

Title of Report:	Planning Committee Report – LA01/2023/1197/F
Committee Report Submitted To:	Planning Committee
Date of Meeting:	30th April 2025
For Decision or For Information	For Decision – Referred Item by Ald John Mc Auley
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

Estimated Timescale for Completion	
Date to be Completed	

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:

<u>App No:</u>	LA01/2023/1197/F	<u>Ward:</u>	Route
<u>App Type:</u>	Full		
<u>Address:</u>	Lands adjacent to 44 Seacon Park, Ballymoney		
<u>Proposal:</u>	Change of use of existing barn/outbuilding to provide 2 No. self-catering holiday accommodation units and all associated works.		
<u>Con Area:</u>	N/A	<u>Valid Date:</u>	29/11/2023
<u>Listed Building Grade:</u>	N/A	<u>Target Date:</u>	13/03/2024
<u>Agent:</u>	Bell Architects Ltd. 65 Main Street. Ballymoney. BT53 6AN		
<u>Applicant:</u>	Boyd Family. 44 Seacon Park, Seacon. Ballymoney. BT53 6QB		
<u>Objections:</u>	0	<u>Petitions of Objection:</u>	0
<u>Support:</u>	0	<u>Petitions of Support:</u>	0

Executive Summary

- Full Planning Permission is sought for a change of use to an existing barn/outbuilding to provide 2 No. self-catering holiday accommodation units.
- The site is located within a rural area as defined within the Northern Area Plan 2016.
- The application has been assessed against the relevant policies within the NAP, SPPS, PPS2, PPS3, PPS16 and PPS21.
- The proposal is contrary to Paragraph 6.73 of the Strategic Planning Policy Statement (SPPS) and Policy CTY4 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the building is not suitable for conversion as it has not been demonstrated that the building is a locally important building of special character or interest.
- Consultation has been carried out with DFI Roads, NI Water (Multi Units), CCG Environmental Health, NIEA (WMU) & NIEA (NED). No objections have been raised by consultees.
- No letters of objection or support have been received.
- Refusal is recommended.

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

<https://planningregister.planningssystemni.gov.uk/simple-search>

1 RECOMMENDATION

- 1.0 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 as set out in section 10.

2.0 SITE LOCATION & DESCRIPTION

- 2.1 The subject site comprises a fairly, rectangular plot extending to approximately 0.18ha in area consisting of the side garden of No 44 Seacon park which is the applicant's address. No 44 comprises a detached, single storey dwelling set on a 0.6ha plot located at the junction of Seacon Park and Seacon Road. The existing residential plot incorporates front and rear gardens with the additional side garden to the south-western extent of the site, separated from the majority of the remaining plot by the access / driveway which includes a yard area to the front and south-western gable of the dwelling. A 3m (approx.) clipped hedge from the eastern site boundary along the driveway with the remaining boundaries primarily defined by mature coniferous trees.
- 2.2 The subject plot includes quite an informal grass area extending to the roadside with a single storey garage / store set within the rear (northern) half of the side garden of No 44. The existing building on site is described as an outbuilding and consists of a low, single storey building (4.5m high), extending to approximately 19.5m x 8.3m (161.8msqm) with a gable pitched roof to the northern elevation and gable hipped roof to the southern elevation. The building appears to be constructed of steel framework and cavity wall construction utilising concrete blocks and mortar with timber windows and fascia and non-profiled concrete roof tiles. Openings to both gables as well as a door opening along the eastern elevation remain open with no doors providing enclosure.

2.3 The building remains un-rendered with wall straps evident to the rear as well as internally. The steel framework is also evident internally included steel uprights and roof structure. The building appears to be used as described with a small number of hay bales and a small baler stored within the building along with other paraphernalia some of which is domestic, including chairs and a bicycle.

2.4 The site is located within a rural, non-policy area as defined by the Northern Area Plan 2016 and is located approximately 2.6km north-west of Ballymoney Town and 1.4km from Garry Bog Special Area of Conservation and Ramsar site. The character of the area is generally defined by a small number of quite large detached rural dwellings as well as some farm groupings.

3.0 RELEVANT HISTORY

No relevant planning history on the application site.

4.0 THE APPLICATION

4.1 Full planning permission is sought for a change of use of the existing barn/outbuilding to provide 2 No. self-catering holiday accommodation units of similar sizes incorporating one double bedroom in each with en-suite bathroom facilities, open plan kitchen and living area with associated works.

5.0 PUBLICITY & CONSULTATIONS

External

5.1 **Advertising:** Advertised on 13th December 2023

Neighbours: No letters of objection or support have been received.

Internal

5.2 **NIEA (WMU): Standing Advice**

NIEA (NED): No Objection
DFI Roads: Advice
Environmental Health - Substantive Response
NI Water (Multi-units) - No Objection

6.0 MATERIAL CONSIDERATIONS

- 6.1 Section 45(1) of the Planning Act (Northern Ireland) 2011 requires that all applications must have regard to the local plan, so far as material to the application, and all other material considerations. Section 6(4) states that in making any determination where regard is to be had to the local development plan, the determination must be made in accordance with the plan unless material considerations indicate otherwise.
- 6.2 The development plan is:
- Northern Area Plan 2016 (NAP)
- 6.3 The Regional Development Strategy (RDS) is a material consideration.
- 6.4 The Strategic Planning Policy Statement for Northern Ireland (SPPS) is a material consideration. As set out in the SPPS, until such times as a new local plan strategy is adopted, councils will apply specified retained operational policies.
- 6.5 Due weight should be given to the relevant policies in the development plan.
- 6.6 All material considerations and any policy conflicts are identified in the “Considerations and Assessment” section of the report.

7.0 RELEVANT POLICIES & GUIDANCE

Regional Development Strategy (RDS) 2035
Northern Area Plan 2016
Strategic Planning Policy Statement (SPPS).
Planning Policy Statement 2: Natural Heritage.
Planning Policy Statement 3: Access, Movement and Parking
Planning Policy Statement 16: Tourism.
Planning Policy Statement 21: Sustainable Development in the Countryside.
Causeway Coast and Glens Tourism and Destination Management

Strategy.

8.0 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to the Principle of Development, Integration and Rural Character, Natural Heritage, Access and Parking, and Habitat Regulations Assessment.

Principle of development

- 8.2 The application is accompanied by a supporting business plan which identifies the proposal as conversion of an existing disused building into high quality self-catering holiday accommodation with the business plan seeking to expand the applicants Causeway Coast and Glens Holiday Let business by offering more properties, services and experiences. The original proposal of three units has been reduced to two. Customers are identified as primarily couples, both local and international with the employment of 3 part time staff to manage the accommodation.
- 8.3 The Northern Area Plan 2016 identifies the site as being located within the countryside, outside any defined settlement limits.
- 8.4 Additional Supporting Statement (June 2024) states that the Causeway coast and Glens Council area is under severe pressure in the housing market, with locals, students, and workers finding it difficult to source local and affordable rental units due to the lack of availability in housing. The supporting information goes on to state that holiday accommodation is putting pressure on this sector, as well as the lack of general availability of housing and that the proposal provides additional accommodation without adding to those pressures. Reference is also made to Department for Economy's 10-year plan for tourism within Northern Ireland, to grow the number of tourists coming to Northern Ireland by 50-75% based on 2019 levels of 5.3 million. Holiday accommodation created from existing residential buildings is noted as incapable of meeting these requirements.

