



Title of Report:	Planning Committee Report – LA01/2023/1165/F
Committee Report Submitted To:	Planning Committee
Date of Meeting:	25th September 2024
For Decision or For Information	For Decision – Referred Item by Cllr McGlinchey
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	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

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.		
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: LA01/2023/1165/F **Ward:** Dungiven

App Type: Full

Address: 25 Peters Road, Drumsum, BT47 4QZ

Proposal: Provision of 3no. self-contained Holiday Pods, car parking & ancillary enhanced landscaping to the east of and adjacent to the existing dwelling at 25 Peters Road, Drumsum.

Con Area: N/A **Valid Date:** 21.11.2023

Listed Building Grade: N/A **Target Date:** 05.03.2024

Agent: Ciaran Smyth Architects, 52 Braefield, Claudy, Co. Derry, BT47 4DX

Applicant: Keith Grieve, 25 Peters Road, Drumsum, Co. Derry, BT47 4QZ

Objections: 0 **Petitions of Objection:** 0

Support: 0 **Petitions of Support:** 0

Executive Summary

- Full Planning Permission is sought for the Provision of 3no. self-contained Holiday Pods, car parking & ancillary enhanced landscaping to the east of and adjacent to the existing dwelling at 25 Peters Road, Drumsurn.
- The site is located within the rural area as defined in the Northern Area Plan 2016.
- The proposal is not located at or close to an existing “tourist amenity” and represents the primary tourism use on the site.
- Access and Parking arrangements are considered to be acceptable.
- The proposed development will satisfactorily integrate within the application site and surrounding landscape.
- There will be no unacceptable impact on surrounding residential amenity.
- There will be no unacceptable impact on natural or built heritage features.
- Consultation has been carried out with DFI Roads, Environmental Health, DAERA and NI Water. No objections have been raised.
- 1 letter of support has been received.
- The proposal fails to comply with Paragraph 6.260 of the SPPS and Policy TSM 5 of PPS16
- Refusal is recommended.

Drawings and additional information are available to view on the Planning Portal-
<https://planningregister.planningssystemni.gov.uk/simple-search>

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 conditions set out in section 10.

2.0 SITE LOCATION & DESCRIPTION

- 2.1 The application site is located at No. 25 Peters Rd, Drumsurn. The application site comprises the residential curtilage of No. 25 comprising the single storey dwelling and portal frame garage and associated hardstanding. The area to the rear of the garage, where the pods are proposed, is sited approximately 1.3m above the ground level to the rear of the dwelling and comprises a flat grassed area. The application site is bounded to the roadside boundary by a timber ranch fence and stone pillars at the entrance. The north-western boundary is defined by a 2-2.3m high hedge which runs from the roadside to the rear of the yard, with the remainder of the boundary finished in a ranch fence. The south-eastern boundary is defined by post and wire fencing and row of trees 6-7m in height to the front and side of the dwelling with the rear portion of the boundary defined by post and wire fence only. The north-eastern (rear) boundary is defined by post and wire fencing.
- 2.2 The application site is located within the rural area outside of any settlement limit as defined in the Northern Area Plan 2016. The application site is located approximately 9.5km northeast of Dungiven and approximately 2.75km south east of Drumsurn. The surrounding area is predominately agricultural in nature, with a number of dwellings and associated farm complexes situated in the immediate vicinity to the south east of the site.

3.0 RELEVANT HISTORY

B/2002/0032/O - Approx 80m NW of 19 Peters Road, Dungiven - Site for dwelling – Permission Refused 05.04.2002 – Granted on Appeal 15.11.2002.

B/2004/0137/F - 80 metres north west of 19 Peters Road, Ballyness, Dungiven - Erection of single storey dwelling – Permission Granted 29.08.2006

4.0 THE APPLICATION

4.1 Full planning permission is sought for the provision of 3no. self-contained Holiday Pods, car parking & ancillary enhanced landscaping. The pods have a linear floor plan measuring 7.12m in length by 5m in width. The pods have a pitched roof construction with an overall height of 4.7m above ground level. The pods are to be finished externally in grey metal cladding to the walls and roof.

