

Title of Report:	Planning Committee Report – LA01/2022/0078/F
Committee Report Submitted To:	Planning Committee
Date of Meeting:	20th September 2023
For Decision or For Information	For Decision – Referred Application by Cllr Fielding
To be discussed in Committee YES/NO	No

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:

No: LA01/2022/0078/F **Ward:** Dervock

App Type: Full

Address: 12 Heagles Road, Ballymoney

Proposal: Proposed new domestic shed for pet animals/ fed and extension to curtilage

Con Area: N/A **Valid Date:** 21.01.2022

Listed Building Grade: N/A

Agent: Simpson Design NI Ltd

Applicant: Mr and Mrs S Hanna, 12 Heagles Road, Ballymoney

Objections: 0 Petitions of Objection: 0

Support: 0 Petitions of Support: 0

EXECUTIVE SUMMARY

- Full planning permission is sought for a proposed extension to the curtilage of the property and a shed within the proposed curtilage.
- The site is located within open countryside and outside any Settlement Development Limit as designated within the Northern Area Plan 2016.
- PPS 7 – Residential Extensions and Alterations is a retained policy document under the SPPS and provides the relevant policy context in conjunction with the SPPS.
- The proposal is contrary to Policy EXT 1 of the Addendum to Planning Policy Statement 7: Residential Extensions.
- DFI Roads and Environmental Health were consulted on the application and raise no objection.
- The application is recommended for Refusal.
- Reasons for Referral by elected member are attached as an appendix to this report.

Drawings and additional information are available to view on the Planning Portal- <https://planningregister.planningsystemni.gov.uk/>

1 RECOMMENDATION

- 1.1 That the Committee has taken into consideration and agrees with the reasons for 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 This site is situated beside the Heagles Road to the south of Ballybogey. The site includes an access drive to an established single storey dwelling, and a separate roadside paddock to the south of the drive. The Heagles Road is to the west boundary with a grass verge and hedge to the paddock. The paddock is bounded by a wire fence to the south where there is a lane outside the site. There are a few trees on the east boundary of the paddock.
- 2.2 There are timber fences on either side of the driveway leading to the dwelling. The adjacent neighbouring roadside dwelling, 10 Heagles Road, is positioned to the north of the driveway and to the west of the applicants dwelling at 12 Heagles Road. The paddock is the subject of this application. The land falls away from the road towards the south east corner of the paddock.
- 2.3 The site is set within the countryside as designated by the Northern Area Plan 2016. The character of the area is rural, being beside a minor road and is defined by a small number of rural dwellings within agricultural land. The main road between Ballymoney and Portrush lies to the east.

3 RELEVANT HISTORY

Planning reference: D/2005/0015/O Decision:
Location: 40m East of 10 Heagles Road, Ballymoney
Proposal: Site for Dwelling and Garage
Decision: Permission Granted 04.03.2005.

Planning reference: D/2006/0459/RM
Location: 40m East of 10 Heagles Road, Ballymoney
Proposal: New dwelling & garage
Decision: Permission Granted 22.01.2007

4 THE APPLICATION

- 4.1 Full planning permission is sought for a proposed curtilage extension and shed with associated site works.

5 PUBLICITY & CONSULTATIONS

5.1 External

Neighbours: a neighbour notification letter was sent to the property at 10 Heagles Road dated the 27.02.2022. A further re neighbour notification was sent to 10 Heagles Road dated 11/01/2023. No representations have been received.

5.2 Internal

Environmental Health Department: No objection

DFI Roads: 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 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 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

Regional Development Strategy 2035.

Northern Area Plan 2016.

Strategic Planning Policy Statement.

Planning Policy Statement 7 (Addendum): Residential Extensions and Alterations

8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relates to: the proposed extension of curtilage; scale and design of the proposed shed; and impact on amenity.

Principle of Development

- 8.2 The Northern Area Plan 2016 identifies the site as being located within the countryside, outside of any defined settlement limits.
- 8.3 The SPPS promotes sustainable development throughout the planning system. The guiding principle for planning authorities is that sustainable development should be permitted, having regard

to the development plan and all other material considerations, unless the proposed development will cause demonstrable harm to interests of acknowledged importance.

