

Planning Committee Report Item LA01/2016/1026/F	27th September 2017
PLANNING COMMITTEE	

Linkage to Council Strategy (2015-19)	
Strategic Theme	Protecting and Enhancing our Environment and Assets
Outcome	Pro-active decision making which protects the natural features, characteristics and integrity of the Borough
Lead Officer	Principal Planning Officer / Development Management Manager
Cost: (If applicable)	N/a

ITEM

**21 Seafield Park
Portstewart BT55 7JU.**

**LA01/2016/1026/F
Full Planning**

27th September 2017

<u>No:</u>	LA01/2016/1026/F	<u>Ward:</u>	Portstewart
<u>App Type:</u>	Full Planning		
<u>Address:</u>	21 Seafield Park, Portstewart BT55 7JU.		
<u>Proposal:</u>	Proposed replacement dwelling		
<u>Con Area:</u>	N/A	<u>Valid Date:</u>	03.08.16
<u>Listed Building Grade:</u>	N/A	<u>Target Date:</u>	
Agent:	HBK Architects, Bank Studio, 134 Main Street, Aughnacloy		
Applicant:	Mr & Mrs Derick & Tenia Woods, 21 Seafield Park, Portstewart		
Objections:	21	Petitions of Objection:	0
Support:	1	Petitions of Support:	0

Drawings and additional information are available to view on the Planning Portal- www.planningni.gov.uk

1 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 section 7 and resolves to **GRANT** planning permission subject to the conditions and informatives set out in section 10.

2 SITE LOCATION & DESCRIPTION

- 2.1 The application site incorporates an existing bungalow positioned at the junction of Strandview Avenue and Seafield Park. The existing dwelling and site is located within an existing long established private residential area of Portstewart town. There is surrounding housing with a row of single storey dwellings on the eastern approach on Seafield Park, a mixture of single storey and chalet style opposite on Seafield Park and

a mixture of single storey, chalet style, 1.5 and 2 storey dwellings opposite on Strandview Avenue. There is a vacant site immediately adjacent, to the south, which has been cleared and has a stoned surface.

- 2.2 The existing dwelling is single storey with a standard urban pitch roof with concrete tiles. The walls are finished in rough dash and the windows are wooden framed. There are large picture windows to the front façade. The dwelling has a small front and side garden and a low frontage wall at the pavement boundary. There is a side driveway for cars and there is a rear private area which is defined by boundary fencing to the rear boundaries.
- 2.3 The site is positioned within the settlement development limit of Portstewart town as defined in the Northern Area Plan 2016. The site is within an existing residential area.

3 RELEVANT HISTORY

None.

4 THE APPLICATION

- 4.1 Planning permission is sought for a replacement dwelling.
- 4.2 The applicant was initially proposing to replace the existing bungalow with a 2 storey dwelling and balcony. There has been discussions with the agent and subsequent revisions to the proposal. In July 2017, the applicant reduced the overall scheme and submitted revised drawings proposing a chalet bungalow. This has an eaves height of 2.4 metres and an overall ridge height of approx. 6.5 metres. There is an integral garage, kitchen/living/dining, 2 bedrooms, utility and bathroom at ground floor level, and 2 bedrooms proposed on the first floor within the roof space.

5 PUBLICITY & CONSULTATIONS

External

- 5.1 **Neighbours:** There has been twenty-one (21) objections received and one (1) letter of support.

The letters of objections raise concerns including:

- Long established neighbours who do not want the disruption and noise from any proposed development.
- 2 storey development would adversely affect the neighbouring dwellings in terms of light, overlooking and overshadowing.
- 2 storey out of character with single storey dwellings on the road.
- Impact on views of the sea and impact on skyline.
- Cramming
- Balcony

The letter of support considers that the building is not extravagant and is acceptable in this location.

Internal

5.2 Transport NI: No objections.

Environmental health: No objections.

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 RELEVANT POLICIES & GUIDANCE

The Northern Area Plan 2016

Strategic Planning Policy Statement for Northern Ireland (SPPS)

PPS 3: Access, Movement and Parking

Planning Policy Statement 7 Quality Residential environments

PPS 7 Addendum: Safeguarding the Character of Established Residential Areas

Supplementary Guidance

Creating Places

DCAN 8 Housing in Existing Urban Areas

8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to: the principle of a replacement dwelling; proposed design and overlooking; impact on character; road and traffic matters and; other matters.

