

# DERRY CITY AND STRABANE DISTRICT COUNCIL LOCAL DEVELOPMENT PLAN (LDP) 2032



## PPS 21 POLICY REVIEW Sustainable Development in the Countryside

This Document is one in a series, which builds up to form the 'evidence base' that informs the preparation of the Local Development Plan (LDP).

The afore-mentioned evidence base will be continually updated, to additionally include the latest information, input from public engagement, statutory consultees, stakeholder groups, Sustainability Appraisal and from other Departments within the Council, including Community Planning.

The Evidence Base is published as a 'supporting document' in accordance with Article 10(a) and 15(a) of the Planning (LDP) Regulations (NI) 2015



## **Sustainable Development in the Countryside**

**Purpose:** To consider existing planning policies relating to Sustainable Development in the Countryside and to consider alternative policies which will inform the forthcoming Preferred Options Paper (POP) as part of the preparation of the Local Development Plan (LDP).

**Content:** The paper will provide information on:

- (i)** The context of rural planning policy in Derry City and Strabane District and existing plan policies;
- (ii)** Derry City and Strabane District Council (DCSDC) objectives for sustainable development in the countryside and the linkages between DCSDC objectives for future growth and Sustainability Appraisal, Regional Planning Policy and Strategic Planning Policy objectives;
- (iii)** Consider existing policies and consider preferred/alternative policy approaches for economic development within the Local Development Plan (LDP).

**Recommendation:** The findings shall be used to inform the Preferred Options Paper (POP) and strategic policies in the Local Development Plan (LDP).

## **1.0 Introduction**

- 1.1 The purpose of this paper is to consider current planning policies associated with development in the countryside and to determine whether or not they are compatible with the Council's objectives regarding development in the countryside and whether they need to be amended to take account of local circumstances through the new Local Development Plan (LDP).
- 1.2 This paper provides an assessment of how existing rural development planning policies take account of the Regional Development Strategy (RDS), Strategic Planning Policy Statement (SPPS), Sustainability Appraisal themes and DCSDC objectives through the proposed LDP objectives.

## 2.0 Legislative Context

- 2.1 Article 5 of the Planning Act (Northern Ireland) 2011 states that the creation of planning policy as part of the Plan Strategy must be done with the objective of furthering sustainable development and in doing so, must take account of policies and guidance issued by OFMDFM, DfI such as the Regional Development Strategy (RDS) 2035 and Strategic Planning Policy Statement (SPPS).
- 2.2 Section 25 of the Northern Ireland (Miscellaneous Provisions) Act 2006 requires all NI Departments and District Councils in exercising their functions, to act in a way they consider to be best calculated to contribute to the achievement of sustainable development.

### 3.0 The Objectives

#### (a) Derry City and Strabane District Council

3.1 Workshop Paper One outlined a number of strategic policy objectives that will assist in formulating the aims and objectives of sustainable development in the LDP. These are as follows:

- **SOCIAL: Accommodating People and Facilitating Communities**
- **ENVIRONMENT: Enhancing the Environment, Creating Places and Improving Infrastructure**
- **ECONOMIC: Creating Jobs and Promoting Prosperity**

3.2 The statutory requirement, contained in the Planning Act (Northern Ireland) 2011, to further sustainable development is reflected in the above policy objectives for the formulation of the LDP.

#### (b) Sustainability Appraisal (SA)

3.3 A Sustainability Appraisal is a systematic process which must be carried out during the preparation of a Local Development Plan in order to promote sustainable development by assessing the extent to which an emerging plan will achieve required environmental, economic and social objectives. All LDP strategic planning policies will be subject to SA incorporating Strategic Environmental Assessment (SEA).

3.4 DCSDC has commenced work on the preparation of the required Sustainability Appraisal and associated Strategic Environmental Assessment.

#### (c) Regional Development Strategy (RDS) and Strategic Planning Policy Statement (SPPS)

3.5 The RDS provides an overarching strategic planning framework to facilitate and guide the public and private sectors. It defines sustainable development as “*development that meets the needs of the present without compromising the ability of future generations to meet their own needs*”.

Two of the aims of the RDS which relate to sustainable development are:

- To support strong, sustainable growth for the benefit of all parts of Northern Ireland.
- To protect and enhance the environment for its own sake.

- 3.6 It also sets out a clear strategic objective for rural areas, namely:
- *SFG13 – To sustain rural communities living in smaller settlements and open countryside.*
- 3.7 The RDS places the onus on DCSDC to address the economic, social and environmental issues aimed at achieving these sustainable development aims and objectives.
- 3.8 The SPPS is a statement of the Department’s policy on planning matters that should be implemented across Northern Ireland and it was formally adopted in September 2015. It was agreed with the Northern Ireland Executive and its objectives were judged to be in general conformity with those of the RDS. Where the SPPS introduces a change of policy direction and/or provides a policy clarification that would be in conflict with the retained policy, within SPPS should be accorded greater weight in the assessment of individual planning applications. However, where the SPPS is silent or less prescriptive on a particular planning policy matter than retained policies this should not be judged to lessen the weight to be afforded to the retained policy. More recently, the Minister of the Environment has called for a review of the SPPS “Call for Evidence” in as far as it relates to development in the Countryside. Until such times as the outcome of this review is published, Council will continue to apply the SPPS in this way.
- 3.9 The aim of the SPPS with regard to the Countryside is to manage development in a manner which strikes a balance between protection of the environment from inappropriate development, whilst supporting and sustaining rural communities consistent with the RDS.
- 3.10 In relation to housing in the countryside the SPPS adopts quite a similar approach to Planning Policy Statement 21 “Sustainable Development in the Countryside”, setting policy objectives aimed at:
- Managing growth to achieve appropriate and sustainable patterns of development which will support a vibrant community
  - Conserving the landscape and natural resources of the rural area, protecting it from excessive, inappropriate or obtrusive development and from the actual or potential effects of pollution
  - Facilitating development which contributes to a sustainable rural economy
  - Promoting high standards in design, siting and landscaping

- 3.11 The SPPS adopts a policy approach based on clustering, consolidating and grouping new development, particularly new residential development, with existing established buildings and the re-use of previously used buildings. It also states that all new development in the countryside must integrate, respect rural character and be appropriately designed. It should not mar the distinction between settlements and the countryside or result in urban sprawl and it should reflect and complement the overall approach to housing growth in the plan area.
- 3.12 DCSDC must take into account the implications of this strategic policy in the preparation of its LDP and in the determination of planning applications. The LDP, should reflect the aim, objectives and policy approach of the SPPS, and if deemed necessary it can be tailored to the specific circumstances of the Derry City and Strabane Council District.

