

<b>Title of Report:</b>	<b>Planning Committee Report – LA01/2022/0850/F</b>
<b>Committee Report Submitted To:</b>	<b>Planning Committee</b>
<b>Date of Meeting:</b>	<b>25<sup>th</sup> October 2023</b>
<b>For Decision or For Information</b>	<b>For Decision – Referral item Referred by Ald Fielding</b>
<b>To be discussed In Committee YES/NO</b>	<b>NO</b>

<b>Linkage to Council Strategy (2021-25)</b>	
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

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

<b>Legal Considerations</b>	
Input of Legal Services Required	<b>NO</b>
Legal Opinion Obtained	<b>NO</b>

<b>Screening Requirements</b>	Required for new or revised Policies, Plans, Strategies or Service Delivery Proposals.
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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:** LA01/2022/0850/F **Ward:** CAUSEWAY

**App Type:** Full Planning

**Address:** 55 Strand Road, Portstewart

**Proposal:** Proposed demolition of existing buildings and redevelopment of site for a dwelling house and 5no. apartments

**Con Area:** No **Valid Date:** 15.02.2023

**Listed Building Grade:** N/A

**Agent:** Les Ross Planning, 14 King Street, Magherafelt, BT45 6AR

**Applicant:** Tamlaght Estates LTD, 9A Clare Road, Cookstown

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

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

## **Executive Summary**

- Full planning permission is sought for the proposed demolition of existing buildings and redevelopment of site for a dwelling house and 5no. apartments.
- The site is located within the Portstewart Settlement Development Limit as designated within the Northern Area Plan 2016. The site is immediately beside and elevated from Local Landscape Policy Area Designation PTL 06 Dominican Walk.
- The proposed density is significantly higher than that of the surrounding area and the design reads as a high density development.
- The proposal constitutes overdevelopment of the site by the way of the scale and massing of the buildings read by their combined frontages.
- The parking provision for the apartment building is not considered appropriate with parking spaces blocked by other spaces.
- The apartment building is considered to be dominant to No. 57 Strand Road due its height, massing and separation distance to No. 57.
- The apartment building includes a second floor bedroom window which overlooks the private amenity space of No. 57.
- The apartment building lacks private amenity space for the two ground floor apartments with the two first floor apartments having space provision less than that outlined as a minimum in Creating Places.
- There are no objections from consultees.
- The proposal is considered to be unacceptable in this location and to be contrary to Policy QD 1 of PPS 7, Policy LC 1 of APPS 7 and Creating Places and is recommended for refusal.

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

## 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** planning permission subject to the refusal reasons set out in section 10.

## 2 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. 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 development limit of Portstewart. The Dominican Walk LLPA 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-detached dwellings set on raised sites with large open front gardens with view of the coast.

## RELEVANT HISTORY

LA01/2019/0903/O – 55 Strand Road - Demolition of existing dwelling and erection of apartments. – Permission Granted – 30th March 2021

## 3 THE APPLICATION

- 3.1 The proposal relates to the erection of a dwelling and 5 apartments at 55 Strand Road, Portstewart.

- 3.2 The application site has a previous outline planning approval under LA01/2019/0903/O for the demolition of the existing dwelling and erection of apartments. This application was approved on 24th March 2021 and is currently extant.
- 3.3 The proposal is a mixed residential scheme with a dwelling and apartments. The proposal consists of two buildings comprising a dwelling alongside 5 apartments with access provided to the rear by a driveway looping around the northern side of the plot towards the rear. Each of the buildings have their own private driveways located to the front. Both the dwelling and garage are three storey buildings in a contemporary style.
- 3.4 The site is located both within and outside/adjoining the Settlement Development Limit of Portstewart as zoned within the Northern Area Plan 2016. Policy SET 2 refers to development inside Settlement limits and proposals should be sensitive to the size and character of the development. The site is immediately beside and elevated from Local Landscape Policy Area Designation PTL 06 Dominican Walk.

