

Title of Report:	Planning Committee Report – LA01/2021/0761/LBC
Committee Report Submitted To:	Planning Committee
Date of Meeting:	24th January 2024
For Decision or For Information	For Decision – Council Interest Item
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	Senior Planning Officer

Budgetary Considerations	
Cost of Proposal	Nil
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:

App No: LA01/2021/0761/LBC **Ward:** Coolestan

App Type: Listed Building Consent

Address: Adjacent to 29 Roe Mill Road, Limavady

Proposal: Proposed Refurbishment of Existing Barn, Reinstatement of First Floor & Roof (following demolition works as building was at risk of imminent collapse and was presenting a significant risk to pedestrians and vehicles on adjacent footpath and road) to Provide 2 No. Apartments (1 No. apartment as ancillary to the main dwelling and 1 No. apartment as a self contained unit, for separate rental) with the Essential Characteristics of the Barn Retained & Enhanced, installation of septic tank with soakaway & to include All Associated Works.

Con Area: N/A

Valid Date: 25.06.2021

Listed Building Grade: B2

Target Date: 08.10.2021

Agent: Bell Architects Ltd, 65 Main Street, Ballymoney, BT53 6AN

Applicant: The Callan Family, The Hermitage, 29 Roe Mill Road, Limavady, BT49 9BE

Objections: 1 **Petitions of Objection:** 0

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

Executive Summary

- Listed Building Consent is sought for the proposed refurbishment of the existing barn, reinstatement of first floor & roof (following demolition works as building was at risk of imminent collapse and was presenting a significant risk to pedestrians and vehicles on adjacent footpath and road) to provide 2 No. apartments (1 No. apartment as ancillary to the main dwelling and 1 No. apartment as a self contained unit, for separate rental) with the essential characteristics of the barn retained & enhanced, installation of septic tank with soakaway & to include all associated works.
- The site is located within the development limits of Limavady as defined in the Northern Area Plan 2016.
- The building is listed and a full application accompanies this Listed Building Consent Application.
- The principle of development is considered acceptable in regard to the SPPS and Planning Policy Statement 6 – Policies BH8 - Extension or Alteration of a Listed Building and BH 11 Development affecting the setting of a Listed Building.
- DfC Historic Environment Division were consulted on and following the submission of amended plans are content with the proposal.
- There is 1 objection to the proposal.
- Approval is recommended.

**Drawings and additional information are available to view on the Planning Portal-
<https://planningregister.planningssystemni.gov.uk/simple-search>**

1 RECOMMENDATION

- 1.0 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 **Grant Listed Building Consent** subject to the conditions set out in section 10.

2.0 SITE LOCATION & DESCRIPTION

- 2.1 The application site is located adjacent to 29 Roemill Rd, Limavady, known as the Hermitage. The application site relates to the existing roadside red brick barn/outbuilding, which are associated with the dwelling at No. 29. The building subject of the application was a two-storey red brick building with natural slate roof and an archway providing historical access to an internal courtyard. The building has been partially demolished with the roof and first floor removed. The subject building, Dwelling (No. 29) and a number of outbuildings are listed as Grade B2 Listed Buildings (HB02/13/003).
- 2.2 The entrance to the proposed site is located at the northern end of the site and is defined by two large square red brick pillars with sandstone copings. The boundary wall between the pillars and the subject building has been removed. The proposed entrance currently serves as the existing access to No. 29. At the southern end of the site is a flat roofed garage, which is of modern construction and is not listed. The internal courtyard between the subject building and the dwelling at No. 29 forms the western portion of site.
- 2.3 The application site is located within the settlement limit of Limavady Town as defined in the Northern Area Plan 2016. The area is predominantly residential in character with residential development abutting the application site to the north, south and western boundaries and on the opposite side the road. The site is located to the western side of the settlement with the historical gardens of the associated dwelling at No. 29 (Hermitage) defining the settlement limit to the west. The application site lies a short distance outside of the designated Roe Park Local Landscape Policy Area.

