

Planning Committee Report – LA01/2016/0684/O	26th October 2016
Address: Infill site between numbers 2a and 4 Gelvin Road, Dungiven	
PLANNING COMMITTEE	FOR DECISION

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	Principal Planning Officer/Development Management Manager
Cost: (If applicable)	N/a

No: LA01/2016/0684/O **Ward:** Altahullion
App Type: Outline Application
Address: Infill site between numbers 2a and 4 Gelvin Road, Dungiven
Proposal: Proposed one and ½ storey dwelling with detached garage
Con Area: N/A **Valid Date:** 9th June 2016
Listed Building Grade: N/A
Agent: Stephen Faulkner, 333 Drumrane Road, Dungiven, BT47 4RG
Applicant: Mr B Douglas
Objections: 2 **Petitions of Objection:** 0
Support: 0 **Petitions of Support:** 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 section 7 & 8 and resolves to **APPROVE** outline planning permission.

2 SITE LOCATION & DESCRIPTION & CHARACTER OF AREA

- 2.1 The site comprises a roadside field between 2a and 4 Gelvin Road. The roadside boundary is defined by a grass verge and hedgerow, the rear boundary consists of a post and wire fence and intermittent trees while the boundaries to 2a and 4 include timber fence and hedgerow. The adjacent property at No. 2a is a one-and-a-half dwelling and No. 4 is a single storey dwelling.
- 2.2 The site is located in the rural area as defined by the Northern Area Plan 2016. There are no further designations within the site or the immediate environs.

3 RELEVANT HISTORY

B/2001/0579/O - 2 Gelvin Road, Drumneechy, Limavady - Site for dwelling – Refused 08.03.2002

4 THE APPLICATION

- 4.1 This is an outline application for a site for a one and a half storey dwelling between 2a and 4 Gelvin Road, Dungiven.

5 PUBLICITY & CONSULTATIONS

External:

5.1 Neighbours:

Two objections have been received from the residents of the neighbouring properties. In the first of these the resident of No. 4 raises concerns relating to additional development of the site, increased traffic, impact on view and general noise, disturbance and security.

The second objection from the resident of N0. 2a raises similar issues of amenity. Loss of privacy, increased noise and disturbance, traffic, overshadowing, impact on character of the area and potential future development.

Internal:

- 5.2 **NIEA- Drainage and Water**– No objection.

Loughs Agency – No objection.

TransportNI – No objection subject to conditions

Environmental Health – No objection.

NI Water – 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 development 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

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.

6.7 All material considerations and any policy conflicts are identified in the “Considerations and Assessment” section of the report.

7 RELEVANT POLICIES & GUIDANCE

Northern Area Plan 2016

Strategic Planning Policy Statement

PPS 3 - Access, Movement and Parking

PPS 21 – Sustainable Development in the Countryside

DCAN 15 – Vehicular Access Standards

8 CONSIDERATIONS & ASSESSMENT

8.1 The main considerations in the determination of this outline application are; the principle of development and impact on adjacent residential properties.

8.2 The site is located within the rural remainder as designated within the Northern Area Plan 2016. There are no further designations within the site or the immediately adjacent area. The main policy consideration is contained within the Northern Area Plan 2016, the Strategic Planning Policy Statement and the relevant Planning Policy Statements. As this is a proposal

for a dwelling and garage, the main policy considerations are CTY 1 and 8 of PPS21.

Principle of development

- 8.3 Policy CTY1 of PPS21 states that there are a range of types of development that may be acceptable in principle in the countryside. In the case of an infill dwelling, Policy CTY1 refers to Policy CTY8.
- 8.4 Policy CTY 8 entitled Ribbon Development 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. 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. This is reiterated by paragraph 6.73 of SPPS.
- 8.5 When considering the existing development pattern it is evident that there are three buildings along this stretch of road without accompanying development to the rear. The proposed site constitutes a small gap between the existing dwelling at 2a and 4 Gelvin Road and the existing dwelling at No. 2 is the third dwelling within the line of existing development. The site respects the existing development pattern along the road frontage and is broadly comparable in terms of plot size. As this is an outline application, conditions can ensure that future development respects the existing development in terms of size, scale and siting.
- 8.6 Policy CTY8 also requires gap sites to meet all other planning and environmental requirements (CTY13 and CTY14) and paragraph 6.70 of SPPS stresses that all development in the countryside must integrate into its setting, respect rural character and be appropriately designed. In this case the site constitutes an infill opportunity and would not have a detrimental visual impact or impact on the character of the area. The relationship of the site to adjacent properties is covered in detail in the following paragraph. The principle of

development complies with policy CTY1 and CTY8, CTY13 and 14 of PPS21 and paragraph 6.70 and 6.73 of SPPS.

