

<b>Planning Committee Report LA01/2018/1209/O</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 & Enforcement Manager
<b>Cost: (If applicable)</b>	N/a

<b><u>App No:</u></b>	<b>LA01/2018/1209/O</b>	<b><u>Ward:</u></b>	<b>TORR HEAD and RATHLIN</b>
<b><u>App Type:</u></b>	<b>Outline Application</b>		
<b><u>Address:</u></b>	<b>Land approximately 50m east of 57A Drumavoley Road, Ballycastle, BT54 6PQ.</b>		
<b><u>Proposal:</u></b>	<b>Site for dwelling within a cluster under policy CTY 2a of PPS21.</b>		
<b><u>Con Area:</u></b>	<b>N/A</b>	<b><u>Valid Date:</u></b>	<b>08/10/2018</b>
<b><u>Listed Building Grade:</u></b>	<b>N/A</b>	<b><u>Target Date:</u></b>	<b>21/01/2019</b>
<b><u>Applicant:</u></b>	<b>John McGowan, 60 Churchfield Road, Ballycastle, BT54 6PX.</b>		
<b><u>Agent:</u></b>	<b>Sean McHenry, 11 Clare Court, Ballycastle, BT54 6GY.</b>		
<b><u>Objections:</u></b>	<b>0</b>	<b><u>Petitions of Objection:</u></b>	<b>0</b>
<b><u>Support:</u></b>	<b>1</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** planning permission subject to the reasons set out in section 10.

## **2 SITE LOCATION & DESCRIPTION**

- 2.1 The site is located in a rural area on the eastern side of the Drumavoley Road. It is currently part of a larger agricultural field. There are no other dwellings or units on the eastern side of the laneway from the Drumavoley Road with the nearest dwellings all being located on the opposing side of the laneway. The site is bound on three sides by post and wire fencing, with the rear of the site open to the larger agricultural field. The existing bound sides are also supported by some semi-mature vegetation. The topography of the site slopes down in an eastern direction away from the Drumavoley Road.
- 2.2 The site is located outside any settlement limits and within the Antrim Coast and Glens Area of Outstanding Natural Beauty and near an archaeological site or monument as designated in the Northern Area Plan 2016.

## **3 RELEVANT HISTORY**

LA01/2016/1404/F – Replacement dwelling with retention of vernacular structure as stores and extension to site curtilage at 59 Drumavoley Road – Granted 01/03/2017.

LA01/2016/0519/F – Proposed infill dwelling and detached garage 60m West of 57 Drumavoley Road – Granted 10/01/2017.

E/2014/0144/F – Change of house type approximately 40m SE of 57 Drumavoley Road – Granted 18/11/2014.

E/2014/0032/F – Replacement dwelling with integrated garage and associated site works at 61 Drumavoley Road – Granted 08/12/2014.

E/2012/0106/RM – New dwelling and garage approximately 40m SE of 57 Drumavoley Road – Granted 13/08/2012.

## **4 THE APPLICATION**

- 4.1 Outline Planning Permission is sought for a proposed dwelling, within a cluster. The application site is located to the north east of four existing dwellings. The laneway which accesses this site from the Drumavoley Road also grants access to the existing cluster as well as other residential dwellings and farm buildings.

## **5.0 PUBLICITY & CONSULTATIONS**

### **5.1 External**

Neighbours: There are no objections to this proposal.

### **5.2 Internal**

DFI Roads: No objections

NI Water: No objections

Environmental Health: No objections

NIEA: No objections

Historical Environment Division: 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 6: Planning Archaeology and the Built Heritage

Planning Policy Statement 21: Sustainable Development in the 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 development, 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 a dwelling with an existing cluster and therefore falls to be assessed against Policy CTY 2a as well as Policy CTY 13 (Integration and Design of Buildings in the Countryside) and Policy CTY 14 (Rural Character).

8.3 The Policy CTY 2a states that 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;
- the cluster appears as a visual entity in the local landscape;
- the cluster is associated with a focal point such as a social/community building/facility, or is located at a cross-roads,
- the identified site provides a suitable degree of enclosure and is bounded on at least two sides with other development in the cluster;
- 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; and
- development would not adversely impact on residential amenity.

8.4 There are four dwellings located along the laneway and opposite the site, which lie outside of a farm holding. These are 57, 57a, 59 Drumavoley Road and the implemented infill

dwelling approved under LA01/2016/0519/F. It has also been determined that the proposal would not have any adverse impacts on neighbouring residential amenity in regards to overlooking, overshadowing and private amenity space.

