

<b>Title of Report:</b>	<b>Planning Committee Report – LA01/2024/0718/F</b>
<b>Committee Report Submitted To:</b>	<b>Planning Committee</b>
<b>Date of Meeting:</b>	<b>26 March 2025</b>
<b>For Decision or For Information</b>	<b>For Decision</b>
<b>To be discussed In Committee YES/NO</b>	<b>NO</b>

<b>Linkage to Council Strategy (2021-25)</b>	
Strategic Theme	Cohesive Leadership
Outcome	Council has agreed policies and procedures and decision making is consistent with them
Lead Officer	Senior Planning Officer

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

<b>Legal Considerations</b>	
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:

<b><u>No:</u></b>	LA01/2024/0718/F	<b><u>Ward:</u></b>	DUNDOOAN
<b><u>App Type:</u></b>	Full		
<b><u>Address:</u></b>	Lands 70m West of No. 47 Newmills Road, Coleraine		
<b><u>Proposal:</u></b>	Retention of change of use and reuse of former poultry shed site to storage facility for touring caravans and boats, and self-storage; provision of site office, security fence/wall, modifications to entrance and proposed landscaping measures		
<b><u>Con Area:</u></b>	N/A	<b><u>Valid Date:</u></b>	24.06.24
<b><u>Listed Building Grade:</u></b>	N/A		
<b><u>Agent:</u></b>	M K A Planning, 32 Clooney Terrace, Waterside, Londonderry		
<b><u>Applicant:</u></b>	Jan Currie, 12 Hall Road, Coleraine, BT52 2JQ		
<b><u>Objections:</u></b>	0	<b><u>Petitions of Objection:</u></b>	0
<b><u>Support:</u></b>	1	<b><u>Petitions of Support:</u></b>	0

## **EXECUTIVE SUMMARY**

- The application relates to the retention of a storage facility and associated works
- The site is located within open countryside as outlined within the Northern Area Plan 2016.
- The former use of the site was agricultural (poultry shed).
- The proposal relates to a change of use from an agricultural site to a B4 storage use.
- The proposal does not meet the criteria for farm diversification, Policy CTY 11 of PPS 21.
- There have been no overriding reasons provided as to why this development is essential in this rural location and could not be located in a settlement.
- The scale, nature of the proposal is considered to impact on rural character and to not integrate into the surrounding area. The proposal is a prominent feature, reliant on new landscaping for integration which will take a significant time to develop. The design of the containers is inappropriate for the rural area.
- One letter of support has been received.
- The proposal is considered unacceptable in this location having regard to the Northern Area Plan 2016, and other material considerations. The proposal is contrary to the SPPS, PPS 4 and PPS 21.

Drawings and additional information are available to view on the Planning Portal- <http://epicpublic.planningni.gov.uk/publicaccess/>

## **1 RECOMMENDATION**

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

## **2 SITE LOCATION & DESCRIPTION**

- 2.1 The site is located at Lands 70m West of No. 47 Newmills Road, Coleraine. The site comprises a large area of hard standing which accommodates shipping containers and a portion of a shared access lane. The site is bound by metal wire fencing (approximately 2.5m high) with access gates.
- 2.2 The boundary of the site which fronts Newmills Road features a recently planted laurel hedgerow which currently provides no effective screening.
- 2.3 The site is within the open countryside, outside any defined settlement limit. Adjacent the site is designation CEL 10, Overfields LLPA. The character of the immediate context of the site is defined by open fields, hedgerows and dispersed residential and agricultural development.

## **3 RELEVANT HISTORY**

- 3.1 None

## **4 THE APPLICATION**

- 4.1 This is a full application for the retention of change of use and reuse of former poultry shed site to storage facility for touring caravans and boats, and self-storage; provision of site office, security fence/wall, modifications to entrance and proposed landscaping measures

## **5 PUBLICITY & CONSULTATIONS**

## 5.1 External

One letter of support has been received. It states that the replacement of the chicken houses which were unkept leading to fly tipping in the area and vermin. Redevelopment will make the site a viable economic contributor to the local economy. Scale and character in keeping with the character and planting will help integrate it into the countryside.

