

COMMITTEE ITEM	3.4
APPLICATION NO	LA03/2024/0317/F
DEA	AIRPORT
COMMITTEE INTEREST	ADDENDUM TO COMMITTEE REPORT
RECOMMENDATION	REFUSE PLANNING PERMISSION
PROPOSAL	Proposed 1½ storey detached dwelling and garage
SITE/LOCATION	Lands approx. 20m SW of 20A Kilmakee Road, Templepatrick BT39 0EP
APPLICANT	Ivor & Joan McMeekin
AGENT	Slemish Design Studio LLP
LAST SITE VISIT	10 th June 2024
CASE OFFICER	Alexandra Tipping Tel: 028 903 40216 Email: alexandra.tipping@antrimandnewtownabbey.gov.uk
<p>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal https://planningregister.planningsystemni.gov.uk/application/686965</p>	
ADDENDUM TO COMMITTEE REPORT	
<p>This application was previously presented to Members at the Planning Committee meeting on 19th August 2024 with a recommendation to refuse planning permission.</p> <p>The Committee opted to defer the application to allow Members to attend a further site visit and allow for the submission of any additional information from the applicant. A copy of the site visit notes has been circulated to Members.</p> <p>On 12 September additional information was provided by the agent. This information includes Document 04 – Response to Planning Committee Report (Donaldson Planning) and Document 05 – Addendum to Supporting Statement (Slemish Design Studio).</p> <p>Document 04 seeks to rebut the reasons for refusal raised within the Committee Report. As noted within the original Committee Report an application for outline planning permission under Ref: LA03/2018/1059/O was previously refused by the Council and the decision was upheld at appeal. The statement submitted by Donaldson Planning states that ‘the dismissal of the appeal on the <u>outline</u> application does not prohibit the Council from making an objective assessment of the current proposal. Indeed, it is obliged to do so.’ It states that a key material change has occurred with the submission of this full application to include detailed plans which now demonstrate that the proposed dwelling will be satisfactorily sited to mitigate overlooking. It suggests that the landscaping surrounding the site has also further matured. During the processing of the previously refused application, the applicant did submit a block plan showing the proposed layout of a dwelling on the site and a further amended layout was submitted during the planning appeal. Having considered the proposed siting and orientation, it was considered by both the Council and the PAC that the relationship of dwellings facing into the rear of the proposed dwelling would result in a very unsatisfactory relationship. Even with the</p>	

proposed design solutions offered by the agent that the relationship between the proposed dwelling and the existing dwellings was unacceptable.

The Document goes on to discuss the concern raised in the original Committee Report in that 'the pattern of development would not respect the existing dwellings'. The response provided in Document 04 implies that the report is conflicting in that it also mentioned that 'a dwelling on the site would not contrast significantly with some of the existing dwellings in terms of density, plot size or dwelling sizes.' These statements are however not intended to be conflicting and it remains to be considered that the pattern of development which sees the siting of a new dwelling being surrounded by and looked on to by 3 no. existing dwellings, does not respect the layout of the existing neighbouring dwellings. The application is considered to generally conform with the density, plot size and dwelling size within the area.

Document 04 then goes on to discuss matters relating to privacy and overlooking. Firstly, the report considers the dwelling at No. 20A, however, the original Committee Report did not identify this dwelling to be impacted by overlooking or to overlook the proposed dwelling. The report rather acknowledged that a dwelling on the application site would result in a poor outlook for this dwelling (at No. 20A) and would not be considered to represent an appropriate layout that respects the development pattern in the area.

In relation to the neighbouring dwelling at No. 22, the supporting information argues that given the presence of the mature boundary vegetation, that the proposed dwelling sits on lower lands, that the dwelling has been designed to ensure that the proposed garage and level changes provide screening for the private amenity space, and that a separation of 26 metres has been employed from the front elevation of No. 22 to the first floor rear elevation of the proposed dwelling, and that there would be no opportunity for overlooking.

It remains to be considered that although there is a 26 metre separation distance between the first floor rear elevation of the proposed dwelling and front elevation of No. 22 Kilmakee Road, this distance is less (around 20m) to the ground floor rear elevation (sunroom) of the proposed dwelling. It also acknowledged that the protection of amenity in this case relies wholly on the retention of existing vegetation and the purposeful placement of the proposed garage, which seeks to obscure direct views being achieved between the proposed dwelling and No. 22 which was proposed and was not considered to have addressed the concerns under the previously dismissed planning appeal

Overall, it remains to be considered that the amenity of the proposed dwelling would be adversely affected by overlooking from the existing dwelling at No. 22 Kilmakee Road.