- 8.5 The Strategic Planning Policy Statement for N. Ireland (SPPS) promotes sustainable development throughout the planning system. The guiding principle for planning authorities is that sustainable development should be permitted, having regard to the development plan and all other material considerations, unless the proposed development will cause demonstrable harm to interests of acknowledged importance. The aim of the SPPS with regard to the countryside is to manage development in a manner which strikes a balance between the protection of the environment from inappropriate development, while supporting and sustaining rural communities consistent with the RDS.
- 8.6 The SPPS was introduced in September 2015 and is a material consideration in determining planning applications and appeals. The SPPS states that a transitional period will operate until such times as a Plan Strategy for the whole of the Council area has been adopted. During this transitional period existing policy contained within identified policy documents will be applied together with the SPPS. PPS 21 is a retained policy document under the SPPS and provides the relevant policy context.
- 8.7 The current application is described as the change of use of existing barn/outbuilding currently on site to provide 2 No. self-catering holiday accommodation units. Although some agricultural materials are stored within the existing building, and it is described as a barn / outbuilding no additional information has been submitted which indicates that the proposal relates to an existing farm business or farm diversification.
- 8.8 PPS 16: Tourism incorporates the relevant planning policy for tourism development in the countryside, including the main forms of tourist accommodation and tourist amenities. The preamble to PPS16 states that policies in PPS21 offering scope for tourism development in the countryside have not been duplicated in PPS16 and will be applied as appropriate to individual proposals.
- 8.9 Policy TSM 5 of PPS16 states that Planning approval will be granted for self-catering units of tourist accommodation in any of the following circumstances:

- (a) one or more new units all located within the grounds of an existing or approved hotel, self-catering complex, guest house or holiday park;
- (b) a cluster of 3 or more new units are to be provided at or close to an existing or approved tourist amenity that is / will be a significant visitor attraction in its own right;
- (c) the restoration of an existing clachan or close, through conversion and / or replacement of existing buildings, subject to the retention of the original scale and proportions of the buildings and sympathetic treatment of boundaries. Where practicable original materials and finishes should be included.

8.10 The current proposal relates to the conversion of a single building to provide two self-catering units and as such does not meet any of the acceptable circumstances outlined in Policy TSM 5. However, paragraph 7.29 of the Justification and Amplification of Policy TSM 5 states that the policies in PPS 21 relating to the conversion and reuse of rural buildings, farm or forestry diversification and development in dispersed rural communities may provide other opportunities for small scale, including single unit, self-catering accommodation in the countryside. On this basis the most relevant policy context is CTY4 of PPS21 – The conversion and re-use of buildings.

8.11 Policy CTY 4 states that permission will be granted for the sympathetic conversion, with adaption, if necessary, of a suitable building for a variety of alternative uses where this would secure its upkeep and retention providing they are of high quality design and meet a number of criteria. Paragraph 5.21 makes it clear that there is scope for the re-use and adaption of existing buildings in the countryside for a variety of non-residential uses, including appropriate economic, tourism and recreational uses or as local community facilities.

8.12 Although Policy CTY 4 is not specific regarding what is considered to be a “suitable building” it is generally understood as meaning suitable for conversion to the proposed use as opposed to reconstruction or substantial extension / alteration. Paragraph 6.73 of the SPPS introduces a more stringent test relating to the conversion and re-use of existing buildings for a

non-residential use, stating that provision should be made for a suitable “locally important building of special character or interest”. The SPPS does not define locally important but does provide examples such as former schoolhouses, churches and older traditional barns and outbuildings.

8.13 The SPPS sets out transitional arrangements to be followed in the event of a conflict between the SPPS and retained policy. Any conflict between the SPPS and any policy retained under the transitional arrangements must be resolved in favour of the provisions of the SPPS. On this basis the more stringent policy test applies.

8.14 As per the application description, the subject building is noted as a barn/outbuilding and although no evidence is provided regarding agricultural use it is noted that the contents of the building include hay bales and small pieces of farm machinery (baler) with other more domestic paraphernalia. On this basis, although the subject building is located within an existing residential curtilage with no evidence relating to a farm business, the description as a barn / outbuilding is considered sufficiently accurate in terms of the existing use. Certificate A has been completed indicating that the identified applicant is in full ownership of the subject site and surrounding lands identified in blue.

8.15 As described above, the subject building is of modern construction consisting of a low, single storey building (4.5m high), extending to approximately 19.5m x 8.3m. The building incorporates a gable pitched roof to the northern elevation and gable hipped roof to the southern elevation with openings to both gables including a large door opening to the southern elevation as well as a door opening along the eastern elevation. The building is constructed using a combination of steel framework with cavity wall concrete block construction which remains un-rendered. Although no planning history exists in relation to the subject building, aerial images indicated that it has been in situ since at least 2010 and is constructed using modern materials and methods.

8.16 Although it is acknowledged that the list of examples of locally important buildings included in paragraph 6.73 of the SPPS is not exhaustive, given the age, modern character and

construction of the building (form, design and materials), it is not considered a locally important building of special character or interest and therefore does not meet the policy test for conversion and re-use.

8.17 Planning Appeal 2024/A0033 is a recent decision in determining the interpretation of a locally important building as referenced in the SPPS. This appeal decision is relevant to the current application and confirms the policy interpretation and policy approach outlined above.

8.18 Policy CTY4 includes additional criteria including:

8.19 Criterion (a): The building is of modern, permanent construction.

8.20 Criterion (b): Setting aside the buildings limited character and lack of architectural features, the re-use as proposed utilises the existing structure, incorporating timber and stone cladding external finishes which would enhance the form. Given its location with the existing residential curtilage and the fact that the subject building is well screened from public view it will not have an adverse effect on the character or appearance of the locality.

8.21 Criterion (c) states that any new extensions are sympathetic to the scale massing, architectural style and finishes of the existing building. As noted above, the existing building comprises unrendered blockwork. The proposal comprises two units, each consisting of a single double bedroom with en-suite and open plan living and kitchen area. The application does not propose any extensions or significant structural alterations other than internal subdivision of the existing building and the introduction of window and door openings. The southern elevation comprises the installation of a large, double-glazed window and glazed door to the existing opening. The existing door opening to the northern elevation is also utilised to install a window extending to ground level while two single and two double doors (glazed) are introduced to the western elevation to serve proposed bedroom and living areas. The eastern elevation which is orientated towards the existing dwelling comprises alteration of the existing window opening to install a smaller window as well as the installation of three additional small windows.

- 8.22 Finishes include the use of 800mm natural stone cladding around the building base with the remainder of the building finished in timber cladding including feature timber framed porticos on each gable.
- 8.23 Although finishes do not match the existing residential property, the proposal does not significantly alter the form or character of the existing building which has little architectural merit. The proposed materials give the existing building a much more contemporary design which remains generally acceptable within this rural location with very limited public perception.
- 8.24 Although the application proposes significant changes to the building external design, the form remains unchanged and given the existing building form and lack of finishes, the proposed alterations are considered sympathetic.
- 8.25 Criterion (d) requires that the reuse or conversion would not unduly affect the amenities of nearby residents or adversely affect the continued agricultural use of adjoining land or buildings while criterion (f) refers to the provision of all necessary services. The subject building is currently in use as a store / outbuilding with some animal feed / bedding stored internally. There is no evidence of the proposal relating to an existing farm business and no evidence has been submitted to indicate that the applicant is a registered farmer although it is noted that the access to the proposal comprises a link to agricultural lands to the rear of the site which are indicated as being within the applicant's ownership. The existing property comprises only the existing dwelling the subject building at No 44 and with no other buildings within the residential plot therefore there is no identified agricultural use. Third party agricultural buildings exist within approximately 125m of the site with agricultural land immediately north of the site. The proposal is not likely to affect the continued agricultural use of either.
- 8.26 The local Environmental Health Department has been consulted and advised that due to proximity of agricultural buildings, occupants of the development may suffer intermittent disturbance and loss of amenity due to noise and odour. This can be dealt with by way of an informative advising the

applicant that no recourse can be taken in relation to existing agricultural activities.

