



Title of Report:	Planning Committee Report - LA01/2021/0756/F
Committee Report Submitted To:	Planning Committee
Date of Meeting:	23rd November 2022
For Decision or For Information	For Decision – Referred by Alderman Mark Fielding

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:

App No: LA01/2021/0756/F Ward: Giant's Causeway

App Type: Full Planning

Address: Approximately 25m South of 23 Causeway Road, Bushmills.

Proposal: Retention of existing toilet facilities associated with open farm.

Con Area: N/A Valid Date: 22.06.2021

Listed Building Grade: N/A Target Date: 05.10.2021

Agent: 2020 Architects, 49 Main Street, Ballymoney. BT53 6AN

Applicant: Christopher Lynch, 19 Causeway Road, Bushmills. BT57 8SU

Objections: 0 Petitions of Objection: 0

Support: 0 Petitions of Support: 0

Executive Summary

- Full planning permission is sought for the retention of existing toilet facilities on the site.
- The site is located in the countryside within the Distinctive Landscape Setting of the Giant's Causeway and Causeway Coast World Heritage Site as well as within the Causeway Coast Area of Outstanding Natural Beauty (AONB).
- The principle of development is considered unacceptable, as it does not fall within the 3 specified circumstances permitting development set out within Policy COU 4 of the Northern Area Plan 2016 and is therefore contrary to this Policy.
- The retention of the toilet facilities would result in an adverse impact on the setting of the World Heritage Site given the addition of a further building on this site, and the encompassing area of concrete hardstanding. The proposal is contrary to Policy BH 5 of PPS 6.
- It has not been demonstrated that the proposal cannot be accommodated through the conversion or reuse of existing buildings and the proposal is contrary to Policy TSM 2 of PPS 16.
- The existing development overall appears unduly prominent in the landscape and is detrimental to rural character due the extent of hard landscaping on what is an elevated and relatively public setting within the countryside. The proposal fails to comply with Policy CTY 14 of PPS 21.
- The application is recommended for Refusal.
- Reasons for Referral by elected member are attached as an annex to this report.

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

1 RECOMMENDATION

- 1.0 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 Causeway Fun Farm, 19 Causeway Road, Bushmills. The site as delineated by the red line is irregular in shape and contains an existing timber toilet block erected on an area of concrete all within a large hardcore area which is accessed via a concrete laneway serving several neighbouring properties. The lane way is defined on both sides by established hedgerows with the existing northern and southern boundaries being established by timber post and rail fencing together with sporadic areas of vegetation. The north-eastern boundary is defined by an existing large agricultural shed with the remaining south-eastern boundary being undefined and open to the hardcore yard area. The structure occupies an elevated position in relation to the surrounding land, with the existing topography falling gradually down towards the public road.
- 2.2 The property is located approximately 300m along an existing concrete laneway on the eastern side of Causeway Road, in close proximity to its southern junction with Runkerry Road and approximately 2.6km north of Bushmills. The surrounding area is rural in character, comprising of residential dwellings, farm holdings, and agricultural land.
- 2.3 The site is deemed to be within the countryside being outside any defined development limits and is located within the Causeway Coast Area of Outstanding Natural Beauty. The site is also situated within the Distinctive Landscape Setting of the Giant's Causeway and Causeway Coast World Heritage Site

(designation COU 3) as indicated by Map No's. 5 and 5/16 of the Northern Area Plan.

3.0 RELEVANT HISTORY

- 3.1 LA01/2016/1514/F - 19 Causeway Road, Bushmills. Farm Diversification for an "Open Farm" to include an education exhibition area, animal petting areas, a farm cafe, a party room and activity area, milking viewing area and associated toilets and car parking.
Permission granted - 23.01.2019

4.0 THE APPLICATION

- 4.1 The application seeks retrospective planning permission to retain the existing toilet facilities which are used in association with the open farm.

