

Title of Report:	Planning Committee Report – LA01/2020/0328/F
Committee Report Submitted To:	Planning Committee
Date of Meeting:	23rd June 2021
For Decision or For Information	For Decision

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

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

Screening Requirements	Required for new or revised Policies, Plans, Strategies or Service Delivery Proposals.		
Section 75 Screening	Screening Completed:	N/A	Date:

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

No: LA01/2020/0328/F Ward: Giant's Causeway

App Type: Full Planning

Address: Lands approximately 6 metres north of 70 Moycraig Road, Bushmills, Co. Antrim, BT57 8YB

Proposal: Proposed retention of small holiday park comprising 1 no. cabin, 1 no. static caravan and 5 no. touring pitches, fencing, landscaping, access and ancillary site works

Con Area: N/A Valid Date: 15.05.2019

Listed Building Grade: N/A

Agent: Clyde Shanks Ltd, 7 Exchange Place, Belfast, BT1 2NA

Applicant: Mr Alastair Hutton, 70 Moycraig Road, Bushmills, BT57 8YB

Objections: 10 (7 objectors) Petitions of Objection: 0

Support: 0 Petitions of Support: 0

Executive Summary

- Full planning permission is sought for the retention of a small holiday park comprising 1 no. cabin, 1 no. static caravan and 5 no. touring pitches, fencing, landscaping, access and ancillary site works.
- The site is located within open countryside as designated within the Northern Area Plan 2016. There are no other designations on the site. Moycraig Road is designated as part of an existing cycle network.
- No concerns have been raised by statutory consultees in relation to this proposal.
- The proposal is acceptable in terms of its layout, scale, massing, design, materials and is in character with the surrounding area. The proposal will not adversely harm neighbouring residential amenity. The site is acceptable in relation to integration, rural character, access, traffic, natural heritage, built heritage and drainage.
- There are 10 objections (7 properties) to the proposal.
- The proposal complies with all relevant planning policies including the Northern Area Plan 2016, SPPS, PPS 2, PPS 3, PPS 16 and PPS 21.
- The application is recommended for Approval.

Drawings and additional information are available to view on the Planning Portal- <https://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 **GRANT** planning permission subject to the reasons set out in section 10.

2 SITE LOCATION & DESCRIPTION

- 2.1 The site is located at lands 6 metres north of 70 Moycraig Road, Bushmills. The site was formerly comprised of a field which has now been developed into a holiday park. An access has been constructed onto Moycraig Road. This access differs from that proposed under this application. On approach to the site from the south, Moycraig Road rises until the bend towards the northwest upon which the road begins to fall away around the landform to the north. The site is associated with this landform and rises from the south towards the north.
- 2.2 On site there is a gravel road surface which extends from the access to the rear of the site, open grassed areas and areas of planting. The site boundaries are defined by post and wire fences with existing planting. The quality of this planting varies and comprises a mixture of gorse, hedges and trees at different stages of development. Structures on site include fencing adjoining the internal road and forming some of the ancillary areas. The sluice building is comprised of an open sided rendered building with corrugated roof. The static caravan is a clad building with a rectangular form and associated wooden decking forming an external seating area along the western gable. The cabin is single storey, wooden structure with a pitched tiled roof. A large, partially enclosed porch area is located to the front. A paved area connects this cabin to No. 70 Moycraig Road and to the wider holiday park site. A wooden storage building in a similar style to the cabin is located to its north. The caravan pitches are operational with their associated utilities in place. Overhead lines cross this site from the southwest to the northeast.
- 2.3 The surrounding area is predominately rural and comprises open fields. However, the site is located to the north of an area of linear development. This area comprises a range of uses including

residential, commercial and community uses. The application site is located outside any settlement development limit as defined in the Northern Area Plan 2016. An existing cycle network is located along Moycraig Road onto which the site accesses.

3 RELEVANT HISTORY

LA01/2019/0708/F – Adj to 70 Moycraig Road, Dunseverick, Bushmills – Retrospective application for the retention of static caravan & wooden cabin for Self Catering accommodation (PPS 16 – Tourism Development) – Invalid Application

LA01/2019/0682/A – Adjacent to 70 Moycraig Road, Dunseverick, Bushmills – Freestanding aluminium sign with vinyl covering – (Aiken Cabin) – Under Consideration

E/2011/0095/O – Beside 70 Moycraig Road, Bushmills, Co. Antrim – 4no Detached Tourist Cottages – Invalid Application

4 THE APPLICATION

- 4.1 Proposed retention of small holiday park comprising 1 no cabin, 1 no static caravan & 5 no touring pitches, fencing, landscaping, access & ancillary site works.

5 PUBLICITY & CONSULTATIONS

5.1 External

Neighbours: There are ten objections submitted.

The objections raised matters of concern in relation to:

Principle of Development

- The proposal is three distinct developments which should be assessed separately.
- No rationale for wooden chalet as not functionally related to any caravans.

