

Derry City and Strabane District Council Planning Committee Report

COMMITTEE DATE: 6th March 2019

APPLICATION No: LA11/2017/1051/O

DATE OF APPLICATION: 17TH November 2017

APPLICATION TYPE: Outline

PROPOSAL: Site for a dwelling house

LOCATION: 30M North of 25 Ballyskeagh Road, Artigarvan, Strabane, Co. Tyrone

APPLICANT: Mr Robin McMullan

AGENT: Devine Designs

ADVERTISEMENT/STATUTORY EXPIRY: 07/12/2017 28/12/2017

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 . This report should be read in conjunction with the original planning report in Appendix 3A, previously presented on 6th February 2019

1. Description of Proposed Development

The proposal is for a dwelling on a farm.

2. Reconsideration

The application was previously presented to planning committee on 6th February 2019, whereby the Committee voted not to accept the officer recommendation to refuse the scheme, due to:

- Exceptional circumstances to consider.
- The Strabane Area Plan 123.2.1 which states that Planning Policy should be less restrictive.
- Additional receipts to be submitted to demonstrate active farming

Since the meeting on 6th February 2019, officers contacted the agent and two receipts were submitted. The receipts are for mowing of grass and round bailing on October 2016, and mowing, round bales and hedge cutting in November 2017. The agent has indicated the applicant has further information to submit in the form of legal documents on additional land, and animal transfer papers for additional livestock, but as yet the agent has not received this information either. If further information is

submitted, it will be considered as late information by officers and the committee, however on the basis of information currently on file, the receipts do not complete the information required to demonstrate the proposal meets CTY 10 (a).

In considering the Strabane Area Plan, paras 123.2.1, PPS 21 is a material consideration and therefore is the determining policy for this case.

On balance, therefore refusal is recommended for the reasons set out in section 3 below.

3. Refusal Reasons

1. The proposal is contrary to Policies CTY1 and CTY10 of Planning Policy Statement 21, Sustainable Development in the Countryside and does not merit being considered as an exceptional case in that it has not been demonstrated that the farm business is currently active and that it has been established for at least six years.

4. Conditions Without Prejudice

1. Application for approval of the reserved matters shall be made to the Council within 3 years of the date on which this permission is granted and the development, hereby permitted, shall be begun by whichever is the later of the following dates:-

- i. the expiration of 5 years from the date of this permission; or
- ii. the expiration of 2 years from the date of approval of the last of the reserved matters to be approved.

Reason: As required by Section 62 of the Planning Act (Northern Ireland) 2011.

2. Approval of the details of the siting, design and external appearance of the buildings, the means of access thereto and the landscaping of the site (hereinafter called "the reserved matters"), shall be obtained from the Council, in writing, before any development is commenced.

Reason: This is outline permission only and these matters have been reserved for the subsequent approval of the Council.