

<b>Planning Committee Report LA01/2019/1087/F</b>	<b>27 January 2021</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>	Development Management & Enforcement Manager
<b>Cost: (If applicable)</b>	N/a

<b><u>App No:</u></b>	<b>LA01/2018/1087/F</b>	<b><u>Ward:</u></b>	<b>Portstewart</b>
<b><u>App Type:</u></b>	<b>Full Planning</b>		
<b><u>Address:</u></b>	<b>6 Larkhill Road, Portstewart</b>		
<b><u>Proposal:</u></b>	<b>Proposed Replacement Dwelling and Garden Stores</b>		
<b><u>Con Area:</u></b>	<b>N/A</b>	<b><u>Valid Date:</u></b>	<b>02.10.2019</b>
<b><u>Listed Building Grade:</u></b>	<b>N/A</b>	<b><u>Target Date:</u></b>	<b>15.01.2020</b>
<b>Applicant:</b>	<b>Mr &amp; Mrs Burnside, 194 Loughan Road, Coleraine, BT52 1UD</b>		
<b>Agent:</b>	<b>Jane D. Burnside Architects, Origami House, 14 Whappstown Road, Kells, Ballymena, BT42 3NX</b>		
<b>Objections:</b>	<b>18 (8 Objectors)</b>	<b>Petitions of Objection:</b>	<b>0</b>
<b>Support:</b>	<b>0</b>	<b>Petitions of Support:</b>	<b>0</b>

## **Executive Summary**

- This proposal is considered acceptable at this location having regard to the Northern Area Plan 2016 and all other material considerations.
- The application site falls within the settlement limit of Portstewart.
- 18 letters of objection have been received in relation to this application.
- No concerns have been raised by statutory consultees in relation to this proposal.
- The proposal is acceptable in terms of layout, scale, massing and design. The proposal respects the existing building line and is contextually appropriate along Larkhill Road. The proposed levels within the site are acceptable in relation to neighbouring properties. The proposal will not adversely harm neighbouring residential amenity.
- Access and Parking arrangements are acceptable.
- The proposal complies with all relevant planning policies including the Northern Area Plan, SPPS, PPS 7, PPS 7 Addendum and PPS 3.

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 conditions set out in section 10.

## 2.0 SITE LOCATION & DESCRIPTION

- 2.1 The application site is located at No. 6 Larkhill Road, Portstewart. The site is rectangular in shape with the land sloping upwards in a north eastern direction. The site comprises a detached bungalow with a pitched and hipped roof finished in red brick and pebble dash. The dwelling has a small front projection with a pitched roof and a small rear return with a flat roof. The dwelling sits higher than Larkhill Road due to the topography of the site. Vehicle access is gained from Larkhill Road leading to an integral garage. A hard surfaced area is present to the front of the dwelling for car parking and there is a large front and rear garden. There are several single storey outbuildings to the rear of the dwelling situated along the north western boundary. Boundary treatment of the site consists of a stepped render and pebble dash wall at the front and fencing and trees along the rear boundary. The boundary adjacent to No. 8 Larkhill Road is defined by hedging, walls and fencing. The boundary beside No. 4 Larkhill Road comprises a low height wall that has partly been demolished, the gable of No. 6 and the garage of No. 4 and various solid fences and hedges.
- 2.2 The site is located within the settlement limit of Portstewart and the immediate area is characterised by detached dwellings of varying designs. Opposite the site is a social housing development consisting of single storey properties. Most dwellings have own accesses/driveways leading to garages or have in curtilage parking.

### **3.0 RELEVANT HISTORY**

3.1 None

### **4.0 THE APPLICATION**

4.1 Proposed Replacement Dwelling and Garden Stores.

### **5.0 PUBLICITY & CONSULTATIONS**

#### **5.1 External:**

18 letters of objection from 8 separate addresses have been received in relation to this application. The main issues raised are summarised below and will be considered and assessed throughout this report:

