



Planning and Environmental Policy Group

Public Consultation

Draft

Planning Policy Statement 21

**Sustainable Development in the
Countryside**

November 2008

Contents

Consultation on Draft PPS 21		
Preamble		1
Background		4
Policy Context		5
Aim and Objectives		7
The Role of Development Plans		8
Planning Policies		10
Policy CTY 1	Development in the Countryside	10
Policy CTY 2	Development in Dispersed Rural Communities	13
Policy CTY 3	Replacement Dwellings	14
Policy CTY 4	The Conversion and Reuse of Existing Non-Residential Buildings	16
Policy CTY 5	Social and Affordable Housing	18
Policy CTY 6	Personal and Domestic Circumstances	20
Policy CTY 7	Dwellings for Non-Agricultural Business Enterprises	21
Policy CTY 8	Ribbon Development	22
Policy CTY 9	Residential Caravans and Mobile Homes	23
Policy CTY 10	Dwellings on Farms	24
Policy CTY 11	Farm Diversification	25
Policy CTY 12	Agriculture and Forestry Development	26
Policy CTY 13	Integration and Design of Buildings in the Countryside	28
Policy CTY 14	Rural Character	31
Policy CTY 15	The Setting of Settlements	33
Policy CTY 16	Development relying on Non-Mains Sewerage	34
Annexes		
Annex 1	Consequential amendment to Policy AMP 3 of PPS 3 Access, Movement and Parking	37
Annex 2	Vernacular Buildings	38
Annex 3	Screening for Equality Impact Assessment	39

Consultation on Draft PPS 21

You are invited to send your views on this Draft Planning Policy Statement, PPS 21 'Sustainable Development in the Countryside'.

Comments should reflect the structure of the document as much as possible with references to paragraph numbers where relevant.

All responses should be made in writing and emailed to:

planning.policy@doeni.gov.uk or sent by post to:

Draft PPS 21 - Public Consultation
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48 High Street,
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The consultation period will end on 31 March 2009

Draft PPS 21 is available on the Planning Service website: www.planningni.gov.uk or can be obtained by telephoning (028) 9025 7374, textphone at (028) 9054 0642 e-mail from epdwebteam@doeni.gov.uk or by writing to the above address. Should you require a copy of this document in an alternative format, it can be made available on request in large print, disc, Braille or audiocassette. It may also be made available in minority languages for those who are not proficient in English.

In keeping with our policy on openness, the Department may make responses to this consultation document publicly available.

At the end of the consultation period all the comments received will be carefully considered. The Executive Subcommittee charged with overseeing the review of rural planning policy will then appraise the outcome of the consultation process and consider whether amendments to the document are required.

Preamble

The Department of the Environment is responsible for planning control in Northern Ireland. The Planning Service, an Agency within the Department, administers its development control and development plan functions.

The Department has a statutory duty, laid down in Article 3 of the Planning (Northern Ireland) Order 1991, to formulate and co-ordinate policy for securing the orderly and consistent development of land and the planning of that development. The Department is required to ensure such policy is in general conformity with the Regional Development Strategy (RDS).

The Department's planning policies are normally issued through Planning Policy Statements (PPS) and PPS 1 'General Principles' advises that:

“Planning Policy Statements set out the policies of the Department on particular aspects of land-use planning and apply to the whole of Northern Ireland. Their contents will be taken into account in preparing development plans and are also material to decisions on individual planning applications and appeals.”

This Draft Planning Policy Statement, PPS 21 sets out planning policies for development in the countryside. For the purpose of this document the countryside is defined as land lying outside of settlement limits as identified in development plans. The provisions of this document will apply to all areas of Northern Ireland's countryside.

In a Statement to the Assembly on 25 November 2008 the Minister of the Environment indicated that the policies in this document should be accorded substantial weight in the determination of any planning application received after 16 March 2006.

Nothing in this document should be read as a commitment that public resources will be provided for any specific project. All proposals for expenditure by the Department are subject to economic appraisal and will also have to be considered having regard to the overall availability of resources.

The policy provisions of this Draft PPS will take precedence over the following provisions of A Planning Strategy for Rural Northern Ireland (PSRNI):

- **Policy SP 5 Dispersed Rural Communities**
- **Policy SP 6 Houses in the Open Countryside**
- **Policy SP 7 Economic Development in so far as it relates to the countryside**
- **Policy SP 8 Agricultural Diversification**
- **Policy SP 9 Resources in so far as it relates to agricultural land**
- **Policy SP 12 Rural Landscapes**
- **Policy SP 13 The Coast in so far as it relates to Green Belts and Countryside Policy Areas**
- **Policy SP 16 Environmental Protection**
- **Policy SP 19 Rural Design**

Public Consultation Draft PPS 21

- **Policy HOU 7 Housing In Dispersed Communities**
- **Policy HOU 8 Houses in the Countryside**
- **Policy HOU 9 Farmworkers Houses**
- **Policy HOU 10 Retirement from Farming**
- **Policy HOU 11 Houses for Other Business Enterprises**
- **Policy HOU 12 Personal and Domestic Circumstances**
- **Policy HOU 13 Replacement Dwellings**
- **Policy HOU 15 Residential Caravans and Mobile Homes**
- **Policy AG 1 Agricultural Land Quality**
- **Policy AG 2 Agricultural and Forestry Development**
- **Policy AG 3 Agricultural Diversification**
- **Policy AG 4 Community Woodlands**
- **Policy PSU 9 Septic Tanks**
- **Policy DES 1 Countryside Assessments in so far as it relates to Green Belts and Countryside Policy Areas**
- **Policy DES 3 The Settings of Towns and Villages**
- **Policy DES 5 Buildings in the Countryside**
- **Policy DES 6 Rural Character**
- **Policy DES 7 Ribbon Development and Infill**
- **Policy DES 8 Renovations and Extensions**
- **Policy GB/CPA 1 Designation of Green Belts and Countryside Policy Areas**
- **Policy GB/CPA 2 Non-Residential Uses**
- **Policy GB/CPA 3 Dwelling Houses**
- **Policy GB/CPA 4 Redundant Buildings**

As a consequence the policy provisions of this Draft PPS will also take precedence over the policy provisions for the following designations contained in existing statutory and published draft development plans:

- **Green Belts; and**
- **Countryside Policy Areas (CPA) with the following exceptions:**
 - (a) **The Islands CPA as identified in Fermanagh Area Plan 2007;**
 - (b) **The Undeveloped Coast CPA as identified in Larne Area Plan 2010;**

- (c) **The Slieve Croob CPA Zone A as identified in Banbridge District Rural Area Subject Plan 1986 -1998;**
- (d) **The Ring of Gullion CPA Zone A as identified in Newry and Mourne Rural Area Subject Plan 1986 -1999; and**
- (e) **The Mourne Area of Outstanding Natural Beauty CPA Zone A as identified in Newry and Mourne Rural Area Subject Plan 1986-1999.**

These excepted CPAs, listed under (a) – (e) above, will change in title to Special Countryside Areas.

The policy provisions of this Statement will also take precedence over the policy provisions for Dispersed Rural Communities contained in existing statutory and published draft development plans.

In addition the policy provisions of this Draft PPS will take precedence over PPS 4 insofar as it relates to proposals for farm diversification. The policy provisions set out in Annex 1 of this Draft PPS will also take precedence over the policy provisions of Policy AMP 3 Access to Protected Routes of PPS 3 insofar as they relate to proposals seeking access to the category of roads highlighted as ‘Other Protected Routes – Outside Settlement Limits’.

There are a limited number of policies remaining in the PSRNI, as well as a number of Planning Policy Statements that distinguish between development in Green Belts/ CPAs and non-policy areas. In such cases the policy provisions for areas beyond Greenbelts/CPAs will apply to all proposals until such times as these policies are superseded.

Background

- 1.1 The Department of the Environment assumed responsibility for rural planning policy (PPS 14) in October 2007. At that time the then Minister of the Environment, Arlene Foster, took over chairmanship of an Executive Subcommittee charged with overseeing the review of rural planning policy. She advised that the Subcommittee wished to develop a policy based on the principles of sustainability that would strike a balance between the need to protect our countryside from unnecessary development, but that would also support and allow our rural communities to flourish, socially and economically.
- 1.2 The Minister at that time also indicated that prior to publishing the final rural planning policy document, that there would be an opportunity for all those with an interest in this matter to make their views known through a further public consultation exercise. Publication of this Draft PPS fulfils that Ministerial commitment.
- 1.3 The preparation of this document was informed by the significant stakeholder engagement that occurred following the issuing of the paper in February 2008 which set out the findings emerging from the review of rural planning policy by the Executive Subcommittee. Ministers of the Subcommittee would like to record their gratitude to all those who participated in the stakeholder events, independently facilitated by Community Technical Aid (CTA), and to all those people who have contributed through meetings or written comments during the entire course of the policy development process.

