



Planning Committee Report LA01/2019/0903/O	24 <sup>th</sup> February 2021
<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>App No:</u></b>	LA01/2019/0903/O	<b><u>Ward:</u></b>	Portstewart
<b><u>App Type:</u></b>	Outline Planning		
<b><u>Address:</u></b>	55 Strand Road, Portstewart		
<b><u>Proposal:</u></b>	Demolition of existing dwelling and erection of apartments.		
<b><u>Con Area:</u></b>	N/A	<b><u>Valid Date:</u></b>	20 Aug 2019
<b><u>Listed Building Grade:</u></b>	N/A		
<b>Applicant:</b>	Ms Karen Luboz, 47 Coombe Drive, Bramber, Steyning, BN44 3PW		
<b>Agent:</b>	GM Design Associates Ltd, 22 Lodge Road, Coleraine, BT52 1NB.		
<b>Objections:</b>	17	<b>Petitions of Objection:</b>	0
<b>Support:</b>	0	<b>Petitions of Support:</b>	0

## **Executive Summary**

- This proposal is considered acceptable at this location having regard to the Northern Area Plan 2016 and all other material considerations.
- The application site falls within the settlement limit of Portstewart.
- The proposal meets the requirements of Policy QD1 of PPS 7 and Policy LC1 of PPS 7 Addendum in terms of an apartment development.
- The development of apartments at this site location would not represent a change to the character of the area.
- The proposal is sympathetic to surrounding properties in terms of scale, mass and form and in relation to its assimilation into the streetscape.
- The proposal respects the existing building line and is contextually appropriate along Strand Road.
- The proposed levels within the site are acceptable.
- The proposal will not unacceptably adversely harm neighbouring residential amenity.
- All matters relating to the detailed design of this apartment development will be fully assessed at full or reserved matters stage.
- The proposal does not prejudice road safety or significantly inconvenience the flow of traffic.
- 17 letters of objection have been received in relation to this application.
- No issues have been raised by statutory consultees in relation to this proposal.
- The proposal complies with all relevant planning policies including the Northern Area Plan, SPPS, PPS 7, PPS 7 Addendum, PPS 15, PPS 6 and PPS 3.

**Drawings and additional information are available to view on the Planning Portal- <http://epicpublic.planningni.gov.uk>**

## **1.0 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 **APPROVE** planning permission subject to the conditions set out in section 10.

## **2.0 SITE LOCATION & DESCRIPTION**

- 2.1 The application site is located at No. 55 Strand Road. The site comprises a detached two storey dwelling with a pitched roof with large flat roofed structures adjacent to the west and south. The land within the site slopes upwards in a north western direction with the dwelling elevated above Strand Road. The application site is situated on the corner and is prominent when viewed from Strand Road. Vehicle access to the site is gained from Strand Road and there is a large hard-surfaced area to the front for car parking. A large garden exists to the front of the property. At the rear the return cuts into the land so there are retaining walls with surrounding grass areas at a height. Boundary treatment of the site consists of a 1m high stone wall adjacent to Strand Road. Hedging forms the boundary with No. 57 Strand Road. The boundary beside No. 53 Strand Road is more open towards the front changing to a stepped high white render wall due to the gradient of the land. Boundary treatment at the rear of the site adjacent to No. 6 Prospect Road is defined by a large concrete wall.
- 2.2 The site is located within the settlement limit of Portstewart. The Dominican Walk Local Landscape Policy Area is immediately adjacent to the site extending along the coastline. The locality around the site is characterised mainly by detached dwellings with front and rear gardens in a typically low density suburban area. Nos. 43-57 Strand Road comprise prominent detached and semi-dwellings set on raised sites with large open front gardens with views of the coast.

### **3.0 RELEVANT HISTORY**

- 3.1 C/1976/0318  
55 Strand Road  
Lounge, store and garage extension  
Approval – 08/07/1976

### **4.0 THE APPLICATION**

- 4.1 Outline planning for Demolition of existing dwelling and erection of apartments.