- Overlooking and loss of privacy
- Loss of light and overshadowing
- Unacceptable height of replacement dwelling – will tower far above adjacent properties
- Inappropriate contextual relationship as roof heights become gradually lower as properties step down the hill
- Negative impact upon local character
- Breach of building line – car port and terrace is coming further forward than adjacent properties
- Car port and roof garden above is elevated and totally out of context with adjoining properties
- Development is overbearing and dominant
- Inappropriate height of retaining wall for carport – overbearing resulting in loss of light to No. 4 Larkhill Road
- Development is incongruous with the built context of the immediate area by way of scale, bulk and massing
- Proposed ridge height is 2.3m higher than No. 8 Larkhill Road which is unacceptable
- Height is out of keeping with the existing houses on the lower end of Larkhill Road
- Ground floor level of development is above ground floor level relating to No. 8 Larkhill Road
- Development contrary to Policy QD1 of PPS 7 and PPS 7

#### Addendum

- The existing grass area to the front of the property has been replaced entirely by hardstanding
- Cannot assess this application on conjecture rather than fact as other neighbouring bungalows may never be developed as two storey replacement dwellings.  
(This application has been assessed in terms of the built form that exists at present along Larkhill Road.)
- No. 2 Larkhill Road is not shown on the contextual elevation which distorts the proposed relationship along Larkhill Road  
(The contextual elevation along Larkhill Road has been assessed from site inspection as well as the plans so it is not necessary to show this property on the plan given it is not immediately adjacent to the application site.)
- Existing finished floor level and ridge levels of the dwelling to be replaced has not been provided  
(The existing finished floor levels have been provided on Drawing No. 03C date received 19<sup>th</sup> October 2020. The existing ridge height of the dwelling is shown on the contextual elevation in Drawing No. 07A date received 6<sup>th</sup> October 2020.)
- Finished floor levels, eaves levels and ridge levels of existing neighbouring properties have not been provided.  
(A contextual elevation to scale shows neighbouring properties so this is sufficient for measuring heights and enabling a comparison.)

#### 5.2 Internal:

NI Water (No objections)

Environmental Health (No objections)

DFI Roads (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 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

### **Supplementary Planning Guidance**

DCAN 8 – Housing in Existing Urban Areas

## Creating Places

### Development Control Advice Note 15 Vehicular Access Standards

## **8.0 CONSIDERATIONS & ASSESSMENT**

### **Planning Policy**

- 8.1 The site is located within Portstewart settlement limit as designated in NAP 2016. Policy SET 2 of NAP 2016 applies for development within settlement development limits. Planning permission will be granted provided that the proposal is sensitive to the size and character of the settlement.
- 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: local character, environmental quality and residential amenity, access and parking.

### **Local Character, Environmental Quality and Residential Amenity**

- 8.3 PPS 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.

#### *Policy QD1 – Quality in New Residential Development*

- 8.4 This policy sets out a presumption against housing development in residential areas where they would result in unacceptable damage to the local character, environmental quality or residential amenity of these areas. Proposals for new residential development should comply with the following criteria:

***(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;***

- 8.5 The proposal seeks to demolish the existing dwelling and replace with a detached replacement dwelling. The original proposal included a replacement dwelling with a half basement level cut into the site from street level providing a carport with a garden terrace above to the front of the house. Accommodation is arranged on a diagonal anchored with an entrance and open porch to garden terrace facing Larkhill Road. The overall form of the house comprises three linked, pitched roof pavilions on the diagonal forming two storey 'bays' onto Larkhill Road. Moving from Larkhill Road towards the rear of the site, the building steps in from the boundaries increasing separation distances. The proposed dwelling has a stepped form to the boundary elevations seeking to achieve visual interest.
- 8.6 Following assessment of the original proposal and objections received, the proposal did not respect local character in its positioning, scale and massing. The proposal did not respect the surrounding context, in particular the properties immediately adjacent to the site which are bungalows, in terms of scale, massing and height. The 3 storey appearance of this replacement dwelling with proposed excavation is not appropriate for this site and would have a detrimental impact on townscape character. Whilst examples of similar development at Nos. 16 & 18 Larkhill Road were quoted in support of this proposal, these are not entirely similar and are located on the top of the hill. Larkhill Road rises in a south eastern direction and the character of the streetscape is detached dwellings stepping up sympathetically with the topography. The 3 storey appearance of this replacement dwelling with proposed excavation is not appropriate for this site and would have a detrimental impact on townscape character and be visually unacceptable when viewed from Larkhill Road and Burnside Road. Amendments were requested for the replacement dwelling to be at a height reflective of context and it should be stepped in appearance in line with property Nos. 2 – 16 Larkhill Road.
- 8.7 Amendments for this proposal were received in February 2020 and October 2020. The design of the replacement dwelling

