

Planning Committee Report LA01/2016/1461/O	24th May 2017
PLANNING COMMITTEE	

Linkage to Council Strategy (2015-19)	
Strategic Theme	Protecting and Enhancing our Environment and Assets
Outcome	Pro-active decision making which protects the natural features, characteristics and integrity of the Borough
Lead Officer	Principal Planning Officer
Cost: (If applicable)	N/a

**180m South of 22a Drumaroan
Road
Ballycastle**

**LA01/2016/1461/O
Outline Planning**

24th May 2017

<u>App No:</u>	LA01/2016/1461/O	<u>Ward:</u>	TORR HEAD and RATHLIN
<u>App Type:</u>	Outline Planning Permission		
<u>Address:</u>	180m South of 22a Drumaroan Road, Ballycastle		
<u>Proposal:</u>	Proposed new dwelling and garage on the farm		
<u>Con Area:</u>	N/A	<u>Valid Date:</u>	30.11.16
<u>Listed Building Grade:</u>	N/A	<u>Target Date:</u>	
Applicant:	Johnny O'Kane, 93 Layde Road, Cushendall		
Agent:	W M McNeill, 30 Knowehead Road, Broughshane		
Objections:	0	Petitions of Objection:	0
Support:	0	Petitions of Support:	0

Drawings and additional information are available to view on the Planning Portal- www.planningni.gov.uk

1 RECOMMENDATION

- 1.1 That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 9 and the policies and guidance in sections 7 and 8 and resolves to **REFUSE** planning permission for the reasons set out in section 10.

2 SITE LOCATION & DESCRIPTION

- 2.1 The application site is located in the southern portion of a larger agricultural field. The site is roadside with the western boundary of the site running along the Drumaroan Road at a distance of approximately 150 m from the junction with the Cushendall Road. The roadside boundary is defined by a steep grass bank with dense gorse hedging above. The site is at a higher level than the road. The northern and southern boundaries of the site are defined by an established hedgerow. A small sheep pen and storage container are located along the northern boundary of the site. The site slopes steeply in a southerly direction towards the Cushendall Road and also in an easterly direction from the eastern boundary which is undefined.

- 2.2 The site is located within the Antrim Coast and Glens AONB. The area surrounding the site is defined by open and undulating agricultural fields.

3 RELEVANT HISTORY

Planning History on the farm holding:

Layde Road:

E/2009/0093/O – 93 Layde Road. Dwelling and garage of farm. Approved 6th August 2009.

E/2010/0012/F – 93 Layde Road. 1 ½ Storey dwelling on a Farm. Approved 31st August 2010.

E/2010/0218/F – 93 Layde Road. Re-siting of replacement dwelling & new house type to supersede previous application E/2007/0395 with existing dwelling retained for storage. Approved 22nd April 2011.

LA01/2016/1292/F – 93 Layde Road. Re-siting of previously approved dwelling to supersede previous application E/2010/0218/F, change of house type and new access. Current application.

E/2000/0322/F – Adj to 90 Layde Road. Farmworkers Dwelling. Approved 28th December 2000.

Glenmakeeran Road, Ballycastle:

E/2009/0103/O - South of 16 Glenmakeeran Road. Farm dwelling and garage. Approved 6th August 2009.

E/2011/0055/RM - South of 16 Glenmakeeran Road. Farm dwelling and garage. Approved 17th June 2011.

Cairns Road, Cushendall

E/2014/0097/O – 142m SW of 37 Cairns Road, Cushendall. Dwelling and garage on Farm. Approved 29th July 2015

LA01/2016/0618/RM - 142m SW of 37 Cairns Road, Cushendall. Dwelling and Garage on Farm. Approved 20th September 2016.

Drumaroan Road

E/2014/0218/O and Appeal 2015/A0152 – south of 22A Drumaroan Road. Dwelling and Garage on farm. Refused and Appeal Dismissed 27/06/2016.

LA01/2016/0830/F. South of 22A Drumaroan Road. Retention of existing agricultural shed for sheep shearing. Approved 26th October 2016.

