

Title of Report:	DfI Roads Standing Advice for Causeway Coast and Glens Borough Council Planning
Committee Report Submitted To:	Planning Committee
Date of Meeting:	22 September 2021
For Decision or For Information	For Decision

Linkage to Council Strategy (2021-25)	
Strategic Theme	Cohesive Leadership
Outcome	Council has agreed policies and procedures and decision making is consistent with them
Lead Officer	Head of Planning

Budgetary Considerations	
Cost of Proposal	Nil
Included in Current Year Estimates	
Capital/Revenue	
Code	
Staffing Costs	

Screening Requirements	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:

1.0 Background

1.1 The Planning Department has been reviewing options to improve its performance in processing times for planning applications. Consultation with statutory consultees is one element of the process that has been identified as a delay in the processing of applications.

1.2 The Planning (General Development Procedure) Order (Northern Ireland) 2015 (the GDPO) requires local planning authorities (LPAs) to consult on planning applications as set out under Article 13.

1.3 The GDPO instructs LPAs to consult with DfI Roads in the following circumstances where a development proposal

(a) involves the formation, laying out or alteration of any means of access, or is likely to create or attract traffic which may result in a material increase in the volume of traffic –

(i) entering or leaving a road,

(ii) using a level crossing over a railway, or

(iii) which would result in an additional demand for car parking, or loss of or alteration to existing car parking;

(b) consists of or includes the laying out or construction of a new street;

(c) is likely to prejudice the improvement or construction of a road or proposed road;

(d) involves power lines which cross a road;

(e) involves the installation of a structure over or under a road; or

(f) is a reserved matters application where an outline planning permission includes roads conditions.

2.0 Details

2.1 At a meeting held on 04 March with representatives from DfI Roads discussion took place around the level of consultation on planning applications and options to reduce such consultations while still adhering to the legislative requirements for consultation under the GDPO.

2.2 The requirement to consult on a planning application falling under the above is removed by Article 13(1) of the GDPO if a consultee has provided or reaffirmed within the last two years standing advice covering the proposal.

2.3 Discussions have taken place with DfI Roads and agreement reached on the types of applications that could be covered under Standing Advice. The Standing Advice will

form the substantive response of Dfl Roads to these types of planning applications in a generic format.

- 2.4** The Standing Advice does not mean that there is no roads reason for objection to an application, but rather it will be for CC&G planning officers to determine whether or not a proposal complies (or can be conditioned to comply) with the advice, and therefore whether or not planning consent should be granted.
- 2.5** The Standing Advice applies to
- (a) residential extensions
 - (b) domestic sheds and garages
 - (c) commercial extensions less than 10% gross floor area of the existing unit
 - (d) advertisements and signs
 - (e) boundary structures and gates which do not open outwards over the road
 - (f) change of house type
 - (g) single replacement dwelling where occupied or recently occupied
 - (h) single wind turbine upgrade
 - (i) overhead power lines

The Standing Advice also provides agreement on measures to reduce the number of secondary consultations where minor amendments to the proposal are required following initial consultation response from Dfl Roads.

- 2.6** The Standing Advice provides a proportionate response in line with the GDPO. It is applicable for a trial period of 1 year and will be reviewed on an annual basis. To facilitate the review the planning Department will keep an ongoing record of all planning applications to which this Standing Advice has been applied and this will be sent to Dfl Roads on a monthly basis.

3.0 Recommendation

- 3.1** **IT IS RECOMMENDED** that the Planning Committee **AGREE** to implement the attached Standing Advice from 01 October 2021.

DfI Roads – Northern Division Development Control Section

Standing Advice for Causeway Coast & Glens Borough Council Planning (CC&G)

DOCUMENT CONTROL SHEET

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Revision History

This document has the following history:

Version No.	Version Date	Summary of Changes	Changes
1.0	07/03/2021	First draft	AG
1.1	13/04/2021	Minor wording amendments	CB
1.2	02/06/2021	Minor wording amendments	AG
1.3	18/08/2021	Minor wording amendments	DD

Approvals

This document requires the following approvals:

Version No.	Name	Title
1.0	Cathal Brown	DfI Roads Northern – Network Planning Manager
1.1	Cathal Brown	DfI Roads Northern – Network Planning Manager
1.2	Cathal Brown	DfI Roads Northern – Network Planning Manager
1.3	Cathal Brown	DfI Roads Northern – Network Planning Manager

