



Deferred Consideration Report

Summary	
Case Officer: Karen Doyle	
Application ID: LA09/2015/0932/F	Target Date:
Proposal: Change of use of lands and office from window glazing business to car sales and car hire	Location: 155A Creagh Road, Castledawson, BT45 8EY
Applicant Name and Address: Ben McCormack 55 Creagh Road Castledawson	Agent name and Address: CMI Planners Ltd Unit C5 The Rainey Centre 80-82 Rainey Street Magherafelt BT45 5AG
Summary of Issues: Application was previously presented before the Committee with a recommendation to refuse and the application was deferred for further consideration	
Summary of Consultee Responses: Transport NI: Want further details noted on drawings but have also suggested conditions.	
Characteristics of the Site and Area: The existing building is a small single storey detached building set at the junction of Creagh Road and Hillhead Road/Castledawson by-pass. The building has a corrugated iron clad roof with a small conservatory to the north east. The site previously contained a large area which was grass covered. The grass area has been excavated, infilled, ground levels raised and replaced by an area of hardstanding. This area of hardstanding now extends to the entire site curtilage and is used as the display area for the sale of vehicles. The compound is secured by a 1.8m high chain link fence with entrance gates at the northern corner of the site. There is a second access at the south western corner but this is only a field gate type entrance. To the immediate west, there is a small paddock area. The site is within a rural area which is characterised by single dwellings on road frontage sites and also set back off the road.	

Description of Proposal

The proposal is for the change of use of lands and storage unit from window glazing business to car sales and car hire. The application is retrospective as the car sales is already operating at the time of both the original site inspection and my further site inspection following the deferral of the application.

Deferred Consideration:

This application was presented previously to the Planning Committee on 6 September 2016 with a recommendation to refuse on the basis that the proposed car sales would fail to integrate into the rural landscape, there are no overriding reasons why it cannot be located within a settlement and the rural character and appearance of the area will be harmed as the proposal is for a retail use in the countryside.

This site is located at a T-junction on the Hillhead Road and is constrained from expanding further by the Hillhead Road itself which bounds it on three sides. To the immediate west is a small agricultural field beyond which is a dwelling house and garden. The block plan from the 1995 approval shows the existing building together with a curtilage extending to the boundary of the site which was used in association with the window glazing business for car parking and the parking and turning of lorries. The current application does not extend beyond those boundaries.

A window glazing business was approved on the application site in 1995. It is clear from condition 07 that retail sales were not permitted as part of that planning permission. This was also noted on a block plan submitted as part of the planning application. The agent has submitted a letter detailing what he asserts to be a history of retail use on the site from 1995 to the present day. Whilst I am not satisfied the agent has satisfactorily demonstrated retail activity on the site I am of the opinion that the previous commercial use on the application site must be borne in mind. Both the existing building on site and the current hardstanding area were included in the 1995 approval, though it is clear from historical maps the current area of hardstanding this was a grassed area in 2012 and thus a material change use of the lands has also taken place.

Car sales is classed as Sui Generis in The Planning (Use Classes) Order (NI) 2015. There are a number of appeal cases determined by the Planning Appeals Commission where the Commissioner has taken the stance that whilst the then prevailing Planning Policy Statement 5: Retailing and Town Centres made no specific reference to vehicle sales the Commissioners in each of the following appeals 2011/A0021, 2008/E022, 2007/A1352, 2006/A1614 accepted the primary use of the site for the sale of commercial vehicles is clearly a form of retail activity. PPS 5 has now been superseded by Town Centres and Retailing in the Strategic Planning Policy Statement.

The regional strategic objectives for town centres and retailing are to secure a town centre first approach for the location of future retailing and other main town centre uses. The SPPS also states at para 6.279 that the development of inappropriate retail facilities in the countryside must be resisted....however as a general exception to the overall policy approach some retail facilities which may be considered appropriate outside of settlement limits include farm shops, craft shops and shops serving tourist or recreational facilities. Such retail facilities should be required to be located within existing buildings.

