



Comhairle Ceantair
Lár Uladh
Mid Ulster
District Council

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

Deferred Consideration Report

Summary	
Case Officer: Phelim Marrion	
Application ID: LA09/2021/0341/F	Target Date: <add date>
Proposal: Proposed new site access (Revised Access)	Location: 36 Granville Road Dungannon.
Applicant Name and Address: Farasha Properties Ltd 34 Culrevog Road Dungannon BT71 7PY	Agent name and Address: J Aidan Kelly Ltd 50 Tullycullion Rpad Dungannon BT70 3LY
Summary of Issues: New access onto a Protected Route, the proposal is for a revised access in substitution for an existing access.	
Summary of Consultee Responses: DFI Roads – recommend approval with conditions relating to private streets	
Characteristics of the Site and Area: The site is in the countryside and outside any settlement limits as defined in the Dungannon and South Tyrone Area Plan 2010. The surrounding area is rural in character with a mix of agricultural fields, interspersed with farm holdings and single rural dwellings. There is minimal development pressure in this area from the construction of single dwellings, however the Granville Road is a heavily trafficked road between Dungannon and Granville and onto the M1 motorway. The site lies just South of the settlement limits of Dungannon on the main Granville Road. It is located at number 36 Granville Road and Ballysaggart Lough to the East and Killymaddy Lough to the North West.	

The red line of the site comprises large recently constructed two storey dwelling, a concrete yards and access off the Granville Road, a treed area to the North East and a portion of a larger open field to the South West. The site rises from the roadside NW to the rear SE, there is a further yard and large agricultural shed to the rear of the site outside the red line.

Description of Proposal

This is a full application for a proposed new site access (Revised Access) at 36 Granville Road, Dungannon.

Deferred Consideration:

Members will be aware this application was before the Planning Committee in December 2021 where it was deferred for a meeting with the Planning Manager. A meeting took place on 16 December and it was explained that as the site is accessed onto a Protected Route the policy restricts new access and a new additional access would not be permitted. It was also highlighted that the proposed access would result in the loss of vegetation along the roadside. The applicant was advised to consider serving all development here off one access in substitution for the existing and moving the access to retain vegetation.

Amended plans have been submitted for new lane to access the farm buildings and the dwelling in substitution for the existing access. The proposal involves a significant improvement to the forward sight lines on the opposite side of the road for this access and will not result in the loss of any more vegetation along the east side of the road than was approved with the previous application. DFI Roads have advised they are content with this as it will provide a safer access and they will adopt the forward sight line on the opposite side of the road. The proposal includes new landscaping along the frontage of the site and the provision of a new hedge to the top of the bank on the opposite side of the road with a grassed verge. I consider it is necessary and appropriate to condition the provision of this landscaping.

Members will be aware that Policy AMP3 of PPS3 has a consequential revision in PPS21 and it does not permit new access onto the protected route network. The purpose of this is to facilitate the free movement of traffic, as additional access points could result in vehicles slowing down or stopping to turn off the road. The policy allows for replacement dwellings where there is an existing access. This proposal is to substitute the original access for this revised access. I do not consider there is provision for this within the policy, however, the proposal that is now under consideration will result in a safer access with better sight lines for traffic turning into the site. The proposal will also have the added benefit of improving visibility and increasing space for vehicles on this corner. In light of the proposed substitution being a safer access and DFI Roads having raised no concerns,

I recommend this application is granted as an exception to the Protected Routes Policy for the reasons stated above and a condition is added to ensure the existing access is permanently closed up, as this is in substitution of the existing access and the sightlines are provided and kept clear.

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 access hereby permitted becoming operational visibility splays of 2.4m x 70.0m in both directions and forward sight distance of 90.0m, shall be provided in accordance with the approved drawing No 01/5 bearing the stamp dated 14 JUN 2022. The area within the visibility splays shall be cleared to provide a level surface no higher than 250mm above adjoining road and kept clear thereafter.

