

Planning Committee Report	23rd August 2017
LA01/2016/1191/O – Site to rear of 43 Bridge Street Kilrea	
PLANNING COMMITTEE	

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

**Site to the rear of 43 Bridge
Street Kilrea.**

**LA01/2016/1191/O
Outline Planning**

23rd August 2017

<u>No:</u>	LA01/2016/1191/O	<u>Ward:</u> Kilrea
<u>App Type:</u>	Outline Planning	
<u>Address:</u>	Site to the rear of 43 Bridge Street Kilrea.	
<u>Proposal:</u>	Residential building site for a single detached dwelling with a 6.5m ridge height. (Renewal of outline planning permission.)	
<u>Con Area:</u>	N/A	<u>Valid Date:</u> 03.10.16
<u>Listed Building Grade:</u>	N/A	<u>Target Date:</u>
Agent:	None	
Applicant:	Mr Sebastian McMichael, 181 Castleroe Road, Coleraine	
Objections: 8	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

1.0 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 section 7 and 8 and resolves to **APPROVE** planning permission subject to the conditions and informatives set out in section 10.

2.0 SITE LOCATION & DESCRIPTION

- 2.1 The application site incorporates a backland development site located to the rear of a terrace of dwellings on the southern side of Bridge Street, Kilrea. The site comprises a private detached garden plot which is covered in vegetation. The site measures approximately 15m x 45m. The western boundary is defined by a hedge; the eastern boundary is also defined by hedging; whilst the southern boundary is defined by a mature hedge and trees. Land levels drop from the northern boundary towards the southern boundary. The land is accessed via a shared laneway

to the rear of the main roadside front houses. The existing character can be defined as backland development split from the houses by a rear shared entry. The front houses are largely two storey dwellings set in modest plots with rear garages. The site is abutted by private allotment plots to the east and west and by open fields to the south which are zoned for housing in the Northern Area Plan 2016.

- 2.2 The site is positioned within the settlement development limit of Kilrea town as defined in the Northern Area Plan 2016. The site is also within an archaeological zone.

3.0 RELEVANT HISTORY

C/2011/0366/O. Site for one and half storey dwelling and garage. Renewal of previous approval ref: C/2004/0867/O. Land to Rear of 43 Bridge Street Kilrea Coleraine
Approved 12.10.2011

4.0 THE APPLICATION

- 4.1 Planning permission is sought to renew an outline planning approval for a residential building site for a single detached dwelling with a 6.5m ridge height.

5.0 PUBLICITY & CONSULTATIONS

5.1 External:

Neighbours:

Eight No (8) objections received.

Issues include:

- Traffic problems and associated safety.
- Unwilling to allow services infrastructure easements

5.2 Internal:

Transport NI: No objections.

Environmental health: No objections.

Historic Environment division (archaeology): 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 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.

7.0 RELEVANT POLICIES & GUIDANCE

The Northern Area Plan 2016

Strategic Planning Policy Statement for Northern Ireland (SPPS)

PPS 3: Access, Movement and Parking

Planning Policy Statement 7: Quality Residential Environments

Guidance:

Development Control Advice Note 8: Housing in Existing Urban Areas (DCAN 8)

8.0 CONSIDERATIONS & ASSESSMENT

8.1 The main considerations in the determination of this application relate to: the principle of development; quality in new residential development; access and parking; and other matters.

Principle of development

8.2 Policy QD1 of Planning Policy Statement 7 and DCAN 8 apply in the context of urban residential development. The proposal is a renewal of a permission which at the time of submission had a live approval on the site for the single dwelling. No details to the proposal have changed from what was approved under C/2011/0366/O. There has been no change in policy since the previous approval and the principle of a dwelling remains acceptable subject to consideration of the representations.

8.2 The application for renewal was received and made valid within the valid 5 year timeframe of the previously approved application (C/2011/0366/O).

8.3 The previous outline planning approval was for a one and a half storey dwelling and garage. The conditions are proposed to be carried through onto this application.

