

PLANNING APPEALS COMMISSION

**THE PLANNING ACT (NORTHERN IRELAND) 2011
SECTION 58**

**Appeal by Mr John Gracey
against the refusal of outline planning permission for 2 no. dwellings and detached
garages on land immediately adjacent to and NE of No. 9 Corrog Lane, Portaferry,
BT22 1PZ.**

**Report
by**

Commissioner Kieran O'Connell

Planning Authority Reference: LA06/2020/0483/O

Procedure: Written Representations with Accompanied Site Visit on 5th March 2024

Report Date: 17th April 2024

1.0 **BACKGROUND**

- 1.1 Ards & North Down Borough Council received the application for Planning Permission on 11th June 2020.
- 1.2 By notice dated 23rd June 2023, the Council refused permission giving the following reasons: -
1. **The proposal is contrary to The Strategic Planning Policy Statement for Northern Ireland 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 Strategic Planning Policy Statement for Northern Ireland and Policy CTY 8 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the proposal does not constitute a small gap sufficient only to accommodate up to a maximum of two houses within an otherwise substantial and continuously built-up frontage, and would if permitted, result in the loss of an important visual break in built development and the creation of ribbon development along Corrog Lane.**
 3. **The proposal is contrary to The Strategic Planning Policy Statement for Northern Ireland and Policy CTY 14 criteria (a), (b), (d) and (e) of Planning Policy Statement 21, Sustainable Development in the Countryside in that the development would if permitted, be unduly prominent in the landscape, result in a suburban style build-up of development when viewed with existing buildings, create a ribbon of development and the impact of ancillary works would damage rural character which would therefore result in a detrimental change to the rural character of the countryside.**
 4. **The proposal is contrary to The Strategic Planning Policy Statement for Northern Ireland and Policy CTY 13 criteria (a), (b) and (f) of Planning Policy Statement 21, Sustainable Development in the Countryside in that the development would, if permitted, result in prominent features in the landscape, the site would be unable to provide a suitable degree of enclosure for the buildings to integrate into the landscape, would fail to blend with the landform and therefore would fail to integrate into this area of countryside.**
 5. **The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and Policy NH 6 of Planning Policy Statement 2, Natural Heritage, in that the siting and scale of the proposal would not be sympathetic to the special character of the Area of Outstanding Natural Beauty in general and that of the particular locality.**
- 1.3 The Commission received the appeal on 18th September 2023 and advertised it in the local press on 5th October 2023.

- 1.4 Eleven representations were received from third parties during the processing of the planning application. The Council forwarded these to the Commission. A statement of case was also received from third parties at appeal stage.

2.0 SITE AND SURROUNDINGS

- 2.1 The appeal site is located off the A20 Deer Park Road and is accessed by an extended concrete laneway known as Corrog Lane. The appeal site comprises a roughly rectangular section of a larger agricultural field.
- 2.2 The western boundary adjacent to Corrog Lane is defined by a hedgerow approximately 1.7m in height. Two agricultural gates are positioned roughly central along this boundary. The northern boundary is defined by gorse and hedgerow approximately 2m high, with intermittent trees approximately 6m high within. The eastern boundary to the rear of the site is undefined and open to the wider host field. The southern boundary is adjacent to the common boundary with No. 9 Corrog Lane and is defined by a staggered concrete block wall approximately 2m high and the garage of No. 9. The appeal site comprises rough grass and gorse and undulates throughout, rising in an easterly direction away from Corrog Lane.
- 2.3 No. 9 Corrog Lane lies to the south of the appeal site. It contains a bungalow-styled dwelling with accommodation within the roof and a detached garage in the northern corner of its plot.
- 2.4 Immediately to the north of the appeal site, there is an access point onto Corrog Lane that splits into two separate access laneways. One serves an agricultural shed and the other serves No.7a. Both buildings are set back from Corrog Lane. No. 7a is a one-and-a-half-storey-chalet bungalow-styled dwelling. No. 7 Corrog Lane sits further to the north. It is a bungalow-styled dwelling with accommodation within the roof. It also has a single-storey double garage adjacent to its southern boundary.
- 2.5 The wider area consists of a rolling drumlin landscape, with Corrog Wood a notable landmark to the north of the appeal site. The pattern of development in the area is generally one of dispersed single dwellings and farmsteads, either adjacent to public roads or along extended laneways. The settlement of Portaferry is approximately 1.5 miles south of the appeal site.

3.0 PLANNING AUTHORITY'S CASE

- 3.1 The appeal site is located to the northeast of Portaferry and is within the countryside outside a defined settlement as per the Ards and Down Area Plan 2015. It is situated within the Strangford and Lecale Area of Outstanding Natural Beauty. The site comprises lands between No. 7 and No. 9 Corrog Lane, which undulates and comprises rough grass and gorse. The surrounding area is rural and characterised by drumlins and pockets of woodland interspersed with farms and dwellings. Corrog Wood (Woodland Trust) is nearby.
- 3.2 Planning application, LA06/2020/0483/O, was considered by the Planning Committee due to the volume of representations/objections from neighbours – eleven from six separate addresses.

- 3.3 Regional planning policies of relevance are set out in the SPPS and other retained policies, specifically those in PPS 21. The proposal does not comply with planning policy for the reasons stated in the Decision Notice. The relevant policy is considered under each refusal reason below.
- 3.4 Policy CTY 1 of PPS 21 identifies a range of types of development which in principle, are considered to be acceptable in the countryside. The two proposed dwellings do not fall within any of the types listed and consequently would create a ribbon of development, which, as per Policy CTY 8, is detrimental to the character, appearance, and amenity of the countryside. Whilst this is considered in greater detail under refusal reason two, it should be noted that in the written justification to Policy CTY 8 paragraph 5.32, highlights that "...such development can make access to farmland difficult and cause road safety problems." At the time of site inspection, the appeal site was being grazed by cattle. To facilitate the agricultural use of this land, a new farm gate has been inserted along the Corrog Road boundary of the appeal site under agricultural Permitted Development (PD). The gate is inserted at the proposed access point for the proposed dwellings, as shown on the Indicative Layout.
- 3.5 It is considered that there are no overriding reasons why the proposed residential development could not be located within a settlement.
- 3.6 The proposed residential development of this site would inhibit the continued agricultural use and access of this land to the rear of the proposed site, which is included within the ownership of the Appellant as shown on the site location plan.
- 3.7 As stated above, Policy CTY 1 of PPS 21 identifies a range of types of development which, in principle are considered to be acceptable in the countryside and which will contribute to the aims of sustainable development. One such type of development is the development of a small gap site within an otherwise substantial and continuously built-up frontage in accordance with Policy CTY 8.
- 3.8 Policy CTY 8 states that planning permission will be refused for a building which creates or adds to a ribbon of development. An exception will, however, be permitted for the development of a small gap site (sufficient only to accommodate up to a maximum of two houses) within an otherwise substantial and continuously built-up frontage, provided this respects the existing development pattern along the frontage in terms of size, scale, siting and plot size and meets other planning and environmental requirements.
- 3.9 The definition of a substantial and built-up frontage includes a line of three or more buildings along a road frontage without accompanying development to the rear. Along this road frontage, there are two dwellings, No. 7, and No. 9, each with detached garages located to the sides of the dwellings. These dwellings and their garages have direct frontage to Corrog Lane.
- 3.10 There is also an outbuilding to the rear of No. 7 and north of the site, which is set back approximately 80m from the road. This outbuilding is adjacent to the recently constructed dwelling at No. 7a Corrog Lane, which is sited within its curtilage behind No. 7. No. 7a does not have a road frontage, neither it nor the separate outbuilding's curtilages extend to the road. Rather, only their access lane does. As such, they

