

Planning Committee Report LA01/2018/0224/F	17th April 2019
PLANNING COMMITTEE	

Linkage to Council Strategy (2015-19)	
Strategic Theme	Protecting and Enhancing our Environment and Assets
Outcome	Pro-active decision making which protects the natural features, characteristics and integrity of the Borough
Lead Officer	Development Management & Enforcement Manager
Cost: (If applicable)	N/a

<u>No:</u> LA01/2018/0224/F	<u>Ward:</u> Lurigethan
<u>App Type:</u> Full Planning	
<u>Address:</u> 50m South of 32 Glassmullen Road, Glenariffe.	
<u>Proposal:</u> Proposed 2-storey replacement dwelling and detached garage/farm office, redesigned and slightly relocated from that approved under E/2013/0026/RM.	
<u>Con Area:</u> N/A	<u>Valid Date:</u> 21.02.2018
<u>Listed Building Grade:</u> N/A	
<u>Agent:</u> Gary McNeill, 14 Cave Road, Cushendun. BT44 0PN	
<u>Applicant:</u> Mr Kieran Graham, 109 Glen Road, Glenariffe. BT44 0RG	
<u>Objections:</u> 0	<u>Petitions of Objection:</u> 0
<u>Support:</u> 0	<u>Petitions of Support:</u> 0

Drawings and additional information are available to view on the Planning Portal- www.planningni.gov.uk

1 RECOMMENDATION

- 1.1 That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 9 and the policies and guidance in sections 7 and 8 and resolves to **REFUSE** outline planning permission for the reasons set out in section 10.

2 SITE LOCATION & DESCRIPTION

- 2.1 The subject site is accessed from an existing laneway, and is situated approximately 150m from the Glassmullen Road. At the time of site inspection, it was found to contain the stone wall steads of a previous dwelling, together with the foundations and partially constructed external walls of a garage. A static caravan was also present, sited along the Southern boundary. Existing mature vegetation exists to the Western boundary, extending part way along the Northern boundary, with the remainder consisting of a post and wire fence. The Eastern, and Southern boundaries are both defined by post and wire fencing. The natural topography of the site slopes from West to East.
- 2.2 The surrounding area is rural in character, comprising of single residential dwellings, farm holdings, and agricultural land.
- 2.3 The site is located outside any settlement development limits, and therefore in the rural remainder, as defined within the Northern Area Plan 2016. The site lies within the Antrim Coast and Glens AONB.

3 RELEVANT HISTORY

E/2009/0368/O – Replacement dwelling and detached garage.
Permission granted 03.03.2010

E/2013/0026/RM – Replacement dwelling and detached garage.
Permission granted 19.12.2013

4 THE APPLICATION

- 4.1 Planning Permission is sought for a proposed 2-storey replacement dwelling and detached garage/farm office, redesigned and slightly relocated from that approved under E/2013/0026/RM.

5 PUBLICITY & CONSULTATIONS

5.1 External

No objections have been received in relation to this application.

5.2 Internal

- NI Water: No objection
- Environmental Health Department: No objection
- DFI Rivers: No objection
- NIEA: No objections
- DFI Roads: No objection
- Geological Survey (NI): 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:

- The 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 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

The Northern Area Plan 2016

The Strategic Planning Policy Statement (SPPS)

Planning Policy Statement 2 – Natural Heritage

Planning Policy Statement 3 (PPS 3) – Access, Movement and Parking

Planning Policy Statement 21 (PPS 21) Sustainable Development in the Countryside

Supplementary Planning Guidance

Building on Tradition – A Sustainable Design Guide for the NI Countryside

Antrim Coast and Glens Area of Outstanding Natural Beauty (AONB) – Design Guide

8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to scale, massing and design, together with the impact on the character of the area and the AONB.

Planning Policy

- 8.2 The site is located within the rural remainder, and lies within the Antrim Coast and Glens AONB as identified in the Northern Area Plan 2016.
- 8.3 The proposal must be considered having regard to the SPPS, PPS policy documents and supplementary planning guidance specified above.
- 8.4 Paragraph 6.73 bullet point 2 of the SPPS in relation to replacement dwellings echoes policy CTY 3 of PPS 21 with regards to the visual impact of the proposal not being significantly greater than the existing building.

Scale, Massing, and Design

- 8.5 The principle of development has been established with outline permission for a replacement dwelling being granted under E/2009/0368/O. Design conditions were applied to the outline approval limiting the ridge height of the proposed dwelling to 6.5m and the external gable depth to 7.5m. A subsequent Reserved Matters application complying with outline conditions was approved under reference no. E/2013/0026/RM.
- 8.6 The approved design on the site proposes a modest two storey detached dwelling with a ridge height of 6.5m together with a single storey domestic garage with a ridge height of 4.5m. A material start to construction involving the commencement of garage foundations was recorded on 18/05/2015 with the expiry date of the Reserved Matters approval being 12/12/2015.
- 8.7 The current application proposes a re-designed house type situated approximately 10m further East compared to the siting of the previous approval. The proposal is for a three storey detached dwelling with a ridge height of 8.7m, and an external gable depth of 7.5m. The proposal also includes an alternative two storey garage design with a ridge height of 7.8m.
- 8.8 The second criteria of Policy CTY 3 of PPS 21 dictates that the overall size of the new dwelling should not have a visual impact significantly greater than the existing building. In this case, the overall size of the new dwelling will be significantly larger than both the existing

structure, and the previously approved design. Both the increase in gable depth and ridge height, together with the proposed fenestration will create a significantly greater visual impact on the locality.

