

<b>Planning Committee Report LA01/2017/1523/F</b>	<b>17<sup>th</sup> April 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 and Enforcement Manager
<b>Cost: (If applicable)</b>	N/a

<b><u>App No:</u></b>	<b>LA01/2017/1523/F</b>	<b><u>Ward:</u></b>	<b>Dundooan</b>
<b><u>App Type:</u></b>	<b>Full Planning</b>		
<b><u>Address:</u></b>	<b>Lands opposite 79 Portstewart Road, Coleraine.</b>		
<b><u>Proposal:</u></b>	<b>Two storey dwelling on a farm with attached garage.</b>		
<b><u>Con Area:</u></b>	<b>N/A</b>	<b><u>Valid Date:</u></b>	<b>22.11.2017</b>
<b><u>Listed Building Grade:</u></b>	<b>N/A</b>	<b><u>Target Date:</u></b>	
<b>Applicant:</b>	<b>Mark &amp; Sandra Glenn, 8 Agherton Halls, Portstewart</b>		
<b>Agent:</b>	<b>Montgomery Irwin Architects, 7-9 Stone Row, Coleraine</b>		
<b>Objections:</b>	<b>0</b>	<b>Petitions of Objection:</b>	<b>0</b>
<b>Support:</b>	<b>0</b>	<b>Petitions of Support:</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) .

## **1.0 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.

## **2.0 SITE LOCATION & DESCRIPTION**

- 2.1 The application site is located at Lands opposite 79 Portstewart Road, Coleraine. It is located on a farm holding comprising grazing land, farm buildings and a two storey dwelling. The majority of farm buildings are located north of Portstewart Road. Three smaller single storey farm buildings are located south of the Portstewart Road. The area immediately adjacent to the application site comprises a grassed area which is used for storage of silage bales. The application site comprises part of a larger agricultural field south of Portstewart Road. The field slopes gently downwards in a south western direction. Access to the site is gained via a field gate in the eastern corner. Boundary treatment of the site consists of trees along the south eastern boundary. The north eastern and north western boundaries are defined by hedging. The south western boundary is undefined.
- 2.2 The site is located within the countryside outside the limit of any settlements. It is located in between the towns of Portstewart and Coleraine. This section is characterised by agricultural fields, farm clusters and dispersed dwellings.

## **3.0 RELEVANT HISTORY**

- 3.1 No planning history exists on the application site.

## **4.0 THE APPLICATION**

- 4.1 Full planning permission is sought for two storey dwelling on a farm with attached garage.

## **5.0 PUBLICITY & CONSULTATIONS**

### **5.1 External:**

No letters of objection have been received in relation to this application.

### **5.2 Internal:**

Environmental Health: No objections.

NI Water: No objections.

DAERA: Water Management Unit: No objections.

DARD: Confirmed Business Farm ID & claims had been made in the last 6 years.

DFI Roads: Additional information required.

## **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)

PPS 3: Access, Movement and Parking

PPS 21: Sustainable Development in the Countryside

### **Supplementary Planning Guidance**

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

Development Control Advice Note 15 Vehicular Access Standards

## **8.0 CONSIDERATIONS & ASSESSMENT**

### **Planning Policy**

- 8.1 The application site is located within the countryside outside the limit of any settlements. It is between the towns of Portstewart and Coleraine.
- 8.2 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 development, visual impact and rural character and access.

### **Principle of Development**

- 8.3 Policy CTY 1 of PPS 21 advises there are a range of types of development which in principle are acceptable in the countryside. Planning permission will be granted for a dwelling on a farm in accordance with Policy CTY 10.

### **Policy CTY 10 – Dwellings on Farms**

- 8.4 Planning permission will be granted where the following criteria are met:

*(a) the farm business is active and established for at least 6 years*

DARD was consulted and confirmed that the applicant has a registered farm business ID which has been in existence for more than six years. DARD also stated that the business has claimed for Single Farm Payment, Less Favoured Area Compensatory Allowances or Agri Environment schemes in the last six years.

*(b) no dwellings or development opportunities have been sold off from the farm holding within 10 years of the date of the application (applicable for dates after the 25th November 2008)*

Following a planning history check of the farm holding, no other permissions were granted on this land. The applicant has indicated on the P1c form that no dwellings or development opportunities have been sold off from the holding.

*(c) the new building is visually linked or sited to cluster with an established group of buildings on the farm and access should be obtained from an existing lane.*

The farm holding consists of grazing land, farm buildings and a two storey dwelling. The majority of farm buildings are located north of Portstewart Road to the east of the application site. Three smaller

single storey farm buildings are located south of Portstewart Road to the south east of the application site. The area immediately adjacent to the south eastern site boundary comprises a grassed area which is used for general storage and for silage bales. The new dwelling and attached garage is located approx. 55m and 44m respectively from the closest farm building south of the site. The proposed dwelling is approx. 51m away from the closest farm building located opposite the site. In light of these measurements and from a visual inspection along the Portstewart Road, the proposed dwelling is considered to visually link and cluster with an established group of buildings on the farm.