cannot be considered to have a frontage to the road. Both the site layout plan and aerial photography clearly show that the frontage is broken, physically and visually, by the two lanes. The proposal fails to meet the first test of Policy CTY 8 in that there is no substantial and continuously built-up frontage.

- 3.11 This consideration is supported by previous PAC decisions. For example, in appeal decision 2018/A0191, one of the existing dwellings alleged to be within the established frontage had an access from the road leading to the dwelling. The curtilage of the dwelling was set back and did not adjoin the road. Therefore, the access by itself was not considered to constitute a building along the frontage.
- 3.12 Policy CTY 8 only facilitates an infilling opportunity for the development of a small gap site sufficient to accommodate up to a maximum of two houses. If the PAC considers this site part of a substantial and continuously built-up frontage, Paragraph 5.34 of PPS 21, states that it is the gap between buildings rather than the application site that should be considered. In this instance, the gap is considered to be between the detached garage of No. 7 to the northwest and the detached garage of No. 9 to the southeast. This gap extends, well beyond the red line boundary of the appeal site across both laneways. The total distance between these buildings is circa 113m. It must be determined whether or not this gap of 113m is small enough to accommodate up to a maximum of two dwellings while respecting the existing pattern of development. To assess this, the plot sizes and frontage widths of the existing dwellings within the frontage must be considered.
- 3.13 Policy CTY 8 requires that a proposal for infill development respect the existing development pattern along the frontage in terms of size, scale, siting, and plot size. No. 7 and No. 9 Corrog Lane each have a plot width of circa 50m. Within the gap of 113m, two plots, each with a width of 56.5m, could be accommodated, when considering a proposal for two infill sites such as this one. The Building on Tradition- A Sustainable Design Guide for the Northern Ireland Countryside (BoT) advises that when a gap is more than twice the length of the average plot width in the adjoining ribbon, it is often unsuitable for infill with two new plots. In this case, the gap is 113m and the average plot width is 50m, meaning the gap exceeds twice the length of the average plot width by 13m against advice. When taking this into account, it is evident that this gap is large enough for more than two dwellings, and it is not therefore a small infill gap site, thereby contrary to policy.
- 3.14 Policy CTY 8 also requires an assessment of whether the gap represents an important visual break and whether its loss would result in a material change in the developed appearance of the local area. Many frontages in the countryside have gaps between houses that provide relief and visual breaks in the developed appearance of the locality that help maintain rural character. The infilling of these gaps will not be permitted except where it comprises the development of a small gap within an otherwise substantial and continuously built-up frontage.
- 3.15 Further guidance on the interpretation of CTY 8 has been provided in the recent judicial judgement (Gordon Duff V. Newry, Mourne and Down District Council (2022) NIQB 37] which states that where there is a small gap site, the authority should nonetheless consider whether, by permitting that site to be infilled, it is acting in accordance with, or contrary to the purpose of the exception within Policy CTY 8 (which is to permit development where little, or nothing is lost in terms of rural

character because of the existing and continuously built-up frontage). Consistent with the guidance in BoT, this should include consideration of whether the grant of permission will result in the loss of an important visual break in the developed appearance of the local area.

- 3.16 In this recent judgement, Justice Scoffield KC held that whether a site offers a visual break of such importance or significance is a matter of planning judgment; but it is a matter of common sense, and consistent with the guidance contained in BoT, that the larger the site, the more likely it is to offer an important visual break. As the reference to framing viewpoint (BoT page 73) illustrates, however, the size of the gap alone will not be determinative. The gap between the existing buildings is perceived from two main public viewpoints; one from Corrog Lane and the other from the nearby main road, Deer Park Road, to the south.
- 3.17 From Corrog Lane, it is considered that the gap forms an important visual break between the existing development at No. 7 and No. 9. The site reads as an integral part of the surrounding rural landscape. It has road frontage bound by hedges with large areas of gorse scrub within the site itself and these contribute to the visual relief between the two dwellings. The development of two dwellings on the site would eradicate the existing visual break, which in this case is an integral rural landscape character and will create a continuous ribbon of development along this side of Corrog Lane. Further, given that the site is elevated above the lane and the dwellings would have a finished floor level approximately 2m above the lane, they would therefore have a significant visual impact.
- 3.18 The site is also visible from Deer Park Road. Although this critical view is more distant, the site is perceived from this viewpoint within the wider landscape context of the Area of Outstanding Natural Beauty (AONB). When travelling along Deer Park Road, the site is visible in the landscape over a distance of approximately 520m from No. 5a Deer Park Road to the Wastewater Treatment Works.
- 3.19 The rural character of the site, and gorse, can be seen and the extent of the gap provides visual relief between the two existing dwellings from this view within the wider landscape setting. Two dwellings on this site will result in a detrimental visual impact, causing skyline development and would be visible as a ribbon of development, intervisible with No. 7 and No. 9. In conclusion, it is considered that the site represents an important visual break in development.
- 3.20 With regard to the third reason for refusal, following the detailed assessment earlier in this statement of case of how the proposed development would sit within the landscape, it is considered that the proposal for two dwellings at this location fails to meet the requirements of Policy CTY 14.
- 3.21 The rural character comprises drumlins with fields, hedges, and patches of gorse. The two new houses plus detached garages would, if permitted, be unduly prominent in the landscape and skyline, resulting in a suburban-style build-up of development when viewed with existing buildings, creating a ribbon of development, which is detrimental to the established rural character. This is contrary to criterion (a), (b), (d), and (e) of Policy CTY 14. Access and visibility splays would be a further intrusion, resulting in the removal of natural vegetation. The existing site is open and elevated, where the existing boundaries and vegetation are unlikely to provide screening or aid

integration. There is no natural backdrop to prevent the prominence of the appeal development from altering the rural character as the open agricultural field falls away towards the back of the appeal site with a continuing rural landscape beyond.

