

COMMITTEE ITEM	3.1
APPLICATION NO	LA03/2022/0888/F
DEA	DUNSILLY
COMMITTEE INTEREST	ADDENDUM TO COMMITTEE REPORT
RECOMMENDATION	GRANT PLANNING PERMISSION
PROPOSAL	Retention of silo conversion for tourist accommodation
SITE/LOCATION	40m NW of 88 Gloverstown Road, Randalstown, BT41 3HY
APPLICANT	James Alexander
AGENT	OJQ Architecture
LAST SITE VISIT	10/11/2022
CASE OFFICER	Tierna McVeigh Tel: 028 90340401 Email: tierna.mcveigh@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 Northern Ireland Planning Portal https://planningregister.planningsystemni.gov.uk and the Council's website, under additional information.</p>	
BACKGROUND	
<p>Following the publication of the Planning Committee Report, OJQ Architecture, the applicant's agent, submitted additional information to the Council. Additional supporting information has been provided, (Document 03 date stamped 13th April 2023), along with an addendum, (Document 03 Addendum 01 date stamped 14th April 2023), which have been uploaded onto the Planning Portal. A summary of the key points raised and consideration of the additional issues, which were not addressed within the Case Officer's Report, is provided below. A letter of support in respect of the development proposal has also been received.</p>	
ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS	
<p>The agent contends that planning policy is not explicit that a need does not have to be proven or justified, rather, it is only necessary to demonstrate that the development is to be run in conjunction with the agricultural operations on the farm. The letter from the applicant (Appendix A) within the Additional Supporting Information, Document 03 date stamped 13th April 2023, asserts that the proposed development makes use of an otherwise disused and redundant building structure on the farm, to provide a supplementary steady source of income for the farm during times of uncertainty, particularly with the withdrawal of the Single Farm Payment. The agent states that the National Farmers Union (NFU) aims to promote farm diversification and states tourism ventures are the most popular form of diversification, as well as seeking to make use of redundant farm buildings, as referred to in an NFU article contained in Appendix B of Document 03. The agent also states that the conversion building works have been paid for through the applicant's farm business, and provided receipts for evidence in Appendix C of Document 03. The agent contends that these points emphasise how the</p>	

proposed development will be run in conjunction with the farm business and states that there is absolutely no opportunity to run this proposal as a separate business venture as suggested in the planning case officer's report. The agent states that notwithstanding this matter, an appropriately worded condition could be imposed to ensure that the tourist accommodation will be retained in the same ownership as the current farm business.

The agent contends that the proposal meets the tests and provisions of Policy CTY 11 of PPS 21 which in the justification and amplification section of the policy permits tourism and agri-tourism proposals. Whilst agri-tourism is mentioned in Paragraph 5.47 of PPS 21, the amplification text does not define what this entails. Notwithstanding the lack of definition within the Policy, agri-tourism is considered to be a form of commercial enterprise that links agricultural production and/or processing with tourism to attract visitors onto a farm, ranch, or other agricultural business for the purposes of entertaining or educating the visitors while generating income for the farm, ranch, or business owner. The agent has stated that the proposal will support agri-tourism in that the accommodation will provide the opportunity for visitors and other farmers to experience the applicant's pedigree cattle and sheep whilst availing of staying on site.

The agent has stated that farm diversification proposals that meet the provisions of Policy under CTY 11 are not reliant on PPS 16 and refers to an excerpt of the preamble to PPS 16 which states, *'Policies in PPS 21 offering scope for tourism development in the countryside are not duplicated in PPS 16 and will be applied as appropriate to individual proposals.'*

Paragraph 5.1 of PPS16 states:

'Proposals for tourism development in the countryside will be facilitated through PPS 16 (policies TSM 2 to TSM 7) and other planning policy documents that provide scope for tourism development in the countryside. A summary of provision that is potentially available through the land use planning system to meet opportunities for various forms of tourism development in the countryside is set out below.'