In relation to the comments made relative to No. 26 highlighting that there is only one first floor window (obscured en-suite), it remains to be considered that notwithstanding the presence of the existing access and vegetation, the principle elevation of this adjacent neighbour would also face towards the private amenity space serving the proposed dwelling and thus impact on the private enjoyment of the occupants at the proposed dwelling house.

Document 05 also refers to the historic PAC decision (Ref: LA03/2018/1059/O) and indicates that the applicant feels that all issues raised in this appeal have been addressed through the design proposals of the scheme, however, the fundamental concerns that the development of this site would not respect the existing layout, orientation, siting or outlook of the dwellings would remain.

Document 05 also states that 'this application is within the development limits and therefore there is a presumption in favour of development.' As outlined in the original Committee Report, the application site is located within an existing residential area and as such, the principle of a dwelling on this site is considered acceptable subject to all other policy and environmental considerations being met. In this case, the proposal does not represent a quality residential environment and therefore cannot be recommended for approval.

The additional supporting information has been considered and the recommendation remains to refuse planning permission.

RECOMMENDATION	REFUSE PLANNING PERMISSION
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PROPOSED REASONS FOR REFUSAL

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| <ol style="list-style-type: none">1. The proposal is contrary to the provisions of the Strategic Planning Policy Statement, Policy QD1 of Planning Policy Statement 7 (PPS 7), Quality Residential Environments, and Policy LC1 of the Addendum to PPS 7, safeguarding the Character of Established Residential Areas, in that the proposed development:<ol style="list-style-type: none">a) Would result in a pattern of development that would not respect the layout of the existing residential dwellings;b) Would not result in a quality residential environment given the poor outlook for the existing residential dwellings; andc) Would be impacted through overlooking from existing dwellings. |
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Site Location Plan

1:1,250 

Reference: LA03/2024/0317/F

 Site Location



COMMITTEE ITEM	3.9
APPLICATION NO	LA03/2024/0427/O
DEA	AIRPORT
COMMITTEE INTEREST	ADDENDUM TO COMMITTEE REPORT
RECOMMENDATION	REFUSE PLANNING PERMISSION
PROPOSAL	Dwelling and Garage
SITE/LOCATION	Approx. 50m NE of 192 Seven Mile Straight, Nutts Corner, Crumlin, BT29 4YR
APPLICANT	George Bingham
AGENT	D.M.Kearney Design
LAST SITE VISIT	6 th August 2024
CASE OFFICER	Alexandra Tipping Tel: 028 903 40216 Email: alexandra.tipping@antrimandnewtownabbey.gov.uk
<p>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal https://planningregister.planningsystemni.gov.uk/application/688579</p>	
ADDENDUM TO COMMITTEE REPORT	
<p>Members, following the publication of the Planning Committee Report, additional supporting information was submitted by the applicant's agent on 13th September 2024. This information includes a response to the Planning Committee Report published on the Council website (Document No. 02) with an appended annotation and an additional plan which includes an aerial image of the application site (Drawing No. 02).</p> <p>The letter primarily raises the matter that the application site was originally used as playing fields for Loanends Primary School (prior to its relocation to a new site on the adjacent side of the Seven Mile Straight) and that the proposal can therefore be considered as brownfield site. It is noted that the original report presented to the Planning Committee acknowledges the site's history but regardless of the previous use, it remains to be considered that any proposed development in the countryside would be required to meet the prevailing planning policy requirements.</p> <p>The letter also goes on to advise that the application site is bounded by two (2) dwellings at Nos. 192 and No. 194 Seven Mile Straight (to the southwest) and the garden curtilage of No. 196 Seven Mile Straight (to the south east). The agent therefore argues that this constitutes the site being bounded on two sides by development. It is accepted that the dwellings at No. 192 and No. 194 bound the site to the southwest. The curtilage of the dwelling at No. 196 however does not extend along the southeastern boundary of the application and rather it is confined by an existing fence that is located just beyond the parking area at the rear of this dwelling. It therefore remains to be considered that the application site is not bound on at least two sides with other development within the cluster and therefore the proposal does not meet the policy requirements in this regard.</p> <p>The agent has requested that the Planning Committee defer the application to allow for an office meeting, however, given that the concerns with the proposal relate to</p>	