Policy Context

Regional Development Strategy for Northern Ireland 2025

- 2.1 The Regional Development Strategy (RDS) provides an overarching strategic framework for development plans and planning policies. It also provides a framework to protect and enhance the physical, natural and man-made assets of the Region. By statute all new plans and policies must be in general conformity with the RDS.
- 2.2 It reflects national and international commitments to a sustainable approach to accommodating growth within the Region. It states that the cumulative impact of development in the countryside has the potential to reduce its value as a regional asset by damaging landscape, biodiversity and natural habitats and to create additional and unnecessary problems for the supply of services.
- 2.3 It also states that the application of the principles of sustainable development must be at the heart of future rural development.

Northern Ireland Sustainable Development Strategy

- 2.4 Published in May 2006, the Sustainable Development Strategy highlights the need for action to address growing concerns about unsustainable trends including adverse impact upon our environment. Its supporting implementation plan defines a long-term vision of sustainable development for Northern Ireland together with a series of objectives and targets.

Water Framework Directive

- 2.5 The context for the protection of water resources is provided by the Water Framework Directive (2000/60/EEC) which was transposed into domestic legislation by the Water Environment (Water Framework Directive) Regulations (Northern Ireland) 2003.
- 2.6 The Directive sets a framework for comprehensive management of water resources in the European Community, within a common approach and with common objectives, principles and basic measures. It addresses inland surface waters, estuarine and coastal waters and groundwater. The fundamental objective of the Directive is to maintain the “high status” of waters where it exists, prevent any deterioration in the existing status of waters and achieve at least “good status” in relation to all waters by 2015.

Habitats Directive

- 2.7 One of the main initiatives of the Habitats Directive is the creation of a European network of “Natura 2000”. wildlife sites made up of Special Areas of Conservation (SACs) under the Habitats Directive and Special Protection Areas (SPAs) under the related EC Birds Directive.
- 2.8 These sites aim to maintain or restore the extent and quality of rare habitat types and to ensure that rare species can survive and maintain their populations and natural range on a long-term basis. Thus there is a need to ensure that the implications of present activities and future proposals are properly assessed in accordance with the procedures laid down in the Regulations.

Rural Development Strategy

- 2.9 The Rural Strategy 2007-2013 was published by the Department of Agriculture and Rural Development (DARD) on 9 October 2006. The Strategy provides a broad strategic context for rural policy which takes account of the aims and objectives of the RDS. Key themes include diversification of the rural economy, the protection of the rural environment and the need to sustain rural communities.
- 2.10 In addition, DARD's Strategic Plan 2006-2011 has amongst its stated goals the strengthening of social and economic infrastructure in rural areas as well as the development of a more sustainable environment.

Aim and Objectives

Aim

- 3.1 The aim of PPS 21 is to manage development in the countryside:
- in a manner consistent with achieving the strategic objectives of the Regional Development Strategy for Northern Ireland 2025; and
 - in a manner which strikes a balance between the need to protect the countryside from unnecessary or inappropriate development, while supporting rural communities.

Objectives

- 3.2 The objectives of PPS 21 are:
- to manage growth in the countryside to achieve appropriate and sustainable patterns of development that meet the essential needs of a vibrant rural community;
 - to conserve the landscape and natural resources of the rural area and to protect it from excessive, inappropriate or obtrusive development and from the actual or potential effects of pollution;
 - to facilitate development necessary to achieve a sustainable rural economy; including appropriate farm diversification and other economic activity; and
 - to promote high standards in the design, siting and landscaping of development in the countryside.

The Role of Development Plans

Introduction

4.1 The development plan process plays a key role in identifying the countryside assets of different parts of the Region and balancing the needs of rural areas/communities with protection of the environment. This is facilitated by the preparation of Countryside Assessments.

Countryside Assessments

4.2 Countryside Assessments are an integral part of the development plan-making process and PPS 1 General Principles advises that they will normally include the following four interrelated strands:

- An Environmental Assets Appraisal;
- A Landscape Assessment;
- A Development Pressure Analysis; and
- A Settlement Appraisal.

4.3 Arising from the process of Countryside Assessment local policies may be brought forward in the development plan to complement or amplify regional policies on matters specific to the local circumstances of particular countryside areas e.g. Areas of High Scenic Value. This will involve consultation with District Councils, local communities and the public.

Special Countryside Areas

4.4 In addition there are some areas of the countryside with exceptional landscapes, such as the High Mourne, stretches of the coast or lough shores, and certain views or vistas, wherein the quality of the landscape and unique amenity value is such that development should only be permitted in exceptional circumstances. Based upon the Countryside Assessment, these areas will be identified and designated as Special Countryside Areas in development plans and local policies brought forward to protect their unique qualities.

Dispersed Rural Communities

4.5 In the interests of promoting rural regeneration, and in recognition of the strong sense of belonging and sense of place in certain rural areas the Department, through the development plan process, will identify and designate Dispersed Rural Communities (DRC) after consultation with District Councils, local communities and the public. The development plan may also bring forward local policies, to amplify and complement regional policy, on matters specific to the local circumstances which exist within particular DRCs.

4.6 The criteria for designation as a DRC includes:

- location in a remoter rural area and away from areas of development pressure close to existing towns;

- association with a traditional focal point, where there is convincing evidence of local community activity; with the existence of social and recreational facilities, such as a church, hall, school, community centre or sports club;
- other facilities or services, such as a shop, public house or sewage treatment works;
- a strong community identity. This could manifest itself through a local community association, church organisation or sports club; and
- a locally significant number of dwellings that have been built over time. Although these places are not nucleated settlements, they will have to be more than just open countryside. A build-up or cluster of recently built houses will normally not be considered as fulfilling this criterion.

4.7 A limit of development will not necessarily be drawn round the existing dispersed settlement pattern, as this may be an unnecessary obstacle to promoting the regeneration of the community and gives no indication of the availability of housing or other sites.

Planning Policies

In exercise of its responsibility for planning control in Northern Ireland the Department assesses development proposals against all planning policies and other material considerations that are relevant to it.

The planning policies of this statement must therefore be read together and in conjunction with the relevant contents of development plans and other planning policy publications, including the Regional Development Strategy. The Department will also have regard to the contents of published supplementary planning guidance documents.

The following policies set out the main planning considerations for the control of development in the countryside. The provisions of these policies will prevail unless there are other overriding policy or material considerations that outweigh them and justify a contrary decision.

Policy CTY 1 – Development in the Countryside

There are a range of types of development which in principle are considered to be acceptable in the countryside and that will contribute to the aims of sustainable development. Details of these are set out below.

Other types of development will only be permitted where there are overriding reasons why that development is essential and could not be located in a settlement, or it is otherwise allocated for development in a development plan.

Where a Special Countryside Area (SCA) is designated in a development plan, no development will be permitted unless it complies with the specific policy provisions of the relevant plan.

Housing Development

Planning permission will be granted for an individual dwelling house in the countryside in the following cases:

- a replacement dwelling in accordance with Policy CTY 3;
- a dwelling based on special personal or domestic circumstances in accordance with Policy CTY 6;
- a dwelling to meet the essential needs of a non-agricultural business enterprise in accordance with Policy CTY 7;
- the development of a small gap site within an otherwise substantial and continuously built up frontage in accordance with Policy CTY 8; or
- a dwelling on a farm in accordance with Policy CTY 10;

Planning permission will also be granted in the countryside for:

- a small group of houses in a designated Dispersed Rural Community in accordance with Policy CTY 2;
- the conversion of a non-residential building to a dwelling(s) in accordance with Policy CTY 4;
- the provision of social and affordable housing in accordance with Policy CTY 5;
- a residential caravan or mobile home in accordance with Policy CTY 9;
- the conversion of a listed or vernacular building to residential accommodation in accordance with the policies of PPS 6;
- an extension to a dwelling house where this is in accordance with the Addendum to PPS 7; or
- a transit site for Travellers where this is in accordance with Policy HS 3 of PPS 12.

Non-Residential Development

Planning permission will be granted for non-residential development in the countryside in the following cases:

- farm diversification proposals in accordance with Policy CTY 11;
- agricultural and forestry development in accordance with Policy CTY 12;
- the reuse of an existing building in accordance with Policy CTY 4;
- tourism development in accordance with the TOU Policies of PSRNI;
- industry and business uses in accordance with PPS 4 (currently under review);
- minerals development in accordance with the MIN Policies of PSRNI;
- outdoor sport and recreational uses in accordance with PPS 8;
- renewable energy projects in accordance with Policy PSU 12 of PSRNI (currently under review); or
- a necessary community facility to serve the local rural population.

There are a range of other types of non-residential development that may be acceptable in principle in the countryside, e.g. certain utilities or telecommunications development. Proposals for such development will continue to be considered in accordance with existing published planning policies.

Justification and Amplification

- 5.1 The countryside is a unique resource. It contains landscapes of considerable quality and amenity, important indications of our cultural heritage and is also significant in terms of nature conservation and biodiversity by providing habitats for wildlife, flora and fauna. It is a recreational resource and a considerable tourist asset. The countryside is also home to our agricultural industry and to a considerable and growing rural community.

