



Title of Report:	Planning Committee Report – LA01/2021/0401/O
Committee Report Submitted To:	Planning Committee
Date of Meeting:	27th October 2021
For Decision or For Information	For Decision

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	Principal 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:

<u>No:</u> LA01/2021/0401/O	<u>Ward:</u> Glens
<u>App Type:</u> Outline	
<u>Address:</u> 15m North of 27 Glen Road, Drumnacur, Glenariffe	
<u>Proposal:</u> Single detached dwelling with detached garage and upgrade to sub-standard sight-lines at no. 27 Glen Road	
<u>Con Area:</u> N/A	<u>Valid Date:</u> 30.03.2021
<u>Listed Building Grade:</u> N/A	
Agent: N/A	
Applicant: Patrick Noel Montague	
Objections: 0	Petitions of Objection: 0
Support: 0	Petitions of Support: 0

EXECUTIVE SUMMARY

- Outline planning permission is sought for a detached dwelling and garage on a farm, and to upgrade sub-standard sight-lines at No. 27 Glen Road.
- The site is not located within any settlement development limit and is located within an area of Outstanding Natural Beauty (Antrim Coast and Glens) as identified within the Northern Area Plan 2016.
- The principle of development is considered acceptable under Policy CTY10.
- The proposal fails Policy CTY 13 as it would fail to integrate into the surrounding landscape and would be a prominent feature in the landscape.
- The proposal fails CTY 14 in that if a dwelling were to be approved it would be a prominent feature in the landscape, would not respect the traditional settlement pattern within this area and would erode the rural character of the area failing Policy CTY 14 of PPS 21.
- The proposal would also fail NH6 of PPS2 in that the siting and scale of the proposal is not sympathetic to the special character of the Area of Outstanding Natural Beauty in general, and of the particular locality.
- DFI Roads, NI Water and NIEA (Water Management Unit), Environmental Health, DEARA, DETI and Historic Environment Division were consulted on the application and raise no objection.
- There are no objections to the proposal.
- Refusal is recommended.

Drawings and additional information are available to view on the Planning Portal-

<http://epicpublic.planningni.gov.uk/publicaccess/>

1 RECOMMENDATION

- 1.1 That the Committee has taken into consideration and agrees with the reasons for 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 SITE LOCATION & DESCRIPTION

- 2.1 The application site is located within the rural area and within an Area of Outstanding Natural Beauty, and within a Local Landscape Policy Area (Glenariff River LLPA WTL 02) as identified within the Northern Area Plan (NAP) 2016. The site is located on land approximately 15metres north of 27 Glen Road, Glenariffe.
- 2.2 The site comprises a rectangular section of a wider agricultural field. The site is accessed off the Glen Road via an existing agricultural gate. The north eastern, south eastern and south western boundary is defined by a post and wire fence with some hedging on the inside whilst the north western boundary is undefined.
- 2.3 The application site relatively flat and open, as is the surrounding area.

3 RELEVANT HISTORY

- 3.1 Reference: LA01/2019/1127/LDP
Location: 50m west of 27 Glen Road, Glenariffe,
Proposal: The proposal is to build two agricultural sheds as detailed in the attached project drawing, located as shown on the attached site location map. Also as per the site location map, a small area of the host field is proposed to be fenced off with regular agricultural fencing materials to provide a 120 square metre paddock, to assist in efficient management of the livestock. No new access to a public road will be created and no existing access will be altered. The proposal will significantly reduce use of the existing accesses serving the host field.

Decision: Approved 29.11.19

4 THE APPLICATION

- 4.1 Outline permission for a detached dwelling and garage on a farm and upgrade to sub-standard sight-lines at no. 27 Glen Road.

