

<b>Planning Committee Report – LA01/2017/1074/O 38M East of 112 Causeway Road, Bushmills</b>	<b>22 November 2017</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>	Principal Planning Officer
<b>Cost: (If applicable)</b>	N/a

**38m East of 112 Causeway Road,  
Bushmills**

**LA01/2017/1074/O**

**22 November 2017**

<b><u>No:</u></b>	LA01/2017/1074/O	<b><u>Ward:</u></b>	Giant's Causeway
<b><u>App Type:</u></b>	Outline Application		
<b><u>Address:</u></b>	38m East of 112 Causeway Road, Bushmills		
<b><u>Proposal:</u></b>	Infill Dwelling and Garage.		
<b><u>Con Area:</u></b>	N/A	<b><u>Valid Date:</u></b>	30.08.2017
<b><u>Listed Building Grade:</u></b>	N/A		
<b><u>Agent:</u></b>	N/A		
<b><u>Applicant:</u></b>	Simpson Design, 42 Semicock Road, Ballymoney		
<b><u>Objections:</u></b>	0	<b><u>Petitions of Objection:</u></b>	0
<b><u>Support:</u></b>	0	<b><u>Petitions of Support:</u></b>	0

**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 for the reasons set out in section 10.

## **2 SITE LOCATION & DESCRIPTION**

- 2.1 The site is located in the open countryside outside any settlement boundary defined by the Northern Area Plan. It falls 2.2km northeast of the Giants Causeway World Heritage Site. It is currently an agricultural field located between 4 single storey cottages to the west and a pair of two storey semi-detached dwellings to the east. There is another agricultural field between the application site and no. 120 Causeway Road to the east.
- 2.2 The site fronts the road which runs along the southern boundary of the site. There is a farm house and associated farm yard to southern side of the road.

- 2.3 The site is bound on the northern, western and southern boundaries with low stone walls and a hedge on the eastern boundary.
- 2.4 The site is open with the land level rising in a northerly direction.

### **3 RELEVANT HISTORY**

- 3.1 E/1997/0148 - Erection of retirement dwelling – Approved 25.11.1997. This application relates to the land west of the application site.

### **4 THE APPLICATION**

- 4.1 This application seeks outline consent to create a detached dwelling with detached garage and single access from the road.

### **5 PUBLICITY & CONSULTATIONS**

#### **External**

- 5.1 Neighbours: There are no objections to the proposal

#### **Internal**

- 5.2 Environmental Health Department: There is an existing farm premises with agricultural sheds/underground slurry tank/silage clamps within 75m of this site. This could cause odour disturbance particularly in summer months. Any future occupant should be made aware of the risk.
- 5.3 Historic Environment Division Historic Monuments: No objections
- 5.4 Department for Infrastructure (DfI): Roads: Sight visibility splays should be 2.4m x 90m. This would require removal of most of the existing stone wall and pillars fronting Causeway Road along with the existing hedge and fence west of the site. It would also necessitate the relocation of a boundary fence on the adjacent property to the east.

## **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 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.

### **Habitats Regulations Assessment Screening**

- 6.7 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) Regulations (Northern Ireland) 1995 as the proposal does not have a hydrological link as a pathway for pollution to a European Site. The proposal would not be likely to have a significant effect on the features, conservation objectives or status or any of these sites.

## **7 RELEVANT POLICIES & GUIDANCE**

### The Northern Area Plan 2016

Strategic Planning Policy Statement (SPPS)

Planning Policy Statement 3: Access, Movement and Parking

Planning Policy Statement 21: Sustainable Development in the Countryside

Planning Policy Statement 2: Natural Heritage

Planning Policy Statement 6: Planning, Archaeology and The Built Heritage

## **8 CONSIDERATIONS & ASSESSMENT**

- 8.1 The site falls outside any settlement boundary as defined in the Northern Area Plan 2016 (NAP). However, it lies within the Distinctive Landscape Setting of the Giant's Causeway World Heritage Site and the Causeway Coast Area of Outstanding Natural Beauty as designated in NAP. The starting point of Policy COU 4 (The distinctive landscape setting of the Giant's Causeway and Causeway Coast World Heritage Site) is that no development is permitted outside of development limits other than the three small scale exceptions which relate to:
- modest scale development to meet the needs of visitors to the World Heritage Site;
  - extensions to buildings;
  - and replacement of occupied dwellings.
- 8.2 The provision of a dwelling does not fall within these exceptions. Following referral of this application to planning committee the agent was given the opportunity to provide further information for consideration but no information was received. As such there are no exceptional material considerations which have been presented by the agent that warrant setting aside Policy COU4 of the Northern Area Plan. As such, this proposal is contrary to the adopted plan.
- 8.3 Policy COU 4 of the Northern Area Plan is complemented by Policy BH 5 of Planning Policy Statement 6 which relates to the Protection of World Heritage Sites and their settings. Policy BH5 of PPS 6 has a presumption in favour of the preservation of the World Heritage Site and its setting. This policy also

restricts development that would have an adverse impact on the World Heritage Site or the integrity of its setting. It requires proposals to pay particular attention to the impact of development on the setting of the World Heritage Site including the impact it may have on the access and public approaches to the site.