- 8.27 In terms of residential amenity, the nearest neighbouring residential property is located approximately 40m south-west of the subject site. Although the proposal is small in scale it has the potential to raise additional amenity issues as a result of the change of use, vehicular movements and activities associated with patrons, particularly in relation to the provision of outdoor recreational areas to the west of the subject building and in close proximity to the neighbouring boundary of No 40. This is reduced somewhat by the fact that the proposal comprises two units capable of accommodating a maximum of 2 people each.
- 8.28 In addition, number 40 comprises an extensive area of planting immediately adjacent the proposal in addition to the existing mature boundary planting and retains a private area to the rear of the property. The local Environmental Health Department has not raised any significant issues of concern or requested the submission of a noise impact assessment although it is pointed to ensure no excessive noise impact is created at neighbouring properties, good management practices will be required. Proximity to the existing dwelling which remains within the applicant's ownership provides the opportunity for significant site management and supervision and can be dealt with by way of an appropriate condition. The large extent of glazing incorporated within the proposal is unlikely to create a significant impact on existing privacy either in relation to the existing or neighbouring dwellings.
- 8.29 Criterion (e). While the nature and scale of this type of non-residential use is appropriate to a countryside location this is subject to policy. The current proposal is not considered to meet the relevant policy test in terms of the principle of development.
- 8.30 Criterion (f). The proposal is served by means of mains water supply with surface water disposed of via a soakaway and foul sewage disposed of to a septic tank located towards the front of the site. The local Environmental Health Department (EHD) has been consulted and raise no objections to the proposal. DAERA Water Management unit has been consulted regarding

the use of septic tanks and the relevant discharge consent required and refer the applicant to published Standing Advice.

- 8.31 Criterion (g) – Access. The application proposes to utilise the existing domestic access with improvements proposed including removal of a section of roadside hedgerow as well as a portion of walling to provide the necessary visibility splays of 2.4m x 90m. A 1m roadside verge exists and the existing wall and pillars are set back from the edge of the public road therefore limiting the extent of alterations necessary.
- 8.32 Three car parking spaces and two turning areas are provided within the site, taken as a spur from the existing access and is acceptable for the use proposed, given the extent of accommodation. DFI Roads has no objection to the proposal subject to implementation of the necessary access improvements.

Natural Heritage

- 8.33 The site is bounded primarily by mature coniferous trees with a copse of mature broadleaved trees immediately adjacent at No 40. A biodiversity checklist has been completed which identifies the Leylandii hedging which are noted as retained although it does indicate that there will be a requirement to prune some of the conifer trees along the western boundary which is noted should be undertaken outside of the main nesting bird season, or if not possible, subsequent to a check for any nests at least 24 hours prior to hedge removal.
- 8.34 The building to be converted is described as comprising a steel frame with block structure with smooth concrete render (although there was no evidence of this as part of site inspection). The building is also described as comprising roof tiles, all of which appear intact with wooden trusses and purlins. The building was assessed for its bat roosting potential (BRP) in accordance with current Bat Conservation Trust (BCT) and NIEA guidelines. The BC indicates that there was no evidence of roosting bats and no potential roosting features recorded. Accordingly, the building was assessed as having negligible BRP and no follow-up bat surveys were deemed necessary.

- 8.35 NIEA (NED) has been consulted and advise that on the basis of the information submitted, NED is content that the proposed development is unlikely to significantly impact protected or priority species or habitats. NED notes that the Biodiversity Checklist has indicated that there was no bat roosting potential features within the buildings. NED is content that the building is unlikely to currently support roosting bats.
- 8.36 In terms of designated areas, Garry Bog Area of Special Scientific Interest (ASSI) is located within a 2km search radius from the site. The site is not hydrologically connected to any designated area, and no detrimental impacts are envisaged.

Additional Information

- 8.37 Further information has been submitted in relation to a number of applications which are provided for comparison to the current proposal. These include:
- 8.38 LA01/2016/0461/F: Proposed new laneway. Does not appear relevant to the current proposal.
- 8.39 LA01/2016/0467/F: Existing Stone Barn at Craigtown More, Roselick Road, Portstewart (20metres West of No.26 Roselick Road). Single storey and constructed mostly from natural stone. Recommended for refusal on the basis that it is not a building of local importance and is of a structure and type that is commonplace throughout the countryside. Overturned at Planning Committee. Permission Granted.
- 8.40 LA01/2020/0516/F: 90m Southeast of 25 Cushendall Road, Ballycastle. The conversion of an existing vernacular stone barn to dwelling under CTY4 of PPS21. Existing stone barn considered to be traditional barn.
- 8.41 LA01/2020/0753/F: Adjacent to Currysiskan House 56 Macfin Road. Retention and refurbishment of existing barn/outbuilding to provide 2 No. retirement cottages. The subject building was considered an existing traditional stone barn/s which have been the subject of some alterations although the general form and materials remain traditional, and the building remains within a group of very traditional buildings which appear on the O.S.

County 3rd Edition maps circa 1900. Permission Granted
1/06/2022

- 8.42 LA01/2020/1341/F – Rear of 127 Baranailt Road, Limavady. Conversion and re-use of existing traditional barn to provide a single dwelling in accordance with CTY4 of PPS21. Two-storey stone barn with slate roof considered to be a traditional barn.
- 8.43 LA01/2021/0455/F - 19m Northeast of 71 Drumavoley Road, Ballycastle. Conversion of existing vernacular stone barns to a dwelling including new extensions and associated works under CTY4 of PPS21. Permission Granted 23/09/2022. Group of barns /outbuildings constructed in stone converted to a dwelling. One building not considered vernacular was converted to a garage in connection with the remaining vernacular buildings. The main buildings to be converted were considered to meet the policy test for conversion.
- 8.44 LA01/2022/1102/F: Adj to 27 Ballywindelland Road, Ballymoney. Conversion and re-use of existing traditional barn to provide single dwelling in accordance with CTY4 of PPS21. The subject building is made of stone with red brick surrounds to the windows and openings and finished with a red tin roof. The building is noted as well maintained and considered to be a locally important building.
- 8.45 LA01/2022/1498/F: Conversion and extension to existing barns into detached residential dwelling under PPS21 CTY4. The subject buildings were considered redolent of older traditional barns and outbuildings and were considered locally important for the purposes of Policy consideration.
- 8.46 LA01/2022/1600/F: Conversion of existing farmhouse outbuildings to provide 2no two-bedroom short term holiday let accommodation. In this instance the building to be converted comprised a vernacular stable building within the curtilage of Camus House which is a listed building. The building comprised stone construction of traditional form considered to be locally important.
- 8.47 G/2012/0199/F – Lands adjacent to 49 Liminary Road Ballymena. Proposed retention and refurbishment of main barn

to provide dwelling, including home office, under PPS21 CTY4. Not within Causeway Coast and Glens Council Area.

