
Appeal Reference:	2023/A0088
Appeal by:	Caroline Newell
Appeal against:	The refusal of full planning permission
Proposal:	Erection of stable and riding area for personal use
Location:	50 metres north-west of 5C Ballyquillan Road, Crumlin
Planning Authority:	Antrim and Newtownabbey Borough Council
Application Reference:	LA03/2023/0316/F
Procedure:	Informal Hearing on 8 May 2024
Decision by:	Commissioner B Stevenson, dated 29 May 2024

Decision

1. The appeal is dismissed.

Reasons

2. The main issues in this appeal are whether the appeal proposal would erode the rural character of the area.
3. Section 45(1) of the Planning (Northern Ireland) Act 2011 states that regard must be had to the Local Development Plan (LDP), so far as material to the application, and to any other material considerations. Section 6(4) requires that where regard is to be had to the LDP, the determination must be made in accordance with the plan unless material considerations indicate otherwise.
4. The Antrim Area Plan 1984-2001 (AAP) and its Alterations operate as the LDP for the area wherein the appeal site is located. The appeal site is within the countryside and outside any defined settlement limit. The site fronts onto a lane off the Ballyquillan Road (C24). The AAP designates a Road Frontage Policy Area along the Ballyquillan Road. That designation extends for 100 metres on each side of the road, taking in part of the appeal site. The Road Frontage Policy Area is now outdated having been overtaken by a succession of regional policies for development in the countryside.
5. The Strategic Planning Policy Statement for Northern Ireland 'Planning for Sustainable Development' (SPPS) is material to all decisions on individual planning applications and appeals. The SPPS sets out transitional arrangements that will operate until a Plan Strategy (PS) is adopted for the area. In accordance with the transitional arrangements, certain retained policies namely Planning Policy Statement 21 'Sustainable Development in the Countryside' (PPS21) is applicable. There is no conflict or change in policy direction between the provisions of the SPPS

and PPS21 insofar as they relate to this appeal. The retained PPS21 therefore provides the policy context for determining the proposal.

6. Policy CTY1 of PPS21 is entitled 'Development in the Countryside'. It sets out certain types of development that will be acceptable in principle in the countryside and that will contribute to the aims of sustainable development. One of these is for outdoor sport and recreational uses that accords with Planning Policy Statement 8 'Open Space, Sport and Outdoor Recreation' (PPS8). The proposal is for a proposed stable building and a riding arena for the family's private use. The Council expresses no concern with the development in principle and finds the proposal acceptable under Policy CTY1 of PPS21 and Policy OS3 of PPS8 in this regard. The Council also considers that the proposal would appropriately integrate with the surrounding landscape. The Council's only concern is that the proposal would add to an existing ribbon of development and that it would offend Policy CTY8 and Policy CTY14 of PPS21.
7. Policy CTY1 states that all proposals for development in the countryside must meet other planning and environmental considerations. Policy CTY 14 of PPS21 is entitled 'Rural Character' and it states that planning permission will be granted for a building in the countryside where it does not cause a detrimental change to, or further erode the rural character of an area. It goes on to say that a new building will be unacceptable in certain circumstances. The Council argues that the proposal would offend criterion (d) of Policy CTY14 only. Criterion (d) states that a new building will be unacceptable where it creates or adds to a ribbon of development. It cross-references to Policy CTY8 of PPS21.
8. Policy CTY8 is entitled 'Ribbon Development' and it states that planning permission will be refused for a building which creates or adds to a ribbon of development. Notwithstanding this presumption against creating or adding to a ribbon of development, the policy permits an exception under the policy. That exception relates to dwelling proposals in that it permits the development of a small gap site sufficient only to accommodate up to a maximum of two houses within an otherwise substantial and continuously built up frontage and provided this respects the existing development pattern along the frontage and meets other requirements. The exception under Policy CTY8 is therefore not relevant to the appeal proposal. In any case, the Council's only concern is that the proposed stable building would add to an existing ribbon of development and that this would have a detrimental impact on the rural character of the area.
9. The generally flat appeal site is set back approximately 80-110 metres from the Ballyquillan Road and is part of a larger agricultural field. I saw a few horses grazing on the appeal site. The site is located along a lane north-east of a dwelling that offers bed and breakfast accommodation (No. 5C). Adjacent to the accommodation is a detached ancillary garage. There are timber structures to the rear and side of that property. To the south-west of No. 5C is a large shed. An overgrown hedgerow, approximately 3-4 metres high defines the boundary of the appeal site adjacent to the lane. The hedgerow continues along in front of the bed and breakfast accommodation and in front of most of the large shed. That hedgerow is approximately 2-3 metres high in front of those buildings.
10. The Appellant indicates that the proposed stable building would be 6.4 metres in length by 4.0 metres in width by 3.8 metres in height finished in timber and

corrugated metal. The Council said at the hearing that it would be located approximately 44 metres from the nearest dwelling and approximately 25 metres from the common boundary with the riding arena in between. The Appellant accepted those figures.

