

Title of Report:	Planning Committee Report – LA01/2022/0239/F
Committee Report Submitted To:	Planning Committee
Date of Meeting:	29th May 2024
For Decision or For Information	For Decision – Referred Item by Alderman John McAuley
To be discussed In Committee YES/NO	NO

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	Development Management and Enforcement Manager

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

Legal Considerations	
Input of Legal Services Required	NO
Legal Opinion Obtained	NO

Screening Requirements	Required for new or revised Policies, Plans, Strategies or Service Delivery Proposals.
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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>No:</u>	LA01/2022/0239/F	<u>Ward:</u>	PORTRUSH AND DUNLUCE
<u>App Type:</u>	Full Planning		
<u>Address:</u>	Land approx 60m SE of 190 Coleraine Road, Portstewart		
<u>Proposal:</u>	Retention of existing sectional portable unit for proposed farm diversification Airbnb accommodation		
<u>Con Area:</u>	No	<u>Valid Date:</u>	25.02.2022
<u>Listed Building Grade:</u>	N/A		
Agent:	RD Arch Design Services, 28 Glenloch Park, Coleraine, BT52 1TY		
Applicant:	Mr James Atchinson Moore, 190 Coleraine Road, Portstewart, BT55 7LP		
Objections:	0	Petitions of Objection:	0
Support:	0	Petitions of Support:	0

Executive Summary

- A full planning application seeking the Retention of existing sectional portable unit for proposed farm diversification Airbnb accommodation
- The site is located outside the Coleraine Settlement Development Limit as designated within the Northern Area Plan 2016. The site is located within Causeway Coast Area of Outstanding Natural Beauty.
- No concerns have been raised by any consultee.
- The proposal relates to the retention of existing sectional portable unit for proposed farm diversification Airbnb accommodation. The proposed scale, design and character of the development is inappropriate for both the location in a rural location and an Area of Outstanding Natural Beauty. The proposal is considered to be contrary to the SPPS, PPS 2 and PPS 21 and is recommended for refusal.
- The application is recommended for refusal.

Drawings and additional information are available to view on the Planning Portal- <https://planningregister.planningssystemni.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** planning permission subject to the refusal reasons set out in section 10.

2 SITE LOCATION & DESCRIPTION

- 2.1 The application site is located at lands approximately 60m south east of No. 190 Coleraine Road, Portstewart. The site comprises an existing laneway accessing onto Portstewart Road for which the applicant is indicated to have a right of way of a section. There are a number of dwelling houses accessed off this laneway. These dwellinghouses are primarily two storey properties. On the application site itself is a flat roof, square formed portacabin surrounded by a mixture of grass and hardstanding. The curtilage of this portacabin is defined by a post and wire fence.
- 2.2 Further to the northwest is a farm holding associated with the proposal. This holding comprises a dwelling house and outbuildings located to the west and northwest.
- 2.3 The area is rural with residential and agricultural uses predominating.

RELEVANT HISTORY

LA01/2021/0271/O – Site approx. 100 metres south-east of existing farmhouse at 190 Coleraine Road, Portstewart, BT55 7PL – Proposed site for farm dwelling and garage – Permission Granted – 16 June 2021

LA01/2022/0250/RM – Site approx. 100m SE of existing farmhouse at 190 Coleraine Road, Portstewart – Proposed dwelling and detached garage – Permission Granted – 29 April 2022

3 THE APPLICATION

- 3.1 This is a full application seeking the retention of existing sectional portable unit for proposed farm diversification Airbnb accommodation.

3.2 The proposal was amended from the initial submission and now seeks a temporary planning permission for a period of 3 years so as to assess the market for tourist farm diversification on the holding.

4 PUBLICITY & CONSULTATIONS

5.1 External:

Six neighbours were notified. No representations were received.

5.2 Internal:

DFI Roads: No objections

Environmental Health: No objections.

DAERA - Coleraine: No objections

DAERA Water Management Unit: No objections.