remains similar to the original concept but the ridge height has been significantly reduced. The basement for a car port and garden terrace above has been removed with proposed ground levels altered. The footprint of the dwelling has been moved back into the site by approx. 1.6m. Vehicle access is gained from Larkhill Road with the land sloping upwards towards the replacement dwelling and proposed in-curtilage parking. Small garden areas are located adjacent to the front boundary treatment. While the garden area to the front has been reduced from the existing arrangement, this is considered acceptable when compared to other dwellings located along Larkhill Road. Recent developments along this road portray increased hard surfacing to the front for car parking with smaller landscaped areas. This proposal however, has a raised patio area to the front of the replacement dwelling to match finished floor levels with steps either side for access for amenity purposes. Single storey garden stores are proposed along the north western boundary and a lawn with paving is proposed to the rear.

- 8.8 Ground levels are being altered to facilitate this replacement dwelling. While it may have been preferable to have the finished floor level of the replacement dwelling the same height or higher than the finished floor level of No. 4 Larkhill Road, it is approx. 0.3m lower. This is regarded as a small difference which would not be readily noticed when viewed from Larkhill Road given the proposed driveway is still higher than No. 4 Larkhill Road. The finished floor level of the new dwelling is lower than that of No. 8 Larkhill Road which is expected along the gradient of Larkhill Road. The proposed floor level for the replacement dwelling has been reduced by 1.7m because the extensive excavation for a car port and garden store has been removed.
- 8.9 The existing building line steps out between Nos. 4, 6 and 8 Larkhill Road. The frontage of the building line of the existing dwelling sits nearly with that of No. 8 Larkhill Road. The amended proposal does not breach the existing building line along Larkhill Road because the basement element has been removed and the footprint of the dwelling has been pushed back into the site by approx. 1.6m. The new location for the dwelling is roughly half way between the front of No. 4 and No. 8 Larkhill Road ensuring the existing building line along Larkhill Road is respected.

- 8.10 Although the dwelling portrays a similar design to the original concept, the ridge height is now approx. 7.2m high from finished floor level which is an overall reduction of 2.3m from the original submission. The replacement dwelling has a new ridge height approx. 1m higher than the existing ridge height of the bungalow on site. The replacement dwelling is two storeys high but the new ridge height matches that of No. 8 Larkhill Road and as a result is more contextually appropriate along this street.
- 8.11 The proposal does not cause unacceptable damage to the character of the surrounding area given the plot size can accommodate a dwelling with adequate spacing and private amenity. The replacement dwelling respects the building line along Larkhill Road. The revised proposal is considered to be more appropriate in terms of scale and massing respecting the surrounding context and is appropriate to the character and topography of the site.

***(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;***

- 8.12 There are no listed buildings or archaeological features in close proximity to the site. There are no important landscape features within the site in need of protection. New boundary treatment for the site includes a new boundary wall rendered and painted white adjacent to Larkhill Road. This new wall ranges in height from approx. 1.1–1.5m given the gradient of the road which is visually acceptable. Proposed boundary treatments to the front of the replacement dwelling were previously 2m high walls which were visually unacceptable and dominant upon the streetscape and neighbouring properties. Amendments were received addressing these concerns.
- 8.13 The boundary adjacent to No. 4 Larkhill Road now consists of a wall of height 1.2m to follow the slope. The height remains at 1.2m until beyond the garden store where it increases in height to 2m. The boundary adjacent to No. 8 Larkhill Road will be defined by a 1.2m high wall following the slope of the land which will increase in height to 2m at the corner of the new dwelling ensuring privacy is protected between the two properties. The rear boundary of the

site will be formed by a 2m high wall. Hedging is also proposed within the rear garden adjacent to the boundary wall. All proposed boundary treatments are considered acceptable in terms of finish, height and positioning and are visually acceptable in this context of Larkhill Road.

