



Planning Committee Report LA01/2017/0979/F	26th September 2018
PLANNING COMMITTEE	

Linkage to Council Strategy (2015-19)	
Strategic Theme	Protecting and Enhancing our Environment and Assets
Outcome	Pro-active decision making which protects the natural features, characteristics and integrity of the Borough
Lead Officer	Development Management & Enforcement Manager
Cost: (If applicable)	N/a

<u>No:</u> LA01/2017/0979/F	<u>Ward:</u> Giant's Causeway
<u>App Type:</u> Full Planning	
<u>Address:</u> 37.1 meters South of 97 Causeway Road Bushmills BT57 8SX	
<u>Proposal:</u> The Glamping (Glamorous Camping) development comprises of 10 serviced Glamping Huts and 10 Camping Pitches, Access Road, and Parking, Reception & Toilet/Shower Block, Outdoor Kitchen and Sewage Treatment via Septic Tank/Constructed Wetland	
<u>Con Area:</u> n/a	<u>Valid Date:</u> 26.07.2017
<u>Listed Building Grade:</u> n/a	
<u>Agent:</u> 2020 Architects, 37 Main Street, Ballymoney, Co Antrim, BT53 6AN	
<u>Applicant:</u> Rosemary Hunter, 16 Glebe Cottages, Ahoghill, Ballymena, Co Antrim, BT57 8SX	
<u>Objections:</u> 0	<u>Petitions of Objection:</u> 0
<u>Support:</u> 0	<u>Petitions of Support:</u> 0

1 Recommendation

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

2 SITE LOCATION & DESCRIPTION

- 2.1 The site is located on a laneway off Causeway Road and is located within an existing farmyard which includes agricultural buildings and two dwellings at 99 and 101 Causeway Road. The lands are currently used for agricultural purposes and currently there is no development on the proposed site. The site is bounded on all sides by an existing hedgerow. The site is currently accessed by a laneway which runs through the farm yard. As part of the application it is proposed that a new access laneway will be provided.
- 2.2 The proposed site is located within the rural area as designated by the Northern Area Plan 2016. It is located within the Distinctive Landscape Setting for the Giants Causeway World Heritage Site and is within The Causeway AONB. There are also a number of archaeological monuments to include a rath, standing stone, burial sites, a fortification site and a souterrain located in proximity to the site. The character of the area consists of agricultural lands with agricultural buildings and some dwellings. Housing surrounding the site includes two bungalows and a two storey farm house.

3 RELEVANT HISTORY

LA01/2016/0584/LDP Temporary siting of mobile shepherd huts which are approximately 14ft x 7ft x 12ft.

Located at field adjacent to 97 Causeway Road, Bushmills
Appeal Dismissed 03.04.2017

4 THE APPLICATION

- 4.1 Planning permission is sought for The Glamping (Glamorous Camping) development which comprises of 10 serviced Glamping Huts and 10 Camping Pitches, Access Road and Parking, Reception & Toilet/Shower Block, Outdoor Kitchen, and Sewage Treatment via Septic Tank/Constructed Wetland.

Habitats Regulations Assessment Screening

- 4.2 The potential impact of this proposal on Special Areas of Conservation, Special Protection Areas and RAMSAR sites has been assessed in accordance with the requirements of Regulation 43 (1) of the Conservation (Natural Habitats) Regulations (Northern Ireland) 1995 as the proposal does not have a hydrological link as a pathway for pollution to a European Site. The proposal would not be likely to have a significant effect on the features, conservation objectives or status or any of these sites.

5 PUBLICITY & CONSULTATIONS

External

- 5.1 **Neighbours:** No objections received

Internal

- 5.2 **Transport NI:** Has raised objection to the proposal.

NI Water: Has no objection to the proposal.

Environmental Health: Has no objection to the proposal

DAERA Water Management Unit: No objection.

DAERA Natural Heritage: Has no objection to the proposal.

DAERA Landscapes: Has objected to the proposal.

