

Title of Report:	Planning Committee Report – LA01/2023/0514/F
Committee Report Submitted To:	Planning Committee
Date of Meeting:	25th September 2024
For Decision or For Information	For Decision – Referral Item – Ald. John McAuley
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	NO

Screening Requirements	Required for new or revised Policies, Plans, Strategies or Service Delivery Proposals.
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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//2023/0513/F **Ward:** ATLANTIC

App Type: Full Planning

Address: 31 Station Road, Portstewart

Proposal: Proposed Replacement Dwelling & Garage

Con Area: No **Valid Date:** 16.05.2023

Listed Building Grade: N/A

Agent: Lenaghan Design. 30 Moss Park, Richill, BT61 9PT.

Applicant: Robert Young, 31 Station Road, Portstewart, BT55 7HH

Objections: 7 **Petitions of Objection:** 0

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

Executive Summary

- Full planning permission is sought for Demolition of existing dwelling & erection of replacement dwelling and garage.
- The site is located within the Settlement Development Limit for Portstewart. It is not subject to any specific zonings or designations as set out in the NAP 2016.
- The proposal is contrary to Planning Policy Statement 7 'Quality Residential Environments' Policy QD 1 criteria (a), (g) and (h) in that, if approved, the proposal would have a detrimental impact to the character of the area and neighbouring amenity by way of the design, scale and massing.
- 7 Objections from 2 addresses have been received.
- No concerns have been raised by any consultee.
- The application is recommended for Refusal.

Drawings and additional information are available to view on the Planning Portal- <https://planningregister.planningssystemni.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** planning permission subject to the refusal reasons set out in section 10.

2 SITE LOCATION & DESCRIPTION

- 2.1 The site is within the settlement development limit of Portstewart. The site is not subject to any specific zonings or designations as set out in the Plan. The site comprises a single storey detached dwelling, single storey detached garage, front and rear amenity area and driveway providing off street parking for several vehicles. The dwelling comprises hipped roofs and is finished externally with dark painted doors and windows frames, pebble dashed walls and red roof tiles.
- 2.2 The boundary to the front of the site with the street is defined with a 0.8- 1m tall pebble dashed wall with metal, railed entrance gates. The party boundary with 29 Station Road is defined with a 1m close board fence. The party boundary with 33 Station Road is define with a 1m pebbledash wall topped with a 1m close board fence. The rear party boundary, with 14 Movilla Road is defined with a 2m close board fence. The character of the immediate area is defined with medium density residential development, predominately single storey or chalet bungalow, with a prevalence of both pitched and hipped roofs.

3.0 RELEVANT HISTORY

No relevant planning history.

4 THE APPLICATION

- 4.1 Full permission is sought to replace the existing dwelling and detached garage with a proposed 2 storey dwelling and detached garage.

5 PUBLICITY & CONSULTATIONS

5.1 External:

7 objections were received from 2 separate addresses, 14 Movilla Road and 33 Station Road.

A synopsis of their comments follows.

14 Movilla Road:

- Height of the proposed dwelling will impose upon the privacy of 14 Movilla Road.
- Upper level will be looking directly into their back garden/ rear of their dwelling.
- The proposal is taller than existing properties located to the rear of 14 Movilla Road.
- There appears to be a veranda the full length of the property on the first floor. There would be a direct view from the veranda onto their property (Objector attached photos showing proximity of subject site in relation to 14 Movilla Road).
- First floor living arrangement breaches their privacy. The family room with balcony and large windows has a direct line of sight into the rear of their property.
- The plans do not show the orientation of the proposed dwelling. Regardless of orientation it would still adversely affect their privacy.

33 Station Road:

- Massing not in keeping.
- Ridge height much higher than neighbouring properties.
- Ridge perpendicular to road whereas neighbouring ridges run parallel.
- The height of the proposed dwelling will restrict natural light, especially in living/ dining area as main large window will be looking straight into high grey stone cladding.
- Proposed windows adjacent the boundary with 33 will adversely affect their privacy.

Comments: It was not immediately clear to the objector in No.14 Movilla Road that the elevation with balcony was orientated towards Station Road and not their dwelling. The case officer spoke to the objector and clarified the orientation.

5.2 **Internal:**

- NIE: No objections.
- DFI Roads: No objections.
- Environmental Health: No objections.
- NI Water: 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:
- 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

Regional Development Strategy 2035.

Strategic Planning Policy Statement (SPPS).

Northern Area Plan 2016.