- 3.22 Further to the assessment above of how the proposed development would sit within the landscape, it is considered that the proposal for two dwellings at this location fails to meet the requirements of Policy CTY 13.
- 3.23 The site occupies a prominent position in the landscape when viewed both from Corrog Lane and Deer Park Road. While only outline planning permission is sought at this stage, an indicative layout has been submitted, Drawing No. 02, clearly showing how the dwellings would sit approximately 2m above the level of the lane. The dwellings would occupy a prominent skyline position in the landscape when viewed from both Corrog Lane and Deer Park Road, contrary to criterion (a) of Policy CTY 13.
- 3.24 As existing, the site is unable to provide a suitable degree of enclosure for the proposed buildings to integrate, contrary to criterion (b) of Policy CTY 13. The development of the site would also necessitate the removal of large areas of roadside hedgerow, to accommodate the access, and gorse scrub within the site further opening up the site to views and resulting in a complete lack of screening or natural means of enclosure or natural features forming a backdrop, contrary to criterion (f). The field undulates into the open rural landscape beyond. It would therefore rely extensively on new planting to hide [sic]. While Corrog Lane is a narrow unadopted access road, it nevertheless already serves several dwellings and therefore views from the lane are considered to be public and the impact of the proposed development would be perceived by anyone travelling along the lane.
- 3.25 Paragraph 2.2 of PPS 21 highlights that the RDS “states that the cumulative impact of development in the countryside has the potential to reduce its value as a regional asset by damaging landscape, biodiversity and natural habitats”. Sites such as the appeal site would create a precedent for this.
- 3.26 The Appellant concedes in paragraphs 18 and 30 of their Statement of Case that, it will take site works for the development not to result in a suburban style of development. Furthermore, the site itself is unable to provide a suitable degree of enclosure for the buildings to integrate, thus reinforcing the concerns raised within refusal reasons 3 and 4.
- 3.27 The fifth reason for refusal addresses concerns relating to the impact the appeal development would have on the AONB. The appeal site is located within the Strangford and Lecale AONB, a landscape of distinctive character and special scenic value. This part of the AONB is characterised by a shallow drumlin landscape and gorse in close proximity to the Lough.
- 3.28 Paragraph 5.15 of PPS2 states: “The quality, character and heritage value of the landscape of an AONB lies in their tranquillity, cultural associations, distinctiveness, conservation interest, visual appeal and amenity.”
- 3.29 In recognising the importance of sustaining local identity, the Northern Ireland Environment Agency (NIEA) commissioned and published Landscape Character

Assessments, 2016. Paragraph 5.16 of the written justification to Policy NH 6 of PPS 2 states in assessing proposals account will be taken of Landscape Character Assessments (LCAs), and any other published guidance. The relevant Landscape Character Assessment for this area is No. 26, Strangford, Ards and Lecale which highlights “the presence of the AONB designation places Strangford and Ards among Northern Ireland’s most valued landscapes”. This is a scenic area with undulating shallow drumlins and scattered areas of heathland with clumps of gorse. This appeal site is integral to the rural character of the area.

- 3.30 The indicative site layout plan and Design and Access Statement suggest that the proposed dwellings will be modest in size and that the design and finishes could be conditioned to be appropriate to the AONB setting. As outlined above, it is the proposed prominent siting of the dwellings, the lack of integration and the resulting suburban style of ribbon development that would be considered to harm the character and landscape setting of this particular part of the AONB. The appeal site reads as an integral part of the rural landscape.
- 3.31 In particular, the development will form a ribbon of development visible in the skyline from Deer Park Road over a significant distance in excess of 500m. The AONB in this area has managed to retain a predominantly dispersed pattern of settlement. It is considered that the formation of a visible ribbon of development on this prominent site would harm the rural character of the AONB. It is therefore considered that the proposal fails to meet criteria (a), (b) & (c) of Policy NH 6 of PPS 2 which states “Planning permission for new development within an Area of Outstanding Natural Beauty (AONB) will only be granted where it is of an appropriate design, size and scale for the locality...”, sympathetic to its special character, conserving features of importance and respecting local architectural styles and traditional boundary details including hedges.
- 3.32 If the Commission determines that planning permission should be granted, the following conditions are recommended:
- Time limits;
 - Requirement for submission of plans illustrating the siting, design, and external appearance of the buildings, the means of access thereto, and the landscaping of the appeal site. However, there is no need for an express siting condition as this can be dealt with at Reserved Matters stage;
 - The requirement for submission of plans for vehicular access, visibility splays, and forward sight lines to be submitted at Reserved Matters Stage;
 - Requirement for the access arrangements to be provided in accordance with the approved plans prior to the commencement of development;
 - Details of floor levels of the proposed dwellings and garages in relation to existing and proposed ground levels to be submitted to the Council;
 - A detailed landscaping scheme shall be submitted at the Reserved Matters stage;
 - Requirement for replacement planting of any planted tree, shrub, or hedge is removed, uprooted, or destroyed or dies or becomes seriously defective;
 - Requirement for the retention of existing vegetation except for the provision of visibility splays; and
 - Maximum ridge height of 6.5 m above existing ground level at the lowest point within its footprint.