- Big, pre-owned static caravan is for holiday lets. No control on number of families.
- This stretch from the site to the Foyle is Caravan Coast and the end outcome of this type of unplanned opportunistic development may be a so called holiday park in every other field.
- The land was originally agricultural with no dwelling/purpose which could provide a precedent for a caravan/wooden cabin park to be developed on it.
- Site not required for this purpose – has a needs analysis been done.
- Has a sequential assessment test been done.
- Moycraig Road from the cross-roads with the Straid Road, Bushmills to Ballycastle, down to White Park Bay, a distance of about three miles, does not contain on its frontage any other mobile homes or similar accommodation.
- The location is random development in the countryside which does not safeguard the value of tourism assets, negatively impacts the amenities of neighbours and puts public safety at risk.
- 11 contraventions of Policy TSM 5 of PPS 16:
 - are not within grounds of an approved self catering complex;
 - there are not 3+ units, nor are they near an existing tourist amenity;
 - are not a restoration of a clachan or close, nor are they a conversion or replacement of existing buildings.
 - The overall design does not deter permanent residential use because the site plans are not informal, there are not communal open spaces only, there is designated car parking with formal roads (stoned driveways), and parking is directly associated with the units
 - There are plot divisions, walls and fences
 - The log cabin and mobile home are not in rural cottage style
 - The log cabin and mobile home are not compatible with the surrounding area of traditional, rendered in white, homes thus detracting from the local landscape quality and character.
 - Noise from the dwelling inhabitants will detract from neighbour amenities
 - Access to the public Moycraig Road prejudices road safety and is not in accordance with published guidance
 - Demonstrates no civic nor corporate pride in the local Area of Outstanding Natural Beauty
 - Demonstrates no sustainability characteristics such as energy conservation, wind power nor solar gain
- Use of land for commercial purposes as opposed to farm land.
- No early consultation with the Planning Department which results in no genuine benefit for regional tourism, but does damage the local

area.

AONB, Integration and Rural Character

- Concern of impact on beauty of this AONB and its perimeter should be conserved.
- Site is within a designated AONB and should be protected from unapproved developments.
- Site as a whole is entirely incongruous with the rest of the road. The rest of the road comprises detached homes, churches and farmland.
- Not in keeping with rural character.
- This is an AONB and all of us, including Causeway Coast and Glens Borough Council have the responsibility for conserving it. It's not caravans that visitors come to see.
- Contrary to PPS 21
- It does not meet the high standard of quality and design for tourism, nor it is an appropriate location.

Road/Access/Traffic

- The road is narrow and does not have the capacity to cope with the increase of traffic that a commercial venture of this kind would produce.
- The site lines for ingress and egress are close to a sharp corner and visibility is poor for both visitors and residents.
- Bad Access
- Increased traffic
- Large camper vans and caravans using unsuitable access
- The opening of access to this field on an dangerous corner on a road that has no middle road markings.
- Erection of road signage

Procedural

- Delay of over a year between the raising of concerns and the new application being made.
- Consultations with residents.
- References to invalid applications.
- Planning portal issues.
- Retrospective nature.
- Disregard to planning functions will set a precedent.
- Non-authorized road and signage.

Future Development

- Further random development only loosely related or not related at all is a possibility.
- Precedent.

Other matters

- Concerns around electrical supply running between their residence and ongoing development.
- Public put at risk by the high voltage power lines above the site.

5.2 Internal

DFI Roads – No objection

Environmental Health – No objection

DAERA – No objection

NI Water – No objection

NIE – No objection

6 MATERIAL CONSIDERATIONS

- 6.1 Section 45(1) of the Planning Act (Northern Ireland) 2011 requires that all applications must have regard to the local plan, so far as material to the application, and all other material considerations. Section 6(4) states that in making any determination where regard is to be had to the local development plan, the determination must be made in accordance with the plan unless material considerations indicate otherwise.
- 6.2 The development plan is:
- Northern Area Plan 2016 (NAP)
- 6.3 The Regional Development Strategy (RDS) is a material consideration.
- 6.4 The Strategic Planning Policy Statement for Northern Ireland (SPPS) is a material consideration. As set out in the SPPS, until such times as 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.

Strategic Planning Policy Statement (SPPS)

Planning Policy Statement 2 – Natural Heritage

Planning Policy Statement 3 – Access, Movement and Parking

Planning Policy Statement 15 – Planning and Flood Risk

Planning Policy Statement 16 - Tourism

Planning Policy Statement 21 – Sustainable Development in the Countryside

Supplementary Planning Guidance

Building on Tradition

Development Management Practice Note 14 – Publicity Arrangements and Neighbour Notification

8 **CONSIDERATIONS AND ASSESSMENT**

- 8.1 The main considerations in the determination of this application relate to: principle of development, design, layout, access, integration, rural character.

Principle of Development

- 8.2 The site is located outside any settlement development limits designated within the Northern Area Plan 2016. There are no other designations on the site. Moycraig Road is designated as an existing cycle network. The proposal falls to be considered under Policy OSR 1 of the Northern Area Plan 2016.

- 8.3 The principle of the type and scale of development proposed must be considered having regard to the SPPS and PPS policy documents specified above.
- 8.4 The glossary of terms in Appendix 1 defines a Holiday Park as “a caravan site licensed under the Caravans Act (NI) 1963, which may in addition to static caravans, may also contain holiday chalets or cabins, pitched for touring caravans, motor homes and tenting.” Touring Caravan site is defined as a caravan site licensed under the the Caravans Act (NI) 1963, which provides for touring caravans and may in addition also provide for motor homes and tenting. This proposal has one static caravan, one chalet and 5 touring sites. It provides the mix of accommodation types that define a Holiday Park in the glossary, the definition does not state the size or number of the accommodation types. As such and due to the mix the proposal has been considered under Policy TSM 6 of PPS 16.