Planning Policy

- 8.2 The site is located within the settlement limit of Portstewart as defined in the Northern Area Plan. There are no other zonings or designations relevant to the site.
- 8.3 The principle of this development proposed must be considered having regard to the PPS policy documents specified above and the supplementary guidance.

Principle of a replacement dwelling

- 8.4 The site is located within the settlement limit of Portstewart. As this is located within the settlement and the proposal is to replace an existing dwelling, the principle of development is acceptable subject to its compliance with relevant policies and guidance which are set out in PPS 7 and its addendum.

Proposed Design and Overlooking

- 8.5 Criteria (g) and (h) of Policy QD 1 of PPS 7 requires that the design of the development draws upon the best local traditions of form, materials and detailing; and that 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.
- 8.6 The proposed design is a chalet bungalow/one and a half storey dwelling, with bedroom accommodation within the proposed roof space. There is a single dormer and roof lights proposed on the rear elevation. The front elevation appears as a single storey building with a gable fronted projection.
- 8.7 The aspect of the frontage is onto Seafield Park and the building respects the existing building line. The building also has a prominent aspect onto Strandview Avenue. The dwelling addresses this with a large area of glazing. This arrangement provides a more interesting elevation than that of a blank gable particularly given its orientation onto a main road, and considering the separation distance from the front of the dwellings on Seafield Park/Strandview which are already subject to public views is, on balance, considered acceptable.
- 8.8 There is one rear dormer window from a bedroom, with 2 rear skylights from a landing and a dressing room within the roofspace. There are 2 narrow en-suite side gable windows to the east and Bedroom no 3 has glazing to the west. The skylights are considered acceptable and do not create any unacceptable overlooking issues. The proposed dormer window is from a bedroom. This will look into the rear area of

the vacant site to the south, and is not considered to be unacceptable in this context. There are also elements of glazing on either side of the dormers looking onto Strandview Avenue and towards No. 19 Seafield Park. Consideration is given that there is already a dwelling on site, this is a dormer window with reduced level of glazing on each side which is angled towards the side elevation of no. 19, and the location of dormer on the roof. Having regard to these matters, it is considered that this proposal will not have an unacceptable impact on overlooking into the surrounding properties or land.

- 8.9 The proposal is to replace an existing dwelling on a similar footprint. The proposed dwelling will have a larger footprint (@40sq metres greater) and includes accommodation in the roof space. There will still be one dwelling on site of a similar size and scale which will not result in unacceptable loss of light, overshadowing, noise or other disturbance.
- 8.10 Generally there is noise and other disturbances during any construction phase. However, as a material planning consideration, this is a matter which is given limited weight. There is other legislation in place to ensure this disruption does not create an unacceptable nuisance. Environmental Health has recommended an informative regarding the construction phase, which will be attached to any planning permission granted.
- 8.11 As the proposed dwelling is single storey with accommodation within the roof, it is considered that the design will not conflict with adjacent properties.
- 8.12 The dwelling will be finished with standard urban materials. The dwelling will have smooth render walls, aluminium gutters and downpipes, aluminium window frames and fibre cement slates on the roof.
- 8.13 The design is acceptable in its context with the surrounding properties, and therefore complies with the criterion (g) and (h) of Policy QD1.

Impact on character

- 8.14 Criterion (a) of policy QD1 of PPS 7 requires that 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. Policy LC 1 of the Addendum to PPS 7 relates to Protecting Local Character, Environmental Quality and Residential Amenity and provides amplification of Policy QD1. This applies to proposals for the redevelopment of existing buildings.
- 8.15 Policy LC 1 states that planning permission will only be permitted where all the criteria set out in Policy QD 1 of PPS 7, and all the additional criteria set out below are met:
- a) the proposed density is not significantly higher than that found in the established residential area;
 - (b) the pattern of development is in keeping with the overall character and environmental quality of the established residential area; and
 - (c) all dwelling units and apartments are built to a size not less than those set out in Annex A.
- 8.16 The proposal is to replace an existing dwelling with a new dwelling. The proposed density remains the same and therefore complies with criterion (a) of LC 1. As this proposal replaces one dwelling with another, it is not considered to result in town cramming. The size of the dwelling is in excess of the standards set out in Annex A of the Addendum to PPS 7. Given there is no increase in the number of units, and that this proposal will reflect the current character of the area, the proposal is in compliance with those elements of Policy QD1 and complies with Policy LC 1.
- 8.17 An amended scheme was received during the processing of the application. This reduced the proposed dwelling from a 2 storey dwelling to a single storey dwelling with accommodation in the roof space. The dwelling is approximately 6.5 metres to ridge height and has a pitch roof, similar to the form of the dwelling on site. It also proposes a dormer window and skylight windows on the rear roofscape. The new dwelling will be positioned in a similar position as existing, albeit with a slight rotation. The new