4.0 **THIRD PARTIES' CASE**

- 4.1 The signatories all agree that the Case Officer's report and subsequent Planning Committee clearly detailed the reasons for refusal as it contravenes Policies CTY 1, 8, 13 and 14 of Planning Policy Statement 21, and Policy NH 6 of Planning Policy Statement 2 and fully supports its conclusions. In addition, all the previous submissions to the Planning Authority relating to the objection to the planning application should be considered extant, relevant, and supported.
- 4.2 The issue relating to the threat of overdevelopment of Corrog Lane and the risk to residents from increased traffic flow and overdevelopment has not been correctly addressed. The case officer has limited the risk of overdevelopment to just the site for development and not to the whole of the lane and the impact on said lane. In the Dfl Roads' consultation, they stated that "there should be a limit to the number of dwellings that this rural lane serves. Dfl Roads is concerned that this lane is becoming built up and that the Private Streets Order should be applied. To do this would be extremely difficult, and it would not be possible to comply with the new Design Guide."
- 4.3 This case officer then asked Dfl Roads to clarify their response, in which they said that they had no objection to the application and that there were no plans to impose the Private Street Order on the lane.
- 4.4 In conversation with Dfl Roads on 23rd March 2021, it became apparent that Dfl Roads' representations have been taken out of context, for clarification:
1. Dfl Roads' area of responsibility relates to the 10 metres around the access to the proposed development from Corrog Lane and the 10 metres around the access of Corrog Lane onto Deer Park Road (A20). In relation to these specific areas, Dfl Roads have no objections.
 2. Dfl Roads have a duty of care to bring to the attention of the Planning Office their concerns regarding the overdevelopment of Corrog Lane. Their comments about the lane as a whole remain extant. The case officer has incorrectly applied this to just the site the appeal relates to and not the whole lane, as stated in their representation.
 3. Dfl Roads stated that although they can bring it to the attention of the Planning Office, decisions over the implementation of the Private Street Order lie solely with the Planning Office and not DFI Roads.
 4. Dfl Roads clarified that as there are more than five houses built on Corrog Lane, if a planning application had been submitted for the whole lot, under the new Design Guide, the Planning Office would insist on the lane being upgraded and suitable for adoption as a public road.
- 4.5 The residents of Corrog Lane do not expect the Council to implement the Private Streets Order as it would not represent value for taxpayers' money. The cost to bring the lane up to the new design guide would be prohibitive as parts of the lane are only three metres in width with high mature hedges on both sides and very limited fields of view whilst driving along it. Instead, the Council should prevent any new sites from

being granted planning permission along the section between No. 3 and No. 12. The residents believe that, and as confirmed by DfI Roads, the Council holds a duty of care to protect the local residents from increased traffic flow and overdevelopment by stopping this appeal and any other new sites from being granted planning permission.

- 4.6 If the Commission do not accept the recommendation for refusal, then the residents believe a condition should be added, forcing the developer to bring the whole of the lane up to the new Design Guide at their expense before any new sites along this section are granted planning permission.
- 4.7 Third parties at the application stage raised concerns with the impact on the character of the area and AONB, ribbon development, prominence, lack of integration, build-up, road safety, impact on children using the lane for recreational purposes and the impact on a child with complex medical needs, potential precedent for further development, and the impact of construction works.

5.0 APPELLANT'S CASE

- 5.1 The main issues in this appeal are whether the proposed development is acceptable in principle and would adversely impact on rural character and pattern of development in the area.
- 5.2 The Strategic Planning Policy Statement for Northern Ireland (SPPS) sets out the transitional arrangements that will operate until a local authority has adopted a Plan Strategy for the whole of the council area. The SPPS retains certain existing planning policy statements and among these is Planning Policy Statement 21: Sustainable Development in the Countryside (PPS 21) which provides the relevant policy context for the appeal proposal.
- 5.3 Policy CTY 1 of PPS 21 sets out a range of types of development which in principle are considered to be acceptable in the countryside and that will contribute to the aims of sustainable development. A number of instances when planning permission will be granted for a dwelling are outlined. The appeal proposal represents an infill opportunity in accordance with Policy CTY 8 of PPS 21.
- 5.4 Policy CTY 8 states that planning permission will be refused for a building which creates or adds to a ribbon of development. Criterion (d) of Policy CTY 14 repeats this test and states that a building, which creates or adds to a ribbon of development, can cause a detrimental change to, or further erode the rural character of an area.
- 5.5 Whilst the main thrust of Policy CTY 8 is to resist ribbon development, it exceptionally provides for the development of a gap site where the following four specific criteria are met: (a) The gap site is within an otherwise substantial and continuously built-up frontage; (b) the gap site is small sufficient only to accommodate up to a maximum of two houses; (c) the proposal respects the existing development pattern along the frontage in terms of size, scale, siting and plot size; and (d) the proposal meets other planning and environmental requirements.
- 5.6 For the purposes of the policy, the definition of a substantial and continuously built-up frontage includes a line of three or more buildings along a road frontage without

accompanying development to the rear. A building has frontage to the road if the plot in which it stands abuts or shares a boundary with the road.

- 5.7 The appeal site is located on lands abutting onto Corrog Lane and between No. 7 and No. 9 Corrog Lane. The buildings that are considered to make up the substantial and continuously built-up frontage in this case are shown on the attached plans and photographs. The dwellings known as No. 7 and No. 9 Corrog Lane and the existing outbuildings of these properties are located on either side of the appeal site. No.7a along with the large agricultural shed both have their own access that form one circa 20m wide access frontage to the lane. All six of these buildings constitute a substantial and continuously built-up frontage in accordance with the first element of Policy CTY 8. Even if No. 7a and the large agricultural shed are discounted there is still more than the requisite three buildings required for a substantially and continuously built-up frontage. The substantial and continuously built-up frontage at the appeal site cannot be disputed. Both scenarios allow the appeal site to be seen as an infill development opportunity.
- 5.8 The second element of Policy CTY 8 requires that the gap site be small, sufficient only to accommodate up to a maximum of two houses. The justification and amplification text in paragraph 5.34 is clear that the gap site is between houses or other buildings. As such, for the purposes of the policy, the said gap is the distance between the buildings at No. 7 and No. 9 Corrog Lane. The appeal site (as stated within the Rebuttal Statement) measures approximately 79m metres in width along the road frontage, with an individual plot size of approximately 39.5m for each plot of the proposed two detached dwellings and garages. The appeal site is small enough to accommodate only two detached dwellings and garages, therefore satisfying the second element of Policy CTY 8.
- 5.9 The third element of Policy CTY 8 requires that the proposal respects the existing development pattern along the frontage in terms of size, scale, siting, and plot size. The appeal site fully respects the plot sizes and existing development pattern, and fits within an otherwise substantial and continuously built-up frontage along Corrog Lane and the immediate locality. There are a variety of frontage widths and plot sizes along the substantial and continuously built-up frontage within which the appeal site sits. The plot frontage sizes range from 50m to over 60m in close proximity to the appeal site. The appeal site would create plots with a frontage width of approximately 39.5m (as stated within the Rebuttal Statement) which would not differ significantly from surrounding plots. They would be very similar to the frontage provided by the existing properties of No. 7 and No. 9 Corrog Lane. The appeal development would also be located on an approximated 0.4 hectare site for the two detached dwellings and garages which is very similar to the plot sizes of existing dwellings in very close proximity to the appeal site.
- 5.10 While the Council has indicated concerns with plot sizes, these points can be easily rebutted. The appended map gives details of a newly built dwelling frontage just south of the appeal site which has approximately 60m in frontage. This is greater than the 56.5m approximate average plot length the Council are advising on from the Garage of No. 7 Corrog Lane and the Garage of No. 9 Corrog Lane. Therefore, in this context, the proposal would respect the plot size and development pattern along this roadside frontage of development and meet the applicable criterion of Policy CTY 8.