5.0 PUBLICITY & CONSULTATIONS

External

5.1 **Advertising:** 06.12.2023.

Neighbours: one letter of support has been received to this proposal.

Internal

5.2 **DFI Roads** – No objections
Environmental Health – No objections
NI Water – No objections
DAERA Water Management Unit – 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 (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 16 – Tourism

Planning Policy Statement 21 – Sustainable Development in the Countryside –

Building on Tradition: A Sustainable Design Guide for the Northern Ireland Countryside

8.0 CONSIDERATIONS & ASSESSMENT

8.1 The main considerations in the determination of this application relate to, the principle of development, Integration and Rural Character, Habitat Regulations Assessment, Access and Parking.

Principle of development

8.2 Both the SPPS and Policy CTY1 of PPS21 outline the types of development which are considered acceptable in principle within the rural area. With Regard to tourism development CTY1 refers to development proposals which are in accordance with the tourism policies contained within the Planning Strategy for Rural Northern Ireland. PPS16 – Tourism, was adopted in June 2013, superseding the tourism policies within PSRNI and along with the SPPS provides the relevant policy framework for tourism development.

8.3 In addition to the tourism policies contained within PPS 16 the document advises that the tourism development may also be considered under Policies CTY2- Development in Dispersed Rural Communities and CTY11 – Farm Diversification of PPS21.

8.4 Regarding Policies CTY2 and CTY11 the application site is not located within a Dispersed Rural Community as designated in the Northern Area Plan and the applicant has confirmed that they do not have a farm business, and the site is not located on an agricultural holding. Consequently, these policies are not applicable to this application.

8.5 The proposal seeks permission to construct 3 glamping pods on the application site in the rural area. The relevant policy within PPS 16 is Policy TSM 5, which relates to self-catering accommodation in the countryside.

8.6 Policy TSM 5 states that planning approval will be granted for self-catering units of tourist accommodation where it meets one of the criteria (a) to (c). Criteria (b) of Policy TSM 5 permits proposals comprising a cluster of 3 or more units at or close to an existing or approved tourist amenity that is/will be a significant visitor attraction in its own right. Additionally, Policy

TSM5 states that in relation to criteria b, self-catering development is required to be subsidiary in scale and ancillary to the primary tourism use of the site.

- 8.7 PPS 16 defines a tourist amenity as “an amenity, facility or service provided primarily for tourists (defined as overnight visitors and day visitors) but does not include tourist accommodation”.
- 8.8 In support of the application the agent has submitted a range of information which identifies a range of ‘attractions’ within the wider vicinity of the application site including Benbradagh Mountain/World War 2 Airbase, Banagher Old Church / Banagher Glen, Altnaheglish Reservoir and Banagher Dam, Bovevagh Old Church And Mortuary House, North Sperrins Heritage Trail, Ballydonegan Sweathouse, Tannyranny Church Ruins, Dungiven Castle.
- 8.9 The aforementioned attractions identified by the applicant are largely features associated with the built/historic and natural heritage and are classed as tourism assets (features associated with the built or natural environment which is of intrinsic interest to tourists). Additionally, the applicant has highlighted a range of tourism activities such as walking trails (Benbradagh Mountain) fishing (River Roe). Similarly, these activities are associated with existing tourism assets and are not tourism amenities in their own right.
- 8.10 The agent has identified the Roe Valley Country Park as a tourist amenity. While the country park is largely popular for its walking and fishing activities there are facilities at this location such as the visitor centre, café and museum which would be regarded as tourist amenity facilities.
- 8.11 Policy TSM5 does not define the term ‘close to’. However, the everyday understanding of the term in regard to physical proximity would be taken to mean a short distance or near to. This interpretation is reinforced by the policy requirement for proposals to be ancillary to the primary use of the site. Paragraph 7.24 of PPS16 advises that Policy TSM5 will provide sustainable environmental benefit through focusing self-catering development in existing nodes of tourism activity, thereby

avoiding random development throughout the countryside and safeguarding the value of tourism assets.

