



Planning Committee Report LA01/2019/0150/O	22 January 2020
PLANNING COMMITTEE	

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	Development Management & Enforcement Manager
Cost: (If applicable)	N/A

<u>App No:</u>	LA01/2019/0150/O	<u>Ward:</u>	TORR HEAD and RATHLIN
<u>App Type:</u>	Outline Application		
<u>Address:</u>	Between 105 & 107 Knocknacarry Road, Cushendun.		
<u>Proposal:</u>	Site for infill dwelling.		
<u>Con Area:</u>	N/A	<u>Valid Date:</u>	15/02/2019
<u>Listed Building Grade:</u>	N/A	<u>Target Date:</u>	31/05/2019
<u>Applicant:</u>	Paddy McKay, 107 Knocknacarry Road, Cushendun, Co. Antrim, BT44 0NT.		
<u>Agent:</u>	Bailey Architecture, 9 Glenview Road, Duncarbit, Glenshesk, Ballycastle, Co. Antrim, BT54 6QE.		
<u>Objections:</u>	0	<u>Petitions of Objection:</u>	0
<u>Support:</u>	0	<u>Petitions of Support:</u>	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 sections 7 and 8 and resolves to **REFUSE** planning permission subject to the reasons set out in section 10.

2 SITE LOCATION & DESCRIPTION

- 2.1 The site is located on the south eastern side of the Knocknacarry Road, which is within a rural setting. The application site is positioned within the curtilage of 107 Knocknacarry Road, which forms a ribbon development with 105 and 103 Knocknacarry Road. These neighbouring units all include substantial plot widths to incorporate satisfactory residential amenity space. The front boundary of the application site comprises of timber fencing.
- 2.2 The site is located outside any settlement limits and within the Antrim Coast and Glens Area of Outstanding Natural Beauty as designated in the Northern Area Plan 2016.

3 RELEVANT HISTORY

No relevant surrounding planning history.

4 THE APPLICATION

- 4.1 Outline Planning Permission is sought for an infill dwelling on lands currently utilised as garden / amenity space for 107 Knocknacarry Road. The application site is located between 105 and 107 Knocknacarry Road. There is no existing access in place.

5.0 PUBLICITY & CONSULTATIONS

5.1 External

Neighbours: There are no objections to this proposal.

5.2 Internal

DFI Roads: Objections

NI Water: No objections

Environmental Health: No objections

NIEA: No objections

6.0 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:

- 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.

7.0 RELEVANT POLICIES & GUIDANCE

The Northern Area Plan 2016

Strategic Planning Policy Statement (SPPS)

Planning Policy Statement 2: Natural Heritage

Planning Policy Statement 3: Access, Movement and Parking

Planning Policy Statement 21: Sustainable Development in the Countryside

Supplementary Planning Guidance

Building on Tradition – A Sustainable Design Guide for the NI Countryside

8.0 CONSIDERATIONS & ASSESSMENT

- 8.1 The proposed dwelling must be considered, having regard to the SPPS, PPS policy documents and supplementary planning guidance specified above. The main considerations in the determination of this application relate to: principle of the development, rural character; access and the impacts on the AONB and surrounding rural area.

Principle of Development

- 8.2 The policies outlined in paragraph 6.73 of the SPPS and Policy CTY 1 of PPS 21 state that there are a range of types of development which are considered acceptable in principle in the countryside. Other types of development will only be permitted where there are overriding reasons why that development is essential and could not be located in a settlement, or it is otherwise allocated for development in a development plan. The application was submitted as an infill dwelling and therefore is assessed primarily against Policy CTY 8 (Ribbon Development) as well as Policy CTY 13 (Integration and Design of Buildings in the Countryside) and Policy CTY 14 (Rural Character).
- 8.3 Policy CTY 8 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.

