

Laura Crawford

From: Kenny Burke [REDACTED]
Sent: 22 June 2021 15:29
To: Planning
Subject: Re: Item 6.11 - Speaking Rights - LA01/2020/0678/O - Imm Adj to 141 & 151 Muldonagh Road, Claudy
Attachments: Supporting Planning Statement - LA01.2020.0678.O (Muldonagh Road).pdf

Dear Sir/Madam

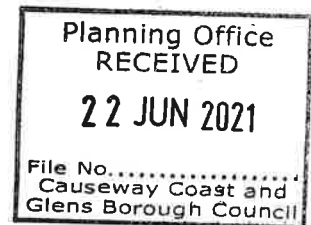
Please find attached Planning Statement which is an additional supporting document for the above subject application.

We would kindly request that this is circulated to the Planning Committee members as it contains supporting evidence for consideration at tomorrow's meeting.

Regards

Kenny Burke Arch Tech, MCIAT, C. Build F, MCARE
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On 18/06/2021 10:14, Planning wrote:

Kenny

Thank you for your request for speaking rights for yourself in support to the above application.

This application is now scheduled for discussion at 23rd June 2021 Planning Committee Meeting.

Please note that this meeting will commence at 10:30am.

The total time allowed for representations from applicant, agent or representatives will be a maximum of 5 minutes.

I have attached a link to the Committee Agenda and Reports:-

<https://www.causewaycoastandglens.gov.uk/council/minutes/23rd-june-2021-planning-meeting>

The Planning Committee Meeting will be held at **10:30am on Wednesday 23rd June 2021** at Causeway Coast & Glens Borough Council, Cloonavin, 66 Portstewart Road, Coleraine, BT52 1EY and you will be invited via video conference (MS Teams) to discuss your application.

The Committee may decide to change the Order of Business on the day.

May I refer you to the Protocol for the Operation of the Planning Committee:-

<https://www.causewaycoastandglens.gov.uk/uploads/general/Revised Protocol for the Operation of the Planning Committee November 20.. .pdf>

Regards

Gemma McAuley

Business Support Officer

Planning Office

Causeway Coast and Glens Borough Council

Cloonavin

66 Portstewart Road

Coleraine

BT52 1EY

Tel: (028) 7034 7100



**Causeway
Coast & Glens
Borough Council**

Planning Office
RECEIVED
22 JUN 2021
File No.....
Causeway Coast and
Glens Borough Council

Supporting Planning Statement

Dwelling House with Detached Garage at
an Existing Cluster of Development,
Immediately Adjacent to 141 & 151
Muldonagh Road, Claudy.



O'Connor Burke Architecture Ltd

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- Section 2.** Crossroads
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- Section 4.** Ribbon Development
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Section 1

Introduction

1. Introduction

1.1. This "Supporting Planning Statement" relates to Planning Application LA01/2020/0678/O, dwelling house with detached garage at an existing cluster of development, Immediately Adjacent to 141 & 151 Muldonagh Road, Claudy.

1.2. All Statutory Consultations have responded with a favourable outcome to approve the application and with the recommendations to include some standard conditions and advice/informatives.

1.3. There are no third-party objections to this application.

1.4. The Planning Report recommends that the application be refused as it does not fully meet the criteria for development of a new dwelling within an existing cluster when assessed against PPS 21 Policy CTY2a. The report also states that the site would cause ribbon development when assessed against Policy CTY 8. However, the report does state that a new dwelling at this location would be easily integrated into the surrounding development and would not be a prominent feature in the landscape, therefore complying with all other relevant policies.

1.5 Planning Policy Statement 21

1.6. **PPS21 EXTRACT - Policy CTY2a** Development New Dwellings in Existing Clusters

Planning permission will be granted for a dwelling at an existing cluster of development provided all the following criteria are met:

1. the cluster of development lies outside of a farm and consists of four or more buildings (excluding ancillary buildings such as garages, outbuildings and open sided structures) of which at least three are dwellings;
2. the cluster appears as a visual entity in the local landscape;
3. the cluster is associated with a focal point such as a social / community building/facility, or is located at a cross-roads,
4. the identified site provides a suitable degree of enclosure and is bounded on at least two sides with other development in the cluster;
5. development of the site can be absorbed into the existing cluster through rounding off and consolidation and will not significantly alter its existing character, or visually intrude into the open countryside; and
6. development would not adversely impact on residential amenity.

1.7. The Planning Report suggests that the application fails to meet the third item in the assessment criteria. Below is the extract paragraph from this report.

"The proposal fails to meet policy CTY 2a in that the cluster is not associated with a focal point such as a social / community building/facility and is not located at a cross-roads"

1.8. PPS21 EXTRACT - Policies CTY14 and CTY 8 Rural Character and Ribbon Development.

A new building will be unacceptable where it creates or adds to a ribbon of development
(See Policy CTY 8)

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

1.9. The Planning Report suggests that the application will add to a ribbon of development along the Muldonagh Road. Below is the extract paragraph from this report.

The site is a roadside site adjacent no.141 Muldonagh Road. No 141 is the first dwelling on this
side of the road on approach from the south east. Positioning a dwelling at this location will to
add to a ribbon of development along the Muldonagh Road and is contrary to criteria (d) of
CTY 14 and CTY 8.

1.10. Supporting Planning Statement and Focus.

1.11. For clarity, this Supporting Planning Statement will focus on the three following subjects and the report will be sub-divided accordingly;

- Cross-roads.
- Focal Points.
- Ribbon Development.

