



Comhairle Ceantair
Lár Uladh
Mid Ulster
District Council

Mid-Ulster
Local Planning Office
Mid-Ulster Council Offices
50 Ballyronan Road
Magherafelt
BT45 6EN

Deferred Consideration Report

| Summary | |
|---|--|
| Case Officer: Phelim Marrion | |
| Application ID: LA09/2019/1119/O | Target Date: <add date> |
| Proposal: Proposed site for dwelling and domestic garage, based on Policy CTY10 (dwelling on a farm). | Location: Approx 50m West of 62 Reclain Road Dungannon BT70 2PQ |
| Applicant Name and Address: Ms Margaret Donnelly 29 Altmore Road Pomeroy Dungannon BT70 2UJ | Agent Name and Address: CMI Planners 38b Airfield Road The Creagh Toomebridge BT41 3SQ |
| Summary of Issues: This application is for a dwelling on a farm, planning permission was granted for a dwelling on the farm in 2012, this was transferred to a family member in 2015 and as such counts as a sell off. The family members name has been added to the farm business in 2021 but no details have been provided to show what active role they have and for what period of time. The site is on a hill top, elevated in the landscape when viewed from Reclain Road to the west and east. A dwelling may be prominent in the landscape if sited here. | |
| Summary of Consultee Responses: DEARA - farm active and established for 6 years DfI Roads - safe access can be provided with conditions NI Water - no watermain or public sewer within 20m of property | |
| Characteristics of the Site and Area: The site is in the countryside and outside any settlement limits as defined in the Dungannon and South Tyrone Area Plan 2010. The surrounding area is rural in character and is characterised by agricultural fields, single dwellings and farm complexes. There is moderate development pressure in the area as there are a number of single dwellings either built or under construction with a roadside frontage along adjoining roads. | |

The application site is a square shaped plot which is immediately west of the farm holding at No. 62. The site is accessed off an existing laneway from Reclain Road and has a rising topography from the road to the site. No. 62 comprises a single storey dwelling and a number of outbuildings on a relatively flat land. The site itself is a portion of an agricultural land which has mature hedgerows on all boundaries. There are tall mature trees along the eastern boundary with No. 62. The site has a topography that rises up to a steep hill from Aghnagar Road.

Description of Proposal

This is an outline application for a proposed site for a dwelling and domestic garage on a farm.

Deferred Consideration:

This application was before the Planning Committee in March 2020 where it was deferred for an office meeting with the Planning Manager. A meeting was held on 11 March 2020 and the agent advised he would provide information to demonstrate the dwelling was not transferred off the farm as the owner of that property works on the farm.

Members should be aware this is an active and established farm and due to the difficulties with access at the existing farm group, an alternative site is acceptable away from the main farm. There is a the complex planning history in relation to this application:

M/2006/0372/O is an application for a site for Dwelling, Lands approximately 80 M South of 64 Reclain Road, Atlaglushan, Dungannon and was on the farm owned by the applicants father. It was refused planning permission on 21 December 2006. The application was appealed and the decision was overturned at appeal and planning permission was granted on 20 July 2009 under Planning Appeal 2007/A0639.

M/2012/0137/F, an application for a dwelling and domestic garage was submitted on 23 March 2012, as there was an extant permission on the site (M/2006/0372/O) planning permission was granted on 23rd May 2012 with a condition requiring the development to commence with 2 years, to tie it into the original Outline Planning Permission. The reduced time frame was due to the changes in Rural Planning Policy that were being introduced through Draft PPS14 and subsequently PPS21 – Sustainable Development in the Countryside.

This application was received on 22 August 2019, therefore between 22 August 2009 and the date of the application, there should not have been any sites or dwellings sold off from the farm. This permission is the development at No. 62, a land registry check shows that Stephen Donnelly and Celia Donnelly became the registered owners of the land on 28 September 2015, prior to this the land was registered to Mr Patrick Eugene Donnelly.

PPS21 was published in June 2010, Policy CTY10 within it sets out the considerations for a dwelling on a farm. There are 2 issues here in respect of the principle of a dwelling on a farm.

- 1. Criteria b states ‘no dwellings or development opportunities out-with settlement limits have been sold off from the farm holding within 10 years of the date of the application. This provision will only apply from 25 November 2008’**

It is clear there was a transfer within the time period and the applicants were asked to prove this was not transferred off the holding. Correspondence received from the agent on 25 August 2021 is an extract from DEARA database that indicates Mr Patrick Joseph Donnelly is originally named on the farm in 1996 and that Mr Stephen Donnelly joined the farm business in May 2021. It would appear that Stephen Donnelly has been added to the farm business to get around this part of the policy. No further details have been provided to elaborate on the extent of Mr Stephen Donnelly's activity on the farm or the period of time he has been active on the farm and as such, in my opinion members cannot conclude that a development opportunity was not transferred off the farm.

2. Planning permission granted under this policy will only be forthcoming once every 10 years.

Planning permission M/2012/1237/F was approved on 23 May 2012 and the 10 year period for this would not elapse until 23 May 2022. However, the policy is clear in that the permission must be granted under policy CTY10. The case officer report at the time does not refer to CTY10 as being the policy that was considered and no details of the farm business are on the file. The report refers to the PAC decision and indicates that a 2 year time commencement condition should be applied. At the transition period between when the then new rural policy was introduced, it was standard practice to limit time commencement where there was an extant permission on a site. I am therefore of the opinion that M/2012/1237/F was not approved under policy CTY10 and as such there have not been any other permissions granted under CTY10 within the last 10 years.

In light of the above, it has not been demonstrated that the transfer of the land associated with M/2012/1237/F was not off the farm and as such I do not consider the proposal meets with criteria b of CTY10.

As the proposal is not sited beside buildings on the farm, the site must meet with CTY13 and CTY14 in respect of integration and respecting rural character. The site is elevated in the landscape and there are critical views of it from the south east and north west.



View from SE



View from SE zoomed in, site behind hedge



View from NW



View from NW zoomed

There is a good strong hedge line to the east and south boundaries which could be retained. There are limited close up views of the site from the surrounding road network due to the landform and the critical views shown above are from a distance. Due to the distances, the existing vegetation along the site boundaries and the landform, I consider a low elevation dwelling with a ridge height 5m located in the south east corner of the site, with the existing vegetation retained, would not be prominent in the landscape. In my opinion it would satisfactorily integrate and would not result in any suburban form of build up. As such I consider a dwelling here could meet with policies CTY13 and CTY14.

The Mid Ulster District Council Local Development Plan 2030 Draft Plan Strategy was launched on 22nd February 2019 and is now a material planning consideration in assessing all planning applications in the District. Re-consultation on the Draft Plan Strategy closed at 5pm on 24th September 2020. The period for Counter Representations closed on 18th December 2020. On the 28th May 2021 the Council submitted the draft Plan Strategy to DFI for them to cause an Independent Examination, In light of this, the draft Plan Strategy does not yet carry determining weight.

As the applicant has not been able to demonstrate that a development opportunity was not transferred of the holding within 10 years of the date of the application, contrary to criteria (b) of CTY10 of PS21, I recommend this application is refused

Reasons for Refusal:

1. The proposal is contrary to criteria (b) in Policy CTY 10 of Planning Policy Statement 21, in that hasn't been demonstrated that a development opportunity has not been sold off or transferred from the holding within 10 years from the date of the application.

Signature(s)

Date:



Comhairle Ceantair
Lár Uladh
Mid Ulster
District Council

Mid-Ulster
Local Planning Office
Mid-Ulster Council Offices
50 Ballyronan Road
Magherafelt
BT45 6EN

Development Management Officer Report Committee Application

| Summary | |
|---|--|
| Committee Meeting Date: 03/03/2020 | Item Number: |
| Application ID: LA09/2019/1119/O | Target Date: |
| Proposal: Proposed site for dwelling and domestic garage, based on Policy CTY10 (dwelling on a farm). | Location: Approx 50m West of 62 Reclaim Road Dungannon BT70 2PQ |
| Referral Route: <ol style="list-style-type: none">1. The proposal is contrary to CTY 10 of Planning Policy Statement 21, in that hasn't been demonstrated that a development opportunity has not been sold off or transferred from the holding within 10 years from the date of the application.2. The proposal is contrary to Policy CTY13 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the new dwelling will occupy the top of the slope and be a prominent feature in the landscape.3. The proposal is contrary to Policy CTY14 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the dwelling would, if permitted would further erode rural character as it will occupy the top of the slope and be a prominent feature in the landscape. | |
| Recommendation: | Refusal |
| Applicant Name and Address: Ms Margaret Donnelly 29 Altmore Road Pomeroy Dungannon BT70 2UJ | Agent Name and Address: CMI Planners 38b Airfield Road The Creagh Toomebridge BT41 3SQ |
| Signature(s): | |

Case Officer Report

Site Location Plan



Consultations:

| Consultation Type | Consultee | Response |
|-------------------|---|----------|
| Statutory | DFI Roads - Enniskillen Office | Advice |
| Statutory | NI Water - Single Units West - Planning Consultations | Content |
| Statutory | DAERA - Omagh | Advice |

Representations:

| | |
|---|-----------------------|
| Letters of Support | None Received |
| Letters of Objection | None Received |
| Number of Support Petitions and signatures | No Petitions Received |
| Number of Petitions of Objection and signatures | No Petitions Received |

Characteristics of the Site and Area

The site is in the countryside and outside any settlement limits as defined in the Dungannon and South Tyrone Area Plan 2010. The surrounding area is rural in character and is characterised by agricultural fields, single dwellings and farm complexes. There is moderate development pressure in the area as there are a number of single dwellings either built or under construction with a roadside frontage along adjoining roads.

The application site is a square shaped plot which is immediately west of the farm holding at No. 62. The site is accessed off an existing laneway from Reclain Road and has a rising

topography from the road to the site. No. 62 comprises a single storey dwelling and a number of outbuildings on a relatively flat land. The site itself is a portion of an agricultural land which has mature hedgerows on all boundaries. There are tall mature trees along the eastern boundary with No. 62. The site has a topography that rises up to a steep hill from Aghnagar Road.

Description of Proposal

This is an outline application for a proposed site for a dwelling and domestic garage on a farm.

Planning Assessment of Policy and Other Material Considerations

Planning History

M/2006/0372/O - Site for Dwelling - Lands approximately 80 M South of 64 Reclain Road, Atlaglushan, Dungannon – Planning Appeal 2007/A0639 Upheld

M/2012/0137/F - Proposed dwelling and domestic garage - Lands approx 80m South of 64 Reclain Road, Atlaglushan – Permission Granted 23rd May 2012

This permission for a dwelling at No. 62 which has been built on site. A land reg check shows that Mr Stephen Donnelly is now the landowner.

LA09/2017/1543/O - Proposed dwelling and domestic garage - Site opposite 136 Aghnagar Road, Galbally for Margaret Donnelly. Application Withdrawn 16th September 2019. This was for a site abutting the eastern boundary of No. 64 and is the same applicant as this application. The application was withdrawn as this site would be a prominent feature in the landscape.

Representations

The proposal was neighbour notified and advertised in the press and no representations have been received.

Planning Policy Consideration

Section 45(1) of the Planning Act (NI) 2011 requires the Council, in dealing with an application, to have regard to the local development plan (LDP), so far as material to the application, and to any other material considerations. Section 6(4) requires that the determination of proposals must be in accordance with the LDP unless material considerations indicate otherwise.

Mid Ulster Development Plan 2030 – Draft Plan Strategy

The Mid Ulster District Council Local Development Plan 2030- Draft Plan Strategy was launched on the 22nd Feb 2019. The initial consultation period has recently ended giving rise to a number of objections to Policies contained in the Plan. In light of this, the Draft Plan cannot be given any determining weight at this time.

Dungannon and South Tyrone Area Plan 2010

The plan offers no specific policy relevant to this application as the site lies outside any settlement limit defined in the Dungannon and South Tyrone Area Plan 2010.

SPPS - Strategic Planning Policy Statement for Northern Ireland: sets out that The SPPS provides a regional framework of planning policy that will be taken into account of in the preparation of Mid Ulster's Local Development Plan (LDP). At present, the LDP has not been adopted therefore transitional arrangements require the Council to take account of the SPPS and existing planning policy documents, with the exception of PPS 1, 5 and 9. Section 6.73 of the SPPS relates to development that is acceptable in the countryside, which includes infill opportunities. Section 6.77 states that proposals for development in the countryside must be sited and designed to integrate sympathetically with their surroundings must not have an adverse impact on the rural character of the area, and meet other planning and environmental considerations including those for drainage, sewerage, access and road safety.

PPS 21 Sustainable Development in the Countryside

Policy CTY 1 of PPS 21 sets out the range of types of development which, in principle, are considered to be acceptable in the countryside and that will contribute to the aims of sustainable development. As this is an application for a dwelling on a farm CTY 10 is the relevant policy which will apply.

Policy CTY 10 – Dwellings on Farms

DAERA confirmed the farm business ID as stated on the P1C form has been in existence for over 6 years and the applicant is a Category 1 farm business. DAERA stated that the farm business has claimed Single Farm Payments for the past 6 years. Therefore I am satisfied the farm business is currently active and has been established for at least 6 years.

The applicant submitted DAERA 2019 farm boundary maps for the business at the holding. A land reg check shows that Patrick Donnelly is the landowner of the farm dwelling and outbuildings at No. 62 and this was transferred into his ownership on 28th September 2015. The previous owner of No. 62 is Patrick Donnelly who is stated on the P1 form that Mr Patrick Donnelly is the owner of the active farm business. No. 62 is within the farm holding so this is a sell-off as the policy in CTY 10 states sell-off include family members. However this is not a sell-off if Stephen Donnelly is an active member of the farm business. Emails were sent to the agent on 14th November 2019 and 9th January 2020 requesting information about Stephen Donnelly's involvement in the farm holding. This information was also requested in a telephone conversation. At the time of writing no information has been received. A history check on the DAERA number and the farm boundary maps demonstrates that no other sites have been sold-off from the farm holding. As the requested information has not been received I cannot definitively state that no sites have been sold-off.

No site location has been identified on the site location plan dated 22 AUG 2019 but it was suggested by the agent to place the dwelling along the western boundary beside No. 62. I consider the proposed dwelling will cluster with the group of buildings on the farm. There is an existing laneway to the farm holding from Reclaim Road.

CTY 13 – Integration and Design of Buildings in the Countryside

Policy CTY 13 states that planning permission will be granted for a building in the countryside where it can be visually integrated into the surrounding landscape and it is of an appropriate design.

The application site is set back from the public road by 110m and the topography rises up steeply from Reclain Road to No. 62. The proposed dwelling will sit to the west of the group of farm buildings at No. 62 in a cut-out of an agricultural field. Along Aghnagar Road the land rises up steeply to the eastern boundary of the site where there is a row of mature trees. As shown in figure 1 below the proposed dwelling would read as skyline development, the policy in CTY 10 states this will be a prominent feature in the landscape and this is unacceptable. As figure 2 demonstrates, there will be minimal views of the dwelling from Reclain Road due to existing trees and the backdrop of buildings at No. 62. At the site itself, the land slopes downwards from the southern boundary as shown in figures 3 and 4.



Figure 1 View from Aghnagar Road



Figure 2 View from Reclain Road. The building is part of the group of farm buildings at No. 62

There is a 2m high established hedgerow along the east and south boundaries as shown in figures 3 and 4. There are mature trees along the eastern boundary with No. 62, which are within the applicant's control. The site is a portion of an existing agricultural field so 2 new hedgerows would need to be planted along the remaining boundaries to assist with integration. I am content the proposal will not rely on new planting for integration at the site.



Figure 3 View of the eastern boundary of the site



Figure 4 View of the southern boundary of the site

The proposed dwelling will use an existing laneway from Reclain Road so I have no concerns about the access.

The design of the proposed dwelling and garage will be considered at the Reserved Matters Stage. The predominant character of the area is single storey dwellings and as this site occupies the top of a slope, a one-storey dwelling would be most appropriate.

There is a dwelling and outbuildings at No. 62, which will provide a backdrop to a proposed dwelling and garage. In addition, there are established trees along the eastern boundary. However, the proposal will be sited at the top of a slope so it fails to blend into the landscape.

I am content the dwelling will cluster with a group of buildings on the farm holding at No. 62.

CTY 14 – Rural Character

CTY 14 states that planning permission will be granted for a building where it does not cause a detrimental change to, or further erode the rural character of the area.

As previously discussed in the assessment, the proposed dwelling and garage will be a prominent feature in the landscape as it will be sited at the top of a slope and read as skyline development from Aghnagar Road.

I am content the proposal will not result in a suburban style build-up of development, as there already is moderate development pressure in the area from the construction of single dwellings.

I consider the proposal will not create or add to a ribbon of development.

I am content the use of an existing access will not damage rural character.

PPS 3 Access, Movement and Parking

DFI Roads were consulted as this is an alteration of an existing laneway to No. 62. They responded and had no objections subject to conditions.

Other Considerations

There are no other ecological, built heritage or flooding concerns.

| | |
|---------------------------------------|------------|
| Neighbour Notification Checked | Yes |
|---------------------------------------|------------|

Summary of Recommendation:

The proposal is recommended for refusal, as it does not comply with CTY 10 and CTY 13 of Planning Policy Statement 21.

Reasons for Refusal

1. The proposal is contrary to CTY 10 of Planning Policy Statement 21, in that hasn't been demonstrated that a development opportunity has not been sold off or transferred from the holding within 10 years from the date of the application.

2. The proposal is contrary to Policy CTY13 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the new dwelling will occupy the top of the slope and be a prominent feature in the landscape.
3. The proposal is contrary to Policy CTY14 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the dwelling would, if permitted would further erode rural character as it will occupy the top of the slope and be a prominent feature in the landscape.

Signature(s)

Date:



Deferred Consideration Report

| Summary | |
|--|---|
| Case Officer: Karla McKinless | |
| Application ID: LA09/2020/0908/O | Target Date: |
| Proposal: Proposed dwelling and garage | Location: 25m North East of 68 Hillhead Road Toomebridge |
| Applicant Name and Address: Mr Damian Barton 68 Hillhead Road Toomebridge BT41 3SP | Agent name and Address: CMI Planners Ltd 38b Airfield Road Toomebridge BT413SG |
| Summary of Issues: At Planning Committee on the 7th Dec 2021 members agreed that the proposal for a farm dwelling complied with policy CTY 10 of PPS 21. The case officer had however recommended that the application be refused as it was deemed contrary to Policy AMP 3 of PPS 3 (ie) that it was not acceptable for a new access to be created onto a Protected Route. The application was deferred for further consideration as DFI Roads had given an indication that the Protected Route (A6) would be declassified. | |
| Summary of Consultee Responses: As part of my deferred consideration a re-consultation was issued to DFI Roads on the 16th Dec 2021. DFI Roads have advised that the re-classification of the A6 Hillhead Road has not taken place to date however, they would offer an assumption that this section of the Hillhead Road when re-classified will not be subject to restrictions under the Protected Route Policy. They have stated that they have no objections to approval being granted to this application subject to a standard condition requiring the submission of a 1:500 plan in accordance with the RS1 form at Reserved Matters stage. Under the original consideration the following consultations were issued: DFI Roads were consulted on 13/08/2020 and responded on 08/09/2020 recommending refusal under Protected Routes Policy PPS 3 AMP3. | |

NIW were consulted on 13/08/2020 and responded 14/08/2020 no objections;
DAERA were consulted on 13/08/2020 and responded on 03/09/2020 provided information pertaining to the farm activities of the farm.