New and Extended Holiday Parks in the Countryside

- 8.5 Policy TSM 6 states that planning permission will be granted for a new holiday park or an extension to an existing facility where it is demonstrated that the proposal will create a high quality and sustainable form of tourism development.

The location, siting, size, design, layout and landscaping of the holiday park proposal must be based on an overall design concept that respects the surrounding landscape, rural character and site context.

Proposals for holiday park development must be accompanied by a layout and landscaping plan and will be subject to the following specific criteria:

(a) The site is located in an area that has the capacity to absorb the holiday park development without adverse impact on visual amenity and rural character;

- 8.6 The proposal relates to the proposed retention of small holiday park comprising 1 no. cabin, 1 no. static caravan and 5 no. touring pitches, fencing, landscaping, access and ancillary site works.
- 8.7 The application site is located at the end of a row of development located to the south comprising three domestic properties, an industrial unit and a church with associated car park. These developments are accessed from Moycraig Road which travels south

along their western boundary past the application site before turning northwest around the landform to the north of the road.

- 8.8 The site benefits from its location in context of the surrounding topography. The site rises from the south at the access to the north of the site. The development on site by the way of the structures and location of the caravans are located on the eastern half of the site and are positioned both and set back from the stretch of linear built development to the south of the site. As such the buildings and curtilage to the front of the buildings, from Croaghmore Presbyterian Church to No. 70 Moycraig Road assist in restricting views of the site on approach. The location of the proposed access will open up the site to further views travelling north along Moycraig Road. However, given the layout of the site, these views would be towards the western half of the site and landscaped and open space areas. Planting is proposed along the eastern/southern edge of the new access road and this will assist in the removal of these views.
- 8.9 The fall of Moycraig Road to the northwest around the landform to the north and the positioning of the site on a corner and adjoining this landform assists in reducing views of the site on the approach from the north west along Moycraig Road. Any visual impact from the proposal is considered to be confined to a small stretch on the approach and passing the front of the site. Where viewable passing the site, the static caravan, caravans and cabin have a backdrop of existing boundary vegetation which assists in their integration.
- 8.10 Given the limited views of the site due to the existing development along Moycraig Road to the south and the topography of the land it is considered that the site has capacity to absorb the holiday park development without adverse impact on visual amenity or rural character. The site is not incompatible with surrounding land uses which are mixed and the use and built form will not detract from the landscape quality and character of the surrounding area or cause damage to the area. Due to the mix of uses, designs and architectural styles along the road, the structures proposed are not considered to be incongruous.
- 8.11 A number of objections have been raised outlining the location of the proposal within the AONB and the impact that the proposal is having on this designation. The location of the site is identified on Map No. 5 – Moyle District under Northern Area Plan 2016. This map also identifies the extent of all the AONB's located within Moyle District.

From a review of this map, the site is not located within any AONB. The closest AONB is Causeway Coast AONB which is located 1 mile to the northeast of the site at the closest point. There will be no impact from the proposal on this designation given the distance involved. As the proposal is not located within AONB, there is no requirement to be assessed under Policy NH 6 of PPS 2. Natural Heritage features will not be adversely affected in this respect.

(b) Effective integration into the landscape must be secured primarily through the utilisation of existing natural or built features. Where appropriate, planted areas or discrete groups of trees will be required along site boundaries in order to soften the visual impact of the development and assist its integration with the surrounding area;

- 8.12 The proposal utilises both existing and proposed landscaping and benefits from its location in relation to its surrounding topography. Existing planting is present on the western, northern and eastern boundaries of the site. The quality and extent of the existing vegetation varies along these boundaries and vegetation will have to be removed along the roadside boundaries to facilitate the proposed access arrangements. However, the existing planting is utilised within the proposal and assists in the integration and softening of the visual impact of the site.
- 8.13 Planting of native species hedgerow is proposed at the access and native species woodland is proposed both within the site and along the boundaries. The key locations in relation to this are along the western and northern boundaries and at the access. Further planting is located across the site including to the west of the internal road and within open space areas to the east and south of the site. This landscaping will further assist in the further integration of the site, the softening of the visual impact of the proposal, is of a high quality in accordance with Departmental guidance and will assist in the promotion of sustainability and biodiversity. Where viewable passing the site, the static caravan, caravans and cabin have a backdrop of existing boundary vegetation which assists in their integration. The confinement of the views of the site due to the surrounding topography and existing boundary vegetation results in a proposal which is not considered to be prominent. As such, the proposal is not reliant on new planting for integration. The boundary treatment proposed is considered to be appropriate and in combination with that existing will provide an appropriate means of enclosure for the site.

The structures and pitches are screened by the buildings to the south of the site except on passing the site. Storage areas will be screened from public view in this respect.

- 8.14 There are no built heritage features on the site or in the surrounding area which will be adversely affected by the proposal.

(c) Adequate provision (normally around 15% of the site area) is made for communal open space (including play and recreation areas and landscaped areas), as an integral part of the development;

- 8.15 The site area is approximately 4658sqm in size. This area is comprised of areas of open space, landscaping, gravel road and buildings. Of this 4658sqm, approximately 2921sqm is comprised of open space and landscaped areas. This is significantly beyond 15% of the site area. These areas are a mixture of sizes with a number of smaller pockets of open space located to the southeast of the site. The largest area comprises the open space to the west of the internal road and caravan pitches 1 – 3. This area comprises the main area of open space and landscaping within the site. The western boundary of this area is defined by an area of native species planting. It is considered that there is adequate provision for communal open space within the site and that this space forms an integral part of the development. The site layout and associated infrastructure are considered to be of high quality in accordance with the Department's published guidance and to assist in the promotion of sustainability and biodiversity.

