



<b>Planning Committee Report LA01/2017/0216/F</b>	<b>23<sup>rd</sup> October 2019</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>LA01/2017/0216/F</b>	<b><u>Ward:</u></b>	<b>Mountsandel</b>
<b><u>App Type:</u></b>	<b>Full Planning</b>		
<b><u>Address:</u></b>	<b>22-26 Abbey Street, Coleraine, BT52 1DU</b>		
<b><u>Proposal:</u></b>	<b>Facade Retention with demolition of existing rear buildings and construction of 13 No. Apartments incorporating 11 No. 3P2B -&amp; 2 No. 2P1B CAT 1 (Elderly) Apartments together with associated car parking, landscaping and external works.</b>		
<b><u>Con Area:</u></b>	<b>N/A</b>	<b><u>Valid Date:</u></b>	<b>20.02.2017</b>
<b><u>Listed Building Grade:</u></b>	<b>N/A</b>		
<b>Applicant:</b>	<b>Abprop Limited, 32 Seafield Park, Portstewart, BT55 7JU</b>		
<b>Agent:</b>	<b>Clyde Shanks, 2<sup>nd</sup> Floor, 7 Exchange Place, Belfast, BT1 2NA</b>		
<b>Objections: 0</b>	<b>Petitions of Objection: 0</b>		
<b>Support: 0</b>	<b>Petitions of Support: 0</b>		

## **Executive Summary**

- This proposal is considered unacceptable at this location having regard to the Northern Area Plan 2016 and all other material considerations.
- The proposal does not result in a quality residential environment.
- The proposal is unacceptable in terms of design as it is not considered sensitive to the character of the area.
- The proposal has a detrimental visual impact on the character and appearance of Coleraine Town Centre Area of Townscape Character.
- The development does not respect the surrounding context due to inappropriate design, scale, massing and form.
- There have been no objections received to this application and no statutory consultee have raised any concerns with the proposal.
- The proposal does not comply with all relevant planning policies including the Northern Area Plan, SPPS, PPS 6, PPS 7 and A Planning Strategy for Rural Northern Ireland.

**Drawings and additional information are available to view on the Planning Portal- [www.planningni.gov.uk](http://www.planningni.gov.uk)**

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

## **2.0 SITE LOCATION & DESCRIPTION**

- 2.1 The application site is located at 22-26 Abbey Street, Coleraine. The site is irregular in shape and comprises 3 properties and land which backs onto the Abbey Street car park. The land within the site is flat. Access to the rear of these properties is gained via a lane from Abbey Street. The existing properties are two storeys in height with a traditional pitched roof. Two of the properties appear to be derelict as the front doors are blocked up. The ground floor to these properties are panelled render whereas the first floors are smooth render. Chimneys are expressed on the ridge.
- 2.2 The site is located in Coleraine town centre Area of Townscape Character (ATC). Surrounding land uses within vicinity of the site include an opticians, beauty salon, NIHE, butchers, cafes etc. Abbey Street car park is located to the east of the site.

## **3.0 RELEVANT HISTORY**

- 3.1 C/2005/0954/F: 22,24,26 Abbey Street, Coleraine: Residential development 20 apartments with retail at ground floor:  
Approval 12.04.2007

## **4.0 THE APPLICATION**

- 4.1 Full planning for Facade Retention with demolition of existing rear buildings and construction of 13 No. Apartments

incorporating 11 No. 3P2B -& 2 No. 2P1B CAT 1 (Elderly) Apartments together with associated car parking, landscaping and external works.

## **5.0 PUBLICITY & CONSULTATIONS**

### **5.1 External:**

No letters of objection have been received in relation to this application.

### **5.2 Internal:**

Environmental Health (No objections)

NI Water (No objections)

DAERA: Water Management Unit (No objections)

DAERA: Land, Soil and Air (No objections)

DFI Roads (No objections)

DFI Rivers (No objections)

Historic Environment Division (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)

A Planning Strategy for Rural Northern Ireland

PPS 3 - Access, Movement and Parking

PPS 6 – Planning, Archaeology & the Built Heritage

Addendum to PPS 6 – Areas of Townscape Character

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

## **8.0 CONSIDERATIONS & ASSESSMENT**

### **Planning Policy**

- 8.1 The proposal is located within the Coleraine development limit. Policy SET 2 refers to development within Settlement limits and proposals should be sensitive to the size and character of the settlement. The proposal falls within the Area of Archaeological Potential for Coleraine; is in the town centre (CET 01) and the existing ATC (CET 09). The site is opposite Abbey Street Car Park which has been identified as an Opportunity Site (CET 04) for Major development.
- 8.2 The proposal must be considered having regard to the NAP 2016, SPPS, PPS policy documents and supplementary planning guidance specified above. The main considerations in the determination of this application relate to: Impact on local character, environmental quality and residential amenity, Area of Townscape Character, Townscape, Archaeology & the Built Heritage, Flooding, Access & Parking and Contamination.