Section 2 Crossroads

2. Cross-Roads

2.1. Part of the third criterion within Policy CTY2a for a new dwelling at an existing cluster is as follows;

"the cluster is located at a cross-roads".

2.2. It is important to recognise that there are no prescribed text or definitions within the policy on what constitutes a "cross-roads" or a "road". There are also no references made to an adopted public road, usage of a road, number of properties served or that a road cannot be a dead-end.

2.3. Although not used as a definition within CTY2a, a material consideration is that the following prescriptive text has been used to define a road elsewhere within PPS 21.

"For the purposes of this policy a road frontage includes a footpath or private lane".

2.4. Furthermore, weight has to be given to the acknowledgment and acceptance by the Planning Appeals Commission in application reference 2017/A0113 that the term "road" extends beyond an adopted public road. Commissioner A Speirs' report includes the following paragraph;

"I agree that policy CTY2a does not indicate that the term crossroads applies only in respect of adopted public roads".

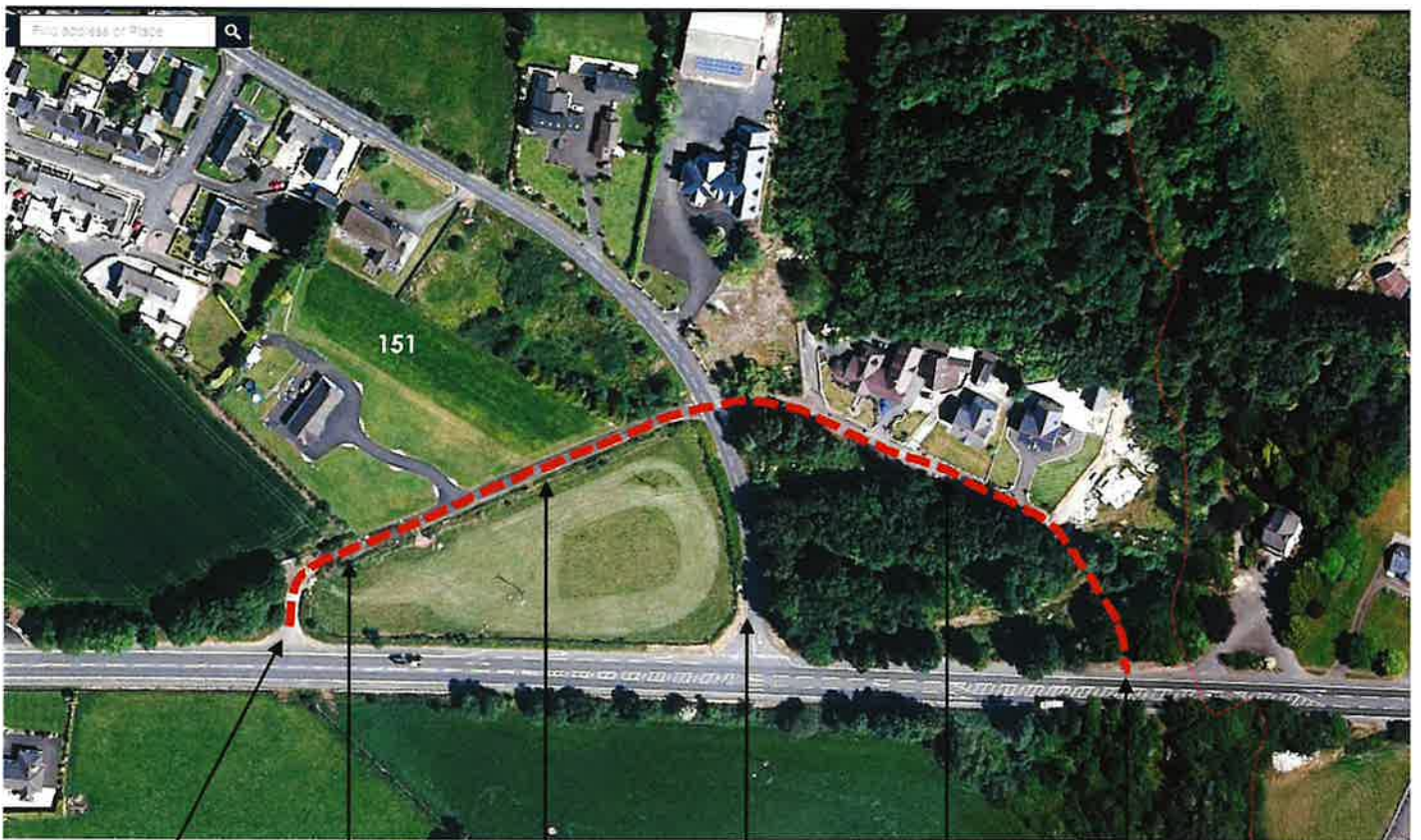
2.5. The Planning Report states that the application site is located at the junction of where the Muldonagh Road crosses a laneway serving no 151 and a road serving a number of properties to the east. Below is the extract paragraph from this report.

The agent refers to the site being located at a cross roads. The junction referred to is where the Muldonagh Road meets the laneway access to no. 151. This laneway has no access out onto the Foreglen Road and is used to access no.151 only, with a deadend. The other road is where the Muldonagh Road extends to the east to provide access to a number of properties. This junction is not considered a crossroads as it includes a narrow laneway access to no.151.

2.6. It has been incorrectly assumed by the Planning Authority that the access to the dwelling at 151 Muldonagh Road is a laneway when in fact it is an abandoned section of the original Foreglen Road. The through access from the old abandoned Foreglen Road to the current Foreglen Road has been informally stopped up, however the junction of these two roads is quite evident on site.