- 8.4 This site is located 2.2km to the east of the World Heritage Site and as such is well within the setting of the Giants Causeway. It is also situated on one of the most prominent approach roads to the World Heritage Site. The removal of the stone wall along the roadside frontage in order to create visibility splays would detract from the rural character of the immediate area.
- 8.5 Notwithstanding the above position, the proposal is within the countryside and Planning Policy Statement 21 (PPS21) must be considered. The proposal is for an infill dwelling and garage and as such is assessed against Policy CTY 8 – Ribbon Development of PPS21. This permits the development of small gap sites sufficient to accommodate up to a maximum of two houses within an otherwise substantial and continuously built up frontage provided it respects the existing development pattern in terms of size, scale, and siting and plots size. This site forms part of a gap between a group of cottages and a pair of semi-detached dwellings with a road frontage. This site and the field to the immediate east form an infill opportunity which, if suitably designed, could provide two dwellings that respect the existing development pattern. However, as the site falls within the distinctive landscape setting, the proposal is unacceptable for the reasons set out above.
- 8.6 As the development does not fall within any of the three exceptions set out in Policy COU4 of NAP, it is considered contrary to Policy BH5 of PPS6.

### **Impact on AONB and Rural Character**

- 8.7 Policy NH 6 - Areas of Outstanding Natural Beauty of PPS2 – Natural Heritage requires development proposals in Areas of Outstanding Natural Beauty (AONB) to be sensitive to the distinctive special character of the area and the quality of their landscape, heritage and wildlife. The removal of the stone boundary wall with pillars and traditional field gate to create

visibility splays would detract from the special character and quality of the landscape in this specific location, contrary to the aims of Policy NH6. The details relating to design and materials of the proposed dwelling have not been considered as part of this application because it is an outline application and such matters would be reserved.

- 8.8 As the proposal is located in the open countryside policies CTY13 –Integration and design of building in the countryside and CTY14 - Rural character of PPS21 are relevant considerations. In terms of the proposed plot size of site, the proposal if suitable designed and sited would respect the existing pattern of development. However, the policy supports retention or reinstatement of boundaries, hedge and walls in order to mitigate the impact of new development. This proposal would result in the loss of the existing roadside stone wall with pillars and traditional field gate which adds to the character and quality of landscape.

#### **Impact on amenity**

- 8.9 The indicative block plan submitted with the application shows the gable end of the proposed dwelling would be located 10m east of the rear elevation of the cottage to the west. The cottage was approved as a retirement dwelling in 1997 (E/1997/0148). Due to the existing low level stone wall and the lack of any vegetation, the proposed dwelling in such a location would impact the privacy of residents in the cottage. However, due to the size of the site, it would be possible to create a layout which would protect the amenity of existing neighbours.

#### **Traffic and Road Safety**

- 8.10 The proposed dwelling would necessitate a new access resulting in the loss of the existing roadside stone wall with pillars and traditional field gate. DfI Roads were consulted and advised that the proposed access would require sight visibility splays of 90m, 2.4m back from the carriageway at the entrance in both directions. The proposed block plan does not detail the boundary or access arrangements, albeit the red line extends 85m to the east and 90m to the west. At the present time the application has not demonstrated the access could be provided in accordance with Policy AMP2 of PPS3 without prejudice to

road safety or significantly inconveniencing the flow of traffic. Given that the proposal is considered unacceptable in principle, such changes have not been requested. As such, the proposal is contrary to Policy AMP2 of PPS3 in that it fails to demonstrate that a safe access could be created.

## **9 CONCLUSION**

- 9.1 Having regard to the development plan and other material considerations, while the proposal meets the policy requirements for a dwelling as set out in PPS21, it fails to meet the policy tests for development in the Distinctive Landscape Setting of the World Heritage Site. Furthermore, the proposal would cause harm to the character of the AONB. Refusal is recommended.

## **10 REASONS FOR REFUSAL**

- 10.1 The proposal is contrary to paragraph 6.73 of the SPPS Planning for Sustainable Development and Policy COU 4 of the Northern Area Plan 2016 and Policy BH5 of Planning Policy Statement 6, in that the site lies within the Distinctive Landscape Setting of the Giant's Causeway and Causeway Coast World Heritage Site. The proposal does not qualify as an exception and therefore does not justify a relaxation of the strict planning controls in this area.
- 10.2 The proposal is contrary to Policy NH6 of Planning Policy Statement 2, in that the removal of stone wall along the road frontage would detract from the special character and quality of the landscape in this specific location within the AONB.
- 10.3 The proposal is contrary to Policy AMP2 of Planning Policy Statement 3, Access, Movement and Parking in that, the proposed development would, if permitted, prejudice the safety and convenience of road users since visibility from the proposed access cannot be provided to an adequate standard.

# Site location plan

Scale 1:1250