### **5.0 PUBLICITY & CONSULTATIONS**

#### **5.1 External:**

17 letters of objection have been received in relation to this application. The main issues raised are summarised below and will be considered and assessed in the remainder of this report:

- Principle of Apartments is not acceptable
- Unacceptable height, scale and massing
- Inappropriate density
- Overdevelopment of the site
- Incongruous to the street scene
- Contrary to PPS 7 and the Addendum to PPS 7
- Undesirable precedent being set along Strand Road for developments of this magnitude
- Impact upon neighbouring residential amenity
- Loss of light and overshadowing
- Overbearing and dominant
- Overlooking and loss of privacy
- Garden terrace will sit higher than the boundary of No. 53 Strand Road and erode privacy
- Noise from first floor garden terrace
- Detrimental impact upon residential area which comprises mainly detached, semi-detached houses and bungalows
- Adverse impact upon the character of Strand Road which is defined by large houses with good separation distances and sloping gardens

- Significant visual impact given lengths of gables and the prominent nature of this site
- Detract from the visual appearance of the area and coastline
- Significant cut into the existing land to facilitate this development which will alter the natural contours of the site leading to a detrimental change in character
- Topography survey and floor levels submitted are misleading
- Unacceptable retaining walls required
- Vehicle Access and Egress onto a very difficult corner
- Road safety concerns and potential for accidents
- Increased disturbance with more traffic movements, car noise and lights at night
- Contrary to PPS 3
- Inadequate car parking spaces to serve this development

## 5.2 Internal:

DAERA: Water Management Unit (No objections)

HED: Historic Monuments (No objections)

HED: Historic Buildings (No objections)

NI Water (No objections)

Environmental Health (No objections)

DFI Roads (No objections)

DFI Rivers (No objections)

## 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 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 6 – Planning, Archaeology & the Built Heritage

PPS 7 – Quality Residential Environments

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

PPS 15 – Planning and Flood Risk

### **Supplementary Planning Guidance**

DCAN 8 – Housing in Existing Urban Areas

Creating Places

Development Control Advice Note 15 Vehicular Access Standards

## 8.0 CONSIDERATIONS & ASSESSMENT

### Planning Policy

- 8.1 The proposal is located within the Portstewart development limit. Policy SET 2 refers to development within Settlement limits and proposals should be sensitive to the size and character of the settlement. The site is immediately beside and elevated from PTL 06 Dominican Walk LLPA.
- 8.2 The proposal must be considered having regard to the NAP 2016, SPPS, PPS policy documents and supplementary planning guidance specified above. The main considerations in the determination of this application relate to: Impact on local character, environmental quality and residential amenity, Archaeology & the Built Heritage, Flooding, Access & Parking.

### Local Character, Environmental Quality and Residential Amenity

- 8.3 PPS 7 promotes quality residential development in all types of settlements. DCAN 8 and Creating Places is additional guidance intended to supplement this policy in terms of improving the quality of new housing development.

#### Policy QD1 – Quality in New Residential Development

- 8.4 This policy sets out a presumption against housing development in residential areas where they would result in unacceptable damage to the local character, environmental quality or residential amenity of these areas. Proposals for new residential development should comply with 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;***

- 8.5 The proposal entails demolition of the existing building on the site and relocation of the existing vehicle access to facilitate an

apartment development. The existing dwelling comprises a two storey element and single storey extensions. The original submission was for 10 Apartments with detailed floor plans and elevations provided. This prescriptive level of detail was inappropriate as assessment relates to the principle of apartments so the agent amended the description and removed detailed floor plans.

- 8.6 The original design concept showed a large rectangular building with parking at the rear with a private terrace above. The proposed building was three stories high with a flat roof. Following assessment, the proposal was considered unacceptable with concerns relating to the positioning of the building on the site, the inappropriate scale, massing and height as well as the flat roof element. The design did not respect the surrounding context of Strand Road and would be incongruous. It is important that a new building is visually acceptable in this context given the prominence of the site on a corner with long range views. Amendments in relation to this application were received in January and September 2020.

### Design

- 8.7 The design of the apartment scheme was raised in the objections received in terms of having a detrimental impact upon the residential area. The design has been amended to be more sympathetic to the neighbouring properties along Strand Road and Prospect Road with the development having a hipped roof and chimneys expressed on the ridge. The indicative front elevation shows front projections with other design features creating visual interest. There is good solid to void ratio and windows have vertical emphasis. The overall ridge height of this development measures approx. 8.98m from finished floor level which is a reduction on previous submissions. The height of the existing dwelling is approx. 8.5m above the existing ground level. The proposed long section drawing shows the outline of the existing dwelling compared with the proposed development. The proposed height is no greater than the existing height of the dwelling on the site given that the development is to be lowered into the ground by approx. 0.5m.