8.48 LA02/2018/0339/F - Proposed conversion and reuse of existing stone outbuilding and extension for domestic dwelling, as per PPS21 CTY4. Granted 24 May 2018: Not within Causeway Coast and Glens Council Area.

8.49 It is clear that the applications referenced almost exclusively relate to traditional buildings and primarily stone barns considered to be appropriate for conversion (with the exception of LA01/2016/0467/F initially recommended for refusal but overturned at Planning Committee) and are not directly comparable to the current proposal which relates to a fairly modern building of blockwork construction.

8.50 An office meeting took place on 6/3/2024 between the Planning Authority, the agent and the applicant. A number of issues were raised including in relation to benefits of the proposal, the interpretation of policy and the consideration of the building.

8.51 The agent referenced overarching Planning and Council strategies regarding the development of tourism as a whole and stated that the proposal provides additional accommodation without impacting on existing housing stock. The Causeway Coast & Glens Tourism and Destination Management Strategy 2015 - 2020 seeks to generate more visitors and motivate them to spend longer in the area as well as broaden the accommodation base (notes that 47% of the available self-catering bed spaces in N. Ireland are located with the local Council Area). While policy strategy and guidance seek to promote the expansion of tourism and the provision of tourist accommodation generally, this is an overarching strategy and individual proposals remain subject to the assessment under the provisions of the relevant policy context. On this basis the proposal is not considered to meet relevant planning policy and is considered unacceptable.

8.52 The applicant commented that the list outlined in policy refers to “older traditional barns and outbuildings” and argued that policy does not specify older traditional outbuildings and therefore all outbuildings are suitable for conversion. The Planning Authority pointed out that given the list of examples

outlined in policy is defined within brackets and clearly specifies older traditional barns and outbuildings as one of the examples listed, it is clear that one of the type of buildings eligible for conversion are older traditional outbuildings.

- 8.53 Both the agent and applicant suggested that the subject building is both older and traditional as it has been constructed for approximately thirty years. The Planning Authority pointed out that the building is of modern construction evident by both form, construction methods and materials and does not meet the policy test outlined in Policy CTY4 and the SPPS.
- 8.54 A further example was raised in addition to those already submitted and considered above (LA01/2018/1210/F) which relates to two new-build Self Catering Units in connection with an existing guest house. This application did not propose a change of use and was approved on the basis of a different policy context, namely policy TSM 5 of PPS16.
- 8.55 Additional examples for comparison were submitted on 12-MAR-2025 including a number previously referenced. The further examples include:
- 8.56 LA02/2022/0353/F - Barn outhouse adj to 6 Quarterland Road Islandmagee. Granted 21 Jun 2022. Not within Causeway Coast and Glens Council Area.
- 8.57 LA01/2023/0334/F - Proposed retention and conversion of existing barn and replacement of barn to dwelling. 10m Northwest of 58 Kilhoyle Road, Limavady. Permission Granted 18/02/2025. Relates to conversion of barrel roof barn and attached linear barn.
- 8.58 LA02/2023/1343/F - 20m SW of 14 Creevamoy Road, Broughshane. Granted 27 Jun 2023: Not within Causeway Coast and Glens Council Area.
- 8.59 LA06/2023/2399/F - Lands immediately adjacent to the north of 38 Drumhirk Road, Comber, Newtownards, BT23 5NN. Granted 08 Jan 2025: Not within Causeway Coast and Glens Council Area.

- 8.60 LA06/2024/0024/F - Offsite replacement of barn with 2no. Stables and farm storage Approx 30m northeast of no. 62 Carrickmannon Road, Ballygowan. Granted 11 Apr 2024. Not within Causeway Coast and Glens Council Area.
- 8.61 LA01/2024/0058/F - Conversion of barn into self-catering accommodation and alteration of an existing access to a public road. 23 Causeway Road, Bushmills. Permission Granted 3/10/2024 (Building not considered to meet the policy test for conversion. Recommendation to refuse overturned at Planning Committee).
- 8.62 LA01/2024/0492/F - Retention of existing vernacular cottage, and refurbishment/ restoration of barn, to provide 2no self-catering units. 20 metres North-West of No 38 Curragh Road, Limavady. Permission Granted 27/11/2024. Approved primarily under Policy CTY11 – Farm Diversification.
- 8.63 The majority of examples submitted are not comparable to the current proposal as they were either approved under a different policy context or were considered to meet policy on the basis they relate to traditional barns and outbuildings. Others were approved by a different Authority and in a small number of cases the original recommendation to refuse was overturned at Planning Committee. None of the examples provided indicate a consistent interpretation of policy which would warrant approval of the current proposal. On the contrary, assessment of the large number of examples provided demonstrates a clear direction in the application of Policy CTY4 and a consistent interpretation of the types of buildings considered suitable for conversion. This approach remains consistent with that applied by the PAC in appeal decision 2024/A0033.

Habitat Regulations Assessment

- 8.64 The potential impact of this proposal on Special Protection Areas, Special Areas of Conservation and Ramsar sites has been assessed in accordance with the requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc) Regulations (Northern Ireland) 1995 (as amended). The

proposal would not be likely to have a significant effect on the features of any European Site.

9.0 CONCLUSION

- 9.1 No consultee objections have been raised and no third-party representations submitted regarding the proposal. Having regard to the policy context and other material considerations above, the proposal is considered unacceptable in that it fails the policy test for conversion assessed above. The examples provided for comparison reiterate this policy approach which is also confirmed in Planning Appeal decision 2024/A0033. Planning permission is recommended to be refused.