5.0 PUBLICITY & CONSULTATIONS

External:

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

Internal:

NIEA WMU: 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

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)

Planning Policy Statement 6: Planning, Archaeology and the Built Heritage

Planning Policy Statement 16: Tourism

PPS 21: Sustainable Development in the Countryside

A Planning Strategy for Rural Northern Ireland

8.0 CONSIDERATIONS & ASSESSMENT

8.1 The main considerations in the determination of this application relate to: Principle of Development, The Protection of World Heritage Sites, Extension of an Existing Tourist Amenity, and Rural Character.

Planning Policy

- 8.2 The proposal must be considered having regard to the Northern Area Plan 2016, SPPS, PPS policy documents and supplementary planning guidance specified above.

Principle of Development

- 8.3 The application site is located in the countryside and is within the Distinctive Landscape Setting (DLS) of the Giant's Causeway and Causeway Coast World Heritage Site (WHS), Designation COU 3 in The NAP 2016. The site is also located within the Causeway Coast AONB.
- 8.4 Paragraph 6.6 of the SPPS states that development that would adversely affect the Outstanding Universal Value of a World Heritage Site (WHS) or the integrity of its setting must not be permitted unless there are overriding exceptional circumstances.
- 8.5 Paragraph 6.7 of the SPPS states that the inclusion of a WHS on a list published by UNESCO highlights the outstanding international importance of the site as a material consideration in the determination of planning and listed building consent applications, and appeals. Planning authorities must carefully consider applications affecting the Outstanding Universal Value of such sites, particularly taking into account the safeguarding of critical views to and from the site, the access and public approaches to the site and the understanding and enjoyment of the site by visitors.
- 8.6 Policy COU 4 of the Northern Area Plan 2016 applies to this development. No development within the Distinctive Landscape Setting outside of settlement development limits will be approved except:
1. Exceptionally modest scale facilities, without landscape detriment, which are necessary to meet the direct needs of visitors to the World Heritage Site;
 2. Extensions to buildings that are appropriate in scale and design and represent not more than 20% of the cubic content of existing buildings;
 3. Replacements of existing occupied dwellings with not more than a 20% increase in cubic content.

These allowances will be permitted once only.

- 8.7 This is a retrospective application and relates to the retention of existing toilet facilities in association with Causeway Fun Farm. An existing parking/turning area is shown on the block plan which is denoted on the ground by an area of concrete hardstanding. The original approval for the Open Farm included the provision of toilet facilities within the existing buildings. The proposal does not relate to the extension of a building and is not for the replacement of an existing occupied dwelling. Criteria 1 is therefore relevant for consideration in this case.
- 8.8 While the toilet facility is in association with Causeway Fun Farm, it does not provide a facility which is necessary to meet the direct needs of visitors to the World Heritage Site. The Fun Farm is a distinguishable use from the World Heritage Site.
- 8.9 Policy COU 4 is clear that 'no development' shall be permitted except for the specified exceptions. The proposal does not meet any of the specified exceptions and is therefore contrary to Policy COU 4 of the Northern Area Plan 2016. No additional supporting information has been received regarding the need for this development at this location. The principle of development on the site is therefore not acceptable.

The Protection of World Heritage Sites

- 8.10 Policy COU 4 of the Northern Area Plan is complimented by Policy BH 5 of Planning Policy Statement 6. Policy BH 5 requires a presumption in favour of the preservation of World Heritage Sites. Development which would adversely affect such sites or the integrity of their settings will not be permitted unless there are exceptional circumstances.
- 8.11 No exceptional circumstances have been demonstrated to support the need for this proposal. The retention of the toilet facilities would result in an adverse impact on the setting of the World Heritage Site given the addition of a further building on this site, and the encompassing area of concrete hardstanding. Notwithstanding the location of the toilet facilities adjacent to a large agricultural shed, it appears incongruous within this sensitive landscape setting. The proposal is contrary to Policy BH 5.

