

Planning Committee Report LA01/2015/0862/F	24th May 2017
PLANNING COMMITTEE	

Linkage to Council Strategy (2015-19)	
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

**Hall 200m South of junction at
Calhome Road and Drumrane
Road, Limavady**

**LA01/2015/0862/F
Full Application**

24th May 2017

<u>No:</u>	LA01/2015/0862/F	<u>Ward:</u>	Altahullion
<u>App Type:</u>	Full Application		
<u>Address:</u>	Hall 200m South of junction at Calhome Road and Drumrane Road, Limavady		
<u>Proposal:</u>	Proposed replacement of hall with dwelling		
<u>Con Area:</u>	N/A	<u>Valid Date:</u>	5 th November 2015
<u>Listed Building Grade:</u>	N/A		
<u>Agent:</u>	5050 Architecture, 3A Keldon Court, 17 Linenhall Street, Limavady, BT49 0HQ		
<u>Applicant:</u>	Mr & Mrs Kerrigan		
<u>Objections:</u>	0	<u>Petitions of Objection:</u>	0
<u>Support:</u>	0	<u>Petitions of Support:</u>	0

Drawings and additional information are available to view on the Planning Portal- 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 section 7 & 8 and resolves to **REFUSE** full planning permission for the reasons set out in Section 10.

2 SITE LOCATION & DESCRIPTION & CHARACTER OF AREA

- 2.1 The application site is located 200m south of the junction of Calhome Rd and Drumrane Rd, Limavady. The application site is accessed via an existing laneway off the Calhome Rd, which also serves a recently constructed dwelling. The site contains an existing derelict Orange Hall, erected in 1895, and a recently constructed dwelling approximately 12m west of the hall. Currently there are no boundaries separating the new dwelling and the Orange Hall/Site.

- 2.2 The site is relatively undefined with a post and wire fence defining the southern boundary, with the historical access to the site running to the Drumrane Rd. The northern boundary is undefined with the approximate curtilage of the proposed site being defined by a temporary fence. The eastern boundary as per the red line consists of high verges along Drumrane Rd and mature trees and hedgerow.
- 2.3 The site is located within the rural area outside of any settlement limit as defined in the Northern Area Plan 2016, and is not within any environmental designated site. The site is located approximately 1.2km north of Burnfoot and 5km North West of Dungiven. The site is located within a remote area with the primary land use being agriculture and little in the way of other development within the immediate vicinity of the site. The pattern of development in the area is roadside development along Calhome Rd and to the south along Drumrane Rd, with the exception of the adjacent dwelling.

3 RELEVANT HISTORY

- 3.1 B/2008/0150/F - Ardnarive Old Orange Hall, 220 South of the junction between Drumrane & Calhame Roads, Ardnarive, Dungiven - Conversion and extension of vacant vernacular building (former Orange Hall) to two-storey dwelling with detached garage/ store – Permission Granted 11.08.2010

B/2008/0347/O - 200 metres South of Calhame Road, Drumrane Road junction, Ardnarive, Dungiven - Site for one and a half storey replacement dwelling – Permission Granted 25.02.2009

B/2009/0184/F - 200 metres south of the junction of Calhame Road and Drumrane Road, Ardnarive, Dungiven - Erection of one and a half storey replacement dwelling, construction of new access and landscaping – Permission Granted 20.08.2009

4 THE APPLICATION

- 4.1 As documented in paragraph 3.1 the site was previously granted full planning permission in 2010 for the conversion and extension of the non-listed vernacular building to a dwelling under Policy BH15 of PPS6. The current application is a full application for the proposed replacement of a hall with dwelling.

5 PUBLICITY & CONSULTATIONS

External:

5.1 Neighbours:

There are no objections to the proposal.

Internal:

- 5.2 **TransportNI** – Current plans unacceptable.

Environmental Health – No objection.

NI Water – No objection.

NIEA- Water Management Unit – No objection.

Loughs Agency – No objection.

Historic Environment Division – Building shows merit for retention and refurbishment

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 development 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.
- 6.7 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

PPS 3 - Access, Movement and Parking

PPS 21 – Sustainable Development in the Countryside

Building on Tradition – A sustainable design guide for the Northern Ireland Countryside

8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this full application are; the principle of development; integration and impact on rural character; and access arrangements.
- 8.2 The site is located within the rural area outside of any settlement limit as shown within the Northern Area Plan 2016. There are no further designations within the site or the immediately adjacent area. The main policy consideration is contained within the Northern Area Plan 2016, the Strategic Planning Policy Statement and the relevant Planning Policy Statements. As this is a proposal for the replacement of a hall with a dwelling, the main policy considerations are paragraphs 6.70, 6.73 and 6.303 of the SPPS, Policies CTY 1, 3 13 and 14 of PPS21 and policy AMP2 of PPS3.

Principle of development

- 8.3 Paragraphs 6.73 and 6.74 of the SPPS and Policy CTY1 of PPS21 outline the range of types of development that may be

acceptable in principle in the countryside. In the case of a replacement dwelling, Policy CTY1 refers to Policy CTY3.

