

Title of Report:	Planning Committee Report – LA01/2020/0444/F
Committee Report Submitted To:	Planning Committee
Date of Meeting:	23rd June 2021
For Decision or For Information	For Decision

Linkage to Council Strategy (2021-25)	
Strategic Theme	Cohesive Leadership
Outcome	Council has agreed policies and procedures and decision making is consistent with them
Lead Officer	Senior Planning Officer

Budgetary Considerations	
Cost of Proposal	Nil
Included in Current Year Estimates	N/A
Capital/Revenue	N/A
Code	N/A
Staffing Costs	N/A

Screening Requirements	Required for new or revised Policies, Plans, Strategies or Service Delivery Proposals.		
Section 75 Screening	Screening Completed:	N/A	Date:
	EQIA Required and Completed:	N/A	Date:

Rural Needs Assessment (RNA)	Screening Completed	N/A	Date:
	RNA Required and Completed:	N/A	Date:
Data Protection Impact Assessment (DPIA)	Screening Completed:	N/A	Date:
	DPIA Required and Completed:	N/A	Date:

<u>App No:</u>	LA01/2020/0444/F	<u>Ward:</u>	Giant's Causeway
<u>App Type:</u>	Full Planning		
<u>Address:</u>	36 Castlecatt Road, Bushmills		
<u>Proposal:</u>	Change of Use of existing shed to farm & equestrian (including animal feed) suppliers		
<u>Con Area:</u>	N/A	<u>Valid Date:</u>	13/05/2020
<u>Listed Building Grade:</u>	N/A	<u>Target Date:</u>	25/08/2020
Applicant:	David & Olive Dunlop, 44 Castlecatt Road, Bushmills, BT57 8TN		
Agent:	David Dalzell, Fairview, 10 Fairview Lane, Articlave, BT51 4JX		
Objections:	0	Petitions of Objection:	0
Support:	1	Petitions of Support:	0

Executive Summary

- This proposal is considered unacceptable at this location having regard to the Northern Area Plan 2016 and all other material considerations.
- The application site falls in the rural area outside the settlement limit of Bushmills.
- The proposal does meet policy requirements under the SPPS for appropriate retail facilities in the countryside.
- The proposal does not satisfy farm diversification policy requirements.
- The scale and nature of the proposed use is not suitable for a countryside location.
- The proposal does not prejudice road safety or significantly inconvenience the flow of traffic.
- The proposal is acceptable in terms of archaeology and natural heritage.
- No letters of objection have been received in relation to this application.
- No issues have been raised by statutory consultees in relation to this proposal.
- The proposal does not comply with all relevant planning policies including the SPPS and PPS 21.

Drawings and additional information are available to view on the Planning Portal- <https://epicpublic.planningni.gov.uk/publicaccess/>

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 application site is located at No. 36 Castlecatt Road, Bushmills. The site is irregular in shape and comprises an existing building with a twin elliptical roof structure with a rectangular footprint. Walls are concrete with upper sections sheeted in green corrugated steel which matches the curved roofs. Existing solar photovoltaic panels cover most of the south facing aspect of each roof. The use of this existing building is detailed as workshop and storage. Most of the application site is concrete hardsurfacing and ground levels fall away to the east. There is a low level bay for skips accessed via a ramp from the main yard area. The application site is defined to the north by a post and wire fence and a row of trees. Access to the site is from an existing concrete-surfaced lane from Castlecatt Road. A private lane runs parallel and separate to the site for access to No. 36 Castlecatt Road. Public views of the site are available from Castlecatt Road however, the existing houses and trees in this cluster of development partially screen views when travelling north towards Bushmills.
- 2.2 The site is located south of the settlement limit of Bushmills. North of the application site is an agricultural field and south east of the site is Ballyness Caravan Park. Woodland and ponds line the course of the Distillery Burn flowing south to north. South of the application site are several residential buildings owned and occupied by members of the applicant's family.

3.0 RELEVANT HISTORY

3.1 E/2000/0443/F

Change of use from redundant farm buildings to builder's suppliers including retail outlet and storage
Approval – 27.04.2001

3.2 E/2013/0156/LDE

Existing photo voltaic panels installed on south facing roof of a storage building
Permitted Development – 19.12.2013

4.0 THE APPLICATION

- 4.1 Change of use of existing shed to farm & equestrian (including animal feed) suppliers

5.0 PUBLICITY & CONSULTATIONS

5.1 External:

No letters of objection have been received in relation to this application.