Extension of an Existing Tourist Amenity

- 8.12 The proposal relates to the extension of an existing Tourist Amenity, the Open Farm, and as such the relevant section of Policy TSM 2 applies. Policy TSM 2 states that a proposal for the extension of an existing tourist amenity will be permitted where the scale and nature of the proposal does not harm the rural character, landscape quality or environmental integrity of the local area. Where possible, such proposals will be expected to be accommodated through the conversion, reuse or extension of existing buildings on site, unless it can be demonstrated that this is not a feasible option. In circumstances where the planning authority accepts a new or replacement building it should be sited and designed so as to integrate with the overall development. Any conversion, extension or new building should respect the scale, design and materials of the original building(s) on the site and any historic or architectural interest they may have.
- 8.13 The proposal seeks the retention of existing toilet facilities located within a large area of hardstanding used for parking along the prominent frontage of the site. Despite the relatively small scale of the structure, no supporting information has been provided to demonstrate why the toilet facilities cannot be provided within one of the existing farm buildings. An additional building results in a detrimental impact on the rural character within this sensitive landscape. As set out in Paragraph 8.7, the original planning permission for the fun farm included the provision of toilet facilities within existing buildings. The proposal fails to comply with Policy TSM 2 of PPS 16.

Rural Character

- 8.14 Both the SPPS and PPS21 outline that all development in the countryside is required to integrate into its setting, respect rural character and be appropriately designed.
- 8.15 Despite the relatively small scale of the structure, the retention of the building would cause a detrimental change to the character of this sensitive landscape. Given the detrimental impact on rural character, the proposal is contrary to Paragraph 6.70 of the SPPS and Policy CTY14 of PPS21.

Sewerage

- 8.16 As the proposal is to use a septic tank (non mains sewerage), NIEA Water Management Unit were consulted. They are content, subject to reference to their Standing Advice.

Habitats Regulations Assessment

- 8.17 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 unacceptable in this location having regard to the Northern Area Plan 2016 and other material considerations including the SPPS. The proposal is located within the Distinctive Landscape Setting of the Giant's Causeway World Heritage Site and identified under Designation COU 3 of the Northern Area Plan 2016, and does not fall within the exceptions for development as set out in Policy COU 4. It has not been demonstrated that the proposal could not be accommodated through conversion or reuse of an existing building. In addition, the proposal would harm rural character. Refusal is recommended.