- 5.2 However, while the countryside has traditionally contained a substantial number of individual houses and other buildings, significant concern has been expressed by many about development trends and the enhanced pressures being exerted on the countryside, particularly in view of the Executive's commitment to sustainable development.
- 5.3 In recent years there has been an accelerating pressure for development throughout the countryside, in particular single new dwellings. Between 2004 and 2006 over 14,000 planning approvals for new dwellings were granted¹.
- 5.4 This rate of approval brings with it significant environmental, financial and social costs. It erodes the character and appearance of our landscape. In certain areas suburban type sprawl now dominates the rural scene. There is also habitat loss and fragmentation of agricultural land. There are increasing concerns about the impact of new development on water quality caused by the increased use of septic tanks. Nearly every journey is undertaken by car leading to increased traffic levels and pollution on rural roads. There are enhanced financial costs in relation to service provision – everything from school transport to improving drainage infrastructure.
- 5.5 The ongoing rate of approvals is also impacting on the vitality and sustainability of our towns and villages, creating unbalanced growth as greater numbers of people have chosen to live in the countryside.
- 5.6 When it was published the Regional Development Strategy acknowledged many of these concerns and indicated that difficult decisions would be required in relation to the control of single dwellings to protect against adverse cumulative impacts.
- 5.7 The continuation of these development trends in the countryside is now judged to represent a significant threat to the environment and therefore is considered to be unsustainable. For this reason, strict control over new housing development in the countryside is considered necessary with a number of exceptions to meet the needs of the rural community, including farmers.
- 5.8 At the same time it is important to the well-being of the rural community to continue to facilitate appropriate economic development opportunities in the countryside.
- 5.9 Agriculture continues to be of major importance to the economy of the rural area. With the restructuring of the industry ongoing in response to the continuing change to agricultural support measures by the European Union, agricultural diversification is likely to increase in importance as a means of maintaining or increasing farm income and employment. The planning system will therefore continue to sympathetically view appropriate farm diversification schemes.
- 5.10 Opportunities also exist for tourism growth, particularly through the sympathetic conversion or re-use of existing buildings in the countryside. Exceptionally, new build accommodation may also be acceptable.
- 5.11 Appropriate industrial and commercial enterprises, including minerals development and necessary infrastructure will be facilitated, as well as proposals for new community buildings and uses where these meet local needs.

¹ These figures are based on the best available current information and are subject to ongoing validation by Planning Service.

Policy CTY 2 – Development in Dispersed Rural Communities

Within a Dispersed Rural Community (DRC) designated in a development plan planning permission will be granted to suitable proposals for a small cluster or ‘clachan’ style development of up to 6 houses at an identified focal point. Permission will generally be limited to one cluster per focal point.

Appropriate economic development enterprises, including schemes for tourist development, and new social or community facilities may also be accommodated.

The design of all proposals should be of a high quality appropriate to their rural setting and have regard to local distinctiveness.

Proposals for individual dwellings or affordable housing schemes in DRCs will be assessed against the other policy provisions of this PPS.

Justification and Amplification

- 5.12 Some rural areas display symptoms of economic and social disadvantage. These areas may contain dispersed communities with a strong sense of identity. In the interests of promoting rural regeneration the Department has identified and designated a number of these communities as Dispersed Rural Communities (DRC) in development plans. In an effort to help sustain these particular rural communities, the Department will approve a suitable proposal for a small group of houses that build upon and consolidate identified focal points. Proposals for appropriate economic and social development will also be sympathetically considered.
- 5.13 The determining factors, on any proposal in a DRC, will be the scale of development proposed, visual impact, and its association or integration with the existing pattern of settlement. Other service considerations such as access, method of sewage disposal, and drainage may on occasions be critical. Each proposal for development in a DRC will depend on local circumstances and planning decisions will be made locally having regard to the policies in the development plan.

Policy CTY 3 – Replacement Dwellings

Listed Dwellings

There is a presumption in favour of the retention of buildings listed as being of special architectural or historic interest. Planning permission will not therefore be granted for the replacement of a listed dwelling unless there are exceptional circumstances.

Non-listed Vernacular Dwellings

The retention and sympathetic refurbishment, with adaptation if necessary, of non-listed vernacular dwellings in the countryside will be encouraged in preference to their replacement. Proposals involving the replacement of such dwellings will therefore be assessed as follows:

- If the dwelling is an important element in the landscape planning permission will only be granted where it is demonstrated that it is not reasonably capable of being made structurally sound or otherwise improved.
- If the dwelling is not an important element in the landscape, planning permission will be granted for a new dwelling. In such cases the retention of the existing structure will be accepted where it is sympathetically incorporated into the layout of the overall development scheme, for example as ancillary accommodation or a store, to form an integrated group.

Other Dwellings

Planning permission will be granted for a replacement dwelling where the dwelling to be replaced exhibits the essential characteristics of a dwelling and as a minimum all external structural walls are substantially intact.

In cases where a dwelling has recently been destroyed, for example, through an accident or a fire, planning permission may be granted for a replacement dwelling. Evidence about the status and previous condition of the building and the cause and extent of the damage must be provided.

Other Buildings

Favourable consideration will be given to the replacement of a redundant non-residential building with a single dwelling, where the redevelopment proposed would bring significant environmental benefits and provided the building is not listed or otherwise makes an important contribution to the heritage, appearance or character of the locality.

Buildings designed and used for agricultural purposes, such as sheds or stores, and buildings of a temporary construction will not however be eligible for replacement under this policy.

All Replacement Cases

In addition to the above, proposals for a replacement dwelling will only be permitted where all the following criteria are met:

- the proposed replacement dwelling should be sited within the established curtilage of the existing building, unless either (a) the curtilage is so restricted that it could not reasonably accommodate a modest sized dwelling sufficient to meet modern living requirements, or (b) it can be demonstrated that an alternative position nearby would result in clear landscape, heritage, access or amenity benefits;
- the overall size of the new dwelling should allow it to integrate into the surrounding landscape and would not have a visual impact significantly greater than the existing building;
- the design of the replacement dwelling should be of a high quality appropriate to its rural setting and have regard to local distinctiveness; and
- where practicable, access to the new dwelling should be obtained from an existing lane.

Justification and Amplification

- 5.14 The replacement of existing dwellings is important to the renewal and up-grading of the rural housing stock. All permissions for a replacement dwelling granted under this policy will be subject to a condition requiring demolition of the existing dwelling or restricting its future use if it is to be retained as part of the overall development scheme.
- 5.15 Proposals to replace existing semi-detached or terraced dwellings will generally only be acceptable if replaced in situ with the proposed new dwelling remaining attached to the other elements of the existing development unless there are practical mitigating circumstances to be considered.
- 5.16 There is growing concern that the tendency to replace, rather than upgrade, older dwellings is depleting our vernacular rural dwellings, which is increasingly viewed as an important element of our built heritage. Accordingly, this policy seeks to help retain vernacular houses and promote their sympathetic renovation and continued use rather than replacement.
- 5.17 Where the replacement of a vernacular dwelling is considered acceptable in principle, the encouragement provided in this policy to retain and incorporate the existing structure into the overall layout of the development scheme is intended to promote imaginative design solutions that will help retain a visual link with the past.
- 5.18 The advice set out in Annex 2 will be employed to help determine what constitutes a vernacular dwelling or building for the purposes of this policy.
- 5.19 While Policy CTY 4 highlights that the reuse and sympathetic conversion of non-residential buildings can represent a sustainable approach to development in the countryside, it is however acknowledged that there may be occasions where the replacement of such buildings can result in significant environmental benefits.

Policy CTY 4 – The Conversion and Reuse of Existing Non-Residential Buildings

Planning permission will be granted to proposals for the sympathetic conversion, with adaptation if necessary, of a suitable non-residential building for a variety of alternative uses, including use as a single dwelling, where this would secure its upkeep and retention. Such proposals will be required to be of a high design quality and to meet all of the following criteria:

- (a) the building is of permanent construction;
- (b) the reuse or conversion would maintain or enhance the form, character and architectural features, design and setting of the existing building and not have an adverse effect on the character or appearance of the locality;
- (c) any new extensions are sympathetic to the scale, massing and architectural style and finishes of the existing building;
- (d) the reuse or conversion would not unduly affect the amenities of nearby residents or adversely affect the continued agricultural use of adjoining land or buildings;
- (e) the nature and scale of any proposed non-residential use is appropriate to a countryside location; and
- (f) access and other necessary services are available or can be provided without significant adverse impact on the environment, the character of the locality or road safety.

Exceptionally, consideration may be given to the sympathetic conversion of a traditional non-residential building to provide more than one dwelling where the building is of sufficient size; the scheme of conversion involves minimal intervention; and the overall scale of the proposal and intensity of use is considered appropriate to the locality.

Listed Buildings

All proposals for the conversion or refurbishment of a building listed as being of special architectural or historic interest for residential purposes will be assessed against the policy provisions of PPS 6.

Justification and Amplification

- 5.20 Due to changing patterns of rural life there are a range of older buildings in the countryside, including some that have been listed, that are no longer needed for their original purpose. These can include former school houses, churches and older traditional barns and outbuildings. The reuse and sympathetic conversion of these types of buildings can represent a sustainable approach to development in the countryside and for certain buildings may be the key to their preservation.
- 5.21 There is the potential for the reuse of an existing non-residential building as a dwelling and exceptionally, planning permission may be granted to conversion of a traditional building to more than one dwelling. There is also scope for the reuse and adaptation of existing buildings in the countryside for a variety of non-residential uses, including appropriate economic, tourism and recreational uses or

as local community facilities. Retailing, unless small scale and ancillary to the main use, will not however be considered acceptable.