Although car sales clearly involves a retail element by the very nature of selling cars it is not a use that is associated with a town centre use. The SPPS favours a town centre first approach and includes a list of retail uses that can be considered as an exception to the overall policy approach of town centre approach, however it is my opinion this list is not exhaustive.

In assessing the impact on rural character the site is located in the rural area as identified in the Magherafelt Area Plan 2015. However there are other commercial uses in this locality including the approved window glazing business on the application site, the Old Thatch Inn bar and restaurant and Fireglass Direct Ireland Ltd, all of which are located on this part of the old Hillhead Road. Given the number of cars displayed for sale which are clearly visible from the A6 Hillhead Road there is undoubtedly a greater impact on rural character than the previous window glazing business. However due to the physical restrictions on three sides of the site of the Hillhead Road there can be no further expansion to the north, south or east of the application site.

It is my opinion that when considering the commercial history on the application site, the physical restrictions to any further impact on rural character from the car sales business and the presence of other commercial businesses in the area an approval can be recommended on this application subject to the conditions listed.

Conditions:

1. This decision notice is issued under Section 55 of The Planning Act (Northern Ireland) 2011.

Reason: This is a retrospective application.

2. The vehicular access, including visibility splays of 2.4m x 90m west and 2.4 x 33m east, shall be in place within 3 months of the date of this planning permission.

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

3. The access from the site to the A6 Castledawson By-Pass shall be permanently closed off and the roadside verge reinstated to the satisfaction of Transport NI within 3 months of the date of this planning permission.

Reason: In order to minimise the number of access points on to the public road in the interests of road safety and the convenience of road users.

Signature(s):**Date**





Comhairle Ceantair
Lár Uladh
Mid Ulster
District Council

Deferred Consideration Report

Summary	
Case Officer: Karen Doyle	
Application ID: LA09/2016/1371/O	Target Date:
Proposal: Infill site to be considered under Policy PPS21 (CTY08)	Location: 50m North of 63 Deerpark Road, Leitrim, Castledawson, BT45 8BS
Applicant Name and Address: Mr Norman Leslie Oldtown Road Castledawson	Agent name and Address: T J Fullerton 12 Rainey Court Magherafelt BT45 5BX
Summary of Issues: Lack of integration	
Summary of Consultee Responses: No objections	
Characteristics of the Site and Area: The proposal site is located on the roadside of Deerpark Road, Bellaghy. The site is one of two proposed out of a large agricultural field. Located on the southern boundary is a detached 2 storey dwelling and detached garage, while on the northern boundary is a detached 2 storey dwelling. The roadside boundary of the proposed site consists of mature hedging and trees which currently shields the proposal sites from view when travelling along the public road. To the rear of the site is further agricultural land.	
Description of Proposal Outline application for infill site for dwelling and garage	

Deferred Consideration:

This application was presented before the Planning Committee in October with a recommendation to refuse as it was considered there would be a ribbon of development along the Deerpark Road, the site currently provides an important visual break and there will be a detrimental change to the rural character of the area.

Policy CTY 1 of PPS 21 sets out a 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. A number of instances when planning permission will be granted for a single dwelling are outlined. The agent contends this application represents an infill opportunity in accordance with CTY 8 of PPS 21.

Policy CTY 8 of PPS 21 states that planning permission will be refused for a building which creates or adds to a ribbon of development. An exception is however permitted for the development of a small gap site. Policy CTY 8 requires four specific elements to be met:

- The gap must be within an otherwise substantial and continuously built up frontage;
- The gap site must be small;
- The existing development pattern along the frontage must be respected;
- Other planning and environmental requirements must be met.

Having visited the site it is clear that No 63 and the garage to the side both have a frontage to the Deerpark Road. The site itself together with the site to the north have a strongly vegetated boundary to the roadside which if removed will open up both application sites to view. Number 61 Deerpark Road is set back some 60 metres from the Deerpark Road. The roadside screening to No 61 is also strong and there is an awareness of the pillars at the roadside to No 61 and together with the curtilage of No 61 coming to the roadside it can be said this has a common frontage to the road.

