

<b>Title of Report:</b>	<b>Planning Committee Report – LA01/2021/1262/F</b>
<b>Committee Report Submitted To:</b>	<b>Planning Committee</b>
<b>Date of Meeting:</b>	<b>23<sup>rd</sup> February 2022</b>
<b>For Decision or For Information</b>	<b>For Decision</b>

<b>Linkage to Council Strategy (2021-25)</b>	
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

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

<b>Screening Requirements</b>	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:

<b><u>App No:</u></b>	<b>LA01/2021/1262/F</b>	<b><u>Ward:</u></b>	<b>Giant's Causeway</b>
<b><u>App Type:</u></b>	<b>Full Planning</b>		
<b><u>Address:</u></b>	<b>117m N E 33 Castlenagree Road, Bushmills</b>		
<b><u>Proposal:</u></b>	<b>Proposed glamping pods (3 no) landscaping, parking, access and new laneway</b>		
<b><u>Con Area:</u></b>	<b>N/A</b>	<b><u>Valid Date:</u></b>	<b>14.10.2021</b>
<b><u>Listed Building Grade:</u></b>	<b>N/A</b>		
<b>Applicant:</b>	<b>Mr B Christie, 33 Castlenagree Road, Bushmills</b>		
<b>Agent:</b>	<b>Simpson Design NI Ltd, 42 Semicock Road, Ballymoney, BT53 9PY</b>		
<b>Objections:</b>	<b>0</b>	<b>Petitions of Objection:</b>	<b>0</b>
<b>Support:</b>	<b>0</b>	<b>Petitions of Support:</b>	<b>0</b>

## EXECUTIVE SUMMARY

- This proposal is considered unacceptable at this location having regard to the Northern Area Plan 2016 and all other material considerations.
- The application site falls within the countryside.
- No letters of objection have been received in relation to this application.
- No concerns have been raised by statutory consultees in relation to this proposal.
- The proposal lies within the Distinctive Landscape Setting of the Giant's Causeway and the proposed development does not qualify as an exception and does not justify a relaxation of the strict planning controls in this area.
- This proposed development does not involve the re-use or adaptation of existing farm buildings and no justification has been provided for this proposal.
- The proposal cannot be absorbed into the area with effective integration without adverse impact on visual amenity and rural character and the design of this development is not suitable for this exposed site.
- The proposal is not compatible with the adjacent farm use given prospective residents will experience strong odour which does not promote sustainability.
- The proposal results in significant hedge removal to achieve visibility splays. It has not been demonstrated that the proposal would not harm protected or priority species.
- Access and Parking arrangements are acceptable.
- The proposal does not comply with all relevant planning policies including the Northern Area Plan, SPPS, PPS 21, PPS 16 and PPS 2.
- 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 the recommendation set out in section 9 and the policies and guidance in sections 7 and 8 and resolves to **REFUSE** outline planning permission for the reasons set out in section 10.

## **2 SITE LOCATION & DESCRIPTION**

- 2.1 The application site is located at 117m NE of 33 Castlenagree Road, Bushmills. The site is irregular in shape and comprises part of an existing agricultural field. Site boundaries are undefined except for the boundary adjacent to the roadside which comprises hedging. Levels within the site and larger agricultural field vary with the site set slightly below road level. The existing farm house is located at No. 33 (south west of the site) and farm buildings surround this dwelling to the north. An existing silo storage pit is located west of the site.
- 2.2 The site is located in the countryside within the Distinctive Landscape Setting of the Giant's Causeway. The surrounding area comprises dispersed dwellings and farms.

## **3 RELEVANT HISTORY**

- 3.1 There is no relevant planning history relating to the site.

## **4 THE APPLICATION**

- 4.1 Full planning permission is sought for Proposed glamping pods (3 no) landscaping, parking, access and new laneway.

## **5 PUBLICITY & CONSULTATIONS**

### **5.1 External:**

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

## 5.2 Internal:

NI Water: No objections

Environmental Health: No objections

DFI Roads: No objections

DAERA: Countryside Management Inspectorate Branch: No objections

DAERA: 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:

- The 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

The Strategic Planning Policy Statement (SPPS)

PPS 2: Natural Heritage

PPS 3: Access, Movement and Parking

PPS 16: Tourism

PPS 21: Sustainable development in the countryside

## **Supplementary Planning Guidance**

Development Control Advice Note 15 - Vehicular Access Standards

## **8 CONSIDERATIONS & ASSESSMENT**

### **Planning Policy**

- 8.1 The proposal is located within the countryside and falls within the Distinctive Landscape Setting of the World Heritage Site known as the Giant's Causeway. The proposal must be considered having regard to the NAP 2016, SPPS, PPS policy documents and supplementary planning guidance. The main considerations in the determination of this application relate to: Development Plan Zoning, Farm Diversification, Tourism Development, Access and Parking and Natural Heritage.