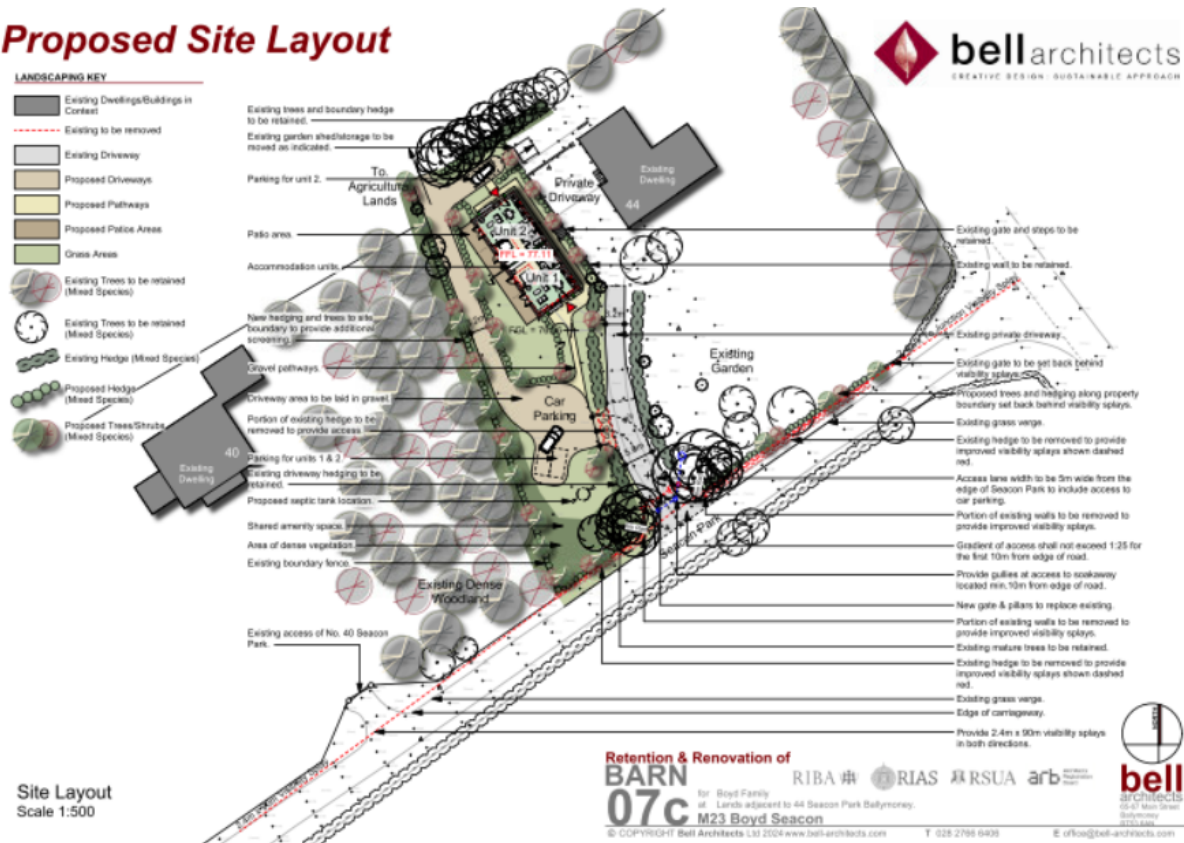
10. Reasons for Refusal

1. The proposal is contrary to Paragraph 6.73 of the Strategic Planning Policy Statement (SPPS) and Policy CTY4 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the building is not suitable for conversion as it has not been demonstrated that the building is a locally important building of special character or interest.

Site Location Map



Proposed Site Layout



Appendix 1

Referral

Laura Crawford

From: Laura Crawford on behalf of Planning
Sent: 24 March 2025 17:03
To: John McAuley (Internet)
Subject: RE: LA01/2023/1197/F - adjacent to 44 Seacon Park

Alderman McAuley

I can confirm that in accordance with Para.7.4 of the Protocol for the Operation of the Planning Committee, the Head of Planning has now discussed your referral request with the Chair of the Planning Committee and can confirm that your request and planning reasons provided are considered acceptable. Planning application LA01/2023/1197/F will be referred to the Planning Committee for determination.

Regards, Laura

Laura Crawford
Business Support Officer
Tel. 02870347100

Laura.crawford@causewaycoastandglens.gov.uk



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From: john.mcauley.dup@gmail.com <john.mcauley.dup@gmail.com>
Sent: 21 March 2025 16:13
To: Planning <Planning@causewaycoastandglens.gov.uk>
Subject: RE: LA01/2023/1197/F - adjacent to 44 Seacon Park

Good Evening

Please find attached Call in Proforma for Planning Application LA01/2023/1197/F

Regards

John McAuley
Causeway Coast & Glens Borough Council
Mob. 07736474848
Email: john.mcauley.dup@gmail.com

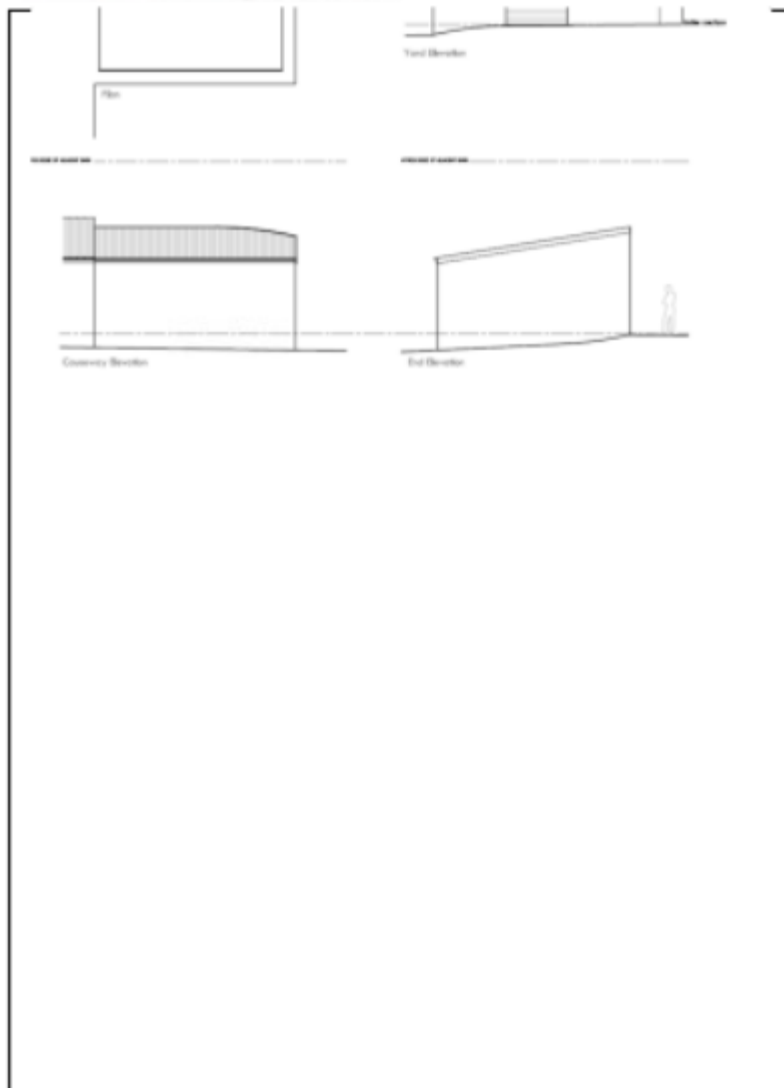


Annex 1

Template for Requesting Referral of a Contentious Delegated Decision to Issue' List Planning Application to Planning Committee for Determination

The Protocol for the Operation of the Planning Committee provides for an Elected Member to request a planning application listed on the weekly list of 'contentious delegated decisions ready' to be referred to Planning Committee for determination. This request must be received by the Planning Department no later than 10am on the Monday following the issuing of the contentious list and submitted via email to planning@causewaycoastandglens.gov.uk.

Planning Reference	LA01/2023/1197/F
Elected Member Name	Alderman John McAuley
Contact Details	Tel: 07736474848 Email: john.mcauley.dup@gmail.com
<p>Refusal Reasons</p> <p>The proposal is contrary to Paragraph 6.73 of the Strategic Planning Policy Statement (SPPS) and Policy CTY4 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the building is not suitable for conversion as it has not been demonstrated that the building is a locally important building of special character or interest.</p> <p>Refer attached email and attachments.</p> <p>There are many examples of outbuildings approved for accommodation and the following arguments are the summary of the justification.</p> <ol style="list-style-type: none"> Building Re-use - The conversion supports sustainable tourism by utilizing existing structures, preserving the rural environment, and contributing to the local economy. Environmental Sensitivity: Reusing an outbuilding minimizes environmental impact compared to new constructions, aligning emphasis on environmental sensitivity. Economic Benefits: The project can stimulate local economies by attracting tourists, creating jobs, and supporting local businesses. Preservation of Rural Character: Converting existing structures maintains the countryside's character, preventing unnecessary new developments and preserving cultural heritage. <p>In the light of the many examples provided, and the 'Carnside' approval below which was overturned at planning committee very recently, we consider our proposal very much approvable.</p>	



RPAPC231218

version 1.0
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Appendix 2: PAC Decision 2024/A0033

