

<b>Planning Committee Report LA01/2017/1436/O</b>	<b>23rd May 2018</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> LA01/2017/1436/O	<b><u>Ward:</u></b> Garvagh
<b><u>App Type:</u></b> Full Planning	
<b><u>Address:</u></b> Lands between 50 and 54 Carhill Road, Garvagh	
<b><u>Proposal:</u></b> Proposed site for 2 no. dwellings and 2 no. garages	
<b><u>Con Area:</u></b> N/A	<b><u>Valid Date:</u></b> 4/10/2017
<b><u>Listed Building Grade:</u></b> N/A	
<b>Applicant:</b> Eamon Bradley, 50 Carhill Road, Garvagh, BT51 5PF	
<b>Agent:</b> 5050 Architecture	
<b>Objections:</b> 0	<b>Petitions of Objection:</b> 0
<b>Support:</b> 0	<b>Petitions of Support:</b> 0

**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 lands between 50 and 54 Carhill Road, Garvagh. It comprises a large, flat portion of agricultural land.
- 2.2 The surrounding area is characterised by dwellings and commercial premises. Dwellings vary in design and size and include bungalows and 2 storey buildings. To the north of the site is a single storey dwelling and a car sales/repair business which have a shared access. To the south of the site is a two storey detached dwelling and a further car sales business. There is an engineering works to the north-eastern boundary of the site.
- 2.3 The site is located within the countryside outside any defined settlement limit. It does not fall within any specific environmental designations under NAP 2016.

## **3.0 RELEVANT HISTORY**

No relevant planning history.

## **4.0 THE APPLICATION**

- 4.1 Outline planning permission is sought for two dwellings and garages.

## **5.0 PUBLICITY & CONSULTATIONS**

### **5.1 External:**

None.

### **5.2 Internal:**

DFI Roads: Object to the proposal.

Environmental Health: No objections.

NIEA Water Management Unit: No objections

Historic Environment Division (Historic Monuments): 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 6: Planning, Archaeology and the Built Heritage

PPS 21: Sustainable Development in the Countryside

### **Supplementary Planning Guidance**

Building on Tradition – A Sustainable Design Guide for the NI Countryside

Development Control Advice Note 15 Vehicular Access Standards

## **8.0 CONSIDERATIONS & ASSESSMENT**

### **Planning Policy**

- 8.1 The proposal is located within the countryside outside any defined settlement limit.
- 8.2 The proposal must be considered having regard to the SPPS, PPS policy documents and supplementary planning guidance specified above. The main considerations in the determination of this application relate to: principle of development, visual impact and rural character.

## **Principle of Development**

- 8.3 Policy CTY 1 of PPS 21 advises there are a range of types of development which in principle are acceptable in the countryside. This application is considered under Policy CTY 8.

### **Policy CTY 8: Ribbon Development**

- 8.4 Planning permission will be refused for a building which creates or adds to a ribbon of development.

*An exception will be permitted for the development of a small gap site sufficient only to accommodate up to a maximum of two houses within an otherwise substantial and built up frontage in terms of size, scale, siting and plot size and meets other planning and environmental requirements.*

*For the purpose of this policy the definition of a substantial and built up frontage includes a line of 3 or more buildings along a road frontage without accompanying development to the rear.*

- 8.5 The existing built form within the vicinity of the site comprises an existing single storey detached dwelling and car sales/repair business immediately north of the site which front onto the Carhill Road. There is a two storey detached dwelling to the south with a frontage onto the road and a further car sales business. As the site is located within a line of three or more buildings, it would represent a substantial and continuously built up frontage.
- 8.6 The frontage of No. 48 measures 45 metres wide and No. 50 measures 35 metres wide. No. 54 has a frontage of approx. 90 metres wide.
- 8.7 The gap site between No. 50 & 54 measures approximately 190 metres building to building. The proposal is contrary to policy because this would not be perceived as a small gap able to achieve a maximum of 2 houses. More than 2 dwellings could easily be accommodated on this site. using the plot size established by Nos 48 and 50, four dwellings could be accommodated.

8.8 The proposed dwellings would result and add to the creation of ribbon development along this stretch of Carhill Road which is contrary to this policy.

### **Integration and Rural Character**

8.9 Permission will be granted where the proposal can be visually integrated into the surrounding landscape and it is of an appropriate design and where the proposed building will not cause a detrimental change to or further erode the rural character of an area.

8.10 The critical views of the site are from the Carhill Road. The site can also be viewed from Ballynameen Road which runs parallel to the Carhill Road along the eastern boundary of the site. There are clear views along the length of the site from either direction of travel. The site appears exposed due to the length of the frontage onto the Carhill Road and limited roadside boundary treatment. The 1m high post and wire fence at the roadside boundary does not provide screening. The proposal would fail to integrate into the surrounding area.

8.11 The proposal site acts as an important visual gap which provides a visual break in development to the north and south of the site. The proposal if permitted would add to a ribbon of development along the Carhill Road resulting in a suburban style build-up of development. This would be detrimental to the character of the area which would be contrary to Policy CTY 14.

### **Archaeology**

8.12 The site is adjacent an Archaeological Site and Monument and HED Historic Monuments were consulted. Their response indicated no archaeological objection. The proposal complies with PPS 6.

### **Access**

8.13 PPS 3 relates to vehicular and pedestrian access, transport assessment, the protection of transport routes and parking. It is an important consideration in terms of the integration of transport and land use planning. DFI Roads was consulted in relation to this application and recommend refusal as the proposal, if permitted,

would result in the intensification of use of an existing access onto a Protected Route (A29), thereby prejudicing the free flow of traffic and conditions of general safety.

## **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 comprise a small gap site within a substantial and built up frontage. The proposal would fail to integrate into the surrounding landscape and would add to a ribbon of development. In addition, the proposal would intensify use of an existing access onto a Protected Route. Refusal is recommended.

## **10.0 REFUSAL REASONS**

1. The proposal is contrary to Paragraph 6.73 of the SPPS and Policy CTY 1 of Planning Policy Statement 21 "Sustainable Development in the Countryside" in that there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement.
2. The proposal is contrary to Paragraph 6.73 of the SPPS and Policy CTY 8 of Planning Policy Statement 21 "Sustainable Development in the Countryside", in that the proposal does not comprise a small gap site and if permitted, would not respect the existing pattern of development along the road frontage. The proposal, if permitted, would create and add to a ribbon of development.
3. The proposal is contrary to Paragraph 6.70 and Policies CTY 8, CTY 13 and CTY 14 of Planning Policy Statement 21 "Sustainable Development in the Countryside" in that the proposal would fail to integrate into the surrounding landscape and, if permitted, would add to a ribbon of development along the Carhill Road resulting in a suburban style build-up of development which would be detrimental to the character of the area.
4. The proposal is contrary to Policy AMP 3 of Planning Policy Statement 3 "Access, Movement and Parking" in that the proposal, if permitted, would result in the intensification of use of

an existing access onto a Protected Route, thereby prejudicing the free flow of traffic and conditions of general safety.

