Title of Report:	**Planning Committee Report – LA01/2024/0743/O**
Committee Report Submitted To:	**Planning Committee**
Date of Meeting:	**23rd October 2025**
For Decision or For Information	**For Decision – Referred Item – Ald Fielding**
To be discussed In Committee YES/NO	**NO**

Linkage to Council Strategy (2021-25)	
Strategic Theme	Cohesive Leadership
Outcome	Council has agreed policies and procedures and decision making is consistent with them
Lead Officer	Development Management and Enforcement Manager

Budgetary Considerations	
Cost of Proposal	---
Included in Current Year Estimates	N/A
Capital/Revenue	N/A
Code	N/A
Staffing Costs	N/A

Legal Considerations	
Input of Legal Services Required	NO
Legal Opinion Obtained	NO

Screening Requirements	Required for new or revised Policies, Plans, Strategies or Service Delivery Proposals.

Section 75 Screening	Screening Completed:	N/A	Date:
	EQIA Required and Completed:	N/A	Date:
Rural Needs Assessment (RNA)	Screening Completed	N/A	Date:
	RNA Required and Completed:	N/A	Date:
Data Protection Impact Assessment (DPIA)	Screening Completed:	N/A	Date:
	DPIA Required and Completed:	N/A	Date:

No: LA01/2024/0743/O **Ward: Greysteel**

App Type: Outline Planning

Address: Site Adj to 57 Dunlade Road, Greysteel

Proposal: Proposed Site for Dwelling in a Cluster

Con Area: n/a **Valid Date: 26.06.20224**

Listed Building Grade: n/a **Target Date: 09.10.2024**

Agent: AQB Architectural Workshop Ltd, 12a Ebrington Terrace, Waterside, Derry, BT47 6JS

Applicant: William McLaughlin, 14 Brookdale, Ballykelly,BT49 9PN

Objections: 0 **Petitions of Objection: 0**

Support: 0 **Petitions of Support: 0**

Drawings and additional information are available to view on the Planning Portal- https://planningregister.planningsystemni.gov.uk/

Executive Summary

- This is an application for outline permission for a dwelling in a cluster.

- The application site is located within the rural area as identified within the Northern Area Plan (NAP) 2016. The site is located on land adjacent to No. 57 Dunlade Road, Greysteel.

- The site is a linear plot of land defined by a post and wire fence to the east and western boundaries. The southern boundary benefits from mature vegetation whereas the northern boundary is bounded by No. 57's fence. The site lies slightly below the Dunlade Road and falls slightly towards the west.

- Supporting documents include a letter from the agent detailing how they feel the proposal complies with policies and letters from local residents regarding the focal point.

- Consultees have raised no objections subject to proposed conditions.

- The proposed development is considered unacceptable under Policies CTY1, CTY2a, CTY8, CTY13 and CTY14 of PPS21 & Policy AMP2 of PPS3.

- Refusal is Recommended.

RECOMMENDATION

1.1 That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 9 and the policies and guidance in sections 7 and 8 and resolves to **REFUSE** outline planning permission for the reasons set out in section 10.

2 SITE LOCATION & DESCRIPTION

2.1 The application site is located within the rural area as identified within the Northern Area Plan (NAP) 2016. The site is located on land adjacent to No. 57 Dunlade Road, Greysteel.

2.2 The site is a linear plot of land located to the south of a row of 3 dwellings. The site is defined by a post and wire fence to the east and western boundaries. The southern boundary benefits from mature vegetation whereas the northern boundary is bounded by No. 57's fence. The site lies slightly below the Dunlade Road and falls slightly towards the west.

2.3 The application site is located outside of any settlement development limits as identified in the Northern Area Plan (2016) and is not subject to any specific environmental designations.

3 RELEVANT HISTORY

There is no recent relevant planning history on this land.

4 THE APPLICATION

4.1 The application is for Outline Permission, described as "Proposed Site for Dwelling in a Cluster".

4.2 The potential impact this proposal on Special Areas of Conservation, Special Protection Areas and Ramsar sites has been assessed in accordance with the requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc) Regulations (Northern Ireland) 1995 (as amended). The Proposal would not be likely to have a significant effect on the Features, conservation objectives or status of any of these sites.

