

Title of Report:	Planning Committee Report – LA01/2021/1027/O
Committee Report Submitted To:	Planning Committee
Date of Meeting:	27th April 2022
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	Development Management and Enforcement Manager

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

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:

<u>App No:</u>	LA01/2021/1027/O	<u>Ward:</u>	TORR HEAD and RATHLIN
<u>App Type:</u>	Outline Planning		
<u>Address:</u>	50m East of 16 Cloghs Road, Cushendall		
<u>Proposal:</u>	Infill dwelling and garage		
<u>Con Area:</u>	N/A	<u>Valid Date:</u>	20/08/2021
<u>Listed Building Grade:</u>	N/A		
Applicant:	Mr. S McAuley		
Agent:	N/A		
Objections:	0	Petitions of Objection:	0
Support:	0	Petitions of Support:	0

EXECUTIVE SUMMARY

- Outline planning permission is being sought for 1 no. dwelling on the site.
- The site is located within the open countryside and is within the Antrim Coast and Glens Area of Outstanding Beauty (AONB) as designated in the Northern Area Plan 2016.
- No letters of objection or support have been received.
- All consultees are content with the proposal subject to conditions and informatives.
- There is no relevant or recent planning history on the application site.
- It is considered that the proposed dwelling does not sit within a substantial and continuously built-up frontage as defined by the policy, as the gap site is only between 2 dwellings. The small tin structure is not considered a building for the purposes of CTY 8.
- It is considered that the frontage of the dwelling would not respect the existing development pattern along the frontage in terms of plot size & scale.
- It is considered that the dwelling would have an unduly negative impact in this sensitive AONB location due to the lack of enclosure and screening from natural boundaries. A suitable degree of enclosure could not be achieved and the dwelling would rely almost completely on new landscaping for integration.
- Refusal is recommended.

Drawings and additional information are available to view on the Planning Portal- <http://epicpublic.planningni.gov.uk/publicaccess/>

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 site is located within the open countryside, approx. 2km west of Cushendall. It is situated within the Antrim Coast and Glens AONB and within the Antrim Hills. To the south lies Lurigethan mountain and Trostan. The wider area is characterised by agricultural land to the south of the site and some single dwellings occupying roadside plots along the Cloghs Road.
- 2.2 The application site is an agricultural field situated to the southern side of the Cloghs Road and sits on the roadside. The site is situated directly east of no. 14 and west of no. 16. The site enjoys long range southern views of Glenballyeamon and the Antrim Hills. The topography of the site slopes upwards from east to west. Northern, eastern and western site boundaries are all defined with native species hedgerows alongside a post and wire fence. The southern site boundary cuts across the centre of the field and is undefined.

3 RELEVANT HISTORY

- 3.1 LA01/2019/0483/F – 30m south of 14 Cloghs Road, Cushendall
Proposed dwelling on a farm.
Permission refused 12/08/2019.

4 THE APPLICATION

- 4.1 Outline planning permission is sought to construct a new dwelling which relies on CTY 8 – Ribbon Development. The conceptual block plan shows the new dwelling to be sited in the centre of the site with landscaped gardens surrounding the dwelling. A new hedge would be provided to the southern site boundary.

DESIGN & ACCESS STATEMENT

- 4.2 A Design & Access Statement is required under Article 6 of the Planning (General Development Procedure) Order (NI) 2015 as the

application is within an Area of Outstanding Natural Beauty. The Design and Access Statement provided is acceptable.

- 4.3 The design and access statement indicates that the dwelling will not detract from the character of the area and will be designed to be sympathetic to the characteristics of the AONB. It will be designed in a traditional vernacular architectural style.

5 PUBLICITY & CONSULTATIONS

5.1 External

Neighbours: 3 neighbouring properties were notified in relation to the application, and no letters of objection or support were received.

5.2 Internal

DFI Roads - no objections

Environmental Health - no objections

HED Historic Monuments - no objections

DAERA Water Management Unit - no objections

NI Water – no objections

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)

PPS 21: Sustainable Development in the Countryside

PPS 3: Access, Movement and Parking

PPS 2: Natural Heritage

Supplementary Planning Guidance

Antrim Coast and Glens AONB Design Guide

8 CONSIDERATIONS & ASSESSMENT

The main considerations in the determination of this application relate to the principle of development, impact on local character, access, & natural heritage.

Planning Policy

- 8.1 The site is located within the open countryside and is within the Antrim Coast and Glens AONB as set out in the Northern Area Plan 2016.
- 8.2 The proposal must be considered having regard to the NAP 2016, SPPS, PPS policy documents and supplementary planning guidance specified above.

Principle of Development

Planning Policy Statement 21
Policy CTY 8 – Ribbon Development

- 8.3 Policy CTY 1 outlines the types of development which are acceptable in principle in the countryside, one of which is the infilling of a gap site under CTY 8.

“Development which creates or adds to a ribbon of development will be refused, however an exception will be permitted for the development of a small gap site within a substantial and continuously built-up frontage.”

“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.”