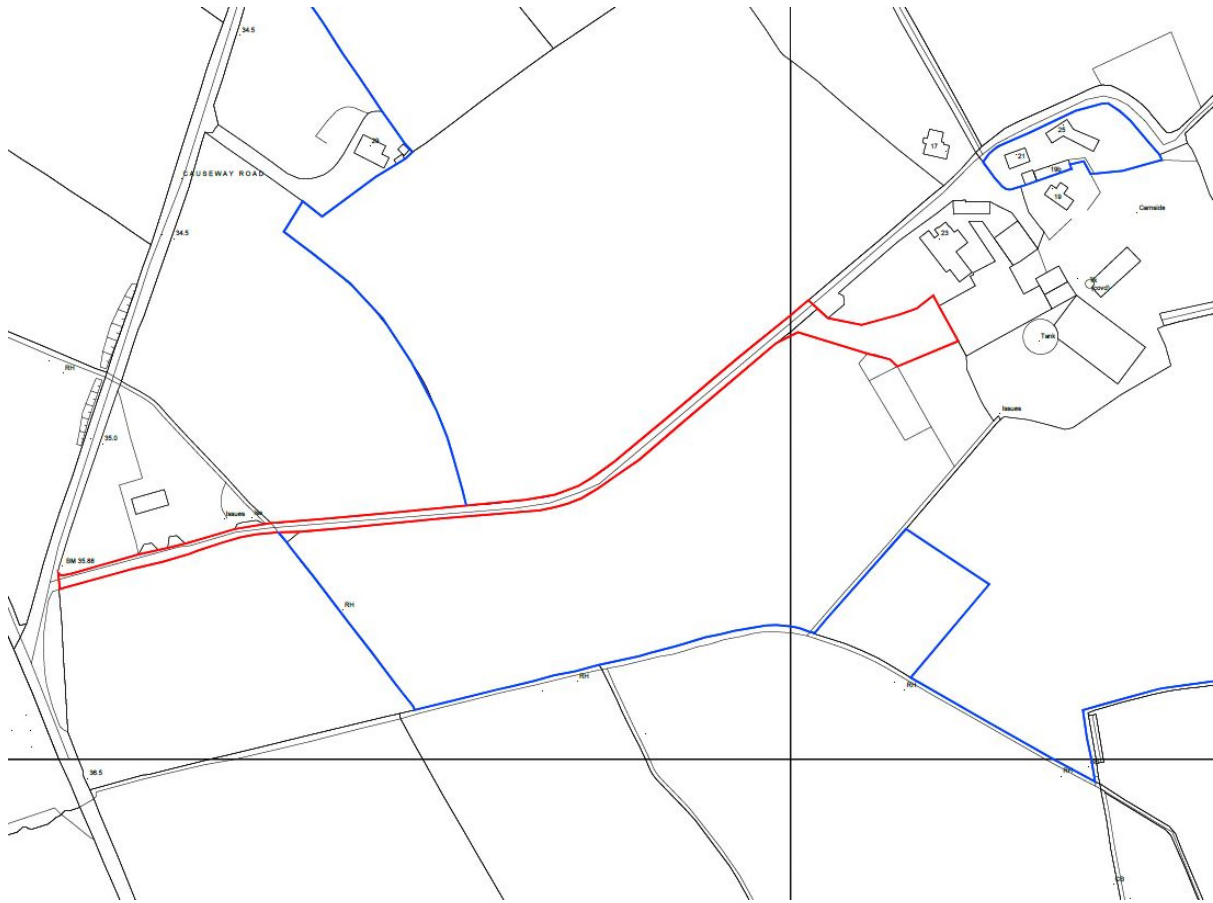
10.0 Reasons for Refusal

1. The proposal is contrary to paragraph 6.73 of the Strategic Planning Policy Statement for Northern Ireland and Policy COU 4 of the Northern Area Plan 2016 in that; the site lies within the Distinctive Landscape Setting of the Giant's Causeway and Causeway Coast World Heritage Site. The proposal does not qualify as an exception and therefore does not justify a relaxation of the strict planning controls on this area.
2. The proposal is contrary to paragraph 6.73 of the Strategic Planning Policy Statement for Northern Ireland and Policy BH 5 of Planning Policy Statement 6 Planning, Archaeology and the Built Heritage, in that; the site would adversely