#### **4 PUBLICITY & CONSULTATIONS**

##### **5.1 External:**

21 neighbours notified.

No objections received.

##### **5.2 Internal:**

DFI Roads: No objections.

Historic Environment Division: No objections.

Environmental Health: No objections.

NI Water: No objections.

DAERA Water Management Unit: 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:

- 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)

Planning Policy Statement 3: Access, Movement and Parking

Planning Policy Statement 6: Planning, Archaeology and the Built Heritage

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

DCAN 8: Housing in Existing Urban Areas

Creating Places

## 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 amenity and access & parking.

### Local Character, Environmental Quality and Residential Amenity

- 8.3 Planning Policy Statement 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.

***(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;***

- 8.4 The application site has a previous outline planning approval under LA01/2019/0903/O for the demolition of the existing dwelling and erection of apartments. This application was approved on 24th March 2021 and is still extant.
- 8.5 Under application LA01/2019/0903/O the matter of the change of the character in the area was considered by the development of apartments. The presence of apartment developments nearby at No. 6 The Berrins and No. 9 Bearnville were cited as examples which set a precedent for apartment development.
- 8.6 The acceptance of apartment development on the site took account of site characteristics, topography, local context and relationships with neighbouring properties.
- 8.7 Under application LA01/2019/0903/O, detailed consideration was given to the design of the approved building. This included detailed

consideration of frontage, footprint, building line, level of excavation and retaining walls.

### *Frontage*

- 8.8 Conditions applied on the previous approval under LA01/2019/0903/O placed restrictions on the frontage of the development as to not exceed 27.5 metres wide under Condition 9.
- 8.9 The reason given for this condition was to ensure adequate separation distances from neighbouring properties and to protect the character of Strand Road.
- 8.10 The existing dwelling has a main frontage length of 15.5 metres but the existing dwelling incorporates the whole plot with a single storey side projection set back resulting in an overall frontage length of approximately 34 metres. The frontage length of the previous approval entirely at two storey was approximately 27.5 metres.
- 8.11 The proposal comprises two buildings. The dwelling is top heavy with the first floor overhanging the ground floor. The frontage length of this building is considered to be read in context of the first and second floors. The length is determined by the first floor which is 16.6 metres in length. A garage area is located to the rear and is set back from the front of the dwelling.
- 8.12 The apartment building is cuboidal in shape and the frontage length is 12.6 metres. This totals to a combined length of 29.2 metres which is exceeding the 27.5 metre building previously approved.
- 8.13 Consideration must also be given to how these buildings are viewed in context.
- 8.14 The site is located on a corner and there are views on both approaches to the site from the north and south. The views from north are likely to read as the proposed dwelling until reaching the side garden of No. 53 Strand Road. This is due to the scale and massing of the dwelling restricting views of the apartment building. However, passing the side garden of No. 53, the dwelling and apartment building are considered to be read in context. The gap of 5.7 metres between the dwelling and apartment building will not be appreciated. These views are over a longer distance on approach from the south due to the siting, scale and lack of screening of the existing buildings along Strand Road.



8.15 In combination, both the proposed dwelling and apartment building will read as encompassing the entirety of the site which is beyond that of the scale of the existing dwelling on site. The overall length read in this way is 34.9 metres. Standing at the front of the units and looking at both buildings in context, the buildings will read as encompassing most of the plot. This has a longer frontage at a greater height and set forward further than that of the existing dwelling on site. This is not considered to be appropriate for this site and will read wholly out of character with adjoining properties.

8.16 The apartment building proposed is not considered to resemble a dwelling /lower density development by the nature of its scale, massing and design, particularly the cumulative presence of balconies/terraces at the first and second floor levels, flat roofed, cuboidal shape and fenestration pattern.

#### *Scale, Massing and Design*

8.17 Cumulatively the scale, massing and siting of the development result in a scheme which is considered to read as encompassing majority of the plot compared to development in the immediate vicinity which tends to sit centrally within spacious plots with gardens to the sides.