(d) The layout of caravan pitches / motor homes is informal and characterised by discrete groupings or clusters of units separated through the use of appropriate soft landscaping;

- 8.16 The layout of the site with respect to the pitches for touring caravans, static caravan and cabin is informal. The cabin is located in the southeastern corner of the site and is surrounded by both hardstanding, open space and landscaping. The static caravan is located towards the middle of the site along the eastern boundary. The caravan adjoins an area of open space and planting to the north. The pitches for the touring caravans are located to the northeastern corner of the site. Pitches 1 – 3 are separated by areas of open space and planting. However, pitches 4 and 5 are located on an area of hardstanding. These pitches are not

separated by landscaping but due adjoin open space to the south and north respectfully. Appendix 4 of PPS 16 states that the informal layout of caravan units/motor homes/chalets characterised by the use small informal clusters separated by appropriate landscaping and the avoidance of 'regimented' rows of units that typical results in a detrimental visual impact.

- 8.17 Given the number of pitches, their siting and orientation and existing landscaping on site and proposed landscaping between the pitches it is considered that the layout of the caravan pitches is informal and that visual impact from this layout would not be unacceptable.

(e) The design of the development, including the design and scale of ancillary buildings and the design of other elements including internal roads, paths, car parking areas, walls and fences, is appropriate for the site and the locality, respecting the best local traditions of form, materials and detailing;

- 8.18 The proposal relates to a holiday park comprising a cabin, static caravan and five pitches for caravans. As highlighted under (b) more than half of the site is comprised of green open space and landscaped areas. The remainder is comprised of the access, internal road and the space occupied by the buildings/caravan pitches.
- 8.19 A Certified Location document from the Caravan and Motorhome Club has been submitted. This document indicates that the club will issue a Certified Location Certificate subject to the agreement of the requirements of the document. These include the suitable surfacing and maintaining to a good standard of any access track leading to the site, maintenance of hedgerows at the access to allow adequate visibility for turning vehicles and other road users, provision of service point areas, minimum spacing standards for pitching areas, no more than 5 caravans, motorhomes or trailer tents at any time on the Certified Location and the responsibility of the owner for carrying out and acting upon health and safety risk assessments and legislation.
- 8.20 The internal path is constructed of permeable loose stones and the access of bitumen macadam. These materials are not dissimilar to that of the driveways and parking areas located to the front of the properties located directly to the south of the site and are compliant with considerations outlined under Appendix 4 which highlights under paragraph 6, the use of permeable surfaces for caravan

itches, hard landscaped areas and car parking in order to safeguard against flood risk through surface water run off.

- 8.21 Fencing is located on the site which encloses the laneway and the open space areas. This fencing is in keeping with existing fence located on the site and located to the front of No. 70 Moycraig Road.
- 8.22 Objections have raised issues with the presence of the permanent cabin and static caravan and their condition and design in relation to the surrounding area. It is agreed that they would be out of keeping with the surrounding area when their design and materials are directly compared with the development in the existing area.
- 8.23 The cabin is a single storey with a pitched roof, teak log exterior and grey/black roof shingles. The ridge height is 3.8 metres, length is 10.45 metres and width is 5.65 metres. The cabin is located towards the southeast corner and is located behind No. 70 Moycraig Road. The static caravan is a single storey flat roofed structure with a large underbuild requiring stairs to access the caravan. A small decking area is located to the front of the caravan from where the stairs access at the side. The height varies between 2.9 metres and 3.5 metres due to the elevation of the land. The length is 11.85 metres and the width is 3.7 metres excluding the decking. The static caravan is located further north and also to the rear of this property.
- 8.24 Departmental Design guidance is present within Building on Tradition – A Sustainable Design Guide for the Northern Ireland Countryside. It is considered that these structures, nor any of the caravans using the site would meet the design criteria outlined within this guidance. However, these are structures and not buildings. The structures and caravans using the site are pre-fabricated and can be moved and replaced. It is considered that there is limited scope for the development of pre-fabricated static caravans, caravans and cabins in line with the designs outlined within Building on Tradition. The designs of the structures proposed are typical for holiday/caravan parks including those located in the countryside and are not considered to be incongruous. As they are movable and non-permanent structures they can be replaced. In this respect there is no concern with the form, materials and detailing.
- 8.25 There are additional ancillary structures on the site including a small sluice room and wooden shed. The sluice room is an open-sided single storey structure with cladded roof and rendered walls. The

ridge height is 3.2 metres and the frontage length is 2.8 metres. Historical imagery shows the shed located on the site prior to the development of the site. The shed is located along the eastern boundary between the static caravan and the cabin and the sluice room to the south of pitch 3. Given the scale and massing of these structures it is considered that they are appropriate for the site and locality.

- 8.26 When viewed in the context of the site for which there are limited views it is considered that the proposal is appropriate for the site and locality in relation to their scale, design, form, materials and detailing.

