

COMMITTEE ITEM	3.9 – ADDENDUM
APPLICATION NO	LA03/2022/0349/F
DEA	DUNSILLY
COMMITTEE INTEREST	ADDENDUM TO COMMITTEE REPORT
RECOMMENDATION	REFUSE PLANNING PERMISSION
PROPOSAL	Erection of an agricultural shed
SITE/LOCATION	250m NE of 60 Crosskennan Road, Antrim, BT41 2RE
APPLICANT	Marion Simmons
AGENT	Richard Burnside Architecture
LAST SITE VISIT	09/06/2022
CASE OFFICER	Tierna McVeigh Tel: 028 90340401 Email: tierna.mcveigh@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	
<p>Since the preparation and publication of the Addendum Report, further additional supporting information has been submitted by agent Richard Burnside Architecture on behalf of the applicant. The further information includes photographs, veterinary bills, herd lists from DAERA and a written statement from the applicant. These are referenced as Document 04 date stamped 12th October 2022, and Document 05 dated stamped 14th October 2022 and are available for Members to view online at the Planning Portal (www.planningni.gov.uk).</p> <p>Policy CTY 12 of PPS 21 requires that any new buildings should be sited beside existing farm buildings, and exceptionally consideration may be given to an alternative site away from existing farm buildings provided there are no other sites available at another group of buildings and where it is essential for the efficient functioning of the business or where there are demonstrable health and safety reasons.</p> <p>In an attempt to demonstrate that the proposal complies with Policy CTY 12 the applicant has composed a supportive statement which is included within Document 04. Many of the points within the submitted information have been previously presented to Members at the September Planning Committee meeting, however, for the purposes of clarity and to ensure that Members are aware of the full issues pertaining to the site, the main points have been reiterated:</p> <p>Background</p> <p>The applicant is a lone farmer who manages a farm holding of approximately 90 acres. The farm holding is subdivided by the Crosskennan Road and the two portions of land are referred to as the lower farm and the upper farm. The applicant tends to 22 cows, 20 calves, 5 store heifers, 1 bull, 60 sheep, 27 ewe lambs, 7 rams, 1 teaser ram and 10 ram lambs. Information relating to the herd is outlined in Document 04.</p> <p>Health and safety</p> <p>The applicant who is a lone farmer indicates that at present there is a health and safety risk to the animals and to herself, when crossing the animals over the Crosskennan</p>	

Road. To mitigate against this risk, the applicant advises it takes a minimum of three (3) people to safely cross the animals and as a lone farmer, getting help to do this, is frustrating and often takes a few days before help arrives.

The applicant states that in a three (3) month period (June – August 2022) the animals were crossed over the road 35 times, this process is very time consuming, often results in a delay of treatment and negatively impacts the efficient workings of the farm.

Whilst it is accepted that there may be difficulties and some frustration in moving livestock, it is not an unusual situation for livestock to be moved across or even along public roads or between different pockets of lands, with many farm holdings being divided by roads or located at a distance from existing farm buildings.

Animal welfare

The applicant states that under Section 9 of the Welfare of Animals Act (NI) 2011, there is a legal responsibility to ensure the needs of animals are met. The applicant states that at present there are current shortfalls with regards to complying with this Act in respect to the upper farm lands. The shortfalls are as follows:

- Inadequate shelter - There is one small shed which provides open access to store heifers. When in use by the store heifers, there is no other available shelter for the remaining animals on the upper farm land. As a consequence, this has resulted in several animals contracting pneumonia. The submitted vet invoices show the various pneumonia treatments;
- Inadequate handling facilities – The main handling facilities are located in the lower farm, resulting in sick animals having to be transported from the upper farm land to the lower farm for treatment, which further inflicts pain and suffering; and
- Inadequate quarantine facilities – The applicant states one of the bulls had to be quarantined in the lambing shed on the lower farm after a positive TB test. The applicant contends that if this had occurred during the lambing season, there would have been no sheds available for quarantine.

Efficient Farming Practices

The applicant advises the proposal is to house sheep for lambing and subsequently provide for their shelter when required. The applicant asserts that the location of the proposal is essential for the following reasons:

- It would enable the applicant to move the sheep and lambs between the seven (7) fields in the upper farm land without the required help from others and without having to cross the Crosskennan Road;
- The proposal would enable the sheep and lambs to graze on the upper farm land, leaving the lower farm land to be grazed by the cows and calves when they are put back to the field from being housed. The applicant states that the reason why the cows and calves are grazed at the lower farm land is due to the lower farm land having better shelter which provides the cows and calves protection from the risk the of contracting pneumonia;

- The proposal is to have an electricity supply generated from the solar panels, which will enable the applicant to have adequate handling facilities minimising the requirement to cross them over the road; and
- The mezzanine floor in the proposal will be to store feed locally, reducing time spent transferring food on a daily from the lower farm to the upper farm.