3.0 RELEVANT HISTORY

B/1976/0231 - Roe Hill Road, Limavady- Shop – Permission Refused 30.06.1975

B/1976/0231 - The Hermitage, Roe Hill Road, Limavady- Improvements To Hermitage And Conversion Of Rear Annex To Dwelling– Permission Granted 06.10.1976

LA01/2021/0634/F - Adjacent to 29 Roe Mill Road Limavady - Proposed Refurbishment of Existing Barn, Reinstatement of First Floor & Roof (following demolition works as building was at risk of imminent collapse and was presenting a significant risk to pedestrians and vehicles on adjacent footpath and road) to Provide 2 No. Apartments (1 No. apartment as ancillary to the main dwelling and 1 No. apartment as a self contained unit, for separate rental) with the Essential Characteristics of the Barn Retained & Enhanced, installation of septic tank with soakaway & to include All Associated Works. – Current Application

4.0 THE APPLICATION

- 4.1 Listed Building Consent is sought for the proposed refurbishment of existing barn, reinstatement of first floor & roof (following demolition works as building was at risk of imminent collapse and was presenting a significant risk to pedestrians and vehicles on adjacent footpath and road) to provide 2 No. apartments (1 No. apartment as ancillary to the main dwelling and 1 No. apartment as a self contained unit, for separate rental) with the essential characteristics of the barn retained & enhanced, installation of septic tank with soakaway & to include all associated works.

5.0 PUBLICITY & CONSULTATIONS

External

- 5.1 Advertising: 14.07.2021, 11.05.2022, 08.03.2023, 01.11.2023
Neighbours: There is one letter of representation to the proposal.

This issues raised within the letter of representation relate to the storage of building rubble and other items on lands to the rear of their property.

Internal

5.2 Historic Environment Division – No objections

6.0 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:

- 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.

7.0 RELEVANT POLICIES & GUIDANCE

The Northern Area Plan 2016

Strategic Planning Policy Statement (SPPS)

8.0 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to, the extension and/or alterations to the listed building and the impact on the setting of the listed building.

Principle of development

- 8.2 The principle of development and change of use of the listed building to residential units is considered in the associated full application LA01/2021/0634/F.

Extension or Alteration of a Listed Building

- 8.3 Policy BH 8 Extension or Alteration of a Listed Building states that the Authority will normally only grant consent to proposals for the extension or alteration of a listed building where all the following criteria are met:
- (a) the essential character of the building and its setting are retained and its features of special interest remain intact and unimpaired;
 - (b) the works proposed make use of traditional and/or sympathetic building materials and techniques which match or are in keeping with those found on the building; and
 - (c) the architectural details (e.g. doors, gutters, windows) match or are in keeping with the building.
- 8.4 Significant works have been undertaken on the building to date including the removal of the roof structure and the removal of the first floor structure.
- 8.5 Several supporting documents have been submitted detailing the requirement for the works already carried out, the means of retaining the remainder of the building and the design principles to be employed to maintain the character of the building.
- 8.6 A Structural Report carried out by JSC Consulting provided details of a visual inspection of the building carried out 3rd November 2020. The report found the structural integrity of the

building to be poor with the building suffering from significant deterioration. The external walls were found to be in very poor condition suffering from major cracking with the front and rear walls significantly out of plumb resulting in overhanging to the public footpath. The roof had structural issues which left it unsuitable for retention and unsafe. The report made several recommendations with regards making the building safe including removal of the roof, removal of part of the first-floor walls and the propping of walls and the archway.

8.7 A Structural Stabilisation Proposal has been submitted which details the methods for stabilising the remaining walls, to provide a solid base to facilitate the reconstruction of the first floor and roof. The means of stabilisation include repairing cracks and repointing joints, underpinning the foundation/walls, installing steel wind frames and concrete ring beams to tie existing and new walls together.

8.8 The Design and Access Statement accompanying the application outlines that the redevelopment proposal aims to retain and replicate the features of the barn. The proposal will reinstate the building and will re-use the red brick and slates removed from the building during the demolition works, with similar materials to be sought if necessary. The proposal will replace and replicate the original openings on the building, maintaining the archway as the primary entrance to both apartments. Some internal alterations are proposed to accommodate both apartments, and some additional openings are proposed such as the new opening on the southern gable at ground floor to provide access to the proposed amenity area, which is to be accommodated through the demolition of the existing unlisted outbuilding. New skylights are proposed within the roof, three to the front and three to the rear which are proposed to be conservation style. A new Juliet balcony railing is proposed to the roadside elevation at first floor to secure the patio door opening.

