

Appeal Decision

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Appeal Reference:	2017/A0132
Appeal by:	Nicola Millar
Appeal against:	Outline Planning Permission
Proposed Development:	Dwelling and Garage
Location:	Between 30 and 32 Shinny Road , Coleraine
Planning Authority:	Causeway Coast and Glens Borough Council
Application Reference:	LA01/2017/0004/O
Procedure:	Written Representations with Commissioner's site visit on 19 th January 2018
Decision by:	Commissioner Helen Fitzsimons 29 th January 2018.

Decision

1. The appeal is dismissed.

Reasons

2. The main issues in this appeal are whether the proposed development is acceptable in principle in the countryside and whether it would be harmful to rural character.
3. The appeal site lies out with any settlement or designation as defined by the Northern Area Plan 2016 (NAP). There are no plans or policies in the plan relevant to the appeal proposal within NAP. Planning Policy Statement 21: Sustainable Development in the Countryside (PPS21)' PPS 21 provides the relevant policy context for the appeal proposal.
4. Policy CTY 1 of PPS 21 states that there are a range of types of developments which in principle are considered to be acceptable in the countryside and that will contribute to the aims of sustainable development. One of these is a dwelling in accordance with Policy CTY 8 'Ribbon Development'. Policy CTY 8 states that planning permission will be refused for a building which creates or adds to a ribbon of development. However, it also includes the exception that 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 will be permitted. For the purposes of this policy the definition of a substantial and continuously built up frontage includes a line of 3 or more buildings along a road frontage without accompanying development to the rear.

5. The term road frontage must mean that buildings have direct frontage to the road with no features in between. The appellant is relying on No 32 Shinny Road a detached dwelling and garage; and No 30 Shinny Road a dwelling and a commercial building south east of No 30 Shinny Road to form the substantial and continuously built up frontage along the road. The appeal site is located between Nos 32 and 30 Shinny Road.

6. No 32 Shinny Road is physically demarked from the road by a fenced paddock to the front of the dwelling and has frontage to that paddock and not the road. No 32 Shinny Road lies behind a stand of mature trees which, on the ground, serve to demark this dwelling and garage from an area of intervening land between it and the road. As a consequence, No 32 Shinny Road is not a road frontage building. The commercial building is set behind a band of mature vegetation, which defines a deep roadside ditch, and it does not have direct frontage to the road. Given all of this there is no substantial and continuous built up frontage to allow the appeal site to constitute a small gap for the purposes of policy. It is not an exception under Policy CTY 8 of PPS 21. Its addition to the existing development along this part of Shiny Road would result in an unacceptable build up of development that would adversely impact on the amenities of the area. The Planning Authority has sustained its reason for refusal based on the SPPS and Policy CTY 8 of PPS 21

This decision is based on the 1:2500 scale site location plan.

COMMISSIONER HELEN FITZSIMONS

Documents

2017/A0132

List of Documents

Planning Authority: - PA1 Written Statement and Appendices (Causeway Coast and Glens Borough Council)

Appellant: - A 1 Written Statement and Appendices (TJ Mc Dowell - Agent)
A2 Comments