## Frontage

- 8.8 The existing dwelling is two storey in height with a main frontage of 15.5m. The overall existing dwelling frontage extends the whole width of the site (approx. 34m), albeit part of it is single storey in height and set further back from the front of the site. The proposed development is two storey in height with a frontage of approx. 27.5m. Although there were previous concerns with the length of this frontage, the development now respects the existing building line with proposed balconies removed and the frontage incorporates two small front projections removing the flush element. In addition, the overall height has been reduced from 2.5 to 2 storeys. Given that the key long range view of the site is achieved when travelling south along Strand Road, there will be no significant increased visual impact relative to the existing, as a result of this development (See photomontage View 01 - North Approach A).
- 8.9 The frontages of properties close to the application site along Strand Road and Prospect Road are mainly approx. 17m or less so introducing a building with a frontage of 27.5m requires careful consideration. The contextual elevation provided shows the proposed development in relation to neighbouring properties along Strand Road and Prospect Road. The proposed scale, massing, frontage and design is considered acceptable. The frontage is comparable to that of Nos. 53 & 55 Strand Road combined (approx. 30m) and when viewed together the proposal is not considered to be contextually inappropriate.

## Footprint

- 8.10 The footprint of the proposed building is approx. 420m<sup>2</sup> whereas the footprint of the existing building is approx. 570m<sup>2</sup>. The proposed footprint is therefore smaller by approx. 27% than the building that is to be replaced. In light of these comparisons, the footprint on the site is considered acceptable.

## Building Line

- 8.11 The original proposal resulted in development forward of the building line of the existing dwelling by approx. 1.2m at 2.5 storey height and a further 2m for the provision of balconies. The protrusion beyond the existing building line on an elevated

prominent corner site with long range views was unacceptable. Amendments submitted in September 2020 show the proposed development adhering to the existing established building line. The development now respects the existing footprint and is visually acceptable.

### Excavation

- 8.12 Excavation concerns were highlighted in the objections received in terms of the significant cut into the existing land leading to a detrimental change in character. There were previous planning concerns with the amount of excavation on the site to facilitate this residential development. This was because no proposed levels for the entire site and the proposed development had been detailed and no information on retaining walls had been provided. Additional plans have now been received showing proposed sections, boundary sections with neighbouring properties and retaining wall details. Proposed sections show that the new building will be approx. 0.5m lower than the existing groundline towards the front and approx. 1.5m lower towards the rear. The basement car park located to the rear of the development will be approx. 1.9m lower than the existing groundline. Following assessment of this information, the proposal will not be inappropriately elevated from the public road. The extent of this proposed excavation will ensure the development is visually coherent with regards to the building height and overall setting of existing properties. It has now been demonstrated that the level of cut within the site would be appropriate and not detrimental to the character of the area.

### Retaining Walls

- 8.13 Objectors are concerned with the requirement for retaining walls in this proposal. Details on retaining walls have now been provided. A 2.9m retaining wall is proposed to the rear of the parking area and garden terrace however all existing boundaries will be retained and will not be impacted by the proposed retaining structure. Retaining wall type 1 will be Terramesh reinforced slopes. Retaining wall type 2 will be MacWall - an anchor retaining wall system with facing segmental block – crunched finish similar to natural stone and there will be a concrete backfill. The topside of the bank will be planted out

with grasses/hedges and shrubs. Full details of landscaping will be provided at full or reserved matters stage.

- 8.14 The proposed retaining walls are considered acceptable in principle given the transient views available and the use of high quality materials/finishes with landscaping proposed to assist with screening. Boundary sections show the retaining wall along the northern boundary of the site (approx. 21m away from the public road) to be a height of 1.7m. The information provided at this stage in relation to retaining walls is sufficient to aid visual assessment. However, full details will be provided at full or reserved matters stage in terms of all elevations to enable complete assessment.

