

Planning Reference	LA01/ 2021/1513/O
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Contact Details	Tel: Email:
Support or Objection – please tick relevant box	Support <input checked="" type="checkbox"/> Objection <input type="checkbox"/>

Written representation summarising key points to be addressed and supplementary information in support of your case (minimum font size 10 and maximum length two sides of A4 page).

DFI Roads; Environmental Health; NIEA; NI Water – No objection.

From the case officer's report, the associated development is recorded as '*nestled into the southern corner of the site*'. Acknowledging that the site is *not prominent and does not impact adversely on the setting*. The report also notes that there exists '*development to the rear on the southeastern boundary has, a small group of dwellings consisting of three dwellings*' and '*on the southwestern boundary, the site is bounded by two properties.*' The report accepts that the proposed development '*would not create a visual impact greater than the existing.*' *We note the proposed development will replace the existing residential structures on the site and improve the visual impact, however the application is not made under replacement policy*; It is acknowledged in the report that the existing residential structure is exempt from planning enforcement and has planning permission by default.

Approval will result in a planning betterment and planning gain. The planning report underlines that '*it is considered that any positioning of the proposed dwelling would respect the overall form of development along the laneway and the proposal would respect the development pattern in terms of the siting of the dwelling*'.

The report records that '*overall it is considered that the proposal could thereby integrate into the proposed site and would thereby comply with policy CTY 13*'; it is also acknowledged '*that a proposal dwelling on this site would not be prominent within the area*'.

CTY 14 the report accepts '*the proposed dwelling could be conditioned in order to reflect the existing scale and massing of the properties in the surrounding area*'.

The case report accepts and acknowledged that the proposal will be absorbed within the context of the existing dwellings surrounding the proposal. The case report however ignored No.37 Vale to the East of the proposal which when read with the surrounding dwellings 'stop ends' the infill gaps.

From every direction, when viewed the site qualifies as an infill site.

With regards to **cluster** the development is positioned at a staggered crossroads at an area locally referred to as '**Brolly's corner**' due to the historic local '**Brolly's shop**'. within the existing cluster there are 7 no. dwellings; there are 16 – 18 no. buildings in total.

Building on Tradition – Guide for Rural Planning illustrates examples of 'Good Planning' from the 'Infill' section examples show stepped back dwellings accessed directly and indirectly from laneways.

The site has a common frontage, **CTY 8** 5.33 allows infill opportunity whenever buildings are set back/staggered. This has been tested and agreed with High Court judgements.

CTY 8 allows for of a small gap site sufficient only to accommodate up to a maximum of 2 homes. Approval can be conditioned for siting, which as can be seen from the Planning Case Report is acceptable to Planning Department.

'The siting, size and scale can all be conditioned and agree at reserved matters stage'.

Therefore, approval of the site can be granted as an infill with siting conditioned.

Our client's health condition is only secondary to the case for approval.

The senior officer actually adds weight to the approvability of the site in his notes by comments '*proposal is located with surrounding dwellings*' (acceptance of the clusters existence) and '*land could potentially accommodate more than one dwelling when assessed*' (an infill site is acceptable for up to a maximum of 2 houses).

CTY 13 Case officer has accepted proposal satisfied and successfully integrates.

The application site '*nestle*' within the wider development and is framed by the dwellings that exist.

There are no long-range views of the site, the site is successfully integrated.

CTY 14 states that permission will be granted for a building that does not cause detrimental change nor further erode the rural character of the area.

This site benefits from established enclosure within the overall grouping, which frame the site in all directions. This proposal is in line with the style & character and not suburban in any manner.

This Application qualifies under **CTY8** – Ribbon Development:

- gap site within an otherwise substantially continuous built-up frontage and respects the existing developmental pattern along the frontage, respecting & reflecting size, scale, siting & plot size.
- infill potential as viewed to the South Westerly with existing dwellings (Nos. 38a, 38b, 38c Vale Rd & No. 37 Vale Rd).
- The linear form also exists when viewed in the South Easterly direction (Nos. 40 & 42 Vale Rd and gap to No. 38a Vale Rd), notably the gap site is also backdropped by Nos. 38b & 38c Vale Rd.
- This proposal will not impact adversely on the amenities of neighbouring residents.

This Application qualifies under CTY2a – New Dwellings in Existing Clusters :

- There exists 7 No. dwellings at the cluster with 16 No. buildings in total.
- The cluster is a visual entity in the local landscape, the area is locally known as an "Upper Rd" with the junction a recognised area of local interest known as "Brolly's Corner", the relationship with local historic value with "Brolly's Shop & "Brolly's Farm. (*evidence submitted*)
- The identified Site 40a Vale Road (adjacent to 40 Vale Rd)

There exists enclosure on all four sides of development, No. 37 Vale Rd to the W, Nos. 40 & 42 Vale Rd to the SW, Nos 38b & 38c to the SE.

- No. 38a to the East, Private Laneway access to the Site & Nos. 38a,b & c to the North.
- The site is absorbed into existing cluster.
- Site does not adversely impact on residential amenity.

This Proposal Satisfies Policy CTY3 –Replacement Dwellings:

- The temporary nature of this dwelling has been "voided" - Applicants dwelling for over 14 years.

We provided evidence from NIE & from neighbours confirming the existence of the dwelling.

Policy **CTY9** Residential Caravans & Mobile Homes: wherein Planning Permission will only be granted for a Temporary period (Originally 3 years) except in exceptional circumstances.

- ▶ Pending the development of a permanent dwelling.
- ▶ Compelling & site-specific reasons related to personal / domestic circumstances.
- ▶ This site has strong family connections for Mr Mc Keever. Planning Dept. have been aware of Mr Mc Keever's Dwelling for years and have deemed it to be acceptable & appropriate. That being established Planning Dept. by default have accepted that the "Site" integrates meeting CTY13.

This proposal is in keeping with CTY 1, CTY 2a, CTY 8, CTY 13 and CTY 14 of PPS21, it represents a suitable infill site within an established grouping (cluster), which successfully integrated, and which will maintain the established rural character.