dwelling respects the existing surrounding context and is appropriate to the character of the area. It is not a skyline development and will not exacerbate any impact on existing views. It is of similar layout, scale, proportions and massing to the existing dwelling and is generally reflective of the other neighbouring dwellings.

- 8.18 Neighbours and objectors were notified of the current proposal in July 2017. That said, the most recent objections still raise concern with the design of a 2 storey dwelling and the detrimental impact this will have on the locality. However, the current proposal would not be considered to be 2 storeys, as it has an eaves height of approx. 2.4 metres. The proposal reads as a single storey dwelling when looking at the front elevation (from Seafield Park). These objections have been fully considered, but, having regard to the amended scheme are not given determining weight.
- 8.19 Having regard to Paragraphs 8.5-8.13 of this report, it is considered that the proposed layout, scale, proportions, massing and appearance of buildings meet the requirements of Criterion (a) of Policy QD1.

Road and Traffic Matters

- 8.20 Criteria (e) and (f) of Policy QD1 state that a proposal should provide a movement pattern 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; and that there is adequate and appropriate provision is made for parking.
- 8.21 This is an established residential area so the proposal will not conflict or undermine these matters and there is an existing movement pattern. DfI Roads, who is the competent authority on road and traffic matters, has been consulted and raises no objection. That said, DfI Roads has pointed out that the existing vehicular access to the dwelling is sub-standard, however as this is a replacement dwelling, planning cannot insist that this is increased due to the valid fall-back position. However, DfI Roads has suggested an informative that in the applicant's interests and that of other road users, measures should be

taken to provide acceptable visibility. This will be included as an informative should planning permission be granted. Adequate parking is shown to the front of the dwelling. It is considered that the proposal complies with criteria (e) and (f) of Policy QD 1 of PPS 7.

Other Matters

8.22 There are other criteria of Policy QD1 which the application must be assessed against. These are considered below:

(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;

There is adequate private amenity space as the proposed layout is similar to the existing and complies with guidance set out in Creating Places. The block plan shows front, side, and rear amenity space for the future residents. The proposal therefore complies with this part of the policy.

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

This is a replacement dwelling and neighbourhood facilities are not necessary given the scale of development proposed. The proposal is replacing an existing dwelling in a long established residential neighbourhood within the town of Portstewart and will utilise existing facilities.

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

The proposal fronts onto the street, with the main entrance to the dwelling at the front. The proposal will replace an existing dwelling and therefore complies with this test of policy.

8.23 There have been a number of objectors to the proposed replacement dwelling and the concerns raised have been

considered within this report. Many of these objections relate to a 2 storey dwelling with balcony. Taking account of these objections, and when considering planning policy, amendments were sought as the overall impact of a 2 storey dwelling with balcony was determined to not comply with policy and be unacceptable. Subsequently, there have been revisions to that original proposal. The current proposal presents a single storey elevation to Seafield Park with accommodation in the roofspace, and a dormer window in the roof at the rear. Having regard to the current revised design, and that the proposal is a replacement dwelling, it is considered to be consistent with policy and therefore acceptable.

9 CONCLUSION

- 9.1 The proposal for a replacement dwelling has been revised since the initial submission and the most recent proposal is considered acceptable in this urban location having regard to the Northern Area Plan and other material considerations, including PPS7 and its Addendum, and the SPPS. The proposed design presents a single storey frontage to Seafield Park with accommodation in the roofspace. Approval is recommended.

10 CONDITIONS

10.1 Regulatory 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. No development shall take place until a landscaping scheme of hard and soft landscaping has been submitted to and approved by the Council. This shall show the location, numbers, species and sizes of trees and shrubs to be planted.