8.9 The proposed development seeks to reinstate the building to its original form and dimensions. The proposal will retain the character of the building by re-using the original brick and slates where possible and sourcing suitable additional materials if necessary, in keeping with those originally present on the

building. The building will use the original apertures with the doors and windows constructed from traditional hardwood. The proposed scheme will maintain the building's character, appearance and setting, and will be sympathetic to the adjacent associated dwelling and outbuildings.

- 8.10 Historic Environment Division (HED)– Listed Buildings were consulted during the processing of the application. Following the submission of further supporting information, revised plans and clarification on the specification of appropriate building materials HED are content the proposal satisfies the policy requirements of SPPS 6.13 and Policy BH8 of PPS6, subject to conditions.

Development affecting the setting of a Listed Building

- 8.11 The subject buildings are part of the wider listing on the site which includes the associated dwelling (No. 29) the Hermitage, a Grade B2 Listed Building. Policy BH 11 Development affecting the Setting of a Listed Building states that development will not normally be permitted which would adversely affect the setting of a listed building. Development proposals will normally only be considered appropriate where all the following criteria are met:
- (a) the detailed design respects the listed building in terms of scale, height, massing and alignment;
 - (b) the works proposed make use of traditional or sympathetic building materials and techniques which respect those found on the building; and
 - (c) the nature of the use proposed respects the character of the setting of the building.
- 8.12 As outlined in the above paragraphs, the proposed development seeks to reinstate the building to its former form and dimensions and maintain its original character through the re-use of existing openings, materials removed during the demolition works and through the use of sympathetic building materials. The nature of the proposed residential use respects the character of the setting of the Hermitage Listed Building.
- 8.13 As the proposal seeks to reinstate the building as per its original form and uses appropriate materials, the Planning Department is satisfied that there will be no adverse impact on the setting to the listed building (No. 29). Historic Environment Division (HED)– Listed Buildings was consulted during the processing of

the application and is content the proposal satisfies the policy requirements of SPPS 6.12 and Policy BH11 of PPS6, subject to conditions.

Representations

- 8.14 One letter of representation was received. The main area of concern relates to the dumping of the building material removed from the building during the demolition works on lands owned by the applicant, to the rear of the objector's property. The applicant has confirmed that these materials are to be reused on the reconstructed building. It is therefore anticipated that these materials will be removed from the land upon commencement of the redevelopment. This matter can be dealt with outside of this application.

9.0 CONCLUSION

The proposal is considered acceptable in this location having regard to the Northern Area Plan 2016 and other material considerations. The proposed development seeks to reinstate the building to its original form and dimensions. The proposal will restore the building, retain its character and makes use of traditional building materials in keeping with those originally present on the building. There will be no significant detrimental impact to the setting of the listed building. The proposal complies with Paragraphs 6.12 & 6.13 of the SPPS and Policies BH8 & BH11 of PPS6. Approval to grant Listed Building Consent is recommended.

10.0 CONDITIONS AND INFORMATIVES

Conditions

1. The works hereby permitted shall be begun not later than the expiration of 5 years beginning with the date on which this consent is granted.

Reason: As required by Section 94 of the Planning Act (Northern Ireland) 2011.

2. All works, materials and finishes shall be as noted on the approved plans and documents 01 Rev 02, 02 Rev 01, 03 Rev 01, 04 Rev 01, 05 Rev 01, 06 Rev 03, 07 Rev 03, 08 Rev 02, 09 Rev 05, 10 Rev 01, 11 Rev 01, 12 Rev 01, 13, 14 Rev 02, 15 Rev 01, 17 and Structural Stabilisation Proposals (Doc 02).

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 80 of The Planning Act (NI) 2011 and to ensure that the materials used are of appropriate quality in the interests of maintaining the character, appearance and setting of the listed building.