MATERIAL CONSIDERATIONS

- 6.1 Section 45(1) of the Planning Act (Northern Ireland) 2011 requires that all applications must have regard to the local development 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:
 1. Northern Area Plan 2016
- 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 (PPS 2) Natural Heritage

Planning Policy Statement 3 (PPS3) Access Movement and Parking

Planning Policy Statement 6 (PPS 6)

Planning Policy Statement 21 (PPS 21) Sustainable Development in the Countryside

8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to: the principle of development; impacts on the Distinctive Landscape Setting of the Giant's Causeway, Farm Diversification, visual integration and rural character, impacts on the AONB and roads issues.

Planning Policy

- 8.2 The principle of the development proposed must be considered having regard to the Northern Area Plan and PPS policy documents specified above and the supplementary guidance.

Planning History

- 8.3 There are two planning histories associated with this site. This includes planning reference LA01/2016/0584/LDP which involved the temporary siting of mobile shepherd huts which was dismissed at appeal. Another application, reference LA01/2016/1143/F for 10 glamping pods, 10 camping sites and ancillary building was deemed invalid as the correct fee was not provided.

Distinctive Landscape Setting

- 8.4 The proposed site lies within the Distinctive Landscape Setting of the Giant's Causeway World Heritage Site. This is set out under Designation COU 3 The Distinctive Landscape Setting of the Giant's Causeway and is subject to consideration under Policy COU 4.
- 8.5 The starting point of Policy COU 4 is that no development will be approved within the Distinctive Landscape Setting outside of settlement development limits other than the three stated exceptions. These exceptions are:

1. Exceptionally modest scale facilities, without landscape detriment, which are necessary to meet the direct needs of visitors to the World Heritage Site;
2. Extensions to buildings that are appropriate in scale and design and represent not more than 20% of the cubic content of existing buildings;
3. Replacements of existing occupied dwellings with not more than a 20% increase in the cubic content.

- 8.6 A supporting statement was submitted on 15th November 2017 and reference was made to Policy COU 4 of the Northern Area Plan. It has been argued that the proposal would meet the direct needs of visitors to the Giant's Causeway (criterion 1) by providing accommodation on the only access road to the Giant's Causeway. In this case, the proposed development will provide a facility to meet the needs of tourist and visitors to the general area, and while individuals may or may not choose to avail of facilities at or visit the WHS, the proposal is not related to the direct needs of the visitors. As it is considered the proposal does not meet the direct needs of visitors specifically to the World Heritage Site, it does not qualify as an exception under this test.
- 8.7 A proposed glamping site (holiday park) is a sui genus use. Holiday parks also require a change of use in the land, and therefore the proposal does not include any extensions to existing buildings or a replacement dwelling. It is considered that this proposal fails to meet the exception test. Therefore the development is unacceptable and should not be approved as it contrary to Policy COU 4.
- 8.8 Policy COU 4 of the Northern Area Plan is complemented by Policy BH 5 of Planning Policy Statement 6 which relates to the Protection of World Heritage Sites. Policy BH 5 of PPS 6 requires a presumption in favour of the preservation of the World Heritage Site and its setting. Having regard to BH 5, it is considered that there are no exceptional circumstances associated with this application that would set aside the policy considerations contained in this policy. This policy also restricts development that would have an adverse impact on the World Heritage Site or the integrity of its setting. The extent of the Distinctive Setting of the World Heritage Site and the policy framework attached to this has been established in the adopted

Northern Area Plan. Therefore the proposal is contrary to PPS 6.

- 8.9 Reference is made to a previous approval for glamping pods under reference E/2014/0226/F which was also located within the Distinctive Landscape Setting for the Giant's Causeway. However, this application was approved under a different legislative framework and before NAP was adopted. While the 2011 Planning Act states that determinations must be in accordance with the development plan unless material considerations indicate otherwise, the Planning Order (NI) 1991 only required regard to be had to the development plan, so far as material to the application. Also NAP was still in draft form and determination of how much weight to be given to this was a matter for the decision maker. Therefore that application is not comparable, and each application must be assessed on its own merits having regard to the relevant legislation and policy context at the time of decision.
- 8.10 The Planning Act states that decisions must be made in accordance with the development plan unless other material considerations indicate otherwise. COU 4 is an adopted policy within the Northern Area Plan and any decisions should be taken in accordance with it. No other material considerations have been presented in relation to this application that warrant setting aside NAP, and as the proposal is contrary to the adopted plan should be refused.

