Title of Report:	**Planning Committee Report – LA01/2025/0842/O**
Committee Report Submitted To:	**Planning Committee**
Date of Meeting:	**25th November 2026**
For Decision or For Information	**For Decision – Referred Application by Ald Fielding**
To be discussed In Committee YES/NO	**No**

Linkage to Council Plan (2026-31)	
Strategic Theme	Governance, Quality & Continuous Improvement
Outcome	Governance arrangements that ensure compliance, transparency and effective decision-making
Lead Officer	Development Management Manager

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

Legal Considerations	
Input of Legal Services Required	**No**
Legal Opinion Obtained	**N/A**

Screening Requirements	Required for new or revised Policies, Plans, Strategies or Service Delivery Proposals.		
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: LA01/2025/0842/O **Ward: Ballykelly**

App Type: Outline

Address: Lands approx 30m South East of 28 Laurel Road, Limavady

Proposal: Proposed Site for the Erection of a Detached Dwelling (Infill Development) with associated site works

Con Area: N/A **Valid Date: 21/08/2025**

Listed Building Grade: N/A

Agent: NI Planning Permission Ltd

Applicant: Mariea Hunt

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

EXECUTIVE SUMMARY

- Outline planning permission is sought for a Proposed Site for the Erection of a Detached Dwelling as an infill dwelling under policy CTY8 of PPS21.

- The site is located within the countryside, outside of any defined settlement development limit as defined in the Northern Area Plan 2016.

- The principle of development is considered unacceptable in regard to the SPPS Edition 2 and PPS21 as the application site does not represent a small gap within a substantial and continuously built-up frontage.

- The proposal would also have an adverse impact on rural character through adding to ribbon development and contributing to suburban style build-up.

- No overriding reasons have been forthcoming as to why the development is essential and cannot be facilitated within the development limit.

- DFI Roads, Environmental Health, NIEA and NI Water were consulted on the application and have no concerns with the proposal.

- No objections have been received

- The application is recommended for Refusal in that it is contrary to Paragraphs 6.70 and 6.73 of the SPPS Edition 2 and Policies CTY1, CTY8 and CTY14 of PPS21.

- Reasons for Referral by elected member are attached as an annex to this report.

Drawings and additional information are available to view on the Planning Portal-
https://planningregister.planningsystemni.gov.uk/simple-search

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** outline planning permission subject to the reasons set out in section 10.

2 SITE LOCATION & DESCRIPTION

2.1 The application site is located on lands approx. 30m South East of 28 Laurel Road Limavady.

2.2 The site is located on the eastern side of Laurel Road and forms part of the garden of No 28 Laurel Road. To the rear (east) of the site is an existing watercourse. The northern boundary is undefined, the eastern boundary is partially undefined and partially defined by hedgerow. The southern boundary is defined by mature trees and a hedgerow. The western (roadside boundary) is defined in part by a 2 metre close boarded fence and in part by 2 metre high hedgerow. The site contains a static caravan which is not fixed to the ground and appears to have been recently painted.

2.3 The site is located within the rural area outside any settlement development limit as defined in the Northern Area Plan 2016. The application site is not sited within any other environmental designated sites. There is a dispersed pattern of development along Laurel Road.

3 RELEVANT HISTORY

3.1 No relevant planning history on site.

4 THE APPLICATION

4.1 This is an outline application for a proposed dwelling and garage. The application is submitted as an infill development to be considered under Paragraph 6.73 of the SPPS and Policy CTY8 of PPS21.

5 PUBLICITY & CONSULTATIONS

5.1 External

All neighbours that have been identified for notification within the terms of the legislation have been notified on

0 Letters of objection were received on this application.

5.2 Internal

NIE: No objections.

DFI Roads: No objections.

Environmental Health: No objections.

DfI Rivers Agency: No objections.

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 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.

6.6 All material considerations and any policy conflicts are identified in the "Considerations and Assessment" section of the report.