#### **(d) Community Plan (Strategic Growth Plan)**

- 3.13 Section 66 (6) of the Local Government Act (NI) 2014 requires that;  
*‘...in the discharge of its duties under subsection (1) a council must where appropriate have regard to its plan strategy and its local policies plan under sections 8 and 9 of the Planning Act (NI) 2011.’*
- 3.14 Subsection (1) states that the Council must initiate, maintain, facilitate and participate in community planning for its district. In other words the Local Development Plan must have regard to the community plan and vice versa.
- 3.15 The Community Planning Team of DCSDC carried out a public consultation in Autumn 2016 in preparation of the draft Community Plan. In relation to development in the countryside the following relevant issues were raised:
- Provide quality housing in sustainable urban and rural neighbourhoods that are attractive places to live and are within easy access to local services and amenities
  - Map underutilised /derelict/suitable vacant properties to help address the current social housing demand and commercial need
  - Develop a programme to seek the repair and/or re-development of underutilised/derelict/suitable vacant properties.

## 4.0 District Context

### (a) Demographics

- 4.1 The Derry City Council area was much larger than Strabane District Council, in terms of population. Currently, 112,000 (75%) of DCSDC population live in the area defined as the old Derry LGD compared with 37,000 (25%) living in the old Strabane LGD.
- 4.2 The composition of the population in the two old council areas differed in terms of the proportions of their population living in urban and rural areas<sup>1</sup>. The Derry City Council area had approximately 12% of its population living in areas defined as rural whereas the rural composition of Strabane was relatively larger and stood at 56%.

Table 1: Demographics of DCSDC

Area	Population <sup>2</sup>	%
<b>DCSDC</b>	<b>149,000</b>	
-Of which urban	115,000	77%
-Of which rural	35,000	23%
<b>Derry / Londonderry (old LGD)</b>	<b>112,000</b>	<b>75%</b>
-Of which urban	99,000	88%
-Of which rural	13,000	12%
<b>Strabane (old LGD)</b>	<b>37,000</b>	<b>25%</b>
-Of which urban	16,000	44%
-Of which rural	21,000	56%

-Population rounded to nearest 1,000

<sup>1</sup> Urban Rural status defined as those Super Output Areas (SOAs) classified as Urban or Rural:  
<http://www.nisra.gov.uk/geography/SOA.htm>

<sup>2</sup> Based on 2014 mid-year population estimates



- 4.3 The new DCSDC has a large urban population, with 77% of the population living in an urban area in accordance with the NISRA definition of urban/rural. The majority of the urban dwellers are located in Derry City in the north of the district and the District becomes more rural in the south. NISRA defines the rural area as a series of small settlements of less than 5,000 people as well as those living in single dwellings in the open countryside.
- 4.5 It also has to be considered that planning policy deems everything outside a defined settlement as rural i.e. rural planning policy does not apply in relation to residential development within settlement limits. Therefore if this was applied to the 2011 census figures it would show the following figures for those living inside and outside development limits:

Total population 2011 Census	Population within defined settlement limits	Population outside defined settlement limits	% of Population within defined settlement limits	% of Population outside defined settlement limits
147,720	126,355	21,365	85%	15%

Table 2: Population for DCSDC in term of defined settlement limits

**(b) Rural context of District**

- 4.4 Our countryside remains the home and livelihood for a considerable part of our population, farmers and non-farming families, living in our many rural communities. Outside the settlement limits the pattern of development has traditionally been a dispersed rural community
- 4.5 Derry and Strabane District comprises a mixture of landscapes which include mountains, river valleys and rolling farm land. These landscapes provide a rich resource of productive agricultural land, habitats for nature conservation, archaeological and historical features and remains which illustrate ways in which the land has provided for human occupation and activity in the past. Additionally, our countryside provides for many recreational needs including activities such as

fishing, photography, walking and festivals and has the potential to become an increasingly important tourist asset.

- 4.6 Landscapes of national importance have merited designations as Areas of Outstanding Natural Beauty (AONB). The landscapes within Derry and Strabane include part of the Sperrin Mountains, re-designated as an AONB in 2008. The purpose of the designation is to protect and conserve the scenic qualities of the area and promote their enjoyment. The AONB forms a backdrop to much of the district in centre and east, with the mountain valleys of the Glenelly and Owenkillew rivers lying below an expanse of open moorland.
- 4.7 According to the 'Agricultural Census in Northern Ireland 2015' carried out by DAERA, our District has 1,735 farms. 73% of these would be considered very small, 14% small, 5% medium and 8% large. Out of the 11 new council areas DCSDC would rank 7<sup>th</sup> in terms of the number of farms that it has.

