



Planning Committee Report LA01/2019/0936/F	16th December 2020
PLANNING COMMITTEE	

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

<u>App No:</u>	LA01/2019/0936/F	<u>Ward:</u>	Atlantic
<u>App Type:</u>	Full Planning		
<u>Address:</u>	9 Blackrock, Portrush		
<u>Proposal:</u>	Demolition of existing dwelling and garage and proposal for 2 new detached dwellings and associated site works		
<u>Con Area:</u>	N/A	<u>Valid Date:</u>	22.08.2019
<u>Listed Building Grade:</u>	N/A		
Applicant:	Mr P. McMullan, 9 Blackrock Road, Portrush		
Agent:	Alan Patterson Design, 112 Craigdarragh Road, Helen's Bay		
Objections:	32(15 objectors)	Petitions of Objection:	0
Support:	0	Petitions of Support:	0

Executive Summary

- This proposal is considered acceptable at this location having regard to the Northern Area Plan 2016 and all other material considerations.
- In the Northern Area Plan the site is located within the Settlement Development limit for Portrush. There are no other designations linked to this site.
- Previously planning permission was granted for 1 three storey dwellings two 2.5 storey dwellings located off Blackrock Road. The two dwellings proposed are of a similar scale and height.
- Given the use of obscure glazing and panelling any concerns regarding overlooking has been addressed.
- There has been 32 objections received regarding the proposed development. Concerns raised have been addressed within this report. All consultees are content with the proposed development.

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

1.0 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 **APPROVE** planning permission subject to the reasons set out in section 10.

2.0 SITE LOCATION & DESCRIPTION

- 2.1 The proposed site is located within an established residential area within Portrush. The current site is made up of a parking area and garden space set at a lower level toward the coastal pathway at the front of the site. The ground levels rise toward the existing bungalow located on the site and there is an area of private amenity to the side/rear of the existing dwelling. There is also a 1 storey garage located at a higher level and accessed off Blackrock Road. To the north the site is bounded by a small wall which bounds the coastal pathway. To the south the site is bounded by an existing wall and garage which bounds Blackrock Road. To the east the site is bounded by a fence and wall which bounds the dwellings at 4, 6 and 8 the Blackrock Road. To the west the site is bounded by a wall which bounds the dwellings at 10 and 11 Blackrock Road.
- 2.2 The proposed site is located within a predominantly residential area and dwellings along Blackrock Road and the surrounding area are made up of a mix of bungalows, two storey dwellings and some three storey dwellings with a mix of finishes with some dwellings more traditional in nature and others more contemporary.

3.0 RELEVANT HISTORY

C/2012/0502/F, 10 & 10A Blackrock Road, Portrush. Demolition of existing two and a half to three storey dwellings to provide three storey replacement dwelling with associated car parking and landscaping.

Permission Granted 14.02.2013

C/2010/0462/F, Lands at No. 9 Blackrock Road, Portrush. New dwelling including ancillary ground floor granny flat (part amendment to previous approval C/2008/0456/F)
Permission Granted 17.02.2011

C/2008/0456/F, Lands at No.9 Black Rock Road, Portrush. Demolition of existing dwelling and garage and erection of 3No. Dwellings comprising 1No. Detached and 2No. Semi-detached.
Permission Granted 11.03.2009

C/2004/0836/F, 9 Blackrock Road Portrush. First floor extension to dwelling and associated siteworks. Permission Granted
22.02.2006

4.0 THE APPLICATION

- 4.1 Demolition of existing dwelling and garage and proposal for 2 new detached dwellings and associated site works.