8.4

8.5 The current application proposes an extension to the existing curtilage of the dwelling at 12 Heagles Road along with a proposed domestic shed to be sited within the proposed curtilage extension. The proposed area for the curtilage extension comprises the small roadside paddock to the south of the existing driveway for 12 Heagles Road.

8.6 The proposed extension to curtilage is removed from the existing domestic curtilage of the property at 12 Heagles Road. The disassociation with the existing curtilage of 12 Heagles Road is highlighted in that the proposed curtilage is closer to and more aligned with the neighbouring property at 10 Heagles Road. While policy does not dictate curtilage size, there is a need to consider any proposed increase to a site curtilage, its arrangement and any potential impact that might occur as a result.

8.7 The proposed extension to curtilage is excessive in size and does not represent a domestic scale for a curtilage extension commensurate with the domestic property at 12 Heagles Road. The proposed extension of curtilage is larger in size than the existing established curtilage at 12 Heagles Road. The proposed curtilage extension is an amalgamation of two separate and non-aligned pieces of land which are dissected by the existing driveway. The proposal would create an arrangement that would detrimentally impact the character and appearance of the site as it would be viewed as two distinct parcels of land that would be within one curtilage.

8.8 Paragraph 24 of the Addendum to PPS 7, Residential Extensions and Alterations, states that residential developments which require the use of land outside of the established curtilage of the property, can result in detrimental change to rural character. Paragraph A13 of the Addendum to PPS 7 advises that ancillary buildings in the Countryside should be designed as part of the overall layout to result in an integrated rural group of buildings. The proposed curtilage extension and shed does not represent a cohesive integrated domestic layout with the existing curtilage.

- 8.9 The proposed shed is to be sited adjacent to the existing driveway, in the north eastern corner of the existing paddock for which the extension of curtilage is sought. The proposed shed measures 8.7m x 10.2m with a ridge height of 4.5m. The proposed shed is rectangular in shape with a shallow pitch roof. The lower walls of the shed are shown in roughcast render, with grey cladding to the roof and upper walls. There is one large roller shutter type door and a small pedestrian door to the west elevation. The internal floor plans show two stables and a goat pen with space marked out for a vintage tractor and hay for pet animals. A proposed new yard area is shown around the shed beside the existing driveway to the north of the small field. The proposed shed is to house horses and donkeys which are currently on the applicant's family farm.
- 8.10 Annex A of APPS 7 states that buildings within the residential curtilage, such as sheds, should be subordinate in scale and similar in style to the existing property, taking account of materials, the local character, and the level of visibility of the building from surrounding views. It adds that outbuildings located in front of the established building line can over-dominate the front of the property and detract from the street scene and will therefore generally be resisted.
- 8.11 The proposed domestic shed and extension to curtilage is contrary to criteria (a) of Policy EXT 1 of the Addendum to PPS 7 as the scale, massing and design of the building is not domestic in nature and not sympathetic to the appearance of the existing property detracting from the character of the surrounding rural area through its disassociated distance from the host property. The proposed shed would present as an over dominant and conspicuous building with a commercial as opposed to domestic character and appearance by reason of its design with a high eaves line, roller shutter door and finishes comprising metal cladding and roughcast render.

Amenity

- 8.11 The location of the proposed domestic shed with the extension of curtilage results in the proposal being located closer to the neighbouring property at 10 Heagles Road than the applicant's property at 12 Heagles Road. This is a consequence of the dissected arrangement with regards to the position of the

established domestic curtilage relative to the proposed curtilage extension. The proposal is sought to house pet animals with potential impacts from associated noise and odour. The Council's Environmental Health Department has been consulted with regard to the proximity of the shed to 10 Heagles Road and any potential impacts on this property, however they have advised that,

EHD is not aware of any guidance or regulation stipulating recommended permissible separation distances pertaining to the housing for goats and/ or horses to be sited within close proximity to a non-associated residential dwelling and is therefore unable to provide technical advice regarding the aforementioned.

