

Planning Committee Report LA01/2017/1352/O	19th December 2018
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>	LA01/2017/1352/O	<u>Ward:</u>	Causeway
<u>App Type:</u>	Outline Planning		
<u>Address:</u>	14 Seaview Drive, Portstewart		
<u>Proposal:</u>	Replacement of existing dwelling with 2 no semi-detached dwellings		
<u>Con Area:</u>	N/A	<u>Valid Date:</u>	18.10.2017
<u>Listed Building Grade:</u>	N/A	<u>Target Date:</u>	31.01.2018
<u>Applicant:</u>	Mr K Higgins, 13 The Paddocks, Coleraine, BT51 3PS		
<u>Agent:</u>	CM Architectural Design, 36 Knockanbaan, Limavady, BT49 0UL		
<u>Objections:</u>	1	<u>Petitions of Objection:</u>	0
<u>Support:</u>	0	<u>Petitions of Support:</u>	0

Drawings and additional information are available to view on the Planning Portal- 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 in a low density residential area within the development boundary of Portstewart as defined by the Northern Area Plan. It is located 500m south of the promenade. The site is a corner plot hosting a modest bungalow with front garden, mature hedge wrapping around the north west corner of the site. The land levels fall in a north easterly direction.
- 2.2 This street is characterised by detached bungalows with x2 one and a half storey dwellings and the anomalies of 11a and 11b which are between one and a half and two storey dwellings. There is also one pair of two storey semi-detached dwellings on a much lower land level at no. 16 and 18 in a cul-de-sac off Seaview Drive adjacent the site. Therefore the surrounding dwellings are predominantly detached bungalows with low level boundary walls and parking/soft landscaping with amenity space to the front.

3.0 RELEVANT HISTORY

- 3.1 C/2005/1073/F: Replacement dwelling – Approval - 11.04.2006
- 3.2 LA01/2016/1144/F: 20 Sea View Drive: Demolition of existing bungalow/garage and replacement with 2 No. detached two storey dwellings and all associated site works – Approval - 10.04.2017

4.0 THE APPLICATION

- 4.1 Proposed site for Replacement of existing dwelling with 2 no semi-detached dwellings

5.0 PUBLICITY & CONSULTATIONS

5.1 External:

1 letter of objection has been received from No. 16 Seaview Drive in relation to this application. The main issues raised are overlooking and loss of privacy due to the existing difference in land levels and road safety concerns which are assessed in the remainder of this report.

5.2 Internal:

DFI Roads: 5 Issues to be addressed through the submission of amended plans

NI Water: No objections

Environmental Health: 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

Development Control Advice Note 15 Vehicular Access Standards

DCAN 8 – Housing in Existing Urban Areas

Creating Places

8.0 CONSIDERATIONS & ASSESSMENT

Planning Policy

- 8.1 The application site is located within the development limit of Portstewart.
- 8.2 The proposed dwelling must be considered having regard to the SPPS, PPS policy documents and supplementary planning guidance specified above.
- 8.3 The main considerations in the determination of this application relate to: local character, residential amenity and access.

Local Character

- 8.4 Policy QD1 of PPS 7 promotes quality residential development in all types of settlements. Policy LC1 of the Addendum to PPS 7 provides additional planning policy provisions on the protection of local character, environmental quality and residential amenity. DCAN 8 and Creating Places is additional guidance intended to supplement this policy in terms of improving the quality of new housing development.
- 8.5 The proposal is for demolition of the existing dwelling and erection of 2 semi-detached properties. The agent in support of this application argues the following:

There are a mixture of styles and materials used, many dwellings are bungalows, but there are a number of two storey dwellings. More recently built houses are visually and architecturally very different from the older dwellings. Although many are bungalows there are departures such as the semi-detached dwellings at Nos. 16 & 18. Another example quoted is No. 20 Seaview Drive as this plot has been granted permission for 2 detached dwellings (LA01/2016/1144/F). The total size of this plot is smaller than the size of the application site. Another example quoted is No. 4 Seafield Drive where permission has been granted for an increased ridge height (C/2013/0338/F). Recent development has changed the character by removing

any consistency of design. In terms of footprint for the proposal, it would occupy approx. 20% of the total plot which is less than ratios found elsewhere (Nos. 11a & b and No. 20). The principle of semi-detached development is acceptable as established by the dwellings adjacent to the site.