5 PUBLICITY & CONSULTATIONS

5.1 **External**

There are no letters of support or objection to the proposal – 2 neighbours have been notified.

5.2 **Internal**

DFI Rivers – No objection
DFI Roads – No objection
Environmental Health – No objection
NI Water – No objection
City of Derry Airport - No objection
NIEA (WMU) - No objection
NI Electricity - No objection

MATERIAL CONSIDERATIONS

6.1 Section 45(1) of the Planning Act (Northern Ireland) 2011 requires that all applications must have regard to the local plan, so far as material to the application, and all other material considerations. Section 6(4) states that in making any determination where regard is to be had to the local development plan, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

6.2 The development plan is:

- The Northern Area Plan 2016 (NAP)

6.3 The Regional Development Strategy (RDS) is a material consideration.

6.4 The Strategic Planning Policy Statement for Northern Ireland (SPPS) is a material consideration. As set out in the SPPS, until such times as a new local plan strategy is adopted, councils will apply specified retained operational policies.

6.5 Due weight should be given to the relevant policies in the development plan.

6.6 All material considerations and any policy conflicts are identified in the "Considerations and Assessment" section of the report.

7 RELEVANT POLICIES & GUIDANCE

The Northern Area Plan 2016

The Strategic Planning Policy Statement (SPPS)

PPS 3: Access, Movement and Parking

PPS 21: Sustainable Development in the Countryside

Building on Tradition Design Guide

8 CONSIDERATIONS & ASSESSMENT

8.1 The main considerations in the determination of this application relate to the principle of development, integration, rural character, and; access.

Planning Policy

8.2 The site is located within the open countryside but is not subject to any specific zonings or designations.

8.3 The proposal must be considered having regard to the NAP 2016, SPPS, PPS policy documents and supplementary planning guidance specified above.

Principle of Development

8.4 Policy CTY 1 outlines the types of development which are acceptable in principle in the countryside, one of which is the infilling of a gap site under CTY 8. CTY 8 states that planning permission will be refused for a building which creates or adds to a ribbon of development. On the western side of Dunlade Road, where the site is located, there are more than 2 buildings to the north of the site. As approval of this site would continue this ribbon of development by adding at least a fourth dwelling/building, the proposal is contrary to CTY8.

8.5 As there is no further built development to the south of the site on the western side of the road, there are no buildings to consider the exception set out in Policy CTY 8.

8.6 The proposal is contrary to Policy CTY8 of PPS21.

8.7 The proposal has been described as “Proposed Site for Dwelling in a Cluster”. However, if this is being described as a *cluster* for the purposes of CTY2A within PPS21, the site is not within a cluster as

defined and set out in policy. There are a number of criteria which the buildings and site must meet to be considered a *cluster*. This is set out in Policy CTY2A which states:

> *Planning permission will be granted for a dwelling at an existing cluster of development provided all the following criteria are met:*
>
> *• the cluster of development lies outside of a farm and consists of four or more buildings (excluding ancillary buildings such as garages, outbuildings and open sided structures) of which at least three are dwellings;*
> *• the cluster appears as a visual entity in the local landscape;*
> *• the cluster is associated with a focal point such as a social / community building/facility, or is located at a cross-roads,*
> *• the identified site provides a suitable degree of enclosure and is bounded on at least two sides with other development in the cluster;*
> *• development of the site can be absorbed into the existing cluster through rounding off and consolidation and will not significantly alter its existing character, or visually intrude into the open countryside; and*
> *• development would not adversely impact on residential amenity.*

8.8 The first criterion states that the cluster should lie outside of a farm and consist of four or more buildings (excluding ancillary buildings) of which three are dwellings. There is not an existing cluster of development at this location, rather linear development along both sides of the Dunlade Road. In the supporting statement submitted with the application the agent believed there was a cluster consisting of 10 buildings (including ancillary buildings), made up of 5No. dwellings. There are three dwellings in a linear development to the north (western side of the road), and a further 2 dwellings on the adjacent side (east) of the road, to the south. The proposal fails to meet the first criteria of Policy CTY2a.

8.9 The second criterion of Policy CTY 2a states that the cluster must appear as a visual entity in the local landscape. There is no cluster of development at this location, and while the dwellings may be considered a visual entity, it fails to meet the policy requirement.