7 RELEVANT POLICIES & GUIDANCE

- The Northern Area Plan 2016
- The Strategic Planning Policy Statement (SPPS)
- Planning Policy Statement 3 (PPS 3) – Access, Movement and Parking
- Planning Policy Statement 15 – Planning and Flood Risk
- Planning Policy Statement 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 application relate to the principle of development, visual integration/impact on rural character, access, flood risk and Habitats Regulation Assessment.

Principle of development

8.2 The proposal must be considered having regard to the NAP 2016, SPPS Edition 2, and PPS policy documents specified above.

8.3 Planning Policy Statement 21 – Sustainable development in the Countryside, Policy CTY 1 outlines a range of types of development which in principle are considered to be acceptable in the countryside; one of which being the development of a small gap site within an otherwise substantial and continuously built up frontage in accordance with Policy CTY 8.

8.4 Policy CTY 8 states that planning permission will be refused for a building which creates or adds to a ribbon of development.

An exception will be permitted for the development of a small gap site sufficient only to accommodate up to a maximum of two houses within an otherwise substantial and continuously built up frontage and provided this respects the existing development pattern along the frontage in terms of size, scale, siting and plot size and meets other planning and environmental requirements. For the purpose of this policy the definition of a substantial and built up frontage includes a line of 3 or more buildings along a road frontage without accompanying development to the rear.

8.5 To the north of the application site are 2 detached dwellings (No. 22 and No 28 Laurel Rd). No 28 also has a detached building to the northern side of the dwelling. These three buildings all have direct frontage onto Laurel Rd. The key issue in respect of the proposal however, is that there are no buildings to the south of the application site.

8.6 A mobile home currently occupies the southern portion of the application site with the applicant placing reliance upon it to form the southern extent of a substantial and continuously built-up frontage and to form a 'gap' within which the proposed development may sit.

8.7 The Caravans Act (Northern Ireland) 2011 defines a "caravan" as meaning "*any structure designed or adapted for human habitation which is capable of being moved from one place to another (whether by being towed, or by being transported on a motor vehicle or trailer) and any motor vehicle so designed or adapted*".

8.8 Policy CTY8 defines a substantial and built-up frontage to include a line of 3 or more buildings. The policy does not make provision for temporary structures and caravans to be considered as part of a built-up frontage. The mobile home is not permanently fixed to the land. It is a temporary structure which falls within the definition of a caravan. It does not therefore constitute a building and cannot form part of the assessment under CTY 8.

8.9 As there are no buildings to the south of the proposed application siting the proposal does not constitute the development of a small gap site within a substantial and built-up frontage. As the proposal does not represent the infilling of a small gap site, development of the

application site would add to the linear form of development at this location adding to ribbon development along Laurel Rd. The proposal is therefore contrary to Paragraph 6.73 of the SPPS and Policy CTY 8.

8.10 Additionally, as no overriding reason has been forthcoming as to why the development is essential in this location the development is contrary to Paragraph 6.73 of the SPPS and Policy CTY1 of PPS21.

Visual integration/impact on rural character

8.11 Planning Policy Statement 21 – Sustainable development in the Countryside, Policy CTY 13 notes that planning permission will be granted for a building in the countryside where it can be visually integrated into the surrounding landscape and it is of an appropriate design. A new building will be unacceptable where:

(a) it is a prominent feature in the landscape; or
(b) the site lacks long established natural boundaries or is unable to provide a suitable degree of enclosure for the building to integrate into the landscape; or
(c) it relies primarily on the use of new landscaping for integration; or
(d) ancillary works do not integrate with their surroundings; or
(e) the design of the building is inappropriate for the site and its locality; or
(f) it fails to blend with the landform, existing trees, buildings, slopes and other natural features which provide a backdrop; or
(g) in the case of a proposed dwelling on a farm (see Policy CTY 10) it is not visually linked or sited to cluster with an established group of buildings on a farm.

