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| Title of Report: | Planning Committee Report – LA01/2023/0837/F |
| Committee Report Submitted To: | Planning Committee |
| Date of Meeting: | 25th September 2024 |
| For Decision or For Information | For Decision – Referred Application by Alderman McAuley |
| To be discussed in Committee YES/NO | No |

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| 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 | Development Management and Enforcement Manager |

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| Budgetary Considerations | |
| Cost of Proposal | Nil |
| Included in Current Year Estimates | N/A |
| Capital/Revenue | N/A |
| Code | N/A |
| Staffing Costs | N/A |

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| Screening Requirements | Required for new or revised Policies, Plans, Strategies or Service Delivery Proposals. |
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| 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: |

No: LA01/2023/0837/F **Ward:** Aghadowey

App Type: Full

Address: 86 Gorran Road, Garvagh

Proposal: Retention of existing domestic shed.

Con Area: N/A **Valid Date:** 17.08.2023

Listed Building Grade: N/A

Agent: JWM Planning Limited

Applicant: Gerard McCormick, 86 Gorran Road, Garvagh

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

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

EXECUTIVE SUMMARY

- Full planning permission is sought for the retention of existing domestic shed.
- The site is located outside any development limits designated in the Northern Area Plan 2016.
- PPS 7 – Residential Extensions and Alterations is a retained policy document under the SPPS and provides the relevant policy context in conjunction with the SPPS.
- The proposal is contrary to Policy EXT 1 of the Addendum to Planning Policy Statement 7: Residential Extensions.
- The application is recommended for **Refusal**.

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

1 RECOMMENDATION

- 1.1 That the Committee has taken into consideration and agrees with the reasons for 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 reasons set out in section 10.

2 SITE LOCATION & DESCRIPTION

- 2.1 This site is located outside any settlement limits as set out in the Northern Area Plan 2016. The application site contains a semi-detached storey and a half unit with an existing garage located to the rear. This garage has been in existence for more than five years and is immune from planning enforcement.
- 2.2 The surrounding area comprises of other rural residential units and agricultural land. The neighbouring residential units are made up of a mix of semi-detached and detached units.

3 RELEVANT HISTORY

Planning reference: LA01/2019/0791/F

Location: 150m North West of 78 Gorran Road

Proposal: Proposed 1no. pig shed with 2no. feed bins and associated site works (pig shed to contain 1,950 finisher pigs).

Decision: Permission Granted

4 THE APPLICATION

- 4.1 Full planning permission is sought for the retention of existing domestic shed.

5 PUBLICITY & CONSULTATIONS

- 5.1 **External**

Neighbours: Neighbour notification letters were sent to the properties at 84 Gorran Road and 88 Gorran Road dated 29th August 2023. No representations have been made objecting to the proposal.

5.2 Internal

Environmental Health were consulted on the 3rd November 2023 and had no adverse comments to make in relation to a proposed domestic garage.

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 the:
 - Northern Area Plan 2016 (NAP)
- 6.3 The Regional Development Strategy (RDS) is a material consideration.
- 6.4 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

Regional Development Strategy 2035

Northern Area Plan 2016.

Strategic Planning Policy Statement.

Planning Policy Statement 7 (Addendum): Residential Extensions and Alterations

8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relates to the scale and design of the proposed domestic shed.

Principle of Development

- 8.2 The Northern Area Plan 2016 identifies the site as being located within the countryside, outside of any defined settlement limits.
- 8.3 The SPPS promotes sustainable development throughout the planning system. The guiding principle for planning authorities is that sustainable development should be permitted, having regard to the development plan and all other material considerations, unless the proposed development will cause demonstrable harm to interests of acknowledged importance.
- 8.4 The current application is for the retention of a domestic garage to the rear of an existing semi-detached dwelling. The proposed domestic garage adjoins an existing garage. Access to the rear of the proposed and existing garages is to be achieved via an internal passage.

Design and Scale

- 8.5 Paragraph A11 of APPS 7 outlines that a garage ancillary to a domestic unit should be subordinate in scale and similar in style to that of the existing property. There is also an existing garage on site which is immune from planning enforcement as it has been in existence for more than five years. Both the proposed and existing

sheds should be considered collectively in assessing the scale of 86 Gorran Road's domestic garages.

- 8.6 The proposed garage and existing garage have a footprint of approximately 77.38sqm and 118sqm respectively. The existing dwelling has a footprint of approximately 133.91sqm.
- 8.7 The accumulative area covered by both the existing and proposed garages equates to 195.38sqm. Therefore, it is determined that the proposed garage in addition to the existing garage is not subordinate to the existing dwelling nor is it of a typically appropriate scale for a domestic garage.

