



Title of Report:	Planning Committee Report – LA01/2022/0872/F
Committee Report Submitted To:	Planning Committee
Date of Meeting:	28th June 2023
For Decision or For Information	For Decision – Objection Item

Linkage to Council Strategy (2021-25)	
Strategic Theme	Cohesive Leadership
Outcome	Council has agreed policies and procedures and decision making is consistent with them
Lead Officer	Senior Planning Officer

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

Screening Requirements	Required for new or revised Policies, Plans, Strategies or Service Delivery Proposals.		
Section 75 Screening	Screening Completed:	N/A	Date:
	EQIA Required and Completed:	N/A	Date:
Rural Needs Assessment (RNA)	Screening Completed	N/A	Date:
	RNA Required and Completed:	N/A	Date:
Data Protection Impact Assessment (DPIA)	Screening Completed:	N/A	Date:
	DPIA Required and Completed:	N/A	Date:

<u>No:</u> LA01/2022/0872/F	<u>Ward:</u> Castlerock
<u>App Type:</u> Full Planning	
<u>Address:</u> 8 Cliff Terrace, Castlerock	
<u>Proposal:</u> Retention of as constructed garden room for domestic purposes (ancillary to existing dwelling)	
<u>Con Area:</u> n/a	<u>Valid Date:</u> 12/08/2022
<u>Listed Building Grade:</u> B1	
Applicant: Mr James Martin, 8 Cliff Terrace, Castlerock	
Objections: 11 (7 no. Addresses)	Petitions of Objection: 0
Support: 1	Petitions of Support: 0

EXECUTIVE SUMMARY

- Full planning permission is sought for the retention of as constructed garden room for domestic purposes (ancillary to existing dwelling)
- The site is located within the development limits of Castlerock as defined in the Northern Area Plan 2016 and also within the Binevenagh Area of Outstanding Natural Beauty. The dwelling is B1 Listed and a Listed Building Consent Application accompanies this full application.
- The principle of development is considered acceptable in regards to Addendum to PPS7 – Residential Extensions and Alterations.
- The proposal is considered acceptable in regards to Planning Policy Statement 6 – Policy BH 11 Development affecting the setting of a Listed Building.
- DfC Historic Environment Division were consulted on 16th August 2022 and are content with the proposal in their response dated 31st August 2023.
- There are 11 objections to the proposal raising issues in relation to noise, parking, finishes, design, appearance, precedence, privacy and listed buildings.
- There is 1 letter of support to the proposal.
- The application is recommended for approval.

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

1 RECOMMENDATION

- 1.1 That the Committee has taken into consideration and agrees with the reasons for recommendation set out in Section 9 and the policies and guidance in sections 7 and 8 and resolves to **APPROVE** planning permission subject to the conditions set out in section 10.

2 SITE LOCATION & DESCRIPTION

- 2.1 The application site is located at No. 8 Cliff Terrace, Castelrock. The site comprises the existing mid terrace B1 listed dwelling, which forms part of a row of terraced dwellings known as 'The Twelve Apostles'. The site includes a garden area to the rear of the property which is separated from the dwelling by a narrow lane which provides rear access to this terraced row. A garden room building has already been constructed on site and is positioned in this rear garden area.
- 2.2 The site is located within the AONB – Area of Outstanding Natural Beauty and within the development limits of Castlerock.

3. RELEVANT HISTORY

Site

LA01/2021/0362/LBC

8 Cliff Terrace, Castlerock

Installation of new standalone Garden Room outbuilding in rear garden.

Approved – 26th May 2021

LA01/2021/0361/F

8 Cliff Terrace, Castlerock

Installation of new standalone Garden Room outbuilding in rear garden.

Approved – 26th May 2021

LA01/2018/0002/LBC
8 Cliff Terrace, Casterock
Repair and renovation of existing building
Approved – 22nd March 2018

4. THE APPLICATION

- 4.1 The application seeks full planning permission for the Retention of as constructed garden room for domestic purposes (ancillary to existing dwelling)

5. PUBLICITY & CONSULTATIONS

External

- 5.1 Advertising: Coleraine Chronicle 24th August 2022
- 5.2 Neighbours: There are 11 objections on this application and 1 letter of support.
- 5.3 The main issues arising from the proposal are with regards to noise, parking, finishes, design, appearance, precedence, privacy and listed buildings. Full consideration of these objections are detailed within this report.