I will consider the four specific elements in turn:

- Policy CTY 8 requires the frontage to be substantially and continuously built up. It is clear from visiting the site this field provides a strong visual break between the dwellings at Nos 61 and 63. However in the justification and amplification of CTY 8 it states that *"buildings...with gaps between them can still represent ribbon development, if they have a common frontage"*. Given this explanation it would be difficult to argue the buildings do not represent a ribbon given they all have a common frontage to the Deerpark Road.
- The second exception in Policy CTY 8 states that the gap site must be small and sufficient only to accommodate up to a maximum of 2 houses. When the existing pattern of development is considered on the ground the proposed 2 sites are reflective of the existing development pattern along the road frontage in terms of plot size. The existing development pattern along this stretch of the Deerpark Road is of large roadside dwellings on large plots and thus it is my opinion this element has been satisfied.
- The other planning and environmental requirements which address the ability of a new dwelling to integrate into the landscape in accordance with CTY 13 and the rural character in accordance with CTY 14. The site, as outlined in red, is located in a large roadside field and there is a wide roadside verge. The block plan indicates a paired access in a central position which should allow a significant level of trees and hedges to be retained. Behind the visibility splays are a significant number of mature trees which should be conditioned to be retained, save for the need for removal for visibility splays.

I recommend an approval of this application

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. Notwithstanding the provisions of the Planning (General Development) Order (NI) 2015, or any Order revoking and re-enacting that Order, no buildings, walls, gate pillars, fences or other structures shall be erected within the curtilage of any dwelling house forward of any wall of that dwelling house which fronts onto a road.

Reason: To preserve the rural character of the locality.

4. 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.

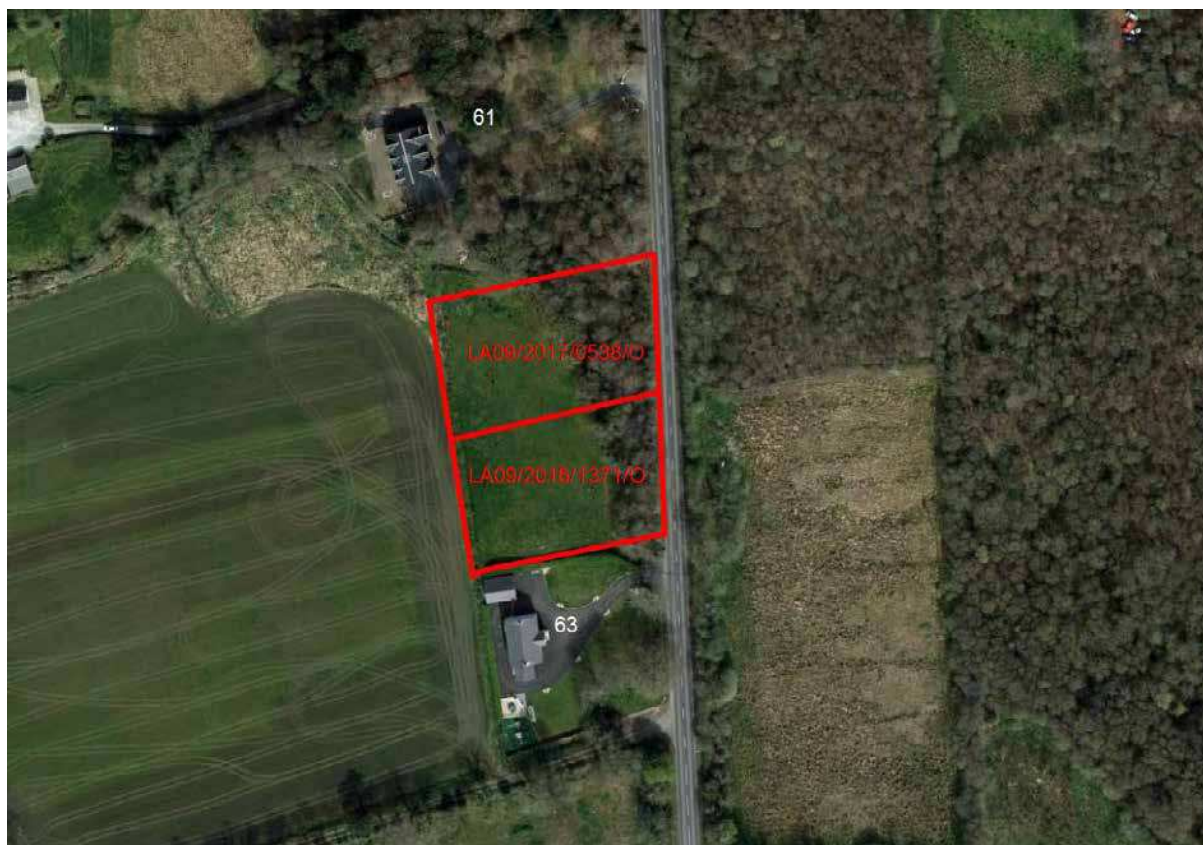
5. The existing natural screenings of the site, as indicated in green, on approved drawing ref: 01 date stamped received 20 April 2017 shall be retained unless necessary to prevent danger to the public in which case a full explanation along with a scheme for compensatory planting shall be submitted to and agreed in writing with the Council, prior to removal.

