

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

**COMMITTEE DATE:** 1st July 2020

**APPLICATION No:** LA11/2018/1053/O

**Date of Application:** 14.11.2018

**APPLICATION TYPE:** Outline

**PROPOSAL:** 2 No. infill dwellings under policy CTY 8 of PPS 21

**LOCATION:** Lands 30m South West of 67 Corrody Road, Waterside, Derry, BT47 2QH

**APPLICANT:** Mr Joe Jackson

**AGENT:** MKA Planning

**ADVERTISEMENT/STATUTORY EXPIRY:** 21/11/2018- 12/12/2018

**RECOMMENDATION:** Refuse

**REASON FOR PRESENTATION TO COMMITTEE:** Reconsideration

This application was originally listed for Planning Committee on 4<sup>th</sup> September 2019, however a site visit request was submitted and agreed prior to the meeting. The site visit took place on Wednesday 18<sup>th</sup> September 2019. The following Members and Officers were in attendance: Cllr Barr, Ald McClintock, Ald Bresland, Cllr Boyle, Cllr McKinney, Cllr Dobbins, Cllr Jackson, S McCracken, K Donaghey, L McCorkell.

Application presented to Committee on 6<sup>th</sup> November 2019, but was deferred by Members. **This report should be read in conjunction with Appendix 2A presented to Planning Committee on 6<sup>th</sup> November 2019.**

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**

The proposal is for 2 No. infill dwellings under policy CTY 8 of PPS 21.

**2. Reconsideration**

2.1 Following the site visit being carried out on 18<sup>th</sup> September 2019. The application was presented again to Planning Committee on 6<sup>th</sup> November 2019. Members were concerned about the details of an acoustic report that had been submitted to Environmental Health to address concerns regarding the noise impact of adjacent development on the proposed site. The report submitted by MKA dated 13<sup>th</sup> September 2019 had not addressed the fundamental issues of the

impact of the surrounding development on the proposed site for two dwellings, and on 6<sup>th</sup> November 2019, officers were recommending refusal, having had verbal confirmation from EHD the report was inadequate. Members advised they could not make a decision and consequently voted to defer the case.

2.2 The agents MKA submitted a revised acoustic report on 29<sup>th</sup> November 2019 and, following consultation with EHD, concerns still remain that the proposed dwellings will be impacted on by noise from existing adjacent development, specifically of noise from car maintenance, deliveries and increased noise associated with traffic attending Go-kart facility (if approved). EHD have stated that the location of the existing industrial units adjacent to residential dwellings has the potential to impact on residential amenity. Officers note the Go-kart facility currently has no planning approval and, in reconsidering the case, would acknowledge it is only the noise from the adjacent buildings and servicing that can be material to this case. Given the noise disturbance that will impact the proposed dwellings, officers consider the refusal reasons remain:

1. The proposal is contrary to Policy CTY1 of Planning Policy Statement 21, Sustainable Development in the Countryside in that there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement.
2. The proposal is contrary to Policy CTY8 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the proposal would, if permitted, result in the addition of ribbon development along Corrody Road.
3. The proposal is contrary to Policy CTY13 of Planning Policy Statement 21, Sustainable Development in the Countryside in that it would, if permitted, appear as a prominent feature in the landscape as the site lacks long established natural boundaries and is unable to provide sufficient capacity to integrate a dwelling on the site.
4. The proposal is contrary to Policy CTY14 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the building would, if permitted, result in a detrimental change to the rural character of the countryside by reason of ribbon development and build-up.

5. The proposal is contrary to the Strategic Planning Policy Statement in that it has not been demonstrated that the residential amenity of the proposed occupants of the development would not be subject to noise disturbance from the adjacent industrial units currently at this location.

### **3. Conclusion**

Following reconsideration, officers consider the proposal remains contrary to the SPPS and PPS 21 policies CTY 1, 8, 13, 14 in that the proposal would constitute ribbon development and build-up and appear prominent and lack integration. The proposal will also be detrimentally impacted upon by reason of noise from surrounding existing developments, namely, car repair workshop and servicing provisions.