Internal

- 5.4 Historic Environment Division consulted on 16th August 2022 responded 31st August 2022 no objection to the application

6. MATERIAL CONSIDERATIONS

- 6.1 Section 45(1) of the Planning Act (Northern Ireland) 2011 requires that all applications must have regard to the local plan, so far as material to the application, and all other material considerations. Section 6(4) states that in making any determination where regard is to be had to the local development plan, the determination must be made in

accordance with the plan unless material considerations indicate otherwise.

6.2 The development plan is:

- Northern Area Plan 2016 (NAP)
- Area of Outstanding Natural Beauty

6.3 The Regional Development Strategy (RDS) is a material consideration.

6.4 The Strategic Planning Policy Statement for Northern Ireland (SPPS) is a material consideration. As set out in the SPPS, until such times as a new local plan strategy is adopted, councils will apply specified retained operational policies.

6.5 Due weight should be given to the relevant policies in the development plan.

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

7 RELEVANT POLICIES & GUIDANCE

Regional Development Strategy (RDS) 2035

Northern Area Plan 2016

Strategic Planning Policy Statement (SPPS)

Planning Policy Statement 2 Natural Heritage

Planning Policy Statement 6 Planning, Archaeology and the Built Heritage

Planning Policy Statement 7 (Addendum) - Residential Extensions and Alterations

8.0 CONSIDERATIONS & ASSESSMENT

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

Planning Policy

- 8.2 The proposal must be considered having regard to the Northern Area Plan 2016, SPPS, PPS policy documents specified above. The plan identifies the site as being located with the development limits of Castlerock and within the Binevenagh Area of Outstanding Natural Beauty.

Principle of Development

- 8.3 Policy EXT 1 of the Addendum to PPS 7, states that planning permission will be granted for a proposal to extend or alter residential property where all the following criteria are met:

(a) The scale, massing, design and external materials of the proposal are sympathetic with the built form and appearance of the existing property and will not detract from the appearance and character of the surrounding area.

(b) The proposal does not unduly affect the privacy or amenity of neighbouring residents;

(c) the proposal will not cause the unacceptable loss of, or damage to, trees or other local landscape

(d) Sufficient space remains within the curtilage of the property for recreational and domestic purposes including the parking and manoeuvring of vehicles.

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

- 8.4 Planning Policy Statement 6 - Planning Archaeology and The Built Heritage - Policy BH 8 Extension or Alteration of a Listed Building The Department will normally only grant consent to proposals for the extension or alteration of a listed building where all the following criteria are met:

(a) the essential character of the building and its setting are retained and its features of special interest remain intact and unimpaired;

(b) the works proposed make use of traditional and/or sympathetic building materials and techniques which match or are in keeping with those found on the building; and
(c) the architectural details (e.g. doors, gutters, windows) match or are in keeping with the building.

8.5 Planning Policy Statement 6 - Planning Archaeology and The Built Heritage - Policy BH 11 Development affecting the Setting of a Listed Building The Department will not normally permit development which would adversely affect the setting of a listed building. Development proposals will normally only be considered appropriate where all the following criteria are met:
(a) the detailed design respects the listed building in terms of scale, height, massing and alignment;
(b) the works proposed make use of traditional or sympathetic building materials and techniques which respect those found on the building; and
(c) the nature of the use proposed respects the character of the setting of the building.

8.6 Planning Policy Statement 2 - Natural Heritage Policy NH 6- Areas of Outstanding Natural Beauty Planning permission for new development within an Area of Outstanding Natural Beauty will only be granted where it is of an appropriate design, size and scale for the locality and all the following criteria are met:
a) the siting and scale of the proposal is sympathetic to the special character of the Area of Outstanding Natural Beauty in general and of the particular locality; and
b) it respects or conserves features (including buildings and other man-made features) of importance to the character, appearance or heritage of the landscape; and
c) the proposal respects:

- local architectural styles and patterns;
- traditional boundary details, by retaining features such as hedges, walls, trees and gates; and
- local materials, design and colour.

8.7 The proposal is for the retention of an as constructed garden room for domestic purposes (ancillary to existing dwelling). The principle of a garden room on this was established under previous planning approval LA01/2021/0361/F & LA01/2021/0362/LBC. Given the scale, design and materials,

the proposed retention of the as constructed garden room is considered acceptable.

