

COMMITTEE ITEM	3.2 ADDENDUM
APPLICATION NO	LA03/2021/0431/O
DEA	DUNSILLY
COMMITTEE INTEREST	ADDENDUM TO COMMITTEE REPORT
RECOMMENDATION	REFUSE OUTLINE PLANNING PERMISSION

PROPOSAL	Proposed dwelling & garage on a farm
SITE/LOCATION	40m North of no.4 Cranfield Road, Randalstown
APPLICANT	Mrs Donna Hodge
AGENT	CMI Planners
LAST SITE VISIT	2 nd June 2021
CASE OFFICER	Dani Sterling Tel: 028 903 40438 Email: dani.sterling@antrimandnewtownabbey.gov.uk

Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal www.planningni.gov.uk

ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS

Following the preparation of the Committee Report, additional information has been submitted by the agent in support of the application.

The agent has advised that information had been sent to the Council which had not taken into consideration in the original assessment. The Council have no record of this information other than an attachment included on email correspondence received on the 31st August 2021 from the agent. No further correspondence was received after this date from the agent which outlined that more information had, or was being forwarded to the Council.

The agent has sent in additional documentation in support of the application in an attempt to establish 6 years active farming. As stated in the main report, the farm was recently passed to the applicant following a family bereavement. The additional information forwarded by the agent includes a number of invoices under the name 'John Bateson' and are associated with the address '158 Staffordstown Road, Randalstown'. The invoices received are as follows:

2014

Mowing, rowing, lifting grass, sowing, 4 acres grass seed - Donal Bateson
Hedge cutting - M McCann

2015

Hedge cutting - M McCann
Fertilizer - David Gordon & Sons

2016

Hedge cutting - M McCann
Hedge cutting - M McCann

Wooden fence posts - Hugh McManus & Sons Ltd

2017

Ammonium Sulphate Nitrate - David Gordon & Sons
Hay basket and sheep hurdles - Hugh McManus & Sons
Hedge cutting, gate posts, - Donal Bateson
Weed killer, roundup fast act - Hugh McManus & Sons Ltd

2018

Hedge cutting - M McCann

2019

Ammonium Sulphate Nitrate David Gordon & Sons
Hedge cutting - M McCann
FP McCann Ltd - unreadable

2020

Grass seed - M Stewart Agri Supplies
Hedge cutting - M McCann
FP McCann Ltd - unreadable

2021

Intensive lamb - M Stewart Agri Supplies
Ewe nuts - M Stewart Agri Supplies

Other

K-Scroll- purchase of steel- date is illegible

Doubt is cast over several of the invoices provided, and the legitimacy of some of the businesses is in question. In addition, the agent was asked to provide the original invoices, however, they have stated that the originals are not available.

The receipts detailed under 'M McCann' provide only the address 40 Barnish Road. A google search of 'M McCann' at 40 Barnish Road provides details of the company 'GMP Industrial' which specialises in industrial and commercial flooring surfaces in Northern Ireland. No evidence has been found to suggest that the business carries out landscaping services such as hedge cutting.

A google search of the company 'M Stewart Agri Supplies' does not correspond with any registered business at the address 7 Ballymacpeake Road, Portglenone as noted on the invoices. There is no record generally of this business registered at any address. Furthermore, the 9 digit VAT number provided is invalid and does not match any registered business.

The remaining invoices go some way in providing some level of evidence that the land has been maintained at times over the past number of years. However, it is not considered that given the doubt expressed over a number of the invoices provided that there is enough evidence to establish active farming for 6 years as required by Policy CTY 10 and therefore the reasons for refusal outlined within the Committee report remain valid.

CONCLUSION

The following is a summary of the main reasons for the recommendation:

- There are doubts relating to the authenticity of some of the information provided.
- It is not considered that sufficient evidence has been provided to establish 6 years of active farming.

RECOMMENDATION : **REFUSE OUTLING PLANNING PERMISSION****PROPOSED CONDITIONS**

1. The proposal is contrary to the policy provisions contained in the Strategic Planning Policy Statement and Policy CTY 1 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement.

2. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement and Policy CTY 10 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the principle of an active and established farm has not been demonstrated and that the proposed dwelling is not sited to cluster or visually link with a group of buildings on the farm.

3. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement and Policy CTY 13 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the building if permitted, would fail to achieve an adequate sense of enclosure and would not be integrated into the countryside.

