

<b>Planning Committee Report LA01/2018/1315/O</b>	<b>18 December 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>No:</u></b> LA01/2018/1315/O	<b><u>Ward:</u></b> Dunloy
<b><u>App Type:</u></b> Outline Planning	
<b><u>Address:</u></b> Between 22 & 26 Carrowdoon Road Dunloy	
<b><u>Proposal:</u></b> Proposed infill site for 2 detached dwellings	
<b><u>Con Area:</u></b> n/a	<b><u>Valid Date:</u></b> 02/11/2018
<b><u>Listed Building Grade:</u></b> N/A	
<b>Agent:</b> P J Carey Architecture 21 Slaght Lane Ballymena	
<b>Applicant:</b> Patrick Martin 9 Galdanagh Road Dunloy	
<b>Objections:</b> 0	<b>Petitions of Objection:</b> 0
<b>Support:</b> 0	<b>Petitions of Support:</b> 0

## **EXECUTIVE SUMMARY**

- Outline planning permission is sought for 2 infill detached dwellings.
- The site is located within the rural area as defined in the Northern Area Plan 2016.
- The application site is considered to meet Policy CTY 8 in that the plot sizes respect the existing pattern of development along the frontage however it fails to meet other planning and environmental requirements.
- The proposal fails to provide a suitable degree of enclosure to enable the proposed buildings to integrate into the landscape. The proposal would rely on new planting, including along the site frontage, to aid integration which is contrary to Policies CTY 1 and 13 of PPS 21.
- There are no objections to the proposal and no consultee concerns.
- The proposal does not comply with planning policies CTY 1 and 13 of PPS 21 and therefore the application is recommended for refusal.

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

## **1 RECOMMENDATION**

- 1.1 That the Committee has taken into consideration and agrees with the reasons for 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 conditions set out in section 10.

## **2 SITE LOCATION & DESCRIPTION**

- 2.1 The application site is located between No 22 and No 26 Carrowdoon Road, Dunloy. The site is roadside and comprises a rectangular plot of land cut out of a larger agricultural field. The north western boundary of the site is defined by a sparse post and wire fence, the south eastern boundary is shared with no. 26 and is defined by a low brick wall, the roadside boundary is defined by a grass verge and hedgerow and the rear boundary is undefined.
- 2.2 The general area is agricultural in nature with intermitting rural buildings and dwellings.
- 2.3 The site is located within the open countryside as defined in the Northern Area Plan 2016.

## **3 RELEVANT HISTORY**

There is no Planning history on the application site.

## **4 THE APPLICATION**

- 4.1 This an outline application for proposed 2 no detached infill dwellings at lands between 22 and 26 Carrowdoon Road Dunloy.

## **5 PUBLICITY & CONSULTATIONS**

### **5.1 External**

Neighbours: There are no objections to the proposal

### **5.2 Internal**

NED: No objections

Water Management Unit: No objections

NI Water: No objections

DfI Roads: No objections

Environmental Health: No objections

HED: No objections

## **6 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 both 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 RELEVANT POLICIES & GUIDANCE**

Northern Area Plan 2016

Strategic Planning Policy Statement (SPPS)

Planning Policy Statement 21 – Sustainable Development in the Countryside

Building on Tradition: A Sustainable Design Guide for the Northern Ireland Countryside

DCAN 15: Vehicular Access Standards

PPS 3: Access, Movement and Parking

PPS 6: Planning, Archaeology and the Built Heritage

## **8 CONSIDERATIONS & ASSESSMENT**

### **Planning Policy**

- 8.1 The proposal must be considered having regard to the NAP 2016, SPPS, and PPS policy documents specified above.
  
- 8.2 The main considerations in the determination of this application relate to the principle of development and visual integration.