## 5.2 Internal

DAERA: DAERA has closed this business as it has had no agricultural activity for the last 5 years.

NI Water: No objections.

DFI Roads: No objection, subject to conditions.

Environmental Health: No objections.

## 6 MATERIAL CONSIDERATIONS

6.1 Section 45(1) of the Planning Act (Northern Ireland) 2011 requires that all applications must have regard to the local plan, so far as material to the application, and all other material considerations. Section 6(4) states that in making any determination where regard is to be had to the local development plan, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

6.2 The development plan is:

- The Northern Area Plan 2016 (NAP)

6.3 The Regional Development Strategy (RDS) is a material consideration.

6.4 The Strategic Planning Policy Statement for Northern Ireland (SPPS) is a material consideration. As set out in the SPPS, until such times as a new local plan strategy is adopted, councils will apply specified retained operational policies.

6.5 Due weight should be given to the relevant policies in the development plan.

- 6.6 All material considerations and any policy conflicts are identified in the “Considerations and Assessment” section of the report.

## **7 RELEVANT POLICIES & GUIDANCE**

[Northern Area Plan 2016](#)

[The Strategic Planning Policy Statement \(SPPS\)](#)

[Planning Policy Statement 3 \(PPS 3\) – Access, Movement and Parking](#)

[Planning Policy Statement 4 \(PPS 4\) – Planning and Economic Development](#)

[Planning Policy Statement 21 – Sustainable Development in the Countryside](#)

## **8 CONSIDERATIONS & ASSESSMENT**

- 8.1 The main considerations in the determination of this application relate to the principle of development, visual integration/ rural character and Habitat Regulations Assessment.

The proposal must be considered having regard to the NAP 2016, SPPS, and PPS policy documents specified above.

### **Background**

- 8.2 The site is within the open countryside, outside any defined settlement limit. Adjacent the site is designation CEL 10, Overfields LLPA. The site is not subject to any other zonings or designations as set out in the Plan.

### **Established Use**

- 8.3 The principle of development requires the establishment of the current use on site. A storage facility falls under use class B4 Storage and Distribution under the Planning (Use Classes) Order (NI) 2015.
- 8.4 The former use of the site was agricultural (poultry shed).

- 8.5 There is no permitted development for a change of use from an agricultural use to a B4 use under The Planning (General Permitted Development) Order (NI) 2015. Therefore, the change from a site for a poultry shed to a storage facility is a material change of use which would require planning permission.
- 8.6 The argument provided by the agent that PPS 4 should apply as the poultry shed is an existing economic use in the countryside is incorrect. The preamble of PPS4 explicitly states, *For the purposes of this PPS, economic development uses comprise industrial, business and storage and distribution uses, as currently defined in Part B 'Industrial and Business Uses' of the Planning (Use Classes) Order (Northern Ireland) 2004.*

### **Principle of Development**

- 8.7 The proposal is located in open countryside and relates to a change of use from agricultural to a storage facility (B4).
- 8.8 Policy CTY 1 of PPS 21 sets out a range of types of development which in principle are considered to be acceptable in the countryside. Of those types of development listed, two are relevant to this application; Farm diversification, in accordance with Policy CTY 11 and industry and business uses in accordance with PPS 4
- 8.9 It is mentioned in the design and access statement submitted to support the application that it is a farm diversification proposal. Farm diversification is not stated in the proposal description or other submitted documents. The Agent was asked to clarify this issue and if they wish for it to be considered as farm diversification, to amend the proposal description accordingly and submit the required application form and farm maps. They did not submit separate farm maps but included a single farm map in an amended planning statement. The proposal description was not changed.
- 8.10 Policy CTY 11, Farm Diversification, of PPS 21 states, *planning permission will be granted for a farm or forestry diversification proposal where it has been demonstrated that it is to be run in conjunction with the agricultural operations on the farm. The following criteria will apply:*
- 8.11 (a) *the farm or forestry business is currently active and established;*

The farm number and single farm map was considered by DAERA. DAERA responded stating, *DAERA has closed this business because it has had no agricultural activity for the last 5 years. It has therefore not been demonstrated that the farm business is active and established.* Criterion (a) is not satisfied.