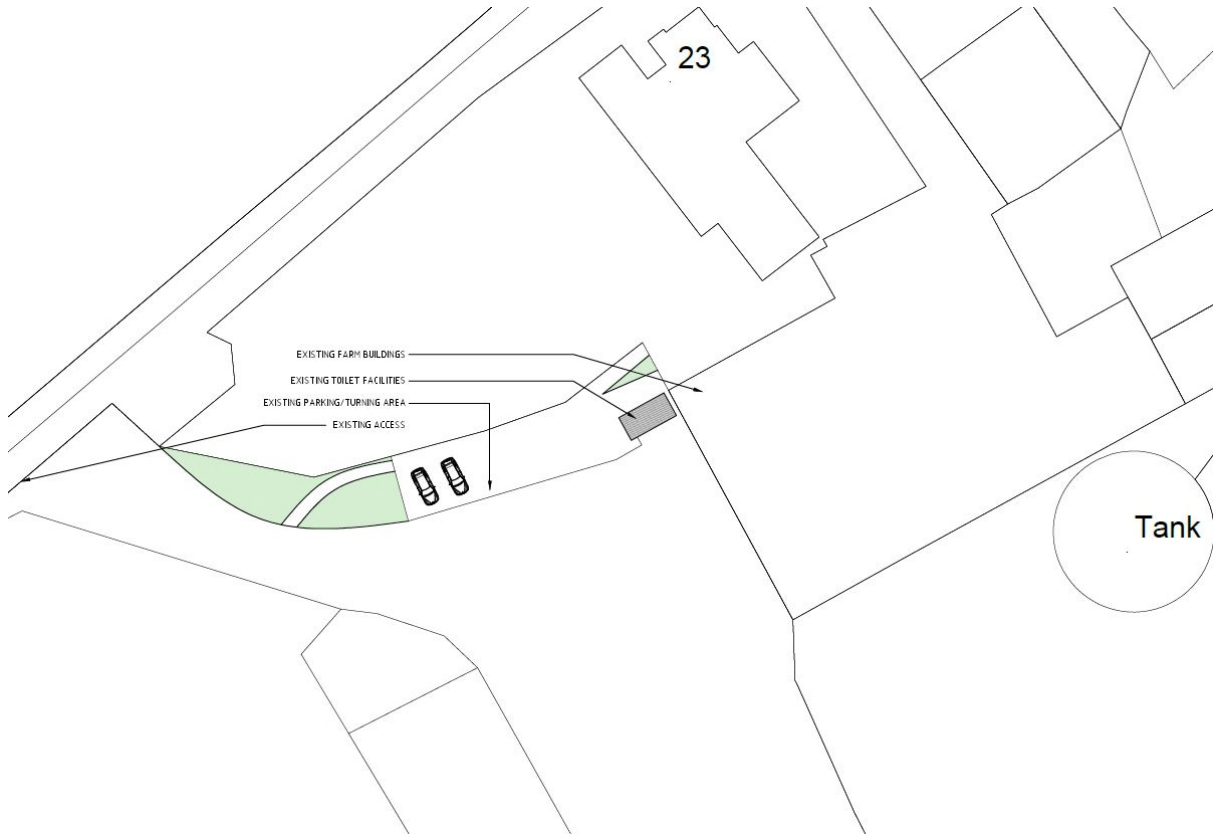
impact the integrity and setting of the Giant's Causeway and Causeway Coast World Heritage Site, and there are no exceptional circumstances to justify a relaxation of the strict planning controls on this area.

3. The proposal is contrary to paragraph 6.260 of the Strategic Planning Policy Statement for Northern Ireland and Policy TSM 2 of Planning Policy Statement 16 Tourism in that; it has not been demonstrated that the proposal cannot be accommodated through the conversion or reuse of existing buildings and the retention of the new building would harm the rural character of this area.
4. The proposal is contrary to paragraph 6.70 of the SPPS Planning for Sustainable Development Policy CTY 14 of PPS 21, Sustainable Development in the Countryside as it has not been demonstrated that the proposal will not be unduly prominent in this sensitive landscape, and the ancillary works do not integrate with their surroundings and would damage rural character.

Site Location Map



Site Block Plan



Annex 1

From: Mark Fielding
Sent: 26 November 2021 12:00
To: Planning; Joan Baird; Denise Dickson
Subject: LA01/2021/0756/F

LA01/2021/0756/F - Retention of existing toilet facilities associated with open farm Approximately 25m South of 23 Causeway Road Bushmills.

I wish to refer the above application to the Planning Committee for the following reasons :

The existing toilet facilities are an extension to the farm facilities which I understand is allowed for under Policy COU4 provided they are no more than 20% of the cubic content of the existing buildings. The toilet block is small in comparison to the existing farm complex and under 20%. The building is clad in natural timber which is sympathetic to the surroundings and when viewed from all public vantage points, the proposal blends with the existing buildings with no impact on the landscape.

When the open farm is complete Grasscrete will be used on the hardstanding area to the front of the farms sheds.

Visitors to the World Heritage Site will also be able to visit the Open Farm. The toilets are intrinsic to the large working farm and for the additional seasonal farm workers.

Yours,

Mark

Alderman M Fielding