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| Planning Committee Report – Agenda Item 5.11 LA01/2016/1311/F – 70m West of 213 Baranait Road, Limavady | 28th February 2018 |
| PLANNING COMMITTEE | |

| Linkage to Council Strategy (2015-19) | |
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| Strategic Theme | Protecting and Enhancing our Environment and Assets |
| Outcome | Pro-active decision making which protects the natural features, characteristics and integrity of the Borough |
| Lead Officer | Principal Planning Officer |
| Cost: (If applicable) | N/a |

**70m West of
213 Baranailt Road
Limavady**

LA01/2016/1311/F

28th February 2018

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| <u>No:</u> | LA01/2016/1311/F | <u>Ward:</u> | BALLYKELLY |
| <u>App Type:</u> | Full Planning | | |
| <u>Address:</u> | 70m West of 213 Baranailt Road, Limavady | | |
| <u>Proposal:</u> | Proposed two storey dwelling with garage. | | |
| <u>Con Area:</u> | No | <u>Valid Date:</u> | 26.10.2016 |
| <u>Listed Building Grade:</u> | N/A | | |
| Agent: | 2020 Architects, 49 Main Street, Ballymoney, BT53 6AN | | |
| Applicant: | Edward McLaughlin, 209 Baranailt Road, Limavady | | |
| Objections: | 0 | Petitions of Objection: | 0 |
| Support: | 0 | Petitions of Support: | 0 |

Drawings and additional information are available to view on the Planning Portal- www.planningni.gov.uk

1.0 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** planning permission subject to the condition set out in section 10.

2.0 SITE LOCATION & DESCRIPTION

- 2.1 The site comprises a linear field with a narrow frontage onto a private laneway. There is development to either side of the site and a private laneway also runs along the eastern boundary. The site is positioned between 209 and 211 Baranailt Road.

The laneway to the eastern boundary provides access to No. 205 Baranait Road.

- 2.2 The site topography gently rises to the south and No. 209 which abuts the site is cut into the rising topography with a small retaining wall to the site curtilage. The boundaries of the site are defined by a high hedge to the east while the remaining boundaries consist of post and wire fence.
- 2.3 The site is located in the rural area to the south west of Limavady as defined by the Northern Area Plan 2016. The existing farm dwelling and associated farm buildings are located on the adjacent land to the west (No. 209). With development to either side, the site is within a ribbon of roadside development. An infill development, approved under B/2013/0103/RM is currently under construction between 213 and 217.

3.0 RELEVANT HISTORY

- 3.1 Planning permission was previously refused for a farm dwelling under B/2013/0148/F for Mr E McLaughlin, as it had not been demonstrated that the farm business had been established for six years.
- 3.2 Planning permission for the off-site replacement of No. 209 was granted under B/2009/0229/O & B/2010/0079/RM. This was renewed under B/2014/0208/F.
- 3.3 Construction has commenced on the offsite replacement of 209. The applicant for the current application is given as Edward McLaughlin of 209 Baranait Road. However, condition 2 of B/2014/0208/F states that development shall not commence until No. 209 has been demolished.

4.0 THE APPLICATION

- 4.1 Planning permission is sought for a two storey dwelling and garage as a dwelling on a farm.

5.0 PUBLICITY & CONSULTATIONS

- 5.1 No objections have been received.

Internal

DFI Roads Service – No Objection

NI Water – No Objection

Environmental Health Department – No Objection

DAERA - NIEA – No Objection

DAERA – Countryside Management – No objection

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)

Planning Policy Statement 21: Sustainable Development in the Countryside

Planning Policy Statement 3 : (Clarification) Access, Movement and Parking

8.0 CONSIDERATIONS & ASSESSMENT

8.1 The main considerations in the determination of this application are the principle of development and inappropriate design and impact on the character of the rural area.

8.2 The site is located in the rural area to the south west of Limavady as defined by the Northern Area Plan 2016. The site is located within the rural area to the south west of Limavady. The principle of the type and scale of development proposed must be considered having regard to the SPPS and PPS policy document specified above.

