

<b>Title of Report:</b>	<b>Planning Committee Report – LA01/2022/0701/RM</b>
<b>Committee Report Submitted To:</b>	<b>Planning Committee</b>
<b>Date of Meeting:</b>	<b>25th January 2023</b>
<b>For Decision or For Information</b>	<b>For Decision – Referred Application by Cllr McAuley</b>

<b>Linkage to Council Strategy (2021-25)</b>	
Strategic Theme	Cohesive Leadership
Outcome	Council has agreed policies and procedures and decision making is consistent with them
Lead Officer	Development Management and Enforcement Manager

<b>Budgetary Considerations</b>	
Cost of Proposal	Nil
Included in Current Year Estimates	N/A
Capital/Revenue	N/A
Code	N/A
Staffing Costs	N/A

<b>Screening Requirements</b>	Required for new or revised Policies, Plans, Strategies or Service Delivery Proposals.		
Section 75 Screening	Screening Completed:	N/A	Date:
	EQIA Required and Completed:	N/A	Date:
Rural Needs Assessment (RNA)	Screening Completed	N/A	Date:
	RNA Required and Completed:	N/A	Date:
Data Protection Impact Assessment (DPIA)	Screening Completed:	N/A	Date:
	DPIA Required and Completed:	N/A	Date:

**No:** **Ward: Macosquin**  
**App Type: Reserved Matters**  
**Address: 55 Letterloan Road, Macosquin**  
**Proposal: Proposed new two storey dwelling - Reserved Matters**  
**Con Area: N/A** **Valid Date: 14<sup>th</sup> June 2022**  
**Listed Building Grade: N/A**  
**Agent: R.Robinson and Sons Ltd**  
**Applicant: Mr and Mrs Edwin Taylor**  
**Objections: 0      Petitions of Objection: 0**  
**Support: 0      Petitions of Support: 0**

## **EXECUTIVE SUMMARY**

- Reserved Matters planning permission is sought for a replacement dwelling within a cluster in accordance with Policies CTY3, CTY13 and CTY14 of PPS21.
- The application site is located within the rural area as identified within the Northern Area Plan (NAP) 2016. The site is located at No. 55 Letterloan Road, Mascoquin.
- The proposal fails to meet the criteria under Policy CTY 3 in that the overall size of the new dwelling would have a significantly greater visual impact than the existing dwelling and the design of the replacement dwelling is not of a high quality and is inappropriate to its rural setting and local distinctiveness.
- The proposal fails Policy CTY13 in that the proposals scale and massing is inappropriate for the site and locality, would fail to provide adequate amenity space, it would have a significantly greater visual impact than the existing dwelling, is not an appropriate rural design, would be a prominent feature in the landscape and would fail to blend into the surrounding landscape.
- The proposal also fails policy CTY14 in that the development would be a prominent feature in the landscape and fails to respect the traditional pattern of settlement exhibited in the area and therefore would cause a detrimental change to the rural character of the area.
- DFI Roads was consulted on the application and raised no objection.
- There are no objections to the proposal.
- The application is recommended for Refusal.

Drawings and additional information are available to view on the Planning Portal- <https://planningregister.planningsystemni.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 reasons set out in section 10.

## **2 SITE LOCATION & DESCRIPTION**

- 2.1 The application site is located within the rural area as identified within the Northern Area Plan (NAP) 2016. The site is located at No. 55 Letterloan Road, Mascoquin.
- 2.2 The site comprises an area of land on which there is an existing storey and a half dwelling, agricultural outbuildings and yard. There is an agricultural supplies shop directly north of the site and part of the yard appears to be for car parking associated with the shop. The western and northern boundaries are physically undefined, whilst the southern boundary is defined by hedging and trees. The eastern (roadside) boundary is currently defined by an approximately 2metre metal security fence.
- 2.3 The topography of the site rises slightly to the south and west whilst the topography of the surrounding area rises steadily towards the north-west and falls towards the south and south east.