3. Historic site natural slates and ridge tiles shall be retained on site and repaired in the first instance and installed to replicate patterns of historic building. Any additional slates to be used for the development hereby approved shall replicate the existing in colour, size, gauge and coursing pattern of original.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 80 of The Planning Act (NI) 2011 and to ensure that the materials used are of appropriate quality in the interests of maintaining the character, appearance and setting of the listed building.

4. All works of making good to the existing fabric, shall be finished exactly, to match the adjacent existing work with regard to the materials & methods used. All brick walls to be in lime mortar bedding with pointing detail to match existing.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 80 of The Planning Act (NI) 2011 and to ensure that the materials used are of appropriate quality in the interests of maintaining the character, appearance and setting of the listed building.

5. The proposed brick boundary wall shall replicate historic Common brick bond/pattern of historic boundary walls. The proposed brick walls to the outbuilding shall replicate Flemish brick bond/pattern of the historic building walls. All historic brick shall be retained on site and repaired in the first instance and

installed to replicate patterns of historic building. Additional bricks used for site shall replicate in colour & size of historic bricks.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 80 of The Planning Act (NI) 2011 and to ensure that the materials used are of appropriate quality in the interests of maintaining the character, appearance and setting of the listed building.

6. All brick heads/lintels to all windows, doors and basket arches shall have brick soffits only and no visible steel lintels. Brick heads to all openings shall match in bonding pattern to historic details. Details of all window heads/lintels shall be submitted to and agreed in writing with the Council and HED prior to works commencing on site.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 80 of The Planning Act (NI) 2011 and to ensure that the materials used are of appropriate quality in the interests of maintaining the character, appearance and setting of the listed building.

7. Windows shall be traditionally detailed timber design without trickle vents, single glazed (multipane) & double glazed as per drawings for each elevation, and shall be putty faced and have final coat of paint hand brushed applied.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 80 of The Planning Act (NI) 2011 and to ensure that the materials used are of appropriate quality in the interests of maintaining the character, appearance and setting of the listed building.

8. Extract vents to walls shall be cast iron metal and of the suitable period detail.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 80 of The Planning Act (NI) 2011 and to

ensure that the materials used are of appropriate quality in the interests of maintaining the character, appearance and setting of the listed building.

9. All Rainwater goods shall be cast iron with traditional gutter spike brackets bedded into walls.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 80 of The Planning Act (NI) 2011 and to ensure that the materials used are of appropriate quality in the interests of maintaining the character, appearance and setting of the listed building.

10. All windows and doors and the Juliette balcony shall be painted with opaque finish with final coat of paint hand applied bush finish.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 80 of The Planning Act (NI) 2011 and to ensure that the materials used are of appropriate quality in the interests of maintaining the character, appearance and setting of the listed building.

11. None of the existing building fabric shall be disassembled or removed beyond the extent as shown on Drawing 11 Rev 01 date stamped 23/02/22.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 80 of The Planning Act (NI) 2011.

12. No unit hereby approved shall be capable of occupation until the development as detailed in the approved drawings 01 Rev 02, 02 Rev 01, 03 Rev 01, 04 Rev 01, 05 Rev 01, 06 Rev 03, 07 Rev 03, 08 Rev 02, 09 Rev 05, 10 Rev 01, 11 Rev 01, 12 Rev 01, 13, 14 Rev 02, 15 Rev 01, 17 and Structural Stabilisation Proposals (Doc 02) are carried out in full to the specification shown.