### **(c) Rural Planning Trends in the District**

- 4.8 Rural planning policy has undergone a number of significant changes in direction in the last 15 years. Since 2002 there have been 4 periods of policy variation in relation to the approval of single dwellings in the countryside:
- A Planning Strategy for Rural Northern Ireland (PSRNI). September 1993 to March 2006
  - Draft PPS 14: Sustainable Development in the Countryside. March 2006 to November 2008.
  - Draft PPS 21: Sustainable Development in the Countryside. November 2008 to June 2010.
  - PPS 21: Sustainable Development in the Countryside. June 2010 to present.
- 4.9 In addition to the above policies, the Strategic Planning Policy Statement for NI (SPPS) was introduced in September 2015.
- 4.10 The policy provisions of PSRNI were viewed as having a presumption in favour of building in the open countryside and this view is mirrored by the large number of approvals for single dwellings during this period. There was a view taken that the level of development prevailing at that time was unsustainable and that a new direction was required in order to better manage development in the countryside.
- 4.11 Draft PPS 14 was introduced in response to the PSRNI in March 2006. The policy took a precautionary approach to the development in the countryside and there was now a presumption against development in the countryside. The policy

was largely unpopular in rural areas and public response resulted in a review of the policy.

- 4.12 Draft PPS 21 and PPS 21 were the end result of the review of draft PPS 14. Whilst these new policies retained a direction towards providing sustainable development in the countryside and not returning to the pre-2006 levels of approvals, they also took a balanced view in that this also meant sustaining the existing rural communities through an appropriate level of development. Therefore the policy took a permissive stance in relation to dwellings for farmers and also acknowledged the presence of non-farming rural dwellers through the introduction of policies for new dwelling in clusters, conversion and re-use of buildings, infill opportunities and the removal of the ‘abandonment’ test for replacement dwellings.
- 4.13 Department of Infrastructure has supplied records of planning histories in the rural areas from 2002 to December 2016. In terms of planning approvals there are distinguishable patterns in the figures during this time period. Examples of patterns include the differences between the 4 periods of the planning policies and also the period accepted as the ‘Financial Crisis’ from 2007 to present day.
- 4.14 Table 3 is an overview of all outline and full planning decisions made in respect of single dwellings and replacement dwellings from 2002-2016 for the area now known as the Derry City and Strabane District. The records show that there was a drop in approval rates during the dPPS 14 period and it also shows that this stabilised during the PPS 21 period to a rate equal to or better than the pre-2006 approvals rates.
- 4.15 With reference to the period known as the ‘Financial Crisis’<sup>3</sup> there is a notable decrease in the number of decisions and this is consistent with the pattern in the fall of the number of overall planning applications received during this period.

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<sup>3</sup> <https://www.theguardian.com/business/2012/aug/07/credit-crunch-boom-bust-timeline>

Table 3: Overview of rural residential planning applications for full and outline in DCSD between 2002 and 2016 (Source DfI statistics for rural housing in geographical area of DCSD from 2002-2016)

YEAR	No of single dwellings approved	No of replacements approved	Total approved (approval rate)	No of single dwellings refused	No of replacements refused	Total refused	Total no of applications for single dwellings & replacements
2002	134	52	186 (81.9%)	37	4	41	227
2003	259	84	343 (87.7%)	42	6	48	391
2004	228	78	306 (71.6%)	116	5	121	427
2005	437	111	548 (75.2%)	205	5	210	728
2006	249	76	325 (54.5%)	261	10	271	596
2007	55	67	122 (58.3%)	66	21	87	209
2008	49	58	107 (95.5%)	3	2	5	112
2009	86	67	153 (91%)	12	3	15	168
2010	84	53	137 (72.4%)	46	6	52	189
2011	84	29	113 (79.5%)	22	7	29	142
2012	72	24	96 (88%)	11	2	13	109
2013	38	15	53 (79%)	14	0	14	67
2014	35	33	68 (93.1%)	3	2	5	73
2015	33	24	57 (89%)	7	0	7	64
2016	53	13	66 (92%)	5	0	5	71
<b>Total</b>	<b>1896</b>	<b>784</b>	<b>2680 (74.4%)</b>	<b>846</b>	<b>73</b>	<b>919</b>	<b>3599</b>

4.16 Table 4 examines the patterns of development during the various planning policy periods in more detail. Again there is a clear distinction between the various planning policy periods, with approval rates in the PPS 21 period recovering after a clear fall during the draft PPS 14 period. Again it is worth noting that the approval rate is actually higher than the PSRNI period, although it is accepted that this rate is based on a lower amount of applications.

Time Period	No. of apps. for dwellings in c/side	Single dwellings approved	Single dwellings refused	Replacement dwellings approved	Replacement dwellings refused	Total approvals	Approval rate	Refusal rate
2002- March 2006 (PSRNI period)	1932	1135	443	333	21	1468	75%	25%
March 2006 to November 2008 (PPS 14 period)	780	274	283	191	32	465	60%	40%
November 2008 to June 2010 draft PPS21 period)	257	140	14	100	3	240	93%	7%
June 2010 to December 2016	645	362	106	160	17	522	81%	19%

Table 4: Breakdown of planning trends in DCSDC during various planning policy periods from 2002- 2016.  
(Source DfI statistics for rural housing in geographical area of DCSD from 2002-2016)

## 5.0 LDP Workshops and Members Input

- 5.1 In considering and assessing the policy approach to be taken in the DCSD in relation to development in the countryside, it was important to get the views of the elected Members. A number of workshops discussed aspects of rural planning policy, including the workshops on ‘Population and Growth Strategy’, ‘Policy Evaluation’, ‘LDP Context’, ‘Housing in the Settlement Hierarchy’ and ‘Countryside and Landscape Assessment’.
- 5.2 Over the course of these various workshops, Members made it very clear to Planning Officials about the importance of the rural needs of the District, so that there was not an undue urban bias. They emphasised the need for vibrant rural communities, for a healthy living countryside as well as strong rural settlements. They gave numerous examples of de-population, aging population profile, lack of young people, falling school rolls/closures, struggling sports teams and pressure on other community infrastructure. In particular, it was requested that planning policies needed to permit more people to live in the in the countryside, not just on farms, and for more employment to keep people in the countryside.
- 5.3 At workshop 2 ‘Policy Evaluation’, Members agreed that it would be necessary for officers to undertake a more comprehensive review of the policies for rural houses from PPS 21, as well as a review of PPS 4 ‘Planning and Economic Development’ in respect of opportunities for rural businesses, PPS 16 ‘Tourism’ in respect of opportunities in the countryside and PPS 18 ‘Renewable Energy’ in terms of wind turbines. This Paper primarily considers the rural housing policy. Following on from Workshop 2 a formal response was received from (Sinn Fein) in relation to PPS 21 and the following specific policy comments were made:
- Linear Development required in countryside in response to topographical obstacles
  - Non farming families have to be catered for within the policy
  - Cluster development needs to allow for greater spacing of housing
- 5.4 The opinions of Members were also sought in relation to a ‘call for evidence’ exercise for the ‘Development in the Countryside’ section of SPPS. This workshop raised a number of comments in relation to rural policy in general and specifically on the provisions within the SPPS. They are summarised as follows:
- Depopulation of rural communities, rural fabric being eroded
  - Difficulties with getting planning permission
  - Children of farmers can’t get permission