### Gardens

- 8.15 The development shows a roadside garden adjacent to Strand Road with car parking at the rear which avoids extensive hard surfacing to the front more in keeping with Strand Road. A rear garden terrace is proposed to provide amenity for prospective residents. Several concerns have been raised in the representations received about this garden terrace. While there were planning concerns with this concept given it was at first floor level above a basement car park, further details were submitted in terms of sections and photomontages.
- 8.16 Following re-assessment, this garden terrace is appropriate as the sections show the level of this area in relation to the road and neighbouring properties. The proposed rear garden terrace is similar to the size of other gardens/amenity areas in the surrounding area. The photomontages show that when travelling south along Strand Road, this rear garden terrace will be screened by the existing boundary wall and vegetation located between No. 53 Strand Road and the application site. The remaining photomontages show that this rear garden terrace will be screened from public views along Strand Road. Although the concept of providing this amenity space over a car parking area is not a characteristic of many other developments in the area, it would not be visually detrimental to the established local character. It is a design solution to reduce the impact of a hard landscaped finish and to promote greener attractive amenity space while also achieving the same typical function as all other gardens in this area.

8.17 The proposal is now considered more sympathetic to surrounding properties in terms of scale, mass and form and in relation to its visual integration with the streetscape. The proposal does not cause unacceptable damage to the character of the surrounding area and is considered appropriate to the character and topography of the site in terms of layout, scale, proportions, landscaping and hard surfaced areas.

***(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;***

8.18 Consultations occurred with both HED: Historic Monuments and Historic Buildings and there are no objections to this proposal. There are no important landscape features in the site in need of protection.

***(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;***

8.19 Adequate provision for public and private open space and landscaped areas should be an integral part of the development. Creating Places, paragraph 5.20 states “In the case of apartment or flat developments, private communal open space will be acceptable in the form of landscaped areas, courtyards or roof gardens. These should range from a minimum of 10 – 30m<sup>2</sup> per unit.

8.20 This application seeks outline permission for apartments. The proposed site layout shows a landscaped roadside garden with vegetation/planting. Private amenity space for the apartments is located on a new green terrace over the rear car parking area. This area measures approx. 407m<sup>2</sup> which is likely to be adequate in terms of size but this cannot be determined at outline stage given the number of apartments are not specified.

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

8.21 Neighbouring facilities are not necessary for a development of this scale. The site location is within the settlement limit of Portstewart with various amenities available so neighbourhood facilities are not required as an integral part of this development.

***(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;***

8.22 The site is within the settlement limit of Portstewart and within walking distance of local retail units, cafes, schools, play parks etc. The proposal is within proximity of public transport links.

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

8.23 The proposal is acceptable in terms of meeting DFI Roads requirements as considered in detail under sub-heading "Access and Parking".

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

8.24 As this is an outline application, proposed materials and finishes for this development are not detailed. These would be determined and assessed at full or reserved matters stage and should be complementary to the materials and finishes apparent in the local area.

8.25 Representations were received detailing design concerns and that the proposal would detract from the visual appearance of the area. The character of the area consisting of Strand Road, Prospect Road, Berne Road, Berne Avenue and Seaview Drive North comprises mainly detached dwellings with front and rear garden areas in a typically low density suburban area. There is a mixture of housing designs but on the whole properties tend to have pitched or hipped roofs with chimneys, and various features such as projections, bay windows, subsidiary side and rear returns. Nos. 43 - 57 Strand Road have a distinctive residential character

because these properties are detached dwellings situated on elevated plots with large front gardens that are quite open and enclosed by simple boundary treatments with minimal vegetation.

- 8.26 The revised proposal is more sympathetic with the designs of neighbouring properties in terms of the flat roof being amended to a hipped roof, the introduction of front projections and a more subsidiary rear return. The ridge height of the development now matches the height of the existing building. The proposed footprint of the development is less than the footprint of the existing building. The development respects the existing building line. Through the submission of amendments, the design has been developed with regard to its surrounding context and the character of existing properties. Several photomontages have been submitted showing the proposed development will not result in demonstrable harm to the local character of the area. The amended proposal is now considered acceptable on this prominent corner site.
- 8.27 Although the concept of providing a garden terrace above the rear car parking area is not a characteristic of many other developments in the area, it would not be visually detrimental to the established local character. It achieves the same typical function as all other gardens in this area and it is a size similar to neighbouring gardens/amenity areas. The photomontages submitted show this rear garden terrace will be well screened from public views along Strand Road.
- 8.28 The principle of this design is considered acceptable in terms of scale, form, massing and appearance and would not harm the character and context of the local area. Design will be further assessed at full or reserved matters stage.