Principle of a Holiday Park in the Countryside

- 8.11 The aim of the SPPS with regard to the countryside is to manage development in a manner which strikes a balance between protection of the environment from inappropriate development, while supporting and sustaining rural communities consistent with the RDS. The SPPS states that a transitional period will operate until such times as a Plan Strategy for the whole of the Council area has been adopted. During this transitional period existing policy contained within identified policy documents will be applied together with the SPPS.

8.12 Policy TSM 6 of PPS 16: Tourism relates to Holiday Parks in the countryside. 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 must be based on an overall design concept that respects the surrounding landscape, rural character and site context.

8.13 The policy also requires that the following seven criteria is met;

(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;

(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;

(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;

(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;

(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;

(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;

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

- 8.14 The proposed glamping pods are set back from the main road and are located behind and beside existing agricultural outbuildings. The topography of the site which rises and then falls away toward the site limits views of the site. DAERA Protected Landscapes team was consulted in relation to this application as the proposed development is located within such a sensitive landscape including lying within the Distinctive Landscape Setting to the Giants Causeway World Heritage Site, and the Causeway Coast Area of Outstanding Natural Beauty. DAERA Protected Landscapes initially requested a Landscape and Visual Assessment which was provided on 14th February 2018 and form part of the consideration. The Protected Landscapes Team was consulted in relation to this and stated that the Visual Statement does not comply with any of its recommendations in terms of adhering to the best practice documents, Landscape & Visual Impact Assessment (LVIA) methodology or apparent professional Landscape Architecture input. It was stated that the proposal has the potential to have an adverse landscape and visual impact on the WHS and its Distinctive Landscape Setting. It was also stated that a proportionately detailed Landscape & Visual Impact Assessment should be carried out for this site in order that an informed decision can be reached. This has not been requested as the principle of development, having regard to COU 4, is not acceptable.
- 8.15 Criterion a) requires the landscape to have the capacity to absorb the development while criteria e) reference is made in regard to the design of other elements to include internal roads. The submitted VIA was deemed unacceptable by DAERA and the proposed access is not considered appropriate to the site and locality and it would have a detrimental impact on the rural character of the area. Given this it is considered that the proposal fails these criteria of Policy TSM 6.
- 8.16 The site does have limited existing natural boundaries which are made up of boundary hedgerows but the site will make use of existing agricultural outbuildings for integration purposes. Planting has also been proposed. It is therefore considered this proposal does not conflict with criterion (b)

- 8.17 Adequate provisions for open space has been provided within this proposal. The layout of the glamping pods would be considered informal and soft landscaping will be used to separate each pod and caravan plot. In terms of design the proposed buildings are considered appropriate, the glamping pods are quite small in size and finished with wood. The ancillary building to include reception, changing area and toilets is a larger building which includes cast in situ concrete finished with a board mark texture. The roof will be made up of earth to be mounded over and around the structure creating a green roof. An outdoor cooking shelter is also proposed and this will be finished with a corrugated roof, concrete walls with timber slats. The proposed finishes are considered acceptable and the green roof aids integration. This proposal therefore complies with criteria (c) & (d) of TSM 6.
- 8.18 The proposal is not located close to any listed buildings. The proposed site is located within proximity to a number of Archaeological Sites and Monuments to include a rath, standing stone, burial site, fortification site and souterrain. The Historic Environment Division was consulted as the competent authority on archaeological matters. It was stated that due to the low archaeological potential of the site, the Historic Environment Division is content that the archaeological policy requirements of the SPPS and PPS 6 has been met.
- 8.19 Concern was raised with regard to the removal of sections of hedgerows which may have natural heritage impacts. It was recommended that a biodiversity checklist be completed. A Biodiversity checklist and Preliminary Ecological Appraisal (PEA) has been provided. DAERA Natural Environment Division was consulted in relation to this and on the basis of the additional information had no concerns. It was stated in their consultation response that there was evidence that badgers had used the site for foraging but given no badger setts had been found during the PEA were content that badgers would not be significantly impacted upon. NED also noted that the proposal involved the removal of some hedgerows and it was recommended that any works of this nature should be carried out outside the bird breeding season. As the proposed development will not have a detrimental impact on natural or built heritage, it complies with criterion (f)

