

Title of Report:	Planning Committee Report – LA01/2023/0418/F
Committee Report Submitted To:	Planning Committee
Date of Meeting:	26.11.2025
For Decision or For Information	For Decision – Referred Application by Alderman John Mc Auley

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	Development Management and Enforcement Manager

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

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>No:</u>	LA01/2023/0418/F	<u>Ward:</u>	Dundooan
<u>App Type:</u>	Full		
<u>Address:</u>	70m SE of 23 Ballymacrea Road, Portrush		
<u>Proposal:</u>	Refurbishment and conversion (former blacksmiths forge to dwelling and former shed to annex) with demolition of former showroom and weighbridge building, associated landscaping and access works		
<u>Con Area:</u>	N/A	<u>Valid Date:</u>	05.04.2023
<u>Listed Building Grade:</u>	N/A		
<u>Agent:</u>	David Dalzell CMLI, Fairview, 10 Fairview Lane, Articlave, BT51 4JX		
<u>Applicant:</u>	C & L Mayrs, Hilltop Holiday Park, 60 Loguestown Road, Portrush		
<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 the refurbishment and conversion (former blacksmiths forge to dwelling and former shed to annex) with demolition of the former showroom and weighbridge building, including associated landscaping and access works.
- The proposal is contrary to Paragraph 6.73 of the SPPS and Planning Policy Statement 21, Sustainable Development in the Countryside, Policy CTY 4, criteria (a) (b) and (c) in that the “blacksmiths forge” is not considered to be a suitable building for the purposes for conversion, the sheds and “blacksmiths Forge” are not considered locally important, the reuse or conversion would not maintain or enhance the form, character and architectural features, design and setting of the existing building and the new extensions are not sympathetic to the scale, massing and architectural style and finishes of the existing building.
- The proposal is contrary to paragraph 6.73 of the SPPS and Planning Policy Statement 21, Sustainable Development in the Countryside, Policy CTY 1 and Policy CTY 6 in that it has not been demonstrated that a new dwelling is a necessary response to the particular circumstances of the case; that genuine hardship would be caused if planning permission were refused; that there are no alternative solutions to meet the particular circumstances of the case and there are no overriding reasons why the development is essential and could not be located in a settlement.
- Refusal is recommended.

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

1 RECOMMENDATION

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

2 SITE LOCATION & DESCRIPTION

- 2.1 The site is located on lands approximately 70m South-East of 23 Ballymacrea Road, Portrush.

The application site comprises of an existing concrete access lane, a single storey flat roof building, two attached single storey outbuildings and the remnants of an old stone building. The site is accessed via the existing concrete laneway used to access the existing Craigahulliar caravan park, which is to the immediate north-west of the site. The laneway continues south of the site to access Craigahulliar landfill site which is to the immediate south/south-east of the site.

- 2.2 The site is located within the rural area outside any settlement development limit as defined in the Northern Area Plan 2016.

3 RELEVANT HISTORY

- 3.1 There is no recent planning history directly on the application site.

4 THE APPLICATION

- 4.1 This is a full application for the refurbishment and conversion of the former blacksmiths forge to a dwelling and the former shed to an annex, with the demolition of the former showroom and weighbridge building, including associated landscaping and access works.

5 PUBLICITY & CONSULTATIONS

5.1 External

Advertising: Advertised in the Coleraine Chronicle on the 03.05.2023.

Neighbours: Neighbours were notified on 21.04.2023.

No letters of support or objection were received on this application.

5.2 Internal

DFI Roads: No objections.

Rivers Agency: No objections.

DFE Geological Surveys: No objections.

NI Water: No objections.

NIEA NED: No objections.

HED: No objections.

Environmental Health: No objections.

NIEA WMU: No objections.

NIEA Regulation Unit: No objections.

6 MATERIAL CONSIDERATIONS

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

6.2 The development plan is:

- The Northern Area Plan 2016 (NAP)

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

- 6.4 The Strategic Planning Policy Statement for Northern Ireland (SPPS) is a material consideration. As set out in the SPPS, until such times as a new local plan strategy is adopted, councils will apply specified retained operational policies.
- 6.5 Due weight should be given to the relevant policies in the development plan.
- 6.6 All material considerations and any policy conflicts are identified in the “Considerations and Assessment” section of the report.

7 RELEVANT POLICIES & GUIDANCE

[The Northern Area Plan 2016](#)

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

[Planning Policy Statement 2 – Natural Heritage](#)

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

[Planning Policy Statement 6 – Planning, Archaeology and the Built Heritage](#)

[Planning Policy Statement 15 – Planning and Flood Risk](#)

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

[Building on Tradition: A Sustainable Design Guide for the Northern Ireland Countryside](#)

8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to the principle of development, visual integration/impact on rural character, access and flooding.