Design & Character of the Area

- 8.8 The previous approval on the site granted permission for the installation of a new standalone garden room outbuilding in the rear garden. This measured 3.5 metres in width, 7.8 metres in length and 4.2 metres in height. The proposal which is the subject of this application seeks to retain the current building which has been constructed on the site. This measures 2.3 metres in width, 6.6 metres in length and 2.5 metres in height, and is a reduction in scale from that which was previously approved. Having considered the planning history and the relevant policy considerations, the scale and massing are sympathetic with the built form and appearance of the existing property and will not detract from the appearance and character of the surrounding area.
- 8.9 The proposal shows a timber finish to wall, timber framed windows and doors, and metal roof along with composite decking. Consultation was carried out with Historic Buildings who were content with the proposal. The design and external materials of the proposal are sympathetic with the built form and appearance of the existing property and will not detract from the appearance and character of the surrounding area. The proposal meets criteria (a) of Policy EXT 1 of APPS 7 and criteria (a) – (c) of Policy NH 6 of PPS 2.
- 8.10 Objection letters were submitted referring to the impact on the Listed Building. Consultation was carried out with Historic Environment Division – Historic buildings, as the competent authority, who advised that they are content with the proposal and that it satisfies the policy requirements of the SPPS para 6.12 and 6.13, and Policies BH 8 and BH 11 of PPS 6. Their additional note details that the proposal as presented satisfies the requirements with regards to a condition previously recommended as part of the assessment of the previous applications on the site in respect of proposed finishes.

Impact on Residential Amenity

- 8.11 The garden room is positioned in the rear garden of no. 8 Cliff Terrace, which is located on the other side of the rear access lane serving the terrace row. The previous approval was for a larger building and the proposal represents a reduction in scale, to a smaller more modest structure. This lies to the rear of the existing property and the function will be supplementary to the use of the existing dwelling. Although positioned closer to the rear of No. 8 and therefore the adjacent properties on either side that the previous approval, as the access lane separates all the garden areas from the rear of the dwellings it will not result in an unacceptable impact on the privacy or amenity of neighbouring residents. An appropriate condition restricting the use for domestic ancillary purposes only is recommended.
- 8.12 Objection letters were submitted referring to privacy and noise concerns. The proposal will cause no unacceptable impact on privacy and will not result in any unacceptable overlooking concerns as the boundary treatments and window/door placement protect the neighbouring residents. The proposal provides additional domestic ancillary accommodation in the form of a garden room, the scale of which is modest, and which is a reduction in scale from that approved under LA01/2021/0361/F. With regards to noise, as the proposal is for domestic ancillary purposes in connection with the existing dwelling it is considered that the proposal would not further impact neighbouring residents to an unacceptable degree. The proposal meets criteria (b) of Policy EXT 1 of APPS 7.

Landscaping and Parking

- 8.13 The proposal does not include the addition of landscaping or removal of landscaping. The proposal meets criteria (c) of Policy EXT 1 of APPS 7.
- 8.14 A number of objections submitted referred to parking. There is no change to the existing parking arrangements. Sufficient space remains within the curtilage of the property for recreational and domestic purposes. The proposal meets criteria (d) of Policy EXT 1 of APPS 7.

9 CONCLUSION

- 9.1 The proposal is acceptable in this location having regard to the Northern Area Plan 2016 and other material considerations including the SPPS, PPS 2, PPS 6, and the Addendum to PPS 7. The proposed scale, design and materials are acceptable, and the proposal will not detrimentally impact on the character or appearance of the area. The proposal will not unacceptably impact the privacy or amenity of neighbouring properties. Approval is recommended.

10 CONDITIONS

1. The planning permission has effect from the date which the development hereby approved was carried out.

Reason: As required by Section 55 of the Planning Act (Northern Ireland) 2011.

2. The development hereby permitted shall not be occupied other than for purposes ancillary to the residential use of the dwelling known as 8 Cliff Terrace shown on the approved plans.

Reason: To prevent the creation of additional dwelling units.

11 Informatives

1. This approval does not dispense with the necessity of obtaining the permission of the owners of adjacent dwellings for the removal of or building on the party wall or boundary whether or not defined.
2. This permission does not alter or extinguish or otherwise affect any existing or valid right of way crossing, impinging or otherwise pertaining to these lands.
3. This permission does not confer title. It is the responsibility of the developer to ensure that he controls all the lands necessary to carry out the proposed development.

4.This determination relates to planning control only and does not cover any consent or approval which may be necessary to authorise the development under other prevailing legislation as may be administered by the Borough Council or other statutory authority.

5.You should refer to any other general advice and guidance provided by consultees in the process of this planning application by reviewing all responses on the Planning Portal at <https://planningregister.planningsystemni.gov.uk>.

Site Location Plan