- 8.20 Mains water is available at the site and the applicant proposes to discharge foul sewage to a septic tank. Environmental Health has provided a condition in regard to the proposed septic tank and the proposal complies with criterion (g).
- 8.21 All tourism developments must also comply with the 15 criteria set out in TSM 7 of PPS 16. These criteria relate to design, layout, boundary treatment, drainage, crime, impact on character and neighbouring residents, access arrangements, sewage disposal and impacts on features of natural or built heritage.
- 8.22 As established under TSM 6, the proposal is contrary to COU 4 and fails to meet the policy test as set out in TSM 6. There is a lack of an accurate VIA and the proposed access is not considered appropriate to the site and will detract from the landscape quality and character of the surrounding area
- 8.23 In terms of drainage Water Management Unit and NI Water are content with the proposal. In terms of access arrangements DfI Roads was consulted and did raise issues which have not been resolved.
- 8.24 The proposal is contrary to Policy TSM 7 of PPS 16 as the proposal will detract from the landscape quality and character of the surrounding area

Farm Diversification

- 8.25 A supporting statement has been received in an attempt to demonstrate the acceptability of the proposed development. Within this statement reference has been made to Policy CTY 11 of PPS 21 which relates to farm diversification projects. Planning permission will be granted for farm diversification proposals where it is demonstrated that it is to be run in conjunction with agricultural operations on the farm. The following criteria also applies,
- a) the farm business is currently active and established,
 - b) in terms of character and scale it should be appropriate to its location,

- c) the development should not have an adverse impact on the natural or built heritage and
- d) it should not have a detrimental impact on the amenity of neighbouring dwellings.

- 8.26 It was identified at an office meeting that no evidence had been provided that a farm business was active and established at this site and this is critical to this policy. A P1C form has since been provided and a consultation was sent to DAERA. Through this consultation and further email correspondence it was identified that the existing farm business has been active for at least 6 years as the current business ID was merged with the previous business number and this is considered acceptable.
- 8.27 The glamping pods proposed rely on existing and proposed vegetation in an attempt to integrate the development. The proposal also includes provisions for a new access which will run through an agricultural field which has a detrimental impact on rural character due its visual impact. In terms of character and scale the proposed development is therefore not appropriate at this location.
- 8.28 Criteria b) & c) are examined in detail under paragraphs 8.14 & 8.15 and paragraphs 8.18 & 8.19 of this report.
- 8.29 It is unlikely the proposed glamping pods will have a detrimental impact on the amenity of nearby residents through noise, smell or pollution. Environmental Health was consulted in regard to the application and raised no concern. The proposed glamping pods will be located approximately 45 metres from the existing dwelling at 97 Causeway Road and this is considered an acceptable distance.
- 8.30 As the proposal is inappropriate in terms of character and scale at this location, the proposal is contrary to Policy CTY 11 of PPS 21.

Visual Integration and Rural Character

- 8.31 DAERA Protected Landscapes team was consulted in relation to this application as the proposed development is located within the Distinctive Landscape Setting to the Giants

Causeway World Heritage Site and the Causeway Coast Area of Outstanding Natural Beauty. It was recommended that the proposal has the potential to have an adverse landscape and visual impact on the WHS and its Distinctive Landscape Setting with a proportionately detailed Landscape & Visual Impact Assessment sought in order that an informed decision can be reached. This is explored further in Paragraph 8.14.

- 8.32 In terms of visual integration the site is located at the edge of a field which has a substantial boundary with hedging, new landscaping will be provided to assist with this integration. Views of the proposed glamping pods will be restricted from the main road and the site is located at a lower level to the road. However, the application includes provision for a new access which runs through the centre of an existing agricultural field and these works will have a detrimental impact on the existing rural character of the area. The proposed access laneway will be a prominent feature and views from Causeway Road would be apparent.
- 8.33 Given this, the proposed development would be considered contrary to both Policy CTY 13 and 14 of PPS 21 as the applicant has failed to appropriately demonstrate the visual impact of the proposed development and the ancillary works do not integrate effectively with their surroundings and would damage rural character.

