

SITE VISIT REPORT: MONDAY 21st August 2023

Committee Members: Alderman, Boyle, Coyle, Hunter, Scott, Stewart, S McKillop (Vice Chair) and; Councillors Anderson, C Archibald, Kennedy, McGurk, McMullan (Chair), Peacock, Nicholl, Storey, Wallace and Watton

1.00 pm

LA01/2020/0683/O – Moneyrannel Road, Limavady

App Type: Outline Application
Proposal: Proposed dwelling house and detached garage on a farm. Proposal includes upgrade to existing access, proposed driveway, landscaping and all associated site works.

Present: Ald Coyle, Hunter, Councillors Archibald, Nicholl, Stewart and Watton
Officials J McMath

Comments:

Visit commenced at the front of the site. Officials commenced the meeting by outlining that there were 5 refusal reasons, showed members the submitted location map, design concept drawing and farm maps and pointed out site, boundaries, location of Rath, route of existing laneway and location of existing farm buildings. Official suggested site visit should consider proposed site, view Rath and visit existing buildings via existing lane.

Official explained refusal reasons.

1. There is no overriding reason why development is essential and was therefore contrary to CTY1 of PPS21.

2. Explained that the proposal was contrary to CTY10. Advised that farm business was active and established and no sites had been sold off however, policy requires site to visually link or cluster with established group of buildings on the farm and where practicable use existing laneway. Advised members that the exception to policy was when there are no other sites at another farm group and where there are Health and Safety reasons or verifiable plans to expand at the existing group. Explained that this required demonstrable evidence from an independent authority. Officials advised that site did not visually link or site to cluster, it did not use existing lane but proposed a new access lane. Alternative sites could be available to visually link or cluster with existing group of buildings on farm and showed farm maps. No demonstrable evidence from H&S Executive, Environmental Health or any other body had been forthcoming.

Information had been provided from applicant/agent which advised that applicant did not have express right of access over lane for a dwelling and

information had been provided as to the cost of constructing a new lane which was in opinion of applicant cost prohibitive.

Officials referred to PAC decision which explains that ownership or cost are not considered exceptional reasons to depart from policy as ownership issues could be resolved.

3 and 4. Officials outlined that site was contrary to CTY13 and 14, that site was cut out of larger field which relied on new planting along 3 boundaries, that site was isolated from farm sheds and would impact on character.

5. Official pointed out the Rough Fort, a counterscarp Rath which is a scheduled monument of regional importance. Official advised that policy operates a presumption in favour of physical preservation in situ and adds that development that adversely affects sites or the integrity of setting will not be permitted unless there are exceptional reasons. The amplification advises that exceptions are likely to only apply to proposals of overriding regional importance in the NI context.

The Official answered questions posed by members about the farming activity, farm maps, location of farm buildings and type of house proposed. The Official invited members to view the Rath and to view the existing lane and existing farm buildings. Alderman Hunter and Cllrs Archibald and Watton accompanied the Official to the existing agricultural buildings via the existing lane past the Rath.

J McMath