

<b>Planning Committee Report</b> LA01/2019/0156/F	<b>27<sup>th</sup> November 2019</b>
<b>PLANNING COMMITTEE</b>	

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

<b><u>No:</u></b>	LA01/2019/0156/F	<b><u>Ward:</u></b>	Macosquin
<b><u>App Type:</u></b>	Full		
<b><u>Address:</u></b>	77m NE of 15 Isle Road, Macosquin		
<b><u>Proposal:</u></b>	Retrospective application for conversion of existing building to shop		
<b><u>Con Area:</u></b>	N/A	<b><u>Valid Date:</u></b>	18.2.19
<b><u>Listed Building Grade:</u></b>	N/A		
<b><u>Agent:</u></b>	Simpson Design, 42 Semicock Road, Ballymoney, BT53 6PY		
<b><u>Applicant:</u></b>	Ms H Bell, 15 Isle Road, Macosquin		
<b><u>Objections:</u></b>	<b>0</b>	<b><u>Petitions of Objection:</u></b>	<b>0</b>
<b><u>Support:</u></b>	<b>0</b>	<b><u>Petitions of Support:</u></b>	<b>0</b>

## **Executive Summary**

- The proposal is considered unacceptable in this location having regard to the Northern Area Plan 2016 and other material considerations.
- The proposal is not considered to be an exception to policy for retailing outside settlement limits.
- In addition, the building to be converted is not deemed to be a locally important building of special character or interest and therefore the proposal cannot be considered under Policy CTY 4 of PPS 21.
- Further information was requested by DfI Roads. This information was not asked for as the principle of development is considered to be unacceptable and refusal is recommended.
- The proposal is contrary to Policies CTY1 & CTY 4 of PPS 21, Policy AMP 2 of PPS 3 and paragraphs 6.73 and 6.29 of the SPPS.

Drawings and additional information are available to view on the Planning Portal- [www.planningni.gov.uk](http://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 **REFUSE** full planning permission for the reasons set out in section 10.

## 2 SITE LOCATION & DESCRIPTION

- 2.1 The site is located to the rear of a dwelling at 15 Isle Road, Macosquin. There is an existing building on site which is currently operating as a shop selling equestrian related items. It is accessed by a separate laneway which serves another existing building which is approved as a Spa. There is an existing parking area. There are no other agricultural buildings on the site.
- 2.2 The site is located in the countryside outside any settlement limit as defined within the Northern Area Plan 2016. It does not fall within any specific environmental designations.

## 3 RELEVANT HISTORY

C/2001/1065/F – New domestic dwelling and garage. Permission granted 14.05.2002

C/2004/1303/F – Barn providing health spa/store on ground floor, horticultural seed stores, bulb forcing room, budding room, office for horticultural holding on first floor, machinery stores/stables. Permission granted 21.02.2006

## **4 THE APPLICATION**

- 4.1 This is a full application for “Retrospective application for conversion of existing building to shop”.

## **5 PUBLICITY & CONSULTATIONS**

### **5.1 External**

No letters of objection or support have been received.

### **5.2 Internal**

- DFI Roads: Further information required
- NI Water: No objections
- Environmental Health: 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 21 – Sustainable Development in the Countryside

## **8 CONSIDERATIONS & ASSESSMENT**

- 8.1 The proposed development must be considered having regard to the SPPS, PPS policy documents and supplementary planning guidance specified above. The main considerations in the determination of this application relate to: Reuse of existing building; retailing in the countryside; impact on rural character; and access.

### **Principle of development**

#### **Reuse of existing building**

- 8.2 Paragraph 6.69 of the SPPS sets out the policy approach to development in the countryside, including promoting the re-use of existing buildings. It goes on to explain why such an approach is considered sustainable.

- 8.3 Paragraph 6.73 then sets out the strategic policy for residential and non-residential development. The final bullet point (12th) under Paragraph 6.73 relates to the conversion and re-use of existing buildings for non-residential use and therefore applies to this proposal. This policy allows for the conversion and reuse of suitable locally important buildings of special character or interest where this secures their upkeep and retention.
- 8.4 The policies outlined in paragraph 6.73 of the SPPS and Policy CTY 1 of PPS 21 state that there are a range of types of development which are considered acceptable in principle in the countryside. Other types of development will only be permitted where there are overriding reasons why that development is essential and could not be located in a settlement, or it is otherwise allocated for development in a development plan. The application is for conversion of an existing building and therefore will be assessed additionally under Policy CTY 4.
- 8.5 Planning permission will be granted for re-use of an existing building in accordance with Policy CTY 4. Paragraph 6.73 of the SPPS states that provision should be made for the sympathetic conversion and re-use of a suitable locally important building of special character or interest for a variety of alternative uses where this would secure its upkeep and retention, and where the nature and scale of the proposed non-residential use would be appropriate to its countryside location.
- 8.6 The proposal involves the conversion of an outbuilding which was previously approved as a store, machinery store and stable. At the time of inspection, the building was operating as a shop selling equestrian related items including clothing, equipment and accessories. The building which has been converted is of modern construction and would not be deemed as locally important for the purpose of this policy. The proposal cannot be considered under Policy CTY 4.
- 8.7 The development does not fall within any of the other cases for which planning permission will be granted for non-residential development under PPS 21 and therefore there is no overriding reason why this development could not be located in a settlement.

- 8.8 Paragraph 6.279 of the SPPS states that retailing will be directed to town centres, and the development of inappropriate retail facilities in the countryside must be resisted. As a general exception to the overall policy approach some retail facilities which may be considered appropriate outside settlement limits include farm shops, craft shops and shops serving tourist or recreational facilities. All policies and proposals must ensure there will be no unacceptable adverse impact on the vitality and viability of an existing centre within the catchment, and meet the requirements of policy elsewhere in the SPPS.
- 8.9 The proposed development is not considered to be an exception to policy for retailing outside settlement limits and therefore is contrary to the SPPS. No case has been made as to why this proposal is essential at this location.