- 8.4 It is considered that the proposed dwelling does not sit within a substantial and continuously built-up frontage as defined by the policy. The gap is between 2 dwellings at no. 16 and no. 14 Cloghs Road and not a line of 3 as required by the policy. The applicant cited a small timber structure which had been constructed directly west of no. 14. This is a very small temporary structure with no curtilage other than its own footprint and no foundations. This structure does not have a frontage onto the main road. It is clad in corrugated metal sheeting and has no degree of permanency. It is considered that this building cannot be used for the purposes of CTY 8 as it does not contribute to a substantial and continuously built-up frontage.
- 8.5 The dwelling at no. 14 does not front directly onto the road. The main curtilage of the dwelling is stepped back from the main road and is accessed via a small laneway which also provides access to an agricultural laneway. Given this the existing dwelling at no. 14 cannot be included as a dwelling that fronts the road.
- 8.6 The new dwelling must:
- “Respect the existing development pattern along the frontage in terms of size, scale, siting and plot size.”*

The site has a frontage considerably wider than no. 16 while no. 14 does not have a frontage onto Cloghs Road. 1 dwelling is being proposed in the centre of the site with a large surrounding curtilage. The frontage of no. 16 is 48.7m. The frontage of the proposed new dwelling would be 71.4m, which is considerably larger than the existing plot at 16 Cloghs Road. It is therefore considered that the frontage of the dwelling would not respect the existing development pattern along the frontage in terms of plot size.

- 8.7 It is considered that the proposed dwelling does not sit within a substantial and continuously built-up frontage, nor does the plot size respect the pattern of the frontage in question.

Integration, Design & Rural Character

Planning Policy Statement 21

Policy CTY 13 – Integration and Design of Buildings in the Countryside

- 8.8 CTY 13 states that:

“Planning permission will be granted for a building in the countryside where it can be visually integrated into the surrounding landscape and it is of an appropriate design.”

It is considered that a new dwelling here would be a prominent feature in this sensitive landscape. The site has very little enclosure or existing natural screening to allow it to integrate which becomes apparent on approaching the site from the east and passing the frontage of the site itself. It is considered that the site provides a visual break between nos. 14 & 16. When passing the site, there are long range views southwards towards Lurigethan Mountain and across the Antrim hills and glens. A dwelling with such a lack of natural boundaries, enclosure and screening would have an unduly negative impact in this sensitive AONB location. It is considered that a suitable degree of enclosure could not be achieved and that the dwelling would rely almost completely on new landscaping for integration.

- 8.9 The design of the dwelling has not been provided as it is an outline application. However, the indicative site layout shows that it is centred within the site, with the frontage facing the road. The new dwelling will appear incongruous within the landscape, owing to the wide and open nature of the site and sweeping southward views. It is not sensitively designed to suit the features of the site.

Planning Policy Statement 21

Policy CTY 14 – Rural Character

- 8.10 CTY 14 states that:

“Planning permission will be granted for a building in the countryside where it does not cause a detrimental change to, or further erode the rural character of an area.”

As above, the dwelling does not respect the plot size and pattern of development within the frontage in question, and it will likely result in an inappropriate build-up of development in this sensitive location.

Access

Planning Policy Statement 3 Policy AMP 2 – Access to Public Roads

- 8.11 Access will be in the centre of the site onto the Cloghs Road. DFI Roads were consulted on the scheme and have no objections to the proposal. It is in compliance with Policy AMP 2 of PPS3.

Natural Heritage

Planning Policy Statement 2 Policy NH 6 – Areas of Outstanding Natural Beauty

- 8.12 NH6 states that:
“Planning permission within an AONB will only be granted where it is of an appropriate design, size and scale for the locality.”

As above, the design of the dwelling has not been provided as it is an outline application. The indicative site plan shows that it is sited in the exact centre of the site. The landscape visible from the site is very sensitive and the site wide and open. The dwelling is not sited to respect this sensitive landscape.

Habitats Regulations Assessment

- 8.13 The potential impact of this proposal on Special Areas of Conservation, Special Protection Areas and Ramsar sites has been assessed in accordance with the requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc) Regulations (Northern Ireland) 1995 (as amended). The proposal would not be likely to have a significant effect on the features, conservation objectives or status of any of these sites.

9 CONCLUSION

- 9.1 The proposal is considered unacceptable in this location having regard to the Northern Area Plan, SPPS, other planning policies and

material considerations. The proposal is contrary to CTY 8 of PPS 21 in that it does not sit within a substantial and continuously built-up frontage consisting of a line of 3 or more buildings. Furthermore, the dwelling does not respect the existing development pattern along the frontage in terms of plot size and siting.

- 9.2 The proposal is contrary to CTY 13 and 14 of PPS 21 in that the site would be unable to provide a suitable degree of enclosure for the building to integrate into the landscape and would rely primarily on new landscaping for integration. The dwelling sits in the centre of the plot and is not sited to suit the very sensitive features of the site. Refusal is recommended.

10 Reasons for Refusal

1. The proposal is contrary to Paragraph 6.73 of the Strategic Planning Policy Statement for Northern Ireland (SPPS) and Policy CTY 1 of Planning Policy Statement 21, in that there are no overriding reasons why the development is essential and could not be located in a settlement.
2. The proposal is contrary to Paragraph 6.73 of the Strategic Planning Policy Statement for Northern Ireland (SPPS) and Policy CTY 8 of Planning Policy Statement 21, in that the proposal is not a gap site located within a substantial and continuously built-up frontage and would not respect the development pattern along the frontage in terms of plot size.
3. The proposal is contrary to Paragraph 6.70 of the Strategic Planning Policy Statement for Northern Ireland (SPPS) and Policy CTY 13 and 14 of Planning Policy Statement 21, in that the site is unable to provide a suitable degree of enclosure for the building to integrate into the landscape and would rely primarily on new landscaping for integration and will have a detrimental impact on rural character.
4. 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 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 its unsympathetic siting and scale.

Site Location Map

