

Title of Report:	Planning Committee Report – LA01/2019/1390/F
Committee Report Submitted To:	Planning Committee
Date of Meeting:	26th January 2022
For Decision or For Information	For Decision

Linkage to Council Strategy (2021-25)	
Strategic Theme	Cohesive Leadership
Outcome	Council has agreed policies and procedures and decision making is consistent with them
Lead Officer	Development Management and Enforcement Manager

Budgetary Considerations	
Cost of Proposal	Nil
Included in Current Year Estimates	N/A
Capital/Revenue	N/A
Code	N/A
Staffing Costs	N/A

Screening Requirements	Required for new or revised Policies, Plans, Strategies or Service Delivery Proposals.		
Section 75 Screening	Screening Completed:	N/A	Date:
	EQIA Required and Completed:	N/A	Date:
Rural Needs Assessment (RNA)	Screening Completed	N/A	Date:

	RNA Required and Completed:	N/A	Date:
Data Protection Impact Assessment (DPIA)	Screening Completed:	N/A	Date:
	DPIA Required and Completed:	N/A	Date:

<u>App No:</u>	LA01/2019/1390/F	<u>Ward:</u>	PORTRUSH and DUNLUCE
<u>App Type:</u>	Full Planning		
<u>Address:</u>	6 & 8 Crocknamack Road, Portrush.		
<u>Proposal:</u>	Proposed mews retirement development to provide single (1 no.) two storey retirement unit as annex to dwellings approved on 6 Crocknamack Road, Portrush.		
<u>Con Area:</u>	N/A	<u>Valid Date:</u>	16.12.2019
<u>Listed Building Grade:</u>	N/A		
<u>Applicant:</u>	M Taggart & S O'Neill		
<u>Agent:</u>	Nigel Jones Architects Ltd		
<u>Objections:</u>	3	<u>Petitions of Objection:</u>	0
<u>Support:</u>	0	<u>Petitions of Support:</u>	0

EXECUTIVE SUMMARY

- Full planning permission is sought proposed mews retirement development to provide single (1 no.) two storey retirement unit as annex to dwellings approved on 6 Crocknamack Road, Portrush (Amended scheme).
- The site is within the settlement development limits of Portrush as designated in the NAP.
- The site is located in the approved rear gardens of two recently constructed dwellings.
- Three letters of objection have been received, two neighbouring properties.
- DFI Roads, Environmental Health Department, NIEA, and NI Water, have been consulted and raise no objection in respect of the application subject to recommendations and conditions.
- The proposal is contrary to paragraph 4.27 of the Strategic Planning Policy Statement for Northern Ireland, Policy QD1 of Planning Policy Statement 7 (Quality Residential Environments), and Development Control Advice Note 8 (Housing in Existing Urban Areas) in that the development as proposed fails to provide a quality residential environment by being contrary to criteria (c) and (h) of Policy QD1.
- Refusal is recommended.

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

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 is located to the rear 6 & 8 Crocknamack Road, Portrush. The site is at the rear of two existing modern semi-detached dwellings which front on Crocknamack Road. Access to the site is gained via Rodney Street and consists of an access road which runs directly at the rear of the site. The existing property directly opposite the site has been demolished at No. 7 Hopefield Avenue and is currently vacant. There is existing building equipment on site consisting of scaffolding, fencing, tools, wood and blocks. There is an existing green storage container on site located towards the access to the site.
- 2.2 The existing boundary treatment on site consists of approximately a 2m high wall to the sides. The boundary treatment at the access to the front of the site consists of approximately a 2m high wall. The rear boundary treatment on site consists of approximately a 1m high wall, with approximately 1.5m high fencing on top. The site is surrounded on all sides by existing residential dwellings and there is an existing two-storey white rendered property located directly adjacent to the site at No. 5 Hopefield Avenue.
- 2.3 The area is predominately residential and is characterised by two-storey detached and semi-detached dwellings. There are areas of green open space in the immediate context. The site falls within the development limit of Portrush as outlined under the NAP 2016. The site does not fall within any protected designations.

3 RELEVANT HISTORY

- 3.1 There is relevant planning history for the application site which consists of the following:

LA01/2016/0372/F- 6 Crocknamack Road, Portrush, Co. Antrim- Proposed demolition of existing derelict dwelling and construction of 2 No. new three storey semi-detached town house dwellings- Approved: 23.12.2016.