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1. Background

- 1.1 DfI Roads Northern at a meeting on 4th March 2021 with Causeway Coast & Glens Borough Council agreed to consider ‘Standing Advice’ in response to certain types of minor planning application consultations.
- 1.2 Standing Advice will form the substantive response of DfI Roads to these types of planning applications, in a generic format.
- 1.3 The use of Standing Advice does not mean that there is no roads reason for objection to an application, but rather that it will be for CC&G to determine whether or not a proposal complies (or can be conditioned so as to comply) with the advice, and therefore whether or not planning consent should be granted.
- 1.4 This document indicates those applications to which this Standing Advice is likely to apply. It gives guidance to CC&G in order that they may determine those minor planning applications which DfI Roads indicates this Standing Advice applies to.

2. Introduction

- 2.1 The Planning (General Development Procedure) Order (Northern Ireland) 2015 (the GDPO) requires local planning authorities (LPAs) to consult on planning applications as set out under Article 13.
- 2.2 The GDPO instructs LPAs to consult with DfI Roads in the following circumstances where a development proposal
 - (a) involves the formation, laying out or alteration of any means of access, or is likely to create or attract traffic which may result in a material increase in the volume of traffic –
 - (i) entering or leaving a road,
 - (ii) using a level crossing over a railway, or
 - (iii) which would result in an additional demand for car parking, or loss of or alteration to existing car parking;
 - (b) consists of or includes the laying out or construction of a new street;
 - (c) is likely to prejudice the improvement or construction of a road or proposed road;
 - (d) involves power lines which cross a road;
 - (e) involves the installation of a structure over or under a road; or

- (f) is a reserved matters application where an outline planning permission includes roads conditions.

- 2.3 The need to consult is removed by Article 13(1) of the GDPO if a consultee has provided or reaffirmed within the last two years standing advice covering the proposal.

Accordingly, this Standing Advice provides a proportionate response in line with the GDPO, recognising that minor development, not included in the circumstances above, does not need to be consulted to DfI Roads for comment.

- 2.4 This Standing Advice is applicable for a trial period of 1 year from the agreed date of introduction and will be reviewed on an annual basis, with any amendments formally agreed by both CC&G and DfI Roads.
- 2.5 To facilitate the annual review CC&G Planning shall keep an ongoing record of all planning applications to which this Standing Advice has been applied. This record shall be sent to DfI Roads on a monthly basis.

3. Applications covered by this Standing Advice

- 3.1 This advice relates only to minor applications as summarised in Section 4 below.
- 3.2 Should CC&G decide to refuse an application for roads reasons in accordance with this Standing Advice, it is recommended that officers consult with DfI Roads prior to issuing a refusal notice. This should assist in the event of an appeal being made.
- 3.3 It should be noted that CC&G reserves the right to consult DfI Roads, irrespective of this Standing Advice.

4. Specific types of minor planning applications subject to Standing Advice

4.1 Residential extensions

Where these do not require creation or alteration of an access to a public road, do not compromise existing parking provision/standards and are not within 12 metres of the middle of a carriageway of a first-class or a second-class road (A or B class road); or not within 9 metres of the middle of a carriageway of any other road.

4.2 Domestic Sheds and garages

As 4.1 above.

4.3 Commercial extensions

Where these are less than 10% of the gross floor area of the existing unit, do not compromise existing parking provision or space for on-site loading and manoeuvring of goods vehicles and are not within 12 metres of the middle of a carriageway of a first-class or a second-class road; or not within 9 metres of the middle of a carriageway of any other road.

4.4 Advertisements and signs

Advertisements and signs not requiring a consultation with DfI Roads include any non-illuminated and illuminated signs that do not fall within the following bullet points below. Examples are likely to include fascia signs on shop/business frontages, free standing signs on petrol filling station/public house forecourts.