Principle of development

- 8.2 The proposal must be considered having regard to the NAP 2016, SPPS, and PPS policy documents specified above.
- 8.3 Planning Policy Statement 21 – Sustainable development in the Countryside, Policy CTY 1 notes there are 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, one of which is the conversion of a non-residential building to a dwelling(s) in accordance with Policy CTY 4;
- 8.4 CTY 4 notes planning permission will be granted to proposals for the sympathetic conversion, with adaptation if necessary, of a suitable building for a variety of alternative uses, including use as a single dwelling, where this would secure its upkeep and retention. Such proposals will be required to be of a high design quality and to meet all of the following criteria:
- (a) the building is of permanent construction;
 - (b) the reuse or conversion would maintain or enhance the form, character and architectural features, design and setting of the existing building and not have an adverse effect on the character or appearance of the locality;
 - (c) any new extensions are sympathetic to the scale, massing and architectural style and finishes of the existing building;
 - (d) 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;
 - (e) the nature and scale of any proposed non-residential use is appropriate to a countryside location;
 - (f) all necessary services are available or can be provided without significant adverse impact on the environment or character of the locality; and
 - (g) access to the public road will not prejudice road safety or significantly inconvenience the flow of traffic.

Buildings of a temporary construction such as those designed and used for agricultural purposes, including sheds or stores will not however be eligible for conversion or re-use under this policy.

The SPPS introduces the sympathetic conversion and reuse of a locally important building in addition to CTY 4 wording of “suitable building”.

- 8.5 The buildings under consideration for conversion include; the conversion of a “former blacksmiths forge” into a dwelling and the conversion of sheds into an annex and garage/gym. The “former blacksmith forge” is an old stone building. The building has no roof. The two gable walls are intact. The front and rear wall are partially intact to approximately eaves height, albeit a portion of the front elevation is missing. The sheds are of block and stone construction. They have a corrugated tin roof and are open sided to the front elevation. There is a small-attached building which is proposed for demolition.
- 8.6 There is no amplification as to what is considered locally important but the SPPS notes such as former school houses, churches and older traditional barns and outbuildings. The proposed structure referred to as the blacksmiths forge is in an advanced ruinous state and is not considered a suitable building and is therefore not eligible for conversion under CTY 4. The blacksmiths forge is the remnants of an old stone building, with no roof and the external walls are not completely intact. It is concluded that the ruins are not suitable for conversion or reuse as provided for by CTY 4. The proposal involves considerable new build and extension and as such is contrary to the spirit and intention of CTY 4. The sheds are not considered locally important and not eligible for conversion under CTY4.
- 8.7 The agent submitted Doc 01 Planning Statement which provides information on the historic development of the site. This information advised that the structure was once used as a blacksmiths forge. Doc 01 refers to the shed being erected in the period of 1921-1951 and notes that it was associated with the historical quarrying at the site and is of local importance. The proposed sheds are not considered locally important. They are open sided structures with corrugated metal roofs and are of no historical value.
- 8.8 Further supporting information Doc 03 was submitted on the 30.01.24. This information discussed the historical/heritage assessment of the Craigahullier quarry site as a whole. This information noted that the “building 3” the building formally referred to as the Blacksmiths forge, dated from 1909-1921 and noted that local hearsay referred to this building as having been a blacksmiths workshop however there is no

physical evidence to support this claim and its historical interest lies in the fact that it was erected 1909-1921 and is associated with the quarry. “Building 4” referred to as the shed is noted as maybe have been a garage constructed between 1921 – 1951. The information concludes that the two buildings are of no special architectural merit, but the historical interest of them relies primarily on their association with the historical quarry.

- 8.9 From the information submitted above it is concluded that the buildings/structures are not locally important. The shed building is not considered locally important and it has been advised that the other structure/ruins have no evidence of being once used as a blacksmiths forge. The ruins/structure currently on site is not considered a suitable building, it is in a ruinous state and not suitable for conversion or reuse as provided for by CTY 4. The proposal involves considerable new build and extension and as such is contrary to the spirit and intention of CTY 4 and therefore fails CTY 4. The application fails CTY 4 in principle.
- 8.10 Criteria (a) of CTY 4 requires that the buildings are of a permanent construction. As referenced in paragraph 8.5 of this report the structure is in a ruinous state. As set out in **Appeal 2024/A0131 (Appendix 1)**, the condition of the structure referred to as the ‘former blacksmiths forge’ is a remanet of a former building and does not constitute a building today. The shed is also in a ruinous state and fails to be a building of permanent construction due to its state and that CTY 4 does not apply “to buildings of a temporary construction...including sheds or stores will not however be eligible for conversion or re-use under this policy”. The proposal fails to meet criteria (a).
- 8.11 The proposed conversion of the “blacksmiths forge” consists of significant alterations to the existing structure to include the addition of windows and doors, repairing, building up the walls and forming a new pitched roof finished in slate, with a new extension to the west. The extensions are set out in three connected blocks, two single storey and one two storey block. The extensions will have pitched slated roofs and flat roofs and finished in a combination of render, stone and larch and zinc cladding. The extension will project at the furthest point approximately 21m beyond the existing western wall of the existing building. The scale and massing are not considered sympathetic to the scale and massing of the existing structure. The scale is significantly larger than the current structure on site and not

considered sympathetic to the scale, massing and architectural style and finishes of the existing. The application fails to meet criteria (b) and (c).