11. There is no dispute between the parties that there are three buildings with common frontage along the lane south-west of the appeal site and that those buildings comprise the detached B&B accommodation (No. 5C), its detached garage and the large shed. However, the Appellant contends that the key test for determining build up is a visual one and that there would be no intention to remove or reduce the frontage hedgerow and that it could be retained by a suitably worded condition if the proposal is permitted.
12. In the amplification text of Policy CTY14, paragraph 5.79 states that “in order to maintain and protect the rural character of an area the new building should respect the traditional pattern of settlement; that is, the disposition and visual appearance of land and buildings in the locality of the proposed development.” Paragraph 5.80 expands to say that ribbon development is considered always detrimental to the rural character of an area as it contributes to a localised sense of build-up and fails to respect the traditional settlement pattern of the countryside.
13. Paragraph 5.32 of the amplification text of Policy CTY8 states that “ribbon development is detrimental to the character, appearance and amenity of the countryside. It creates and reinforces a built-up appearance to roads, footpaths and private laneways and can sterilise back-land, often hampering the planned expansion of settlements. It can also make access to farmland difficult and cause road safety problems. Ribbon development has consistently been opposed and will continue to be unacceptable.” Paragraph 5.33 of the amplification text of Policy CTY8 states that “for the purposes of this policy a road frontage includes a footpath or private lane. A ‘ribbon’ does not necessarily have to be served by individual accesses nor have a continuous or uniform building line. Buildings sited back, staggered or at angles and with gaps between them can still represent ribbon development, if they have a common frontage **or** they are visually linked” (*my emphasis*).
14. Given that the high frontage hedgerow could be retained by a condition, I am satisfied that the proposed stable building would not visually link with the existing buildings along the lane when viewed from it. Nevertheless, the proposed stable building would share common frontage along the lane with the three buildings south-west of the site that comprise a shed, the existing bed and breakfast accommodation and its detached garage. Notwithstanding the size of the proposed stable building, the built form along this stretch of the laneway would extend to over 100 metres in length, and this would cause a detrimental change to the rural character of the area.
15. The Appellant contends that during the processing of the planning application that her agent was advised to re-site the proposed stable to immediately adjoining the garden boundary, effectively beside the approved glamping accommodation or to locate it within the established curtilage of the dwelling. She goes on to say that those alleged suggestions were contrary to the Environmental Health Office’s (EHO) recommendation to locate the proposed stable building 75 metres from residential dwellings. While EHO recommended a separation distance of 75 metres from residential dwellings, I note that that office had no objections to the proposed stable located approximately 44 metres from the nearest building. Moreover, the Council

expresses no potential amenity concerns. With respect to the alleged suggestions to locate the proposed stable closer to the property, I can only consider the proposal that is before me.

16. The Appellant indicates that there are extensive outdoor facilities at the bed and breakfast accommodation that the family and guests enjoy the use of. She argues that as these extensive outdoor facilities are mainly used during periods of warmer weather that a separation distance between the proposed stable and the garden space would be necessary and that the proposed stable would be located at the maximum distance from the bed and breakfast accommodation on land within her control.
17. The drawing numbered 01 indicates that the Appellant owns land behind No. 5C. Given the extent and disposition of that land, I am not persuaded that where she proposes to site the stable building would be the furthest distance away from the accommodation on land that she controls. The Appellant referred to it being necessary to have the stable building close to the lane. However, no substantive evidence was presented to justify this statement.
18. Despite the lack of visual linkage in this appeal and irrespective of the size of the proposed building together with any retention of the existing vegetation, the proposed building would nevertheless add to a ribbon of development and would offend Policy CTY8 of PPS21. Consequently, the appeal proposal would erode the rural character of the area and would offend criterion (d) of CTY14 of PPS21 and the SPPS. The Council's reason for refusal is therefore sustained. The appeal must fail.

This decision relates to the drawing numbered 01: Site Location Plan to scale 1:2500 and date stamped refused on 21 August 2023 and to the drawing numbered 02: Site Layout Plan, Floor Plan and Elevations to scale 1:500 and date stamped refused on 21 August 2023.

COMMISSIONER B STEVENSON

List of Appearances

Planning Authority: -

Mr Gareth McShane
Antrim and Newtownabbey Borough Council

Appellant: -

Mr Tom Wilson on behalf of Caroline Newell

List of Documents

Planning Authority: -

A Statement of Case
Antrim and Newtownabbey Borough Council

Appellant: -

B Statement of Case
Tom Wilson Planning on behalf of Caroline
Newell