4 THE APPLICATION

- 4.1 Proposed farm dwelling and garage.
- 4.2 A previous application, E/2014/0128/O, on an adjacent site was refused by the Planning Authority and dismissed at Appeal, Ref 2015/A0152. This application is to the south of the sheep pens, additional information has also been provided.

5 PUBLICITY & CONSULTATIONS

External

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

Internal

- 5.2 **Transport NI:** Has no objection to the proposal.
DARD NI: DARD has confirmed the farm business is active.
Historic Monuments Unit: Has no objection to the proposal.
Water Management Unit: Has no objection to the proposal.
NI Water: Has no objection to the proposal.
Environmental Health: Has no objection to the proposal.

6 MATERIAL CONSIDERATIONS

- 6.1 Article 45 of the Planning Act (Northern Ireland) 2011 states that, “where an application is made for planning permission, the council or, as the case may be, the Department, in dealing with the application, must have regard to the local development plan, so far as material to the application, and to any other material considerations.”
- 6.2 The development plan is the Northern Area Plan 2016.
- 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)

PPS 3 Access, Movement and Parking

PPS 21: Sustainable Development in the Countryside

Supplementary Planning Guidance

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

8 CONSIDERATIONS & ASSESSMENT

The main considerations in the determination of this application relate to: the principle of the development; revocation; integration and rural character and; the AONB.

Principle of the Development

- 8.1 As per the Northern Area Plan 2016, the site is located within countryside.
- 8.2 The principle of this proposed development must be considered having regard to the PPS policy documents specified above and the supplementary guidance.
- 8.3 Policy CTY1 of PPS 21 states that there are a range of types of development which are considered to be acceptable in principle in the countryside. One of these is a farm dwelling, in accordance with Policy CTY10.
- 8.4 Policy CTY10 states that:

Planning 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. Exceptionally, consideration may be given to an alternative site elsewhere on the farm, provided 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(s).*

In such circumstances the proposed site must also meet the requirements of CTY 13 (a-f), CTY 14 and CTY 16.

Planning permission granted under this policy will only be forthcoming once every 10 years.

- 8.5 (a) The proposal is for a farm dwelling on Mr J O Kane's farm holding. The application has been made by Mr J O Kane. The farm holding comprises 91.92 hectares of land, which is located with the majority of land adjacent to the applicants' main farm group at 93 Layde Road, Cushendall. The applicant also farms land at Cairns Road, Glenmakeeran Road and Drumaroan Road. The applicant advises that the farm business has been in the family for 100 plus years. DARD confirm the farm business is currently active and has been established for at least 6 years.
- 8.6 (b) The planning history outlined in paragraph 3 above demonstrates that 3 No. planning applications have been approved for farm dwellings on the farm holding over the last 10 years. All these permissions are either extant, commenced or completed. The policy as highlighted in Para 6.73 of the SPPS and CTY 10 advises that a dwelling under this policy will only be forthcoming every 10 years.
- 8.7 At a previous appeal on the Drumaroan holding the Planning Appeals Commission stated "As the appeal proposal if allowed would result in the fourth farm dwelling in addition to a replacement opportunity, I conclude that criterion (b) of Policy CTY 10 is offended in this context." (See attached PAC Decision). As further information has not been provided to change this position, the proposal fails to meet with criterion (b) of CTY 10.
- 8.8 (c) The principle farm grouping is located at no. 93 Layde Road, Cushendall. At the application site a sheep pen and storage container and small shed are located along the northern boundary. As the small shed is the only building this does not constitute an established group of buildings as required by policy. The lack of permanency of the storage container and sheep pen does not represent a group of buildings and therefore the proposed siting does not meet this part of the policy. This consideration was supported at the previous appeal, see paragraph 14 of the attached appeal.