- 8.12 The re-use or conversion will not unduly affect the amenities of nearby residents. There is sufficient separation distance to surrounding residential properties and to the caravan park and a dwelling at this location will have no detrimental impacts to surrounding residents.

Craigahulliar Landfill site is located to the south of the proposed site. Environmental Health were consulted on the application and raised no objections. The separation distance to the Landfill site will limit adverse impact on residential amenity. The applicant is fully aware of the existing Landfill site. There are a number of dwellings surrounding the site. The application meets criteria (d).

- 8.13 The application is not for a non-residential use and criteria (e) is not relevant.

- 8.14 There are a number of dwellings in close proximity of the site which are served by water, electric. There will be no significant adverse impact on the environment in serving this dwelling. The application meets criteria (f).

- 8.15 Access to the dwelling is proposed via the use of an existing access laneway off the Ballymacrea Road which currently serves Craighulliar caravan park and continues south of the site to serve Craigahulliar landfill site. Roads were consulted on the application and raised no objections. The application meets criteria (g).

- 8.16 Doc 01 submitted by the agent refers to Policy CTY 6 so this must also be considered. Policy CTY 6 – Personal and Domestic Circumstances notes planning permission will be granted for a dwelling in the countryside for the long-term needs of the applicant, where there are compelling, and site specific reasons for this related to the applicant's personal or domestic circumstances and provided the following criteria are met:

(a) the applicant can provide satisfactory evidence that a new dwelling is a necessary response to the particular circumstances of the case and that genuine hardship would be caused if planning permission were refused; and

(b) there are no alternative solutions to meet the particular circumstances of the case, such as: an extension or annex attached to the existing dwelling; the conversion or reuse of another building within the curtilage of the property; or the use of a temporary mobile home for a limited period to deal with immediate short term circumstances.

All permissions granted under this policy will be subject to a condition restricting the occupation of the dwelling to a named individual and their dependents.

- 8.17 The information submitted within Doc 01 highlight that the applicants Daughter will live in the annex accommodation in the converted sheds. She has particular health issues and requires independent living close to her parents.
- 8.18 Para 5.28 of the policy which notes, “There may be cases where special personal or domestic circumstances require a new house in the countryside. Such cases will include instances where a young adult who requires a continuing and high level of care, but who could also benefit from a greater degree of independent living.”
- 8.19 Inadequate information has been put forward to demonstrate that there are no alternative solutions to meet the particular circumstances of the case, such as: an extension or annex attached to an existing dwelling/the applicants existing home. There has been insufficient detail provided that a new dwelling is a necessary response to the particular circumstances of the case and that genuine hardship would be caused if planning permission were refused.
- 8.20 In addition, as the principle of development under CTY4 has not been established there are no compelling and site specific reasons to merit the annex under CTY6. The proposal is not a necessary response to the circumstances of the case and it has not been demonstrated that a hardship will result. The application fails CTY 6.
- 8.21 There are no overriding reasons why the development is essential and could not be located in a settlement and the application fails CTY 1.

Visual integration/impact on rural character

- 8.22 Planning Policy Statement 21 – Sustainable development in the Countryside CTY 13 notes that 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. A new building will be unacceptable where:

- (a) It is a prominent feature in the landscape; or
- (b) The site lacks long established natural boundaries or is unable to provide a suitable degree of enclosure for the building to integrate into the landscape; or
- (c) It relies primarily on the use of new landscaping for integration; or
- (d) Ancillary works do not integrate with their surroundings; or
- (e) The design of the building is inappropriate for the site and its locality; or
- (f) It fails to blend with the landform, existing trees, buildings, slopes and other natural features which provide a backdrop; or
- (g) In the case of a proposed dwelling on a farm (see Policy CTY 10) it is not visually linked or sited to cluster with an established group of buildings on a farm.

8.23 Policy CTY 14 notes that 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. A new building will be unacceptable where:

- (a) it is unduly prominent in the landscape; or
- (b) it results in a suburban style build-up of development when viewed with existing and approved buildings; or
- (c) it does not respect the traditional pattern of settlement exhibited in that area; or
- (d) it creates or adds to a ribbon of development (see Policy CTY 8); or
- (e) the impact of ancillary works (with the exception of necessary visibility splays) would damage rural character.