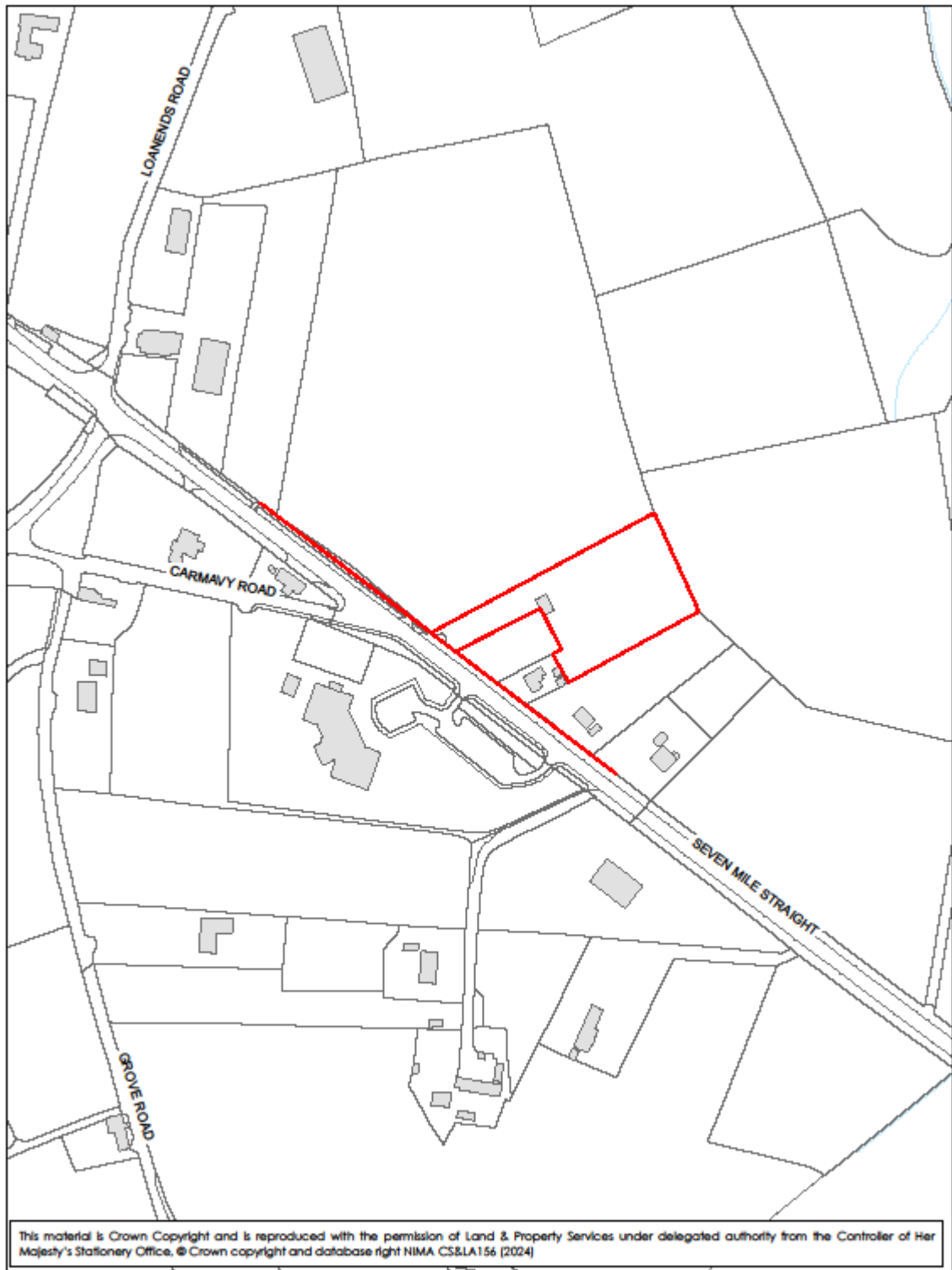
the principle of development it is considered that an office meeting will unlikely alter officer opinion on the proposed development.

The additional supporting information has been considered and the recommendation remains to refuse planning permission.

RECOMMENDATION	REFUSE PLANNING PERMISSION
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PROPOSED REASONS FOR REFUSAL

1. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement and Policy CTY 1 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement.
2. The proposal is contrary to the provisions contained within the Strategic Planning Policy Statement and fails to meet the provisions for a new dwelling in an existing cluster in accordance with Policy CTY 2a of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the development would not be considered to round off or consolidate the existing development pattern in the area, and would rather intrude into the open countryside.
3. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement and Policy CTY 14 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the proposal, if permitted, will result in a suburban style build- up of development that extends into the open countryside.



