

Title of Report:	Planning Committee Report – LA01/2021/1402/F
Committee Report Submitted To:	Planning Committee
Date of Meeting:	21st December 2022
For Decision or For Information	For Decision – Referred by Cllr Stephanie Quigley

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	Senior Planning Officer

Budgetary Considerations	
Cost of Proposal	Nil
Included in Current Year Estimates	N/A
Capital/Revenue	N/A
Code	N/A
Staffing Costs	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: LA01/2021/1402/F **Ward:** Portrush and Dunluce

App Type: Full

Address: 57 Ballymacrea Road, Portrush

Proposal: Retrospective garden room with proposed extension to provide ancillary guest accommodation & garage / store.

Con Area: N/A **Valid Date:** 19/11/2021

Listed Building Grade: N/A

Agent: 2020 Architects, 49 Main Street, Ballymoney, BT53 6AN.

Applicant: Christine Alexander, 57 Ballymacrea Road, Portrush, BT56 8NS.

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

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

EXECUTIVE SUMMARY

- Full planning permission is sought for a retrospective garden room with proposed extension to provide ancillary guest accommodation & garage / store.
- The application site is located within the countryside, outside the settlement limits of Portrush as defined in the Northern Area Plan 2016.
- The principle of development is considered unacceptable having regard to Policy EXT 1 of the Addendum to Planning Policy Statement 7 and Policy CTY 1 of Planning Policy Statement 21.
- The proposal would provide a separate unit of accommodation that could practically and viably operate on its own.
- The design and appearance are considered unacceptable as the proposal would appear as a separate dwelling.
- The proposal will not significantly impact on the privacy or amenity of neighbouring dwellings.
- DETI were consulted and raise no objection.
- There are no objections
- Refusal is recommended
- Reasons for Referral by elected member are attached as an annex to this report.

Drawings and additional information are available to view on the Planning Portal- <https://planningregister.planningsystemni.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 sections 7 and 8 and resolves to **REFUSE** full planning permission subject to the reasons set out in section 10.

2 SITE LOCATION & DESCRIPTION

- 2.1 The application site is located at 57 Ballymacrea Road, Portrush, accessed via a shared laneway off the Ballymacrea Road. The site, as identified by the red line is irregular in shape and comprises an existing single storey detached dwelling, timber garden shed, and detached single storey garden room to the south eastern corner. The dwelling is finished in a white roughcast render, with the garden room finished in smooth unpainted render.
- 2.2 The property is located in the countryside outside any settlement development limit as defined within the Northern Area Plan 2016. The site is not subject to any environmental designations. The surrounding area comprises of residential units and agricultural lands in the form of permanent residencies and holiday let accommodations.

3 RELEVANT HISTORY

LA01/2016/0045/O –Proposed dwelling on a farm in accordance with CTY 10 of PPS 21. Site 75m north west of 57 Ballymacrea Road.
Permission Granted: 24.10.2016

LA01/2018/0803/RM –Proposed new dwelling following outline approval – LA01/2016/0045/O. Site 75m north east of 57 Ballymacrea Road. Permission Granted: 27.11.2018

4 THE APPLICATION

- 4.1 This is a full application for a retrospective garden room with proposed extension to provide ancillary guest accommodation and garage / store.

5 PUBLICITY & CONSULTATIONS

5.1 External

No letters of objection were received on this application. No letters of support have been submitted.

5.2 Internal

DETI: No objections

6 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:
- The 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 RELEVANT POLICIES & GUIDANCE

The Northern Area Plan 2016

The Strategic Planning Policy Statement (SPPS)

Addendum to Planning Policy Statement 7: Residential Extensions and Alterations

Planning Policy Statement 21 – Sustainable Development in the Countryside

8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to principle of development; ancillary accommodation; and additional information.

Planning Policy

- 8.2 The proposal must be considered having regard to the Northern Area Plan 2016, SPPS, and PPS policy documents specified above.

Principle of Development

- 8.3 Policy EXT1 of the Addendum to PPS7 provides the policy guidance in relation to residential extensions and alterations. Paragraphs 2.8 – 2.11; state that ancillary accommodation should be subordinate to the main dwelling and its function supplementary to the use of the existing residence. The accommodation should normally be attached to the existing property and be internally accessible from it.
- 8.4 Paragraph 2.10 of APPS 7 outlines that where an extension to the existing dwelling is not practicable and it is proposed to convert / extend an existing outbuilding, planning permission will normally depend on the development providing a modest scale of

accommodation. This is to ensure the use of the building forms part of the main dwelling. The construction of a separate building, as self-contained accommodation, within the curtilage of an existing dwelling will not be acceptable, unless a separate dwelling would be granted permission in its own right. It is stated that in all cases the Planning Authority will need to be satisfied that the proposed accommodation will remain ancillary to the main residential property.

Ancillary Accommodation

- 8.5 The application site is located in the countryside, with the proposal sited within the existing curtilage of No. 57 Ballymacrea Road, Portrush. The application is for a retrospective garden room with proposed extension to provide ancillary guest accommodation and a garage/store.
- 8.6 The proposal is located approximately 31.4m south east of the existing dwelling and is not physically linked to the main dwelling. The garden room, already constructed on site, is single storey in scale, with an unpainted render finish, and flat blue/black roof tiles to the roof. There is a velux window to the western side elevation, along with a window and sliding doors. There are two further windows and a door to the eastern side elevation, and a single window to each of the front and rear elevations. Submitted floor plans indicate that it provides one large internal room, as a garden room.
- 8.7 The proposed extension includes a two storey extension positioned to the northern (front) elevation, which wraps around the northern end of the garden room. This provides further accommodation comprising a porch, garage and boot room at ground floor level in addition to the garden room. At first floor level there is a bedroom, dressing area with walk-in wardrobe, and ensuite. Access is also provided to the attic store situated above the garden room. The design of the building is such that it appears as a separate dwelling and is comprised of urban features with a flat roof to the two storey extension, and large sections of glazing to the first floor. A large overhang extends to a canopy around part of the extension at ground floor level where it wraps around the northern end of the garden room.
- 8.8 The proposal is set within its own area of hardstanding, with an area for parking to the north served by its own access. Existing vegetation, along with a timber post and wire fence which were present at the time of site inspection, separate the proposal from the western part of the

site, and the main dwelling house and garden. A further area of garden extends to the south east of the garden room.