SEE FIGURES ONE and TWO on the following pages.

2.7. Furthermore, the Planning Report fails to recognise that the Road that serves a number of properties to the east has a through access onto the current Foreglen Road. The Planning Reports draws upon a negativity statement of the stopped up road only. Notwithstanding the informal stopped up section of road, the report does not even acknowledge or mention that there are two junctions from the old abandoned Foreglen Road onto the current Foreglen Road. The description of the abandoned road in the report is misleading.



Access to Foreglen Road

Informally Stopped up section

Abandoned Original Foreglen Road

Muldonagh Road

Abandoned Original Foreglen Road

Access to Foreglen Road (not stopped up)

Muldonagh Road

Abandoned Original Foreglen Road

Site Location

Muldonagh Road

Ingfield Cottage Holiday Accommodation

Muldonagh Country House



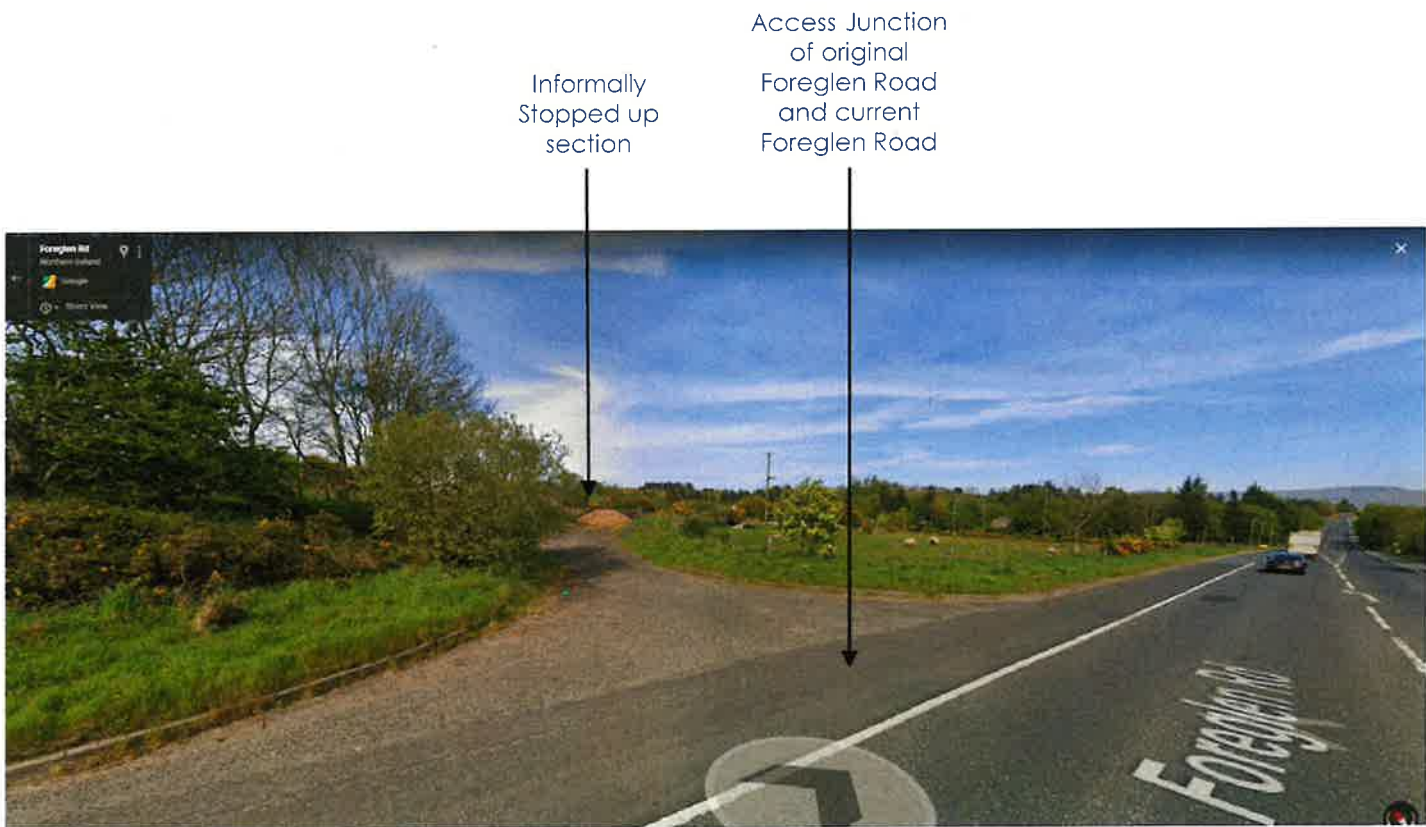
Crossroads Junction

Original Foreglen Rd & Muldonagh Rd

FIGURE ONE



Original Foreglen Road
Informal Stopping Up



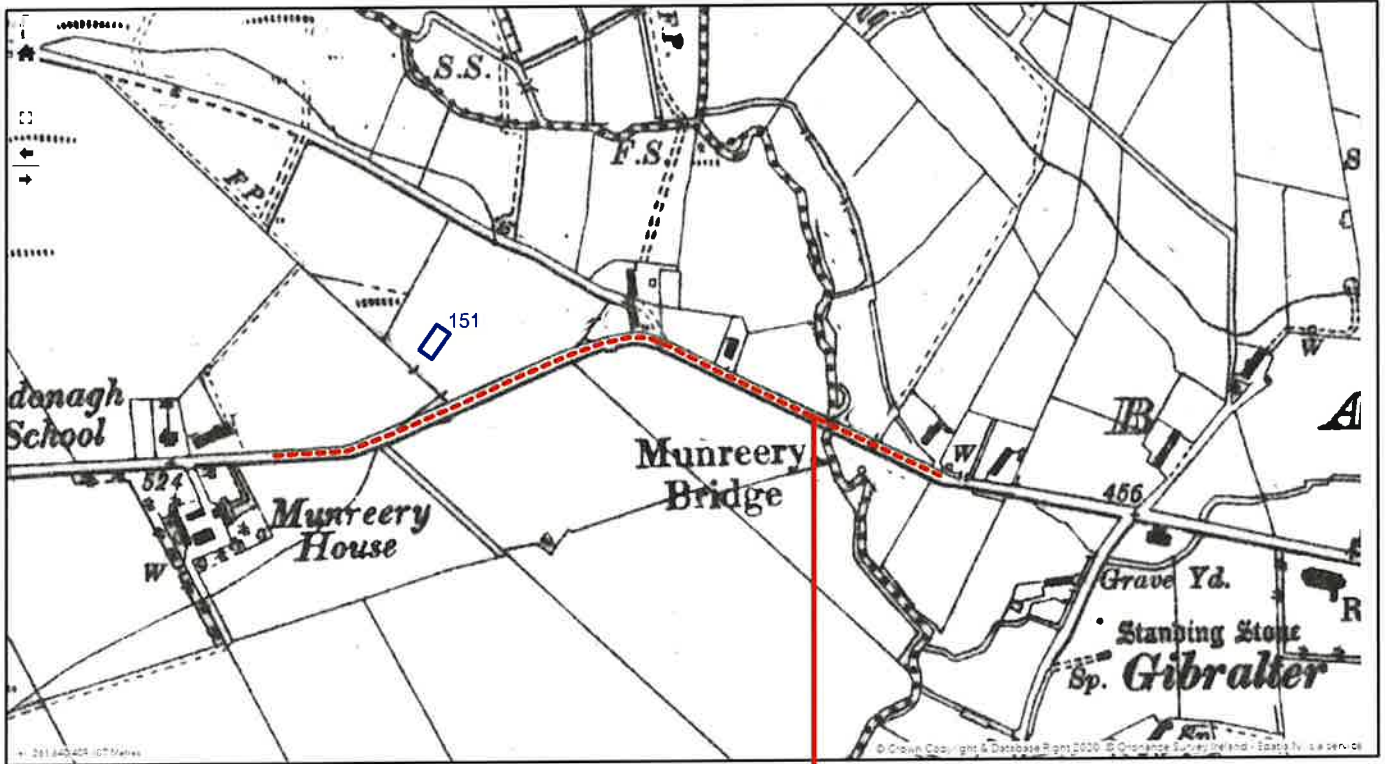
Road Junction
Original Foreglen Rd & Current Foreglen Rd

2.7. OSNI Historical Fourth Edition map (1905-1957) indicates the location and alignment of the original Foreglen Road. We have superimposed this historical map over the satellite view which clearly confirms that the abandoned stopped up road is the original Foreglen Road and not a laneway.

SEE FIGURE THREE on the following page.

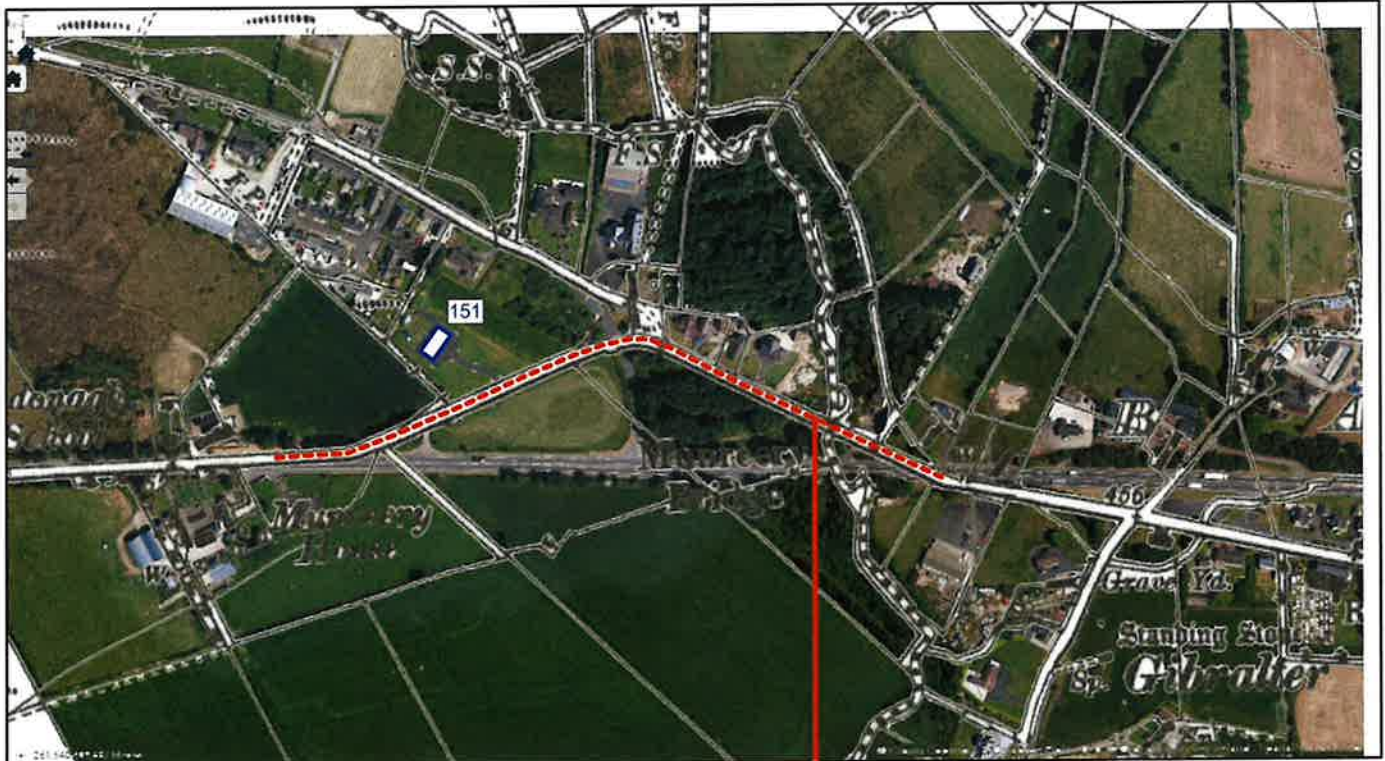
2.8. Furthermore, notwithstanding the abandonment or stopping up of the original Foreglen Road, the characteristics of this junction remains that of a crossroads.