Reason: In the interest of road safety

3. The gradient of the access shall not exceed 4% (1 in 25) over the first 10m outside the road boundary. Where the vehicular access crosses a footway, the access gradient shall be between 4% (1 in 25) maximum and 2.5% (1 in 40) minimum and shall be formed so that there is no abrupt change of slope along the footway.

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

4. Within 2 weeks of the access hereby permitted becoming operational, the existing access indicated ' X' on Drawing No 01/5 bearing the stamp dated 14 JUN 2022 shall be permanently closed and the footpath reinstated to DFI Roads satisfaction.

Reason: This road is a Protected Route where it is the policy to restrict new accesses in the interest of road safety and traffic progression.

5. During the first available planting season following the access hereby approved becoming operational all new landscaping identified in yellow on drawing No 01/5 bearing the stamp dated 14 JUN 2022 shall be provided as approved and in accordance with the appropriate British Standard or other recognised Codes of Practice. Any tree, shrub or other plant identified in the landscaping scheme dying with 5 years of planting shall be replaced in the same position with a plant of a similar size and species.

Reason: To ensure the provision of a high standard of landscape.

The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992

PSD01 -. The Department for Infrastructure has determined that the width, position and arrangement of the streets, and the land to be regarded as being comprised in the streets, shall be as indicated on Drawings No 01/5 bearing the date stamp 14 JUN 2022.

Reason: To ensure there is a safe and convenient road system within the development and to comply with the provisions of the Private Streets (Northern Ireland) Order 1980.

Signature(s):

Date



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Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 07/12/2021	Item Number:
Application ID: LA09/2021/0341/F	Target Date:
Proposal: Proposed new site access (Revised Access)	Location: 36 Granville Road Dungannon.
Referral Route: 1. Contrary to Policy AMP 3 – Access to Protected Routes in PPS 3 – Access, Movement and Parking in that the development if permitted, would result in the creation of a new vehicular access onto a Protected Route, thereby prejudicing the free flow of traffic and conditions of general safety. 2. Contrary to Policy CTY13 – Integration and Design of buildings in the Countryside in PPS 21 in that the development if permitted would remove trees along the roadside boundary and provide open views of the site, thus the dwelling would be a prominent feature in the landscape. 3. Contrary to Policy CTY14 – Rural Character in PPS 21 in that the development if permitted would be a prominent feature in the landscape and damage rural character.	
Recommendation:	Refusal
Applicant Name and Address: Farasha Properties Ltd 34 Culrevog Road Dungannon BT71 7PY	Agent Name and Address: J Aidan Kelly Ltd 50 Tullycullion Rpad Dungannon BT70 3LY
Executive Summary: The proposal will result in the creation of an additional access onto a protected route i.e. Granville Road and remove a row of established trees along the roadside boundary. The trees currently block critical views of the large two storey dwelling from the roadside and if these are removed for visibility splays the site will lack enclosure.	

Signature(s):

Case Officer Report

Site Location Plan



Consultations:

Consultation Type	Consultee	Response
Statutory	Historic Environment Division (HED)	Content
Statutory	DFI Roads - Enniskillen Office	Standing Advice

Representations:

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

Characteristics of the Site and Area

The site is in the countryside and outside any settlement limits as defined in the Dungannon and South Tyrone Area Plan 2010. The surrounding area is rural in character with a mix of agricultural fields, interspersed with farm holdings and single rural dwellings. There is minimal development pressure in this area from the construction of single dwellings, however the Granville Road is a heavily trafficked road between Dungannon and Granville and onto the M1 motorway.

The site lies just South of the settlement limits of Dungannon on the main Granville Road. It is located at number 36 Granville Road and Ballysaggart Lough to the East and Killymaddy Lough to the North West.

