

Planning Committee Report	22nd March 2017
PLANNING COMMITTEE LA01/2016/1378/F	

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	Principal Planning Officer
Cost: (If applicable)	N/a

**Lands approx. 140m South West
of 2 Corick Road Dungiven**

**LA01/2016/1378/F
Full Application**

22nd March 2017

<u>No:</u>	LA01/2016/1378/F	<u>Ward:</u>	Dungiven
<u>App Type:</u>	Full Application		
<u>Address:</u>	Lands approx. 140m South West of 2 Corick Road, Dungiven.		
<u>Proposal:</u>	Proposed replacement dwelling and detached double garage.		
<u>Con Area:</u>	N/A	<u>Valid Date:</u>	2 nd December 2015
<u>Listed Building Grade:</u>	N/A		
Agent:	Paul Moran Architect 18B Drumsamney Road, Desertmartin, BT45 5LA		
Applicant:	Mr F Gillen		
Objections:	0	Petitions of Objection:	0
Support:	0	Petitions of Support:	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 section 7 & 8 and resolves to **APPROVE** full planning permission for the conditions set out in Section 10.

2 SITE LOCATION & DESCRIPTION & CHARACTER OF AREA

- 2.1 The site comprises a cluster of traditional rural buildings set within an informal layout around a central farm yard. The site accesses onto Corick Road and is located to the east of Dungiven.
- 2.2 There is a linear single storey building located centrally within the yard. This consists of two dwellings which are no longer occupied, one of which is the subject of this application.

- 2.3 The site boundaries consist of hedgerows and post and wire fencing, a belt of trees also bisect the site as outlined in red, dividing the farm cluster from an agricultural field where it is proposed to site the dwelling.
- 2.4 The site is located within the Area of Outstanding Natural Beauty (AONB) as defined by the Northern Area Plan 2016. There is an area of woodland to the north east while the surrounding land is largely agricultural fields.

3 RELEVANT HISTORY

- 3.1 No relevant planning history.

4 THE APPLICATION

- 4.1 The current proposal is for a replacement dwelling and detached double garage to be sited to the rear of the existing unit.

5 PUBLICITY & CONSULTATIONS

- 5.1 External:
Neighbours: There are no objections to the proposal.
- 5.2 Internal:
TransportNI – No objection.
Environmental Health – No objection.
DAERA – No objection.
Shared Environmental Service – No Objection.
Loughs Agency – 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 development 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:
- Northern Area Plan 2016

- 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

Northern Area Plan 2016

Strategic Planning Policy Statement

PPS 2 – Natural Heritage

PPS 21 – Sustainable Development in the Countryside

Building on Tradition – A sustainable design guide for the Northern Ireland Countryside

8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application are, the principle of development, siting and design of the dwelling and the impact on the AONB.
- 8.3 Paragraph 6.73 of the Strategic Planning Policy Statement provides a context for Replacement dwellings in that: provision should be made for the replacement of existing dwellings where the building to be replaced exhibits the essential characteristics of a dwelling and, as a minimum all external structural walls are substantially intact. Replacement dwellings must be located within the curtilage of the original dwelling where practicable, or at an alternative position nearby where there are demonstrable benefits in doing so. Replacement dwellings must not have a visual impact significantly greater than the existing building.
- 8.4 Paragraph 6.77 of the SPPS states In all circumstances proposals for development in the countryside must be sited and

designed to integrate sympathetically with their surroundings, must not have an adverse impact on the rural character of the area.

Principle of Development

- 8.5 PPS 21: Sustainable Development in the Countryside aims to manage development in the countryside in a manner consistent with achieving the strategic objectives of the Regional Development Strategy for Northern Ireland 2025.
- 8.6 Policy CTY 1 – Development in the Countryside states that there are a range of types of development which in principle are considered to be acceptable in the countryside and that will contribute to the aims of sustainable development.
- 8.7 Policy CTY3 Replacement Dwellings states that: Planning permission will be granted for a replacement dwelling where the building to be replaced exhibits the essential characteristics of a dwelling and as a minimum all external structural walls are substantially intact.

Applications for replacement dwellings will only be permitted where all the following criteria are met:

- the proposed replacement dwelling should be sited within the established curtilage of the existing building unless either (a) the curtilage is so restricted that it could not reasonably accommodate a modest sized dwelling, or (b) it can be shown that an alternative position nearby would result in demonstrable landscape, heritage, access or amenity
- the overall size of the new dwelling should allow it to integrate into the surrounding landscape and would not have a visual impact significantly greater than the existing building;
- the design of the replacement dwelling should be of a high quality appropriate to its rural setting and have regard to local distinctiveness;
- all necessary services are available or can be provided without significant adverse impact on the environment or character of the locality; and
- access to the public road will not prejudice road safety or significantly inconvenience the flow of traffic.

