

Planning Committee Report LA01/2019/0287/LBC	28th August 2019
PLANNING COMMITTEE	

Linkage to Council Strategy (2015-19)	
Strategic Theme	Protecting and Enhancing our Environment and Assets
Outcome	Pro-active decision making which protects the natural features, characteristics and integrity of the Borough
Lead Officer	Development Management & Enforcement Manager
Cost: (If applicable)	N/a

<u>No:</u> LA01/2019/0287/LBC	<u>Ward:</u> FEENY
<u>App Type:</u> Listed Building Consent	
<u>Address:</u> Caisleán Dhun Geimhin, 145 Main Street, Dungiven.	
<u>Proposal:</u> Retention of Irish Medium Post Primary School. The works consists of extra electrical and data sockets surfaced mounted to walls, walls repainted and new proposed fencing and gates to secure the school grounds	
<u>Con Area:</u> n/a	<u>Valid Date:</u> 25.03.2019
<u>Listed Building Grade:</u> B1	
<u>Agent:</u> Infrastructure & Capital Design, Education Authority, 1 Hospital Road, Omagh, Co Tyrone, BT79 0AW	
<u>Applicant:</u> Gaelcholáiste Dhoire, Caisleán Dhún Geimhin, Dhún Geimhin, BT47 4LF	
<u>Objections:</u> 0	<u>Petitions of Objection:</u> 0
<u>Support:</u> 1	<u>Petitions of Support:</u> 0

Drawings and additional information are available to view on the Planning Portal- www.planningni.gov.uk

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 **GRANT** Listed Building Consent subject to the reasons set out in section 10.

2 SITE LOCATION & DESCRIPTION

- 2.1 The site is located at Dungiven Castle, Dungiven, which is a Grade B1 Listed Building. The red line of the application site incorporates the Castle building, a small portion of the gardens to the front (south west) of the castle and the associated car park at the rear of the castle. The site boundaries to the front of the castle are undefined, to the rear the boundaries are defined by leylandii type hedgerows which are approximately 4 metres high on the north western side adjacent the old market site, on the south eastern side it is approximately 2 -2.5 metres in height, with part of the bawn wall forming part of this boundary. The site is accessed from the Main Street via the bus stop lay-by.
- 2.2 The site is located within the defined settlement development limit of Dungiven Town as defined in the Northern Area Plan 2016. The site is also located in an Area of Archaeological Potential and partly within the Dungiven Castle Local Landscape Policy Area (DGL 03) as per the NAP 2016. The area surrounding the site is characterised by a variety of different uses. Further to the North West is the old livestock market site and a farm supply shop and yard, to the east there is a medical centre and sports leisure facility, part of which is designated as open space within the Northern Area Plan. There are a number of dwellings along the Main Street opposite the site as well as the Church of Ireland. To the south west of the site is the wider Castle Environmental Park grounds which are zoned as open space and are within (DGL 03) within NAP 2016.

3 RELEVANT HISTORY

LA01/2019/0285/F - 20m South East of Dungiven Castle, 145 Main Street, Dungiven - Retention of modular building and proposed extension to provide additional accommodation. The accommodation will provide general classrooms, science rooms, home economics room and supporting ancillary accommodation. Site works will include drainage, new pathways, fencing and gates to secure the school grounds – Current Application

LA01/2019/0286/LBC - 20m South East of Dungiven Castle, 145 Main Street, Dungiven - Retention of modular building and proposed extension to provide additional accommodation. The accommodation will provide general classrooms, science rooms, home economics room and supporting ancillary accommodation. Site works will include drainage, new pathways, fencing and gates to secure the school grounds – Current Application

LA01/2019/0288/F - Caisleán Dhun Geimhin, 145 Main Street, Dungiven - Retention of Irish Medium Post Primary School. The works consists of extra electrical and data sockets surfaced mounted to walls, walls repainted and new proposed fencing and gates to secure the school grounds – Current Application

LA01/2017/0289/F - 20m South East of Dungiven Castle, 145 Main Street, Dungiven, Co Londonderry, BT47 4LF - Proposed single storey modular building providing additional accommodation for Gaelcholáiste Dhoire. The accommodation will provide general classrooms, science room, home economics room and supporting ancillary accommodation. Site works will include drainage, new pathways, fencing and gates to secure the school lands – Temporary Permission Granted 08.09.2017

LA01/2017/0902/LBC - Dungiven Castle, 145 Main Street, Dungiven - Proposed utility/services connections from existing services at Dungiven Castle to adjoining modular accommodation – Consent Granted 08.09.2017

LA01/2015/0319/LBC - Dungiven Castle, 145 Main Street, Dungiven - Change of Use from a Guest House to a New Irish Medium Post Primary School – Consent Granted 01.10.2015.

LA01/2015/0302/F - Dungiven Castle, 145 Main Street, Dungiven - Proposed change of use from a guest hotel to new Irish Medium Post Primary School. The extent of the works will consist of extra electrical and data sockets mounted to the walls, some walls to be repainted – Temporary Permission Granted 01.10.2015.