The red line of the site comprises large derelict two storey dwelling, a concrete yards and access off the Granville Road, a treed area to the North East and a portion of a larger open field to the South West. The site rises from the roadside NW to the rear SE, there is a further yard and large agricultural shed to the rear of the site outside the red line. The replacement dwelling itself is an old two storey farm dwelling that appears to have been vacant for some time. The window have been smashed with some boarded up, however, all walls, door and window openings are fully intact. It has a dark render finish with a slate roof and a two storey rear return. The whole site is overgrow with vegetation and a small wall and gate block any entrance to the rear of the site. There is a large two storey dwelling under construction which is currently accessed via the existing farm yard access.

Along the roadside boundary is a row of established trees and the site itself is a portion of a larger agricultural field.

Description of Proposal

This is a full application for a proposed new site access (Revised Access) at 36 Granville Road, Dungannon.

Planning Assessment of Policy and Other Material Considerations

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

Representations

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

Planning History

LA09/2020/0768/F - Proposed Replacement Dwelling - 36 Granville Road, Dungannon, Co Tyrone – Permission Granted 21.10.2020

Mid Ulster Development Plan 2030 – Draft Plan Strategy

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

Dungannon and South Tyrone Area Plan 2010

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

SPPS – Strategic Planning Policy Statement for Northern Ireland: sets out that The SPPS provides a regional framework of planning policy that will be taken into account of in the preparation of Mid Ulster's Local Development Plan (LDP). At present, the LDP has not been adopted therefore transitional arrangements require the Council to take account of the SPPS and existing planning policy documents, with the exception of PPS 1, 5 and 9.

PPS 3 – Access, Movement and Parking Policy AMP 3 – Access to Protected Routes

Planning approval LA09/2020/0768/F granted permission for a replacement dwelling which at the time of my site visit was currently under construction. As shown in figure 1 below the new dwelling has approval from an access of the existing farm yard lane at No. 36 Granville Road.



Figure 1 – Block plan from original approval LA09/2020/0768/F

In initial drawings submitted by the agent the proposal was to keep this farm access and create a new access off the Granville Road, along the southern boundary of the site. In their consultation response dated 12 April 2021 DFI roads recommended the proposal for refusal as it would create a new vehicular access onto a protected route. Following this a revised scheme was submitted as shown in figure 2 below. This proposal involves closing up the existing farm access and creating two accesses along the southern boundary. Roads responded on the 26th October 2021 stating they held the same opinion as the previous response as the revised scheme will still involve the creation of a new access onto a protected route. In an email dated 26th October 2021 the agent reiterated they would prefer to have separate entrances to the farm and the dwelling. This proposal does not meet any criteria for the exception to a protected route so I would recommend refusal.