## Principle of Development

- 8.3 Paragraph 6.73 of the Strategic Planning Policy Statement (SPPS) and Planning Policy Statement 21 – Sustainable development in the Countryside, Policy CTY 1 notes there are a range of types of development which in principle are considered to be acceptable in the countryside and that will contribute to the aims of sustainable development one of which is the infilling of a gap site in accordance with Policy CTY 8.
- 8.4 The Policy CTY 8 notes that 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 continuously built up frontage and provided this respects the existing development pattern along the 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 site is located within a row of 7 roadside buildings, nos. 26 to 34 to the south east and a small outbuilding located to the north west. All these buildings have a frontage onto Carrowdoon Road therefore the site is located within a substantial and built up frontage as defined in Policy CTY 8 of PPS 21.
- 8.6 In order to fully comply with the requirements of CTY8 the application site is required to meet the additional requirements to ensure the site proposal respects the existing development pattern along the frontage.
- 8.7 The application site falls between nos. 22 and 26. The gap between these 2 buildings is 72 metres and the 2 plots have a frontage of 30 metres each. The plot widths of the other dwellings along the frontage range from 16 metres (no. 30) to 38 metres (no. 28) with an average of 23 metres. The application site with a frontage of 30 metres each would be more comparable to nos. 28 and 34 than the rest of the buildings

along the frontage. Given the wide variations of frontages along the roadside it is considered that two dwellings would not appear out of place and would be in keeping with the established character along this stretch of road. Taking this into account the proposal meets Policies CTY 8 and 14 of PPS 21.

- 8.8 Policy CTY8 also requires the development of a gap site to meet other planning and environmental requirements. Details of how the proposal fails to meet other planning and environmental requirements is considered below.

### **Visual integration**

- 8.9 As outlined above, policy CTY8 requires infill development to meet other planning and environmental requirements and the SPPS and policy CTY1 of PPS21 requires that all development in the countryside must integrate into its setting, respect rural character and be appropriately designed. Policy CTY 13 entitled integration and design of buildings in the countryside provides the policy basis on visual integration.

- 8.10 The site has a roadside location fronting the Carrowdoon Road. The site comprises a large flat area of land to the front of a larger agricultural field. The boundaries of the site are generally undefined and views into the site will be achieved from along the Carrowdoon Road. The removal of roadside hedging will be required to provide visibility splays and this will open up views of the site when travelling along the Carrowdoon Road. The site lacks long established natural boundaries and any distinguishable features which would provide a suitable degree of enclosure to satisfactorily integrate the dwellings into the landscape. Paragraph 5.64 of CTY 13 advises that a building on an unacceptable site cannot be successfully integrated into the countryside by the use of landscaping. The site fails to meet criteria (b) and (c) of Policy CTY 13 and paragraph 6.70 of the SPPS.

### **Habitats Regulation Assessment**

- 8.11 The potential impact 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 CONCLUSION**