It is considered that the following cases should be forwarded to the DfI Roads for comments:-

- Advertisements which obstruct or could confuse road users view of a traffic sign or signal.
- ‘Totem pole’ or other signs considered to be a structure which fall within the scope of the current version of CG300 Technical Approval of Highway Structures: Volume 1: Design Manual for Roads and Bridges.
- Floodlit advertisements where the means of illumination are directly visible from any part of the road for flashing illuminated advertisements on or near the line of sight which would be likely to dazzle or confuse road users, or to be mistaken for traffic lights or other authorised signs.
- Prominent (a sign that is designed to stand out and is clearly visible to the road user) or large animated advertisements sited where they will be likely to distract the attention of road users at potentially hazardous locations such as at junctions, close to the brow of a hill, on a bend etc.
- Advertisements which embody directional or other traffic elements and which need special scrutiny because of possible resemblance to, or confusion, with traffic signs.
- Advertisements requiring close study such as public information panels (i.e. location plans of employment sites) so situated that people looking at them would be insufficiently protected from passing traffic or cause pedestrians to obstruct the footway.
- Advertisements which are likely to obstruct the line of sight for drivers emerging from private accesses or road junctions.

4.5 Boundary structures and gates (outside road boundary)

Any new or altered fence, railing, wall, gates or other barriers (which do not open outwards over the road) or any other means of enclosure requiring planning consent; unless these encroach onto visibility splays for and of drivers entering or leaving an adjacent access/junction or which retains the public road. A retaining wall, any part of which is within 6 metres of a road, is not covered by this Standing Advice and shall be referred to DfI Roads.

4.6 Change of house type

On previously approved developments where the house access position or layout has not altered, the change complies with parking standards and where on-site servicing arrangements are likely to be adequate.

4.7 Single replacement dwelling

Where an occupied or recently occupied replacement opportunity proposes to use an existing unaltered access to the public road, does not compromise existing parking provision/standards and is not within 12 metres of the middle of a carriageway of a first-class or a second-class road; or not within 9 metres of the middle of a carriageway of any other road.

4.8 Single wind turbine upgrade

Where these do not require creation or alteration of an access to a public road (or alteration to the existing road network to facilitate any abnormal load) and are not within the total upgraded turbine height of a road.

4.9 Overhead power lines

Where these do not require creation or alteration of an access to a public road, do not cross over any part of the public road and are not within the total supporting structure/pylon height of a road.

Suggested Conditions and Informatives for the above minor planning applications are given in Section 5 of this Standing Advice.

5. Suggested Conditions and Informatives

The following suggested Conditions and Informatives relate to the minor application types identified in Section 4 above and should be included in any planning approval issued.

Conditions

- The access details shall be carried out in accordance with the stamped approved Drawing(s) No: bearing the date stamp

REASON: To ensure the development is carried out in accordance with the approved plans.

Informatives

- Precautions shall be taken to prevent the deposit of mud and other debris on the adjacent road by vehicles travelling to and from the construction site. Any mud, refuse, etc. deposited on the road as a result of the development, must be removed immediately by the operator/contractor.
- All construction plant and materials shall be stored within the curtilage of the site.
- It is the responsibility of the Developer to ensure that water does not flow from the site onto the public road (including verge or footway) and that existing road side drainage is preserved and does not allow water from the road to enter the site.

In relation to the single replacement dwelling category paragraph 4.7, if CC&G Planning staff have a concern that the existing access is sub-standard, the following additional Informative should be used, or if concern remains, refer the application to DfI Roads.

- The existing vehicular access to the dwelling is sub-standard and, in your interests and that of other road users, measures should be taken to provide acceptable visibility.

6. Reducing the number of secondary consultations

- 6.1** As noted above, any development which proposes new, modified or intensified access to a public road is considered to fall outside the foregoing Standing Advice and DfI Roads should be consulted.
- 6.2** Upon receipt of a consultation an initial assessment against the relevant standards will be undertaken by DfI Roads and requirements will be detailed on the DC Checklist form. Where no amendments to the proposal are required, DfI Roads will provide suggested Conditions and Informatives, as appropriate.
- 6.3** Where minor amendments to the proposal are required and it has been assessed by the DfI Roads officer that the amendments are achievable within the red/blue line of the application (or the proposal adjusted to make it possible), suggested Conditions and Informatives, as appropriate, may be provided subject to any required amendments being finalised by the applicant.
- 6.4** The amendments necessary will be detailed on the initial consultation response and, once these have been completed adequately by the applicant/agent, they will be verified by CC&G Planning staff to ensure that the amended proposal meets the requirements of the suggested amendments in the initial consultation response. This will negate the need for additional consultations relating to minor adjustments or amendments to the proposal.
- 6.5** Where the Planning Officer has any doubt in relation to the verification of these suggested amendments, the amended application should be referred to DfI Roads for assessment.