### **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*

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;***

The proposed site is located within Coleraine town centre and ATC. This application is for a total of 13 Apartments to meet a social housing need and incorporates a rear car parking area. A letter of support has been received by NIHE for these apartments identifying the housing need in this area. The proposal entails retention of the front façade with alterations to existing doors, windows and removal of the roof with a replacement second floor level flush with the front elevation. The proposal entails a rear return section of approx. 26m. The building is 3 storeys high with a flat roof with balcony and communal landscaped areas. The development is set back from the rear boundary by 1.1m at first and second floor level and proposes a new roof terrace with associated lift.

Consideration of this application since submission outlined various concerns with the proposal as a whole, some of which have now been addressed but many concerns remain outstanding. The revised proposal is still considered to be overdevelopment of the site resulting in a poor residential environment. Although apartments now meet minimum space requirements and address previous concerns in relation to amenity space provision and the contrived layout, it does not resolve issues with the whole development. The scale and massing is still unacceptable for this site given development encompasses the whole site area and is 3 storeys high. Although the first floor of the development has been set back off the rear boundary this is a tokenistic alteration which does not result in a significant change visually when viewed from Abbey Street car park and Stable Lane. The new roof terrace and lift now sits above the ridge height of the existing building and appears visually prominent. The roof terrace is large with extensive railings and does not improve the design of the apartment development. The use of the roof terrace is inappropriate and adds to the dominance and scale of the proposed building. Indeed, the access for the roof terrace results in more built form at a higher level detracting from the character

and appearance of this ATC. The proposal is not considered to respect the surrounding context and character of the area.

***(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;***

The proposal is located within the Area of Archaeological potential for Coleraine so consultation was carried out with HED: Historic Monuments. Their consultation response indicated no archaeological objections. There are no listed buildings within proximity of the site. There are no important landscape features in the site in need of protection. The impact on the ATC is considered to be detrimental as discussed under criterion (a) and paragraph 8.5.

***(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;***

Adequate provision for public and private open space and landscaped areas should be an integral part of the development. Creating Places, paragraph 5.20 states “In the case of apartment or flat developments, private communal open space will be acceptable in the form of landscaped areas, courtyards or roof gardens. These should range from a minimum of 10 – 30m<sup>2</sup> per unit.

Amenity space provision has been amended to address previous concerns. Apartments 2 & 3 as well as Apartments 7 & 8 have private amenity areas subdivided which seeks to resolve concerns relating to privacy for each apartment. In terms of amenity space provision, there are a combination of private balconies, private landscaped areas and shared communal areas averaging out above the minimum requirement of 10m<sup>2</sup> per apartment meeting guidance contained in Creating Places.

The roof top terrace is also used to provide the quota of amenity space. As cited in previous paragraphs, the use of the roof top terrace in this location is inappropriate and detrimental to the ATC and townscape of Coleraine.

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

Not applicable to a development of this scale. The site location is in the town centre of Coleraine 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;***

The site is within the settlement limit of Coleraine and within walking distance of local retail units, cafes, churches, schools, play parks etc. The proposal is within proximity of public transport links.

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

The proposal is acceptable in terms of meeting DFI Roads requirements as considered in detail under sub-heading "Access and Parking".

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

Coleraine town centre includes a variety of housing styles, designs and finishes as well as varying commercial property designs. Abbey Street within vicinity of the site consists of terrace properties all of which have pitched roofs with any chimneys expressed on the ridge. Some terrace properties have pitched roof wall dormers. Finishes are generally smooth render or dash with slate or tiled roofs. Some properties along this stretch of road are derelict and have been boarded up. The proposal is not considered to draw upon the best local traditions of form, materials and detailing. The proposal is considered to harm the character and context of the local area through inappropriate design, scale and massing.

Critical views of the development are from Abbey Street, Abbey Street car park and Stable Lane. Materials and finishes for this development include render walls, bronze coloured panelling adjacent to the ground floor car park, uPVC windows, hardwood timber doors, with the roof being single ply membrane.

***(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;***

The site is adjacent to commercial properties and Abbey Street car park. Apartments in the upper floors are located opposite the site. No objections have been received in relation to this proposal. Properties to the south of the site are in commercial use so residential amenity will not be affected in terms of overlooking. These properties will not experience unreasonable overshadowing/loss of light given the site orientation. Properties to the north of the site are also in commercial use so there are no residential amenity concerns. Noise is not perceived to be an issue as this proposal is for a housing development within the town centre which is characterised by a mixture of land uses. Environmental Health following review of the Noise Impact Assessment have no objections as the site will not be adversely impacted by the adjacent gym.

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

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

### **Area of Townscape Character (ATC)**

- 8.4 There is a presumption against the demolition of buildings that make a positive contribution to the character of the ATC. It is considered the existing buildings make a material contribution to the distinctive character of the area. The original proposal entailed demolition of the buildings but following amendments the front façade is being retained with alterations. Proposed alterations include changing an existing window into a door and changing two

doors into 2 windows at ground floor level. Windows at first floor level are being retained. The roof is to be removed with a new floor proposed flush to this façade finished in single ply membrane with a total of 8 windows.

