



<b>Planning Committee Report</b> <b>LA01/2019/0416/O</b>	<b>26<sup>th</sup> February 2019</b>
<b>PLANNING COMMITTEE</b>	

<b>Linkage to Council Strategy (2015-19)</b>	
<b>Strategic Theme</b>	Protecting and Enhancing our Environment and Assets
<b>Outcome</b>	Pro-active decision making which protects the natural features, characteristics and integrity of the Borough
<b>Lead Officer</b>	Development Management & Enforcement Manager
<b>Cost: (If applicable)</b>	N/A

<b><u>App No:</u></b> LA01/2019/0416/O	<b><u>Ward:</u></b> Loughguile and Stranocum
<b><u>App Type:</u></b> Outline Planning	
<b><u>Address:</u></b> 56m NW of 42 Bregagh Road, Armoy.	
<b><u>Proposal:</u></b> Site of dwelling and garage on a farm.	
<b><u>Con Area:</u></b> N/A	<b><u>Valid Date:</u></b> 16/04/2019
<b><u>Listed Building Grade:</u></b> N/A	
 <b>Applicant:</b> Mr. William John Bartlett, 42 Bregagh Road, Armoy.	
<b>Agent:</b> Simpson Design NI Ltd., 42 Semicock Road, Ballymoney, BT53 6PY.	
 <b>Objections:</b> 0	<b>Petitions of Objection:</b> 0
<b>Support:</b> 0	<b>Petitions of Support:</b> 0

## **EXECUTIVE SUMMARY**

- Outline planning permission is sought for a site for a dwelling and garage on a farm.
- The site is located within a rural area.
- The application meets the requirements of Policy CTY 10 of PPS 21.
- The application site must also meet the requirements of Policies CTY 13 and 14. The application site fails to integrate into its rural surroundings due to its lack of enclosure and elevated nature.
- The application site would also result in ribbon development along the Bregagh Road. The proposal is contrary to Policies CTY 8, CTY 13 and CTY 14 of PPS 21.
- DfI Roads has been consulted and raise no objection to the access arrangements.
- There have been no objections received to this application.
- The proposal does not comply with planning policy CTY 8, CTY 13 and CTY 14 of PPS 21 and therefore the application should be refused.

Drawings and additional information are available to view on the Planning Portal- [www.planningni.gov.uk](http://www.planningni.gov.uk)

## **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 for the reason set out in section 10.

## **2.0 SITE LOCATION & DESCRIPTION**

- 2.1 The application site is located 56m north west of 42 Bregagh Road, Armoy. The site has a roadside location, is rectangular in shape and shall utilise a new access laneway. The boundary treatment to the south east contains substantial mature vegetation, the north east boundary comprises of post and wire fencing with the remainder of the site opening out to the remaining agricultural land.
- 2.2 The site is located within the rural area as identified by the Northern Area Plan 2016. The character of the area is generally defined by single dispersed dwellings and small farm holdings.

## **3.0 RELEVANT HISTORY**

No relevant on site or surrounding planning history.

## **4.0 THE APPLICATION**

- 4.1 Outline planning permission is sought for a dwelling and garage on a farm.

### **Habitats Regulations Assessment**

- 4.2 The potential impact of this proposal on Special Protection Areas, Special Areas of Conservation 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 or conservation objectives of any European site.

## **5.0 PUBLICITY & CONSULTATIONS**

### **5.1 External:**

**Neighbours:** There are no objections to the proposal.

### **5.2 Internal:**

DFI Roads: No objections

Environmental Health: No objections

NI Water: No objections.

NIEA WMU: No objections.

DAERA: No objections.

Shared Environmental Services: 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)

PPS 3: Access, Movement and Parking

PPS 21: Sustainable Development in the Countryside

## **8.0 CONSIDERATIONS & ASSESSMENT**

### **Planning Policy**

- 8.1 The proposed dwelling must be considered having regard to the SPPS, PPS policy documents and supplementary planning guidance specified above. The main considerations in the determination of this application relate to: principle of development, integration, rural character and access.

### **Principle of Development**

- 8.2 The policies outlined in paragraph 6.73 of the SPPS and Policy CTY 1 of PPS 21 state that there are a range of types of development which are considered acceptable in principle in the countryside. Other types of development will only be permitted where there are overriding reasons why that development is essential and could not be located in a settlement, or it is otherwise allocated for development in a development plan. The application was submitted as a dwelling on a farm and therefore falls to be assessed against Policy CTY 10.

8.3 Policy CTY 10 states that permission will be granted for a dwelling house on a farm where all of the following criteria can be met:

a) the farm business is currently active and has been established for at least 6 years;

b) no dwellings or development opportunities out-with settlement limits have been sold off from the farm holding within 10 years of the date of the application. This provision will only apply from 25 November 2008; and

c) the new building is visually linked or sited to cluster with an established group of buildings on the farm and where practicable, access to the dwelling should be obtained from an existing lane.

8.4 DAERA have been consulted in relation to this application and confirm that the farm business is active and established. Additionally, no dwellings or development opportunities have been sold off from the farm holding within the past 10 years. The site has a roadside location immediately north of the farm dwelling and its garden at No. 42. There is a dense row of mature trees separating the site with the existing farm grouping. In reference to the siting of farm dwellings Paragraph 5.41 of PPS 21 states that 'To help minimise impact on the character and appearance of the landscape such dwellings should be positioned sensitively with an established group of buildings on the farm, either to form an integral part of that particular building group, or when viewed from surrounding vantage points, it reads as being visually interlinked with those buildings, with little appreciation of any physical separation that may exist between them. If however, the existing building group is well landscaped, or where a site adjacent to the building group is well landscaped planning permission can be granted for a new dwelling even though the degree of visual linkage between the two is either very limited, or virtually non-existent due to the amount of screening vegetation'. The proposal meets the requirements of Parts a-c of Policy CTY 10.