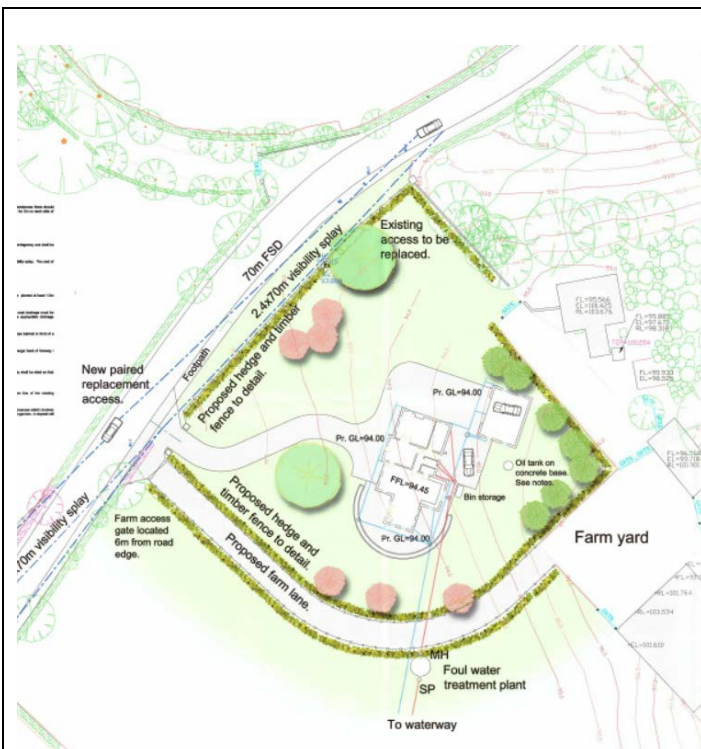


Figure 2 – Block Plan from this current application

Planning Policy Statement 21

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

CTY 13 – Integration and Design of Buildings in the Countryside

Planning approval LA09/2020/0768/F granted permission for a large two storey dwelling as shown in figure 3 below.

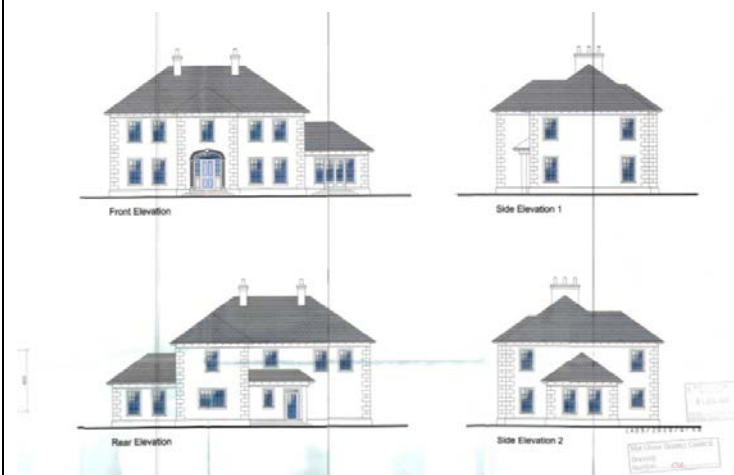


Figure 3 – Elevations of the approved dwelling under construction.

The topography of the site rises up from the road level and as shown in figures 4 and 5 below there is a row of established trees along the road boundary. The proposed new

access to the south will involve the removal of these trees to achieve the visibility splays. As shown in the images below the existing trees are providing enclosure to the dwelling and is not currently visible in critical views in both directions. The removal of the trees will open up the site and the dwelling will become prominent in the landscape. In addition, the site will lack natural boundaries which currently assist in integrating the dwelling in the landscape.



Figure 4 – Google Images of the roadside boundary of the site



Figure 5 – Photographs from the site visit showing the approved access off the existing farm lane and the row of trees along the boundary

I consider the new access is contrary to CTY 13 as it will remove the natural boundaries of the site which currently provide enclosure and the dwelling will be prominent.

CTY 14 – Rural Character

The removal of the trees along the roadside will make the dwelling under construction more prominent. The dwelling is at a higher level than the roadside and would become a prominent feature. I consider the removal of the trees and the proposed new accesses would be detrimental to the rural character of the area.

Neighbour Notification Checked Yes

Summary of Recommendation:

The proposal is recommended for refusal as it does not meet the policy AMP 3 – Access to Protected Routes and CTY 13 and CTY 14 in PPS 21.

Reasons for Refusal:

1. Contrary to Policy AMP 3 – Access to Protected Routes in PPS 3 – Access, Movement and Parking in that the development if permitted, would result in the creation of a new vehicular access onto a Protected Route, thereby prejudicing the free flow of traffic and conditions of general safety.
2. Contrary to Policy CTY13 – Integration and Design of buildings in the Countryside in PPS 21 in that the development if permitted would remove trees along the roadside boundary and provide open views of the site, thus the dwelling would be a prominent feature in the landscape.
3. Contrary to Policy CTY14 – Rural Character in PPS 21 in that the development if permitted would be a prominent feature in the landscape and damage rural character.