On approach to the site when travelling both directions, there is less visual linkage with the group of farm buildings adjacent (south east) to the site due to the dense boundary treatment of mature trees north of the farm yard. However, Paragraph 5.41 advises “If however, the existing building group is well landscaped, or where a site adjacent to the building group is well landscaped planning permission can be granted for a new dwelling even though the degree of visual linkage between the two is either very limited, or virtually non-existent due to the amount of screening vegetation.”

It is considered the new farm dwelling is located close to these farm buildings and would have good visual linkage if no boundary vegetation existed. In addition, the proposed farm dwelling visually links and clusters with the main group of farm buildings and the farm dwelling located across the road. Access to the site will be obtained via a new entrance point onto the Portstewart Road which is assessed in full under sub-heading “Access”

- 8.5 Following the above assessment of the proposed farm dwelling, the proposal complies with the requirements of Policy CTY 10 of PPS 21.

### **Visual Impact and Rural Character**

- 8.6 Permission will be granted where the proposal can be visually integrated into the surrounding landscape and it is of an appropriate design (Policy CTY 13 of PPS 21). Permission will be granted where the proposed building will not cause a detrimental change to, or further erode the rural character of an area (Policy CTY14 of PPS 21).

- 8.7 The dwelling is sited with its front elevation facing the Porstewart Road. The dwelling is two storeys in height with a front porch projection with a frontage of 14m and a gable depth of 8.7m. There is an integral garage with a link to the new dwelling. A new access is being formed in the northern corner of the site. There is a hard surfaced area to the front of the dwelling and leading to the attached garage. Garden areas are present to the front, side and rear of the dwelling. A block plan has been submitted showing the existing hedging and trees being retained along existing site boundaries and a new rear boundary of hedging and trees.
- 8.8 The site is considered to be prominent in the landscape given its roadside location with public views available when travelling both directions along the Portstewart Road. Boundary treatments exist for 3 out of 4 site boundaries. The south eastern boundary comprises mature trees and the north eastern and north western boundaries are defined by hedging. The south western boundary is undefined.
- 8.9 In order for the proposal to integrate harmoniously with its surroundings, amendments are necessary in terms of scale and massing. The maximum ridge height permissible at this location is 7.5m with a gable depth of 8m. The dwelling should be repositioned to be closer to the south eastern boundary to assist with integration and make use of the existing trees as a backdrop. A detached garage is preferred instead of an integral garage as this seeks to reduce the overall scale and massing of the proposal.
- 8.10 Sketch amendments were submitted by email on the 12/12/2018 showing a dwelling and detached garage moved forward in the site. The ridge height has been reduced from 9m to 8.7m and the gable depth has been reduced from 8.8m to 8m. The proposed floor level of the dwelling is 33.15 which is approx. 2.6m below the level of the road at the access point as detailed by the agent. Following assessment of this sketch proposal, it remains unacceptable in terms of scale and massing as it fails to provide acceptable integration and harms rural character.
- 8.11 An office meeting occurred on the 11/02/19 to discuss this application. The agent and applicant believe the scheme addresses all concerns and meets planning policy. There was discussion about the existing two storey farm dwelling but it is set at a lower level and integrated with the existing farm cluster.

- 8.12 A further email was submitted on the 18/02/19 moving the dwelling further down the slope and closer to the trees. The ridge height has been further reduced to 8.55m with the finished floor level of the dwelling amended to be 33. The detached garage is moved closer to the roadside. The agent argues that the proposal is equivalent to the existing two storey farm dwelling located opposite. The existing farm dwelling has a finished floor level of 31 with the ridge height 6.66m above road level. The proposed dwelling has a finished floor level of 33 with the ridge height 6.51m above road level.
- 8.13 Following assessment of these revisions, it is considered the proposal cannot be integrated into the landscape due to inappropriate design, scale and massing. Although 3 out of 4 boundaries are defined with hedging and trees, there is not a suitable degree of enclosure for the building to integrate on such a prominent roadside site with public views. While the land levels slope gradually away from the road, it would not justify a dwelling and garage of this magnitude as it would not blend sympathetically with the existing landform thus harming rural character.
- 8.14 Although comparison has been made to the existing farm dwelling, the characteristics differ in that this existing farm dwelling is modest in size, set within the cluster of existing farm buildings with adequate enclosure and integration into the countryside. The site is unable to provide suitable integration of this dwelling and garage into the landscape however, as previously advised a more modest dwelling and garage would be permitted.
- 8.15 There is also concern that the proposed site will create a ribbon of development. The site comprises part of an agricultural field adjacent to the farm complex. If a farm dwelling was permitted at this location, it has the potential to create two infill opportunities between the farm and No. 88 Portstewart Road. The gap between these properties would be approx. 105m which is 52m of frontage each. The application site frontage would measure approx. 49m, the farm complex approx. 55m and No. 88 Portstewart Road approx. 65m so the gap would respect the existing development pattern along the frontage in terms of plot size. The average frontage of plots is approx. 56m therefore the gap showing a frontage of 52m each would meet this requirement allowing two more dwellings along this stretch of road which would be

detrimental to rural character and would further add to a ribbon of development. The site therefore results in ribbon development which is detrimental to the rural character of this area as it contributes to a localised sense of build-up and fails to respect the traditional settlement pattern of the countryside (see attached map).

