

<b>Planning Committee Report LA01/2016/0723/F</b>	<b>22<sup>nd</sup> March 2017</b>
<b>PLANNING COMMITTEE</b>	

<b>Linkage to Council Strategy (2015-19)</b>	
<b>Strategic Theme</b>	Protecting and Enhancing our Environment and Assets
<b>Outcome</b>	Pro-active decision making which protects the natural features, characteristics and integrity of the Borough
<b>Lead Officer</b>	Principal Planning Officer
<b>Cost: (If applicable)</b>	N/a

**Site at 4 Lilac Avenue  
Dowland Road  
Limavady.**

**LA01/2016/0723/F**

**Full Application**

**22<sup>nd</sup> March 2017**

<b><u>No:</u></b>	LA01/2016/0723/F	<b><u>Ward:</u></b>	Magilligan
<b><u>App Type:</u></b>	Full Application		
<b><u>Address:</u></b>	Site at 4 Lilac Avenue, Dowland Road, Limavady.		
<b><u>Proposal:</u></b>	Construction of 1 no. two storey detached house within the large side garden, parking in shared public car park to the rear.		
<b><u>Con Area:</u></b>	N/A	<b><u>Valid Date:</u></b>	20 <sup>th</sup> June 2016
<b><u>Listed Building Grade:</u></b>	N/A		
<b><u>Agent:</u></b>	Gerard McPeake Architectural Ltd, 31a Main Street, Limavady, BT49 0EP		
<b><u>Applicant:</u></b>	Mr George Boyd		
<b><u>Objections:</u></b>	6	<b><u>Petitions of Objection:</u></b>	0
<b><u>Support:</u></b>	0	<b><u>Petitions of Support:</u></b>	0

Drawings and additional information are available to view on the Planning Portal- [www.planningni.gov.uk](http://www.planningni.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 section 7 & 8 and resolves to **REFUSE** outline planning permission for the reasons set out in Section 10.

## 2 SITE LOCATION & DESCRIPTION & CHARACTER OF AREA

- 2.1 The site comprises the side garden of no. 4 Lilac Avenue, a single storey semi-detached dwelling which is located on a corner plot within a residential development. The site consists of an area of lawn to the side of the dwelling, the boundaries consist of a 1 metre timber fence to the front which rises to 1.8 – 2.0 metres to the side and rear.
- 2.2 The site is located within the development limit of Artikelly as defined by the Northern Area Plan 2016. Artikelly is a small settlement situated to the north of Limavady which comprises a

mix of single storey and two storey semi detached and terraced dwellings to the west and single and two storey dwellings to the east. A large industrial zoning abuts the settlement development limit to the north.

### **3 RELEVANT HISTORY**

No relevant planning history.

### **4 THE APPLICATION**

- 4.1 This is a full application for the erection of 1 no. two storey detached house within the large side garden of no. 4 Lilac Avenue. Parking is to be located in the shared public car park to the rear of 4 Lilac Avenue, Dowland Road, Limavady. During the processing of the application the agent reduced the height and scale of the scheme but reverted back to the original 2 storey scheme when referred to committee.

### **5 PUBLICITY & CONSULTATIONS**

#### **External:**

#### **5.1 Neighbours:**

Six letters of objection have been received from four separate neighbouring properties. The objections raise concerns regarding loss of view and that the proposed two storey dwelling is out of keeping with the surrounding properties.

#### **Internal:**

- 5.2 **NIEA- Archaeology and Built Heritage**– No objection.

**TransportNI** – No objection.

**Environmental Health** – No objection.

**NI Water** – No objection.

**Loughs Agency** – No objection.

### **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 development 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

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.

6.7 All material considerations and any policy conflicts are identified in the “Considerations and Assessment” section of the report.

## **7 RELEVANT POLICIES & GUIDANCE**

Northern Area Plan 2016

Strategic Planning Policy Statement

PPS 3 - Access, Movement and Parking

PPS7 – Quality Residential Environments

DCAN 8 – Housing in existing urban areas

Creating Places

## **8 CONSIDERATIONS & ASSESSMENT**

8.1 The main considerations in the determination of this full application are; the principle of development; impact on adjacent residential properties and examples of similar development raised by agent.

8.2 The site is located within the settlement development limit of Artikelly as provided for within the Northern Area Plan 2016. The main policy consideration is contained within the Northern Area Plan 2016, the Strategic Planning Policy Statement, Planning Policy Statement 7, Development Control Advice Note

8 and the Planning Strategy for Rural Northern Ireland (PSRNI). As this is a proposal for a dwelling in the urban area the main policy considerations are Policy QD1 of PPS7 and Policy DES2 of PSRNI.