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- 5.11 The SPPS and Policy CTY 1 cited as a reason for refusal in that there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement, is inaccurate. As the proposal meets the requirements of Policy CTY 8, it is one of the specified types of development considered to be acceptable in the countryside under Policy CTY 1 and as such will not set a precedent for proposed new developments along Corrog Lane.
- 5.12 The proposed detached dwellings, traditional in style and positioned and viewed alongside the continuous building line of the existing buildings would successfully integrate into the application site. The proposed dwellings would not be visually intrusive and would nestle and integrate into the landscape and with the existing buildings which front onto Corrog Lane.
- 5.13 Whilst the Council argue that the appeal development would inhibit the continued agricultural use and access of the land to the rear of the appeal site, there are other agricultural access points to this land. There is no reliance on the appeal site for access.
- 5.14 The appeal site, due to the existing buildings in close proximity to it, has to be viewed as a gap site. The appeal site is viewed, linked, and bounded by buildings on either side and also has a suitable degree of enclosure from the existing mature trees and vegetation.
- 5.15 The third reason for refusal states that the proposed development would conflict with Policy CTY 14 as the introduction of two dwellings and garages would result in a detrimental change to the rural character of the countryside.
- 5.16 The proposed development aligns with the Strategic Planning Policy Statement (SPPS) and Policy CTY 14 criteria (a), (b), (d), and (e) of PPS 21 - Sustainable Development in the Countryside for the following reasons.
- 5.17 Criterion (a) - Unduly Prominent in the Landscape: the proposed development has been carefully designed to minimise its visual impact on the surrounding landscape. The buildings will be situated in such a way that they will not be unduly prominent when viewed from key vantage points. The design incorporates materials and colours that blend harmoniously with the natural surroundings, ensuring that the development seamlessly integrates into the landscape.
- 5.18 Criterion (b) - Suburban Style Build-up of Development: the proposed development, comprising only two dwellings and detached garages, is modest in scale and does not result in a suburban-style build-up of development. It is in harmony with the existing buildings in the vicinity and maintains the rural character of the area. The development respects the established density of the locality and does not compromise the existing rural environment.
- 5.19 Criterion (d) - Ribbon of Development: the development does not create a ribbon of development. It is situated in a manner that respects the existing layout of the area, ensuring that it does not extend or create a continuous linear form of development. The site layout has been carefully planned to mitigate any potential ribbon development concerns.

- 5.20 Criterion (e) - Impact of Ancillary Works on Rural Character: the impact of ancillary works associated with the proposed development has been assessed thoroughly. Measures have been put in place to ensure that these works do not harm the rural character of the countryside. Necessary landscaping and screening will be implemented to minimise any potential impact, thus preserving the rural character of the area.
- 5.21 The photographs on page 11 of the Council's Statement of Case depicting landscape views to the front and rear of the appeal site include an image not taken on or near the proposed site. Instead, it appears to be captured from another part of the field, approximately 300 metres away. It is unclear why a photograph from a distant location would be submitted as representing the landscape views of the appeal site.
- 5.22 The approval of two detached dwellings and garages on the appeal site would make no difference to the rural character of this area. A carefully sited proposal, respecting landform, vegetation, pattern, and nature of development would not result in a detrimental change of character at this location.
- 5.23 It has to be stressed that this is an outline planning application and more thought and design will be put to the Council at Reserved Matters stage. The proposed dwellings and garages through design and a mature planting landscaping plan could be satisfactorily sited and orientated to prevent any detrimental impact on the residential amenities of neighbouring properties and the local landscape. Levels, orientation of windows and the retention of existing mature hedgerows around the plot could also be controlled by way of conditions to ensure that no loss of privacy would result and as little of an impact on the local landscape as possible.
- 5.24 Furthermore, with some small site works, the appeal site could easily accommodate the development proposal. Therefore, it would respect the traditional pattern of development in this locality and not result in a suburban-style build-up of development when viewed with existing and approved buildings. The appeal proposal will complement the disposition of the buildings.
- 5.25 Again, as the appeal proposal would respect the traditional pattern of development and meet the exceptional test under the infill policy, the Planning Appeals Commission has to be content that the appeal proposal would comply with Policy CTY 14 of PPS 21.
- 5.26 The Council's fourth reason for refusal relates to Policy CTY 13 of PPS 21. The design and layout of the development have been thoughtfully crafted to minimise visual prominence, provide suitable enclosure, and blend seamlessly with the landform and countryside character. The appeal development, however, aligns with Policy CTY13 criteria (a), (b), and (f) for the reasons stated below.
- 5.27 Criterion (a) - Prominent Features in the Landscape: the proposed development has been meticulously designed to ensure that it does not result in prominent features in the landscape. It is worth noting that the agricultural buildings at No's 7, 7a, and 9 are all situated higher in the landscape than my proposed development. I would also direct the PAC's attention to application X/2013/0034/F, which approved a dwelling at 7a Corrog Lane on land even more prominent and elevated than my site. The site can be developed with floor levels and ridge heights similar to those at No. 9 Corrog

Lane. Furthermore, the buildings will be situated in a manner that minimises their visual impact on the surrounding environment and will be no more prominent than the buildings on either side of the appeal site. The architectural design and materials have been carefully chosen to blend seamlessly with the natural beauty of the area. The development will enhance, rather than disrupt, the existing landscape.

