

<b>Planning Committee Report</b>  LA01/2019/0051/O	<b>28<sup>th</sup> August 2019</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>	Development Management & Enforcement Manager
<b>Cost: (If applicable)</b>	N/a

<b><u>No:</u></b>	LA01/2019/0051/O	<b><u>Ward:</u></b>	Limavady
<b><u>App Type:</u></b>	Outline		
<b><u>Address:</u></b>	Lands adjacent to 64 Dunlade Road, Killywill, Greysteel.		
<b><u>Proposal:</u></b>	Proposed 2 No. rural infill dwellings with detached garages.		
<b><u>Con Area:</u></b>	N/A	<b><u>Valid Date:</u></b>	21.12.2018
<b><u>Listed Building Grade:</u></b>	N/A		
<b><u>Agent:</u></b>	Shane Birney Architects, Building 80/81, Ebrington, Derry, BT47 6FA.		
<b><u>Applicant:</u></b>	Mr & Mrs McLaughlin, 64 Dunlade Road, Killywill, Greysteel.		
<b><u>Objections:</u></b>	<b>0</b>	<b><u>Petitions of Objection:</u></b>	<b>0</b>
<b><u>Support:</u></b>	<b>0</b>	<b><u>Petitions of Support:</u></b>	<b>0</b>

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 sections 7 and 8 and resolves to **REFUSE** outline planning permission subject to the reasons set out in section 10.

## 2 SITE LOCATION & DESCRIPTION

- 2.1 The site is located on lands adjacent to 64 Dunlade Road, Killywill, Greysteel.
- 2.2 The site is a portion of a larger agricultural field which fronts onto the Dunlade Road. No. 64 Dunlade Road is located to the immediate north of the site. No. 64a is located to the south of the site. The site is relatively flat.
- 2.3 The front/western boundary to the Dunlade road is defined by post and wire fencing. The rear/eastern boundary is undefined. The northern boundary to no.64 is defined by the existing sheds to no.64 with mature trees/vegetation along this boundary. The southern boundary to no.64a is defined by a post and wire fence. The site is currently accessed by an existing agricultural gate to the north-west boundary.
- 2.4 The site is located within the rural countryside outside of any development limit as provided for in the Northern Area Plan 2016. A small group of dwellings exist to the south-west of the site along the Dunlade Road.

## 3 RELEVANT HISTORY

There is no Planning history on the application site.

## **4 THE APPLICATION**

- 4.1 This is an outline application for Proposed 2 No. rural infill dwellings with detached garages at lands adjacent to 64 Dunlade Road, Killywill, Greysteel.

## **5 PUBLICITY & CONSULTATIONS**

### **5.1 External**

Advertising: Advertised in the Coleraine Chronicle on the 06.02.2019.

Neighbours: 6 neighbours were notified on the application.

No letters of objection or letters of support were received on this application.

### **5.2 Internal**

NIEA Water Management Unit: no objections.

DFI Roads: no objections.

Environmental Health: 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)

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

Planning Policy Statement 21 – Sustainable Development in the Countryside

Building on Tradition: A Sustainable Design Guide for the Northern Ireland Countryside

DCAN 15: Vehicular Access Standards

## **8 CONSIDERATIONS & ASSESSMENT**

### **Planning Policy**

- 8.1 The proposal must be considered having regard to the NAP 2016, SPPS, and PPS policy documents specified above.

- 8.2 The main considerations in the determination of this application relate to the principle of development and visual integration/ rural character.

### **Principle of Development**

- 8.3 Paragraph 6.73 of the Strategic Planning Policy Statement (SPPS) and Planning Policy Statement 21 – Sustainable development in the Countryside, Policy CTY 1 notes 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 one of which is the infilling of a gap site in accordance with Policy CTY 8.
- 8.4 Policy CTY 8 notes 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. 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.
- 8.5 Two buildings are located to the north of the site which include no.64 Dunlade Road and an outbuilding at no.64 which have a frontage to the Dunlade Road. Lime Road provides a physical and visual break between no. 62 and no.64 and for the purposes of policy no.62 cannot be considered as sharing the continuous frontage. Two dwellings are located to the south of the site, including no. 64a and no.66 Dunlade Road which have a frontage to the Dunlade Road. The site is therefore located between 4 no. buildings with a frontage to the Dunlade Road.
- 8.6 The gap site proposed is located between the outbuilding at no.64 and no.64a. The proposed site has a frontage of 87m however the total size of the gap site is approximately 142m. This size of a gap is not considered a small gap site sufficient only to accommodate a maximum of 2 dwellings. 4 dwellings could be accommodated at this gap set on plots of approximately 35.5m, which would be greater than the average plot size of 30.6m. The approval of these 2 infill dwellings

at this location would also create a gap between the site and no. 64a. This could create an additional gap site opportunity and lead to a sub-urban ribbon of development along this portion of the Dunlade Road. Appeal 2015/A0086 reiterates that the gap is between buildings and not just the curtilage of the site in question.