#### *Gardens*

8.18 The proposal includes a lawn to the front of the building with car parking areas for both the dwelling and apartment buildings. The parking arrangement indicated is considered to be acceptable and in character with adjoining properties, albeit the residential front gardens are very small.

#### *Retaining Walls*

8.19 The previous approval utilised retaining walls to facilitate construction of the access and rear car parking areas. A retaining wall is proposed under this application in a similar arrangement. The levels indicated at 18.75 for the proposed parking area matches that of the previous approval. There are no concerns with the level of excavation, topography proposed.

8.20 The proposal is not considered to satisfy criterion (a) of Policy QD 1 as it does not respect the surrounding context and is not appropriate to the character of the site in terms of the siting, scale and massing of both the dwelling and apartment buildings when viewed collectively in context of the size of the application site.

## *Density*

- 8.21 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.
- 8.22 The approval under LA01/2019/0903/O was an outline application with no unit numbers specified. However, it was outlined that specific consideration was given to the design elements to mitigate the increase in density. Those design elements included:
1. The garden area/lawn to the front of the building with absence of visible car parking
  2. The scale of the building being similar to neighbouring semi-detached dwellings at No's 51-53 Strand Road
  3. The elevational treatment of the building which does not readily identify as an apartment building.
- 8.23 Collectively these design elements were outlined to ensure that the character, environmental quality and amenity of the area of the approval were not significantly eroded notwithstanding the actual density in numeric terms. These matters have been considered previously in this report.
- 8.24 Previous consideration under LA01/2019/0903/O outlined that 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.
- 8.25 The plot of the site is 0.18ha in size and the proposal relates to 6 units. This is 33 units per hectare which is substantially above the 5.88 dwellings per hectare previously identified.
- 8.26 The proposal is considered to clearly read as a higher density development out of keeping with this area of Strand Road. The dwellings to the south are located within smaller plots and constitute a single unit. These are not comparable to this proposal nor do they set a precedent for what is proposed. The proposal is in context of the older development located to the north which is low density.
- 8.27 The design and siting as previously indicated does not result in an acceptable density on the site and results in overdevelopment. The proposal will have an unacceptable detrimental impact on the

character of this section of Strand Road and set a negative precedent. The proposal is considered to be contrary to Criterion (a) and (b) of Policy LC 1.

### *Space Standards*

8.28 The size of the dwelling meets the requirements of Annex A of APPS 7. The apartments are all 3 bedroom. The size ranges between 85 – 90sqm for Apartments 1 – 4 and 135sqm for Apartment 5. The apartments meet the space standards outlined under Annex A. The proposal is considered to satisfy Criterion (c) of Policy LC 1.

***(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;***

8.29 There are no features of the archaeological and built heritage located on the site.

8.30 Historic Environment Division were consulted on the proposal in relation to impact on St Mary's Dominican Convent, a listed building. HED Historic Buildings advised they were content with the proposal under Policy BH 11 of PPS 6.

8.31 HED (Historic Monuments) has assessed the application and on the basis of the information provided, advised they are content that the proposal is satisfactory to SPPS and PPS 6 archaeological policy requirements.

8.32 Having regard to the response from Historic Environment Division, the proposal is considered to satisfy Criterion (b) of Policy QD 1 and PPS 6.

***(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;***

8.33 Public open space provision comprises that located to the front of the site. This comprises the hardstanding for the car parking areas for the dwelling and apartments, grassed areas with what appears to be planting along the inside of a 1m high garden wall, smooth plaster

painted. The existing dwelling comprises a large area of hardstanding to the front of the side projection including the garage and a lawn area to the front of the dwelling. The dwellings to the northeast of the site comprise of long lawns rising up to the dwellings. The dwellings to the southwest/south have shorter lawns with hardstanding comparable to that now proposed. The open space to the front of the dwellings is generally open in nature which is reflected by the proposal. The public open space aspect of the proposal is considered to be acceptable in context of the immediate area.