8.6 Following assessment of amended plans and additional information, the proposal is unacceptable as considered below:

The proposal shows the erection of two semi-detached properties, the footprint of which is set approx. 21m back from the front boundary of the site. The set-back positioning of these buildings do not respect the existing context in that the bungalows located along Seaview Drive are approx. 10m from their front boundaries. The proposal therefore does not respect the existing building line along Seaview Drive and appears out of context in this regard.

Bungalows along Seaview Drive predominantly have front gardens with some hard surfacing for parking. The proposal shows front grass areas and hard surfacing for both semi-detached dwellings. However, this area is much larger to the front than neighbouring properties with a sizable area for hard surfacing which is not typical of the area and is visually unacceptable.

It is considered the existing character in relation to the site is that of Seaview Drive as this is what is visually connected with the site. Within this area dwellings are bungalows or 1.5 or 2 storey dwellings except for Nos. 16 & 18 which are two storey semi-detached properties. Although development has been approved at No. 20, it is for two detached dwellings which is in keeping with the character of Seaview Drive. Additionally, this approval is set within the cul-de-sac of Seaview Drive, not forming the main frontage of Seaview Drive. Upon assessment the character is considered to be predominately detached dwellings so the proposal for two semi-detached properties is not appropriate in this context. The proposal would appear hemmed relative to the established built form. The proposal if approved could also set a precedent for the rest of the properties to be developed as semi-detached properties altering the existing character.

In terms of height the agent has claimed the scheme would be of a split level design, being single storey to the front and having a lower ground floor to the rear. The proposed height for any development on the site should be either single storey or a low 1.5 storey property but this would be dependent upon design and the contextual relationship with neighbouring properties. While Nos. 16 & 18 are two stories high as well as the development under construction at No. 20, these properties are at a lower level than the application site. The proposal is considered to be contrary to Policy QD 1 of PPS 7 in that it does not create a quality residential development and would result in unacceptable damage to local character by reason of the scale.

Residential Amenity

- 8.7 An objection letter was received from No. 16 Seaview Drive expressing concern over potential overlooking and loss of privacy. The amended drawing No. 02B shows the semi-detached dwellings set further back into the site ensuring rear windows would not look into the front of No. 16. The agent advises side windows on the new dwellings can be sparingly used or obscured glass to ensure no overlooking of neighbouring properties. The proposal will not result in overshadowing/dominance to No. 12 Seaview Drive given the site orientation and relationship with this property. Neighbouring properties located north of the site won't experience unreasonable overshadowing and dominance given the location of development within the site and separation distances. It is considered the proposal would not harm the residential amenity of neighbouring properties in terms of overshadowing and overlooking can be effectively dealt with through design at reserved matters stage.

Access

- 8.8 The proposal originally created an additional access point off Seaview Drive, north of the existing access. DfI Roads was consulted on the original proposal and recommended refusal as the proposal was not suitably designed due to the close proximity of the access to a road junction and the inability to provide adequate forward sight lines.

- 8.9 In order to address access problems, plans were amended showing an existing access onto Seaview Drive and a separate new access onto the secondary side road with adequate visibility provision. DFI Roads was re-consulted and are generally content with these amendments however 5 issues need resolved – information relates to existing retaining walls, drainage and kerbs. The Agent has not submitted amendments to address Road concerns which has been outstanding since June 2018. The applicant has failed to demonstrate that the proposal would not prejudice road safety in accordance with Policy AMP 2 of Planning Policy Statement 3 “Access, Movement and Parking” and Development Control Advice Note 15.

Habitats Regulations Assessment

- 8.10 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.

