

<b>Planning Committee Report</b>  <b>LA01/2018/0833/O</b>	<b>27 February 2019</b>
<b>PLANNING COMMITTEE</b>	

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

<b><u>No:</u></b>	LA01/2018/0833/O	<b><u>Ward:</u></b>	Castlerock
<b><u>App Type:</u></b>	Outline		
<b><u>Address:</u></b>	Adjacent No. 3 Warke Place, Castlerock		
<b><u>Proposal:</u></b>	Proposed single storey dwelling with roof space utilised		
<b><u>Con Area:</u></b>	N/A	<b><u>Valid Date:</u></b>	10.07.18
<b><u>Listed Building Grade:</u></b>	N/A		
<b><u>Agent:</u></b>	Brian Baird Architect, 10 Fermoye Drive, Coleraine, BT51 3JW		
<b><u>Applicant:</u></b>	Mr William McNeill, 3 Warke Place, Castlerock		
<b><u>Objections:</u></b>	<b>0</b>	<b><u>Petitions of Objection:</u></b>	<b>0</b>
<b><u>Support:</u></b>	<b>0</b>	<b><u>Petitions of Support:</u></b>	<b>0</b>

Drawings and additional information are available to view on the Planning Portal- [www.planningni.gov.uk](http://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** outline planning permission for the reasons set out in section 10.

## 2 SITE LOCATION & DESCRIPTION

- 2.1 The site comprises a narrow, wedge shaped portion of land which is located within the established curtilage of an existing single storey dwelling. It is located within a cul-de-sac comprising single storey detached and semi-detached dwellings. A railway line runs opposite the site. The north, south and eastern boundaries of the site are defined by a low wall with close boarded fence on top. The western boundary is undefined on the ground. Currently the site comprises an area of hardstanding with storage sheds.
- 2.2 The site is located within the development limit of Castlerock. It is located within Binevenagh Area of Outstanding Natural Beauty, as per the Northern Area Plan 2016.

## 3 RELEVANT HISTORY

C/2008/0496/F – Side & rear extension with attic room over the existing dwelling. Permission granted 16.10.2008

C/2010/0413/F – One and a half storey dwelling with attic rooms and construct new access and parking. Permission refused.

## 4 THE APPLICATION

- 4.1 This is an outline application for proposed single storey dwelling with roof space utilised.

## **5 PUBLICITY & CONSULTATIONS**

### **5.1 External**

No objections have been received in relation to this application.

### **5.2 Internal**

- DAERA: No objection.
- DFI Roads: Further information required.
- DfI Rivers: No objection.
- NI Water: No objection.
- Environmental Health: No objection.

## **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)

Planning Policy Statement 7 (PPS 7) – Quality Residential Environments

Addendum to PPS 7 – Safeguarding the Character of Established Residential Areas

Planning Policy Statement 3 (PPS 3) – Access, Movement and Parking

## **8 CONSIDERATIONS & ASSESSMENT**

- 8.1 The main considerations in the determination of this application relate to scale, massing and design; impact on the character of the area; impact on archaeological, built heritage, and landscape features; open space and integration; neighbourhood facilities; accessibility and parking; impact on residential amenity; impact on crime and personal safety.

### **Scale, Massing, Design and Impact on the Character of the Area**

- 8.2 Planning Policy Statement 7 (PPS 7) - Policy QD 1, notes that all proposals for residential development will be expected to conform to 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.

- 8.3 The proposal is sited within an existing residential area which is characterised by single storey detached and semi-detached dwellings with gardens. A single storey dwelling is proposed within the side garden/yard area of the existing dwelling at No. 3 Warke Place. Although the plot size would be similar to that of other plots within the area, the development of this area would reduce the spacing between buildings and would give the appearance of “cramming” on the site which would fail to respect the character of the established residential area. Therefore the proposal fails to meet criteria (a) of this planning policy.

### **Impact on Archaeological, Built Heritage, and Landscape Features**

- 8.4 PPS 7 – Policy QD 1, notes that all proposals for residential development will be expected to conform to the following criteria: (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.
- 8.5 The site is located in the side garden/yard area of the existing dwelling at No. 3 Warke Place. This comprises a hardstanding area with a surrounding wall and limited vegetation. The site is not located within an area of archaeological potential or in proximity to any archaeological site or monument. There will be no impact on archaeological or built heritage features. The application meets criteria (b) of this planning policy.

### **Open space and Integration**

- 8.6 PPS 7 – Policy QD 1, notes that all proposals for residential development will be expected to conform to the following criteria: (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;
- 8.7 Creating Places paragraph 5.19 outlines that all houses should have an area of private open space behind the building line and it should be approximately 70 metres squared per house or greater. Any individual

house with an area of less than around 40m<sup>2</sup> will be unacceptable. The rear amenity space of the proposed dwelling will measure around 35m<sup>2</sup> and therefore would be unacceptable. In addition, the existing dwelling at No. 3 Warke Place has been extended to the rear boundary and therefore development of the remaining garden/yard space would significantly reduce the overall amenity space of the existing dwelling. The application fails to meet criteria (c) of this planning policy.