NI Water: 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:

- 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)

Planning Policy Statement 2: Natural Heritage

Planning Policy Statement 3: Access, Movement and Parking

Planning Policy Statement 21: Sustainable Development in the Countryside

Building on Tradition

8.0 CONSIDERATIONS & ASSESSMENT

- 8.1 The proposal is located within the rural area just outside the Portstewart Settlement Development Limit.

The main considerations in the determination of this application relate to: principle of development, design, integration and rural character, built and natural heritage, water and sewerage, access and amenity.

Principle of Development

- 8.2 The proposal relates to the retention of a sectional portable unit for proposed farm diversion Airbnb accommodation.
- 8.3 As the proposal relates to farm diversification it falls to be considered under Policy CTY 11 of PPS 21.
- 8.4 Policy CTY 11 requires the farm business be currently active and established. Farm maps from 2021 were submitted which indicates the application site to be located on a field under their business number.
- 8.5 DAERA were consulted and advised that the farm business ID has been in existence for more than 6 years, payments were claimed for

each of the last 6 years and the application site is on land for which payments are currently being claimed by the farm business.

- 8.6 On this basis, the farm business is considered to be active and established.
- 8.7 The proposal seeks to retain an existing portable unit for usage as holiday accommodation.
- 8.8 The agent outlined in their supporting letter the intention to submit the application as a temporary permission. Following the completion and publication of the report an amended form was submitted indicating the proposal seeking a temporary permission for 3 years so as to ascertain the market for tourist accommodation on the holding.
- 8.9 Policy CTY 11 outlines that proposals will only be acceptable where they involve the re-use or adaptation of existing farm buildings. The proposal relates to a pre-fabricated building which is not a farm building.
- 8.10 Policy CTY 11 outlines an exception for a new building where there is no existing building to accommodate the proposed use, either because they are essential for maintenance of the existing farm enterprise, are clearly unsuitable for adaptation and re-use or cannot be adapted to meeting the requirements of other statutory agencies.
- 8.11 Comment was sought from the agent in relation to the exception test. The agent advised that they toured the farm yard on 8th September 2022 and that all farm buildings were being fully utilised by the farming enterprise.
- 8.12 From site visit it was noted that the existing buildings comprised a dwelling with outbuildings which were being utilised either for agricultural storage of parts and machinery or housing cattle.
- 8.13 The exception for a new building is accepted on this basis.

Design, Integration and Rural Character

- 8.14 The structure on site comprises a single storey prefabricated building. It has a flat roof and is small in both scale and massing, it has a height of 3.3 metres from ground level and footprint of 84 square metres. Accommodation comprises a living room, kitchen/dining room, two bedrooms with one dressing room, bathroom and storage. A patio wraps around the southwestern side of the unit. It

has a grey textured render with white upvc windows/doors and rainwater goods.

- 8.15 The site is currently bound by a post and wire fence with a hardcore driveway located to the eastern side of the unit.
- 8.16 The proposal includes plans to provide a boundary hedge planted to the inner side of fencing. Boundary hedge is indicated to consist of hawthorn and beech at 3 plants per metre double row planting. The external finishes are also indicated to be updated to be timber cladding on walls and sills and roof design changed to a shallow pitched roof.
- 8.17 Policy CTY 11 requires where a new building is justified it stated that it should be satisfactorily integrated with an existing group of buildings.
- 8.18 New buildings are required to be integrated with an existing group of buildings. Under application LA01/2021/0271/O the principle of a new dwelling was established on land adjoining the site to the east under Policy CTY 10 which requires visual linkage and consideration of integration and rural character. The application site for this proposal is located closer to the existing farm dwelling and outbuildings. Consequently, the prefabricated building is considered to be satisfactorily integrated with an existing group of buildings.
- 8.19 Policy CTY 11 requires the consideration of the character and scale appropriate to its location and that it will not have an adverse impact on the natural or built heritage.
- 8.20 Concerns have been raised in relation to the design and materials of the sectional building with the guidance of Building on Tradition referred. The agent has outlined that this document refers to permanent buildings and not to temporary buildings.
- 8.21 The proposal has been amended to seek a temporary permission for 3 years. The guidance within Building on Tradition is directly relevant to the design characteristics of the AONB and the PAC appeal decision 2022/E0009 relating to this particular building considers it not to be temporary. It is acknowledged that the building is moveable but that an application for a temporary permission can be made if the building is not of temporary construction.
- 8.22 Following comments within the DMO report, the proposal has been amended to also include a shallow pitched roof.