Commission Reference: 2024/A0033

PLANNING APPEALS COMMISSION

THE PLANNING ACT (NORTHERN IRELAND) 2011 SECTION 58

Appeal by Mr Peter Boyd
against the refusal of full planning permission for the conversion and re-use of
existing outbuildings of permanent construction to form 4 no. residential units
at approximately 35m east of 8A Logwood Road, Ballyclare, BT39 9LR

Report
by
Commissioner Hannah Ellison

Planning Authority Reference: LA03/2024/0005/F
Procedure: Written Representations
Commissioner's Site Visit: 17th January 2025
Report Date: 6th February 2025



1.0 BACKGROUND

- 1.1. Antrim and Newtownabbey Borough Council received the planning application on 8th January 2024. By notice dated 22nd March 2024 the Council refused permission giving the following reasons:
 1. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy CTY1 of Planning Policy Statement 21 'Sustainable Development in the Countryside' in that there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement.
 2. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement (SPPS) relating to the conversion and re-use of existing buildings in the countryside for residential use, in that the building to be converted is not considered to be a locally important building.
 3. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Planning Policy Statement 7, Quality Residential Environments, in that it has not been demonstrated that the development, if permitted, would not have a detrimental impact on the residential amenity of existing and proposed properties by way of noise and disturbance.
- 1.2. The Commission received the appeal on 21st June 2024 and advertised it in the local press on 3rd July 2024.
- 1.3. No representations were received from third parties.

2.0 SITE AND SURROUNDINGS

- 2.1 The appeal building is a part single, part two storey outbuilding located to the rear of 8A Logwood Road, which is a large detached dwellinghouse set within mature grounds. The outbuilding is currently in use as stables and store rooms and is positioned around a courtyard towards the eastern corner of the appeal site. External finishes of the building include rendered walls, timber window surrounds, arched barn style doors and a slate roof, part of which overhangs the single storey element.
- 2.2 Both No. 8A and the appeal building are accessed via a sweeping driveway which rises gently upwards from the access point on Logwood Road. This access route through the grounds passes along the west side and rear of the host dwelling and leads around to the expanse of hardstanding adjacent to the outbuilding.
- 2.3 The surrounding area is predominantly rural in character, with a variety of agricultural buildings, equestrian facilities and expanses of fields, along with various residential properties. There are also a number of commercial premises in the locality, including a garden centre and metal fabricators immediately adjacent to the appeal site, as well as a nearby recycling centre. The A8 dual carriageway is also located within close proximity.

3.0 PLANNING AUTHORITY'S CASE

- 3.1 Policy CTY1 of Planning Policy Statement 21 - Sustainable Development in the Countryside (PPS21) indicates that there are certain types of development acceptable in principle in the countryside and that will contribute to the aims of sustainable development. Policy CTY1 goes on to indicate that development not falling into one of the listed categories will only be permitted where there are overriding reasons as to why the development is essential and could not be located within a settlement.
- 3.2 One of the accepted types of development in the countryside included in Policy CTY1 of PPS21 is a dwelling constructed in accordance with Policy CTY4 'The conversion and reuse of existing buildings'.
- 3.3 Policy CTY4 of PPS21 "states that planning permission will be granted to proposals for the sympathetic conversion of, with adaptation, if necessary, a suitable building for a variety of alternative uses, including as a single dwelling, where this would secure its upkeep and retention. It is also outlined that exceptionally, planning permission may be granted for the conversion of a traditional building to more than one dwelling" [sic].
- 3.4 Paragraph 6.73 of The Strategic Planning Policy Statement for Northern Ireland 'Planning for Sustainable Development' (SPPS) "states that provision should be made for the sympathetic conversion and re-use of a suitable locally important building of special character or interest for a variety of alternative uses, where this would secure its upkeep and retention" [sic], which is a revision of what was previously accepted under Policy CTY4.
- 3.5 Paragraph 1.12 of the SPPS states that where the SPPS introduces a change of policy direction and/or provides a policy clarification that would be in conflict with the retained policy, the SPPS should be afforded greater weight in the assessment of planning applications. Therefore, the term "locally important building of special character or interest" [sic] must take precedence over the term "suitable building" referred to in Policy CTY4 of PPS21.
- 3.6 The SPPS does not define locally important but gives examples such as former school houses, churches and other [sic] traditional barns and outbuildings. Recent PAC decisions indicate that these cited examples typically relate to buildings that generally have some design, architectural or historic merit.
- 3.7 The Design and Access Statement submitted with the planning application suggests that the existing building is deemed as locally significant as it forms an interface between the existing dwelling and adjacent commercial premises, establishes two sides of a vernacular courtyard, is of permanent construction and has traditional features such as arched openings, over hanging roofs and stable doors.
- 3.8 The existing outbuilding forms an outbuilding associated with 8A Logwood Road. It is set to the rear of No. 8A resulting in no views from the roadside. It is currently being used as stables with horses present. The building is finished in rendered walls and "uPVC window and door frames". It has fairly limited design, architectural or historic merit as it takes on a relatively modern design of a typical stable building commonly

found in the rural area in association with domestic or commercial activities. It is not thought to be considered as a locally important building in this instance.

- 3.9 As the building to be converted is not considered to be a locally important building, the principle of the proposed development is not acceptable. It is contrary to the policy provisions of the SPPS relating to the conversion and re-use of existing buildings in the countryside for residential use. It has not been demonstrated that there are any other overriding reasons why this development is essential in this rural location and could not be located within a settlement, thus the proposal is contrary to Policy CTY1 of PPS21.
- 3.10 The additional traffic created by the proposed development utilises the existing access for No. 8A and therefore cars will pass along its front elevation at a distance of 5m. The existing property has an attached sunroom abutting the existing laneway to be utilised by the occupants of the proposed dwellings and there is no defined boundary indicated. This would have an unacceptable impact on the residential amenity of existing occupants.
- 3.11 In addition, the car parking area for the proposed units would be approximately 20m from the rear of No. 8A, with the turning and access approximately 10m from this property. There is currently no boundary treatment between the proposed dwellings and No. 8A. Whilst a 1.2m high masonry wall is proposed, an area of approximately 14m in length would be left open for vehicular access. It is considered that the proposal would have a detrimental impact on the amenity of occupants of No. 8A by reason of disturbance.
- 3.12 The appellant refers to a previous approval, ref LA03/2022/1122/O, of outline planning permission for a dwelling and garage approximately 36m northeast of No. 8A. It is argued that greater separation distance would result between the appeal site and No. 8A than what was previously accepted under the aforementioned approval. However, the approval concerned a single dwelling rather than 4 units and traffic associated with it would not pass along the front elevation of No. 8A.
- 3.13 The appeal site is located approximately 40m north/northeast of a garden centre and associated car parking area and approximately 10m north of a lighting consultant warehouse which undertakes metal fabrications and engineering works. The site is located approximately 150m south of Bruslee Recycling Centre and approximately 205m west of the A8 dual carriageway. The surrounding commercial land uses may give rise to increased noise levels from their day-to-day operations.
- 3.14 A Noise Impact Assessment (NIA) was submitted, which the Environmental Health section commented on and indicated that further information was required in terms of the noise levels in the external amenity areas. However, no further amendments to the NIA or any updated drawings were requested due to the appeal proposal being considered unacceptable in terms of the principle of development.
- 3.15 It is acknowledged that the appellant's statement of case contains additional material on this matter and that the appellant has been in discussions with the Council's Environmental Health section outside of the planning process. However, it has not been demonstrated that the development would not have a detrimental impact on the

residential amenity of existing and proposed properties by way of noise and disturbance.

