

Planning Committee Report Item LA01/2016/0467/F	22nd February 2017
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	Principal Planning Officer
Cost: (If applicable)	N/a

**Existing Stone Barn at Craigtown
More,**

Roselick Road

**Portstewart. (20metres West of
No.26 Roselick Road)**

LA01/2016/0467/F

22nd February 2017

<u>No:</u>	LA01/2016/0467/F <u>Ward:</u> Atlantic		
<u>App Type:</u>	Full Planning		
<u>Address:</u>	Existing Stone Barn at Craigtown More, Roselick Road Portstewart. (20metres West of No.26 Roselick Road).		
<u>Proposal:</u>	Proposed Barn Conversion to Dwelling incorporating one & half storey extension under CTY4 of Planning Policy Statement 21.		
<u>Con Area:</u>	N/A	<u>Valid Date:</u>	13.04.2016
<u>Listed Building Grade:</u>	N/A		
<u>Agent:</u>	Moore Design, Market Court, 63 New Row, Coleraine		
<u>Applicant:</u>	Mr H Lynch, 25 Roselick Road, Portstewart, BT55 7PP		
<u>Objections:</u>	0	<u>Petitions of Objection:</u>	0
<u>Support:</u>	0	<u>Petitions of Support:</u>	0

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

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

2.0 SITE LOCATION & DESCRIPTION

- 2.1 The site is accessed from an existing long laneway which currently serves No 26 Roselick Rd, a detached farm house and farm complex. The red line of the application includes a detached building in the yard to the south west of the main farmhouse. The building is single storey and constructed mostly from natural stone. The eaves are approximately 2m high and there is a low ridge with a pitched roof. The materials on the roof are old plastic sheets and newer tin sheets. There is a

p.v.c. roller shutter door to the east gable with some new block work surrounding this. There are no window openings and the building appears to be currently used for hens and for general storage.

- 2.2 The land is generally flat in the immediate vicinity. The land rises to the south, up towards the main road. There are mature trees surrounding the building, some are growing alongside the southern wall of the building. The immediate character is one of a farm complex positioned down a long lane in the countryside.
- 2.3 The site is located within the rural area as defined within the Northern Area Plan.

3 RELEVANT HISTORY

There is no relevant history.

4 THE APPLICATION

- 4.2 Planning permission is sought for a barn conversion to dwelling incorporating one & half storeys.

5.0 PUBLICITY & CONSULTATIONS

5.1 External

There are no objections to the proposal.

5.2 Internal

Transport NI: No objection.

Environmental Health: No objection subject to informatives.

Archaeology and Built Heritage (Historic Environment Division): No objections.

6.0 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 3 Access, Movement and Parking

PPS 21: Sustainable Development in the Countryside

Supplementary Planning Guidance

Building On Tradition - A Sustainable Design Guide for the Northern Ireland Countryside

8.0 CONSIDERATIONS & ASSESSMENT

8.1 The main considerations in the determination of this application relate to: the principle of the proposed development; design and rural character, and; access.

Principle of development

- 8.2 The site is located within the countryside as defined by the Northern Area Plan 2016.
- 8.3 The principle of the type and scale of development proposed must be considered having regard to the SPPS and PPS policy documents specified above.
- 8.4 The aim of the SPPS in relation to conversion of existing buildings to new dwellings is set out under paragraph 6.73. In relation to this application the main point is that the conversion should be of a locally important building.
- 8.5 The SPPS takes precedence over Planning Policy Statement 21. As set out in Paragraph 1.12 of the SPPS “Any conflict between the SPPS and any policy retained under the transitional arrangements must be resolved in the favour of the provisions of the SPPS.
- 8.6 SPPS states that the conversion and re-use of existing buildings for residential use: provision should be made for the sympathetic conversion and re-use, with adaptation if necessary, of a locally important building (such as former school houses, churches and older traditional barns and outbuildings), as a single dwelling where this would secure its upkeep and retention.
- 8.7 A similar appeal on this matter which was dismissed by the PAC is 2015/A0232 (LA10/2015/0410/F). The commissioner stated in the decision dated 27th June 2016: The matter of potential conflict arising between the SPPS and retained existing policies is addressed in Paragraph 1.12 of the SPPS. The weighting direction in the SPPS indicates that a ‘locally important building’ must take precedence in the first instance over any criteria contained in Policy CTY4 of PPS21.

- 8.8 The appeal was for the replacement of an outbuilding /garage. The Commissioner considered that the examples cited as listed in paragraph 8.6 above typically relate to buildings that generally have some design, architectural or historic merit. The commissioner recognised that this was not a definitive list and that there may be other factors that would result in a particular building being of importance to a locality.
- 8.9 The proposal is for conversion and re use of an existing store building within a farm complex. It is not considered to be a building of local importance and is of a structure and type that is common place throughout the countryside. The Planning Authority contacted the Agent and asked for evidence to support the policy. However, the only supporting information submitted does not specifically address the building in this application. It addresses the adjoining cluster of farm buildings beside the main dwelling No 26 Roselick Road. The older photos do not show the existing building due to the screening off the mature trees. The proposal is contrary to the test set out in the Strategic Planning Policy Statement for N.Ireland as it has not been demonstrated that the existing building is of local importance.
- 8.10As set out above Policy CTY 4 of PPS 21 must be assessed in tandem with the SPPS. In this instance the Strategic Planning Policy Statement for Northern Ireland (SPPS) is accorded greater weight, and as such the proposal fails the tests of the SPPS, it also fails the policy CTY 4 as a whole and therefore must be refused. For completeness sake the remainder of Policy CTY 4 has also been assessed in the paragraph below.

Design and rural character

- 8.11 The application meets with Policy CTY 4 in all other criterion. The existing building is of permanent construction and its proposed conversion would not have an adverse impact on the locality due its set back from the road. The new extension is considered to be sympathetic to the existing building. It is currently a very small building and for proposed basic residential purposes, the extension has been added. Although there is a one and half storey extension, it will be screened from view by mature trees and the building is far away from the main public view points.

Access

8.12 Transport NI have no objections given the existing access and laneway to the site.

9.0 CONCLUSION

9.1 This proposal is contrary to PPS 21 and the SPPS. The test within the SPPS is policy and is applied more weight than CTY 4. The proposal in principle is contrary to the test set out in the Strategic Planning Policy Statement for N.Ireland as it has not been demonstrated that the existing building is of local importance. As this proposal fails to meet the relevant policy in the SPPS, refusal is recommended.

10.0 Refusal Reason:

10.1 The proposal is contrary to paragraph 6.73 of the Strategic Planning Policy Statement for Northern Ireland (SPPS) Planning for Sustainable Development 2015, and contrary to Policy CTY 1 and CTY 4 of Planning Policy Statement 21, Sustainable Development in the Countryside in that: the existing building to be converted is not a locally important building.

