

<b>Planning Committee Report LA01/2018/1060/F</b>	<b>23 January 2019</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>	Development Management & Enforcement Manager.
<b>Cost: (If applicable)</b>	N/A

<b><u>No:</u></b>	<b>LA01/2018/1060/F</b>	<b><u>Ward:</u></b>	<b>Drumsumn</b>
<b><u>App Type:</u></b>	<b>Full</b>		
<b><u>Address:</u></b>	<b>10 Terrydremont Road, Limavady.</b>		
<b><u>Proposal:</u></b>	<b>Retention of domestic shed (replacement of shed previously on site)</b>		
<b><u>Con Area:</u></b>	<b>N/A</b>	<b><u>Valid Date:</u></b>	<b>3<sup>rd</sup> September 2018</b>
<b><u>Listed Building Grade:</u></b>	<b>N/A</b>		
<b>Agent:</b>	<b>C. McILvar Ltd, Unit 7, Cookstown Enterprise Centre, Sandholes Road, Cookstown, BT80 9LU</b>		
<b>Applicant:</b>	<b>Mr Dean Martin.</b>		
<b>Objections:</b>	<b>0</b>	<b>Petitions of Objection:</b>	<b>0</b>
<b>Support:</b>	<b>0</b>	<b>Petitions of Support:</b>	<b>0</b>

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 and 8 and resolves to **REFUSE** permission for the full application subject to the reason set out in section 10.

## 2 SITE LOCATION & DESCRIPTION

- 2.1 The site comprises a semidetached 1.5 storey dwelling, associated front and rear yard/ amenity area, detached single storey garage, detached single storey porta cabin and large detached shed. The western boundary of the site is defined with a 1m post and wire fence. The eastern party boundary is defined with a 1.8m smooth render wall to the front and a 1m post and wire fence with mature hedging to the rear. The rear amenity space of the site has been laid in concrete to the front of the site and hard core to the rear. The remaining boundaries are defined with 1m post and wire fence.
- 2.2 The dwelling incorporates a pitched roof and is finished externally with render to walls, white Upvc doors, windows and rainwater goods and slate roof tiles. The detached garage incorporates a pitched roof and is finished externally with render to walls, white Upvc doors windows and rainwater goods and metal roof panels.
- 2.3 The detached single storey prefabricated building incorporates a flat roof and is finished externally with smooth panelling to walls, white Upvc or metal windows and a timber door.
- 2.4 The large detached shed, subject of this application, is finished externally with dark coloured profiled metal cladding to walls and roof. The side elevation facing into the rear amenity area of the associated dwelling features 3 white Upvc pedestrian doors and a large metal roller door. The shed incorporates a low

angle pitched roof. The footprint of the shed, which is the subject of this application, measures 6.7m x 21.9m with a ridge height of 5.65m. The eaves are set at 5m. The appearance of the shed is akin to a commercial or light industrial use.

- 2.5 The topography of the site falls significantly from the roadside to the rear boundary. The site is linear in form. All of the detached buildings associated with the site are located in a strip of development close to the western boundary.
- 2.6 The immediate area is characterised by open countryside and dispersed pockets of residential and agricultural development; predominantly roadside with some set back from the road.
- 2.7 The site is located to the south of Limavady, outside any defined settlement limit, and is not subject to any specific zonings or designations as set out in the Northern Area Plan 2016.

### **3 RELEVANT HISTORY**

- 3.1 B/1996/0411. 10 Terrydremont Road, Limavady. Erection of front porch, two storey side and 1st floor. Permission Granted 07/01/97.

### **4 THE APPLICATION**

- 4.1 Full permission is sought for the retention of the large detached shed. During consideration of the application the Applicant has elected to amend plans changing the finishes of the shed and annotating the block plan to state proposed planting. The final iteration of the proposal is finished externally with smooth render to the walls to a height of 2.9m. The remaining finishes are unchanged. The outward dimensions of the proposal have not been altered. The side elevation facing into the yard features two white Upvc pedestrian doors and a large metal roller door. The dimensions of the shed are:

Footprint- 21.9m x 6.7m (146.73m<sup>2</sup>)

Ridge height- 5.65m

The shed has been subdivided into two ground floor units annotated 'general domestic storage area' and 'caravan, vehicle & van storage area' on the plans. A small first floor area has been annotated 'Home office/ Man cave' on the plans.

## **5.0 PUBLICITY & CONSULTATIONS**

### **5.1 External**

N/A

### **5.2 Internal**

**Historic Environment Division-** No objection.

**Environmental Health-** No objection.

## **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 (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 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)

PPS7 Addendum- Residential Extensions and Alterations

## **8.0 CONSIDERATIONS & ASSESSMENT**

- 8.1 The main considerations in the determination of this application relate to the design, scale, massing and finish of the proposal and its impact upon rural character and the character of the existing dwelling.

### **Principle of development**

- 8.2 The site is located to the south of Limavady, outside any defined settlement limit, and is not subject to any specific zonings or designations as set out in the Northern Area Plan 2016.
- 8.3 The principle of the type and scale of development proposed must be considered having regard to the SPPS and PPS policy documents specified above.
- 8.4 The immediate area is characterised by open countryside and dispersed pockets of residential and agricultural development; predominantly roadside with some set back from the road.
- 8.5 The site comprises a semidetached 1.5 storey dwelling, associated front and rear yard/ amenity area, detached single storey garage, detached single storey porta cabin and large detached shed.