8.10 The third criterion of Policy CTY2a states that the cluster is associated with a focal point such as a social/community building/facility, or is located at a cross-roads. Within the supporting information the agent

believes the dwelling located at No.58 is a Historic Dwelling, recognised locally and used as a meeting point. Further information was submitted in the form of letters which note it was a local Celi house. Planning History of this dwelling refs: B/2009/0376/F and B/2012/0090/F approved a replacement dwelling at this location. The original 'Historic Dwelling' no longer exists. In any event a dwelling is no a social or community building.

8.11 In the supporting letter 06.06.2024 the Agent states:

"This grouping consists of 5 No. dwellings and a focal point crossroad junctions"

There is no cross road junction(s) at these dwellings, rather a straight road with dwellings either side and no road junction. This statement is misleading and factually incorrect. As it is considered there are no other social/community building/facility, and is not located at a cross-roads, the site does not satisfy this policy test.

8.12 The fourth criterion of the policy states the site should provide a suitable degree of enclosure and is bounded on at least two sides with other development in the cluster. Again, within the supporting letter 06.06.2024 its states the site "is bounded on all 4 sides". This is factually incorrect. The application site is only bounded by No. 57 to the north of the site. Notwithstanding there is no cluster, the site is not bound on at least two sides with other development.

8.13 The fifth criterion of Policy CTY 2a requires that the development can be absorbed into the existing cluster, through rounding off or consolidation and will not significantly alter the character or visually intrude into the open countryside. Notwithstanding there is no cluster and the site is not bound in such a way to facilitate rounding off; the proposal would visually intrude into the open countryside. This is set out in Building on Tradition and within the visual illustrations which shows such an application is unacceptable.

8.14 The proposal is unlikely to have any unacceptable impact on residential amenity, and the proposal does comply with this small element of the policy.

8.15 The development is not a cluster and therefore the site cannot be located within a cluster as required by policy. The proposal does not

meet the requirements of CTY2a and as it adds to a ribbon development is contrary to Policy CTY8.

Integration

8.16 Policy CTY1 of PS21 and paragraph 6.70 of the SPPS state that all proposals must be sited and designed to integrate into its setting, respect rural character and be appropriately designed. Policy CTY13 states that 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.

8.17 The site is open to the wider countryside. The existing trees along the road would have to be cut down to facilitate visibility splays and substantial planting would be required to screen the proposal from this view. The site therefore would have no screening when travelling in a northernly direction. When travelling in a southernly direction, the existing development would help aid integration by limiting views of a modest dwelling.

8.18 The proposal fails Policy CTY13 in that the site lacks long established natural boundaries opening long views when travelling in a northernly direction along the Dunlade Road.

8.19 As this is an outline application, there is no design to consider and is a matter reserved for a further application should permission be granted.

8.20 A new building (dwelling) on this site would fail to satisfactorily integrate into the landscape and comply with the requirements set out in Policy CTY 13 of PPS21.

Rural Character

8.21 Policy CTY14 of PPS21 states planning permission will be granted for a building in the countryside where it does not cause a detrimental change to, or further erode the rural character of an area.

8.22 Planning permission will be granted for a building in the countryside where it does not cause a detrimental change to, or further erode the rural character of an area. A new building will be unacceptable where:

(a) it is unduly prominent in the landscape; or

(b) it results in a suburban style build-up of development when viewed with existing and approved buildings; or
(c) it does not respect the traditional pattern of settlement exhibited in that area; or
(d) it creates or adds to a ribbon of development (see Policy CTY 8); or
(e) the impact of ancillary works (with the exception of necessary visibility splays) would damage rural character.

8.23 Policy CTY14 states that a ribbon does not necessarily have to be served by individual accesses nor have a continuous or uniform building line. Buildings sited back, staggered or at angles and with gaps between them can still represent ribbon development if they have a common frontage or they are visually linked.

8.24 If approved the proposal would add to ribbon development along Dunlade Road as set out above in Para. 8.4-8.6 and is contrary to criterion (d) of CTY 14. A dwelling on the site will also be prominent and will change and erode the rural character of the area given the build up of development. The proposal does not comply with Policy CTY 14 of PPS 21.