5.0 PUBLICITY & CONSULTATIONS

5.1 External:

32 letters of objection have been received in relation to this application. The main issues raised are summarised below and will be considered and assessed in the remainder of this report:

- The development onto Blackrock Road is not in keeping with the character of the immediate area and will set a precedent.
- Increased height will have an impact on the privacy of 40 Dhu Varren through overlooking and loss of light.
- Two and three storey development will remove the open aspect of this area and lead to a loss of light
- There is no footpath or room for one on Blackrock Road and the proposal will increase traffic on this narrow road.
- Detrimental impact on the privacy of the dwelling at 42 Blackrock Road.
- Proposal does not respect the local character of the area in terms of scale, massing, overbearing nature and dominance.
- The proposed dwelling would be over dominant to the skyline when viewed from west Strand and the Harbour.
- Site 1 will overlook the amenity area of Site 2 and a private amenity space for the dwelling at site 1 cannot be provided.

- Site 2 will cast a shadow over the dwelling at site 1.
- Roof terraces proposed will have a detrimental impact on neighbouring properties.
- Ridge line is more in keeping with development on Dhu Varren where larger dwellings exist.
- The proposed dwelling should be similar in character to the dwellings on West Strand Road which are exceeded.
- Blackrock Road is private and any change to access would have to be agreed with addresses along Dhu Varren.
- Overdevelopment of a restricted site, site 2 will have limited amenity.
- Increased potential for noise impacts.
- Site 2 will be accessed off the private laneway to the rear which has no pavements for safe access.
- Construction of two dwellings will cause a fragmentation of the existing residential curtilage which will reduce the amenity for both dwellings proposed.
- Site 2 will disrupt views from an apartment at 40 Dhu Varren.
- Proposal fails criteria (a) due to the topography and height of the buildings.
- Proposal fails criteria (g) as the design and use of materials do not draw from local traditions and does not match the materials of existing dwellings.
- Proposal fails criteria (h) as it will cause loss of views, loss of light, overshadowing and possible increase in noise levels.
- Within Preferred Options Paper, Sustainability Appraisal: Scoping report highlighted that Portrush is a significant flood risk area. No Flood Risk or Drainage Assessment has been provided.

Representations after revised scheme

- Dwelling at Site 2 should be reduced in height to match the dwelling at Site 1.
- Dwelling at Site 1 has been amended to respect the established character of the area while site 2 fails to respect the character of the area.
- Dwelling at Site 2 fails to comply with QD1 of PPS 7 nor Policy LC 1 of the Addendum to PPS 7, Safeguarding the Character of the Established Residential Area.
- Site 2 still fronts onto Blackrock Road and is shoehorned into the scheme.

- Development of the dwelling at Site 2 will provide a precedent for future development as no dwelling currently front onto Blackrock Road.
- The introduction of a flat roof does nothing to enhance its compatibility with the existing dwellings on the seaward side of Blackrocks.
- The ridge levels of the proposed buildings are far and beyond any other dwelling on Blackrock Road.
- Proposal will have a detrimental impact on views.
- Disappointed that the dwelling at site 2 has not changed which is out of character as the surrounding homes are generally bungalows.

5.2 Internal:

NI Water (No objection)

DAERA: Water Management Unit (No objections)

DAERA: Coastal Development (No objections)

DAERA: Natural Environment Division (No objections)

Environmental Health (No objections)

DFI Roads (No objections)

SES (No objections)

6.0 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 Regional Development Strategy

The Northern Area Plan 2016

Strategic Planning Policy Statement (SPPS)

PPS 3 - Access, Movement and Parking

PPS 7 – Quality Residential Environments

Addendum to PPS 7 - Safeguarding the Character of Established Residential Areas

PPS 15 Planning and Flood risk

Supplementary Planning Guidance

DCAN 8 – Housing in Existing Urban Areas

Creating Places

Development Control Advice Note 15 Vehicular Access Standards

8.0 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to: the principle of development; quality in new residential development; the impact on the character of the surrounding area; PPS 3 Access Movement and Parking; Flood Risk, Loss of Views and Habitats Regulation Assessment.

Principle of development

- 8.2 In the Northern Area Plan the site is located within the Settlement Development limit for Portrush. There are no other designations linked to this site.
- 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 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. The policy approach must be to facilitate an adequate and available supply of quality housing to meet the needs of everyone; promote more sustainable housing development within existing urban areas; and the provision of mixed housing development with homes in a range of sizes and tenures. This approach to housing will support the need to maximise the use of existing infrastructure and services, and the creation of more balanced sustainable communities.