Signature(s)**Date:**



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Additional Deferred Consideration Report

Summary	
Case Officer: Phelim Marrion	
Application ID: LA09/2022/0062/O	Target Date: <add date>
Proposal: Infill dwelling and domestic garage as policy CTY8	Location: Site West of 35 Drummurrer Lane Coalisland
Applicant Name and Address: Mr Michael Corr 35 Drummurrer Lane Coalisland	Agent Name and Address: CMI Planners 38b Airfield Road The Creagh Toomebridge BT41 3SG
Summary of Issues: The proposal is for an infill dwelling, the site is 'across the road' from some of the development that is being used to define the gap site. The interpretation of 'road frontage' is critical in the consideration of this site.	
Summary of Consultee Responses: DFI Roads - site lines of 2.4m x 45.0m and forward sight lines of 45.0m required for safe access DETI – Geological Survey (NI) – no mines or shafts within 1000m	
Characteristics of the Site and Area: The site is in the countryside and outside any settlement limits as defined in the Dungannon and South Tyrone Area Plan 2010. The surrounding area is semi-rural in character and is predominantly agricultural fields, farm groupings and single dwellings with a roadside frontage. There is a lot of development pressure along Drummurrer Lane and surrounding roads from the construction of single dwellings.	

The application site is a portion of a larger field with a flat topography. There is established hedging along the roadside and western boundary and the northern boundary is undefined.

Description of Proposal

This is an outline application for an Infill dwelling and domestic garage as policy CTY8 at Site West of 35 Drummurrer Lane, Coalisland.

Deferred Consideration:

This application was before the Planning Committee in May 2022 and July 2022 and has been the subject of a members site visit on 18th July 2022.

At the members site visit, the critical view of the site was noted to be from the east, there is a string of development along the north side of Drummurrer Lane: established shed within the site (it has been there for over 5 years as it was on the site in the aerial photo in December 2016); chalet bungalow with detached garage to the rear immediately to east; and a bungalow further to the east (Map 1). From this view the agricultural buildings 'across the road' in the background can be viewed with these. (photo 1).



Photo 1 – view of site from east on Drummurrer Lane



Map 1 – site with development

Members will be aware that Policy CTY8 is primarily to prevent ribbon development but allows for infilling of small gap sites within a substantial and continuously built up frontage. This is defined in the policy as a line of 3 or more buildings along a road frontage. At the site visit members will have noted the existing vegetation that screens the site and other development around it. It is accepted this vegetation screens views of the development to

the east and west together, however this can be removed and also when not in leaf the visual linkages will be much more apparent. The site frontage has a width of 65m and the frontages of the 2 dwellings to the east is 77m, in light of this I consider this site could accommodate up to a maximum of 2 dwellings, respecting the overall character and plot sizes of adjacent development. The critical issue for consideration of this application, in my opinion, is what constitutes 'a road frontage'. The amplification within the policy refers to a common frontage and visual linkages as being important in deciding if a site meets the infill definition.

In this case, the aerial photographs are helpful as they show the development to the east and west of the site. It is clear the agricultural buildings to the west have a frontage to a road, the site and the development to the east also have a frontage to a road. Viewing the site on approach from the east, the road to the north is not visually apparent and as such the development does, in my opinion, appear to have a common frontage.

In view of the above, it is my recommendation this application is approved and any new dwelling is restricted in ridge height to respect the surrounding development.

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 Mid Ulster District 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. Prior to the commencement of any works or other development hereby permitted, the vehicular access, including visibility splays of 2.4m x 45.0m in both directions and a 45.0m forward sight line, shall be provided in accordance with the 1:500 site plan submitted and approved at reserved matters stage. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250mm above the level of the adjoining carriageway and such splays shall be retained and kept clear thereafter.