Planning Policy Statement 3: Access, Movement and Parking

Planning Policy Statement 7: Quality Residential Environments

Addendum to Planning Policy Statement 7 - Safeguarding the Character of Established Residential Areas

Guidance

DCAN 8 Housing in existing urban areas

Creating Places

8.0 CONSIDERATIONS & ASSESSMENT

8.1 The site is in the urban area, within the settlement development limit of Portstewart. The main considerations in the determination of this application relate to the principle of development, planning policy & guidance considerations, and access.

Planning Policy

8.2 The site is located within the settlement development limit for Portstewart as designated in the Northern Area Plan (NAP).

8.3 The proposal must be considered having regard to the NAP 2016, SPPS, PPS policy documents and supplementary planning guidance specified above.

Principle of Development

8.4 Planning policy supports the principle of the reuse or replacement of an existing dwelling within the urban area to the proposal satisfying relevant planning policies with regards to those set out in PPS7 and supporting guidance.

Planning Policy & Guidance Considerations

- 8.5 Policy QD1 of PPS7 (Quality Residential Environments) states that 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.

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

- 8.6 In the context of the site, it is considered that the proposed dwelling fails to respect the surrounding context and would be unduly prominent. Travelling north on Station Road the unbroken mass of the side elevation will appear incongruous within the existing streetscape, and this impact is likely even greater when travelling south when the respective elevation is in view.
- 8.7 No. 37 Station Road appears hugely conspicuous and does appear incongruous on Station Road. Notwithstanding this one exception, the regular rhythm of the roofs, and shared characteristics of form and design and ridge heights from ground level define the character of the immediate and wider area. From Nos.13-35 Station Road, (the eastern side of the street where the proposal is located), all dwellings appear or read as single storey, with some of these providing limited attic accommodation. Most of the dwellings are pitched roofed with a few incorporating hipped roofs. Bay windows, dormers, single storey front projections, are all common features.
- 8.8 On the opposite side of the street, Nos. 44-64 Station Road, the regular rhythm of the roofs, stepping down with the road, and shared characteristics of form and design, define the character. All of the dwellings are single storey with the exception of 46 Station Road which has higher eaves to the rear, facilitating first floor accommodation.
- 8.9 The gable-on design of the proposal exacerbates its prominence as it is not replicated within the immediate streetscape of 35-13 and 44-64 Station Road, and it is located in an area with a very defined and noticeable character. Similarly, the proposed roof design is not replicated in the immediate streetscape and therefore would appear

incongruous and have a detrimental impact on the character of the area. In summary, the proposal does not satisfy criterion (a).

(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 There are no features of archaeological or built heritage in or near the site. The proposal satisfies criterion (b).

(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 The proposed private amenity area, located to the rear of the proposed dwelling, meets the requirement set out in planning guidance. Given the context of the site and character of the area additional planting is not required to integrate. The proposal satisfies criterion (c).

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

8.12 This proposal will be located within the Settlement Development Limit of Portstewart, and residents can make use of facilities located nearby. Given the nature and that it consists of the replacement of an existing dwelling, provisions for new neighbour facilities are not required.

(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;

8.13 This proposed site is located within the Settlement Development Limit of Portstewart. It's the replacement of an existing dwelling and given its location within the urban area will promote other means to travel to nearby facilities including promoting cycling and walking. The site is close to transport links.

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

8.14 The parking provision proposed is comparable to that of the existing dwelling. DfI Roads was consulted during the consideration of the application and raises no objection to the proposal.

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

8.15 The external finishes of the proposal would be acceptable if paired with an appropriate design. The proposed dwelling does not draw upon the best local traditions of form as detailed under consideration of Criterion (a) (Para 8.5-8.8). The proposal will look out of place in an immediate streetscape with a defined character. The proposal does not satisfy criterion (g).

(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;

8.16 Given the orientation of the proposed dwelling, relationship with neighbouring dwellings it is not expected that there would be an unacceptable impact to daylight received to neighbouring dwellings because of the proposal. Due to the separation distance to the rear boundary (exceeding 16m and 30m back to back) and the use of the proposed room, the first floor rear facing windows will not have an unacceptable impact upon the private amenity of 14 Movilla Road.

8.17 Considering the existing boundary treatment (1m wall topped with 1m fence) and the configuration of the dwelling to be replaced, the ground floor windows on the side elevation facing 33 Station Road will not detrimentally affect neighbouring privacy. Considering the use of the room, relationship to the neighbouring dwelling, the fact there are no opposing first floor windows and the arrangement being replicated elsewhere within the immediate streetscape (27 Station Road has first floor windows facing towards the side elevation of neighbouring dwellings either side), the first floor bedroom windows on both side elevations are considered acceptable as they will not have an undue impact upon neighbouring amenity.