- 8.9 Paragraph A49 states that accommodation must demonstrate dependency on the existing residential property with shared facilities. Ancillary uses that could practically and viably operate on their own will not be acceptable.
- 8.10 The proposal for the retrospective garden room with proposed extension exhibits the characteristics of a self-contained unit of accommodation and has the appearance of a separate dwelling unit. While the proposed floor plans do not identify a kitchen space, considering the scale and level of accommodation proposed, the separate access and parking, and the physical separation of the proposal from the main dwelling house, the accommodation could practically and viably operate on its own and therefore is not considered to be ancillary to the main dwelling. The proposal is contrary to Policy EXT 1 of APPS 7.
- 8.11 In this instance, a separate dwelling would not be acceptable as it does not meet the provisions for development in the countryside under Policy CTY 1 of PPS 21.

Additional Information

- 8.12 The applicant stated that the existing dwelling could not be extended due to a nearby landfill site, the positioning of the mains sewage disposal and the loss of an established garden space and that these would cause a prohibiting expense. While this may be the case, this does not warrant a new building for ancillary accommodation. In this case the proposal is not considered to be ancillary accommodation. The applicant also referred to the scale of garages in the immediate surrounding area. Following a review of recent planning approvals in the area and aerial images from Spatial NI it is observed that the garages which serve both No. 53 and No. 51 Ballymacrea Road are positioned to the rear of the dwelling and are of scale that is subordinate to the associated dwelling.

Habitats Regulations Assessment

- 8.13 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 CONCLUSION

- 9.1 The proposal is unacceptable in this location having regard to the Northern Area Plan 2016 and other material considerations. The scale, design and level of accommodation proposed provide a separate unit of accommodation that can practically and viably operate on its own and would not be ancillary to the main dwelling. It is considered that the proposed extension would have a detrimental impact on the character of the existing dwelling and the surrounding area. The proposal is therefore contrary to Policy EXT 1 of APPS 7. A separate dwelling would not be acceptable as it does not meet the provisions for development in the countryside under Policy CTY 1 of PPS 21. Refusal is recommended.

10 Refusal Reasons

1. The proposal is contrary to paragraph 4.26 and 4.27 of the Strategic Planning Policy Statement for Northern Ireland (SPPS) and Policy EXT 1 of the Addendum to Planning Policy Statement 7: Residential Extensions and Alterations in that the proposal would result in development that is not considered to be ancillary accommodation demonstrating dependency on the main residential dwelling as it could practically and viably operate on its own and the design does not appear sympathetic with the built form and appearance of the existing property.
2. The proposal is contrary to Paragraph 6.73 of the Strategic Planning Policy Statement for Northern Ireland (SPPS) and Policy CTY 1 of Planning Policy Statement 21: Sustainable Development in the Countryside, in that there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement.

Site Location Map



Annex 1

From: Stephanie Quigley

Sent: 12 August 2022 14:47

To: Planning <Planning@causewaycoastandglens.gov.uk>

Subject: Referral to planning committee LA01/2021/1402/F

Good Afternoon,

We would request that the above-mentioned application (LA01/2021/1402/F) is referred to the planning committee for the following reasons.

- The planning department are assessing this as a new building, and this is simply not the case. The proposal is an extension to an existing garden room which paragraph 2.10 of the addendum to PPS7 states is acceptable if the development provides a modest scale of accommodation. We believe that the proposal is only providing modest scale accommodation; the garden room is existing, and we are adding a garage (which the applicant currently does not have) a boot room to (clean off after gardening) and an ensuite bedroom to be used by family when visiting from abroad. We cannot see how the planning department are considering this excessive.
- The proposed extension is much smaller than the existing dwelling with the scale massing and ridge height all smaller than the existing dwelling, making it the very definition of ancillary. It does not dominate the existing dwelling, nor will it dominate the landscape as public views are extremely limited due to the mature vegetation on site and the positioning of the existing dwelling.
- The planning department queried why we could not simply extend the existing dwelling and they have stated in their report that it was because of a landfill nearby and the positioning of the mains sewerage and the cost of moving this. This is not the full reasoning we provided to the planning department. The landfill is not “nearby”, it is the garden of the existing property and would be near impossible to construct an extension on this piece of land. Her property is enclosed on the remaining three sides by the access lane and agricultural land not owned by the applicant. Due to the rights of way on the property, third party land and the decommissioned landfill it is impossible to construct an extension to the existing property
- We have provided a scheme which is ancillary to the main dwelling in form and use, whilst also providing a rationale for not extending the existing dwelling but rather the garden room.
- We strongly believe that the proposal is within the provisions of policy and would request that the application is determined by the planning committee due to the irreconcilable differences in policy interpretation between ourselves and the planning department.

Kindest regards,

Stephanie Quigley

Stephanie Quigley
Councillor Coleraine DEA



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Coast & Glens**
Borough Council

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