### **Principle of development**

- 8.3 Policy QD1 of PPS7 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. In established residential areas proposals for housing development will not be permitted where they would result in unacceptable damage to the local character, environmental quality or residential amenity of these areas. Policy QD1 expects proposals to comply with nine criteria. The most relevant to the development of this scale is that it respects context and is appropriate to character in terms of layout, scale, proportions and appearance; the design draws upon the best local traditions in terms of form, materials and landscaping and there will be no adverse effect on existing or proposed properties in terms of overlooking, loss of light, overshadowing or disturbance.
- 8.4 The proposed development seeks to introduce a two storey dwelling within the side garden of the existing single storey dwelling at 4 Lilac Avenue. The site is quite restricted and to accommodate a two storey dwelling the proposal is orientated gable end to the road. While there are two storey properties within the wider development located approximately 35m away across the road and around the corner from the application site, the site is read within the context of single storey properties. Where two storey properties are introduced to the housing stock the transition is normally dealt with by way of an increased separation distance. Due to the site characteristics, this is not possible in this case.
- 8.5 The proposed dwelling is located two metres from the adjacent property and presents a two storey gable to the road. The eaves line of the dwelling are above the ridge height of the adjacent property which presents a large portion of the rear elevation above and forward of the roof slope of the adjacent property. In addition, the ridgeline of the proposed dwelling is set at right angles and significantly higher than the adjacent dwelling articulating the increased massing of the proposed

dwelling. The proposed two storey dwelling positioned two metres from the existing dwelling would have an overbearing effect on the existing residential amenity of no 4.

- 8.6 Lilac Avenue accesses onto Dowland Road. When viewed from Dowland Road, the small settlement reads as a single storey development. The roadside properties are all single storey and the two storey dwellings are located centrally within the development. As such, the development presents a softer single storey edge to the development limit. The site is located to the southern edge of Artikelly and the proposed two storey dwelling would appear incongruous within the ridge lines when viewed from Dowland Road. As one moves from Dowland Road into Lilac Avenue, there are single storey dwellings to either side of the access road and the vista is terminated with another single storey dwelling. When viewed from this aspect the proposal will clearly jar with the streetscape, as the contrasting height is exacerbated by the gable ended layout which would present the full ridgeline at right angles to the existing properties. The existing site is the side garden of no. 4 Lilac Avenue and forms a visual gap as one turns the corner into the development which is mirrored on the site opposite.
- 8.7 The proposed development would result in unacceptable damage to the local character with the introduction of a new dwelling which fails to respect the character and context of the surrounding area. Artikelly has been deliberately planned to offer a single storey edge to the development limit, in keeping with a small rural hamlet whereas the proposed dwelling will jar with the established character and will appear incongruous when viewed from Dowland Road and within Lilac Road. The proposal is therefore contrary to Policy QD1 of PPS7.

### **Impact on adjacent residential properties**

- 8.8 Six letters of objection were received from four separate neighbouring properties. The objections raise concerns regarding loss of view and that the proposed two storey dwelling is out of keeping with the surrounding properties. Planning Policy does not protect the right to a view but the Planning Authority concurs with the concerns regarding character as detailed in the paragraphs above.

### **Other examples of similar development**

- 8.9 The agent cited four other applications which he felt were similar to the proposed development. Two of the examples were located in Belfast therefore the Planning Authority would not comment on the cases which are outside the Causeway Coast and Glens Borough Council area.
- 8.10 Two other examples were cited under C2005/0160/F Glengall Court, Coleraine and C/20051441/F Glenbeg Court, Coleraine. Having considered the examples the Planning Authority has concluded that the examples are not comparable to the current development because they both proposed two storey dwellings on corner plots with in curtilage parking on plots which were surrounded by two storey dwellings. In contrast, the current application proposes a two storey dwelling adjacent to single storey properties.

## **9 CONCLUSION**

- 9.1 The proposed development would result in unacceptable damage to the local character with the introduction of a new dwelling which fails to respect the character and context of the surrounding area. The proposal is therefore contrary to Policy QD1 of PPS7. Refusal is recommended.

## **10 Refusal Reasons**

- 10.1 The proposal is contrary to Policy QD1 of Planning Policy Statement 7, Quality Residential Environments criterion A and Development Control Advice Note 8 Housing in Existing Urban Areas in that the development as proposed would result in unacceptable damage to local character.



