

Planning Committee Report LA01/2020/0896/O	24 March 2021
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>App No:</u>	LA01/2020/0896/O	<u>Ward:</u>	Portstewart
<u>App Type:</u>	Outline Planning		
<u>Address:</u>	4 Larkhill Road, Portstewart		
<u>Proposal:</u>	Replacement Dwelling and retention of garage		
<u>Con Area:</u>	N/A	<u>Valid Date:</u>	04/09/2020
<u>Listed Building Grade:</u>	N/A	<u>Target Date:</u>	15/12/2020
Applicant:	Mr & Mrs Ibbotson, Apartment 7, 44 Gloucester Avenue, Primrose Hill, London, NW1 8JD		
Agent:	None		
Objections:	10	Petitions of Objection:	0
Support:	0	Petitions of Support:	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 proposal meets the requirements of Policy QD1 of PPS 7 in terms of the principle of a replacement dwelling.
- The application site falls within the settlement limit of Portstewart.
- 10 letters of objection have been received in relation to this application.
- No concerns have been raised by statutory consultees in relation to this proposal.
- The proposal is acceptable in terms of the principle of a replacement dwelling.
- The detailed design in terms of footprint and height will be fully considered at reserved matters stage as well as the potential impact upon neighbouring residential amenity and local character.
- DFI Roads have no objections and a block plan should be submitted showing the areas for parking and turning within the site curtilage.
- The proposal complies with all relevant planning policies including the Northern Area Plan, SPPS, PPS 7, PPS 7 Addendum and PPS 3.

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

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. 4 Larkhill Road, Portstewart. The site is rectangular in shape with the land sloping upwards in a north eastern direction. The site comprises a detached bungalow with a pitched and hipped roof finished in roughcast render. The dwelling has a small front projection with a pitched roof, a front conservatory, and a flat roofed rear sunroom. The dwelling sits higher than Larkhill Road due to the topography of the site. Vehicle access is gained from Larkhill Road leading to a detached garage. A hard surfaced area is present to the front of the dwelling for car parking and there is a large front and rear garden. Boundary treatment of the site consists of a stepped render wall at the front and hedging along the rear boundary. The boundary adjacent to No. 6 Larkhill Road is defined by a low height stepped wall at the front and a garage and hedging at the rear. The boundary beside No. 2 Larkhill Road comprises hedging, a low height wall, and vegetation from the front to the rear of the site.
- 2.2 The site is located within the settlement limit of Portstewart and the immediate area is characterised by detached dwellings of varying designs. Opposite the site is a social housing development consisting of single storey properties. Most dwellings have own accesses/driveways leading to garages or have in curtilage parking.

3.0 RELEVANT HISTORY

- 3.1 C/1994/0236
4 Larkhill Road, Portstewart
Erection of conservatory to front of existing dwelling
Approval -13.08.1994
- 3.2 LA01/2019/1087/F
6 Larkhill Road, Portstewart
Proposed Replacement Dwelling and Garden Stores
Approval – 28.01.2021

4.0 THE APPLICATION

- 4.1 Replacement Dwelling and retention of garage.

5.0 PUBLICITY & CONSULTATIONS

5.1 External:

10 letters of objection have been received in relation to this application from 9 separate addresses. The main issues raised are summarised below and will be considered and assessed in the remainder of this report:

- Impact on neighbouring residential amenity
- Overlooking and loss of privacy
- Loss of light and overshadowing
- Development is overbearing and dominant
- Loss of light to the bedroom on the side gable of No. 2 Larkhill Road
- Dominance and loss of light to the rear of No. 2 Larkhill Road given the difference in levels combined with the two storey height of the replacement dwelling
- Proposed height and lack of alignment to the ridge height of No. 2 Larkhill Road
- Unacceptable height and size of replacement dwelling
- Inappropriate contextual relationship as roof heights become gradually lower as properties step down the hill
- Height is out of keeping with the existing houses on the lower end of Larkhill Road
- Negative impact upon established character of Larkhill