(f) Environmental assets including features of the archaeological and built heritage, natural habitats, trees and landscape features are identified and, where appropriate, retained and integrated in a suitable manner into the overall design and layout;

- 8.27 There are no features of the archaeological and built heritage on or in close proximity to the site. The landscaping plan indicates existing hedges to be retained along the northern, eastern and western boundaries. Native species woodland planting is proposed across the site with new hedging proposed where the new access is to be formed. The site is proposed within the context of an existing field and encompasses a section of the garden of No. 70 Moycraig Road. The boundary formerly between the site and No. 70 Moycraig Road comprised a wooden fence which is not an environmental asset. The existing environmental assets comprise boundary treatments and the proposal retains these environmental assets located on the site and integrates them into the proposal.

(g) Mains water supply and sewerage services must be utilised where available and practicable.

- 8.28 The P1 form submitted indicates that mains water supply is to be utilised, that surface water is to be disposed of to an existing open drain and foul sewage is to be disposed of via a septic tank and removed from the site.
- 8.29 NI Water have advised that there is a public water supply within 20 metres of the proposal, has capacity to serve the proposal and an application to NIW is required to obtain approval to connect. They

note that the applicant proposes to discharge foul sewage to septic tank and to discharge surface water to an open drain.

- 8.30 DAERA Water Management Unit advised they have considered the impacts of the proposal on the surface water environment, and on the basis of the information provided, is content with the proposal subject to conditions, the applicant noting the advice contained in the Explanatory Note, the applicant referring and adhering to Standing Advice, and any relevant statutory permissions being obtained.
- 8.31 Under the explanatory note, Water Management Unit notes the documents regarding the disposal of foul sewage/wastewater effluent from the site. They advised that the holding tanks collecting foul sewage/waste water effluent from the development must have sufficient capacity and be watertight with no outlet or leaks, as any overflow/leak from such a tank may constitute a pollution incident, which is an offence under the Water (Northern Ireland) Order 1999. The tanks must be emptied regularly by a registered waste carrier and Water Management Unit recommends the installation of a level warning device. They advise that the applicant should note that discharge consent under the terms of the Water (NI) Order 1999 would be required for any wash facilities or foul sewage/waste water treatment system which discharges to the aquatic environment (e.g. to a waterway or soakaway).
- 8.32 The site is a mixture of open space, landscaping, buildings and roads. Sustainable drainage systems have not been utilised within this proposal. However, majority of the site area is comprised of grassed areas and permeable gravel surfaces. On this basis, a Drainage Assessment under Policy FLD 3 of PPS 15 is not deemed to be required. Discharges to watercourses requires consent from DFI Rivers and will be applied as an informative.
- 8.33 Having regard to the utilities proposed under the P1 form and the responses from NI Water the proposal will utilise mains water supply. There are no concerns regarding the sewerage arrangements proposed. The proposal cannot utilise mains sewerage as they do not exist given the rural location. Having regard to the response from DAERA Water Management Unit on the site drainage plan, it is considered that the sewerage arrangements proposed are acceptable, that surface water run-off will be managed in a sustainable way and that the proposal will be capable of dealing with any emission or effluent in accordance

within legislative requirements. Conditions will be applied in relation to these arrangements as suggested by DAERA. The proposal is considered to satisfy Policies TSM 6 and TSM 7 of PPS 16 in this respect.

Amenity

- 8.34 There are a number of residential properties located within proximity to the site. The closest dwellings to the proposal are located to the south and to the northwest of the site. The closest dwelling is No. 70 Moycraig Road which is in ownership of the applicant. Two further dwellings are located to the south of the applicant's property. The dwelling to the northwest is located to the other side of the landform. Objections have raised the negative impact on the amenity of neighbours from the development. The main impacts on the residential amenity on receptors will be from noise, odour, refuse and light. Environmental Health were consulted on the proposal and provided comments and advice on these matters. No objections were raised with the proposal. In relation to noise they advised that the applicant should ensure that the proposed site is managed so that adverse amenity impacts to non-associated properties does not arise and that the applicant shall ensure that all plant and equipment used in connection with the proposal are so situated, operated and maintained as to prevent the transmission of noise and odour to surround receptors. In relation to refuse collection they advised that the applicant shall ensure that suitable and sufficient provision is in place for the adequate storage and disposal of refuse arising from the development which negates adverse impacts to amenity due to odour and pests. In relation to light, they advised that the applicant shall ensure that any external lighting provision does not give rise to disamenity due to light pollution to nearby receptors and that all lighting provisions should meet lighting guidance.
- 8.35 With regard to public safety, they advised that the applicant shall contact the Health and Safety/Licensing Teams of Causeway Coast and Glens Borough Council in order to determine legislative conformance requirements under Health and Safety legislation and as applicable the Caravans Act (NI) 1963. This matter is beyond the remit of this application.
- 8.36 Having regard to the response provided by Environmental Health, it is considered that with adherence to the advice and comments provided by Environmental Health that the proposal would not

cause any harm to the amenities of nearby residents. The comments provided by Environmental Health will be included as informatives on any approval.

Electrical Infrastructure

- 8.37 There are overhead lines which cross the site from two poles located outside/on the site boundaries.
- 8.38 Objections have been raised in relation to the risk to the public by high voltage lines and impact on the electrical supply from the proposal.
- 8.39 NIE were consulted on the proposal and advised that following discussions and a meeting onsite with the applicant that they are satisfied that the overhead lines can be brought up to the required regulations/standards with regards to clearance if the applicant agrees to contact NIE Networks Connections Department to carry out this work. In light of the above, NIE Networks can confirm that they hereby removes its objection to this planning application on the basis that, the applicant; in the event that planning approval is granted:

1. Contacts NIE Networks Connections Department and agrees mitigating measures to alter the NIE Networks Overhead lines that over sail this site.