## **3 RELEVANT HISTORY**

- 3.1 Planning Reference: LA01/2022/0348/PAD  
Location: 55 Letterloan Road, Macosquin  
Proposal: Proposed new 2-storey dwelling with integral garage  
Decision: PAD Concluded
- 3.2 Planning Reference: LA01/2021/0834/RM  
Location: 55 Letterloan Road, Macosquin, Coleraine

Proposal: Proposed new 2 storey dwelling  
Decision: Permission Refused 03.02.2022 - Appeal in Progress  
(2022/A0044)

- 3.3 Panning Reference: LA01/2018/0059/O  
Location: 55 Letterloan Road, Macosquin, Coleraine  
Proposal: Proposed new 2 storey dwelling  
Decision: Permission Granted 15.01.2020
- 3.4 Planning Reference: C/2002/0064/F  
Location: Rear of 55 & 57 Letterloan Road, Coleraine  
Proposal: Proposed new housing development (Erection of 8 No dwellings) and determination of roads layout for same.  
Decision: Permission Granted 1.12.2004
- 3.5 Planning Reference: C/2007/0021/F  
Location: Rear of 55 & 57 Letterloan Road, Coleraine.  
Proposal: Proposed housing development for 12 No. dwellings comprising of 1 detached, 4 semi-detached & 7 No. townhouses on previously approved site of 8 No. dwellings. Decision: Permission Refused 21.06.2007
- 3.6 Planning Reference: C/2008/0342/F  
Location: Adjacent to 55 Letterloan Road, Macosquin.  
Proposal: Proposed change of house type on previously approved housing development (adjacent to 55 Letterloan Road, Macosquin)  
Decision: Permission Granted 20.01.2009
- 3.7 Appeal Ref: 2007/A1012  
Location: Rear of 55 & 57 Letterloan Road, Coleraine.  
Decision: Appeal withdrawn 23.02.2010
- 3.8 Planning Reference: C/2001/0613/F  
Location: Rear of 55 and 57 Letterloan Road, Coleraine  
Proposal: To develop this area into serviced sites for small private housing development and determination of roads layout for same  
Decision: Application withdrawn 16.08.2001
- 3.9 Planning Reference: C/2000/0709/O  
Location: Rear of 55-57 Letterloan Road, Macosquin, Coleraine  
Proposal: Site for Housing Development

- Decision: Application withdrawn 18.05.2001
- 3.10 Planning Reference: C/1999/0811/O  
Location: Rear of 55-57 Letterloan Road, Macosquin, Coleraine  
Proposal: Site for redevelopment of agricultural machinery sales and distribution site into serviced sites for housing development  
Decision: Application withdrawn 19.01.2000

## **4 THE APPLICATION**

- 4.1 Application for outline permission for a dwelling within a cluster.

## **5 PUBLICITY & CONSULTATIONS**

### **5.1 External**

**Neighbours:** There are no objections to the application

### **5.2 Internal**

**DFI Roads:** No objection

## **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

The application has been assessed against the following planning policy and guidance:

Regional Development Strategy 2035.

Northern Area Plan 2016.

Strategic Planning Policy Statement.

PPS 3: Access, Movement and Parking.

PPS 21: Sustainable Development in the Countryside.

### **Supplementary Planning Guidance**

Building on Tradition: A Sustainable Design guide for Northern Ireland.

## **8 CONSIDERATIONS & ASSESSMENT**

### Planning Policy

- 8.1 The main considerations in the determination of this application relate to the principle of development and character of the rural area.

### **Access**

- 8.2 Planning Policy Statement 3 relates to vehicular and pedestrian access, transport assessment, and the protection of transport routes, and parking. Policy AMP2 Planning permission will only be granted for a development proposal involving direct access, or the intensification of the use of an existing access, onto a public road where:
- a) such access will not prejudice road safety or significantly inconvenience the flow of traffic; and
  - b) the proposal does not conflict with Policy AMP 3 Access to Protected Routes.
- 8.3 DFI Roads was consulted on the proposal and responded with no concerns subject to conditions.

### **Principle of Development**

- 8.4 The principle of development must be considered having regard to the SPPS and PPS policy documents.
- 8.5 Policy CTY1 of PPS21 sets out 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. Policy CTY1 indicates states that there is a range of types of development which are considered acceptable. One of these is a replacement dwelling in accordance with Policy CTY3.

### **Policy CTY3**

- 8.6 It is noted that the second criteria for CTY3 (Replacement Dwelling) states that the overall size of the new dwelling should allow it to integrate into the surrounding landscape and would not have a visual impact significantly greater than the existing building. Although the principle of development on the site has been established under the outline application the above criteria is relevant in regard to the assessment of the RM application.
- 8.7 The dwelling to be replaced takes the form of a modest 1.5 storey dwelling finished in front pitched dormers with a pitched roof. The dwelling is traditional in its form and appearance and blends sympathetically with the existing buildings along this stretch of the Letterloan Road.
- 8.8 Whilst the proposal was approved at outline stage for a replacement dwelling, the proposed scale, massing and design are material considerations to the Reserved Matters (RM) application which should allow it to integrate into the surrounding area and it should not have a visual impact significantly greater than the existing. Complying with outline conditions does not guarantee an approval at RM stage.