5 PUBLICITY & CONSULTATIONS

5.1 External

Neighbours: There are no objections to the application

5.2 Internal

Environmental Health Department: No objection

NI Water: No objections

DFI Roads: No objection

DAERA Water Management Unit: No objection

Historic Environment Division: No objections

DEARA: No objections

DETI: No objections

NIEA (Water Management Unit): 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 RELEVANT POLICIES & GUIDANCE

The Northern Area Plan 2016

Strategic Planning Policy Statement (SPPS)

PPS2: Natural and Built Heritage

Planning Policy Statement 3: Access, Movement and Parking

PPS6: Planning, Archaeology and Built Heritage

Planning Policy Statement 21: Sustainable Development in the Countryside

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

Planning Advice Note- Implementation of Strategic Planning Policy in The Countryside

8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to: the principle of development; integration; rural character; the AONB; access and; other matters.

Principle of Development

- 8.2 The principle of development must be considered having regard to the SPPS and PPS policy documents.
- 8.3 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 farm dwelling and therefore falls to be assessed against Policy CTY 10.
- 8.4 Policy CTY 10 states that all of the following criteria must 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 the 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.

- 8.5 The Department for Agriculture Environment and Rural Affairs (DAERA) was consulted on the proposal with regards to the Farm ID submitted as part of the application. DAERA responded stating the farm Business ID identified on the P1C form had been in existence for more than 6 years (since 1991) and has claimed payments through the Basic Payment Scheme or Agri Environment schemes in each of the last 6 years. DAERA further confirmed the application site is located on land for which payments are currently being claimed for the farm business. It can be considered that the criteria (a) of Policy CTY 10 can be met.
- 8.6 Criteria (b) of this policy states that 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. A history search has been completed for all lands identified on the farm maps submitted with the application, indicated on Doc 01 date stamped 16th April 2021, and the Council has no record to suggest that any other dwellings or development opportunities have been sold off from the farm holding in the last ten years. It is considered criteria (b) of Policy CTY 10 is met.
- 8.7 The third criteria laid out in Policy CTY 10 states that a new building should be visually linked OR sited to cluster with an established group of buildings on the farm. The policy goes on to say that in exceptional circumstances consideration may be given to an alternative site provided that there are no other sites available at another group of buildings on the farm or out-farm and where there are either; demonstrable health and safety reasons; or verifiable plans to expand the farm business at the existing building group.
- 8.8 The proposed siting of the dwelling is to be located approximately 32 metres south east of the existing group of farm buildings (approved under LA01/2019/1127/LDP), and approximately 25metres north west of a number of other farm

buildings on the other side of Glen Road. The siting of the proposed dwelling will be located between existing farm buildings. However, there will be a greater interlinkage/clustering between the proposed siting of the dwelling and the farm buildings located to the south east of the application site (across the road). This is because they are closer to the proposed siting. When travelling in both directions along Glen Road a proposed dwelling would cluster with the existing farm buildings to the south east rather than the north west. It is considered that a dwelling on this site would cluster with the existing farm buildings and meets criterion C of Policy CTY 10.

- 8.9 The principle of the proposal is not contrary to Policy ENV 1 and Designation WTL02 of the Northern Area Plan 2016. This is because the proposal is not considered to adversely affect the specific designation features.

Integration

- 8.10 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 works 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 (see Policy CTY 10) it is not visually linked or sited to cluster with an established group of buildings on a farm.

Criterion (d) of CTY 13 indicates a dwelling will be unacceptable where it fails to be visually linked OR sited to cluster with an established group of buildings on a farm (in accordance with CTY 10).

