Planning Committee Report **LA01/2017/0591/F**	**28th March 2018**
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	Development Management & Enforcement Manager
Cost: (If applicable)	N/a

App No: **LA01/2017/0591/F** **Ward:** **Greysteel**

App Type: **Full Planning**

Address: **1 Briar Hill, Greysteel**

Proposal: **Proposed and retention of first floor front extension to dwelling and proposed front and side ground floor canopy. Incorporating removal of existing upper level single storey roof and full two storey extension to lower level of split level. Proposal includes retention of relocated vehicular access.**

Con Area: N/A **Valid Date: 8th May 2017**

Listed Building Grade: N/A

Applicant: **Mr Gabriel Mc Guinness**

Agent: **AQB Architectural Workshop Ltd, 12a Ebrington Terrace, Waterside, Derry, BT47 6JS**

Objections: **0** **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 sections 7 and 8 and resolves to **REFUSE** planning permission subject to the reasons set out in section 10.

2 SITE LOCATION & DESCRIPTION

2.1 The existing dwelling is located on the corner of Briar Hill and Briar Hill Gardens within the settlement limits of Greysteel. The proposed works have been completed on the detached dwelling taking it from a low pitched single storey dwelling to a 2 storey dwelling with a 2 storey return projecting towards the boundary with Briar Hill. The site has an elevated position in the streetscape with the topography sloping away from the site in a northerly direction as well as in an east and west direction. Access to the site is provided off Briar Hill Gardens and the boundaries of the site are largely defined by a 2 m close boarded timber fence. Due to the elevated nature of the site a sloping grass embankment forms the boundary with Briar Hill.

2.2 The surrounding area is residential in character with a mix of house types. Dwellings immediately surrounding the site are of a low elevation single storey construction.

3 RELEVANT HISTORY

3.1 No relevant history.

4 THE APPLICATION

4.1 Proposed and retention of first floor front extension to dwelling and proposed front and side ground floor canopy. Incorporating removal of existing upper level single storey roof and full two storey extension to lower level of split level. Proposal includes retention of relocated vehicular access.

5.0 PUBLICITY & CONSULTATIONS

5.1 One letter of support has been received from neighbouring property No. 2 Briar Hill.

5.2 **Internal**

DFI Roads: Amendments required to submitted drawings including position of relocated access, new boundary wall and gates.

Foyle and Carlingford & Irish Lights Commission: No objection in principle.

6.0 MATERIAL CONSIDERATIONS

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

6.2 The development plan is:

- Northern Area Plan 2016 (NAP)

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

6.4 The Strategic Planning Policy Statement for Northern Ireland (SPPS) is a material consideration. As set out in the SPPS, until such times as both 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

Strategic Planning Policy Statement (SPPS)

PPS 3: Access, Movement and Parking

PPS 7 Addendum: Residential Extensions and Alterations

A Planning Strategy for Rural Northern Ireland

8.0 CONSIDERATIONS & ASSESSMENT

8.1 The main considerations in the determination of this application relate to: the principle of development; quality in new residential development; design; and, access and parking.

Planning Policy

8.2 The site is located within the development limits of Greysteel as defined in the Northern Area Plan 2016. The site is not subjected to any specific environmental designations.

8.3 The principle of the type and scale of development proposed must be considered having regard to the SPPS and PPS policy documents specified above.

8.4 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.

Scale, Massing and Design

8.5 The Addendum to PPS 7 (Residential Extensions and Alterations) is also a consideration of the application**.**

8.6 Policy EXT 1 of the Addendum to PPS 7 provides 4 criteria for the assessment of applications to extend or alter a residential property. Criteria (a) of this policy relates to the scale, massing and design of the extension.

8.7 The extension does not increase the footprint of the original dwelling but increases the height of the dwelling by providing a first floor extension on the part of the dwelling which fronts towards Briar Hill. The extension has also raised the ridge height of the dwelling marginally to accommodate the first floor extension. The original dwelling on site was an 'A-Line' design with the side gable at the front facing Briar Hill.