Characteristics of the Site and Area:

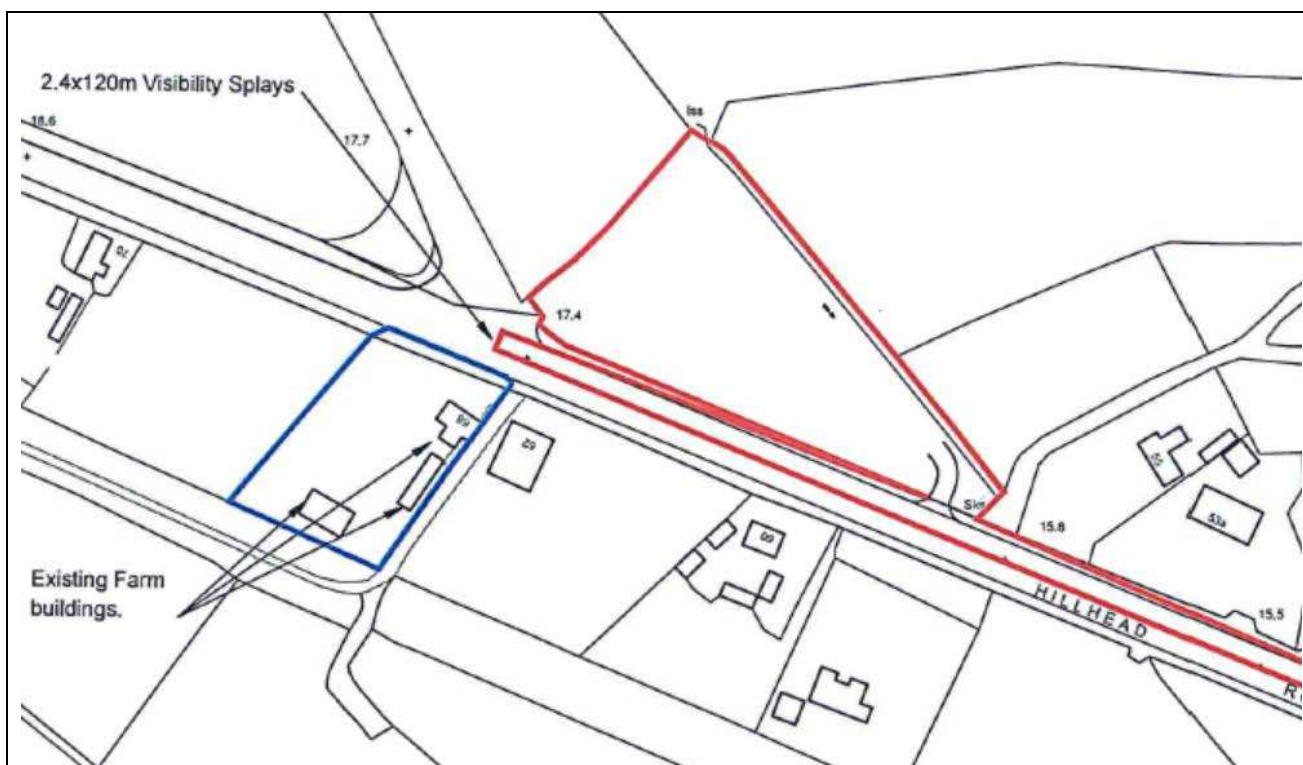
The site is identified as lands located 26m NE of 68 Hillhead Road, Toomebridge. The site borders on onto Deerpark and Hillhead Roads. The site plot is triangular in shape measuring approximately 0.63 of a hectare. Site boundaries comprise intermittent low level vegetation on the south western boundary (running appavelled with the Hillhead Road); post and wire fencing and sporadic vegetation on the south eastern boundary; the other to the north eastern boundary consist of hedgerow and post and wire fencing. The surrounding landform is one of undulating countryside and the land raises from Hillhead Road. The main farm group is located to the south opposite Hillhead Road no 68 consisting of a one and a half storey dwelling with outbuildings to the rear. There is a large evergreen hedgerow to the front of No 68 running parallel with Hillhead Road. The buildings to the rear of 68 appear to be agricultural. To the Southeast is a private laneway that runs parallel with the sheds servicing property and lands to southwest; to the east is no 62 a car sales businesses; located to the east is a detached dwelling No 60; and to the west is no 70 a small bungalow with an open area used for storing wooden pallets.

The site is located in open countryside and is within a designation Cou 01 area of high scenic value: west as defined in the Magherafelt Area Plan 2015.

The Hillhead Road is part of the A6 protected route running from Toome to Castledawson. There are limited views of the site on approach from either direction due to the built form on each side.

Description of Proposal

The applicant is seeking outline planning permission for a proposed dwelling and garage on a farm, which was received by MUDC Planning on 28/07/2020. No details surrounding design or landscaping associated with the proposal have been submitted with this application which relates to outline planning consent only



Deferred Consideration:

This application is for a farm dwelling with a proposed access onto the A6 (Hillhead Road) which is currently a protected route. Currently there only exists an agricultural field access onto the protected route. There are no concerns about the acceptability of the site under CTY 10 and the sole refusal reason was based on Policy AMP 3 of PPS 3. DFI have been reconsulted with the application. In this re-consultation MUDC advised that we would be minded to treat this proposal as an exception to Policy AMP 3 (b) (as contained in Annex 1 of PPS 21) for the following reasons: access cannot be reasonably obtained from an adjacent minor road nor can the existing agricultural access be utilised, as a field gate is not deemed to be an access as advised in PPS 3. Also, we were content that the de-trunking of this section of the Hillhead Road will go ahead in the near future, despite DFI Roads not providing a set date.

DFI Roads have now revised their initial recommendation to refuse this application and have recommended approval subject to a standard outline condition.

Consideration has also been given to planning application LA09-2020-1536-O. This application for an infill dwelling between 74 & 76 Hillhead Road, Toomebridge, was approved at Planning Committee (August 2021). It proposed a new access onto this same stretch of Road. In terms of administrative fairness the Planning Department has to give the same consideration to this application and to the fact that DFI Roads have revised their initial recommendation to refuse the application.

Approval is therefore recommended, subject to conditions as set out below.

Conditions

Application for approval of the reserved matters shall be made to the Council 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: As required by Section 62 of the Planning Act (Northern Ireland) 2011.

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 Council, in writing, before any development is commenced.

Reason: This is outline permission only and these matters have been reserved for the subsequent approval of the Council.

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.

The proposed dwelling shall be sited in the area shaded green on the approved plan date stamped 28th July 2020

Reason: To ensure that the development is satisfactorily integrated into the landscape in accordance with the requirements of Planning Policy Statement 21

The existing natural screenings of this site shall be retained unless necessary to prevent danger to the public in which case a full explanation shall be given to the Council in writing prior to their removal.

Reason: To ensure the development integrates into the surroundings and to ensure the maintenance of screening to the site.

No development shall take place until full details of all proposed tree and shrub planting and a programme of works, have been approved by the Council and all tree and shrub planting shall be carried out in accordance with those details and at those times.

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

Signature(s):

Date



Comhairle Ceantair
Lár Uladh
Mid Ulster
District Council

Development Management Officer Report Committee Application

| Summary | |
|---|---|
| Committee Meeting Date: | Item Number: |
| Application ID: LA09/2020/0908/O | Target Date: |
| Proposal: Proposed dwelling and garage | Location: 25m North East of 68 Hillhead Road Toomebridge |
| Referral Route: Refusal contrary to PPS 3 -AMP3 | |
| Recommendation: | Refusal |
| Applicant Name and Address: Mr Damian Barton 68 Hillhead Road Toomebridge BT41 3SP | Agent Name and Address: CMI Planners Ltd 38b Airfield Road Toomebridge BT413SG |
| Executive Summary: | |
| Signature(s): | |

Case Officer Report

Site Location Plan



Consultations:

| Consultation Type | Consultee | Response |
|-------------------|---|-------------------------------|
| Statutory | DFI Roads - Enniskillen Office | Standing Advice |
| Non Statutory | DAERA - Coleraine | Substantive Response Received |
| Non Statutory | NI Water - Single Units West - Planning Consultations | No Objection |
| Statutory | DFI Roads - Enniskillen Office | Standing Advice |

Representations:

| | |
|---|-----------------------|
| Letters of Support | None Received |
| Letters of Objection | None Received |
| Number of Support Petitions and signatures | No Petitions Received |
| Number of Petitions of Objection and signatures | No Petitions Received |

Summary of Issues

Farm dwelling complies with CTY 10 criteria no third party representations received and all other material considerations have been taken into consideration.

Characteristics of the Site and Area

The site is identified as lands located 26m NE of 68 Hillhead Road, Toomebridge. The site borders on onto Deerpark and Hillhead Roads. The site plot is triangular in shape measuring approximately 0.63 of a hectare. Site boundaries comprise intermittent low level vegetation on the south western boundary (running appavelled with the Hillhead Road); post and wire fencing and sporadic vegetation on the south eastern boundary; the other to the north eastern boundary consist of hedgerow and post and wire fencing. The surrounding landform is one of undulating countryside and the land raises from Hillhead Road. The main farm group is located to the south opposite Hillhead Road no 68 consisting of a one and a half storey dwelling with outbuildings to the rear. There is a large evergreen hedgerow to the front of No 68 running parallel with Hillhead Road. The buildings to the rear of 68 appear to be agricultural related. To the Southeast is a private laneway that runs parallel with the sheds servicing property and lands to southwest; to the east is no 62 a car sales businesses; located to the east is a detached dwelling No 60; and to the west is no 70 a small bungalow with an open area used for storing wooden pallets. The site is located in open countryside and is within a designation Cou 01 area of high scenic value: west as defined in the Magherafelt Area Plan 2015.

The Hillhead Road is part of the A6 protected route running from Toomebridge to Castledawson. There are limited views of the site on approach from either direction due to the built form on each side.

Description of Proposal

The applicant is seeking outline planning permission for proposed dwelling and garage on a farm, which was received by MUDC Planning on 28/07/2020.

No details surrounding design or landscaping associated with the proposal have been submitted with this application which relates to outline planning consent only.

All planning application forms, drawings, letters etc. relating to this planning application are available to view on www.planningni.gov.uk

Relevant planning history.

There is no relevant planning history associated with the proposed site.

Representations.

Neighbour notification and press advertisement has been carried out in line with the Council's statutory duty as set down in Article 8 (2) of the Planning GDPO Regulations (NI) 2015. At the time of writing no objections or representations were received. This application was initially advertised in the local press on w/c 10/08/2020 (publication date 11/08/2020). Ten (10) neighbouring properties were notified on 14/08/2021; all processes were in accordance with the Development Management Practice Note 14 (April 2015).

EIA Determination. The Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2015; the proposal has been considered and does not fit within any categories or threshold identified in Schedule 2 of Environment Impact Assessment.

HRA Determination - (Natural Habitats, etc.) (Amendment) Regulations (Northern Ireland) 2015, there is no watercourse directly abutting this site, therefore it is unlikely that there will be any adverse effects from development works on integrity of any National or European site or any water stream by way of a hydrological link to the site. Statutory consultees:

- DfI Roads were consulted on 13/08/2020 and responded on 08/09/2020 recommending refusal under Protected Routes Policy PPS 3 AMP3. The response further stated that although the new A6 Trunk Road Scheme is now open to traffic the Contractor is responsible for the new road under his contract obligations until its completion. DfI Roads will not remove protected routes status from the existing A6 Hillhead Road prior to the completion of the new road. However, no date has been set for the de-trucking of this section of Hillhead Road.
- NIW were consulted on 13/08/2020 and responded 08/09/2020 no objections;
- DAERA were consulted on 13/08/2020 and responded on 03/09/2020 provided information pertaining to the farm activities of the farm.

Planning Assessment of Policy and Other Material Considerations

Section 45 (1) of the Planning Act (Northern Ireland) 2011 states that regard must be had to the Local Development Plan (LDP), so far as material to the application, and to any other material considerations. Where regard is to be had to the LDP, Section 6 (4) of the Act requires that the determination must be made in accordance with the plan unless material considerations indicate otherwise. The Magherafelt Area Plan 2015 (MAP) acts as the LDP for this area as Mid Ulster District Council has not yet adopted a plan strategy for the district as a whole. The site is in the open countryside outside of any settlement limit or rural policy area defined in the plan. MAP does not offer any relevant policies relating to the assessment of this application.

The Strategic Planning Policy Statement for Northern Ireland (SPPS) sets out the transitional arrangements that will operate until a local authority has adopted a Plan Strategy for their council area. It also retains certain existing Planning Policy Statements including Planning Policy Statement 21 Sustainable Development in the Countryside (PPS 21). Section 6.77 states that proposals for development in the countryside must be sited and designed to integrate sympathetically with their surroundings must not have an adverse impact on the rural character of the area, and meet other planning and environmental considerations including those for drainage, sewerage, access and road safety.

Policy CTY1 of PPS 21 sets out the 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 six specified cases, one of which is a dwelling on a farm in accordance with Policy CTY10. This sets out three criteria to be met and also requires the site to comply with other policies in PPS 21.

Criterion (a) of Policy CTY10 requires that the farm business is currently active and has been established for at least 6 years. Paragraph 5.38 of the justification and amplification text to Policy CTY10 states that the applicant will be required to provide the farm's business identification number along with other evidence to prove active farming over the required period. The farm business is owned by the appellant's father Mr Richard Barton. It comprises only one field

located 25m to the north east of no 68 Hillhead Road. DAERA were consulted on this application and in their initial response confirmed the farm was established in 1992; a category 1 farm, does not claim SFP and the lands which the site is located on is associated with another farm business. The agent submitted a farm map and a Lease Agreement signed by Mr. Richard Barton and Mr. Sean McGrogan dated 1st May 2011.

My observations made while on site confirmed the land is kept in good environmental condition and on the basis of invoices relating to fence repairs, hedge cutting, weed control, rolling and harrowing I am satisfied that criteria has been met.

With respect to (b) and upon a history of the farm business, I am content that it does not appear that there were any development opportunities approved or sold off the farm in the previous 10 years.

With respect to (c), as stated earlier in my report the registered farm address is 68 Hillhead Road, Toomebridge where the site is situated approximately 25m north east of 68. With this in mind, I am content that there will be sufficient visual linkage between the site and this registered group of buildings notwithstanding that the Hillhead Road bisects the site with the existing farm group.

I note that the policy states that where practicable that access should be taken from an existing lane, I note that the intention is to construct a new access arrangements onto Hillhead Road. From this I am content that the dwelling would be able to comply under this policy test.



Fig. 1 Aerial overview of site and existing farm group 25m NE of No 68 Hillhead Rd.

Policy CTY 13 states that planning permission will be granted for a building in the countryside where it can be visually integrated into the surrounding landscape and it is of an appropriate design. I note that the site does sit higher than that of the registered farm address, in which I am content that an appropriately designed dwelling would not appear as a prominent feature in the landscape. In which as much of the existing landscaping should be retained where possible and supplemented with additional landscaping to aid integration. Therefore, a landscaping plan will be needed I any reserved matters application.

Given the landform I feel it necessary to restrict the ridge height of any dwelling to have a ridge height of no more than 7m above finish floor level. In addition, I feel it necessary to restrict the siting of any dwelling to the upper portion of the site along the roadside in line with the development pattern in the area. From which, I am content that the application is able to comply under CTY 13.

In terms of policy CTY 14 planning permission will only be granted for a building in the countryside where it does not cause a detrimental change to, or further erode the rural character of an area. As stated that an appropriately designed dwelling would not appear as visually prominent. I am of the opinion that the proposed dwelling would not result in a suburban style build-up of development when viewed with existing and approved buildings. I am content that this application is unlikely to lead to further development through infilling. From all of this it has been agreed that the application is able to comply with CTY 14 on balance.

Planning Policy Statement 3, Access, Movement and Parking Policy AMP3 access onto a Protected Route will only be granted for a development involving a direct access, or intensification of use of an existing access onto a Protected Route. As this development is a farm dwelling that involves the construction of a new access arrangements is not included as one of the cases referred to in policy AMP3 the proposed development is contrary to Policy and should be refused.

Other policy and material considerations

The Mid Ulster District Council Local Development Plan 2030 Draft Plan Strategy was launched on 22nd February 2019 and is now a material planning consideration in assessing all planning applications in the District. Re-consultation on the Draft Plan Strategy closed at 5pm on 24th September 2020. The period for Counter Representations closed on 18th December 2020. On the 28th May 2021 the Council submitted the draft Plan Strategy to DFI for them to cause and Independent Examination, In light of this, the draft Plan Strategy does not yet carry determining weight.

I have no ecological, flooding or residential amenity concerns. The south east section of the site shows on the flood maps as service water.

Summary of Recommendation:

In consideration of the above, it is my opinion that planning permission should be refused for the following reason

Reasons for Refusal:

The proposal is contrary to PP3, Access, Movement and Parking and Policy AMP 3 that it would, if permitted, result in the creation of a new vehicular access onto a Protected Route, thereby prejudicing the free flow of traffic and conditions of general safety.

Signature(s)

Date:

| ANNEX | |
|---|------------------|
| Date Valid | 28th July 2020 |
| Date First Advertised | 11th August 2020 |
| Date Last Advertised | |
| Details of Neighbour Notification (all addresses) The Owner/Occupier, 17 Aughrim Lane Toomebridge Toome The Owner/Occupier, 19 Aughrim Lane Toomebridge Toome The Owner/Occupier, 5 Blackpark Road Toomebridge Toome The Owner/Occupier, 50 Blackpark Road Toomebridge Toome The Owner/Occupier, 53 Blackpark Road, Toomebridge, Toome, Londonderry, BT41 3SL The Owner/Occupier, 53a Blackpark Road, Toomebridge, Toome, Londonderry, BT41 3SL The Owner/Occupier, 60 Hillhead Road Creagh Londonderry The Owner/Occupier, 62 Hillhead Road Toome Londonderry The Owner/Occupier, 68 Hillhead Road Creagh Londonderry The Owner/Occupier, 70 Hillhead Road Creagh Londonderry | |
| Date of Last Neighbour Notification | 14th August 2020 |
| Date of EIA Determination | |
| ES Requested | Yes /No |
| Planning History Ref ID: LA09/2020/0908/O Proposal: Proposed dwelling and garage Address: 25m North East of 68 Hillhead Road, Toomebridge, Decision: Decision Date: Ref ID: H/2003/0230/O Proposal: Site of dwelling and garage. Address: 60 Metres North West of 55 Hillhead Road, Castledawson. | |

Decision:
Decision Date: 07.11.2005

Ref ID: H/1998/0450
Proposal: REPLACEMENT SEPTIC TANK
Address: 9 AUGHRIM LANE CREAGH
Decision:
Decision Date:

Ref ID: H/1990/0560
Proposal: H.V. O.H. LINE BM 0464/90
Address: AUGHRIM LANE CREAGH MAGHERAFELT
Decision:
Decision Date:

Ref ID: H/1995/0246
Proposal: SITE OF DWELLING AND GARAGE
Address: ADJ TO 9 AUGHRIM LANE TOOMEBRIDGE
Decision:
Decision Date:

Ref ID: H/2014/0145/F
Proposal: Proposed repositioning of entrance to existing dwelling
Address: 55 Hillhead Road, Toomebridge, BT41 3SP,
Decision: PG
Decision Date: 22.12.2014

Ref ID: H/2007/1052/F
Proposal: 1.Change of house type to that previously approved under current permission H/2005/0805/F. 2.Detached domestic garage (garage retrospective)
Address: 55 Hillhead Road, Toomebridge
Decision:
Decision Date: 15.04.2008

Ref ID: H/1981/0364
Proposal: SITE OF BUNGALOW
Address: HILLHEAD ROAD, THE CREAGH, CASTLEDAWSON
Decision:
Decision Date:

Summary of Consultee Responses

| |
|---|
| Drawing Numbers and Title |
| Drawing No. 01 Type: Site Location Plan Status: Submitted |
| Notification to Department (if relevant) Date of Notification to Department: Response of Department: |



Comhairle Ceantair
Lár Uladh
Mid Ulster
District Council

Mid-Ulster
Local Planning Office
Mid-Ulster Council Offices
50 Ballyronan Road
Magherafelt
BT45 6EN

Deferred Consideration Report

| Summary | |
|---|---|
| Case Officer: Phelim Marrion | |
| Application ID: LA09/2020/1444/O | Target Date: <add date> |
| Proposal: Proposed dwelling and garage on a farm (Amended Description) | Location: Adjacent to 76 Moghan Road Castlecaulfield Dungannon BT70 3BZ |
| Applicant Name and Address: Brigid McElduff 76 Moghan Road Castlecaulfield Dungannon BT70 3BZ | Agent name and Address: Seamus Donnelly 80A Mountjoy Road Aughrimderg Coalisland BT71 5EF |
| Summary of Issues: Previously considered as infill development and not accepted, planning permission has been granted for a dwelling on a farm within the last 10 years. | |
| Summary of Consultee Responses: DFI Roads – no objections access requires 2.4m x 55.0m sight lines and 55.0m forward sight lines | |
| Characteristics of the Site and Area: The site is in the countryside and outside any settlement limits as defined in the Dungannon and South Tyrone Area Plan 2010. The surrounding area is semi-rural in character and is characterised by agricultural fields, scattered farm holdings and dwellings on single plots. Along adjoining roads there are a number of dwellings with a roadside frontage or set back along a lane. The public road rises up from north to south and reaches at plateau at No. 76, which is the dwelling to the north of the application site. Travelling south past the site and No. 76 the road starts to slope downwards. The application site is a portion of an existing agricultural field with a roadside frontage onto Moghan Road. Along the roadside boundary is a post and wire fence and along the southern | |

boundary is a low hedge. Along the boundary with No. 76 there is also a post and wire fence and the remaining boundary is undefined.