- 8.23 The roof pitch indicated is not in keeping with the design of the buildings in the area and the issues of the buildings scale and design including its height/proportions remain unaddressed.
- 8.24 The application site is located over 540 metres from Portstewart Road. The landform from the road falls away resulting in views being very limited from this location. However, there are public views on approach along the laneway serving the proposal where the building will come into view. These views will be from users of the proposal and other properties along the laneway.
- 8.25 The update of the materials to cladding, change of the roof design and the planting proposed is not considered to outweigh the visual impact and availability of views. It is acknowledged that planning history LA01/2021/0271/O has considered views in association with the dwelling approved. However, the consideration of this dwelling is not considered to be comparable to this building on the basis of its scale, massing and design.
- 8.26 The proposal has been amended to be temporary but it is considered that the acceptance of this design at this stage would create a negative precedent in terms of the design proposed for any future application for a permanent development on site.
- 8.27 Although the proposal is reliant on new landscaping given most boundaries are a post and wire fence, it is considered that the site characteristics are not dissimilar to that considered under LA01/2021/0271/O in terms of integration. This is mainly due to the presence of the hedgerow along the laneway to the front of the unit. The unit is not considered to be a prominent feature in the landscape. However, the design of the building is inappropriate for the site and locality and results in a suburban style build up when views in context of the approved buildings adjoining the site and existing buildings to the west.
- 8.28 The site is located within Causeway Coast AONB and also falls to be considered under Policy NH 6 of PPS 2.
- 8.29 Policy NH 6 outlines three criteria to be met for new buildings located within an AONB relating to siting scale sympathetic to the character of the AONB, the respect or conservation of features of importance to the character, appearance or heritage of the landscape and respect for local architectural styles and patterns, traditional boundary details by retaining features such as hedges, walls, trees and gates and local materials, design and colour.

- 8.30 The siting is considered acceptable in terms of its clustering. However, the scale and design are not appropriate for a countryside area and AONB on the basis of the policy requirements.
- 8.31 Policy NH 6 applies regardless of whether there are views of the proposal or not. Paragraph 5.15 under Policy NH 6 outlines the quality, character and heritage value of the landscape of an AONB lies in their tranquillity, cultural associations, distinctiveness, conservation interest, visual appeal and amenity value.
- 8.32 As previously outlined there are views from the road which are over a longer distance but also along the laneway serving the proposal.
- 8.33 The thrust of the AONB and rural policy in terms of integration and rural character is protective of landscape quality.
- 8.34 The design of the building is not acceptable and of detriment to the AONB. The proposal does not respect local design or local architectural styles and patterns and the siting and the scale of the proposal is not sympathetic to the special character of the AONB in general or the particular locality.
- 8.35 It is considered that the proposal would not respect and be sympathetic to the AONB or be acceptable in terms of scale, integration and rural character.
- 8.36 The proposal is considered to be contrary to Policies CTY 13 and 14 of PPS 21 and Policy NH 6 of PPS 2.

Built and Natural Heritage

- 8.37 There are no features of built heritage located on or in close proximity to the application site which would be impacted by the proposal.
- 8.38 The development is primarily retrospective. The hedgerow planting will improve biodiversity on the site. There are no natural heritage concerns arising from the existing development on the site. The site is located in close proximity to the River Bann which has a hydrological connection to Bann Estuary SAC and ASSI. DAERA Water Management Unit have referred to standing advice in relation to single dwellings. The development is not considered to impact on any features of these designations given that there is no hydrological connection from the site and the distance to the river.