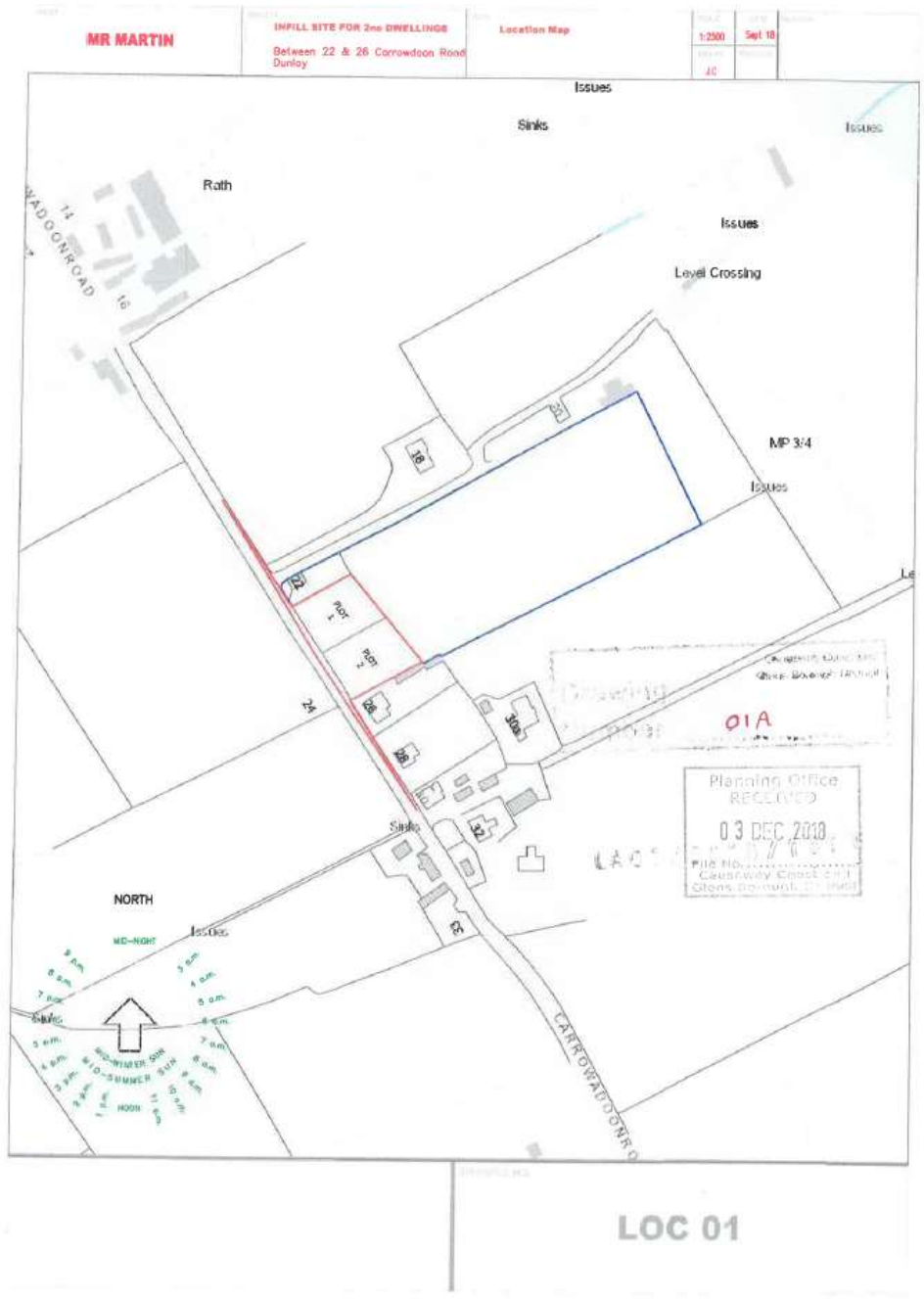
- 9.1 The proposal is considered unacceptable in this location having regard to the Northern Area Plan 2016 and other material considerations including the Planning Policy Statement 21 – Sustainable development in the Countryside, CTY 1 and Policy CTY 13, criteria (b) and (c) in that the site lacks long established natural boundaries and relies primarily on the use of new landscaping for integration. As no overriding reason has been forthcoming as to why the development is essential and could not be located within a settlement, the proposal is contrary to CTY 1 of PPS 21 and paragraph 6.73 of the SPPS. Refusal is recommended.