- 8.9 The agent submitted additional information to the Council on 15th March 2017. These included appendices which were referred to in the supporting statement submitted with the planning application.
- 8.10 Appendix A – Hardship Payment from DARD and Disposal Notices. The PAC decision made reference to the loss of sheep in 2010 and 2013. However, it was not clear as to where on the farm this loss occurred. Appendix D shows a letter dated 9th March 2017 stating that several collections dating 2013 – 16 of dead stock were made from the outfarm at Drumaroan Road. The largest of these was made in March 2013 when 10 ewes and 20 lambs were collected.
- 8.11 The supporting statement also advises that the applicant intends to remain at his current property at 93 Layde Road, Cushendall. The proposed application is for a farm dwelling for a farm worker to occupy. Planning policy does not provide for a dwelling specifically for a farm worker, it is for a dwelling on a farm which has already been allowed on 3 locations on the farm holding.
- 8.12 Appendix B – Reference to dog attack on 6 sheep as the reason for the collection of sheep. The information does not advise where the sheep were killed.
- 8.13 Appendix C – Email from Veterinary Officer DARD. The email states that a level of care should be provided by the person responsible for farmed animals. Appropriate care should be given to sick or injured animals and the need for inspection and care at the time of calving and lambing. The email goes on to state that good practice would be to bring parturient animals home from outfarms at this time to provide adequate care or to employ staff to sleep on site when there is an intensive lambing period.
- 8.14 Given the size of the land comprising this outfarm (6.88 ha) arrangements could be made to move livestock to land on the main farm where supervision can be provided or as stated in the email (Appendix C) temporary accommodation to sleep on site as and when required.

8.8 The proposal fails to comply with criterion (c) of Policy CTY 10.

Revocation

8.9 Policy CTY 10 states that a farm dwelling granted under this policy will only be forthcoming once every 10 years. The applicant wishes to replace the farm dwelling granted under E/2010/0012/F on

which development has commenced, the Agent has also advised in his supporting documents that the applicant proposes to complete the dwelling this year.

- 8.10 The original dwelling approved at Layde Road was compliant with all aspects of Policy CTY 10. Section 68 of the Planning Act (Northern Ireland) 2011, specifies that revocation can only be carried out by the Council and only when it considers it is expedient to do so, having regard to the Local Development Plan and any other material consideration.
- 8.11 As the alternative siting fails to comply with the relevant policies in the SPPS and PPS 21, it is not expedient to revoke any approved site which accords with policies in favours of one that does not. Therefore, it would not be expedient for the Council to revoke the 2010 approval.

Integration and Rural Character

- 8.12 The proposed site and curtilage are located in the SW corner of a larger agricultural field with the topography rising in a northerly and easterly direction away from the proposed siting. There is a substantial boundary of dense hedgerow running along the roadside. The southern boundary of the site, running parallel to the Cushendall Road, is less substantial defined by a post and wire fence and sparse vegetation. The site is set one field back from the Cushendall Road and the land falls away steeply from the southern boundary of the site towards the Cushendall Road. The southern boundary is readily visible when travelling along the Cushendall Road and as the land rises in a northerly direction a dwelling, even of single storey, would be readily visible behind this sparse boundary and would appear skyline when viewed from the Cushendall Road.
- 8.13 Although the boundary along the Drumaroan Road is more substantial the ground level of the site is at a higher level than the road level which could give a dwelling on this site an elevated position when viewed from along this road.
- 8.14 In order to achieve a satisfactory access into the site substantial earth works would be required due to the rise in ground level, as confirmed by Transport NI consultation dated 24/11/16. Furthermore, the layout plan indicates that due to the sloping nature of the site excavation works would be required to achieve a developable site. The required works to achieve a adequate

access and level site for development would have an adverse impact on the surrounding landscape and damage the rural character.

- 8.15 Taking these factors into account, the proposal is contrary to Policies CTY 13 and 14 in that it would fail to integrate, be prominent and would have an adverse effect on rural character.

Area of Outstanding Natural Beauty

- 8.16 The application is for outline planning permission and no indicative drawings have been submitted with the application. However, as discussed above, a dwelling of single storey along with the excavation of the site and the access works required would impact on the special character of the AONB.

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 fails to meet with Policy CTY 10 in that other farm dwellings have been allowed within the last ten years on this farm holding. The proposal also fails to meet criteria (c) regarding siting adjacent an established group of buildings on the farm. Having regard to the requirements of policies CTY 13 and CTY 14, the proposed dwelling and access would fail to integrate and be detrimental to the rural character. In addition, the proposal offends Policy NH6 in that it would have a detrimental impact on the character of the AONB. Refusal is recommended.