LA01/2019/0745/F- 2 No. Semi-detached dwelling units at 6 Crocknamack Road, Portrush- Retrospective alterations to entrances for 2 No. semi-detached dwelling units, previously approved under planning application ref no. LA01/2016/0372/F- Approved: 19.11.2019.

4 THE APPLICATION

- 4.1 The application consists of a development for proposed mews retirement development to provide single (1 no.) two storey retirement unit as annex to dwellings approved on 6 Crocknamack Road, Portrush.

5 PUBLICITY & CONSULTATIONS

5.1 External

Neighbours: Three (3) objections were received. The main issues raised are summarised below and will be considered throughout the remainder of this report:

- Overdevelopment of the site
- The proposed car parking area will cause disturbance.
- The quality of the information provided is poor
- Access from the lane could be dangerous as it's an un-adopted lane
- The height of the proposed development

5.2 Internal

DFI Roads - No objections

Environmental Health - No objections

NI Water- No objections

NIEA- No objections

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) 2015

PPS 2: Natural Heritage

PPS 3: Access, Movement and Parking

Planning Policy Statement 7: Quality Residential Environments

Planning Policy Statement 7 Addendum: Safeguarding the Character of Established Residential Areas

Supplementary Planning Guidance

DCAN 8- Housing in Existing Urban Areas

Creating Places- Achieving Quality in Residential Developments

8 CONSIDERATIONS & ASSESSMENT

The main considerations in the determination of this application relate to: principle of development; quality residential environment; safeguarding character of established residential areas; back land development; HRA and other matters.

Planning Policy

- 8.1 The site falls within the development limit of Portrush as outlined under the NAP 2016.
- 8.2 The proposal must be considered having regard to the SPPS, PPS policy documents and supplementary planning guidance specified above.

Principle of Development

- 8.3 The site is to the rear of two, three storey dwellings and is located in the settlement limits of Portrush. The site is considered backland development and must be considered under the policies and guidance assessed below.

Planning Policy Statement 7- Quality Residential Environments- Creating Places

- 8.4 The scheme describes the development as a proposed mews retirement development to provide single (1 no.) two storey retirement unit as annex to dwellings approved on 6 Crocknamac Road, Portrush. However, the development is a standalone residential unit in its own right. There is no reliance on the 2 constructed dwellings and therefore as set out in PPS 7 must be considered as an individual dwelling in its own right regarding planning policy.
- 8.5 Policy QD 1 states that planning permission will only be granted for new residential development where it is demonstrated that the proposal will create a quality and sustainable residential environment. The following elements of Policy QD1 must be complied with:

Part (A) of this policy states that "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"

8.6 In terms of the character of the area, there are existing examples of backland development at Nos 9A and 15A Hopefield Avenue. It should be noted that these sites provide acceptable larger plot depths to the existing properties that enabled a quality residential development to be developed. The proposal does not offend criteria (a) in that the scale, layout and massing of the scheme is considered acceptable.

(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.

8.7 There are no archaeological, built heritage or landscape features identified on the site.

(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;

8.8 The topography of this site is fairly level. The proposal includes a rear garden and front garden. Creating Places states that as a minimum that 70sq metres of private garden space should be provided for new dwellings. The rear garden provides 44sqm which is short of the minimum standards for a dwelling providing this level of accommodation.

8.9 Creating places also states that any proposed amenity space area should provide a quality private rear amenity area, which this scheme does not achieve. The rear amenity space will be overlooked by the properties at Nos 6 & 8 Croc na Mac Road. An area of amenity space has been provided to the side/front of the property screened to the lane by a 1.8m high wall. This amenity space area adjacent to No. 5 Hopefield Avenue will be overlooked by high level habitable rooms from No. 5 and creates a sense of being hemmed in by No. 5 and proposed walls.

8.10 The proposed arrangement will result in potential overlooking of the existing amenity space of the dwelling by existing surrounding properties and the proposal fails to provide the minimum standards for private amenity space. The scheme fails part (c).

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

8.11 The proposal is located within the settlement of Portrush. The scale of the proposal does not require facilities to be provided within the site.

(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.

8.12 The site is located off Hopefield Avenue within the settlement of Portrush and the movement pattern is considered to be satisfactory. Objections have been received to the use of the laneway for access. DFI Roads were consulted and have no objection to the proposal. Amendments were received during the processing of the application. Visibility spays can be achieved from the lane accessing onto Rodney Street. The proposal meets with this criteria and in is accordance with PPS 3.