- 8.34 Private open space provision differs between the dwelling and apartments. The dwelling has a first and second floor terrace and rear garden area at first floor. Creating Places outlines the provision of a minimum of 40sqm of amenity space and that it should be around 70sqm. The terrace and garden areas total as 195sqm which is significantly above that outlined in Creating Places. There is space beyond this for bin storage alongside the car parking area given the design of the building. The amenity space provision for the dwelling is considered to be acceptable.
- 8.35 Paragraph 5.20 of Creating Places outlines that on small urban sites that apartments should have a minimum of 10sqm to 30sqm of private amenity space provision per unit.
- 8.36 Given that this proposal encompasses two buildings with an access road, it is not considered to be a small urban site. Private amenity space provision consequently should be at the higher end of this provision per unit.
- 8.37 Apartment 5 has a 46sqm terrace located to the front of the unit. Apartments 3 and 4 have two front facing balconies approximately 8sqm and Apartments 1 and 2 have no dedicated amenity space. Apartments 1 and 2 front onto the front of the dwelling. There is what appears to be an area of hardsurfacing indicated to the front of the Apartment's 1 and 2. It is also noted that this space adjoins the private driveway for Apartment 5. This is not appropriate amenity space provision given that it is not private. Apartments 3 and 4 fall below the 10 – 30 sqm private open space requirements outlined for apartments within Creating Places. It is noted that there is a separate approximately 6sqm bin storage area. However, the balconies should at least meet the minimum spatial requirements for usage. Apartment 5 is well served with more than sufficient private open space provision.
- 8.38 Given the lack of suitable private open space for Apartments 1 and 2 and the shortfall for Apartments 3 and 4, the proposal is considered to

be contrary to Criterion (c) of Policy QD 1.

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

8.39 No local neighbourhood facilities are required to be provided by the developer given the nature and scale of the proposal.

8.40 The proposal is considered to satisfy Criterion (d) of Policy QD 1.

***(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;***

8.41 Strand Road is located in close proximity to the site, to the east, and is an existing cycle network. The proposal has a footpath located along its western extent associated with the road network. Both the cycle network and road provide connections to the town centre where public transport links are available. The proposal supports walking and cycling. The proposal respects existing public rights of way. There is no requirement for traffic calming measures given the nature of the proposal. The design of the apartment building, dwelling and site layout meet the needs of people whose mobility is impaired.

8.42 The proposal is considered to satisfy Criterion (e) of Policy QD 1.

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

8.43 The proposal is considered contrary Criterion (f) of Policy QD 1 in that appropriate provision for parking has not been made. This is 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;***

8.44 Both the dwelling and apartment materials comprise smooth render painted walls, mineral fibre cladding panels and timber cladding for walls, alkor membrane roof, and upvc and aluminium walls and doors for both buildings.

8.45 These materials and finishes are considered to be acceptable and in keeping with the character of the area being comparable to properties close by including at No. 42 The Berrins.

8.46 The proposal is considered to satisfy Criterion (g) of Policy QD 1.

***(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;***

8.47 The dwelling and apartment building are separated from the rear of the site by the access road, retaining wall and area of landscaping. The apartment building is approximately 14 metres from the rear of the site in the case of the communal stairwell. The apartments themselves are located further forward. The raised garden area of the dwelling is 7 metres from the rear boundary and the dwelling is at least 15 metres away. The section drawing through the site shows the garden area with surrounding wall to sit lower than the top of the fence at the rear. Consequently, there are no overlooking concerns towards the properties at the rear on Prospect Road.

8.48 The dwelling at No. 53 Strand Road has windows facing the proposal. Views from the proposed dwelling are generally forward of the building line of No. 53. Views towards the rear amenity space of No. 53 from the dwelling and apartments is over a substantial distance and are not unacceptable. There are no privacy concerns for No. 53 arising from the proposed dwelling.

