



**Causeway  
Coast & Glens  
Borough Council**

<b>Planning Committee Report Item L</b>	<b>25<sup>th</sup> May 2016</b>
<b>PLANNING COMMITTEE</b>	

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

# **ITEM L**

**Site between 152 and 154  
Seacoast Road, Limavady**

**LA01/2015/0567/O**

**Outline Planning**

**25<sup>th</sup> May 2016**

**App No:** LA01/2015/0567/O & **Ward:** Magilligan  
**App Type:** Outline Planning  
**Address:** Site between 152 and 154 Seacoast Road, Limavady  
**Proposal:** Site for 2-storey infill dwelling with detached garage / store  
**Con Area:** N/A **Valid Date:** 19<sup>th</sup> August 2015  
**Listed Building Grade:** N/A

**Applicant:** Messrs Colin and Ivan Neely

**Agent:** W J Dickson Chartered Architect, 76 Seacoast Road, Burnally, Limavady

**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](http://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 and resolves to **REFUSE** planning permission for the reasons set out in section 10.

## **2 SITE LOCATION & DESCRIPTION**

- 2.1 The site is located within the rural area as set out in the Northern Area Plan 2016. The site is within a build up of roadside dwellings and farm buildings along both sides of Seacoast Road, locally known as Crindle.
- 2.2 The site is roadside located on Seacoast Road, Limavady. The roadside boundary is defined by a post and wire fence and two mature coniferous trees. The site comprises an agricultural

shed which consists of a pitched roof shed and lean-to. The shed does not appear to have been in recent use. To either side of the site there are semi-detached roadside dwellings. The site is accessed via an existing access which is shared with the adjacent dwelling at no. 152 Seacoast Road.

### **3 RELEVANT HISTORY**

No relevant planning history on the application site

Recent application on adjacent site  
LA01/2015/0568/O - Replacement dwelling with detached garage/store - 152 Seacoast Road, Limavady – Approved  
26.1.2016

### **4 THE APPLICATION**

- 4.1 This is an outline application for a site for a 2-storey infill dwelling with detached garage / store. The access is to be via an access which currently serves the application site and no. 152 Seacoast Road.

### **5 PUBLICITY & CONSULTATIONS**

#### **External**

- 5.1 **Neighbours:** There are no objections to the proposal.

#### **Internal**

- 5.2 **Transport NI:** Recommend Refusal

**Environmental Health:** No objection in principle

**Northern Ireland Water:** No objection in principle

### **6 MATERIAL CONSIDERATIONS**

- 6.1 Article 45 of the Planning Act (Northern Ireland) 2011 states that, “where an application is made for planning permission, the council or, as the case may be, the Department, in dealing with the application, must have regard to the local development plan,

so far as material to the application, and to any other material considerations.”

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 (SPPS)

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

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

## **8 CONSIDERATIONS & ASSESSMENT**

8.1 The main considerations in the determination of this application relate to: planning policy context; the principle of development in the rural area and access arrangements.

## **Planning Policy Context**

- 8.2 The main policy consideration is contained within the Northern Area Plan 2016, the Strategic Planning Policy Statement and the relevant Planning Policy Statements. This is a proposal for the development of a gap within an otherwise substantially and continuously built up frontage and as such the main policy consideration is PPS 21. The main policy considerations within this policy are CTY 1 and CTY 8.
- 8.3 Policy CTY1 of PPS21 states that there are a range of types of development that may be acceptable in principle in the countryside. In the case of a gap site, Policy CTY1 refers to Policy CTY8.