One letter of support has been received from the Bushmills Business Association. Welcoming a new market not dependent on tourism, creating new round the year employment opportunities to the village.

5.2 Internal:

DFI Roads: No objections

Environmental Health: No objections

NI Water: No objections

DAERA: Water Management Unit: No objections.

DAERA: Natural Environment Division: No objections.

Shared Environmental Services: No objections

Historic Environment Division: Historic Monuments: No objections

DAERA: Countryside Management Branch: Confirmed farm business ID in existence for more than 6 years but no business claimed payments received.

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 2 – Natural Heritage

PPS 3 - Access, Movement and Parking

PPS 4 – Planning & Economic Development

PPS 6 - Planning, Archaeology & the Built Heritage

PPS 21 - Sustainable Development in the Countryside

Supplementary Planning Guidance

Development Control Advice Note 15 Vehicular Access Standards

8.0 CONSIDERATIONS & ASSESSMENT

Planning Policy

- 8.1 The site is located within the rural area outside the settlement limit of Bushmills under NAP 2016.
- 8.2 The proposal must be considered having regard to the NAP 2016, SPPS, PPS policy documents and supplementary planning guidance specified above. The main considerations in the determination of this application relate to: Economic development in the countryside, non-residential development in the countryside, the setting of settlements, sewerage, retailing, archaeology, access and parking, and natural heritage.

Economic Development in the Countryside

- 8.3 Policy PED 2 of PPS 4 advises proposals for economic development uses in the countryside will be permitted in accordance with the provisions of the following policies:
- The Expansion of an Established Economic Development Use - Policy PED 3
 - The Redevelopment of an Established Economic Development Use - Policy PED 4
 - Major Industrial Development - Policy PED 5
 - Small Rural Projects - Policy PED 6
- 8.4 This proposal does not fall within the above categories of development. This policy goes on to say Economic development associated with farm diversification schemes and proposals involving the re-use of rural buildings will be assessed under the provisions of PPS 21.

Non- Residential Development in the Countryside

- 8.5 Policy CTY 1 of PPS 21 advises non-residential development is acceptable in principle provided it is in accordance with farm diversification under Policy CTY 11 or the reuse of an existing building under Policy CTY 4.

Farm Diversification

- 8.6 The proposal entails change of use of an existing shed to farm and equestrian (including animal feed) suppliers. The agent has advised a large proportion of sales will be bulky animal feeds and fertilisers which may be delivered by goods vehicle. Customers are likely to collect bulky items by trailer load. A plan has been submitted which details the full array of goods to be sold.
- 8.7 The proposal must comply with the following criteria of Policy CTY 11:
- (a) *The farm or forestry business is currently active and established*

- 8.8 Following consultation with DAERA, it was confirmed the farm business ID has been in existence for more than 6 years and was allocated on 12/04/2005. The farm business has not claimed payments through the Basic Payment Scheme or Agri Environment scheme in the last 6 years. Other comments from DAERA are the proposed site is located in an unmapped area - this is most likely because the existing shed is located within the farm yard.
- 8.9 The P1C form advised the land is actively farmed, initially cut up to three times for silage then grazed with cattle. The applicant maintains the land in good agricultural and environmental condition by maintaining fencing and gates; hedgerows; water troughs; drainage systems; and tree planting. Additional evidence was sought from the agent in the form of evidence/receipts/herd numbers to prove active farming over the last 6 years and to verify the information detailed in Q3 of the P1C Form. This evidence was received on the 24th August 2020 in the form of a spreadsheet detailing works carried out over the years 2014 - 2020 with invoices provided. Works related to farm shed repairs; fencing; digger work; drainage; hedgecutting; top soiling; water troughs; grass seed; machinery etc. Use of fields is occurring by T Knox with a herd number and S Creith. Works relate to silage, grazing by 120 cows, Slurry and Fertiliser. However, this shows that the land is let on conacre and therefore active farming is occurring by others and not the applicant himself.
- 8.10 A meeting occurred on this application where it was agreed further information should be submitted to prove active farming. Additional evidence is detailed below:
- LPS Property Valuation Details detailing rates calculations for house (agricultural) outbuildings
 - NI Water Metered Bill
 - Confirmation of applicant's membership of Ulster Farmer's Union
 - Certificate of registration for Value Added Tax - Trade Classification Mixed Farming
 - Receipt for weedspray from Richard Gillespie - 01/09/2020
 - Receipt for digger work from Chris Freeman Agricultural Contractor - 07/10/2020