***(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 Adequate provision for public and private open space and landscaped areas should be an integral part of the development. Creating Places, paragraph 5.19 states all houses should have an area of private open space behind the building line and it should be approx. 70m<sup>2</sup> per house or greater. Smaller areas may be more appropriate for houses with 1 or 2 bedrooms but any individual house with an area of less than around 40m<sup>2</sup> will generally be unacceptable.
- 8.15 The replacement dwelling has a private rear amenity area which is well above recommended requirements and is considered more than adequate for the usual domestic needs. The footprint of the dwelling is positioned to allow space on either side ensuring access for domestic waste disposal.

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

- 8.16 Not applicable to a development of this scale. The site location is close to the town centre of Portstewart with various amenities available so neighbourhood facilities are not required as an integral part of this development.

***(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;***

8.17 The site is within the settlement limit of Portstewart and within walking distance of local retail units, cafes, restaurants, primary schools, churches and recreational uses as well as having convenient access to public transport links.

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

8.18 The proposal has been assessed in detail under the sub-heading “Access and Parking” and is considered compliant with this criterion.

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

8.19 The revised proposal entails a design similar to the original concept with some alterations. The basement car port and garden terrace has been removed however, a patio area remains at the front. The building footprint has been moved back into the site by approx. 1.6m respecting the existing building line along Larkhill Road. The layout for the ground floor plan remains largely the same except for alterations to internal arrangements of bedrooms with window amendments and an additional window at the bottom of the stairs. The first floor plan is practically the same except for removal of the angled bedroom windows in the rear elevation and the balcony area at the front being enclosed in part by a wall and inclusion of a high level window. Certain windows are to be finished in obscure glass.

8.20 The design of the replacement dwelling is contemporary with materials/finishes including smooth render painted for the walls and chimneys, non profile dark grey roof, aluminium powder coated white with grey tinted glazing and gutter downpipes Aluminium PPC White. Proposed materials/finishes are considered satisfactory.

8.21 The design of the replacement dwelling has good solid to void ratio with the majority of windows having vertical emphasis. The design is contemporary comprising various elements and features which although not directly comparable to the properties along Larkhill Road, seeks to introduce a new design concept to the local area. The contextual elevation shows the height of the replacement dwelling being the same as the height of No. 8 Larkhill Road

except for the protrusion of the chimneys by approx. 2.3m. The chimneys are a design feature of this replacement dwelling and while perceived by objectors as somewhat dominant on the street scene they are considered by Planning as minor compared to the overall development. In addition, chimneys are normally higher than the ridge heights of dwellings and are typical and characteristic of a residential development.

The proposed design of the replacement dwelling should not have a significant detrimental impact on the streetscape considering the proposed ridge height is stepped in nature when compared with No. 4 Larkhill Road and the same height as No. 8 Larkhill Road.

8.22 Larkhill Road comprises generally detached dwellings with heights ranging from single storey to two storeys but designs vary and there is no definitive style along this road. The local area is not defined as a Conservation Area or an Area of Townscape Character, so refusal of this proposal based solely on design would not be sustainable at appeal. The amended proposal has addressed concerns raised in relation to scale and massing; extensive excavation; finished floor levels; dwelling location and ridge height and is now considered to be visually appropriate in the context of neighbouring properties along Larkhill Road.

8.23 Garden stores and a greenhouse are proposed to the rear of the replacement dwelling. These new buildings will be single storey in height with a flat roof and glazing facing the garden. Proposed materials are trowal flat roof with glass rooflight over greenhouse; white ppc aluminium clad frame with inset charcoal grey ppc cladding around windows/doors. The location, design and finish for these outbuildings is 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;***

8.24 Upon assessment of the original proposal, there were residential amenity concerns to neighbouring properties Nos. 4 & 8 Larkhill Road. Concerns related to dominance, loss of light and overshadowing given the excessive scale, massing and height of the replacmenet dwelling. There were also overlooking and loss of

privacy concerns. Amendments were received in February 2020 and October 2020 seeking to resolve these issues.