2.9. It is quite evident that the Muldonagh **ROAD** intersects the abandoned original Foreglen **ROAD** forming a crossroad junction located at this cluster of development.



Ordnance Survey Northern Ireland
 Historical Fourth Edition Map (1905-1957)

Original Foreglen Road



Superimposed Maps
 Historical Map v Aerial Imagery Map

Original Foreglen Road

Section 3 Focal Points

3. Focal Points

3.1. The other part of the third criterion within CTY2a of PPS 21 Policy for a new dwelling at an existing cluster is as follows;

"the cluster is associated with a focal point such as a social / community building/facility"

3.2. It is important to recognize that the wording "such as" has been used to describe the type of buildings and facilities at a focal point. The examples provided are not exhaustive which has been acknowledge and accepted by Causeway Coast and Glens Borough Planning Department in Planning Application LA01/2016/0526/F.

3.3 Planning Application LA01/2016/0526/F was for a dwelling house and garage within a cluster made up of houses and businesses. Although this was a renewal of a 2010 planning application, the principle of businesses and local employment being considered as a focal points was accepted. Below is the extract paragraph from this report.

It was also accepted that the commercial businesses in close proximity to the site within the cluster could be considered focal points where significant employment exists.

3.5 There are four established businesses associated with the cluster at Muldonagh Road, as follows;

1. **Unique Timber Frame Ltd** (Timber Frame Construction Manufacture)
135 Muldonagh Road
2. **Glenwood Designs Ltd** (Bespoke Kitchen & Interior Fit Out Construction Manufacture)
198 Muldonagh Road
3. **Muldonagh Country House** (Holiday Accommodation)
198 Muldonagh Road
4. **Ingfield Cottages** (Holiday Accommodation)
196 Muldonagh Road

3.6 These businesses provide significant employment and can therefore be considered focal points as previously accepted in the precedent application noted in paragraph 3.3. Furthermore, these businesses provide local employment opportunities, making the Muldonagh Road cluster a sought after area.

3.7 For consistency within the Planning Process, Causeway Coast and Glens Borough Council have an obligation to apply the principles of the precedent application to this application.

3.8 The following pages contains information on the four established businesses and identifies their close proximity to the application site. **SEE FIGURES FOUR, FIVE AND SIX**

Yell.com Yell Business Download the app Get a free listing Advertise 0800 777 449

Timber Frame Buildings Londonderry Search Log in

< Back to results

Unique Timber Frame Ltd

★★★★★ (0 Ratings) | Write a review

135 Muldonagh Rd, Claudy, Londonderry, BT47 4EJ [Directions](#)

Website

5+ Years with Yell

Why Choose Us? Well Established Professional Service Quality Workmanship

Home > Londonderry > Timber Frame Buildings > Unique Timber Frame Ltd Share: f t

★★★★★

There are no reviews for this business, be first to write a review!

[Review now](#)

Business overview

Well Established Timber Frame Building Solutions Based In Londonderry.

Products and services

- Timber Frame Homes
- Timber Frame Buildings
- Home Builds
- Manufacture & Supply Timber Frame Buildings
- Eco- Houses
- Energy Efficient Homes
- Environmentally Friendly

Reviews

There are no reviews for this business, be the first to write a review!

[View map](#)

