



## Deferred Consideration Report

Summary	
<b>Case Officer:</b> Karen Doyle	
<b>Application ID:</b> LA09/2020/1476/O	<b>Target Date:</b>
<b>Proposal:</b> New dwelling and garage	<b>Location:</b> Between 21 and 23 Iniscarn Road, Moneymore
<b>Applicant Name and Address:</b> FJS Contracts Ltd 12a Gortahurk Road Magherafelt	<b>Agent name and Address:</b> CMI Planners 38 Airfield Road Toome BT41 3SG
<b>Summary of Issues:</b>  Two letters of objection were received to the planning application and these were considered by Members at the Planning Committee in June 2021. The issues raised were <ul style="list-style-type: none"><li>- Impact on privacy of neighbouring dwellings;</li><li>- P2 challenge;</li><li>- Adverse impact on Slieve Gallion as an area of High Scenic Value;</li><li>- The proposal is contrary to CTY8 and would result in a ribbon of development;</li><li>- Impact on local wildlife;</li><li>- Inadequate sight lines;</li><li>- Devaluation of neighbouring dwellings;</li></ul> In response to these concerns; <ul style="list-style-type: none"><li>- A dwelling could be designed to overcome privacy concerns;</li><li>- We have received confirmation from O’Kane Boyle solicitors the applicant owns the land and a land registry map was attached.</li><li>- A dwelling can be designed to integrate at this location;</li><li>- There are no natural heritage assets identified of significance;</li><li>- DfI Roads accept the visibility splays can be provided;</li><li>- The value of dwellings is not a material consideration.</li></ul>	

**Summary of Consultee Responses:**

No objections

**Characteristics of the Site and Area:**

The proposed site comprises part of a small grass field located between Nos 21 and 23, both detached dwellings with detached garages to the side and rear. The site topography elevates in a northerly direction where the plot size is similar to the other established sites with an accesses via a field gate on the public road. Site boundaries comprise mature trees and low level vegetation on the north and east; post and wire fencing and sporadic vegetation on the west and post and wire fencing with sporadic hedgerow on the south boundary (running parallel with the Iniscarn Road. The surrounding landform is one of undulating countryside with farms and individual dwellings scattered throughout the area.

**Description of Proposal**

This application is for a new dwelling and garage

**Deferred Consideration:**

This application was presented before the Planning Committee in June 2021 with a recommendation to refuse and Members agreed for the application to be deferred for an office meeting with the Service Director. Following the office meeting I have carried out an inspection of the site.



In terms of Policy CTY policy allows for an exception to be made for the development of a small gap site within an otherwise substantial and continuously built up frontage, which for the purposes of this policy is a line of 3 or more buildings along a road frontage without

accompanying development to the rear. Having visited the site I do not consider that No 23 has a frontage to the road. The dwelling is set back from the road and does not have a garden to the road frontage. It is accessed along a private lane with a small grassed area between the site and the private laneway. The dwelling at No 23 was approved in 1995 and this grassed area was not included in the curtilage of the approved plans.

I do not consider this site merits to be considered as an infill site and is therefore contrary to Policies CTY 8 and CTY 14 and I recommend a refusal based on the reasons below.

**Reasons for Refusal:**

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 Policy CTY8 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the proposal would, if permitted, result in the extension of ribbon development along xx Road further eroding the rural character of this area.

**Signature(s):**

**Date**



## Development Management Officer Report Committee Application

<b>Summary</b>	
<b>Committee Meeting Date:</b>	<b>Item Number:</b>
<b>Application ID:</b> LA09/2020/1476/O	<b>Target Date:</b>
<b>Proposal:</b> New dwelling and garage	<b>Location:</b> Between 21 and 23 Iniscarn Road Moneymore
<b>Referral Route:</b>  2 letters of objections  Proposed development is contrary to Policy CTY8 of PPS 21	
<b>Recommendation:</b>	Refusal
<b>Applicant Name and Address:</b> FJS Contracts Ltd 12a Gortahurk Road Magherafelt	<b>Agent Name and Address:</b> CMI Planners 38 Airfield Road Toome BT41 3SG
<b>Executive Summary:</b>	
<b>Signature(s):</b>	

## Case Officer Report

### Site Location Plan



### Consultations:

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

### Representations:

Letters of Support	None Received
Letters of Objection	3
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.

### Characteristics of the Site and Area

The proposed site comprises part of a grass field sandwiched between Nos 21 and 23 both detached modern dwellings with garages to the side and rear. The site topography elevates in a northerly direction where the plot size is similar to the other established sites. The proposed access involves the construction of a new access on the public road. Site boundaries comprise mature trees and low level vegetation on the north and east; post and wire fencing and sporadic vegetation on the west and post and wire fencing with sporadic hedgerow on the south boundary

(running appavelled with the Iniscarn Road. The surrounding landform is one of undulating countryside with farms and individual dwellings scattered throughout the area.

## Description of Proposal

The applicant is seeking outline planning permission for a dwelling and garage between 21 and 23 Iniscarn Road, Moneymore. 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 alterations to an existing lane that accesses.

All planning application forms, drawings, letters etc. relating to this planning application are available to view on [www.planningni.gov.uk](http://www.planningni.gov.uk)

## Site History

Reference	Location	Proposal/Complaint	Status	Date
LA09/2020/1476/O	Between 21 and 23 Iniscarn Road, Mo	New dwelling and garage	VALID APPLICATION RECEIVED	
H/2002/0675/O	Adjacent to 23 Iniscarn Road, Moneymr	Site of Dwelling	APPEAL DISMISSED	
H/1995/0527	INISCARN ROAD MONEYMORE	DWELLING AND GARAGE	PERMISSION GRANTED	
H/2003/0665/O	Iniscarn Road, Moneymore.	Site of dwelling and garage.	APPLICATION WITHDRAWN	21.02.2005
2003/A057	Adjacent to 23 Iniscarn Road, Moneymr		APPEAL DISMISSED	30.09.2003

## 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.

2. NI Water were consulted and responded with no objections subject to standard informatives.

## Design and Access Statement

The agent submitted a Design and Access Statement – the site is located within an Area of High Scenic Value

## 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 2 letters of objection were received. This application was initially advertised in the local press on w/c 7th December 2020 (publication date 8th December 2020). Five (5) neighbouring properties were notified on 15th December

2020; 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; and
6. Building on Tradition A sustainable design guide for rural NI.

#### Magherafelt Area Plan 2015

The site lies in the rural countryside and outside any designated settlement limits as depicted in the MAP 2015.

