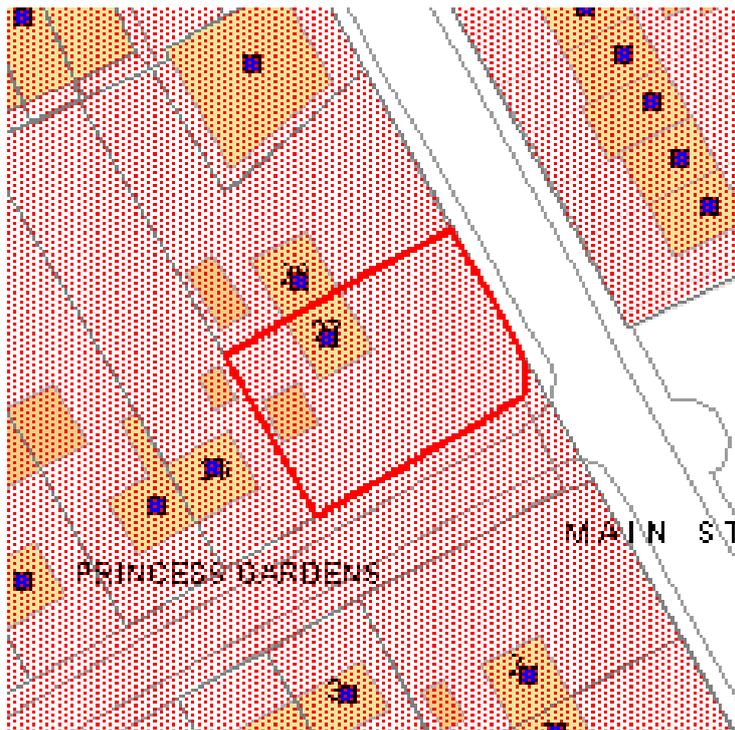


# ITEM B

## Adjacent to 27 Princess Gardens, Cloughmills

D/2014/0103/O

### Outline Planning



22<sup>nd</sup> April 2015

<b><u>No:</u></b> D/2014/0103/O	<b><u>Ward:</u></b> Clogh Mills
<b><u>App Type:</u></b> Full Planning	
<b><u>Address:</u></b> Adjacent to 27 Princess Gardens Cloughmills Ballymena Co. Antrim BT44 9LQ.	
<b><u>Proposal:</u></b> Proposed Dwelling.	
<b><u>Con Area:</u></b> N/A	<b><u>Valid Date:</u></b> 16th May 2014
<b><u>Listed Building Grade:</u></b> N/A	<b><u>Target Date:</u></b>
<b>Agent:</b> Simpson Design, 42 Semicock Road, Ballymoney. BT53 6PY	
<b>Applicant:</b> Mr Dermot Smyth C/o Agent	
<b>Objections:</b> 11	<b>Petitions of Objection:</b> 0
<b>Support:</b> 0	<b>Petitions of Support:</b> 0

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

## 1 RECOMENDATION

- 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 section 7 and resolves to **GRANT** planning permission subject to the conditions and informatives set out in section 10.

## 2 SITE LOCATION & DESCRIPTION

- 2.1 Site consists of the side garden of No 27 Princess Gardens Cloughmills which is a two storey semi-detached dwelling set on a corner site at the junction of Main Street and Princess Gardens. The dwelling, is finished with painted roughcast render and is part of a large development of similar design

dating from the post war period, extending back from Main Street.

- 2.2 The property accesses onto Main Street and is set behind the public footpath with vehicular access and in-curtilage car parking. The site incorporates a tarmac drive, detached garage to the rear boundary as well as a side garden consisting of a small area approximately 10 x 25m which incorporates paving and a small lawn.
- 2.3 The front boundary is defined by a low wall while mature coniferous hedging defines the southern and western boundaries. The rear of the site is parallel to the gable of neighbouring property at No 26 Princess Gardens which incorporates three first floor gable windows.

### **3 RELEVANT HISTORY**

None

### **4 THE APPLICATION**

- 4.1 Outline Planning permission is sought for a dwelling within the curtilage of No 27 Princess Gardens.
- 4.2 Revisions to the scheme have been received during processing of the application. Revised concepts have been submitted indicating position of the proposed dwelling and provision of private amenity and have also addressed issues relating to access and parking. These have the effect of improving the scheme.

### **5 PUBLICITY & CONSULTATIONS**

#### **External**

- 5.1 **Neighbours: Eleven** objections received following two occasions of neighbour notification from: **4 Princess Gardens, 3 Princess Gardens, 25 Princess Gardens, 28 Princess Gardens, 26 Princess Gardens and Councillor Finlay** objecting to the application for the following reasons:

- Not in keeping with the character of the area and therefore detrimental
- Unsafe access
- Increase in traffic
- Precedent set for other similar opportunities
- Invasion of privacy
- Damage to existing living conditions to adjacent properties
- Does not support the surrounding context

### **Internal**

5.2 **Transport NI:** The proposed access and development layout including car parking are considered to be acceptable.