***(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;***

- 8.29 As this is an outline application for the principle of apartments detailed floor plans do not form part of this consideration. The photomontage submitted shows some windows in the side elevation facing No. 53 Strand Road but the uses of these rooms are not known at outline stage. Any development submitted at full

or reserved matters stage would be designed to limit overlooking to neighbouring properties and potential loss of privacy would be assessed at the detailed design stage.

- 8.30 Objections were received expressing concerns that the proposal would impact upon neighbouring residential amenity in terms of overlooking, loss of light and dominance. The indicative layout provided should not result in unacceptable overshadowing, loss of light or dominance to Nos. 6 & 8 Prospect Road given adequate separation distances. The proposed apartment building is positioned with a separation distance of 20m from the rear boundary of the site and a separation distance of 36m from the rear of Nos. 6 & 8 Prospect Road. These separation distances are in keeping with those recommended in Creating Places. No. 53 Strand Road will experience some overshadowing of their garden/tarmac area because of their location north of the application site but loss of light to their house is limited given the separation distance of 29m. The agent submitted diagrams showing the amount of overshadowing in March and June from the development and neighbouring properties are not unacceptably adversely affected.
- 8.31 There were previous concerns that the proposal would adversely impact upon the residential amenity of No. 57 Strand Road in terms of loss of light and dominance. The submission of Boundary Sections allows this relationship to be assessed. Boundary Section A-A shows the proposed floor level of the apartment development is approx. 1.13m lower than the existing floor level of No. 57 Strand Road. The apartment development at this point is situated approx. 6m away from No. 57 Strand Road's garage which is considered adequate. The scale, massing and height of the development is appropriate in context with No. 57 Strand Road and should not result in unacceptable dominance or loss of light. The agent submitted diagrams showing the amount of overshadowing in March and June from the development and as No. 57 Strand Road is located south of the site, overshadowing should be minimal.
- 8.32 The proposal includes a large first floor rear garden terrace above the parking area. This element of the proposal was raised as an issue in the objections received. There were previous planning concerns from this area in terms of overlooking and loss of privacy to neighbouring properties. This area is immediately adjacent to

the boundaries of the rear gardens belonging to No. 57 Strand Road and Nos. 6 & 8 Prospect Road. It is approx. 7 – 12m from the shared boundary with No. 53 Strand Road. This area would be the primary amenity space for prospective residents of apartments and therefore would be utilised regularly.

8.33 The rear garden terrace is enclosed to the north by an existing wall and vegetation along the boundary with No. 53 Strand Road and to the south by existing vegetation along the boundary with No. 57 Strand Road. Along the rear boundary, an existing wall and vegetation encloses the garden terrace from Nos. 6 & 8 Prospect Road.

8.34 Boundary Sections show the levels of this first floor garden terrace in relation to neighbouring gardens. Boundary Section B-B shows that the garden terrace is a similar height to the garden belonging to No. 57 Strand Road so overlooking would be negligible. Boundary Section C-C shows the garden terrace is at a lower level than the garden of No. 6 Prospect Road with a 2m high wall along the shared boundary so no overlooking would occur. Boundary Section E-E shows the garden terrace is at a slightly higher level (increase of 0.2m) than the side garden of No. 53 Strand Road with a 1.8m high wall along the shared boundary. There would be an element of overlooking of No. 53 Strand Road but this is mitigated by the boundary wall; the garden terrace being set back approx. 6m from the side boundary; and the fact any views would be of the side garden which is not private and open to public views from Strand Road.

8.35 A Boundary Section has not been provided in relation to No. 8 Prospect Road. The proposal is not considered to adversely affect their amenity in terms of overlooking and loss of privacy given acceptable separation distances from the apartment development and the level of the first floor garden terrace. No. 8 Prospect Road has a low boundary wall along their western boundary. Measures could be incorporated in the plans at full or reserved matters stage to reduce the potential for overlooking of this property.