- 8.11 As noted above, it is considered a dwelling on this site would be sited to cluster with the established group of buildings on a farm (to the south east).
- 8.12 Proposed buildings are required to blend sympathetically with their surroundings and should not appear incongruous in the landscape. The siting and design of new buildings are important to ensure they integrate with their surroundings in order to protect the amenity and character of the countryside. The determination of whether a new building integrates into the landscape is not a test of invisibility; rather it requires an assessment of the extent to which the development of the proposed site will blend in unobtrusively with its immediate and wider surroundings when judged from critical views along stretches of the public road network.
- 8.13 The topography of the site is flat and exposed with the wider landscape also being relatively open. The application site lacks established natural boundaries and as the existing farm buildings to the north west are approximately 3-4metres in height, they fail to act as a backdrop for the proposal. The large industrial building to the north west of the site, located approximately 85m away, does not assist with integration.
- 8.14 Due to the flat, open and exposed nature of the site and surrounding area, a dwelling on this site would fail to integrate and would be read as a prominent feature in the landscape. Roadside hedge removal to provide the access and visibility splays will exacerbate the open nature of the site. Critical views are transient in either direction of travel along the site frontage. The applicant was notified of concerns regarding integration via email on 5th July 2021. They responded with supporting information via email inclosing Document 03 (date stamped 29th July 2021).
- 8.15 Document 03 aims to address the above concerns in relation to CTY13, stating that the predominant feature in the vicinity of the application site is the large industrial building located some 85metres northwest of the application site. The document states the building is 30metres by 16metres with a height of 7.25metres (approved under application E/2012/0223) and given the location of the industrial building it will screen views of

the proposed dwelling especially when viewed with the sheep shed (located within the eastern corner of the site - approximately 3 metres in height) and will aid integration of a dwelling on the site and would not be seen as a prominent feature in the landscape. Doc 03 states when travelling from the north west along the Glen Road, views of the site are screened by the existing dwelling at No. 27 Glen Road and the existing mature vegetation making views visible when directly upon the site. The document goes on to suggest that the dwelling would not rely primarily on new landscaping and it is suitably enclosed and would blend with the surrounding landform and buildings.

- 8.16 Doc 03 states views of this area are dominated by the large industrial building, which the applicant believes the proposed dwelling would help to mitigate. The Planning Department does not agree and believes the site is too far removed from the industrial building to be considered to integrate with it. Furthermore, the site is not suitably enclosed and lacks established boundaries. Therefore, the site would fail to integrate and would be read as a prominent feature in the landscape especially when travelling south east and when turning the corner of the Glen Road to travel south west.
- 8.17 Doc 03 refers to planning appeals/planning application which the agent considers are similar to this case. Appeal Ref: 2020/A0037 planning Ref: LA02/2019/0863/O is for two infill dwellings at between 96 and 98 Largy Road, Carnlough. The reason for the refusal on this site was based on Policy CTY 8 in that the application site was not a small gap within a substantial and continuously built up frontage. The PAC overturned this refusal reason stating the site was within a substantial and continuously built up frontage which would host a maximum of 2 dwellings while respecting the existing pattern of development along the road. Doc 03 identifies paragraph 11 of the PAC's decision of this appeal in relation to integration which states the proposed dwellings would integrate due to the existing buildings on either side of the site and the backdrop of rising topography to the west (rear of the site). It is noted that the topography of this site and the surrounding area rises gradually from the Carnlough Coast to the east of the application site and continues to rise towards the west before steeply rising to form a backdrop some 192metres from the eastern boundary of the site. The topography Doc 03 is relying on for a backdrop on this

application is located some 1.5-2 miles to the north west of the application site. Therefore, the material considerations of the appeal are different to this application.

- 8.18 Appeal Ref: 2019/A0160 - planning Ref: LA01/2019/0188/O for a dwelling at 30m north of 729 Feeny Road, Rallagh, Dungiven was refused by the Council based on integration (Policy CTY 13). The PAC stated that the rising topography and mature vegetation benefited the site acting as a backdrop and on that basis approved the application. It is noted the nature of this appeal is different than the current application, the appeal site's surrounding area is not as open as this current application, it benefits from a backdrop of mature trees and an immediate rising topography to the rear of the site. This current application is located within a vast open countryside with no substantial boundaries, the land is flat until the topography of the escarpment to the north of the site begins to rise 1.5 -2 miles from the site. Therefore, as it is considered this appeal is quite different to this application it cannot be given substantial weight to approve this application.
- 8.19 Appeal Ref: 2019/A0260 planning Ref: LA01/2018/1315 is for two infill dwellings between 22 and 26 Carrowdoon Road, Dunloy. Again, this appeal benefits from existing mature vegetation which the commissioner accepted acts as backdrop for the site. This application does not benefit from a backdrop of trees therefore this argument cannot be sustained.
- 8.20 Planning permission Ref: LA01/2019/0026 is for a dwelling at 33m south of 53 Glen Road, Glenariffe. Doc 03 states this is located 1km further south along Glen Road, with very similar characteristics to the subject application. The Planning Department notes that this application was for an infill within a substantial and continuous frontage, meaning the application site was framed by existing buildings. This current application site does not benefit from such framing and is open to the surrounding area.
- 8.21 Doc 03 notes that the PAC includes adjacent buildings in their assessment of the ability of a site to integrate. The document states that given the dominance of the large industrial building adjacent to the application site and the disposition of the applicant's existing dwelling and sheep sheds, the site is