Following on from the above, Paragraph 5.3 of PPS16, sub-titled 'Single Unit Self Catering

Accommodation proposals' includes the following: *'Proposals involving the reuse or adaptation of an existing farm building, or exceptionally a new building on a farm – PPS 21 (Policy CTY 11).'*

Furthermore, Paragraph 7.29 of the Justification and Amplification for Policy TSM 5: Self Catering Accommodation in the Countryside, states: *'The policies in PPS 21 relating to the conversion and reuse of rural buildings, farm or forestry diversification and development in dispersed rural communities may provide other opportunities for small scale, including single unit, self-catering accommodation in the countryside.'*

The agent contends that the SPPS supports tourism under farm diversification proposals and the re-use of rural buildings as a sustainable form of development. They also state that it is clear from the invoices submitted on the 13th April that the proposal supports the rural economy and will continue to in the future and that it is a form of agri-tourism that will support the rural tourism industry by providing self-

catering accommodation. The agent asserts that the proposal is acceptable in principle and is therefore in accordance with the SPPS and PPS 21.

There is little doubt that the development proposal fails to comply with the policy provisions of Policy TSM 5 of PPS 16 for self catering accommodation in the countryside. It is accepted however, that the policy provisions of PPS 16 deliberately prevent any duplication or interference with tourism proposals which are permissible under other Planning Policy Statements. Policy CTY 11 of PPS 21 specifically states that agri-tourism projects are an acceptable form of farm diversification and this is reinforced in par 5.3 of PPS 16 which refer to self catering accommodation in the countryside being acceptable in accordance with Policy CTY 11 of PPS21. When applied against the criteria of Policy CTY 11, the farm business is considered to be active and established, it involves the reuse of an existing building/structure, it is located within a group of existing buildings on the farm and the conversion would not have an significant impact on the character of the area. In principle the conversion of the building to tourism accommodation is considered acceptable subject to the conditions set out below.

CONCLUSION

In light of the new information and argument presented by the applicant it is recommended that planning permission for the subject development is granted.

RECOMMENDATION

GRANT PLANNING PERMISSION

PROPOSED CONDITIONS

1. This decision notice is issued under Section 55 of The Planning Act (Northern Ireland) 2011.

Reason: This is a retrospective application.

2. The self catering unit hereby approved, as coloured green on Drawing Number 02/2 date stamped 20th February 2023, shall only be used for holiday accommodation purposes and not for any other residential use falling within Class C1 of the Planning (Use Classes) Order (Northern Ireland) 2015 (as amended), or any Statutory Instrument revoking and re-enacting that Order with or without modification. For the avoidance of doubt 'any other residential use' includes a person's or persons' main residence, or a permanent residential unit of accommodation.

Reason: To prevent the creation of additional permanent residential units of accommodation and this permission is solely granted because of its proposed tourism/holiday use.

3. The self catering unit hereby approved, as coloured green on Drawing Number 02/2 date stamped 20th February 2023, shall be run in conjunction with Farm Business [REDACTED] and shall not be operated as a separate business enterprise.

Reason: The proposal is only acceptable if it is run as part of a farm diversification project in accordance with Policy CTY 11 of PPS21.



COMMITTEE ITEM	3.4
APPLICATION NO	LA03/2023/0109/F
DEA	BALLYCLARE
COMMITTEE INTEREST	ADDENDUM TO COMMITTEE REPORT
RECOMMENDATION	REFUSE FULL PLANNING PERMISSION
PROPOSAL	Conversion of existing barn to dwelling
SITE/LOCATION	Approximately 40m east of No. 10 Rushfield Road, Ballyclare, BT39 9NU
APPLICANT	Guy & Aurora Gilbert
AGENT	Mervyn McNeill
LAST SITE VISIT	3 rd March 2023
CASE OFFICER	Gareth McShane Tel: 028 903 40411 Email: gareth.mcshane@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 https://planningregister.planningsystemni.gov.uk</p>	
ASSESSMENT OF PLANNING ISSUES/MATERIAL CONSIDERATIONS	
<p>Since the preparation and publication of the Committee Report, additional supporting information has been submitted (Document 02 dated 14th April 2023).</p> <p>Within the supporting documentation, the agent refers to other planning permissions that he believes are comparable to the current scheme. One of the referenced permissions relates to an application granted outside of Antrim and Newtownabbey Borough Council area. The Council cannot be bound by a decision made by another Authority. The agent also contends that the assessment of the current application is inconsistent with the determination of a previous planning permission (Ref: LA03/2022/0187/F). The agent indicates that the aforementioned application sought permission for the replacement or conversion and extension of an army billet, noting that the current application is similar. The agent continues that the army billet (subject building) was not listed or was not a building of local importance. The case officer report in relation to the previous application (Ref: LA03/2022/0187/F) gives due consideration to the application building being compliant with both the SPPS and Policy CTY 4 of PPS 21. It was considered that the subject building was of historic merit with Historic Environment Division (HED) providing comment on its use in relation to RAF Aldergrove. In addition, it was also acknowledged that the building possessed some primary characteristics of a vernacular building.</p> <p>The current application building and its use as an agricultural barn is not considered to be a building of local importance, and no information detailing its local importance has been provided nor is it considered that the barn possesses any vernacular features as described in Annex 2 of PPS 21. There is a clear distinction between planning permission Ref: LA03/2022/0187/F and the current application. It is considered that the current proposal fails the policy requirements as outlined within CTY 4 and SPPS.</p>	