8.49 The side windows of the apartment building have views towards No. 57 Strand Road. The first floor windows facing No. 57 are not present on the first floor of the elevations drawing but are present on the first floor plans. The presence of windows on the first floor facing No. 57 is considered to be clear for the purpose of notification of neighbours. The windows of the apartments sit at and forward of the side projection from the rear. These views are primarily towards and over the garage and outbuildings of the dwelling at No. 57. Views are also semi-screened by the existing boundary vegetation indicated on the plans and which could be conditioned to be retained. Views from the apartments at first and second floor are from bedrooms and bathrooms. Given the nature of bathrooms there are no privacy concerns and they could be obscure glazed. The views from the bedroom windows are at least 6 metres away and small in size with the exception of a second floor corner window. Given the relationship between the windows and the adjoining property, size of the windows, extent of views and boundary treatment, it is considered that the views from the bathrooms and ground and first floor bedroom windows would not be unacceptable. The views from the communal stairwell

towards the rear garden of No. 57 are transient and not considered to be unacceptable.

- 8.50 The second floor corner bedroom window allows more views towards the rear amenity space given its size and position of the window relative to the rear building line. It would be possible to stand at the corner of the room and look back towards the rear amenity space. The views from this window are not considered to be acceptable and contrary to criterion (h) of Policy QD 1.
- 8.51 Views from the front of the dwelling and apartment building are generally towards the road. Views are available from the apartment windows towards the front terrace of the proposed dwelling. Views are possible between the terraces/balconies of the apartment building towards the front terrace of the proposed dwelling. The exception being the first floor deck areas which are located within the built form of the building. These areas are in public view and are not awarded a significant amount of privacy. The apartment terrace has views towards No. 57 Strand Road, these views include back towards the rear garden of the dwelling at No. 57. Views towards the rear amenity area of No. 57 are around 15 metres. The front terrace of the dwelling has views back towards the first floor bedroom of the apartment building. Given the size of the bedroom window and the positioning of the window, the views are limited and not unacceptable. There are no concerns in relation to views from the front terrace/balconies.
- 8.52 The proposed dwelling has a terrace and mezzanine room at second floor which faces towards the apartment building. The apartment building has three bedroom windows at second floor, two bathroom/ensuite windows and bedroom window at first floor and three bedroom and one bathroom window at ground floor facing towards the apartment building. Given the positioning of the second floor windows of the apartment building, the views towards the rear garden and terrace of the dwelling will be limited. Views from the apartment building first floor are from bathroom windows and a bedroom. The bathroom windows will be obscured glazed and there are no concerns of views towards the forward facing garden room. The bedroom window sits between the front terrace and garden room window. Views from the bedroom towards the terrace and garden room window are not unacceptable. There is a one metre wall separating the two buildings. This is insufficient to restrict views. However, the views from the apartment building are across the

driveway to the hall and porch windows of the dwelling. Given the nature of the use of these rooms there are no concerns from views between the ground floor windows of both buildings.

- 8.53 The closest dwelling outside the application site to the apartment building is that of No. 57 Strand Road. The section drawing indicates Apartment 5's second floor terrace to sit at the eaves level of the existing dwelling on the application site and the ridge height of the apartment building to match that of the ridge height of the existing dwelling. The existing dwelling is set back from No 57 with the single storey side projection adjoining No. 57. The apartment building has a flat roof compared with the existing dwelling which increases its bulk. There will be a three storey building located 6 – 7 metres from the side of No. 57. The building is 2 – 4 metres from the common boundary. The previously approved scheme indicates a building 3 metres from the common boundary. The previous approval had a hipped roof and the eaves height adjoins the boundary at a height of 7.5 metres. The proposed apartment building has a height of 9 metres with a flat roof. It is considered that the apartment building would be unacceptably dominating to No. 57 due to the scale and massing of the apartment building. The proposal is considered contrary to criterion (h) of Policy QD 1.
- 8.54 Any loss of light or overshadowing is not considered to be unacceptable arising from the dwelling or apartment building to adjoining properties.
- 8.55 Environmental Health was consulted on the proposal and have raised no objection. There are no noise or other disturbance concerns arising from the proposal.