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 The proposal is to be located within a gap site between the properties Nos. 105 and 107 Knocknacarry Road. The site is currently within the curtilage of the applicants dwelling at No. 107 Knocknacarry Road and forms part of their amenity space. The width of the proposed site frontage is approximately 9.4m. Property No.103 has a frontage width of 27.6 m, No. 105 has a frontage width of 16 m and No. 107 has a frontage width of 33 m, giving an average plot width of 25.5 m. A dwelling on this size would not respect the existing pattern of development along the frontage in terms of size, scale, siting and plot size and therefore is contrary to Policy CTY 8 of PPS 21.
- 8.5 As the proposal does not confer to the criteria set out under Policy CTY 8 – Ribbon Development, it has been determined to be unacceptable and would have an injurious impact upon the countryside.

Rural Character

- 8.6 Policy CTY 14 of PPS 21 states that a new building in the countryside will be unacceptable where, among other things, it does not respect the traditional pattern of settlement exhibited in the area. Paragraph 5.79 in the amplification text states that the new building should respect the disposition and visual appearance of land and buildings in the locality and should adopt the spacing of traditional buildings found in the locality. A dwelling on this site would appeared cramped and hemmed in when viewed in the context of its immediate neighbours and would disrupt the existing spacing between properties.
- 8.7 The proposal is contrary to Policy CTY 14 (Part c and d) as the proposed development would be out of keeping with the existing settlement pattern in the immediate area, would add to a ribbon of development and would cause a detrimental change to the rural character.

Access

- 8.8 Policy AMP 7 of PPS 3: Access, Movement and Parking outlines the requirements for proposals to meet in order to be deemed as acceptable in regards to car parking and servicing arrangements. DFI Roads were consulted to determine the

acceptability of this proposal. They responded stating that, 'if permitted, (the proposal would) prejudice the safety and convenience of road users since adequate provision cannot be made clear of the highway for the parking and turning of vehicles which would be attracted to the site'. Therefore, it has been determined that this proposal is unacceptable in regards to Policy AMP 7.

Impact on Area of Outstanding Natural Beauty

- 8.9 As the siting of the proposal has been determined as being unacceptable, this proposal, if approved, would have a detrimental impact upon the Antrim Coast and Glens Area of Outstanding Natural Beauty. More specifically, the proposal does not respect local dwelling patterns in regards to the layout. For these reasons, the proposal fails to comply with Policy NH 6 – Areas of Outstanding Natural Beauty of PPS 2.

Habitats Regulation Assessment

- 8.10 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.