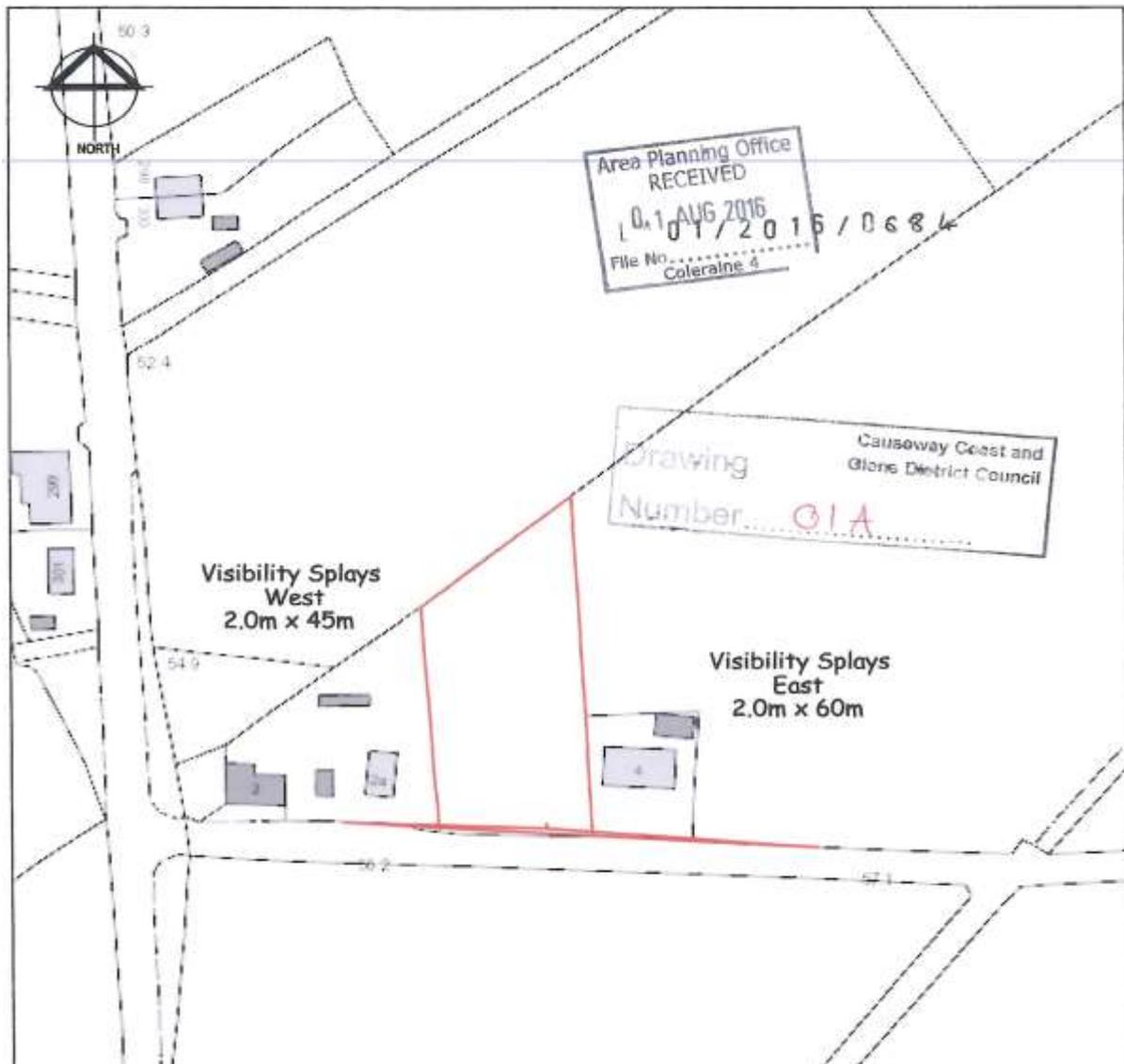
Impact on adjacent residential properties