#### The Strategic Planning Policy Statement for Northern Ireland.

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 seeks outline approval for the development of a small gab site in accordance with Policy CTY8 of PPS21.



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 two 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 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 site sits between Nos 23 to west and 21 to the east. It is noted that within the curtilage of No 21 are 2 outbuildings (garage and a smaller second shed) located to the side and rear. Whilst I acknowledge that there are three buildings within the curtilage of No 21. That said, the curtilage of No 23 is setback from the road and is accessed by a driveway with a small strip of grass area abutting the Iniscarn Road.

I am not persuaded that No 23 is read as a roadside frontage in accordance with the spirit of Policy CTY8. It is noted that the proposed site cuts across the southern boundary of the garden to No 23, which reinforces that the curtilage of No 23 does form part or a substantial and continuously built up frontage. I am not satisfied that No 23 does not 'book end' the dwelling to the west No 21 and therefore fails Policy CTY8.



Fig. 1 Aerial photograph.





Fig. 2 No shows No 23 set back in the distance from Iniscarn Road

### Objections

Two letters of objection were received dated 19th and 22 December 2020 representing Nos 21 and 23 Iniscarn Road, Moneymore.

### Summary of the objections are as follows:

1. The proposed development would severely affect privacy;
2. Concerns raised the applicant is not the landowner;
3. Concerns raised that further development would adversely impact Slieve Gallion as an area of "High Scenic Value";
4. Concerns raised that the proposed development is contrary to Policy CTY8 of PPS21 and would create Ribbon Development;
5. Concerns raised on the conservation if one more dwellings are built this would result in the removal of trees and hedges, the area is home to the mountain hares, red grouse;
6. Concerns raised that sight- lines on the plan indicate 60m, which is not enough under current regulation;
7. Concerns raised relate to privacy and potential devaluation of existing properties; and
8. Concerns that the proposed dwelling if permitted, would be directly in front of No 23.

In response to the above concerns it is noted valuation of properties are considered non-planning concerns. Those matters that are considered material would be accessed against the relevant policies for example, siting and landscaping on the character of the area are accessed under Policies CTY13 and CTY 14 of PPS21.

Concerns were raised relating to an infill approval between 21 and 23. However, a search of the planning history shows that a replacement under H/2009/0165/O was approved north of No 21.

In response to point 2 – a letter was received by email dated 1<sup>st</sup> April 2021 from O’Kane Boyle solicitors acting on behalf of the applicant that confirms that FJS Contracts Limited are the landowners of lands at Iniscarn Rd. Attached to the letter is a copy of Land Registry for folio LY68480 which is outlined in red.

In response to point 6 - DFI Roads have not objected subject to complying with RS1 visibility splays 2.4m X 60m.

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

NI Flood Maps have been checked and no flooding issues have been identified.

**Neighbour Notification Checked**

**Yes**

**Summary of Recommendation:**

Refusal as the site is not in my opinion located within an otherwise substantial and continuously build up frontage i.e. a line of 3 or more buildings running along Iniscarn Road, without accompanying development to the rear. This will result in the creation of ribbon development leading to further erosion of rural character

**Reasons for Refusal:**

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 Policy CTY8 and CTY14 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the proposal would, if permitted, result in the extension of ribbon development along Iniscarn Road further eroding the rural character of this area.

**Signature(s)**

**Date:**

<b>ANNEX</b>	
<b>Date Valid</b>	20th November 2020
<b>Date First Advertised</b>	8th December 2020
<b>Date Last Advertised</b>	
<b>Details of Neighbour Notification</b> (all addresses) The Owner/Occupier, 21 Iniscarn Road Moneymore Londonderry Samantha & Owen O'Kane 21, Iniscarn Road, Moneymore, Londonderry, Northern Ireland, BT45 7RH The Owner/Occupier, 23 Iniscarn Road Moneymore Londonderry Mark Kelly Email Address Mark Kelly	
<b>Date of Last Neighbour Notification</b>	
<b>Date of EIA Determination</b>	
<b>ES Requested</b>	No
<b>Planning History</b>  Ref ID: LA09/2020/1476/O Proposal: New dwelling and garage Address: Between 21 and 23 Iniscarn Road, Moneymore, Decision: Decision Date:  Ref ID: H/2002/0675/O Proposal: Site of Dwelling Address: Adjacent to 23 Iniscarn Road, Moneymore Decision: Decision Date:  Ref ID: H/1995/0527 Proposal: DWELLING AND GARAGE Address: INISCARN ROAD MONEYMORE Decision: Decision Date:	

Ref ID: H/2003/0665/O  
Proposal: Site of dwelling and garage.  
Address: Iniscarn Road, Moneymore.  
Decision:  
Decision Date: 21.02.2005

**Summary of Consultee Responses**

Content

**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	
<b>Case Officer:</b> Phelim Marrion	
<b>Application ID:</b> LA09/2021/0319/F	<b>Target Date:</b> <add date>
<b>Proposal:</b> Proposed change of house type as approved in M/2004/0778/F from a detached to a pair of semi-detached on site 2	<b>Location:</b> Opposite 114 Killyliss Road Eglish Dungannon
<b>Applicant Name and Address:</b> TG Developers Ltd TG Developers Ltd 4 Stiloga Road Eglish Dungannon BT71 7DW	<b>Agent name and Address:</b> J Aiden Kelly Ltd 50 Tullycullion Road Dungannon BT70 3LY
<b>Summary of Issues:</b> The private amenity space for one of the houses is not located to the rear of the building line, it is proposed to enclose it with high screen walls to protect the privacy.	
<b>Summary of Consultee Responses:</b>  DFI Roads – proposal will require amendments to the adoption of the roads	
<b>Characteristics of the Site and Area:</b>  The site lies within the settlement limits of Eglish, also within the new development of Shanmoy Downs but outside all other areas of constraint as depicted by the DSTAP 2010. The red line of the site includes a plot of land at the beginning of the site which has planning approval for a detached dwelling as part of the overall scheme. The access is taken from the main Eglish road just between the chapel walls and the existing farm yard to the south. The access has been kerbed with a footpath in place and the first dwellings along the sides of the entrance have been built.	

The land to the west has been cleared in preparation for the construction of the approved dwellings, the chapel and graveyard are situated to the north, there is also a mix of house types surrounding the site to the north and east and to the south there is the exiting farm holding.

### Description of Proposal

The proposal seeks full planning permission for the erection of a pair of semi-detached dwellings on the site for one detached dwelling within Shanmoy Downs which was previously approved for housing under planning application M/2004/0778/F.

