

Derry City and Strabane District Council Planning Committee Report

COMMITTEE DATE: 6th March 2019

APPLICATION No: LA11/2017/0730/F

DATE OF APPLICATION: 28.07.17

APPLICATION TYPE: Full

PROPOSAL: Conversion of existing outbuilding and extension to provide dwelling

LOCATION: Site adjacent to & West of No 44 Lisleen Road, Killen, Castlederg

APPLICANT: Norma Bogle

AGENT: David McKinley

STATUTORY ADVERTISEMENT : 22.08.2017

STATUTORY EXPIRY: 07.09.2017

RECOMMENDATION: Refuse

REASON FOR PRESENTATION TO COMMITTEE: Reconsideration - Refusal

All planning application forms, drawings, letters etc. relating to this planning application are available to view on www.planningni.gov.uk The report should be read in conjunction with the original planning report in Appendix 1A. Planning Committee Site Visit was held 2nd July 2018.

1. Description of Proposed Development

Conversion of existing outbuilding and extension to provide dwelling

2. Reconsideration

The application was presented to planning committee on 11th April 2018, whereby members agreed to defer to consider a site visit request. Members also requested advice on

- 1) A definition of what constitutes an old building
- 2) Examples of traditional buildings.

With regard to point 1) officers advise the policy for the conversion and reuse of existing buildings in the countryside is CTY 4 of PPS 21, and further clarification on this policy is provided by para 6.73 of the SPPS. Officers consider the building must be locally important in the countryside and the conversion should be sympathetic, with minimal intervention to retain the features that make it a "locally important" or suitable building (school houses, churches and older traditional barns and outbuildings) to convert in the first place.

In relation to point 2), officers advise that members must consider the individual case on its own merits.

In reconsidering the case, officers also considered personal circumstances put forward by the applicant's agent in relation to the need for an additional dwelling at this site. Those circumstances

would not meet the criteria set out in CTY 6 of PPS 21. Officers are unable to disclose the personal details in this report due to Data Protection restrictions.

The shed to be converted remains an agricultural building that is not considered “suitable” as outlined in CTY 4 or “locally important” as outlined in para 6.73 of SPPS. The shed is a standard block built building, rendered and there are a significant number in similar scale, form and construction throughout the district. Therefore, the conversion of this property would set a detrimental precedent for similar developments in the district, contrary to the para 6.73 of SPPS and CTY 4 of PPS 21.

The scale of conversion is also a consideration in this case. The outbuilding is to be converted to the rear return of the new dwelling hereby proposed. Therefore it cannot be considered as sympathetic in size, as it will clearly be dominated by the new dwelling. The existing building has no features that would require them to be retained or enhanced, and the scheme being proposed incorporates this approach. The proposal does not display any regard or attempt to meet the policy tests for conversion, outlined in the SPPS and CTY 4 of PPS 21, and therefore refusal is recommended, as before, for the reasons set out in section 3 below. In the event that Members overturn the officer recommendation, conditions without prejudice are set out in section 4.

3. Refusal Reasons

1. The proposal is contrary to Policy CTY1 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 the SPPS and Policies CTY1 & CTY4 of Planning Policy Statement 21, Sustainable Development in the Countryside in that existing building is not a locally important building which merits upkeep or retention.
3. The proposal is contrary to the SPPS and Policy CTY4 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the conversion and the new extension is not sympathetic to the scale and of the existing building.

4. Conditions without prejudice

1) The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.

2) The development shall be carried out in accordance with the stamped approved drawings No 01, 02 date stamped 24 July 2017.

Reason: To ensure the development is carried out in accordance with the approved plans.