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

4. During the first available planting season following the occupation of the dwelling hereby approved, a landscaping scheme, as agreed with the Council at Reserved Matters stage shall be implemented as agreed. The scheme shall include details of those trees to be retained and measures for their protection during the course of development and details of a native species hedge to be planted along all new

boundaries of the site. The scheme shall detail species types, siting and planting distances and a programme of planting for all additional landscaping on the site and will comply with the appropriate British Standard or other recognised Codes of Practice. Any tree, shrub or other plant identified in the landscaping scheme dying with 5 years of planting shall be replaced in the same position with a plant of a similar size and species.

Reason: In the interests of visual amenity, to protect the rural character of the countryside and ensure the development satisfactorily integrates into the countryside.

5. The dwelling hereby permitted shall have a ridge height not exceeding 6.0 metres above existing ground level and be designed in accordance with the design guide 'Building on Tradition - A Sustainable Design Guide for the Northern Ireland Countryside'

Reason: To ensure that the proposal is in keeping with the character of the area and is not prominent in the landscape.

Signature(s)

Date:



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Deferred Consideration Report

Summary	
Case Officer: Phelim Marrion	
Application ID: LA09/2022/0062/O	Target Date: <add date>
Proposal: Infill dwelling and domestic garage as policy CTY8	Location: Site West of 35 Drummurrer Lane Coalisland
Applicant Name and Address: Mr Michael Corr 35 Drummurrer Lane Coalisland	Agent Name and Address: CMI Planners 38b Airfield Road The Creagh Toomebridge BT41 3SG
Summary of Issues: The proposal is for an infill dwelling but is at the end of a row of buildings and would not meet the criteria in CTY 8 for a small gap site in a row of three or more buildings. The proposal would not meet the case for other policies in PPS 21. The application site is a portion of a large field which has limited enclosure and lacks integration in the countryside.	
Summary of Consultee Responses: DFI Roads - site lines of 2.4m x 45.0m and forward sight lines of 45.0m required for safe access DETI – Geological Survey (NI) – no mines or shafts within 1000m	
Characteristics of the Site and Area: The site is in the countryside and outside any settlement limits as defined in the Dungannon and South Tyrone Area Plan 2010. The surrounding area is semi-rural in character and is predominantly agricultural fields, farm groupings and single dwellings with a roadside frontage. There is a lot of development pressure along Drummurrer Lane and surrounding roads from the construction of single dwellings.	

The application site is a portion of a larger field with a flat topography. There is established hedging along the roadside and western boundary and the northern boundary is undefined.

Description of Proposal

This is an outline application for an Infill dwelling and domestic garage as policy CTY8 at Site West of 35 Drummurrer Lane, Coalisland.

Deferred Consideration:

This application was before the Planning Committee in May 2022 and it was deferred to allow a meeting with the Service Director. A meeting was held, via zoom, on 12 May 2022 where the agent explained his rationale for the submission of this application. He explained the site is at a Y junction, where Drummurrer Lane comes off Annaghnaboe Road and it is not very clear who has priority. The development to the north and on the opposite side of the junction is read with the development to the east, on Drummurrer Lane.

Following a visit to the site it is noted there is a string of development along the north side of Drummerer Lane and the agricultural buildings on Annaghnaboe Road can be viewed with these, on approach from the east (photo 1). This is a very limited view in my opinion and does not give the impression of a built up frontage.



Photo 1 – view of site from east on Drummurrer Lane

The application site provides a visual break to development, this is especially apparent on approach from the west on Annaghnaboe Road (Photos 2 and 3). The site has good roadside vegetation and even though it is low is still provides a degree of screening of the existing development along Drumurrer Lane. Any access to the proposed site will result in the loss of the majority of the hedge on the road frontage, opening this site and the other development to views which would, in my view erode the rural character here as it would begin to join the different nodes of development together as can be seen on Map 1.



Photo 2 – Amnaghnaaboe Road to west



Photo - 3 junction, site to right of photograph



Map 1 – site in relation to other development around it

No farming case has been put forward for consideration, the application site is 0.3ha in area and the only other ground that is identified as being owned by the applicant is the

dwelling immediately to the east. As indicated above the site, in my opinion provides a visual break, it does not have development on 2 sides, is not located at a cross roads or close to a focal point and as such does not meet the clustering policy either.