8.12 *(b) in terms of character and scale it is appropriate to its location;*

A mature section of hedgerow and trees have been removed from the site frontage and replaced with a newly planted laurel hedge. The site currently has no effective screening and appears starkly incongruous within the immediate landscape. The outside storage of many shipping containers and caravans, boats etc. is not typical of the rural area. Relevant planning policy does not support a development of this type, in this location. Criterion(b) is not satisfied.

8.13 *(c) it will not have an adverse impact on the natural or built heritage; and*

It is not considered that the proposal would have an adverse impact in this regard.

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

It is unlikely that there will be a detrimental impact to nearby residential dwellings in the form of noise, smell or pollution, considering the nature of the development.

8.15 CTY 11 goes on to state that proposals will only be acceptable where they involve the re-use or adaption of existing farm buildings. Exceptionally a new building may be permitted where no existing building is available to accommodate the proposed use, the building is essential for the running of the farm or clearly unsuitable. Where a new building is justified it should be integrated with an existing group of buildings.

8.16 In this case the proposal does not involve the re-use or adaption of existing farm buildings (a shed was removed to facilitate the proposal) and is not sited to integrate with an existing group of buildings. The Agent was asked to clarify this point but has not addressed it to date.



- 8.17 In summary, criterion (a) and (b) are not satisfied and an argument for not reusing an existing building or siting the development within the existing grouping of buildings has not been made.
- 8.18 Consideration of the application under the policies of PPS4 is as follows.
- 8.19 PPS4 states that for the purposes of the PPS economic development uses comprise industrial, business, storage and distribution.
- 8.20 Policy PED 2, Economic Development in the Countryside, states that Proposals for economic development uses in the countryside will be permitted in accordance with the provisions of the following policies:

The Expansion of an Established Economic Development Use –  
Policy PED 3

The Redevelopment of an Established Economic Development Use –  
Policy PED 4

Major Industrial Development – Policy PED 5

Small Rural Projects – Policy PED 6

- 8.21 It goes onto state that economic development associated with farm diversification schemes and proposals involving the re-use of rural buildings will be assessed under the provisions of Planning Policy Statement 21 'Sustainable Development in the Countryside'. All other proposals for economic development in the countryside will only be permitted in exceptional circumstances.
- 8.22 In this case the proposal is not for the expansion of an established economic development use (defined in PPS 4 as comprising industrial, business, storage and distribution) and it does not involve the redevelopment of an established economic development use.
- 8.23 The proposal also fails to meet Policy PED 6 – Small Rural Projects. Policy Ped 6 permits as firm proposal to develop as small community enterprise park/centre of a small rural industrial enterprise on land outside a village or smaller rural settlement subject to a sequential test. Furthermore it states that storage and distribution uses will only be permitted where there are clearly ancillary to a proposal for a community enterprise park / centre or an industrial use. This policy is

not applicable. The proposal is located on the outskirts of Coleraine Town. Furthermore there is lands within the town which the storage units could relocate to and it is not an ancillary use to a proposal for a community enterprise park centre or industrial use.

- 8.24 No exceptional reasons have been provided. The principle of development therefore cannot be established and permission must be refused.

