



Title of Report:	Planning Committee Report – LA01/2022/0070/F
Committee Report Submitted To:	Planning Committee
Date of Meeting:	25th January 2023
For Decision or For Information	For Decision – Objection Item

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:

<u>No:</u> LA01/2022/0070/F	<u>Ward:</u> Portstewart
<u>App Type:</u> Full Planning	
<u>Address:</u> 36 Seafield Park, Portstewart	
<u>Proposal:</u> Single storey en-suite extension to the rear, garden store on the east boundary, new Bi-Fold doors to the southern facade giving access to a raised patio with screen walls on elevation facing Seafield Park with associated landscape works.	
<u>Con Area:</u> n/a	<u>Valid Date:</u> 17/01/2022
<u>Listed Building Grade:</u> n/a	
<u>Agent:</u> Philip Parker Architects, 23 Old Church Court, Portstewart, BT55 7RR	
<u>Applicant:</u> Deirdre Mullany, 36 Seafield Park, Portstewart, BT55 7JU	
<u>Objections:</u> 16 (from 6no. addresses)	<u>Petitions of Objection:</u> 0
<u>Support:</u> 0	<u>Petitions of Support:</u> 0

EXECUTIVE SUMMARY

- Full planning permission is sought for a single storey en-suite extension to the rear, garden store on the east boundary, new bi-fold doors to the southern facade giving access to a raised patio with screen walls on elevation facing Seafield Park, with associated landscape works.
- The site is located within the development limits of Portstewart as defined in the Northern Area Plan 2016 and is not subject to any specific designations.
- The principle of development is considered acceptable in regards to Addendum to PPS7 – Residential Extensions and Alterations.
- No consultations were required in relation to this application.
- There are 16 objections to the proposal raising issues in relation to the proposed raised patio area, overlooking and privacy, and the character of the area with regards to the building line.
- The application is recommended for approval.

Drawings and additional information are available to view on the Planning Portal - <https://planningregister.planningssystemni.gov.uk>

1 RECOMMENDATION

- 1.1 That the Committee has taken into consideration and agrees with the reasons for 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 SITE LOCATION & DESCRIPTION

- 2.1 The application site is located in Seafield Park and is positioned on the northern side of the road. There are a mixture of dwellings along this part of Seafield Park, with a range of different house types. While the address of the property is Seafield Park, it is orientated to front onto Seaview Drive North. There are two areas of driveway parking, one accessed from Seaview Drive North and one from Seafield Park.
- 2.2 The application site contains a single storey dwelling with attached garage. Existing finishes include white painted walls with 300mm plinth, white upvc windows and upvc door, and concrete interlocking roof tiles. The garden slopes towards the existing footpaths along Seafield Park and Seaview Drive North. There are no boundary treatments to the western and southern boundaries. The northern boundary that borders the existing open space in Seaview Park North has a retaining wall that steps down from the north-east to the north-west of the boundary. To the north-west side of this there is a 1.8 metre closed boarded fence on top. There is a stepped wall to the south-eastern boundary and higher walling to the north eastern boundary.
- 2.3 The surrounding area is characterised by a range of house types of varying designs. When viewed from Prospect Road there is no set building line, dwellings are sited with different proximities to the public footpath. The neighbouring property at No 38 Seafield Park is partitioned off and has approval for a replacement dwelling. When the site is viewed from Strandview

Avenue, looking towards Prospect Road, the dwelling at No. 36 sits further back within the site than the other dwellings along this side of Seafield Park. The topography of the surrounding area is sloping, in a westerly direction towards Prospect Road.

- 2.4 The site is located within the development limits of Portstewart as designated in the Northern Area Plan 2016.

3 RELEVANT HISTORY

Site

- 3.1 C/2005/1181/F
36 Seafield Park, Portstewart
Proposed replacement of existing dwelling house with 2 No dwelling houses.
Approved – 15/11/2006
- 3.2 C/2007/0041/F
36 Seafield Park, Portstewart
2no. dwelling houses with attached garages in substitution for previous approval C/2005/1181/F.
Approved – 12/03/2008

Surrounding Area

- 3.3 LA01/2020/1330/F
38 Seafield Park, Portstewart
Replacement Dwelling and Garage
Approved – 04/04/2022

4 THE APPLICATION

- 4.1 The application seeks full planning permission for a proposed single storey en-suite extension to the rear, garden store on the east boundary, new Bi-Fold doors to the southern facade giving access to a raised patio with screen walls on elevation facing Seafield Park with associated landscape works.

5 PUBLICITY & CONSULTATIONS

5.1 External

Advertising: Coleraine Chronicle 09.02.2022

Coleraine Chronicle 06.04.2022

Coleraine Chronicle 06.07.2022

Neighbours: There are 16 objections to this application.

