

<b>Planning Committee Report Item J</b>	<b>27<sup>th</sup> April 2016</b>
<b>PLANNING COMMITTEE</b>	

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

**ITEM J**

**7 Main Street,  
Limavady**

**LA01/2015/0874/F  
Full Planning**

**27<sup>th</sup> April 2016**

**App No:** LA01/2015/0874/F      **Ward:** Roeside  
**App Type:** Full Planning  
**Address:** 7 Main Street, Limavady  
**Proposal:** Retention of front ground floor double doors  
**Con Area:** N/A      **Valid Date:** 9<sup>th</sup> November 2015  
**Listed Building Grade:** Grade B2

**Applicant:** Mr L Devine

**Agent:** 5050 Architecture, 3A Keldon Court, 17 Linenhall Street,  
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](http://www.planningni.gov.uk)**

## **1 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 & 8 and resolves to **REFUSE** planning permission for the reasons set out in section 10.

## **2 SITE LOCATION & DESCRIPTION**

- 2.1 The site is located within Limavady Town centre in an area of Townscape Character and Area of Archaeological Potential as set out in the Northern Area Plan 2016
- 2.2 The application site is a Grade B2 listed building. The property is part of an Edwardian terrace consisting of three two storey red brick houses with slate roofs and brick chimneys. This terrace section is flanked by lower 2 storey rendered buildings and a three storey Georgian terrace.

- 2.3 Each unit within the terrace traditionally displayed an entrance door to the left hand side of the front elevation, with a rectangular fanlight window above. Two, two pane sash windows would have been to the side of the door with two directly above. A blue brick band runs between the upper windows as it once did with the lower windows. Each original opening is marked with a blue brick keystone. A continuous decorated brick cornice holds up the gutter at eaves level.
- 2.4 At the application site, the two original ground floor windows on the property have been replaced with grey colour glazed double doors and the remaining windows have been replaced with modern white uPVC windows.

### **3 RELEVANT HISTORY**

B/2010/0306/F - Erection of two and a half storey rear extension to provide one commercial unit on the ground floor and two self-contained residential apartments on the first and second floor - 7 Main Street, Limavady – Approved 15.12.2010

### **4 THE APPLICATION**

- 4.1 This is a retrospective proposal for the retention of the double doors on the ground floor of the front elevation. Otherwise known as French doors or patio windows. The application takes the form of a full application.

### **5 PUBLICITY & CONSULTATIONS**

#### **External**

- 5.1 **Neighbours:** There are no objections to the proposal.

#### **Internal**

- 5.2 **Transport NI:** No objection in principle

**NIEA:** Historic Buildings Unit recommends refusal because the proposal fails to satisfy Policy BH8 and BH11 of PPS6 in that the proposal would have an adverse impact on the listed building.

## **6 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
- 6.3 The Regional Development Strategy (RDS) is a material consideration.
- 6.4 The Strategic Planning Policy Statement for Northern Ireland (SPPS) is a material consideration. As set out in the SPPS, until such times as a new local plan strategy is adopted, councils will apply specified retained operational policies.
- 6.5 Due weight should be given to the relevant policies in the development plan.
- 6.6 All material considerations and any policy conflicts are identified in the “Considerations and Assessment” section of the report.

## **7 RELEVANT POLICIES & GUIDANCE**

Northern Area Plan 2016

Strategic Planning Policy Statement (SPPS)

Planning Policy Statement 6 (PPS 6) Planning, Archaeology and the Built Heritage

Addendum to Planning Policy Statement 6 (PPS 6 Addendum) Areas of Townscape Character

## **8 CONSIDERATIONS & ASSESSMENT**

- 8.1 The main considerations in the determination of this application relate to: background and planning history; planning policy context; impact on the characteristics of the listed building and its surrounding context; impact on the special features of the Area of Townscape character.
- 8.2 The site is located within Limavady Town centre in an area of Townscape Character and an area of Archaeological potential as set out in the Northern Area Plan 2016.
- 8.3 The principle of the proposed development must be considered having regard to the PPS policy documents specified above and the supplementary guidance.
- 8.4 A transitional period operates until such times as a Plan Strategy for the whole of the council area has been adopted. During the transitional period planning authorities will apply existing policy contained within the documents identified below together with the SPPS. This policy should be read in conjunction with PPS 6 and PPS6 Addendum.