M/2004/0778/F granted permission for a residential development comprising 47 dwellings on the 12.10.2010.

### Deferred Consideration:

This application was before the committee in November 2021 and was deferred to consider the requirements of PPS7 Quality Residential Environments and the Guidance in Creating Places.

A meeting was held with the Planning Manager on 18 November and the issues in respect of the private amenity space were discussed.

Following the meeting information was provide that shows the existing approved development and the proposed development. The approved development is a large 2 storey house with a 2 storey rear return that fills the site. It has a frontage of 13 metres along the cul de sac and site much further forward of the building line than the proposed development. (See fig 1 and 2)



Fig 1 Approved layout and proposed layout





Fig 2 Approved elevations and proposed elevations

As a consequence, I consider the proposed development has less of a visual impact and effect on the appearance of the cul-de-sac than the approved. The application proposes a 2 metre high screen wall and landscaping to soften the impact of the screen wall in the overall development. Taking account of the mass and bulk of the approved development, it is my opinion that the proposed development will have less of a dominant effect on the overall appearance of this cul de sac, will give the impression of a less crowded development and provides symmetry to the approach to the cul de sac entrance.

Creating Places advocates that within new greenfield housing developments, there should be private amenity space behind the building line. In this case there are a number of factors that need to be carefully considered. The approved development is larger and more dominant than the proposed development which will, as I have stated, give the impression of a less crowded development. There is a footpath that will provide a continuous link for pedestrians that avoids the Chapel Corner where there is a gap in the footpath provision and a narrowing of the road between the gable wall of McCanns shop and the graveyard wall. These visual amenity and pedestrian safety issues will, in my opinion, justify setting aside the guidance in relation to private amenity space set out in Creating Places for this one dwelling on the corner of the entrance to this cul de sac.

DFI Roads were consulted in respect of an amendment to the Private Streets Determination for this development. They have requested amended drawings to show other development that is not part of this application and a 2 metres service strip, where previous drawings were approved with a 1 metres strip. These are matters that can be dealt with by DFI Roads Section office and the developer on site and I recommend a condition that these matters are agreed with DFI Roads prior to the occupation of any of the dwellings hereby approved.

NI Water have advised there is no capacity in Eglisish WWTW for servicing any new developments. The proposal here will result in the creation of an additional unit which must provide its own treatment of waste. The developer has already approved a temporary on site waste water treatment plant as there have been additional dwellings approved within the development. As the WWTW has been approved I consider it appropriate to attach a condition that requires the developer to either connect these houses into the temporary works or provide written agreement with NI Water to connect into their network.

In light of all of the above, I recommend this application is approved with the conditions set out below.

**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 occupation of any of the dwellings hereby approved, the developer shall provide the Council with a written agreement from DFI Roads for the amendments to the road layout and access positions for these dwellings.

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

3. Prior to the occupation of any of the dwellings hereby approved, the developer shall provide the footpath connection from this development to Killyliss Road as approved under application LA09/2020/1371/F.

Reason: In the interests of pedestrian safety.

4. Prior to the occupation of any of the dwellings hereby approved, the developer shall provide all hard and soft landscape works as set out on drawing No 01/A 2 bearing the stamp dated 26 JAN 2022 and drawing No 04 bearing the stamp dated 28 JAN 2022 and in accordance with the appropriate British Standard or other recognised Codes of Practise. Any tree shrub or pant 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 residential amenity.

5. Prior to the occupation of any of the dwellings hereby approved, the developer shall connect these dwellings to the WWTW approved under application LA09/2018/0559/F or provide the Council with a written agreement from NI Water to allow them to be connected into their network.

Reason: To prevent pollution from Eglis WWTW plant which NI Water have indicated cannot accommodate new developments.