Business 1 - Unique Timber Frame Ltd
135 Muldonagh Road

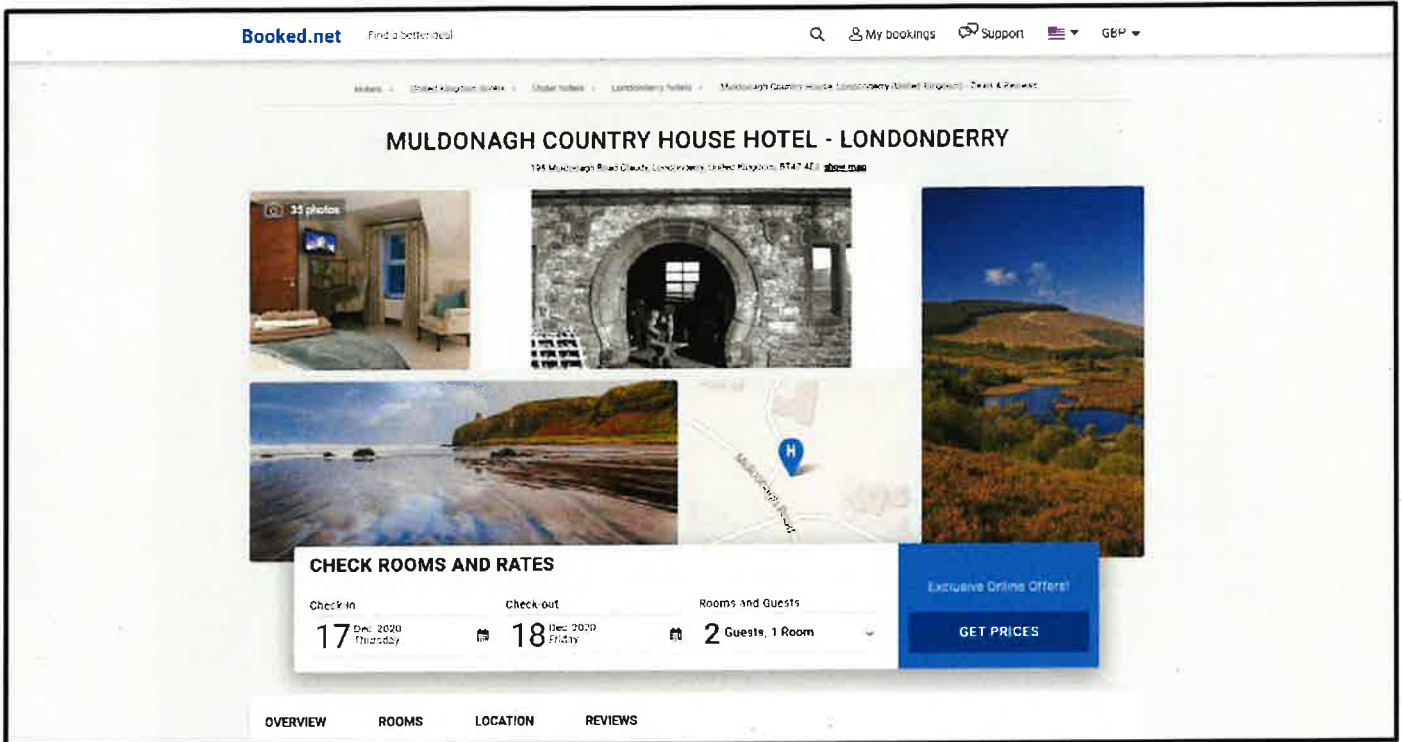
GLENWOOD

ENTER

BOOK A FREE CONSULTATION

"We have a long established reputation for excellence in kitchens & interiors"