Description of Proposal

This is an outline application for a proposed dwelling and garage on a farm at Adjacent to 76 Moghan Road, Castlecaulfield, Dungannon.

Deferred Consideration:

This application was deferred at the Planning Committee in November 2021 to allow a meeting with the Planning Manager to review the case. A zoom meeting was held on 18 November 2021 and there was an issue with the Mr Donnelly's connection however Mr Donnelly subsequently provided additional information for consideration.

This application was initially submitted as a gap site within the exception in CTY8, it was not considered to meet the exception for an infill opportunity and was changed to a dwelling on a farm. The previous report sets out the full considerations of the farming case and it is clear the applicant had a larger holding which has been reduced in size but is still active and established. Planning permission LA09/2017/0395/O for a dwelling and garage was approved on 17 May 2017, land registry documents indicate that that site was owned by the applicant from 16 April 2016 and was transferred on 17 August 2017.

Policy CTY10 in PPS21 it sets out the considerations for a dwelling on a farm. There are 2 issues here in respect of the principle of a dwelling on a farm.

1. Criteria b states 'no dwellings or development opportunities out-with settlement limits have been sold off from the farm holding within 10 years of the date of the application. This provision will only apply from 25 November 2008'

It is clear Planning permission LA09/2017/0395/O was granted for a dwelling and garage, this was transferred to the applicant niece in or around 17 August 2017, after planning permission had been granted. This was a development opportunity and there has been no information presented to demonstrate that it was not transferred off the holding.

2. Planning permission granted under this policy will only be forthcoming once every 10 years.

Planning permission LA09/2017/0395/O was granted as an gap site within the exclusion in Policy CTY8 of PPS21. I am content that M/2012/1237/F was not approved under policy CTY10 and as such there have not been any other permissions granted under CTY10 within the last 10 years.

It is clear there has been a site transferred off the farm within the 10 year time and as such criteria (b) cannot be met.

In respect of the infill opportunity, members will be aware CTY8 allows the infilling of a small gap site in an otherwise substantially built up frontage. The Ministers Statement on 16 July 2013 into the Review of the Operation of PPS 21 'Sustainable Development in the Countryside' specifically identified the need to take account of extant permissions when assessing whether a suitable infill opportunity exists.

The proposed site has a frontage of 70m, which I consider to be excessive when compared with the existing development to the North (Map 1 & 2). The development to the north consists of:



Map 1 & 2

- a 2 storey dwelling and farm complex which has a frontage of 87.7m (fig1 &2),



Fig 1 – farm complex to north viewed from north approach



Fig 2 – farm complex to north viewed from the south boundary

- a new dwelling, with approval for a domestic garage beside it, this has a frontage of 43.5m (fig 3)



Fig 3 – new dwelling, was on farm lands and transferred off

- a large shed and yard area with a frontage of 32.9m (fig 4)



Fig 4 – shed and yard

- a dwelling and detached garage which has a frontage of 31.9m (Figs 5 and 6)



Fig 5 – dwelling and garage adjacent to the site



Fig 6 – dwelling and garage to side, viewed from south

In this case there is a new dwelling that has been constructed to the north west of the applicants dwelling, it has permission for a detached domestic garage to the side. Permission has also been approved for a replacement dwelling to the south east of the proposed site, ref LA09/2021/0179/O. There are currently no details of the proposed dwelling, however it has conditions limiting the height to 6m high ridge, siting restriction and curtilage restriction which uses the existing access off the existing lane. (Appendix 1 and Fig 7)



Fig 7 – Stamped approved drawing for LA09/2021/0179/O

I do not consider the extant permissions change the consideration of CTY8 and the infill opportunities here. The site has a significant frontage which I consider is a good visual break in development along this side of Moghan Road. The existing and approved

development to south will not, in my opinion, significantly alert that impression and as such I do not consider this is an infill opportunity.

In light of the above assessment and considerations I recommend this application is refused.

Reasons for Refusal:

1. The proposal is contrary to policy CTY 1 in PPS 21 – Sustainable Development in the Countryside in that there is no overriding reason why the development cannot be located within a settlement.
2. The proposal is contrary CTY 8 – Ribbon Development in PPS 21 – Sustainable Development in the Countryside as the proposal would add to a ribbon of development.
3. The proposal is contrary to CTY 10 – Dwelling on a Farm in PPS 21 – Sustainable Development in the Countryside as a development opportunity has been sold off from the farm holding within the past 10 years since the date of this application.
4. The proposal is contrary to CTY 13 – Integration and Design of Buildings in the Countryside in PPS 21 – Sustainable Development in that the application site lacks long established natural boundaries and is unable to provide a suitable degree of enclosure for the building to integrate into the landscape.
5. The proposal is contrary to CTY 14 – Rural Character in PPS 21 – Sustainable Development in that the proposal would add to a ribbon of development and be detrimental to rural character.

Signature(s):

Date



Comhairle Ceantair
Lár Uladh
Mid Ulster
District Council

OUTLINE PLANNING PERMISSION
Planning Act (Northern Ireland) 2011

Application No: **LA09/2021/0179/O**

Date of Application: **8th February 2021**

Site of Proposed Development: **72 Moghan Road
Dungannon**

Description of Proposal: **Proposed replacement dwelling**

Applicant: **Wayne Burrows**
Address: **26 Avonbank Gardens
Derry**

Agent: **J Aidan Kelly Ltd**
Address: **50 Tullycullion Road
Dungannon
BT70 3LY**

Drawing Ref: **01**

Mid Ulster District Council in pursuance of its powers under the above-mentioned Act hereby

GRANTS OUTLINE PLANNING PERMISSION

for the above-mentioned development in accordance with your application subject to compliance with the following conditions which are imposed for the reasons stated:

1. Application for approval of the reserved matters shall be made to the Council 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: As required by Section 62 of the Planning Act (Northern Ireland) 2011.



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 Council, in writing, before any development is commenced.

Reason: This is outline permission only and these matters have been reserved for the subsequent approval of the Council.

3. The existing building indicated and coloured green on the approved 1:2500 scale site location plan, Drawing No.01, date stamp received 8th February 2021, is to be demolished within 6 weeks of the occupation of the new dwelling and all rubble and foundations removed from the site.

Reason: To preserve the amenity of the area and to prevent an accumulation of dwellings on the site.

4. The dwelling hereby permitted shall have a ridge height not exceeding 6 metres above existing ground level. It should be designed in accordance with the 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 the area and to ensure integration into the setting of the historic monument.

5. 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 Mid Ulster District Council.

Reason: To ensure the dwelling integrates into the landform.

6. A detailed scheme of structured landscaping for the site including along all site boundaries, shall be submitted at Reserved Matters stage at the same time as the dwelling to include details of species, numbers, sizes, siting and spacing of trees and hedge plants. The planting as approved shall be implemented in full during first available planting season after the occupation of the dwelling which is hereby approved.

Reason: To ensure the dwelling integrates into the countryside and to ensure the maintenance of screening of the site.



7. The proposed dwelling shall be sited in the area shaded green on the approved plan 01 which was received on 8th February 2021.

Reason: To ensure that the development is integrated into the landscape.

8. The curtilage of the proposed dwelling shall be as indicated in the area shaded green on the approved plan 01 which was received on 8th February 2021.

Reason: To ensure that the amenities incidental to the enjoyment of the dwelling will not adversely affect the countryside.

Informatives

1. This permission does not alter or extinguish or otherwise affect any existing or valid right of way crossing, impinging or otherwise pertaining to these lands.
2. This permission does not confer title. It is the responsibility of the developer to ensure that he controls all the lands necessary to carry out the proposed development.
3. The existing vehicular access to the dwelling is considered to be sub-standard and that, in your interests and that of other road users, measures should be taken to provide acceptable visibility.

Dated: 18th May 2021

Planning Manager





Comhairle Ceantair
Lár Uladh
Mid Ulster
District Council

Mid-Ulster
Local Planning Office
Mid-Ulster Council Offices
50 Ballyronan Road
Magherafelt
BT45 6EN

Development Management Officer Report Committee Application

| Summary | |
|---|---|
| Committee Meeting Date: 02/11/2021 | Item Number: |
| Application ID: LA09/2020/1444/O | Target Date: |
| Proposal: Proposed dwelling and garage on a farm | Location: Adjacent to 76 Moghan Road Castlecaulfield Dungannon BT70 3BZ |
| Referral Route: <p>1. The proposal is contrary to policy CTY 1 in PPS 21 – Sustainable Development in the Countryside in that there is no overriding reason why the development cannot be located within a settlement.</p> <p>2. The proposal is contrary CTY 8 – Ribbon Development in PPS 21 – Sustainable Development in the Countryside as the proposal would add to a ribbon of development.</p> <p>3. The proposal is contrary to CTY 10 – Dwelling on a Farm in PPS 21 – Sustainable Development in the Countryside as a development opportunity has been sold off from the farm holding within the past 10 years since the date of this application.</p> <p>4. The proposal is contrary to CTY 13 – Integration and Design of Buildings in the Countryside in PPS 21 – Sustainable Development in that the application site lacks long established natural boundaries and is unable to provide a suitable degree of enclosure for the building to integrate into the landscape.</p> <p>5. The proposal is contrary to CTY 14 – Rural Character in PPS 21 – Sustainable Development in that the proposal would add to a ribbon of development and be detrimental to rural character.</p> | |
| Recommendation: | Refusal |
| Applicant Name and Address: Brigid McElduff 76 Moghan Road Castlecaulfield Dungannon BT70 3BZ | Agent Name and Address: Seamus Donnelly 80A Mountjoy Road Aughrimderg Coalisland BT71 5EF |

| | |
|----------------------|--|
| | |
| Signature(s): | |

| |
|----------------------------|
| Case Officer Report |
|----------------------------|

| |
|---------------------------|
| Site Location Plan |
|---------------------------|



| | | |
|---|--------------------------------|-----------------|
| Consultations: | | |
| Consultation Type | Consultee | Response |
| Statutory | DFI Roads - Enniskillen Office | Standing Advice |
| Representations: | | |
| Letters of Support | None Received | |
| Letters of Objection | None Received | |
| Number of Support Petitions and signatures | No Petitions Received | |
| Number of Petitions of Objection and signatures | No Petitions Received | |

Characteristics of the Site and Area

The site is in the countryside and outside any settlement limits as defined in the Dungannon and South Tyrone Area Plan 2010. The surrounding area is semi-rural in character and is characterised by agricultural fields, scattered farm holdings and dwellings on single plots. Along adjoining roads there are a number of dwellings with a roadside frontage or set back along a lane.

The public road rises up from north to south and reaches at plateau at No. 76, which is the dwelling to the north of the application site. Travelling south past the site and No. 76 the road starts to slope downwards.

The application site is a portion of an existing agricultural field with a roadside frontage onto Moghan Road. Along the roadside boundary is a post and wire fence and along the southern boundary is a low hedge. Along the boundary with No. 76 there is also a post and wire fence and the remaining boundary is undefined.

Description of Proposal

This is an outline application for a dwelling and garage on a farm at lands adjacent to 76 Moghan Road, Castlecaulfield.

Planning Assessment of Policy and Other Material Considerations

Section 45(1) of the Planning Act (NI) 2011 requires the Council, in dealing with an application, to have regard to the local development plan (LDP), so far as material to the application, and to any other material considerations. Section 6(4) requires that the determination of proposals must be in accordance with the LDP unless material considerations indicate otherwise.

Representations

Press advertisement and neighbour notification have been carried out in line with the Council's statutory duty. At the time of writing, no third party objections were received.

Planning History

No planning history at the application site.

Surrounding land

LA09/2017/0395/O - Dwelling and garage - 30m North West of 74 Moghan Road Castlecaulfield, Dungannon – Permission Granted 10.05.2017

LA09/2017/1094/RM - Dwelling and garage - 30m North West of 74 Moghan Road Castlecaulfield, Dungannon – Permission Granted 09.10.2017

Mid Ulster Development Plan 2030 – Draft Plan Strategy

The Mid Ulster District Council Local Development Plan 2030 Draft Plan Strategy was launched on 22nd February 2019 and is now a material planning consideration in assessing all planning applications in the District. Re-consultation on the Draft Plan Strategy closed at 5pm on 24th September 2020. The period for Counter Representations closed on 18th December 2020. On the 28th May 2021 the Council submitted the draft Plan Strategy to DFI for them to cause an Independent Examination, In light of this, the draft Plan Strategy does not yet carry determining weight.

Dungannon and South Tyrone Area Plan 2010

The site lies in the countryside and outside any settlement limits as defined in the Dungannon and South Tyrone Area Plan 2010. The site is not subject to any other zonings or designations within the Plan.

Planning Policy Statement 21

Development in the countryside is controlled under the provisions of PPS 21 Sustainable Development in the countryside. Policy CTY 1 provides clarification on which types of development are acceptable in the countryside. In addition, other types of development will only be permitted where overriding reasons are submitted why the development is essential and could not be located within a settlement.

The proposal does not meet the criteria in CTY 2a as the site is not located at a crossroads or a focal point.

There is no dwelling on the application site that could be replaced so the proposal does not meet CTY 3.

CTY 8 – Ribbon Development

Initially, the application was for an infill dwelling and garage but after an assessment of CTY 8 – Ribbon Development it was agreed with the Planning Manager this proposal did not meet the criteria for an infill opportunity under the exception to policy CTY 8. To the south of the site is a field and access lane to a dwelling and group of farm buildings at No. 72. I consider No. 72 does not have a frontage to the public road so cannot be considered as one of the three or more buildings. Therefore the agent was asked to consider other policies in PPS 21. Consequently this proposal is now for a dwelling and garage on a farm so CTY 10 is the relevant policy in the assessment.

CTY 10 – Dwelling on a Farm

The applicant submitted a P1C form and confirmed there is no DAERA farm business ID at the site so I did not consult DAERA. In discussions with the applicant it was detailed that the applicant's husband has previously farmed the land but had passed away. Thus the land was rented out to Mr Victor Patterson who confirmed this in a letter received 17th August 2021. The letter stated that the site was previously part of a larger farm and the other land had been sold to him 5 years ago. The applicant had retained the land part of the application site and other land in blue on the map and Mr Patterson rented this land out for farming. The applicant also submitted a letter to verify these claims that they have previously owned and farmed over 42 acres of land.

The applicant also submitted receipts to demonstrate that active farming is occurring at the site for the past 6 years. Receipts have been submitted from Francis J. McKenna & Sons Agricultural Contractors for hedgecutting around farmland and grasstopping. Even-though the applicant does not have a DAERA number I am satisfied that there is active farming at the site and this has been established for at least 6 years. Para 5.39 of CTY10 states that 'agricultural activity' refers to the growing of agricultural products or maintaining the land in good agricultural and environmental condition. There are no animals on the farm holding and as such DEARA records are not helpful to verify if this is an active and established farm. The information presented in this case is in the form of invoices while these are unverifiable, I would tend to give the benefit of the doubt to Mrs McElduff and accept this

business has been on-going for over 6 years. I consider this is an active and established farm for the purposes of CTY10.

The land owned by Mrs McElduff, at this location, is some 1.8 hectares in area, which is over the 0.5ha that is specified in the Planning (General Permitted Development) Order (NI) 2015 for a farm holding.

I have carried out a planning history search of the farm holding. There is a dwelling abutting the northern boundary of the farm holding as shown in red on figure 1 below.



Figure 1 – Dwelling which has been sold off from the farm holding.

LA09/2017/0395/O granted approval for a dwelling and a garage on the 17th May 2017 at the site shown in figure 1. Land registry checks show that this site has been owned by Eilish Teresa Kelly & Christopher Bernard Mullin since the 17th August 2017. They were also the applicants on planning approval LA09/2017/0395/O. Land registry shows the previous owner of the site was Brigid McElduff since 18th May 2016 and she transferred the site to Eilish Kelly and Christopher Mullin on the 17th August 2017. Brigid McElduff is the applicant in this case for a dwelling on a farm. The applicant had previously indicated that the application site was part of a larger farm holding and other fields within the farm had been sold to a third party. I consider this is a sell-off from the farm holding within the past 10 years since the date of the application and is contrary to policy in CTY 10.

The only buildings on the farm holding is a one and half storey dwelling at No. 76, detached garage and another shed. I completed a check on dwelling and garage only, I am satisfied these buildings are more than just a dwelling and garage and is a group to cluster with.



Figure 2 – Snapshot from Google maps of the group of buildings on the farm.

The application site is immediately south of these group of farm buildings and I am content the site will cluster with these buildings in critical views. A new access is proposed at the site but as it will travel for a short distance I have no concerns.

CTY 13 – Integration and Design of Buildings in the Countryside

The application site is a portion of a larger agricultural field and has a roadside frontage onto Moghan Road. Along the roadside boundary is a grass verge and a post and wire fence. Along the boundary with No. 76 is also a wire fence and along the southern boundary is a low hedge. Travelling from the south there are limited critical views and the proposed dwelling will read with the other buildings along this stretch of road. Travelling from the north there are also limited critical views. At the application site the topography rises up where it flattens off towards the rear boundary. I am content the proposal will not be a prominent feature in the landscape.



Figure 3 – Latest google image from the site showing the lack of natural boundaries

As shown in figure 3 above the site lacks only has limited natural boundaries. The land rises up from the roadside and there is only a post and wire fence along the roadside. I consider there is not a sufficient degree of enclosure at the site and would rely on the use of new landscaping for integration.

The design of the dwelling will be considered at the reserved matters stage as this is an outline application.

CTY 14 – Rural Character

Policy CTY 14 states that planning permission will be granted for a building in the countryside where it does not cause a detrimental change to, or further erode the rural character of an area. The proposal will add to a ribbon of development as it was previously assessed under CTY 8 and did not meet this criteria and is at the end of a row of three other dwellings. As stated in paragraph 5.8 in PPS 21 ribbon development is always detrimental to rural character and contributes a sense of build-up and fails to respect the local settlement pattern.

PPS 3 Access, Movement and Parking

DFI Roads were consulted as a new access is proposed at the site and they responded with no objections subject to conditions that a 1:500 block plan is submitted at Reserved Matters Stage.

I have no ecological, built heritage, flooding or residential amenity concerns.

Neighbour Notification Checked Yes

Summary of Recommendation:

The proposal does not meet any policy in PPS 21 for a dwelling in the countryside, therefore there is no overriding reason why the proposal cannot be located within a settlement.

Reason for Refusal:

1. The proposal is contrary to policy CTY 1 in PPS 21 – Sustainable Development in the Countryside in that there is no overriding reason why the development cannot be located within a settlement.
2. The proposal is contrary CTY 8 – Ribbon Development in PPS 21 – Sustainable Development in the Countryside as the proposal would add to a ribbon of development.
3. The proposal is contrary to CTY 10 – Dwelling on a Farm in PPS 21 – Sustainable Development in the Countryside as a development opportunity has been sold off from the farm holding within the past 10 years since the date of this application.
4. The proposal is contrary to CTY 13 – Integration and Design of Buildings in the Countryside in PPS 21 – Sustainable Development in that the application site lacks long established natural boundaries and is unable to provide a suitable degree of enclosure for the building to integrate into the landscape.
5. The proposal is contrary to CTY 14 – Rural Character in PPS 21 – Sustainable Development in that the proposal would add to a ribbon of development and be detrimental to rural character.

Signature(s)

Date:



Comhairle Ceantair
Lár Uladh
Mid Ulster
District Council

Mid-Ulster
Local Planning Office
Mid-Ulster Council Offices
50 Ballyronan Road
Magherafelt
BT45 6EN

Deferred Consideration Report

| Summary | |
|--|---|
| Case Officer: Phelim Marrion | |
| Application ID: LA09/2021/0305/F | Target Date: <add date> |
| Proposal: Proposed dwelling with detached garage & loft room. | Location: Approx. 50m SSW of 31 Sherrigrim Road Stewartstown. |
| Applicant Name and Address: Mr Daryl Morrison & Miss Rachel Mullan 44 Lambfield Drive Dungannon BT71 6GG | Agent name and Address: Rodney Henry 2 Liscoole Cookstown BT80 8RG |
| Summary of Issues: The proposed design of the dwelling was not considered to be rural in character, amendments have been provide that reduce the overall scale of the proposal. | |
| Summary of Consultee Responses: DfI Roads have not raised any concerns with the access to the proposed dwelling subject to standard conditions, accordingly I am content the proposal will comply with the provisions of Planning Policy Statement 3 Access, Movement and Parking, in that the access arrangements will not prejudice road safety or significantly inconvenience the flow of traffic. In relation to the objectors concerns regarding the additional agricultural access, this would benefit from permitted development rights under 'The Planning (General Permitted Development) Order (Northern Ireland) 2015', and would not require planning permission. That said, any subsequent determination of this application would relate to planning control only and would not cover any other consent or approval, which may be necessary to authorise the development under other prevailing legislation as may be administered by the Council or other statutory authority e.g. Roads advised Article 80 approval normally required under the Roads Order. | |
| Characteristics of the Site and Area: The site comprises a small, flat rectangular shaped roadside plot, located within a larger agricultural field. It possesses a sense of closure, with mature hedgerows to the north and west, which screen the site from the western approach and providing a backdrop from the eastern approach. In addition, the landform rises to the south to provide a backdrop to the proposed | |

development. Critical views will be just before and passing the roadside frontage of the host field on the eastern approach.