**Signature(s):**

**Date**

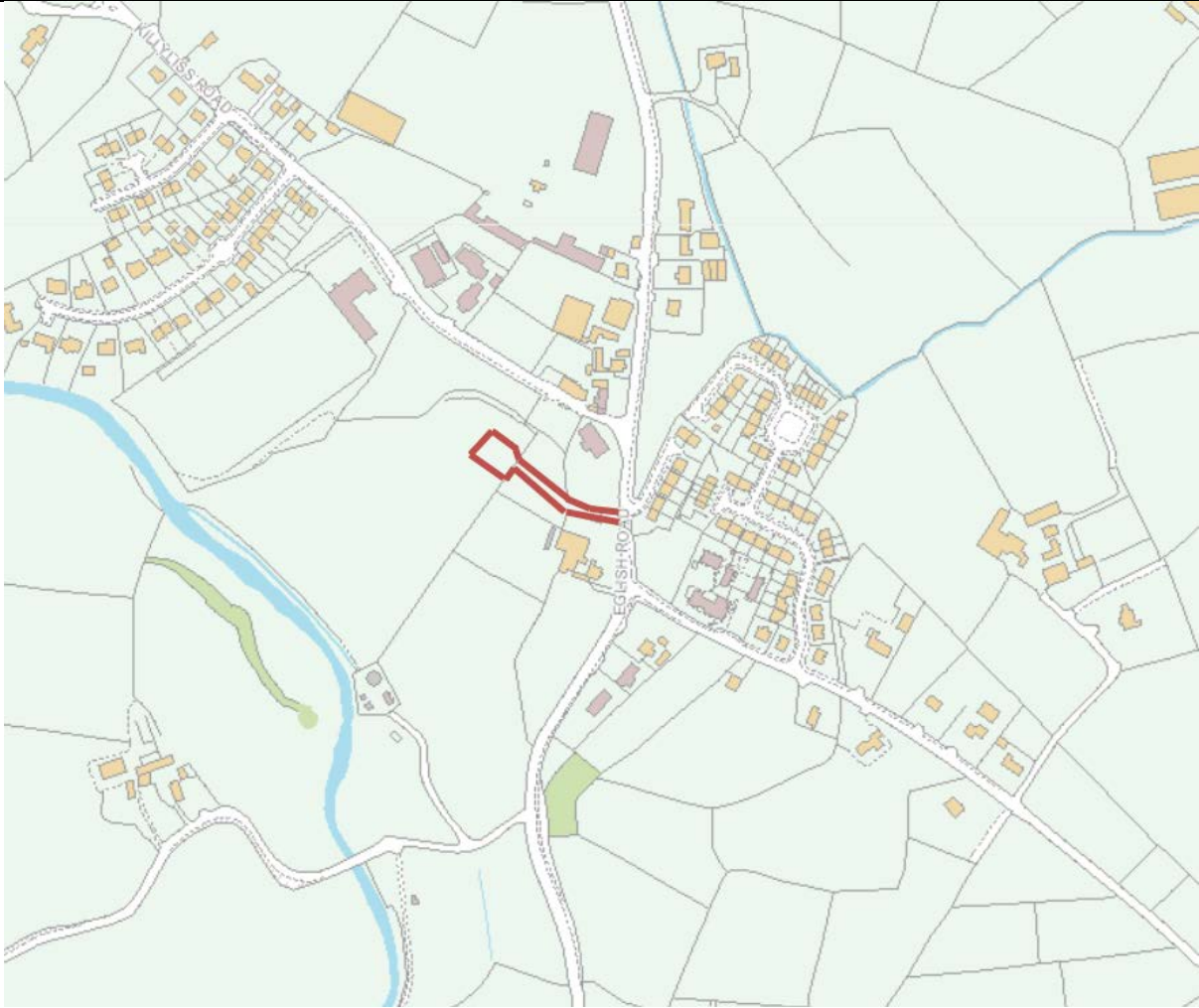


## Development Management Officer Report Committee Application

<b>Summary</b>	
<b>Committee Meeting Date:</b>	<b>Item Number:</b>
<b>Application ID:</b> LA09/2021/0319/F	<b>Target Date:</b>
<b>Proposal:</b> Proposed change of house type as approved in M/2004/0778/F from a detached to a pair of semi-detached on site 2	<b>Location:</b> Opposite 114 Killyliss Road Eglisish Dungannon
<b>Referral Route:</b> Contrary to policy	
<b>Recommendation:</b>	Refusal
<b>Applicant Name and Address:</b> TG Developers Ltd TG Developers Ltd 4 Stiloga Road Eglisish Dungannon BT71 7DW	<b>Agent Name and Address:</b> J Aiden Kelly Ltd 50 Tullycullion Road Dungannon BT70 3LY
<b>Executive Summary:</b>	
<b>Signature(s):</b>	

## Case Officer Report

### Site Location Plan



### Consultations:

Consultation Type	Consultee	Response
Statutory	DFI Roads - Enniskillen Office	Standing Advice
Statutory	DFI Roads - Enniskillen Office	Standing Advice
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 within the settlement limits of Eglish, also within the new development of Shanmoy Downs but outside all other areas of constraint as depicted by the DSTAP 2010.

The red line of the site includes a plot of land at the beginning of the site which has planning approval for a detached dwelling as part of the overall scheme. The access is taken from the main English road just between the chapel walls and the existing farm yard to the south. The access has been kerbed with a footpath in place and the first dwellings along the sides of the entrance have been built.



The land to the west has been cleared in preparation for the construction of the approved dwellings, the chapel and graveyard are situated to the north, there is also a mix of house types surrounding the site to the north and east and to the south there is the existing farm holding.

## Description of Proposal

The proposal seeks full planning permission for the erection of a pair of semi-detached dwellings on the site for one detached dwelling within Shanmoy Downs which was previously approved for housing under planning application M/2004/0778/F.

M/2004/0778/F granted permission for a residential development comprising 47 dwellings on the 12.10.2010.



## **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 policy documents provide the primary policy context for the determination of this application;

?Dungannon and South Tyrone Area Plan 2010

?Strategic Planning Policy Statement for Northern Ireland

?Planning Policy Statement 7 - Quality Residential Environments

?Planning Policy Statement 7 (Addendum) - Safe Guarding the Character of Established Residential Areas

?Planning Policy Statement 3 - Access, Movement and Parking

?DCAN 8 - Housing in Existing Urban Areas

?Parking Standards

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.

### 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

M/2004/0778/F -- Proposed residential development of 47 dwellings - opposite 114 Killyliss Rd, Eglisli - Granted 12.10.2010.

M/2015/0085/F - Proposed 3no. of detached dwellings - 35m north of 141 Eglisli Road, Eglisli - Granted 13.10.2017.

The above application relates to three dwellings approved to either side of the access road to serve the dwellings approved under M/2004/0778/F.

### Consultees

Transport NI were consulted and have asked for several amendments, the most recent response stated;

As previously advised on the 18 May 2021. - A 2 metre wide service strip should be provided adjacent to carriageway edge - Road No 2. Still to be addressed.

As previously advised on the 18 May 2021. - Road No 2 should be completely coloured not partially as currently depicted. Still to be addressed.

In light of my impending recommendation to refuse I have not pursued these amendments.

### Assessment

Dungannon and South Tyrone Area Plan 2010 ? The site is located within the development limits of the village of Eglisli as defined in the Area Plan. Policy SETT 1 of the Plan permits development within Eglisli provided the scale, layout and detailed design are compatible with the scale and character of the settlement. Residential development in excess of 15 units will not normally be permitted. All residential proposals should be guided and informed by the traditional built forms in the locality. They should reflect the essentially rural character of the settlement and not lead either individually or cumulatively to large scale suburban estate layouts. The use of designs and materials unrelated to the surrounding rural locality will not be acceptable. The

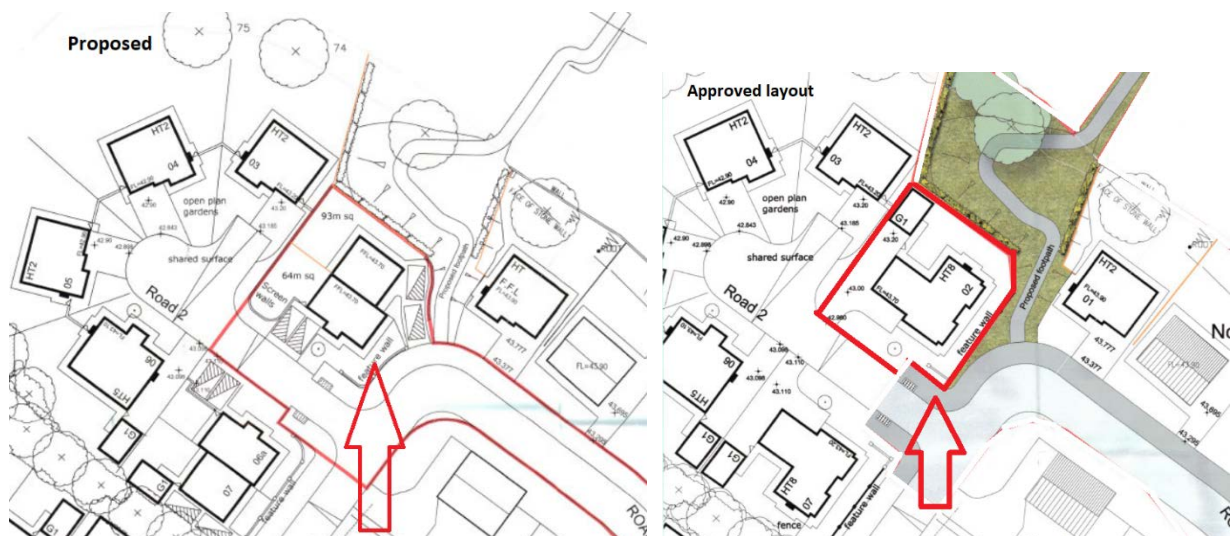


proposal under consideration is to replace one detached property approved under planning application M/2004/0778/F with a pairs of semi-detached houses. As the site is not specifically zoned for housing there are no key site requirements to be adhered to.