Business 2 – Glenwood Designs Ltd
198 Muldonagh Road



Business 3 – Muldonagh Country House
 198 Muldonagh Road



Business 4 – Ingfield Cottage Holiday Accommodation
 198 Muldonagh Road

BUSINESS 1

Unique Timber Frame Ltd

BUSINESS 4

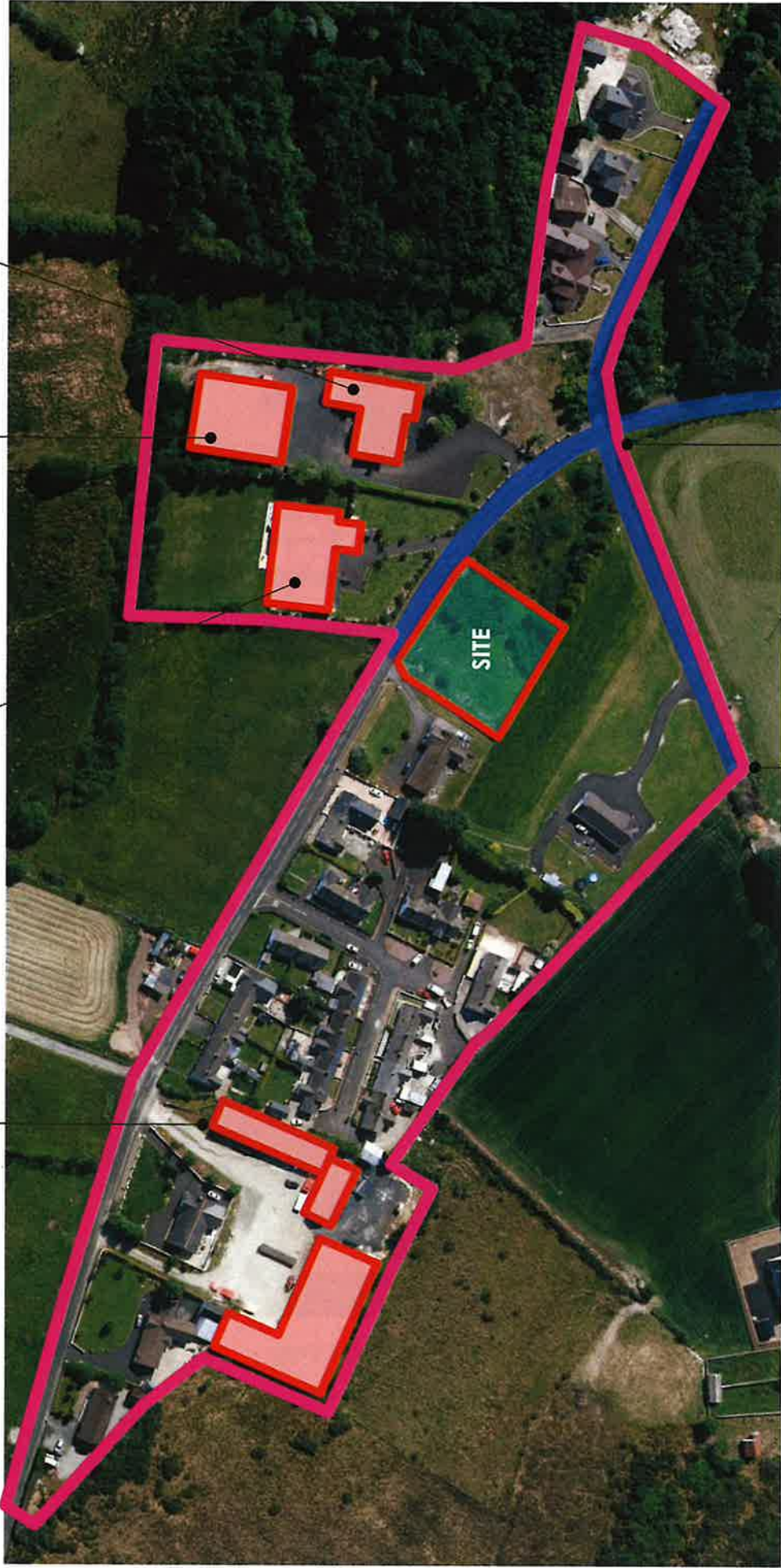
Ingfield Cottages

BUSINESS 2

Glenwood Design ltd

BUSINESS 3

Muldonagh Country House



CLUSTER FOCAL POINTS
Aerial Imagery Map

EXISTING CLUSTER

CROSS ROADS

FIGURE SIX

3.8 Although not visually linked to the cluster, the Foreglen Community Association building is in close proximity to the cluster, a short five minute walk from the application site. **SEE FIGURE SEVEN.**

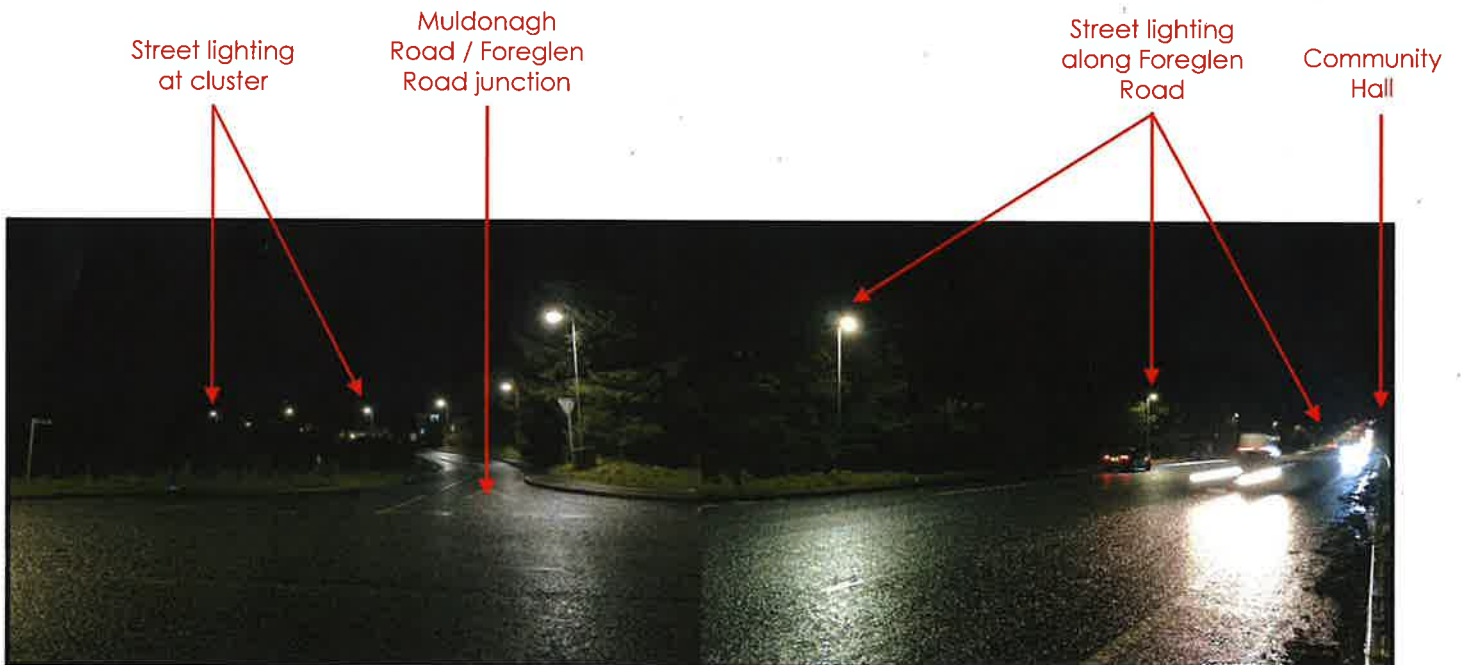
3.9 The Foreglen Community Association provide a range of activities to the local community and rely on the residents of Muldonagh Cottages and the surrounding dwellings within the cluster for the sustainability of its services. **SEE ATTACHED SUPPORTING LETTER.**

3.10 The safety and wellbeing of the residents within this cluster has been considered given that there are street lighting that provides an illuminated pedestrian route from the cluster to the Foreglen Community Association building. This in turn provides a strong illuminated visual linkage between the two areas at nightfall. **SEE FIGURE SEVEN.**

3.11 It is important to recognize that the wording used within criterion 3 for a new dwelling at an existing cluster. It clearly states that **"the cluster is associated with a focal point, or is located at a cross-roads."** It does not state that the cluster is "located at" a focal point, but "associated with" a focal point. Given the proximity of the local community building and the dependent services it provides to the residents of Muldonagh Cottages and the surrounding dwellings, it is evident that the cluster is certainly "associated with" the Foreglen Community Association building.