## **The principle of development in the rural area**

- 8.4 Policy CTY 8 – Ribbon Development states that planning permission will be refused for a building which creates or adds to a ribbon of development. An exception will be permitted for the development of a small gap site sufficient only to accommodate up to a maximum of two houses within an otherwise substantial and continuously built up frontage and provided this respects the existing development pattern along the frontage in terms of size, scale, siting and plot size and meets other planning and environmental requirements.
- 8.5 The application site is situated within a grouping of more than 3 buildings without accompanying development to the rear, along the road frontage of Seacoast Road. The existing grouping comprises detached and semi-detached dwellings and the site is bounded on both sides with semi-detached properties which restricts the visual impact of the site from the public road. The plot size of the application site is comparable to those of adjacent properties. The application is outline for a two storey dwelling which could be accommodated within a 7metre ridge height in order to be in keeping with adjacent properties and the size, scale and siting could be matters reserved to ensure that the dwelling is in keeping with the character of the surrounding area. The proposal satisfies policies CTY1 and CTY8 of PPS21.

## **Access arrangements**

- 8.6 Policy AMP2 of PPS3 states that planning permission will only be granted for a development proposal involving direct access, or the intensification of the use of an existing access, onto a public road where the access will not prejudice road safety or significantly inconvenience the flow of traffic.
- 8.7 Historically one access serves the adjacent dwelling at 152 Seacoast Road and the application site. The existing access has substandard geometry with visibility splays of approximately 1.5m x 50 metres. The x distance is limited to the width of the footpath which is 1.5m in width. The y distance is especially restricted on the critical side towards Limavady (in a southerly direction) by the existing low wall which is not in the applicant's control. Visibility splays of 2.4 x 100metres are required for this access under DCAN 15.
- 8.8 During the processing of the application the agent considered various options to overcome the substandard access arrangements. The original application proposed an access paired with the access for 152 Seacoast Road and the current scheme proposes a shared access with no 152.
- 8.9 The applicant owns this site and the adjacent property at no. 152. Both the dwelling at 152 and the application site access via an existing substandard access. A replacement of no. 152 has previously been approved under application reference LA01/2015/0568/O. As LA01/2015/0568/O was a genuine replacement dwelling, no access improvements were necessary as provided for by policy AMP2 of PPS3. This application was granted planning permission on 26.1.2016.
- 8.10 The applicant currently proposes to upgrade the substandard access to serve both the application site and the replacement dwelling which was previously approved. The proposed upgrade improves the visibility splays to 2.4m x 50m to the south and 2.4m x 75m to the north but this is not to the standard required by DCAN 15 for a dwelling on this capacity of road. The southern splay is the most restricted due to the boundary wall which is outside the applicants control and it is on the critical side. The current site proposes a new dwelling as the

infill of a gap site and the access arrangements therefore must meet those as outlined in DCAN 15.

- 8.11 The Planning Authority consulted Transport NI as the competent authority and the opinion to refuse remains unchanged because the existing access is substandard and the proposal would lead to the intensification of a substandard access. The betterment of the existing access for the replacement opportunity does not justify a relaxation of the standards required for the new dwelling proposed in this case. An improvement of an access for a genuine replacement is not required by policy and does not justify the intensification of a substandard access for the dwelling proposed in this case.

## **9 CONCLUSION**

- 9.1 On balance, the proposal meets the policy test for a dwelling on a gap site within a substantially or continuously built up frontage of development under CTY8. PPS3 allows for a dwelling providing it uses a safe vehicular access. However, as the access geometry is substandard and cannot be improved to a standard required by DCAN15, the proposal would prejudice the safety and convenience of road users. While regard has been had to the detail of the existing access, vehicle movements and the betterment to the adjacent site, these considerations do not justify a relaxation of the roads safety standards required for a new dwelling in the countryside.

## **10 REASONS FOR REFUSAL**

- 10.1 The proposal is contrary to Planning Policy Statement 3, Access, Movement and Parking, Policy AMP2, in that it would if permitted the proposed development would, if permitted, prejudice the safety and convenience of road users since a visibility splay of 2.4metres x 100 metres cannot be provided, at the proposed access in a southerly direction, in accordance with the standards contained in the Department's Development Control Advice Note 15.