8.12 Planning Appeal 2019/A0161 (Appendix 1) provides further clarification on the interpretation of the term at or close to. In this instance the appeal site was located approximately 0.42km from the edge of Glenarm settlement limit and approximately 0.6km from Glenarm Castle (tourist amenity). The Planning Appeals Commission ruled that the appeal site did not associate with the settlement of Glenarm or Glenarm Castle and means of access to the appeal site was limited other than by vehicle. The appeal was dismissed as the commission ruled the appeal site was not close to Glenarm Castle or any other attractions.

8.13 From the above it is evident that the intent of the policy is to allow tourism development at or in the immediate vicinity of tourist amenities. The application site is located approximately 9km from the Roe Valley Country Park which is not considered to be 'at or close to' a tourist amenity. As the proposal is not located at or close to an existing "tourist amenity" as required by policy, the proposed development fails to comply with point (b) of Policy TSM 5.

8.14 Additionally, the proposed development would represent the primary tourism use at the site. Rather than comprising a tourism development in an appropriate location, it would constitute a random self-catering development in the countryside that could threaten the value of tourism assets. The Planning Department consider that this proposal is unacceptable in principle when considered under Paragraph 6.260 of the SPPS and Policy TSM 5 of PPS 16.

8.15 The applicant has cited a number of examples of glamping sites within the Borough which they consider comparable proposals. These include sites at Swann's Bridge (Limavady), Waterfall Caves (Duncrun Lakes/Rd), Carnamuff Glamping (Ballykelly), Fairly Glen Log Cabins (Glenullin), Black Knowe (Ballycastle), Pod by the Pond (Ballycastle/Bushmills), Causeway Country Pods (Bushmills), Causeway Coast Wigwams (Bushmills) and Cushendall Seaview Glamping Pods (Cushendall).

8.16 Having reviewed the above examples 3 of the sites were approved as Farm Diversification projects under Policy CTY11 of

PPS21, planning permission has been refused for the pod on the pond (Jan 2024), and five of the sites do not have planning history albeit the Cushendall Glamping Pods are sited within the existing Cushendall Caravan Park. In this regards the examples cited do not provide directly comparable cases to the application proposal and can be given limited weight in assessing the application.

8.17 Policy TSM 5 further advises that the overall design of self-catering schemes must deter permanent residential use, focusing on shared spaces and restricting the definition of individual plots. The layout submitted provides for 3 pods which are set in a row and have the same orientation. Initially, the pods were divided into 3 separate plots with private amenity spaces through the use of wall/fence and hedgerow, resulting in an overly formalised layout. An amended site plan was submitted which removed the proposed hedgerow and walls/fences ensuring that the proposal provided an informal/shared arrangement and is considered to be satisfactory in regard to this aspect of policy TSM5.

Policy TSM 6 – New and extended Holiday Parks

8.18 The Planning Department consider that the proposal would not meet with the requirements of the policy, due to a combination of the size of the units and the small number of units proposed. The proposed units exceed the dimensions permitted for falling within the definition of a caravan. The proposal is not considered to represent a new or extended holiday park development and Policy TSM 6 is not the appropriate policy.

TSM 7 – Criteria for Tourism Development

8.19 All proposals for tourism development are subject to the criteria contained within Policy TSM 7

Design Criteria

8.20 The proposed pods have a footprint measuring 5m X 7.12m and are of gable end and pitched roof construction. The pods are 4.6m in height and are finished in a grey metal cladding to the walls and roof, with the entrance façade finished entirely in glazing. The site layout plan provides for additional boundary

landscaping along the application boundaries to assist with screening and integration when viewed from approach from the north along Peters Rd, which will provide suitable screening and integration for the proposal once established. Given the level of current landscaping at the site and the relatively limited critical views the Planning Department are content that the design of the pods and landscaping are satisfactory for the location. The proposed site is located in a relatively remote rural area which does not benefit from public transport in its immediate vicinity. Consequently, access to the application site would be heavily reliant upon the use of private car.