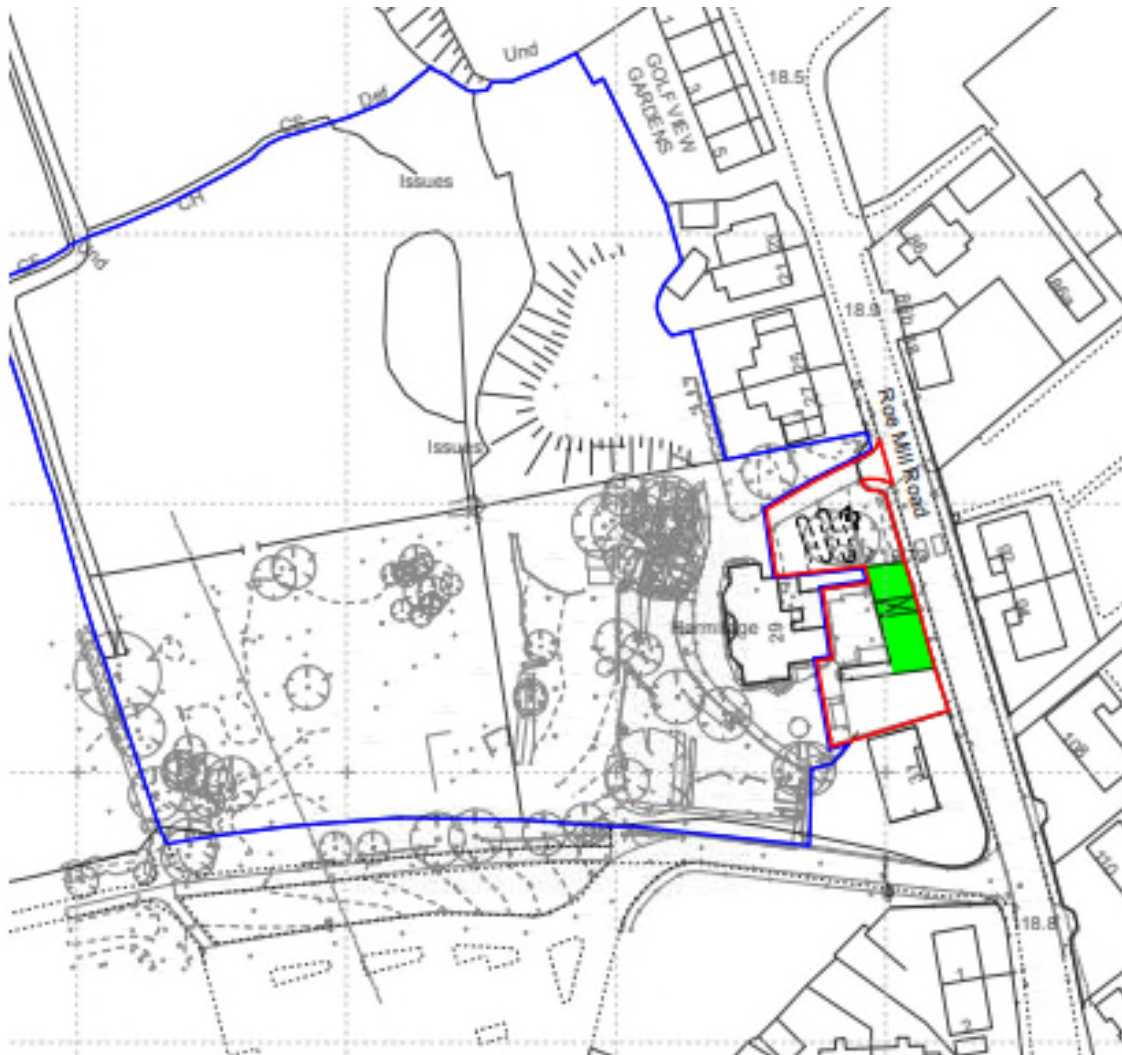
Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the

building under Section 80 of The Planning Act (NI) 2011 and to ensure the scheme respects the setting of listed buildings.

Informatives

1. This approval does not dispense with the necessity of obtaining the permission of the owners of adjacent sites for the removal of or building on the party wall or boundary whether or not defined.
2. This permission does not alter or extinguish or otherwise affect any existing or valid right of way crossing, impinging or otherwise pertaining to these lands.
3. This permission does not confer title. It is the responsibility of the developer to ensure that he controls all the lands necessary to carry out the proposed development.
4. This determination relates to planning control only and does not cover any consent or approval which may be necessary to authorise the development under other prevailing legislation as may be administered by the Council or other statutory authority.
5. You should refer to any other general advice and guidance provided by consultees in the process of this planning application by reviewing all responses on the Planning Portal at <https://planningregister.planningsystemni.gov.uk/simple-search>.
6. This Listed Building Consent should be read in conjunction with the Full Planning Approval LA01/2021/0634/F.

Site Location Map



Site Layout Plan