- Receipt for work to 10 acre field from Chris Freeman Agricultural Contractor - 24/08/2020
- Photographs of work undertaken around the farm
- A Plan detailing Farm Business Activity 2014-2020. This plan shows the location of drainage, sheoughs cleaned out, gates and gateposts repaired, new drinking troughs, new stockproof fencing, hedges trimmed, retained landscape features, woodland planted etc. This can be cross referenced to the invoices already provided.

8.11 The agent also advised a farm dwelling was granted for the applicant at lands south and adjacent to 42 Castlecatt Road under the same Business ID within applications E/2010/0310/O (approved 01/06/2011) and E/2013/0180/F (approved 17/05/2013). This proves at the time of these planning decisions active farming was occurring but this was 7 years ago.

8.12 The agent argues the applicant meets this criterion because the land is maintained in good agricultural and environmental condition. The EU regulation referred to Article 2 of European Council Regulation (EC) No. 73/2009 defines “agricultural activity” as the production, rearing or growing of agricultural products including harvesting, milking, breeding animals and keeping animals for farming purposes, or maintaining the land in good agricultural and environmental condition as established in Article 6. The agent advises Article 6 refers to a framework established in Annex 111, where one finds the meaning of good agricultural and environmental condition explained. Compulsory standards are highlighted below with examples on this farm:

(a) Minimum land management reflecting site specific conditions

Grazing, keeping land well drained and fertile with a healthy sward

(b) Arable stubble management

Ploughing in barley stubble to soil to improve soil structure

(c) Retention of landscape features including, where appropriate, hedges, ponds, ditches, trees in line, in group or isolated and field margins

Annual hedge trimming and removal of briars, retention of trees in forestry and woodland management

(d) Avoiding the encroachment of unwanted vegetation on agricultural land
Removal of noxious weeds by spraying, cultivating, liming and re-sowing

(e) Protection of permanent pasture
Rotational silage production and harvesting and grazing to prevent reversion to scrub

(f) Establishment of buffer strips along water courses
Watercourse Edges managed for wildlife including 15m buffer zone from edge

8.13 The information submitted and the conacre is inconclusive and is weighted toward the person taking the land in conacre as being the active farm business.

(b) In terms of character and scale it is appropriate to its location

8.14 The proposal entails minimum external alterations to the existing building. The existing roller shutter door in the front elevation will be changed to a new customer door with glazing which leads into the public display area. The remainder of the proposed floorplan shows storage, office, fork lift truck parking as well as staff canteen and wc. There are no concerns visually with this development. Public views of the site are possible from the Castlecatt Road but existing buildings and trees partially screen the site when travelling in a northern direction towards Bushmills.

8.15 Although the alterations are visually acceptable in terms of character, it is the proposed use which is unacceptable in terms of scale. This is due to the large floorspace entailed as it is regarded as retailing more suited to a town centre location. The SPPS advocates a town centre approach for retail, due to the proposed size and range of goods, the proposal fails this approach. The proposal therefore also fails this criterion. For a further detailed assessment of this proposed use see sub-heading "Retailing".

(c) It will not have an adverse impact on the natural or built heritage

- 8.16 There are no listed buildings in proximity of the site. HED:HM was consulted and advised there are no archaeological concerns. DAERA:NED was consulted and have no objections in terms of natural heritage.

(d) It will not result in detrimental impact on the amenity of nearby residential dwellings including potential problems arising from noise, smell and pollution.

