

Title of Report:	Planning Committee Report – LA01/2022/0885/O
Committee Report Submitted To:	Planning Committee
Date of Meeting:	24 April 2024
For Decision or For Information	For Decision – Referred Application by Ald. Fielding.

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:

<u>No:</u>	LA01/2022/0885/O	<u>Ward:</u> Castlerock
<u>App Type:</u>	Outline	
<u>Address:</u>	Site adjacent to No.55 Green Road, Quilly, Coleraine	
<u>Proposal:</u>	Proposed site for “rounding off” of cluster of dwellings adjacent to No. 55 Green Road, Quilly, Coleraine.	
<u>Con Area:</u>	N/A	<u>Valid Date:</u> 16th August, 2022
<u>Listed Building Grade:</u>	N/A	
Agent:	Moore Design, Market Court, 63 New Row, Coleraine BT52 1EJ	
Applicant:	Ms. C. Seaton, 53 Green Road, Quilly Coleraine	
Objections: 0	Petitions of Objection: 0	
Support: 0	Petitions of Support: 0	

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

EXECUTIVE SUMMARY

- Outline planning permission is sought for a dwelling within a cluster in accordance with Policy CTY2a of PPS21.
- The application site is located within the rural area as identified within the Northern Area Plan (NAP) 2016. The site is located on land adjacent to No.55 Green Road, Quilly, Coleraine.
- The proposal fails to meet all the criteria for the principle of development under Policy CTY 2a.
- Development of this site would result in creating a ribbon of development along Green Road and is contrary to Policies CTY 8 and 14 of PPS 21 as it has an unacceptable impact on rural character.
- DFI Roads, NI Water and NIEA (Water Management Unit), Environmental Health and DEARA were consulted on the application and raise no objection.
- There are no objections to the proposal.
- The application is recommended for Refusal.
- Reasons for Referral by elected member are attached as an annex to this report.

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 conditions set out in section 10.

2 SITE LOCATION & DESCRIPTION

- 2.1 The proposed site is relatively flat and has trees positioned on the western and eastern boundaries. A number of trees have been felled which occupied a more central position within the site. There are three dwellings near the site which give the appearance of single storey dwellings.
- 2.2 The northern and eastern boundaries are defined by a ranch fence, which follows the access road until it straightens up whereby it is then defined by a close boarded fence. The western boundary is defined by mature vegetation with post and wire fencing. The southern boundary is defined by a solid wall which runs the length of the boundary.
- 2.3 Green Road is an undulating road which peaks around the site. The site is flat and houses a couple of small sheds. Further to the east of the site is a farm complex. The land immediately north of the site on the opposite side of the access road is heavily treed and vegetated.
- 2.4 The site is in the rural area outside any settlement limit as defined by the Northern Area Plan 2016.

3 RELEVANT HISTORY

- 3.1 While there is generally planning history in the area, there is no specific relevant history relating to this site.

4 THE APPLICATION

- 4.1 Proposed site for “rounding off” of cluster of dwellings adjacent to No. 55 Green Road, Quilly, Coleraine.

Habitat Regulations Assessment

- 4.2 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.

5 PUBLICITY & CONSULTATIONS

- 5.1 **External**
Neighbours: There are no objections to the application
- 5.2 **Internal**
Environmental Health Department: No objection
NI Water: No objections
DFI Roads: No objection
NIEA WMU: 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:
- 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 both 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.

PPS 3: Access, Movement and Parking.

PPS 21: Sustainable Development in the Countryside.

Supplementary Planning Guidance

Building on Tradition: A Sustainable Design guide for Northern Ireland.

8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to the principle of development, access, integration, rural character, and other issues.

Planning Policy

- 8.2 The principle of development must be considered having regard to the NAP, SPPS and PPS policy documents.
- 8.3 Policy CTY1 of PPS21 sets out 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. Policy CTY1 indicates that the development of a dwelling sited within an existing cluster of buildings in accordance with Policy CTY2a may be acceptable.

Principle of Development

- 8.4 Planning permission will be granted for a dwelling at an existing cluster of development provided all the following criteria are met:

- *the cluster of development lies outside of a farm and consists of four or more buildings (excluding ancillary buildings such as garages, outbuildings and open sided structures) of which at least three are dwellings;*

There are three dwelling located around the site; these are positioned to the east, (dwelling no.59), to the south (dwelling no. 55), and to the south east (dwelling no. 55a). There is an access lane that is positioned north of the site that goes from Green road and provides access to no.59 and to the rear of no. 55a, where it continues to go through the curtilage of the dwelling no. 55a to a further access point onto the Green Road from which the farm grouping is served. It is considered that the application site lies outside of a farm. Furthermore, it is considered that, within the immediate vicinity of the application site are three dwellings, respectively, no's 55, 55a and 59 Green Road and this part of the test is met.

- *The cluster appears as a visual entity in the local landscape;*

While the buildings and dwellings are all within a relatively tight grouping, there is significant vegetation and when considering the arrangement and relationship of the dwellings and other buildings, it is considered that this development does not appear as a visual entity in the landscape and fails to meet this test.

