

**Derry City and Strabane District Council Planning Committee Report**

**COMMITTEE DATE:** 25<sup>th</sup> March 2019

**APPLICATION No:** LA11/2018/0614/O

**DATE OF APPLICATION:** 20<sup>th</sup> June 2018

**APPLICATION TYPE:** Outline

**PROPOSAL:** Site for single storey dwelling

**LOCATION:** Adjoining 216 Tamnaherin Road, Derry

**APPLICANT:** Mr & Mrs Davidson

**AGENT:** C.Mcllvar LTD

**ADVERTISEMENT:** 11/07/2018

**STATUTORY EXPIRY:** 01/08/2018

**RECOMMENDATION:** Refuse

**REASON FOR PRESENTATION TO COMMITTEE: Reconsideration.** Previously presented to Planning Committee on 6<sup>th</sup> March 2019 (Appendix 2A attached) whereby Members voted not to accept officer recommendation and a site visit requested was subsequently received. Site Visit held 13<sup>th</sup> March 2019 and Members in attendance were: Ald McClintock, Ald Bresland, Cllr Hastings, Cllr Logue, Cllr Kelly, Cllr Robinson.

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)

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**1. Description of Proposed Development**

This proposal is an outline application for an infill dwelling.

**2. Position**

Members voted not to accept the officer recommendation at Planning Committee on 6<sup>th</sup> March 2019. It was considered the proposal met the policy requirements of CTY 8, CTY 13 and CTY 14 of PPS 21.

Officers have reconsidered comments by Members and reviewed the current relevant policies. Officer opinion is that the site does not form part of an existing substantially built up frontage, as there are only two existing dwellings with a common frontage to the road. The two dwellings referred to by Members on 6<sup>th</sup> March 2019 do not have a common frontage to the road, and are in fact set behind

an existing field boundary and accessed from a separate laneway. The site forms part of an existing gap that would accommodate more than two dwelling, and is not considered a “small gap that would accommodate a maximum of two dwellings” as set out by CTY 8 of PPS 21. The site is a front cut out of a larger agricultural field, with minimal vegetation along the roadside, and an undefined rear boundary. It is considered the existing vegetation is not enough to satisfactorily integrate a dwelling on this site. Therefore, on balance officer’s opinion remains unchanged and refusal is recommended as before due to the reasons set out in section 3 below:

### **3. Proposed Reasons for Refusal**

1. The proposal is contrary to Policy CTY1 and CTY8 of Planning Policy Statement 21, Sustainable Development in the Countryside, and the Strategic Planning Policy Statement 2015 (SPPS) in that the proposal would, if permitted, create a ribbon of development along Tamnaherin Road eroding the rural character of this area.
2. The proposal is contrary to Policy CTY13 of Planning Policy Statement 21, Sustainable Development in the Countryside, and the Strategic Planning Policy Statement 2015 (SPPS) in that the proposed building is a prominent feature in the landscape and would rely on the use of new landscaping for integration.
3. The proposal is contrary to Policy CTY14 of Planning Policy Statement 21, Sustainable Development in the Countryside, and the Strategic Planning Policy Statement 2015 (SPPS) in that the building would, if permitted result in a suburban style build-up of development when viewed with existing and approved buildings and would create a ribbon of development on Tamnaherin Road.

### **4. Conditions without prejudice**

1. Application for approval of the reserved matters shall be made to the Council within 3 years of the date on which this permission is granted and the development, hereby permitted, shall be begun by whichever is the later of the following dates:-
  - i. the expiration of 5 years from the date of this permission; or
  - ii. the expiration of 2 years from the date of approval of the last of the reserved matters to be approved.

Reason: As required by Section 62 of the Planning Act (Northern Ireland) 2011.

2. Approval of the details of the siting, design and external appearance of the buildings, the means of access thereto and the landscaping of the site (hereinafter called "the reserved matters"), shall be obtained from the Council, in writing, before any development is commenced.

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

3. The proposed dwelling shall have a ridge height of no more than 5.5m above finished floor level.

Reason: To ensure the development integrates into the countryside in accordance with the requirements of PPS 21 Sustainable Development in the Countryside.

4. The depth of underbuilding between finished floor level and ground level shall not exceed 0.45 metres at any point.

Reason: In the interests of visual amenity.

5. The vehicular access, including visibility splays of 2.4m x 151m shall be provided prior to the commencement of any other development hereby permitted. 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.

6. The development shall be carried out in accordance with the stamped approved Drawing, No's: 01 and 04 date stamp 13 June 2018 and 05 date stamp 1 October 2018

Reason: To ensure the development is carried out in accordance with the approved plans.