Notwithstanding this, the location of the proposal would result in development being closer to the neighbouring property than the applicant's property resulting in a potentially unacceptable impact on neighbouring amenity. As the proposal would unduly affect the amenity of the neighbouring property at 10 Heagles Road, it is contrary to criteria (b) of the Addendum to PPS 7.

Access

- 8.12 Access from the Heagles Road is taken from the existing access point. DFI Roads has been consulted and raise no objections subject to proposed conditions.

Representations

- 8.13 No representations have been received for the proposal

Habitats Regulation Assessment

- 8.14 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.

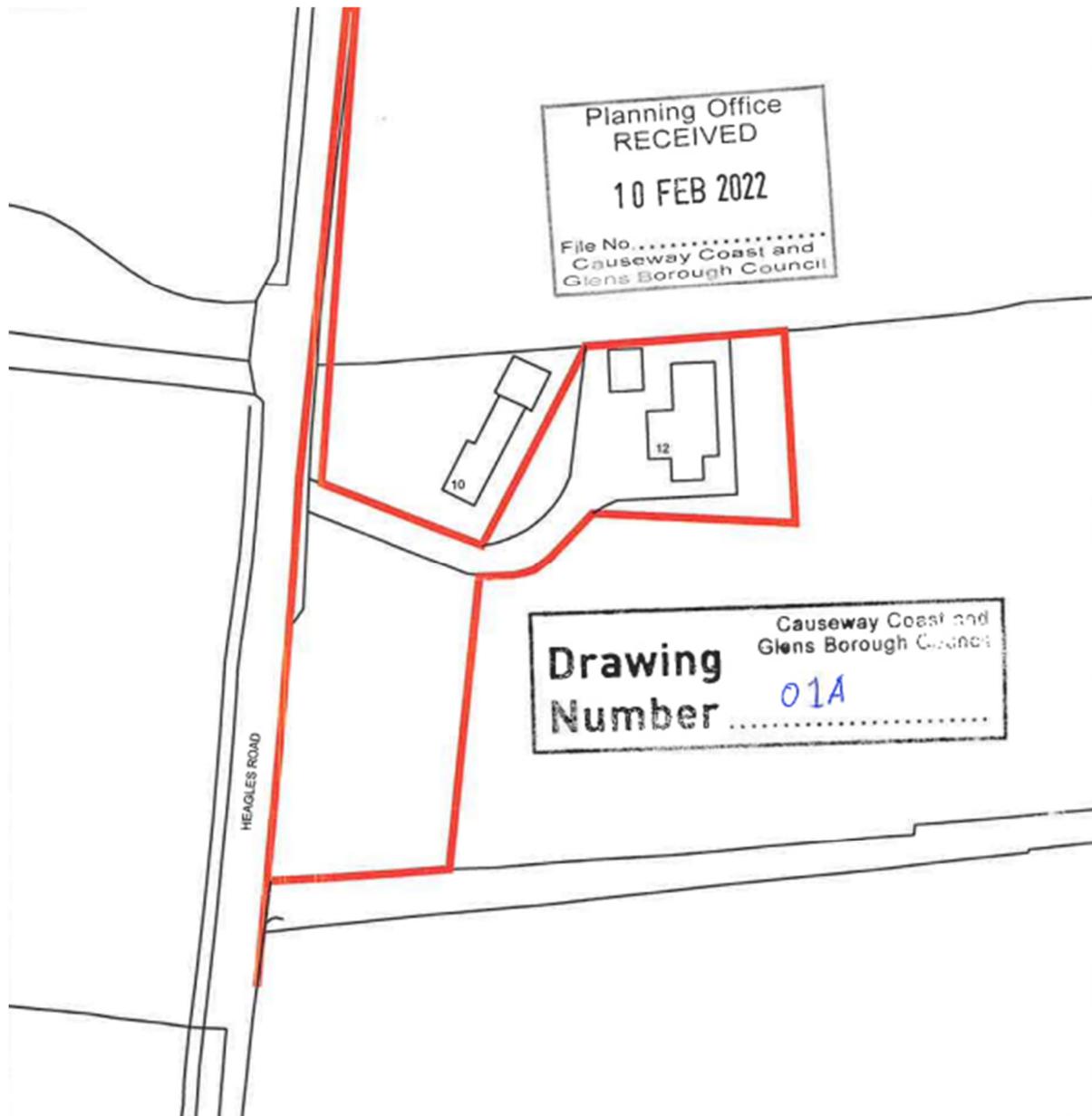
9 Conclusions

9.1 The proposal is considered unacceptable in this location having regard to the Northern Area Plan 2016 and other material considerations including the SPPS and the Addendum to Planning Policy Statement 7 (Residential Extensions and Alterations). The proposed siting, scale, massing and design are unacceptable and will result in a detrimental impact on the character and appearance of the area. Refusal is recommended.

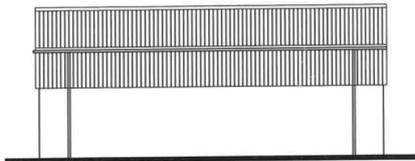
10 Refusal reasons

10.1 The proposal is contrary to Policy EXT 1 of the Addendum to Planning Policy Statement 7: Residential Extensions and Alterations in that; the scale, massing, design and external materials of the proposed shed are unsympathetic with the built form and appearance of the existing property and will detract from the appearance and character of the surrounding area; it has not been demonstrated that it would not unduly affect the amenity of neighbouring residents and; the curtilage extension would detract from the appearance and character of the surrounding area.