9.0 Conclusion

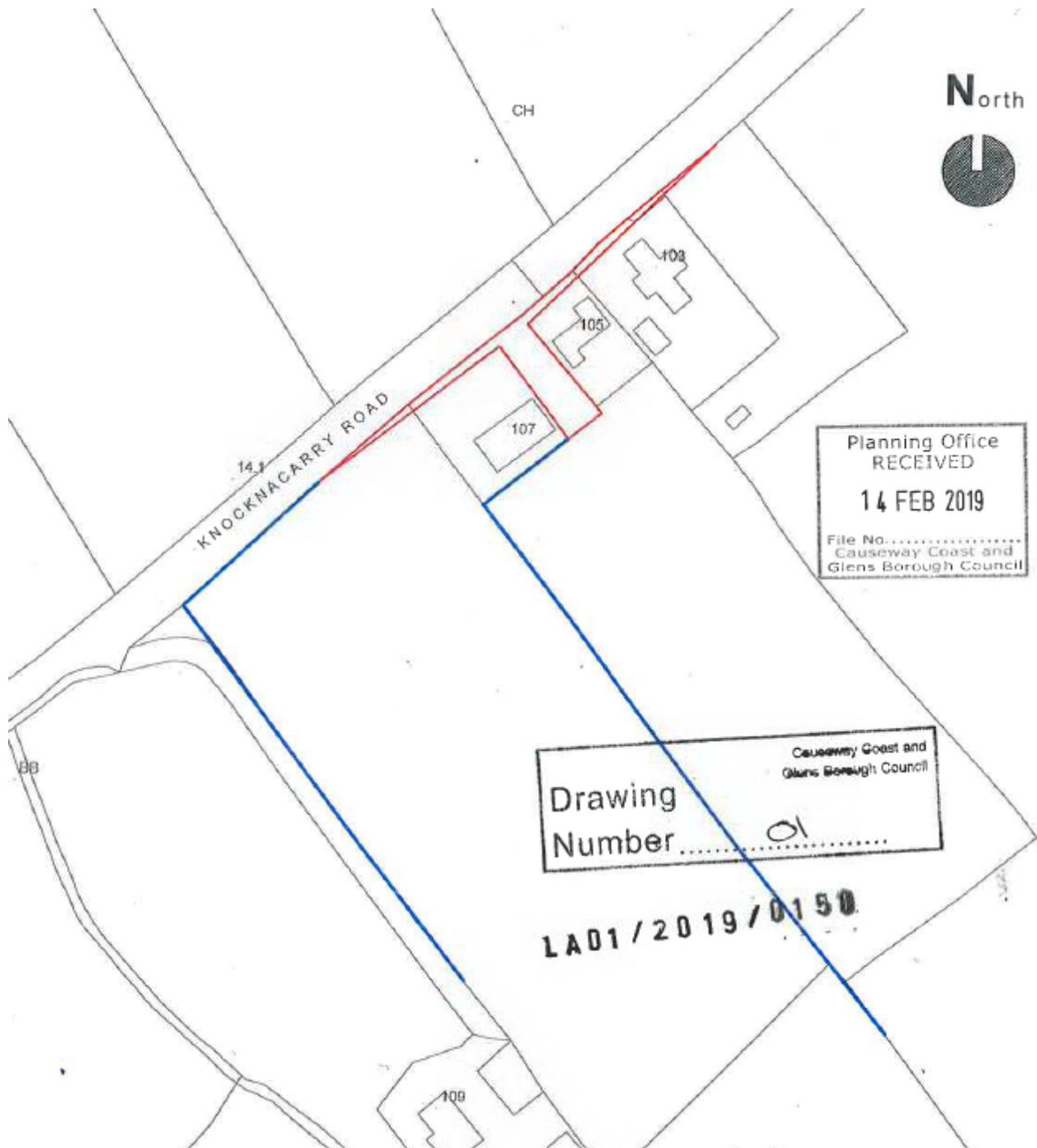
- 9.1 The proposal is considered unacceptable in this location having regard to the Northern Area Plan 2016 and other material considerations. The proposal is considered contrary to Policies CTY 1, 8, and 14 (c and d) in that the proposed gap site is too narrow and does not respect the existing pattern of development along the frontage in terms of size, scale and plot size and would add to a ribbon of development. The proposal is contrary to Policy AMP of PPS 3 as it has not been demonstrated that adequate provision cannot be made clear of the highway for the parking and turning of vehicles on the site and it would therefore prejudice the safety and convenience of road users. The proposal is also contrary to Policy NH 6 of PPS 2 in that the plot

size and layout is not appropriate to the AONB location. 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.

10.0 Refusal Reasons

- 10.1 The proposal is contrary to 6.73 of the Strategic Planning Policy for Northern Ireland (SPPS) and Policy CTY1 of Planning Policy Statement 21, Sustainable Development in the Countryside in that there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement.
- 10.2 The proposal is contrary to Paragraph 6.73 of the Strategic Planning Policy Statement and Policy CTY 8 of Planning Policy Statement 21 in that the proposal if permitted, would not respect the size, scale and plot size of the surrounding dwellings, and would if approved have a detrimental impact on the adjacent properties.
- 10.3 The proposal is contrary to Paragraph 6.70 of the Strategic Planning Policy Statement and Policy CTY14 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the building, if permitted, would not respect the traditional pattern of settlement exhibited in that area and would add to a ribbon of development and would therefore result in a detrimental change to the rural character of the countryside.
- 10.4 The proposal is contrary to Planning Policy Statement 3, Access, Movement and Parking, Policy AMP 7, in that it would, if permitted, prejudice the safety and convenience of road users since adequate provision cannot be made clear of the highway for the parking and turning of vehicles which would be attracted to the site.
- 10.5 The proposal is contrary to Paragraph 6.187 of the Strategic Planning Policy Statement and Policy NH6 of Planning Policy Statement 2, in that the development would, if permitted, be unsympathetic to the characteristics of the Area of Outstanding Beauty in terms of siting.

