

Addendum

LA01/2023/0129/O

1.0 Update

- 1.1 During processing of the application, an elected member on behalf of the applicant advised that the siting approved under Ref: LA01/2020/1385/O was not acceptable to the applicant. The reasons put forward were: difficulty in achieving mortgage finance given the relationship of the site with farm buildings and; a concern about the site being subject to flooding.

2.0 Assessment

- 2.1 While the applicant may have experienced difficulties in achieving mortgage finance for the siting approved under Ref: LA01/2020/1385/O, no information has been put forward to demonstrate that mortgage finance was unavailable from any lender. Therefore, little weight is attributed to this factor as a material consideration in assessment of the application. The harm to rural character by reason of prominence, failing planning policy requirements, is given much greater weight as a material consideration relative to the generalised issue presented regarding mortgage finance.
- 2.2 Regarding flooding of the area subject to the siting approved under Ref: LA01/2020/1385/O, Paragraph 8.23 of the Planning Committee Report states that *“On the extant approval LA01/2020/1385/O, DFI Rivers noted the built development was taking place on elevated ground and out of the floodplain and did not raise any objection.”* Therefore, as concerns regarding flooding of the approved area are not substantiated, it is given little weight as a material consideration.
- 2.3 We would note that PPS 21 CTY 10 notes that. “In such circumstances the proposed site must also meet the requirements of CTY 13(a-f), CTY 14”. This highlights that in order to meet CTY 10 the site must also be considered acceptable in terms of

integration. Para 6.70 of the SPPS states that all development in the countryside must integrate into its setting, respect rural character and be appropriately designed.

2.4 We refer to appeal 2021/A0027 (Pollysbrae Road, Limavady) in this instance. This was an appeal against 2 conditions imposed by the Council which included a siting and curtilage condition for a dwelling on a farm. The conditions were added to ensure that the development is not prominent and satisfactorily integrated into the landscape.

2.5 The appeal was dismissed and the commissioner agreed with the Council that the conditions were necessary for integration noting,

“Para 8. Given the paucity of roadside and other intervening vegetation, a road frontage dwelling at the appeal site, in line with Nos 52 and 56, would be highly visible when viewed on approach in either direction along a considerable stretch of Pollysbrae Road. Such development would have a detrimental impact on rural character as it would appear prominent and add to a ribbon of development contrary to Policy CTY 8...

Para 10. Considering the totality of the evidence in the round, I conclude Conditions 4 and 5 to be reasonable and necessary in securing a development that integrates sympathetically with its surroundings and has no detrimental impact on rural character or visual amenity. I judge both conditions to be justified.”

2.6 This appeal highlights the requirement for dwellings on the farm to also meet policy CTY 13 and 14 in terms of integration.

3.0 Recommendation

3.1 That the Committee note the contents of this Addendum and agree with the recommendation to refuse the proposed development in accordance with paragraph 1.1 of the Planning Committee report.