Reason: To ensure that the proposed development does not prejudice the appearance of the locality.

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.

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**





Deferred Consideration Report

Summary	
Case Officer: Karen Doyle	
Application ID: LA09/2016/1556/O	Target Date:
Proposal: Proposed infill Dwelling	Location: Site between 33 and 33b Tobermore Road Draperstown
Applicant Name and Address: Teresa McNally 33b Tobermore Road Draperstown BT45 7HG	Agent name and Address: Newline Architects 48 Main Street Castledawson BT45 8AB
Summary of Issues: No representations were made in relation to this application.	
Summary of Consultee Responses: No objections	
Characteristics of the Site and Area: The site is located between 33 and 33b Tobermore Road, Draperstown. The red line currently consists of a section of the garden belonging to 33b and extends to a portion of a field situated behind 33b and 33. The site is relatively flat with a slight rise towards the east. The site is located approx. 150m from the Draperstown Development Limit and is within a line of 6 existing dwellings. The site is bounded by existing hedgerows and post and wire fencing with further vegetation to the SW of the site. To the south of the site is Draperstown village and the rest of the surrounding area is large agricultural fields with detached dwellings	
Description of Proposal Planning permission is being sought for a proposed infill site between 33 and 33b Tobermore Road, Draperstown.	
Deferred Consideration: This application was presented before the Planning Committee in July with a recommendation to refuse as it was not considered to be a gap site in accordance with CTY 8 and it would result in back land development, the site was not a gap site and the traditional pattern of settlement in the locality not being respected and therefore a further erosion of rural character as a result of build-	

up. The application was deferred by the Committee for an office meeting with the Planning Manager which was held on 20 July 2017.

At the meeting there was some discussion with regards to the principle of an infill site within the red line as proposed. Dr Boomer stated the site as presented at that time was unacceptable and suggested that the agent reduce the size of the red line. The agent subsequently submitted a reduced red line on 18 September with a block plan submitted on 26 September. This block plan shows a gable ended linear dwelling proposed on the site in between numbers 33 and 33b Tobermore Road. However the proposed footprint of the proposed dwelling is not characteristic of the pattern of development with dwellings fronting on to the Tobermore Road. It is my opinion that this has not been demonstrated as an infill opportunity as it cannot satisfactorily accommodate a dwelling that will respect the development pattern of the area. Given the fact this is a narrow site it is not possible to site a dwelling other than that proposed which is to sit gable end onto the road.

I am recommending a refusal of this application for the reasons outlined below.