8.8 The extension has significantly altered the character of the host property and does not appear subordinate in scale rather it makes the dwelling appear prominent and dominant in the streetscape. This dominant presence in the streetscape is heightened by the site's elevated position with no natural features to help absorb the extension into the surrounding area. Although the original dwelling was not of any significant architectural merit, it respected the site in terms of its scale and massing and was not intrusive in the streetscape. When viewed from a number of vantage points particularly those along Briar Hill, the extension appears as skyline development and highly incongruous. The most critical view is that approaching the site from a westerly direction along Briar Hill. The distinct character of the immediate area is of low single storey dwellings which collectively respect the topography of the surrounding area. The extension is viewed sitting above all surrounding development, incongruous in the streetscape.

8.9 The agent introduced the ground floor front and side canopies, in the latest scheme, in an attempt to reduce the impact of the first floor extension. This is not an acceptable design solution to address the concerns in relation to the scale and dominance of the extension. The extension will still appear prominent and out of scale when the taken in the context of the original host property and neighbouring dwellings.

Overlooking

8.10 Criteria (b) of Policy EXT 1 of the Addendum to PPS 7 (Residential Extensions and Alterations) relates to the impact on privacy or amenity of neighbouring residents.

8.11 The extension has one window on the side elevation facing the side and rear amenity space of neighbouring property No. 2 Briar Hill. The cill level of this window has been raised so it is 1.5 metres above first floor finished floor level. While this will go some way in alleviating direct overlooking into the rear on no. 2 it does not remove the perception of overlooking into the rear of no. 2 which is further accentuated by the dominant and elevated appearance of this elevation.

Precedent

8.12 The agent submitted a report which they believe are cases which set a precedent in support of their application. These cases are generally centred around the Greysteel area and neighbouring Eglinton and Limavady areas. None of the examples provided are directly comparable to this application in terms of siting, design and scale. Clooney Road and Foyle Avenue, are distinguishable from the context of the application site. Dwellings along Clooney Road and Foyle Avenue vary significantly in terms of design and scale and are generally set back from the roadside and within generous plots. Gortgare Avenue in Greysteel is also cited as an example of 2 storey development in the area. This development is a longstanding row of terrace dwellings and are not comparable to the application. Other examples cited are not in the locality of the site and many are located within other jurisdictions.

Impact on Townscape

8.13 Other key policies in relation to the proposal are Policies SP 18 and DES 2 of a Planning Strategy for Rural Northern Ireland. Policy SP 18 requires a high standard of design. Policy DES 2 requires development proposals in towns and villages to be sensitive to the character of the area in terms of design, scale and use of materials. In this case the proposed development is unacceptable as it is not sensitive in terms of scale, layout and design in relation to neighbouring buildings and views. Specifically, the increased height of the frontage projecting towards Briar Hill makes the building appear dominant along the streetscene and appears highly incongruous.

Access and parking

8.14 DFI Roads have requested an additional drawing giving details of the relocated access position, new walls, gates and pillars. This drawing has not been submitted to the Council. In its current form the access is unacceptable.