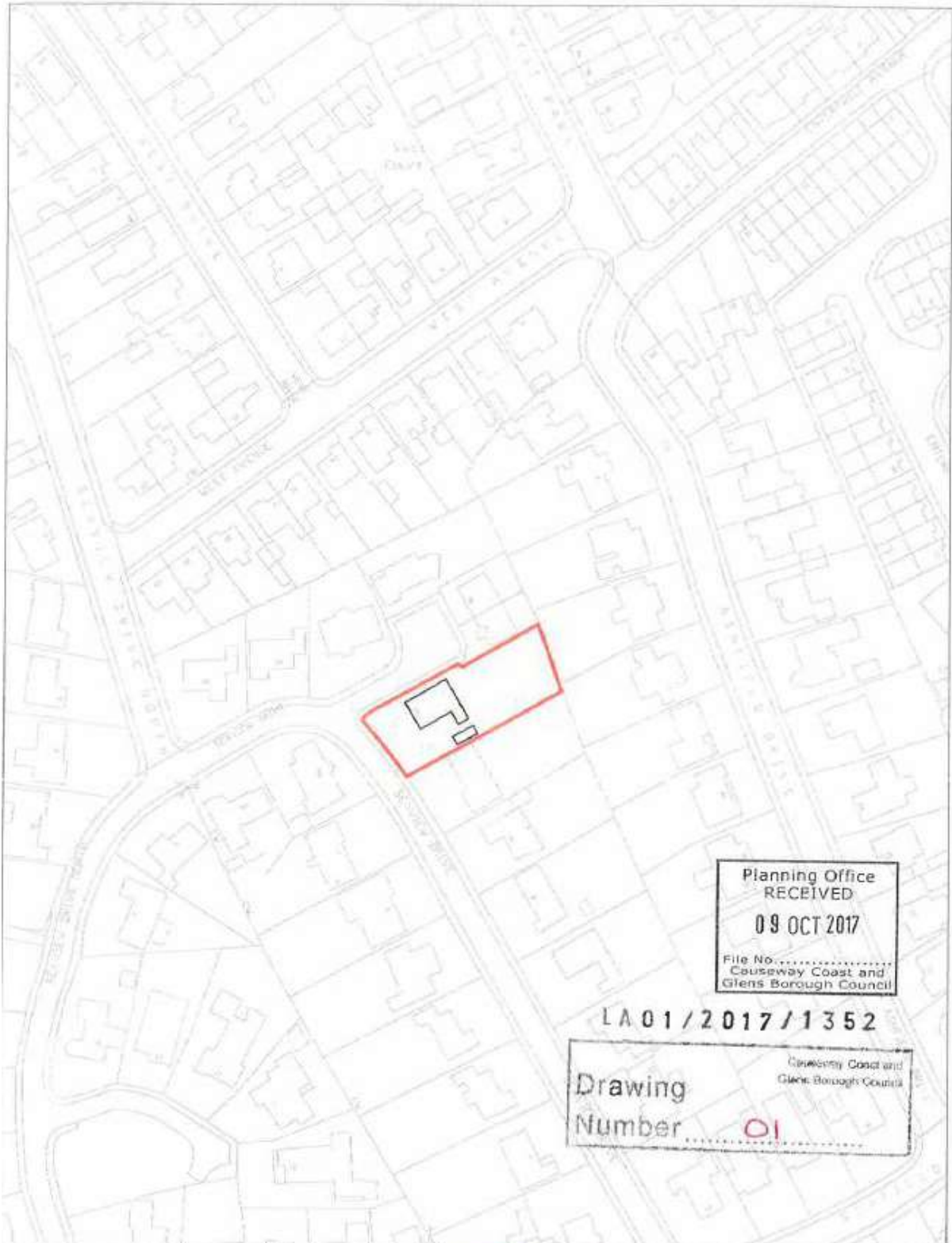
9.0 CONCLUSION

- 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 fails to meet the requirements of planning policies and does not provide a quality residential development. The proposal is contrary to criteria (a) of Policy QD1 of PPS 7 harming local character as it does not respect the surrounding context in terms of dwelling type and the building line and is visually unacceptable in terms of layout with large areas of hard surfacing to the front. The access arrangements remain unacceptable. Refusal is recommended.

10.0 REFUSAL REASONS

1. The proposal is contrary to paragraph 6.137 of the Strategic Planning Policy Statement for Northern Ireland and Policy QD1 of Planning Policy Statement 7, Quality Residential Environments, in that the development as proposed fails to provide a quality residential environment and would be contrary to criterion (a).
2. The applicant has failed to demonstrate that the proposal would not prejudice road safety in accordance with Policy AMP 2 of Planning Policy Statement 3 “Access, Movement and Parking” and Development Control Advice Note 15.

Site Location Map



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09 OCT 2017
File No.
Causeway Coast and
Glens Borough Council

LA 01/2017/1352

Causeway Coast and
Glens Borough Council
Drawing
Number 01

 <p>NORTH</p>	<p>DRAWING FOR ILLUSTRATION PURPOSES ONLY. DESIGN AND LAYOUT TO BE DECIDED AT RESERVED MATTERS STAGE</p> <p>Red line denotes area of site relating to application.</p>	 <p>cm Architectural c. 36 Knocknaree, Limavady, BT49 0UL t. 075450130467 e. enquiries@cm-architect.com</p>	<p>Client: Mr K Higgins Project: Development 14 Seaview Drive, Portstewart Drawing: Location Map</p> <p>Scale: 1:1250(A4) Date: Development Sept 17 DWG No: 16-21-01</p>
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