- PPS21 not working, too rigid
- Right to live in the countryside as it will affect schools etc
- Clustering is an issue
- Donegal system, church records, indigenous letter to allow planning permission should be considered
- Consensus from all Cllrs present that kinship is a key consideration and an issue to be raised with Department for Infrastructure
- The aim of the SPPS in the countryside does not reflect the reality of this side of the Bann and is too prescriptive and doesn't reflect the reality on the ground.
- One house every 10 years is not enough
- Need a more active rural community
- What is the evidence to prove that it is planning policy that is causing schools to close and the depopulation?
- Replacement buildings – a lot looser policy required
- Infill development and ribboning – look at opportunities in this policy?
- Concerns about the 6 years farm diversification policy.

## **6.0 Consideration and Assessment of Planning Policy Statement 21 (PPS21) – Sustainable Development in the Countryside.**

- 6.1 One of the key objectives of the RDS is to achieve balanced regional growth. Before examining how PPS 21 complies with the objectives of the SPPS and the Council's Growth Strategy, it is important to put into context the level of growth required in our rural area in order to adhere to the RDS at a strategic level.
- 6.2 The Department for Infrastructure, in 2016, released revised Housing Growth Indicators (HGI's) for the period of 2012-2025. These HGI's are mainly used as a guide in the creation of Local Development Plans, in order to ensure that adequate housing land is available for the incoming plan period and are intended to underpin one of the RDS's key objectives of achieving balanced regional growth.
- 6.3 The RDS 2035 identifies Derry not only as the principal city of the North West but also as a regional and international gateway. Strabane is identified as a main hub and, due to its proximity, is clustered with Derry. Future development will require recognition of the complementary role of the two settlements in the North West cluster in order to provide the capacity to deliver quality services. (Derry-Letterkenny is also identified as a Linked Gateway in the RDS and the Rol National Spatial Strategy (NSS).
- 6.4 For the rural area outside of the main and local hubs, the RDS spatial framework guidance is to:
- sustain the rural communities living in smaller settlements (small towns, villages and small rural settlements) and the open countryside; and
  - to improve accessibility for rural communities.

The RDS recognises that a strong network of smaller towns supported by villages helps to sustain and service the rural community.

- 6.5 The RDS does not attempt to specify population growth for each Council District but instead applies housing growth indicators (HGIs) which are derived from examining NISRA household projections, existing stock, vacancies etc. The revised HGI figure allocated to Derry City and Strabane in April 2016 is 5,000 to 2025. A pro rata calculation has estimated that for the period between 2015-2032 that 6,545 units would be the figure for DCSDC.



6.6 The following table shows how this figure compares to the previous HGI and the figures for the new LDP period, pro rata period 2015-2032 which is 5,769.

	<b>Derry City &amp; Strabane District HGI figure</b>	<b>Per Annum</b>
<b>Previous HGI (2012) 2008-2025 (17 years)</b>	17,600 (13,700 for Derry and 3,900 for Strabane Districts)	1,035 units
<b>Revised HGI (2016) 2012-2025 (13 years)</b>	5,000	385
<b>Pro-rata LDP Period 2015-2032 (17 years)</b>	6,545	385

Table 5: HGI figures for DCSD

6.7 The urban and rural breakdown in population is a good indicator of housing need over the planning period. Therefore if this is based on the NISRA definition of urban/rural it is considered that 23% of the population lives in the countryside. If applied to 6,545 this would equate to a figure of 1,505 rural dwellings over 2015-2032 period. However this 23% figure would not only apply to rural dwellers in the open countryside, but also to those living in settlements under 5,000. Therefore a more appropriate urban/rural split in terms of rural policy may be to split the population down in terms of those living within settlement limits and those living without (Table 2). This would give a 85%/15% urban/rural split. This would result in a figure of needing 981 rural dwellings over the plan period.

6.8 Over the 17 year period this would equate to 57 dwellings per year. It is interesting to compare this to the average house build figures in the rural areas during the various planning policy periods. Table 6 sets out the figures:

Policy Period	Time Period	Average house approval number	Approval Rate
PSRNI	2002-2006	341	75%
Draft PPS14	2006-2008	114	60%
Draft PPS 21	2008-2010	145	93%
PPS 21	2010-2016	84	81%

Table 6: Approval rate various planning policy periods between 2002 and 2016.