Quality in New Residential Development

- 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.

(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;

- 8.6 Development within Blackrock Road is mixed and consists of a number of bungalows but there are also larger dwellings located at 10A Blackrock Road which is three storey, 3 Blackrock Road Road which is two storey with basement and 10 Blackrock Road which is two storey. A two storey dwelling has also been approved at the site at 4 Blackrock Road under application LA01/2018/0381/F. There are also dwellings located within Dhu Varren directly to the rear of the site which are three and four storey.
- 8.7 The proposal is for 2 detached dwellings. The larger dwelling at Site 1 is located forward of the site and is accessed off West Strand Road. The other dwelling is accessed off Blackrock Road and sits at a higher level to the dwelling at Site 1. The dwelling at Site 1 is contemporary in nature and has a flat roof finished with single ply roofing membrane. The walls are finished with soft white/grey render and feature stone cladding. The dwelling proposed also has substantial glazing along the front elevation. The dwelling at Site 1 has a ridge height of 9.5 metres at its highest point. The dwelling at site 2 is contemporary in nature and has a flat roof finished with single ply roofing membrane. The walls are finished with soft white render, feature zinc cladding and feature stone cladding. The dwelling at Site 2 has a ridge height of 6 metres.
- 8.8 The topography of the site has been considered as part of this assessment. Lands associated with this site fall away from Blackrock Road to the rear of the site toward the coastal pathway and West Strand Road. A contextual drawing and sections have been provided so the topography of the site can be assessed further. Although the dwelling at Site 2 sits at 2 storey, a step up of 1.7 metres from the existing garage onto Blackrock Road, there does remain a consistent stepping down from the dwellings at Dhu Varren toward the dwelling at Site 2 and then to the dwelling at Site 1.
- 8.9 In regard to the dwelling at Site 2 a number of objections have been raised stating that there are no other dwellings fronting onto Blackrock Road. However, weight has been placed on the previous approval C/2008/0456/F in which there were two three storey dwellings approved which were accessed from Blackrock Road. In the previous approval the frontage onto Blackrock Road was 1.5 storey with accommodation in the roofspace. The

ridge height of the previously approved dwellings onto Blackrock Road is 6.5 metres. The proposed dwelling is of a flat roof design which does make it more dominant onto Blackrock Road. However, within the previous approval two dwellings were proposed onto Blackrock Road and weight has been placed on this. Further to this there is a mix of dwelling types and sizes located along Blackrock Road. The dwelling at site 2 sits at a higher level to the dwelling proposed at site 1. To facilitate this lowering of ground levels a retaining wall with steps will be proposed. This retaining wall will be 5 metres in height. However its impact will be reduced by the steps and also the built form surrounding the site. On balance with the continuous stepping down of ridge heights, the previous history and the mix of house types in the area the dwelling at site 2 is considered acceptable having regard to layout, scale, proportions and massing.

8.10 The proposed dwelling at Site 1 is located on the lower level of the site and is similar in height and design to the dwelling at 10A Blackrock Road although larger scale and massing. This dwelling will be read with the neighbouring dwelling at 10A Blackrock Road. The dwelling on this plot has been reduced significantly on what was proposed originally. The proposed dwelling will lead to the lowering of ground levels by up to 3 metres to facilitate the ground floor of the proposed dwelling at Site 1. Although this is a significant lowering of ground levels the site has the capacity to facilitate this without having a detrimental impact on character as currently the site is at a lower level toward the coastal pathway and then rises toward the existing dwelling on the site. This feature is not a common characteristic of the area. Further to this under the previous approvals C/2010/0462/F and C/2008/0456/F a very large dwelling was proposed with a ridge height of 10 metres which is similar in scale and height. There are also larger dwellings located at Dhu Varren which will be read with this dwelling.