- 8.17 The closest neighbouring properties are located south of the application site. All of these properties are owned and occupied by the applicant's family. Notwithstanding this, there are no residential amenity concerns to these dwellings from this development given separation distances and Environmental Health have no objections. No letters of objection have been received from these neighbouring properties. Environmental Health do recommend that all roller shutter doors remain in the closed position except when used for access or egress and that opening hours of the premises be restricted to Monday to Friday 08:00 hrs to 18:00 hrs; Saturday 08:00 hrs to 13:00 hrs; and closed on Sundays and Public Holidays. Standard advice has been given in relation to avoiding noise complaints. The proposal should not result in any harmful noise, smell or pollution.
- 8.18 Policy CTY 11 also advises proposals will only be acceptable where they involve the re-use or adaptation of existing farm buildings. This proposal includes re-use of an existing farm building (shed) with minimal modification and no need to extend or for new build and thus meets this requirement.

The Conversion and Reuse of Existing Buildings

- 8.19 Planning permission will be granted to proposals for the sympathetic conversion, with adaptation if necessary, of a suitable building for a variety of alternative uses, where this would secure its upkeep and retention.

8.20 Any proposals for conversion must meet the following criteria of Policy CTY 4:

a) The building is of permanent construction.

8.21 The existing building is permanent and was used as an agricultural shed.

b) The reuse or conversion would maintain or enhance the form, character and architectural features, design and setting of the existing building and not have an adverse effect on the character or appearance of the locality.

8.22 The proposal entails minimum external alterations to the existing building so there are no concerns visually with this development. The proposal maintains the form, character and design of the existing building. The proposed conversion will not harm the character or appearance of the locality from a visual perspective.

c) Any new extensions are sympathetic to the scale, massing and architectural style and finishes of the existing building.

8.23 No extensions are proposed for this development.

d) The reuse or conversion would not unduly affect the amenities of nearby residents or adversely affect the continued agricultural use of adjoining land or buildings

8.24 The proposed conversion will not affect neighbouring residential amenity as the proposal is utilising an existing building with no extensions and due to separation distances. The proposal would not affect the continued agricultural use of adjoining land or buildings.

e) The nature and scale of any proposed non-residential use is appropriate to a countryside location.

8.25 The proposal includes change of use of existing shed to farm & equestrian (including animal feed) suppliers. This type of use, the scale of the business and the size of the building in which it is proposed is not deemed suitable for a countryside location as it is regarded more appropriate for the town centre. The proposal therefore fails this criterion. For a further detailed

assessment of this proposed use see sub-heading “Retailing”.

f) All necessary services are available or can be provided without significant adverse impact on the environment or character of the locality

8.26 Existing services are available or can be provided without impacting upon the environment or locality. NI Water, Environmental Health and DAERA: Water Management Unit have no objections to the proposal.

g) Access to the public road will not prejudice road safety or significantly inconvenience the flow of traffic.

8.27 The proposal will be accessed via an existing lane from the Castlecatt Road. DFI Roads was consulted in relation to this application and express no objections.

The Setting of Settlements

8.28 Policy CTY 15 of PPS 21 advises planning permission will be refused for development that mars the distinction between a settlement and the surrounding countryside or that otherwise results in urban sprawl.

8.29 The application site is approx. 100m from the Bushmills settlement limit with an agricultural field inbetween. The building for conversion is within an existing farm complex so there will be no sprawl that would affect the existing relationship between the town of Bushmills and the countryside. The proposed development will not mar the distinction between the settlement and countryside and so complies with this policy.

Sewerage

8.30 Policy CTY 16 of PPS 21 advises planning permission will only be granted for development relying on non-mains sewerage, where this will not create or add to a pollution problem.

8.31 It is intended that surface water be disposed of via soakaways and the foul sewage disposed of via a septic tank. This proposed development will continue to use the existing foul

water connection and septic tank. Environmental Health have no objections and DAERA: WMU has considered the impacts on the surface water environment and is content with the proposal. There is an existing domestic discharge consent for the discharge of foul sewage to a septic tank at this address. However, the applicant should be aware this consent may need to be reviewed if any aspect of this consent is altered ie. The septic tank/soakaway is moved to accommodate the new development, there is an increase in the volume of effluent discharged or to reflect a change in the ownership of the consented premises. The applicant should refer and adhere to DAERA Standing Advice on Discharges to the Water Environment.