The site is located in the rural countryside, as depicted within the Cookstown Area plan. There is a degree of development pressure along the road frontage of the Sherrygrim Rd. With the wider area defined by a small number of farm holdings and a number of single dwellings. The site lies within a ribbon of existing development (3 no. of buildings) running along the south side of the Sherrygrim Rd. The site which is to be accessed, directly off, the Sherrygrim Rd lies between a small agricultural byre and no. 32 Sherrygrim Rd, a single storey dwelling. A further relatively newly erected 2-storey dwelling exists to the immediate west of no. 32 Sherrygrim Rd. This dwelling, no. 32A Sherrygrim Rd, approved under planning applications LA09/2015/0099/O & LA09/2016/0135/RM (see 'Planning History' further below) contributes to the overall continually built up frontage.

The land within this ribbon of development is capable of accommodating a maximum of two dwellings. The current site only includes approx. half (eastern) the entire gap site as such only one detached dwelling is proposed. The site is relatively in keeping with the plot shapes and sizes surrounding the site.

Description of Proposal

This proposal is for a detached dwelling with a detached garage & loft room.

Deferred Consideration:

This application was before the Planning Committee in June 2021 where it was deferred to allow discussions with the Planning Manager in respect of the design of the proposed dwelling. A zoom meeting was held on 17 June 2021 and the applicants were invited to make amendments to the proposal and submit these for consideration.

An amended plan has been submitted that has removed the long flat roofed car port and set the garage further back into the site. The main block has been changed to provide stronger vertical emphasis to the openings with the introduction of peaks over the windows alterations and the single storey living block is finished with dark stone to mimic the vernacular grouping where additions do not necessarily match the main building. Overall the proposed development is smaller and more compact which will have less of a visual

impact on the character of the area.



Original Plans



Rodney Henry
 224-222-1111
 224-222-1111
 224-222-1111

Neighbours were advised about the amended plans and there was some concern about the indicative agricultural access opposite no 31. The neighbours were advised agricultural access may be provided without requiring the submission of a planning application provided they meet the criteria set out in the Planning (General Permitted Development) Order (NI) 2015.

In light of the above the application is now recommended for approval with the attached conditions.

Conditions:

1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.

2. Prior to the commencement of any development hereby permitted visibility splays of 2.4m x 90.0m shall be provided as shown on drawing no 02/2 bearing the stamp dated 23 NOV 2021. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250mm above the levels of the adjoining carriageway and such splays shall be retained and kept clear thereafter.

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

3. The existing natural screenings of the site, as indicated 'EXISTING HEDGEOW' on drawing no 02/2 bearing the stamp dated 23 NOV 2021 shall be retained unless necessary to prevent danger to the public in which case a full explanation along with a scheme for compensatory planting shall be submitted to and agreed in writing with the Council, prior to removal.

Reason: In the interests of visual amenity and biodiversity.

4. All hard and soft landscape works shall be carried out in accordance with the details as set out on drawing No 02/2 bearing the stamp dated 23 NOV 2021 and the appropriate British Standard or other recognised Codes of Practice. The landscaping shall be carried out within 6 months of the date of occupation of the development hereby approved and any tree shrub or plant dying within 5 years of planting shall be replaced in the same position with a similar size, species and type.

REASON: In the interests of visual amenity and biodiversity.

5. One dwelling only shall be constructed within the area of the site outlined in red on the approved drawing no 01/1 received 23 NOV 2021.

Reason: To control the number of dwelling on the site as this permission is in substitution for planning approval LA09/2020/0222/O and is not for an additional dwelling on this site.

Informatives:

1. This permission does not relate to the provision of any agricultural accesses. The land owner is advised to consult with DFI Roads and the Planning (General Permitted Development) Order (NI)2015 in relation to agricultural access.

Signature(s):

Date



Comhairle Ceantair
Lár Uladh
Mid Ulster
District Council

Mid-Ulster
Local Planning Office
Mid-Ulster Council Offices
50 Ballyronan Road
Magherafelt
BT45 6EN

**Development Management Officer Report
Committee Application**

| Summary | |
|---|---|
| Committee Meeting Date: | Item Number: |
| Application ID: LA09/2021/0305/F | Target Date: |
| Proposal: Proposed dwelling & carport with detached garage & loft room. | Location: Approx. 50m SSW of 31 Sherrigrim Road Stewartstown. |
| Referral Route: Objection, Refusal | |
| Recommendation: Refuse | |
| Applicant Name and Address: Mr Daryl Morrison & Miss Rachel Mullan 44 Lambfield Drive Dungannon BT71 6GG | Agent Name and Address: Rodney Henry 2 Liscoole Cookstown BT80 8RG |
| Executive Summary: | |
| Signature(s): | |

Case Officer Report

Site Location Plan



Consultations:

| Consultation Type | Consultee | Response |
|-------------------|--------------------------------|----------|
| Statutory | DFI Roads - Enniskillen Office | Content |

| | |
|--|-----------------------|
| Representations: | |
| Letters of Support | None Received |
| Letters of Objection | 1 |
| Number of Support Petitions and signatures | No Petitions Received |
| Number of Petitions of Objection and signatures | No Petitions Received |
| Description of Proposal <p>This is a full planning application for a proposed dwelling and carport with detached garage and loft room on lands located approx. 50m SSW of 31 Sherrigrim Rd Stewartstown.</p> <p>There is a live outline planning application for an infill dwelling and detached garage on this site at present: LA09/2020/0222/O granted 7th September 2020.</p> | |
| Characteristics of the Site and Area <p>Whilst there has been an relatively modest increase to the site's proposed curtilage there does not appear to be any significant changes on site or in the immediate vicinity from the outline applications on site (LA09/2020/0222/O), as such the characteristics of the site and area remain largely as before.</p> <p>The site is located in the rural countryside, as depicted within the Cookstown Area plan. There is a degree of development pressure along the road frontage of the Sherrygrim Rd. With the wider area defined by a small number of farm holdings and a number of single dwellings.</p> <p>The site comprises a small, flat rectangular shaped roadside plot, located within a larger agricultural field. The site lies within a ribbon of existing development (3 no. of buildings) running along the south side of the Sherrigrim Rd.</p> <p>The site which is to be accessed, directly off, the Sherrigrim Rd lies between a small agricultural byre and no. 32 Sherrigrim Rd, a single storey dwelling. A further relatively newly erected 2-storey dwelling exists to the immediate west of no. 32 Sherrigrim Rd. This dwelling, no. 32A Sherrigrim Rd, approved under planning applications LA09/2015/0099/O & LA09/2016/0135/RM (see 'Planning History' further below) contributes to the overall continually built up frontage.</p> <p>The land within this ribbon of development is capable of accommodating a maximum of two dwellings. The current site only includes approx. half (eastern) the entire gap site as such only one detached dwelling is proposed. The site is relatively in keeping with the plot shapes and sizes surrounding the site.</p> <p>The site possesses a sense of closure, with mature hedgerows to the north and west, which screen the site from the western approach and providing a backdrop from the eastern approach. In addition, the landform rises to the south to provide a backdrop to the proposed development. Critical views will be just before and passing the roadside frontage of the host field on the eastern approach.</p> | |
| Planning Assessment of Policy and Other Material Considerations | |

Section 45(1) of the Planning Act (NI) 2011 requires the Council, in dealing with an application, to have regard to the local development plan (LDP), so far as material to the application, and to any other material considerations. Section 6(4) requires that the determination of proposals must be in accordance with the LDP unless material considerations indicate otherwise.

The following documents provide the primary policy context for the determination of this application:

Regional Development Strategy 2030

Strategic Planning Policy Statement for Northern Ireland

Cookstown Area Plan 2010

Planning Policy Statement 3: Access, Movement and Parking

Development Control Advice Note 15: Vehicular Standards

Planning Policy Statement 21: Sustainable Development in the Countryside in particular:

Supplementary Planning Guidance for PPS21 - 'Building on Tradition' A Sustainable Design Guide for the Northern Ireland Countryside.

The Mid Ulster District Council Local Development Plan 2030 – Draft Plan Strategy was launched on 22nd February 2019 and is now a material planning consideration in assessing all planning applications in the District. Re-consultation on the Draft Plan Strategy closed at 5pm on 24th September 2020. All valid representations received have been subject to a Counter Representation period. In light of this, the draft plan does not carry the determining weight associated with the adopted plan.

History

On Site

- LA09/2020/0222/O - Proposed site for dwelling (with ridge height no more than 8m above finished ground floor level) and detached domestic garage - Approximately 50m S.S.W of 31 Sherrigrim Rd Stewartstown – Granted 22nd September 2020

Adjacent Site

- LA09/2015/0099/O – 7.5m ridge height 2 storey dwelling with domestic garage on farm (under Policy CTY 10 of PPS21) - Approx 120m SE of 34 Sherrigrim Rd Stewartstown – Granted 16th September 2015
- I/2016/0135/RM – Proposed 2 storey dwelling and domestic garage on farm (under policy CTY10 of PPS21) – Approx. 120m East of 34 Sherrygrim Rd Stewartstown Dungannon – Granted 14th April 2016

The above applications related to lands to the west of the site and no. 32 Sherrygrim Rd, containing no. 32A Sherrygrim Rd, a relatively newly erected 2-storey dwelling.

Representations

Press advertisement and Neighbour Notification have been carried out in line with the Council's statutory duty. At the time of writing, 1 third party objection had been received from the owners / occupiers of no. 31 Sherrygrim Rd, a bungalow located immediately northeast of the site at the opposite side of the road. The objectors outlined their concern is two entrances to the site, one of which is for agricultural use. That it is directly opposite their property entrance. That it is a very busy and dangerous stretch of road. It is extremely fast and there is a hidden dip on the road coming from Sherrygrim/Pomroy direction, quite close to the proposed site. It has been difficult to access their entrance and they feel that with the added entrances it will present a major hazard for all road

users. The objectors concerns having been taken into consideration alongside DfI Roads response. See 'Consultees' below.

Consultees

1. DFI (Roads) were consulted at the outset of this application in relation to access, movement and parking arrangements and had no objections to the proposal subject to standard conditions. Upon receipt of the objection letter detailed above Roads were re-consulted for further comment and responded with no objection to the proposal subject to conditions as per previous consultation response. Roads advised field gates are normally subject to a separate Article 80 approval under the Roads Order; noted acceptable sightlines can be achieved for the gate location and would be a condition for any approval; and asked Council to advise if the location of a new field gate as suggested is to be considered under this planning application.

DfI Roads have not raised any concerns with the access to the proposed dwelling subject to standard conditions, accordingly I am content the proposal will comply with the provisions of Planning Policy Statement 3 Access, Movement and Parking, in that the access arrangements will not prejudice road safety or significantly inconvenience the flow of traffic. In relation to the objectors concerns regarding the additional agricultural access, this would benefit from permitted development rights under 'The Planning (General Permitted Development) Order (Northern Ireland) 2015', and would not require planning permission. That said, any subsequent determination of this application would relate to planning control only and would not cover any other consent or approval, which may be necessary to authorise the development under other prevailing legislation as may be administered by the Council or other statutory authority e.g. Roads advised Article 80 approval normally required under the Roads Order.

Cookstown Area Plan 2010 – The site is located in the open countryside outside any settlement limit designated by the Area Plan.

The Strategic Planning Policy Statement for Northern Ireland – advises that the policy provisions of Planning Policy Statement 21: Sustainable Development in the Countryside are retained.

Planning Policy Statement 21 (PPS21): Sustainable Development in the Countryside – is the overarching policy for development in the countryside. It outlines that there are certain instances where the development of a dwelling is considered acceptable in the countryside subject to certain criteria.

I am content the principle of this development has already been established on site under outline planning application LA09/2020/0222/O. This approval granted permission for a dwelling and garage under the provisions of CTY 8 of PPS 21 - a small gap site within an otherwise substantial and continuously built up frontage.

It would appear this proposal has been submitted as a full rather than reserved matters application as there has been an increase to the original sites curtilage as it complies with all the planning conditions set at outline. I do not believe the relatively modest

increase to the site's curtilage alone would result in a dwelling on this site with a significantly greater visual impact, than that approved.

The above said with respect to the design of the dwelling (including garage) proposed it must still comply with Policies CTY 13 and 14 of PPS 21. CTY 13 states that the proposed development must be able to visually integrate into the surrounding landscape and be of an appropriate design. Policy CTY 14 allows for a building in the countryside where it does not cause detrimental change to or further erode the rural character of the area.



Fig 1: Proposed Block Plan

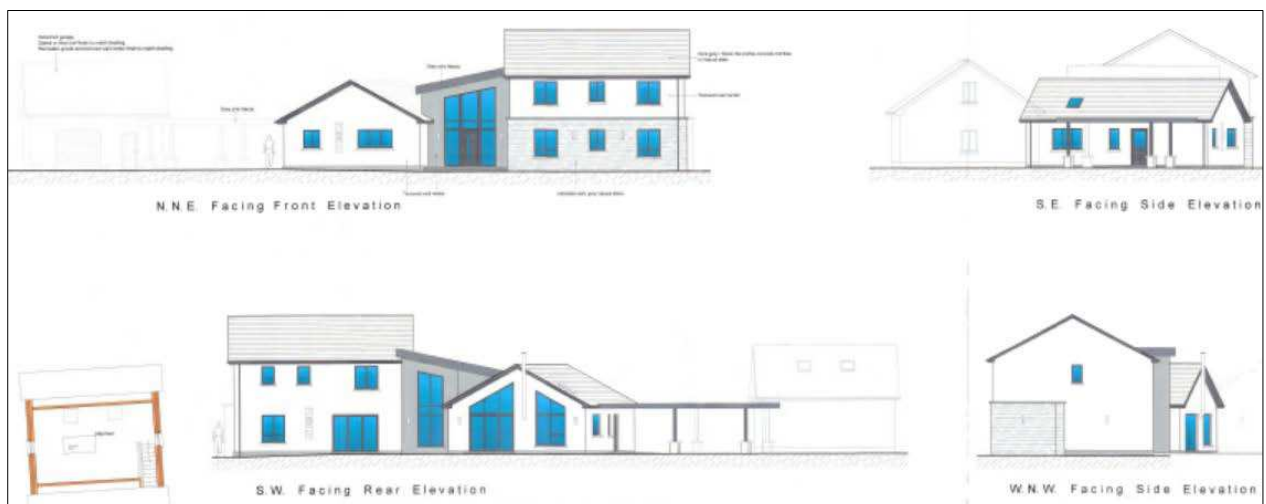


Fig 2: Proposed Elevations

Whilst the site has approval for a dwelling with an 8m ridge height above FFL I do not believe the site has the capacity to absorb the proposed dwelling in accordance with Policy CTY13 and 14. The size, scale, and design of the dwelling is inappropriate for the site and locality and if permitted would be a prominent feature in the landscape when viewed from the surrounding vantage points (see 'Characteristics of the Site and Area') leading to a detrimental change to the rural character of the area. It is considered the dwelling has an excessive frontage length, which when read with the proposed garage

will span the full width of the current site; and would not have been accommodated within the red line of the outline site. Due to the layout of the scheme, the aforementioned frontage will be orientated / tilted to view on the eastern approach to the site along Sherrygrim Rd. Whilst there is vegetation along the western boundary of the site the scheme will rely on proposed planting to enclose the site to the east.

Accordingly, the agent was contacted via email on the 19th April 2021 and advised that Planning did not consider the proposed dwelling acceptable for the site and locality by reason of its' size, scale and design and offered the opportunity to submit an amended scheme to reflect the rural design guide for further consideration.

The agent subsequently submitted a revised block plan showing additional in-curtilage planting; and a Supporting Statement dated 29th April 2021 and received 4th May 2021, within which he:

- Enclosed photos of existing dwellings noted as good examples of design within the rural design guide. Added that they had elongated frontages with a mix of contemporary features, traditional style and finished materials with variance in ridge heights to take in the dwelling, garage and other outside features. That current proposal is not dissimilar to examples particularly one whereby the 2-story section is fairly dominant.
- Advised a recently constructed contemporary style 2-storey dwelling exists approx. 100m west of the application site.
- Advised proposal submitted in one go, as that is how clients, wish to carry out works. That the double carport as far as aware would be permitted development; and though attached to dwelling, it is open on 3 sides with a slim line flat roof, which does not form a mass extension to dwelling or link to garage behind.
- Advised outline on site granted dwelling with 8m ridge above FFL. As such, proposal could have full 2-story dwelling footprint subject to approval. The proposal complies with ridge condition for the 2-storey section of dwelling with more than half footprint averaging 5 – 5 ½ m.
- Advised FGL's around dwelling are on average 1.2m below road frontage level. Topography to south and west of site rise as hills, and will form a backdrop to views. Public views from Sherrygrim Rd will be semi screened on east and completely screened on west approaches (enclosed photos to demonstrate). Additional landscaping along site boundaries and within curtilage will further mature the site in time.

Whilst the additional information above, has been taken into consideration, the opinion has not changed the dwelling is still considered inappropriate for the site and its locality, and if permitted it would be a prominent feature in the landscape leading to a detrimental change to the rural character of the area. In response to the examples provided and contemporary dwellings noted within the vicinity, every site is assessed on its individual merit and that of its surrounding context. Whilst the site has approval for a dwelling with an 8m ridge, it is considered the dwelling has an excessive frontage length, which when read with the proposed garage will span the full width of the current site; and would not have been accommodated within the red line of the outline site. Due to the layout of the scheme, the aforementioned frontage will be orientated / tilted to view on the eastern approach to the site along Sherrygrim Rd. Whilst there is vegetation along the western boundary of the site the scheme will rely on proposed planting to enclose the site to the east.

Additional considerations

I am content neighbouring amenity should not be impacted to any unreasonable degree in terms of overlooking or overshadowing by this proposal due to its' location, orientation, design and separation distance from existing properties.

Flood Maps NI identified no flooding on site.

In addition to checks on the planning portal Natural Environment and Historic Environment Map viewers available online have been checked and identified no natural heritage features of significance or built heritage assets of interest on site.

Recommendation: Approve

Neighbour Notification Checked

Yes

Summary of Recommendation:

Refusal

Reasons for Refusal:

1. The proposal is contrary to Policy CTY 13 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the design of the dwelling is inappropriate for the site and its locality, and if permitted it would be a prominent feature in the landscape.
2. The proposal is contrary to Policy CTY14 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the dwelling would, if permitted be unduly prominent in the landscape and would therefore result in a detrimental change to the rural character of the countryside.

Signature(s)

Date:



Deferred Consideration Report

| Summary | |
|---|--|
| Case Officer: Karen Doyle | |
| Application ID: LA09/2021/0317/O | Target Date: |
| Proposal: Proposed infill dwelling & garage. | Location: Between 23 & 27a Macknagh Lane, Upperlands, Maghera. |
| Applicant Name and Address: Mr Paddy McEldowney 48 Halfgayne Road Maghera BT46 5NL | Agent name and Address: CMI Planners Ltd 38b Airfield Road Toomebridge BT41 3SG |
| Summary of Issues: Substantial and continuous frontage | |
| Summary of Consultee Responses: No issues | |
| Characteristics of the Site and Area: The application is identified as lands between Nos 23 and 27a Macknagh Lane, Maghera, which is sited in open countryside as per the Magherafelt Area Plan 2015. The site's topography is flat and is currently used for grazing livestock. The existing boundaries consist of semi-mature deciduous trees with intermittent thick vegetation with a galvanised field gate leading to public road. There is an existing lane connecting with farmland and sheds to the northeast. Further east is a dwelling with a detached garage set to the side. To the west is another dwelling and garage with a curved driveway cutting through the front portion of the site. This property is heathy bushed, which conceals its presence with any of the surrounding built features. The surrounding landscape is defined by undulating countryside characteristic with farmsteads and single dwellings some setback from the road. | |



Description of Proposal

The applicant is seeking an outline planning permission for a proposed infill dwelling and garage between Nos 23 and 27a Macknagh Lane, Maghera.

