it is considered that the proposal is acceptable in terms of its siting, scale and design. The proposed development can successfully integrate into the site functionally and visually and does not negatively impact the local area or environment. The points raised in the letters of objection have been fully considered in the assessment. Therefore, the proposal is acceptable and complies with the aforementioned policies. Therefore, the application is recommended for **Approval**.

## **10.0 APPROVAL CONDITIONS**

### **Drawings:**

1. The development hereby permitted must be begun within five years from the date of this permission.

Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.

2. The garage hereby approved shall not be occupied other than for purposes ancillary to the residential use of the dwelling known as No 42 Dhu Varren Road as shown on the approved plans.

Reason: To protect residential amenity and ensure a sperate form of accommodation is provided.

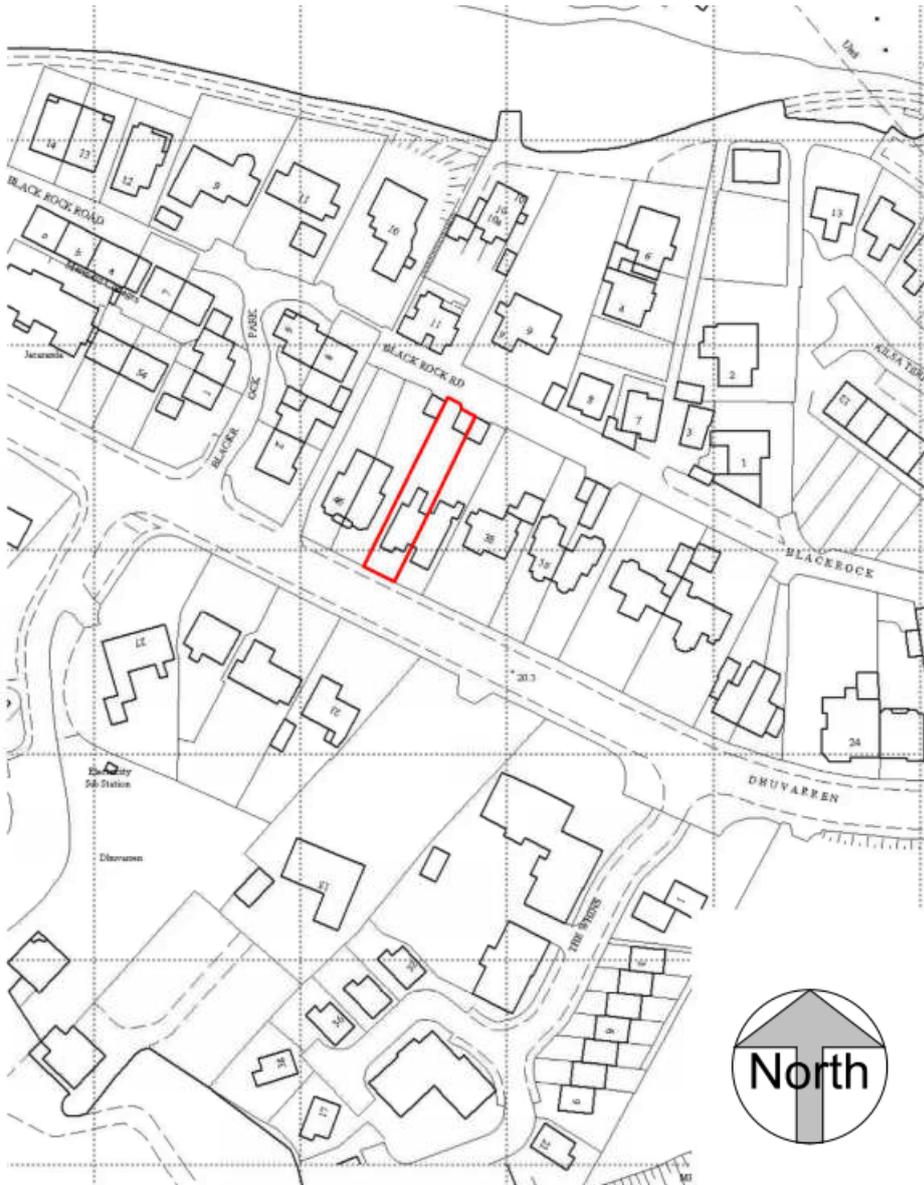
3. The 1.8 m obscured glass screen to the rear terrace and the 1.8m decorative screen to the side access as shown on drawing No 06 Rev 4 shall be provided prior to the occupation of the dwelling.

Reason: To protect residential amenity.

### **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 permission does not alter or extinguish or otherwise affect any existing or valid right of way crossing, impinging or otherwise pertaining to these lands.
3. 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.
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 Public Register website at <https://planningregister.planningsystemni.gov.uk/>

# Site Location Map



# Proposed Block Plan



# Addendum

## LA01/2023/1142/F

### 1.0 Update

- 1.1 At the January 2026 Planning Committee a verbal update was provided which recommended the application be deferred to allow for further notification following the submission of plans received on 20<sup>th</sup> January 2026. The Planning Committee agreed to defer the application to allow for this to take place. A further representation from the neighbour at No. 44 Dhu Varren was also circulated to members.
- 1.2 Following January's Planning Committee the Agent advised that they wished to make minor alterations to the scheme. A set of revised plans was received and further neighbour notification undertaken.
- 1.3 The amendments comprise; the first floor external landing area now projecting further toward No.44, provision of a glass balustrade to the rear external staircase and provision of a small canopy over the ground floor external door on the western elevation.

### 2.0 Consideration

- 2.1 The issues raised in the representation received 28<sup>th</sup> January 2026 from the neighbour at No. 44 relate to the proposed garage and art studio. This has previously been considered in the Planning Committee Report within the considerations and assessment at Section 8.

- 2.2 A further representation was received on 16<sup>th</sup> February 2026 from the neighbour at No. 40. The issues raised in the representation include dominance, over-development, overbearing and oppressive impact and impact on established character. These have previously been considered in the Planning Committee Report (PCR) within the considerations and assessment at Section 8. Issues raised in relation to the proposed new roof level have also previously been considered, with the exception of the details of a discussion which took place between the objector, the applicant and the applicant's architect (Agent) following January's Planning Committee. The objector comments that a minor design amendment had been proposed by the Agent (with accompanying annotated plan), but they were disappointed to see that the amended plans do not reflect the design change discussed.
- 2.3 The objector at No. 40 also notes issues/concerns again in relation to matters in respect of the demolition and construction phases. These matters are civil issues which fall outside of the remit of the Planning Department.
- 2.4 The Planning Department has considered the issues raised within the further representations which have been received and considers the amended plans received following January's Planning Committee meeting to be acceptable.

### **3.0 Recommendation**

- 3.1 It is recommended that the Committee note the contents of this Addendum and agree to Approve planning permission as per the conditions set out in section 10 of the Planning Committee report January 2026.