- 8.7 As outlined in paragraph 5.1, two letters of representation were received from the adjacent residential properties. The issues of concern were additional development of the site, increased traffic, impact on view and amenity by reason of general noise, disturbance and security, overshadowing and impact on character.
- 8.8 As outlined in paragraphs 8.3– 8.6 the proposed site is considered to constitute a small gap within an otherwise substantially and continuously built up frontage which respects the existing development pattern. The principle of development is therefore acceptable on this site and will not be detrimental to rural character. During the processing of the application the Planning Authority consulted Transport NI to ascertain their views on the proposal and the content of the representations. TransportNI, as the competent authority on road traffic issues have no objection to the proposal and have advised that the proposal will not have an adverse effect on the traffic volumes or road safety of vehicles using the Gelvin Road.
- 8.9 The current application is for a single residential unit and as such would not conflict with the adjacent residential properties on amenity grounds. This is an outline application and issues such as siting, design, amenity and privacy are specific design matters that will be dealt with at the reserve matters stage. Notwithstanding, conditions can be imposed to ensure that the ridge height, floor levels and landscaping ensure an appropriate form of development. If the dwelling respects the existing building line then there will be no loss of amenity or view. Also due to the size of the site, which allows adequate separation distances, the proposal will not have a significant overshadowing effect. The proposed residential use is considered compatible to the adjacent residential properties and will not result in loss of general amenity by reason of noise and disturbance.

9 CONCLUSION

- 9.1 The site constitutes a small gap between existing residential development and respects the existing development pattern

along the road frontage. As such, the proposal meets the exception test of Policy CTY 8 of PPS 21. The application of specific conditions about size, scale and landscaping will ensure the development will not detrimentally impact on adjacent residential properties. The proposal complies with the SPSS and PPS 21. Approval is recommended.



10 Conditions

10.1 As required by Section 62 of the Planning Act (Northern Ireland) 2011, application for approval of the reserved matters shall be made to the Planning Authority within 3 years of the date on which this permission is granted and the development, hereby permitted, shall be begun by whichever is the later of the following dates:-

- i. the expiration of 5 years from the date of this permission; or
- ii. the expiration of 2 years from the date of approval of the last of the reserved matters to be approved.

Reason: Time Limit

10.2 Approval of the details of the siting, design and external appearance of the buildings, the means of access thereto and the landscaping of the site (hereinafter called "the reserved matters"), shall be obtained from the Planning Authority, in writing, before any development is commenced.

Reason: To enable the Planning Authority to consider in detail the proposed development of the site.

10.3 The dwelling hereby permitted shall have a ridge height not exceeding 7.0 metres, be in accordance with Policy CTY 8 of Planning Policy Statement 21 and the Department's Design Guide "Building on Tradition: A Sustainable Design Guide for the Northern Ireland Countryside.

Reason: To ensure that the proposal is in keeping with the character of this rural area.

10.4 The existing boundary vegetation of the site shall be permanently retained.

Reason: To ensure the provision, establishment and maintenance of a high standard of landscape.

10.5 A landscaping scheme shall be agreed with the Planning Authority at Reserved Matters stage and shall include the retention of the mature trees to the north and west boundaries of the site, a survey of all existing trees and hedgerows on the land, together with measures for their protection during the

course of development. The scheme shall detail species types, siting and planting distances and a programme of planting for all additional landscaping on the site and will comply with the appropriate British Standard or other recognised Codes of Practise. The works shall be carried out during the first available planting season after the occupation of the dwelling.

Reason: To ensure the provision, establishment and maintenance of a high standard of landscape.

10.6 The depth of underbuilding between finished floor level and existing ground level shall not exceed 0.45 metres at any point.

Reason: In the interest of visual amenity.

10.7 No development shall take place until a plan indicating floor levels of the proposed dwelling in relation to existing and proposed ground levels has been submitted to and approved by the Planning Authority.

Reason: To ensure the dwelling integrates into the landform.

10.8 The roofing tiles or slates shall be blue/black or dark grey in colour and shall be flat and non-profiled.

Reason: To ensure that the proposal is in keeping with the character of the rural area.

10.9 A scale plan and accurate site survey at 1:500 (minimum) shall be submitted as part of the reserved matters application showing the access to be constructed and other requirements in accordance with the attached form RS1.

Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.