Retailing

- 8.32 The aim of the SPPS with regard to the countryside is to manage development in a manner which strikes a balance between protection of the environment from inappropriate development, while supporting and sustaining rural communities consistent with the RDS.
- 8.33 The SPPS has sustainable development at its heart and provides a strategic overview for a wide range of planning matters. Paragraph 6.270 advises the aim of the SPPS is to support and sustain vibrant town centres through the promotion of established town centres as the appropriate first choice location of retailing and other complementary functions consistent with the RDS. The SPPS advises Town centre uses should have diversity such as leisure, cultural and community facilities as well as housing and business.
- 8.34 The proposal entails change of use of an existing shed to farm and equestrian (including animal feed) suppliers. Land uses surrounding the application site is an agricultural field; Ballyness Caravan Park; farm yard and residential dwellings. The proposal is for the conversion of an existing shed with minimal alterations. The closest neighbouring residential properties are located south of the site. There are no residential amenity concerns to these dwellings from this development given separation distances and Environmental Health have no objections.

- 8.35 Paragraph 6.279 of the SPPS states “Retailing will be directed to town centres and the development of inappropriate retail facilities in the countryside must be resisted. However, as a general exception to the overall policy approach some retail facilities which may be considered appropriate outside of settlement limits include farm shops, craft shops and shops serving tourist or recreational facilities. Such retail facilities should be required to be located within existing buildings. 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.”
- 8.36 The proposal entails change of use of an existing shed to farm and equestrian (including animal feed) suppliers but this is not specifically mentioned as being an example of appropriate retail facilities in the countryside in paragraph 6.279 of the SPPS.
- 8.37 A recent appeal decision (Reference 2019/A0240) grants planning permission for a Restrospective application for conversion of existing building to shop at 77m NE of 15 Isle Road, Macosquin which is considered relevant to the assessment of this application. The use of the shop approved under this appeal related to equestrian activities with the fitting of saddles, rugs bridles, feed and shavings. The PAC advised the use of the word “include” in Paragraph 6.279 of the SPPS suggests that there may be other types of retailing activities that are also exceptions to the overall thrust of the SPPS to direct retailing to town centres and resist the development of inappropriate retail facilities in the countryside and the appeal proposal is one such exception. The PAC determined that bringing horses to an urban environment for saddle fitting could be upsetting to them and counterproductive. It was concluded the shop was offering a valuable service to the equestrian community and that the combination of what is offered is a retail service appropriate in the rural area. As it is a retail activity appropriate in the rural area the sequential test referred to in Paragraph 6.280 is not required. The appeal proposal did not have an adverse impact on the vitality and viability of an existing centre within the catchment. The appeal proposal was also located within an existing building in accordance with the SPPS. The PAC granted planning permission subject to a condition restricting the goods sold to relate solely to equestrian activities.

- 8.38 This proposal is for farm and equestrian (including animal feed) suppliers in a countryside location. The agent has advised a large proportion of sales will be bulky animal feeds and fertilisers which may be delivered by goods vehicle. An email received from the agent on 11/01/2021 advised the bulky items (feed, bedding) need more space for storage, forklift truck access etc under cover and the existing building has space (and internal height) for this. These larger items (generally bagged and palletised) need to be collected by customers typically using tractors, trailers, cars towing trailers and horse trailers/boxes, so accessibility right up to the building is important. A plan was submitted showing Zones A-D with a detailed list of items for potential sale and storage. The range of goods from dog and cat food to clothing, feed, fencing, see the plan on the last page of this report for more details.
- 8.39 The appeal proposal LA01/2019/0156/F has been detailed on the floorplan for comparison purposes. The appeal floor space is less than a quarter of the proposed floorspace. The provision of this application is as a general agricultural merchants.
- 8.40 It is noted that planning permission was previously granted under E/2000/0443/F for Change of use from redundant farm buildings to builder's suppliers including retail outlet and storage at this site. Whilst this is a material consideration in relation to the proposal, this previous planning permission has expired as no commencement of development occurred. The SPPS was published in September 2015 so the policy context has changed since this previous planning decision.
- 8.41 The proposal for change of use is wholly contained within an existing building which is in accordance with Paragraph 6.279 of the SPPS. However, the proposal is considered unacceptable in this countryside location as it is not considered to be an exception of an appropriate retail facility in accordance with Paragraph 6.279 of the SPPS. This is due to the large scale of the new business use with an extensive variety of goods being proposed for sale as detailed on the recent plan submitted. The proposal is large in scale as it has a total floor space of approx. 519m² with the public display Area/Counter being approx. 113m². This is not comparable to the appeal decision application LA01/2019/0156/F as it had a much smaller floor space of approx. 93m². This proposal is considered to have an adverse impact on the vitality

and viability of an existing centre within the catchment because this type of large scale retailing is more suitable for a town centre location. The proposal is therefore considered unacceptable under the requirements of the SPPS relating to “Town Centres and Retailing”.