Site Location Plan

1:2,500 

Reference: LA03/2024/0427/O

 Site Location



COMMITTEE ITEM	3.10 – ADDENDUM REPORT
APPLICATION NO	LA03/2024/0552/O
DEA	DUNSILLY
COMMITTEE INTEREST	ADDENDUM TO COMMITTEE REPORT
RECOMMENDATION	REFUSE PLANNING PERMISSION
PROPOSAL	Dwelling and garage
SITE/LOCATION	60m North of 73 Carlane Road, Toomebridge
APPLICANT	Robert & Bridin Kearney
AGENT	Joe Carey
LAST SITE VISIT	14.08.2024
CASE OFFICER	Harry Russell Tel: 028 903 40408 Email: harry.russell@antrimandnewtownabbey.gov.uk

The full details of this application, including the application forms, relevant drawings, consultation responses and any representations made are available to view at the Northern Ireland Planning Portal

<https://planningregister.planningsystemni.gov.uk/application/690881>

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

Members, following the publication of the Planning Committee Report, further supporting information entitled 'Additional Supporting Information', Document 02 date stamped 13th September 2024, was received.

The document asserts that the detached garage at No. 69 Carlane Road and the dwelling at No. 73 Carlane should be considered to form a built up frontage along the Carlane Road, alongside No. 69 Carlane Road and the outbuilding to the east of the site.

Regarding the detached garage at No. 69 Carlane Road, the agent states the detached garage is a separate building from the other outbuildings to the rear of No. 69, as it is situated within the curtilage of No. 69. The agent has referenced a number of appeals in support of this, namely planning appeal references 2021/A0094, 2014/A0152 and 2011/A0277.

Planning appeal references 2014/A0152 and 2011/A0277 indicate that buildings such as a detached garage within the residential curtilage can constitute part of a continuous and built-up frontage. In both of these cases the garages, whilst generally stepped back from the principal elevation of the dwellings, were situated to the side of each of the dwellings and open to public view. The garage in this instance, is situated behind the rear elevation of the dwelling.

With regards to planning appeal reference 2021/A0094, the garage was situated behind the rear elevation of the dwelling, however the Commissioner noted that when travelling along the public road the garage could be seen as a separate entity. The Commissioner noted that the specific deposition of the detached garage must be considered on its own merits when considering whether it forms a part of a continuous and built up frontage. With regards to the current case, the garage is situated further to the rear of the dwelling and the mature roadside and western site boundaries, as well as a 1.8m close boarded fence to the front of the garage, which

heavily screens the garage from public view. As such, the garage cannot be viewed as its own entity in the landscape and is therefore not considered to form a part of a continuous and built up frontage.

With regards to No. 73 Carlane Road, the agent has argued it has a frontage onto Carlane Road. However, this dwelling only has an access onto Carlane Road with only the outbuilding having a frontage onto the Carlane Road. The agent has argued the outbuilding is currently used as a store for No.73, however, this would appear to contradict the Location Plan, Drawing No. 01 date stamped 31st July 2024, in which the outbuilding is within the applicant's ownership and not within the ownership of No. 73. Notwithstanding this information, the outbuilding is clearly defined as outside the curtilage of No. 73. Additionally, the dwelling is situated completely to the rear of this outbuilding and has too great a separation distance for it to be visually linked to the building.

In spite of the additional information submitted by the agent, it is still considered the proposal is contrary to the policy requirements of Policy CTY 8 of PPS 21 in that the application site cannot be considered to be a gap within an otherwise substantial and continuously built up frontage.

CONCLUSION

The following is a summary of the main reasons for the recommendation:

- The principle of the development has not been established in accordance with the policy provisions of Policy CTY 8;
- It is considered that a proposal of appropriate design and layout could integrate appropriately with the surrounding landscape;
- It is considered that the proposal will create a ribbon of development and result in the suburban build-up of development when viewed with existing buildings, contrary to Policy CTY 14;
- There are no concerns in relation to neighbour amenity;
- There are no concerns in relation to road safety; and
- Information has not been submitted to allow an assessment of the risk upon priority habitats.

RECOMMENDATION

REFUSE PLANNING PERMISSION

PROPOSED REASONS FOR REFUSAL

1. The proposal is contrary to the policy provisions contained in the Strategic Planning Policy Statement and Policy CTY 1 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement.
2. The proposal is contrary to the policy provisions contained in the Strategic Planning Policy Statement and Policy CTY 8 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the application site does not represent a gap site within an otherwise substantial and continuously built up frontage.

3. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy CTY 14 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the proposal will create a ribbon of development and result in the suburban style build-up of development when viewed with existing buildings.
4. The proposal is contrary to the policy provisions contained in the Strategic Planning Policy Statement and Policy NH 5 of Planning Policy Statement 2, Natural Heritage, in that the proposal will result in the loss of a priority habitat.