- 8.25 The replacement dwelling is now located at a finished floor level reflective of neighbouring properties so there are no concerns with proposed windows at ground floor level. The South East Elevation facing No. 8 Larkhill Road should not result in unacceptable overlooking or loss of privacy. Whilst window sizes have increased at ground floor level these are for bedrooms and a 2m high wall is being erected between the application site and No. 8 Larkhill Road so privacy will be maintained. A high level window has been inserted approx. 2m above finished floor level for the first floor kitchen so no overlooking will occur. The main bedroom window angled towards No. 8 Larkhill Road has been amended to be straight facing the rear ensuring protection of views into their private amenity space. The first floor BBQ area and balcony towards the front of the property was a concern in terms of overlooking but amended plans show views from the balcony are restricted to the front garden/hard surfaced area of No. 8 Larkhill Road as a wall has been included in the design. Objectors raised noise concerns given proximity of the BBQ area to their bedroom window in the side elevation of their house. Balconies are common to the front of dwellings in the local area and given the design of this balcony/bbq area with walls on the elevation closest to No. 8 Larkhill Road, noise is not perceived to harm neighbouring residential amenity to such an extent to justify removal of this element.
- 8.26 The amended replacement dwelling should not result in unacceptable overlooking to No. 4 Larkhill Road from the North West Elevation. The ground floor bedroom window directly facing this property would have views into their driveway however a 1.2m high wall is being erected between these properties. The first floor living room window angled towards this property will have views over their front amenity space but this is considered acceptable as it is not private. The ensuite and wc. windows at first floor level facing No. 4 Larkhill Road will be finished in obscure glass so no overlooking will occur.
- 8.27 The proposal should not result in unacceptable overshadowing, loss of light or dominance to neighbouring properties given the amendments received. No. 8 Larkhill Road should not be adversely impacted by overshadowing given their location south

east of the site. The replacement dwelling is located in a similar position as the existing dwelling although larger in size but the increased scale and massing will result in shadows mainly over the application site's garden. The proposal given the increase in size to two storeys will obviously be very different from a single storey structure with a hipped roof when viewed from No. 8 Larkhill Road. However, the depth at 14.8m and height at 7.2m is acceptable on balance given adequate separation distances and the stepped nature of the design along the South East Elevation which helps alleviate the effects of dominance.

- 8.28 The proposal may result in some overshadowing, loss of light and dominance to No. 4 Larkhill Road given their location north of the site, their footprint being set further back than the established building line along Larkhill Road, and the two storey height of the replacement dwelling. The effects are not considered to significantly harm the residential amenity of No. 4 Larkhill Road to warrant refusal of this application. This is due to the amendments submitted with reduction of ridge height and finished floor levels; the increase in separation distances from the shared boundary; the stepped nature of the design along the North West Elevation; the rear of the replacement dwelling not extending beyond the rear of No. 4 Larkhill Road; and the footprint of the replacement dwelling being moved back into the site by approx. 1.6m. The replacement dwelling is approx. 4.3m away from the side gable of No. 4 Larkhill Road with the new gable wall approx. 3.1m forward and the front projections approx. 5.3m forward although these are angled towards the site. This new relationship helps provide some relief in terms of loss of light and dominance to the windows located in the front elevation of No. 4 Larkhill Road. In light of the amendments received, the proposal is considered acceptable on balance in its relationship with No. 4 Larkhill Road.
- 8.29 Properties to the rear of the site on Coleraine Road have objected but the residential amenity of these dwellings will not be adversely affected by this development. Although there is a first floor bedroom and ensuite window directly facing these properties with an element of overlooking, this is acceptable given the urban context and the large separation distances involved. The proposal is not considered to result in overshadowing, loss of light or dominance to the properties located on the Coleraine Road given the large separation distances of approx. 52m building to building.

- 8.30 Objections were also received from properties located opposite the site but there are no concerns in terms of overlooking, overshadowing or dominance given the separation distances involved.
- 8.31 Objections were received from No. 2 Larkhill Road in terms of the proposal harming their residential amenity. No. 2 Larkhill Road is at a much lower ground level with a bedroom window located in their side elevation facing No. 4 Larkhill Road. However, this property is not located immediately beside the application site. There is a separation distance of 32m from their common boundary and the side gable of the replacement dwelling. This distance is considered sufficient for the proposal not to result in unacceptable overshadowing, loss of light and dominance. While some views from the first floor living room window into the bedroom window of No. 2 Larkhill Road may be possible from an obscure angle at best it would not be unacceptable given the separation distance. In addition, views of this bedroom window is already possible from the front garden of No. 4 Larkhill Road given the relationship and the fact No. 4 Larkhill Road is set further back into their plot. Any potential views into this bedroom window of No. 2 Larkhill Road from the development is mitigated by the separation distances involved.
- 8.32 The proposed garden stores and greenhouse will not result in unacceptable overshadowing or loss of light to neighbouring properties given their design and height at 2.9m from finished floor level. No overlooking will occur to No. 4 Larkhill Road as no windows are in this elevation. No. 8 Larkhill Road has large glazing areas facing them but overlooking is not unreasonable given these outbuildings are single storey in height; the nature of the use; separation distances; and the screening provided by the existing high fence.
- 8.33 At the rear of the site, is a raised paving area with a finished ground level of 34.8 which remains the same as the existing ground level. This height remains the same given the excavation of part of the site. This is considered acceptable as no further overlooking of existing neighbouring properties will occur.
- 8.34 The proposal is not considered to create conflict with adjacent land uses and there is no unacceptable adverse effect on neighbouring properties. Noise is not perceived to be an issue as this proposal