General Criteria

- 8.21 The application site is located in the rural area within the lower foothills of Smulgedon Hill and Gortnamoyagh Forest. and is surrounded by a mix of agricultural lands, farm buildings and single dwellings. The application, due to its modest scale and the level of screening and integration afforded by existing vegetation and built form, coupled with additional landscaping will not have any significant impact on the landscape quality and character of the surrounding area.
- 8.22 The closest residential property to the proposed development is that of the applicant (No. 25). The closest third-party residential properties to the proposed development are No. 19, approximately 80m to the south of the site and No. 26 approximately 150m to the north west of the site. Given the nature of the proposed development it is not anticipated that there will be significant levels of noise/nuisance or odour generated from the development which would result in unacceptable harm to the residential amenity of surrounding dwellings.
- 8.23 Environmental Health have been consulted on the application as the competent authority on such matters and advise that the proposed development is unlikely to be a source of significant adverse impacts due to noise however, would advocate that a noise management plan is developed and implemented in order that noise is reasonably controlled.
- 8.24 The application site is not located within proximity to any identified archaeological site or listed building and will therefore

not impact upon features of built heritage importance. The application site is not located within or immediately adjacent to any environmental designations. There are no open watercourses within or immediately adjacent to the area of proposed works which could provide a possible source or pathway for pollution or adverse impacts on designated sites. There is an open watercourse on the opposite side of Peters Rd from the access position which is hydrologically linked to the River Roe and Tributaries SAC/ASSI however, there are no works anticipated within the vicinity of the access given the access requirements are already in place. The Planning Department are satisfied that the proposal will not have an adverse impact on features of natural heritage importance. In addition to meeting this criteria of TSM 7 the proposal also meets with the relevant planning policies within the SPPS, PPS2 and PPS6 with regards to natural and built heritage.

- 8.25 The proposal advises that foul sewage will be directed to an existing treatment plant on site, which DAERA have advised may require a further or revision to Consent to Discharge. The application site is largely grass/permeable surface which will allow for natural percolation of surface water from the site.

Integration and Rural Character

- 8.26 The proposed development is sited to the rear of the existing dwellings on the site, and benefits from both natural and built screening from within the application site and the wider vicinity. On approach from the North West along Peters Rd views of the site become attainable when immediately past No. 27. From here the application site is at a distance of approximately 180m, with the site benefitting from existing mature trees and the rising landform to the north and east to provide a strong backdrop ensuring the proposal will not appear unduly prominent. The rear portion of the application site, where the pods are proposed lacks vegetation to its boundaries to screen views of the pods on the northern approach. Views on the northern approach are brief and largely filtered by roadside trees, and as you approach the application site the existing vegetation to the front of the site provides suitably screening and enclosure of the site. The lack of vegetation to the rear portion of the site is not fatal to the proposal and the applicant has provided a landscaping scheme

to define the undefined North Western boundary which will provide satisfactory screening once established.

8.27 On approach from the South East the winding nature of the road coupled by the extent of built development and roadside vegetation will screen views of the application site until passing the site frontage, where the existing dwelling and garage will largely screen the development from views. Given the existing screening and backdrop afforded to the site and relatively minor views of the site officials are satisfied that, with the implementation of a landscaping scheme, the proposed development will satisfactorily integrate within the landscape and satisfies the policy requirements within Paragraph 6.70 of the SPPS and Policies CTY13 and CTY14 of the SPPS.

Habitat Regulations Assessment

8.28 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.

Access and Parking

8.29 Access to the proposed site will be from Peters Rd, via the existing access serving No. 25. DFI Roads consider the access arrangements to be acceptable. The proposal meets with the requirements of the SPPS and Policy AMP 2 of PPS3 as it will not prejudice road safety or significantly inconvenience the flow of traffic.

8.30 The proposed site layout plan indicates the provision of four car parking spaces to service the proposed pods. Given the limited level of accommodation within each pod officials are satisfied that the level of parking provided is sufficient for the proposal and meets with the requirements of the SPPS and Policy AMP 7 of PPS3.