5.2 A total of 16 Objections have been received.

2 of these objections have been received from 34 Seafield Park

4 of these objections have been received from planning agent Clyde Shanks, second floor, 7 Exchange Place, Belfast

1 objection from 32 Seafield Park

1 objection from 23 Seafield Park

1 objection from 31 Seafield Park

1 Objection from 29 Seafield Park

6 objections do not have addresses linked to their objection

5.3 The main issues arising from the proposal are with regards to the proposed raised patio area, overlooking and privacy, and the character of the area with regards to the building line. Full consideration of these objections are detailed within this report.

External

5.4 No Consultations were required on this application given the minor of the works proposed.

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:

- 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

Regional Development Strategy (RDS) 2035

Northern Area Plan 2016

Strategic Planning Policy Statement (SPPS)

Addendum to Planning Policy Statement 7 - Residential Extensions and Alterations

8 CONSIDERATIONS & ASSESSMENT

8.1 The main considerations in the determination of this application relate to; the principle of development, design & character of the area, impact on residential amenity, and landscaping & parking.

Planning Policy

8.2. The proposal must be considered having regard to the Northern Area Plan 2016, SPPS, and PPS policy documents specified

above. The plan identifies the site as being located within the development limits of Portstewart

Principle of Development

8.3. Policy EXT 1 of the Addendum to PPS 7, 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 local 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.

The guidance set out in Annex A of APPS 7 will be taken into account when assessing proposals above against the above criteria.

8.4. The proposal is for a single storey en-suite extension to the rear, a garden store on the east boundary, new Bi-fold doors to the southern facade to give access to a raised patio with screen walls on the elevation facing Seafield Park, and associated landscape works.

Design & Character of the Area

8.5. The proposed rear extension is small in scale, providing an en-suite bathroom to the existing dwelling. A velux sun tunnel is proposed on the western roof elevation to provide light into an internal corridor. The scale, design and materials proposed are acceptable.

- 8.6. The proposed Bi-fold doors to the southern elevation are in place of an existing window and will provide access onto the proposed raised patio. A pergola style roof will extend 1.1 metres from the existing fascia 3 metres above the existing ground level. There will be steps rising from the ground level to the proposed patio. A cedar clad masonry wall with a glazed screen on top will enclose the patio area. Additional landscaping in the form of a box hedge, is also proposed to the eastern elevation. On the eastern elevation there are no changes to the façade of the building. The design is sympathetic and will not detract from the existing street scene.
- 8.7. The proposed raised patio area is positioned to the southern, side elevation of the existing dwelling facing on to Seafield Park. The finished patio area will sit 670mm above the existing ground level. The cedar clad surround will rise 1.2 metres above the existing ground level, up to a maximum of 1.5 metres along the eastern elevation due to the sloping topography of the site. To the top of the cladding, an 800mm glass screen is proposed. The proposed patio area will extend 5.7 metres from the existing side gable for a length of 6.5 metres. Proposed finishes are in keeping with the area and will not detract from the appearance and character of the surrounding area.
- 8.8. The planning history in the surrounding area includes a proposed replacement dwelling on the site at No. 38 Seafield Road. The previous dwelling has been demolished. The site sits at a lower level than the application site and the design of the proposed replacement includes a first floor balcony facing onto Seafield Park. This is positioned closer to the road than the patio area proposed under this subject application. The design and scale of the proposed patio area will not have an unacceptable impact on the character of the surrounding area and the streetscape in this location.
- 8.9. Objection letters were submitted referring to concerns with the existing building line. The Addendum to PPS 7 section A9 states that 'Extensions or alterations to the front of a property require great care as the front elevation is often the most visible to public view. Poor design can upset the architectural integrity of the existing property and have an intrusive effect on the street scene. It is important, therefore, to ensure that extensions and alterations to the front of property do not detract from the street

scene, especially where there is a clear and visually obvious 'building line' or architectural features. In such cases they should appear to be part of the existing property and not an obvious addition. This can be achieved by ensuring any such works are in proportion with the property, its fenestration and detailing, with matching materials, roof design and pitch'.

- 8.10. The proposed raised patio area will be to the side elevation of the existing dwelling. The objections are in relation to the impact of this proposed raised patio area and its frontage onto Seafield Park. With regards to an established building line, there is not a set building line on either side of Seafield Park. Dwellings are positioned with different proximities to the public footpath. Front garden sizes vary, with driveway parking and boundary treatments comprising a range of different designs and treatments. The approved development at No 38 Seafield Park is closer to the road than the raised patio area proposed. Taking this into account there will be no unacceptable impact on the existing street scene.