8.11 The contextual elevation provided shows that the proposed dwelling at Plot 1 fits in with the character of the area having particular regard to the dwelling at 10A Dhu Varren. Within representation letters it was stated that the proposed dwelling would have detrimental impact on the skyline when viewed from the Strand and Harbour. The proposal has been significantly reduced in scale on what was submitted initially. The proposed

dwelling at Site 1 is now more in keeping with the character of the area having particular regard to the dwelling at 10A Blackrock Road which is of a similar height and design. Given the scale of development at Dhu Varren it is considered that the dwelling at Site 2 will not have a significant detrimental impact on the skyline when viewed from the Harbour and Strand. The dwelling proposed is contemporary in nature. However, given the mix of dwelling types within the immediate vicinity of the site which includes two and three storey contemporary dwellings it is considered that the proposed scale, proportions, massing and appearance of the dwelling at Site 1 is acceptable on balance. Weight has also been placed on the previous approval which included large scale dwellings similar in height to the dwelling proposed at Site 1.

- 8.12 As part of the scheme a grassed areas are proposed along the frontage and rear which will help to break up the areas of hard surfacing proposed. A plan showing the boundary treatments has been provided and these are 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;

- 8.13 The proposal is not located in proximity to listed buildings, archaeological sites or monuments or areas of archaeological potential. There are no Local Landscape Policy Areas located in proximity to the site. The proposal will not have a detrimental impact on features of archaeological, built heritage or landscape importance and therefore complies with this criteria of planning policy.

(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;

8.14 Creating Places states all houses should have an area of private open space and it should be approximately 70m² per house or greater. Garden sizes larger than the average will generally suit dwellings designed for use by families, while smaller areas will be more appropriate for houses with 1 or 2 bedrooms. The dwelling at Site 2 has access to an upper courtyard and lower courtyard which totals 95 square metres of private amenity. Although the amenity space to the rear of the site is quite narrow it is considered private. Consideration has also been given to the fact that the proposed dwelling is two bedroom and is unlikely to be used by families. The amenity space on the upper courtyard will be protected by a screen wall which bounds this area of open space and protects it from being overlooked.

8.15 The dwelling at Site 1 has a large area of private amenity space located to the rear of the site which is approximately 260 square metres. This exceeds the recommended provision in Creating Places. The proposed development therefore meets with this criteria of planning policy.

8.16 This development will provide 2 units which is below the 25 unit threshold as stated in PPS 8 Open Space and Recreation policy OS 2 relating to open space in new residential development. For smaller scale projects these will be assessed on their own merits and it has been found that there is no requirement for public open space as part of this proposal given its scale and location.

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

8.17 This proposal will be located within the Settlement Development Limit of Portrush and residents can make use of facilities located nearby. Given the nature of the proposed development provisions for new neighbour facilities are not required.

(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;

8.18 This proposed site is located within the Settlement Development Limit of Portrush. This will reduce the need to travel to nearby facilities and will promote cycling and walking.

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

8.19 In regard to this scheme 6 car parking spaces have been provided which includes 4 for the dwelling at Site 1 and two spaces for the dwelling at Site 2. Within the parking standards it is stated that a 4 bedroom detached house requires 2.75 spaces. In regard to the dwelling at Site 1 two in curtilage spaces are provided with an additional two spaces for the two separate garages. The provision is therefore met for the dwelling at Site 1. The dwelling at site 2 is a detached 2 bedroom dwelling. Within the parking standards no provision is provided for a 2 bedroom detached house but for a 3 bedroom detached dwelling 2.5 spaces are required. Given there is 1 less bedroom it is considered on balance that provision for the dwelling proposed at Plot 2 is acceptable. DFI Roads was consulted in regard to this and raised no concerns in regard to parking provision. The proposed development meets with the parking standards.

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

8.20 The proposed dwellings are contemporary in nature with flat roofs finished with single ply roofing membrane. The walls for the dwelling at site 2 are finished with soft white render, feature zinc cladding and feature stone cladding. The walls for the dwelling at Site 1 are finished with soft whit/grey render and feature stone cladding. The front elevation also incorporates ceiling to floor glazing on the front elevation. Given the mix in finishes within this area these materials are considered acceptable.