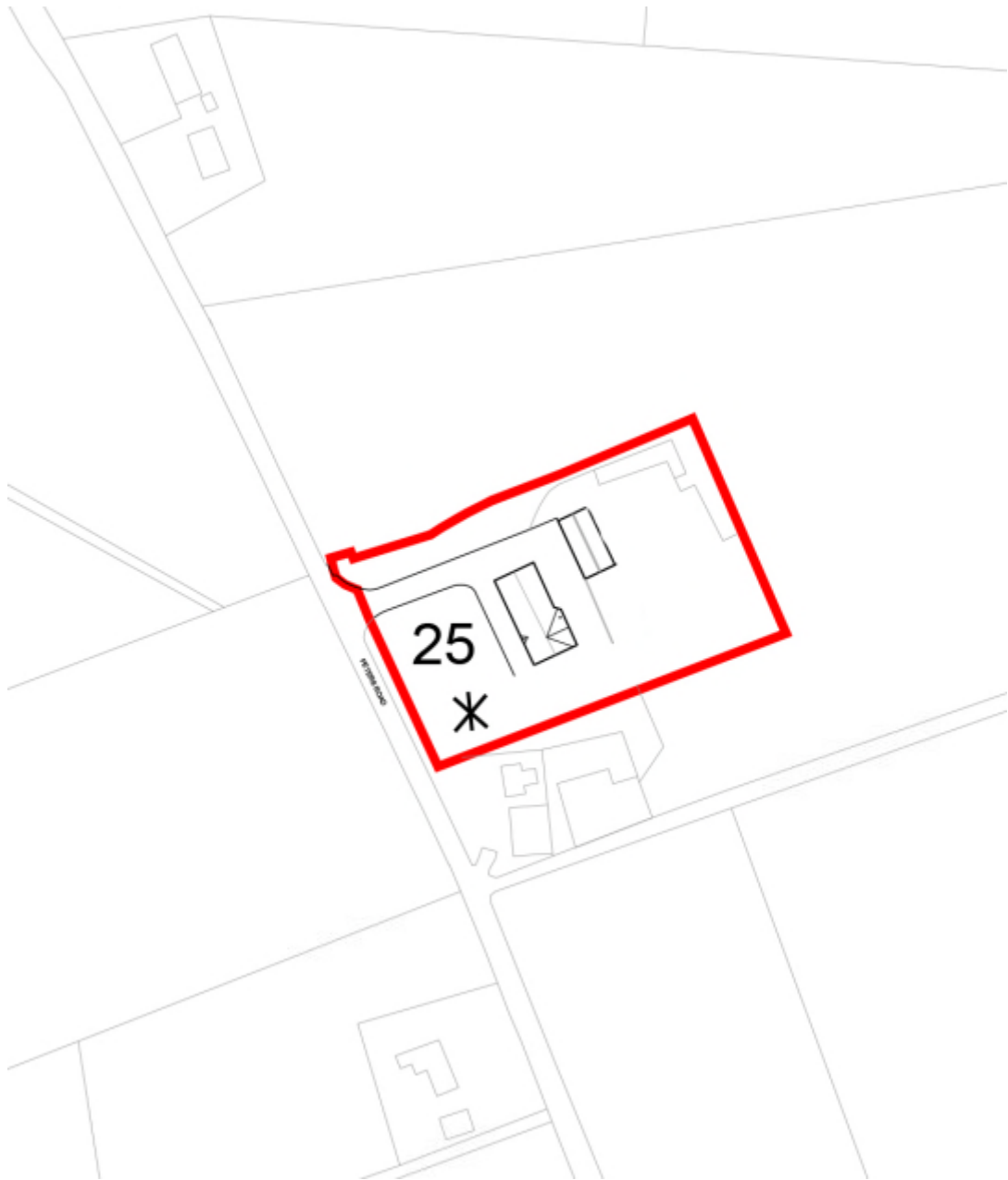
9.0 CONCLUSION

9.1 The proposal is considered unacceptable in this location having regard to the Northern Area Plan 2016 and other material considerations. The proposal fails to comply with the requirements of Paragraph 6.260 of the SPPS and Policy TSM 5 of PPS 16 in that the proposed cluster of 3 self-catering units are not located at or close to an existing tourist amenity. Additionally, the proposed development would represent the primary tourism use at the site and would not be ancillary to a primary tourism use of the site. As there are no other over-riding reasons as to why the development is essential in this rural location the proposal is also contrary to Paragraph 6.73 of the SPPS and Policy CTY1 of PPS 21. 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 CTY1 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 6.260 of the Strategic Planning Policy Statement for Northern Ireland and Policy TSM5 of Planning Policy Statement 16, Tourism in that the proposed development is not located within the grounds of an existing or approved hotel, self-catering complex, guest house or holiday park; at or close to an existing or approved tourist amenity or does not entail the restoration/replacement of an existing clachan or close.

Site Location Map



Site Layout Plan



Appendix 1



Appeal Decision

Park House
87/91 Great Victoria Street
BELFAST
BT2 7AG
T: 028 9024 4710
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E: info@pacni.gov.uk

Appeal Reference:	2019/A0161.
Appeal by:	Mr Hugh McCambridge.
Appeal against:	The refusal of full planning permission.
Proposed Development:	Change of use of agricultural land to site for erection of 5 no. glamping pods.
Location:	150m NW of 26 Dickeytown Road, Glenarm.
Planning Authority:	Mid & East Antrim Borough Council.
Application Reference:	LA02/2019/0392/F.
Procedure:	Written representations and accompanied site visit On 3 March 2020.