- *the cluster is associated with a focal point such as a social / community building/facility, or is located at a cross-roads,*

The existing development is not associated with a focal point and is not located at a cross roads. The proposal therefore fails to meet this requirement.

- *the identified site provides a suitable degree of enclosure and is bounded on at least two sides with other development in the cluster;*

The fourth criterion of the policy states the site should provide a suitable degree of enclosure and is bounded on at least two sides with other development in the cluster. The site is clearly bounded on one side by property number 55, to the south of the site. There is an access lane that runs from the northern site boundary, continuing round and between the site and dwelling at number 59 and through the curtilage of dwelling number 55a. While this access lane divides the eastern boundary from the property at no.59, given the scale, use and relationship of this access to the dwelling, it is, on balance, considered to not detach the dwelling at No.59 to such a degree that the site is not bound by development on this boundary given this unique arrangement. It is considered that the

proposed development is bound on at least two sides and meets this test.

- *development of the site can be absorbed into the existing cluster through rounding off and consolidation and will not significantly alter its existing character, or visually intrude into the open countryside;*

The fifth criterion of Policy CTY 2a requires that the development can be absorbed into the existing cluster through rounding off or consolidation and will not significantly alter the character or visually intrude into the open countryside. Given the small corpse of mature trees located north of the application site and the mature vegetation in the general area, it is considered that any proposed development on this site would be considered to not give the appearance of further encroaching into the countryside. It is therefore considered that criterion 5 of CTY 2a is met.

- *development would not adversely impact on residential amenity.*

It is considered that the site could be developed with an appropriately designed dwelling which would not adversely impact on residential amenity of existing development.

- 8.5 Having regard to the policy tests and consideration set out in 8.4, the development does not appear as a visual entity, and it is not associated with a focal point. While the other tests are considered to be satisfied, the policy headnote states that planning permission will be granted provided **all** the criteria are met. As 2 of the criteria are not met, the proposal fails to meet Policy CTY 2a of PPS 21.

Access

- 8.6 Dfl Roads was consulted as the competent authority on road and traffic matters and raises no objection to the proposal. The application is unlikely to prejudice road safety or significantly inconvenience the flow of traffic at this location and meets the requirements of AMP 2 of PPS 3.

Integration

- 8.7 Policy CTY 13 states that 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.
- 8.8 The site faces onto the Green Road, which is defined by mature hedging and trees. The northern boundary facing onto property no. 55 is defined by a 1.2 metres high wall, with trees and shrubs lining the boundary. The western boundary facing onto the Green Road is defined by mature trees and dense hedging. The eastern boundary faces onto the access lane is defined by ranch and close boarded fencing. It is stated that the existing hedgerow and trees will remain on the western boundary as there is a 2.5 metres grass verge that exists before the road.
- 8.9 Views of the site from both the southern and northern approach are limited and considering the high levels of screening available to the site due to the vegetation it is considered that a modest dwelling positioned on this site would not be a prominent feature in the landscape. It is therefore considered that the proposal would be acceptable in regards to Policy CTY 13 of PPS 21.

Rural Character

- 8.10 Policy CTY14 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. It goes on to state a new building will be unacceptable where:

- (a) it is unduly prominent in the landscape; or*
- (b) it results in a suburban style build-up of development when viewed with existing and approved buildings; or*
- (c) it does not respect the traditional pattern of settlement exhibited in that area; or*
- (d) it creates or adds to a ribbon of development (see Policy CTY 8); or*
- (e) the impact of ancillary works (with the exception of necessary visibility splays) would damage rural character.*

8.11 A building is considered unacceptable if it results in a suburban style build-up of development when viewed with existing and approved buildings or it creates or adds to a ribbon of development (CTY8).

8.12 Policy CTY 8 states that:

“Planning permission will be refused for a building which creates or adds to a ribbon of development.”

8.13 It is considered that approving a dwelling on this site would result in a suburban style build-up of development when viewed with existing buildings and would result in ribbon development. The proposal is contrary to CTY8, as developing the site will create a ribbon of development along Green Road and contrary to criteria (b) and (d) of CTY 14.

8.14 Notwithstanding the proposal meets the other requirements of CTY14 (criteria (a), (c) and (e)), it is considered the proposal would cause a detrimental change to, or further erode the rural character of the area and is contrary to Policies CTY 8 and CTY 14 of PPS 21.

Other Issues

- 8.15 The position and recommendation on this application is no different from the position of the Planning Department in LA01/2017/0555/O. In any case, each application must be assessed on its own merits and this proposal fails to meet the policy requirements of CTY2A, CTY8 and CTY 14.
- 8.16 In the assessment of the renewal application, LA01/2021/1337/O, the determination of LA01/2017/0555/O by the Planning Committee was given determining weight when considering the application at that time. There is no previous approval or relevant history on this site to attribute any weight too. That approval (LA01/2021/1337/O) is a different site to that currently under consideration.