(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;

8.21 The proposed dwelling sits close to a number of neighbouring properties to include 10A Blackrock Road, 11 Blackrock Road, 4 Blackrock Road, 6 Black Road and also 8 Blackrock Road which is currently vacant but a planning application has been submitted to redevelop this site under application LA01/2020/0117/F. The dwelling at Site 2 also has the potential to have an impact on the dwellings at Dhu Varren.

8.22 The dwelling at site 1 sits behind the building line of 10A Blackrock Road and is aligned to potentially overlook the rear amenity space of this dwelling. At 1st floor level there is a front terrace with wrap around window to bedroom toward the front and lounge and bathroom window. The lounge and bathroom window will be obscured to prevent any overlooking. In terms of the terrace and wrap around window these are located toward the front of the proposed dwelling and will look toward the side of the existing dwelling and not its most private amenity space. Further to this these windows are located at a similar level to the existing dwelling on site. In regard to the 2nd floor there is a bedroom window and wrap around bedroom window. The bedroom window will be obscured and an opaque cladding side panel will be used to prevent overlooking from the wrap around window. These windows are located toward the front of the proposed dwelling at Site 1. These obscured windows will prevent overlooking toward the dwelling at 10A Blackrock Road but a perception of overlooking still remains. The majority of these windows are located toward the front of the proposed dwelling and will not look directly toward the rear amenity of the dwelling at 10A Blackrock Road. Given this, the proposed obscured glazing and the previous history which accepted a number of obscured windows this relationship on balance is acceptable.

8.23 Given the orientation of the proposed dwelling there may be some overshadowing in the morning but this is considered not to have a significant adverse impact on the dwelling at 10A Black Rock Road. There is no concern in regard to loss of light.

Further to this the previous approval granted permission for a larger dwelling on this site and weight has been placed on this during assessment of potential impacts.

8.24 In regard to the dwelling at 11 Blackrock Road this dwelling has a very limited area of amenity space. Between this dwelling and the proposed dwelling at plot 1 there is a driveway to the property at 10A Blackrock Road which will reduce any potential for overlooking. Further to this the proposed windows on the dwelling at site 1 will not overlook the amenity or dwelling at 11 Blackrock Road as it is stepped forward of this dwelling on the site. The dwelling at site 2 is located 16.8 metres from the side elevation of the existing dwelling at 11 Blackrock Road and will look toward the side of this building and not its most private amenity space. Given this, it is considered that the proposed dwellings will not have a significant adverse impact on the amenity of the dwelling at 11 Blackrock Road by overlooking, loss of light or overshadowing.

8.25 In regard to the dwelling at 8 Blackrock Road which is currently vacant the key impact will be from the dwelling at Site 2 which adjoins the boundary of the existing dwelling. The dwelling has no windows on the side elevation which looks toward this dwelling therefore there is no concern in regard to overlooking. There is also a bin store between the proposed and existing dwelling. These two dwellings will have a side by side relationship and given their orientation there is no concern in regard to loss of light or overshadowing. A planning application LA01/2020/0117/F proposes a replacement dwelling which will be three stories at this site. The proposed dwelling will have the potential to overlook the dwellings proposed at 9 Blackrock Road. This application remains under consideration and these potential overlooking considerations will be assessed as part of this application.

8.26 The dwelling at 4 Blackrock Road also adjoins the boundary of the site of this application. The dwelling is currently vacant but an application was approved for a two storey dwelling under application reference LA01/2018/0381/F. A further application for a change of house type under application LA01/2020/0514/F has been submitted but this remains under consideration. The proposed dwelling at Site 1 has a side to side relationship with this dwelling albeit with a larger footprint. There is a separation

distance of 9 metres between the side elevations of both dwellings. The dwelling at site 1 has a patio area to the side at 1st floor level although this is on a similar level to the finished floor level of the current dwelling on site. There is also patio doors and a kitchen window which looks toward this dwelling but they will be obscured. At second floor level there is a bedroom window which will be obscured. This will prevent any potential for overlooking. The dwelling which was approved under application LA01/2018/0381/F has a first floor terrace area which includes angled louvres which will provide added protection to this dwelling and the dwelling at Site 1. The change of house type application includes these louvres. Further to this the amenity space provision for the existing and proposed dwellings at 4 Blackrock Road consists of a side amenity area which cannot be overlooked by the dwelling at Site 1 given the existing/proposed built form. Given the orientation, and separation distance between the proposed dwelling at Site 1 and 4 Blackrock Road there is no concern in regard to overshadowing or loss of light.