8.24 The proposed conversion to the “blacksmiths forge” consists of alterations to the existing barn structure to include the addition of windows and doors, repairing, building up the walls and forming a new pitched roof finished in slate, with a new extension to the west. As assessed under CTY 4 the proposed scale and massing of the extension is not considered sympathetic to the scale and massing of the existing structure. None the less from an integration point of view the site is set back some 180m from the Road. The existing mature vegetation to the north and the existing development to the north-west limits views of the site along the Ballymacrea and Craigahulliar Road and the proposed development will be integrated and not appear prominent in the landscape. All existing mature vegetation and trees to the north, east and south of the site are to be retained. An area of tree

planting is proposed in place of the demolished weighbridge building, with new 2m high fencing and gate to the new western boundary.

- 8.25 The site is not elevated and the proposed development will not be unduly prominent in the landscape. The dwelling will not create or add to a ribbon of development or result in a suburban style build-up of development.
- 8.26 The application does not offend Policy CTY 13 and CTY 14.

Access

- 8.27 PPS 3, Policy AMP 2, Access to Public Roads notes 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.
- 8.28 This proposal involves the use of an existing access lane off the Ballymacrea Road. DFI Roads were consulted in relation to this application and raised no objections to the proposal. The proposal will not prejudice road safety and meets AMP 2 of PPS 3.

Flooding

- 8.29 PPS 15 Policy FLD 3 - Development and Surface Water (Pluvial) Flood Risk Outside Flood Plains notes a Drainage Assessment will be required for all development proposals that exceed any of the following thresholds:
- A residential development comprising of 10 or more dwelling units
 - A development site in excess of 1 hectare
 - A change of use involving new buildings and / or hardsurfacing exceeding 1000 square metres in area.
- A Drainage Assessment will also be required for any development proposal, except for minor development, where:
- The proposed development is located in an area where there is evidence of a history of surface water flooding.
 - Surface water run-off from the development may adversely impact upon other development or features of importance to nature conservation, archaeology or the built heritage.

- 8.30 The development lies on the periphery of a predicted flooded area as indicated on the Surface Water Flood Map, with surface water flooding beyond the northern boundary of the site. The site is located outside the surface water flooding area. Nonetheless the proposal does not exceed any of the thresholds listed in FLD 3 and the proposed development is not located in an area where there is evidence of a history of surface water flooding and Surface water run-off from the development will not adversely impact upon other development or features of importance to nature conservation, archaeology or the built heritage. The application complies with FLD 3.

Habitats Regulation Assessment

- 8.31 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.