Growing a Sustainable Business

The applicant advises that in order to ensure the future of the farm business, improvements are needed to improve productivity by effectively increasing the amount of livestock. To enable this, the applicant advises that the quality of grazing land on the lower farm needs to be rejuvenated. The photos referenced in Document 05, shows the current quality of the grassland, which has been trampled extensively, is overgrazed, consists of poor drainage and is comprised mainly of rush bushes.

To improve the quality, the applicant advises that the grassland requires draining, levelling and reseeding and that at least one (1) year needs to elapse before animals can be put back out to graze. To support this rejuvenation work, the applicant stresses that it is absolutely necessary to have alternative grazing land and shelter arrangements. The applicant acknowledges that this could be achieved in the upper farm land, however appropriate shelter, handling facilities and storage would be required and as such could be provided by the proposal if approved.

The applicant concludes to say that the construction of the agricultural shed on the upper farm land is critical to support the future success of the farm, it would enable the long overdue rejuvenation of the lower farm land and in the long term would allow for equal reliance on both parcels of land maximising returns and increasing the number of livestock, which in turn will contribute to a more viable working farm business.

Conclusion

The applicant asserts that the proposed development on the upper farm land would address the issues set out above. There may be a case that the applicant requires an additional building on their farm, however, the case being presented does not require a shed to be erected away from the existing group of buildings on the farm. The need to quarantine animals, to treat animals and to test animals can all be done at the existing farm group. There is no requirement to provide shelter for animals within the field in which they are grazed. In this case the application site is removed from the existing farm buildings at 62 Crosskennan Road by only 600 metres.

Having reviewed the information submitted the siting of an additional agricultural building away from the existing farm complex is not considered essential for the efficient functioning of the business and there are no demonstrable health and safety reasons. The proposed development does not provide an exceptional case for a new farm building sited at an alternative site away from the existing farm holding and its buildings. It is considered therefore that the application does not meet with the requirements of Policy CTY 12 and therefore the principle of development has not been established.

Furthermore, DAERA Natural Environment Division has advised that if the proposed shed is within 7.5km of any designated sites and if the proposal is to house animals for lambing and calving then air modelling should occur for that time period and the

storage of manure should also be modelled. The site is located 5.3 km from Lough Neagh and Lough Beg, ASSI, SPA and Ramsar sites and as such the development has the potential to have a detrimental impact upon European designated sites. This information has not been requested as the principle of development has not been established and would result in an unnecessary expense to the applicant. Therefore, it has not been demonstrated that the proposal would not have a significant negative impact on the surrounding natural environment.