SITE LOCATION PLAN



Addendum

LA01/2019/0150/O

1.0 Update

- 1.1 Amended plans were received on the 28th November 2019 to show a new access to the site to facilitate the on-site turning and parking of vehicles. The amended drawing also provides indicative elevational drawings in tandem with neighbouring dwellings and their garages.

2.0 Assessment

- 2.1 The above amendment has been uploaded onto the Planning portal and DFI Roads have been consulted to determine the road safety of the access.
- 2.2 DFI Roads offered no objection to the access, advising that ‘the parking / turning areas indicated are satisfactory’.
- 2.2 The amended siting of the infill dwelling is proposed to be 3.2m from the boundary of No. 107 Knocknacarry Road and 1.2m from the boundary of No. 105 Knocknacarry Road. The proposal is still deemed to be out of character of the area as it does not comply with Policies CTY 1, CTY 8 and CTY 14 of PPS 21.

3.0 Recommendation

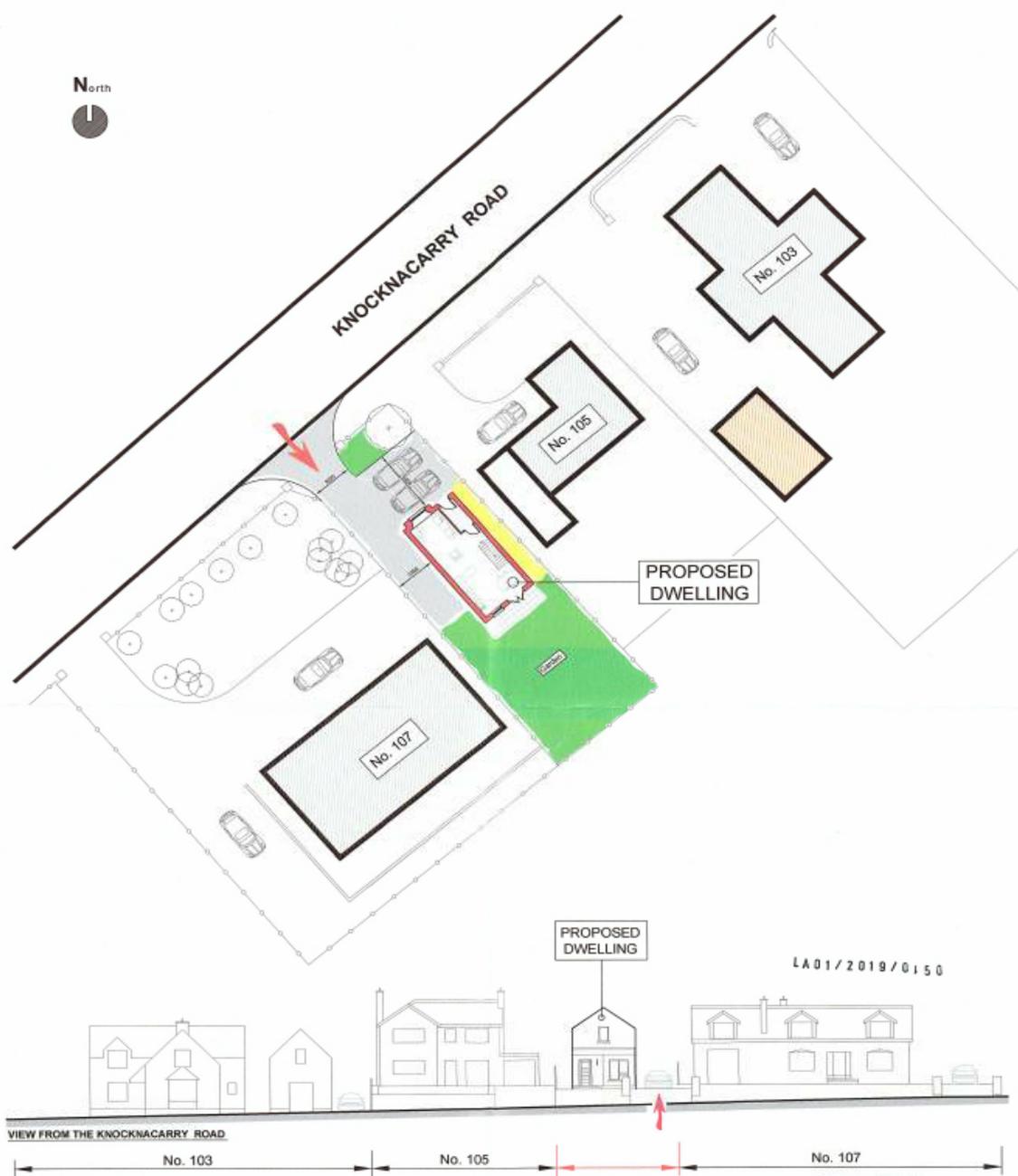
- 3.1 That the Committee note the contents of this Addendum and agree with the recommendation to refuse planning permission for the reasons outlined below:
1. The proposal is contrary to 6.73 of the Strategic Planning Policy for Northern Ireland (SPPS) and Policy CTY1 of Planning Policy Statement 21, Sustainable Development in the Countryside in that there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement.