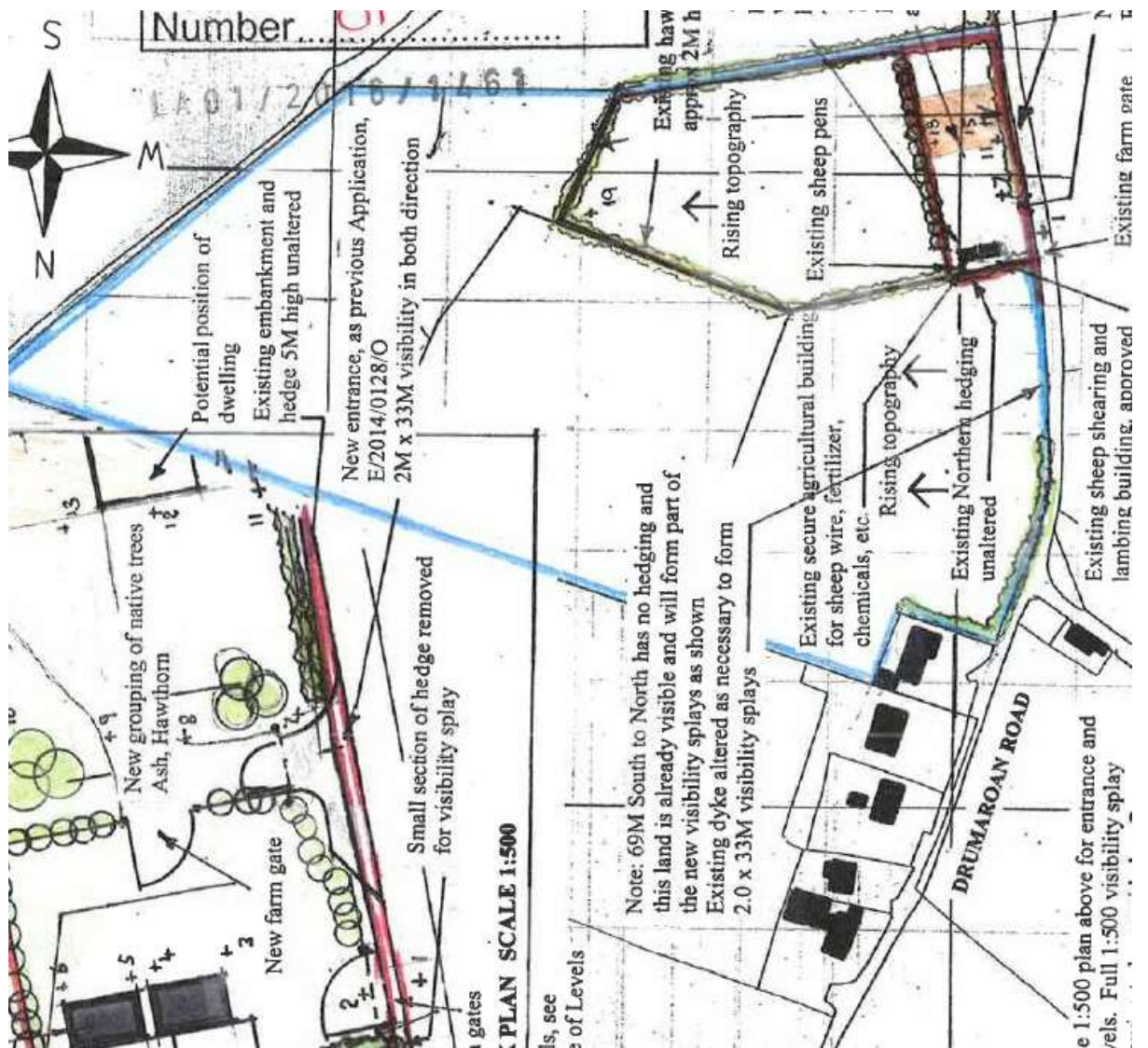
10 REASONS FOR REFUSAL

- 10.1 The proposal is contrary to Paragraph 6.73 of the Strategic Planning Policy Statement for Northern Ireland and Policies CTY 1 and CTY 10 of Planning Policy Statement 21: Sustainable Development in the Countryside and does not merit being considered as an exceptional case in that permission has been granted for a dwelling on this farm within the last 10 years.
- 10.2 The proposal is contrary to Paragraph 6.73 of the Strategic Planning Policy Statement for Northern Ireland and Policies CTY1 and CTY10 of Planning Policy Statement 21, Sustainable Development in the Countryside and does not merit being

considered as an exceptional case in that it has not been demonstrated that: the proposed new building is visually linked or sited to cluster with an established group of buildings on the farm and access to the dwelling is not obtained from an existing lane; or, that health and safety reasons or verifiable farm expansion plans exist to justify an alternative site not visually linked, or sited to cluster with an established group of buildings on the farm.

- 10.3 The proposal is contrary to Paragraph 6.70 and 6.77 of the Strategic Planning Policy Statement for Northern Ireland (SPPS) and Policy CTY13 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that: the proposed building would be a prominent feature in the landscape; 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; the proposed building relies primarily on the use of new landscaping for integration; the ancillary works do not integrate with their surroundings; the proposed building fails to blend with the landform, existing trees, buildings, slopes and other natural features which provide a backdrop; the proposed dwelling is not visually linked or sited to cluster with an established group of buildings on the farm and therefore would not visually integrate into the surrounding landscape.
- 10.4 The proposal is contrary to Paragraphs 6.70 and 6.77 of the Strategic Planning Policy Statement for Northern Ireland (SPPS) and Policy CTY14 of Planning Policy Statement 21, Sustainable Development in the Countryside in that: the building would, if permitted, be unduly prominent in the landscape; the building would, if permitted not respect the traditional pattern of settlement exhibited in that area; the impact of ancillary works would damage rural character; and would therefore result in a detrimental change to further erode the rural character of the countryside.