- 5.22 The Department would stress the importance of good design in all such cases and in particular care needs to be taken for proposals involving the conversion of traditional buildings to ensure that their character is not lost to the overall scheme of redevelopment.
- 5.23 In addition it should be noted that this policy relates only to schemes of sympathetic conversion. The Department would therefore stress that a grant of planning permission for conversion of a non-residential building to residential use will not in itself be considered sufficient grounds to subsequently permit the replacement of the building with a new dwelling, unless the proposal meets the requirements of Policy CTY 3.

Policy CTY 5 – Social and Affordable Housing

Planning permission may be granted for a group of no more than 14 dwellings adjacent to or near a small settlement or within a designated Dispersed Rural Community to provide social and affordable housing to meet the needs of the rural community.

Planning permission will only be granted where the application is made by a registered Housing Association and where a demonstrable need has been identified by the Northern Ireland Housing Executive which cannot readily be met within an existing settlement in the locality.

In assessing the acceptability of sites outside a small settlement, the following sequential test in terms of location will be applied:

- (a) land adjacent to the existing settlement limit, subject to amenity and environmental considerations;
- (b) a site close to the settlement limits which currently contains buildings or where the site is already in a degraded or derelict state and there is an opportunity to improve the environment;
- (c) an undeveloped site in close proximity to the settlement where the development could be visually integrated into the landscape.

Where the need relates to a Dispersed Rural Community the housing group should be located adjacent or close to a traditional focal point such as a church, hall, school or community centre.

All proposals will need to be sited and designed to integrate sympathetically with their surroundings and meet other planning criteria and policy requirements.

Generally only one group will be permitted in close proximity to any particular rural settlement or within any particular Dispersed Rural Community.

Justification and Amplification

- 5.24 The majority of land considered by the Department as suitable for housing developments will be allocated through the development plan process within settlements.
- 5.25 While planning policy resists groups of dwellings in the countryside, an exception may be made where a specific need for social and affordable housing has been established through a local housing needs assessment undertaken by the Northern Ireland Housing Executive, and where the need has not been foreseen and provided for through the development plan process.
- 5.26 For the purposes of this policy, a small settlement is defined as having a population of around 2250 (or less), while affordable housing is defined as social rented housing and intermediate housing for eligible households as outlined below.
- **Social Rented Housing** is housing provided at an affordable rent by a Registered Housing Association; that is, one which is registered and regulated by the Department of Social Development as a social housing provider. Social rented accommodation should be available to households in housing need and is offered in accordance with the Common Selection Scheme, administered by

the Northern Ireland Housing Executive, which prioritises households who are living in unsuitable or insecure accommodation.

- **Intermediate Housing** consists of shared ownership housing provided through a Registered Housing Association (e.g. the Co Ownership Housing Association) and helps households who can afford a small mortgage, but that are not able to afford to buy a property outright. The property is split between part ownership by the householder and part social renting from the Registered Housing Association. The proportion of property ownership and renting can vary depending on householder circumstances and preferences. The current eligibility criterion for shared ownership is set out on the Department of Social Development website. It should be noted that the current shared ownership model is under review. In addition the definition of intermediate housing used for the purposes of this policy may change over time to incorporate other forms of housing tenure below open market rates.

5.27 Applications for social and affordable housing groups will be restricted to Registered Housing Associations. Such proposals will need to be accompanied by information demonstrating that the potential to locate the necessary housing within settlement limits has been explored, and that no suitable sites are available.

Policy CTY 6 – Personal and Domestic Circumstances

Planning permission will be granted for a dwelling in the countryside where there are compelling, and site specific reasons for this related to the applicant's personal or domestic circumstances and provided the following criteria are met:

- (a) the applicant can provide satisfactory evidence that a new dwelling is a necessary response to the particular circumstances of the case and that genuine hardship would be caused if planning permission were refused; and
- (b) there are no alternative solutions to meet the particular circumstances of the case, such as: an extension or annex attached to the existing dwelling; the conversion or reuse of another building within the curtilage of the property; or the use of a temporary mobile home for a limited period to deal with immediate short term circumstances.

All permissions granted under this policy will be subject to a condition restricting the occupation of the dwelling to a named individual and their dependents.

Justification and Amplification

5.28 There may be cases where special personal or domestic circumstances require a new house in the countryside. Applicants will be expected to provide sufficient information to allow a proper assessment of each specific case. Such information should include:

- A statement detailing the special personal or domestic circumstances supported if appropriate by medical evidence from a medical or health professional.
- Details of the level of care required in relation to any medical condition again supported by the appropriate health professional, the identity of the main carer, their current address and occupation.
- An explanation of why care can only be provided at the specific location and how genuine hardship would be caused if planning permission were refused.
- Details of what alternatives to a new dwelling have been considered e.g. extension / annex to an existing dwelling and why such alternatives are not considered practical to meet the site specific need.
- Any other information considered relevant to the particular case.

Policy CTY 7 – Dwellings For Non-Agricultural Business Enterprises

Planning permission will be granted for a dwelling house in connection with an established non-agricultural business enterprise where a site specific need can be clearly demonstrated that makes it essential for one of the firm's employees to live at the site of their work.

Where such a need is accepted the dwelling house will need to be located beside, or within, the boundaries of the business enterprise and integrate with the buildings on the site.

Justification and Amplification

- 5.29 Established non-agricultural business enterprises, located in the countryside, may exceptionally require residential accommodation. The presence of such a business is not, of itself, sufficient justification to grant permission for someone to live on the site. Applicants must provide sufficient information to show that there is a site specific need which makes it essential for one of the firm's employees to live at the site of their work, as against a general desire for a dwelling in association with the business.
- 5.30 A business which has been operating satisfactorily without residential accommodation will be expected to demonstrate why accommodation is now considered necessary in order to enable the enterprise to function properly. Furthermore it should be noted that the need to provide improved security from theft and/or vandalism by having someone living on the site is unlikely on its own to warrant the grant of planning permission.
- 5.31 Planning permission granted under this policy will be subject to a condition restricting occupation of the dwelling for the use of the business.

Policy CTY 8 – Ribbon Development

Planning permission will be refused for a building which creates or adds to a ribbon of development.

An exception will be permitted for 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 in terms of size, scale, siting and plot size and meets other planning and environmental requirements.

In certain circumstances it may also be acceptable to consider the infilling of such a small gap site with an appropriate economic development proposal where this is of a high standard of design, would not impact adversely on the amenities of neighbouring residents and meets other planning and environmental requirements.

Justification and Amplification

- 5.32 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.
- 5.33 For the purposes of this policy ribbon development is a line of buildings extending along a road, footpath or private lane generally without accompanying development of the land to the rear. 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.
- 5.34 Ribboning is not a category of development that can easily be defined by numbers, although if there are two buildings fronting the road and beside each other, these could represent ribboning. Unless a developer can produce a design solution to integrate the new building and there are exceptional and special circumstances for building on that site permission will not normally be granted.
- 5.35 Many frontages in the countryside have gaps between houses or other buildings that provide relief and visual breaks in the developed appearance of the locality and that help maintain rural character. The infilling of these gaps will therefore not be permitted except where it comprises the development of a small gap within an otherwise substantial and continuously built up frontage. In considering in what circumstances two dwellings might be approved in such cases it will not be sufficient to simply show how two houses could be accommodated. Applicants must take full account of the existing pattern of development.

Policy CTY 9 – Residential Caravans and Mobile Homes

Planning permission may be granted for a residential caravan or mobile home, for a temporary period only, in exceptional circumstances.

These exceptional circumstances include:

- the provision of temporary residential accommodation pending the development of a permanent dwelling; or
- where there are compelling and site-specific reasons related to personal or domestic circumstances (see Policy CTY 6).

All permissions will normally be subject to a three-year time limit. However, this may be extended having regard to the particular circumstances of the case.

The siting of a residential caravan or mobile home will be subject to the same planning and environmental considerations as a permanent dwelling. Permission will depend on the ability to integrate the unit within an existing building group and screen the unit from public view. Residential caravans or mobile homes on farms will be required to be visually linked or sited to cluster with an established group of buildings on the farm.

Justification and Amplification

- 5.36 The design and finishes of a residential caravan or mobile home limits its potential for integration into the landscape. For this reason, planning permission will not be granted for a permanently sited residential caravan or mobile home in the countryside.
- 5.37 It is accepted however, that in exceptional circumstances, a caravan or mobile home can be a sensible temporary solution, to meeting the need for residential accommodation in the countryside.

Policy CTY 10 – Dwellings on Farms

Planning permission will be granted for a dwelling house on a farm where all of the following criteria can be met:

- (a) the farm business is currently active and has been established for at least 6 years;**
- (b) no dwellings or development opportunities outwith settlement limits have been sold off from the farm holding within 10 years of the date of the application. This provision will not apply retrospectively and will begin from the date of introduction of this policy; and**
- (c) the new building is visually linked or sited to cluster with an established group of buildings on the farm and where practicable, access to the dwelling should be obtained from an existing lane.**

Planning permission granted under this policy will only be forthcoming once every 10 years.