### **Neighbourhood Facilities**

- 8.8 PPS 7 – Policy QD 1, notes that all proposals for residential development will be expected to conform to the following criteria: (d) adequate provision is made for necessary local neighbourhood facilities, to be provided by the developer as an integral part of the development.
- 8.9 Given the scale and nature of the development for a single residential dwelling, no neighbourhood facilities are required. This proposal will be located within the Settlement Development Limit for Castlerock and the dwelling will make use of existing facilities located within Castlerock.

### **Accessibility and Parking**

- 8.10 PPS 7 - Policy QD 1, notes that all proposals for residential development will be expected to conform to the following criteria: (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 and (f) adequate and appropriate provision is made for parking.
- 8.11 The dwelling proposed is located close to the main town centre of Castlerock, will support walking and cycling and will be located near public transport links. The application meets criteria (e) of this policy.
- 8.12 PPS 3: Access, Movement & Parking - Policy AMP 2 notes 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. DfI Roads were consulted in relation to this application and requested further information regarding visibility splays. This information was not sought from the applicant as the proposal is recommended for refusal.

### **Impact on Residential Amenity**

- 8.13 PPS 7 - Policy QD 1, notes that all proposals for residential development will be expected to conform to the following criteria: (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.
- 8.14 The protection of the privacy of the occupants of residential properties is an important element of the quality of a residential environment and a key consideration where new development is proposed adjacent to existing properties. Paragraph 7.15 of Creating Places states that a separation distance of around 20m or greater between opposing rear first floor windows is generally acceptable. The dwellings are all single storey.
- 8.15 Where the development abuts the private garden areas of existing properties, a separation distance greater than 20m will generally be appropriate to minimise overlooking, with a minimum of around 10m between new dwellings and the common boundary. There is approximately 4m between the rear of the proposed dwelling and the boundary with No. 25 Seapark. The separation distance between the proposed dwelling and existing dwellings surrounding the site is very limited.
- 8.16 The dwelling at No. 3 Warke Place fronts onto the proposed site. There is potential for overlooking of the rear private amenity space of the proposed dwelling which would limit privacy. The proposal fails to meet criteria (h) of this planning policy.

### **Impact on crime and personal safety**

- 8.17 PPS 7 - Policy QD 1, notes that all proposals for residential development will be expected to conform to the following criteria: (i) the development is designed to deter crime and promote personal safety.

- 8.18 The proposed dwelling will not lead to the creation of areas where anti-social behaviour may be encouraged. The amenity area of the dwelling will be private and enclosed and the proposal meets criteria (i) of this policy.

### **Protecting Local Character, Environmental Quality & Residential Amenity**

- 8.19 In established residential areas, planning permission will only be granted for the redevelopment 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
  - b) The pattern of development is in keeping with the overall character of established residential areas
  - c) The dwelling units and apartments are built to a size not less than those set out in Annex A

The proposed dwelling is single storey which would be acceptable in terms of density as it is similar to other development found within the area. The proposal does not respect the existing layout of other development in the area, will reduce the separation distance between dwellings and will significantly reduce amenity space of the existing dwelling. These factors could contribute to the appearance of "cramming" within the local area.

## **9 CONCLUSION**

- 9.1 The proposal is considered unacceptable in this location having regard to the Northern Area Plan 2016 and other material considerations. The proposal fails to respect the surrounding context and character of the established residential area. There is inadequate provision of private amenity space for proposed and existing dwelling and potential for overlooking of the private rear amenity space of the



proposed dwelling. In addition, the applicant has not demonstrated that the proposal would not prejudice road safety. Refusal is recommended.

## **10 Reasons for Refusal**

### **10.1 Reasons for Refusal:**

1. The proposal is contrary to paragraph 6.137 of the SPPS and Policy QD 1 of PPS 7 in that the development fails to meet criteria (a), (c) and (h) as it fails to respect the surrounding context and character of the established residential area, there is inadequate provision of private amenity space for the proposed and existing dwelling at No. 3 Warke Place and there is potential for unacceptable overlooking of the rear private amenity space of the proposed dwelling.
2. The proposal is contrary to paragraph 6.137 of the SPPS and Policy LC 1 Addendum to PPS 7 in that the pattern of development is not in keeping with the overall character and environmental quality of the established residential area.
3. The proposal is contrary to Policy AMP 2 of Planning Policy Statement 3, Development Control: Roads Considerations in that, the applicant has failed to demonstrate that the proposal will not prejudice road safety.