8.36 It has now been demonstrated with the submission of Boundary Sections that the first floor garden terrace is at an appropriate level compared with the gardens of neighbouring properties and that the relationship and proximity between these garden areas is consistent with that found in the area. It is concluded that the rear



garden terrace will be enclosed and at a level where overlooking of neighbouring properties would be negligible.

8.37 Representations received detailed noise from the garden terrace as a concern. Noise is not perceived to be an issue in terms of the principle of an apartment development as this is a residential use in a residential area and Environmental Health was consulted and offered no objections. There were previous concerns with general noise to neighbouring properties from the first floor garden terrace. However, it has now been demonstrated with the submission of proposed sections, that the level of this garden terrace is appropriate in relation to the level of existing neighbouring gardens. There is no demonstrable difference between this proposed garden terrace and neighbouring gardens in terms of size, function and appearance with appropriate separation and enclosure provided. General noise within this garden terrace is not considered to be of a greater issue when compared to other gardens in this area.

8.38 The design and layout of this apartment development will not create conflict with adjacent land uses nor will it result in a detrimental impact upon neighbouring residential amenity. Full assessment of the impact this proposed apartment development would have on neighbouring residential amenity will occur when detailed plans are submitted at full or reserved matters stage.

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

8.39 The assessment of this can be carried out on the submission of detailed plans at reserved matters stage.

8.40 The Addendum to PPS 7 seeks to safeguard the character of Established Residential Areas. The key consideration is to ensure that new residential schemes are sensitive in design terms to people living in existing neighbourhoods and are in harmony with the local character of established residential areas, villages and smaller settlements.

Policy LC1 – Protecting Local Character, Environmental Quality and Residential Amenity

- 8.41 The proposal consists of an apartment development but numbers are not specified as this is an outline application. Concerns in relation to density, overdevelopment and character have been raised in the objections received. The development of apartments at this proposed location would not represent a change to the character of the area. Other apartment developments exist nearby – 6 No. at the Berrins and 9 No. at Bearnville both located along the Berne Road located south west of the application site. While the principle of apartments is permissible at this site, as other apartment schemes have been approved in the wider area, it is critical the design takes into account site characteristics, topography, local context and relationships with neighbouring properties.
- 8.42 Policy LC 1 of PPS 7 Addendum Safeguarding the Character of Established Residential Areas sets out criteria for redevelopment of existing buildings to accommodate new housing. One of these is that the proposed density is not significantly higher than that found in the established residential area. Along this stretch of Strand Road, which is reflective of the established residential area, the density is low at approximately 5.88 dwellings per hectare. While the proposed density for this scheme is not determined given the outline nature of the application, as it is for apartment development it shall be higher than the figure for the established residential area. However, specific consideration has been given to the scheme presented which comprises design elements to mitigate the increase in density. These design elements include: garden area/ lawn to the front of the building with the absence of visible car parking; the scale of the building being similar to the neighbouring semi-detached dwellings at nos. 51- 53 Strand Road and; the elevation treatment of the building which does not readily identify as being an apartment building. Collectively these design elements ensure that the character, environmental quality and amenity of the area are not significantly eroded, notwithstanding the actual density in numeric terms. Similarly, given these design elements the pattern of development is considered to be in keeping with the overall character and environmental quality of the established residential area as a further requirement of Policy LC 1.

- 8.43 All apartment units should be designed to ensure they meet the space standards specified in Annex A but this would be assessed at the detailed design stage.
- 8.44 The proposal is considered compliant with criteria (a) and (b) of Policy LC 1 of the Addendum to PPS 7 as development does not adversely harm local character and residential amenity.

### DCAN 8 – Housing in Existing Urban Areas

- 8.45 Chapter 4 of DCAN 8 refers to new housing in established residential areas. It is important to maintain environmental quality; appreciate the context; build on local character; and protect the characteristics which contribute to local character. The successful integration of new housing in established residential areas requires very sensitive urban design, landscape and architectural approaches. Chapter 5 of DCAN 8 refers to types of proposals for new residential development in existing urban areas. This proposal entails demolition and redevelopment so paragraphs 5.4 – 5.6 has specific relevance.
- 8.46 The siting of the building as well as scale and massing has been considered and is acceptable. This redevelopment scheme will not detrimentally affect the quality and character of the residential environment. Rather, the scheme has been designed to retain the character and integrity of the established street scene. At full or reserved matters stage, the agent should ensure good practice principles in the design of buildings, the use of materials, and landscaping of surroundings while also aiming to provide a safe and secure environment. The proposal respects the environmental quality of the area and will not unacceptably adversely harm neighbouring residential amenity as considered in detail under sub-heading “Local Character, Environmental Quality and Residential Amenity” (Paragraphs 8.3 – 8.44).