Deferred Consideration:

This application was presented before the Planning Committee in October 2021 with a recommendation to refuse based on CTY 8 of PPS 21 in that the development would create a ribbon of development if permitted. The application was deferred for an office meeting which took place on 14 October 2021 with the Planning Manager. It was agreed that I would visit the site and consider if a dwelling on this site would change rural character.

Having visited the site it is clear there is a dwelling and a garage with a frontage to the road at No 23. The dwelling being relied upon to provide a substantial and continuously built up frontage at No 27a does not have a frontage to the road. It is only the access point that comes to the road. The garden of No 27a does not front onto the road due to the field between the house and the road and also the application site which prevents it having a frontage.

The garages are set back from the dwellings in such a way that they do not have a significant presence to the road frontage, thus the requisite for 3 buildings has not been met. The guidance talks about important visual breaks, keeping the area rural in character and if this site is developed it will lead to further infill opportunities along the road. I do not consider the application to be sited on a site in a continuously and built up frontage and I recommend a continued refusal.

Reasons for Refusal:

1. The proposal is contrary to CTY 1 of Planning Policy Statement 21 in that there is no overriding reason why the development cannot be located within a settlement.
2. The proposal is contrary to CTY 8 – Ribbon Development of Planning Policy Statement 21 in that the development would create ribbon development.

Signature(s):

Date



Comhairle Ceantair
Lár Uladh
Mid Ulster
 District Council

**Development Management Officer Report
 Committee Application**

| Summary | |
|---|--|
| Committee Meeting Date: | Item Number: |
| Application ID: LA09/2021/0317/O | Target Date: |
| Proposal: Proposed infill dwelling & garage. | Location: Between 23 & 27a Macknagh Lane Upperlands Maghera. |
| Referral Route: Contrary to Planning Policy Statement 21 - CTY8 | |
| | |
| Applicant Name and Address: Mr Paddy McEldowney 48 Halfgayne Road Maghera BT46 5NL | Agent Name and Address: CMI Planners Ltd 38b Airfield Road Toomebridge BT41 3SG |
| Executive Summary: | |
| Signature(s): Gerard Lynch | |

Case Officer Report

Site Location Plan



Consultations:

| Consultation Type | Consultee | Response |
|-------------------|---|--------------|
| Non Statutory | NI Water - Single Units West - Planning Consultations | No Objection |
| Statutory | DFI Roads - Enniskillen Office | Content |

Representations:

| | |
|---|-----------------------|
| Letters of Support | None Received |
| Letters of Objection | None Received |
| Number of Support Petitions and signatures | No Petitions Received |
| Number of Petitions of Objection and signatures | No Petitions Received |

Summary of Issues

Neighbour Notifications and press advertisement has been carried out in line with the Council's statutory duty. No third-party representations have been received. All other material considerations have been addressed within the determination within the report.

Description of Proposal

The applicant is seeking an outline planning permission for a proposed infill dwelling and garage between Nos 23 and 27a Macknagh Lane, Maghera.

No details surrounding design or landscaping associated with the proposal have been submitted with this application which relates to outline planning consent only. The proposal involves the construction of a new access.

All planning application forms, drawings, letters etc. relating to this planning application are available to view on www.planningni.gov.uk.

Site History.

| Reference | Location | Proposal/Complaint | Status | Date |
|------------------|--|--|----------------------------|------------|
| LA09/2021/0317/O | Between 23 & 27a Macknagh Lane, U | Proposed infill dwelling & garage. | VALID APPLICATION RECEIVED | |
| H/2008/0259/RM | 180m North East of 24 Macknagh Lane | Proposed dwelling and detached double domestic gara | PERMISSION GRANTED | 17.09.2008 |
| H/2004/0327/O | 180m North East of 24 Macknagh Lane | Site of dwelling and garage. | PERMISSION GRANTED | 26.07.2005 |
| H/2009/0690/F | 180m north east of 24 Macknagh Lane | Re-location of existing approved dwelling and extensior | PERMISSION GRANTED | 15.02.2010 |
| H/2009/0454/F | 35m South of 25 Macknagh Lane, Upp | Proposed 1? storey detached dwelling | PERMISSION GRANTED | 16.10.2009 |
| H/2001/0476/RM | Junction of Macknagh Lane & Tigarvil | Dwelling and garage | PERMISSION GRANTED | 21.08.2001 |
| H/2007/0898/O | Lands at the junction of Macknagh Lar | Site of proposed dwelling & garage | APPLICATION WITHDRAWN | 16.11.2007 |
| H/2010/0562/O | Site located 70metres north west of No | Proposed site for a dwelling in accordance with Policy C | APPLICATION WITHDRAWN | 29.06.2011 |
| H/2010/0160/F | 180m NE of 24 Macknagh Lane, Magh | Change of house type from previously approved under | PERMISSION GRANTED | 23.07.2010 |
| H/2015/0065/O | Land approx. 120 metres North East of | Proposed detached dwelling and domestic garage to in | APPLICATION WITHDRAWN | 15.06.2015 |

Consultees.

1.DFI Roads were consulted in relation to access, moving and parking arrangement and have responded with no objection subject to standard conditions and Informatives, which I am satisfied the proposal will comply with the provisions of Planning Policy Statement 3 Access, Movement and parking.

Representations.

Neighbour notification and press advertisement has been carried out in line with the Council's statutory duty as set down in Article 8 (2) of the Planning GDPO Regulations (NI) 2015. At the time of writing no objections or representations were received. This application was initially advertised in the local press on w/c 15.03.2021 (Publication date 16.03.2021). One (1) neighbouring properties was notified on 15.03.2021, and two (2) neighbouring properties were notified on 17.09.2021; all processes were in accordance with the Development Management Practice Note 14 (April 2015).

EIA Determination. The Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2015; the proposal has been considered and does not fit within any categories or threshold identified in Schedule 2 of Environment Impact Assessment.

HRA Determination - (Natural Habitats, etc.) (Amendment) Regulations (Northern Ireland) 2015, there is no watercourse directly abutting this site, therefore it is unlikely that there will be any adverse effects from development works on integrity of any National or European site or any water stream by way of a hydrological link to the site.

Planning Assessment of Policy and Other Material Considerations

Section 45 (1) of the Planning Act (Northern Ireland) 2011 requires regard to be had to the Development Plan, so far as material to the application and to any other material considerations. Section 6 (4) states that the determination must be made in accordance with the Plan unless material considerations indicate otherwise. The Magherafelt Area Plan 2015 does not contain provided by PPS 21 and the SPPS.

1. Strategic Planning Policy Statement (SPPS);
2. Regional Development Strategy 2035;
3. Magherafelt Area Plan 2015;
4. PPS 21 Sustainable Development in the Countryside (CT8, CTY 13 & 14);
5. PPS 3 Access, Movement and Parking & DCAN 15 vehicular Standards;
6. Draft. Mid Ulster District Council Area Plan 2030.

Supplementary planning guidance:-

Building on Tradition A sustainable design guide for rural NI; and

Planning Advice Note (PAN) on 'Implementation of Strategic Planning Policy for Development in the Countryside' August 2021.

Magherafelt Area Plan 2015.

The site lies in the rural countryside and outside any designated settlement limits as depicted in the MAP 2015, which has no specific planning policies relevant to this application.

The Strategic Planning Policy Statement for Northern Ireland (SPPS) introduced in September 2015 is a material consideration in determining this application. The SPPS states that a transitional period will operate until such times as a Plan Strategy for the whole of the council area has been adopted. During the transitional period planning authorities will apply existing policy contained within identified policy documents together with the SPPS. Paragraph 1.12 of the SPPS states that any conflict between the SPPS and any retained policy must be resolved in the favour of the provisions of the SPPS, which advises that the policy provisions of Planning Policy Statement Sustainable Development in the Countryside.

Planning Policy Statement 21: Sustainable Development in the Countryside. PPS21 is the overarching policy for development in the countryside. It outlines that there are certain instances where the development of a dwelling is considered acceptable in the countryside subject to certain criteria being met. These are listed in Policy CTY1 of PPS21.

The applicant has applied for a dwelling and garage as an infill site under Policy CTY 8 of PPS 21. Sustainable Development in the Countryside.

Policy CTY8 states that an exception will be permitted for the development of a small gap site sufficient only to accommodate up to a maximum of 2 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 criteria. For the purposes of this policy the definition of a substantial built up frontage includes a line of 3 or more buildings along a road frontage without accompanying development to the rear.

There was no supporting statement with this application however the agent was contacted to ask if he wanted to submit why he considered the site an infill opportunity. No response was forthcoming.

I have visited and noted my observations and have reviewed the policies I do not consider this site meets the requirements in accordance with Policy CTY3 of PPS21.

Whilst I can content the site has the capacity to absorb a dwelling and ancillary garage of an appropriate size, scale and design would fail to meet the policy test in accordance with planning policy CTY8 of PPS 21.

Development in the countryside is controlled under the provisions of PPS 21 Sustainable Development in the countryside. Policy CTY 1 provides clarification on which types of development are acceptable in the countryside. In addition, other types of development will only be permitted where overriding reasons are submitted why the development is essential and could not be located within a settlement. As this proposal is for one infill dwelling CTY 8 is the relevant policy in the assessment.

I have screened the proposal against two additional policies which it did not meet the criteria in CTY 2a for a new dwelling in an existing cluster and failed to meet the criteria in CTY3 for a replacement dwelling as there is no dwelling at the site to be replaced.

The application site is a small agricultural field accessing onto Macknagh Lane via a field gate, Upperlands near Maghera. There is a farm lane located on the site's eastern boundary, further to the east of the site is a dwelling and garage at No. 27. There is a garden area to the front of this property and I am content the dwelling has a frontage onto Macknagh Lane. I note there is a garage at No. 27 but recent Planning Guidance states that for garages and outbuildings to be considered as buildings for infill they have to be substantial. Paragraph 22 states that a domestic garage is not a substantial building for infill policy. The garage at No. 27 a small single storey building which is set back behind the dwelling so I do not consider the garage at No. 27 can be considered a building for infill policy in this case.

To the west of the site is a dwelling at No. 27 Macknagh Lane. However, the dwelling is set back from the public road and is concealed from public view dose not in my view represent a dwelling with a frontage.

Further west is a dwelling No 20 Macknagh Lane, which has 2 outbuildings within its curtilage and would in my view represent a road frontage. However, this property whilst having a road frontage would be a considerable away from the proposed site.

The site is not in my view located within an otherwise substantial and continuously built frontage i.e. line of 3 or more buildings running along Macknagh Lane, without accompanying development to the rear

Other Considerations

Checks on the planning portal Historic Environment Division (HED) and Natural Environment Division (NED) map viewers available online identified no built heritage assets of interest or natural features of significance on site.

NI Flood Maps have been checked no flooding issues have been identified on the site.

Mid Ulster Development Plan 2030 Draft Plan Strategy

The Mid Ulster District Council Local Development Plan 2030 Draft Plan Strategy was launched on 22nd February 2019 and is now a material planning consideration in assessing all planning applications in the District. Re-consultation on the Draft Plan Strategy closed at 5pm on 24th September 2020. The period for Counter Representations closed on 18th December 2020. On the 28th May 2021 the Council submitted the draft Plan Strategy to DFI for them to cause an Independent Examination, In light of this, the draft Plan Strategy does not yet carry determining weight.

Neighbour Notification Checked

Yes

Summary of Recommendation:

Recommendation. Refuse

Reasons for Refusal:

1. The proposal is contrary to CTY 1 of Planning Policy Statement 21 in that there is no overriding reason why the development cannot be located within a settlement.
2. The proposal is contrary to CTY 8 – Ribbon Development of Planning Policy Statement 21 in that the development would create ribbon development.

Signature(s)

Date:

| ANNEX | |
|---|-----------------|
| Date Valid | 1st March 2021 |
| Date First Advertised | 16th March 2021 |
| Date Last Advertised | |
| Details of Neighbour Notification (all addresses) The Owner/Occupier, 23 Macknagh Lane Upperlands Maghera The Owner/Occupier, 25 Macknagh Lane Maghera Londonderry The Owner/Occupier, 25a Macknagh Lane Maghera The Owner/Occupier, 27 Macknagh Lane Upperlands Maghera | |
| Date of Last Neighbour Notification | 15th March 2021 |
| Date of EIA Determination | |
| ES Requested | Yes /No |
| Planning History Ref ID: LA09/2021/0317/O Proposal: Proposed infill dwelling & garage. Address: Between 23 & 27a Macknagh Lane, Upperlands, Maghera. Decision: Decision Date: | |
| Ref ID: H/2008/0259/RM Proposal: Proposed dwelling and detached double domestic garage Address: 180m North East of 24 Macknagh Lane, Maghera Decision: Decision Date: 17.09.2008 | |
| Ref ID: H/2004/0327/O Proposal: Site of dwelling and garage. Address: 180m North East of 24 Macknagh Lane, Maghera. Decision: Decision Date: 26.07.2005 | |
| Ref ID: H/2009/0690/F Proposal: Re-location of existing approved dwelling and extension of curtilage from previously approved applications H/2004/0327/O and H/2008/0259/RM) Address: 180m north east of 24 Macknagh Lane, Maghera Decision: | |

Decision Date: 15.02.2010

Ref ID: H/2009/0454/F

Proposal: Proposed 1? storey detached dwelling

Address: 35m South of 25 Macknagh Lane, Upperlands

Decision:

Decision Date: 16.10.2009

Ref ID: H/2001/0476/RM

Proposal: Dwelling and garage

Address: Junction of Macknagh Lane & Tirgarvil Lane, Upperlands

Decision:

Decision Date: 21.08.2001

Ref ID: H/2007/0898/O

Proposal: Site of proposed dwelling & garage

Address: Lands at the junction of Macknagh Lane and Tirgarvil Lane, Maghera

Decision:

Decision Date: 16.11.2007

Ref ID: H/2010/0562/O

Proposal: Proposed site for a dwelling in accordance with Policy CTY10 of PPS21

Address: Site located 70metres north west of No.23 Macknagh Lane, Maghera,

Decision:

Decision Date: 29.06.2011

Ref ID: H/2010/0160/F

Proposal: Change of house type from previously approved under application ref H/2009/0690/F

Address: 180m NE of 24 Macknagh Lane, Maghera

Decision:

Decision Date: 23.07.2010

Ref ID: H/2015/0065/O

Proposal: Proposed detached dwelling and domestic garage to include all associated site works.

Address: Land approx. 120 metres North East of 24 Macknagh Lane Maghera,

Decision: WITHDR

Decision Date: 15.06.2015

Summary of Consultee Responses

Drawing Numbers and Title

Drawing No.
Type:
Status: Submitted

Drawing No.
Type:
Status: Submitted

Drawing No.
Type:
Status: Submitted

Drawing No.
Type:
Status: Submitted

Drawing No.
Type:
Status: Submitted

Drawing No.
Type:
Status: Submitted

Drawing No. 01
Type: Site Location Plan
Status: Submitted

Notification to Department (if relevant)

Date of Notification to Department:
Response of Department:



Comhairle Ceantair
Lár Uladh
Mid Ulster
District Council

Mid-Ulster
Local Planning Office
Mid-Ulster Council Offices
50 Ballyronan Road
Magherafelt
BT45 6EN

Deferred Consideration Report

| Summary | |
|--|---|
| Case Officer: Phelim Marrion | |
| Application ID: LA09/2021/0690/O | Target Date: <add date> |
| Proposal: Proposed dwelling | Location: Adjoining and North East of 100 Trewmount Road Killyman |
| Applicant Name and Address: Briege O'Donnell 184 Ardboe Road Moortown | Agent name and Address: Darcon Architectural Services 6 Ardean Close Moortown BT80 0JN |
| Summary of Issues: There have been two objections / comments received in relation to this proposal. They have been received from the owners of numbers 95 and 99 Trewmount road. The mains issues raised were: -Gap size too large -Elevated site, dwelling would be intrusive -Out of character -No visual link -Increased traffic -Setting precedent -Impact on wildlife Following amendment of the proposal to one dwelling and further neighbour notification, an objection was made in respect of a dangerous access | |
| Summary of Consultee Responses: | |

Characteristics of the Site and Area:

The site lies in the open countryside just a short distance to the South East of the settlement limits of Killyman and outside all other areas of constraint as depicted by the DSTAP 2010.

The site is located just off the main Trewmount road to the North of number 100, at the beginning of the smaller Drumard Cross Road. The area is dominated by a rural industrial area to the north on what was the Trewmount Railway Station. In the immediate locality are four dwellings located at the road junction just south west, with a large farm holding to the north on Trewmount Road and on the opposite side of the old railway line, on Drumard Cross Road. The applicant has indicated they have control of the old railway line and have incorporated it into the field here. The Drumard Cross Road has a bridge over the old railway line and it has stone parapet walls on both sides of the road here.

The red line of the site consists of part of the north of a small agricultural field, the field has been enlarged onto the bed of the former railway line and has a frontage of 80 metres, with some of this made up of the bridge over the railway bed. The application site has a frontage of 36 metres onto Drumard Cross Road with a wide verge and post and wire fencing behind it. The land begins level with the roadside and then falls to the rear east. Number 100 Trewmount is a two storey dwelling to the south of the site and to the north of the site and the break for the railway line there is a small farm holding including a low 2 storey dwelling and a number of sheds.

Description of Proposal

The proposal seeks outline planning permission for a dwelling.

Deferred Consideration:

This application was for a double infill within the field fronting onto Drumard Cross Road and was deferred at the planning committee in September for a meeting with the Planning Manager. A meeting was held on 16 September 2021 and follow this meeting the application was amended to one dwelling with a 36m frontage onto Drumard Cross Road.

The proposed site sits between an existing dwelling and farm buildings at the corner of Drumard Cross Road and Trewmount Road and a farm complex on Drumard Cross Road. (Fig 1)



Fig 1 – site in the immediate context

The 2 storey dwelling to the west has a 27m frontage onto Drumard Cross Road, it has been granted planning permission for a replacement dwelling (Fig 2)



Fig 2 dwelling at junction of Trewmount Road and Drumard Cross Road

The farm complex to the east has a frontage of 66m onto Drumard Cross Road, it has a low 2 storey dwelling facing west with a garden area to the front and agricultural buildings to the rear. As the dwelling has its side elevation facing Drumard Cross Road the garden extends the frontage along the roadside and the 3 buildings joined together in the yard also have a frontage to Drumard Cross Road (Fig 3 and 4)



Fig 3 – dwelling to west



Fig 4 – agricultural buildings to the west

This proposed site for a dwelling has a frontage of 36m, adjacent to it and incorporating the rest of the frontage of this field and the old railway line is a 48m frontage. It is clear there is no average frontage size here as set out above, it is also notable the abandoned dwelling on the opposite side of Drumard Cross Road would appear to have a large overgrown curtilage with a 70m frontage onto Drumard Cross Road.

While the proposed site does sit in a gap that provides a break in development, I consider the dwelling to the west and the dwelling and agricultural buildings to the east do constitute a built up frontage as defined in CTY8 of PPS21. The overall character and plot sizes in the area are fairly large and as such, it is my opinion there could be a maximum of 2 dwellings in the gap here, this site and to the east. As such I consider this site for a dwelling meets the exception in CTY8 and that planning permission should be granted.

The objections raised have been addressed in the previous report, in respect of the visual break, this has been considered above and in my view a dwelling here would meet the infill criteria as set on in CTY8 of PPS21. DFI Roads have advised that a dwelling here would require sight lines of 2.4m x 35.0m and a forward sight line of 35.0m, as there is a wide verge at the frontage of the site, this is easily achievable. DFI Roads have not raised any issue in terms of road safety provided an access is designed to this standard.

In light of the above, it is my recommendation that planning permission is granted for a dwelling on this site as I consider it meets the exception in CTY8 for an infill dwelling.

Conditions:

1. Application for approval of the reserved matters shall be made to the Council 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: As required by Section 62 of the Planning Act (Northern Ireland) 2011.

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 Council, in writing, before any development is commenced.

Reason: This is outline permission only and these matters have been reserved for the subsequent approval of the Council.

3. Details of existing and proposed levels within the site, levels along the roadside, and the finished floor level of the proposed dwelling shall be submitted for approval at Reserved Matters stage. The dwelling shall be built in accordance with levels agreed at Reserved Matters stage.