- 10.5 The proposal is contrary to Paragraph 6.187 of the Strategic Planning Policy Statement for Northern Ireland (SPPS) and Policy NH 6 of Planning Policy Statement 2 “Natural Heritage” in that the development, if permitted, would have a detrimental impact upon the character and appearance of this designated Area of Outstanding Natural Beauty.

Site Location



Appeal Reference:	2015/A0152.
Appeal by:	Mr Johnny O'Kane.
Appeal against:	The refusal of outline planning permission.
Proposed Development:	New dwelling and garage on farm.
Location:	Land 130m south of 22A Drumaroan Road Ballycastle.
Planning Authority:	Causeway Coast and Glens Borough Council.
Application Reference:	E/2014/0128/O.
Procedure:	Written Representations and Commissioner's site visit on 22 April 2016.
Decision by:	Commissioner Pauline Boomer dated 27 June 2016.

Decision

1. The appeal is dismissed.

Preliminary Matter

2. Concerns about the processing of the planning application and the nuances of the development management process of the Department and the Local Planning Authority are matters to be pursued with both planning authorities.

Reasons

3. The main issues in the appeal are:
 - (i) whether the proposal is acceptable in principle in the countryside and;
 - (ii) the effect of the proposal on visual amenity and rural character.
4. The appeal site lies within the open countryside and whilst it is identified as lying within the Antrim Coast and Glens Area of Outstanding Natural Beauty (AONB) in the Northern Area Plan 2015, there is no specific policy in the plan that is material to this proposal.
5. The Strategic Planning Policy Statement for Northern Ireland Planning for Sustainable Development (SPPS) was published on 28th September 2015 and is a material consideration. The relevant policy context is provided by Planning Policy Statement 21: Sustainable Development in the Countryside (PPS21), one of the policy documents retained by the SPPS.
6. Policy CTY1 of PPS21 sets out a range of the types of development which are considered to be acceptable in principle in the countryside. These include a dwelling on a farm in accordance with Policy CTY10. Policy CTY10 requires

compliance with all three listed criteria and whilst the LPA accepts that the appellant has an active and established farm business, they do not consider that criterion (b) and (c) are met.