- 8.7 The proposed site has a frontage of approximately 87m. There are to be two proposed dwellings on this site. The dwelling proposed to the northern portion of the site to no. 64 will have a proposed frontage of approximately 49m and the other dwelling to the southern portion of the site will have a proposed frontage of approximately 38m.
- 8.8 Surrounding frontages include no.64 frontage of approximately 38m, 64a frontage of approximately 26m and no.66 frontage of approximately 28m. The average frontage of these dwellings is 30.6m. The proposed 2 no. infill dwellings will both be above the average frontage and fail to respect the existing development pattern along the frontage.
- 8.9 The proposal would result in ribbon development and fails to meet policy CTY 8.
- 8.10 As no overriding reason has been forthcoming as to why the development is essential and could not be located within a settlement, the proposal is contrary to CTY 1 of PPS 21 and paragraph 6.73 of the SPPS.

### **Visual integration, Rural character**

- 8.11 Paragraph 6.70 of the SPPS states that “all development in the countryside must integrate into its setting, respect rural character, and be appropriately designed”. Planning Policy Statement 21 – Sustainable development in the Countryside notes that the proposal must also meet the requirements of policy CTY 13 and CTY 14 in terms of integration of buildings in the countryside and impact on rural character.
- 8.12 As this is an outline application the design of any dwellings at this stage would not be assessed. The agent has submitted floor plans

and elevations but as this is an outline application they are not given significant consideration at this stage.

- 8.13 The site is not an elevated site or slope and will not be unduly prominent in the landscape.
- 8.14 The site is a roadside site along the Dunlade Road. The site is a portion of a larger agricultural field. The site is open and visible along the Dunlade Road with a post and wire fence defining the boundary to the road. The rear/eastern boundary is undefined. The northern boundary to no.64 is defined by the existing sheds to no.64 with mature trees/vegetation along this boundary. The southern boundary to no.64a is defined by a post and wire fence. The site is open with a lack of landscaping and vegetation to the eastern, southern and western boundaries. The site therefore lacks long established natural boundaries and lacks a suitable degree of enclosure to satisfactorily integrate. New landscaping and tree planting along these boundaries would be required to assist in the integration of the site. The site fails to meet criteria (b) and (c) of policy CTY 13 and paragraph 6.70 of the SPPS.
- 8.15 The proposed development would if permitted create a ribbon of development under Policy CTY 8. The site would create a ribbon of dwellings located in a linear fashion along the Dunlade Road with no.64 Dunlade Road and an outbuilding to the north of the site and 64a and no.66 Dunlade Road to the south of the site. This type of development is resisted as it would create a suburban pattern of development and would be detrimental to the character of the rural area. The application fails to meet Policy CTY 8 and consequently criteria (d) of CTY 14 and paragraph 6.70 of the SPPS.

### **Habitats Regulation Assessment**

- 8.16 The potential impact 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**