### **Development Plan Zoning**

- 8.2 The proposal is located within the Distinctive Landscape Setting of the Giant's Causeway and Causeway Coast World Heritage Site (WHS). Paragraphs 6.6 and 6.7 of the SPPS refers to World Heritage Sites. The Giant's Causeway is of international importance and key considerations include the safeguarding of critical views to and from the site, the access and public approaches to the site and the understanding and enjoyment of the site by visitors.
- 8.3 Policy COU 4 of NAP 2016 applies to this development. No development in this zoning will be approved except in 3 circumstances:
1. Exceptionally modest scale facilities, without landscape detriment, which are necessary to meet the direct needs of visitors to the World Heritage Site.

2. Extensions to buildings that are appropriate in scale and design and represent not more than 20% of the cubic content of existing buildings.
  3. Replacements of existing occupied dwellings with not more than a 20% increase in cubic content.
- 8.4 The proposed glamping pods do not meet criterion 1 because the application is not necessary to meet the direct needs of visitors to the Giant's Causeway. Criteria 2 and 3 do not apply as the proposal does not consist of extensions to buildings or replacement of occupied dwellings.
- 8.5 The Policy does not allow for flexibility as it specifically states 3 circumstances in which development proposals must fall to be acceptable in the DLS of the Giant's Causeway. The proposed glamping pods is therefore unacceptable in principle contrary to Policy COU 4 of NAP 2016 and paragraph 6.6 of the SPPS.

### **Farm Diversification**

- 8.6 Development within the countryside is permitted provided it is in accordance with Policy CTY 1 of PPS 21. The proposal is for the diversification of the existing farm business at No. 33 Castlenagree Road to include 3 glamping pods, landscaping, parking, access and new laneway which is to be run in conjunction with the existing agricultural operations on the farm.
- 8.7 The proposal must comply with the following criteria of Policy CTY 11 of PPS 21:
- (a) *The farm or forestry business is currently active and established*  
DAERA confirm that the farm business is currently active and has been established for at least 6 years.
  - (b) *In terms of character and scale it is appropriate to its location*  
The proposal entails 3 glamping pods and a BBQ hut with associated access and parking. The proposed pods are positioned in a field adjacent to the Castlenagree Road and with the removal of the existing roadside hedge, the proposal will be highly visible when travelling both directions along this road. The proposed location for these pods is not suitable given the views available and the topography of the site. The proposal will negatively impact upon the existing character of this rural area.

*(c) It will not have an adverse impact on the natural or built heritage*

There is no notable built heritage features on or in proximity of the site. However the proposal is located within the Distinctive Landscape setting for the Giants Causeway and is contrary to the plan policy and PPS 6 as discussed above. The proposal seeks to remove a significant section of hedging along the roadside to facilitate the visibility splays for the new access. A Biodiversity Checklist has not been provided for this application. It has not been demonstrated that the proposal would not harm protected or priority species. An email dated 16/12/21 advised the Agent a Biodiversity Checklist is required for this application and it may even require a PEA due to the significant hedge removal. To date, there has been no correspondence from the Agent confirming this information will be provided.

*(d) It will not result in detrimental impact on the amenity of nearby residential dwellings including potential problems arising from noise, smell and pollution.*

The proposal due to its location within the countryside and separation distances from neighbouring properties will not result in a detrimental impact on neighbouring amenity. The proposal should not result in any harmful noise, smell or pollution. Environmental Health were consulted and offered no objections. However, there is concern for prospective residents of these pods in terms of odour/smell given the location of this site immediately adjacent to an existing silo storage pit which is large in size and this smell was evident during site inspection. Environmental Health have advised that occupants of the development may suffer intermittent disturbance and loss of amenity as a result of noise and odours arising from activities associated with the agricultural business.

- 8.8 This planning policy requires proposals to re-use or adapt existing farm buildings. A new building may be permitted in exceptional circumstances however no justification has been provided as to why new pods are necessary and existing buildings cannot be utilised. The Agent was informed in an email dated 7/12/21 that justification would need to be provided addressing this aspect however, to date no additional information has been received.