acceptable. The Planning Department disagrees with this assessment.

- 8.22 Doc 03 notes that the Planning Department has given consideration to integration with existing buildings. However, the proposal fails to integrate due to distance away and/or small scale of buildings (sheep shed to the east of the site, small scale existing dwelling at No. 27 and two small wooden structures to the north west of the site). Doc 03 goes on to state that Criterion (b) (of CTY13) is phrased in the alternative, long established natural boundaries or a suitable degree of enclosure. The Planning Department sustains their consideration in that the application site does not comply with either (natural boundaries or suitable degree of enclosure).
- 8.23 Overall, it is considered dwelling on this site will not integrate into the surrounding landscape and when viewed from the north (most critical view) would be a prominent feature in the landscape. Considerable mature landscaping would be required to aid the integration of this dwelling. Therefore, the proposal fails Policy CTY13 of PPS21.

Rural Character

- 8.24 Policy CTY14 of PPS21 states 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.
- 8.25 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 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 of development (see Policy CTY 8); or
 - (e) the impact of ancillary works (with the exception of necessary visibility splays) would damage rural character.

- 8.26 The Planning Department had considered the proposal under Policy CTY 10 and it was considered the proposed dwelling would cluster with the existing farm complex. However, it would not integrate sensitively due to the open nature of the application site, lack of substantial boundaries and a lack of a backdrop. It is considered that a dwelling on this site would be a prominent feature in the landscape and would not respect the traditional pattern of settlement exhibited in the area. Doc 03 aims to address these concerns in relation to Policy CTY14 and has referred to paragraph 5.79 of PPS 21 which states when integrating a building sensitively with a group of existing buildings, such as a farm complex, it is considered to respect the traditional pattern of settlement in that area.
- 8.27 Doc 03 quoted Appeal Ref: 2018/A0235; planning Ref: LA01/2018/1130/O for a dwelling at 50m north of 41a Tirkeeran Road, Garvagh. This application was refused due to the proposal failing to respect the traditional pattern of settlement in the area (as it wasn't bounded on two sides). The PAC determined the proposal would visually link with an existing cluster and due to that, would respect the traditional pattern of settlement in the area. Doc 03 goes on to state that the same outcome should apply for this current application due to the traditional settlement pattern being mainly roadside farmyards. The Planning Department has considered the application/appeal provided. The appeal site had a suitable degree of enclosure (as stated by the Council and the PAC) and was refused based on the application not being bounded on 2 sides by existing development only. This is a different set of circumstances than the current application.
- 8.28 The proposed dwelling and garage will be viewed as a dominant development in the landscape when travelling in either direction along the Glen Road, therefore eroding the rural character of this area. Doc 03 refers to the traditional settlement pattern along this stretch as being 'typical farmhouse straddling the road'. Nonetheless, the site does not respect the development pattern by reason of it being prominent and creating a ribbon of development along Glen Road.
- 8.29 The proposal would be a prominent feature in the landscape and would not respect the traditional settlement pattern within this area. Therefore, it would erode the rural character of the area

failing Policy CTY 14 of PPS 21. Additionally, it does not comply with Policy NH6 of PPS2 in that the siting and scale of the proposal is not sympathetic to the special character of the Area of Outstanding Natural Beauty in general and of the particular locality.