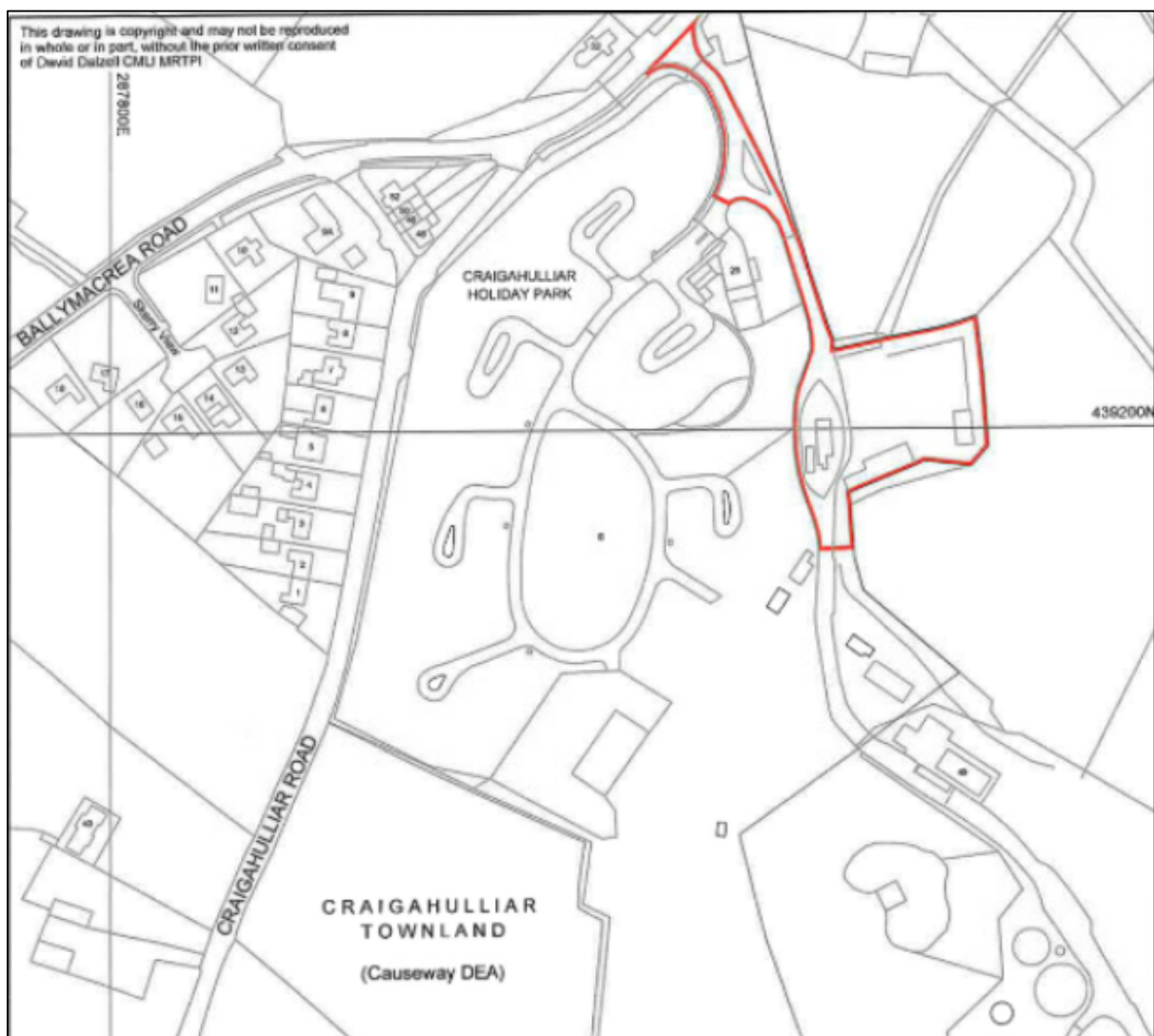
9 CONCLUSION

- 9.1 The proposal is considered unacceptable in this location having regard to the Northern Area Plan 2016 and other material considerations including the SPPS and Planning Policy Statement 21 – Sustainable development in the Countryside, Policy CTY 4, criterion (a) (b) and (c), CTY 1 and Policy CTY 6, in that the “blacksmiths forge” is not considered to be a suitable building for the purposes for conversion, the sheds and “Blacksmiths Forge” are not considered to be permanent buildings or locally important, the reuse or conversion would not maintain or enhance the form, character and architectural features, design and setting of the existing building and the new extensions are not sympathetic to the scale, massing and architectural style and finishes of the existing building.
- 9.2 It has not been demonstrated that a new dwelling is a necessary response to the particular circumstances of the case, that genuine hardship would be caused if planning permission were refused, that there are no alternative solutions to meet the particular circumstances of the case and there are no overriding reasons why the development is essential and could not be located in a settlement.

10 Reasons for Refusal

1. The proposal is contrary to paragraph 6.73 of the SPPS and Planning Policy Statement 21, Sustainable Development in the Countryside, Policy CTY 4, criterion (a) (b) and (c) in that the “blacksmiths forge” is not considered to be building of permanent construction or a suitable building for the purposes for conversion, the sheds and “Blacksmiths Forge” are not considered locally important, the reuse or conversion would not maintain or enhance the form, character and architectural features, design and setting of the existing building and the new extensions are not sympathetic to the scale, massing and architectural style and finishes of the existing building.
2. The proposal is contrary to paragraph 6.73 of the SPPS and Planning Policy Statement 21, Sustainable Development in the Countryside, Policy CTY 6 in that it has not been demonstrated that a new dwelling is a necessary response to the particular circumstances of the case; that genuine hardship would be caused if planning permission were refused; that there are no alternative solutions to meet the particular circumstances of the case.
3. The proposal is contrary to paragraph 6.73 of the SPPS and Policy CTY 1 of PPS 21: Sustainable Development in the Countryside in that there are no overriding reasons why the development is essential and could not be located within a settlement.

Site location Map



Referral Request

 Follow up. Completed on 20 February 2024.
To: Planning <Planning@russellwainwright.co.uk>
Subject: Planning Application LA21/2023/0418/P - referral to planning committee

Hi,

I would like to request that the above planning application which has been refused be referred to the planning committee.

The application has been refused on a number of reasons.

Refusal Reason 1: The proposal is contrary to Planning Policy Statement 21 Sustainable Development in the Countryside, Policy CTY 4, criteria (b) and (c) in that the 'blacksmith's forge' is not considered to be a suitable building for the purposes for conversion, the sheds and 'blacksmiths forge' are not considered locally important, the reuse or conversion would not maintain or enhance the form, character and architectural features, design and setting of the existing building and the new extensions are not sympathetic to the scale, massing and architectural style and finishes of the existing building.

I believe this to be an over zealous interpretation of the policy. Older stone buildings which are still largely intact may have little importance across a region but within families and townlands can carry enormous importance as a link with the history of the place, with local trades and families ties. They help to tell the history of that place, particularly when it is down to the townland level. The applicant believes that the traditional buildings can be added into the development sympathetically and I believe that this supports the SPSS which states that sustainable development should be permitted. I believe Dr Fred Hamond, a leading Irish Industrial archaeologist, has has stated that buildings are of historical interest given their date of construction.

Refusal Reason 2: The proposal is contrary to Planning Policy Statement 21 Sustainable Development in the Countryside, Policy CTY 6 in that it has not been demonstrated that a new dwelling is a necessary response to the particular circumstances of the case and that genuine hardship would be caused if planning permission were refused; and that there are no alternative solutions to meet the particular circumstances of the case.