Aerial Image of Pedestrian Route
5 Minute Walk to Community Building



Illuminated Pedestrian Route
Site to Community Building

Foreglen Community Association
267 Foreglen Road
Dungiven
BT47 4PJ
T: [REDACTED]
E: foreglencommassoc@btinternet.com

17th December 2020

O'Connor Burke Architecture Ltd
1 College Terrace
Derry
BT48 7NZ

To Whom It May Concern,

FOREGLEN COMMUNITY ASSOCIATION

The Foreglen Community Association is a charitable non-profit organisation that provides a range of activities and events for the local community. This community includes the residents of not only the Foreglen Village, but also that of Muldonagh Cottages and the surrounding houses. The range of activities and events include:

- Social club 60+
- Bingo.
- Mother and Toddlers Group.
- Fitness and Wellbeing Classes.
- Education Classes.
- Men Sheds. Retired and Mental Health.
- Youth Club.
- Kick boxing.
- Indoor Football.
- Seasonal Activities and Events.
- CRS health and safety courses for local businesses within the construction industry.

We provide a bus service for the residents of Muldonagh Cottages and the surrounding houses to cater for the Social Club 60+, bingo and the men sheds community workshop.

Foreglen Community Association

The Foreglen Community Association rely on the residents of the Muldonagh Cottages and the surrounding houses and without them we could not sustained our activities/events and would simply not exist.

Yours faithfully

A large black rectangular redaction box covers the signature of the Treasurer. To the left of the box, there are three blue rectangular marks, possibly representing staples or punch holes.

(Treasurer of the Foreglen Community Association)

Section 4

Ribbon Development

4. Ribbon Development

4.1. The Planning Report suggests that the application will add to a ribbon of development along the Muldonagh Road. It seems the Planning Case Officer has disregarded the accompany development to the rear when making the ribbon development assessment.

4.2 The following prescriptive paragraphs are extracts from PPS 21 in relation to ribbon development.

For the purposes of this policy a road frontage includes a footpath or private lane. A 'ribbon' does not necessarily have to be served by individual accesses nor have a continuous or uniform building line. Buildings sited back, staggered or at angles and with gaps between them can still represent ribbon development, if they have a common frontage or they are visually linked.

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.

4.3 It is important that 151 Muldonagh Road is considered when assessing the application site against ribbon development, as follows;

- 151 Muldonagh Road building being sited back and with a gap between the building and the road frontage. The gap being the application site.
- 151 Muldonagh Road building having a common frontage and being visually linked.
- 151 Muldonagh Road being accompanying development to the rear of the application site.

SEE FIGURE EIGHT.

4.4. The Planning Report states that the application site is a roadside site adjacent no. 141 Muldonagh Road. The report also states that no. 141 Muldonagh Road is the first dwelling on this side of the road on approach from the south east. This is not accurate as 151 Muldonagh Road has been disregarded.

4.5. It should be noted that the Planning Report does recognise that the rear of the application site is bounded by 151 Muldonagh Road. However, it does not recognise 151 Muldonagh Road when assessing the site against ribbon development. The Planning Report is not consistent in this matter.

4.6. The first dwelling on the application site side of the road on approach from the south east is 151 Muldonagh Road.

4.7. Although sited back from the road and with the application gap site between, 151 Muldonagh Road shares the common frontage and is visually link to all other dwellings along the Muldonagh Road. The application gap site between 151 Muldonagh Road and the road frontage does not provide relief or a visual beak. **SEE FIGURE EIGHT.**

4.8. Given consideration to 151 Muldonagh Road, the erection of a dwelling at this site location does not add to a ribbon of development.

151 Muldonagh Road Accompanying development
Application Site Gap between 151 and road frontage
141 Muldonagh Road
22 Muldonagh Cottages



South East Approach
Road Frontage

Rear boundary of site

Road Frontage

FIGURE EIGHT

Section 5 Summary

5. Summary

5.1. The Planning Report recommends that this application be refused due to the following reasons.

- **Focal Point & Cross Roads.**
The cluster is not associated with a focal point or located at a cross-roads
- **Ribbon Development.**
The development of this site will add to a ribbon of development along the Muldonagh Road.

5.2 Cross Roads – Evidence has been provided in section 2 of this report confirming that the assumed laneway is actually the abandoned original Foreglen Road. This original Foreglen Road "crosses" over the Muldonagh Road creating a crossroads. The cluster is located at a crossroads.

5.3 Focal Points – Evidence has been provided in section 3 of this report confirming businesses providing significant employment within the cluster which has been considered previously by Causeway Coast and Glens Borough Council Planning Department as a focal point. This cluster is associated with a focal point.

5.4 Focal Points – Further evidence has been provided in section 3 of this report confirming the close proximity of the Foreglen Community Association building and the dependent services it provides to the residents of Muldonagh Cottages and the surrounding dwellings. The cluster is also associated with this focal point.

5.5 Ribbon Development – Evidence has been provided in section 4 confirming that the erection of a dwelling at this site location does not add to a ribbon of development.

5.6 Approval – This Planning Application fulfils the criteria of CTY2a (New Dwellings in Existing Clusters) and all other polices within PPS 21, therefore Planning Permission should be granted.