7. Criterion (b) of Policy CTY10 requires that no dwellings or development opportunities have been sold off from the farm holding within 10 years of the date of the application. The appellant has an extensive farm business. On five farm maps submitted to the Department on 16 June 2014 and dated 28 January 2013 which refers to the appellant and a single farm business reference number: 600471, it is indicated that a total of 91.92 ha (237.14 acres) is farmed. The bulk of the land extends either side of Layde Road Cushendall close to and enclosing the appellant's main farm group at No. 93. Approval was granted in 2011 for a replacement of a vacant dwelling situated in the middle of the farm group (E/2010/0218/F). A further approval for a 1^{1/2}-storey dwelling on the farm was granted on 25 August 2010 for the appellant under E/2010/0012/F, sited to the east of the main farm group. The appellant also farms a further 3.3ha. of land 100m south of the main farm group, which includes a farm worker's dwelling approved in 2000. The appellant farms 4 outfarms of varying sizes:
 - 10.15 ha. in the townland of Drumchoree;
 - 7.5 ha. at Cairns Road, Cushendall where the planning history map indicates that the appellant was granted planning permission for a dwelling on a farm on 29 July 2015 under E/2014/0097/O
 - 29 ha. at Glenmakeeran Road Ballycastle where the planning history map indicates a Mrs O'Kane was granted planning permission for a farm dwelling on 17 June 2011 under E/2011/0055/RM.
 - 6.88 ha. at the out farm at Drumaroan Road Ballycastle where the appellant now seeks to erect a farm dwelling and garage.
8. In the minutes of an office meeting held on 30 April 2015, the appellant confirmed that there were four dwellings approved on the principal farm. In acknowledging that approval was granted for a farm dwelling adjacent to the main farm group at Layde Road, where development has commenced with the footings constructed, he now requests that that approval be revoked in favour of the alternative on the appeal site.
9. Section 68 (1) of the Planning Act (Northern Ireland) 2011 states that if it appears to a Council, having regard to the local development plan and to any other material considerations, that it is expedient to revoke or modify any permission to develop land granted on an application made under this Part or on an appeal under Section 143, the council may, subject to subsections (2) to (4), by order revoke or modify the permission to such extent as (having regard to those matters) it considers expedient. Section 68 (2) (a) states that this power to revoke or modify permission may be exercised where the permission relates to the carrying out of a building or other operations, at any time before those operations have been completed.
10. I do not agree with the LPA that the commencement of development on the original site precludes the possibility of revocation or modification. Whilst

development has commenced, it has not been completed as only the footings have been constructed. However the legislation specifies that revocation can only be carried out by the Council and only when it considers it is expedient to do so, having regard to the Local Development Plan and any other material considerations.

11. The original approval granted under E/2010/0012/F complied with Policy CTY 10, visually linking with the main group of buildings on the farm. However the appellant considers that this is not a viable option for health and safety and for financial reasons. A letter has been submitted stating that mortgage providers deem the original site to be unsuitable to build on due to the access to the site running through the main farmyard. Concerns are raised that the proposed access through a working farm would be dangerous for both the occupants of the property and members of the public, especially children. However this letter also confirms that there should be no problem obtaining a mortgage in the future if an alternative access to the property could be provided. The appellant referred me to the Ministerial Statement of 2012 which recommends greater flexibility in providing access to farm dwellings. The LPA in their rebuttal has indicated that they would give favourable consideration to an alternative access which could be achieved without detriment to integration. As this would resolve both the concerns about health and safety as well as mortgage difficulties, the original site remains the most suitable option which complies fully with Policy CTY 10.
12. The appellant argues that he needs to relocate to Ballycastle to minimise the risks to his own safety when travelling the 12 miles to the outfarm in dangerous weather conditions to care for his livestock. He further argues that during the winters of 2010 and 2013 some of his stock were killed, stolen or died as a result of inclement weather. Whilst documentation presented indicates that the appellant lost a number of sheep in 2010 and 2013, it is unclear on which part of the holding these fatalities occurred. I recognise that under animal welfare legislation, a farmer has a responsibility to provide a level of care for farmed animals including regular inspection when lambing and isolation of sick animals but the two incidents cited do not justify the erection of a dwelling on an outfarm which represents less than 10% of the overall holding. Whilst travelling from the main farm over the mountains to this outfarm may be dangerous at times of snow and frost, if the appellant were to relocate permanently, he would have to negotiate the reverse of that journey several times a day to inspect the bulk of the land and stock. This would also necessitate additional journeys back to provide care and support for his elderly mother who lives close to the main farm group at Layde Road. The proposed relocation is therefore likely to generate many more daily journeys along this upland route which the appellant considers to be dangerous.
13. Whilst the appellant referred me to three planning applications where approvals were granted for an alternative siting for a farm dwelling due to health and safety risks, each case must be considered on its own merits and I do not have the full facts to ascertain that those particular circumstances are directly comparable to that of the appellant. As an alternative access to the original site is achievable, I am not persuaded that it represents a health and