(Source DfI statistics for rural housing in geographical area of DCSD from 2002-2016)

- 6.9 Based on the average number of dwellings approved during the PPS 21 period, it is reasonable to conclude that if this policy or one with a similar thrust was applied over the plan period that it would adequately allow for a level of development commensurate with the targets set out in the RDS HGI figure. Furthermore, it can't be ignored that these figures were achieved during a stringent financial period and a view could be taken that if the economy recovered to pre-2007 levels that application of PPS 21 may result in numbers going above the figure of 57 dwellings per year.
- 6.10 It must also be considered that other approaches are possible in terms of an overall District housing growth strategy and indeed in terms of where housing is spatially allocated within the District. For example, if the housing figures were uplifted to meet moderate or elevated population growth, beyond that indicated by the HGI figures, it is worth comparing current policy and trends to possible figures to assess how adequate the current rural policy is.
- 6.11 One possible approach is to plan for a moderate growth in population and housing numbers. For example if the District population was to rise to a figure of between 155,000 and 160,000, it is estimated that a figure of between 7,000 and 12, 000 dwellings would be required. Based on the basic rural/urban split as set out by in paragraph 6.7, this would require between 1,050 and 1,800 units over the plan period. This would equate to between 62 and 105 dwelling units per year.
- 6.12 Another approach is to base figures on an elevated population growth, which would be akin to the superseded 2008-2012 HGI figure, which indicated a figure of 17,600 units. This would allow for a figure of 2,640 units in the rural area over the plan period or 155 units per year in the countryside.
- 6.13 Going forward, this Council must decide whether rural planning policy is adequate to meet the objectives of both the RDS and SPPS, as well as the strategic direction of the LDP. Evidence and trends suggest that broadly PPS 21 may serve the purpose of meeting current HGI indicators. Whilst there have been calls for a 'relaxed' version of PPS 21 the Council also needs to be careful that significant relaxation may result in 'unsustainable' levels of development in the countryside. It was therefore recommended would be that planning officers assess the effectiveness of PPS 21 in more detail and consider the following:

1. Whether the policies of PPS 21 accord with the objectives of the SPPS and the LDP objectives in relation to sustainable development in the Countryside?
2. Whether or not the policies need to be tailored to local circumstances and how can planning facilitate more sustainable development in the Countryside within the confines of the SPPS and LDP objectives?

## 7.0 Consideration of specific Policies within PPS 21 and SPPS

### 1) Development in the Countryside-CTY 1 (Overarching Policy)

- 7.1 CTY 1 sets out the types of developments which in principle are considered acceptable in the countryside and that will contribute to the aims of sustainable development. It separates these developments into two categories, Housing Development and Non-Residential Development. It also states that other types of development will be acceptable in certain cases and that all proposals must be designed and sited to integrate sympathetically into the landscape and that they should meet other planning and environmental considerations including those for drainage, access and road safety. It advises that if an area is designated as a Special Countryside Area (SCA), then no development will be permitted unless it complies with the specific policy provisions of the relevant plan. It does not detail the specific criteria of each of policy but exists as the **overarching policy** within the document.
- 7.2 The SPPS does not have an overarching policy like CTY 1 but rather has individual regional strategic policies. The aim of the SPPS with regard to the countryside is to manage development in a manner which strikes a balance between protection of the environment from inappropriate development, whilst supporting and sustaining rural communities consistent with the RDS. While not going into specific criteria, CTY 1 is reflective of this aim.
- 7.3 The objectives of the SPPS are centred on managing growth, conserving the landscape and natural resources, contributing to a sustainable rural economy and promoting high standards in design, siting and landscaping. CTY 1 sets out policies, which will go some way to meeting these objectives, although it doesn't go into the specifics about how each policy should be assessed.
- 7.4 The SPPS, in paragraph 6.91, states that "all planning applications must be assessed in accordance with normal planning criteria, relating to such considerations as access arrangements, design and environmental considerations" and in paragraph 6.77 it states that "proposals for development in the countryside must be sited and designed to integrate sympathetically with their surroundings, must not have an adverse impact on the rural character of the area, and meet other planning and environmental considerations including those for drainage, sewerage, access and road safety". This means that as well as satisfying the specific criteria of each regional strategic policy in the SPPS, all proposals must meet this general criteria. Similarly, CTY 1 provides general criteria for design and siting even though this is repeated in a lot of the individual policies.

7.5 The SPPS omits any reference to Dispersed Rural Communities (DRC's) whereas they are referred to specifically in CTY 1. Like CTY 1, the SPPS does include reference to Special Countryside Areas (SCA's). The SPPS recognises that some areas in the countryside may exhibit exceptional landscapes and may be worthy of being designated as an SCA. It also advises that development in an SCA should only be acceptable in certain circumstances.

7.6 Going forward, Council will need to decide if they want to include an overarching policy in the LDP which sets out our individual policy options for development in the Countryside or whether they think this is unnecessary and that these matters are best dealt with in line with the SPPS approach.

## 2) Development in Dispersed Rural Communities

7.7 Some rural areas commonly display symptoms of economic and social disadvantage. These areas may contain dispersed communities with a strong sense of identity. In order to promote rural regeneration in these areas the Department of the Environment designated a number of these areas as DRCs within a few area plans. In accordance with PPS 21 DRCs are designated through the Development Plan process. The criteria for designating a DRC includes:

- Location in a remoter rural area away from areas of development pressure close to towns;
- Association with a traditional focal point where there is convincing evidence of local community activity;
- Other facilities or services such as a shop or public house;
- A locally significant number of dwellings built up over time

7.8 Neither the Derry Area Plan 2011 nor the Strabane Area Plan 2001 identified DRCs. Upon inspection of the designated settlements within both plans, it would appear that some of those titled 'hamlets' or 'small settlements' reflect the characteristics of a DRC. That is to say that they meet all of the 4 indicators as set out above.

7.9 The SPPS is silent on DRCs and therefore a view must be taken on whether there is a specific local need for such a policy and if applied, would it meet the sustainability objectives of the SPPS.

- 7.10 DCSDC has 24 small settlements, which are dispersed throughout the District. A pressure analysis study has been carried out in relation to single dwellings in the countryside. The rural settlement pattern in the District comprises a series of nucleated settlements surrounded by a dispersed form of single houses mainly located on or near local roads leading to the nucleation. Consequently it could be viewed that the existing settlements are already serving as focal points in their localities.
- 7.11 The current settlements have defined settlements limits and initial appraisals show that the majority of these have land available for development within their limits.
- 7.12 There do not appear to be 'obvious candidates' for DRCs in the District and furthermore, given the strong pattern of single dwellings gravitating towards existing focal points, there is not a strong indication that this form of intervention is required in terms of sustaining local rural communities.