- 8.9 It is noted that a previous Reserved Matters application ref: LA01/2021/0834/RM was refused on 3rd Feb 2022. The design is similar to this proposal, although the two storey rear return has been reduced in length by 0.15m and the integral garage reduced by 1.55metres. The windows on the front elevation have also been simplified. The scale of the overall proposal however remains the similar.
- 8.10 The overall sqm of the dwelling to be replaced measures some 65sqm whilst the proposed dwelling measures some 217sqm which is over 3 times larger than the existing dwelling. It is considered the overall scale, design and massing of the proposed dwelling would fail to integrate into the surrounding area and would have a significantly greater visual impact than the existing dwelling. The proposal fails the second criterion of CTY3.

### **Policy CTY 13**

- 8.11 Policy CTY 13 states that planning permission will be granted for a building in the countryside where it can be visually integrated into the surrounding landscape and it is of an appropriate design.
- 8.12 A new building will be unacceptable where:
- (a) it is a prominent feature in the landscape; or
  - (b) the site lacks long established natural boundaries or is unable to provide a suitable degree of enclosure for the building to integrate into the landscape; or
  - (c) it relies primarily on the use of new landscaping for integration; or
  - (d) ancillary works do not integrate with their surroundings; or
  - (e) the design of the building is inappropriate for the site and its locality; or
  - (f) it fails to blend with the landform, existing trees, buildings, slopes and other natural features which provide a backdrop; or
  - (g) in the case of a proposed dwelling on a farm (see Policy CTY 10) it is not visually linked or sited to cluster with an established group of buildings on a farm.

### **Policy CTY14: Rural Character**

- 8.13 Policy CTY14 of PPS21 states planning permission will be granted for a building in the countryside where it does not cause a detrimental change to, or further erode the rural character of an area.
- 8.14 Planning permission will be granted for a building in the countryside where it does not cause a detrimental change to, or further erode the rural character of an area. A new building will be unacceptable where:
- (a) it is unduly prominent in the landscape; or
  - (b) it results in a suburban style build-up of development when viewed with existing and approved buildings; or
  - (c) it does not respect the traditional pattern of settlement exhibited in that area; or
  - (d) it creates or adds to a ribbon of development (see Policy CTY 8); or
  - (e) the impact of ancillary works (with the exception of necessary visibility splays) would damage rural character.
- 8.15 The SPPS paragraph 6.70 states that all development in the countryside must integrate into its setting, respect rural character and be appropriately designed and clarifies at paragraph 6.77 that, “in all circumstances proposals for development in the countryside must be sited and designed to integrate sympathetically with their surroundings, must not have an adverse impact on the rural character of the area, and meet other planning and environmental considerations”.
- 8.16 One of the main criteria against which the degree of visual impact will be considered includes the suitability of the design of the building for the site and its locality, including its form, scale and massing.
- 8.17 'Building on Tradition - A Sustainable Design Guide for the Northern Ireland Countryside' (BoT) is supplementary planning guidance in support of PPS 21 and is a material consideration in this appeal. It sets out a number of design principles for new buildings in the countryside in order that they integrate into their surroundings. Although Chapter 5 'Replacement Form' gives

advice on replacement dwellings it cites examples of commonly recurring elements that result generally in poor or unacceptable design and that should be avoided. It advises avoiding amongst other design features such as large scale, awkward form and dominant roofs.