- 8.42 In close proximity to this site Appeal ref: 2019/A0219 : Commercial vehicle sales yard and office with alteration to an existing access & creation of a new access onto Haw Road, Approximately 40m east of No.204 Straid Road, Bushmills. This appeal was dismissed for an extension to the an existing car sales, on the grounds that: its failed to accord with the town centre approach of the SPPS, failed to carry out the sequential approach or represents an exceptional use in the countryside and has not demonstrated that it would not have an unacceptable adverse impact on the vitality and viability of the existing towns in its catchment.

Archaeology

- 8.43 Consultation occurred with HED: Historic Monuments and their response indicated no objections as the proposal is satisfactory to SPPS and PPS 6 archaeological policy requirements.

Access and Parking

- 8.44 Planning permission will only be granted provided the proposal does not prejudice road safety or significantly inconvenience the flow of traffic. The proposal will be accessed via an existing lane from the Castlecatt Road. 9 No. customer parking spaces, 3 No. disabled parking spaces and 1 lorry space is proposed for this development with turning areas. DFI Roads was consulted in relation to this application and have no objections subject to a condition and informatives.
- 8.45 The proposal is acceptable in terms of the access and the car parking provision for this development. The proposal complies with Policy AMP 2 of PPS 3.

Natural Heritage

- 8.46 The application site consists of hard standing with an existing structure. DAERA: NED was consulted and advised their comments are made on the basis that the change of use will be solely for Farm and Equestrian suppliers. No other livestock will be housed or based within the shed. Due to the nature of the development, the distance to the designated sites of c. 3.8km and provided a minimum buffer of 10m is applied to any watercourse throughout all phases of development and there is no untreated discharge to any watercourse or soakaway, there will be no likely significant impacts from the development on designated sites.
- 8.47 The existing structure is a twined elliptical roofed structure with a rectangular footprint. The walls are composed of concrete with upper sections made from corrugated sheet steel which matches the curved roofs. NED consider this type of roof to have negligible potential for roosting bats. No major restructuring of the building is to take place with the exception of the addition of a new entrance for customers. NED has no concerns that this proposal would impact upon designated sites and other natural heritage interests.
- 8.48 SES was consulted and advised having considered the nature, scale, timing, duration and location of the project it is concluded that further assessment is not required because it could not have any conceivable effect on the selection features, conservation objectives or status of any European Site.
- 8.49 The proposal complies with Policies NH 1, 2 & 5 of PPS 2 in light of the above assessment.

Habitats Regulations Assessment

- 8.50 The potential impact of this proposal on Special Areas of Conservation, Special Protection Areas and Ramsar sites has been assessed in accordance with the requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc) Regulations (Northern Ireland) 1995 (as amended). The proposal would not be likely to have a significant effect on the features, conservation objectives or status of any of these sites.

9.0 CONCLUSION

- 9.1 The proposal is considered unacceptable at this location having regard to the Northern Area Plan 2016 and other material considerations. The proposal does meet policy requirements under the SPPS for appropriate retail facilities in the countryside and has not demonstrated that it would not have an adverse impact on a town centre in its catchment; it does not satisfy farm diversification policy requirements; and the scale and nature of the proposed use is not suitable for a countryside location. Refusal is recommended.

10.0 REFUSAL REASONS

1. The proposal is contrary to Paragraph 6.73 of the SPPS and Policy CTY 1 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 Paragraph 6.73 of the SPPS and criteria (a) and (b) of Policy CTY 11 of PPS 21 “Sustainable Development in the Countryside” in that the farm business is not currently active and the proposed use is not appropriate to its location in terms of scale.
3. The proposal is contrary to Paragraph 6.73 of the SPPS and criteria (e) of Policy CTY 4 of PPS 21 “Sustainable Development in the Countryside” in that, the building is not a suitable locally important building and the nature and scale of the proposed use is not appropriate to a countryside location.
4. 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.

Site Location Map & Block Plan