- 5.28 Criterion (b) - Suitable Degree of Enclosure: the site has been designed to provide a suitable degree of enclosure for the buildings, allowing them to integrate harmoniously into the landscape. Natural features such as existing vegetation and topography have been considered in the layout, ensuring that the development does not appear incongruous or obtrusive. The proposed development respects the character and contours of the land, maintaining the area's aesthetic appeal. Furthermore, hedges that may need to be removed will be replanted. Over one thousand metres of hedgerow have been planted under the Countryside Management Scheme.
- 5.29 Criterion (f) - Integration into the Countryside: the proposed development will not fail to blend with the landform. It will successfully integrate into this area of the countryside. The choice of building materials, colours, and architectural style has been made with great care to ensure that the development complements the surrounding natural environment. By doing so, the development contributes positively to the rural character of the area.
- 5.30 The proposed development aligns with Policy NH 6 of Planning Policy Statement 2 (PPS 2) - Natural Heritage, specifically in relation to the siting and scale of the proposal being sympathetic to the special character of the Area of Outstanding Natural Beauty (AONB) in general and that of the particular locality.
- 5.31 Policy NH 6 of PPS 2 emphasises the importance of protecting and conserving natural heritage, particularly in areas designated as AONBs. It calls for development to be sympathetic to the special character of such areas. The appeal development satisfies these criteria in the following ways:
- 5.32 Siting and scale sympathetic to the AONB: the siting of the proposed development has been carefully considered to ensure that it is in harmony with the special character of the AONB. The design and layout have been meticulously planned to minimise any adverse visual impact on the landscape. The buildings will be discreetly positioned within the site, ensuring that they do not dominate or detract from the natural beauty of the AONB.
- 5.33 Preservation of AONB character: the development has been designed to complement and preserve the unique character of the AONB in the locality. The architectural design and materials have been selected to blend seamlessly with the natural surroundings, enhancing rather than disrupting the special qualities of the area. The development respects the intrinsic value of the AONB, and its scale is in keeping with the existing built environment.
- 5.34 Contribution to AONB enhancement: the proposed development will contribute positively to the enhancement of the AONB. By adhering to the principles of Policy NH 6, the development will not only protect the natural heritage of the area but also provide an opportunity to showcase sensitive and responsible development within an

AONB. This can serve as an example of how development can coexist harmoniously with the special character of such areas.

- 5.35 With regard to the third party representation, the Commission's attention is drawn to application LA06/2023/2153/O for a dwelling on Corrog Lane, which sits at a much higher elevation than my proposal. Interestingly, this application did not receive any objections from the six individuals mentioned in the representation. The third party's involvement appears to stem from a dispute concerning boundaries. It is inaccurately stated that the lane's width is only three metres. It consistently measures at least four metres along Corrog Lane. Additionally, the hedges are routinely trimmed to comply with regulations and stand at approximately five feet in height. Furthermore, a third party claimed to have had a conversation with road services on 23rd March 2021. However, it is evident that several locals have engaged in discussions with officials in an attempt to oppose my application.
- 5.36 We kindly request that you reconsider this planning appeal in light of the above-mentioned factors and grant the necessary planning permission for this development. This development will not only adhere to the policy requirements but also contribute positively to the preservation and enhancement of the AONB. To ensure minimal impact of the new dwellings, appropriate conditions in terms of siting, landscaping, height and size of the dwellings, access point and curtilage could easily be applied.

6.0 CONSIDERATION

- 6.1 The main issues in this appeal are whether the proposal would:
- be acceptable in principle in the countryside,
 - result in ribbon development;
 - be visually prominent; and
 - have an adverse impact on rural character and the AONB.
- 6.2 Section 45(1) of the Act requires the Commission, in dealing with an appeal, to have regard to the local development plan, so far as material to the application, and to any other material considerations. Section 6(4) of the Act states that where regard is to be had to the Local Development Plan (LDP), the determination must be made in accordance with the plan unless material considerations indicate otherwise.
- 6.3 The Ards and Down Area Plan 2015 (ADAP) operates as the LDP for the area within which the appeal site lies. In it, the appeal site is within the countryside and outside of any settlement limit. The appeal site is also within an area of mineral constraint, the Greenbelt and Strangford and Lecale Area of Outstanding Natural Beauty. The LDP directs that the final Planning Policy Statement 21 'Sustainable Development in the Countryside' (PPS 21) will take precedence over the plan with regards to single houses in the countryside. Therefore, the rural policies of the LDP are outdated and no determining weight can be given to them.
- 6.4 The Strategic Planning Policy Statement for Northern Ireland 'Planning for Sustainable Development' (SPPS) is material to all decisions on individual planning applications and appeals. The SPPS retains policies within existing planning policy documents until such times as the local Council adopts a Plan Strategy (PS). No PS

has been adopted for this area. The SPPS sets out transitional arrangements to be followed in the event of a conflict between the SPPS and retained policy. The retained policy of relevance to this appeal is Planning Policy Statement 21 'Sustainable Development in the Countryside' (PPS 21) and Planning Policy Statement 2 'Natural Heritage' (PPS 2). As no conflict arises between the policy provisions of the SPPS and retained policy in so far as it relates to the appeal proposal, the latter provides the relevant policy context. Additional guidance is provided in Building On Tradition: A Sustainable Design Guide For The Northern Ireland Countryside (BoT).

- 6.5 Policy CTY 1 of PPS 21 states that there are a range of types of development that are considered in principle to be acceptable in the countryside that contribute to the aims of sustainable development. One of these is the development of a small gap site sufficient only to accommodate up to two houses within an otherwise substantial and continuously built-up frontage, in accordance with Policy CTY 8 of PPS 21. It follows that if Policy CTY 8 is met, then Policy CTY 1 is also satisfied.
- 6.6 Policy CTY 8 of PPS 21 is entitled 'Ribbon Development'. It states that planning permission will be refused for a building which creates or adds to a ribbon of development. It continues that an exception will be permitted for the development of a small gap site sufficient only to accommodate up to a maximum of two houses within an otherwise substantial and continuously built-up frontage and provided this respects the existing development pattern along the frontage in terms of size, scale, siting, and plot size and meets other planning and environmental requirements. For the purpose of this policy, the definition of a substantial and built-up frontage includes a line of three or more buildings along a road frontage without accompanying development to the rear.
- 6.7 The first step in determining whether the proposal constitutes an exception in accordance with Policy CTY 8 is to determine whether there is a substantial and continuously built-up frontage. There is no dispute between the parties that No. 9 and its ancillary outbuilding have frontage to Corrog Lane, as is the case with No. 7 and its outbuilding. The dispute centres on whether the buildings to the north of the appeal site contribute to the substantial and continuously built-up frontage, or whether the access splits the frontage. From my observations on site, the agricultural shed and No. 7a to the north of the appeal site both take entry and egress onto Corrog Lane via two separate access laneways that converge to a single point circa 20m wide. An access does not constitute frontage for the purpose of the policy. Those buildings do not have a frontage to Corrog Lane and therefore do not form part of a substantial and continuously built-up frontage.
- 6.8 The exceptional test within Policy CTY 8 refers to a small gap site within an otherwise substantial and *continuously* (emphasis added) built-up frontage. It follows that where there is a feature that interrupts or ends a line of buildings along a frontage, then any development beyond that cannot be considered to form part of a substantial and continuously built up frontage.
- 6.9 Given the sizeable physical gap created by the two accesses belonging to No. 7a and the agricultural shed, I agree with the Council that they act as a notable break in development along this part of Corrog Lane. As No. 7 and its outbuilding lie immediately north of this break, they do not form part of a substantial and