- 8.18 The dwelling proposed is two-storey, measuring 6.5 metres above finished floor level (to comply with condition no. 8 of the outline approval). The proposed dwelling comprises a main rectangular element with a frontage of 13metres and gable width of 7.6metres and is finished with a concave hipped roof. The dwelling incorporates a two-storey rear return measuring 6.85metres in length by 17.2metres in width. The rear return includes an integral garage with protrudes from the eastern portion of the dwelling when viewed from the Letterloan Road. The ridge height of the two-storey rear return is the same height as the main element of the dwelling (6.5metres).
- 8.19 The overall proposal is considered to be inappropriate to the site and the locality given the scale, massing and design which would be incongruous to the site and out of character in this rural area- in particular the concave hipped roof, integral rear garage that protrudes from the side elevation of the dwelling; and the proposed rear return, which when travelling along the Letterloan Road, will be read as one block and dominate the landscape. Appeal ref: 2019/A0245 is similar to this proposal and was dismissed due to the design of the proposed new dwelling not being appropriate in it's countryside location given its scale, massing and design.
- 8.20 A meeting was held via zoom on Wednesday 10th August 2022 which included the Case Officer, Senior Planner, Agent, Applicant and Elected Member of the Council. At the meeting officers relayed their concerns regarding the proposed design of the dwelling. The agent did not accept this, arguing that they felt the design was better than what currently exists on the site, and that there the proposal would have a visual impact less than the existing dwelling and outbuildings. The agents stated they felt there was no character within the area and that they had complied with the outline conditions. It was raised in the meeting that whilst the application may comply with the outline conditions, the design is a material consideration at Reserved Matters stage. The planning officers told the agents and

applicant that a pitched roof with dormers would be more acceptable on this site and would be more in keeping with the rural character, and that adequate amenity space should be provided for the occupants.

- 8.21 Furthermore, the officers raised concerns regarding the lack of amenity space provided within the green area (curtilage condition under condition 4 of the outline approval). The agent sent an email following the meeting on the 10th August stating "our calculations show that the total area of the curtilage (as indicated in green), is 550 sqm. The proposed dwelling has a footprint of 230 sqm, so that leaves amenity space within the 'green' of 320 sqm." This is a rural site and although there is no specific policy relating to the provision of amenity space for rural sites there is guidance under Creating Places which is used in urban areas. Within paragraph 5.19 of this document it is stated that private amenity space "should be around 70 sqm per house or greater." It is noted that 'private amenity space' refers to an enclosed rear private garden. In this case the private rear amenity space measures some 24 sqm which fails the recommended space standard for urban areas. Given this is a rural area it is considered that amenity provision should exceed those of urban areas. The agent has calculated the amenity space as including the driveway and parking area which leaves very limited space for any garden. The proposal fails to include appropriate private amenity for the dwelling.
- 8.22 Document 01 date stamped 11th August 2022 includes pictures of existing dwellings with hipped roofs however the agent has not included addresses for these nor planning references, furthermore these dwellings do not have same concave hipped roof proposed on this application nor is their scale or massing inappropriate for their sites. These pictures therefore have no relevance to this application and cannot be taken into consideration.
- 8.23 Document 02 date stamped 11th August 2022 indicates 3D contextual drawings of the proposed dwelling (shown in green) in relation to the existing (shown in red). The document aims to show that the proposed scale and massing is appropriate for the site and that it would be better than what exists on the site. Rather it is considered that these contextual drawings validate the concerns of the planning department in that this proposed

design is too extensive in terms of scale and massing and would be dominant in the landscape when travelling along the Letterloan Road; particularly pages 3 and 4, this illustration shows how open this site is and how inappropriately scaled the dwelling is in relation to the site and surrounding area.

- 8.24 The character of this rural area is made up of traditional, modest dwellings and farm outbuildings. The dwellings are a mix of 1.5 and 2 storey dwellings with simple forms, pitched roof and finished in render or stone. The proposed dwelling should have a simple rural form to be in keeping with the existing dwellings along the Letterloan Road. It is worth noting that whilst Building on Tradition may indicate that dwellings of the type proposed in this application are acceptable in the rural area, it must also be acceptable in the context of the site and the surrounding area - which the proposed design is not and is out of character for this rural area. The examples used in Building on Tradition appear to be on secluded sites unlike this proposal.
- 8.25 The existing boundaries are not substantial enough to provide screening and integration for the proposal due the proposed scale and massing. For the proposal to successfully integrate into the landscape, substantial landscaping would be required. Drawing 01/2 date stamped 11th October 2022 indicates new trees and shrubs to all boundaries. It is considered that this would be the only way in which this proposal could aid integration into the surrounding area. Criterion (c) of Policy CTY13 states it will be unacceptable for a proposal to rely primarily on the use of new landscaping for integration. The overall proposals scale, massing and design is inappropriate for the site and the locality and would fail to blend into the landform.
- 8.26 The external materials of the dwelling and garage will be roughcast render with smooth cement plaster quoins at the corners, and straps around the windows and doors. The windows will be finished in grey aluminium and the roof will be natural slates. All the external materials proposed are in accordance with the Supplementary Planning Guidance to Planning Policy Statement 21 Building on Tradition: A Sustainable Design Guide for the Northern Ireland Countryside

and are similar to the external materials within the immediate rural area.