### **Archaeology & the Built Heritage**

- 8.47 Consultation occurred with HED: Historic Monuments and their response indicated no objections as the proposal is satisfactory to SPPS and PPS 6 archaeological policy requirements.
- 8.48 Consultation also occurred with HED: Historic Buildings who advised there is no comment to make, since there are no listed

buildings in the vicinity of the application site. HB03/08/005 Rock Castle was demolished in 2001 and subsequently delisted on 26<sup>th</sup> February 2015.

## **Flooding**

- 8.49 Consultation occurred with DFI Rivers who advised the development does not lie within the 1 in 100 year fluvial or 1 in 200 year coastal flood plain. The site is unaffected by a designated watercourse and there are no other obvious undesignated watercourses. DFI Rivers advised the Drainage Assessment only lacks a letter from NI Water for consent to discharge storm water.
- 8.50 An email dated 30<sup>th</sup> January 2020 from the Agent explains Paragraph 5.4.3.4 from the Drainage Assessment references a post development discharge rate of 14.53 l/s. NI Water have consented to this rate in response to a Pre Development Enquiry. This information is considered sufficient at Outline Stage and drainage and flood risk will be fully assessed at Full or Reserved Matters Stage. The proposal complies with Policies FLD 1, FLD 2 and FLD 3 of PPS 15.

## **Access and Parking**

- 8.51 Planning permission will only be granted provided the proposal does not prejudice road safety or significantly inconvenience the flow of traffic. This application seeks to move the existing vehicle access to the site from the south western corner to the north western corner. Vehicles will access the development with parking provided at the rear. DFI Roads was consulted and on their initial response recommended refusal because acceptable visibility splays could not be provided.
- 8.52 Subsequently amendments and additional information was submitted by the Agent. DFI Roads was re-consulted and accept the findings of the speed survey submitted. DFI Roads now require visibility splays of 2.4m x 73m to the North and 2.4m x 49.9m. There was concern over how the 1 in 25 access gradient for 10m from the edge of carriageway on Strand Road could be achieved so a longitudinal section was requested. DFI Roads are now satisfied that the required access gradient can be provided at the proposed access location. DFI Roads final consultation

response dated 25<sup>th</sup> February 2020 offers no objections to this scheme.

8.53 Objectors have concerns in relation to this application in terms of vehicle access, road safety as well as inadequate car parking spaces to serve this development. DFI Roads was aware of these concerns when assessing the application. The plans provided show an acceptable access with appropriate visibility splays so DFI Roads have no objections in terms of road safety. In terms of the number of car parking spaces to serve this development, this is not specified as the application is for Outline permission for Apartments so the number is not known at this stage. This matter would be assessed at Full or Reserved Matters stage. The proposal does not prejudice road safety or significantly inconvenience the flow of traffic and complies with Policy AMP 2 of PPS 3 and DCAN 15.

### **Habitats Regulations Assessment**

8.54 The potential impact of this proposal on Special Areas of Conservation, Special Protection Areas and Ramsar sites has been assessed in accordance with the requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc) Regulations (Northern Ireland) 1995 (as amended). The proposal would not be likely to have a significant effect on the features, conservation objectives or status of any of these sites.

## **9.0 CONCLUSION**

9.1 The proposal is considered acceptable in this location having regard to the Northern Area Plan, and other material considerations, including the SPPS. The proposal is sympathetic to surrounding properties in terms of scale, mass and form and in relation to its assimilation into the streetscape. The proposal does not cause unacceptable damage to the character of the surrounding area and is considered appropriate to the character and topography of the site in terms of layout, scale, proportions, landscaping and hard surfaced areas.

9.2 The principle of this specific apartment scheme design is considered acceptable in terms of scale, form, massing and

appearance and would not harm the character and context of the local area. Design will be further assessed at full or reserved matters stage. The design of this apartment development will not create unacceptable conflict with adjacent land uses. The impact of this proposal on neighbouring residential amenity, while acceptable in principle, shall be assessed in depth at full or reserved matters stage. The development of apartments at this proposed location would not represent an unacceptable change to the character of the area.