Strategic Planning Policy Statement (SPPS) for Northern Ireland - The SPPS has superseded Planning Policy Statement 1 (General Principles). The SPPS advises that planning authorities should simultaneously pursue social and economic priorities alongside the careful management of our built and natural environment for the overall benefit of our society. Its guiding principles is that sustainable development should be permitted, having regard to the development plan and all other material considerations, unless the proposed development will causes demonstrable harm to interests of acknowledged importance. I am satisfied that this development will not negatively impact on the built or natural environment nor will it harm interests of acknowledged importance, however I have concerns that the proposal may cause harm to neighbouring amenity and I will assess that within the report.

The SPPS gives provision for Housing in Settlements subject to a number of policy provisions. It does not present any change in policy direction with regard to residential development in settlements. As such, existing policies will be applied.

Planning Policy Statement (PPS) 3 - Access, Movement and Parking - Policy Amp 1 of PPS 3 (Creating an Accessible Environment) aims to create a more accessible environment for everyone. And Policy Amp 2 of PPS 3 (Access to Public Roads) permits direct access onto a public road where road safety is not prejudiced, traffic flow is not inconvenienced and where the proposal does not conflict with a protected route.



Planning Policy Statement (PPS) 7 - Quality Residential Environments - PPS 7 is the relevant material planning policy for this type of development within a settlement. All proposals for residential development will be expected to conform to a number of criteria laid out in the PPS7. I am NOT content that this proposal conforms to these criteria.

The design of the two dwellings being sought are not dissimilar to that already approved within the overall site and therefore the design of the proposed will be in keeping with the approved development and surrounding area.

Footway links are provided to the front of the site. These will support walking or cycling into the village, which can be accessed further via a footpath at the opposite side of the entrance to the

site. This new foot path will provide a link between the development and the nearby Killyliss development.

I am content that the proposed changes should not create conflict with adjacent land uses.

I am concerned that the proposed properties may however, cause an unacceptable degree in terms of overlooking, loss of light or overshadowing. It is my opinion that the proposed pair of semis within this confined site, and the use of a high screen wall back by planting to provide amenity to the side of the dwelling is not acceptable. As there is no rear private amenity space, this enclosed area to the side will be a 'back garden' that is overlooked by the cul-de-sac and it also closes off what was an area of open space. My concerns are that this is effectively shoehorning in another house. Within this development there are still 48 dwellings to be built some of which have already been changed from detached to semi-detached where they were appropriate and also had their amenity space protected, due to the location of this one I would have serious concerns.

On the basis of the above assessment it is my opinion that the proposal fails the criteria set out in policy QD 1 of PPS 7.

PPS 7 (Addendum) Safeguarding the Character of Established Residential Areas

Policy LC 1 - Protecting Local Character, Environmental Quality and Residential Amenity states that in established residential areas planning permission will only be granted for the redevelopment of existing buildings, or the infilling of vacant sites (including extended garden areas) to accommodate new housing, where all the criteria set out in Policy QD 1 of PPS 7, and a number of criteria are met. In this case I am NOT satisfied that this proposal complies with all of the criteria of Policy LC 1, Protecting Local Character, Environmental Quality and Residential Amenity, in that the layout of the proposed pair of dwellings does not respect the pattern of development within the development and due to the lack of rear private amenity space for one of the proposed dwellings, in my opinion it is not in keeping with the overall character and environmental quality of the residential area.

Other Considerations

Some of the site is subject to flooding, however this location is nearer the front where development has already commenced in accordance with previous permissions. I do not consider his proposal will cause or be at greater risk of flooding. DfI Roads were consulted on this proposal and have asked for amendments which have not been forthcoming.

Recommendation Approval.

**Neighbour Notification Checked**

**Yes/No**

**Refusal Reasons**

1. The proposal is contrary to QD1 of Planning Policy Statement (PPS) 7 - Quality Residential Environments in that the development would, if permitted, adversely impact on the appearance of the development as the screen walls around the garden of the south westerly facing dwelling are in front of the building lines of the approved and built properties and ancillary development will detract from the character of the area.
2. The proposal is contrary to QD1 of Planning Policy Statement (PPS) 7 - Quality Residential Environments in that the development would, if permitted, result in the loss of amenity for the

residents of south westerly facing dwelling, as the private amenity space is not to the rear of the property and would be overlooked by other dwellings in the development.

**Signature(s)**

**Date:**

<b>ANNEX</b>	
<b>Date Valid</b>	1st March 2021
<b>Date First Advertised</b>	16th March 2021
<b>Date Last Advertised</b>	
<b>Details of Neighbour Notification</b> (all addresses)	
<p>The Owner/Occupier, 1 Beech Mews Dungannon Tyrone</p> <p>The Owner/Occupier, 141 Eglish Road Dungannon Tyrone</p> <p>The Owner/Occupier, 144 Eglish Road Dungannon Tyrone</p> <p>The Owner/Occupier, 2 Beech Mews Dungannon Tyrone</p> <p>The Owner/Occupier, 3 Beech Mews Dungannon Tyrone</p> <p>The Owner/Occupier, 4 Beech Mews Dungannon Tyrone</p> <p>The Owner/Occupier, 5 Beech Mews Dungannon Tyrone</p> <p>The Owner/Occupier, 6 Beech Mews Dungannon Tyrone</p> <p>The Owner/Occupier, 7 Beech Mews Dungannon Tyrone</p> <p>The Owner/Occupier, St Patrick'S Rc Church Killyliss Road Dungannon</p>	
<b>Date of Last Neighbour Notification</b>	23rd March 2021
<b>Date of EIA Determination</b>	
<b>ES Requested</b>	No
<b>Planning History</b>	
<p>Ref ID: LA09/2020/1371/F            Proposal: Replace cycle/footpath approved under M/2004/0778/F to a 2m wide footpath            Address: Shanmoy Downs, Eglish, Dungannon,            Decision: RL            Decision Date:</p> <p>Ref ID: LA09/2020/1073/F            Proposal: Amendment of site layout as previously approved under M/2015/0085/F &amp; M/2004/0778/F to relocate two houses, amend part road layout and access pathway link to Killyliss Road.</p>	