### 3) New dwellings in existing clusters-CTY 2a

- 7.13 Policy CTY 2a provides an opportunity to gain approval for a dwelling in an existing rural cluster provided the cluster is outside of a farm and consists of 4 or more buildings, 3 of which must be dwellings. The cluster must appear as a visual entity in the landscape and must be associated with a focal point e.g. community building, or is located at a cross roads. The site must provide adequate enclosure and be bounded on at least 2 sides with other development in the cluster. The development of the site should not significantly alter the character of the site or countryside and should not impact on residential amenity.
- 7.14 The SPPS adopts a policy approach based on clustering, consolidating and grouping new development, particularly new residential development, with existing established buildings. It also provides for new dwellings in existing clusters through its regional strategic policy. CTY 2a conforms to this approach as it specifically promotes development in a cluster.
- 7.15 CTY2a appears to be a sustainable option for non-farming rural dwellers to be accommodated in the countryside. This policy approach will ensure that a vibrancy is maintained in these areas and that any new development can benefit from existing services such as access and drainage.
- 7.16 SPPS does not provide adequate detail on how this policy will be delivered and therefore our Council may consider that elements of the more prescriptive approach taken in CTY2a are appropriate for our District. For example the

definition of what constitutes a cluster is helpful in terms of putting this policy into practice.

- 7.17 We may also consider that in relation to ‘focal points’ that we pay regard to the contemporary context and not some historic focal points i.e. the primary consideration should be that we comply with the broad overall intent to round off and consolidate an existing cluster without changing the character of the area. Therefore, it may be considered that the specific reference to ‘community building/facility’ is removed and left as ‘focal point’. This would be consistent with SPPS. Clarification and amplification of the policy could advise that community buildings etc. are examples of what a focal point could be.

### 3) Policy CTY 3- Replacement Dwellings

- 7.18 The aim of the SPPS with regard to the countryside is to manage development in a manner which strikes a balance between protection of the environment from inappropriate development, while supporting and sustaining rural communities consistent with the RDS. One accepted type of development that adheres to this approach is the replacement of dwellings in the countryside.
- 7.19 Prior to the introduction of PPS21, an ‘abandonment test’ was a determining factor when assessing replacement opportunities and as such committed built forms in the rural area were often passed by as they were deemed to no longer have a residential use. Policy CTY 3 removed the abandonment test and as such opened up the opportunity for additional vacant dwellings in the countryside to be replaced.
- 7.20 SPPS provides a strategic direction in relation to replacement dwellings, which largely reflects the aims and objectives of CTY 3. However the SPPS does not touch upon the subject of non-listed vernacular buildings. This policy approach taken by CTY 3 was seen as necessary provision to minimise the loss of non-listed buildings that make an “important” contribution to the heritage and character of an area. These buildings were afforded a degree of unintentional protection by the “abandonment test” in the older policies. There is a view that “important” is too broad a term and that “significant” provides more clarity for the decision maker in terms of what buildings would be suitable for replacement. Non-listed buildings would not be afforded any protection under SPPS and Council should consider retaining the policy provision of CTY 3 that “encourages” the retention of existing vernacular buildings rather than replacing them. This approach would also reflect an objective of the Community Plan, which is to “develop a programme to seek the repair and/or re-development of underutilised/derelict/suitable vacant properties”.
- 7.21 SPPS does not specify that buildings designed and used for agricultural purposes are not eligible for replacement with a dwelling. Given that there 1,735 farms in our Council area, there is a danger that if such a policy is not applied it would lead to

an unsustainable supply of dwellings given the potential number of farm buildings. CTY3 is somewhat open to interpretation on this matter. Whilst on one hand, it states that buildings designed and used for agricultural purposes are not eligible for replacement with a dwelling, it goes on to suggest that favourable consideration will be given to the replacement of a non –residential building, where the redevelopment can be demonstrated that the proposal would “bring significant environmental benefits”. Any policy may wish to clarify what non-residential buildings are suitable for replacement.

- 7.22 CTY 3 also provides more detail in relation to matters such as replacement of fire damaged properties and greater detail on the ancillary matters such as impact on public road, provision of services, definition of a curtilage and appropriate design approach. There does not appear to be any local circumstances that would call for the removal of any of these provisions and they should be included in the LDP’s replacement policy.

#### 4) CTY 4- The conversion and reuse of existing buildings

- 7.23 This policy provides for the reuse and conversion of “suitable” existing older buildings often found in the countryside for a variety of alternative uses, including use as a single dwelling. Whilst no definition of “suitable” is provided, examples referenced in the justification and amplification of the policy include school houses, churches and older traditional barns and outbuildings. Their reuse and conversion is seen as being a sustainable approach to development in the countryside and for certain buildings may be the key to their preservation.
- 7.24 CTY 4 as it exists, is in conformity with the RDS, which has a core objective to sustain rural communities living in smaller settlements and open countryside. The conversion and reuse of buildings is more sustainable than demolishing an existing building and replacing it with a new build. The preservation of certain buildings in the countryside also ensures that the rural landscape and our built heritage is protected and enhanced.
- 7.25 CTY 4 also conforms to the broad policy approach of the SPPS in relation to the principle of re-using existing buildings, accesses and services. The major difference in the policies centres on the inclusion of a “merit test” within SPPS. Whilst CTY 4 refers to the conversion and re-use of a “suitable building”, SPPS refers to the conversion and re-use of a “locally important building”. This implies that the building to be converted has to have some merit or worthiness to meet the policy requirement. This introduces a higher test and it could exclude buildings which are capable of sympathetic and sustainable conversion with little or no impact on the environment.



- 7.26 CTY 4 also provides more detail in terms of what is not considered a suitable building for conversion. It identifies “Buildings of a temporary construction such as those designed and used for agricultural purposes, including sheds or stores will not however be eligible for conversion or re-use under this policy”.
- 7.27 CTY 1 states that planning permission will be granted for the conversion of a “non-residential” building to a dwelling in accordance with CTY 4. This would imply that no ancillary residential uses such as garages, domestic stores etc would benefit from this policy. CTY 4 refers to a “suitable building” and not “non-residential building” and there is scope to interpret that garages etc could be deemed “suitable building”. CTY 4 and SPPS both include the line that the conversion will be granted permission “where this would secure its upkeep and retention”. A view could be taken this would preclude the inclusion of domestic buildings as they are essentially ancillary elements to a use that would be retained. Nevertheless our Council may wish to consider clearing up this ambiguity by introducing an additional line of definition to exclude such buildings in a similar vein to that referring to agricultural buildings in CTY 4. These lines are deemed necessary as in their absence there a possibility of unsustainable form of development emerging given the prevalence of both domestic and agricultural buildings in our countryside.
- 7.28 The broad ethos and objectives of CTY 4 would be in adherence with the sustainability objectives of the RDS. Refinement in the form of removing ambiguity surrounding ancillary domestic buildings will result in an adequate policy direction for our District.

#### 5) CTY 5 Social and Affordable Housing

- 7.29 While planning policy resists groups of dwellings in the countryside, CTY 5 provided an exception where a specific need for social and affordable housing had been established through a local Housing Needs Assessment undertaken by the Northern Ireland Housing Executive, and where the need had not been foreseen and provided for through the development plan process.
- 7.30 The thrust and aim of this policy appears to have been a mechanism to give scope for the approval of development that had not been planned for. One of the core functions of an LDP is to allocate sufficient land to meet society’s needs. Social and affordable housing are undoubtedly key societal needs within our District. The LDP will be informed by the NIHE’s social housing needs over the plan period. NIHE’s social housing needs will be factored into land allocation at appropriate and sustainable locations within our District.
- 7.31 Both CTY 5 and SPPS direct this policy to ‘adjacent or near a small settlement’. Another aim of the policy is to ‘meet the needs of the rural community’ in terms of

social and affordable housing. CTY 5 specifies up to 14 dwellings can be granted approval, whilst SPPS states that the amount will be based on the need identified by NIHE.

7.32 Social housing need is not an issue restricted to urban areas and it is accepted that rural areas will also require an allocation dependent on the NIHE's housing needs. The RDS aims to sustain rural communities living in smaller settlements and open countryside, which is best served through the allocation of adequate land for social housing within existing settlements. There are no demonstrable advantages (in terms of meeting the RDS) for having social or affordable "adjacent to or near to" a small settlement if the same proposal could be accommodated within an existing settlement serviced by roads, water, sewerage etc.

7.33 It is can be argued that this policy is not required for the following reasons:

- LDP can identify adequate land for social and affordable housing within the existing settlements
- DCSDC has 42 small settlements if assessed against the criteria as set out on CTY 5 i.e. population under 2,250. These settlements are evenly dispersed throughout the District to meet the rural needs in terms of social and affordable housing without building in the open countryside
- There is no demonstrable advantage in terms of sustaining rural communities by granting multiple social housing "adjacent to or near to" a small settlement
- Is the approach of CTY 5/SPPS sustainable? Services, infrastructure etc. already exist and therefore a sustainable approach would be to identify suitable land within the settlement limits
- Would the creation of multiple social or affordable dwellings outside the development limits create detached, underserviced and uncharacteristic developments?

#### 6) CTY 6-Personal and Domestic Circumstances

7.34 CTY 6 states that planning permission will be granted for a dwelling in the countryside for the long term needs of the applicant, where there are compelling, and site-specific reasons for this related to the applicant's personal or domestic circumstances. This is subject to two tests: medical evidence demonstrating that there is a genuine need for the applicant to live in the countryside and demonstration that there are no alternatives to meet the particular circumstance of the applicant.

- 7.35 SPPS is less descriptive than CTY 6 and in particular, there is no emphasis on the provision of evidence to demonstrate that a dwelling is necessary in the countryside and that genuine hardship would be caused if planning permission were refused.
- 7.36 SPPS is not considered prescriptive enough and may prove difficult to put into practice as there is not sufficient direction for the decision maker to differentiate between those who would suffer genuine hardship if they were not supported and those who would have preference for living in the countryside.
- 7.37 Whilst CTY 6 is aimed at the 'long term needs', it also gives direction to what are suitable short/medium alternatives such as extensions, conversion of building within the curtilage or the use of a temporary mobile. This approach gives better direction to the public and also to the decision maker. Therefore it is recommended that this Council carry over the overall approach taken by CTY 6.

#### 7) CTY 7- Dwellings for Non-Agricultural Business Enterprises

- 7.38 CTY 7 states that 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. Planning permission granted under this policy will be subject to a condition restricting occupation of the dwelling for the use of the business.

- 7.39 SPPS echoes the objectives of CTY 7, though it does not go into the same detail in terms of siting, integration and the imposition of an occupancy condition.
- 7.40 Established non-agricultural business enterprises, located in the countryside, may 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.
- 7.41 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.

- 7.42 The approach taken by CTY 7 is largely sound and provides more detail than the SPPS, however, in practice, the current tests have been quite stringent and it has been difficult for established rural businesses to get a dwelling. The Council could decide on some degree of relaxation of current tests, particularly if there are local circumstances within our District that would merit amendment of this policy. Alternatively CTY 7 could be brought forward in its current form.