(f) Adequate and appropriate provision is made for parking.

8.13 In curtilage parking is proposed and is to be delivered by 2 garage spaces. DFI Roads was consulted in relation to the scheme and raise no concerns regarding car parking provision, road safety or access matters in their latest consultation response. Therefore, the proposed scheme will provide for adequate car parking provision on site.

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

8.14 The design of the proposed two-storey dwelling is considered acceptable. The character of this part of Crock na mac Road and Hopefield is defined by two-storey dwellings set in medium sized plots fronting onto main roads. Rodney Square and Street are characterised by terraces 2 storey dwellings.

8.15 Proposed materials consist of external render, timber cladding, Fibre Cement Vertical Cladding - Storm Grey, Fascia:- Zinc Metal Cladding, Rainwater Goods:- PPC Aluminium. rectangular, profiled gutters and downpipes - Storm Grey. The window and door fenestration on the proposed dwelling is considered acceptable. The design of the proposed dwelling and detailing do not conflict with existing designs in the immediate area. On balance the proposed dwelling design complies with part (g).

(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.

8.16 The revised scheme proposes a bathroom window at 1st floor to be obscure on the boundary with the dwellings on Rodney Square. A high level window to a bedroom is located set back off the boundary and would not cause any overlooking on to Rodney Square. A large hall window is on the first floor and set off the boundary with No 5 Hopefield Avenue and may result in conflict. The closest part of the building to the shared boundary with the dwellings on Croc na Mac Road has no windows. That part that is set back, details a narrow window to the stairway. As this is not a habitable room any overlooking will not be so adverse to warrant a refusal. The location of the proposed dwelling south of the 2 dwellings on Croc na Mac Road due to the height and separation distance would overshadow their private amenity space. The proposed development would also overshadow the amenity space to the properties on Rodney Square in the later part of the day.

8.17 Paragraph 7.16 of Creating Places advises that where the development abuts the private gardens area of existing properties, a separation distance greater than 20m will generally be appropriate to minimise overlooking with a minimum of around 10m between the rear of the new house and common boundary. The proposed development is set just off of the common boundary and well below the standard for separation distances for dwelling to dwelling, contrary to the guidance.

8.18 The proposed scheme will reduce the potential garden depth of the existing semi-detached dwellings which have received permission under the previous 2016 permission. The development will create a conflict by affecting the existing amenity space areas of the existing semi-detached dwellings on site by way of overshadowing. The

existing dwellings will also look into the rear private amenity space of the proposed dwelling and result in conflict. The scheme fails criteria (h).

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

8.19 There are no issues in relation to crime and DFI Roads or none of the other consultees has cited any concerns in reference to personal safety. The scheme complies with part (i).

8.20 The proposal is considered contrary to criteria (c) and (h) of Policy QD 1 in that it fails to provide a quality residential development with adequate private amenity space and would if approved result in conflict with the adjacent properties by way of overlooking and overshadowing.

Addendum to Planning Policy Statement 7- Safeguarding the Character of Established Residential Areas

8.21 Policy LC 1 states that in established residential areas planning permission will only be granted 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 and environmental quality of the established residential area; and

(c) All dwelling units and apartments are built to a size not less than those set out in Annex A.

8.22 The density of the scheme is a characteristic of the immediate context. The layout and siting of the dwelling within the application does reflect the existing pattern of development along Hopefield Avenue and Crocknamack Road, which has a clearly defined character of two-storey dwellings in medium sized plots. The pattern of development is characterised at Nos 9A and 15a Hopefield Avenue. The scheme complies with Policy LC1.

DCAN 8: Housing in Existing Urban Areas

- 8.23 DCAN 8 provides guidance on backland development. A fundamental requirement of backland development is for the backland plot to be of a sufficient depth to accommodate new housing in a way which provides a quality residential environment for new and existing residents. Backland development on plot depths of less than 80m is unlikely to be acceptable, except where the existing urban grain is very urban in character, and where careful design can overcome concerns of overlooking and day lighting.
- 8.24 The plot depth of the entire site is 53m which is below the 80m plot depth recommendation. This is well below the guidance as outlined in DCAN 8. It is recognised that the existing area is very urban in character. However in the assessment of this application the impact on the adjacent properties by way of overlooking, overshadowing and lack of private amenity space does not allow a relaxation of this recommendation. The proposed site does not comply with design guidance for plot depth and represents overdevelopment of the site as detailed under DCAN 8- Backland Development- Section 5.7.