- 8.16 Despite the submitted sketch proposals, an agreement cannot be reached so the application is being determined on the plans date received 26<sup>th</sup> September 2018 discussed in paragraphs 8.6 to 8.9. In consideration of these, the proposed dwelling and garage fails to meet criteria (a), (b), (e) and (f) of Policy CTY 13 as the development will be prominent in the landscape with an inappropriate design in terms of scale and massing given the views available from Portstewart Road. The proposal does not integrate into the landscape and fails to blend with the existing landform. The proposal is also contrary to criteria (a) and (d) of Policy CTY 14 in that it is prominent and creates a ribbon of development harming rural character.
- 8.17 A similar application that Council previously refused and was dismissed at appeal was: **Planning Appeal Ref 2017/A0005** at Land approximately 70m north of 91 Blackpark Road, Ballyvoy, Ballycastle. The applicant was an active and established farmer and the proposed site was ribbon development that also created infill opportunities.

### **Access**

- 8.18 The development will be served by a new access onto the Portstewart Road. Planning permission can be granted for an access onto a protected route outside settlement limits in 4 circumstances. The proposal would fall under criteria (c) –a Farm Dwelling – where a farm dwelling would meet the criteria set out in Policy CTY 10 of PPS 21 and access cannot reasonably be obtained from an adjacent minor road. Where this cannot be achieved proposals will be required to make use of an existing vehicular access onto the Protected Route.
- 8.19 In order to address this concern, the agent submitted an Access Statement which examined the existing access points in and around the site and farm yard. A site meeting occurred between the Agent and DFI Roads to discuss the access arrangements. A

new access is still proposed for the dwelling but the existing farm yard access is to be permanently closed which is acceptable in principle with DFI Roads. However, the proposal is still not satisfactory in terms of DFI Roads requirements as per their consultation response dated 29th October 2018. Additional details are required on the drawings such as Dimensions of the access width; Radii dimensions; Drainage arrangements at access with outfall noted; Extent of any hedge to be faced/removed to achieve visibility splays; and Cross section of construction details of access road at proposed entrance.

- 8.20 The proposal is therefore considered unacceptable in terms of Policy AMP 3 of PPS 3 and DCAN 15 as it would prejudice road safety or significantly inconvenience the flow of traffic due to lack of submission of amended plans to address all of DFI Roads concerns.

### **Habitats Regulations Assessment**

- 8.21 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.

## **9.0 CONCLUSION**

- 9.1 The proposal is considered unacceptable in this location having regard to the Northern Area Plan, and other material considerations, including the SPPS. Although the proposal meets the requirements of Policy CTY 10 of PPS 21 for a farm dwelling, it is contrary to Policies CTY 13 and 14 of PPS 21 in terms of unacceptable integration and inappropriate design for a prominent roadside site with public views. The application site does not have adequate enclosure to absorb a farm dwelling of this magnitude adjacent to Portstewart Road without detriment to the countryside. The proposal will result in a ribbon of development harming rural character. The proposal is unacceptable in terms of Policy AMP 3 of PPS 3 and DCAN 15 as it would prejudice road safety or significantly inconvenience the flow of traffic due to lack of

submission of amended plans to address all of DFI Roads concerns. Refusal is recommended.

## **10.0 REFUSAL REASONS**

1. The proposal is contrary to Paragraph 6.70 of the SPPS, CTY 1 and criteria (a), (b), (e) and (f) of Policy CTY 13 of Planning Policy Statement 21 “Sustainable Development in the Countryside” in that the proposal would, if permitted, be prominent and fail to integrate sympathetically into the landscape due to inappropriate design, scale and massing.
2. The proposal is contrary to Paragraph 6.70 of the SPPS and Policy CTY 14 of Planning Policy Statement 21 “Sustainable Development in the Countryside” in that the proposal would, if permitted, be prominent in the landscape harming rural character; results in a suburban style build-up of development when viewed with existing buildings and creates a ribbon of development.
3. The applicant has failed to demonstrate that the proposal would not prejudice road safety in accordance with Policy AMP 3 of Planning Policy Statement 3 “Access, Movement and Parking” and Development Control Advice Note 15 due to insufficient information.
4. The proposal is contrary to paragraph 6.73 of the SPPS and Policy CTY 8 of PPS 21 in that the proposal would create a ribbon of development.

# Site Location Map