Address: Shanmoy Downs, Eglish, Dungannon,  
Decision: PG  
Decision Date: 10.03.2021

Ref ID: LA09/2021/0319/F  
Proposal: Proposed change of house type as approved in M/2004/0778/F from a detached to a pair of semi-detached on site 2  
Address: Opposite 114 Killyliss Road, Eglish, Dungannon,  
Decision:  
Decision Date:

Ref ID: M/2015/0085/F  
Proposal: Proposed No. 3 Detached Dwellings  
Address: 35m north of 141 Eglish Road, Eglish, Dungannon,  
Decision: PG  
Decision Date: 17.10.2017

Ref ID: LA09/2018/1559/F  
Proposal: Proposed change of house types as approved in M/2004/0778/F, from 5 No. detached on sites 2, 7, 8, 25 and 26 to 4 pair of semi-detached houses and foul water treatment plant to service additional houses.  
Address: 120m North West of 141 Eglish Road, Eglish, Dungannon,  
Decision: PG  
Decision Date: 17.12.2020

Ref ID: M/1980/0370  
Proposal: IMPROVEMENTS TO DWELLING  
Address: STILLAGO  
Decision:  
Decision Date:

Ref ID: M/1995/0017  
Proposal: Extension and alterations to dwelling  
Address: 141 EGLISH ROAD EGLISH DUNGANNON  
Decision:  
Decision Date:

Ref ID: M/2010/0708/F  
Proposal: Proposed new disabled toilet facility  
Address: Adjacent to St Patricks Church, Killylish Road, Eglish, Co Tyrone  
Decision:  
Decision Date: 13.05.2011

Ref ID: M/2004/0778/F  
Proposal: Proposed residential development of 47 dwellings  
Address: Opposite 114 Killyliss Rd, Eglish  
Decision:  
Decision Date: 12.10.2010

Ref ID: M/1981/0386  
Proposal: PRIVATE HOUSING DEVELOPMENT

Address: EGLISH, DUNGANNON  
Decision:  
Decision Date:

**Drawing Numbers and Title**

Drawing No. 02  
Type: Elevations and Floor Plans  
Status: Submitted

Drawing No. 01  
Type: Site & Detailed Drawings  
Status: Submitted

**Notification to Department (if relevant)**

Date of Notification to Department:  
Response of Department:





## Deferred Consideration Report

Summary	
<b>Case Officer:</b> Karen Doyle	
<b>Application ID:</b> LA09/2021/1272/F	<b>Target Date:</b>
<b>Proposal:</b> Proposed single storey 3 bedroom private dwelling with single detached garage adjacent to main house and surrounding landscaping	<b>Location:</b> South of 101a Cavankeeran Road Pomeroy
<b>Applicant Name and Address:</b> Mrs Arlene Phelan 18 Garden Mews Cookstown	<b>Agent name and Address:</b> Nest Architects Unit 5 Bebox 172 Tates Avenue Belfast BT12 6ND
<b>Summary of Issues:</b>  No objections received	
<b>Summary of Consultee Responses:</b>  No objections or issues of concern	
<b>Characteristics of the Site and Area:</b>  The site is in the countryside and outside any settlement limits as defined in the Cookstown Area Plan 2010 with the nearest settlement being Pomeroy. The site comprises a large agricultural field with roadside frontage onto Cavanakeeran Road which is a minor road which comes to a dead end beyond the application site. The topography of the site is relatively flat with the site at a slightly lower level than the ground level of the existing adjacent public road. The roadside, northern and southern boundary are defined by post and wire fencing and a degree of hedging and trees. The eastern boundary is currently undefined given this is a cut out portion of a large field. There are three detached	

dwelling and a farm holding immediately north of the application site. The surrounding area is characterised predominantly by agricultural land and dispersed dwellings.

### **Description of Proposal**

This application seeks full planning permission for a single storey dwelling and garage on lands south of 101a Cavankeeran Road, Pomeroy.

### **Deferred Consideration:**

This application was presented as a refusal at the Planning Committee in January 2022. The Members agreed to defer the application for an office meeting with the Service Director, following which I carried out a site visit.

At the deferred office meeting the agent gave a background to the submission of this planning application on this field. Whilst there may be other options on paper these have been promised to other members of the applicant's family. The agent contends the site is located off an extremely minor road and no harm will result in approving a dwelling at this location given there is an extremely limited public interest. The agent also contends the length should be measured to the rear of the site, rather than the site frontage, as this is more keeping in character with other dwelling curtilages in the immediate area. Cllr McNamee was supportive of the applicants at the office meeting and considers the gap is a small gap site. Cllr McNamee also stated the applicants wish to raise their children on family land with family living in the immediate area. The agent stated the applicant is self-employed with flexible working hours and will be able to care for parents currently in their 70's and brothers are unable to do so as they are employed on a full time basis.

It is accepted a dwelling cannot be considered on the basis of Policy CTY 10 as a dwelling was approved on the farm in 2015 and there is evidence to demonstrate it was sold off the farm holding.

Turning to Policy CTY 8, this allows for the development of a small gap site sufficient only to accommodate up to a maximum of two dwellings within an otherwise substantial and continuous built up frontage and provided this respects the existing development pattern along the frontage. Having visited the site, there is a line of three or more buildings along the road frontage without accompanying development to the rear. What is important to respect, as cited in Policy CTY 8 is that a new dwelling respects the existing development pattern along the frontage in terms of size, scale, siting and plot size and meets other planning and environmental requirements.



### **Map to show site and neighbouring plot sizes along road frontage**

The frontage of the application site is c.90m long. The agent stated at the office meeting the rear of the site measures just 60m and this should be considered. It is not just a matter of a rudimentary measurement of site frontage or the rear of a site, Policy directs to size, scale, siting and plot size and the plot size of the site, at this location, does not respect the existing development pattern along this particular road frontage. Indeed, to respect the existing pattern could ultimately accommodate more than the maximum two dwellings as referred to in Policy CTY 8 in the overall gap site. Given the plot size of this particular site I do consider it provides an important visual break at this location. The agent posed the question what harm an approval at this location would bring, given that it is an extremely minor road with minimal public interest. However, this is not a policy consideration for which an exception can be considered for a dwelling on this application site.