is for a dwelling adjacent to existing housing within the settlement limit of Portstewart and Environmental Health have no objections.

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

8.35 The development has been designed to deter crime and promote personal safety.

8.36 The Addendum to PPS 7 seeks to safeguard the character of Established Residential Areas. The key consideration is to ensure that new residential schemes are sensitive in design terms to people living in existing neighbourhoods and are in harmony with the local character of established residential areas, villages and smaller settlements.

***Policy LC1 – Protecting Local Character, Environmental Quality and Residential Amenity***

8.37 The proposed dwelling is acceptable in terms of density as it is a replacement for the existing dwelling. The pattern of development is in keeping with the overall character of the established residential area. Following submission of amendments, the proposal is acceptable in terms of footprint, scale, massing and height and will not adversely impact upon the contextual relationship along Larkhill Road. The proposed replacement dwelling is satisfactory in terms of size requirements.

**Access and Parking**

8.38 Planning permission will only be granted provided the proposal does not prejudice road safety or significantly inconvenience the flow of traffic. The proposed development consists of a replacement dwelling with re-location of the existing access onto Larkhill Road. The access is being moved from the south western corner across into a more central position. Parking of vehicles will be located to the front of the replacement dwelling on a hard surfaced area.

8.39 DFI Roads was consulted in relation to this application and following the submission of amendments express no objections

subject to conditions and informatives. The proposal is acceptable in terms of the proposed access and the car parking provision for this development. The proposal is acceptable in terms of road safety and does not prejudice road safety or inconvenience the flow of traffic.

### **Habitats Regulations Assessment**

- 8.40 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 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 is considered acceptable at this location having regard to the Northern Area Plan 2016 and other material considerations. The proposal meets the requirements of planning policies and provides an acceptable replacement dwelling with adequate private amenity space. The proposal is appropriate to the character and topography of the site in terms of layout, scale, massing, design, landscaping and hard surfaced areas. The proposed replacement dwelling is considered contextually appropriate for Larkhill Road given the amendments submitted. The design and layout does not unacceptably impact upon neighbouring residential amenity. There are no archaeological or listed building concerns. The proposed development has satisfactory access and parking. Approval is recommended.

## **10 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 hard and soft landscape works shall be completed in accordance with Drawing No. 03C date stamped 19<sup>th</sup> November 2020 within the first available landscaping season after the occupation of the dwelling, unless otherwise agreed by the Planning Authority in writing.

Reason: To ensure the provision of amenity afforded by appropriate landscape design.

3. If within a period of 5 years from the date of the planting of any tree, shrub or hedge, that tree, shrub or hedge is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Council, seriously damaged or defective, another tree, shrub or hedge of the same species and size as that originally planted shall be planted at the same place, unless the Council gives its written consent to any variation.

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

4. The wc. and ensuite windows at first floor level in the North West Elevation shall be glazed with opaque glass in accordance with the stamped approved Drawing No. 04C date received 19<sup>th</sup> November 2020 and permanently retained as such.

Reason: In the interests of residential amenity.

5. No development shall commence until the vehicular access, including visibility splays and any forward sight distance is provided in accordance with Drawing No. 06B and DFI Roads FCD 1 form bearing the date stamp 6<sup>th</sup> October 2020. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250mm above the level of the adjoining carriageway and such splays shall be retained and kept clear thereafter.

Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.