### **Background and planning history**

- 8.5 Once a building is listed, consent is required for its demolition and for any works of alteration or extension in any manner which would affect its character as a building of special architectural or historic interest. This is referred to as “listed building consent” and it is an offence to carry out such works without consent. Planning permission is also required in addition to listed building consent if the works involve “development”. In such cases, it will generally be preferable if both applications are considered concurrently.
- 8.6 A full planning application was granted by the DOE under B/2010/0306/F in December 2010. The applicant did not seek a corresponding listed building consent application at the time the Department overlooked requesting a Listed Building Consent application. While planning permission was granted for the extension and alterations in 2010, the works cannot be carried out without the corresponding Listed Building Consent. Notwithstanding that, from a site visit it would appear that the works granted under B/2010/0306/F regarding the change of use and provision of the rear extension have been implemented.

However, Application B/2010/0306/F did not include the double doors which are subject of this application

### **Planning Policy Context**

- 8.7 The SPPS and PPS6 provide the policy context for development affecting listed buildings. Policy BH8 of PPS6 states that permission will normally only be granted consent for the extension or alteration of a listed building where all of 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.
- 8.8 Policy BH11 of PPS6 states that development which affects the setting of a listed building will normally only be considered appropriate where all of 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.

### **Impact on the characteristics of the listed building and its surrounding context**

- 8.9 The application site is 7 Main Street, Limavady which is in proximity to a number of other listed buildings, notably; 9 Main Street, Limavady (HB02 12 009B) and 11 Main Street, Limavady (HB02 12 009C). All of the aforementioned properties are Grade B2 listed buildings of special architectural and historic interest as set out in Section 80 and are protected under the Planning Act (NI) 2011. 7 Main Street, Limavady is enhanced by its group value in association with the remaining terrace row.

8.10 7, 9 and 11 Main Street form an Edwardian terrace finished in brick with slate roofs and brick chimneys. This terrace is flanked by lower two storey rendered buildings and a three storey Georgian terrace. (refer to paragraph 2.3 for full description of details).

8.11 The proposed development is retrospective and seeks the retention of a set of double doors at ground floor (street level) on the front elevation. The retention of the double doors detract from the appearance, character and setting of the listed properties and results in a loss of its architectural and historic integrity for the following reasons. The proposal introduces double doors onto the front elevation which incorporate unsympathetic architectural details, building materials and techniques which are out of keeping with those found on the listed building or the listed terrace. The double doors will materially affect the external appearance of the listed building and the terrace. The proposed changes required to the fabric of the building result in the destruction of features of special interest namely the band of blue brick which runs between the head of the ground floor windows and fan light along the ground floor of the entire terrace and the removal of the two 2-pane sash windows.

8.12 The proposal fails to satisfy Policy BH8 and HB11 as the proposal would have an adverse impact on the listed building.

**Impact on the special features of the Area of Townscape character.**

8.13 The application site and the wider terrace is located within the Area of Townscape Character (ATC) as provided for by NAP2016. Policy LYT03 of NAP2016 identifies key features of the ATC to include the quality of Listed Buildings which contribute to the areas character and which set the context for existing unlisted and proposed new buildings.

8.14 Policy ATC2 of PPS6 Addendum, as reiterated by the SPPS, stresses that only development which maintains or enhances the overall character and respects the built form will be permitted.



The Planning Authority will operate a presumption against development that would detract from or fail to maintain the character and distinct townscape displayed in the ATC. As outlined in paragraphs 8.9 to 8.12 the proposal will have an adverse impact on the host listed building and the wider terrace which would detract from the character of the ATC. The proposal is contrary to policy ATC2 of PPS 6 Addendum and policy LYT03 of NAP 2016.

## **9 CONCLUSION**

- 9.1 The proposal is considered unacceptable in this location having regard to the Northern Area Plan, and other material considerations, including the SPPS, PPS6 and PPS6 Addendum. The proposed would be detrimental to the host listed building and its setting within the terrace and fails to maintain or enhance the wider area of townscape character. Refusal is recommended.

## **10 REASONS FOR REFUSAL**

### **10.1 Reasons:**

1. The proposal is contrary to paragraph 6.12 of the SPPS and policy BH8 of PPS6 as the proposal would have an adverse impact on a listed building.
2. The proposal is contrary to paragraph 6.12 of the SPPS and policy BH11 of PPS6 as the proposal would adversely affect the setting of a listed building.
3. The proposal is contrary to policy LYT03 of NAP 2016 and policy ATC2 of PPS6 Addendum in that the proposal would detract from the character of the Area of Townscape Character.