Impact on the AONB

- 8.34 This proposal is located within The Causeway Coast Area of Outstanding Natural Beauty. In line with Policy NH 6 of PPS 2 planning permission for new development within an Area of Outstanding Natural Beauty will only be granted where it is of an appropriate design, size and scale for the locality. It must respect the special character of the area, it must conserve features of importance to the area and it must respect local architectural styles and traditional boundary details within the area.
- 8.35 The proposed glamping pods are stepped back from the main road, are located close to agricultural buildings and existing and proposed planting will be used to aid integration. Notwithstanding that DAERA Protected Landscape has

requested an accurate detailed Landscape & Visual Impact Assessment to allow an informed decision to be reached, the proposal includes provisions for a new access laneway which will run through an agricultural field and it is considered that this feature would have a detrimental impact on the character of this Area of Outstanding Natural Beauty.

- 8.36 The proposal is therefore contrary to Policy NH 6 of PPS 2 as it will result in having an unacceptable impact on the AONB.

Roads Issues

- 8.37 DFI Roads has raised some concern in relation to the accuracy of the block plans provided. There is also some concern in regard to the provisions for the visibility splays which require control of third party lands. Notice has been served on the owners of this land and the P1 form has been amended.

9 CONCLUSION

- 9.1 The proposal is considered unacceptable in this location having regard to the Northern Area Plan, and other material considerations, including the SPPS. The proposal is located within the Distinctive Landscape Setting of the Giant's Causeway World Heritage site as set out under Designation COU 3 of the Northern Area Plan, and does not fall within the exceptions for development as set out in Policy COU 4. The applicant has failed to demonstrate that the proposal will not have an unacceptable impact on this sensitive landscape setting through an adequate visual impact assessment and the provisions of a new access laneway will have a detrimental impact on rural character. The proposal is contrary to policies TSM 6 and TSM7 of PPS 16 and is also contrary to CTY 13 & CTY 14 of PPS 21. The proposal will also have an unacceptable impact on the Causeway AONB and is contrary to policy NH6 of PPS 2. The applicant has sought to argue this proposal as a Farm Diversification project but as the proposal is inappropriate in terms of character and scale at this location, the proposal fails to comply with CTY 11 of PPS21. As such this proposal is recommended for refusal.

10 REASONS FOR REFUSAL

10.1 Reasons:

1. The proposal is contrary to paragraph 6.73 of the SPPS Planning for Sustainable Development and Policy COU 4 of the Northern Area Plan 2016 in that the site lies within the Distinctive Landscape Setting of the Giant's Causeway and Causeway Coast World Heritage Site. The proposal does not qualify as an exception and therefore does not justify a relaxation of the strict planning controls in this area.
2. The proposal is contrary to paragraph 6.73 of the SPPS Planning for Sustainable Development and Policy BH 5 of Planning Policy Statement 6, Planning Archaeology and Built Heritage, in that the site would adversely impact the integrity of the setting of the Giant's Causeway and Causeway Coast World Heritage Site, and there are no exceptional circumstances to justify a relaxation of the strict planning controls in this area.
3. The proposal is contrary to Criterion (a) and (e) of Policy TSM6 of PPS 16: Tourism as the site is not located in an area that has the capacity to absorb the holiday park development, without adverse impact on visual amenity and rural character.
4. The proposal is contrary to policies CTY 13 and CTY 14 of PPS 21: Sustainable Development in the Countryside as it has not been demonstrated that the proposal will not be an unduly prominent in this sensitive landscape; and the ancillary works do not integrate with their surroundings and would damage rural character.
5. The proposal is contrary to policies CTY 11 of PPS 21: Sustainable Development in the Countryside as the proposed development is inappropriate in character and scale for its location within the Distinctive Setting of the World Heritage Site and the Causeway Coast Area of Outstanding Natural Beauty.
6. The proposal is contrary to Policy NH 6 of PPS 2: Natural Heritage as the siting and scale of the proposal is not sympathetic to the special character of the Causeway Coast Area of Outstanding Natural Beauty and it fails to respect the character, appearance and heritage of the landscape.

Site Location