8.18 The balcony to the front of the dwelling will not unacceptably affect surrounding private amenity considering the public areas which it will overlook. Similarly, it is considered that the proposed balcony is not likely to generate increased unacceptable noise or disturbance when balanced against a typical outdoor amenity area to the front at this

location. It is noted that the site is located in an urban area where there would be a relatively high level of background noise.

8.19 Due to the increase in scale, unbroken 2 storey elevation and the fact the proposed dwelling will be 1.7m further forward on the site, the proposal will feel dominant and overbearing when viewed from the large window to the front/side of 33 Station Road. Similarly, the proposed dwelling will appear dominant when viewed from 29 Station Road, considering the increase in scale, difference in ground levels (29 site lower than the subject site), massing and the development being further forward on the site.

8.20 The proposed development is contrary to this criterion of planning policy due to the concerns set out in Para 8.18.

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

8.21 The proposed development will not lead to the creation of areas where anti-social behaviour may be encouraged and replaces one dwelling with a new dwelling and complies with this part of the policy.

8.22 Policy LC1 Protecting Local Character, Environmental Quality and Residential Amenity states that in established residential areas planning permission will only be granted for the redevelopment of existing buildings, or the infilling of vacant sites (including extended garden areas) to accommodate new housing, 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;

8.23 It is proposed to replace a single detached dwelling with another. Therefore, the proposed density is in keeping and acceptable.

(b) The pattern of development is in keeping with the overall character and environmental quality of the established residential area;

8.24 The proposed dwelling is located roughly on a similar footprint of the existing therefore it is in keeping with the pattern of development with one dwelling on the site.

(c) all dwelling units and apartments are built to a size not less than those set out in Annex A.

8.25 In terms of size, the dwelling significantly meets the minimum floorspace required for a development of this type.

Access

8.26 Policy AMP 2 of PPS3 states that Planning permission will only be granted for a development proposal involving direct access, or the intensification of the use of an existing access, onto a public road where:

-Such access will not prejudice road safety or significantly inconvenience the flow of traffic; and

-The proposal does not conflict with Policy AMP 3 Access to Protected Routes.

8.27 Station Road is not a protected route. DfI Roads was consulted in relation to this proposal and raise no objection the proposal. The access proposed will not conflict with the provisions of Policies AMP 2 or AMP 3 as it replaces one dwelling with a new dwelling.

9.0 CONCLUSION

9.1 The proposal relates to the replacement of an existing dwelling and garage. The design of this proposal is considered contrary PPS7 Policy QD1, in that, if approved, the proposal would have a detrimental impact to the character of the area and neighbouring amenity by way of the design, scale and massing. Refusal is recommended.

10 Refusal Reason

1. The proposal is contrary to Planning Policy Statement 7 'Quality Residential Environments' Policy QD 1 criteria (a), (g) and (h) in that, if approved, the proposal would have a detrimental impact to the character of the area and neighbouring amenity by way of the design, scale and massing.

Site Location Plan:



Location Map 1 / 2500

Site Plan





Lenaghan D|E|S|i|G|N

Client	Robert & Lynda Young	Revisions
Project	Replacement Dwelling	
Address	31 Station Road Portstewart	
Dwg Title	Section Through Site - REV A	
Date	May 2023	Scale / s 1 / 100
		Dwg No D4A - 0875

30 MOSS PARK RICHHILL, CO. ARMAGH, BT61 9PT
TEL: (028) 387 1545 MOB: 07979 89024 E-mail: info@lenaghandesign.co.uk

From: [REDACTED] <[REDACTED]>

Sent: Friday, April 12, 2024 4:17 PM

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

Subject: RE: 31 Station Road LA01/2023/0514/F

Good afternoon

I wish to call in planning application LA01/2023/0514/F – 31 Station Road, Portstewart and have set out a number of material / planning reasons below on why I consider this should be called in for your

information.

- This proposal seeks permission for a replacement dwelling which will not give rise to any negative implications on the privacy and / or amenity of surrounding dwellings - this is confirmed in the associated case officers report;
- The proposed design, scale and massing of the replacement dwelling is characteristic of the surrounding area insofar as the streetscape is characterised by several other dwellings which have evolved and modernised in recent years with front and rear balconies, changes in ridge and roof design and a variety of external finishes and elevational design
- Separation distances are maintained as part of this replacement dwelling and several revisions have been made to address concerns raised by the planners during the assessment including change in roof design, reduction in scale of the front balcony and reduction to a single storey garage;
- A number of 3-D renders have been submitted which clearly illustrate how the replacement dwelling will integrate into the streetscape;

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- The topography of the station road slopes in a southerly direction along station road which will ensure that the replacement dwelling will visually integrate into the surrounding area; and
 - No objections from any statutory consultees have been received

Regards

John McAuley

Causeway Coast & Glens Borough Council