**NI Water:** Public water supply and public foul sewer is available.

**Environmental Health:** Have no concerns with the proposal.

## **6 MATERIAL CONSIDERATIONS**

6.1 Article 45 of the Planning Act (Northern Ireland) 2011 states that, “where an application is made for planning permission, the council or, as the case may be, the Planning Authority, in dealing with the application, must have regard to the local development plan, so far as material to the application, and to any other material considerations.”

6.2 The development plan is:

- Draft Northern Area Plan 2016

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

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

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

## **7 RELEVANT POLICIES & GUIDANCE**

PPS 1 General Principles

PPS 3 Access, Movement and Parking

PPS7 – Quality Residential Environments

Addendum to PPS7 – Safeguarding the Character of Established Residential Areas.

PPS12 – Housing in Settlements

Planning Strategy for Rural Northern Ireland (PSRNI)

draft Northern Area Plan 2016

Supplementary Planning Guidance

Living Places

DCAN 8 – Housing in Existing Urban Areas

DCAN 15 Vehicular Access Standards

## **8 CONSIDERATIONS & ASSESSMENT**

- 8.1 The main considerations in the determination of this application relate to: the principle of the proposed development in this location; the suitability of the scheme in terms of character; context; scale and design; the impact on neighbouring amenity, and; the acceptability of the access and car parking.

### **Planning Policy**

- 8.2 The site is located within the settlement limit of Cloughmills as defined by the draft Northern Area Plan 2016.
- 8.3 The RDS 2035 seeks to promote more sustainable housing development within existing urban areas through encouraging compact urban forms as well as promoting more housing within existing urban areas by recycling land and buildings and by making use of other suitable sites.
- 8.4 The RDS emphasises the need for the creation of high quality accessible housing within existing urban areas without causing unacceptable damage to the local character and environmental quality or residential amenity of these areas.

- 8.5 PPS7, The Addendum to PPS7 (Safeguarding the character of established residential areas), and PPS12 are the main policy context for considering the current proposal.
- 8.6 PCP1 of PPS12 promotes increased density in housing development where appropriate and in line with the RDS by encouraging more compact urban forms. PCP1 also states that in established residential areas any increase in housing density needs to be handled sensitively in relation to character, environmental quality, amenity, density, form, scale massing and layout to prevent town cramming.
- 8.7 The principle of the type and scale of development proposed must be considered having regard to the PPS policy documents specified above and DES 2 of the PSRNI.
- 8.8 Planning Strategy for Rural Northern Ireland (PSRNI) Policy DES 2 Townscape requires development proposals in towns and villages to 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.

### **Principle of Development**

- 8.9 The site is located within the settlement limits of Cloughmills where the principle for housing development is acceptable.

### **Character, Context, Scale and Design**

- 8.10 Site is located within the Cloughmills village development limits as defined by the Draft NAP 2016 and is not zoned for any particular use. The general character of the area is residential, although a number of commercial properties do exist around the junction of Main Street / Loughill Road and further south along Main Street.
- 8.11 There is no single uniform character, the immediate context is strongly characterised by terraced and semi-detached two storey properties to the east of Main Street while Princess Gardens forms the immediate context to the western side consisting of two pairs of semi-detached properties either side of the entrance to Princess Gardens with a cul-de-sac of development extending to the rear. These properties are of

fairly uniform design and create a strong building line along the site frontage with a similar building line extending into the development itself.

- 8.12 The agent has submitted a concept statement and plan in support of the current proposal, the proposed development largely complies with the building line of development. The agent has also stated that the proposed development will be facilitated by the demolition of the existing garage at the property and will tie in with the ridge and eaves line of existing residential properties on both Main Street and Princess Gardens and that the building line will also be retained.
- 8.13 The proposed dwelling will back onto the side of the adjacent dwelling at No 26 Princess Gardens. Sufficient private amenity approx. 90 squared metres is provided to the rear of the proposed dwelling.
- 8.14 The proposed density is not significantly higher than that found in the surrounding area and as this is for one dwelling respects the pattern of development in the area and general character. Other proposals for similar development would be assessed on their own merits.
- 8.15 The proposed parking will result in an area of hardstanding along the front of the existing and proposed, this is within curtilage and not an uncommon characteristic throughout Cloughmills. The parking will also be screened by the existing hedging along the boundary and minimal long distance views of this stretch of hard standing and will not therefore significantly impact on the character or residential amenity of the area.

### **Neighbouring amenity**

- 8.16 In terms of residential amenity, the proposed dwelling will back onto the side of the adjacent dwelling at 26 Princess Gardens. However, given the separation distance of over 10m from the side gable of No 26 and the rear gable of the proposed dwelling there will not be a significant impact on residential amenity, privacy or living conditions taking into account the context of the site.

- 8.17 This is an outline application and the details requested at Reserved Matters stage can be designed to ensure no overlooking of No 26.