There are particular circumstances which the Mays family find themselves in which I believe makes this planning refusal harsh. For reasons of proximity to the holiday park they run and proximity to a family member with severe learning difficulties, the proposed development would meet these requirements. The proposed development meets Policy CTY 6 where the conversion and reuse of another building within the curtilage of the property would be a suitable alternative to a new dwelling. The Annex will be a conversion and reuse of another building within the curtilage of the Forge, which is acceptable under planning policy as a conversion and reuse of an existing building under Policy CTY 4 of PPS21.

I believe there are sufficient reasons for this decision to be referred to the planning committee and would be grateful if you could confirm receipt and if it is to be referred.

Thanks

Richard

Clr Richard J Holmes BSc MBA
E rholmesuk@outlook.net
M 078 8430 3639

Appendix 1- Appeal Decision 2024/A0131



Appeal Decision

4th floor
92 Ann Street
BELFAST
BT1 3HH
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E: info@pacni.gov.uk

Appeal Reference: 2024/A0131
Appeal by: David Alexander
Appeal against: The refusal of outline planning permission
Proposed Development: New farm dwelling to facilitate on-site welfare, management and expansion of existing sheep rearing farm business
Location: 256 metres north of 46 Corbally Road, Portrush, BT52 2LZ, Townland of Craigahulliar
Planning Authority: Causeway Coast and Glens Borough Council
Application Reference: LA01/2022/0314/O
Procedure: Written representations with an Accompanied site visit on 17th June 2025
Decision by: Commissioner Hannah Ellison, dated 29th July 2025

Decision

1. The appeal is dismissed.

Reasons

2. The main issues are whether or not the proposal would:
 - be acceptable in principle;
 - adversely affect the character of the area; and
 - adversely affect natural heritage.
3. 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.
4. The Northern Area Plan 2016 (NAP) operates as the LDP for the area in which the appeal site is located. The appeal site is within the countryside, outside of any development limit. It also falls within an area zoned as an archaeological site and monument, IPRI Craigahulliar Landfill Site and Area of Constraint: Abandoned Mines. There were no objections raised to the proposal in respect of those designations and there are no specific operational policies or other provisions material to the determination of the proposal within the NAP, which directs me to regional policy.

2024/A0131

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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 the local council adopts a Plan Strategy (PS). No PS has been adopted for this council area. The SPPS retains certain existing Planning Policy Statements (PPSs) including Planning Policy Statement 21: Sustainable Development in the Countryside (PPS21). There is no conflict between the provisions of the SPPS and those of retained policy regarding issues relevant to this appeal. Therefore, in accordance with the transitional arrangements set out in the SPPS, the appeal should be determined in accordance with the retained policies of PPS21.
6. Policy CTY1 of PPS21 sets out a range of types of development which in principle are acceptable in the countryside. In respect of housing development, the policy identifies that planning permission will be granted for an individual dwelling house in the countryside for a dwelling on a farm in accordance with Policy CTY10. This policy states that planning permission will be granted for a dwelling house on a farm where all of a number of criteria are met.
7. The appeal site and wider agricultural land within the appellant's ownership is of undulating topography. To the west of the site, the land slopes down towards the adjacent reservoir. To the north, the land rises gently towards a mature band of vegetation, beyond which is a landfill site. The appellant's land to the north west of the appeal site slopes downwards to meet Craigahulliar Road. The field in which the appeal site sits falls gently in a north to south direction. To the south of the appeal site, beyond the central sheugh, is a largely level field.
8. The boundaries of the appeal site are mainly undefined. The access laneway is bound in part by hedgerows to the west and a post and wire fence along the eastern side. The roadside boundaries of the appellant's land consist of post and wire fencing and recently planted, young trees and scrub.
9. The Council withdrew its concerns that it had not been demonstrated that the farm business at the appeal site was currently active and had been established for six years, a requirement of criterion (a) of Policy CTY10. In respect of the principle of the appeal proposal, the Council remains of the opinion that it contravenes criterion (b).
10. Criterion (b) requires that no dwellings or development opportunities out-with settlement limits have been sold off from the farm holding within 10 years of the date of the application. Although the Council considers that the farm business at the appeal site is currently active and has been established for six years, its position was that there remains ambiguity surrounding the extent of the farm holding. The Council notes that the address included on the farm map provided by the appellant is an address associated with another farm holding. Linked to this, the Council raises further concerns that the appellant has previously owned other farm buildings at the address included in the farm map provided.