## **Impact on Amenity and Design**

8.6 Policy EXT1 of PPS7 Addendum, states that permission will be granted for a proposal to extend or alter residential property where all of the following criteria are met:

- The scale, massing, design and external materials of the proposal are sympathetic with the built form and appearance of the existing property and will not detract from the appearance and character of the surrounding area;
- the proposal does not unduly affect the privacy or amenity of neighbouring residents;
- the proposal will not cause the unacceptable loss of, or damage to, trees or other landscape features which contribute significantly to local environmental quality; and
- sufficient space remains within the curtilage of the property for recreational and domestic purposes including the parking and manoeuvring of vehicles.

This is complemented by the SPPS which states that all proposals for development in the countryside must be sited and designed to integrate with their surroundings, including the natural topography, and to meet other planning policy and environmental considerations.

8.7 The Strategic Planning Policy Statement for Northern Ireland (SPPS) (Paragraph 4.27) states where the design of proposed development is consistent with relevant LPD policies and/ or supplementary guidance, planning authorities should not refuse planning permission on design grounds, unless there are exceptional circumstances. Planning authorities will reject poor designs, particularly proposals that are inappropriate to their context, including schemes that are clearly out of scale, or incompatible with their surroundings, or not in accordance with the LDP or local design guidance.

8.8 The scale massing, design and external materials of the proposal are not sympathetic with the built form and appearance of the associated dwelling and detracts from the character and

appearance of the dwelling and surrounding area. The design and some materials of the proposal are not reflected in the associated dwelling or surrounding buildings. Amended plans show smooth render to external walls, a finish which is reflected in the dwelling. However, the shed will still appear unsympathetic in terms of scale, design and materials. The scale and design of the shed is more akin to a light industrial or commercial, rather than a domestic, use.

- 8.9 PPS7 EXT1 makes specific reference to garages and other associated outbuildings, Annex A states that they can often require as much care in siting and design as works to the existing residential property. They should be subordinate in scale and similar in style to the existing property, taking into account materials, the local character and the level of visibility of the building from surrounding views. In the countryside, ancillary buildings should be designed as part of the overall layout to result in an integrated rural group of buildings.
- 8.10 The proposal is not subordinate in scale to the existing dwelling. The footprint of the dwelling measures approximately 112m<sup>2</sup> with the shed measuring 146.73m<sup>2</sup>; over 30% larger than the dwelling. When the footprints of the porta cabin, garage and shed are combined the total footprint of the outbuildings is 244.16m<sup>2</sup>; 118% larger than the dwelling. It has not been demonstrated that a shed of this scale is required for domestic purposes. It would appear that the 7 vans on site at the time of the site inspection were not used for domestic purposes with several sporting identical commercial signage.
- 8.11 The building does not form, in conjunction with the porta cabin, garage and dwelling an integrated group of buildings. The garage, porta cabin and subject shed are distinct in design and finish to each other with the porta cabin and shed not characteristic of a domestic use or setting. Furthermore, the strip of development along the western boundary of the site, of which the shed forms part, is not typical of a domestic development pattern or prevalent within the area.
- 8.12 There are no privacy concerns with the proposal given the lack of windows and position in relation to the neighbouring property. There is no evidence that the use of the shed would have a detrimental impact upon surrounding amenity.

- 8.13 The application and accompanying planning statement makes several references to a former shed which the subject shed has replaced but provides no detail of the same. It would appear, from historical photography from 2009, that a former building on the site, which occupied a similar space to the subject shed, was a large, flat roof, single storey porta cabin akin to a mobile classroom or site office. Planning permission was not sought for the building formerly on site. Aerial photography appears to show that the configuration of the buildings on the site has changed several times from 2010-2013.
- 8.14 The planning statement which accompanied the application provides an example of a recently upheld planning appeal, reference 2018/A0003, at 32 Dunnaval Road, Kilkeel. While the principle of the development has similarities with the application under consideration, the garage in the appeal was smaller in scale, subordinate in footprint to the associated dwelling and more appropriate in design and finish in context with dwelling and domestic setting. Additionally, there was not an accumulation of unsympathetic buildings on site.
- 8.15 As the application is for the retention of the shed it is difficult to determine if landscape features of any significance were removed to facilitate the proposal. It would appear however, from historical photography, that vegetation along the western boundary of the site has been cleared. The submitted block plan has been annotated to include detail of proposed planting but a graphical representation of this has not been shown along the most critical western boundary. Additional planting would aid integration to some degree. However, the proposal would still be unacceptable for the reasons stated above.

## **9.0 CONCLUSION**

- 9.1 In summary, the proposed shed is unsympathetic in scale, design and materials to the existing dwelling. In particular in terms of scale the shed is completely disproportionate to the modest sized dwelling. It has not been demonstrated that a shed of this scale is required for domestic purposes. The shed, in conjunction with the other buildings and dwelling on the site, does not form an integrated group of buildings given the incongruous nature of the development



to the rear of the site, linear development pattern and scale of the shed. The proposal is unsympathetic to the character of the dwelling and area; this is exacerbated by the accumulation of buildings on the site. Refusal is recommended.

## **10.0 REFUSAL REASON**

- 10.1 The proposal is contrary to Paragraph 4.27 of the Strategic Planning Policy Statement and Policy EXT1 of the Addendum to PPS7 in that the scale, massing, design and external materials of the proposal is not sympathetic with the built form and appearance of the existing property and would detract from the character of appearance of the property and the surrounding area.

# Site Location Plan