B/2013/0200/F - Lands 10m north east of Dungiven Castle, 145 Main Street, Dungiven - Application for the erection of a licensed marquee for occasional use on vacant lands 10m north east of Dungiven Castle for a period of 5 years – Permission Refused 01.08.2016

B/2013/0203/LBC -Lands 10m North East of Dungiven Castle, 145 Main Street, Dungiven - Erection of a licensed marquee for occasional use on vacant lands 10m North East of Dungiven – Permission Refused 01.08.2016

B/2006/0498/F - Dungiven Castle, Main Street, Dungiven - Change of use form a hostel to a Guest House with a licensed restaurant including some internal alterations – Permission Granted 15.02.2007

B/2006/0490/LB - Dungiven Castle, Main Street, Dungiven - Change of use from a hostel to a Guest House with licensed restaurant including some internal alterations – Permission Granted 15.02.2007

B/2005/0573/F - Lands at 145 Main Street, Dungiven - Redevelopment of former nightclub site for residential development comprising 21 units (13 dwellings and 8 apartments) and associated car parking – Permission Granted 22.11.2006

B/2002/0618/O - 145 Main Street, Dungiven, Limavady - Site for hotel, including restaurant, bar and leisure facilities – Permission Granted 06.08.2003

B/1999/0193/F - Dungiven Castle, Upper Main Street, Dungiven - Change of use from vacant residential accommodation to tourist hostel and associated alterations and car park (Listed Building) – Permission Granted 08.12.1999

B/1995/0311 - DUNGIVEN CASTLE MAIN STREET DUNGIVEN - Change of use from vacant building to community business initiative

including workshops, exhibition area and café – Permission Granted 13.06.1996

4 THE APPLICATION

- 4.1 Listed Building Consent is sought for internal works and alterations to the existing building in connection with the proposed use of the building as a school. The works consist of extra electrical and data sockets surfaced mounted to walls, wall repainted, and new proposed fencing and gates to secure the school

5 PUBLICITY & CONSULTATIONS

5.1 External

Neighbours: No objections have been received.

One letter of support has been received from the Department of Education outlining the need for additional accommodation at the school as it continues to grow.

5.2 Internal

Historic Environment Division: 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:
- 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.

7.0 RELEVANT POLICIES & GUIDANCE

The Northern Area Plan 2016

Strategic Planning Policy Statement (SPPS)

PPS 6 – Planning, Archaeology and the Built Heritage

8.0 CONSIDERATIONS & ASSESSMENT

- 8.1 The application site is located within the defined settlement limit of Dungiven Town. The main consideration in the determination of this application relate to the impact on the Listed Building and Schedule Monument.

Impact on Listed Building and Scheduled Monument

- 8.2 The application site is located within a designated Area of Archaeological Potential, and the site includes the lands associated with Dungiven Castle which is a grade B1 Listed Building, in addition the existing Bawn wall to the rear of the Castle and which forms part of the site boundary, is a scheduled monument. Both Historic Buildings and Historic Monuments within Historic Environment Division were consulted to assess the potential impact on the listed building, the setting of the listed building, impact on the Scheduled Monument (Bawn Wall) and potential for archaeological remains within the site.
- 8.3 This application is in association with current application LA01/2019/0288/F which seeks the retention of use of the Castle as an Irish Medium Post Primary School. Planning permission was granted for the change of use of the Castle from a guest house to Irish Medium Post Primary School for a temporary period of three years under planning approval LA01/2015/0302/F. This current applications seeks to renew these permissions for a period of ten years. The proposed use of the Castle will ensure the continued use of the listed building and the minor works to the building and exterior

will not result in any detrimental impact to the character or appearance of the listed building in accordance with Policy BH7 of PPS6.

- 8.4 Following initial concerns regarding the proposed height and finish to the boundary fencing along the site entrance and along the south eastern boundary revised plans were submitted which reduced the height of the fence to 1.8m and altered the proposed fence type to a black metal railing. Following re-consultation, Historic Buildings have no objections regarding the impact of the proposal on the setting of the Listed Buildings. The proposed fence will not encroach upon the physical structure of the Castle or Bawn Wall and therefore will not harm the historic building fabric. The proposal is therefore in compliance with Paragraph 6.12 of the SPPS and Policies Policy BH8 and BH11 of PPS6.
- 8.5 With respect to the internal works indicated HED: HB has reviewed the proposed drawings and considers the proposal for extra electrical and data sockets surfaced mounted to walls and repainting, would have no greater demonstrable harm on the historic building fabric. The proposal is therefore in compliance with Paragraph 6.13 of the SPPS and Policy BH8 Extension or Alteration of a Listed Building of PPS6.
- 8.6 Scheduled Monument Consent was granted for development at the site under planning approval LA01/2017/0289/F. Historic Monuments have no objections subject to conditions relating to the erection of the protective fencing prior to works commencing and regarding access to the site from an archaeologist. Historic Monuments have advised that any variation to the Scheduled Monument Consent granted with respect to application LA01/2017/0289/F will need to be discussed with HED: HM's Scheduling Department before works begin. The proposal satisfies the requirements of the SPPS and PPS6.

9.0 CONCLUSION

- 9.1 This proposal is considered acceptable in this location having regard to the Area Plan and other material considerations. The proposed nature and scale of the proposal have a minimal impact on the listed building and it is considered acceptable having regard to the policy guidance set out in the SPPS and PPS 6. Approval is recommended.

10 CONDITIONS

10.1 Regulatory Conditions:

1. The proposed works must be begun not later than the expiration of 5 years beginning with the date on which this consent is granted as required by Article 94 of the Planning Act (Northern Ireland) 2011.

Reason: Time Limit.

Site Location Map