Road/Coleraine Road

- Lack of adherence to the existing footprint of No. 4 Larkhill Road
- Information in relation to existing and proposed finished floor levels and ridge levels have not been provided.
- The proposal is contrary to Policy QD1 of PPS 7 criterion (a) and (h)
- Noise, nuisance and inconvenience from construction work

5.2 Internal:

DFI Roads (No objections)

Environmental Health (No objections)

NI Water (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 7 – Quality Residential Environments

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

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 site is located within Portstewart settlement limit. Policy SET 2 of NAP 2016 applies for development within settlement development limits. Planning permission will be granted provided that the proposal is sensitive to the size and character of the settlement.
- 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: Local character, environmental quality and residential amenity, access and 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 seeks outline permission for a replacement dwelling with retention of the existing garage. Indicative plans showed the new dwelling being moved forward from the existing footprint. It showed the majority of the dwelling being two storeys in height with a single storey element adjacent to No. 2 Larkhill Road. An indicative block plan and contextual elevation was provided.
- 8.6 Following assessment of the original proposal and the objections received, the proposal in terms of the principle of a replacement dwelling at this location is acceptable. It is not possible to establish if a two storey dwelling and the proposed re-siting of the dwelling is appropriate at this location. This is because full details such as: existing and proposed floor plans, elevations, existing and proposed ground levels given the topography of the site, as well as full assessment of the potential impact upon

neighbouring residential amenity and the impact upon local character would need to occur. Such matters are required to be considered at reserved matters stage.

- 8.7 In light of the above, the applicant agreed in writing through email correspondence dated 29th January 2021 to withdraw Drawing Nos. 02A, 03A and 04A. This means the plans showing the new footprint of the proposed replacement dwelling at a two storey height have been removed from this outline application. The proposal therefore on the basis of the site location plan, Drawing No. 01, is acceptable in principle with the detailed design to be fully assessed at reserved matters stage.
- 8.8 It is important the application for a replacement dwelling at reserved matters stage takes into account the varying levels along this section of Larkhill Road; the contextual relationship of neighbouring properties; the existing building line along Larkhill Road; the house designs typical of the area; as well as the concerns raised in terms of impacting upon neighbouring residential amenity. The design of a replacement dwelling at this site needs to be appropriate in terms of scale and massing respecting the surrounding context and be appropriate to the character and topography of the site.

(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;

- 8.9 There are no listed buildings or archaeological features in close proximity to the site. There are no important landscape features within 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;

- 8.10 Adequate provision for public and private open space and landscaped areas should be an integral part of the development.

Creating Places, paragraph 5.19 states all houses should have an area of private open space behind the building line and it should be approx. 70m² per house or greater. Smaller areas may be more appropriate for houses with 1 or 2 bedrooms but any individual house with an area of less than around 40m² will generally be unacceptable.

- 8.11 The existing dwelling has a private rear amenity area which is well above recommended requirements. It is therefore likely a replacement dwelling on this site will ensure adequate private rear amenity space but this will be assessed at reserved matters stage.

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

- 8.12 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;

- 8.13 The site is within the settlement limit of Portstewart and within walking distance of local retail units, cafes, restaurants, primary schools, churches and recreational uses as well as having convenient access to public transport links.

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

- 8.14 The proposal has been assessed in detail under the sub-heading "Access and Parking" and is considered compliant with this criterion.

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

- 8.15 Larkhill Road comprises generally detached dwellings with heights ranging from single storey to two storeys but designs vary and there is no definitive style along this road. The local area is not defined as a Conservation Area or an Area of Townscape Character.
- 8.16 The design of the proposed replacement dwelling is unknown at outline stage so assessment of this will occur at reserved matters stage. The proposed design should be reflective of scale and massing evident in the surrounding context while drawing upon design features characteristic of the streetscape. The proposed design should be visually appropriate in the context of neighbouring properties along Larkhill Road.
- 8.17 As this is an outline application, proposed materials and finishes for this development are not detailed. These would be determined and assessed at reserved matters stage and should be complementary to the materials and finishes apparent in the local area.