8.27 The dwelling at 6 Blackrock Road sits forward of the front building line of the dwelling at Site 1 and sits adjacent to the front parking and garden area of the dwelling at Site 1. Given this there is no concern in regard to overlooking. Given the orientation of the dwelling at 6 Blackrock Road there is no concern in regard to loss of light or overshadowing. This relationship is acceptable.

8.28 The dwelling at site 2 is accessed off Blackrock Road which is located to the rear of the dwellings on Dhu Varren particularly those from 36 to 44 Dhu Varren. There is a separation distance of between 23 metres at its closest point and 29 metres at its furthest point. The front elevation of the proposed dwelling at Site 2 includes an access door with window, landing window, utility and living room window at ground floor level. Given the external garages to the rear of Blackrock Road and existing walls and gates there is no concern in regard to these windows. There is also a landing and ensuite window located at 1st floor level. Given the separation distances and the nature of the windows there is no significant concern in regard to overlooking.

8.29 Given the orientation of the proposed dwelling there is no concern in regard to overshadowing. The proposed dwelling at

site 2 will have a ridge height of 6 metres with a flat roof which is an increase on the existing garage which is located off Blackrock Road. It is considered however that the dwelling with a ridge height of 6 metres would not have a significant detrimental impact on the existing dwellings at Dhu Varren by loss of light given the separation distance between the dwellings which range from 22 metres to 36 metres. Weight has also been placed on the previous approval in which two larger scaled properties were approved toward the rear of the site and would have had a more significant impact than the dwelling currently proposed.

8.30 Given the separation distances to the dwelling at Site 1 and the fact that it is located at a lower level there is no concern in regard to loss of light, overlooking or overshadowing.

8.31 A consideration must also be given to the existing dwellings proposed on site and whether there is an acceptable relationship between the two dwellings. The rear elevation of the proposed dwelling at Site 1 will look toward the dwelling at Site 2 and its amenity space to the rear and side. In regard to this the dwelling at site 1 sits at a lower level to the dwelling at site 2. Given this the key concern relates to the upper floor windows particularly those on second floor level that may have the potential to overlook the amenity spaces of the dwelling at Site 2. There is patio doors to kitchen, landing and laundry windows located at 1st floor level. Given the level of these windows and the nature of the landing and laundry windows which are not main living spaces these windows are considered acceptable. At second floor level there are two en-suite windows and two landing windows. The ensuite windows will be obscured and as the landing is not considered a main living space there is no concern in regard to these windows. Consideration has also been given to the separation distance of 15 metres between the sites. Although this falls below the recommended 20 metres in Creating Places the previous approval accepted a similar relationship and weight has also been placed on this.

8.32 The rear elevation of the proposed dwelling at Site 2 will look toward the rear amenity of the dwelling at Site 1. The rear elevation includes two high level windows which will ensure views are directed outward and not down toward the area amenity of the dwelling at site 1. At 1st floor level there is a

bathroom window which will be obscured and a bedroom window. There is no concern regarding the bathroom window. There is potential to overlook from the bedroom window but its outlook will be directed toward the sea and not directly over the rear amenity space. Further to this a bedroom window is not considered to be a main living space. Finally weight has been placed on the previous approval which accepted a similar relationship. On balance the relationship between the two dwellings is acceptable.

8.33 In regard to noise and other disturbance Environmental Health was consulted but raised no significant issue subject to informatives relating to asbestos, construction/demolition noise, noise from plant and equipment and dust. Overall on balance giving weight to the previous approval it is considered that the proposed development will not have an unacceptable adverse impact on the amenity of neighbouring residence by way of dominance, overshadowing or overlooking, noise or other disturbance.