### **Integration and Rural Character**

- 8.25 The mature screening which defined the boundary of the site with Newmills Road was removed and a new laurel hedge put in its place. Significant time will be required before the laurel hedge provides any effective screening.
- 8.26 Roadside storage yards and shipping containers, caravans, boats etc are not typical of the rural area. Due to the removal of mature vegetation to the front of the site, views into the site are open with the proposal appearing starkly incongruous in context with its surroundings.
- 8.27 Para 6.70 of the SPPS states, *all development in the countryside must integrate into its setting, respect rural character, and be appropriately designed.*
- 8.28 The proposal relies on new landscaping for integration. The visual impact of the facility in this location is not considered acceptable.
- 8.29 No argument has been made demonstrating that the proposal could not be located within a development limit.
- 8.30 Policy CTY 13 of PPS21 states, *planning permission will be granted for a building in the countryside where it can be visually integrated into the surrounding landscape, and it is of an appropriate design.*
- 8.31 Policy CTY 14 of PPS21 states, *planning permission will be granted for a building in the countryside where it does not cause a detrimental change to, or further erode the rural character of an area.*
- 8.32 Given the scale, number of the containers, spatial extent of the site, and the lack of effective screening from the roadside, the visual impact

of the proposal is unacceptable. The facility is considered to appear incongruous in the landscape and to be inappropriate for the character of the countryside.

- 8.33 Large, poorly screened, areas of roadside storage with many shipping containers and assorted large vehicles/ items such as caravans and boats are not typical of the rural area. The site does not provide a suitable degree of enclosure for the facility and will primarily rely on new planting to integrate.
- 8.34 Considering the visually incongruous nature of the contents of the site, and the length of time for any vegetation to develop to provide any form of effective screening, it is considered that the proposal will harm both rural character and the appearance of the local area.

### **Access, Parking and Manoeuvring**

- 8.35 Access is proposed via an altered existing vehicular access onto Newmills Road which is shared with the associated farm grouping, located to the south of the site.
- 8.36 DFI Roads were consulted and advised that they had no objection subject to conditions.
- 8.37 There are two gates on the eastern boundary of the site providing a one-way system for vehicular traffic using the facility.
- 8.38 Newmills Road is not a Protected Route.
- 8.39 Policy AMP 2, Access to Public Roads, of PPS 3 states, planning permission will only be granted for a development proposal involving direct access, or the intensification of the use of an existing access, onto a public road where:
- a) such access will not prejudice road safety or significantly inconvenience the flow of traffic; and
  - b) the proposal does not conflict with Policy AMP 3 Access to Protected Routes.
- 8.40 It is considered that the proposed access will not prejudice road safety or significantly inconvenience the flow of traffic.

## **Habitats Regulation Assessment**

- 8.41 The potential impact 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**