We would however refer the applicant to HSE Guidance Note HSG 47 "Avoiding danger from underground services "which set out the safe working practices and construction methods that should be employed and to HSE Guidance Note GS6 "Avoidance of Danger from Overhead Electric Lines" which sets out the safe working practices and construction methods that should be employed.

- 8.40 With regard to NIE response and the objection raising risk to the public, the matter of the upgrade of the lines to the required regulations/standards will be conditioned on any approval.
- 8.41 In relation to this, there may be some impact on electrical supply from the upgrading of the lines. This is only temporary and would not differ from temporary losses from works or upgrades by NIE.

Traffic and Access

- 8.42 A Transport Assessment Form was submitted with the proposal. Part A has been completed indicating the development is not residential comprising 10 or more units, non-residential with a gross floor area of 500 square metres or more, likely to generate 30 or more vehicle movements per day or generate 5 or more freight movements per day.
- 8.43 DFI Roads were consulted and responded on 16th October 2020 with no objection and recommended conditions and informatives.
- 8.44 There has been a number of objections received raising concerns with the proposed access, visibility splays, ability for heavy vehicles to use the access and increase in traffic.
- 8.45 DFI Roads were consulted on objections and responded on 29th October advising that they had noted the roads issues raised in the letters received between 11th September – 24th September 2020 and that the conditions and informatives provided in the DFI Roads consultation dated 16th October 2020 still apply.
- 8.46 Two additional representations have been received this consultation. However, they do not raise roads matters.
- 8.47 The site is not located on a protected route and does not extinguish or significantly constrain an existing or planned public access to a coastline or tourism asset.
- 8.48 Having regard to the responses received from DFI Roads and objections, it is considered that the proposed access will not prejudice road safety, significantly inconvenience the flow of traffic and that it can safely handle any extra vehicular traffic the proposal will generate. DFI Roads have provided Form DC (1) which outlines the requirements for the access as indicated on Drawing 05A. The proposal relates to the creation of a new vehicular access and not usage of the access currently constructed. The proposed access arrangements will be conditioned and in accordance with Departmental published guidance. The certified location document outlines that roadside hedges shall be maintained to allow adequate visibility for turning vehicles and other road users. Policy AMP 2 of PPS 3 and the requirements of Policy TSM 7 are considered to be satisfied in this respect.
- 8.49 The site supports cycling by the connection to the existing cycle network. Walking is supported. Due to the location of the site in the

countryside there is limited access to public transport. However, access to it is possible. The proposal meets the needs of those whose mobility is impaired through its open layout. The proposal respects existing public rights of way.

Existing Cycle Network

- 8.50 Moycraig Road is designated as an existing cycle network within the Northern Area Plan 2016. A new access serving the application site is proposed onto Moycraig Road. DFI Roads have no objection to the proposed access arrangements. The proposal will generate more traffic to the area. However, this is not considered to be of detriment to the usage of the cycle network. There would be no adverse impact on the route, character, function or recreational value of this route from the proposal. Policy OSR 1 of the Northern Area Plan 2016 is considered to be satisfied.

Natural Heritage

- 8.51 A Biodiversity Checklist was submitted for the proposal. DAERA Natural Environment Division were consulted on this document and advised that they have considered the impacts of the proposal on designated sites and other natural heritage interests and, on the basis of the information provided, have no concerns. The proposal is considered to be compliant with the policy requirements of PPS 2 and natural heritage features are not considered to be adversely affected in this respect.

Other Matters

- 8.52 There is no public art associated with this proposal.
- 8.53 The site is designed to deter crime and promote personal safety. The site is comprised of large areas of open space with the structures on site orientated towards the entrance. Fences are utilised throughout the proposal to separate traffic from pedestrian areas. The access arrangements are considered to be safe. The electrical infrastructure will be addressed through condition to be made safer.
- 8.54 An objection has queried whether any consent granted before this development took place or was it done in breach of planning? This application seeks retrospective permission which is required for this form of development. It is not considered that this makes a mockery

of the process as the regularisation of the development is sought. The matter of whether the development is permissible is subject to the consideration of the application.

- 8.55 This planning application has been submitted to Causeway Coast and Glens Borough Council to determine whether a small holiday park comprising 1 no cabin, 1 no static caravan and 5 no touring pitches, fencing, landscaping, access and ancillary site works at lands approximately 6 metres north of 70 Moycraig Road, Bushmills is acceptable in so far as related to the Development Management Planning function of the Council. This planning application has been submitted by a private individual and the Council is undertaking its planning functions in providing a determination of this application.
- 8.56 Objections have been made to the development of caravan sites within the area, the need for this form of development and whether needs assessments or sequential tests have been carried out.
- 8.57 There is existing planning policy for tourism uses under PPS 16: Tourism and the SPPS. These policies include the development of caravan sites in the countryside which are permissible so long as the policy tests are satisfied. The policy test under Policy TSM 6 does not require a needs assessment or sequential test to be carried out to locate this form of development. The matter of the development of a piece of land is a matter for the applicant or landowner as relevant. All elements of the scheme including its design are a matter for the applicant.
- 8.58 Consultations issued on the portal refers to outgoing statutory consultations to consultees on the application. Neighbour notification was carried out on this application with regard to the requirements outlined under Development Management Practice Note 14 (see below).
- 8.59 Queries have been raised by objectors in relation to their notification of this application. The decision-making process for a planning application requires the notification of any identified occupiers on neighbouring land. Paragraphs 4.3 and 4.4 of Development Management Practice Note 14: Publicity Arrangements and Neighbour Notification defines 'identified occupier' and 'neighbouring land'. Identified occupier means the occupier of premises within a 90 metre radius of the boundary of the application site. Neighbouring land means land which directly adjoins the application site or which would adjoin it but for an entry or a road less than 20m in width. In this instance, the objectors properties do

