

Planning Committee Report LA01/2017/0952/F	23rd May 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

<u>No:</u> LA01/2017/0952/F	<u>Ward:</u> DUNDOOAN
<u>App Type:</u> Full Planning	
<u>Address:</u> 53 Ballyhome Road, Coleraine	
<u>Proposal:</u> Flat roof dormer extension and conversion of two rooms above garage into two bedroom accommodation for uses ancillary to the main house.	
<u>Con Area:</u> n/a	<u>Valid Date:</u> 20.07.2017
<u>Listed Building Grade:</u> n/a	
Agent: Micheal Williams, The Cottage, 220 Ballybogey Road, Portrush.	
Applicant: Mr & Mrs S Cargin, 53 Ballyhome Road, Coleraine, BT52 2LX	
Objections: 0	Petitions of Objection: 0
Support: 0	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 site is located on the Ballyhome Road, close to its junction with the Corbally Road, and approximately 8.5 km north east of Coleraine. It is a roadside site comprising a detached single storey dwelling, together with a large double garage, which is located to the rear south eastern corner of the site. The dwelling benefits from a concrete driveway, which leads to a rear yard and the garage. The large front garden area, extends around the northern side of the site to the rear, and is enclosed by a 0.8m high wall along the front, roadside boundary. The northern boundary, separating the site with no.55, is defined by a low level wall, together with mature 3m high evergreen trees, which extend approximately half way along the rear eastern boundary. The southern boundary of the site is defined by mature 2.5m high trees, and hedging. The topography of the site rises from front to back, with the rear garden area approximately 2m above the garage floor level at its highest point.
- 2.2 The surrounding area is rural in character, comprising of single residential dwellings, and agricultural land.
- 2.3 In the Northern Area Plan 2016 the site is located in the countryside, outside of any defined settlement limits. There are no specific zonings or designations covering the site.

3 RELEVANT HISTORY

C/2002/0505/F

Alterations to house & new garage & playroom

Permission Granted: 19/07/2002

4 THE APPLICATION

- 4.1 Full planning permission is sought for a flat roof dormer extension and conversion of two rooms above the garage into two bedroom accommodation for uses ancillary to the main house.

5 PUBLICITY & CONSULTATIONS

5.1 External

Neighbours: There are no objections to the proposal

5.2 Internal

DFI Roads: If the Council consider the proposal not to be ancillary to the main dwelling they recommend refusal of the application as it proposes to intensify the use of an existing access in which the required visibility splays of 2.4 metres x 80.0 metres cannot be provided in accordance with standards contained in the Development Control Advice Note 15.

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

The Northern Area Plan 2016

Strategic Planning Policy Statement (SPPS)

Planning Policy Statement 21: Sustainable Development in the Countryside

Addendum to Planning Policy Statement 7: Residential Extensions and Alterations.

Planning Policy Statement 3: Access, Movement and Parking.

8.0 CONSIDERATIONS & ASSESSMENT

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

Principle of Development

- 8.2 In the Northern Area Plan the site is located in the countryside, outside of any defined settlement limits. There are no specific zonings or designations covering the site.
- 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) offers no specific policy guidance in relation to extensions or alterations to residential dwellings. However, it does contain policy guidance that compliments and supports planning policy PPS 21.

Ancillary Accommodation

- 8.5 Policy EXT 1 of the Addendum to PPS 7 provides the policy guidance in relation to residential extensions and alterations. Paragraphs 2.9 – 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 also be attached to the dwelling where possible and be internally accessible from it. The construction of a separate building will not be acceptable, unless a separate dwelling would be granted permission in its own right.
- 8.6 The proposal seeks the conversion of the attic space above the existing detached garage into living accommodation which includes two bedrooms, an open plan living/kitchen/dining area, a bathroom and storage area. A large flat roof dormer will allow for the existing attic floor to be extended, providing approximately 79 sq metres of gross floor space in total. The proposed first floor accommodation can be accessed internally via a staircase within the garage, and externally via a door on the eastern gable which opens onto the raised garden area at the rear of the site. The building is not physically linked to the main dwelling. The proposed large flat roof dormer although subordinate in scale to the existing roof would give the garage a residential character and when viewed when travelling along the Ballyhome Road in a northerly direction would give the appearance of a separate unit of accommodation behind no. 53.
- 8.7 Paragraph A49 also 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.
- 8.8 The building exhibits the characteristics for independent living. Internally there are two separate bedrooms, a bathroom and a centrally located open plan kitchen/dining and living area. The accommodation, by reason of its size and facilities, could practically and viably operate on its own and is not considered to be ancillary to the main dwelling.
- 8.9 The issue of ancillary accommodation removed from the main dwelling was considered under application ref. E/2015/0028/F for the conversion of a garage to living accommodation at 269 Whitepark

Road, Bushmills. Planning permission was refused and subsequently the appeal was dismissed, Ref. 2015/A0138. In their reasoning the PAC noted that the proposal did not provide a modest scale of accommodation and would not be dependent on the existing residential property. The appeal proposal did not comply with Policy EXT 1 of the Addendum to PPS 7 and did not comply with Policy CTY 1 of PPS 21.

Supporting Information

8.10 During the processing of the application the applicant submitted supporting information outlining the need for this accommodation. The supporting information stated that the accommodation was required for the applicant's daughter who was getting married in the near future. An office meeting was also conducted with the applicant and agent. This clarified that the proposal would offer accommodation to the applicant's daughter and fiancé to benefit their economic circumstances. There is no physical dependency on the main dwelling or carer role associated with the proposal. Economic factors are the only justification. The accommodation can practically and viably operate on its own, and is not considered ancillary to the main dwelling. The economic circumstances are not exceptional, and therefore the proposal is contrary to Addendum to PPS 7.

Access

8.11 DFI Roads has been consulted on the application and advise that if the proposal is considered ancillary to the main dwelling, they would have no objection. They further advised that if it is considered that the proposal is not ancillary to the use of the main dwelling it would, if permitted, prejudice the safety and convenience of road users since it proposes to intensify the use of an existing access at which the required visibility splays cannot be provided.

8.12 As the principle of development was not considered acceptable no further information was requested. As it has not been demonstrated that the proposal would not prejudice road safety, the proposal would be contrary to Policy AMP 2 of PPS 3.

9.0 CONCLUSION

9.1 The proposal is considered unacceptable in this location having regard to the Northern Area Plan 2016 and other material

considerations. By reason of the size and facilities of the proposed accommodation the proposal provides a separate unit of accommodation that is unacceptable in its own right. Therefore it cannot be considered to comprise ancillary accommodation. In addition the proposal is contrary to Policy AMP 2 of PPS 3 as it has not been demonstrated that the proposal would not prejudice road safety. Refusal is recommended.

10 REFUSAL REASONS

1. The proposal is contrary to Policy EXT 1 of the Addendum to Planning Policy Statement 7 'Residential Extensions and Alterations' in that the proposal if permitted, 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.
2. The proposal is contrary to Planning Policy Statement 3, Access, Movement and Parking, Policy AMP 2, in that it would, if permitted, prejudice the safety and convenience of road users since it proposes to intensify the use of an existing access at which visibility splays of 2.4 metres x 80.0 metres cannot be provided in accordance with the standards contained in the Department's Development Control Advice Note 15.

Site Location Map