11. As the farm map is largely illegible, I cannot ascertain whether the Business ID, which the appellant states is associated with the appeal site and adjoining land, matches that on the submitted map. The total extent of the farm holding which the map relates to is also unclear. There is no further evidence before me, including that within a supporting statement submitted with the appeal, which persuades me that the farm Business ID provided in this case is only associated with the lands at the appeal site, or whether or not it is also associated with other lands. All of this uncertainty means I cannot confidently conclude that no dwellings or development opportunities have not been sold off from the farm holding within 10 years of the date of the application. Criterion (b) is not, therefore, met.
12. Criterion (c) of CTY10 requires the new building to be visually linked or sited to cluster with an established group of buildings on the farm and where practicable, access to the dwelling should be obtained from an existing lane. It continues that, exceptionally, consideration may be given to an alternative site elsewhere on the farm, provided there are no other sites available at another group of buildings on the farm or out-farm, and where there are either demonstrable health and safety reasons; or verifiable plans to expand the farm business at the existing building group(s). The appellant has not put forward any circumstances to meet the exceptions test under criterion (c).
13. Within the appeal site is an existing stone structure with a concrete floor. The outline of former window and door openings are discernible. However, the structure has no roof and much of its walls are not fully intact, with one gable end largely missing in its entirety. The appellant considers that the structure constitutes a building having regard to the criteria established in *Cardiff Rating Authority and Cardiff Assessment Committee v Guest Keen and Baldwin's Iron and Steel Co. Ltd [1949]*.
14. The design of the structure, along with evidence of other foundation stones adjacent to it, suggests there may have been a former clachan style development in this location. Whilst the remaining structure has some degree of permanence, it is in a very much ruinous state. The lack of roof and limited extent of walls mean there is no enclosed, interior space, regardless of whether or not animals avail of the structure for very basic shelter in inclement weather conditions. This condition leads me to conclude that the structure is a remnant of a former building and does not therefore constitute a building today.
15. Regardless, even if I were to agree with the appellant that the structure on site constituted a building, this would only result in one building being present at the appeal site. As such, and whilst access to the proposed dwelling would be obtained from an existing lane, there would not be an established *group of buildings* (my emphasis) on the farm for the appeal proposal to be visually linked or sited to cluster with, regardless of its final positioning within the site. Thus, criterion (c) is not fully met. Taking all the above into consideration, Policy CTY10 is not met when read as a whole. Accordingly, the Council has sustained its second reason for refusal.

16. Policy CTY13 of PPS21 states that 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. Criteria (a), (b) and (c) state that a new building will be unacceptable where it is a prominent feature in the landscape, the site lacks long established natural boundaries or is unable to provide a suitable degree of enclosure for the building to integrate into the landscape, or where it relies primarily on the use of new landscaping for integration.
17. Similarly, Policy CTY14 of PPS21 seeks to ensure new buildings in the countryside do not cause a detrimental change to, or further erode the rural character of an area. Criterion (a) states that a new building will be unacceptable where it is unduly prominent in the landscape.
18. The mature hedgerows which line the roads and dissect the fields in the wider locality limit the opportunities for views of the appeal site, including from the nearby Craighulliar Road. The Council's concerns that the site can be seen from Dunluce Avenue, close to the centre of Portrush, are not well founded given the very significant distance between this road and the appeal site and the intervening landscape and built form.
19. There are nevertheless various critical viewpoints from which the appeal site can be seen, most notably from the immediate stretch of Corbally Road between the groupings of trees to the east and west of the access point. This is due to the undulating topography, the undefined boundaries of the appeal site and the low height of existing boundaries to the adjoining land. The laneway leading to the appeal site from Corbally Road dips down to a central sheugh before a gentle rise thus, whilst the site may be at a similar height to the road at the access point, the topography of the surrounding land gives the sense that the existing structure at the appeal site is positioned higher than the road. The site is also readily apparent along the stretch of Corbally Road leading from Gateside Road to the junction with Craighulliar Road. Views are also achievable from Ballywillin Road, albeit they are from a distance and not, therefore, critical.
20. The appeal proposal would be prominent on the landscape from the aforementioned critical viewpoints by virtue of the existing boundaries of the appeal site, which are not long established, along with the topography of the surrounding land. The appeal site's positioning on a lower slope in the landscape and the backdrop of mature trees do not overcome its prominent position.
21. The appellant indicated that the hedgerows running along the western boundary of the laneway would be allowed to grow higher as would recently planted trees along the roadside boundaries. I also heard how a woodland planting scheme, which would see the planting of a double row of trees on the southern side of the central sheugh, would be provided, along with a scheme of landscaping which could be conditioned as part of the reserved matters process.