8.12 Planning Policy Statement 21 – Sustainable development in the Countryside, Policy CTY 14 notes that planning permission will be granted for a building in the countryside where it does not cause a detrimental change to, or further erode the rural character of an area. A new building will be unacceptable where:
(a) it is unduly prominent in the landscape; or
(b) it results in a suburban style build-up of development when viewed with existing and approved buildings; or
(c) it does not respect the traditional pattern of settlement exhibited in that area; or
(d) it creates or adds to a ribbon of development (see Policy CTY 8); or

(e) the impact of ancillary works (with the exception of necessary visibility splays) would damage rural character.

8.13 The application site has a degree of enclosure and screening due to the established boundaries. Additionally, given its siting within the garden of No 28 it is not felt that the development would rely on the use of new landscaping for integration.

8.14 Taking into consideration that the application site is located within the existing curtilage of No 28 and there are no critical views of the application site, rather the wider grouping, a dwelling of an appropriate scale would not be considered to be unduly prominent and could satisfactorily integrate within the landscape. The impact of ancillary works required are unlikely to damage rural character.

8.15 The proposal would result in a suburban style build-up of development when viewed with existing buildings. Additionally, the proposal would result in the addition to ribbon of development along Laurel Road. The proposal is contrary to Paragraph 6.70 of the SPPS and Policy CTY 14, criterion b and d.

Access

8.16 PPS 3, Policy AMP 2, Access to Public Roads notes planning permission will only be granted for a development proposal involving direct access, or the intensification of the use of an existing access, onto a public road where: a) such access will not prejudice road safety or significantly inconvenience the flow of traffic; and b) the proposal does not conflict with Policy AMP 3 Access to Protected Routes.

8.17 DFI Roads have been consulted in relation to the proposal and offered no objections. The development of the site should not prejudice road safety or significantly inconvenience the flow of traffic.

Flood Risk

8.18 A watercourse runs along the eastern site boundary. PPS 15, Policy FLD 1 Development in Fluvial (River) and Coastal Flood Plains Development will not be permitted within the 1 in 100 year fluvial flood plain or the 1 in 200 year coastal flood plain unless the applicant can demonstrate that the proposal constitutes an exception to the policy.

8.19 A small portion of the eastern portion of the application site was identified as being within the fluvial floodplain. The concept plan submitted with the application indicates the proposed dwelling to be sited within a relatively central position within the site, beyond the extent of the floodplain. DfI Rivers were consulted and within their response they stated The Strategic Flood Map (NI) indicates that the development does not lie within the 1 in 100 year fluvial flood plain. Hence, Rivers Directorate would have no specific reason to object to the proposed development from a fluvial flood risk perspective.

8.20 Part of the application site is identified as being within the surface water floodplain. However, as the proposal does not exceed any of the thresholds stated within Policy FLD 3 a Drainage Assessment is not required. DFI Rivers off no objection on the grounds of surface water flood risk.

Habitats Regulation Assessment

8.21 The potential impact this proposal on Special Areas of Conservation, Special Protection Areas and Ramsar sites has been assessed in accordance with the requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc) Regulations (Northern Ireland) 1995 (as amended). The Proposal would not be likely to have a significant effect on the Features, conservation objectives or status of any of these sites.

9 CONCLUSION

9.1 The application site fails to meet with the principal planning policies as the application site does not represent a gap within a substantial and continuously built-up frontage due to the lack of building(s) to the south of the proposed site. The proposal does not meet with any of the permissive circumstances for development in the countryside, and no over-riding reasons have been provided as to why development is necessary at this location. The application proposal will result in the addition to ribbon development along Laurel Rd and will result in suburban style build-up when read with existing development in the immediate vicinity. The proposal is subsequently contrary to Paragraphs 6.70, and 6.73, of the SPPS and Policies CTY1, CTY8 and CTY14 of PPS21. Refusal is recommended.