Reason: To ensure that the dwelling integrates into the surrounding countryside.

4. A detailed landscaping plan shall be submitted and approved as part of the Reserved Matters application and shall identify the location, species and numbers of trees and hedges to be retained and planted. All existing boundaries shall be retained and augmented with trees and native species hedging. All new curtilage boundaries shall also be identified by new planting, and shall include a mix of hedge and tree planting. The retained and proposed landscaping shall be indicated on a landscape plan, with details to be agreed at reserved matters stage. During the first available planting season after the commencement of development on site, all proposed trees and hedges indicated in the approved landscaping plan at Reserved Matters stage, shall be planted as shown and permanently retained thereafter, unless otherwise agreed by Mid Ulster Council in writing.

Reason: In the interest of visual amenity and to assist with integration.

5. If within a period of 5 years from the date of the planting of any tree, shrub or hedge, that tree, shrub or hedge is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another tree, shrub or hedge of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

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

6. A scale plan at 1:500 shall be submitted as part of the reserved matters application showing the access to be constructed in accordance with the attached form RS1 including sight lines of 2.4m by 35.0m in both directions and a forward sight distance of 35.0m. The access as approved at Reserved Matters stage shall be constructed in accordance with the approved plans, prior to the commencement of any other development hereby approved.

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

Informatives

1. This approval does not dispense with the necessity of obtaining the permission of the owners of adjacent dwellings for the removal of or building on the party wall or boundary whether or not defined.
2. This permission does not alter or extinguish or otherwise affect any existing or valid right of way crossing, impinging or otherwise pertaining to these lands.
3. This permission does not confer title. It is the responsibility of the developer to ensure that he controls all the lands necessary to carry out the proposed development.

Signature(s):

Date



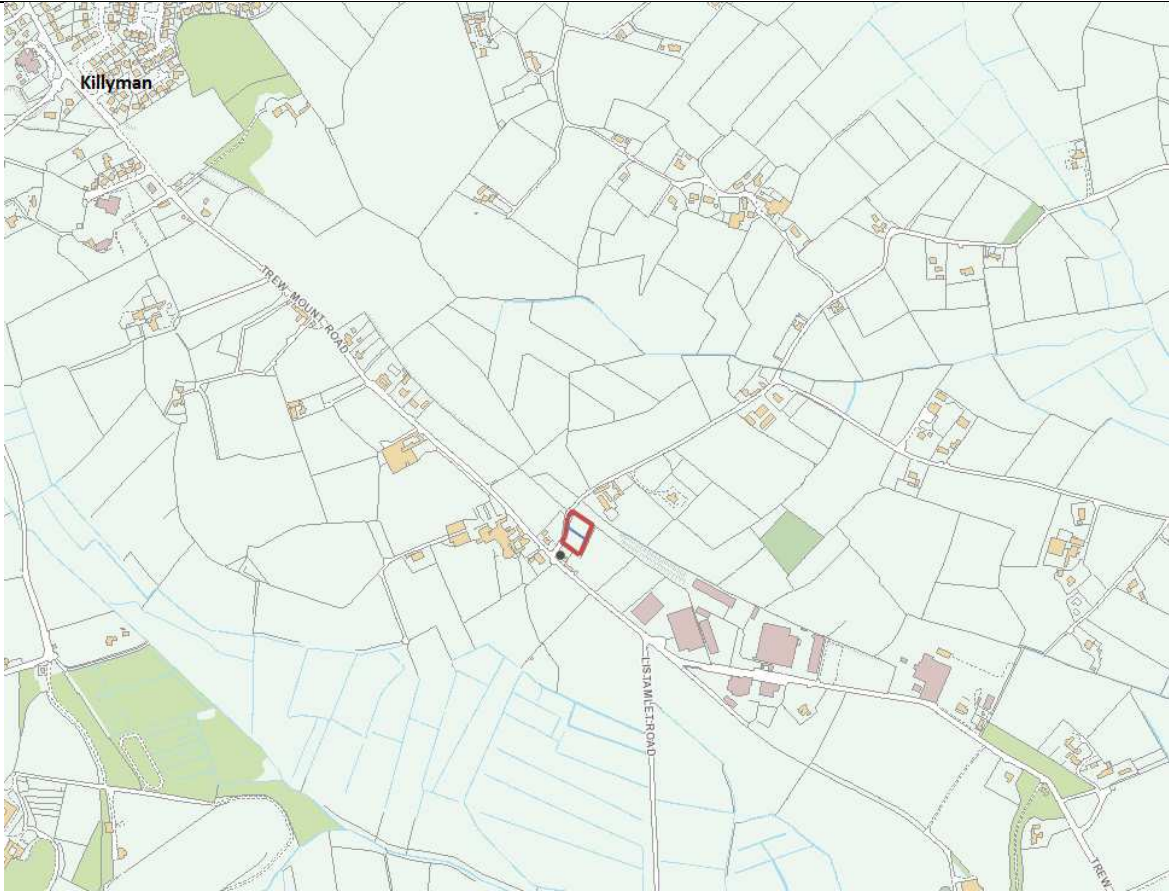
Comhairle Ceantair
Lár Uladh
Mid Ulster
 District Council

Development Management Officer Report Committee Application

| Summary | |
|---|---|
| Committee Meeting Date: | Item Number: |
| Application ID: LA09/2021/0690/O | Target Date: |
| Proposal: 2 dwellings in an infill site | Location: Adjoining and North East of 100 Trewmount Road Killyman |
| Referral Route: Objections received | |
| Recommendation: | Refusal |
| Applicant Name and Address: Briege O'Donnell 184 Ardboe Road Moortown | Agent Name and Address: Darcon Architectural Services 6 Ardean Close Moortown BT80 0JN |
| Executive Summary: | |
| Signature(s): | |

Case Officer Report

Site Location Plan



Consultations:

| Consultation Type | Consultee | Response |
|-------------------|--------------------------------|-----------------|
| Statutory | DFI Roads - Enniskillen Office | Standing Advice |

Representations:

| | |
|---|-----------------------|
| Letters of Support | None Received |
| Letters of Objection | 2 |
| Number of Support Petitions and signatures | No Petitions Received |
| Number of Petitions of Objection and signatures | No Petitions Received |

Summary of Issues

There have been two objections / comments received in relation to this proposal. They have been received from the owners of numbers 95 and 99 Trewmount road.

The main issues raised were:

- Gap size too large

- Elevated site, dwelling would be intrusive
- Out of character
- No visual link
- Increased traffic
- Setting precedent
- Impact on wildlife

Characteristics of the Site and Area

The site lies in the open countryside just a short distance to the South East of the settlement limits of Killyman and outside all other areas of constraint as depicted by the DSTAP 2010. The site is located just off the main Trewmount road to the North of number 100, at the beginning of the smaller Drumardcross road. The area is predominantly rural in nature, however there are four dwellings located at the road junction just south west, with a large farm holding also close by. To the direct north east of the site there is the old railway line which is now overgrown in vegetation.

The red line of the site consists of a small agricultural field with a 60 metre road frontage of mature hedging, with mature native species hedgerow on all remain sides. The land begins level with the roadside and then falls to the rear east. Number 100 Trewmount is a two storey dwelling to the south of the site and to the north of the site and the break for the railway line there is a small farm holding including a dwelling and a number of sheds.



Description of Proposal

The proposal seeks outline planning permission for a double infill site.

Planning Assessment of Policy and Other Material Considerations

Regional Development Strategy
Dungannon and South Tyrone Area Plan (DSTAP) 2010
PPS3
PPS21

- Policy CTY 1 - Development in the Countryside
 - Policy CTY 8 - Ribbon development
 - Policy CTY 13 - Integration and Design
 - Policy CTY 14 - Rural character
- Strategic Planning Policy Statement (SPPS)

The Strategic Planning Policy Statement for Northern Ireland (SPPS) is a material consideration in determining this application. The SPPS states that a transitional period will operate until such times as a Plan Strategy for the whole of the council area has been adopted. During the transitional period planning authorities will apply existing policy contained within retained policy documents together with the SPPS. Paragraph 1.12 of the SPPS states that any conflict between the SPPS and any retained policy must be resolved in the favour of the provisions of the SPPS. The SPPS retains PPS21: Sustainable Development in the Countryside and PPS 3: Access, Movement and Parking which are relevant policies under which the proposal should be considered

The Mid Ulster District Council Local Development Plan 2030 - Draft Plan Strategy was launched on 22nd February 2019 and is now a material planning consideration in assessing all planning applications in the District. Re-consultation on the Draft Plan Strategy closed at 5pm on 24th September 2020. All valid representations received will be subject to a Counter Representation period. In light of this, the draft plan does not carry the determining weight associated with the adopted plan

Objections / comment received from 3rd Parties;

There have been two objections / comments received in relation to this proposal. They have been received from the owners of numbers 95 and 99 Trewmount road. The mains issues raised were:

- Gap size too large
- Elevated site, dwelling would be intrusive
- Out of character
- No visual link
- Increased traffic
- Setting precedent
- Impact on wildlife

Consideration of objections.

The site does represent a 60 metre road frontage, however, in terms of the existing frontages of the dwellings in the surrounding areas, a 30 metre site would not be considered large.

The site is somewhat elevated when comparing to the Trewmount road, however, the siting is not overly elevated and the land does rise further as you travel past the site to the North.

The character of the area is predominantly rural agricultural land with a scattering of single dwellings or small farm holdings scattered along the roadside. A double infill at this position may cause a ribbon of development at the beginning of the Drumardcross road.

The objector also raises the issue of the visual break between the two buildings on each side of the site. It is my opinion that the objector is correct in this argument in that due to the existing vegetation, bend in the road and topography of the land, the site does represent a significant break and there is minimal if any visual link between the buildings to the north and south of the site.

The site if approved would mean more traffic to the site however it would not be anything uncommon or over the top, DFI Roads were consulted and had no issues.

It is my opinion that if approved the proposal could possibly set a precedent in allowing infill opportunities where there is minimal visual linkage.

Finally, on the issues of impact on wildlife. On site visit I did not witness any bats, badgers or other endangered species.

To the North of number 100, at the beginning of the Drumardcross road, there is a gap of approx. 115 metres building to building or 100 metres plot frontage. The red line of the site for this application includes the southernmost 60 metre portion of the gap. To the direct north of the site there is then a further break for the old railway line making up the rest of the gap. North of the railway line is an old dwelling at no.45 Drumardcross road and a number of farm buildings.

The site lies in the middle of a dwelling and farm holding to the NE, and a dwelling to the SW. In terms of the numbers of buildings the application may meet the required criteria for an infill site, however in my opinion this row does not constitute the definition of a substantially built up frontage as the old railway line represents a substantial break in the visual linkage between the two existing dwellings.

The site frontage may be 60 metres, however, when adding the extra distance of the railway line and the next field to the north the gap between developments is in my opinion a considerable visual break. It is also my opinion that the gap in this instance provides a relief and a visual break in the developed appearance of the locality that helps maintain the rural character. Building on tradition – as sustainable guide for the northern Ireland countryside also makes reference to the importance of visual breaks which would further add credence to the opinion that this gap provides relief and is important in maintaining the local character.

It is therefore my opinion that the proposal is contrary to PPS 21 - CTY 8.



Policy CTY13 states that Planning permission will be granted for a building in the countryside where it can be visually integrated into the surrounding landscape and it is of an appropriate design. It is considered that two dwellings could blend in successfully with its immediate and wider surroundings if it were of a size and scale that is comparable to the dwellings in the vicinity. Furthermore as the site has existing buildings to the south and decent boundary vegetation it is considered that the site may have the capacity to absorb dwellings of a suitable size and scale.

In terms of policy CTY14 planning permission will only be granted for a building in the countryside where it is not a prominent feature, does not cause a detrimental change to, or further erode the rural character of an area. It is considered that a double infill at this particular site may cause a detrimental change to the character of the area causing a build-up of development at this rural area at the beginning of the Drumardcross road.

Recommendation Refusal.

Neighbour Notification Checked

Yes

Refusal Reasons

1. The proposal is contrary to Policy CTY8 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the proposal would, if permitted, result in the creation of ribbon development along the Drumard Cross Road.
2. The proposal is contrary to Policy CTY14 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the proposed dwellings would, if permitted create a ribbon of development and would therefore result in a detrimental change to the rural character of the countryside.
3. The proposal is contrary to Policy CTY1 of Planning Policy Statement 21, Sustainable Development in the Countryside in that there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement.

Signature(s)**Date:**

| ANNEX | |
|--|---------------|
| Date Valid | 5th May 2021 |
| Date First Advertised | 18th May 2021 |
| Date Last Advertised | |
| Details of Neighbour Notification (all addresses) The Owner/Occupier, 100 Trewmount Road, Moy, Tyrone, BT71 6RN The Owner/Occupier, 95 Trewmount Road Moy Tyrone Catherine F McIlroy MBE 95 Trewmount Road, Moy, Co Tyrone, BT71 6RN The Owner/Occupier, 96 Trewmount Road Moy Tyrone The Owner/Occupier, 99 Trewmount Road Moy Tyrone Wm McIlroy 99 Trewmount Road, Moy, Co Tyrone, BT71 6RN | |
| Date of Last Neighbour Notification | |
| Date of EIA Determination | |
| ES Requested | No |
| Planning History Ref ID: LA09/2021/0689/O Proposal: Replacement dwelling Address: 100 Trewmount Road, Killyman, Decision: Decision Date: Ref ID: LA09/2021/0690/O Proposal: 2 dwellings in an infill site in accordance with CTY8 PPS21 Address: Adjoining and North East of 100 Trewmount Road, Killyman, Decision: Decision Date: | |

| Drawing Numbers and Title |
|---|
| Drawing No. 02 Type: Site Layout or Block Plan Status: Submitted Drawing No. 01 Type: Site Location Plan Status: Submitted |
| Notification to Department (if relevant) Date of Notification to Department: Response of Department: |



Deferred Consideration Report

| Summary | |
|---|---|
| Case Officer: Karen Doyle | |
| Application ID: LA09/2021/0822/O | Target Date: |
| Proposal: Site of farm dwelling & domestic garage | Location: 60m South of 88 Gulladuff Hill, Magherafelt |
| Applicant Name and Address: Mr Dan McCrystal 51 Hawthorne Road Maghera BT46 5FN | Agent name and Address: |
| Summary of Issues: | |
| Summary of Consultee Responses: No issues | |
| Characteristics of the Site and Area: The site is located in the open countryside, outside any defined settlement limits. The red line of the site comprises part of a larger agricultural field and the boundaries of the site are limited with the southern boundary the only defined boundary. The northern boundary is undefined but is in close proximity to the existing boundary of No 88 Gulladuff Hill. The surrounding area is mainly agricultural in nature, with two dwellings close to the northern boundary with associated outbuildings beyond this. There are no dwellings in close proximity to the southern boundary. | |
| Description of Proposal This is an outline application for a farm dwelling and garage. | |
| Deferred Consideration: This application was presented before the Planning Committee in October 2021 and was deferred for an office meeting by Members. The application was submitted on the basis of an infill dwelling. Following a discussion at the office meeting with the Planning Manager the application was subsequently amended on the basis of a farm dwelling and garage. | |

The applicant submitted a P1c form and associated DAERA maps in the name of Patrick McCrystal, who is the applicant's grandfather.

DAERA have confirmed the Business ID has been in existence for more than 6 years, the farm business has claimed payments in each of the last 6 years and the application site is on land for which payments are currently being claimed by the farm business. A check of the planning history has not identified any development opportunities sold off from the farm holding within 10 years of this planning application.

To the immediate north of the application site sits a dwelling and garage which are on the farm holding. This has been accepted as a group of buildings on the farm and a new dwelling on the application will be sited to cluster and visually link with the farm dwelling and garage. I am therefore satisfied the proposal meets the policy tests of CTY 10 of PPS 21.



With regards to CTY 13 and CTY 14 I note from the site visit that other dwellings in the locale are single storey on sites that are not generally bounded by strong vegetation. It is my opinion that a single storey dwelling will not cause a detrimental change to, or further erode the rural character of the area.

I therefore recommend an approval of this application subject to the conditions listed below.

Conditions:

1. Application for approval of the reserved matters shall be made to the Council 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: As required by Section 62 of the Planning Act (Northern Ireland) 2011.

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 Council, in writing, before any development is commenced.

Reason: This is outline permission only and these matters have been reserved for the subsequent approval of the Council.

3. The proposed dwelling shall have a ridge height of less than 5.7 metres above finished floor level.

Reason: To ensure that the development is satisfactorily integrated into the landscape in accordance with the requirements of Planning Policy Statement 21 and with the adjacent residential dwellings.

4. During the first available planting season after the occupation of the dwelling, a natural species hedge shall be planted in a double staggered row 200mm apart, at 450 mm spacing, 500 mm to the rear of the sight splays along the front boundary of the site.

Reason: To ensure the amenity afforded by existing hedges is maintained.

5. During the first available planting season after the occupation of the building for its permitted use, trees shall be planted along the boundaries of the site in accordance with a scheme submitted to and approved by the Department

Reason: In the interest of visual amenity and to ensure the development integrates into the countryside.

6. No development shall take place until a plan indicating floor levels of the proposed dwellings in relation to existing and proposed ground levels has been submitted to and approved by the Council.

Reason: To ensure the dwelling integrates into the landform.

7. No development shall take place until a plan indicating ground levels of the site have been submitted and showing a 5 metre maintenance strip along the undesignated watercourse along the southern boundary of the site.

Reason: To protect existing drainage infrastructure.

8. A scale plan at 1:500 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.

Signature(s):

Date



Comhairle Ceantair
Lár Uladh
Mid Ulster
District Council

**Development Management Officer Report
Committee Application**

| Summary | |
|--|--|
| Committee Meeting Date: | Item Number: |
| Application ID: LA09/2021/0822/O | Target Date: |
| Proposal: Infill site of dwelling & domestic garage | Location: 60m South of 88 Gulladuff Hill Magherafelt |
| Referral Route: Contrary to policy | |
| Recommendation: | Refusal |
| Applicant Name and Address: Mr Dan McCrystal 51 Hawthorne Road Maghera BT46 5FN | Agent Name and Address: |
| Executive Summary: | |
| Signature(s): | |

Case Officer Report

Site Location Plan



Consultations:

| Consultation Type | Consultee | Response |
|-------------------|--------------------------------|----------|
| Statutory | DFI Roads - Enniskillen Office | Content |
| Statutory | Rivers Agency | Advice |

Representations:

| | |
|---|-----------------------|
| Letters of Support | None Received |
| Letters of Objection | None Received |
| Number of Support Petitions and signatures | No Petitions Received |
| Number of Petitions of Objection and signatures | No Petitions Received |

Summary of Issues

Contrary to PPS 21.

Characteristics of the Site and Area

The site is located within the open countryside, outside any defined settlement limits or within any designated sites, as per the Magherafelt Area Plan. The red line of the application comprises of part of a larger agricultural field. The boundaries of the site are limited with the southern boundary the only one currently defined. The northern boundary is undefined but is in close

proximity to the existing boundary of the dwelling at No.88 Gulladuff hill. The surrounding area is mainly agricultural in nature, with two dwellings close to the northern boundary with associated outbuildings beyond this. There are no dwellings in close proximity to the southern boundary.

Representations

No third party representations have been received.

Description of Proposal

This is an outline planning application for an infill site of dwelling and domestic garage.

Planning Assessment of Policy and Other Material Considerations

Magherafelt Area Plan 2015
Strategic Planning Policy Statement (SPPS)
PPS 3- Movement, Access and Parking
PPS 15 (Revised)- Planning and Flood Risk
PPS 21- Development in the Countryside

The application is for a dwelling to be considered under CTY 8. The site is located in the open countryside as defined by the Magherafelt Area Plan 2015. The provisions of the SPPS and PPS 21 - Sustainable Development in the countryside, control development.

The SPPS provides a regional framework of planning policy that will be taken into account of in the preparation of Mid Ulster's Local Development Plan (LDP). At present, the LDP has not been adopted therefore; transitional arrangements require the Council to take account of the SPPS and existing planning policy documents, with the exception of PPS 1, 5 and 9. Section 6.73 of the SPPS relates to development that is acceptable in the countryside, which includes infill opportunities. Section 6.77 states that 'proposals for development in the countryside must be sited and designed to integrate sympathetically with their surroundings must not have an adverse impact on the rural character of the area, and meet other planning and environmental considerations including those for drainage, sewerage, access and road safety'.