8.5 Despite the proposed farm dwelling visually linking with the group of established farm buildings, it does protrude unacceptably into the open countryside and gives the appearance of ribbon development.

- 8.6 PPS 21, Policy CTY 8, Ribbon Development states that 'planning permission will be refused for a building which creates or adds to a ribbon development. Additionally, paragraph 5.32 of PPS 21 then states that 'ribbon development is detrimental to the character, appearance and amenity of the countryside... Ribbon development has consistently been opposed and will continue to be unacceptable'. The proposal does not comply with Policy CTY 8 as the proposed site will create a ribbon of development by extending road frontage development along the public road and as such cause a detrimental change to the rural character.
- 8.7 A meeting was held with the agent to discuss the application. At this meeting the concerns in relation to the proposed site were clearly laid out. Options for alternative sites were discussed and a more preferable siting for a farm dwelling was identified.

### **Integration**

- 8.8 Policy CTY 10 requires that applications for dwellings on a farm must also meet the requirements of Policies CTY 13 (a-f) and CTY 14. Policy CTY 13 states that planning permission will be granted for a building in the countryside where it can be visually integrated into the surrounding landscape and it is of an appropriate design. A new building will be unacceptable where:
- (a) it is a prominent feature in the landscape; or
  - (b) the site lacks long established natural boundaries or is unable to provide a suitable degree of enclosure for the building to integrate into the landscape; or
  - (c) it relies primarily on the use of new landscaping for integration; or
  - (d) ancillary work do not integrate with their surroundings; or
  - (e) the design of the building is inappropriate for the site and its locality; or
  - (f) it fails to blend with the landform, existing trees, buildings, slopes and other natural features which provide a backdrop; or

(g) in the case of a proposed dwelling on a farm it is not visually linked or sited to cluster with an established group of buildings on a farm.

- 8.9 The level of integration available to a dwelling on this site is low due to the existing boundaries present. Whilst views of the site driving in a northwest direction along the Bregagh Road shall be screened by the mature vegetation, the remainder of the site is open in nature and has no level of screening available to it. Furthermore, the site's topography rises from the roadside to the rear of the site. Views of the proposed dwelling shall be highly visible and open when travelling in a southeast direction along the Bregagh Road. A dwelling on this site would appear elevated and be a prominent feature in the landscape, the site lacks long established natural boundaries, would rely heavily on the use of new landscaping and fails to blend in with the existing trees, buildings and slopes in the vicinity.
- 8.10 The proposal does not comply with Paragraph 6.70 of the SPPS and Parts a, b, c and f of Policy CTY 13 of PPS 21 and is therefore, considered as unacceptable.

### **Rural Character**

- 8.11 Policy CTY 14 states that 'planning permission will be granted for a building in the countryside where it does not cause a detrimental change to, or further erode the rural character of an area. A new building will be unacceptable where:
- (a) it is unduly prominent in the landscape; or
  - (b) it results in a suburban style of build-up of development when viewed with existing and approved buildings; or
  - (c) it does not respect the traditional pattern of settlement exhibited in that area; or
  - (d) it creates or adds to a ribbon development; or
  - (e) the impact of ancillary works (with the exception of visibility splays) would damage rural character.
- 8.12 As discussed in Paragraph 8.8 a dwelling on this site would be an unduly prominent feature in the landscape such are the low levels of integration and the proposal shall create ribbon development along this section of the Bregagh Road. The proposal would also be considered as suburban in character as



it does not respect the traditional pattern of settlement in the area and also adds to a ribbon development.

- 8.13 The proposal does not comply with the constraints of Policy CTY 14 and is therefore, considered unacceptable.

### **Access**

- 8.14 DfI Roads has been consulted as the competent authority on road and traffic matters. DfI has no objection in relation to the proposed access arrangements and the proposal complies with PPS 3.

## **9.0 CONCLUSION**

- 9.1 The proposal is considered unacceptable in this location having regard to the Northern Area Plan, and other material considerations, including the SPPS and PPS 21. The application site fails to integrate into its rural surroundings and will create ribbon development in the countryside which is unacceptable in regards to PPS 21. Refusal is recommended.

## **10 REFUSAL REASON**

1. The proposal is contrary to 6.73 of the Strategic Planning Policy for Northern Ireland (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 6.73 of the Strategic Planning Policy for Northern Ireland (SPPS) and Policy CTY 8 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the proposal would, if permitted, result in the creation of ribbon development along the Bregagh Road.
3. The proposal is contrary to 6.70 of the Strategic Planning Policy for Northern Ireland (SPPS) and Policy CTY 13 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the proposed site lacks long established natural boundaries / is unable to provide a suitable degree of enclosure for the building to integrate into the landscape and therefore would not visually integrate into the surrounding landscape.

4. The proposal is contrary to 6.70 of the Strategic Planning Policy for Northern Ireland (SPPS) and Policy CTY 14 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the buildings would, if permitted, result in a suburban style build-up of development when viewed with existing and approved buildings, would create or add to a ribbon of development and would therefore result in a detrimental change to the rural character of the countryside.

# Site Location Plan