Refusal reasons:

1. 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.
2. The proposal is contrary to Policy CTY 8 of Planning Policy Statement 21, Sustainable Development in the Countryside in that it would not respect the traditional pattern of settlement in the locality and result in a further erosion of rural character as a result of build-up.

Signature(s):

Date





Comhairle Ceantair
Lár Uladh
Mid Ulster
District Council

Deferred Consideration Report

Summary	
Case Officer: Melvin Bowman	
Application ID: LA09/2017/0380/O	
Proposal: Proposed site for dwelling in a gap site	Location: 80m South of 31 Gortnaskey Road Draperstown
Applicant Name and Address: Oonagh Barrett 25 Cloane Road Draperstown	Agent name and Address: APS Architects LLP 4 Mid Ulster Business Park Cookstown BT80 9LU
Summary of Issues: Size of gap for in-fill development.	
Summary of Consultee Responses: No objections.	
Characteristics of the Site and Area: <p>The proposal site is within a roadside larger relatively flat agricultural field. The site is undefined on the northern and eastern boundaries, defined on ly on the roadside/western boundary by a post and wire fence and small grass verge and on the southern boundary by maturee trees and vegetation. Directly adjacent to the proposal site on the southern side is a roadside detached single storey dwelling with a detached garage to the rear of the property, while to the north beyond the larger agricultural field is a single storey detached dwelling also with a garage sited at the rear. A new dwelling has been approved to the eastern corner of the larger agricultural field that this current site is within, this has commenced by way of the access and foundations having been put in though no recent work appears to have been carried out.</p>	
Description of Proposal <p>Outline application for dwelling in a gap site.</p>	



Deferred Consideration:

This application was deferred at the Sept 2017 Planning Committee to facilitate an office meeting. That office took place on the 14th Sept at which issues surrounding the size of the gap site and those buildings used to determine the line of 3 buildings along the road frontage were discussed. In addition the agent has submitted other examples felt to be similar which have been approved by the Council.

I visited the site on the 26th September and formed the following observations:

- The size of the gap site along with the curvature of this stretch of Gortnaskey Road lends itself significantly to this field being a good example of a visual break between existing buildings to the north and south. Such visual relief sites are recognised as being important as emphasized in Policy CTY8 of PPS21. It is my strongly held view that this is the case with the host field here.
- The applicant has previously gained a permission for a dwelling to the rear corner of the field and appears to have made a lawful start on this.
- That whilst relying on in-curtilage buildings (in this instance the garage associated with the bungalow to the south) that I accept this represents 2 buildings with the third building being represented by No 31 to the north.
- The site is extremely open and lacks any degree of adequate integration, in this instance for one dwelling.

The agent had referred to the following cases as being similar:

- LA09/2015/1163/O – this was a double in-fill site approved by the Council on Battery Road, Moortown. This was however determined as an infill opportunity given that the site relied on buildings within Moortown's settlement limits.
- LA09/2016/1243/O – this was a small single dwelling gap site which was allowed on the basis that the site could accommodate only one dwelling and was located within a line of 3 buildings
- LA09/2015/1123/O- a small single dwelling gap site on Ardtrea Road. The gap was located between a shed and a dwelling and its associated garage.
- I/2014/0321/O - an in-fill site on Ballymaguire Road. This was a gap regarded as being appropriate to develop for 2 dwellings using surrounding plot sizes and containing development between 2 dwellings and further third dwelling, albeit which had its frontage onto an adjoining road.

Having considered the above cases I do not regard as there to be similar circumstances between these and the subject site. In any cases each site must be considered on its individual merits and his underlines my point that the particular visual approach, size of gap, curvature of the frontage of this stretch of Gortnaskey Road does not lend itself to achieving a suitable infill opportunity for what will be 2 sites eventually should this application be approved. I have not been made aware of any impediment which will not allow the dwelling for the applicant to be completed under application H/2008/0220/RM.

It is my considered opinion that permission should be refused for the reasons set out below.