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

- 8.56 The proposed dwelling and apartment building have an outlook onto Strand Road and the site boundaries are indicated to be as per existing arrangements. The proposal is considered to be designed to deter crime and promote personal safety.
- 8.57 The proposal is considered to satisfy Criterion (i) of Policy QD 1.

**Local Landscape Policy Area**

- 8.58 The site adjoins LLPA Designation PTL 06 Dominican Walk. The key features of this designation are:



The shoreline backed by grass areas and in places by low cliffs, provides the setting for an important and widely used coastal path.

8.59 The accompanying policy states:

No further development is appropriate, other than the replacement of existing buildings of comparable footprint and height.

8.60 There are no landscape features to be integrated from this designation into the proposal or landscape features on site. Permission was previously granted for replacement of the existing dwelling. The key features of Designation PTL 06 will remain unaffected by the proposal. The proposal is considered to satisfy Policy ENV 1 of the Northern Area Plan 2016.

### **Water connections**

8.61 NI Water has advised that connections and capacity at the waste water treatment works are available to serve the proposal.

### **Access and Parking**

8.62 The parking arrangements for the proposal comprises a dwelling with its own in-curtilage parking to the front and side and parking to the front and rear of the apartment building. The dwelling is indicated to be a four bedroom property. The layout for the dwelling indicates a turning area and dedicated parking area to the side of the house. There is space for passing of vehicles to the front. Design of the parking arrangements in the surrounding area are primarily parking provision to the front of the dwelling. Having regard to the detached dwelling parking requirements under Departmental Parking Standards, it is considered that the parking requirements are both adequate and appropriate.

8.63 DFI Roads was consulted in relation to the access arrangements and has provided conditions and informatives. The proposed access arrangements are considered to be acceptable and comply with the requirements of PPS 3.

8.64 The apartment building comprises 5 apartments. Each apartment is 3 bedroom. There are two spaces with turning indicated to the front of the dwelling and three shared spaces and four allocated spaces indicated to the rear. The spaces at the front are indicated to be private parking for apartment 5. Apartment 5 meets departmental

parking standards in this respect. The remaining apartments are indicated to have a mixture of shared and allocated parking. There is one space for each apartment and then three shared spaces. The total spaces for four apartments is 7. Given that the provision is mixed, there is no particular standard for this. However, the minimum spaces for four three bedroom apartments is 8 spaces for which the proposal falls below. It is noted that space could be utilised along the retaining wall for parking for visitors. No comment was made in the Agent's Design and Access Statement or the drawings as to how this parking arrangement will work. The allocated parking arrangements are outlined such that two of the spaces are blocked in by other spaces. This is not an appropriate parking layout as it will require separate owners to move their vehicles. Space could be utilised along the retaining wall as indicated and it is considered that the parking provision is adequate in terms of space provision but inappropriate in terms of design. The proposal is considered to be contrary to Criterion (f) of Policy QD 1 in this respect.

### **Habitats Regulation Assessment**

- 8.65 The potential impact 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 seeks the demolition of an existing dwelling with construction of two buildings comprising a dwellinghouse and five apartments. The proposed density is not acceptable having regard to the design of the scheme. The proposal is considered to be overdevelopment of the site by the way of the scale and massing of the buildings as read in combination. The parking provision is not considered appropriate with spaces blocked by other spaces. The apartment building is considered to be dominant to No. 57 Strand Road due its height, massing and separation distance to No. 57. The apartment building includes a second floor bedroom window which overlooks the private amenity space of No. 57. The apartment building lacks private amenity space for the two ground floor apartments with the two first floor apartments having space provision less than that