The Antrim Coast and Glens AONB

8.30 The site is located within the Antrim Coast and Glens AONB as identified in the Northern Area Plan 2016. PPS 2 sets out planning policies for the conservation, protection and enhancement of our natural heritage. Policy NH6 of PPS2 states planning permission for new development within an Area of Outstanding Natural Beauty will only be granted where it is of an appropriate design, size and scale for the locality and all the following criteria are met:

a) the siting and scale of the proposal is sympathetic to the special character of the Area of Outstanding Natural Beauty in general and of the particular locality; and

b) it respects or conserves features (including buildings and other man-made features) of importance to the character, appearance or heritage of the landscape; and

c) the proposal respects:

- local architectural styles and patterns;

- traditional boundary details, by retaining features such as hedges, walls, trees and gates; and

- local materials, design and colour

8.31 As this is an outline application, there are no design proposals at this stage. However, the principle of development is unacceptable given that the open nature of the site would not allow a dwelling to integrate satisfactorily. The proposal would cause harm to the special character of the AONB by reason of the prominence of the site within the gentle sloping valley, one of the identified landscape characteristics.

Access

8.32 Planning Policy Statement 3 relates to vehicular and pedestrian access, transport assessment, and the protection of transport routes, and parking. Policy AMP 2 states planning permission will only be granted for a development proposal involving direct access, or the intensification of the use of an existing access, onto a public road where:

- a) such access will not prejudice road safety or significantly inconvenience the flow of traffic; and
- b) the proposal does not conflict with Policy AMP 3 Access to Protected Routes.

8.33 The proposal aims to upgrade the substandard access at No. 26 Glen Road and share the access for the new dwelling. DFI Roads were consulted on the proposal and were content subject to conditions. Accordingly, the access arrangements are acceptable in terms of road safety.

Habitats Regulation Assessment

8.34 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.

Other Matters

8.35 Doc 03 states the applicant is now eighty-two years old and needs reliable, readily available and sometimes urgent help on his farm. He wishes for his son to be able to live permanently on the farm. Security in that area is also an issue, there have been multiple robberies on Glen Road, historically and in recent months. The applicant owns valuable farm machinery and livestock and is concerned for the security of those assets, he is aware that at eighty-two his own abilities are very limited.

8.36 Whilst these matters are a relevant material consideration, greater weight is given to the planning policy based reasons for refusal. The needs of the applicant could be met through selection of an acceptable site for a dwelling on the farm.

9 CONCLUSION

9.1 The proposal is considered unacceptable in this location having regard to the Northern Area Plan 2016, AONB, and other material considerations, including the SPPS. The proposal is

contrary Policy NH6 of Planning Policy Statement 2 in that the siting and scale of the proposal is not sympathetic to the special character of the Area of Outstanding Natural Beauty in general and of the particular locality; and contrary to Policies CTY13 and CTY14 of Planning Policy Statement 21, in that the proposal would fail to integrate into the surrounding area, would be a prominent feature in the landscape, would not respect the traditional settlement pattern within this area and would be detrimental to the rural character of the area by adding to the linear form of ribbon development along this road resulting in a suburban style build-up of development when viewed with existing buildings. Refusal is recommended.

10 Refusal reasons

- 10.1 The proposal is contrary to paragraph 6.70 of the Strategic Planning Policy Statement and Policy CTY 13 of Planning Policy Statement 21 in that the proposal would fail to integrate into the surrounding landscape, would be a prominent feature in the landscape, the site lacks long established natural boundaries and is unable to provide a suitable degree of enclosure for the building to integrate into the landscape.
- 10.2 This proposal is contrary to paragraph 6.70 in the Strategic Planning Policy Statement and Policy CTY 14 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that it would not respect the traditional settlement pattern within this area through creating a ribbon of development and would erode the rural character of the area.
- 10.3 The proposal is contrary to paragraph 6.186 and 6.187 of the Strategic Planning Policy Statement and Policy NH6 of PPS2 in that the siting and scale of the proposal is not sympathetic to the special character of the Antrim Coast and Glens Area of Outstanding Natural Beauty in general and of the particular locality.

Site Location