Amenity

- 8.8 The application is for a domestic garage however, following site inspections of the site on the 25th May 2023 and the 29th March 2024 it was found that the proposed domestic garage is being used as an agricultural unit as it housed livestock.
- 8.9 Environmental Health offered no objection to this proposal as they were assessing a domestic garage. The housing of livestock is not considered as a domestic activity and would not have been considered by Environmental Health. Environmental Health may have considered any nuisance from the proposal differently if this application was for an agricultural building.
- 8.10 The proposal may unduly affect the amenity of neighbouring residents considering the scale, appearance and recorded use of the proposal garage.

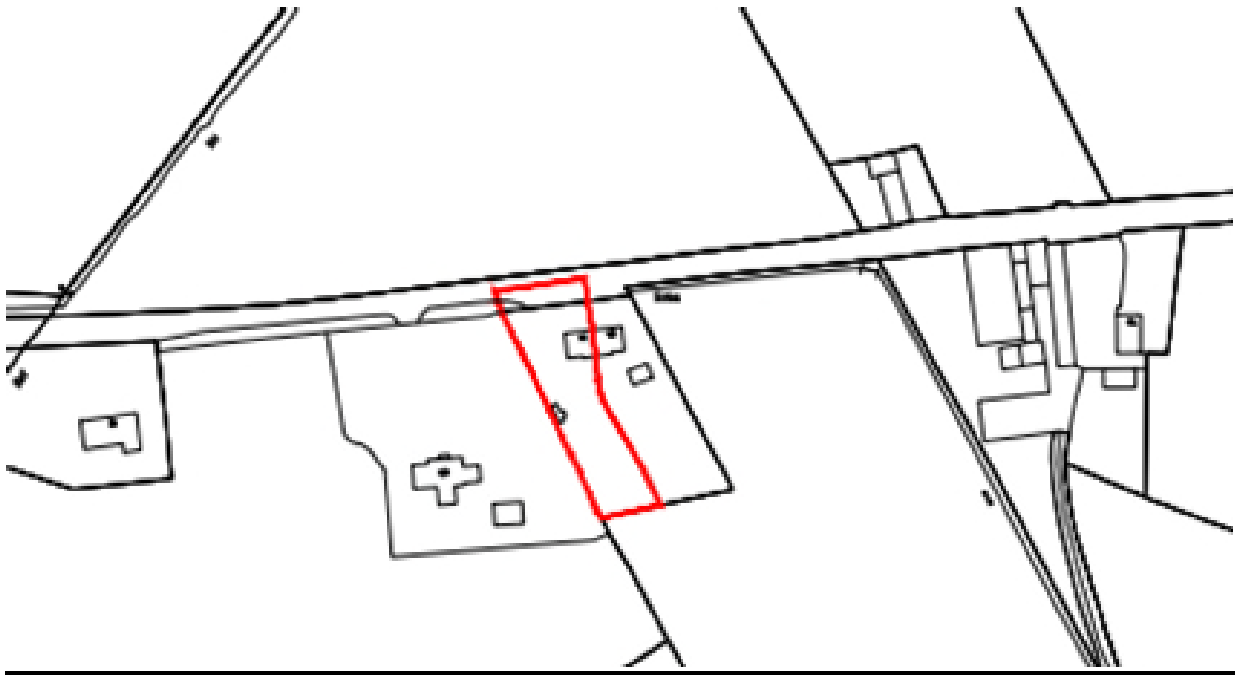
9 Conclusions

- 9.1 The proposal is considered unacceptable in this location having regard to the Northern Area Plan 2016 and other material considerations including the SPPS, and the Addendum to Planning Policy Statement 7 (Residential Extensions and Alterations). The proposed scale and use of the proposal are unacceptable and will result in a detrimental impact on the character and appearance of the area. Refusal is recommended.