## Tourism Development

- 8.9 PPS 16 is silent on the glamping pods. However as the proposed PODs are of a similar dimensions to a caravan and they do not propose self catering, then Policy TSM 6 is applicable in this case. PPS 16 applies as this relates to New and Extended Holiday Parks in the Countryside. A new holiday park will be granted where it is demonstrated that the proposal is a high quality and sustainable form of tourism development. The location, siting, size, design, layout and landscaping of the holiday park must respect the surrounding landscape, rural character and site context.
- 8.10 The proposal entails a tourism development consisting of 3 Glamping Pods, a BBQ hut with associated landscaping, access and parking. The site layout plan shows the new access which leads to a parking area comprising 8 parking spaces. A new laneway and mature trees are shown on the proposed site plan however, these elements are outside the red line of the application and the agent has been asked to remove these in an email dated 7/12/21.
- 8.11 The site layout shows an informal layout for the proposed glamping pods - they are not entirely linear and do represent a small cluster. Adequate amenity areas are provided for communal open space. These should be approx. 15% of the site area which in this application is approx. 285m<sup>2</sup> given the overall size at 1900m<sup>2</sup>.
- 8.12 The proposed site lacks long established natural boundaries to provide a suitable degree of enclosure for integration into the landscape; it would rely primarily on new landscaping for integration; and the site is not appropriate for a development of this nature given the impact upon visual amenity and rural character. In addition, the site is somewhat removed from the existing farm buildings and as a result does not cluster with the farm holding.
- 8.13 The proposal entails ancillary works which would damage rural character given approx. 95m of roadside hedging requires removal to facilitate the new access with visibility splays. This would then open up the site considerably with public views available when travelling either direction along the Castlenagree Road and also along the frontage of the site as it would take time for new hedging to become established.

- 8.14 The design of this tourism development is not appropriate for this site and locality. The proposal cannot be visually integrated into the surrounding landscape given the roadside location of the site; the topography of the site; and no screening is provided by existing vegetation. The proposed glamping pods and BBQ hut will not blend sympathetically with the landscape at this location and will damage rural character.
- 8.15 The proposal does not conform to all the identified criteria in Policy TSM 6 as assessed above. The proposal is contrary to criteria (a), (b) and (e) of Policy TSM 6 of PPS 16.
- 8.16 Policy TSM 7 of PPS 16 also applies to this development. A proposal for tourism use must also meet the criteria below:
- a) A movement pattern is not considered necessary for this development as it is small scale and the site layout is appropriate in terms of access to each of the proposed pods.
  - b) The proposal entails 3 pods and a bbq hut located in the countryside on a roadside site. The chosen location for these pods is not suitable given there is no integration and public views are possible when travelling along the Castlenagree Road in both directions. The proposal does not assist in the promotion of sustainability because the location for these pods is beside an existing silo storage pit where there is a strong smell/odour. Prospective residents would not appreciate this smell as it would prohibit the enjoyment of their holiday experience.
  - c) Northern, eastern and western boundaries of the site are to be formed by a post and wire fence with the roadside boundary formed with proposed hedging behind the new visibility splays. No outside storage areas have been identified on the block plan.
  - d) Drainage and surface water run-off in connection with this development is considered adequate and NI Water and DAERA: Water Management Unit have no objections.
  - e) Crime and personal safety are not perceived to be an issue if managed effectively.
  - f) No public art is proposed.
  - g) The proposal is not compatible with surrounding land uses. Given the proximity to the existing silo storage pit there are odour concerns for prospective residents using these pods so this development is not sustainable. The proposed use as

Pods will detract from the landscape quality and character of the surrounding area as this roadside site cannot absorb the new use given the lack of integration.

- h) The proposal does not impact upon neighbouring residential amenity. The closest residential property is No. 33 which is under the same ownership as this proposal.
- i) It does not adversely affect features of the built heritage. Features of the natural heritage may be affected as it has not been demonstrated otherwise as a Biodiversity checklist has not been provided and there is significant hedge removal at this site.
- j) It is capable of dealing satisfactorily with any emission or effluent. Surface water is being disposed of via soakaways and foul sewage is being disposed of by a septic tank. NI Water, DAERA: WMU and Environmental Health were consulted and express no objections.
- k) Adequate access arrangements, parking and manoeuvring areas are provided and DFI Roads have no objections.
- l) Access to the public road will not prejudice road safety or inconvenience the flow of traffic and DFI Roads have no objections.
- m) The existing road network can cope with this development and DFI Roads have no objections.
- n) The access provided is not onto a protected route.
- o) It does not extinguish or significantly constrain an existing or planned public access to the coastline or a tourism asset.