not adjoin the site and as such, do not satisfy the requirements for neighbour notification under this planning application. The proposal was advertised in the Coleraine Chronicle on 29th April 2020. Any correspondence or notification from Planning Enforcement on this site is beyond the remit of this application.

- 8.60 Objections have considered the proposal under Policy TSM 5 of PPS 16 which relates to self-catering accommodation in the countryside. The proposed site plan indicates an existing cabin, static caravan and five pitches for touring caravans. Paragraph 7.30 under the Justification and Amplification of Policy TSM 6 outlines that such parks may offer a range of accommodation, including static caravan holiday homes, holiday chalets and pitches for touring caravans, motor-homes and camping, as well as a diverse range of infrastructure and amenity. With regard to this, the forms of accommodation on the site are indicative of that outlined under paragraph 7.30 and that Policy TSM 6 is the correct policy context for considering this proposal. As such, each of the three elements of the proposal are not required to be weighed separately and a chalet can be incorporated within a holiday park and be related to caravans. Some of the points raised under the consideration of Policy TSM 5 are relevant to this proposal (amenity, access, layout, design) and have been considered under the assessment of the proposal.
- 8.61 Assessment of the proposal has been made under PPS 21 in relation to the impact on rural character and integration with regard to Policies CTY 1, 13 and 14. These matters are discussed under the consideration above and the proposal is compliant with these policies. None of the other policies under PPS 21 are relevant to this proposal.
- 8.62 Policy HOU 15 is contained within A Planning Strategy for Rural Northern Ireland (PSRNI) and has been superseded by PPS 21. This proposal relates to the provision of residential caravans and mobile homes for tourism use which is separate from residential development.
- 8.63 The continued development of the site without planning permission is an enforcement matter which is beyond the remit of this application. Any future works are speculative and no comment can be made.
- 8.64 Objections raise precedent being set by the proposal. The change of use of land to create a holiday park constitutes development. Any

application for such a use would require planning permission as is the case of this application. Site selection and how a landowner wishes to use their land is a matter for them. The submission of a planning application for the change of use of a piece of land is a matter for the applicant. No precedent is required to have been set on the application site under consideration or in the surrounding area for the development of a holiday park. The change of use of the land is subject to the assessment under policy.

- 8.65 Signage is dealt with under advertisement consent which is separate to planning permission. Application LA01/2019/0682/A relating to the erection of a freestanding aluminium sign with vinyl covering is currently under consideration for this site.
- 8.66 Objections refer to LA01/2019/0708/F relating to a retrospective application for the retention of static caravan & wooden cabin for Self Catering accommodation. This was an invalid planning application and was returned to the applicant/agent.
- 8.67 The validity of any public liability insurance is a matter for the applicant and beyond the remit of this application.
- 8.68 Queries have been made in relation to confidentiality. Planning applications are viewable to the public. Planning enforcement is subject to restrictions under Data Protection Legislation and the Environmental Information Regulations 2004. The Council is limited to the information that can be released to prevent an enforcement investigation being prejudiced and to safeguard the rights of individuals. Any actions taken in relation to enforcement are beyond the remit of this application.
- 8.69 The Planning Portal is operated by the Department for Infrastructure. Full planning applications are viewable on the portal using the planning reference associated with the application. Enforcement matters are not viewable on the planning portal as they are confidential as outlined above.

9.0 CONCLUSION

- 9.1 The proposal is considered acceptable in this location having regard to the Northern Area Plan 2016 and other material considerations. The principle of this development is acceptable in this area in terms of policy TSM 6. It is acceptable in terms of layout and appearance and will have no significant harm in terms

of landscape character, residential amenity and road safety.
Approval is recommended.

10 CONDITIONS

1. This approval is effective from the date of this decision notice and is issued under Section 55 of the Planning Act (Northern Ireland) 2011.

Reason: Retrospective application.

2. The existing landscaping as indicated on Drawing No. 04B date stamped 25th September 2020 shall be permanently retained unless necessary to prevent danger to the public in which case a full explanation shall be given to the Council in writing, prior to the commencement of any works.

Reason: To ensure the development integrates into the countryside and to ensure the maintenance of screening to the site.

3. The proposed landscaping as indicated on Drawing No. 04B date stamped 25th September 2020 shall be implemented within the first available planting season after the commencement of the development. Any trees or shrubs which may be damaged or die within a period of 5 years from the date of planting shall be replaced by plants of similar species and size at the time of their removal.

Reason: To ensure the development integrates into the countryside and to ensure the maintenance of screening to the site.