With regards to Policy CTY 13 I agree with the case officer's consideration of the proposed design of the dwelling houses for this full planning application and given I do not consider the principle of the development to be acceptable it would be unfair to put the applicant to the expense of amending the proposed design of the new dwelling. The dwelling is proposed to be of modern design with complex and varying roof pitches and with the existing contours of the site and the road this would be immediately apparent when viewing the dwelling.

A new dwelling is also contrary to Policy CTY 14 as a new dwelling on this site will have a detrimental impact on the rural character due to the resulting extension of a ribbon of development on a site which currently provides an important visual break at this location.

I am of the opinion that planning permission should be refused for this application for the reasons cited below.

**Reasons for Refusal:**

1. The proposal is contrary to the Strategic Planning Policy Statement and Policy CTY 1 of Planning Policy Statement 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 Policy CTY 8 - Ribbon Development of PPS 21 - Sustainable Development in the Countryside as the proposal does not constitute 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 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 Policy CTY 13 of PPS 21 - Sustainable Development in it is considered that the design of the proposed dwelling is inappropriate for the site and its locality and the proposal will fail to visually integrate into the surrounding landscape.
5. The proposal is contrary to Policy CTY 14 of PPS 21 - Sustainable Development in that the proposal would add to a ribbon of development and be detrimental to rural character.

**Signature(s):**

**Date**



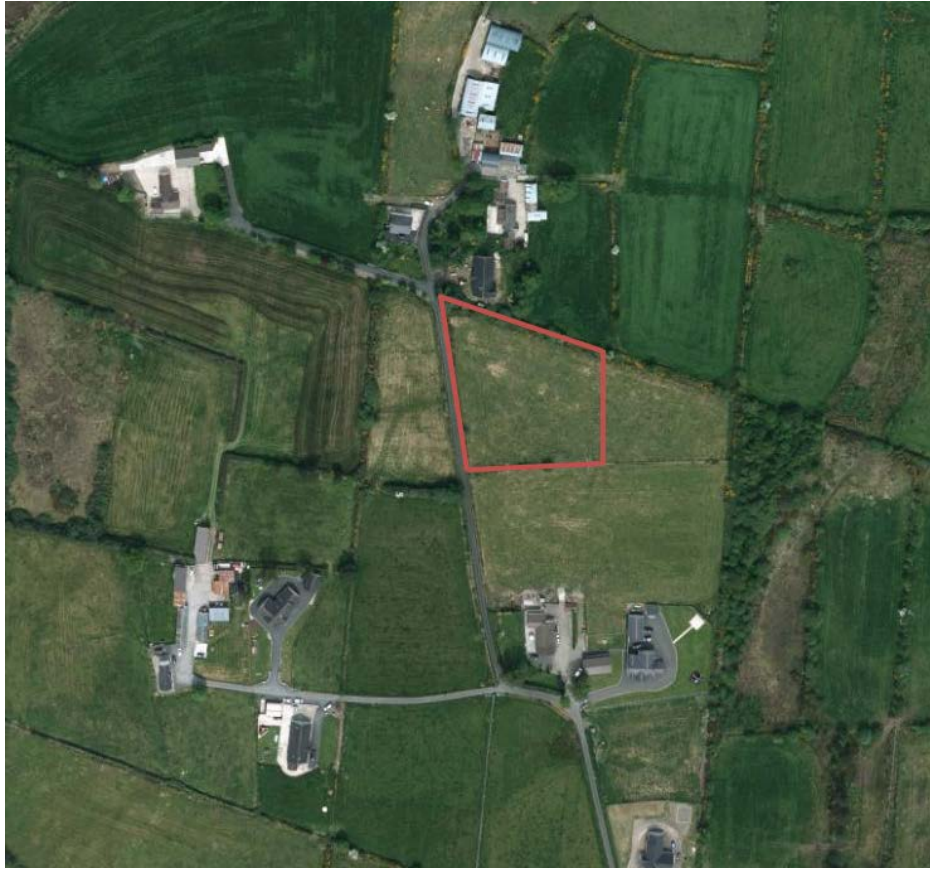
Comhairle Ceantair  
**Lár Uladh**  
**Mid Ulster**  
 District Council

## Development Management Officer Report Committee Application

Summary	
<b>Committee Meeting Date:</b>	<b>Item Number:</b>
<b>Application ID:</b> LA09/2021/1272/F	<b>Target Date:</b>
<b>Proposal:</b> Proposed single storey 3 bedroom private dwelling with single detached garage adjacent to main house and surrounding landscaping	<b>Location:</b> South of 101a Cavankeeran Road Pomeroy
<b>Referral Route:</b> Recommended refusal	
<b>Recommendation:</b>	<b>Refusal</b>
<b>Applicant Name and Address:</b> Mrs Arlene Phelan 18 Garden Mews Cookstown	<b>Agent Name and Address:</b> Nest Architects Unit 5 Bebox 172 Tates Avenue Belfast
<b>Executive Summary:</b> Proposal considered against prevailing planning policy – considered the proposal fails to comply with Policy CTY1 of PPS21. No letters of representation received.	
<b>Signature(s):</b>	

## Case Officer Report

### Site Location Plan



#### Consultations:

Consultation Type	Consultee	Response
Statutory	DFI Roads - Enniskillen Office	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 Cookstown Area Plan 2010. The settlement development limits of Pomeroy are located 0.8km SE of the site as the crow flies. The site comprises a large agricultural field with roadside frontage onto Cavanakeeran Road which is a minor road which comes to a dead end beyond the application site. The topography of the site is relatively flat with the site at a slightly lower level than the ground level of the existing adjacent public road. The roadside, northern and southern boundary are defined by post and wire fencing and a degree of hedging and trees. The eastern boundary is currently undefined given this is a cut out portion of a large field. There are three detached dwellings and a farm holding



immediately north of the application site. The surrounding area is characterised predominantly by agricultural land and dispersed dwellings.

### **Description of Proposal**

This application seeks full planning permission for a single storey dwelling and garage on lands south of 101a Cavankeeran Road, Pomeroy.

### **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

Planning Policy Statement 21: Sustainable Development in the 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. 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.