The proposal is contrary to criteria (b), (g) and (i) of Policy TSM 7 of PPS 16.

### **Access and Parking**

- 8.17 Planning permission will only be granted provided the proposal does not prejudice road safety or significantly inconvenience the flow of traffic. A new access is proposed to the site along Castlenagree Road. DFI Roads was consulted in relation to this application and offer no objections. The proposal is acceptable and complies with Policy AMP 2 of PPS 3 and DCAN 15.

## **Natural Heritage**

- 8.18 The application comprises glamping pods with a new access proposed from the Castlenagree Road. This will result in a significant amount of hedge removal to achieve the visibility splays necessary to satisfy DFI Roads. A Biodiversity Checklist has not been provided for this development. An email dated 16/12/21 advised the Agent a Biodiversity Checklist is required for this application and it may even require a PEA due to the significant hedge removal. To date, there has been no correspondence from the Agent confirming this information will be provided. The proposal is therefore, contrary to Policies NH 2 and NH 5 of PPS 2 in that it has not been demonstrated that the proposal would not harm protected or priority species.

## **Habitats Regulations Assessment**

- 8.19 The potential impact of this proposal on Special Areas of Conservation, Special Protection Areas and Ramsar sites has been assessed in accordance with the requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc) Regulations (Northern Ireland) 1995 (as amended). The proposal would not be likely to have a significant effect on the features, conservation objectives or status of any of these sites.

## **9 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. The proposal is contrary to Policy COU 4 of NAP 2016 in that the site lies within the Distinctive Landscape Setting of the Giant's Causeway and the proposed development does not qualify as an exception and does not justify a relaxation of the strict planning controls in this area. The proposal is contrary to Policy CTY 11 of PPS 21 as the site location is not appropriate for this development in terms of character. This development does not involve the re-use or adaptation of existing farm buildings and no justification has been provided for this proposal.
- 9.2 The proposal is contrary to Policies TSM 6 and TSM 7 of PPS 16. The proposal cannot be absorbed into the area with effective integration without adverse impact on visual amenity and rural character and the design of this development is not suitable for this

exposed site. The proposal is not compatible with the adjacent farm use given prospective residents will experience strong odour which does not promote sustainability. The proposal is contrary to Policies NH 2 and NH 5 of PPS 2 in that it has not been demonstrated that the proposal would not harm protected or priority species. Refusal is recommended.

## **10 REFUSAL REASONS**

1. The proposal is contrary to Paragraph 6.6 of the SPPS and Policy COU 4 of NAP 2016 in that the site lies within the Distinctive Landscape Setting of the Giant's Causeway (World Heritage Site). The proposal does not qualify as an exception and therefore does not justify a relaxation of the strict planning controls in this area.
2. The proposal is contrary to Paragraphs 6.70 and 6.73 of the SPPS and criteria (b) and (c) of Policy CTY 11 of PPS 21 "Sustainable Development in the Countryside" in that the site location is not appropriate for this development in terms of character and it has not been demonstrated that natural heritage would not be adversely impacted. In addition, this development does not involve the re-use or adaptation of existing farm buildings and no justification has been provided for this proposal.
3. The proposal is contrary to Paragraphs 6.255 and 6.260 of the SPPS and criteria (a), (b) and (e) of Policy TSM 6 of PPS 16 "Tourism" in that the proposal cannot be absorbed into the area with effective integration without adverse impact on visual amenity and rural character and the design of this development is not suitable for this exposed site.
4. The proposal is contrary to Paragraphs 6.255 and 6.260 of the SPPS and criteria (b), (g) and (i) of Policy TSM 7 of PPS 16 "Tourism" in that the site location is not suitable given there is no integration with public views available resulting in harm to the character of the area; the proposal is not compatible with the adjacent farm use given prospective residents will experience strong odour which does not promote sustainability; and features of natural heritage may be affected as it has not been demonstrated otherwise as a Biodiversity Checklist has not been provided.

- The proposal is contrary to paragraphs 6.177 and 6.179 of the SPPS and Policies NH 2 and NH 5 of PPS 2 “Natural Heritage” in that it has not been demonstrated that the proposal would not harm protected or priority species as sufficient information has not been provided to enable full assessment.

## Site Location Map



Mr. B. Christie			
PROJECT Proposed Camping Pods Castlenagree Road, Bushmills	DATE 1-2500	PROJECT Oct, 21	SHEET -
DRAWN Location Map	CHECKED LM-01		