Principle of development

8.3 PPS 21: Sustainable Development in the Countryside aims to manage development in the countryside in a manner consistent with achieving the strategic objectives of the Regional Development Strategy for Northern Ireland 2025.

8.4 Policy CTY 10 - Dwellings on Farms states that planning permission will be granted for a dwelling house on a farm where all of the following criteria can be met:

- (a) the farm business is currently active and has been established for at least 6 years;
- (b) no dwellings or development opportunities out-with settlement limits have been sold off from the farm holding within 10 years of the date of the application. This provision will only apply from 25 November 2008; and
- (c) the new building is visually linked or sited to cluster with an established group of buildings on the farm and where practicable, access to the dwelling should be obtained from an existing lane.

8.5 When considered in the context of the policies outlined above the proposed development satisfies the policy criteria of CTY10 in that the holding has been active and established for more than 6 years, no sites have been sold off the holding and it is visually linked with existing farm buildings.

Design and impact on character of the area

8.6 CTY 10 also states that dwellings on a farm should also comply with CTY 13 and CTY 14 which refer to the ability of the proposal to integrate into the surrounding landscape with minimal impact and the effect which the proposal has on rural character. In addition, Paragraph 6.70 of the SPPS states that all development in the countryside must integrate into its setting, respect rural character, and be appropriately designed.

8.7 The site offers very little in terms of integration with only a low level hedge to the eastern boundary and post and wire fence to all remaining boundaries. The proposed two storey design of 7.7m ridge height is significantly larger than the adjacent properties in terms of both height and the general scale and massing.

8.8 The ground level of the proposed site is elevated relative to the dwelling at no 209 which is 6m in height. The adjacent dwelling at no 211 is positioned at a slightly higher ground level than the application site but is a low single storey bungalow. As such the proposed dwelling fails to respect the character and context of the surrounding area and would appear incongruous within the established pattern of development.

8.9 The design and appearance of the dwelling is also inappropriate and reflects a suburban architectural style. There are two balconies to the front elevation which are served by oversized dormers. The gable is 9.75m which is inappropriate for the rural area and accentuates the overall massing of the building. The centralised driveway with entrance pillars would further erode the character of the rural area. During the processing of the application, officials sought to negotiate an amended design which would be appropriate to the rural context, however with the latest revision the agent stated that they were unwilling to further amend the design.

8.10 The proposed development fails to integrate in the surrounding area and would appear unduly prominent. Coupled with the

inappropriate design and layout of the dwelling the proposal would result in demonstrable harm to the character of the rural area. As such the proposed development would be contrary to CTY 13 and 14 of PPS21 and Paragraph 6.70 of the SPPS.

9.0 Conclusion

- 9.1 The proposal is considered unacceptable in this location having regard to the Northern Area Plan, and other material considerations. When considered in the context of the policies outlined above it is considered that the proposed development is contrary to policy CTY 13 and 14 of PPS21 and Paragraph 6.70 of the SPPS. Officers have sought to negotiate an amended design which would be more appropriate to the rural context. However, with the latest revision the Agent has stated that they are unwilling to make further amendment to the design. Refusal is recommended.

10.0 Refusal Reasons

- 10.1 The proposal is contrary to Paragraph 6.70 and 6.73 of the Strategic Planning Policy Statement and Policy CTY13 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that: the proposed building is inappropriate for the site and its locality, is a prominent feature in the landscape, lacks long established natural boundaries and is unable to provide a suitable degree of enclosure and therefore would not visually integrate into the surrounding landscape.
- 10.2 The proposal is contrary to Paragraph 6.70 and 6.73 of the Strategic Planning Policy Statement and Policy CTY14 of Planning Policy Statement 21, Sustainable Development in the Countryside in that: the building would, if permitted, be unduly prominent in the landscape and would result in a detrimental change to the rural character of the countryside.