Decision by:	Commissioner Mark Watson, dated 12 May 2020.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Appellant in his Statement of Case suggested that the proposed development could also represent farm diversification under Policy CTY11 of Planning Policy Statement 21 – Sustainable Development in the Countryside (PPS21). The Council in its Rebuttal Statement considered this to be a new matter and inadmissible under section 59 of the Planning Act (NI) 2011. Section 59(1) of the Planning Act prohibits the introduction of a matter by a party to the proceedings which was not before the Council at the time the decision was made unless that party can demonstrate to the satisfaction of the Commission: (a) that the matter could not have been raised before that time, or (b) that its not being raised before that time was a consequence of exceptional circumstances.
3. The appeal development potentially being acceptable as a farm diversification project is a new matter which was not raised by the Appellant during the processing of the application at any stage. It was not before the Council at the time the decision appealed against was made. There is nothing to demonstrate to my satisfaction that this matter could not have been raised before that time, nor is there anything to demonstrate that its not being raised before that time was a consequence of exceptional circumstances. The introduction of this matter within the Appellant's Statement of Case is contrary to section 59(1) of the Planning Act and is therefore inadmissible.
4. The Appellant submitted an amended site plan drawing with his Statement of Case. The amendment entailed alteration to the proposed visibility splays only.

The Council considered that no third party prejudice would arise from consideration of this drawing and accepted that it was not a new matter as understood under section 59 of the Planning Act. I agree with this assessment. The amended drawing is admissible and will be considered in the appeal. Without prejudice to its overall case the Council considered that, in the event the appeal were to succeed, the imposition of a negative condition would ensure the visibility splays were provided prior to development taking place. On that basis the Council withdrew the second reason for refusal based on road safety.