In view of the above, I recommend this application is refused.

Reasons for Refusal:

1. Contrary to Policy CTY 1 in PPS 21 – Sustainable Development in the Countryside in that there is no overriding reason why the development is essential and cannot be located within a settlement.
2. Contrary to CTY 8 – Ribbon Development in PPS 21 – Sustainable Development in the Countryside in that the development if permitted would add to a ribbon of development.
3. Contrary to CTY 13 – Integration and Design of Buildings in the Countryside in PPS 21 – Sustainable Development in the Countryside in that site has a limited degree of enclosure.
4. Contrary to CTY 14 – Rural Character in PPS 21 – Sustainable Development in the Countryside in that the development if permitted would add to a ribbon of development which is detrimental to rural character.

Signature(s)

Date:



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Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 03/05/2022	Item Number:
Application ID: LA09/2022/0062/O	Target Date:
Proposal: Infill dwelling and domestic garage as policy CTY8	Location: Site West of 35 Drummurrer Lane Coalisland
Referral Route: <ol style="list-style-type: none">1. Contrary to Policy CTY 1 in PPS 21 – Sustainable Development in the Countryside in that there is no overriding reason why the development is essential and cannot be located within a settlement.2. Contrary to CTY 8 – Ribbon Development in PPS 21 – Sustainable Development in the Countryside in that the development if permitted would add to a ribbon of development.3. Contrary to CTY 13 – Integration and Design of Buildings in the Countryside in PPS 21 – Sustainable Development in the Countryside in that site has a limited degree of enclosure.4. Contrary to CTY 14 – Rural Character in PPS 21 – Sustainable Development in the Countryside in that the development if permitted would add to a ribbon of development which is detrimental to rural character.	
Recommendation:	Refusal
Applicant Name and Address: Mr Michael Corr 35 Drummurrer Lane Coalisland	Agent Name and Address: CMI Planners 38b Airfield Road The Creagh Toomebridge BT41 3SG
Executive Summary: The proposal is for an infill dwelling but is at the end of a row of buildings and would not meet the criteria in CTY 8 for a small gap site in a row of three or more buildings. The	

proposal would not meet the case for other policies in PPS 21. The application site is a portion of a large field which has limited enclosure and lacks integration in the countryside.

Signature(s):

Case Officer Report

Site Location Plan



Consultations:

Consultation Type	Consultee	Response
Statutory	DFI Roads - Enniskillen Office	Standing Advice
Non Statutory	DETI - Geological Survey (NI)	Substantive Response Received

Representations:

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

Characteristics of the Site and Area

The site is in the countryside and outside any settlement limits as defined in the Dungannon and South Tyrone Area Plan 2010. The surrounding area is semi-rural in character and is predominantly agricultural fields, farm groupings and single dwellings with a roadside frontage. There is a lot of development pressure along Drummurrer Lane and surrounding roads from the construction of single dwellings.

The application site is a portion of a larger field with a flat topography. There is established hedging along the roadside and western boundary and the northern boundary is undefined.

Description of Proposal

This is an outline application for an Infill dwelling and domestic garage as policy CTY8 at Site West of 35 Drummurrer Lane, Coalisland.

Planning Assessment of Policy and Other Material Considerations

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

Representations

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

Planning History

No planning history at the site.

Mid Ulster Development Plan 2030 – Draft Plan Strategy

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

Dungannon and South Tyrone Area Plan 2010

The site is outside any settlement limits as defined in the Area Plan 2010 and is not within any other designations or zonings in the Plan.

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

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Planning Policy Statement 21

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

CTY 8 – Ribbon Development

To the east and within the boundary of the site is a building as shown below in figure 1. As shown in figure 2 the building has been on site for over five years so is immune from enforcement action. To the front of the shed is a tarmacked area which has also been in place since 2016 so I am content the shed has a frontage to the road.