Reasons for Refusal:

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 loss of an important visual break in development along Gortnaskey Road and relies on a gap which could accommodate more than 2 dwellings.
2. The proposal is contrary to Policy CTY13 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the proposed site lacks long established natural boundaries and is unable to provide a suitable degree of enclosure for the building to integrate into the landscape.
3. The proposal is contrary to Policy CTY8 and 14 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the (building) would, if permitted create

a ribbon of development and would therefore result in a detrimental change to (further erode) the rural character of the countryside.

4. 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): M.Bowman

Date 13/10/2017



Deferred Consideration Report

Summary	
Case Officer: Karen Doyle	
Application ID: LA09/2017/0538/O	Target Date:
Proposal: Proposed 2 Storey Dwelling and domestic garage	Location: 65m south of 61 Deerpark Road, Leitrim, Castledawson, Magherafelt
Applicant Name and Address: Norman Leslie 100 Oldtown Road Castledawson Magherafelt	Agent name and Address: CMI Planners Ltd 38b Airfield Road Toomebridge BT41 3SG
Summary of Issues: Infill opportunity and retention of vegetation	
Summary of Consultee Responses: No objections	
Characteristics of the Site and Area: The proposal site is located on the roadside of Deerpark Road, Bellaghy. The site is one of two proposed out of a large agricultural field. Located on the southern boundary is a detached 2 storey dwelling and detached garage, while on the northern boundary is a detached 2 storey dwelling. The roadside boundary of the proposed site consists of mature hedging and trees which currently shields the proposal sites from view when travelling along the public road. To the rear of the site is further agricultural land.	
Description of Proposal Outline application for 'proposed 2 storey dwelling and domestic garage'.	

Deferred Consideration:

This application was presented before the Planning Committee in October with a recommendation to refuse as it was considered there would be a ribbon of development along the Deerpark Road, the site currently provides an important visual break and there will be a detrimental change to the rural character of the area.

Policy CTY 1 of PPS 21 sets out a 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. A number of instances when planning permission will be granted for a single dwelling are outlined. The agent contends this application represents an infill opportunity in accordance with CTY 8 of PPS 21.

Policy CTY 8 of PPS 21 states that planning permission will be refused for a building which creates or adds to a ribbon of development. An exception is however permitted for the development of a small gap site. Policy CTY 8 requires four specific elements to be met:

- The gap must be within an otherwise substantial and continuously built up frontage;
- The gap site must be small;
- The existing development pattern along the frontage must be respected;
- Other planning and environmental requirements must be met.

Having visited the site it is clear that No 63 and the garage to the side both have a frontage to the Deerpark Road. The site itself together with the site to the south have a strongly vegetated boundary to the roadside which if removed will open up both application sites to view. Number 61 Deerpark Road is set back some 60 metres from the Deerpark Road. The roadside screening to No 61 is also strong and there is an awareness of the pillars at the roadside to No 61 and together with the curtilage of No 61 coming to the roadside it can be said this has a common frontage to the road.

I will consider the four specific elements in turn:

- Policy CTY 8 requires the frontage to be substantially and continuously built up. It is clear from visiting the site this field provides a strong visual break between the dwellings at Nos 61 and 63. However in the justification and amplification of CTY 8 it states that *"buildings...with gaps between them can still represent ribbon development, if they have a common frontage"*. Given this explanation it would be difficult to argue the buildings do not represent a ribbon given they all have a common frontage to the Deerpark Road.
- The second exception in Policy CTY 8 states that the gap site must be small and sufficient only to accommodate up to a maximum of 2 houses. When the existing pattern of development is considered on the ground the proposed 2 sites are reflective of the existing development pattern along the road frontage in terms of plot size. The existing development pattern along this stretch of the Deerpark Road is of large roadside dwellings on large plots and thus it is my opinion this element has been satisfied.
- The other planning and environmental requirements which address the ability of a new dwelling to integrate into the landscape in accordance with CTY 13 and the rural character in accordance with CTY 14. The site, as outlined in red, is located in a large roadside field and there is a wide roadside verge. The block plan indicates a paired access in a central position which should allow a significant level of trees and hedges to be retained. Behind the visibility splays are a significant number of mature trees which should be conditioned to be retained, save for the need for removal for visibility splays.