Reason: In the interest of visual amenity and to ensure the provision, establishment and maintenance of a high standard of landscape consistent with Planning Policy Statement 7 'Quality Residential Environments'.

3. The scheme of planting as finally approved shall be carried out during the first planting season after the commencement of the development. Trees or shrubs dying, removed or becoming seriously damaged within five years of being planted shall be replaced in the next planting season with others of a similar size and species unless the Council gives written consent to any variation.

Reason: In the interest of visual amenity and to ensure the provision, establishment and maintenance of a high standard of landscape consistent with Planning Policy Statement 7 'Quality Residential Environments'.

4. The 2 en-suite windows on the North-East elevation, annotated 'A' on Drawing No. 05 date stamped received 03 July 2017, shall be obscured glazing and be permanently retained as such.

Reason: To protect the privacy of the neighbouring dwelling at no.19 Seafield Park.

Informatives

1. Notwithstanding the terms and conditions of the Causeway Coast and Glens Borough Council's approval set out above, you are required under Articles 71-83 inclusive of the Roads (NI) Order 1993 to be in possession of the Department for Infrastructure's consent before any work is commenced which involves making or altering any opening to any boundary adjacent to the public road, verge, or footway or any part of said road, verge, or footway bounding the site. The consent is available on personal application to the Roads Section Engineer whose address is DfI Roads, Northern Division, Causeway Coast and Glens (West), County Hall, Castlerock Road, Coleraine, BT51 3HS. A monetary deposit will be required to cover works on the public road.

2. DfI Roads has pointed out that the existing vehicular access to the dwelling is sub-standard and that, in your interests and that of other road users, measures should be taken to provide acceptable visibility.

3. Precautions shall be taken to prevent the deposit of mud and other debris on the adjacent road by vehicles travelling to and

from the construction site. Any mud, refuse, etc. deposited on the road as a result of the development, must be removed immediately by the operator/contractor.

4. All construction plant and materials shall be stored within the curtilage of the site.

5. It is the responsibility of the Developer to ensure that water does not flow from the site onto the public road (including verge or footway) and that existing road side drainage is preserved and does not allow water from the road to enter the site.

6. Asbestos

There is potential that Asbestos containing materials may be present in or on the proposed site and outbuilding. The applicant is advised to have an asbestos survey carried out prior to any works by a suitably competent person/s. Any identified Asbestos containing material must be removed and disposed of in full compliance with all health and safety and waste management legislative requirements.

7. Construction Noise Impact

BS 5228: 2009 in relation to construction activities states,

“Noise and vibration can be the cause of serious disturbance and inconvenience to anyone exposed to it and in certain circumstances noise and vibration can be a hazard to health.”

“Noise from construction activities should –

not exceed 75 dB $L_{Aeq, 1hr}$ between 07.00 hours and 19.00 hours on Monday to Fridays, or 75 dB $L_{Aeq, 1hr}$ between 08.00 hours and 13.00 on Saturdays, when measured at any point 1 metre from any façade of any residential accommodation, and

not exceed 65 dB $L_{Aeq, 1hr}$ between 19.00 hours and 22.00 hours on Monday to Fridays, or 13.00 hours to 22.00 hours on Saturdays when measured at any point 1 metre from any façade of any residential accommodation, and

not be audible between 22.00 hours and 07.00 hours on Monday to Fridays, before 08.00 hours or after 22:00 hours on Saturdays, or at any time on Sundays, at the boundary of any residential accommodation. (As a guide the total level (ambient plus construction) shall not exceed the pre-construction ambient

level by more than 1 dB(A). This will not allow substantial noise producing construction activities but other “quiet” activities may be possible). Routine construction and demolition work which is likely to produce noise sufficient to cause annoyance will not normally be permitted between 22.00 hours and 07.00 hours.”

8. Noise from Plant & Equipment

The applicant shall ensure that all plant and equipment used in connection with the proposal are so situated, operated and maintained as to prevent the transmission of noise and odour to surrounding sensitive receptors.

9. Dust

Suitable and sufficient dust mitigation measures shall be employed during site preparation/construction phases in order to obviate adverse impacts to nearby sensitive receptors.