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

8.34 The proposed development will not lead to the creation of areas where anti-social may be encouraged. The dwellings proposed will be enclosed along all site boundaries with a wall.

Impact on the character of the surrounding area

8.35 Policy LC 1 of the Addendum to PPS 7 Safeguarding the Character of Established Residential Areas does apply to this proposal.

8.36 The proposed development will provide 2 dwellings on a site that previously housed 1 dwelling. It is considered that the site is large enough to accommodate two dwellings. Further to this a previous approval application C/2008/0456/F was approved for three dwellings on the site. The proposed density is considered acceptable having regard to other dwellings located within Blackrock Road some several of which have large plot sizes and some with small plot sizes. The proposed density is considered acceptable.

8.37 Development within Blackrock Road is mixed and consists of a number of bungalows but there are also larger dwellings located at 10A Black Rock Road which is three storey and 3 Black Road Road which is two storey with basement and 10 Blackrock Road which is two storey. A two storey dwelling has also been approved at the site at 4 Blackrock Road under application LA01/2018/0381/F. There are also dwellings located within Dhu Varren directly to the rear of the site which are three and four storey. The proposed dwellings at two and three storey and of a contemporary nature are considered acceptable given the mixed character of the area.

8.38 The dwellings proposed are all of an acceptable size and are compliant with the standards set out in this Annex.

PPS 3- Access, Movement and Parking

8.39 DFI Roads was consulted in relation to this proposal and stated that the proposed dwellings are accessed off private roads and raised no objection to the proposal. A number of representations received raised concern regarding a proposed new access off Blackrock Road directly to the rear of the properties at Dhu Varren. It was stated that these would create issues with increased traffic. It was also stated that there are no pavements for safe access to the proposed dwelling at Site 2. Further to this it was stated that any additional access would need to be agreed with existing occupiers. Given this is a private road any potential issues regarding permission to provide a new access onto this road is a civil issue. In regard to Policy AMP 2 this relates to access to public roads and not private roads. The proposal will therefore not prejudice road safety or insignificantly inconvenience the flow of traffic onto a public road.

Flood Risk

8.40 Within one of the representation letters it was stated that it was highlighted within the Preferred Options Paper, Sustainability Appraisal: Scoping report that Portrush is a significant flood risk area. It was also stated that no flood risk or Drainage Assessment was submitted with the application. In regard to this the site is not located within a coastal flood plain or fluvial flood plain. The development does not propose over 10 dwellings and the site is not over 1 hectare. Given this no Flood Risk

Assessment or Drainage Assessment is required by Policy FLD 1 or Policy FLD 3 of PPS 15 Flood Risk.

Impacts on Views

8.41 Within several representation letters it is stated that the proposed development will remove the open aspect of the overall area and will remove views toward the sea. In terms of character the proposed development has been assessed in paragraphs 8.6 to 8.11 of this report. In regard to public views it is stated within paragraph 2.3 of the SPPS that the planning system does not exist to protect the private interests of one person against the activities of another. It goes on to state that the basic question is not whether owners and occupiers of neighbouring properties would experience financial or other loss from a particular development, but whether the proposal would unacceptably affect amenities and the existing use of land and buildings that ought to be protected in the public interest. It is considered that potential loss of views would not unacceptably affect the amenities of neighbouring residents located around the site.

Habitats Regulation Assessment

8.42 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 site is located in proximity to the Skerries and Causeway SAC. A consultation was sent to DAERA and SES. No concerns were raised in regard to potential impacts on this SAC.

9.0 CONCLUSION

9.1 The proposed development is considered acceptable in this location having regard to the Northern Area Plan 2016, and other material considerations, including the SPPS. The contemporary design is in character with the surrounding built environment and the proposal does not have significant adverse impact that would warrant refusal. The proposal retains the stepped character of the locality. Approval is recommended.