A proposal for a dwelling by those involved in the keeping and breeding of horses for commercial purposes will also be assessed under the criteria set out in this policy.

Justification and Amplification

- 5.38 In recognition of changing farming practices and to help support rural communities, it is considered that there is a continuing need for new dwellings on farms to accommodate both those engaged in the farm business and other rural dwellers. To help minimise impact on the character and appearance of the landscape such dwellings should be located to integrate satisfactorily with an established group of farm buildings.
- 5.39 New houses on farms will not be acceptable unless the existing farming business is both established and active. The applicant will therefore be required to provide the farm's DARD business ID number along with other evidence to prove active farming over the required period. Planning permission will not be granted for a dwelling under this policy where a rural business is artificially divided solely for the purpose of obtaining planning permission.
- 5.40 The Department for Agriculture and Rural Development will confirm the DARD Business ID number. DARD and other relevant authorities will be further consulted as necessary on applications for dwellings on farms.

Policy CTY 11 – Farm Diversification

Planning permission will be granted for a farm or forestry diversification proposal where it has been demonstrated that it is to be run in conjunction with the agricultural operations on the farm. The following criteria will apply:

- (a) terms of character and scale it is appropriate to its location;
- (b) it will not have an adverse impact on the natural or built heritage; and
- (c) it will not result in detrimental impact on the amenity of nearby residential dwellings including potential problems arising from noise, smell and pollution.

Proposals will normally only be acceptable where they involve the re-use or adaptation of existing farm buildings.

Exceptionally, a new building may be permitted where there is no existing building available to accommodate the proposed use, either because they are essential for the maintenance of the existing farm enterprise, are clearly unsuitable for adaptation and re-use or cannot be adapted to meeting the requirements of other statutory agencies.

Where a new building is justified it should be satisfactorily integrated with an existing group of buildings.

Justification and Amplification

- 5.41 The Government is committed to supporting the process of farm diversification where it is compatible with other objectives for the countryside.
- 5.42 This policy aims to promote forms of diversification that are sustainable in the countryside, including suitable tourism or agri-tourism schemes. It is important that the countryside is not spoilt by the unfettered development of urban uses. Diversification proposals, therefore, should be of a scale and nature appropriate for the location and be capable of satisfactory integration into the rural landscape. Applications for large-scale proposals more suitable to the urban area or existing urban-based enterprises seeking relocation will not be acceptable.
- 5.43 Where a new building is proposed, the applicant will be required to provide sufficient information to satisfactorily demonstrate why existing buildings cannot be used.
- 5.44 Additional policy guidance on specific forms of farm diversification is set out in a number of other planning policy statements.

Policy CTY 12 – Agricultural and Forestry Development

Planning permission will be granted for agricultural or forestry development where it is demonstrated that:

- (a) it is necessary for the efficient use of the agricultural holding or forestry enterprise;**
- (b) in terms of character and scale it is appropriate to its location;**
- (c) it visually integrates into the local landscape and additional landscaping is provided as necessary;**
- (d) it will not have an adverse impact on the natural or built heritage; and**
- (e) it will not result in detrimental impact on the amenity of residential dwellings outside the holding or enterprise including potential problems arising from noise, smell and pollution.**

In cases where a new building is proposed applicants will also need to provide sufficient information to confirm all of the following:

- there are no suitable existing buildings on the holding or enterprise that can be used;**
- the design and materials to be used are sympathetic to the locality and adjacent buildings; and**
- the proposal is sited beside existing farm or forestry buildings.**

Exceptionally, a new building may be permitted away from existing farm or forestry buildings where it is demonstrated that this is essential for the efficient functioning of the holding or enterprise.

Justification and Amplification

- 5.45 As agriculture and forestry continue to change and develop, it is important that the planning process continues to support the operational needs of these enterprises.
- 5.46 Under the Planning (General Development) Order (Northern Ireland) 1993, known as the “GDO”, certain development relating to agriculture and forestry is permitted development i.e. a planning application is not required as permission is deemed to be granted. Where a proposal is not permitted development and express permission is required, planning permission will be granted for agricultural and forestry buildings/works subject to the criteria stated, as well as other planning criteria and policy requirements.
- 5.47 Where permission is sought for a new building, the applicant will be required to satisfactorily demonstrate that renovation, alteration or redevelopment opportunities do not exist.

- 5.48 New buildings can form an integral part of the landscape if developed in sympathy with their surroundings, so as to blend unobtrusively into the landscape. The Department of Agriculture and Rural Development has played an important role with a number of schemes relating to the design of farm buildings. Their publication "Farm Buildings in the Countryside" gives practical guidance on the importance of integrating modern farm buildings into the landscape.
- 5.49 A proposal located away from existing agricultural or forestry buildings will only be acceptable where it is shown to be essential for the efficient functioning of the holding or enterprise. In such cases the applicant will be required to provide sufficient information to demonstrate that this is the case. Where such a proposal is justified, the building will still be required to visually integrate into the landscape and be of appropriate design and materials. A prominent, skyline or top of slope ridge location will be unacceptable.
- 5.50 All permissions granted under this policy will be subject to a condition limiting the use of the building to either agricultural or forestry use as appropriate.

Policy CTY 13 – Integration and Design of Buildings in the Countryside

Planning permission will be granted for a building in the countryside where it can be visually integrated into the surrounding landscape and it is of an appropriate design.

A new building will be unacceptable where:

- (a) it is a prominent feature in the landscape; or
- (b) the site lacks long established natural boundaries or is unable to provide a suitable degree of enclosure for the building to integrate into the landscape; or
- (c) it relies primarily on the use of new landscaping for integration; or
- (d) ancillary works do not integrate with their surroundings; or
- (e) the design of the building is inappropriate for the site and its locality; or
- (f) it fails to blend with the landform, existing trees, buildings, slopes and other natural features which provide a backdrop; or
- (g) in the case of a proposed dwelling on a farm (see Policy CTY 10) it is not visually linked or sited to cluster with an established group of buildings on a farm.

Justification and Amplification

- 5.51 Traditional buildings in the countryside evolved in response to their setting and function on the land. They blend sympathetically with their surroundings and do not appear incongruous in the landscape. It is essential that similar care is exercised in the siting and design of new buildings to ensure they too can integrate harmoniously with their surroundings and thereby protect the amenity and character of our countryside.
- 5.52 The determination of whether a new building integrates into the landscape is not a test of invisibility; rather it requires an assessment of the extent to which the development of the proposed site, including necessary site works, will blend in unobtrusively with its surroundings.
- 5.53 The main criteria against which the degree of visual impact will be considered include:
- the location of the site within the landscape, the position of the building within the site and its relationship with surrounding buildings. this will help determine whether the development will be a prominent feature in the landscape;
 - the attributes of the site and its landscape surroundings and whether these provide sufficient enclosure for the new building. This includes the existence or otherwise of natural boundaries and/or a visual backdrop, and whether there is any intervening vegetation or natural features between the site and critical views; and
 - the suitability of the design of the building for the site and its locality, including its form, scale and massing.

- 5.54 The assessment of integration will be judged from critical views along stretches of the public road network; shared private lane-ways serving existing or approved dwellings; public rights of way and other areas of general public access and assembly, e.g. a car park. There may also be occasions where combined views from individual private laneways, located in close proximity to each other, will be relevant in assessing integration.
- 5.55 New buildings that would read as skyline development or occupy a top of slope/ ridge location or otherwise be a prominent feature in the landscape will be unacceptable.
- 5.56 New buildings should be sited to take advantage of the opportunities afforded by existing mature planting, hills, slopes or other natural features to provide suitable enclosure. These features can provide a visual backdrop to development and equally where located in the foreground between the site and critical views can assist integration by filtering views of the new building. A group of existing buildings, such as a farm complex may also provide an opportunity to sensitively integrate a new building provided this does not adversely impact on rural character (see Policy CTY 14).
- 5.57 Where trees provide enclosure or a backdrop to a site they should be retained and where necessary augmented by new planting with native or other species characteristic of the area. This will assist the integration of the new building and help promote biodiversity. Care should be taken to ensure that an appropriate distance is maintained between tree root systems and building foundations, so neither is compromised.
- 5.58 While new tree planting for integration purposes will be considered together with existing landscape features, new planting alone will not be sufficient. A building on an unacceptable site can not be successfully integrated into the countryside by the use of landscaping. New planting will inevitably take a considerable length of time to mature and in the interim will not mitigate the impact of new development. Similarly a new building that relies on significant earth works, such as mounding or cut and fill for integration will be unacceptable.
- 5.59 Due to the widespread views generally available in flat landscapes or exposed hill areas it is all the more important to ensure that new buildings integrate well with their surroundings. In such areas, poor siting and design carries with it a greater potential for adverse impact on visual amenity and rural character. Particular care is therefore required in site selection so that new buildings will integrate into these landscapes.

Design

- 5.60 The form and proportions of a new building are key elements in the design and strongly influence its visual impact on the landscape. If form and proportion are wrong, then little can be done with any other features to mitigate the impact of a poor design. Where the scale, form or massing of a building would make it dominant or incongruous in the local landscape planning permission will be refused.

- 5.61 The most successful rural designs are those which are based upon simple shapes and forms of traditional buildings. It is however acknowledged that there will also be opportunities for contemporary or innovative design which results in the provision of high quality more environmentally friendly buildings provided the overall design and orientation are acceptable.
- 5.62 Irrespective of whichever design approach is followed relative simplicity of design and discretion in the use of materials, texture and colour will greatly enhance the appearance of a new building. The use of non-traditional materials such as brick, concrete and artificial stone-cladding tends to introduce too much diversity of colour and texture. Combinations of materials on walls, the use of feature panels and excessive ornament should be avoided.
- 5.63 Where appropriate, applications for buildings in the countryside should include details of proposals for site works, retention or reinstatement of boundaries, hedges and walls and details of new landscaping.
- 5.64 Applicants are encouraged to submit design concept statements as part of their planning application. Detailed guidance on the design and siting of buildings in the countryside, including, site analysis, is provided in the Design Guide for Rural Northern Ireland² Specific guidance for the design of buildings in a number of Areas of Outstanding Natural Beauty is contained in the relevant design guide.

Access and other ancillary works

- 5.65 New accesses are often a visible feature of new buildings in the countryside and on occasion can be more obtrusive than the building itself, particularly if they include ornate walls, gates and fencing. Accordingly it will often be necessary to attach a condition removing permitted development rights for such boundary features in the interests of preserving the amenity and rural character of an area.
- 5.66 Wherever possible access to a new building should be taken from an existing lane-way. Where a new access drive and services, such as electricity and telephone lines, are required, they should, as far as practicable, be run unobtrusively alongside existing hedgerows or wall lines and accompanied by landscaping measures. Access driveways should respect site contours and cross them gently, thus integrating the building with its entrance and site. Sweeping driveways which create a suburban emphasis and access arrangements, will not be acceptable.
- 5.67 While adequate visibility at the road access is necessary in the interests of road safety, access driveways surfaced in tarmac and with concrete kerbing can look out of place in the countryside and less formal solutions should be sought. The traditional field pattern should be preserved and roadside and field boundary hedges and stone walls retained or reinstated following any access works. Retention or reinstatement of boundaries, hedges and walls is an important element in mitigating the impact of new development and where necessary will be controlled by condition.
- 5.68 Large garden areas between a new dwelling and the public road can also be a prominent and unnatural feature in the countryside and will be unacceptable. It may on occasion be necessary to control the size and extent of the curtilage of a new dwelling by applying a planning condition.

² It should be noted that Planning Context of the Design Guide for Rural Northern Ireland is superseded by this PPS

Policy CTY 14 – Rural Character

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.

A new building will be unacceptable where:

- (a) it is unduly prominent in the landscape; or**
- (b) it results in a suburban style build-up of development when viewed with existing and approved buildings; or**
- (c) it does not respect the traditional pattern of settlement exhibited in that area; or**
- (d) it creates or adds to a ribbon of development (see Policy CTY 8); or**
- (e) the impact of ancillary works (with the exception of necessary visibility splays) would damage rural character.**

Justification and Amplification

- 5.69 The countryside of Northern Ireland is valued for its intrinsic landscape character, nature conservation interest and built heritage, as well as being a resource for tourism and recreation. While the countryside is constantly changing in response to human activity, the pace of change is now more rapid than ever. This has resulted in the erosion of the rural character of parts of the Region, some of which now appear sub-urbanised and built-up due to the cumulative effect of ongoing development. It is crucial therefore to ensure that new buildings and any associated ancillary works do not result in a detrimental change to, or further erode the rural character of an area, rather they should seek to maintain and protect the special qualities and unique character of our countryside.
- 5.70 There are a number of different ways in which new development in the countryside can impact detrimentally on rural character. One building by itself could have a significant effect on an area if it is poorly sited or designed and would be unduly prominent, particularly in more open and exposed landscapes.
- 5.71 On other occasions a new building may have little impact by itself. However, when taken cumulatively with other existing and approved buildings and their ancillary features in the vicinity, it could result in a build up of development detrimental to the rural character of that area.
- 5.72 In assessing the cumulative impact of a building on rural character the matters taken into consideration include the following:
- the intervisibility of the proposed building with existing and approved development³;
 - the vulnerability of the landscape and its capacity to absorb further development; and
 - the siting, scale and design of the proposed development.

³ *Approved development relates to unimplemented extant planning permissions for new buildings*

- 5.73 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. Accordingly, to be considered acceptable, a new building in the countryside should:
- adopt the spacing of the traditional buildings found in the locality; or
 - integrate sensitively along with a group of existing buildings, such as a farm complex.
- 5.74 It is considered that ribbon development is 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.
- 5.75 The assessment of the impact of a new building on rural character will be judged from critical views along stretches of the public road network; shared private lane-ways serving existing or approved dwellings; public rights of way and other areas of general public access and assembly. There may also be occasions where combined views from individual private laneways, located in close proximity to each other, will be relevant in assessing the impact of a proposal on rural character.
- 5.76 The impact of ancillary works associated with a new building on rural character will also be assessed. In particular the access arrangements can often raise awareness of and draw attention to new development and when read in conjunction with other existing or approved accesses can have a combined impact damaging to the rural character of an area.

Policy CTY 15 – The Setting of Settlements

Planning permission will be refused for development that mars the distinction between a settlement and the surrounding countryside or that otherwise results in urban sprawl.

Justification and Amplification

- 5.77 A settlement's identity can be as much as a result of its setting within the surrounding countryside, as the quality of its buildings. Landscapes around settlements have a special role to play in maintaining the distinction between town and country, in preventing coalescence between adjacent built-up areas and in providing a rural setting to the built up area.
- 5.78 The principle of drawing a settlement limit is partly to promote and partly to contain new development within that limit and so maintain a clear distinction between the built-up area and surrounding countryside.
- 5.79 Proposals that would mar this distinction or create urban sprawl will therefore be unacceptable. Where social and affordable housing under Policy CTY 5 may in principle be acceptable, it will be important to consider what siting options are available and to mitigate any adverse impact on the setting of the settlement.

Policy CTY 16 – Development relying on Non-Mains Sewerage

Planning permission will only be granted for development relying on non-mains sewerage, where the applicant can demonstrate that this will not create or add to a pollution problem.

Applicants will be required to submit sufficient information on the means of sewerage to allow a proper assessment of such proposals to be made.

In those areas identified as having a pollution risk development relying on non-mains sewerage will only be permitted in exceptional circumstances.

Justification and Amplification

- 5.80 Water is one of our most vital natural resources. Not only is it essential to sustain life itself, but it also plays a crucial role in our economic development and social well-being. Some uses can however threaten the very water quality on which they depend. Pollution can arise from point sources such as industrial or sewage effluent discharges, or can be diffuse such as road or agricultural run-off. It is important therefore that our water bodies - rivers, lakes, estuaries and coastal waters, groundwaters and reservoirs - are protected from pollution and managed as a sustainable resource for all of the activities that depend on them.
- 5.81 The context for the protection of water resources is provided by the EC Water Framework Directive (WFD) that came into force in December 2000. This established a new framework for the management, protection and improvement of the quality of water resources across the European Union. The WFD requires the completion of management plans for all river basins in Northern Ireland by the end of 2009. Among the objectives of these management plans is the protection and improvement of the ecological and chemical water quality of the Region.
- 5.82 The Directive consequently has implications for decision-making in the development sector. New development relying on non-mains sewerage may, either individually or cumulatively, increase the risk of groundwater pollution. As such, it has the potential to adversely affect the ecology and chemical quality of the water environment.
- 5.83 Accordingly it is desirable for new development to connect to mains services wherever possible. However, it is acknowledged that it will not be feasible for many buildings in the countryside to connect to a public water borne sewerage system and they will rely instead on some means of 'on-site sewage treatment', such as a septic tank or package treatment plant. Effluent from such installations is usually dispersed through a system of channels or field drains before percolating to the nearest watercourse.
- 5.84 The aim of this policy is to protect the Region's water resources from the actual or potential polluting effects of on-site treatment plants, particularly in areas identified for the abstraction of water for human consumption. The Department also recognises recent technological advances in non-mains sewerage systems aimed at mitigating potential pollution problems.

- 5.85 The planning and pollution control systems are separate but complementary systems of control and regulation designed to protect the environment from harm as a result of development and related operations. Pollution controls seek to protect public health and the environment. Planning controls are concerned with the appropriate use of land and the impact of development on the environment.
- 5.86 Under the Water (Northern Ireland) Order 1999, the consent of the Northern Ireland Environment Agency is required to discharge any trade or sewage effluent or any other potentially polluting matter from commercial, industrial or domestic premises to waterways or underground strata.
- 5.87 However planning applications for development in the countryside relying on non-mains sewerage are often made prior to applications for 'Consent to Discharge' under the Water Order. It then falls to the planning system to assess whether the arrangements for the treatment of effluent would create or add to a pollution problem. In such cases consultation will be undertaken with the Northern Ireland Environment Agency and the Environmental Health Department of the local council.
- 5.88 The number and type of on-site sewage treatment plants which, will be acceptable in a particular area will be determined by the sub-soil conditions, the sensitivity and capacity of the receiving watercourse and the vulnerability / sensitivity of water catchment areas. In addition such installations should be located at least 15 metres away from any dwelling and soakaways should not drain across the curtilage of any neighbouring property.
- 5.89 Planning permission will be refused for development relying on non-mains sewerage where the physical arrangements proposed for on-site sewage treatment are unsatisfactory or in cases where 'Consent to Discharge' under the Water Order is unlikely to be forthcoming due to pollution risks. The Northern Ireland Environment Agency may identify certain areas where a pollution risk exists sufficient to warrant no further development relying on non-mains sewerage arrangements. In appropriate circumstances these will be highlighted in the relevant development plan for the area.

Information to accompany planning applications

- 5.90 If Consent for Discharge has been granted under the Water (Northern Ireland) Order 1999 for the proposed development site, a copy of this should be submitted to accompany the planning application.
- 5.91 In other cases, applications involving the use of non-mains sewerage, including outline applications, will be required to provide sufficient information about how it is intended to treat effluent from the development so that this matter can be properly assessed. This will normally include information about ground conditions, including the soil and groundwater characteristics, together with details of adjoining developments existing or approved.

- 5.92 Where the proposal involves an on-site sewage treatment plant, such as a septic tank or a package treatment plant, the application will also need to be accompanied by drawings that accurately show the proposed location of the installation and soakaways, and of drainage ditches and watercourses in the immediate vicinity. The site for the proposed apparatus should be located on land within the application site or otherwise within the applicant's control and therefore subject to any planning conditions relating to the development of the site.
- 5.93 The Department of the Environment Planning Service has powers under the Planning General Development (NI) Order 1993 to request applicants to supply such additional information on the proposed development as is considered necessary to allow proper determination. Where information on the means of sewerage is requested, but not provided planning permission will normally be refused on the basis of insufficient information to properly determine the proposal.

Annex 1 – Consequential amendment to Policy AMP 3 of PPS 3 Access, Movement and Parking

Policy AMP 3

Access to Protected Routes (Consequential Revision)

Other Protected Routes – Outside Settlement Limits

Planning permission will only be granted for a development proposal involving access onto this category of Protected Route in the following cases:

- (a) **A Replacement Dwelling – where the building to be replaced would meet the criteria set out in Policy CTY 3 of PPS 14 and there is an existing vehicular access onto the Protected Route.**
- (b) **A Farm Dwelling – where a farm dwelling would meet the criteria set out in Policy CTY 10 of PPS 14 and access cannot reasonably be obtained from an adjacent minor road. Where this cannot be achieved proposals will be required to make use of an existing vehicular access onto the Protected Route.**
- (c) **A Dwelling Serving an Established Commercial or Industrial Enterprise – where a dwelling would meet the criteria for development set out in Policy CTY 7 and access cannot reasonably be obtained from an adjacent minor road. Where this cannot be achieved proposals will be required to make use of an existing vehicular access onto the Protected Route.**
- (d) **Other Categories of Development – approval may be justified in particular cases for other developments which would meet the criteria for development in the countryside and access cannot reasonably be obtained from an adjacent minor road. Where this cannot be achieved proposals will be required to make use of an existing vehicular access onto the Protected Route.**

The remainder of Policy AMP 3 as set out in the October 2006 Clarification, including the justification and amplification, remains unaltered.

Annex 2 - Vernacular Buildings

The Department published 'A Sense of Loss – The Survival of Rural Traditional Buildings in Northern Ireland in March 1998. In relation to defining what constitutes the vernacular, and in particular rural vernacular dwellings it advises that:

“Rural vernacular or traditional architecture is the construction of small plain buildings in the countryside (particularly before 1925) where the dominant influence in siting, materials, form and design is the local ‘folk tradition’. Such vernacular buildings will have been typical, i.e., of a common type in any given locality and will lack the individualistic and ‘educated’ design features that characterised international fashions in formal architecture during the same period.”

It highlights that rural vernacular houses may be recognised as such by meeting most of the primary characteristics and some of the secondary characteristics listed below.

Primary Characteristics of vernacular include:-

1. Built without the benefit of any formal plan, drawing or written specification.
2. Linear plan – elongated, rectangular.
3. Depth of houses (front to back) generally limited by roof construction to about 6 metres.
4. Walls of mass load-bearing materials.
5. Cooking (kitchen) hearth and other chimneys always expressed along the ridge line (i.e, the long axis of the linear plan).
6. Door (front) opens through the long wall into the space defined as the kitchen (i.e, room with the cooking hearth and solid floor).
7. Openings (windows and doors) predominantly on front and back long walls, and with a low proportion of ration of void to mass.
8. Houses extended linearly or with extra storey. Where ‘returns’ or extensions to linear plan are added (to give a T or L plan) these are always to the rear of the dwelling. The front of the dwelling therefore never has projections other than a front door wind-break or porch.

Secondary characteristics include:-

1. Tendency for openings to lack symmetry and regularity, particularly at rear.
2. Relationship between roof pitch and height of building (‘ladder rule’ for thatched building). Traditional roof form may be hipped rather than gabled in some localities.
3. Internal transverse walls extend to the roof and are load-bearing.
4. Longitudinal internal walls never load-bearing for roof structure.

Annex 3 - Screening for Equality Impact Assessment- Draft PPS 21

Section 75 Equality of Opportunity Screening Analysis Form

Section 1 – Policy to be Screened

1.1 Please insert below a brief description of the policy/legislation, including the title and all the main aims and objectives.

Title

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

Description

Draft PPS 21 sets out the Department’s planning policies for development in the countryside. For the purpose of the Draft PPS, the countryside is defined as land lying outside of settlement limits as identified in development plans.

The Draft PPS sets out a range of types of development which in principle are considered to be acceptable in the countryside. It also advises that other types of development will only be permitted where there are overriding reasons why that development is essential and could not be located in a settlement, or it is otherwise allocated for development in a development plan.

Policies on the following matters are included:

- Development in Dispersed Rural Communities;
- Replacement dwellings;
- The conversion and reuse of an existing non-residential buildings;
- Social and affordable housing;
- Personal and domestic circumstances;
- Dwellings for non-agricultural business enterprises;
- Ribbon development
- Residential caravans and mobile homes;
- Farm dwellings;
- Farm diversification;
- Agricultural and forestry development;
- Integration and design of buildings in the countryside;
- Rural Character;
- The setting of settlements;
- Development relying on non-mains sewerage.

The Draft PPS also provides advice on the role of development plans.

When issued in final form the PPS will replace a number of extant policies relating to the countryside contained within “A Planning Strategy for Rural Northern Ireland”.

Aims

To manage development in the countryside:

- in a manner consistent with achieving the strategic objectives of the Regional Development Strategy for Northern Ireland 2025; and
- in a manner which strikes a balance between the need to protect the countryside from unnecessary or inappropriate development, while supporting rural communities.

Objectives

- To manage growth in the countryside to achieve appropriate and sustainable patterns of development that meet the essential needs of a vibrant rural community;
- To conserve the landscape and natural resources of the rural area and to protect it from excessive, inappropriate or obtrusive development and from the actual or potential effects of pollution;
- To facilitate development necessary to achieve a sustainable rural economy; including appropriate farm diversification and other economic activity;
- To promote high standards in the design, siting and landscaping of development in the countryside.

1.2 On whom will the policies/legislation impact? Please specify.

The provisions of the Draft PPS will have direct implications for developers and applicants seeking planning permission for development in the countryside.

1.3 Who is responsible for (a) devising and (b) delivering the policy, eg is it DOE, a Whitehall Department or EU? What is the relationship and have they considered this issue and any equality issues?

(a) The Department of the Environment is responsible for publication of the Draft PPS which has been devised by an Executive Subcommittee of Ministers of the Northern Ireland Assembly chaired by the Minister of the Environment. As part of this process equality issues have been fully considered.

(b) The policy provisions of the Draft PPS will be implemented by the Department of the Environment Planning Service through both its Development Control and Development Plan functions. The Planning Appeals Commission will also have a role through the statutory appeals process.

1.4 What linkages are there to other NI Departments/NDPBs in relation to this policy/legislation?

As indicated above the policy has been developed and taken forward through an Executive Subcommittee, chaired by the Minister of the Environment. The Subcommittee includes Ministers representing Regional Development (DRD), Social Development (DSD), Enterprise Trade & Investment (DETI), Agriculture & Rural Development (DARD) and the First Minister's and Deputy First Minister's Office (OFMDFM).

1.5 What data are available to facilitate the screening of this policy/ legislation?

NI Census 2001 – e.g. employment, population & housing, farm census data.

DARD Social Survey – Farmers and Farm Families in Northern Ireland 2001/02

1.6 Is additional data required to facilitate screening? If so, give details of how and when it will be obtained.

This is not anticipated at this stage.

Section 2 – Screening Analysis

2.1 Is there any indication or evidence of higher or lower participation or uptake by the following Section 75 groups?

	Yes	No
Religious belief		X
Political opinion		X
Racial group		X
Age		X
Marital status		X
Sexual orientation		X
Gender		X
Disability		X
Dependants		X

Please give details.

Draft PPS 21 seeks to provide a policy that strikes a balance between the need to protect our countryside from unnecessary development, but that also supports and allows rural communities to flourish, socially and economically.

The policies of draft PPS 21 will apply uniformly throughout the countryside and equally on anyone making a planning application for development. In view of the social and political geography of the countryside of Northern Ireland it is likely that the policies of the revised Draft PPS may on occasion result in an indirect differential impact on certain groups in particular countryside areas. Because of this it is considered appropriate to consider equality impacts across the whole countryside area.

Ideally the Department would wish to examine the equality characteristics of those who want or intend to bring forward development proposals in the countryside; however this could potentially be anyone. As a proxy to assist equality screening the Department has considered the characteristics of those people already living

Public Consultation Draft PPS 21

in the countryside as defined by the policy. This is on the assumption that the characteristics of those applying for planning permission in the future could well be similar.

As indicated above the countryside, for the purposes of this policy, is defined as land lying outside settlement limits as defined in development plans. The Census (2001) provides the best available data for this area. The following table provides a general description of the Section 75 characteristics of the usually resident rural population (Census 2001 Output (Table KS07a) Other Band H) in comparison with the average for the whole of Northern Ireland.

	NI	Population in the countryside
Community Background:		
Catholics	44%	48%
Protestants	53%	51%
Other/None	3%	1%
Religion:		
Catholics	40%	45%
Protestants	46%	45%
Other/None	14%	10%
Gender:		
Male	49%	51%
Female	51%	49%
Ethnic Group:		
White	99.2%	99.6%
Marital Status:		
Married	51%	56%
Single	33%	32%
Sep/Wid/Div	16%	12%
Age Structure:		
0-17 years	27%	28%
18-59 years	55%	55%
60+ years	18%	17%

	NI	Population in the countryside
Households with Dependents:		
Households with dependant Children	36%	40%
People providing unpaid Care	11%	11%
Disability:		
Persons with limiting long-term illness	20%	18%

Other data has helped to inform this screening of the Section 75 characteristics for people living in the countryside, including the report from the Department of Agriculture and Rural Development (DARD) 'Farmers and Farm Families in NI 2001/02'.

The DARD survey provides information on the Section 75 characteristics of farmers by five farm sizes and five farm types. In general the evidence suggests that:

- the majority of farmers are married and with dependants;
- the farming population was overwhelmingly white and male;
- approximately 27% of farmers have a limiting long standing illness or disability;
- Religion of farmers: 54% Protestant, 44% Catholic, 1% Other/none/refused; and
- Religion of farm households: 56% Protestant, 43% Catholic, 1% other/none/refused.

There is no data in relation to Sexual Orientation or Political Opinion.

Analysis

At the Northern Ireland level there is a strong correlation between the unionist: nationalist divide and the Roman Catholic: Protestant community background divide.

The data suggests a slight differential to varying degrees in the numbers of people in the following Section 75 groups for the usually resident countryside population as against the population of the Region as a whole for each group:

- those of different community backgrounds / religious belief;
- married people;
- those with dependants;
- age; and
- gender.

In view of the proxy nature of the data used and the fact that anyone may bring forward an application to build in the countryside, the Department does not consider these slight differentials to be significant. It is acknowledged that these differentials were also indicated in the draft EQIA Report prepared by the Department for Regional Development, to accompany publication of Draft PPS 14 in March 2006, but again none were identified as being significant.

Other characteristics which have been noted is a recent upward trend of in-migration to the Region, particularly from other EU countries which may be an issue in the future however, there is currently no comprehensive data available in this area.

While the data also suggests there is no significant differential for those with 'disabilities' the Department considers the re-introduction of a policy which specifically provides for a new dwelling where there are compelling personal and domestic circumstances is likely to impact positively on this category. Similarly, revisions to other policies such as that dealing with dwellings on farms and

provision for social and affordable housing in the countryside should impact positively on other Section 75 groups including married people, males and those with dependents.

There is no other data available regarding Sexual or Political Opinion specific to the usually resident rural population.

2.2 Is there any indication or evidence that any of the following Section 75 groups have different needs, experiences, issues and priorities in relation to this policy issue?

	Yes	No
Religious belief		X
Political opinion		X
Racial group		X
Age	X	
Marital status		X
Sexual orientation		X
Gender		X
Disability	X	
Dependants	X	

Please give details.

As indicated above the policy provisions of the Draft PPS will have direct implications for developers and applicants seeking planning permission for development in the countryside.

The Department recognises that specific proposals for a new dwelling may be brought forward to meet the particular needs of those with special or domestic circumstances which could include those with a disability, particularly where these may involve dependent children or elderly relatives. In acknowledgement that such special needs may on occasion justify a new dwelling the Department has reintroduced a policy in Draft PPS 21 which expressly deals with this matter. This is broadly similar to the policy that existed prior to the introduction of Draft PPS 14 in March 2006, but which was omitted in that document.

By reintroducing this policy the Department considers that the revised document now seeks to positively respond to a range of different needs, issues and priorities experienced by people within certain Section 75 groups.

2.3 Have consultations with the relevant representative organisations or individuals within any of the Section 75 categories, indicated that policies of this type create problems specific to them?

	Yes	No
Religious belief		X
Political opinion		X
Racial group		X
Age		X
Marital status		X
Sexual orientation		X
Gender		X
Disability		X
Dependants		X

Please give details of any consultations carried out, and any problems identified.

The policies in Draft PPS 21 were devised by an Executive Subcommittee, chaired by the Minister of the Environment. The Subcommittee is made up of Ministers of the main political parties in Northern Ireland and is considered representative of the wider community. Notwithstanding this, the Subcommittee was particularly keen to engage with the public, local district councils and other representative stakeholder groups on the document and have endorsed the need for further public consultation before finalising the document.

Public and Stakeholder Meetings

As part of the process of reviewing rural planning policy a series of engagements with the public and stakeholders has taken place. The first engagement comprised a series of public meetings in April/May 2006 immediately following publication of Draft PPS 14. These events were independently facilitated by Community Technical Aid. The report on the outcome of those particular meetings found that a large number of people did not accept the view that there would be equality issues - for example implications on ethnic minorities - associated with any policy limiting permission for a new dwelling to a member of the established rural community. In addition, equality concerns were expressed that Draft PPS 14 did not carry forward the policy previously contained in the Planning Strategy for Rural Northern Ireland that allowed for a new dwelling in the countryside where there were compelling personal / domestic circumstances.

Section 3 – EQIA Recommendation

- 3.1 Full EQIA procedures should be carried out on policies considered to have significant implications for equality of opportunity. Please fill in the following grid in relation to the policy/legislation.**

Prioritisation Factors	Significant Impact	Moderate Impact	Low Impact
Social Need.			X
Effect on people's daily lives.			X
Effect on economic, social and human rights.			X
Strategic significance		X	
Financial significance			X

Please give details.

Draft PPS 21 seeks to provide a policy that strikes a balance between the need to protect the countryside from unnecessary or inappropriate development, while supporting rural communities and in a manner consistent with achieving the strategic objectives of the Regional Development Strategy for NI 2025.

Judged against the prioritisation factors set out above the policies of Draft PPS 21 are considered to be of moderate strategic significance as they will assist in the implementation of the strategic direction of the Regional Development Strategy for Northern Ireland. All other impacts are considered to be low and overall, the Department considers that the policy approach is an appropriate mechanism to achieve a managed balance between the competing interests of ongoing countryside development and protection of the environment.

- 3.2 In view of the considerations in Sections 2 and 3 do you consider that this policy/legislation should be subject to a full EQIA? Please give reasons for your considerations. If you are unsure, please consult with affected groups and revisit the screening analysis accordingly.**

No. Having regard to the foregoing the Department has concluded that the policy provisions of Draft PPS 21 will not have any significant impact or adverse effects on any Section 75 group.

- 3.3 If an EQIA is considered necessary please comment on the priority and timing in light of the factors in table 3.1.**

N/A

- 3.4 If an EQIA is considered necessary is any data required to carry it out/ensure effective monitoring? Please give details.**

N/A

Main Groups Relevant to the Section 75 Categories	
Category	Main Groups
Religious belief	Protestants; Catholics; people of non-Christian faiths; people of no religious belief
Political opinion	Unionists generally; Nationalists generally; members/ supporters of any political party
Racial Group	White people; Chinese; Irish Travellers; Indians; Pakistanis; Bangladeshis; Black Africans; Black Caribbean people; people with mixed ethnic group
Gender	Men (including boys); women (including girls); trans-gendered people
Marital status	Married people; unmarried people; divorced or separated people; widowed people
Age	For most purposes, the main categories are: children under 18, people aged between 18-65, and people over 65. However, the definition of age groups will need to be sensitive to the policy under consideration
“Persons with a disability”	Disability is defined as: A physical or mental impairment, which has a substantial and long-term adverse effect on a person’s ability to carry out normal day-to-day activities as defined in Sections 1 and 2 and Schedules 1 and 2 of the Disability Discrimination Act 1995
“Persons with dependants”	Persons with personal responsibility for the care of a child; persons with personal responsibility for the care of a person with an incapacitating disability; persons with personal responsibility for the care of a dependant elderly person
Sexual orientation	Heterosexuals; bi-sexuals; gays; lesbians