### **Access and Parking**

- 8.18 Transport NI, as the competent authority, are satisfied that adequate access arrangements are in place and that the proposed parking are satisfactory to meeting the needs of the proposed development. The provision of additional car parking with the curtilage of the existing and proposed dwelling will reduce the necessity to park at corner junctions.

## **9 CONCLUSION**

- 9.1 The proposed development is considered acceptable in this location having regard to the draft Northern Area Plan and other material considerations. The development is an appropriate use of the land and is acceptable in terms of its layout and appearance. In accordance with para 52 of PPS 1, no significant harm would be caused to neighbouring amenity. Matters relating to access and parking can be secured by planning condition. Approval is recommended.

## **10 CONDITIONS/ INFORMATIVES**

1. As required by Article 62 of the Planning Act (Northern Ireland) 2011, application for approval of the reserved matters shall be made to the Planning Authority within 3 years of the date on which this permission is granted and the development, hereby permitted, shall be begun by whichever is the later of the following dates:-
  - i. the expiration of 5 years from the date of this permission; or
  - ii. the expiration of 2 years from the date of approval of the last of the reserved matters to be approved.

**Reason:** Time Limit

2. Approval of the details of the siting, design and external appearance of the buildings, the means of access thereto and the landscaping of the site (hereinafter called "the reserved

matters"), shall be obtained from the Planning Authority, in writing, before any development is commenced.

**Reason:** To enable the Planning Authority to consider in detail the proposed development of the site.

3. A scale plan and accurate site survey at 1:200 (minimum) shall be submitted as part of the Reserved Matters application showing the access and parking (generally in accordance with the submitted 1/500 block plan Drg. 02/3 dated 12 March 2015) to be constructed and other requirements in accordance with the attached form RS1.

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

4. The existing natural screenings of this site, as indicated in drawing No 02/3, shall be retained.

**REASON:** To ensure the amenity of the proposed dwelling and the adjacent properties are maintained.

5. The materials of the proposed dwelling shall be rendered or dashed and be similar to the existing adjacent dwellings.

**Reason:** To ensure the design is in keeping with the surrounding area.

6. The proposed details submitted at reserved matters stage will ensure that design of the dwelling does not cause any overlooking into No 26 Princess Gardens from any upper floor.

**Reason:** To ensure the amenity of the adjacent property is maintained.

7. The detailed drawings to be submitted at Reserved Matters stage will detail the building line retained on Main Street and Princess Gardens and that no part of the proposed dwelling will project beyond that line.

**Reason:** To retain the character of the surrounding area.

8. Subject to the above conditions, the development shall be carried out in accordance with the stamped approved drawings 01B bearing the date stamp 30 January 2015 and Drawing No 02/3 received 12 March 2015.

**Reason:** To ensure a satisfactory form of development.

10.1 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 Department or other statutory authority.
5. The applicant is advised to contact NIW through its Customer Relations Centre on 08458 770002 or [waterline@niwater.com](mailto:waterline@niwater.com), upon receipt of this consultation to discuss any areas of concern.

## ANNEX A

<b>Date Valid</b>	16th May 2014
<b>Date First Advertised</b>	7th June 2014
<b>Date Last Advertised</b>	
<p><b>Details of Neighbour Notification</b> (all addresses)</p> <p>The Owner/Occupier, 1 Princess Gardens,Drumadoon,Clough Mills,Antrim,BT44 9LQ, The Owner/Occupier, 1 Rosemount,Clogh Mills,Clough Mills,Antrim,BT44 9LU, The Owner/Occupier, 2 Main Street Clogh Mills Clough Mills The Owner/Occupier, 2 Princess Gardens,Drumadoon,Clough Mills,Antrim,BT44 9LQ, The Owner/Occupier, 2 Rosemount,Clogh Mills,Clough Mills,Antrim,BT44 9LU, John Finlay 233 Ballyveely Road Loughill Clough Mills Hugh and Jean McDowell 25 Princess Gardens,Drumadoon,Clough Mills,Antrim,BT44 9LQ, Brian Murphy 26 Princess Gardens Drumadoon Clough Mills The Owner/Occupier, 27 Princess Gardens,Drumadoon,Clough Mills,Antrim,BT44 9LQ, R Chambers 28 Princess Gardens Drumadoon Clough Mills The Owner/Occupier, 3 Main Street,Drumadoon,Clough Mills,Antrim,BT44 9LG, Frank Carey 3 Princess Gardens,Drumadoon,Clough Mills,Antrim,BT44 9LQ, The Owner/Occupier, 3 Rosemount,Clogh Mills,Clough Mills,Antrim,BT44 9LU, samuel J Huey 4 Princess Gardens,Drumadoon,Clough Mills,Antrim,BT44 9LQ, The Owner/Occupier, 4 Rosemount,Clogh Mills,Clough Mills,Antrim,BT44 9LU, The Owner/Occupier, Cloughmills Orange Hall,Main Street,Clogh Mills,Clough Mills,Antrim,BT44 9LF,</p>	
<b>Date of Last Neighbour Notification</b>	8th January 2015