(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;

- 8.18 A number of representations have been received from neighbouring properties in terms of this proposal harming their residential amenity. For a full list of objections see Paragraph 5.1. The closest residential property objecting to this development is No. 2 Larkhill Road, which is located immediately adjacent to the application site. It is important to highlight that No. 2 Larkhill Road is at a much lower ground level with a bedroom window located in their side elevation facing No. 4 Larkhill Road.
- 8.19 The original application included indicative plans showing the new footprint of the replacement dwelling as well as the new height proposed at single and two storeys. Following a site inspection as well as viewing this proposal from the perspective of No. 2 Larkhill Road, it was determined that considerable information would need to be submitted to be able to assess this application appropriately. Assessment of whether or not the proposed change to the existing footprint as well as the new height would be acceptable requires

full details such as existing and proposed floor plans, elevations, existing and proposed ground levels given the topography of the site. This level of detail is what is required under full or reserved matters applications. Therefore, it was determined the indicative plans should be removed from this application, which the applicant agreed with in writing, to enable the principle of a replacement dwelling to be approved on the basis of the site location plan submitted.

8.20 This approach ensures that a replacement dwelling proposed at this site will be fully considered in terms of scale and massing, design, layout, footprint, as well as a full assessment occurring of the potential impact upon neighbouring residential amenity and local character.

8.21 Noise is not perceived to be an issue in terms of the principle of a replacement dwelling as this is a residential use in a residential area and Environmental Health was consulted and expressed no objections.

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

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

8.23 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

8.24 The proposed dwelling is acceptable in terms of density as it is a replacement for the existing dwelling. The pattern of development is in keeping with the overall character of the established residential area. As this is an outline application, the detailed design is unknown. However, assessment of the proposed footprint, scale, massing and height will be determined at reserved

matters stage. The replacement of an existing dwelling in an urban context should not adversely impact upon the contextual relationship along Larkhill Road subject to assessment of the detailed design at reserved matters stage. The replacement dwelling should be designed to ensure it meets the space standards specified in Annex A.

Access and Parking

- 8.25 Planning permission will only be granted provided the proposal does not prejudice road safety or significantly inconvenience the flow of traffic. The proposed development consists of a replacement dwelling with retention of existing garage.
- 8.26 DFI Roads was consulted in relation to this application and advised the existing access geometry is satisfactory. DFI Roads have no objections to this outline application subject to a condition. A block plan based on a topographical survey showing the areas for parking and turning within the site curtilage should be submitted as part of the reserved matters application.

Habitats Regulations Assessment

- 8.27 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 at this location having regard to the Northern Area Plan 2016 and other material considerations. The proposal meets the requirements of planning policies and is acceptable in terms of the principle of a replacement dwelling with adequate private amenity space. The detailed design in terms of footprint and height will be fully considered at reserved matters stage as well as the potential

impact upon neighbouring residential amenity and local character. There are no archaeological or listed building concerns. The proposed development has satisfactory access and parking. Approval is recommended.

10 CONDITIONS

1. Application for approval of the reserved matters shall be made to the Council 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:-
the expiration of 5 years from the date of this permission; or
the expiration of 2 years from the date of approval of the last of the reserved matters to be approved.

Reason: As required by Section 62 of the Planning Act (Northern Ireland) 2011.

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 Council, in writing, before any development is commenced.

Reason: This is outline permission only and these matters have been reserved for the subsequent approval of the Council.

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 block plan based on a topographical survey showing the areas for parking and turning within the site curtilage shall be submitted as part of the reserved matters application.

Reason: To ensure that adequate provision has been made for parking and in the interests of road safety.

5. A plan indicating floor levels of the proposed dwelling in relation to existing and proposed ground levels shall be submitted as part of the reserved matters application.

Reason: In the interests of visual and residential 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