8.39 The proposal is not considered to have an adverse impact on the built or natural heritage and to satisfy the requirements of PPS 2 and PPS 6.

Water and Sewerage

8.40 The P1 form indicates the source of water supply from mains, surface water to be disposed of by soakaways and foul sewage to be disposed of via a septic tank.

8.41 NI Water have advised the application be approved with standard planning conditions.

8.42 DAERA Water Management Unit have referred to standing advice.

8.43 The proposed water supply and sewerage arrangements are considered to be acceptable.

Access

8.44 The proposal is accessed off an existing laneway which provides access to Coleraine Road to the east.

8.45 DFI Roads were consulted and provided conditions and informatives in relation to proposed access works. The proposal is considered to comply with the policy requirements of PPS 3.

Amenity

8.46 The proposal relates to holiday letting and consequently there are no noise, smell or pollution concerns from this use given that it is residential in nature.

8.47 Informatives were provided by Environmental Health in relation to the proposal with the loss of amenity to occupiers from surrounding uses including agricultural activities and a wind turbine.

8.48 The site is located in close proximity to existing and approved residential uses. The Environmental Health response provides an informative in relation to management. It is considered appropriate that a condition for a service management plan would be appropriate to control any impact from noise to surrounding receptors. On this basis the proposal is not considered to result in detrimental impact on the amenity of nearby residential dwellings.

8.49 Given the proposal relates to a residential use and holiday let, it is considered to be appropriate that this should be conditioned such as to not allow a year-round permanent occupation by a person/persons.

Habitats Directive

8.50 The potential impact of the proposal on any 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 designations.

9.0 CONCLUSION

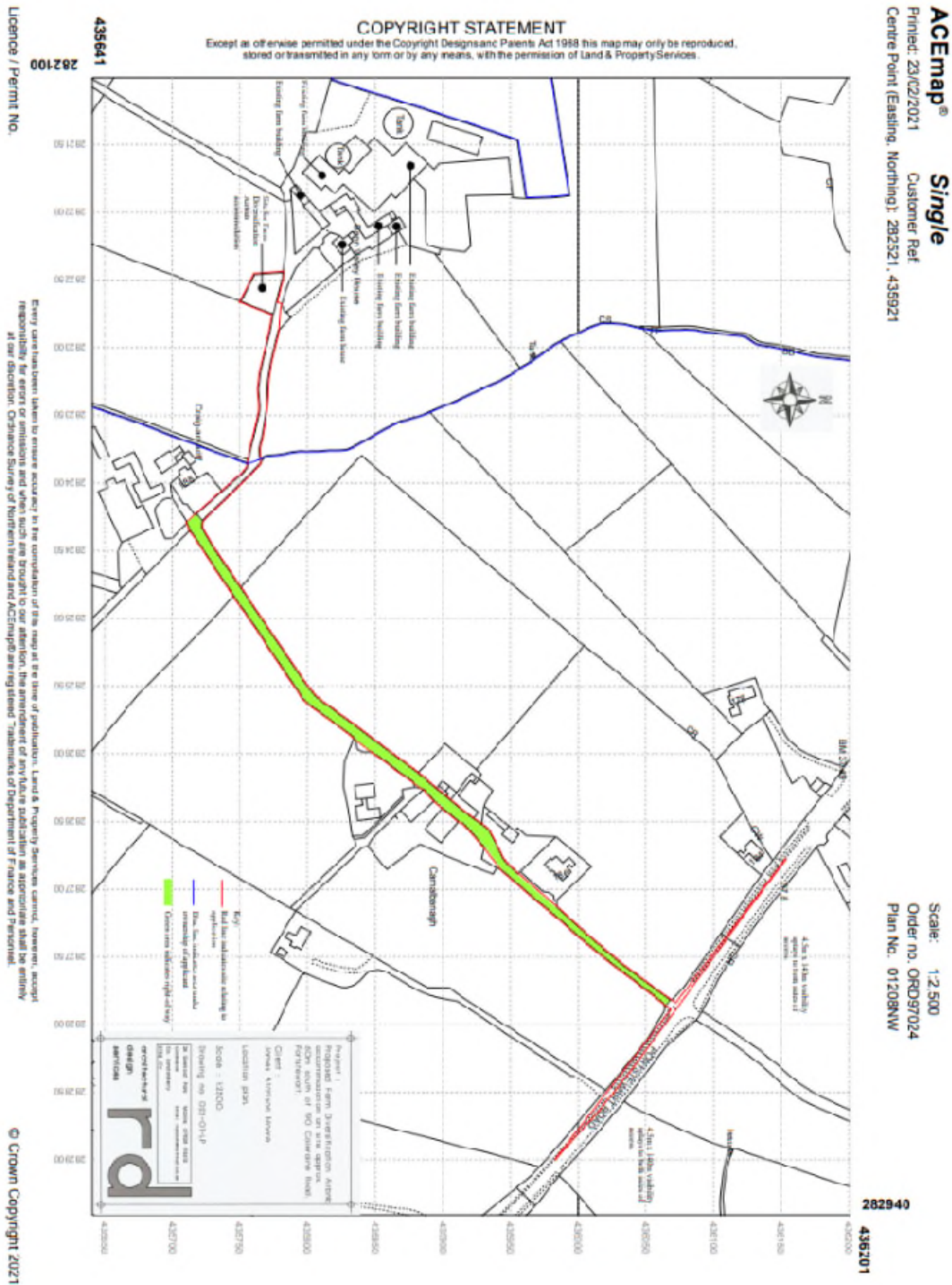
9.1 The proposal relates to the retention of existing sectional portable unit for proposed farm diversification Airbnb accommodation. The proposed scale, design and character of the development is inappropriate for both the location in a rural location and an Area of Outstanding Natural Beauty. The proposal is considered to be contrary to the SPPS, PPS 2 and PPS 21 and is recommended for refusal.