- 8.5 Any alterations are required to maintain or enhance the overall character of the area and respect the built form of the ATC. The proposal is considered contrary to Policy ATC 2 of the Addendum to PPS 6 in that the development does not respect the surrounding context due to inappropriate design, scale, massing and form. The proposal at 3 storeys high with a roof terrace is unacceptable in terms of massing. The flat roof with terrace is not characteristic of neighbouring properties within Abbey Street. When the proposal is viewed from Abbey Street, Abbey Street car park and Stable Lane it would appear visually dominant and out of place in its context. Indeed, this elevation fronting onto the car park should be aesthetically pleasing given the public views available and due to the designation of this car park as an opportunity site. Key features relating to Coleraine town centre ATC are the strong vertical emphasis to the fenestration on the upper floor elevation; the pitched, mainly slated, including some natural slated, roofs; and little variation in the eaves line/ridge height of the buildings in their quite separate two and three storey settings. Proposals should respect their context and conform to the ATC designation and its key features.

## **Townscape**

- 8.6 Development proposals in towns and villages should make a positive contribution to townscape and be sensitive to the character of the area surrounding the site in terms of design, scale and use of materials. Although improvements have been made to the original proposal, it is still unacceptable in terms of design as it is not considered sensitive to the character of the area. Full assessment of this proposal is under paragraphs 8.3 – 8.5. The proposal has a detrimental visual impact on the character and appearance of this area and is contrary to Policy DES 2 of A Planning Strategy for Rural Northern Ireland.

## **Archaeology & the Built Heritage**

- 8.7 The proposal is located within the Area of Archaeological potential for Coleraine under NAP 2016 so consultation was carried out with HED: Historic Monuments. The APP is where we would expect buried archaeological remains of the origins and development of the settlement to be encountered during development works, and several previous excavations in the Abbey Street area have uncovered medieval and later remains. HED: Historic Monuments express no objections to this proposal subject to conditions for the agreement and implementation of a developer-funded programme of archaeological works. The proposal complies with Policy BH 2 of PPS 6.

### **Flooding**

- 8.8 Consultation occurred with DFI Rivers who advised the development does not lie within the 1 in 100 year fluvial or 1 in 200 year coastal flood plain. The site is unaffected by a designated watercourse and there are no other obvious undesignated watercourses. DFI Rivers requested a Drainage Assessment for this development which was submitted by the Agent. On re-consultation with DFI Rivers, there are no objections from a drainage or flood risk perspective. The proposal complies with Policies FLD 1, FLD 2 and FLD 3 of PPS 15.

### **Access and Parking**

- 8.9 Planning permission will only be granted provided the proposal does not prejudice road safety or significantly inconvenience the flow of traffic. DFI Roads have been consulted several times on this application due to various amendments submitted. Their final consultation response dated 14<sup>th</sup> August 2019 offers no objections to this scheme. The proposal is acceptable in terms of the car parking requirement for this development and road safety. The proposal complies with Policies AMP 2 and AMP 3 of PPS 3 and DCAN 15.

### **Contamination**

- 8.10 A Generic Quantitative Risk Assessment was submitted with this application. The GQRA is informed by intrusive site data. There were slightly elevated concentrations of metal recorded however

no results exceed the UK Drinking Water Standards and RSK do not consider the quality of shallow groundwater beneath the site to be significantly reduced. Regulation Unit, Land and Groundwater Team advise they have no objection to development provided conditions and informatives are applied to any permission granted. No unacceptable risks to environmental receptors have been identified.

### **Habitats Regulations Assessment**

- 8.11 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 unacceptable in this location having regard to the Northern Area Plan, and other material considerations, including the SPPS. The proposal does not result in a quality residential environment. The proposal is unacceptable in terms of design as it is not considered sensitive to the character of the area. The proposal has a detrimental visual impact on the character and appearance of this ATC. The development does not respect the surrounding context due to inappropriate design, scale, massing and form. Refusal is recommended.

## **10.0 REFUSAL REASONS**

1. The proposal is contrary to Paragraph 4.26 & 4.27 of the SPPS, DCAN 8 and Policy QD1 of Planning Policy Statement 7 “Quality residential environments” in that it fails to satisfy criteria (a), (b) and (g) resulting in unacceptable damage to the established character of the surrounding area through inappropriate design, layout, scale and massing.
2. The proposal is contrary to Paragraph 6.21 of the SPPS, Policy ATC 2 of the Addendum to Planning Policy Statement 6 “Areas of

Townscape Character”, in that the existing buildings make a material contribution to the character and appearance of the Coleraine ATC and the proposal does not maintain or enhance the distinctive character of the area through inappropriate design, form, scale and massing.

3. The proposal is contrary to Policy DES 2 of “A Planning Strategy for Rural Northern Ireland” in that it fails to make a positive contribution to the townscape of Coleraine.

# Site Location Map



# Block Plan