- 8.9 The guidance for Replacement dwellings provided under the DOE guidance Building on Tradition - A Sustainable Design guide for the N. Ireland countryside states within chapter 5.3 Replacement: Scale and Size, that the most common offence is to introduce a new house that is simply too big for the site and bears no relationship to the scale of the buildings that are retained. It states that the key message is that a building size must be relative to its surroundings. In this instance the proposal does not respect the existing design of single and two storey dwellings and domestic garages. The proposal does not comply with the above guidance on replacement dwellings.
- 8.10 The Policy CTY 3 of PPS 21 requires that the design of the replacement dwelling should be of a high quality appropriate to its rural setting and have regard to local distinctiveness. Paragraph 5.4.0 of the rural design guide 'Building on Tradition' advises that replacement projects will tend to be most successful when they defer to the form and shape they are replacing. The existing house is of a single storey linear form. The Reserved Matters approval granted permission for a modest two storey replacement dwelling with a 6.5m ridge height and 7.5m external gable depth which respects the character of the AONB. The current proposal will have a ridge height 2.2m higher than previously approved dwelling by virtue of the addition of a third floor incorporating a study, playroom, and storage. 2 No. windows are proposed to each gable giving the appearance of a three storey dwelling. Likewise, the proposed two storey garage design is not proportionate, and together with the proposed second floor gable windows is of an unacceptable scale and appearance. A garage with a ridge height of 7.8 m is unacceptable and more akin to a 2 storey dwelling.
- 8.11 The design of both the dwelling and garage is not acceptable as it is not appropriate to this rural setting within the AONB and does not have regard to local distinctiveness and therefore does not comply with policy.

Impact on the character of the area and the AONB

- 8.12 Within Planning Policy Statement 2 - Natural Heritage, Policy NH 6 - Areas of Outstanding Natural Beauty states Planning permission for

new development within an Area of Outstanding Natural Beauty will only be granted where it is of an appropriate design, size and scale for the locality and additional criteria must be met.

- 8.13 Under the first criteria part a) of policy NH 6 of PPS 2 the siting and scale of the proposal must be sympathetic to the special character of the Area of Outstanding Natural Beauty in general and of the particular locality. The overall scale of the proposal appears unsympathetic to the special character of the AONB and is not in keeping with the scale of existing two storey dwellings in the area. The proposal therefore does not meet this test of policy.
- 8.14 The Antrim Coast and Glens AONB Design Guide provides basic concepts in terms of architectural design and elevational treatments which are considered to be appropriate in this AONB in order to protect its local heritage. The Guide advises that a high standard of design will be required in all new buildings. Dwellings should not exceed 2 storey in height and single storey and 1 ½ storey are preferable. The proposal does not meet the guidance outlined in this Design Guide.
- 8.15 Initial telephone discussions with the agent were undertaken to raise design issues with the proposal and it was indicated that the outline approval conditions were applicable and should be adhered to, with both the proposed dwelling and garage being reduced in height. The agent responded to confirm that the applicant was not prepared to revise the proposed design. An office meeting was subsequently held to further discuss the unacceptable scale of the proposal with the agent and MLA. An email to the agent confirmed that a ridge height of 7.5m would be acceptable, however the third floor gable windows should be removed and the garage should be reduced in height, from two storey to single storey. To date these amendments have not been received.
- 8.16 The applicant submitted a supporting statement along with evidence highlighting a number of examples of properties to support the proposed design. The majority of dwellings referred to are two storey dwellings with ridge heights ranging from 7.3m to 8.4m together with a maximum gable depth of 8m. The majority of the properties such as E/2015/0041/RM and E/2012/0127/RM are in compliance with both their respective ridge height and gable depth outline planning conditions. The dwellings identified as LA02/2016/0825/F and LA02/2017/0064/RM are not within Causeway Coast and Glens

Council area and were assessed by Mid and East Antrim planning office. Application E/2010/0106/F, Red Bay, Cushendall is a 2 storey dwelling which replaced an existing 2 storey dwelling albeit of a more contemporary design. The dwelling referred to at Layde Road, Cushendall is also a replacement dwelling and it would appear from the planning history that the site previously comprised a large dwelling and associated outbuildings set within a substantial plot. The two storey garage serving the property at Toberwine is also considered unacceptable, with a single storey design being granted approval. While some of the designs are similar in height to the current proposal, none of the properties exhibit the appearance of a three storey dwelling and none have a garage of the scale and height proposed.

9 CONCLUSION

- 9.1 The proposal is considered unacceptable in this location having regard to the Northern Area Plan, and other material considerations, including the SPPS, PPS 2, PPS 21 and the Antrim Coast and Glens Design Guide. The proposal fails to meet the tests of the SPPS, Policy NH 6 of PPS 2 and Policy CTY 3 of PPS 21, in that the proposal will have a visual impact within the AONB significantly greater than the existing building due to its scale, massing and design. Refusal is recommended.

10 Reasons for Refusal

1. The proposal is contrary to Paragraphs 6.70 and 6.73 of the Strategic Planning Policy Statement for NI and Policies CTY1 and CTY3 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the overall size of the proposed replacement dwelling would have a visual impact significantly greater than the existing building; the design of the replacement dwelling is not appropriate to its rural setting and does not have regard to local distinctiveness.
2. The proposal is contrary to Paragraph 6.187 of the Strategic Planning Policy Statement for NI and Policy NH 6 of Planning Policy Statement 2, Natural Heritage, in that the site lies within the Antrim Coast and Glens Area of Outstanding natural beauty and would, if permitted, adversely affect the special character of the

AONB and of the particular locality, by virtue of an unsympathetic scale and design.