Policy CTY 8 states that planning permission will be refused for a building, which creates or adds to a ribbon of development. However, 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 it respects the existing development pattern along the frontage in terms of size, scale, sitting and plot size and meets other planning and environmental requirements. For the purpose of this policy 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.

The first step in determining whether an infill opportunity exists is to identify whether there is an otherwise substantial and continuously built up frontage present. I note that Nos 90, 88a and 92 Gulladuff Hill are all located to the North of the site and form a substantial and continuously built up frontage. It is noted that all these dwellings are set back from the road but have a general uniform building line, all with agricultural fields in front of them. However, to the south of the application site, there are no other dwellings or outbuildings that represent a continuous or built up frontage. As a result, the application site does not represent a small gap site, within an otherwise substantial and continuously built up frontage.

However, the application site is a sufficient size in that it could only accommodate one dwelling and it respects the existing development pattern to the north in terms of siting and scale of the plot.

The proposed application site would add to the ribbon of development along the Gulladuff Hill, and as such, fails to comply with Policy CTY 8.

Policy CTY 13 states that planning permission will be granted for a building in the countryside where it can be visually integrated into the surrounding landscape and it is of an appropriate design. I note that this is only an outline application therefore, no design details has been submitted however I am of the opinion that an appropriately designed dwelling will not appear prominent in the landscape. The red line of the application site has limited established boundaries with the southern boundary defined by an existing hedgerow and part of the northern boundary defined a hedge. The roadside hedgerow and the fact the site sits at a level lower than the road would reduce any visual impact and allow for a building to integrate.

Policy CTY 14 states that planning permission will only be granted for a building in the countryside where it does not cause detrimental change to, or further erode the rural character of the area. I am content that a dwelling in this location would not be a prominent feature in the landscape and a well-designed dwelling would respect the pattern of development. However, as previously mentioned a dwelling in this location would result in ribbon development. Therefore, failing to meet the policy criteria set out in Policy CTY 14.

PPS 3- Access, Movement and Parking:

DfI Roads were consulted on the planning application and provided conditions to be applied to any approval and that as part of any reserved matters application should show access constructed in accordance with the form RS1.

PPS 15 (Revised)- Planning and flood risk

DfI Rivers were consulted as the site is located adjacent to an undesignated watercourse. DfI Rivers confirmed a 5m maintenance strip is required unless the watercourse can be maintained from the opposite bank by agreement with the landowner. It should be marked up on a drawing and protected from impediments (including tree planting, hedges, permanent fencing and sheds), land raising or future unapproved development by the way of a planning condition.

Other Material Considerations

The Mid Ulster District Council Local Development Plan 2030 Draft Plan Strategy was launched on 22nd February 2019 and is now a material planning consideration in assessing all planning applications in the District. Re-consultation on the Draft Plan Strategy closed at 5pm on 24th September 2020. The period for Counter Representations closed on 18th December 2020. On the 28th May 2021 the Council submitted the draft Plan Strategy to DfI for them to cause and Independent Examination, In light of this, the draft Plan Strategy does not yet carry determining weight.

Neighbour Notification Checked

Yes/No

Summary of Recommendation:

Refusal

Reasons for Refusal:

The proposal is contrary to the SPPS and Policy CTY1 of Planning Policy Statement 21, Sustainable development in the countryside in that there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement.

The proposal is contrary to Policy CTY8 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the proposal does not represent a gap site within a substantial and continuously built up frontage and would if permitted, create a ribbon of development.

The proposal is contrary to Policy CTY 14 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the building would, if permitted create a ribbon of development.

Signature(s)

Date:

| ANNEX | |
|---|----------------|
| Date Valid | 25th May 2021 |
| Date First Advertised | 8th June 2021 |
| Date Last Advertised | |
| Details of Neighbour Notification (all addresses) The Owner/Occupier, 88 Gulladuff Hill Gulladuff Londonderry The Owner/Occupier, 90 Gulladuff Hill Gulladuff Londonderry | |
| Date of Last Neighbour Notification | 22nd June 2021 |
| Date of EIA Determination | |
| ES Requested | Yes /No |
| Planning History Ref ID: LA09/2021/0822/O Proposal: Infill site of dwelling & domestic garage Address: 60m South of 88 Gulladuff Hill, Magherafelt, Decision: Decision Date: Ref ID: H/1994/0152 Proposal: 33 KV O/H LINE Address: MAGHERA NORTH S/S TO BELLAGHY S/S Decision: Decision Date: Ref ID: H/1990/0226 Proposal: SITE OF REPLACEMENT BUNGALOW AND GARAGE Address: 88 GULLADUFF HILL, GULLADUFF. Decision: Decision Date: Ref ID: H/1987/0521 Proposal: SITE OF REPLACEMENT DWELLING AND GARAGE Address: GULLADUFF HILL MAGHERAFELT Decision: Decision Date: Ref ID: H/1990/0477 Proposal: BUNGALOW AND GARAGE Address: GULLADUFF HILL GULLADUFF Decision: Decision Date: | |

| |
|---|
| Summary of Consultee Responses |
| Drawing Numbers and Title |
| Drawing No. 01 Type: Site Location Plan Status: Submitted |
| Notification to Department (if relevant) Date of Notification to Department: Response of Department: |



Comhairle Ceantair
Lár Uladh
Mid Ulster
District Council

Mid-Ulster
Local Planning Office
Mid-Ulster Council Offices
50 Ballyronan Road
Magherafelt
BT45 6EN

Deferred Consideration Report

| Summary | |
|--|--|
| Case Officer: Phelim Marrion | |
| Application ID: LA09/2021/1313/O | Target Date: <add date> |
| Proposal: Dwelling and garage | Location: Between 55c and 59 Cadian Road Dungannon (site 1) |
| Applicant Name and Address: Mr R P Reid 142 Moy Road Dungannon | Agent name and Address: Shaw Design 34 Grange Road Dungannon BT71 7EQ |
| Summary of Issues: None | |
| Summary of Consultee Responses: DFI Roads – a safe access will require sight lines of 2.4m x 45.0m and forward sight lines of 45.0m | |
| Characteristics of the Site and Area: The site lies in the open countryside a short distance to the south west of the settlement limits of Eglish and outside all other areas of constraint as depicted by the DSTAP 2010. The site is the northern portion of a larger agricultural field of which the southern half is also subject to a double infill planning application. The site is bounded along the north and west by a row of mature trees and hedging, the roadside boundary is defined by a native species hedgerow and the remaining southern boundary is undefined on the ground. The land is relatively flat with a slight rise from the east to west. | |

The surrounding area is primarily open countryside with a scattering of single dwellings or farm holdings. In the immediate vicinity there is a new two storey dwelling to the North and a bungalow and garage to the immediate south.

There are also a few more dwellings along the road to the south.

Description of Proposal

The proposal seeks outline planning permission for a dwelling and garage on an infill site.

Deferred Consideration:

This application was before the committee members in November 2021 and was deferred for a meeting with the Planning Manager to discuss the merits if the infill as out forward.

At an office meeting on 18 November 2021 the policy requirements of CTY8 were discussed and the need to respect the character of the surrounding development in terms of size, scale, siting and plot size. It was noted the applicant owns the land to the rear and there is an access being retained to that land to the north of the field.

Members will be aware CTY8 allows for up to a maximum of 2 dwellings in a substantially built up frontage and the definition of a built up frontage is where there are 3 or more buildings along a road frontage without accompanying development to the rear. (Fig1 and 2)

To the north of the site is a detached dwelling with a site frontage of 44m, (Fig 3), this was approved as a dwelling and garage and the garage has not been built yet. To the south is a dwelling and garage with a frontage of 51m (Fig 4). To the rear of that dwelling, up a laneway, is a dog grooming business and farm buildings. I consider there are 3 buildings for the purposes of defining a built up frontage in Policy CTY8. I do not consider the buildings up the lane as accompanying development to the rear. These are clearly separated from the dwelling and garage with their own access and curtilages. (Fig 5)

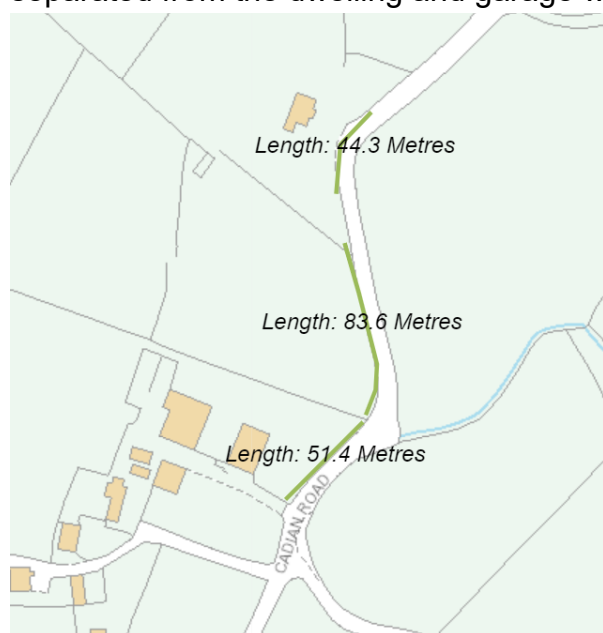


Fig 1 and 2 – development along Cadian Road – sites outlined in red



Fig 3 – dwelling to north



Fig 4 – dwelling and garage to south



Fig 5 – dwelling and garage and development off lane

This field has a frontage of 83m, this site has a frontage of 33m with the adjacent site 50m, I consider this is comparable with the frontages in the adjoining development and the overall plot sizes are also comparable. Taking account of the development pattern, frontage sizes and plot sizes as well as the indicative layout showing 2 dwellings and

garages, I am of the view that the gap where this development is proposed is only able to accommodate a maximum of 2 dwellings and as such meets the exception in CTY8 for infill development.

I recommend approval of this application with the conditions attached to ensure it respects the character of the area.

Conditions:

1. Application for approval of the reserved matters shall be made to the Council 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: As required by Section 62 of the Planning Act (Northern Ireland) 2011.

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 Council, in writing, before any development is commenced.

Reason: This is outline permission only and these matters have been reserved for the subsequent approval of the Council.

3. Details of existing and proposed levels within the site, levels along the roadside, and the finished floor level of the proposed dwelling shall be submitted for approval at Reserved Matters stage. The dwelling shall be built in accordance with levels agreed at Reserved Matters stage.

Reason: To ensure that the dwelling integrates into the surrounding countryside.

4. The dwelling hereby approved shall have a ridge height not exceeding 6m above the level of the existing ground.

Reason: To respect the character of the surrounding area and aid integration.

5. A detailed landscaping plan shall be submitted and approved as part of the Reserved Matters application and shall identify the location, species and numbers of trees and hedges to be retained and planted. All existing boundaries shall be retained and augmented with trees and native species hedging. All new curtilage boundaries shall be identified by new planting, and shall include a mix of hedge and tree planting. The retained and proposed landscaping shall be indicated on a landscape plan, with details to be agreed at reserved matters stage. During the first available planting season after the commencement of development on site, all proposed trees and hedges indicated in the approved landscaping plan at Reserved Matters stage, shall be planted as shown and permanently retained thereafter, unless otherwise agreed by Mid Ulster Council in writing.

Reason: In the interest of visual amenity and to assist with integration.

6. If within a period of 5 years from the date of the planting of any tree, shrub or hedge, that tree, shrub or hedge is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another tree, shrub or hedge of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

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

7. A scale plan at 1:500 shall be submitted as part of the reserved matters application showing the access to be constructed in accordance with the attached form RS1 including sight lines of 2.4m by 45.0m in both directions and a forward sight distance of 45.0. The access as approved at Reserved Matters stage shall be constructed in accordance with the approved plans, prior to the commencement of any other development hereby approved.

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

Informatives

1. This approval does not dispense with the necessity of obtaining the permission of the owners of adjacent dwellings for the removal of or building on the party wall or boundary whether or not defined.
2. This permission does not alter or extinguish or otherwise affect any existing or valid right of way crossing, impinging or otherwise pertaining to these lands.
3. This permission does not confer title. It is the responsibility of the developer to ensure that he controls all the lands necessary to carry out the proposed development.

Signature(s):

Date



Comhairle Ceantair
Lár Uladh
Mid Ulster
 District Council

Development Management Officer Report Committee Application

| Summary | |
|--|--|
| Committee Meeting Date: | Item Number: |
| Application ID: LA09/2021/1313/O | Target Date: |
| Proposal: Two storey dwelling | Location: Between 55c and 59 Cadian Road Dungannon (site 1) |
| Referral Route: Contrary to policy | |
| Recommendation: | REFUSAL |
| Applicant Name and Address: Mr R P Reid 142 Moy Road Dungannon | Agent Name and Address: Shaw Design 34 Grange Road Dungannon BT71 7EQ |
| Executive Summary: | |
| Signature(s): | |

Case Officer Report

Site Location Plan



Consultations:

| Consultation Type | Consultee | Response |
|-------------------|--------------------------------|-----------------|
| Statutory | DFI Roads - Enniskillen Office | Standing Advice |

Representations:

| | |
|---|-----------------------|
| Letters of Support | None Received |
| Letters of Objection | None Received |
| Number of Support Petitions and signatures | No Petitions Received |
| Number of Petitions of Objection and signatures | No Petitions Received |

Summary of Issues

None

Characteristics of the Site and Area

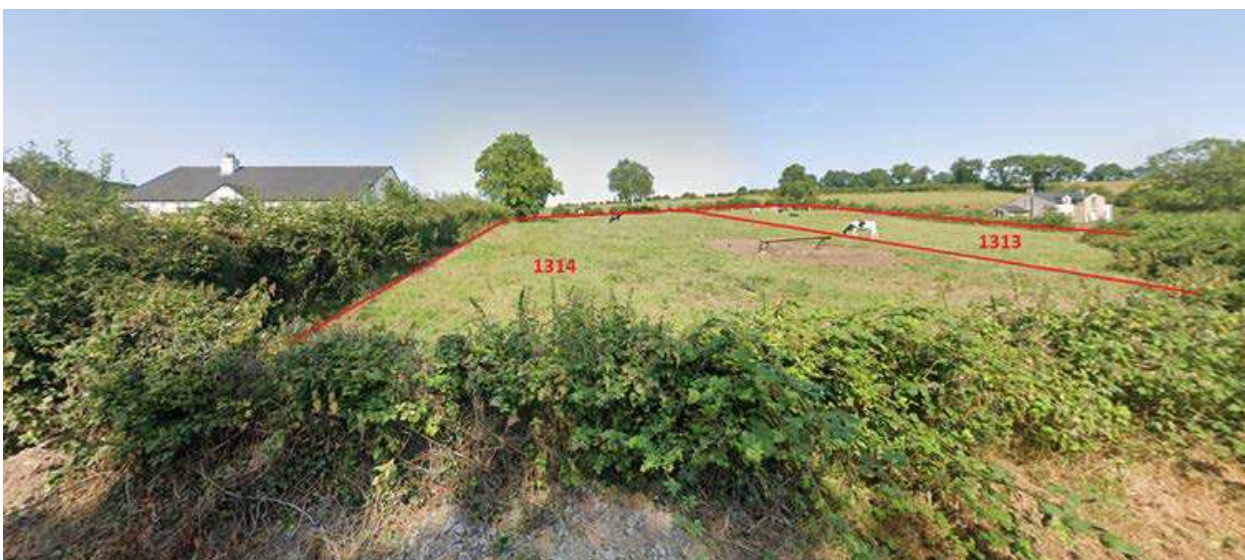
The site lies in the open countryside a short distance to the south west of the settlement limits of Eglis and outside all other areas of constraint as depicted by the DSTAP 2010.

The site is the northern portion of a larger agricultural field of which the southern half is also subject to a double infill planning application. The site is bounded along the north and west by a

row of mature trees and hedging, the roadside boundary is defined by a native species hedgerow and the remaining southern boundary is undefined on the ground. The land is relatively flat with a slight rise from the east to west.



The surrounding area is primarily open countryside with a scattering of single dwellings or farm holdings. In the immediate vicinity there is a new two storey dwelling to the North and a bungalow and farm holding to the immediate south. There are also a few more dwellings along the road to the south.



Description of Proposal

The proposal seeks outline planning permission for an infill site.

Planning Assessment of Policy and Other Material Considerations

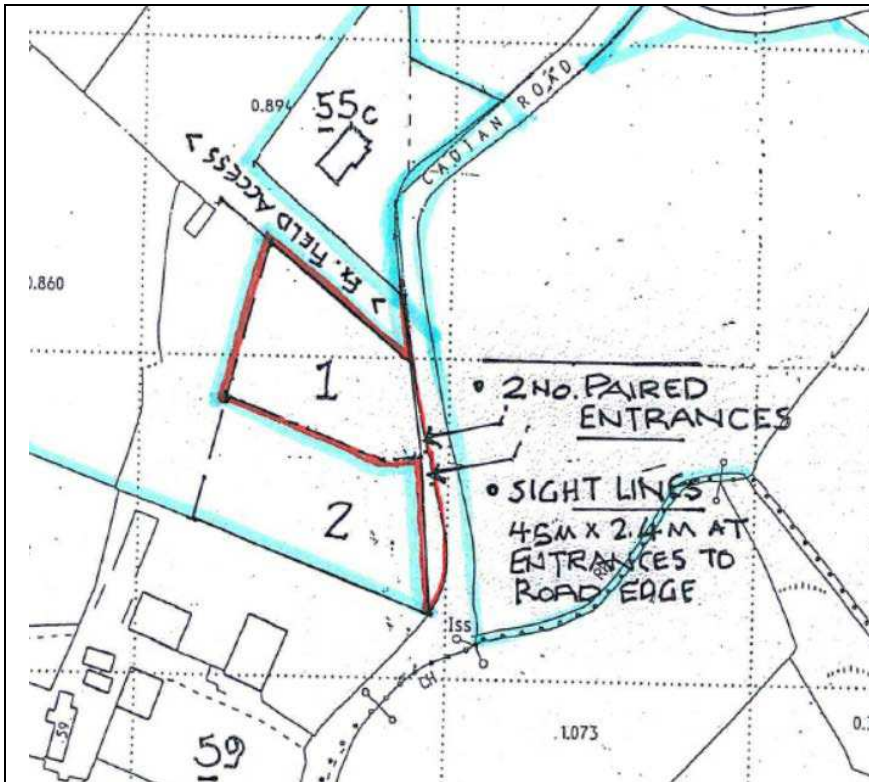
Regional Development Strategy
Dungannon and South Tyrone Area Plan (DSTAP) 2010
PPS3
PPS21

- Policy CTY 1 - Development in the Countryside
 - Policy CTY 8 - Ribbon development
 - Policy CTY 13 - Integration and Design
 - Policy CTY 14 - Rural character
- Strategic Planning Policy Statement (SPPS)

The Strategic Planning Policy Statement for Northern Ireland (SPPS) is a material consideration in determining this application. The SPPS states that a transitional period will operate until such times as a Plan Strategy for the whole of the council area has been adopted. During the transitional period planning authorities will apply existing policy contained within retained policy documents together with the SPPS. Paragraph 1.12 of the SPPS states that any conflict between the SPPS and any retained policy must be resolved in the favour of the provisions of the SPPS. The SPPS retains PPS21: Sustainable Development in the Countryside and PPS 3: Access, Movement and Parking which are relevant policies under which the proposal should be considered

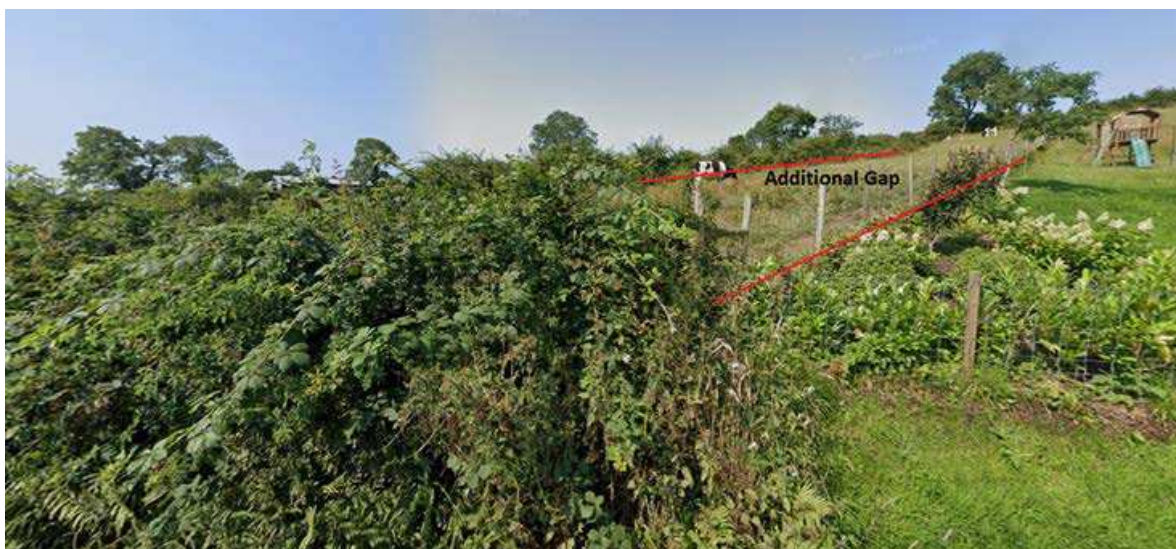
The Mid Ulster District Council Local Development Plan 2030 - Draft Plan Strategy was launched on 22nd February 2019 and is now a material planning consideration in assessing all planning applications in the District. Re-consultation on the Draft Plan Strategy closed at 5pm on 24th September 2020. All valid representations received will be subject to a Counter Representation period. In light of this, the draft plan does not carry the determining weight associated with the adopted plan

Objections / comment received from 3rd Parties;
There have been no objections / comments received in relation to this proposal.