9 CONCLUSION

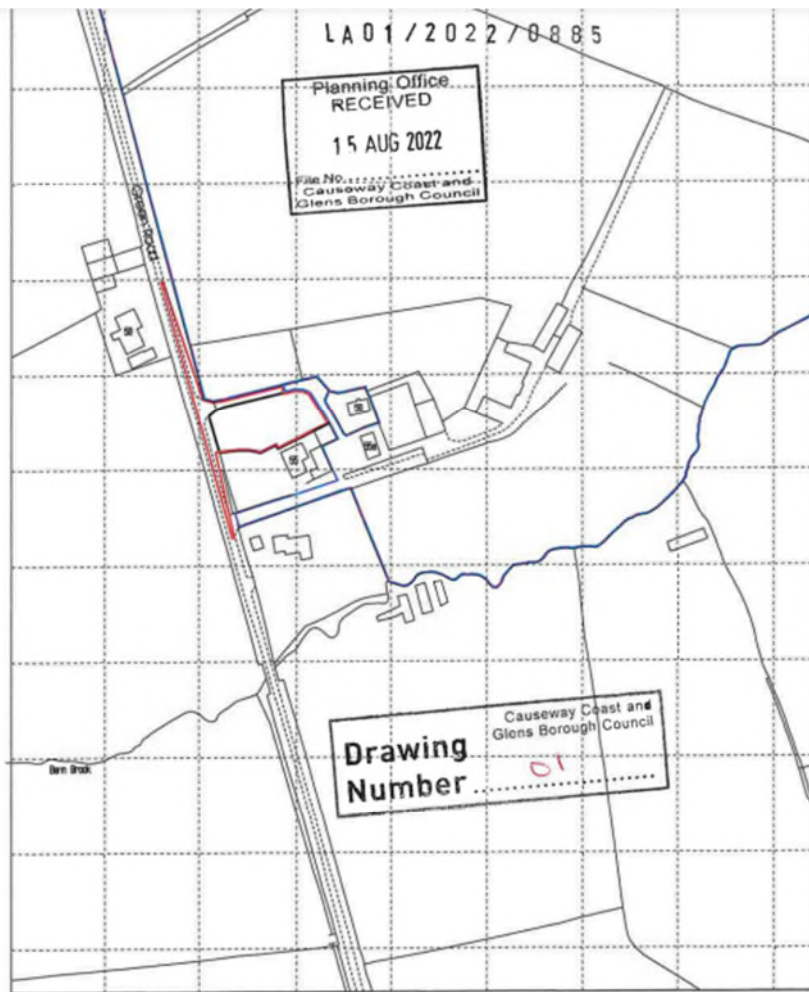
- 9.1 The proposal is considered unacceptable in this location having regard to the Northern Area Plan 2016 and other material considerations, including the SPPS. The proposal fails to meet the policy requirements of CTY1 for a dwelling in the countryside. The proposal does not meet the criteria for a dwelling in an existing cluster when assessed against Policy CTY2a. The proposal is contrary to Policies CTY 8 and CTY14 of Planning Policy Statement 21, Sustainable Development in the Countryside in that a dwelling would result in a suburban style build-up of development when viewed with existing buildings and result in creating a ribbon of development along Green Road. Refusal is recommended.

10 REFUSAL REASONS

1. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy CTY 1 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 Paragraphs 6.73 of the Strategic Planning Policy Statement for Northern Ireland and Policy CTY 2a of Planning Policy Statement 21, New Dwellings in Existing Clusters, in that the proposed site is not associated with a focal point or located at a cross roads, and does not appear as a visual entity when viewed from Green Road.
3. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland (SPPS), Paragraph 6.70 and Policy CTY 8 and CTY14 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the buildings would, if permitted, create a ribbon of development and would therefore result in a detrimental change to the rural character of the countryside.



Location Plan for Site Adjacent to
No. 55 Green Road, Quilly, Coleraine.

Scale 1:2500
O.S. ref. 01211NW
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From: Mark Fielding < >

Sent: Saturday, November 25, 2023 9:30 PM

To: Planning <Planning@causewaycoastandglens.gov.uk>; Denise Dickson < >; Oliver McMullan < >

Subject: LA01/2022/0885/O - site adjacent to No.55 Green Road, Quilly, Coleraine

Ref : LA01/2022/0885/O - Proposed site for "rounding off" of cluster of dwellings adjacent to No.55 Green Road, Quilly, Coleraine

Site adjacent to No.55 Green Road Quilly Coleraine

I wish to refer the above Application to the Planning Committee for the following reasons under Policy CTY2a - New dwellings in existing clusters.

The application is outside of a farm and the existing cluster of three dwellings is 55, 55a and 59 Green Road. The site provides a suitable degree of enclosure and is bounded by development on at least two sides i.e. numbers 55, 55a and 59. The Laneway between 55 and 59 would be considered as part of development bounding the site as it is a concrete laneway required to serve existing dwellings forming an integral part of cluster. The cluster appears as a visual entity in local landscape with identifiable undulating roadway approach along Green road together with existing buildings and vegetation.

While there is no focal building within this application's cluster; a similar application for a site for dwelling in a cluster without a focal building at Ringrash Road Macosquin received approval LA01/2017/0555/O and renewal permission LA01/2021/1337/O for same site.

Given reasons above I believe this application should be referred to Planning Committee for consideration.

Yours,

Mark
Ald M Fielding