2. The proposal is contrary to Paragraph 6.73 of the Strategic Planning Policy Statement and Policy CTY 8 of Planning Policy Statement 21 in that the proposal if permitted, would not respect the size, scale and plot size of the surrounding dwellings, and would if approved have a detrimental impact on the adjacent properties.

3. The proposal is contrary to Paragraph 6.70 of the Strategic Planning Policy Statement and Policy CTY14 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the building, if permitted, would not respect the traditional pattern of settlement exhibited in that area and would add to a ribbon of development and would therefore result in a detrimental change to the rural character of the countryside.

4. The proposal is contrary to Paragraph 6.187 of the Strategic Planning Policy Statement and Policy NH6 of Planning Policy Statement 2, in that the development would, if permitted, be unsympathetic to the characteristics of the Area of Outstanding Beauty in terms of siting.

Amended Site Plan



Drawing Number
Checked by: [Signature] and
 Drawn by: [Signature]

Planning Office
 RECEIVED
 28 NOV 2019
File No. [Number]
 Causeway Court, and
 Glass Borough Station

CLIENT	Paddy Mc Key	
PROJECT	Proposed Infill Dwelling Between 105 & 107 Knocknacarry Road Cushendun	
TITLE	Site Plan, Concept Elevation	
DATE	Oct 18	SCALE 1:200
DATE SET	L 03	REVISION A


BAILEY
 ARCHITECTURE
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SITE VISIT REPORT: WEDNESDAY 25 SEPTEMBER 2019

Committee Members: Alderman Boyle, Duddy, Finlay, S McKillop, McKeown; Councillors Anderson, Baird, Dallat O'Driscoll, Hunter (Chair), Laverty, McGurk, MA McKillop, McLaughlin (Vice Chair), McMullan, Nicholl, Scott

10AM.

LA01/2019/0150/O Between 105 & 107 Knocknacarry Road, Cushendun BT44 0NT

App Type: Outline Application
Proposal: Site for infill dwelling.

Present: Ald Boyle, McKeown, Councillors Anderson, Baird, Dallat O'Driscoll, Hunter, Laverty, McLaughlin, McMullan, S Mathers, E Hudson

Comments: The Officials indicated the site boundaries and that the site was currently the side garden of No. 107. Officials advised that it was an outline application for an infill dwelling and therefore would fall to be assessed under Policy CTY 8 of PPS21. Officials advised that it was contrary to policy as it did not respect the existing pattern of development along the frontage. Other properties had a frontage of 25.5m and this site was 9.4m. A dwelling would appear cramped and shoe horned into the site when viewed in the context of existing development. The site was viewed from along the road and members referred to an ancillary building at no. 103. It was pointed out by officials that this building was within the existing curtilage of no. 103 and was not comparable to the proposal. Members also stated that the amenity space of no. 107 could be re-sited to the other side of the dwelling. Officials advised that this would not address concerns in relation to Policy CTY 8. Officials advised that it would also be out of place in the AONB location and that it was contrary to AMP 7 of PPS 3 as adequate provision could not be made clear of the highway for the turning and manoeuvring of vehicles.