8.4 Policy QD 1, sets out a number of criteria for all proposals for residential development to conform to. It is considered that the proposed development respects the surrounding context and is appropriate to the character in terms of scale and design. The proposed back land development is for a single storey and will not be viewed from the Main Street. There will be some awareness of the property between Nos 9 and 11 Loughview Park. However, due to the separation distance, the boundary treatment and the single storey design of the proposed dwelling there will be no considered impact on the amenity of the adjacent dwellings. There are no considered impacts on any feature of archaeological or built heritage. There is sufficient space to provide adequate amenity for the proposed dwelling. There is adequate space for parking within the proposal curtilage. The detailed design will be subject to a Reserved Matters application. The proposal accords with the criteria as set out in PPS 7.

8.4 DCAN 8 sets out 6 criteria for back land development proposals to be considered against:

- The first criterion is that the site has the appropriate plot depth and configuration. There is sufficient plot depth in the urban setting to permit a single dwelling.
- That the proposal is of a form and scale which respects the local context. The proposal is for a single storey dwelling with a 6.5m ridge height. This would not exceed the existing dwellings to the front and is appropriate.
- Achieve a coherent and legible form. This is for a single dwelling using an existing access. It will not impact on the existing street scene.
- Integrate existing landscape features. Though not a condition on the previous application, the existing boundary treatments will be retained where possible.
- Provide a residential aspect onto the new road. The siting and orientation will be assessed as part of the reserved matters.
- Take care over the integration of the existing and new landscapes and streets. This proposal is for a single dwelling in back land separated from the buildings on Main Street by an access/ service lane. The proposed dwelling will be accessed from the existing lane and will not have a detrimental impact on the character of the area due to the separation and limited public views.

8.5 As it is an outline application, the details on siting and design shall be submitted in a Reserved Matters application to be submitted and assessed by the Planning Authority.

Access and Movement

8.6 The objectors have raised concern in relation to traffic and associated safety. As part of the processing of the application Planning consulted with the competent authority, Department for Infrastructure, Roads. They have no objections to the proposal subject to a further details being submitted at the reserved matters stage. Officials agree with this position.

Other Matters

8.7 The objectors also highlighted the issue of land ownership and easements for services. They have stated that they will not allow access for the services to the site. This is a private matter for the applicant and the landowners. Any subsequent planning permission does not confer title. It is the responsibility of the

developer to ensure that they control all the lands necessary to carry out the proposed development.

9.0 CONCLUSION

9.1 The proposal is considered acceptable in this location having regard to the Northern Area Plan and other material considerations. The development is an appropriate use of the land and is acceptable. This is an application for renewal of planning permission, there has been no change in policy and the issues raised by the objectors have been fully considered. No significant harm would be caused to neighbouring amenity. Approval is recommended.

10.0 CONDITIONS

10.1 Regulatory Conditions and informatives:

1. As required by Section 62 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

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.

3. 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 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.

4. The proposed dwelling shall be a one and a half storey dwelling.

Reason: To ensure that the proposal is in keeping with the character of the surrounding dwellings.

5. The proposed dwelling shall have a ridge height of less than 6.5 metres above finished floor level.

Reason: To ensure that the development is not prominent in the landscape.

6. The proposed dwelling shall have an external roof span of 8.0 metres and a roof pitch of between 35-40 degrees.

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

7. The frontage length of the proposed dwelling, if single storey, shall not exceed 16 metres or, if one and a half storey, shall not exceed 13 metres.

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

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 area.

9. 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 resident's privacy is not adversely affected.

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

Reason: In the interests of visual amenity.

11. All services within the development shall be laid underground.

Reason: In the interests of visual amenity.

12. The development hereby permitted shall not be occupied until sewage disposal/ drainage works have been completed in accordance with details submitted to and approved in writing by NI Water.

Reason: In the interests of public health and to safeguard the site and adjacent land against flooding and standing water.