I recommend an approval of this application

Refusal Reasons

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. Notwithstanding the provisions of the Planning (General Development) Order (NI) 2015, or any Order revoking and re-enacting that Order, no buildings, walls, gate pillars, fences or other structures shall be erected within the curtilage of any dwelling house forward of any wall of that dwelling house which fronts onto a road.

Reason: To preserve the rural character of the locality.

4. 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.

5. The existing natural screenings of the site, as indicated in green, on approved drawing ref: 01 date stamped received 20 April 2017 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: To ensure that the proposed development does not prejudice the appearance of the locality.

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.

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





Deferred Consideration Report

Summary	
Case Officer: Karen Doyle	
Application ID: LA09/2017/0598/O	Target Date:
Proposal: Proposed dwelling and domestic garage/ store based on policy CTY 10 dwelling on a farm	Location: Approx 175m West of 6 Tonaght Road, Draperstown
Applicant Name and Address: Mr Sean McGlade 22 Dromdallagan Straw Draperstown	Agent name and Address: CMI Planners 38 Airfield Road The Creagh Toomebridge BT41 2SQ
Summary of Issues: Siting of a new dwelling on the farm	
Summary of Consultee Responses: No objections	
Characteristics of the Site and Area: The site is located approximately 1.5km south west of the village of Draperstown within the open countryside as defined by the Magherafelt Area Plan 2015. The application is for a farm dwelling and domestic garage/store off an existing agricultural lane. The site is located within a large agricultural field that has as per identified on the plans as two existing agricultural buildings. However during the site visit these appeared as two metal shelters, there is a slight fall in slight down towards the two shelters. The site is bounded by large mature trees along the western boundary however as a result of the way in which the red line is drawn that the northern and southern boundaries are undefined. The eastern boundary along the roadside is defined by post and wire fencing with a scattering of hedging. The surrounding area is predominantly agricultural uses with a scattering of farm holdings and dwellings.	

Description of Proposal

This is an outline application for a site for a dwelling and domestic garage/store based on policy CTY10. The site is located approximately 175m west of No. 6 Tonaght Road, Draperstown, which appears to be the registered address of the farm business.

Deferred Consideration:

This application was presented before the Planning Committee in August with a recommendation to refuse as it wasn't considered the new dwelling would visually link or cluster with an established group of buildings on the farm and was contrary to CTY 10 and 13 of PPS 21. The application was deferred for an office meeting with the Planning Manager which took place on 12 October 2017.

Policy CTY 10 has 3 requirements namely the farm has to be active and established, no dwellings or development opportunities have been sold off and the new building is visually linked or sited to cluster with an established group of buildings on the farm. DARD has confirmed the farm business is active and established and there is no evidence of any sites or dwellings having been sold off the farm. CTY 10 merely refers to the need for a new building to be *"visually linked or sited to cluster with an established group of buildings on the farm and where practicable, access to the dwelling should be obtained from an existing lane"*. The 2 buildings on the application site are very small tin shed structures and it is questionable whether in themselves they represent a group of buildings on the farm. However in examining the land opposite it is clear that for topographical reasons there would be advantages in locating the dwelling next to these buildings other than the existing farm group particularly as it aids integration. The proposal also includes the use of an existing lane serving these buildings which is in accordance with CTY 10.

The site is well integrated with strong vegetation to the west and this will serve as a good backdrop to a new dwelling.

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

Condition:

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 8 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.

4. The proposed dwelling shall be sited in the area shaded yellow on the approved plan date stamped 2 May 2017.

Reason: To ensure that the development is not prominent in and is satisfactorily integrated into the landscape in accordance with the requirements of Planning Policy Statement 21.

5. 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