22. Notwithstanding that new planting will inevitably take a considerable length of time to mature and in the interim will not mitigate the impact of new development, these provisions are in clear contradiction to criterion (c) of Policy CTY13 of PPS21 which seeks to avoid a reliance primarily on the use of new landscaping for integration.
23. My attention was drawn to nearby developments which the appellant asserts are prominent on the landscape. I viewed the examples referred to at the time of my site visit. Additionally, reference was made to recent approvals which had not yet commenced. No further information was provided in respect of the existing and not yet commenced examples, thus I cannot be certain that they are directly comparable to the appeal proposal. Indeed, the Council alluded to some of those permissions being taken under a different policy context to that of this appeal. Therefore, the examples given do not provide clear justification for the proposed development.
24. Whilst matters of appearance, layout and landscaping would be reserved for future consideration, I am not persuaded that particular design choices, such as the use of traditional materials and a restriction on the height of the dwelling, would outweigh the visual impact objections to the appeal development.
25. Taking all the above into consideration, the appeal proposal would fail to visually integrate into the surrounding landscape and would cause a detrimental change to the rural character of the area. Accordingly, it is contrary to policies CTY13 and CTY14 of PPS21 and the related provisions of the SPPS. The Council's third and fourth reasons for refusal have been sustained.
26. I turn now to the Council's fifth and sixth reasons for refusal, which concern natural heritage. Policy NH2 of Planning Policy Statement 2: Natural Heritage (PPS2) states, amongst other things, that 'planning permission will only be granted for a development proposal that is not likely to harm any other statutorily protected species and which can be adequately mitigated or compensated against'. It continues that 'development proposals are required to be sensitive to all protected species, and sited and designed to protect them, their habitats and prevent deterioration and destruction of their breeding sites or resting places'.
27. Policy NH5 of PPS2 states that planning permission will only be granted for a development proposal which is not likely to result in the unacceptable adverse impact on, or damage to known priority habitats and species, amongst others.
28. The appellant's biodiversity checklist (NIBC) indicated that there was the potential for the proposed development to affect protected and priority species, as well as priority habitats. Both the appellant's own NIBC and the Council identified badgers as one such species, with the NIBC and Ecological Statement therein going on to note that the appeal proposal has the potential to impact other species including bats and breeding birds. The priority habitats

identified within the NIBC as being nearby, within the zone of influence, were broad-leaved woodland, rivers or streams and lakes or ponds.

29. The Ecological Statement within the appellant's NIBC indicated that a Preliminary Ecological Statement (PEA) should be conducted to consider potential impacts to protected and priority species and priority habitats. A PEA has not been submitted.
30. Whilst I note the appellant's assertions that there is no evidence of bats or badgers at the appeal site, given its location adjacent to the Craighulliar Area of Special Scientific Interest, the agricultural grassland nature of the site and surrounding area, the adjacent reservoir and the structure on site, I agree with the Council that there is the potential for the appeal proposal to affect protected species and priority habitats, a position reinforced by the findings within the appellant's own NIBC. Due to the lack of information before me, I cannot conclude that the appeal proposal is not likely to result in harm or the unacceptable adverse impact on, or damage to statutorily protected species or known priority habitats and species.
31. The appellant notes that the consultee response from Shared Environmental Service indicates that the appeal proposal 'would not be likely to have a significant effect on any European site, either alone or in combination with any other plan or project and therefore an appropriate assessment is not required'. The effect of the proposal on the Skerries and Causeway Special Area of Conservation is not a matter of concern within this appeal. Regardless, this does not obviate the need for further information in relation to the potential impacts identified in the appellant's own NIBC.
32. Were I to allow this appeal, it would not be appropriate to condition the PEA to be submitted following the grant of planning permission as there is no guarantee that avoidance of harm to, or mitigation measures to protect, natural heritage interests on the site could be achieved. Additionally, the proposed incorporation of features such as bird and bat boxes does not necessarily guarantee that the appeal proposal would not result in harm to the aforementioned species and habitats.
33. Accordingly, the appeal proposal fails to accord with policies NH2 and NH5 of PPS2, thus the Council has sustained its fifth and sixth reasons for refusal.
34. The appellant has raised concerns with regards to the Council's handling of the planning application. This is a matter between the parties.
35. The appellant advised that he requires a dwelling at this location in order to tend to his sheep and expand his business by increasing the size of the herd. I heard how there is a need to check on the sheep twice to three times a day and that this is currently carried out by the appellant or third parties who travel from elsewhere. I am not convinced that the welfare and business rationale represent overriding reasons why the proposed dwelling is essential and could not be located in a settlement, which I note is within close proximity, as per the

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requirements of Policy CTY1 of PPS21. The letter of support from the Ulster Farmers' Union does not persuade me that compliance with animal welfare regulations cannot continue to be fulfilled at this farm holding without the proposed dwelling.

36. Taking all the above into consideration, there is no support for the appeal development under Policy CTY1. Accordingly, the Council has sustained its first reason for refusal. As the reasons for refusal have been sustained, the appeal must fail.

This decision relates to the following drawings:

DRAWING NO.	TITLE	SCALE	DATE REFUSED
01/A	Location Plan	1:2500	14/11/2024
02/A	Proposed Site Plan	1:500	14/11/2024

COMMISSIONER HANNAH ELLISON

List of Appearances

Planning Authority:- Ms Rosaleen McNicholl
Mr Martin McErlain
(Causeway Coast and Glens Borough Council (CCGBC))

Appellant:- Mr Carl Kennedy (Agent)
Mr David Alexander (Appellant)

List of Documents

Planning Authority:- Statement of Case by CCGBC