Habitats Regulations Assessment

- 8.25 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.

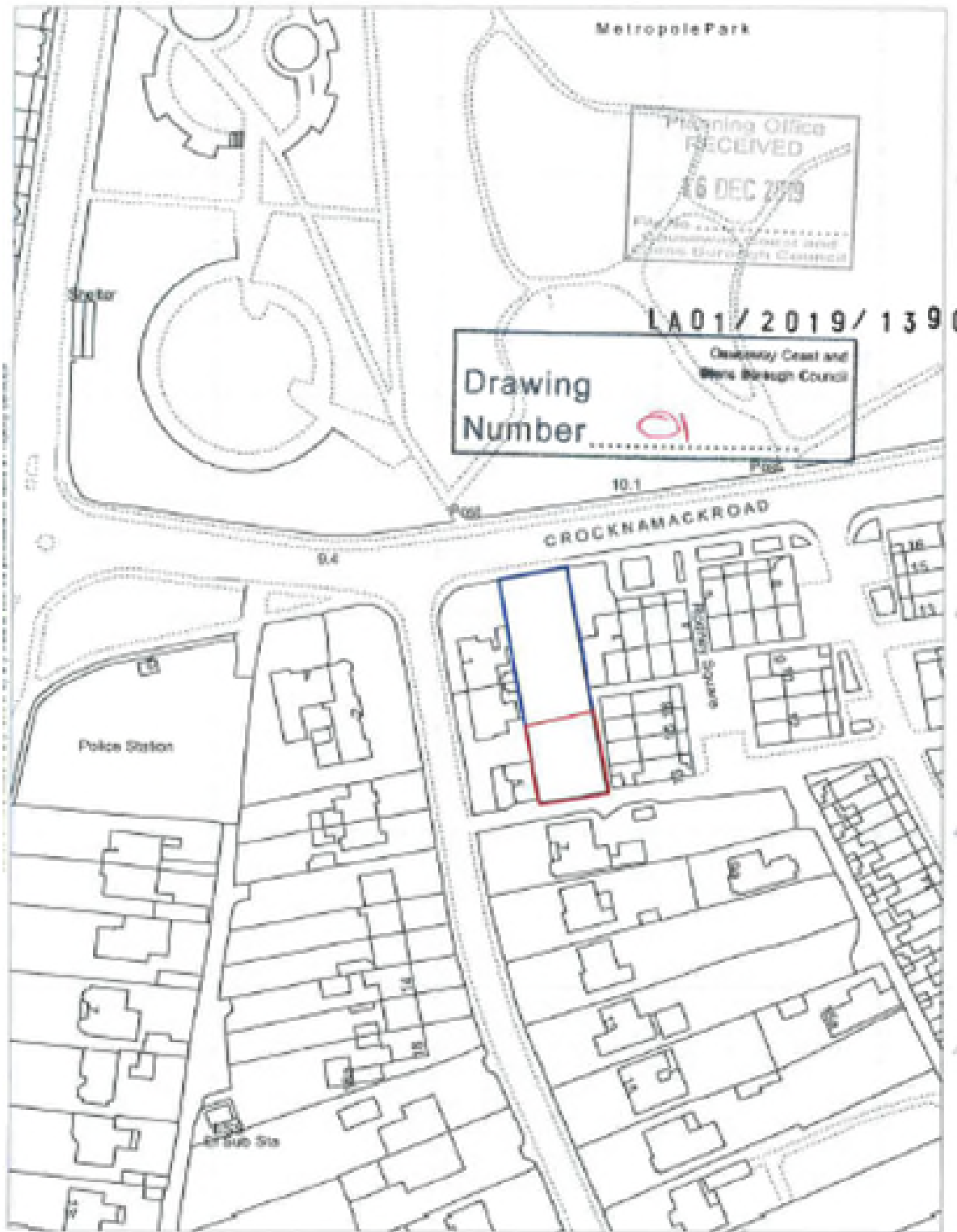
9 CONCLUSION

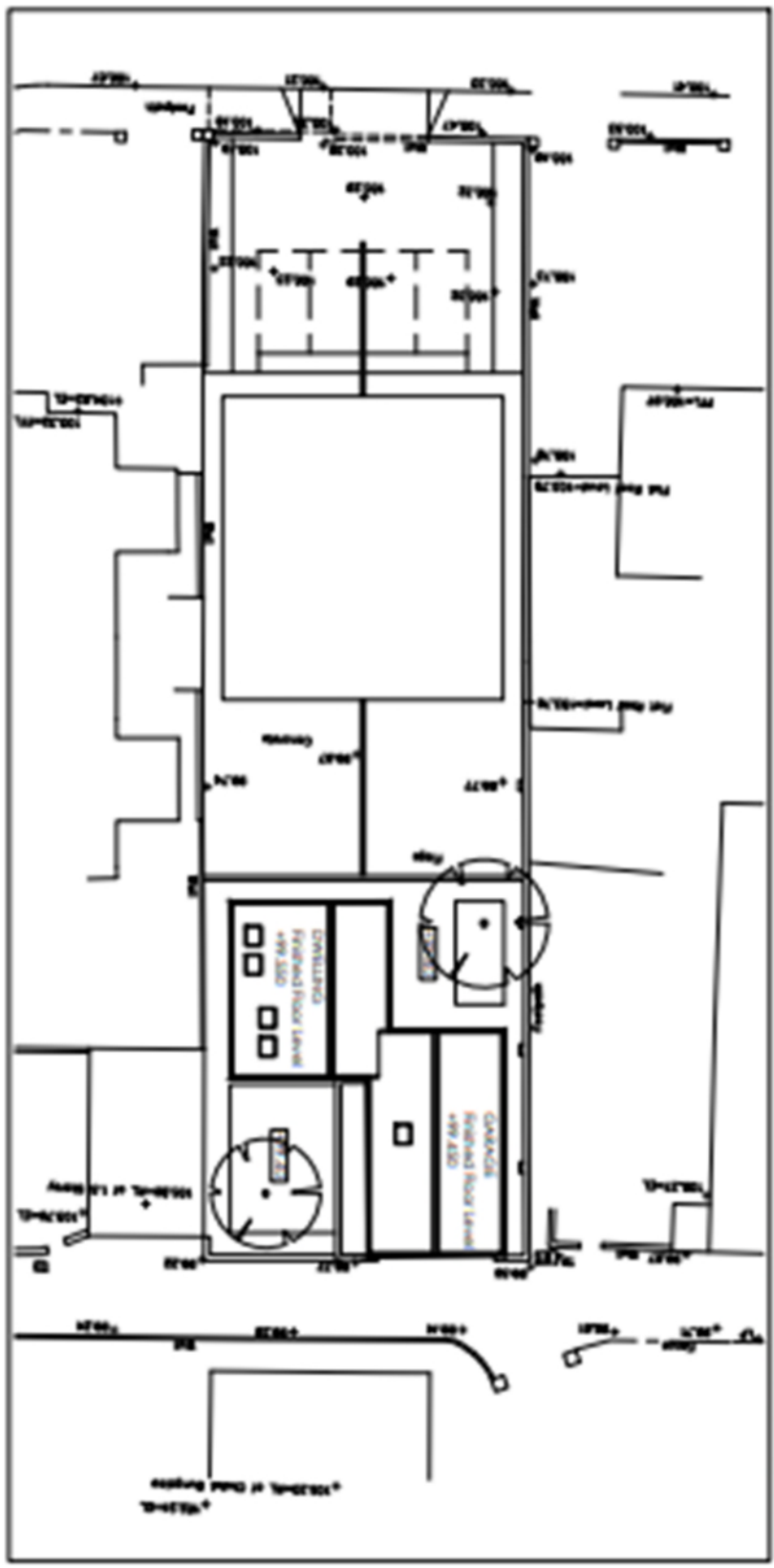
- 9.1 The proposal is considered unacceptable in this location having regard to the Northern Area Plan, and other material considerations, including the SPPS. The proposal is contrary to the Strategic Planning Policy Statement, Policy QD1 of PPS 7 and the guidance contained in DCAN 8 and Creating Places. The scheme does not provide a quality residential scheme and would create conflict with surrounding residential properties. Refusal is recommended.

10 Refusal Reasons

1. The proposal is contrary to paragraph 4.27 of the Strategic Planning Policy Statement for Northern Ireland, Policy QD1 of Planning Policy Statement 7 (Quality Residential Environments), and Development Control Advice Note 8 (Housing in Existing Urban Areas) in that the development as proposed fails to provide a quality residential environment by being contrary to criteria (c) and (h) of Policy QD1.

Site Location Map





: Front Elevation - South

: Site Plan - 1:200 Scale