



Title of Report:	Planning Committee Report – LA01/2021/1407/F
Committee Report Submitted To:	Planning Committee
Date of Meeting:	22nd June 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	Senior Planning Officer

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:

No: LA01/2021/1407/F **Ward:** Atlantic

App Type: Full

Address: 3 Ballygelagh Village, Portstewart

Proposal: Proposed alterations to front elevation and installation of a small galvanised balcony from bedroom and study area on first floor

Con Area: N/A **Valid Date:** 18/11/2021

Listed Building Grade: N/A

Agent: Stephen Faulkner, 333 Drumrane Road, Dungiven, BT47 4RG.

Applicant: Harold McCloy, 3 Ballygelagh Village, Portstewart

Objections: 0 **Petitions of Objection:** 0

Support: 0 **Petitions of Support:** 0

EXECUTIVE SUMMARY

- Full planning permission is sought for alterations to the front elevation and the installation of a balcony from the bedroom and study area on the first floor.
- The application site is located within the countryside, outside the settlement limits of Portstewart as defined in the Northern Area Plan 2016.
- The design and appearance of the proposed front balcony is not considered to be complementary to the existing dwelling.
- The proposal will not significantly impact on the privacy or amenity of neighbouring dwellings.
- Given the nature of the proposal no consultations were issued.
- The proposal is contrary to Policy EXT 1 of the Addendum to Planning Policy Statement 7.
- 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** full planning permission subject to the reasons set out in section 10.

2 SITE LOCATION & DESCRIPTION

- 2.1 The application site contains an existing dwelling which is two storey and semi-detached. The front and side elevations of the property are open to the views from the roadside. The dwelling is finished in a white roughcast render. The surrounding area comprises of residential units in the form of permanent residencies and holiday let accommodations.
- 2.2 The property is located in the countryside outside any settlement development limit as defined within the Northern Area Plan 2016. The site is not subject to any environmental designations.

3 RELEVANT HISTORY

LA01/2016/1158/F – Permission granted for the variation of condition No. 1 of planning approval C/1996/0485 (holiday units) to exempt 3 Ballygelagh Village, Portstewart from being used for holiday accommodation only.

LA01/2018/1308/F - Permission granted for a proposed 2 storey side extension, 1 storey front and rear extensions to dwelling at 108 Ballyreagh Road.

C/2014/0442/F - Permission refused for a proposed first floor balcony to front of dwelling at 15a Ballygelagh Village.

C/2012/0442/F - Permission granted for a proposed store extension with first floor balcony.

4 THE APPLICATION

- 4.1 This is a full application for "Proposed alterations to front elevation and installation of a small galvanised balcony from bedroom and study area on first floor".

5 PUBLICITY & CONSULTATIONS

5.1 External

No letters of objection were received on this application. No letters of support have been submitted.

5.2 Internal

No consultations were issued for this application.

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)

Addendum to Planning Policy Statement 7: Residential Extensions and Alterations

8 CONSIDERATIONS & ASSESSMENT

- 8.1 The proposal must be considered having regard to the NAP 2016, SPPS, and PPS policy documents specified above. The main considerations in the determination of this application relate to principle of development; impacts on residential amenity; impacts on the character of the existing dwelling and surrounding area.

Planning Policy

- 8.2 The Strategic Planning Policy Statement for Northern Ireland (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.
- 8.3 The principle of the type and scale of development proposed must be considered having regard to the SPPS and PPS policy documents specified above.
- 8.4 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:
- a) 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;

- b) The proposal does not unduly affect the privacy or amenity of neighbouring residents;
- c) 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
- d) Sufficient space remains within the curtilage of the property for recreational and domestic purposes including the parking and manoeuvring of vehicles.

Visual Impact and Design

- 8.5 The dwelling to which this application relates is located along the roadside of Ballygelagh Village, Portstewart. The application site is located outside any development limits. The character of the neighbouring units in Ballygelagh Village is not considered to be typical for a rural location, due to the informal layout and design of neighbouring units.
- 8.6 The proposal seeks to introduce a high level of glazing to the front elevation of the property and the introduction of a front balcony. This balcony features a privacy screen, a frameless balustrade and support structures from the finished ground level.
- 8.7 Permission was refused for a similar application, C/2014/0431/F, at 15a Ballygelagh Village. This application had a similar design to that proposed and also incorporated a privacy screen, glazing and support structures from the finished ground level. In the assessment of application C/2014/0431/F it was stated that the balcony and support structure would dominate the host property and would not be subordinate to the main dwelling. The application site, 3 Ballygelagh Village, is located in a more prominent location to that of the refused site, as it is visible on approach to Ballygelagh Village. It is considered that the design and external materials of the proposal are not sympathetic with the built form and appearance of the existing dwelling and will detract from the appearance and character of the surrounding area.
- 8.8 No. 24 Ballygelagh Village does incorporate a balcony. However, this balcony is positioned over internal rooms and does not require the use of support structures. Additionally, no. 24 Ballygelagh Village is

located in a less prominent location to that of the application site and its balcony does not protrude over the front entrance to the dwelling.

- 8.9 The proposal fails to meet the policy requirements set out in criterion (a) of Policy EXT 1 of APPS7 as the scale and design of the proposal will have a detrimental impact on the appearance of the dwelling, the streetscape and the character of Ballygelagh Village.

Impact on Amenity

- 8.10 The application site contains a semi-detached dwelling. The proposed balcony is chamfered to restrict any adverse levels of overshadowing onto a neighbouring habitable room. Additionally, the proposed balcony is to incorporate a privacy screen to restrict any feelings of overlooking or intimidation for the users of the neighbouring property, No. 2 Ballygelagh Village. On balance these measures are considered acceptable.
- 8.11 Having regard to the separation distance, privacy screen and chamfered balcony, the proposal will not result in an unacceptable level of overlooking, overshadowing, loss of light or unduly affect the privacy or amenity of any neighbouring property. The proposal therefore, complies with criterion (b) of EXT 1.

Other Matters

- 8.12 The proposal does not cause the unacceptable loss of, or damage to, trees or other landscape features which contribute significantly to local environmental quality and is therefore compliant with criterion (c) of Policy EXT 1.
- 8.13 Sufficient space remains within the curtilage of the property for recreational and domestic purposes including the parking and manoeuvring of vehicles. Therefore, the proposal is compliant with criterion (d) of Policy EXT 1.

9 CONCLUSION

- 9.1 The proposal is unacceptable in this location having regard to the Northern Area Plan 2016 and other material considerations including the SPPS and the Addendum to PPS 7. The proposed scale and design of the proposed balcony is considered to have a detrimental

impact on the character of the existing dwelling and surrounding area. Refusal is recommended.

10 Refusal Reasons

1. The proposal is contrary to Policy EXT 1 of the Addendum to Planning Policy Statement 7: Residential Extensions & Alterations by reason of: the scale, massing, design and external materials of the proposal are not sympathetic with the built form and appearance of the existing property and will detract from the appearance and character of the surrounding area.

Site Location Map