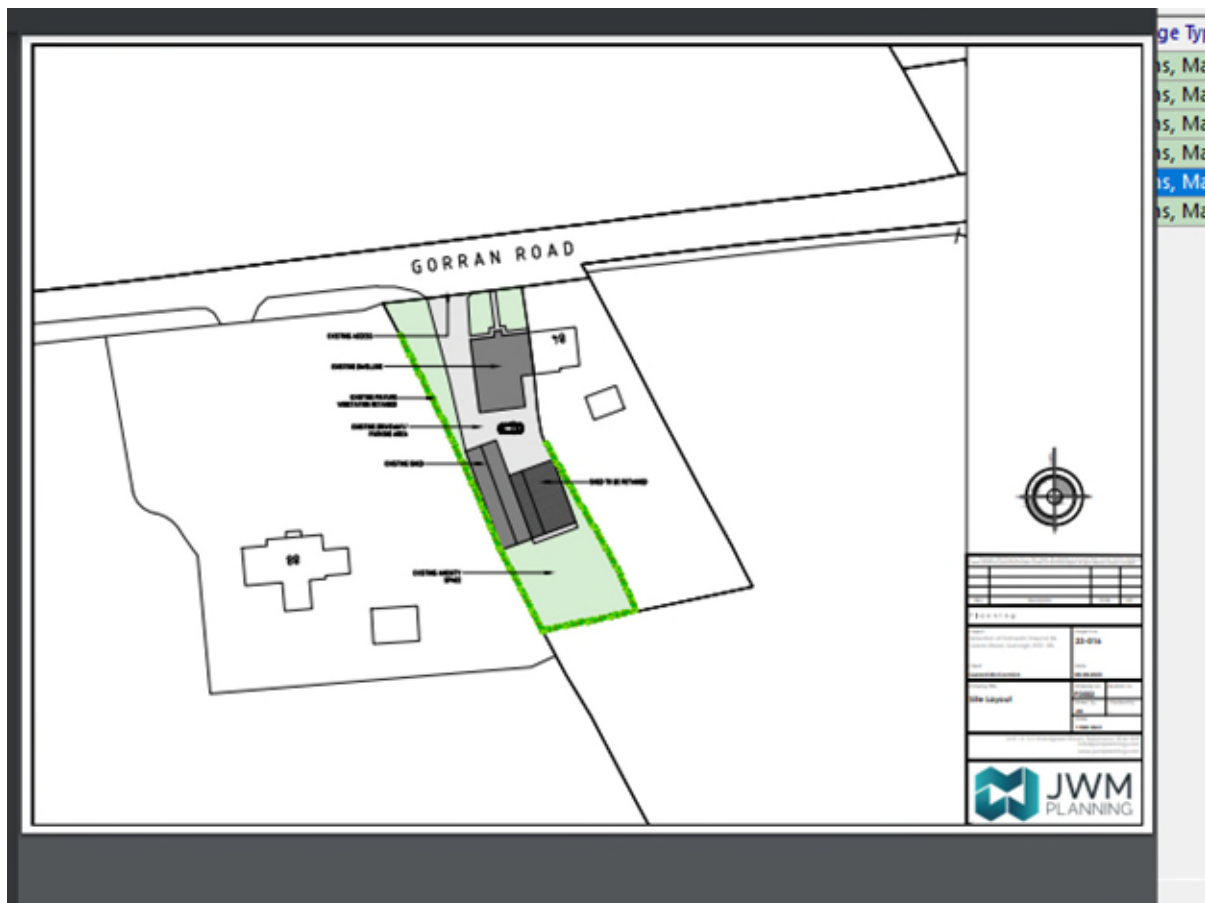
10 Refusal reasons

- 10.1 The proposal is contrary to paragraph 4.26 and 4.27 of the Strategic Planning Policy Statement for Northern Ireland (SPPS) and Policy EXT 1 of the Addendum to Planning Policy Statement 7: Residential Extensions and Alterations in that the proposal is not domestic in nature and the scale, massing and design of the proposal are unsympathetic with the built form and appearance of the existing property and will detract from the appearance and character of the surrounding area.

Site Location Plan – Drawing No. 01A



Block Plan – Drawing No. 02A



Referral Request

From: John McAuley
Sent: Wednesday, June 12, 2024 3:31 PM
To: Planning <Planning@causewaycoastandglens.gov.uk>
Subject: RE: LA01/2023/0837/F - 86 Gorran Road, Garvagh

Good Afternoon

Please find completed call in form attached.

Regards

John

Refusal Reasons

1. The proposal is contrary to paragraph 4.26 and 4.27 of the Strategic Planning Policy Statement for Northern Ireland (SPPS) and Policy EXT 1 of the Addendum to Planning Policy Statement 7: Residential Extensions and Alterations in that the proposal is not domestic in nature and the scale, massing and design of the proposal are unsympathetic with the built form and appearance of the existing property and will detract from the appearance and character of the surrounding area.

Additional Supporting Information

- Paragraph A11 of the addendum to PPS7 requires the shed/garage to be subordinate in scale to the existing property. The footprint is smaller and the ridge height is below the eaves of the main house, both of these in my opinion would be determined as subordinate in scale.
- The materials used are typical for the countryside and match the garage adjacent and surrounding agricultural buildings. These materials have been approved in the council area, particularly in the countryside as it allows for them to emulate a traditional farm building. Paragraph A13 would support this

as it allows the building to represent an integrated group of rural buildings.

- In terms of visibility, on approach from the west the garage is screened by the existing garage and dwelling making it almost invisible and on approach from the east it is backdropped by no.88 and its garage.
- The garage on site in my opinion is subordinate in scale to the existing dwelling and surrounding buildings and would not be out of character for the area. I believe the proposal meets the policy requirements set out in the SPPS and the addendum to PPS7 and would request the application is deferred to the planning committee due to the irreconcilable differences in policy interpretation between the agent and the planning department.