Reasons

5. The main issue in this appeal is the principle of development.
6. The appeal site comprises the south-eastern corner of a grassed agricultural field situated on the northern side of Dickeystown Road. The site slopes down to the north-west and there are mature trees and hedge along the southern and eastern boundaries. The other boundaries are undefined. No. 26 Dickeystown Road and an associated farm complex lies a short distance to the east of the site. The site lies approximately 0.42km east of the settlement of Glenarm and approximately 600m from the centre of the village.
7. The appeal development comprises 5 rectangular, barrel vaulted roofed glamping pods to be constructed with a grey aluminium powder coated finish. The front elevation would be glazed and the pods arranged to face north-east to avail of the views over the sea. Each pod would comprise a bedroom, ensuite and kitchen area. A parking area for 5 vehicles would be provided to the south of the pods. Access would be taken from the existing laneway serving No. 26 with a new section added to reach the host field. A landscaping scheme is also proposed.
8. The Larne Area Plan 2010 (LAP) operates as the local development plan for the area the site lies within. In it the site lies in the countryside and is shown to lie within the Antrim Coast and Glens Area of Outstanding Natural Beauty (AONB). The LAP contains three tourism policies, two of which are of relevance to the appeal development. Policies T1 and T3 respectively seek to protect tourism resources from inappropriate development and ensure that all proposals for tourist development respect the basic principles of good design and landscaping. Policy COU3 of the LAP states that in assessing development proposals the principles contained in the Antrim Coast and Glens AONB Design Guide will be applied. The Appellant submitted a Design Statement at application stage and no environmental or design objections have been raised against the appeal development. Nor is there any suggestion that the appeal development would harm tourism resources. The appeal development satisfies these specific policies and the LAP read as a whole.
9. There is no conflict or change in policy direction between the provisions of the Strategic Planning Policy Statement for Northern Ireland (SPPS) and those of PPS21 in respect of the appeal development, thus the policy provisions of PPS21 remain applicable. Policy CTY1 of PPS21 states that there are a range of types of development which are considered to be acceptable in principle in the countryside and that will contribute to the aims of sustainable development. It goes on to state that planning permission will be granted for tourism development in accordance

with the TOU policies of the PSRNI. However, those policies have since been superseded by the provisions of Planning Policy Statement 16 – Tourism (PPS16). It follows that if the development complies with the relevant provisions of PPS16 it will comply with Policy CTY1 of PPS21.

10. Policy TSM5 Self Catering Accommodation in the Countryside is applicable to the appeal development. Policy TSM5 of PPS16 states that planning approval will be granted for self-catering units of tourist accommodation in any of three circumstances. Circumstance (b) is applicable to the appeal development; a cluster of 3 or more new units are to be provided at or close to an existing or approved tourist amenity that is / will be a significant visitor attraction in its own right. In this case the Council considered that the proposed 5 glamping pods were not to be provided at or close to an existing an existing or approved tourist amenity. The Appellant's representative stated that the Glenarm Castle in Glenarm and the general surrounding AONB countryside, as well as the site's proximity to the Causeway Coastal Route, all represented significant visitor attractions which the development was close to.
11. The appeal development would be a freestanding new tourist development on what is presently agricultural land. It is not located at an existing or approved tourist amenity, irrespective of its location within the AONB. The policy does not specify or define what 'close' means, though a normal understanding of the word in relation to physical locations would be a short distance from or near to something. Paragraph 7.24 of PPS16 assists in explaining the rationale for Policy TSM5 stating that it will also provide sustainable environmental benefit through focusing self-catering development in existing nodes of tourism activity, thereby avoiding random development throughout the countryside and safeguarding the value of tourism assets. The Council considered that the distance combined with the lack of ease of access for walking from Glenarm to the appeal site indicated that it was not close to Glenarm Castle or other attractions in the settlement for the purposes of the policy.
12. The Appellant's representative referred to application LA02/2019/0174/F which granted permission for 5 glamping pods at a disused quarry on Tully Road, Glenarm. He considered that the appeal development was comparable to that scheme in terms of distance to Glenarm and the Castle. I was told that this approved scheme was directly linked to the Glenarm Castle, which formed part of the basis for the granting of that permission. I visited this site following the accompanied site visit in order to compare the travel distance and ease of access from the approved site and appeal site to Glenarm Castle and the settlement itself. Even though the actual walking distance from the edge of Glenarm to the approved pods in comparison to the appeal site may not be that different as a consequence of the road network layout, the actual route to the appeal site is much steeper and less readily accessible by means other than vehicle. Nor does the appeal site have any association with the settlement itself, unlike the approved pods which sit above the settlement but in closer physical proximity, with the walk to them largely along a more urbanised route. Notwithstanding the distance itself, the route from Glenarm to the appeal site involves a walk up a long and steep hill with no footpath provision for a sizeable proportion of the distance, with the appeal site situated on a more elevated landform than the approved site. I am not persuaded that the appeal site is close to Glenarm Castle or any other attractions within the settlement for the purposes of the policy.