3.16 For the above reasons the Council remains of the opinion that the principle of development for the proposal is unacceptable and that it would result in harm to the amenity of existing and future occupiers, with particular regard to noise and disturbance.

3.17 The following conditions are suggested without prejudice:

- Time limit;
- Submission and implementation of landscaping scheme;
- Installation of glazing to required sound reduction standard;
- Installation of passive and/or mechanical ventilation; and
- Erection of acoustic barrier.

4.0 APPELLANT'S CASE

4.1 Reliance is placed on the provisions of Policy CTY4 of Planning Policy Statement 21, which allows for the sympathetic conversion with adaption of buildings such as the one associated with this proposal.

4.2 Contrary to the Council's reason for refusal, paragraph 6.73 of the SPPS clearly confirms the building proposed for conversion, an outbuilding, is one of the building types it recognises as "locally significant" [sic]. Attention is drawn to the Council's erroneous extract of paragraph 6.73 of the SPPS, noting that the SPPS does not include the wording 'special character'.

4.3 The SPPS also notes that provision should also be made for the conversion of a locally important building to provide more than one dwelling, taking into consideration that the conversion should involve minimal intervention and that the intensity of the use should be considered appropriate to the locality.

4.4 The building exhibits vernacular character by virtue of factors such as its simple traditional materials, general proportions and character, external staircase and barn style doors. It has traditional character with a pitched roof, rendered walls (with traditional solid to void ratio), vertically proportioned openings and arched barn doors. The doors and windows are formed in timber and have a traditional tongue and grooved face and authentic Georgian bars. While the building includes stables, the structure includes a two-storey element which, when read in conjunction with the stables, has significant character and presence. It's quality and suitability for conversion add to the merit of the scheme.

4.5 The building is significant by virtue of its scale and arrangement on the site, which creates a courtyard character. Such an arrangement is generally accepted as an important historical settlement pattern in rural Northern Ireland. Building on Tradition supports this matter. The setting is significantly enhanced by the character and specific development pattern of the existing building and there would be detrimental impact should it be lost.

- 4.6 The building is of permanent construction by virtue of its masonry wall construction, solid concrete ground and first floors and slate roof. The proposal does not rely on extension and the building would require little modification with only minor alteration to the exterior proposed in the form of alterations such as new window openings. The interior would also remain almost entirely intact with the addition of new partition walls. The proposal features high-quality design, and the alterations have been sensitively set out, ensuring consistency with the vernacular style of the existing building thus preserving its character.
- 4.7 In planning appeal ref 2012/A0025 the Commissioner considered which buildings may be converted under Policy CTY4 of PPS21. The decision states that other buildings, which can be recent, non-traditional and not of architectural merit, as indeed is alluded to in the Department's publicly available document entitled "Table of main policy differences between finalised PPS 21 (published on 1 June 2010) and draft PPS21", are not ruled out.
- 4.8 Turning to the matter of noise and disturbance, the Noise Impact Assessment (NIA) made standard recommendations in relation to the ventilation strategy for the proposed units, stating 'Provided that these recommendations are implemented as per this report, then the overall noise impact is anticipated to be low'.
- 4.9 After the planning application was refused, additional comments were received from the Council which raised concerns that the NIA did not give consideration to the external amenity areas. The appellant sought clarification and agreed an appropriate amendment and strategy directly with the Council's Environmental Health section. An amended site plan which shows the proposed positioning of a 2m high acoustic fence with a minimum mass of 10kg/m² was submitted with the appeal.
- 4.10 Access to the proposal would be via the existing public road access which is shared with Creative Gardens Logwood Garden Centre. No alteration to the visibility splays would be required. Vehicular traffic will then utilise an existing lane which passes by No. 8A.
- 4.11 An area of garden separates No. 8A from the lane, and No. 8A will retain a large curtilage with secluded areas of amenity space to the north east and south west corners. These areas could be defined by new fencing albeit this has not been deemed necessary as the existing building and mature planting already provide adequate separation. The site benefits from a mature setting with exceptional soft landscaping and native species boundary treatments.
- 4.12 The existing lane is already used to access the outbuilding and whilst there will be intensification, the parking area is contained within a walled area. The proposed wall is more than 11.5m from the sunroom at the nearest point and the closest parking space is 16.9m from the sunroom, which increases to 32m. The proposed parking area is defined by masonry walls with parking spaces interspersed with soft landscaping.
- 4.13 Separation distances between the proposal and No. 8A are greater than those already accepted by the Council in the grant of planning permission for a new dwelling immediately to the north of No. 8A, ref LA03/2022/1122/O.

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- 4.13 Separation distances between the proposal and No. 8A are greater than those already accepted by the Council in the grant of planning permission for a new dwelling immediately to the north of No. 8A, ref LA03/2022/1122/O.

- 4.14 A building proposed for conversion in planning application LA02/2015/0626/F was only 2m from the existing farmhouse and the lane access passed immediately adjacent to the existing and proposed buildings.
- 4.15 Impacts from this proposal will be diminutive compared to existing adjacent uses such as the garden centre and the metal fabricators, as well as those in the wider context such as the household recycling centre.
- 4.16 The conversion of traditional barns and outbuildings should be understood in their appropriate context. They are rarely found in isolation, rather being arranged in traditional farmyard clusters which will normally include dwellings. The proposal makes adequate provisions for parking and retains at least two opportunities for private amenity within the extensive retained gardens around the existing house. The proposal includes a communal amenity area (completely walled off) as well as separate individual private gardens for each of the proposed units in excess of minimum standards as set out in Creating Places.

5.0 CONSIDERATION

- 5.1 The main issues are whether the proposal would be acceptable in principle in this locality and the effect of the proposal on residential amenity, with particular regard to noise and disturbance.
- 5.2 Section 45(1) of the Planning Act (NI) 2011 (the Act) requires the Commission, in dealing with an appeal, to have regard to the local development plan (LDP), so far as material to the application, and to any other material considerations. Section 6(4) of the Act states that where regard is to be had to the LDP, the determination must be made in accordance with the plan unless material considerations indicate otherwise.
- 5.3 The adoption of the Belfast Metropolitan Area Plan 2015 was declared unlawful by the Court of Appeal in May 2017. Therefore, the Belfast Urban Area Plan 2001 (BUAP) operates as the LDP for the area within which the appeal site lies. Draft Belfast Metropolitan Area Plan (dBMAP), published in 2004, may be material in certain circumstances. The appeal site also falls within the area covered by the draft Newtownabbey Area Plan however this was never adopted.
- 5.4 Both the BUAP and dBMAP identify the appeal site as being within the Green Belt. As Green Belt policy is now outdated, having been overtaken by regional policy for development in the countryside, no determining weight can be attached to such provisions within the BUAP and dBMAP. There are no other policies within the BUAP, nor dBMAP that are material to the appeal proposal.
- 5.5 The Strategic Planning Policy Statement for Northern Ireland 'Planning for Sustainable Development' (SPPS) is material to all decisions on individual planning applications and appeals. The SPPS retains policies within existing planning policy documents until such times as a Plan Strategy for the whole of the Council area has been adopted. No Plan Strategy has been adopted for this Council area. The retained policies of Planning Policy Statement 7 - Quality Residential Environments (PPS7) and Planning Policy Statement 21 – Sustainable Development in the Countryside (PPS21) have been raised in this appeal.