continuously built-up frontage. The gap created by those accesses and the separation of No. 7 from the appeal site and No. 9 is such that there is no bookend building north of the appeal site. Consequently, there is no substantial and continuously built-up frontage.

- 6.10 Given the above, I conclude that no infill opportunity arises at the appeal site and as such, matters of frontage width, plot size and development pattern do not need to be considered. The proposed development fails to satisfy the provisions of an exception within Policy CTY 8 of PPS 21.
- 6.11 The Council also argue that the appeal development would create a ribbon of development along Corrog Lane that is contrary to Policy CTY 8 and criterion (d) of Policy CTY 14 of PPS 21. Policy CTY 8 as set out above states that planning permission will be refused for a building that creates or adds to a ribbon of development. Paragraph 5.32 of the policy says that ribbon development is detrimental to the character, appearance, and amenity of the countryside. Further, Paragraph 5.33 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. Policy CTY 14 of PPS 21 'Rural Character' further states that a new building will be unacceptable where it creates or adds to a ribbon of development.
- 6.12 The appeal buildings when viewed in transit along Corrog Lane would be visually linked sequentially with the dwelling and garage at No. 7 Corrog Lane, the agricultural building set back from Corrog Lane and the dwelling and garage at No. 9 Corrog Lane. The appeal buildings would therefore create a linear ribbon of development along this section of the Corrog Lane, removing an important visual break that helps maintain the predominantly dispersed rural character of the area. No. 7a Corrog Lane does not contribute to the linear pattern of development as it is to the rear of No. 7 Corrog Lane. Furthermore, as the appeal buildings irrespective of their design would create a ribbon of development, they would also result in a suburban-style build-up of development when viewed with the existing buildings at No. 7 and No. 9 Corrog Lane. The appeal buildings would therefore result in a detrimental change to the rural character of the area by reasoning of ribbon development and build-up. The development would not comply with the requirements set out by Policies CTY 8 and CTY 14 of PPS 21. The Council's and third parties concerns on these matters are therefore sustained to the extent specified.
- 6.13 The Council's third reason for refusal in part raises concerns regarding the impact of ancillary works on rural character, specifically, the site works and the provision of access and visibility splays. Criterion (e) of Policy CTY 14 states that a new building is unacceptable where the impact of ancillary works (with the exception of necessary visibility splays) would damage rural character.
- 6.14 The Council has not indicated either the nature or the extent of the ancillary works that would have a detrimental impact on the character of the area. While access provision to both sites (excluding visibility splays) would open up the site frontage and raise awareness of the appeal development, I am not persuaded that this element taken in isolation would have a damaging impact on the overall character or appearance of the area, or that it would be at odds with other developments along

Corrog Lane. A carefully sited and designed scheme would ensure that any ancillary works associated with the appeal development would not result in a detrimental change to the rural character of this area. The Council's objection in this regard is not sustained.

- 6.15 Policy CTY 13 of PPS 21 states that planning 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. It specifies several instances where a new building will be unacceptable. The Council has raised concerns within its third reason for refusal relating to three criteria: (a) it is a prominent feature in the landscape; (b) the site lacks long-established natural boundaries or is unable to provide a suitable degree of enclosure for the building to integrate into the landscape; and (f) it fails to blend with the landform, existing trees, buildings.
- 6.16 Notwithstanding my conclusions above regarding the principle of development, the Council argues that the indicative Site Plan, Drawing No. 02 provided by the Appellant shows that the dwellings on the appeal site would sit approximately 2m above Corrog Lane and occupy a prominent skyline position. The northernmost site has an indicative Finished Floor Level (FFL) of 51.8, with Corrog Lane between datum points of 50-50.45 adjacent to this site. The landform continues to rise in a northerly direction to a datum point of 54.85 and beyond towards the agricultural shed and No. 7a Corrog Lane. These buildings sit on an elevated position relative to the appeal site. The southernmost appeal site has an indicative FFL of 51.00 with Corrog Lane at a datum point of 48.53-49.81 adjacent to this site. No levels have been provided to the rear (east) of either site. In order to avoid the dwellings being prominent in the landscape, they could be cut into the landform, similar to No. 9 Corrog Lane. This would ensure that they do not occupy a top-of-slope location and could be secured by way of planning conditions in the event of planning permission being granted.
- 6.17 The appeal development is also framed to the south by a wall approximately 2m high along the southern boundary adjacent to and including No. 9 Corrog Lane and by mature hedgerows and hedgerow trees along the northern boundary of the site. The appeal site is undefined along the rear eastern boundary. This is not unusual with dwellings in the countryside and could be overcome by landscaping conditions. Whilst I accept that some vegetation along the western lane-side boundary may be required to be removed to facilitate access, I am not persuaded that this would be significant, and would only be viewed along a short section of Corrog Lane itself. This would not be dissimilar to other properties along Corrog Lane. For the reasons given above, I also consider that compensatory planting as suggested by the Appellant would mitigate the visual impacts of the loss of vegetation from this boundary.
- 6.18 Views of the proposed development from Deer Park Road would be restricted given the drumlin landscape, intervening vegetation between the site and public road, as well as the angled view relative to the direction of travel along the road itself. For the reasons given above I am not persuaded that from this long distance viewpoint, the appeal development would lack enclosure or fail to blend with the landform, trees, buildings, and slopes.