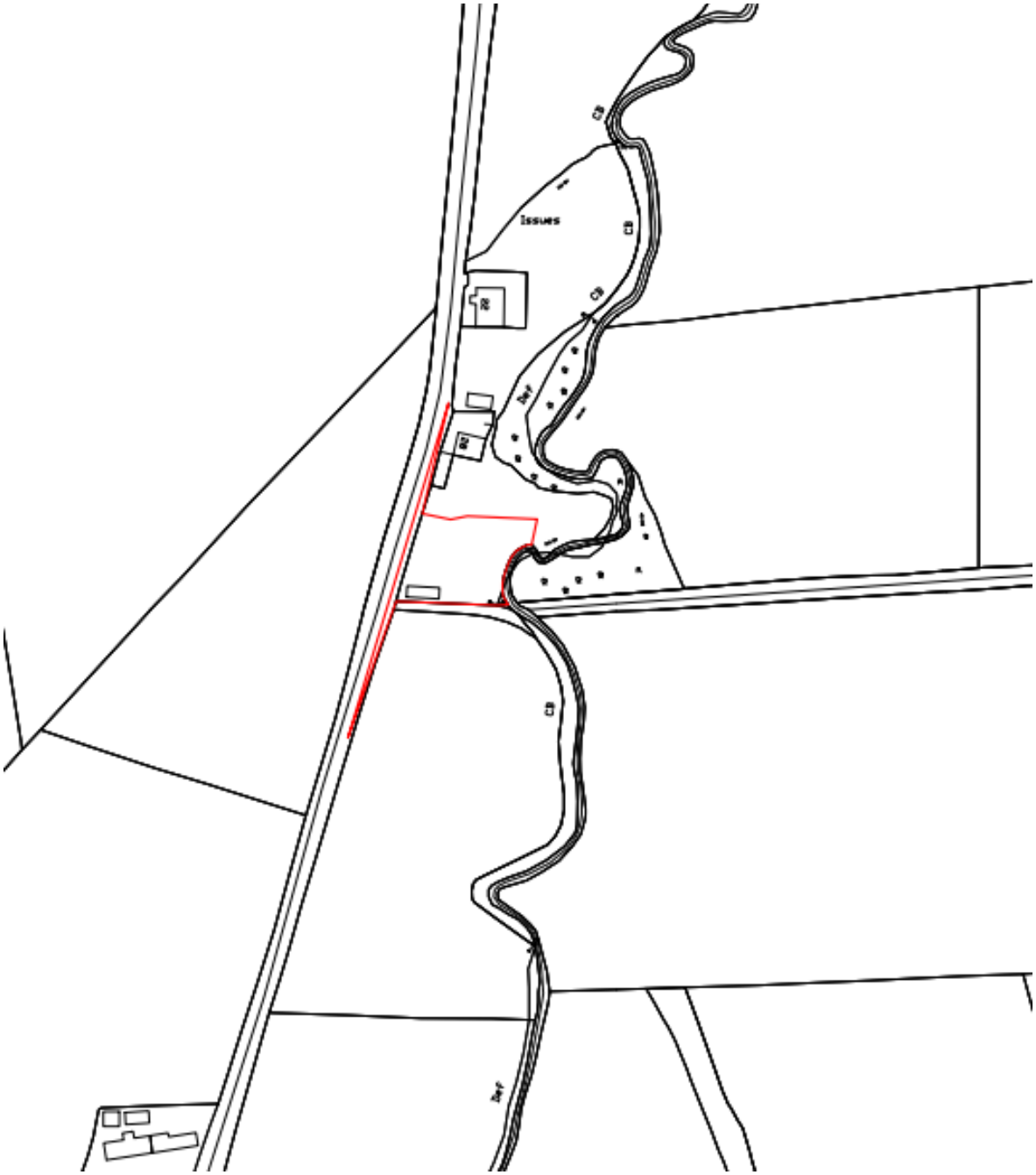
10 Reasons for Refusal

1. The proposal is contrary to Paragraph 6.73 of the Strategic Planning Policy Statement for Northern Ireland and Policy CTY 1 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement.