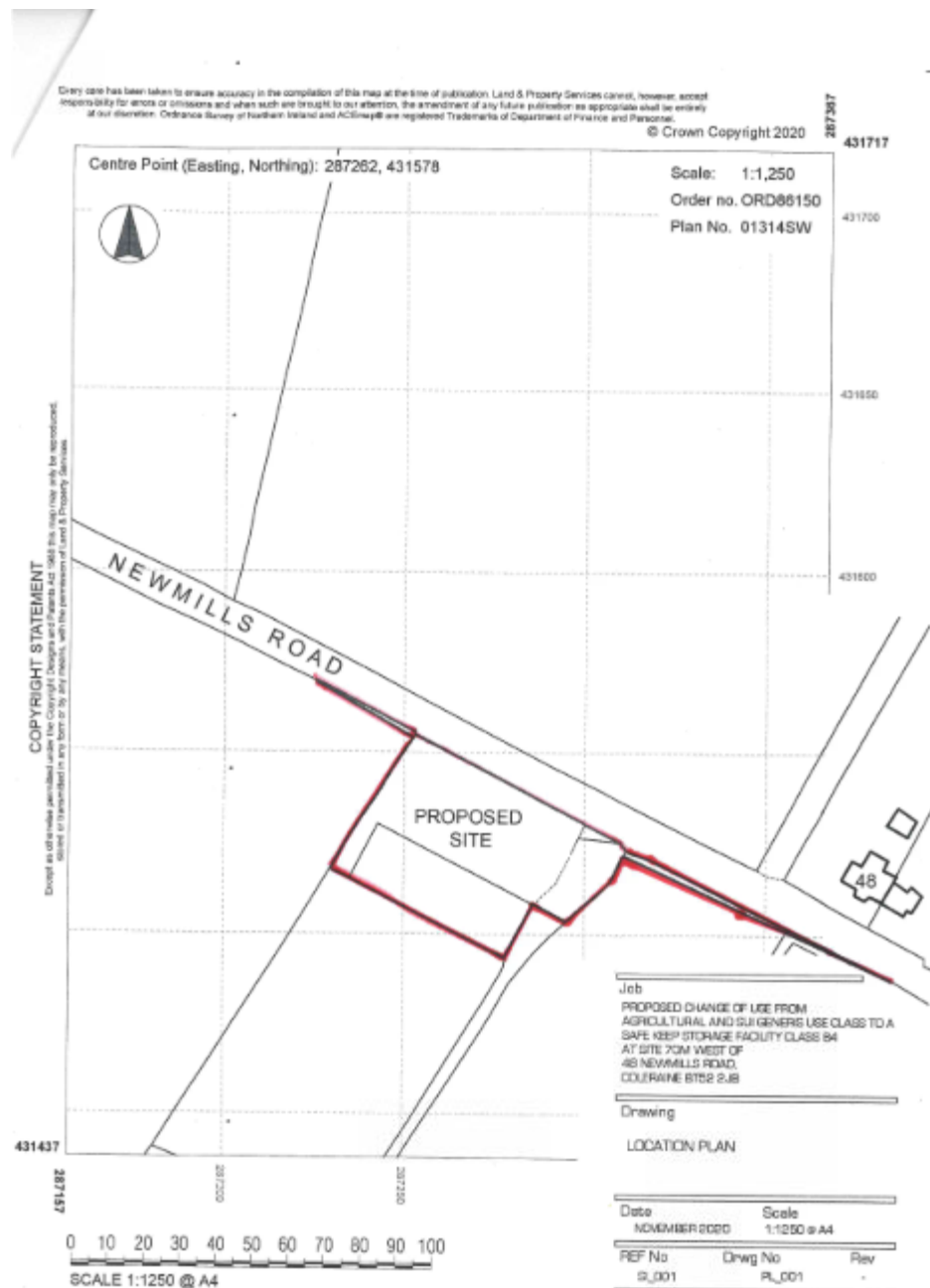
- 9.1 The proposal is considered unacceptable in this location having regard to the provisions of the SPPS, Policy PED 2 of PPS 4, Policy and Policies CTY 1 and CTY 11, of PPS 21. The proposal is for a storage facility which planning policy advises is not a suitable countryside use unless exceptional reason have been provided. The application is within close proximity of Coleraine settlement development limit and no exceptional reason has been provided for this countryside location. The principle of development is unacceptable in this location. The proposal has a detrimental impact on rural character and fails to integrate into the landscape. Refusal is recommended.