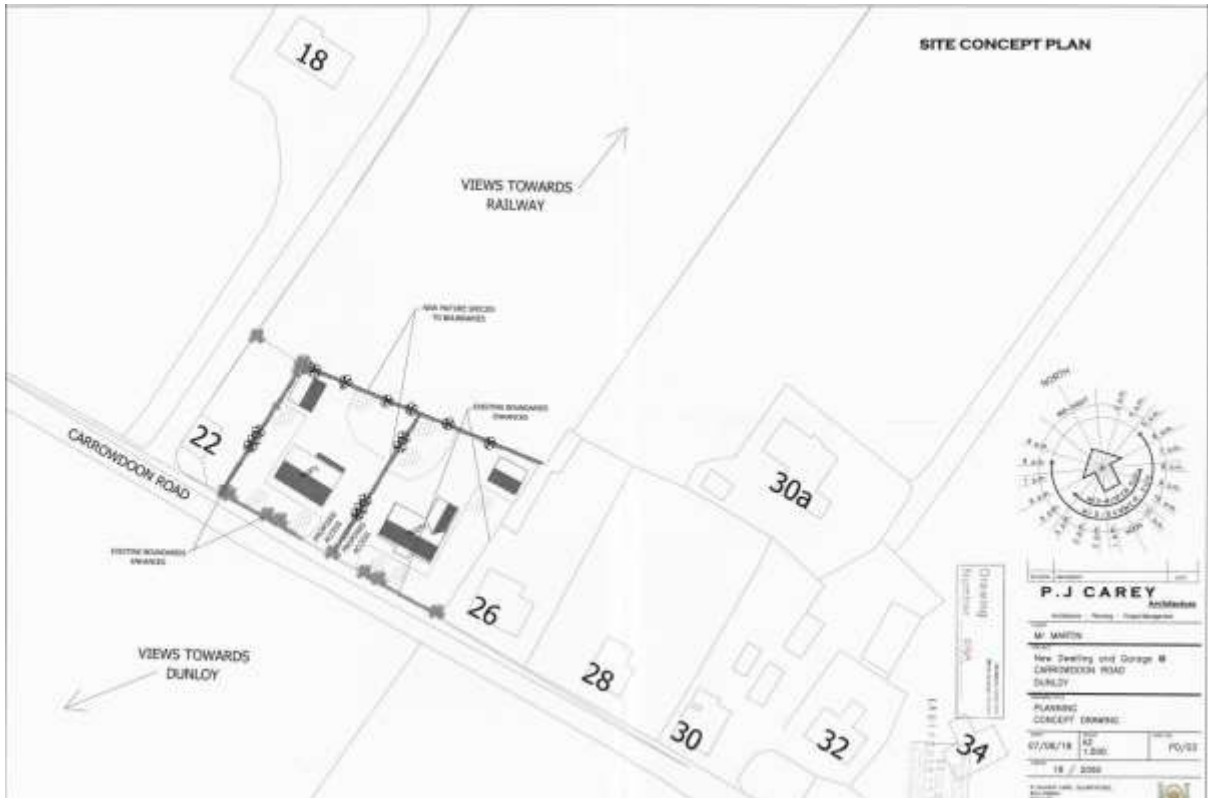
## **10 Reasons for Refusal**

1. The proposal is contrary to the Strategic Planning Policy Statement (SPPS) paragraphs 6.70 and 6.73 and Policies CTY 1 and CTY13 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; the proposed sites lack long established natural boundaries and are unable to provide a suitable degree of enclosure for the buildings to integrate into the landscape and the proposed building relies primarily on the use of new landscaping for integration.



# Site Location





# **Addendum**

## **LA01/2018/1315/O**

### **1.0 Update**

- 1.1 Further information was received from the Agent on 12<sup>th</sup> November 2019 referring to a planning application which was previously granted planning permission. The application referred to is located at Ballygudden Road, Dungiven. The application was for a proposed infill site adjacent to Dungiven Football Club under application reference LA01/2018/0474/O.
- 1.2 This application, LA01/2018/0474/O had been recommended for refusal by officials under Policy CTY8 of PPS 21, due to the size of the site, in that it could accommodate more than 2 dwellings. It was also recommended for refusal as it was contrary to Policy CTY13, as a building on the site would be prominent and would rely on the use of new landscaping to provide integration. The planning application was referred to the Planning Committee for determination. It was presented to the Planning Committee on 27<sup>th</sup> February 2019 where members resolved to disagree with officials recommendation for refusal and planning permission was granted on 7<sup>th</sup> March 2019.

### **2.0 Consideration**

- 2.1 Having considered the additional information submitted, officials remain of the opinion that the proposal is contrary to Policy CTY 13 of PPS 21 in that the site lacks long established natural boundaries to provide a suitable degree of enclosure for buildings to integrate into the landscape and that it relies primarily on the use of new landscaping for integration.

### **3.0 Recommendation**

- 3.1 That the Committee note the contents of this Addendum and agree with the recommendation to Refuse planning permission as outlined in paragraph 10 of the Committee Report.