Access

8.25 DfI Roads was consulted as the competent authority on road and traffic matters and state the proposal is contrary to Planning Policy Statement 3, Access, Movement and Parking, Policy AMP 2, in that it would, if permitted, prejudice the safety and convenience of road users since it would not be possible within the application site to provide an access with visibility splays of 2.4 metres X 90 metres (in a southerly direction) in accordance with the standards contained in the Department's Development Control Advice Note 15. The proposal fails to meet Policy AMP2 of PPS3

9 CONCLUSION

9.1 The proposal is considered unacceptable in this location having regard to the Northern Area Plan, SPPS, other planning policies and material considerations. The proposal is contrary to CTY 1 as there is no reason this development is essential at this location and cannot be located in the settlement and does not fall within any of the acceptable types of development in the countryside. The application site is not an exception under Policy CTY 8 as it does not constitute the

development of a small gap site and adds to the ribbon of development along the western side of Dunlade Road. The site is not sited at a cluster as defined in Policy CTY2a and therefore there is no principle for developing a dwelling at this site.

9.2 The site lacks long established natural boundaries would cause a detrimental change to the rural character of this area and add to ribbon development therefore failing Policies CTY13 and CTY14. The proposal fails to provide adequate visibility splays for access failing Policy AMP2 of PPS3. Given the proposal does not meet CTY2a, CTY 8, CTY13 and CTY 14, and AMP2, Refusal is recommended.

10 Reasons for Refusal

1. The proposal is contrary to the policy provisions of 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 Policy CTY2a of Planning Policy Statement 21, New Dwellings in Existing Clusters in that the proposed dwelling is not located within an existing cluster of development consisting of 4 or more buildings of which at least three are dwellings); there is no cluster associated with a focal point or located at a cross-roads and the proposed site is not bounded on at least two sides with other development in a cluster and does not provide a suitable degree of enclosure.

3. The proposal is contrary to Paragraphs 6.70 and 6.73 of the SPPS and Policies CTY8 and CTY 14 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 Dunlade Road.

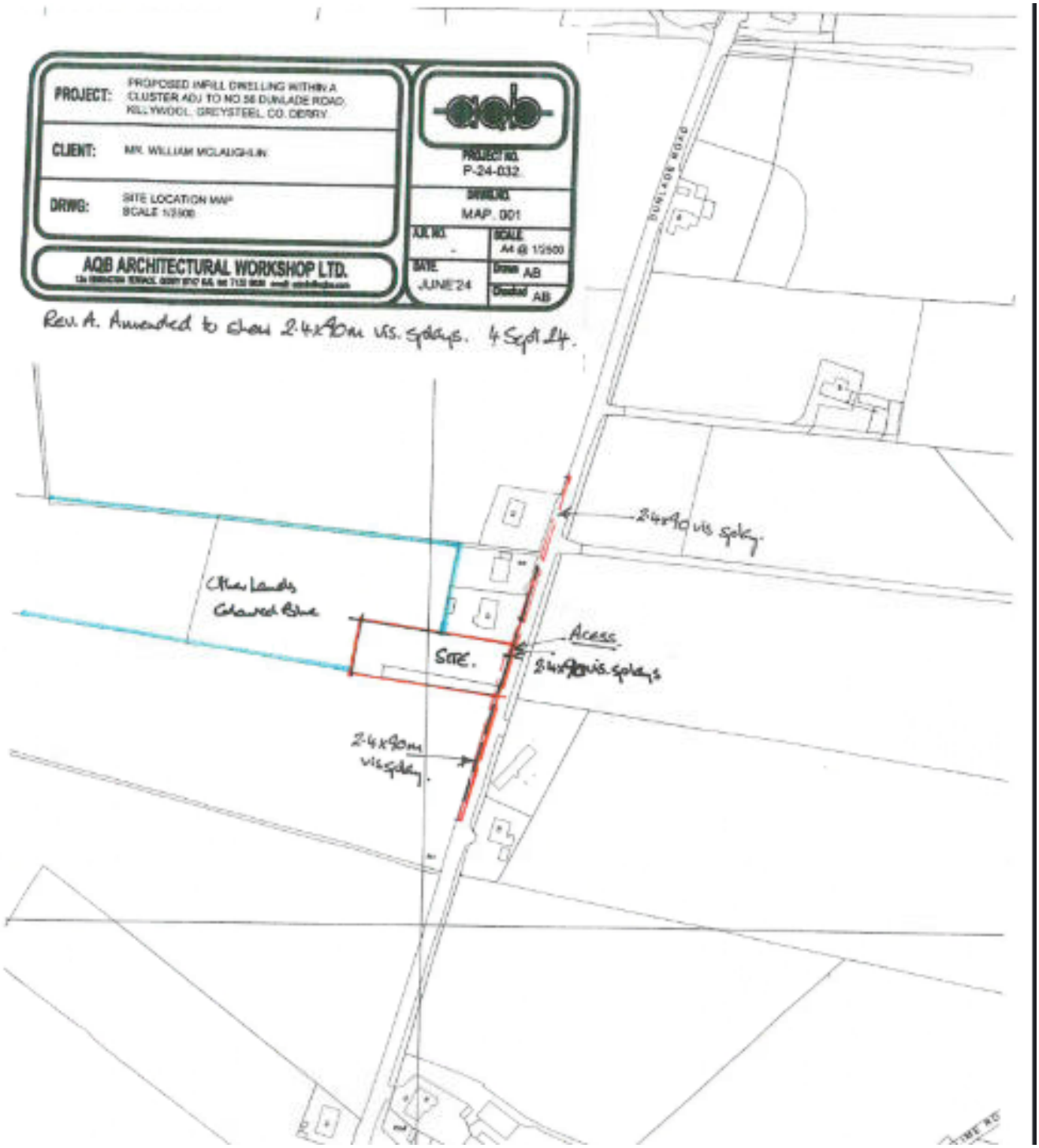
4. The proposal is contrary to Paragraph 6.70 of the Strategic Planning Policy Statement for Northern Ireland and Policy CTY13 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the site is unable to provide a suitable degree of enclosure for the building to integrate into the landscape and would rely primarily on the use of new landscaping for integration.