Conditions

1. As required by Section 61 the Planning Act (Northern Ireland) 2011, the development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

Reason: Time Limit.

2. All soft and hard landscaping incorporated in the stamped approved Drawing No. 04 Rev 1 bearing Planning Authority date stamp 3rd March 2020 shall be completed in accordance with these plans and the appropriate British Standard or other recognised Codes of Practice before occupation of the first residential unit in the development.

Reason: To ensure the provision of a high standard of landscape and adequate amenity space, consistent with Planning Policy Statement 7 'Quality Residential Environments'.

3. All windows for the dwelling at Site 1 marked with a * to be fitted with opaque glazing as annotated in drawing numbers 07 Rev 1, 08 Rev 1, 09 Rev 1 and 10 Rev 1 all dated 3rd March 2020 shall be permanently obscured.

Reason: In the interests of private amenity.

4. The opaque cladding side panel to the 2nd floor Bedroom 2 window as annotated on drawing number 08 Rev 1 dated 3rd March 2020 shall be permanently obscured.

Reason: In the interests of private amenity

Site Location



Site Block Plan



Addendum

LA01/2019/0936/F

1.0 Update

1.1 On 19th November 2020 a further letter of representation was received which raised concerns regarding the proposed development. The concerns raised are as follows:

- The ridge height of the new build would greatly exceed both that of the current building and those to the east. It will also exceed the dwelling at 11 Blackrock Road
- The dwellings at 1-9 Blackrock Road all have similar ridge heights and allowing number 9 to vastly increase its ridge would set a precedent.
- Proposal will have a disastrous effect on the character of the area, block light and ruin the feel and appearance of the area.
- Requested that any development would be restricted to the current ridge height at 9 Blackrock Road.
- The garage in the plans dwarfs that which currently exists. This will have a detrimental impact on surrounding properties particularly 40 Dhu Varren and would box it in.
- Blackrock Road is private and any new build should have the support of the owners of the road.
- Urged to review the objections for a full idea of how badly the area will be affected by the development.
- It was also stated that Councillors would be welcomed to come and visit the area to get a better idea of the issue.

2.0 Assessment

2.1 The potential impact on character and assessment of proposed ridge heights has been assessed in paragraphs 8.6 to 8.12 of the Planning Committee report.

- 2.2 Impacts of the proposed development on neighbouring residents to include those at Dhu Varren have been fully assessed in paragraphs 8.21 to 8.33 of the Planning Committee report.
- 2.3 In regard to the proposed access from Blackrock Road being private this has been considered in paragraph 8.39 of the Planning Committee report.
- 2.4 In regard to the potential for the members to complete a site inspection of the proposed site this would be a consideration for the Planning Committee Members.

Recommendation

- 3.1 That the Committee note the contents of this Addendum and agree with the recommendation to approve the proposed development in accordance with paragraph 1.1 of the Planning Committee report.

Addendum 2

LA01/2019/0936/F

1.0 Update

- 1.1 The agent submitted further details relating to the previous planning history on the site. The details included: a Notice of Passing of Building Regulations Plans approval; and an inspection schedule which details times, dates and inspection notes of the Building Control Officer. A photograph of earth movements on the site has also been provided by the agent.

2.0 Assessment

- 2.1 The submitted Building Control Schedule for 1 double garage, details 2 inspections carried out at 9 Blackrock Road on the 18/9/2013 and the 20/9/2013. It states that the officer met with the contractor on site in relation to the foundation / retaining elements. The officers' notes refer to the foundation and block work as forming a buttressing pier to the neighbouring property and a two tier boundary wall.
- 2.2 Presently the foundations or their location are not visible as they are covered by the garden. It is inconclusive to say that a material start was made on the site as we are unable to verify that the works were commenced in accordance with the approved plans. However, material weight is given to the planning history as there has been no significant change in the relevant planning policy since the applications were approved.

Recommendation

- 3.1 That the Committee note the contents of this Addendum and agree with the recommendation to approve the proposed development in accordance with paragraph 1.1 of the Planning Committee report.