- 8.4 Both the SPPS and Policy CTY 3 allow for the replacement of existing dwellings where the building to be replaced exhibits the essential characteristics of a dwelling and, as a minimum all external structural walls are substantially intact.
- 8.5 The SPPS makes no reference to the replacement of non-residential buildings. However, as the policy is merely silent on this point the provisions of CTY 3 should be adhered to as outlined in paragraph 1.12 of the SPPS.
- 8.6 Policy CTY3 of PPS21 states that favourable consideration will however be given to the replacement of a redundant non-residential building with a single dwelling, where the redevelopment proposed would bring significant environmental benefits and provided the building is not listed or otherwise makes an important contribution to the heritage, appearance or character of the locality.
- 8.7 The previous planning approval on the site (B/2008/0150/F) was assessed and granted against Policy BH15 of PPS 6, which was the relevant policy at the time of assessing that application. Policy BH15 allows for the conversion of a non-listed vernacular building to an appropriate use where this would secure its upkeep and retention. The policy goes on to state that conversion to residential use will only be acceptable where the building to be converted is an important element in the landscape and of local architectural merit or historic interest.
- 8.8 Considering this previous approval it is evident that both the applicant/agent and the planning authority, were in agreement that the orange hall represented an important cultural/heritage feature in the locality which was worthy of retaining. It is also acknowledged the applicant was of the opinion that the building was of sound structure which was capable of conversion, by the very fact that a planning application was submitted to do just that.
- 8.9 A visual survey report conducted by M.A. McCloskey LTD was submitted along with this application. The report states that the building suffered from a number of defects including loose/boast render, rotting roof timbers, reveals are exposed

and brickwork has suffered frost damage. The report continues that the suspended timber flooring and supports are rotting and collapsed, the front wall is off plumb by approximately 50mm and has some structural cracking and that there does not appear to be foundations for the main walls.

- 8.10 The authors of the visual survey state that in their opinion that there is not enough adequate structure left to recommend renovation. However the report also states that all that could be possibly retained would be the majority of the four walls of the building, while it acknowledges that it would take significant work to renovate the building, it does not say it would not be achievable. Building Control were informally consulted on the proposal and responded that the scheme would involve significant work and expense to incorporate the building into a modern day dwelling.
- 8.11 Historic Environment Division were consulted to ascertain the merits of the building as to its contribution to heritage, appearance and character of the locality. Historic Environment Division advised that this type of building reflects local folk tradition and that these buildings are important as they display a traditional expertise in design and construction, utilising locally available materials in response to functional, social and environmental constraints. The vernacular architecture is representative of the community's historical interaction with the land, demonstrating the ingenuity of the agricultural community, and is an important element of the cultural heritage of the inhabitants of the area. This building is of local interest and shows merit for its retention and sympathetic refurbishment.
- 8.12 The policy provisions are clear in that the replacement of a non-residential building with a new dwelling is only acceptable where it would bring significant environmental benefits. It has not been demonstrated that the proposal would bring about any significant environmental benefits. The building to be replaced is not in a particularly dilapidated state, having a detrimental impact on the visual amenity of the landscape, nor is it having any detrimental environmental impact by its existence. The proposal would see the loss of a locally important building which is of cultural/heritage importance, which makes an important contribution to the heritage, appearance and character of the area. While acknowledging that there may be a cost element to renovating the building over replacing it with a

new building, this does not outweigh the need to retain and renovate this important building within the locality. In short, allowing the replacement of this building is contrary to policy.

- 8.13 As such, the proposal is contrary to Policy CTY3 in that the proposed development would result in the loss of a locally important building with no significant environmental benefits from the proposal. Scope may however be available under the SPPS and Policy CTY4 of PPS21 for its future conversion and reuse.

Integration and impact on rural character

- 8.14 As the conversion and extension of the existing building has been previously found to be acceptable the issue of integration and impact on character has already been established. The scale and design of the dwelling would not have any significantly greater visual impact and the proposed landscaping would, when established, will provide adequate screening and enclosure.

Access

- 8.15 Policy CTY3 and Policy AMP2 of PPS3 require that access to the public road will not prejudice road safety or significantly inconvenience the flow of traffic.
- 8.16 The submitted plans for the proposal are identical to those which were submitted for the original application B/2008/0150/F. However, these drawings, do not accurately reflect what exists on the ground at present. The existing laneway serving the site and adjacent dwelling is not constructed as approved. Given that the principal of development is unacceptable, amended plans have not been requested. Accurate plans are required to be submitted and approved by TransportNI.
- 8.17 As it has not been confirmed that the access arrangements are acceptable to TransportNI standards, the proposal is considered to be contrary to Policy AMP2 of PPS3.

9 CONCLUSION

- 9.1 The existing building is a locally significant building and contributes to the local culture and heritage of the area. Despite requiring work to the building to bring it up to modern

standards, this can be done which would preserve this locally important building. No significant environmental benefits have been demonstrated from demolishing the building and rebuilding it, therefore as per the policy, the building should be retained and renovated as previously approved under application B/2008/0150/F, with there being scope within current planning policies within the SPPS and PPS21 to facilitate this. The proposal has inadequately demonstrated that the proposed access is safe. The proposal is contrary to Policy CTY3 of PPS21 and Policy AMP2 of PPS3 and Paragraph 6.303 of the SPPS. Refusal is recommended.

10 Refusal Reasons

- 10.1 The proposal is contrary to Paragraphs 6.73 of the SPPS and Policies CTY1 and CTY3 of Planning Policy Statement 21, Sustainable Development in the Countryside as the non-residential building which it is proposed to replace makes an important contribution to the heritage, appearance and character of the locality and no significant environmental benefits have been demonstrated to merit replacement.
- 10.2 The proposal is contrary to Paragraph 6.303 of the Strategic Planning Policy Statement for Northern Ireland and Planning Policy Statement 3: Access, Movement and Parking, Policy AMP 2, in that it has not been demonstrated that the proposed access will not prejudice road safety or significantly inconvenience the flow of traffic in accordance with the standards contained in the Development Control Advice Note 15.