Impact on Residential Amenity

- 8.11. Objection letters were submitted referring to privacy and overlooking concerns. The proposed en-suite will cause no issues of overlooking due to the size of the small window and its position to the rear of the property. It will not have an unacceptable impact on neighbouring properties at No 19 Seaview Drive North and No 34 Seafield Park. There are no amenity concerns arising from the position of the small garden shed to the rear of the property. It is small in scale and positioned below the existing boundary treatment to No 34.
- 8.12. Section A30 of the Addendum to PPS 7 Alterations and Extensions states that 'Overlooking of gardens may be unacceptable where it would result in an intrusive, direct and uninterrupted view from a main room'.
- 8.13. The proposed raised patio area is positioned on the southern elevation of the existing dwelling, accessed from the proposed Bi-fold doors. The existing boundary treatment along with the proposed screening to the patio area, between No 34 and 36, will ensure there will be no unacceptable overlooking from the patio area. The raised patio area sits at a lower level than the

existing property at No 34. As the dwelling at No 34 sits higher than the application site, it currently overlooks the amenity area to No 36. Even with the proposed raised patio area, No 34 will still sit at a higher level and its privacy and amenity will not be further impacted to an unacceptable degree.

- 8.14. Objections also referred to issues of dominance and loss of light. The topography of the site ensures there will be no dominance or loss of light. The neighbouring property at No 34 sits at a higher level, overlooking No 36 and its current amenity space. The formalisation of the existing amenity space will not further impact on privacy. There is a separation distance of approximately 6 metres from the corner window of No 34 to the closest part of the proposed raised patio. The formalisation of the amenity space at No. 36 through the creation of a non-raised patio, and positioning of garden furniture therein, could be done without the necessity of a planning application. The outlook from No 34 looks directly over the garden of No 36 with views leading towards the sea and will not be unacceptably impacted by the proposal. The topography of the streetscape will ensure no reduction of natural sunlight and there will be no unacceptable overlooking to No 34.
- 8.15. The proposal includes appropriate finishes and boundary treatments to the eastern boundary. As this is a residential built-up area within the development limits of Portstewart, the privacy and amenity of neighbouring dwellings would not be further impacted by the proposal.
- 8.16. There is sufficient separation distance within this existing built up residential area to protect the amenity and privacy of the adjacent dwellings. Properties to the south of the application site at Nos. 27, 29, 31, 33 are separated by the road of Seafield Park and the accompanying footpaths, affording adequate separation distance. The formalisation of the existing amenity at No 36 in the form of a raised patio area will not result in an unacceptable impact on the amenity of neighbouring residents. An appropriate condition with regards to the provision of the glazed screen is recommended.

Landscaping and Parking

- 8.17. The proposal includes the addition of soft landscaping to its southern elevation, complimenting the addition of the proposed raised patio area. An appropriate condition with regards to the provision of the landscaping is recommended.
- 8.18. There is no change to the existing parking arrangements. Sufficient space remains within the curtilage of the property for recreational and domestic purposes.

8.19. Other Matters

- 8.20. An objection received on the 2nd March 2022 queried the validity of the address and description. Details were clarified with the agent, and an amended address and description were provided. Further advertising and neighbour notification were carried out in accordance with the legislative requirements. A query with regards to the accuracy of the plans was also received. Current up to date plans submitted as of 6th September 2022 are accurate and give detailed information to make an informed opinion and decision on this application. A further comment queried the need for consultation with Environmental Health. Consultation with the Council's Environmental Health Department was not warranted on this application due to the minor scale of this proposal.
- 8.21. Some discussions took place with regards to a reduction in the size of the patio. However, this was not required as the scheme as proposed is considered acceptable and complies with policy.

9 CONCLUSION

- 9.1. The proposal is acceptable 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, design and materials are acceptable and the proposal will not detrimentally impact on the character or appearance of the area. The proposal will not unacceptably impact the privacy or amenity of neighbouring properties. Approval is recommended.

10 CONDITIONS

1. The development hereby permitted must be begun within five years from the date of this permission.

Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.

2. The raised patio area hereby permitted shall not be accessible unless the privacy screen has been provided in accordance with the approved plans. The privacy screen shall be retained at all times in accordance with the approved plans.

Reason: To safeguard the amenities of the adjacent property.

3. The scheme of planting as approved in Drawing No. 05B date stamped 23rd June 2022 shall be carried out during the first planting season after the commencement of development. Plants dying, removed or becoming seriously damaged within five years of being planted shall be replaced in the next planting season with others of a similar size and species unless the Council gives written consent to any variation.

Reason: To ensure the provision, establishment and maintenance of a high standard of landscape in the interests of visual amenity.

Informatives

1. 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.
2. 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.
3. 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.

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 Borough Council or other statutory authority.

Site Location Plan