### **Planning Policy Statement 3 – Access, Movement & Parking**

#### **Policy AMP 2 – Access to Public Roads**

- 8.10 Under this policy, planning permission will only be granted for development involving direct access or intensification of the use of an existing access onto a public road where access will not prejudice road safety or inconvenience the flow of traffic.
- 8.11 DfI Roads were consulted and have requested further information. This relates to clarity of information provided on the P1 form as well as amended plans detailing visibility splays, parking, turning and drainage. This information has not been provided given refusal is recommended.

## **9 CONCLUSION**

- 9.1 The proposal is considered unacceptable in this location having regard to the Northern Area Plan 2016 and other material considerations. The proposal does not meet the criteria for the conversion of a building under Policy CTY 4 of PPS 21 and paragraph 6.73 of the SPPS and there are no overriding reasons why it could not be located within a settlement. The proposed development is not considered to be an exception to policy for retailing outside settlement limits. Refusal is recommended.

## **10 Reasons for Refusal**

### 10.1 Reasons for Refusal:

1. The proposal is contrary to paragraph 6.73 of the SPPS & Policy CTY 1 of PPS 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 6.279 of the SPPS in that the proposal is not deemed an exception to policy for retailing outside settlement limits.
3. The proposal is contrary to paragraph 6.73 of the SPPS and Policy CTY 4 of PPS 21, Sustainable Development in the Countryside, in that the building to be converted is not deemed to be a locally important building of special character or interest.
4. The proposal is contrary to Policy AMP 2 of PPS 3, Access, Movement & Parking in that it has not been demonstrated that the use of the access would not prejudice road safety or significantly inconvenience the flow of traffic.

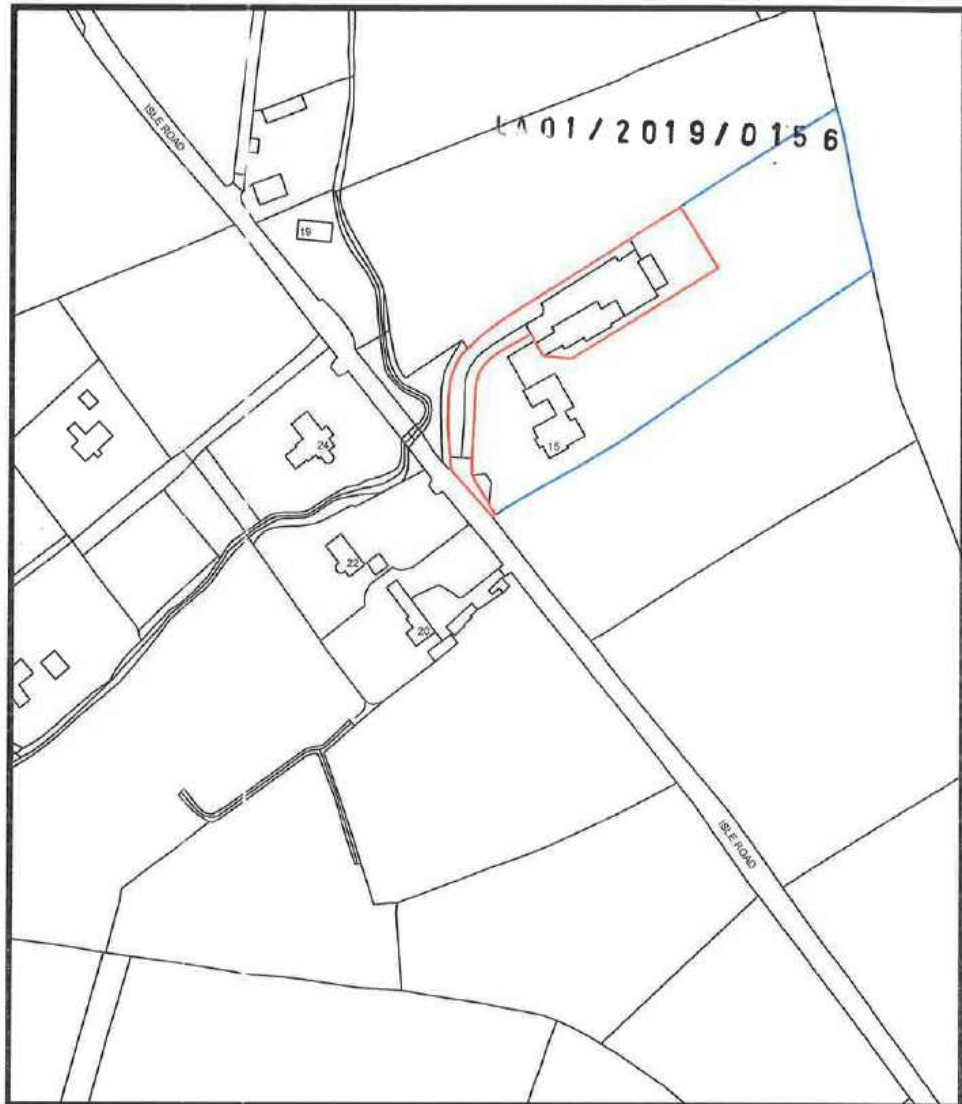


Site Location Plan

Glens Borough Council  
Drawing  
Number ..... 01 .....

Planning Office  
RECEIVED  
07 FEB 2019

File No.....  
Causeway Coast and  
Glens Borough Council



# Block Plan