### **Representations**

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

### **History on Site**

I/2005/0982/O - Proposed dwelling, domestic garage and new access to a public road - Lands 135m NE of 89 Cavanakeeran Road, Pomeroy – Application Withdrawn 13/12/05

I/2005/0604/O - Site for Dwelling – Lands approx. 25m south of 101 Cavanakeeran Road Pomeroy – Permission Granted 16/06/05

I/2008/0382/RM - Site for Dwelling - Lands approx. 25m south of 101 Cavanakeeran Road Pomeroy - Permission Granted – 26/05/09

### **Key Policy Considerations/Assessment**

Cookstown Area Plan 2010 – the site lies in the rural countryside outside any designated settlement with no other specific designations or zonings.

The Strategic Planning Policy Statement for Northern Ireland – 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. SPPS 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 – 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.

#### CTY 10 – Dwelling on a Farm

The application was accompanied by a P1C form and farm maps therefore initially the proposal was considered against Policy CTY10 – Dwellings on Farms. Policy CTY 10 states that planning permission will be granted for a dwelling house on a farm where all of the following criteria can be met:

- a) the farm business is currently active and has been established for at least 6 years
- b) 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
- c) the new building is 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. Exceptionally, consideration may be given to an alternative site elsewhere on the farm, provided there are no other sites available at another group of buildings on the farm or out-farm, and where there are either:
  - demonstrable health and safety reasons; or
  - verifiable plans to expand the farm business at the existing building groups(s)

DAERA have confirmed that the farm business ID has been in existence for more than 6 years, however the farm business has not claimed payments through the Basic Payment Scheme in each of the last 6 years. With respect to criterion (b) following a review of the farm maps provided and a planning history check it was identified that planning approval had been granted on the farm business land for a dwelling. Planning approval I/2013/0273/O was granted on 07/11/13 for Brain Kane under Policy CTY 8. The approval is located on land within Field 5 on the DAERA farm map which accompanied this planning application. A Land Registry check was carried out which demonstrated this site was sold and the ownership was transferred on 07/07/15. This information was relayed to the agent on 21/10/21 giving them the opportunity to provide clarification on this matter, however the agent has since accepted that there has been a sell off and therefore the proposal does not meet Policy CTY10 criteria.

#### CTY 8 – Ribbon Development

The agent has since contended that the application site qualifies as a small gap site as permitted under CTY 8 of PPS 21. Policy CTY 8 states 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 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 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.

No.101b and No.101 with associated outbuildings are located immediately north of the application site, however the dwelling house No.101 and associated farm buildings do not have a frontage on to the public road therefore cannot be considered as one of the three or more buildings. No.101a is located NW of the application site and the detached dwelling of No.89 is located along the road frontage to the south. It should be noted that an agricultural field with road frontage of 74m separates the application site and the dwelling of No.89. In terms of the existing development pattern plot site, No.101a has a frontage of approx. 27m, No.101b has a frontage of approx. 23m and No.89 has a frontage of approx. 35m which is an average frontage of 28m in the immediate landscape. The application site has a road frontage of approx. 93m. It is therefore considered that the application site does not respect the existing development pattern in terms of plot size. Policy CTY 8 states the site should be a small gap site sufficient only to accommodate up to a maximum of two houses. In my opinion, the application site could accommodate at least 3 dwellings and the field immediately south could also accommodate at least 2 dwellings therefore this does not represent a small gap site and fails to meet Policy CTY8. Paragraph 5.34 of PPS 21 states “many frontages in the countryside have gaps between houses or other buildings that provide relief and visual breaks in the developed appearance of the locality and that help maintain rural character”. It is my opinion that the application site represented a visual break. The agent has accepted that the gap on paper appears large however argued the site wouldn't accommodate more than two dwellings. I do not except this and the below photos demonstrate the gap appears large not only on the drawings but on the ground also. The agent has relied on previous approval for an infill dwelling (I/2013/0273/O) along this stretch of road, however all applications are to be considered on their individual merits and in the case of the previous approval the average frontage was 35m and the infilling of 2 dwellings resulted in a frontage of approx. 47m each which is significantly smaller that the 93m frontage this application proposes. Whilst the agent has argued this is a minor road with a minimal degree of public interest, this does warrant approval or substantiate the setting aside of policy and this is not accepted.



Travelling south – view of application site



Travelling north – approaching site

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 proposed single storey dwelling was discussed at internal group and concerns were raised with the design particularly the roof with several different roof heights and pitches. Whilst concerns with the design were relayed to the agent, no formal request for an amended design were requested at this stage given the principle of a dwelling on the site is considered unacceptable. The proposed design is modern with complex and varying roof pitches and a large number of windows. It is considered the proposed dwelling would appear incongruous when read with the surrounding existing built form which are traditional in design. It is considered the proposal will fail to integrate into the surrounding landscape and is contrary to CTY13.

Policy CTY 14 states that planning permission will be granted for a building in the countryside where it does not cause detrimental change to, or further erode the rural character of an area. The application site is a large green field. The addition of a dwelling on this site, in my view, will have a detrimental impact on the rural character as it will be extending the existing ribbon of development along a site which I consider to represent a significant visual break in the landscape. Paragraph 5.8 of PPS 21 states ribbon development is detrimental to rural character and contributes to a sense of build-up. It is therefore considered contrary to CTY 14.

**PPS 3: Access, Movement and Parking**

The application site seeks to create a new access on to Cavankeeran Road. DfI Roads have been consulted and have offered no objections subject to conditions. It is considered a dwelling on the site will not prejudice road safety or significantly inconvenience the flow of traffic and accords with Policy AMP2 of PPS3.

**Additional considerations**

In addition to checks on the planning portal, the environmental map viewers available online have been checked and identified no built or natural heritage assets interests of significance on site.

**Neighbour Notification Checked**

**Yes**

**Summary of Recommendation:**

Having considered all relevant prevailing planning policy, the proposal is recommended for refusal for the reasons stated below.

**Reasons for Refusal:**

1. The proposal is contrary to the Strategic Planning Policy Statement and Policy CTY 1 of Planning Policy Statement 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 Policy CTY 8 – Ribbon Development of PPS 21 – Sustainable Development in the Countryside as the proposal does not constitute 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 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 Policy CTY 13 of PPS 21 – Sustainable Development in it is considered that the design of the proposed dwelling is inappropriate for the site and its locality and the proposal will fail to visually integrate into the surrounding landscape.
5. The proposal is contrary to Policy CTY 14 of PPS 21 – Sustainable Development in that the proposal would add to a ribbon of development and be detrimental to rural character.

**Signature(s)**

**Date:**