- 8.27 Paragraphs 5.66-5.70 justifies Policy CTY13 in terms of design. “If form and proportion are wrong, then little can be done with any other features to mitigate the impact of a poor design. Where the scale, form or massing of a building would make it dominant or incongruous in the local landscape planning permission will be refused”. The proposed scale, form and massing of the dwelling makes it a dominant feature in the landscape and would fail to integrate into the surrounding area and with the existing buildings.
- 8.28 Overall, it is considered the proposed dwelling would appear as an incongruous and dominant feature in the landscape, fail to integrate satisfactorily, be unacceptably prominent in the landscape and detrimental to both the visual amenities of the countryside and rural character. The proposed development would fail the requirements of Policies CTY 13 and CTY 14 and be inappropriate in this countryside location.

### **Habitat Regulations Assessment**

- 8.29 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 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 SPPS.
- 9.2 The proposal fails to comply with Policy CTY 3 of PPS 21 in that the overall size of the new dwelling would have a significantly greater visual impact than the existing dwelling and the design of

the replacement dwelling is not of a high quality and is inappropriate to its rural setting and local distinctiveness.

- 9.3 The proposal also fails to meet with Policy CTY 13 and 14 of PPS 21 as the proposal is not of an appropriate design, would be a prominent feature on the landscape and fails to respect the pattern of development exhibited in the area. The proposal also fails Paragraph 4.12 of the SPPS given the limited provision of private amenity space.

## **10 REFUSAL REASONS**

1. The proposal is contrary to 6.73 of the SPPS and Policy CTY3 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the overall size of the new dwelling would have a significantly greater visual impact than the existing dwelling and the design of the replacement dwelling is not of a high quality and is inappropriate to its rural setting and local distinctiveness.
2. The proposal is contrary to paragraphs 4.12 and 6.70 of the SPPS and Policy CTY13 of PPS21, Sustainable Development in the Countryside, in that the proposals scale and massing is inappropriate for the site and locality, would fail to provide adequate amenity space, it would have a significantly greater visual impact than the existing dwelling, is not an appropriate rural design, would be a prominent feature in the landscape and would fail to blend into the surrounding landscape.
3. The proposal is contrary to paragraph 6.70 of the SPPS and Policy CTY 14 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the development would be a prominent feature in the landscape and fails to respect the traditional pattern of development exhibited in the area and therefore would cause a detrimental change to the rural character of the area.





## Referral Request

**From:** John McAuley < >  
**Sent:** 28 October 2022 16:41  
**To:** Planning <[Planning@causewaycoastandglens.gov.uk](mailto:Planning@causewaycoastandglens.gov.uk)>  
**Subject:** RE: LA01/2022/0701/RM

Good Evening

Can I please request that Planning Application LA01/2022/0701/RM be referred to planning committee based on the following reasons.

Comment on Reason 1.

The overall size of the new dwelling is in accordance with the specific conditions in the Outline

Planning Approval that relate to both the height and width of the building.

The Outline Planning Approval therefore allows for a building of this overall size.

In terms of the building being replaced, there are two buildings being replaced. The frontage of the proposed building (13m) is some 47% less than the frontages of the buildings being replaced. So, the proposed building has a significantly lesser visual impact than those being replaced.

On both vehicular approaches to the proposal site, the visual impact of the proposal represents a significant reduction from the visual impact of the existing buildings being replaced.

The proposed building is of traditional design, and there are many examples of this type in the Northern Ireland Countryside. In addition, this specific design type appears in the document "Building on Tradition – A Sustainable Design Guide for the Northern Ireland Countryside", in the section of the document that illustrates what makes rural Northern Ireland "special".

In terms of the appropriateness of the proposal to its rural setting and local distinctiveness, the local distinctiveness is characterised by a large number of broken-down farm buildings, and in the slightly wider geographical context, by a wide variety of different building types.

The local area does not possess any architectural distinctiveness.

Comment on Reason 2.

This is largely a repetition of Refusal Reason, and the same basic rebuttal points noted above apply.

There is a reference to a failure to provide adequate amenity space, but actually 320 square metres of amenity space has been provided against a requirement of 70 square metres.

Comment on Reason 3.

Again, this is largely a repetition of Reason 1 and the same basic rebuttal points noted above apply.

Regards

Cllr John McAuley

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