13. Whilst the appeal site lies within the Antrim Coast and Glens AONB and a section known as the First and Last Glen, as well as overlooking part of the Causeway Coastal Route, all of which are tourism assets, they are expansive areas of attractive landscape and coastline. I take the reference in TSM5 for 'close to an existing or approved tourist amenity' to mean proximity to a specific tourist feature or attraction rather than simply being located within a landscape area known for its tourism value. Furthermore, the reference to 'approved tourist amenity', to me suggests the policy envisages proximity to a specific development requiring permission rather than a more generalised location within a broader landscape feature, such as the AONB. I am not persuaded that the policy would simply envisage any location within such large areas of land to be acceptable and am reinforced in my thinking by the aforementioned text in paragraph 7.24 of PPS16. I am therefore not persuaded that the site's location within the AONB landscape or its overlooking part of the Causeway Coastal Route renders it close to an existing or approved tourist amenity for the purposes of the policy.
14. Policy TSM5 goes on to state that in either circumstance (a) or (b), self-catering development is required to be subsidiary in scale and ancillary to the primary tourism use of the site. As the appeal development would represent the primary tourism use at the site, despite its relatively small scale, it would not be ancillary to a primary tourism use of the site, thus it cannot meet this policy requirement.
15. The Appellant's representative referred to two other applications for glamping pods that have been granted permission in a separate planning jurisdiction. In respect of LA01/2018/1089/F Land adjacent to 59A Drumavoley Road, Ballycastle, the three glamping pods in that case were granted permission under a farm diversification scheme, thus it was granted permission under a different policy context and is not directly comparable. Application LA01/2019/0154/F Lands 200m NE of 107A Whitepark Road, Ballycastle approved 5 glamping pods under Policy TSM6 of PPS16. It was thus considered under a different policy to the appeal development before me. Whilst that scheme did involve glamping pods that were judged to be policy compliant, it does not follow that this would justify the appeal development. In any event each application must be assessed on its individual merits. The two applications referred to would not justify the granting of permission for the appeal development.
16. For the reasons already given above the appeal development does not comply with Policy TSM5 of PPS16, nor the related provisions of the SPPS. Whilst there were no third party objections to the development that would not overcome the objection in principle to the development. Nor would the Appellant's perceived high demand for tourist accommodation within the area. There are no overriding reasons why the development is essential. The appeal development does not comply with Policy CTY1 of PPS21 nor the related provisions of the SPPS. The Council's sole remaining reason for refusal is sustained and determining. The appeal must fail.

This decision is based on the following drawings submitted with the application, except for drawing 0419-2A submitted with the Appellant's Statement of Case:-

DRAWING NUMBER	TITLE	SCALE	DATE
0419-1	Location Map	1:2500	15 Nov 2019
0419-2A	Site Plan	1:500	23 Jan 2020
0419-3	Working Drawing (Elevations, Floor Plan & Sections of proposed Pods)	1:50	15 Nov 2019

COMMISSIONER MARK WATSON

Appendix 2

Reason for Referral

From: Caroline White

Sent: Wednesday, May 8, 2024 12:47 PM

To: Planning <Planning@causewaycoastandglens.gov.uk>

Subject: RE: LA01/2023/1165/F - 25 PETERS ROAD, DRUMSURN - PLANNING REFERRAL DOCUMENT

Good afternoon

Councillor Sean McGlinchey is seeking a referral for planning reference LA01/2023/1165/F. I have attached the template which will provide details.

Thank you for taking the time to look into this matter.

Best regards,

Caroline

Caroline White

Caoimhe Archibald MLA

Office Manager

Contact

Erratum

LA01/2023/1165/F

1.0 Update

- 1.1 The planning application details outlined on page 3 of the Planning Committee Report states that there were no letters of support received for the application. This should state one letter of support has been received.
- 1.2 For clarity, the letter of support has been acknowledged within the Executive Summary on page 4 of the Planning Committee Report.

2.0 Recommendation

- 2.1 That the Committee note the contents of this Erratum and agree with the recommendation to refuse the application in accordance with Paragraph 1.1 of the Planning Committee report.