## **10 Reasons for Refusal**

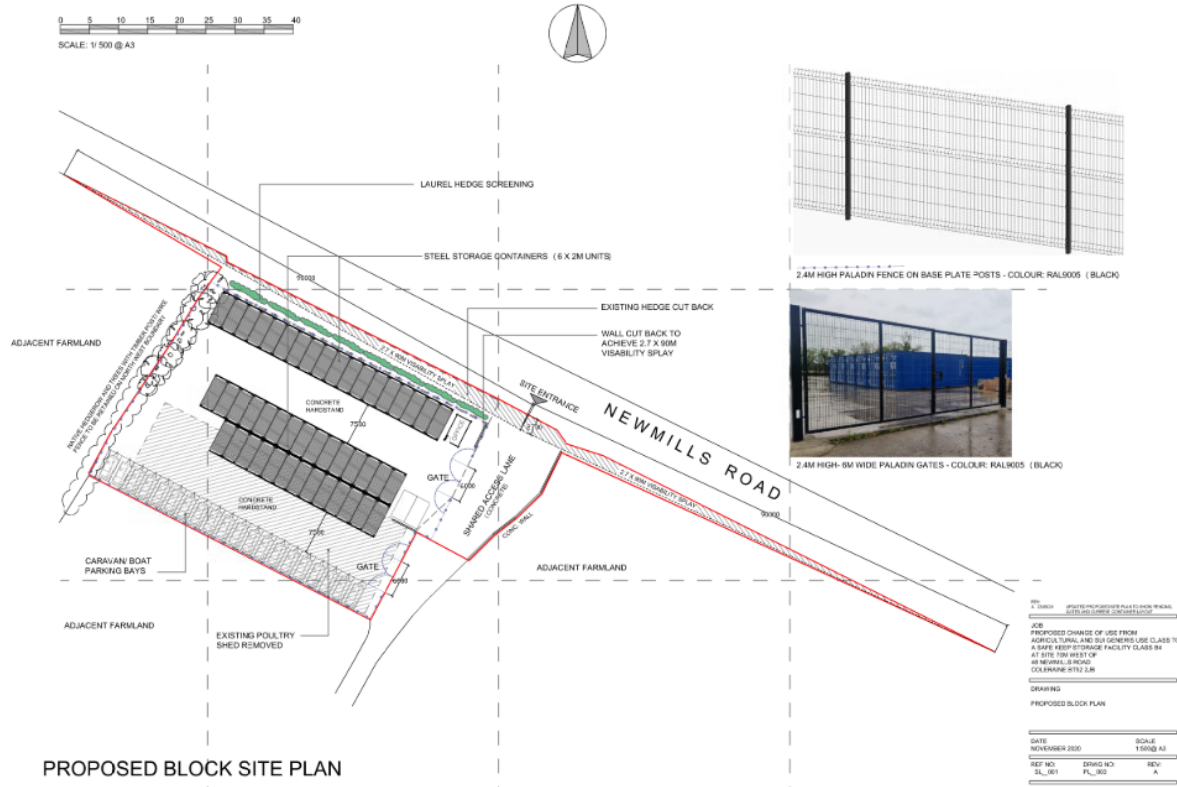
1. The proposal is contrary to paragraph 6.73 of the Strategic Planning Policy Statement for Northern Ireland and Policy CTY1 of Planning Policy Statement 21, Sustainable Development in the Countryside in that there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement.
2. The proposal is contrary to Criteria (a) and (b) of Policy CTY11 of PPS21 Sustainable Development in the Countryside in that: it has not been demonstrated that the farm business is currently active and established and; the character and scale of the proposal is inappropriate to its location.
3. The proposal is contrary to Policy PED 2 of PPS4 Planning and Economic Development in that the proposal does not accord with any of the types of development permitted in the countryside nor are there any exceptional circumstances.

4. The proposal is contrary to Paragraph 6.70 of the SPPS in the proposal would not integrate and would harm rural character. prejudice road safety or significantly inconvenience the flow of traffic onto a public road.

## Site location Map



Site Layout



**SITE VISIT REPORT: Monday 28<sup>th</sup> April 2025**

*Committee Members: Alderman, Boyle, Callan, Hunter (Chair), Scott, Stewart, S McKillop and; Councillors Anderson, C Archibald, Kennedy, McGurk, M A McKillop, McMullan, Nicholl, Peacock, Storey and Watton (Vice Chair)*

**LA01/2024/0718/F - Lands 70m West of No. 47 Newmills Road**

**App Type: Full permission**

**Proposal: - Retention of change of use and reuse of former poultry shed site to storage facility for touring caravans and boats, and self-storage; provision of site office, security fence/wall, modifications to entrance and proposed landscaping measures**

**Present: Alderman Hunter, Councillors Archibald, McMullan, Watton.**

**Apologies: Councillor M A McKillop**

**Officials: J Lundy**

**Comments:** The Planning Officer identified the site and the retrospective works being considered under this application. The four refusal reasons were outlined. Members asked what the previous use was on the site. The officer confirmed that a poultry shed had been present on site which has now been demolished.