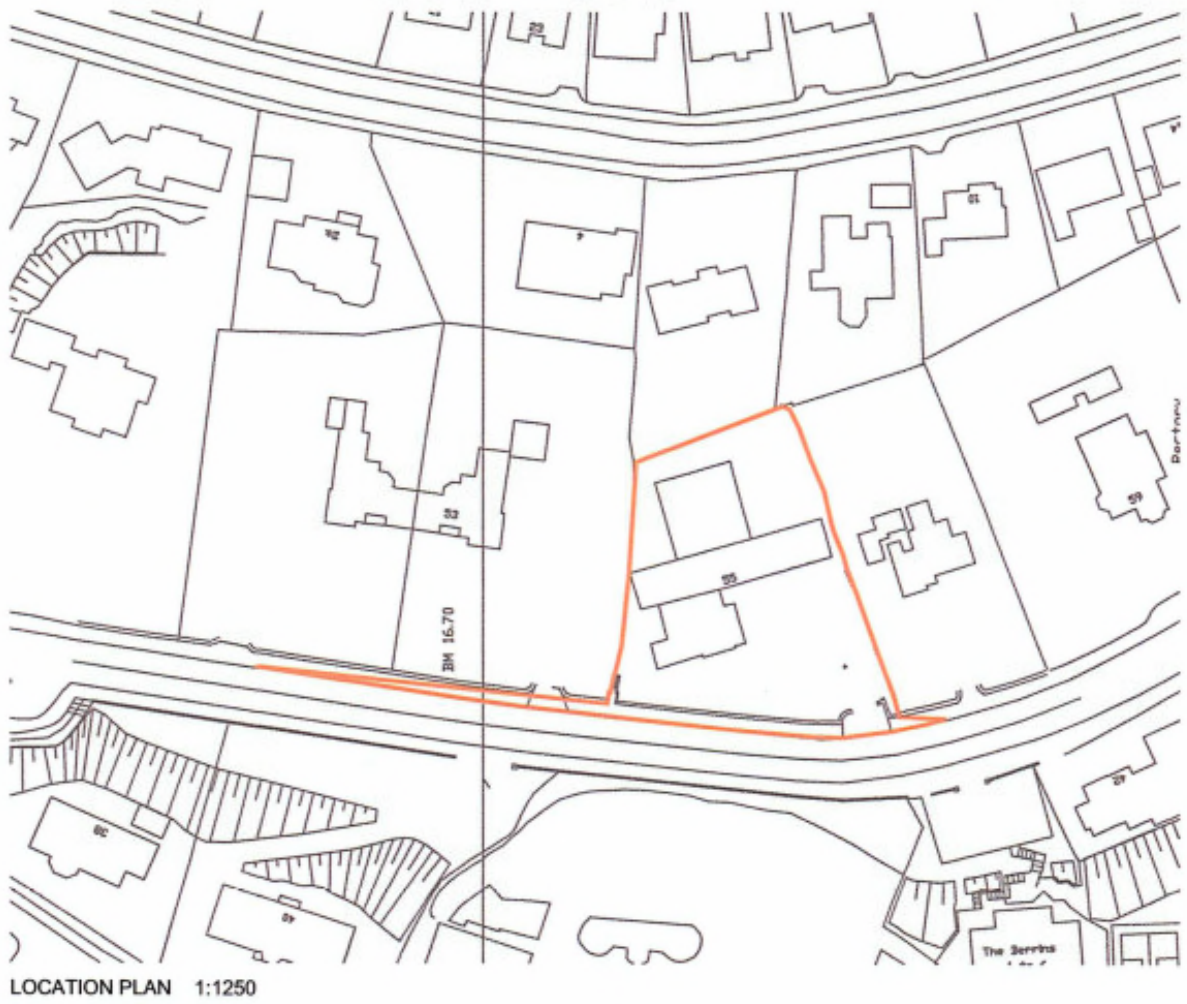
outlined as a minimum in Creating Places.

