

<b>Planning Committee Report</b>	<b>25<sup>th</sup> January 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

**Approx 35m N W of No 11  
Drumnagee Road  
Lisnagunogue**

**LA01/2016/0162/F  
Full Planning**

**25<sup>th</sup> January 2017**

<b><u>App No:</u></b>	LA01/2016/0162/F	<b><u>Ward:</u></b>	Giants Causeway
<b><u>App Type:</u></b>	Full Planning		
<b><u>Address:</u></b>	Approx 35m N W of No 11 Drumnagee Road Lisnagunogue		
<b><u>Proposal:</u></b>	Proposed farm dwelling and garage.		
<b><u>Con Area:</u></b>	N/A	<b><u>Valid Date:</u></b>	08 February 2016
<b><u>Listed Building Grade:</u></b>	N/A	<b><u>Target Date:</u></b>	
<b>Applicant:</b>	Mr Brian McVicker		
<b>Agent:</b>	D.M Kearney Design, 2A Coleraine Road, Maghera BT46 5BN		
<b>Objections:</b>	0	<b>Petitions of Objection:</b>	0
<b>Support:</b>	0	<b>Petitions of Support:</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 application site is located 85m south of Drumnagee Road, Lisnagunogue and comprises agricultural land which rises gradually from north to south. Boundaries comprise a semi-mature hedge to the north-east boundary; wall and agricultural buildings to the south-east boundary; undefined north-west boundary; a few semi-mature trees and post and wire fence to the south-west boundary.
- 2.2 The site is located in an open landscape, essentially rural in character, characterised by single storey and agricultural buildings. 11 Drumnagee Road is a single storey detached dwelling finished in dry dash and slate roof. 13 Drumnagee Road

is a single storey detached dwelling finished in dry dash and slate roof. The new building is visually linked or sited to cluster with an established group of buildings on the farm. There are existing slurry tanks (not within the applicant's control) at the southern end of the adjacent farm grouping. There are filtered views of the site from Drumnagee Road. Further views are available from the existing private laneway adjoining the proposed laneway.

- 2.3 The site is located within countryside, as per the Northern Area Plan 2016, but outside the Distinctive Setting of the Giants Causeway World Heritage Site. Drumnagee Road is part of the existing cycle network.

### **3 RELEVANT HISTORY**

- 3.1 There is no relevant planning history.

### **4 THE APPLICATION**

- 4.1 Proposed farm dwelling and garage. Proposed access is from a new laneway. The proposal is for a single storey detached dwelling finished in render and basalt stone finish to the walls and dark grey / black non-profiled roof tiles / dark natural slates. A detached double garage is to be located to the rear of the proposed dwelling.

### **5 PUBLICITY & CONSULTATIONS**

#### **External**

- 5.1 **Neighbours:** There are no objections to the proposal.

#### **Internal**

- 5.2 **NIEA:** Has no objection to the proposal.

**NI Water:** Has no objection to the proposal.

**Environmental Health:** Has no objection to the proposal.

**DETI:** Has no objection to the proposal.

**DAERA:** Advise that the Farm Business ID has been in existence for more than 6 years and the business has claimed Single Farm Payment (SFP), Less Favoured Area Compensatory Allowances (LFACA) or Agri Environment schemes in the last 6 years.

**TransportNI:** Advise:

The quality of the submitted plan is not acceptable as it is based on an enlargement of the O.S. map and is inaccurate and shows no existing roadside detail. TransportNI will require a plan which is based on a topographical survey and shows all hedges, fences, gates etc.

Any hedges, fences and field gate to be removed should be indicated with the standard symbols represented with dotted lines.

The geometry of the proposed access is not acceptable as the entry radius should be 5.0m with another 5.0m radius provided where the access returns to run parallel to the Drumnagee Road. The left hand edge of the proposed access should be a minimum of 10.0m from the edge of Drumnagee Road.

## **6 MATERIAL CONSIDERATIONS**

- 6.1 Article 45 of the Planning Act (Northern Ireland) 2011 states that, “where an application is made for planning permission, the council or, as the case may be, the Department, in dealing with the application, must have regard to the local development plan, so far as material to the application, and to any other material considerations.”
- 6.2 The development plan is the 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.
- 6.6 All material considerations and any policy conflicts are identified in the “Considerations and Assessment” section of the report.

## **7 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 Northern Ireland Countryside

## **8 CONSIDERATIONS & ASSESSMENT**

The main considerations in the determination of this application relate to: the principle of the development; design; impact on rural character and; access and road safety.

### **Principle of the Development**

- 8.1 As per the Northern Area Plan, the site is located within countryside.
- 8.2 The principle of this proposed development must be considered having regard to the PPS policy documents specified above and the supplementary guidance.
- 8.3 Policy CTY1 of PPS 21 states that there is a range of types of development which are considered to be acceptable in principle in the countryside. It states that planning permission will be granted for an individual dwelling house in the countryside in six cases. One of these is a farm dwelling, in accordance with

Policy CTY10. Therefore the proposal must be assessed against Policy CTY10.