6. The access gradient to the dwellings hereby permitted shall not exceed 8% (1 in 12.5) over the first 5m outside the road boundary. Where the vehicular access crosses footway, the access gradient shall be between 4% (1 in 25) maximum and 2.5% (1 in 40)

minimum and shall be formed so that there is no abrupt change of slope along the footway.

Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.

7. Notwithstanding the provisions of the Planning (General Permitted Development) Order (NI) 2015, or any Order revoking and re-enacting that Order, no external extensions/alterations to the front or rear of the dwellings hereby approved, nor buildings (including outbuildings, garden sheds/stores, dog kennels etc), walls, gate pillars, fences or other structure, nor hard surface or enclosure or access onto an unclassified road, shall be permitted within the curtilage of the application site, without prior written consent from the Council.

Reason: To preserve townscape character and protect the design integrity of the scheme.

## **11 INFORMATIVES**

1. 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.
2. 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.
3. 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.
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 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 <http://epicpublic.planningni.gov.uk/publicaccess/>.

# Site Location Map

**ACEmap® Single**

Printed: 03/05/2019 Customer Ref: BMM/C1489/1

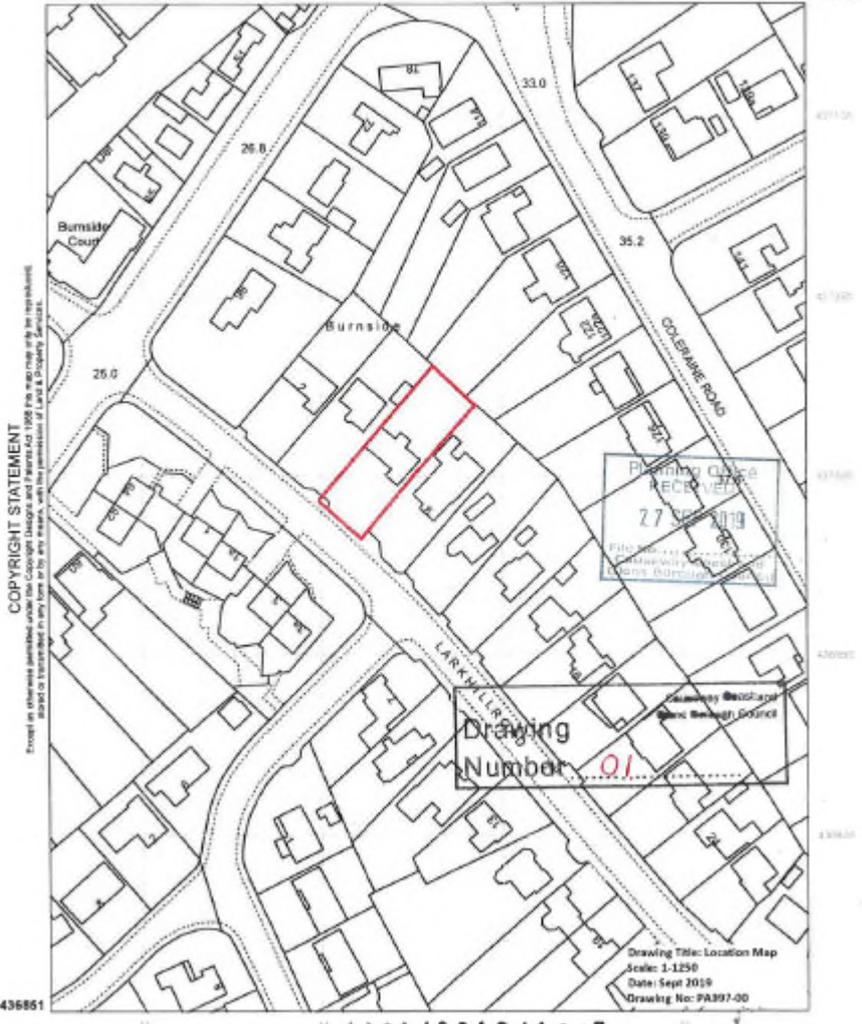
Centre Point (Easting, Northing): 281979, 436991

6 LARKHILL ROAD, EAST CROSSREAGH, PORTSTEWART, BT55 7JA, 185567479

Scale: 1:1,250

Order no. ORD71254

Plan No. 01204NW3



# Block Plan