The proposal is considered to be unacceptable in this location and to be contrary to Policy QD 1 of PPS 7, Policy LC 1 of APPS 7 and Creating Places. Refusal is recommended.

## **10 REASONS FOR REFUSAL**

1. The proposal is contrary to the requirements of criterion (a) of Policy LC 1 of Addendum to Planning Policy Statement 7: Safeguarding the Character of Established Residential Areas in that the proposed density is significantly higher than that found in the established residential area.
2. The proposal is contrary to the requirements of criterion (a) of Policy QD 1 of Planning Policy Statement 7: Quality Residential Environments and criterion (a) of Policy LC 1 of Addendum to Planning Policy Statement 7: Safeguarding the Character of Established Residential Areas in that the pattern of development is not in keeping with the overall character of the established residential area, the development does not respect its surrounding context and is not appropriate to the character of the site in terms of layout, scale and massing.
3. The proposal is contrary to the requirements of criterion (c) of Policy QD 1 of Planning Policy Statement 7: Quality Residential Environments and paragraph 5.20 of Creating Places in that adequate provision is not made for private open space as an integral part of the development.
4. The proposal is contrary to the requirements of criterion (h) of Policy QD 1 of Planning Policy Statement 7: Quality Residential Environments in that the proposed development results in an unacceptable adverse effect on existing properties in terms of overlooking and dominance.
5. The proposal is contrary to the requirements of criterion (f) of Policy QD 1 of Planning Policy Statement 7: Quality Residential Environments in that appropriate provision has not been made for car parking.

**Site Location Plan:**





**From:** Mark Fielding <  
**Sent:** Friday, September 22, 2023 10:54 PM  
**To:** Planning <[Planning@causewaycoastandglens.gov.uk](mailto:Planning@causewaycoastandglens.gov.uk)>; Denise Dickson <>; Oliver McMullan Cllr  
Oliver McMullan <>  
**Subject:** LA01/2022/0850/F

**REF : LA01/2022/0850/F**

**Proposed demolition of existing buildings and redevelopment of site for a dwelling house and 5no. apartments**

**At 55 Strand Road Portstewart**

I wish to refer above application to the Planning Committee for the following reasons.

Outline planning permission has already been granted for an apartment development of nine apartments on the site.

The current application is for six units and it has a smaller footprint than the existing development on the site (only 528m<sup>2</sup> compared to the existing 570m<sup>2</sup>) therefore density is reduced with this application.

The Officer's report makes several very positive comments about the proposal, for example at page 6: *'The dwelling and apartment building is well proportioned and acceptable in terms of its scale, massing and design in isolation.'* The principles of scale/mass were approved at Outline stage. Concerns about private open space relates to a concern that some of the garden spaces at some of the apartments will be smaller than the planners would prefer. The guidelines on private space provision state *'the appropriate level of provision should be determined by having regard to the particular context of the development'*. At this site there is a special context/setting, because these apartments will enjoy a fabulous view west over the sea. This outlook is one of the most prized assets that any site could have. The residents will enjoy a high degree of visual amenity that will greatly enhance the living environment, and the apartments are designed to take full advantage of that amenity. For this reason, a backyard space is much less important than it might be in other apartment schemes. The guidance specifically aims to make sure residents enjoy a good sense of amenity – there is no doubt that the residents in these apartments will enjoy outstanding amenity and therefore there is no doubt the policy requirement is fully met.

Issue regarding overlooking and dominance this relates to the house next door. There is a good separation between the existing and proposed building, which ensures a sense of dominance is not created. The height of the building is also the same as was shown by the Outline permission. The windows/rooms types on the side elevation are specifically designed/laid-out to ensure overlooking is properly limited and no harm would be caused.

There are no objections from the neighbour or from any statutory authority.

For reasons expressed I think the Committee needs to consider this application.

Yours,

Mark

Ald M Fielding