Policy CTY10 sets out three criteria which proposals for farm dwellings must satisfy:

*Criterion (a) requires the farm business to be currently active and established for at least 6 years.*

DAERA advise that the Farm Business ID has been in existence for more than 6 years and the business has claimed Single Farm Payment (SFP), Less Favoured Area Compensatory Allowances (LFACA) or Agri Environment schemes in the last 6 years. There are no issues arising in relation to criterion a of Policy CTY10.

*Criterion (b) requires that no dwellings or development opportunities have been sold off from the farm holding within 10 years of the date of the application; this provision applying after 25 November 2008.*

A check of the farm holding shows that the proposal complies with criterion b of Policy CTY10.

*Criterion (c) requires that the new buildings are visually linked or sited to cluster with an established group of buildings on the farm and, where practicable, access should be obtained from an existing lane.*

While the proposed buildings cluster with existing development on the farm, the proposed new access is not obtained from an existing lane, but rather from a new access. Justification for a new access was submitted when the application was referred to Planning Committee. The applicant considers that the existing lane is narrow in nature and the left hand side field entering the laneway is not in the applicant's control. As such, the applicant considers it impractical to use the existing laneway.

However, the existing laneway has historically accommodated agricultural vehicles and as such is not too narrow. Notwithstanding that, if required, the existing laneway could be modestly widened on the applicant's side (to the west). As such, the reasons presented to justify a new access do not outweigh the policy requirements of using the existing laneway. Furthermore, it has not been demonstrated how a visibility splay to the east side of the proposed access could not be achieved through negotiation.

## **Design**

- 8.4 The application site is considered acceptable in terms of integration when assessed from the critical views. This is on the basis that the proposal will integrate with the farm buildings. The design comprises a single storey dwelling with a render finish and black concrete tile roof. This is considered appropriate to the locality.

## **Rural Character**

- 8.5 Under Policy CTY14, the proposed access and laneway, would, if permitted, create an adverse impact on the character of the area when added to the existing accesses and laneway in the vicinity. This would result in a detrimental change to the rural character of this area of the countryside. Scaling dimensions from the proposed plans, the new access combined with the existing access will have a width of 10 metres. This will result in the proposed development having a heavily engineered appearance which will appear incongruous in this countryside location. Critical views are from either direction along the public road.

## **Access and Road Safety**

- 8.6 For the reasons set out in para 5.2 above, Transport NI are of the opinion that the proposal is currently unacceptable in terms of the detail of the access. Policy AMP 2 of PPS 3 and Para 6.303 of the SPPS require development proposals to comply with the Department's published guidance. Having regard to this, the proposal is contrary to these policies.

## **9 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. By providing insufficient justification for a new lane, it fails to meet the principle policy requirements of Policy CTY10 of PPS21 for a dwelling on a farm. Having regard to the specifics of the site, the proposed access would cause harm to rural character. In addition, it has not been demonstrated how the proposed access would not prejudice road safety or significantly inconvenience the flow of traffic. Refusal is recommended.

## **10 REASONS FOR REFUSAL**

- 10.1 The proposal is contrary to paragraph 6.73 of the Strategic Planning Policy Statement for NI and Policy CTY 10 of Planning Policy Statement 21: Sustainable Development in the Countryside, in that it has not been demonstrated that a new access and laneway are required.
- 10.2 The proposal is contrary to paragraph 6.70 of the Strategic Planning Policy Statement for NI and Policy CTY 10 of Planning Policy Statement 21: Sustainable Development in the Countryside, in that the proposed access and laneway, would, if permitted create an adverse impact on the character of the area when added to the existing accesses and laneway in the vicinity, resulting in a detrimental change to the rural character of this area of countryside.
- 10.3 The proposal is contrary to paragraph 6.303 of the Strategic Planning Policy Statement for NI and Planning Policy Statement 3 (Revised): Access, Movement and Parking, Policy AMP 2, in that it would, if permitted, prejudice the safety and convenience of road users since visibility splays of 2.4 metres 90 metres from the proposed access cannot be provided in accordance with the standards contained in Development Control Advice Note 15 (2nd edition): Vehicular Access Standards.

**ANNEX**

<b>Date Valid</b>	08 February 2016
<b>Date First Advertised</b>	24 February 2016
<b>Date Last Advertised</b>	12 October 2016
<b>Details of Neighbour Notification</b> (all addresses)  The Owner/Occupier, 11 Drumnagee Road,Lisnagunogue 13 Drumnagee Road,Lisnagunogue 13A Drumnagee Road,Lisnagunogue	
<b>Date of Last Neighbour Notification</b>	29 September 2016
<b>Date of EIA Determination</b>	N/A

# Site Location