CONCLUSION

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

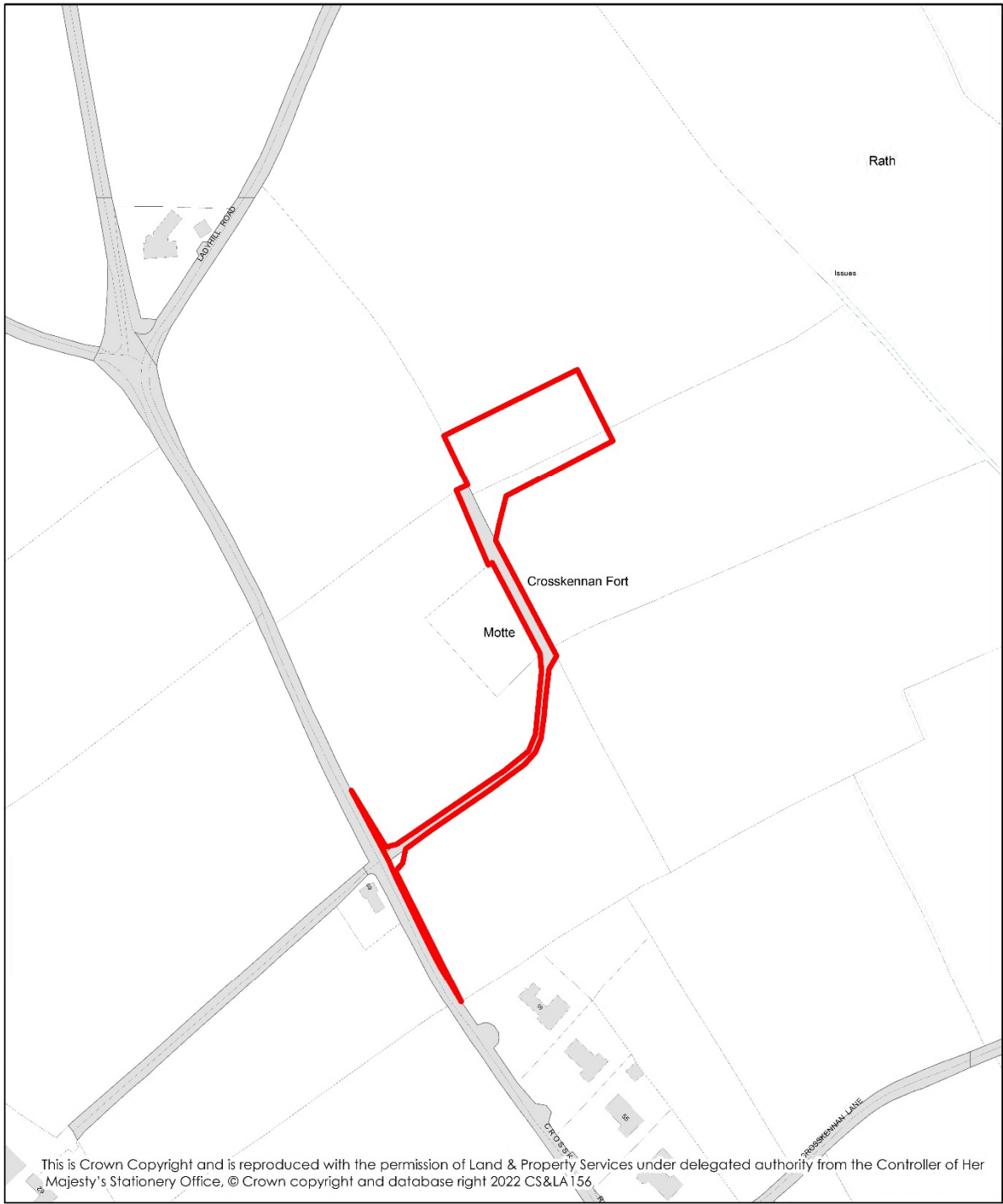
- The principle of development test has not been met as it has not been demonstrated that the proposed building is necessary for the efficient use of the agricultural holding or why the proposed building is located away from existing farm buildings.

RECOMMENDATION

REFUSE PLANNING PERMISSION

PROPOSED REASONS FOR REFUSAL

1. The proposal is contrary to Policy CTY1 and Policy CTY12 of Planning Policy Statement 21: Sustainable Development in the Countryside, in that the applicant has not provided sufficient information to confirm that the building is necessary for the efficient use of an active and established agricultural holding.
2. The proposal is contrary to the policy provisions of the Strategic Planning Policy statement and Policy CTY 12 of Planning Policy Statement 21 Sustainable Development in the Countryside, in that the development, if approved, would not be sited beside existing farm buildings.
3. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policies CTY 12 of Planning Policy Statement 21: Sustainable Development in the Countryside and Policy NH1 of PPS2 Natural Heritage, in that the proposed development may have a detrimental impact on the site selection



Planning Application Reference: LA03/2022/0349/F

Location: 250m NE of 60 Crosskennan Road, Antrim, BT41 2RE

Proposal: Agricultural Building

Scale: 1:2500



Site Location



COMMITTEE ITEM	3.13 – ADDENDUM
APPLICATION NO	LA03/2022/0700/F
DEA	DUNSILLY
COMMITTEE INTEREST	ADDENDUM TO COMMITTEE REPORT
RECOMMENDATION	GRANT PLANNING PERMISSION

PROPOSAL	Proposed replacement of existing garden centre with a single dwelling and removing all commercial buildings
SITE/LOCATION	24A Donegore Hill, Muckamore, Antrim, BT41 2HW
APPLICANT	Kaye Campbell
AGENT	Warwick Architects
LAST SITE VISIT	22 nd August 2022
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 publication of the Planning Committee Report and the submission of supporting information on behalf of the applicant further consideration has been given to the application which has resulted in a change of recommendation.

The following refusal reasons were previously recommended: -

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 policy provisions of the Strategic Planning Policy Statement and Policy CTY3 of Planning Policy Statement 21 'Sustainable Development in the Countryside', in that the proposal fails to meet the provisions for replacement of a redundant non-residential building as it has not been demonstrated that the redevelopment proposed would bring significant environmental benefits.

Paragraph 6.73 of the SPPS and CTY2a of PPS 21 refers to 'new dwellings in existing clusters' and states that provision should be made for a dwelling at an existing cluster of development which lies outside of a farm provided it appears as a visual entity in the landscape; and is associated with a focal point; and the development can be absorbed into the existing cluster through rounding off and consolidation and will not significantly alter its existing character, or visually intrude into the open countryside.

Policy CTY 2A requires that in addition to the above criteria that the cluster of development consists of four or more buildings of which at least three are dwellings and the application site provides a suitable degree of enclosure and is bounded on at least two sides with the development in the cluster.