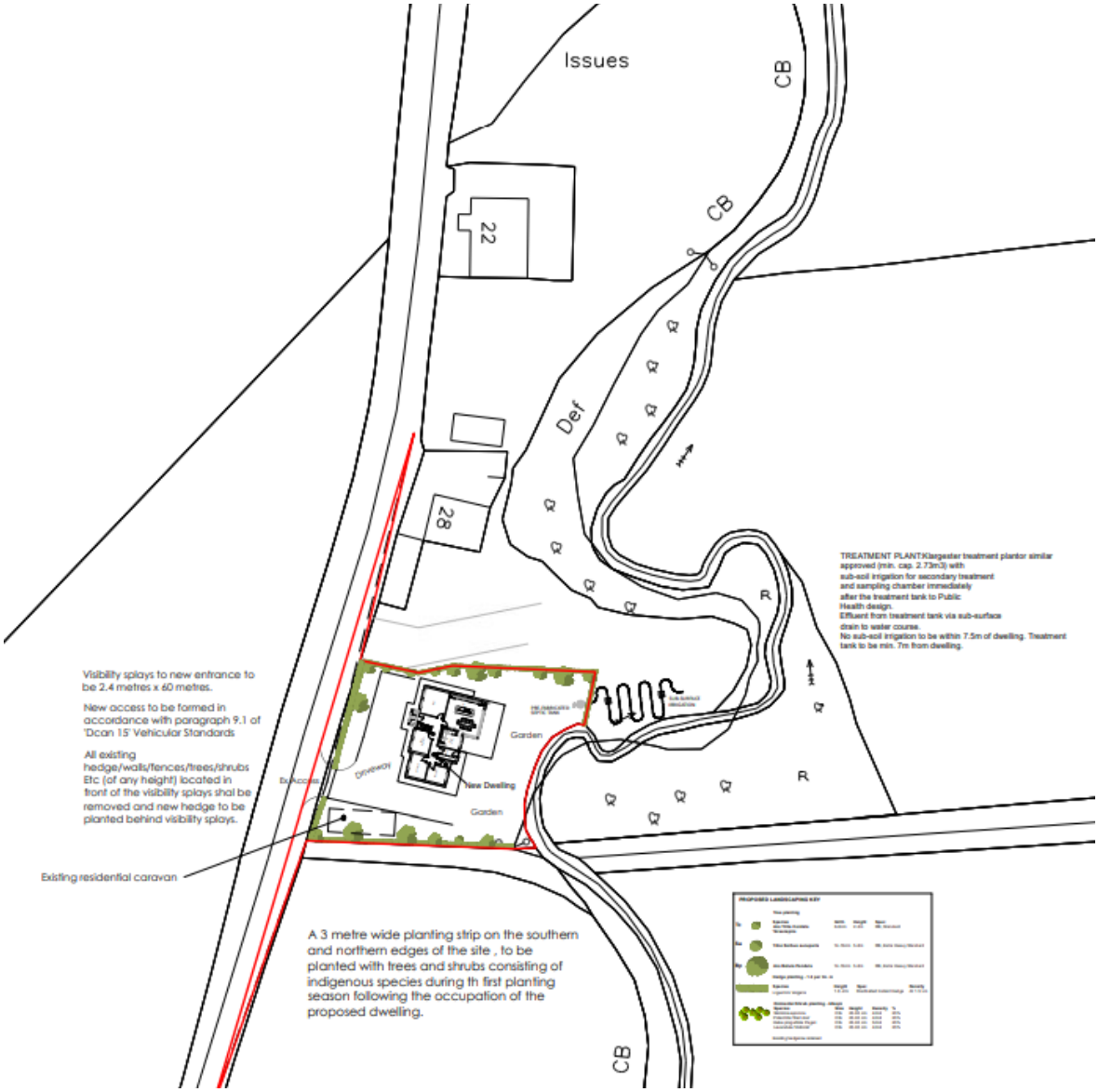
2. The proposal is contrary to Paragraph 6.73 of the Strategic Planning Policy Statement for Northern Ireland and Policy CTY 8 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the proposal fails to meet the provisions for an infill dwelling as the application site does not represent a small gap site within an otherwise substantial and continuously built-up frontage and would result in the addition to ribbon development along Laurel Rd.