COMMITTEE ITEM	3.7 ADDENDUM
APPLICATION NO	LA03/2021/0805/F
DEA	AIRPORT
COMMITTEE INTEREST	ADDENDUM REPORT
RECOMMENDATION	REFUSE PLANNING PERMISSION
PROPOSAL	Dwelling and Garage
SITE/LOCATION	120m east of 44 Rickamore Road Upper, Templepatrick, BT39 0JE
APPLICANT	Mr Hunter Kirk
AGENT	Big Design Architecture
LAST SITE VISIT	20 th September 2021
CASE OFFICER	Alicia Leathem Tel: 028 903 40416 Email: alicia.leathem@antrimandnewtownabbey.gov.uk
<p>Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal www.planningni.gov.uk</p>	
ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS	
<p>Since the preparation and publication of the Agenda report, additional information has been submitted in the form of: an amended plan indicating an amended access arrangement; further supporting details (Drawing No 01/1 date stamped 15th October 2021); a supporting statement (Document 01 date stamped 15th October 2021) in an attempt to demonstrate that the proposed development meets the policy tests under Policies CTY 10 and CTY 13 of Planning Policy Statement 21. In accordance with normal practice this information has been uploaded onto the Planning Portal for Members to review prior to the Committee Meeting.</p> <p>The agent contends that works have commenced on site within the farmyard area located between the existing farm buildings and the application site in an attempt to demonstrate that a dwelling on the proposed site would visually link or be sited to cluster with the buildings on the farm. The agent has indicated within the supporting statement Document 01 that foundations for the building were laid in 2003 and during the pandemic construction started with the building of the walls. Photographic evidence indicates an L-shaped wall measuring approximately 2 metres by 3 metres with a height of 1 metre. The agent contends that within the next 2-3 weeks more of the building will be developed if not completed. The photographic evidence submitted also indicates a minimal amount of building materials which the agent indicates is being used to complete the building.</p> <p>Whilst it has been noted that the applicant has indicated their intention to build a shed on this site with development having commenced in 2003 no verifiable evidence of plans to expand the farm as required by CTY 10 has been provided with the exception of photographic evidence indicating works carried out on site to date. It is noteworthy that the agent has indicated that works to the subject building commenced on site in 2003 some 18 years ago. Fundamentally no building currently exists on the ground therefore no visual linkage to the farm buildings is visually evident. It is also evident that no planning approval has been granted for a new</p>	

building nor is there any building control approval. The agent states that the applicant intends to build the shed under permitted development, however, there is no Certificate of Lawful Development to demonstrate that the construction would indeed be lawful. In addition, no contracts have been submitted to verify that a contractor has been engaged to construct the building.

The additional information also indicates an amended access arrangement utilising the existing access from Rickamore Road Upper in order to address concerns relating to the impact of ancillary works. The amended access utilises the existing access arrangement of the Rickamore Road Upper, then branches off through an adjacent agricultural field to serve the site. Whilst it is acknowledged that the amended access arrangement will negate the need for a third access point serving this cluster of development, the proposed access arrangement remains suburban in nature and will result in a significant level of hardstanding within this rural area. Therefore, the amended access arrangement does not address officers' concerns regarding the impact of ancillary works.

Having considered the contents of the supporting statement and amended plans, it is considered that no determining weight should be afforded to the latest supporting information as the proposal remains unacceptable and contrary to policy. As a consequence, there is no change to the Officer recommendation to refuse permission.

RECOMMENDATION	REFUSE PLANNING PERMISSION
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PROPOSED REASONS OF REFUSAL

1. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy CTY 10 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the proposal is not visually linked or sited to cluster with an established group of buildings on the farm.
2. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy CTY 13 of Planning Policy Statement 21, in that the site lacks long established natural boundaries and relies on the use of new landscaping for integration and the ancillary works do not integrate with their surroundings and the proposal is not visually linked or sited to cluster with an established group of buildings on the farm.
3. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy CTY 14 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that a dwelling on this site results in a suburban style of build-up when viewed with existing and approved buildings and the impact of ancillary works would damage rural character.




Site Location Plan

Application Reference: LA03/2021/0805/F

120m East of Rickamore Road Upper
Templepatrick, BT39 0JE

Erection of dwelling & garage



 Site boundary



Regional Planning Directorate



Department for

Infrastructure

An Roinn

Bonneagair

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All Council Chief Executives

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Your reference:
Our reference:

15 October 2021

Dear Chief Executives

WITHDRAWAL OF PLANNING ADVICE NOTE (PAN) - IMPLEMENTATION OF STRATEGIC PLANNING POLICY ON DEVELOPMENT IN THE COUNTRYSIDE

The purpose of this letter is to inform you of the Minister's decision to withdraw Planning Advice Note (PAN) – 'Implementation of Strategic Planning Policy on Development in the Countryside' which issued on 2 August 2021. The intention of the advice note was to assist with ensuring a consistent interpretation of the policy by re-emphasising and clarifying certain fundamental aspects of it in order to have a positive impact on the planning system overall and our rural communities. The PAN did not add to or change existing planning policy.

The Department has been somewhat taken back by the reaction to the PAN. It had not expected such a significant response to what is essentially an advice note to support the efficient and effective workings of the two-tier planning system. Regrettably, rather than bringing certainty and clarity, as was its intention, the PAN seems to have created confusion and uncertainty. Having listened carefully to and reflected on all the concerns expressed since it issued, the Minister has decided to withdraw the PAN today to swiftly restore clarity to this situation.

The Minister firmly believes that the SPPS does and should continue to provide opportunities for sustainable development in the countryside in general, including for farming families and other rural dwellers, striking a balance between supporting and sustaining rural communities and protecting the countryside from inappropriate development. Minister Mallon also considers that all stakeholders in the planning system have an important role to play in achieving this objective in the long term public interest. However, there is a particularly important onus on local planning authorities to take all

possible steps to ensure that in decision-taking and plan-making they properly and faithfully take account of the SPPS overall. Similarly, in relation to planning appeals and in terms of the independent examination of Local Development Plans the Planning Appeals Commission has an equally important responsibility. Similarly, in relation to planning appeals and in terms of the independent examination of Local Development Plans the Planning Appeals Commission has an equally important responsibility.

Whilst the PAN has been rescinded, the Department will now take stock of the concerns raised and undertake further engagement and analysis on this important policy area, to include consideration of current and emerging issues, such as the climate emergency and a green recovery from this pandemic. The Minister remains committed to ensuring that strategic planning policy for development in the countryside is fit for purpose going forward.

I would be grateful if this correspondence is brought to the attention of all your elected members and relevant officials, including Heads of Planning.

Yours sincerely



ANGUS KERR
Chief Planner
& Director of Regional Planning