Within the supporting statement it is noted that the application has not been assessed under Policy CTY 3 of PPS 21 'Replacement Dwellings'. The subject building is a barn, with the agent stating a section of it was converted to a dwelling some 30 years ago. The initial supporting statement (Document 01 dated 31st March 2023) stated that the applicant's mother and father utilised the converted section of the building prior to moving into their new dwelling (No.10 Rushfield Road) in 2006 and continues to be used as a dwelling intermittently by the applicant's son. Photographic images of the internal of the building have been included. It is noted that no Certificate of Lawfulness has been granted to confirm that the lawful use of a portion of the building is as a dwelling. In the absence of it being confirmed that the lawful use of the building is as a dwelling then the policy requirements of Policy CTY 3 do not apply.

Document 02 also stipulates personal circumstances of the applicant's mother, who lives adjacent to the application site at No. 10 Rushfield Road. It is noted on the P1 form that the applicant currently resides in Ballyclare with the supporting document indicating that the applicant currently provides the day-to-day care for their mother. Policy CTY 6 of PPS 21 requires compelling and site specific reasons and satisfactory evidence that a new dwelling is a necessary response to the particular circumstances and that genuine hardship would be caused if planning permission was refused.

While some degree of sympathy can always be given to the personal circumstances of the applicant's mother, no evidence has been included which demonstrates genuine hardship would be caused if planning permission were to be refused. No details have been provided on the level of care which needs to be provided, what difficulties arise from the provision of this care and why there are compelling and site specific reasons for a dwelling at this location. Additionally, Document 02 makes reference to medical evidence contained within Appendix 15 of said document, however, no such evidence is provided. It is therefore considered that the applicant has failed to provide sufficient evidence to demonstrate that the conversion of the existing barn is a necessary response to the personal circumstances of the applicant and a genuine hardship would be encountered if planning permission is refused.

The additional information does not result in a change to the recommendation to refuse planning permission, a change to the proposed reasons of refusal are included as detailed below to reflect the supporting documentation.

CONCLUSION

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

- The principle of the development cannot be established as the proposal fails to fulfil the policy requirements of the CTY 1 and CTY 4 of PPS 21 and the SPPS;
- The proposal is considered to integrate appropriately with the surrounding landscape while respecting the rural character exhibited in the area;
- The proposal would not have a detrimental impact on neighbour amenity; and
- There are no road safety concerns with the proposal.

RECOMMENDATION

REFUSE PLANNING PERMISSION

PROPOSED REASONS OF REFUSAL

1. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement (SPPS) 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.

2. The proposal is contrary to the policy provisions contained in the Strategic Planning Policy Statement (SPPS) as the building is not of local importance and fails to meet with the provisions for the conversion and reuse of an existing building as a dwelling in accordance with Policy CTY 4 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the building is not considered to be of permanent construction.
3. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement (SPPS) and Policy CTY 6 of Planning Policy Statement 21 Sustainable Development in the Countryside, in that compelling and site specific reasons have not been demonstrated and satisfactory evidence has not been provided that a new dwelling is a necessary response to the particular circumstances and that genuine hardship would be caused if planning approval was refused.