4. Within one month of the date of this permission, the applicant shall contact NIE Networks Connections Department and agree mitigating measures to alter the NIE Networks Overhead lines that over sail the site hereby approved. Details of the mitigating measures agreed shall be forwarded to the Council.

Reason: In the interest of the safety of users of the site.

5. No development shall commence until the vehicular access, including visibility splays and any forward sight distance, are provided in

accordance with Drawing No. 05A bearing the date stamp 12th August 2020 and Dfl Roads DC 1 form bearing the date stamp 19th August 2020. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250mm above the level of the adjoining carriageway and such splays shall be retained and kept clear thereafter.

Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.

6. The access gradient to the development hereby permitted shall not exceed 8% (1 in 12.5) over the first 5 m outside the road boundary. Where the vehicular access crosses a footway, the access gradient shall be between 4% (1 in 25) maximum and 2.5% (1 in 40) minimum and shall be formed so that there is no abrupt change of slope along the footway.

Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.

7. No other development hereby permitted shall be commenced until the existing access indicated on Drawing No. 05A bearing the date stamp 12th August 2020 been permanently closed and the verge properly reinstated to the satisfaction of Dfl Roads.

Reason: In order to minimise the number of access points on to the public road in the interests of road safety and the convenience of road users.

Informatives

1. This approval does not dispense with the necessity of obtaining the permission of the owners of adjacent properties for the removal of or building on the party wall or building on the party wall or boundary whether or not defined.

2. This permission does not alter or extinguish or otherwise affect any existing or valid right of way crossing, impinging or otherwise pertaining to these lands.

3. This permission does not confer title. It is the responsibility of the developer to ensure that he controls all the lands necessary to carry out the proposed development.

4. This determination relates to planning control only and does not cover any consent or approval which may be necessary to authorise the development under other prevailing legislation as may be administered by the Council or other statutory authority.

5. You should refer to any other general advice and guidance provided by consultees in the process of this planning application by reviewing all responses on the Planning Portal at:
<http://epicpublic.planningni.gov.uk/publicaccess/>.

6. Notwithstanding the terms and conditions of the Causeway Coast and Glens Borough Council's approval set out above, you are required under Articles 71-83 inclusive of the Roads (NI) Order 1993 to be in possession of the Department for Infrastructure's consent before any work is commenced which involves making or altering any opening to any boundary adjacent to the public road, verge, or footway or any part of said road, verge, or footway bounding the site. The consent is available on personal application to the DfI Roads Section Engineer whose address is DfI Roads, Northern Division, Causeway Coast and Glens (East), Jobs and Benefits Office, 37-45 John Street, Ballymoney, BT53 6DT. A monetary deposit will be required to cover works on the public road.

7. The applicant shall contact the Health and Safety/Licensing Teams of Causeway Coast and Glens Borough Council in order to determine legislative conformance requirements under Health and Safety legislation and as applicable the Caravans Act (NI) 1963.

Noise from Plant & Equipment

The applicant shall ensure that all plant and equipment used in connection with the proposal are so situated, operated and maintained as to prevent the transmission of noise and odour to surrounding sensitive receptors.

Refuse Collection

The applicant shall ensure that suitable and sufficient provision is in place for the adequate storage and disposal of refuse arising from the

development which negates adverse impacts to amenity due to odour and pests.

Provision for litter bins shall be provided.

Further information can be sought from Causeway Coast and Glens Borough Council.

Anti-social Behaviour Management

The applicant should ensure that the proposed site is managed so that adverse amenity impacts to non-associated properties does not arise.

Septic Tank/Sewage Treatment Plant:

Any septic tank or packaged waste water treatment unit should have adequate capacity for the no of proposed dwellings it is to service.

Any septic tank or packaged waste water treatment unit should be constructed in accordance with BSEN 12566.

The septic tank / packaged waste water treatment unit and drainage field should be installed in accordance with BS6297:2007.

A minimum separation distance of 15m is recommended between the wastewater unit and nearest habitable dwelling. Discharge must not be within 50m of any potable water supply.

A consent to discharge effluent must be obtained from Northern Ireland Environment Agency, as required by The Water (Northern Ireland) Order 1999 this may involve a percolation test. Application forms and further information is available from Northern Ireland Environment Agency, Water Management Unit. Tel No: 028 9262 3181, Fax: 028 9262 3120, E-mail: nieadomesticconsents@daera-ni.gov.uk.

Where lands not in the ownership of the applicant or outside the site boundary marked red in the application site maps are to be used in connection with a septic tank and/or associated drainage, a legal agreement should be obtained in relation to these lands. This agreement must ensure that the lands in question will always be available for the intended purpose and also that any occupier/owner of the proposed development will have access to these lands for maintenance/improvement work as required.

Such legal agreement being included in any planning approval as a planning condition.

Lighting

The applicant shall ensure that any external lighting provision does not give rise to disamenity due to light pollution (spillage and glare) to nearby receptors. All lighting provisions should meet lighting guidance CIE – International commission on Illumination – Guide on the limitation of the effects of obtrusive light from outdoor lighting installations or ILP – Institute of Lighting Professionals – Guidance notes for the reduction of Obtrusive light. This can be accessed at:

<https://theilp.org.uk/publication/guidance-note-1-for-the-reduction-of-obtrusive-light-2020/>

Potable Water Supply

The applicant shall maintain a potable supply of water.

Site Location Plan