It is accepted that the application site lies outside of a farm and there are approximately 4 dwellings that make up the cluster, including Nos 12, 14, 24 and 25 Donegore Hill, No. 22 Donegore Hill (former Orange Hall) and the buildings previously used as the garden centre are all considered to constitute part of the same cluster.

The second and third element of CTY 2A requires that the cluster appears as a visual entity in the local landscape and be associated with a focal point. The cluster of dwellings and buildings outlined above appear as a visual entity in the landscape and given the roadside location of the buildings the level of built up development is visible on approach from both a northern and southern direction along Donegore Hill. The location of No. 22 (former Orange Hall) directly north of the application site is a notable feature given its historical significance dating back to 1846. It is therefore considered that the proposal is associated with a focal point and is compliant with criterion 4 of this policy.

The fourth and fifth criterions of CTY2A require the site to both provide a suitable degree of enclosure and be bounded on at least two sides with other development in the cluster; and for the development to be absorbed into the existing cluster through rounding off and consolidation and not visually intrude into the open countryside.

In this case the application site is bound directly by Nos 22 and 24 Donegore Hill to the north and immediately to the south is a continuation of the garden centre building with dwelling Nos 12 and 14 located directly beyond the garden centre building. Therefore, two of the boundaries of the site are enclosed with the existing development. In addition, in order to facilitate the proposed development a large portion of the existing garden centre requires removal. The proposed development does not visually intrude into the open countryside and does not introduce a significant level of development on this previously developed land. Overall, it is considered that the proposed development would round off and consolidate the existing cluster.

Given that the proposed development complies with Policy CTY2A of PPS21, it is considered that all refusal reasons outlined above can be removed and an approval is recommended.

CONCLUSION

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

- The principle of development is acceptable as the proposal is compliant with Policy CTY 2A of PPS 21.

RECOMMENDATION :	GRANT PLANNING PERMISSION

CONDITIONS

1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.

2. The existing vegetation as indicated on approved Drawing No. 03 date stamped 4th August 2022 shall be retained at a minimum height of 2 metres for hedging/shrubs and 4 metres for trees and shall be allowed to grow on or as agreed in writing with the Council.

Reason: To ensure the maintenance of screening to the site.

3. If any retained tree is removed, uprooted or destroyed or dies within 5 years from the date of completion of the development it shall be replaced within the next planting season by another tree or trees in the same location of a species and size as specified by the Council.

Reason: To ensure the continuity of amenity afforded by existing trees

4. The proposed planting shall be carried out in accordance with approved Drawing No. 03 date stamped 4th August 2022. The planting shall be carried out in the first available season after occupation of the dwelling hereby approved. Hedging shall be allowed to grow on and retained at a minimum height of 2m thereafter, trees shall be allowed to grow on and retained at a minimum height of 4m thereafter.

Reason: To ensure the provision, establishment and maintenance of a high standard of landscape.

5. If within a period of 5 years from the date of the planting of any tree, shrub or hedge, that tree, shrub or hedge is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Council, seriously damaged or defective, another tree, shrub or hedge of the same species and size as that originally planted shall be planted at the same place, unless the Council gives its written consent to any variation.

Reason: To ensure the provision, establishment and maintenance of a high standard of landscape.

6. The vehicular access, including visibility splays and any forward sight distance, shall be provided in accordance with Drawing No. 03 bearing the date stamp 04th August 2022 prior to the commencement of any other development hereby permitted. 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.

7. The gradient of the access road shall not exceed 8% (1 in 12.5) over the first 5m outside the road boundary.

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

8. No site works of any nature or development shall take place until a programme of archaeological work (POW) has been prepared by a qualified archaeologist, submitted by the applicant and approved in writing by the Council.

The POW shall provide for:

- The identification and evaluation of archaeological remains within the site;
- Mitigation of the impacts of development through licensed excavation recording or by preservation of remains in-situ;
- Post-excavation analysis sufficient to prepare an archaeological report, to publication standard if necessary; and
- Preparation of the digital, documentary and material archive for deposition.

Reason: to ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded.

9. No site works of any nature or development shall take place other than in accordance with the programme of archaeological work approved under condition 8.

Reason: to ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded.

10. A programme of post-excavation analysis, preparation of an archaeological report, dissemination of results and preparation of the excavation archive shall be undertaken in accordance with the programme of archaeological work approved under condition 8. These measures shall be implemented and a final archaeological report shall be submitted to the Council within 12 months of the completion of archaeological site works, or as otherwise agreed in writing with the Council.

Reason: To ensure that the results of archaeological works are appropriately analysed and disseminated and the excavation archive is prepared to a suitable standard for deposition.