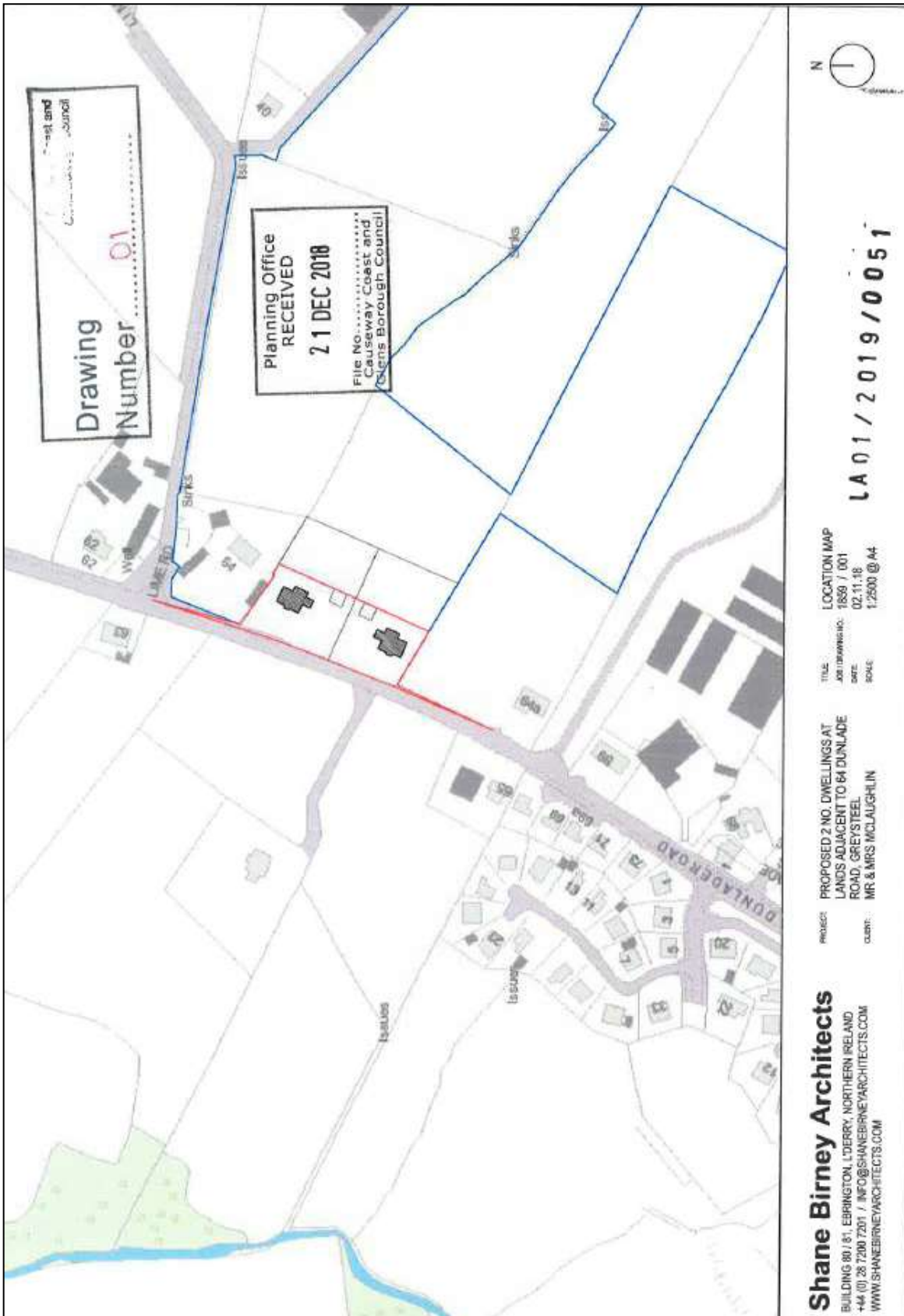
- 9.1 The proposal is considered unacceptable in this location having regard to the Northern Area Plan 2016 and other material considerations including the Planning Policy Statement 21 – Sustainable development in the Countryside, CTY 1, CTY 8 and Policy CTY 14, criteria (d) in that it will create a ribbon of development and is not considered a small gap site sufficient only to accommodate up to a maximum of two houses. The proposal is also contrary to Policy CTY 13, criteria (b) and (c) in that the site lacks long established natural boundaries and relies primarily on the use of new landscaping for integration. As no overriding reason has been forthcoming as to why the development is essential and could not be located within a settlement, the proposal is contrary to CTY 1 of PPS 21 and paragraph 6.73 of the SPPS. Refusal is recommended.

## **10 Reasons for Refusal**

1. The proposal fails to meet Planning Policy Statement 21, Policy CTY1, CTY 8 and Policy CTY 14, criteria (d) in that it will create a ribbon of development and is not considered a small gap site sufficient only to accommodate up to a maximum of two houses and no overriding reason has been forthcoming as to why the development is essential and could not be located within a settlement.
2. The proposal fails to meet Planning Policy Statement 21, Policy CTY 13, criteria (b) and (c), in that the site lacks long established natural boundaries and relies primarily on the use of new landscaping for integration.



# Site Location Map



# Block Plan