10 Reasons for Refusal

1. The proposal is contrary to Paragraph 6.70 of the Strategic Planning Policy Statement for Northern Ireland and Policies CTY 1, 11, 13 and 14 of Planning Policy Statement 21: Sustainable Development in the Countryside in that the proposal is not appropriate to its location in terms of character and scale, the development is not designed to integrate sympathetically with its surroundings, the design of the building is inappropriate for the site and its locality and results in a suburban style build-up of development when viewed with existing and approved buildings.
2. The proposal is contrary to Paragraph 6.187 of the Strategic Planning Policy Statement for Northern Ireland and Policy NH 6 of Planning Policy Statement 2: Natural Heritage in that the siting and scale of the proposal is not sympathetic to the special character of

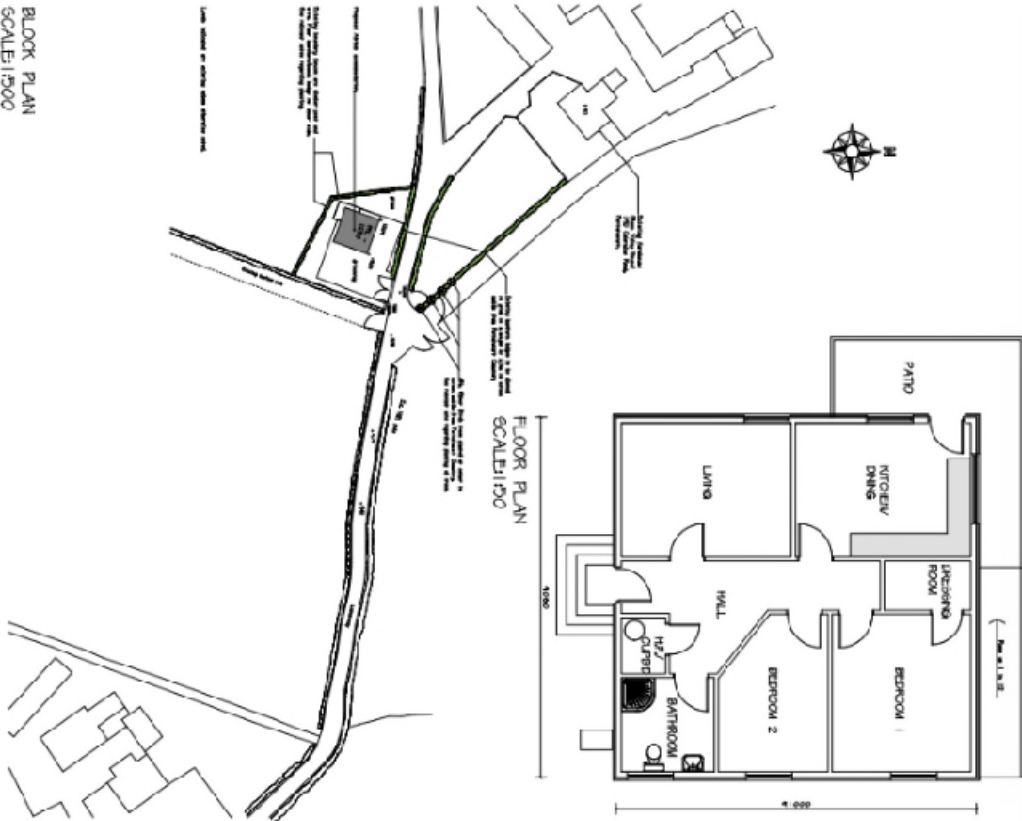
Causeway Coast Area of Outstanding Natural Beauty in general and of the particular locality and that the proposal does not respect local architectural styles and patterns and local design.

Site Location Plan:



Site Plan

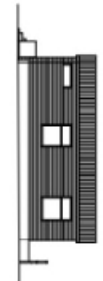
BLOCK PLAN
SCALE: 1/2000



FRONT ELEVATION
SCALE: 1/100



SIDE ELEVATION
SCALE: 1/100



REAR ELEVATION
SCALE: 1/100



SIDE ELEVATION
SCALE: 1/100



Notes:

1. The house is to be built on the site shown in the site plan.
2. The house is to be built on the site shown in the site plan.
3. The house is to be built on the site shown in the site plan.
4. The house is to be built on the site shown in the site plan.
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9. The house is to be built on the site shown in the site plan.
10. The house is to be built on the site shown in the site plan.

1/2000

Project: [Name of the project]

Client: [Name of the client]

Address: [Address of the project]

Scale: 1:2000

Author: [Name of the author]

Date: [Date of the drawing]

Version: [Version of the drawing]

Template for Requesting Referral of a Contentious Delegated Decision to Issue' List Planning Application to Planning Committee for Determination

The Protocol for the Operation of the Planning Committee provides for an Elected Member to request a planning application listed on the weekly list of 'contentious delegated decisions ready' to be referred to Planning Committee for determination. This request must be received by the Planning Department no later than 10am on the Monday following the issuing of the contentious list and submitted via email to planning@causewaycoastandqlens.gov.uk.

Planning Reference	LA01/ 2022/0239/F
Elected Member Name	John Mc Auley
Contact Details	Tel: Type text here Email:
Refusal Reason 1: Not all material planning considerations have been fully considered. The application can be amended to be made temporary. We can amend the design of the existing flat roof to be more acceptable in the AONB. . A dwelling was already approved close to this site, but has not been built yet. This dwelling was not considered to result in a suburban style build-up of development, and therefore this application building cannot be considered to result in suburban build-up.	
Refusal Reason 2: Not all material planning considerations have been fully considered. The application can be amended to be made temporary. We can amend the design of the existing flat roof to be more acceptable in the AONB. A dwelling was already approved close to this site, but has not been built yet. This dwelling was not considered to result in a suburban style build-up of development, and therefore this application building cannot be considered to result in suburban build-up.	