It was noted that there were no farm buildings at the site and that partial views of the applicants dwelling were noted at the end of the laneway. Members asked what land was within the applicants' ownership. The adjoining fields were pointed out and advised that a slide would be included showing the farmlands.

The countryside location was discussed, and that the policy contained within PPS 4 directs this type of development to zoned land within the settlement development limits. The nearby industrial estates located in Coleraine settlement limit were noted.

The officer pointed out the boundary and advised that mature roadside hedging had been removed which opened the site impacting on the rural area.

The site visit was concluded.

J Lundy 28.4.25

# **Addendum**

## **LA01/2024/0718/F**

### **1.0 Update**

- 1.1 Two letters of support were received following the completion of the Planning Committee Report.
- 1.2 The letters of support reference: the repurposing of the poultry shed for storage, that the site will replace the unsightly and derelict chicken houses which had attracted vermin and fly tipping, and that the proposed development will have a positive economic impact on the local area.

### **2.0 Assessment**

- 2.1 The retention of the poultry shed is not part of this proposal and as shown in the plans and noted on site has been removed.
- 2.2 The site was previously well screened with mature hedging, with no adverse impact on the rural character of the area. The issue of fly tipping and vermin is a landowner issue, it is up to the landowner to ensure the maintenance and security of their property.
- 2.3 PPS 4 is the relevant policy for economic development, the proposal fails to meet the policy tests as set out in the PCR paragraphs 8.19 to 8.24. The points raised in the letters of support are not exceptional and do not justify development that fails to meet the planning policy within PPS 21 and PPS 4.

### **3.0 Recommendation**

- 3.1 That the Committee note the contents of this Addendum and agree with the recommendation to refuse planning permission as set out in paragraph 9.1 of the Planning Committee Report.



# **Addendum**

## **LA01/2024/0718/F**

### **1.0 Update**

- 1.1 Following deferral of the application at the April Committee, the Agent submitted further information containing details of a second farm business number and a screenshot of a map pertaining to the lands in question.
- 1.2 This was followed up with a further email from the agent containing screen shots of the application site from 2017 – 2024.
- 1.2 Consultation was carried out with DAERA in relation to the second Farm Business ID. DAERA have confirmed that the farm business is active and established.

### **2.0 Assessment**

- 2.1 It is assessed that the proposal now meets criteria (a) of Policy CTY 11, in that the farm business is currently active and established.
- 2.2 However, the proposal is still contrary to Policy CTY 11 in that in terms of character and scale it is not appropriate for the location, the proposal does not involve the reuse or adaption of existing farm buildings, and the new buildings/ structures are not integrated with an existing group of buildings.
- 2.3 The proposal remains contrary to Policy PED 2 of PPS4 Planning and Economic Development in that the proposal does not accord with any of the types of development permitted in the countryside nor are there any exceptional circumstances.

2.4 Refusal Reason 2 currently reads:

*The proposal is contrary to Criteria (a) and (b) of Policy CTY11 of PPS21 Sustainable Development in the Countryside in that: it has not been demonstrated that the farm business is currently active and established and; the character and scale of the proposal is inappropriate to its location.*

Refusal Reason 2 is amended as follows:

*The proposal is contrary to Criterion (b) of Policy CTY 11 of PPS 21 Sustainable Development in the Countryside in that: the character and scale of the proposal is inappropriate to its location.*

### **3.0 Recommendation**

- 3.1 That the Committee note the contents of this Addendum and agree with the recommendation to refuse planning permission as set out in paragraph 9.1 of the Planning Committee Report.