- 8.5 When travelling along the laneway in a northerly approach towards the site the four dwellings on the western side of the laneway appear as a linear form of development. The application site is located opposite this group of buildings and is physically separated by the laneway. The surrounding land adjoining the site is open agricultural land and is not visually linked with development opposite. Views of the laneway from public roads are restricted due to the topography of the land and distance.
- 8.6 The third criteria requires the proposal to be associated with a focal point or be sited at a cross-roads. The policy identifies examples of focal points as social/community building or facility. The supporting information provided during processing of the application argued that the nearby Ballycastle Forest should be classified as a focal point. This landmass with an 11km perimeter would not be considered a focal point. Focal points are typically considered to be a unit that benefits the community such as a school or church.
- 8.7 The site is open in nature and is not bound on at least two sides with other development in the cluster. The surrounding land is agricultural in character with development located on the opposing side of the laneway. A dwelling on this site would also visually intrude into the open countryside and would not provide a suitable degree of enclosure or round off an existing cluster.
- 8.8 As the proposal does not confer to all of the criteria as set out in Policy CTY 2A it has deemed to be unacceptable and would have an adverse impact on the countryside.

### **Integration and Rural Character**

- 8.9 Due to the low level of enclosure afforded the site from either mature boundaries, other buildings or other natural features a dwelling on this site would appear prominent when viewed from along the laneway. Even if the dwelling was to be located to the western side, closest to the laneway it would still protrude unacceptably into the open countryside and

provide a skyline form of development. The sloping nature of the topography of the site and surrounding land, towards the main Drumavoley Road, gives open views of the site from the laneway affording no backdrop, intervening vegetation or landscape features. The proposal fails to comply with Policy CTY 13 and paragraph 6.70 of the SPPS.

- 8.10 A dwelling on the proposed site would protrude further into the countryside and would be visually prominent in the landscape. It would result in a suburban style build – up as it does not respect the traditional pattern of development in the area. Development along this laneway is confined to the western side of the laneway with land opposite characterised by open agricultural fields. Therefore the proposal is considered contrary to Policy CTY 14 of PPS 21 as it will cause a detrimental change to further erode the rural character of the countryside.

### **Access**

- 8.11 Access is proposed directly onto the Drumavoley Road, which is not a Protected Route. DFI Roads have been consulted on the proposal and have no objections to the proposal. The proposal satisfies the requirement of Policy AMP2 of PPS3.

### **Impact on Archaeological Remains of Local Importance**

- 8.12 Historical Environment Division were consulted in relation to the impacts on the archaeological site / monument. Their findings conclude that the proposal is satisfactory to SPPS and PPS 6. Therefore, the proposal acceptably complies with PPS 6.

### **Impact on Area of Outstanding Natural Beauty**

- 8.13 Proposals should be sensitive to the distinctive special character of the area and the quality of their landscape, heritage and wildlife. Proposals should respect local architectural styles and patterns as well as local materials, designs and colour. The proposal as considered fails to satisfy policy requirements in particular CTY 2a, 13, & 14 of PPS 21. It is considered to have a detrimental impact upon the character and appearance of this designated AONB given the siting for a dwelling is not sympathetic or

appropriate in this context. The proposal is therefore contrary to paragraph 6.171 of the SPPS and Policy NH 6 of PPS 2.

## **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. The proposal is contrary to Policy CTY 2a, CTY 13 and CTY 14 of PPS 21 and Policy NH6 of PPS 2 in that the dwelling is not located within a cluster of development, would be prominent in the surrounding countryside and erode rural character. Refusal is recommended.

## **10.0 REFUSAL REASONS**

- 10.1 The proposal is contrary to paragraph 6.73 of the Strategic Planning Policy Statement and Policies CTY 1 and CTY 2a of Planning Policy Statement 21, New Dwellings in Existing Clusters in that the dwelling would, if permitted, significantly alter the existing character of the cluster as it would visually intrude into the open countryside, nor is it associated with a focal point and it is not bounded on at least two sides with other development in the cluster.
- 10.2 The proposal is contrary to paragraph 6.70 and 6.77 of the Strategic Planning Policy Statement and Policies CTY 13 and CTY 14 of Planning Policy Statement 21, in that a new dwelling would be a prominent feature in the landscape, the site lacks established natural boundaries to integrate and would result in a suburban style build-up of development when viewed with existing and approved buildings.
- 10.3 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 dwelling would, if permitted, be unsympathetic to the characteristics of the Area of Outstanding Beauty.

# SITE LOCATION