safety risk to the appellant. Equally I am not persuaded that the alternative siting at Ballycastle is a necessity on health and safety grounds and one that justifies an exception to policy.

14. The LPA's further objection was that the proposed dwelling would not be visually linked or sited to cluster with the established group of buildings on the farm in accordance with criterion (c) of Policy CTY10. The appeal site comprises a large open field alongside a small corrugated iron sheep shelter and a container alongside two sheep pens. The LPA originally discounted both the shed and container which they considered to be unauthorised and the subject of enforcement action. Post rebuttal stage, the appellant submitted an aerial photograph dated 2010 which shows a container in the appeal site at that time plus a receipt for moving a container. Irrespective of how long the container has been in position, it is a temporary and moveable structure. I note that the appellant refers to these as structures in his rebuttal. Whilst the appellant has referred me to five examples of cases where he states that the Department assessed containers to form part of an established group of farm buildings, this was not confirmed by the Council and the submission of only a photograph along with a site location plan and part of a decision notice do not provide me with the full facts of each case to allow me to make direct comparisons. Regardless of the planning status of the sheep shelter and container, their lack of permanency does not equate to an established group of buildings on a farm with which the proposed dwelling could be visually linked or sited to cluster with.
15. I have concluded above that taken in isolation the appeal proposal fails to comply with criterion (c) of Policy CTY 10. The appellant acknowledges that the original site approved under E/2010/0218/F was compliant with all aspects of Policy CTY 10. As the alternative siting fails to comply with the relevant policies in the SPPS and PPS 21, I agree with the LPA that it is not expedient to revoke any approved site which accords with policies in favours of one that does not. I therefore conclude that it would not be expedient for the Council to revoke the 2010 approval.
16. In these circumstances I must consider the appeal site as an additional site for a farm dwelling and assess it in light of the other three live approvals for farm dwellings on the appellant's holding. Given this collective planning history on the appellant's farm, and in the absence of any documentation to clarify if and/or when they will be occupied and by whom, I find that this fails to meet the thrust of the Policy which allows for one dwelling on a single holding every 10 years. As the appeal proposal if allowed would result in the fourth farm dwelling in addition to a replacement opportunity, I conclude that criterion (b) of Policy CTY 10 is offended in this context.
17. The appeal proposal does not fall within one of the other types of housing development that are acceptable in principle in the countryside under Policy CTY 1. The appellant did not argue that there were any overriding reasons why the development was essential and could not be located in a settlement. I conclude there to be no policy support for the principle of a farm dwelling

here in PPS 21. The LPA has therefore sustained its first two reasons for refusal based on Policies CTY 1 and CTY 10.

18. The 3rd and 4th reasons for refusal state that the appeal proposal fails to meet criteria (a), (b), (c) and (g) of Policy CTY 13 and criteria (a) of Policy CTY 14, resulting in a prominent feature in the landscape, lacking long established boundaries and unable to provide a suitable degree of enclosure. The appellant argues that Policies CTY 13 and CTY 14 have less weight attached than Policy CTY 10 where farm dwellings are visually linked to buildings on the farm. I have already discounted the argument that there is an established group of buildings on this outfarm so criterion (g) is offended. Nonetheless, I agree with the LPA that neither Policy CTY 1 nor Policy CTY 10 are self contained policies as confirmed in Paragraph 5.0 of PPS21 and as Policies CTY 13 and CTY 14 set out the criteria for judging the acceptability of new buildings in the countryside, they are therefore relevant. This reflects the approach taken in Appeal 2014/A0034 referred to me by the LPA. I therefore agree with the LPA that Policies CTY 13 and CTY 14 must be considered and put onto the scales when assessing the planning merits of the appeal proposal.
19. The appeal site sits at a higher level than the public road which it abuts with the land continuing to rise steeply in an easterly direction to form a local crestline. A high bank extends along the site frontage on either side of the proposed access defined by a post and wire fence along with a few gorse bushes. Some gorse bushes define part of the boundary which separates the proposed site from the sheep pens and structures and the north-eastern site boundary is undefined at present. Whilst the repositioning of the access to the brow of the hill reduces the extent of sightline improvements required to facilitate the residential access, some of the existing bank across the appeal site frontage would have to be removed. Given the lack of definition to the north-east and the limited cover available along the other two boundaries, some of which would have to be removed, any dwelling at this location would fail to provide the level of enclosure required to achieve a satisfactory level of integration.
20. As the land rises to the east and north-east within the appeal site, a significant amount of excavation would be required to accommodate the large footprint shown on the submitted block plan requiring the erection of a retaining wall which would be visually obtrusive on such an open exposed site. Even if restricted to single storey as suggested by the appellant in his Rebuttal, the proposed dwelling and garage would dwarf the small structures alongside which would fail to provide any screening. The topography of the land and alignment and curvature of the road would restrict views to short range only and I consider the critical views are limited to across the frontage of the host field when travelling in both directions. I do not agree that travellers will be distracted by sea views rather than the development on the appeal site. This dead end road serves Corrymeela Holiday Village and caravan park as well as a number of residential dwellings and from these important public aspects, the lack of established boundaries and extent of excavation required to accommodate the large curtilage and extended driveway would result in a

dwelling which would be unduly prominent in such an open and exposed landscape. Whilst the appellant indicates that he would allow existing hedgerows to grow up and plant additional landscaping, this would take time to establish and provide the level of enclosure required to achieve a satisfactory level of integration. In relying to such an extent on new landscaping, the appeal proposal conflicts with criterion (c). I consider that any development on this site would represent skyline development unless restricted to single storey. Regardless of its overall height, any dwelling and garage sited on this exposed hillside would fail to blend into and be visually integrated into the landscape as required to be compliant with Policies CTY 13 and 14. Whilst the appellant has presented a number of photographs showing dwellings on prominent sites with limited backdrops, I do not have sufficient information on these cases to make direct comparisons. The appeal proposal falls to be considered against prevailing policy. As I have concluded that the appeal proposal does not find support in Policies CTY 13 and 14, the 3rd and 4th reasons for refusal are therefore sustained.

21. Whilst the appellant has raised the issue of consistency in decision making in general, and has sought to draw comparisons with a number of previous planning permissions, the information he has provided on these decisions is insufficient to enable me to draw a meaningful comparison with the appeal proposal. The issues in this appeal are specific to this site and the appellant's holding. I do not therefore accept that the appellant has been unfairly treated.
22. As I have found that the four reasons for refusal have been sustained, the appeal must fail.

This decision relates to the following drawings all received by the Department on 16 June 2014.

- 1:2500 site location plan;
- 1:500 existing site analysis/design concept; and
- 1:250 cross section.

COMMISSIONER PAULINE BOOMER.

2015/A0152

List of Documents

LPA 1	Statement of Case from Causeway Coast & Glens Borough Council
LPA 2	Rebuttal
LPA 3	Letter dated 23 February 2016 in response to enforcement action being taken.
APP1	Statement of Case from Appellant & Appendices
APP2	Rebuttal & Appendices
APP3	Letter dated 29 February 2016 in relation to Council taking enforcement action.