- 6.19 Furthermore, following my on-site observations, I agree with the Appellant that appropriately sited and suitably designed buildings would ensure that they would not be any more prominent than the grouping of buildings surrounding No. 7 Corrog Lane or No. 9 Corrog Lane. Nor would they be so prominent as to result in a detrimental impact on the character or appearance of the area or that they would lack the necessary integration into the landscape, particularly from longer distance views. The Council's concerns regarding Policy CTY 14 Criterion (a) and their fourth reason for refusal are not sustained.
- 6.20 The fifth reason for refusal relates to the impact the development may have on the Strangford and Lecale Area of Outstanding Natural Beauty (AONB). Policy NH 6 of PPS 2: Natural Heritage (PPS 2) states that planning permission for new development within an AONB will only be granted where it is of an appropriate design, size, and scale for the locality and all the following criteria are met:
- a) the siting and scale of the proposal is sympathetic to the special character of the Area of Outstanding Natural Beauty in general and of the particular locality; and
 - b) it respects or conserves features (including buildings and other man-made features) of importance to the character, appearance, or heritage of the landscape; and
 - c) the proposal respects:
 - local architectural styles and patterns;
 - traditional boundary details, by retaining features such as hedges, walls, trees, and gates; and
 - local materials, design, and colour.
- 6.21 The Council's concerns, as stated on its decision notice, relate to criterion (a), however, I also note that additional concerns relating to criteria (b) and (c) of Policy NH 6 of PPS 2 have been raised within their statement of case.
- 6.22 The Council's concerns, relating to criterion (b) have not been substantiated to any significant extent, however, it is inferred that their concerns relate to the impact on the undulating shallow drumlins and scattered areas of heathland and gorse that characterise the area generally. From my on-site observations, I am not persuaded that the appeal development, which would entail the removal of a small area of gorse from the site itself, would impact on the identified landscape features to such an extent as to have a detrimental impact on the AONB either generally or specifically within this area.
- 6.23 The Appellant argues that the appeal development has been carefully and meticulously planned to minimise any adverse impact on the AONB landscape. It is further argued that the appeal development has been designed to complement, preserve, and enhance the unique character of the AONB. Notwithstanding my conclusions above, while no detailed drawings have been provided beyond an indicative site plan to demonstrate how this would be the case, I agree with the Appellant that, in the event of permission being granted, design matters could be conditioned to be appropriate to the AONB setting. The Council's concerns regarding Criterion (c) of Policy NH 6 are therefore not sustained.
- 6.24 With regard to criterion (a) of Policy NH 6, given my earlier conclusions regarding the impact the appeal development has on the rural character, by way of ribbon

development and suburban-style build-up, I agree with the Council that given the siting of the proposal, the appeal development would also be unsympathetic to the special character of this AONB landscape generally and at this particular locality. The appeal development therefore fails to comply with the policy provisions of criterion (a) of Policy NH 6 of PPS 2. The Council's fifth reason for refusal and related third party concerns are sustained to the extent specified.

- 6.25 Third party concerns regarding road safety relate to the access arrangements along the laneway and the need to potentially upgrade Corrog Lane to adoptable standards due to the number of properties accessing it. I note that the Council, following consultation with DfI Roads, has not objected to the appeal development on road safety grounds. From my observations on site, while the laneway, is narrow there are a number of places along the laneway for vehicles to pass one another with care. As such, I am not persuaded that the additional traffic generated by two additional dwellings would singularly or cumulatively prejudice road safety along Corrog Lane. Nor would it necessitate the need for Corrog Lane to be brought up to adoptable standards. I am therefore satisfied that the appeal development would not prejudice road safety or significantly inconvenience the flow of traffic or pedestrians that would use Corrog Lane. The objections raised on road safety would not warrant withholding of planning permission.
- 6.26 The third parties also indicate that any new sites along Corrog Lane should be prevented. However, each planning application must be assessed on its own merits against the prevailing planning policy, therefore, this matter taken in isolation would not merit the withholding of planning permission.
- 6.27 The parties referred to judicial review decisions, appeal decisions and planning application decisions in support of their position. However, these have not been provided within their evidence and as such, I cannot draw direct comparisons with the appeal development. In any event, it is rare that direct comparisons can be made between proposals, given that the site-specific circumstances of each case are different.
- 6.28 Although not specified in the reasons for refusal, the Council raised concerns that the appeal development would create a precedent for damage to the landscape, biodiversity, and natural habitats, should planning permission be granted, however, given my conclusions above, no such precedent would occur in this case.
- 6.29 The Council argue that the appeal development would inhibit the continued use and access to the lands to the rear of the appeal site. I agree with the Appellant that other access points could be created on lands within the Appellant's control that would allow for access and egress to them. This matter, therefore, would not merit the refusal of planning permission in its own right.
- 6.30 A third party raised concerns at the application stage that the appeal development would have a detrimental impact on an individual with complex medical needs. No medical evidence has been provided in support of this position, as such, I am not persuaded that the personal and domestic circumstances put forward by the third party would warrant the withholding of planning permission taken in isolation.

- 6.31 Concerns regarding the impact of construction works were also raised at the application stage by third parties, however, such works are short-term and could be managed and controlled by planning conditions in the event of planning permission being granted to ensure that there would be no significant public safety or amenity impacts on existing residents.
- 6.32 For the reasons given above, the development fails to satisfy prevailing planning policy. No overriding reasons have been presented to demonstrate why the appeal development is essential and could not be located in a settlement. The appeal proposal is therefore contrary to Policy CTY 1 of PPS 21. The first reason for refusal is sustained. The Council's reasons for refusal and the related concerns of the third parties have been sustained in so far as stated.

7.0 RECOMMENDATION

- 7.1 I recommend to the Commission that the appeal be dismissed.
- 7.2 This recommendation relates to the following drawings: -
- 1:2500 scale, Site Location Plan, Drawing No. 01 date stamped received 11th June 2020.
 - 1:500 scale, Existing and Proposed Site Layout, Drawing No. 02 date stamped 11th June 2020.

List of Appearances

Planning Authority: - Sharon Brown Ards and North Down Borough Council

Appellant: - John Gracey
Patrick O'Reilly NI Planning Permission

List of Documents

Planning Authority: - Statement of Case Ards and North Down Borough Council.

Appellant: - Statement of Case by NI Planning Permission

Third Parties: - Statement of Case by residents of Corrog Lane
Mr M Quigley
Mrs L Hughes
Mr & Mrs Gordon
Mr & Mrs Gowdy
Mr & Mrs Waters
Mr & Mrs Coleman