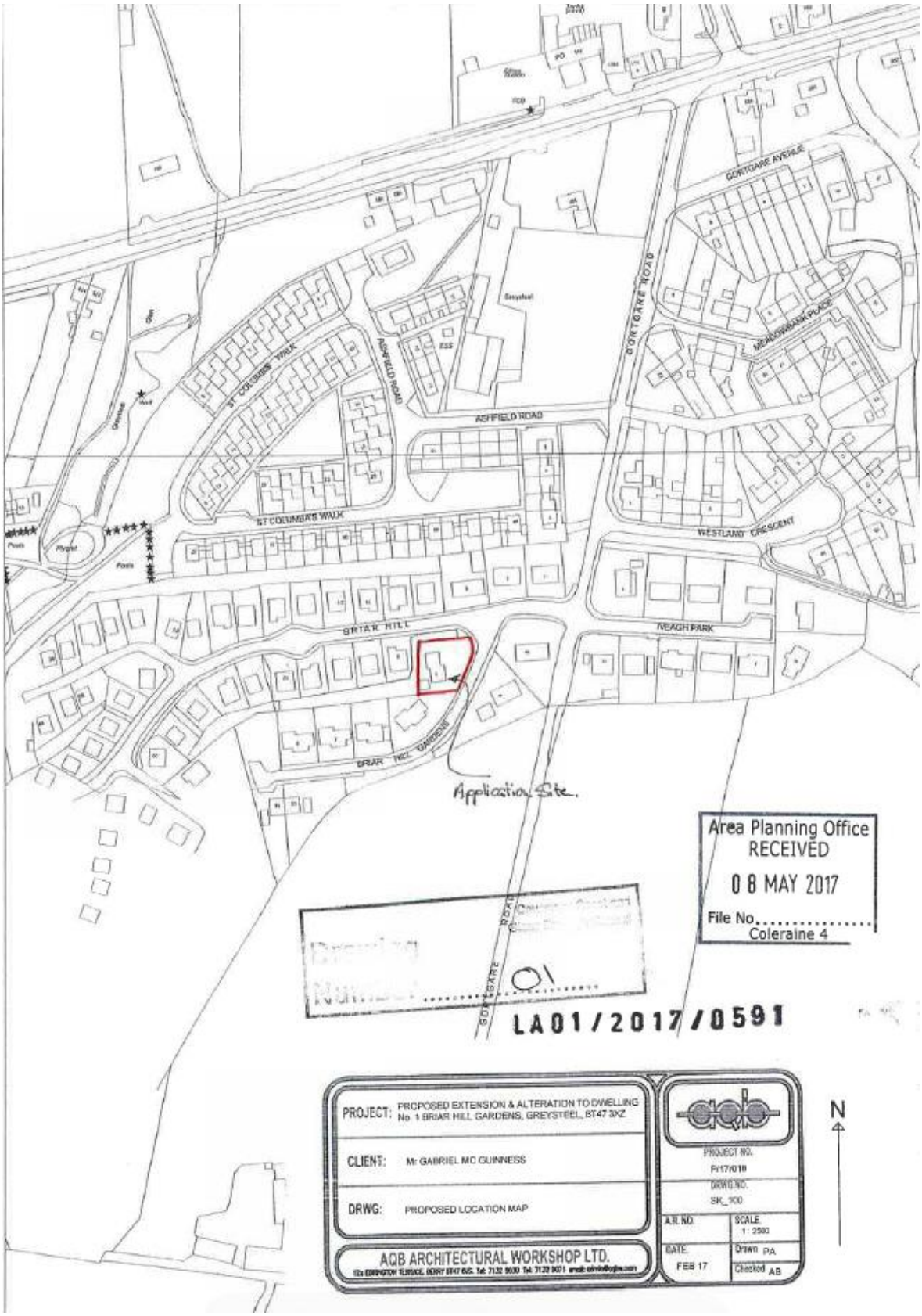
9.0 **CONCLUSION**

9.1 The proposal is considered unacceptable in this location having regard to the Northern Area Plan and all other material considerations. The development fails to meet Policy EXT 1 of the Addendum to Planning Policy Statement 7 (Residential Extensions and Alterations) and Policy DES 2 of a Planning Strategy for Rural Northern Ireland. The extension is not sympathetic or subordinate to the scale of the host building, will have overlooking implications and will appear prominent and incongruous in the streetscape. Refusal is recommended.

10 REFUSAL REASONS

1. The proposal is contrary to Paragraph 4.26 and 4.27 of the SPPS and Policy EXT 1 of the Addendum to Planning Policy Statement 7 Residential Extensions and Alterations in that the development would, if permitted: be inappropriate in scale, massing and design which is not subordinate or sympathetic with the built form and will detract from the appearance and character of the surrounding area; and the proposal would unduly affect the privacy and amenity of neighbouring residents.

2. The proposal is contrary to Policies SP18/DES2 of the Planning Strategy for Rural Northern Ireland in that the development would, if permitted, be detrimental to the character of the surrounding area by reason of its siting, scale, layout and design which are out of character of the area and its relationship to adjoining buildings, spaces and views.

3. The proposal is contrary to Policy AMP 2 of Planning Policy Statement 3, Access, Movement and Parking in that it has not been demonstrated that the relocated access will not prejudice road safety.

Site Location