5. The proposal is contrary to Paragraph 6.70 of the Strategic Planning Policy Statement for Northern Ireland, Policy CTY14 of Planning Policy Statement 21, Sustainable Development in the Countryside and the Northern Area Plan 2016 in that a proposed dwelling result in a suburban style build-up of development and if approved would cause a detrimental change to the rural character of the area.

6. The proposal is contrary to Planning Policy Statement 3, Access, Movement and Parking, Policy AMP 2, in that it would, if permitted, prejudice the safety and convenience of road users since it would not be possible within the application site to provide an access with visibility splays.

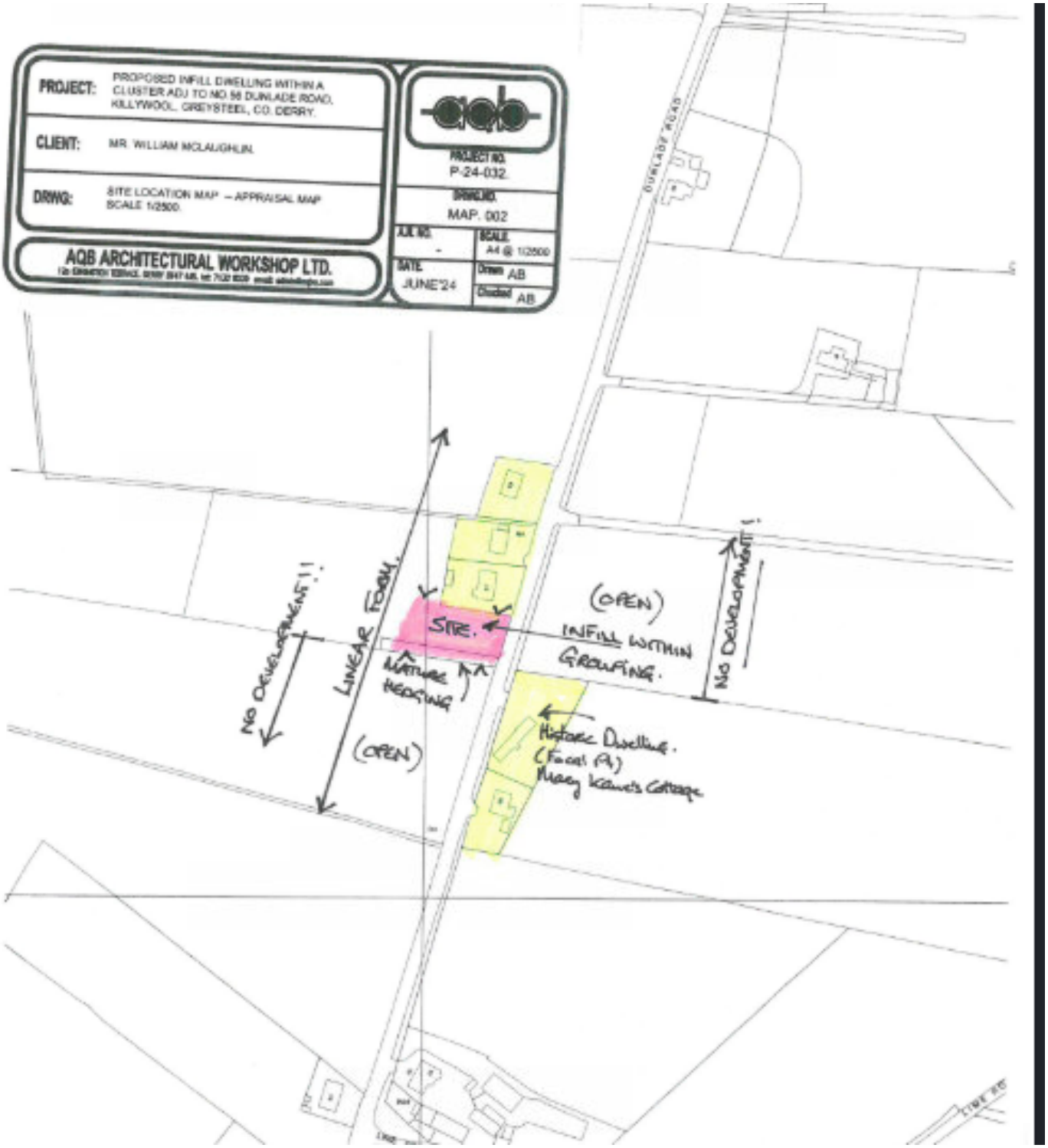
APPENDIX 1

Site location Plan



Appendix 2

Supporting Contextual Plan



Referral Reason

Laura Crawford

From:	Mark Fielding
Sent:	03 March 2025 09:08
To:	Planning; Sandra Hunter; Denise Dickson
Subject:	LA01/2024/0743/O
Attachments:	57 Dunlade Road.odt

I wish to refer Planning Application LA01/2024/0743/O to the Planning Committee.
Proposed Site for Dwelling in a Cluster – Site Adjacent to 57 Dunlade Road Greysteel.

Yours,

Mark
Ald. M Fielding

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Planning Reference LA01/2024/0743/O

Elected Member Name Mark Fielding

Contact Details Tel : 07971059829

E-mail mark.fielding@causewaycoastandglens.gov.uk

Reasons below, to refer application to Planning Committee – Proposed Site for a Dwelling in a Cluster adjacent to 57 Dunlade Road Greysteel.

The application qualifies as a dwelling in a cluster CTY2A for the following reasons.

The gap site is in existence between the linear form in existence, established by the 3 no dwellings and the edge of the linear form that is the mature hedgerow; beyond which there cannot be development.
The established cluster is defined by the grouping of the dwellings around the historic dwelling known as 'Mary Kane's Cottage' opposite the application site.
This was a local ceili dwelling and the original Dwelling was restored such was its significance. Letters have been submitted to confirm above.
There are 5 no dwellings in total with Mary Kane's cottage serving as the focal point with the grouping.

The site complies with CYT 13- integration; it is not prominent; it has established boundaries which enclose the site.
The site infills the gap created by the 3no dwellings and the established natural mature boundary and the site visually links with the established buildings within the grouping.

The site complies with CTY 14 – Character; again the site is not prominent, it respects the existing linear form adjacent to the site.
The pattern of development matches the established pattern and ribbon does not exist.
Ancillary works will not affect natural character.

Access concerns had previously been addressed and applicant was able to achieve visibility splays.