- 8.8 The application is for the replacement of the smaller dwelling which forms part of the semi-detached central block within the farm grouping. From a site inspection it is clear that the building which is the subject of this replacement application exhibits the essential characteristics of a dwelling house. In the building a chimney breast and fire place are still in place on both gable walls. Externally, the chimney exists on the ridge and a domestic scale window opening on the front elevation. The applicant has provided evidence in the form of census data to indicate that two dwellings were recorded at this location.
- 8.9 While the building has been used for agricultural storage and has minor modification to accommodate this use, the building exhibits the essential characteristics of a dwelling and the external structural walls and roof are substantially intact. Therefore the first criteria of CTY3 is met.

Siting and Design

- 8.10 As there are two potential replacement opportunities within the existing curtilage it is proposed to locate the replacement dwelling to the rear of the existing group. CTY3 allows for an off-site replacement in two scenarios, one of which is where the site is so restricted that it could not reasonably accommodate a modest dwelling. Given the potential for two replacement dwellings within the original curtilage it is proposed to locate dwelling to the rear the off-site nature of the proposal would satisfy the policy in this regard. To require both replacement dwellings to be located within the existing footprint would not allow for a dwelling of modest modern standards and would detract from the residential amenity afforded to either dwelling.
- 8.11 With regards size and scale, the proposed dwelling is larger than the dwelling to be replaced however, the increase would not be considered significant. The proposed dwelling is a one-and-a-half storey design with a ridge height of 7.5 metres. There is a significant degree of setback from the public road and as such the proposal would not result in a significantly greater visual impact.
- 8.12 The design of the dwelling represents a modern interpretation of traditional rural design. The overall appearance of the dwelling is simple and uncluttered and the proportions and fenestration are in keeping with the published guidance.

- 8.13 Transport NI and Water Service have been consulted and they have no concerns regarding the provision of services to the site and means of access.
- 8.14 Policies CTY 13 of PPS21 provides a context for the integration and design of buildings in the countryside. The policy states: 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.
- 8.15 The application site is set to the rear of the existing dwelling and associated buildings. The northern boundary of the site is defined by a mature hedge and intermittent trees and the roadside boundary is also defined by a mature hedge while an area of woodland eliminates any views from the east. To the rear of the existing dwelling, a belt of trees bisect the site as outlined in red and it is proposed to punch through the belt of trees and site the dwelling within the adjacent field. Given the degree of setback from the public road and the additional screening afforded by the belt of trees the proposed dwelling can be visually integrated into the landscape.
- 8.16 Policies CTY 14 of PPS21 states: 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.
- 8.17 As outlined above the site is afforded a good degree of integration and as such will not result in an unduly prominent dwelling. There is no issue of build-up or ribboning and as such the policy criteria are met. As such the proposal complies with policies CTY3, 13 and 14 of PPS21.

Impact on AONB

- 8.12 Policy NH 6 of PPS2 states that Planning Permission for new development within an AONB will only be granted where it is of an appropriate design, size and scale for the locality. Is sympathetic to the special character; respects or conserves features of importance; and respects local architectural styles, materials and boundary details.

8.12 The design is sympathetic to its rural setting and is in accordance with NH 6 in that the proposal would not result in a detrimental impact to the AONB. No significant features would be lost as part of the proposal and the use of the existing laneway means that the boundary details can be retained. The degree of enclosure and backdrop afforded to the site coupled with the topography of the site will help to integrate the dwelling and minimise the visual impact on the character of the AONB. The proposal complies with policy NH6 of PPS2.

9 Conclusion

9.1 When considered in the context of planning policy the principle of development is acceptable and would not detract from the character and environmental quality of the area. The design of the dwelling respects the special characteristics of the AONB and would not result in a significant greater visual impact than the existing dwelling. Therefore the application is in accordance with Policies CTY3, 13 and 14 of PPS21, NH6 of PPS2 and the SPPS. Approval is recommended.

10 Conditions

10.1 As required by Section 61 of the Planning Act (Northern Ireland) 2011, the development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

Reason: Time Limit.

10.2 A suitable buffer of at least 10m must be maintained between the location of all construction works including refuelling, storage of oil/fuel, concrete mixing and washing areas, storage of machinery/material/spoil etc and the adjacent watercourse.