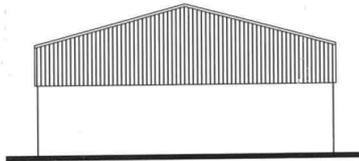
Site Location Plan, drawing 01A



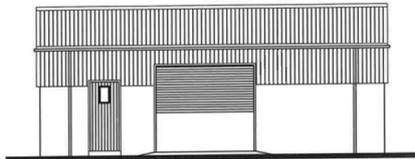
Proposed elevations, drawing 03B.



SIDE ELEVATION



REAR ELEVATION



SIDE ELEVATION

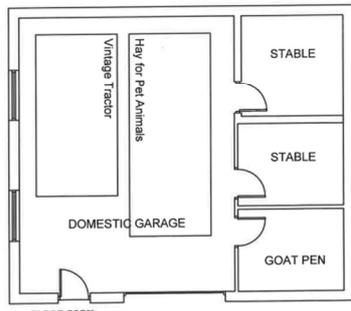


FRONT ELEVATION

Causeway Coast and Glens Borough Council
 Drawing Number **03B**

Planning Office RECEIVED
 09 JAN 2023
 File No. 2022/0578
 Causeway Coast and Glens Borough Council

External Finishes:
 Roof: Box profile grey cladding
 Walls: roughcast render (to match dwelling)
 Rainwater Goods: uPVC



FLOOR PLAN

CLIENT Mr. & Mrs. S. Hanna		28 BRANCO ROAD, BALLYMONEY, CO. DUBLIN TEL: 01 832 2821 Email: sales@simpson.ie Web: www.simpson.ie	
PROJECT: Proposed new shed Heagles Road, Ballymoney	SCALE: 1-100	PLOT DATE: Aug. 21	JOB NO.: -
DRAWING TITLE: PROPOSED Sketch Plan	DWG NO.: SK-01	REVISION: B	

Appendix 1 - Referral Request 31.03.2023.

Planning Application LA01/2022/0078/F

Proposed new domestic shed for pet animals/feed and extension to cartilage at 12 Heagles Road Ballymoney.

I wish to refer the above application to the Planning Committee for the following reasons.

The scale massing/ design and materials of the building are appropriate and in keeping with the character of the countryside. The building is the same size as a domestic garage and is no higher than a bungalow in the countryside. There is a farmyard within ½ mile from this site with buildings constructed the same and is in full view from the road. This proposed building will sit below road level.

There is a hedge along the roadside which will screen the shed from the road and there are mature trees along the other boundary. The shed will integrate into the countryside.

There will be no change to the rural character of the area.

Yours,

Alderman Mark Fielding