

From: [REDACTED]
Sent: 15 September 2021 12:15
To: Planning
Subject: RE: LA01/2020/1170/F BRAVALLEN ROAD, BALLYMONEY - PLANNING REFERRAL

Afternoon

Please find detailed below, planning reasons which I would like considered in order to have this planning application referred to the planning committee

LA01/2020/1170/F

PROPOSED FARM DWELLING AT BRAVALLEN ROAD BALLYMONEY

This application is for a dwelling on a farm. It has been recommended for refusal because it has not been demonstrated it complies with CTY10; it would create a ribbon along a lane; and it would result in loss of rural character.

This is a case which merits consideration by Committee for the following principal reasons:

i) PPS21 allows active and established farm businesses to obtain permission for a dwelling under criteria a of CTY10. The DAERA response confirms that this business has been in existence for more than 6 years. It meets the primary requirement.

ii) The applicant has confirmed that part of the farm has been let in conacre. Whilst SFP has not been claimed a number of fields have been retained. Clearly, the farm business has ensured that all of the land has been kept in good agricultural and environmental condition. The COR even notes that *'there is reasonable evidence of some farming activity relating to the land retained by the applicant'*. The proposal therefore meets the *'active and established'* test.

iii) the COR concern is that the proposed site is on land which has been let in conacre. This is not in dispute. However CTY10 refers to a *'dwelling on a farm.'* There is nothing to say that a new dwelling cannot be on land which has been let in conacre. This land remains owned by the farm business, and it is clearly part of the farm holding. Conacre arrangements are only temporary and have to be renewed year on year. The policy does not prohibit a farmer from locating a dwelling anywhere on his holding, subject to the other policy considerations. The COR's narrow interpretation is a material planning consideration which merits further exploration.

iv) the COR accepts no dwellings or sites have been sold off, so criteria (b) is met.

v) Criteria c requires a new dwelling to cluster with a group of buildings on the farm. There are two farm buildings beside the site selected. One of these has been present and owned by the applicant for many years, the other is more recent. The recent building is within 75 metres of the existing building, and is permitted development under Part 7 of the Planning (General Permitted Development) NI Order as it is reasonably necessary for farming purposes. The applicant is not compelled to have a Lawful Certificate for this building if he chooses not to apply for one.

v) it should be noted that the Permitted Development requirements do not need a building to be beside *the* principal group of buildings as stated by the COR, but beside a principal group of buildings. Furthermore, whilst the first farm building requires planning permission, there is no such restriction upon a second building.

vi) Criteria c does not compel an applicant to use an existing lane. The shared lane is not practicable, and the proposed lane will in any case be well integrated.

vii) In relation to character and ribbon development, the site is well back from the public road. There are numerous PAC decisions which state that if the dwelling meets the CTY10 requirements then this is the primary policy consideration.

Overall, it is considered that there are important planning considerations here which merit discussion at Planning Committee.

Regards

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