- 9.3 The proposal does not impact upon Listed Buildings and is satisfactory in terms of archaeological policy requirements. The proposal is acceptable in relation to drainage and flood risk. The proposal does not prejudice road safety or significantly inconvenience the flow of traffic. Approval is recommended.

## 10 CONDITIONS

1. As required by Section 62 the Planning Act (Northern Ireland) 2011, application for approval of the reserved matters shall be made to the Planning Authority within 3 years of the date on which this permission is granted and the development, hereby permitted, shall be begun by whichever is the later of the following dates:-
  - i. the expiration of 5 years from the date of this permission; or
  - ii. the expiration of 2 years from the date of approval of the last of the reserved matters to be approved.

Reason: Time Limit

2. Approval of the details of the siting, design and external appearance of the buildings, the means of access thereto and the landscaping of the site (hereinafter called ""the reserved matters""), shall be obtained from the Planning Authority, in writing, before any development is commenced.

Reason: To enable the Planning Authority to consider in detail the proposed development of the site.

3. Full particulars, detailed plans and sections of the reserved matters required in Conditions 01 and 02 shall be submitted in writing to the Council and shall be carried out as approved.

Reason: To enable the Council to consider in detail the proposed development of the site.

4. A scale plan and accurate site survey at 1:500 (minimum) shall be submitted as part of the reserved matters application showing the access to be constructed and other requirements in accordance with the attached form RS1.

Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.

5. At Reserved Matters Stage parking and servicing shall be in accordance with the requirements of the Department's current published Parking Standards.

Reason: To ensure the provision of adequate parking facilities to meet the needs of the development and in the interests of road safety and the convenience of road users.

6. A landscaping scheme shall be submitted simultaneously with the detailed drawings for the development hereby approved at the Reserved Matters stage. Any trees or shrubs which may be damaged or die within a period of 5 years from the date of planting shall be replaced by plants of similar species and size at the time of their removal. All landscaping shall take place within the first available planting season after the commencement of the development.

Reason: In the interests of visual amenity.

7. No development shall take place until a plan indicating floor levels of the proposed development in relation to existing and proposed ground levels has been submitted to and approved by the Planning Authority.

Reason: To ensure the development integrates into the landform.

8. The development hereby approved shall be designed in accordance with PPS 7 "Quality Residential Environments", Creating Places Document and shall generally accord with the provisions of the Proposed Site Plan Drawing No. 04C and Contextual Elevations Drawing 08D both of which were received on 29<sup>th</sup> September 2020.

Reason: To ensure a quality residential development.

9. The frontage of the proposed development shall not exceed 27.5m wide.

Reason: To ensure adequate separation distances from neighbouring properties protecting the character of Strand Road.

10. The location of the new development shall not breach the existing building line of No. 55 Strand Road, Portstewart.

Reason: To protect local character and the contextual relationship along Strand Road.



11. Boundary sections shall be provided to scale showing the development in context with neighbouring properties. Each section shall show the whole extent of the neighbouring property.

Reason: In the interests of residential amenity.

12. All existing and proposed boundary treatments of the site shall be detailed.

Reason: In the interests of visual and residential amenity.

13. Retaining wall details shall be provided showing location, sections, elevations and materials/finishes.

Reason: In the interests of visual amenity.

## **11 INFORMATIVES**

1. This permission does not confer title. It is the responsibility of the developer to ensure that he controls all the lands necessary to carry out the proposed development.
2. This approval does not dispense with the necessity of obtaining the permission of the owners of adjacent dwellings for the removal of or building on the party wall or boundary whether or not defined.
3. This permission does not alter or extinguish or otherwise affect any existing or valid right of way crossing, impinging or otherwise pertaining to these lands.
4. This determination relates to planning control only and does not cover any consent or approval which may be necessary to authorise the development under other prevailing legislation as may be administered by the Council or other statutory authority.
5. You should refer to any other general advice and guidance provided by consultees in the process of this planning application by reviewing all responses on the Planning Portal at <http://epicpublic.planningni.gov.uk/publicaccess/>.

# Site Location Map



# Block Plan