3. The proposal is contrary to Paragraph 6.70 of the Strategic Planning Policy Statement for Northern Ireland and Policy CTY14 of Planning Policy Statement 21, Sustainable Development in the Countryside and the Northern Area Plan 2016 in that a proposed dwelling would result in the addition to ribbon development along Laurel Rd and result in a suburban style build-up of development when viewed with existing and approved buildings.

Site location Map



Concept Plan



Referral Request

From: Mark Fielding
Sent: 27 October 2025 08:54
To: Planning; Denise Dickson; Lee Kane (internet)
Subject: LA01/2025/0842/O
Attachments: SE OF 28 Laurel Road Limavady.odt

I wish to refer Planning Application LA01/ 2025/0842/O to the Planning Committee.

Proposed Site for the Erection of a Detached Dwelling (infill Development) with associated site works on Lands approx 30m South East of 28 Laurel Road Limavady.

Yours,

Mark
Ald M Fielding

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Planning reference LA01/2025/0842/O

Elected Member Mark Fielding

Contact Details Tel :

Email

Refusal reasons

1. *Policy CTY1 (Lack of Justification for a Dwelling in the Countryside)*

- Officer Report concludes that there are no overriding reasons why this development is essential in this rural location. However, Policy CTY1 explicitly allows for infill dwellings that meet the provisions of Policy CTY8. The site lies within an established ribbon of development along Laurel Road, where dwellings (Nos. 22 and 28) already define a recognisable building line and the proposed site would round off the existing cluster without causing visual sprawl.

Given the proposal's compliance with road safety, drainage, and environmental requirements, the development accords with the sustainable development principles of the SPPS (para. 6.73). It is not a case of isolated rural development, but rather the completion of an existing built frontage.

2. – *Policy CTY8 (Infill Development and Ribboning)*

- The central issue concerns whether the existing mobile home to the south of the proposed site should be regarded as a building for the purposes of Policy CTY8.

The Report dismisses the mobile home on the basis of the Caravans Act (NI) 2011, which defines a caravan as a movable structure. However, this definition is not determinative for planning purposes. A mobile home may constitute a building where it is permanently sited, connected to utilities, and physically integrated with the land. The existing mobile home is connected to a septic tank, has a permanent electricity supply and is positioned on a prepared hard base. It functions as a self-contained unit for residential use over an extended period.

The physical and functional permanence of the structure means it constitutes operational development and a building for the purpose of assessing the built-up frontage under CTY8. It therefore bookends the southern side of the proposed infill plot, creating a clear and continuous line of development between No. 28 Laurel Road (to the north) and the mobile home (to the south). When these two established residential units are properly recognised, the proposed dwelling sits within a defined gap of appropriate width consistent with the policy test in CTY8 – "a small gap sufficient only to accommodate up to two dwellings."

3. *Policy CTY14 (Rural Character)*

- The Report acknowledges that the site benefits from existing boundaries, is not prominent, and would not require new landscaping for integration. On this basis, there is no evidence that the proposed dwelling would cause a detrimental change to rural character.

The conclusion that the proposal would "result in a suburban-style build-up" appears inconsistent with the earlier findings in the same report. The site forms part of an established residential curtilage and would read as a natural infill rather than ribboning or sprawl. The proposal respects the scale, siting and pattern of the existing development on Laurel Road and therefore complies with CTY13 and CTY14.