To the South of number 55C Cadian road, there is a gap of approx. 140 metres building to building or 100 metres plot frontage. The red line of the site for this application includes the North half of the gap. The site lies in the middle of a dwelling to the N, and two dwellings and numerous outbuildings to the South. It must also be noted that there is an additional gap to the North of the site. In my opinion this row constitutes the definition of a substantially built up frontage. However, the site comprises 100metres of the gap, however there is an additional 20 metre gat between the frontages of development and is therefore sufficient to accommodate 2 dwellings on the site and a further dwelling to the North when taking into account existing plots sizes of between 35m and 65m and the roadside frontage size of surrounding dwellings. It is my opinion that the site could potentially accommodate 3 dwellings and is therefore contrary to PPS 21 CTY 8.

The proposal therefore fails to comply with policy CTY8 of PPS21.



Policy CTY13 states that Planning permission will be granted for a building in the countryside where it can be visually integrated into the surrounding landscape and it is of an appropriate design. It is considered that a dwelling could blend in successfully with its immediate and wider surroundings if it were of a size and scale that is comparable to the dwellings in the vicinity. Furthermore as the site has existing buildings on both sides and some boundary vegetation it is considered that the site has the capacity to absorb a dwelling of a suitable size and scale were it acceptable to policy CTY 8. I have no concerns regarding integration albeit imposing a ridge height restriction of 7 metres.

In terms of policy CTY14 planning permission will only be granted for a building in the countryside where it is not a prominent feature, does not cause a detrimental change to, or further erode the rural character of an area. It is considered that the site and its surrounding environs are suitable for absorbing a dwelling of a suitable size and scale were it acceptable to policy CTY 8. I would recommend imposing a height of 7 metres and landscaping to the new site boundaries of the application site.

Recommendation Approval.

Neighbour Notification Checked

Yes

Refusal Reasons

1. The proposal is contrary to Policy CTY8 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the proposal would, if permitted, result in the creation of ribbon development along the Cadian Road.
2. The proposal is contrary to Policy CTY1 of Planning Policy Statement 21, Sustainable Development in the Countryside in that there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement.

Signature(s)

Date:

| ANNEX | |
|---|---------------------|
| Date Valid | 27th August 2021 |
| Date First Advertised | 21st September 2021 |
| Date Last Advertised | |
| Details of Neighbour Notification (all addresses) The Owner/Occupier, 55c Cadian Road Dungannon The Owner/Occupier, 59 Cadian Road Dungannon Tyrone | |
| Date of Last Neighbour Notification | 21st September 2021 |
| Date of EIA Determination | |
| ES Requested | Yes /No |
| Planning History Ref ID: LA09/2021/1313/O Proposal: Two storey dwelling Address: Between 55c and 59 Cadian Road, Dungannon (site 1), Decision: Decision Date: | |
| Summary of Consultee Responses | |
| Drawing Numbers and Title | |
| Drawing No. Type: Status: Submitted Drawing No. Type: Status: Submitted Drawing No. 01 Type: Site Location Plan Status: Submitted | |

Notification to Department (if relevant)

Date of Notification to Department:

Response of Department:



Comhairle Ceantair
Lár Uladh
Mid Ulster
District Council

Mid-Ulster
Local Planning Office
Mid-Ulster Council Offices
50 Ballyronan Road
Magherafelt
BT45 6EN

Deferred Consideration Report

| Summary | |
|--|--|
| Case Officer: Phelim Marrion | |
| Application ID: LA09/2021/1314/O | Target Date: <add date> |
| Proposal: Dwelling and garage | Location: Between 55c and 59 Cadian Road Dungannon (site 2) |
| Applicant Name and Address: Mr R P Reid 142 Moy Road Dungannon | Agent name and Address: Shaw Design 34 Grange Road Dungannon BT71 7EQ |
| Summary of Issues: None | |
| Summary of Consultee Responses: DFI Roads – a safe access will require sight lines of 2.4m x 45.0m and forward sight lines of 45.0m | |
| Characteristics of the Site and Area: The site lies in the open countryside a short distance to the south west of the settlement limits of Eglish and outside all other areas of constraint as depicted by the DSTAP 2010. The site is the northern portion of a larger agricultural field of which the southern half is also subject to a double infill planning application. The site is bounded along the north and west by a row of mature trees and hedging, the roadside boundary is defined by a native species hedgerow and the remaining southern boundary is undefined on the ground. The land is relatively flat with a slight rise from the east to west. | |

The surrounding area is primarily open countryside with a scattering of single dwellings or farm holdings. In the immediate vicinity there is a new two storey dwelling to the North and a bungalow and garage to the immediate south.

There are also a few more dwellings along the road to the south.

Description of Proposal

The proposal seeks outline planning permission for a dwelling and garage on an infill site.

Deferred Consideration:

This application was before the committee members in November 2021 and was deferred for a meeting with the Planning Manager to discuss the merits if the infill as out forward.

At an office meeting on 18 November 2021 the policy requirements of CTY8 were discussed and the need to respect the character of the surrounding development in terms of size, scale, siting and plot size. It was noted the applicant owns the land to the rear and there is an access being retained to that land to the north of the field.

Members will be aware CTY8 allows for up to a maximum of 2 dwellings in a substantially built up frontage and the definition of a built up frontage is where there are 3 or more buildings along a road frontage without accompanying development to the rear. (Fig1 and 2)

To the north of the site is a detached dwelling with a site frontage of 44m, (Fig 3), this was approved as a dwelling and garage and the garage has not been built yet. To the south is a dwelling and garage with a frontage of 51m (Fig 4). To the rear of that dwelling, up a laneway, is a dog grooming business and farm buildings. I consider there are 3 buildings for the purposes of defining a built up frontage in Policy CTY8. I do not consider the buildings up the lane as accompanying development to the rear. These are clearly separated from the dwelling and garage with their own access and curtilages. (Fig 5)



Fig 1 and 2 – development along Cadian Road, sites outlined in red



Fig 3 – dwelling to north



Fig 4 – dwelling and garage to south



Fig 5 – dwelling and garage and development off lane

This field has a frontage of 83m, this site has a frontage of 50m with the adjacent site 33m, I consider this is comparable with the frontages in the adjoining development and the overall plot sizes are also comparable. Taking account of the development pattern, frontage sizes and plot sizes as well as the indicative layout showing 2 dwellings and

garages, I am of the view that the gap where this development is proposed is only able to accommodate a maximum of 2 dwellings and as such meets the exception in CTY8 for infill development.

I recommend approval of this application with the conditions attached to ensure it respects the character of the area.

Conditions:

1. Application for approval of the reserved matters shall be made to the Council 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: As required by Section 62 of the Planning Act (Northern Ireland) 2011.

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 Council, in writing, before any development is commenced.

Reason: This is outline permission only and these matters have been reserved for the subsequent approval of the Council.

3. Details of existing and proposed levels within the site, levels along the roadside, and the finished floor level of the proposed dwelling shall be submitted for approval at Reserved Matters stage. The dwelling shall be built in accordance with levels agreed at Reserved Matters stage.

Reason: To ensure that the dwelling integrates into the surrounding countryside.

4. The dwelling hereby approved shall have a ridge height not exceeding 6m above the level of the existing ground.

Reason: To respect the character of the surrounding area and aid integration.

5. A detailed landscaping plan shall be submitted and approved as part of the Reserved Matters application and shall identify the location, species and numbers of trees and hedges to be retained and planted. All existing boundaries shall be retained and augmented with trees and native species hedging. All new curtilage boundaries shall be identified by new planting, and shall include a mix of hedge and tree planting. The retained and proposed landscaping shall be indicated on a landscape plan, with details to be agreed at reserved matters stage. During the first available planting season after the commencement of development on site, all proposed trees and hedges indicated in the approved landscaping plan at Reserved Matters stage, shall be planted as shown and permanently retained thereafter, unless otherwise agreed by Mid Ulster Council in writing.

Reason: In the interest of visual amenity and to assist with integration.

6. If within a period of 5 years from the date of the planting of any tree, shrub or hedge, that tree, shrub or hedge is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another tree, shrub or hedge of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

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

7. A scale plan at 1:500 shall be submitted as part of the reserved matters application showing the access to be constructed in accordance with the attached form RS1 including sight lines of 2.4m by 45.0m in both directions and a forward sight distance of 45.0. The access as approved at Reserved Matters stage shall be constructed in accordance with the approved plans, prior to the commencement of any other development hereby approved.

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

Informatives

1. This approval does not dispense with the necessity of obtaining the permission of the owners of adjacent dwellings for the removal of or building on the party wall or boundary whether or not defined.
2. This permission does not alter or extinguish or otherwise affect any existing or valid right of way crossing, impinging or otherwise pertaining to these lands.
3. This permission does not confer title. It is the responsibility of the developer to ensure that he controls all the lands necessary to carry out the proposed development.

Signature(s):

Date



Comhairle Ceantair
Lár Uladh
Mid Ulster
District Council

Development Management Officer Report Committee Application

| Summary | |
|--|--|
| Committee Meeting Date: | Item Number: |
| Application ID: LA09/2021/1314/O | Target Date: |
| Proposal: Two storey Dwelling | Location: Between 55c and 59 Cadian Road Dungannon (site 2) |
| Referral Route: Contrary to policy | |
| Recommendation: | refuse |
| Applicant Name and Address: Mr R P Reid 142 Moy Road Dungannon | Agent Name and Address: Shaw Design 34 Grange Road Dungannon BT71 7EQ |
| Executive Summary: | |
| Signature(s): | |

Case Officer Report

Site Location Plan



Consultations:

| Consultation Type | Consultee | Response |
|-------------------|--------------------------------|-----------------|
| Statutory | DFI Roads - Enniskillen Office | Standing Advice |

Representations:

| | |
|---|-----------------------|
| Letters of Support | None Received |
| Letters of Objection | None Received |
| Number of Support Petitions and signatures | No Petitions Received |
| Number of Petitions of Objection and signatures | No Petitions Received |

Summary of Issues

None

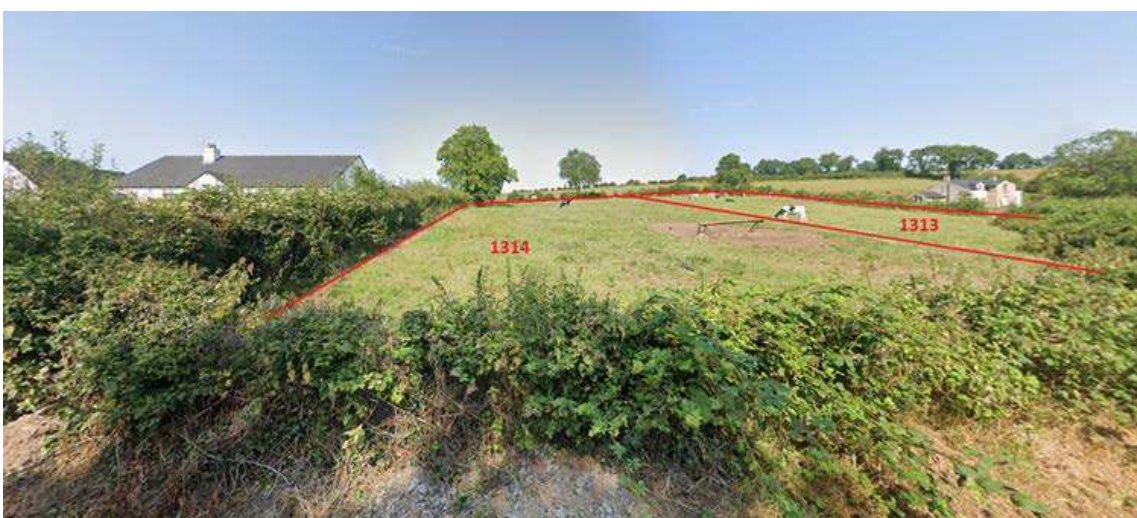
Characteristics of the Site and Area

The site lies in the open countryside a short distance to the south west of the settlement limits of Eglish and outside all other areas of constraint as depicted by the DSTAP 2010.

The site is the Southern portion of a larger agricultural field of which the Northern half is also subject to a double infill planning application. The site is bounded along the South and west by a row of mature trees and hedging, the roadside boundary is defined by a native species hedgerow and the remaining Northern boundary is undefined on the ground. The land is relatively flat with a slight rise from the east to west.



The surrounding area is primarily open countryside with a scattering of single dwellings or farm holdings. In the immediate vicinity there is a new two storey dwelling to the North and a bungalow and farm holding to the immediate south. There are also a few more dwellings along the road to the south.



Description of Proposal

The proposal seeks outline planning permission for an infill site.

Planning Assessment of Policy and Other Material Considerations

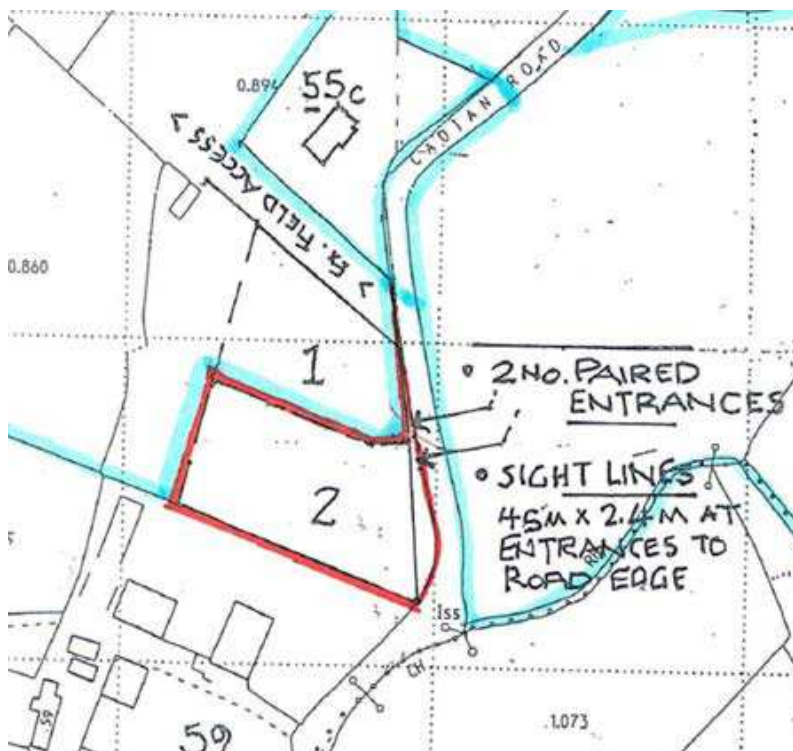
Regional Development Strategy
Dungannon and South Tyrone Area Plan (DSTAP) 2010
PPS3
PPS21

- Policy CTY 1 - Development in the Countryside
 - Policy CTY 8 - Ribbon development
 - Policy CTY 13 - Integration and Design
 - Policy CTY 14 - Rural character
- Strategic Planning Policy Statement (SPPS)

The Strategic Planning Policy Statement for Northern Ireland (SPPS) is a material consideration in determining this application. The SPPS states that a transitional period will operate until such times as a Plan Strategy for the whole of the council area has been adopted. During the transitional period planning authorities will apply existing policy contained within retained policy documents together with the SPPS. Paragraph 1.12 of the SPPS states that any conflict between the SPPS and any retained policy must be resolved in the favour of the provisions of the SPPS. The SPPS retains PPS21: Sustainable Development in the Countryside and PPS 3: Access, Movement and Parking which are relevant policies under which the proposal should be considered

The Mid Ulster District Council Local Development Plan 2030 - Draft Plan Strategy was launched on 22nd February 2019 and is now a material planning consideration in assessing all planning applications in the District. Re-consultation on the Draft Plan Strategy closed at 5pm on 24th September 2020. All valid representations received will be subject to a Counter Representation period. In light of this, the draft plan does not carry the determining weight associated with the adopted plan

Objections / comment received from 3rd Parties;
There have been no objections / comments received in relation to this proposal.



To the North of number 59 Cadian road, there is a gap of approx. 140 metres building to building or 100 metres plot frontage. The red line of the site for this application includes the South half of the gap. The site lies in the middle of a dwelling to the N, and two dwellings and numerous outbuildings to the South. It must also be noted that there is an additional gap to the North of the site. In my opinion this row constitutes the definition of a substantially built up frontage. However, the site comprises 100metres of the gap, however there is an additional 20 metre gat between the frontages of development and is therefore sufficient to accommodate 2 dwellings on the site and a further dwelling to the North when taking into account existing plots sizes of between 35m and 65m and the roadside frontage size of surrounding dwellings. It is my opinion that the site could potentially accommodate 3 dwellings and is therefore contrary to PPS 21 CTY 8.

The proposal therefore fails to comply with policy CTY8 of PPS21.



Policy CTY13 states that Planning permission will be granted for a building in the countryside where it can be visually integrated into the surrounding landscape and it is of an appropriate design. It is considered that a dwelling could blend in successfully with its immediate and wider surroundings if it were of a size and scale that is comparable to the dwellings in the vicinity. Furthermore as the site has existing buildings on both sides and some boundary vegetation it is considered that the site has the capacity to absorb a dwelling of a suitable size and scale were it acceptable to policy CTY 8. I have no concerns regarding integration albeit imposing a ridge height restriction of 7 metres.

In terms of policy CTY14 planning permission will only be granted for a building in the countryside where it is not a prominent feature, does not cause a detrimental change to, or further erode the rural character of an area. It is considered that the site and its surrounding environs are suitable for absorbing a dwelling of a suitable size and scale were it acceptable to policy CTY 8. I would recommend imposing a height of 7 metres and landscaping to the new site boundaries of the application site.

Recommendation Approval.

Neighbour Notification Checked

Yes

Refusal Reasons

1. The proposal is contrary to Policy CTY8 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the proposal would, if permitted, result in the creation of ribbon development along the Cadian Road.
2. The proposal is contrary to Policy CTY1 of Planning Policy Statement 21, Sustainable Development in the Countryside in that there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement.

Signature(s)

Date:

| ANNEX | |
|--|---------------------|
| Date Valid | 27th August 2021 |
| Date First Advertised | 21st September 2021 |
| Date Last Advertised | |
| Details of Neighbour Notification (all addresses) The Owner/Occupier, 55c Cadian Road Dungannon The Owner/Occupier, 55e ,Cadian Road,Dungannon,Tyrone,BT70 1LY The Owner/Occupier, 59 Cadian Road Dungannon Tyrone | |
| Date of Last Neighbour Notification | 21st September 2021 |
| Date of EIA Determination | |
| ES Requested | No |
| Planning History Ref ID: LA09/2021/1314/O Proposal: Two storey Dwelling Address: Between 55c and 59 Cadian Road, Dungannon (site 2), Decision: Decision Date: Ref ID: M/2013/0134/F Proposal: Private dwelling Address: Site located 60m East of 59 Cadian Road, Mullaghlonefield, Eglishe, Dungannon, Decision: PG Decision Date: 10.07.2013 Ref ID: M/1996/0198 Proposal: Dwelling Address: 60M EAST OF 59 CADIAN ROAD, MULLAGHLONGFIELD, EGLISH, DUNGANNON Decision: Decision Date: | |
| Drawing Numbers and Title | |

Drawing No. 01
Type: Site Location Plan
Status: Submitted

Notification to Department (if relevant)

Date of Notification to Department:
Response of Department: