

<b>Planning Committee Report LA01/2018/1341/F</b>	28 <sup>th</sup> August 2019
<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>	<b>LA01/2018/1341/F</b>	<b><u>Ward:</u></b>	<b>Dundooan</b>
<b><u>App Type:</u></b>	<b>Full</b>		
<b><u>Address:</u></b>	<b>6 Leeke Road, Bushmills BT57 8UN</b>		
<b><u>Proposal:</u></b>	<b>Retention of garage alterations/extension.</b>		
<b><u>Con Area:</u></b>	<b>N/A</b>	<b><u>Valid Date:</u></b>	<b>31<sup>st</sup> October 2018</b>
<b><u>Listed Building Grade:</u></b>	<b>N/A</b>		
<b>Agent:</b>	<b>MBA Planning 4 College House Citylink Business Park Belfast</b>		
<b>Applicant:</b>	<b>Andy McDonald 6 Leeke Road, Bushmills, BT57 8UN</b>		
<b>Objections:</b>	<b>1</b>	<b>Petitions of Objection:</b>	<b>0</b>
<b>Support:</b>	<b>12</b>	<b>Petitions of Support:</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** permission for the full application subject to the reason set out in section 10.

## 2 SITE LOCATION & DESCRIPTION

- 2.1 The site is located at 6 Leeke Road, in the countryside, outside any defined settlement identified in the Northern Area Plan. The dwelling located on site is a semi-detached, one and a half storey dwelling. The front of the site contains a paved amenity area that allows for in-curtilage parking, a detached shed and a grass amenity area. The majority of the front of the site is enclosed via a fence measuring approximately 1.6m in height. The remainder of the front of the site is enclosed via a wall measuring approximately 1m in height. The rear of the site contains a paved amenity area, detached shed, detached garage, portacabin and detached storage shelter.
- 2.2 The dwelling incorporates a pitched roof and is finished externally with render to walls, white Upvc doors, windows and rainwater goods, and slate roof tiles.
- 2.3 The detached garage, subject of this application, incorporates a low angle pitched roof finished in corrugated metal panels. The walls are finished externally with render and corrugated sheet metal, along with white Upvc doors, windows and rainwater goods. The front facing elevation contains one glazed door, two glazed windows (one faces onto the rear of the dwelling) and a large metal roller door. The south east facing, side elevation, contains a portacabin and some corrugated plastic that allows for some light to enter the garage. The portacabin is connected to the garage internally and is finished with white Upvc walls and roof, there is one window each located on the front and side elevations. The rear elevation contains a glazed door and another large metal roller door.
- 2.4 The footprint of the shed measures approximately 16.7m x 10.45m (174.515m<sup>2</sup>), with a ridge height of approximately 5.3m and an eaves height of approximately 4.8m. The appearance of

the garage is a large workshop which has grown organically over time.

- 2.5 There are other detached structures on the site. These structures are located to the west and south of the site. One of these structures is a storage building which is attached to the garage.
- 2.6 The surrounding area is characterised by open countryside and dispersed pockets of residential and agricultural development; predominantly roadside, with some set back from the road.
- 2.7 The site is located to the southwest of Bushmills, outside of any defined settlement limits, and is not subject to any specific zonings or designations as set out in the Northern Area Plan 2016.

### **3 RELEVANT HISTORY**

- 3.1 There is no relevant site history

### **4 THE APPLICATION**

- 4.1 Full permission is sought for the retention of the alterations to the detached garage and its roof which has been raised 800mm.
- 4.2 The detached garage, subject of this application, incorporates a low angle pitched roof finished in corrugated metal panels. The walls are finished externally with render and corrugated sheet metal, along with white Upvc doors, windows and rainwater goods. The front facing elevation contains one glazed door, two glazed windows (one faces onto the rear of the dwelling) and a large metal roller door. The rear elevation contains a glazed door and another large metal roller door. The south east facing, side elevation, contains a portacabin and some corrugated plastic that allows for some light to enter the garage. The portacabin is connected to the garage internally and is finished with white Upvc walls and roof, there is one window each

located on the front and side elevations. The dimensions of the shed are:

Footprint – 16.7m x 10.45m (174.515m<sup>2</sup>)

Ridge height – 5.3m

Eaves height – 4.8m

## **5.0 PUBLICITY & CONSULTATIONS**

### **5.1 External**

There has been 1 letter of objection and 12 letters of support in relation to this proposal.

The issues raised in the letter of objection are:

- 1) The blocking of natural light to the rear ground floor windows of the adjoining dwelling, 8 Leeke Road.
- 2) The dominance of the garage.
- 3) Increased traffic, noise of cars and tools associated with the garage.
- 4) The building is not in keeping with the rural environment and existing buildings in the area.
- 5) The overlooking of a bathroom window.
- 6) The height of the boundary wall
- 7) The wall was built connected to an existing partition wall without permission from the owner of 8 Leeke Road (this is a civil matter and not a planning issue).

The issues raised in the letters of support are:

- 1) The increase in height is minimal and brings the north and south roofs of the garage to the same height, enhancing the appearance of the garage.
- 2) There is a low level of visibility of the proposal from the road.
- 3) The garage allows for the owner to carry out his hobby.

### **5.2 Internal**

There has been no consultation on this application.

## **MATERIAL CONSIDERATIONS**

- 6.1 Section 45(1) of the Planning Act (Northern Ireland) 2011 requires that all applications must have regard to the local development 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 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)

PPS7 Addendum- Residential Extensions and Alterations

## **8.0 CONSIDERATIONS & ASSESSMENT**

- 8.1 The main considerations in the determination of this application relate to Principle of proposal; Scale, massing and design; Impact on neighbouring residents; Landscape features and traffic and; Other Matters.

### **Planning Policy**

- 8.2 The site is located to the southwest of Bushmills, outside of any defined settlement limits, and is not subject to any specific zonings or designations as set out in the Northern Area Plan 2016.
- 8.3 Policy EXT1 of PPS7 Addendum, states that permission will be granted for a proposal to extend or alter residential property where all of the following criteria are met:
- The scale, massing, design and external materials of the proposal are sympathetic with the built form and appearance of the existing property and will not detract from the appearance and character of the surrounding area;
  - The proposal does not unduly affect the privacy or amenity of neighbouring residents;
  - The proposal will not cause the unacceptable loss of, or damage to, trees or other landscape features which contribute significantly to local environmental quality; and
  - Sufficient space remains within the curtilage of the property for recreational and domestic purposes including the parking and manoeuvring of vehicles.
- 8.4 This is complemented by The Strategic Planning Policy Statement for Northern Ireland (SPPS) which states that all proposals for development in the countryside must be sited and designed to integrate with their surroundings, including the natural topography, and to meet other planning policy and environmental considerations.

- 8.5 The SPPS (Paragraph 4.27) states where the design of proposed development is consistent with relevant LPD policies and/ or supplementary guidance, planning authorities should not refuse planning permission on design grounds, unless there are exceptional circumstances. Planning authorities will reject poor designs, particularly proposals that are inappropriate to their context, including schemes that are clearly out of scale, or incompatible with their surroundings, or not in accordance with the LDP or local design guidance.
- 8.6 The principle of the type and scale of development proposed must be considered having regard to the SPPS and PPS policy documents specified above.

### **Principle of proposal**

- 8.7 The immediate area is characterised by open countryside and dispersed pockets of residential and agricultural development; predominantly roadside with some set back from the road.
- 8.8 The site comprises a one and a half semi-detached dwelling, paved amenity areas and a grass amenity area to the front of the site. The south and rear of the sites contain paved and gravel covered amenity areas, along with other buildings and structures. Permission is sought for the regularisation of changes and alterations to a garage which were carried out in 2018.
- 8.9 This application has been submitted on a PHD (Householder Development) Form and the requisite fee for a householder development was paid and seeks permission for a domestic use.
- 8.10 Although evidence has been provided to prove that a building/ development has been in existence for more than five years, this building was altered in 2018 when the ridge and eaves height of the northern part of the garage were increased. The portacabin (fixed to the garage), is now accessible internally, so part of a wall must have been removed to facilitate this internal access from the garage.
- 8.11 As these more recent changes create an entirely new building, the building is not immune from enforcement action as it has been altered within the last five years; and as recently as 2018.

The building does not benefit from planning permission and is therefore unauthorised.

- 8.12 As this application only seeks to regularise those alterations and additions carried out in 2018, it is not possible to grant permission on an unauthorised building, and this application does not seek to regularise the entire building. Rather, the view taken by the applicant/agent is that as, in their opinion, the building is immune from enforcement action, it is not necessary to regularise the totality of the development. However, as set out in Para 8.11, the building is not immune and does need to be regularised before any further permissions may be forthcoming. Therefore, the principle of this proposal cannot be approved under the description currently submitted.

### **Scale, Massing and Design**

- 8.13 In considering the scale, massing, design and external materials of the garage, these would be unsympathetic in relation to the associated dwelling, detract from the character and appearance of the dwelling and surrounding area, as the building is more akin to an industrial type building, rather than domestic.
- 8.14 Paragraph A11 of the Addendum to PPS 7 states that garages should be subordinate in scale and similar in style to the existing property, this is not the case for this proposal. Paragraph A11 states that materials and the level of visibility must also be taken into account. The garage is readily visible from Leeke Road (Southeast) and Priestland Road.
- 8.15 PPS 7 - EXT 1 refers to garages in paragraphs A11 – A13 stating *“[Garages] can often require as much care in siting and design as works to the existing residential property. They should be subordinate in scale and similar in style to the existing property, taking account of materials, the local character and the level of visibility of the building from surrounding views... In the countryside, ancillary buildings should be designed as part of the overall layout to result in an integrated rural group of buildings”*.
- 8.16 The proposal is not subordinate in scale to the existing dwelling on site. The footprint of the associated dwelling measures approximately 62.55m<sup>2</sup>, while the footprint of the proposed garage measures approximately 174.515m<sup>2</sup>; @ 35% larger than



the dwelling. It appears the development fails to accord with Criterion (a) of EXT 1.

### **Impact on neighbouring residents**

- 8.17 The retrospective height increase to the garage will be partially visible from the northwest of Leeke Road. The height of the garage will result in the structure negatively impacting the adjoining dwelling, 8 Leeke Road, as it will cause unacceptable overshadowing in the evening times and dominance to the rear. This would conflict with Criterion (b) of EXT 1.

### **Landscape features and traffic**

- 8.18 The proposal will not result in the unacceptable loss of any trees or landscape features and complies with criterion (c) of this policy. The proposal will not affect car parking and manoeuvring at the dwelling. The access to the rear is maintained allowing for domestic activities to take place, the proposal complies with criterion (d) of this policy.

### **Other Matters**

- 8.19 The applicant has argued that the garage is for a hobby with Page 3 of the letter from MBA Planning stating that the proposed garage is for the applicant to undertake his hobby, which involves the restoring of old vehicles. That said, the design, appearance and materials are not typical of a domestic garage, giving the impression of an industrial/commercial appearance. Furthermore, the size of the roller doors to the front and rear of the garage also add to the perceived industrial/commercial appearance. However, consideration of this matter fails to outweigh that the garage, as constructed is unauthorised.

## **9.0 Conclusion**

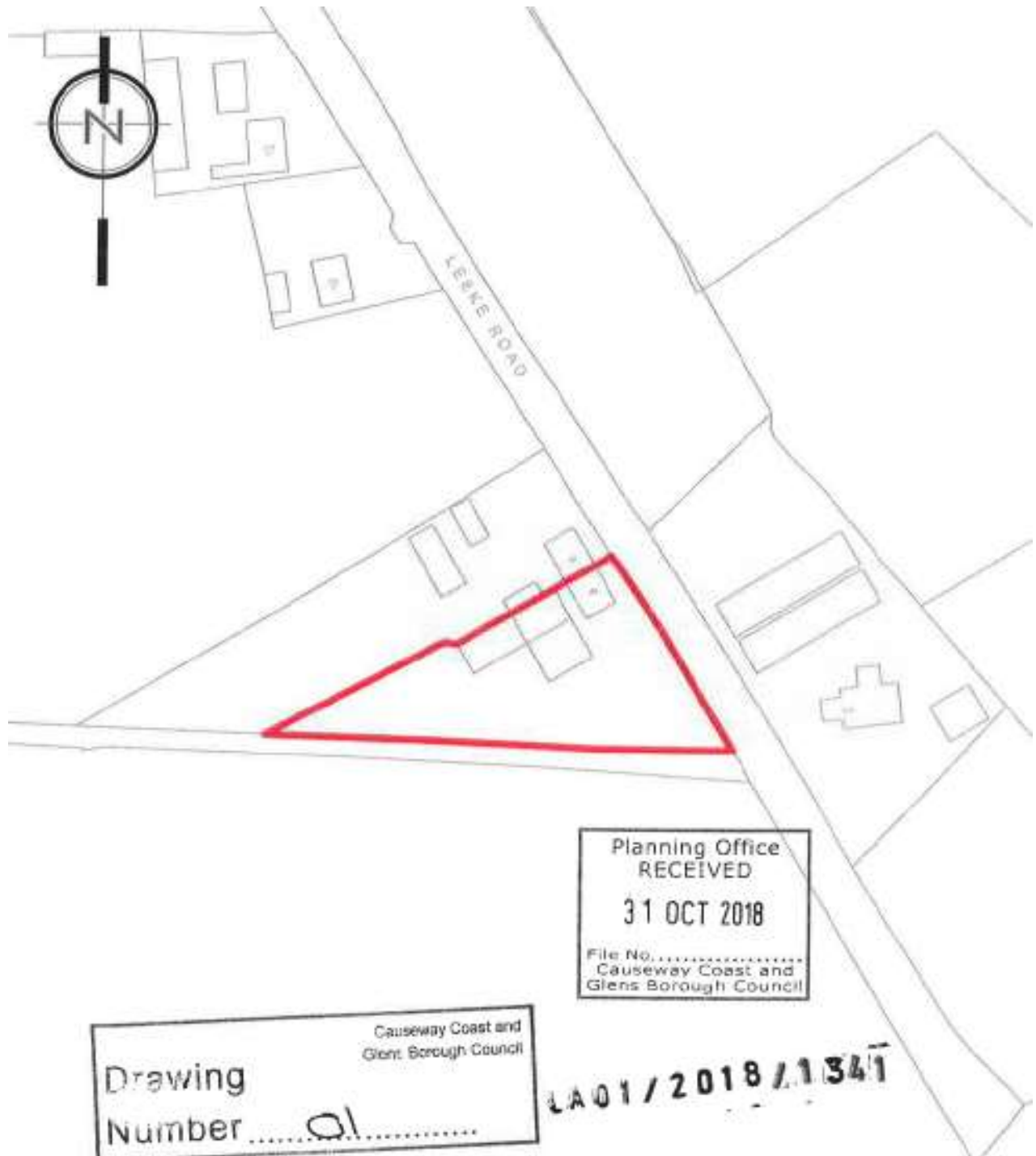
- 9.1 The proposal is considered unacceptable having regard to the Northern Area Plan, relevant policies and other material considerations. As the garage building is unauthorised, it is not possible to permit or regularise an extension or alteration to an unauthorised building. The proposed garage is unsympathetic in terms of the design, scale, massing and finish, and is disproportionate to the modest sized dwelling. The proposal is

unsympathetic to the character of the dwelling and area, and has a negative impact on the adjoining dwelling. Refusal is recommended.

## **10.0 REFUSAL REASON**

- 10.1 The proposal is contrary to Addendum to PPS 7 Policy EXT 1 as the existing building is unauthorised and the time for enforcement action has not expired.

# Site Location Plan



# Block Plan