Figure 1 – Photo of the shed from the site visit



Figure 2 – Spatial NI orthophotography of the site

To the east of the shed shown above is a dwelling at No. 35 with a garden so I am content this is a building with a frontage to the public road. To the east of No. 35 is another dwelling

at No. 37 which also has a garden area fronting onto the road. The site is at the end of the road and faces onto two sections of Drummurr Lane. As the application site is at the end of a row of buildings I do not consider it meets the criteria in CTY 8 for a small gap site within a row.

The application site has a roadside frontage of 64m, No. 35 has a frontage of 37m and No. 37 has a frontage of 40m. There are varying frontages along this stretch of road but I am content the application site can only accommodate up to two dwellings. I am content the proposed site has a frontage which is in character with the surrounding frontages and is capable of accommodating not more than 2 dwellings. I have no concerns about the plot size as it is similar to adjoining sites.

I consider the proposal cannot be considered an exception to policy in CTY 8 as it is not a gap site as it is located at the end of a row of buildings.

The proposal would not meet the policy in CTY 3 as there is no dwelling to be placed and I do not consider the site meets the policy in CTY2a for dwelling in a cluster.

I emailed the agent on the 3rd March 2022 and the 22nd March 2022 to ask was there a farming case at the site but no response has been received.

CTY 13 – Integration and Design of Buildings in the Countryside

The application site is a cut-out of a larger field with a frontage onto two sections of Drummurr Lane. The site has a flat topography and is bounded on the south and west sides by established hedging. There are two other dwellings along this row on the same side of the road and a dwelling across the road. There is a lot of development pressure from the construction of single dwellings along this road and adjoining roads so I am of the opinion a modest sized dwelling on this site would not be a prominent feature in the landscape.

I am content the site has established boundaries and the boundary to the north is undefined as the site is a cut-out of a larger field. However this site is a portion of a larger field and lacks natural enclosure as the roadside hedging is the only boundary which would enclose the site and it would need to be removed to provide visibility splays.

The dwellings along this row are single storey so I consider a single storey dwelling would be appropriate at the site.

CTY 14 – Rural Character

As stated earlier in the assessment I am content the proposal will not be a prominent feature in the landscape. There is already a lot of development in this area so I consider another dwelling will not exacerbate the situation and create a suburban style build-up of development. As this is an outline application any details about the design would be considered at the reserved matters stage. As the site is at the end of an existing row the proposal would add to a ribbon of development which is detrimental to rural character.

PPS 3 – Access, Movement and Parking

I consulted DFI Roads as a new access is proposed. In their consultation response, they stated they had no objections subject to conditions and informatives.

Other Considerations

I checked the statutory map viewers and I am satisfied there are no other ecological, historical or flooding issues at the site.

The site is within the buffer zone for abandoned mines so I consulted Geological Survey who confirmed the site is greater than 1000m from the nearest mine.

Neighbour Notification Checked Yes

Summary of Recommendation:

The proposal is recommended for refusal as it does not meet the criteria in CTY1, CTY 8 And CTY 14 in PPS 21.

Reasons for Refusal:

1. Contrary to Policy CTY 1 in PPS 21 – Sustainable Development in the Countryside in that there is no overriding reason why the development is essential and cannot be located within a settlement.
2. Contrary to CTY 8 – Ribbon Development in PPS 21 – Sustainable Development in the Countryside in that the development if permitted would add to a ribbon of development.
3. Contrary to CTY 13 – Integration and Design of Buildings in the Countryside in PPS 21 – Sustainable Development in the Countryside in that site has a limited degree of enclosure.
4. Contrary to CTY 14 – Rural Character in PPS 21 – Sustainable Development in the Countryside in that the development if permitted would add to a ribbon of development which is detrimental to rural character.

Signature(s)

Date: