

Title of Report:	Planning Committee Report – LA01/2023/0935/F
Committee Report Submitted To:	Planning Committee
Date of Meeting:	26th March 2025
For Decision or For Information	For Decision – Referred by Alderman Fielding
To be discussed In Committee YES/NO	No
Linkage to Council Strategy (2021-25)	
Strategic Theme	Cohesive Leadership
Outcome	Council has agreed policies and procedures and decision making is consistent with them
Lead Officer	Senior Planning Officer

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

Legal Considerations	
Input of Legal Services Required	NO
Legal Opinion Obtained	NO

Screening Requirements	Required for new or revised Policies, Plans, Strategies or Service Delivery Proposals.		
Section 75 Screening	Screening Completed:	N/A	Date:
	EQIA Required and Completed:	N/A	Date:
Rural Needs Assessment (RNA)	Screening Completed	N/A	Date:
	RNA Required and Completed:	N/A	Date:

Data Protection Impact Assessment (DPIA)	Screening Completed:	N/A	Date:
	DPIA Required and Completed:	N/A	Date:

No: LA01/2023/0935/F

Ward: Portrush and Dunluce

App Type: Full

Address: 39m South West of 21 Ballymagarry Road, Portrush, BT56 8NQ

Proposal: Dwelling and Garage on a Farm

Con Area: N/A

Valid Date: 14th September 2023

Listed Building Grade: N/A

Agent: Simpson Design (NI) Ltd 42 Semicock Road Ballymoney

Applicant: T Warke 21 Ballymagarry Road Bushmills

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

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

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 is located within the rural area as identified within the Northern Area Plan (NAP) 2016.
- The proposal is contrary to Policies CTY 13 and CTY 14 of PPS 21.
- The proposal will be prominent and fail to integrate sympathetically into the landscape due to no boundary enclosure and inappropriate design, scale, massing and materials.
- The proposal will result in a build-up of development and add to a ribbon of development harming rural character. The proposal does not result in natural heritage issues.
- Sewage arrangements are acceptable.
- Access and parking arrangements are acceptable.
- No letters of objection have been received in relation to this application.
- No objections have been raised by consultees in relation to this proposal.
- Refusal is recommended as the proposal is contrary to Policy CTY 13 and CTY 14 of PPS 21.

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

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 site is rectangular in shape comprising an agricultural field situated adjacent to No. 21 Ballymagarry Road. The north eastern and south eastern boundaries of the site are defined by a post and wire fence with the remaining boundaries undefined. This site slopes downwards in a north western direction and the land is at a lower level than the farm house adjacent. Access to the site is gained from the Ballymagarry Road up an existing laneway. No. 21 Ballymagarry Road is a two storey farm house. This dwelling has a two storey pitched projection and a small single storey porch projection to the front and a two storey pitched return at the rear. There are several farm buildings located to the rear and east of No. 21 Ballymagarry Road which range in height. The outbuildings appear to form a court yard in the centre. When accessing this farm holding the land is relatively flat from the Ballymagarry Road but the topography increases the closer you get to this farm holding.
- 2.2 The area is typified by agricultural land with sporadic dwellings dotted around the surrounding area. The application site is located in the rural countryside as defined by the Northern Area Plan 2016.

3 RELEVANT HISTORY

There is no relevant recent planning history.

4 THE APPLICATION

- 4.1 Application for full permission for a Dwelling and Garage on a Farm.

5 PUBLICITY & CONSULTATIONS

5.1 External

Neighbours: There are no objections to the application.

5.2 Internal

Environmental Health (No objections)

DFI Roads (No objections)

NI Water (No objections)

DAERA: Water Management Unit (No objections)

DAERA: Countryside Management Inspectorate Branch

(Confirmed farm business ID been in existence for more than 6 years)

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 both 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

Regional Development Strategy 2035

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 Northern Ireland.

Development Control Advice Note 15 Vehicular Access Standards

8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to the principle of development and character of the rural area.

Planning Policy

- 8.2 The principle of development must be considered having regard to the SPPS and PPS policy documents.
- 8.3 Policy CTY1 of PPS21 sets out a range of types of development which in principle are considered to be acceptable in the countryside and that will contribute to the aims of sustainable development. Policy CTY 1 of PPS21 identifies a number of instances when an individual dwelling house will be granted permission. These include a dwelling on a farm in accordance with Policy CTY 10.

Principle of Development

Dwellings on Farms (Policy CTY 10)

- 8.4 Policy CTY 10 of PPS 21 advises Planning permission will be granted where the following criteria are met:
- a) the farm business is active and established for at least 6 years*
- 8.5 DAERA was consulted and confirmed that the applicant has a registered farm business ID which has been in existence for more than six years. This business ID has claimed payments through the Basic Payment Scheme or Agri Environment scheme in each of the last 6 years. The application site is on land for which payments are currently being claimed by the farm business ID. Considering this consultation response, the proposal has a farm business which is active and established for at least 6 years so this criterion is met.
- b) no dwellings or development opportunities have been sold off from the farm holding within 10 years of the date of the application (applicable for dates after the 25th November 2008)*

8.6 Following a planning history check of the farm holding no other permissions have been granted on this land. The applicant has indicated on the application form that no dwellings or development opportunities have been sold off from the holding. The proposal meets this criterion.

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

8.7 The farm holding consists of a two storey dwelling and several farm sheds/outbuildings. The proposed site is located south west of the existing farm dwelling. The site is close to the farm dwelling and agricultural sheds. The dwelling will be visually linked to cluster with the established group of buildings on the farm given close separation distances. Access to the site will be obtained using the existing access from the Ballymagarry road with a new laneway proposed to the front of No. 21 closer to the application site. The proposal meets this criterion.

8.8 Having regard to the above assessment the proposal is acceptable and accords with Policy CTY 10 of PPS 21.

Visual Impact and Rural Character

8.9 Policy CTY 13 of PPS 21 advises permission will be granted where the proposal can be visually integrated into the surrounding landscape, and it is of an appropriate design.

8.10 Policy CTY 14 of PPS 21 advises Permission will be granted where the proposed building will not cause a detrimental change to, or further erode the rural character of an area.

8.11 The proposal is for a farm dwelling and garage. The dwelling is positioned adjacent to No. 21 with the garage located in the south eastern corner of the site. Hard surfacing is located to the front and side of the dwelling leading to the detached garage.

Access will be gained from the existing laneway from the Ballymagarry Road. However, a laneway is proposed, for access to this new dwelling, to the front of No. 21 which will follow the field boundaries.

- 8.12 The dwelling is to be positioned at a slight angle to No. 21. The frontage of this dwelling is 12.5m with a gable depth of 8.3m and height of 8.5m. The dwelling has a 1.5 storey side projection with a width of 4.8m and height 7.1m. The dwelling has a very wide rear return measuring 11.7m resulting in a high pitch roof the same as the dwelling. A double garage is proposed two storeys in height. The dimensions of this garage are 8.8m wide x 8.8m long x 6.8m high.
- 8.13 Proposed materials/finishes for the dwelling and garage include flat black concrete tiles/natural slate for roof; Roughcast render/smooth render and natural stone cladding for walls; double glazed windows upvc/wood; and a composite door. The majority of proposed materials are acceptable but stone cladding is inappropriate for this countryside location. It is unclear from the plans if red brick is proposed around specific windows and doors as this has not been labelled. However, the intention appears to be red brick given the detail (highlighted red) which is also an unacceptable material choice for this location. Paragraph 5.68 of PPS 21 advises “The use of non-traditional materials such as brick, concrete and artificial stone-cladding tends to introduce too much diversity of colour and texture.”
- 8.14 The proposal is considered contrary to criteria (a), (b), (c), (e) and (f) of Policy CTY 13 and criteria (a), (b) and (d) of Policy CTY 14. The proposed dwelling and garage are located on a prominent, open site with limited enclosure. Public critical views of the site are gained when travelling both directions along the Ballymagarry Road and the Leeke Road. The site lacks long established natural boundaries and does not provide adequate enclosure to facilitate integration of the proposal into the landscape. The site plan shows new boundary hedging and the

planting of trees, but this would take time to become established and, in the interim, will not mitigate the impact of the new development. The site therefore relies primarily on the use of new landscaping for integration. This landscape is open and exposed with long distance views available from the public road network. The topography of the landscape and site contributes to the prominence of this proposal. No screening of the proposal is provided given the low height roadside vegetation and the lack of trees within fields.

- 8.15 The design, scale and massing of this dwelling is inappropriate for this exposed location. This proposal will not blend unobtrusively with its immediate surroundings. Paragraph 5.66 of PPS 21 states “The form and proportions of a new building are key elements in the design and strongly influence its visual impact on the landscape.” The design of this dwelling with a large frontage and side projection, and a significant rear return that very wide does not result in simple shapes and forms of traditional buildings. The size and scale, and orientation in such an undeveloped landscape exacerbate its prominence and dominance.
- 8.16 Amendments were sought reducing the size of the dwelling but these have not been forthcoming. A compromise could have been reached subject to amendments. It is acknowledged, from the contextual elevation submitted, the height of the dwelling is lower than No. 21 but this is due to the topography of the land. Notwithstanding this, the scale and massing of the proposed dwelling remains unacceptable given the views available and the lack of boundary enclosure. The proposal fails to blend with the landform and could have been amended (re-orientation of dwelling) to take this into account.
- 8.17 The new dwelling is positioned beside No. 21 and farm buildings which is essentially adding to development. It is perceived to be a suburban style build-up adding to a ribbon of development. Policy CTY 8 of PPS 21 relates to Ribbon Development. The

proposal is visually linked to No. 21 and these farm buildings so the proposal is adding to a ribbon of development which is detrimental to the character, appearance and amenity of the countryside.

- 8.18 The siting and scale of the proposed dwelling coupled with the topography of the land and exposed landscape results in the proposal being a prominent feature in the landscape and is visually unacceptable at this location harming rural character.

Sewerage

- 8.19 In accordance with Policy CTY 16 Planning permission will only be granted for development relying on non-mains sewerage, where this will not create or add to a pollution problem.

- 8.20 It is intended that surface water be disposed of via soakaways and the foul sewage disposed of via a septic tank. The septic tank is located in the south western corner of the site. Environmental Health have no objections and DAERA: WMU has considered the impacts on the surface water environment and is content with the proposal. Discharge consent under the terms of the Water (NI) Order 1999 will be required for the discharge of sewage effluent from the development.

Access and Parking

- 8.21 PPS 3 relates to vehicular and pedestrian access, transport assessment, and the protection of transport routes, and parking. Policy AMP 2 states that 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.

- 8.22 DFI Roads were consulted on the proposal and responded with no concerns subject to a condition.

Habitats Regulations Assessment

- 8.23 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 2016 and other material considerations, including the SPPS. The proposal is contrary to Policies CTY 13 and CTY 14 of PPS 21. The proposal will be prominent and fail to integrate sympathetically into the landscape due to no boundary enclosure and inappropriate design, scale, massing and materials. The proposal will result in a build-up of development and add to a ribbon of development harming rural character.
- 9.2 The proposal is regarded acceptable from a sewage perspective and will not result in an environmental impact. The proposal has satisfactory access and parking. Refusal is recommended.

10 REFUSAL REASONS

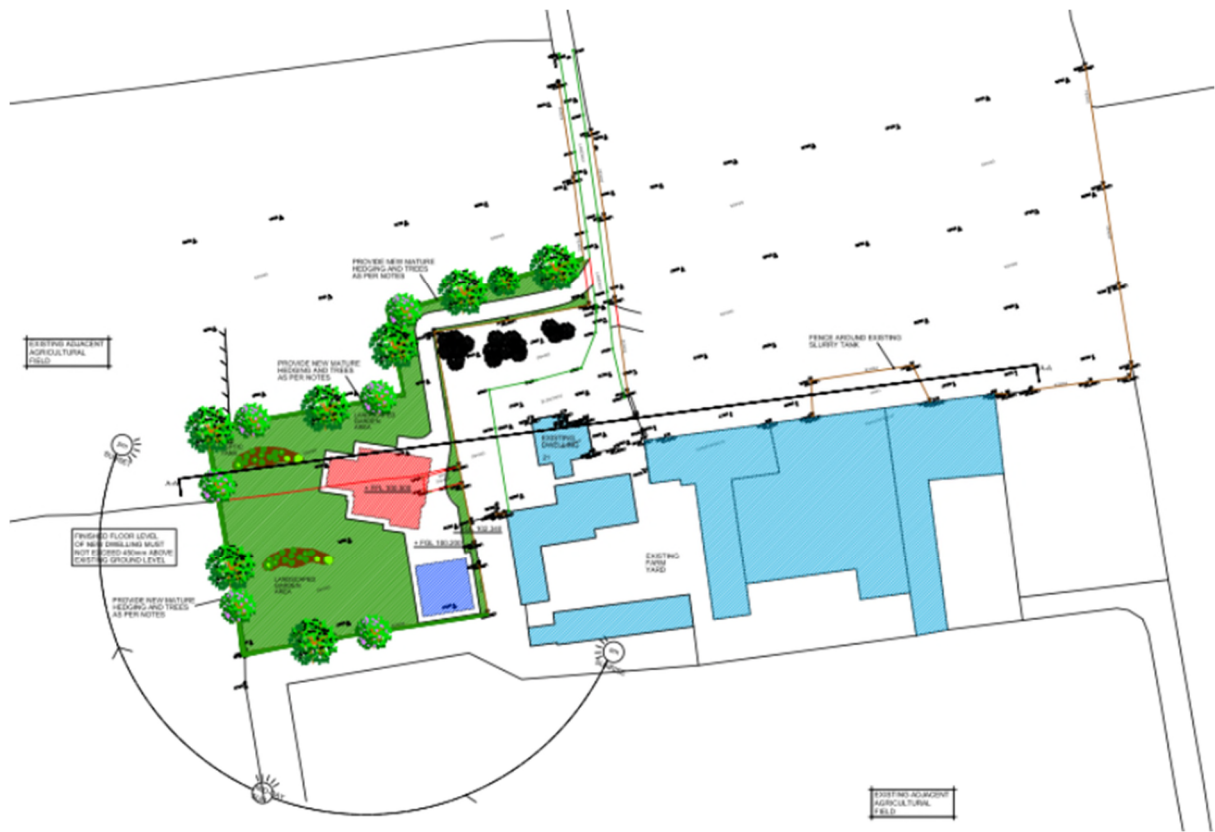
1. The proposal is contrary to Paragraph 6.70 of the SPPS, Policy CTY 1 and criteria (a), (b), (c), (e) and (f) of Policy CTY 13 of Planning Policy Statement 21 “Sustainable Development in the Countryside” in that the proposal would, if permitted, be prominent and fail to integrate sympathetically into the landscape due to no boundary enclosure and inappropriate design, scale, massing and materials.
2. The proposal is contrary to Paragraph 6.70 of the SPPS and criteria (a), (b) and (d) of Policy CTY 14 of Planning Policy Statement 21 “Sustainable Development in the Countryside” in that the proposal would, if permitted, be prominent in the landscape; result in a build-up of development; harming rural character.
3. The proposal is contrary to Paragraph 6.73 bullet point 5 of the SPPS and Policy CTY 8 and CTY 14 of Planning Policy Statement 21 “Sustainable Development in the Countryside” in that the proposal, if permitted, would add to a ribbon of development harming rural character.

Site Location Plan



Client Mr. T. Warke		 45 BERRYDOWN RD, BALLYVAUGHAN, CO. DUBLIN TEL: 01460 81000 EMAIL: info@simpson-design.com WWW: WWW.SIMPSON-DESIGN.COM	
Project New Dwelling and Garage on a farm Ballyvaughan Road, Ballyvaughan	Scale 1-2500	Plot Date Sept. 23	Job No. -
Drawing Title PROPOSED Location Plan	Drawing No. PLP-01	Revision -	Date -

Block Plan



Referral Request

From: Mark Fielding

Sent: 03 February 2025 08:26

To: Planning <Planning@causewaycoastandglens.gov.uk>; Denise Dickson; Sandra Hunter

Subject: LA01/2023/0935/F

I wish to refer Planning Application LA01/2023/0935/F to the Planning Committee.
39m Dwelling and Garage on a Farm, 39m South West of 21 Ballymagarry Road
Portrush

Yours,

Mark
Ald M Fielding

Attachment

Planning Reference LA01/2023/0935/F

Elected Member Name Mark Fielding

Contact Details Tel:

Email:

Reasons below, to refer application to Planning Committee of site for dwelling and garage on a farm 39m South West of 21 Ballymagarry Road Portrush.

The proposed dwelling was designed so that it would not be prominent and would integrate sympathetically into the landscape. The proposed dwelling is 2.190m below the floor level of the existing dwelling adjacent to the proposed site. The applicant will be planting hedging and trees around the site to provide integration.

The proposed dwelling will not be prominent in the landscape for the existing dwelling and farm buildings will be higher than the proposed dwelling. The proposed dwelling will have no impact on the landscape because the existing farm holding will provide integration. The proposed dwelling is within 14m of the side of the existing dwelling and will not add to ribbon development.

The existing dwelling has a frontage of 9.7m which was constructed some years ago. The proposed dwelling has a frontage of 12.5m which is no larger than other dwellings that are built today.