- 5.6 The SPPS sets out transitional arrangements to be followed in the event of a conflict between the SPPS and retained policy. Any conflict between the SPPS and any policy retained under the transitional arrangements must be resolved in favour of the provisions of the SPPS. For example, where the SPPS introduces a change of policy direction and/or provides a policy clarification that would be in conflict with the retained policy the SPPS should be accorded greater weight in the assessment of individual planning applications. I shall address the matter of any conflicts below.
- 5.7 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. It indicates that planning permission will be granted in the countryside for the conversion of a non-residential building to a dwelling(s) in accordance with Policy CTY4, which relates to the conversion and reuse of existing buildings.
- 5.8 Policy CTY4 of PPS21 states that exceptionally, consideration may be given to the sympathetic conversion of a traditional non-residential building to provide more than one dwelling where the building is of sufficient size; the scheme of conversion involves minimal intervention; and the overall scale of the proposal and intensity of use is considered appropriate to the locality.
- 5.9 The wording of Policy CTY4 of PPS21 differs from the approach to the conversion of an existing building to more than one dwelling as set out in the SPPS. Paragraph 6.73 of the SPPS states that provision should be made for the sympathetic conversion and re-use, with adaptation if necessary, of a locally important building (such as former school houses, churches and older traditional barns and outbuildings), as a single dwelling where this would secure its upkeep and retention. It continues, that provision should also be made for the conversion of a locally important building to provide more than one dwelling where the building is of sufficient size; the conversion involves minimal intervention; and, the intensity of the use is considered appropriate to the locality.
- 5.10 Given the differences between the policy provisions, there is conflict between the retained policy and the SPPS, thus I afford greater weight to the relevant provisions of the SPPS in this instance in line with the transitional arrangements.
- 5.11 I acknowledge that the appeal building exhibits traditional characteristics by virtue of factors such as its simple arrangement, proportions, timber window surrounds and fenestration detailing, as well as barn style doors and the solid to void ratio. The building also has a significant presence within the site and its immediate surrounds due to its size. Its arrangement and setting are reflective of a courtyard farmyard, as indicated in the extract of Building on Tradition provided by the appellant, although I note some conflation in the evidence provided. There is no substantive evidence before me that the building would be lost in the event that this appeal was dismissed, thus the courtyard character of the site is likely to remain.
- 5.12 Despite the traditional characteristics, the building is of relatively recent construction thus is not considered to be an older barn or outbuilding. It appears to have been deliberately designed with the rural vernacular in mind and is reflective of the appearance and arrangement of typical stable buildings prevalent across the countryside. These factors lead me to find that it is not a locally important building.

- 5.13 The extract of the previous appeal decision provided by the appellant (ref 2012/A0025) focused on the interpretation of Policy CTY4 of PPS21. Given my finding above that determining weight should be afforded to the SPPS, this example is not of direct relevance in this instance. I do however acknowledge that the list of examples of locally important buildings included in paragraph 6.73 of the SPPS is not exhaustive. Nonetheless, my observations on site and the evidence before me in this case does not persuade me that the appeal building is locally important.
- 5.14 Taking all the above into consideration, regardless of the appeal building's size, its permanent construction, the minimal, sensitive intervention and lack of extension required to convert it, as it is not a locally important building the proposed development fails to accord with paragraph 6.73 of the SPPS. For these reasons, the Council's second reason for refusal has been sustained.
- 5.15 With regards to the amenity of existing occupiers, within its evidence the Council refers to Planning Policy Statement 7 - Quality Residential Environments (PPS7), however, my attention has not been drawn by the Council to any relevant policies contained therein. Whilst the Council did not substantiate why PPS7 applied, the impact on residential amenity is nevertheless a material consideration in any event and falls to be considered under the auspices of the SPPS.
- 5.16 Turning to the existing dwelling at No. 8A, the parking and circulation spaces within the proposed development would be a generous distance from habitable rooms and garden areas of No. 8A and would be largely enclosed by existing and proposed boundary treatments. However, vehicular access to the proposed dwellings would utilise the existing driveway of No. 8A therefore moving vehicles would come within very close proximity to its habitable rooms and private garden areas. The intensification of the use of the access route and the increase in the number of vehicles accessing the appeal site would be significant given the scale of the proposed development and the total quantum of parking spaces proposed. The increase in the levels of comings and goings within close proximity to No. 8A would create disturbance and lead to a subsequent loss of amenity for existing occupiers. I am not convinced that existing boundary treatments along the driveway provide adequate mitigation.
- 5.17 It is suggested that the appeal proposal would result in greater separation between the proposed dwellings and No. 8A than has previously been accepted under the earlier approval of a dwelling adjacent to No. 8A, ref LA03/2022/1122/O. Be that as it may, the evidence before me indicates that access to the approved dwelling would utilise only a limited stretch of the shared driveway and it would not result in any vehicles passing by habitable rooms or through the private garden areas of No. 8A. As such, this example does not serve to justify the appeal proposal.
- 5.18 It is also suggested that a similar arrangement to the appeal proposal existed at a farm courtyard conversion under application ref LA02/2015/0626/F. However, as no further detail has been provided, I cannot ascertain the circumstances around this example or determine whether it is directly comparable to the appeal proposal.
- 5.19 With respect to noise impacts to subsequent residents of the proposed dwellings, I acknowledge that the Noise Impact Assessment (NIA) makes recommendations in

relation to the ventilation strategy for the proposed units. Overall, it indicates that the predicted noise levels for assessed positions are anticipated to be below the existing background levels at each receptor position and that the noise impact is anticipated to be low.

- 5.20 Nevertheless, an assessment of noise impact on external areas of the proposed development has not been carried out. The provision of the amended site plan at appeal stage, which was not contested, indicates the positioning and some limited design details of the proposed acoustic fence. However, it is not sufficient detail to allow me to conclude that external amenity areas would not suffer from unacceptable levels of noise. Whilst I did not experience any significant noise impact from adjacent commercial uses or the dual carriageway during my mid-morning site visit, this was just a snap-shot in time. Even if the adjacent metal fabricators is presently not in use, as suggested in the NIA, the surrounding potential noise generating sources raise concern in my mind as to whether satisfactory living conditions could be provided for future occupiers of the proposed development.
- 5.21 Accordingly, the Council's concern relating to amenity has been sustained. Even if the amenity concerns could have been overcome by the acoustic fencing, the proposal would still remain unacceptable in principle for the reasons given above.
- 5.22 Other factors such as the provision of adequate visibility splays, suitable private amenity space for existing and future occupiers and appropriate level of parking are noted however they don't outweigh the above policy objections.
- 5.23 No overriding reasons have been presented to demonstrate why the appeal development is essential. The appeal proposal is therefore also contrary to Policy CTY1 of PPS21 and the related provisions of the SPPS. As such, the Council's first reason for refusal has also been sustained.

7.0 **RECOMMENDATION**

- 7.1 I recommend to the Commission that the appeal be dismissed.
- 7.2 This recommendation relates to the following drawings:-

Drawing No.	Title	Scale	Date refused
01	Site Location Plan	1:1250	22/03/2024
	Proposed Site Plan	1:500	(as provided in the Appellant's Statement of Case)
06	Proposed Ground Floor Plan	1:100	22/03/2024
07	Proposed First Floor Plan	1:100	22/03/2024
08	Proposed Elevations	1:100	22/03/2024