Reason: To avoid adverse effects on the site integrity of the River Roe and Tributaries SAC

10.3 All surface water run-off during the construction phase shall be directed away from the adjacent watercourse.

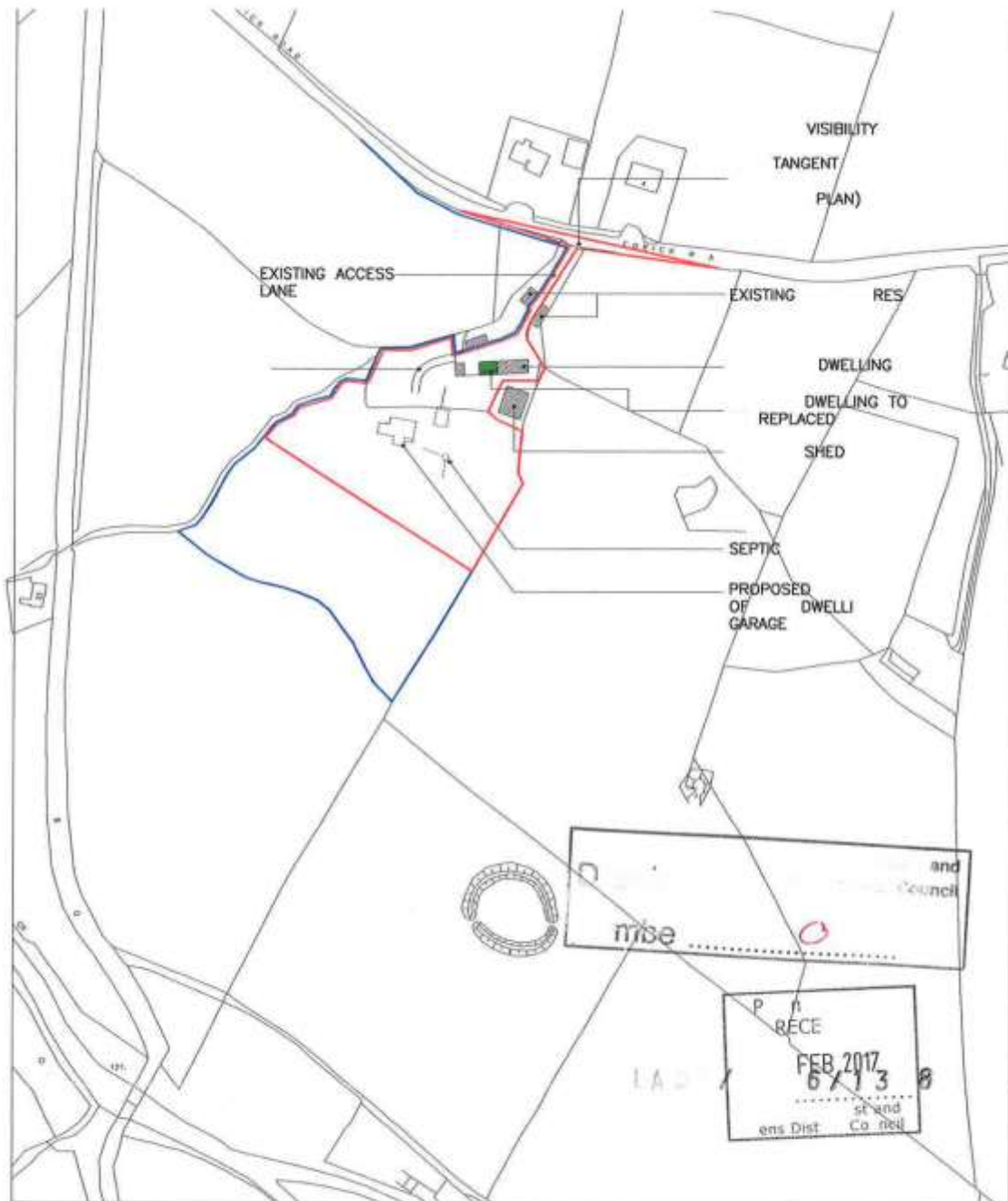
Reason: To avoid adverse effects on the site integrity of the River Roe and Tributaries SAC.

10.4 The construction of the dwelling hereby permitted, including the clearing of topsoil, shall not commence until the existing building,

coloured green on the approved location plan is demolished and all rubble and foundations have been removed.

Reason: To reserve the amenity of the area and to prevent an accumulation of dwellings on the site.

Access condition to be provided in addendum subject to further TransportNI comments.



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Revisions	
1	AMENDS FOR TM - 01.02.17
Mr F. Gillen	
Proposed Replacement Curtain Road	
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ARCHITECT

M

18B Drumsomney Road
 Desertmartin
 BT45 5LA
 Tel : 028 758 44388
 Mob : 0778995171
 E : info@desertmartinarchitect.co.uk
 W : www.pricerosearchitect.co.uk