#### 8) CTY 8-Ribbon Development

- 7.43 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.
- 7.44 It has also been policy to identify suitable development sites known as “infill” sites. Previous policy such PSRNI referred infill as being a “small gap, sufficient to accommodate one house and within an otherwise substantial and build up frontage”. CTY 8 defines this as being a “small gap site sufficient only to accommodate up to a maximum of two houses within an otherwise substantial and continuously built up frontage”. SPPS does define a number or type of development but refers simply to provision being made for the “development of a small gap site”.
- 7.45 CTY 8 defines a substantial and built up frontage as being 3 or more buildings. This has been viewed as a relaxed approach to infill and in some cases it has been argued that it is contradictory the aims of the policy as it actually creates ribbon development. There is an option to revert to the definition of small gap site as defined in the PSRNI and to also provide a definition of what a substantial and built frontage is. In practice that would have been possibly 7/8 buildings with a small gap and there was a minimal amount of development allowed through the policy. Therefore it could be said that this policy would not contribute significantly in terms of sustaining rural communities. A third option would be to remove the

allowance of a site large enough for two dwellings but retain the CTY 8 definition of substantial and built up frontage.

7.46 SPPS does not cater for non-residential economic uses being accepted as infill opportunities. This is at odds somewhat to the SPPS criteria to contribute to a sustainable rural community. It is recommended that any policy going forward should consider retaining this policy aspect of CTY 8.

7.47 Clear definition of terminology is seen as key requirement for whichever policy approach is taken for ribbon development. The key definitions are as follows:

- Definition of small gap site-in terms of size and number of dwellings
- Definition of substantial and built up frontage

9) CTY 9 Residential Caravans and Mobile Homes.

7.48 The design and finishes of a residential caravan or mobile home limits its potential for integration into the landscape. 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.

7.49 CTY 9 and SPPS both advocate that provision of temporary caravans can be made in exceptional circumstances such as 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.

7.50 This policy approach could be seen as not contributing to the strategic objective of the RDS in terms of sustaining rural communities given the temporary nature of any approvals. However it must be viewed that the temporary nature of these approvals are related to the longer term commitments allowed under the exceptional circumstances. Therefore when considered in combination with the related long term commitments, it could be argued that they contribute to sustaining rural communities.

7.51 CTY 9 is more descriptive and defines an acceptable period for approval. It also directs temporary caravans to cluster with existing buildings. This meets the

clustering and consolidation objective of SPPS. It is recommended that CTY 9 is carried forward as it provides more clarity whilst still supporting the objectives of SPPS.

#### 10) CTY 10-Dwellings on Farms

- 7.52 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.
- 7.53 CTY 10 sets out criteria to qualify for this policy. The farm business must be “active and established for 6 years”. This is verified with DAERA through the submission of a DAERA business number. There have been instances that other evidence has been deemed acceptable when assessing whether a farm is active such as the history of the farm holding, evidence of land being passed from another family member, evidence of rental payments (conacre) and evidence of land being kept in good agricultural and environmental condition.
- 7.54 The next criteria within CTY 10 requires that no dwelling or development opportunities are sold off the holding in the previous 10 years.
- 7.55 The third criteria requires that any new dwelling must be clustered/visually linked with existing buildings on the farm. Siting away from the farm dwelling is allowed in certain circumstances.
- 7.56 SPPS states that for dwellings on farms, provision should be made for a “dwelling house on an active and established farm business to accommodate those engaged in the farm business or other rural dwellers”. The definition of “active” is linked to that as set out in Article 4 of the European Council Regulations (EC) No. 1307/2013:

"agricultural activity" means:

- (i) production, rearing or growing of agricultural products, including harvesting, milking, breeding animals, and keeping animals for farming purposes,
- (ii) maintaining an agricultural area in a state which makes it suitable for grazing or cultivation without preparatory action going beyond usual agricultural methods and machineries, based on criteria established by Member States on the basis of a framework established by the Commission, or

(iii) carrying out a minimum activity, defined by Member States, on agricultural areas naturally kept in a state suitable for grazing or cultivation;

- 7.57 SPPS also has a 6 years rule for being established and the 10 year rule in relation to the selling off of development opportunities. In keeping with its overall aim of clustering and consolidating the SPPS also has a provision that any proposed dwelling must be clustered or visually linked to a group of buildings in the farm holding. There is no allowance for siting away from buildings under SPPS.
- 7.58 Although the policy is described as “dwellings on farms” in practice it is accepted that farmers, their families and non-farming rural dwellers benefit from this policy. At workshops with Members they had indicated that that in general they believed that the policies as set out in CTY 10 and SPPS were too restrictive and that there was no need to specify visual linkage/clustering, or time specifications in terms of farm business establishment or permission acceptability under the policy.
- 7.59 In the context of the views of the Members, the merits of other possible options must be considered. The “establishment” test of 6 years is one area of policy that has been identified as being too onerous. There is a view that if you’re a genuine farmer then the 6 year requirement is an unnecessary barrier to development. This is perceived as being particularly restrictive for new or young farmers who will have to wait 6 years before they can develop a dwellings on their holding. On the contrary, if there was no limit for “establishment” there is a possibility that it may lead to misuse of the policy in respect that individuals may pursue the “low bar” of obtaining a DAERA business number for the purposes of speculative property development. Furthermore, removal of the 6 year test could encourage the sub division of holdings for the sole purpose of creating additional development opportunities. A further option may be to reduce the 6 year period to 2/3 years in order to reduce the time of new farmers have to wait for a dwelling but also at the same time demonstrate their bona fide credentials as farmers. On balance, it is felt that removing the 6 years completely would not meet the sustainability objectives of the SPPS and RDS. The “establishment” criteria is an important element of the policy when read in conjunction with the “active” criteria. Removal of the criteria will result in the active test becoming open to abuse. The two tests together provide a robust policy approach which ensures that rural growth can be managed in line with the objectives of the SPPS. A reduction in

time is a viable option for consideration at preferred options stage and the views of the public could be sought on the merits of this being reduced to 2 or 3 years.

- 7.60 Another issue related to time specifications is the 10 year period in relation to the selling off of development opportunities or applying for farm dwellings. Farming families often require more than one dwelling to accommodate their offspring's desire to reside in the countryside. Furthermore, there is also a view that some farms benefit from more than one development opportunity such a replacement dwelling and that if this is sold off, that they are unduly penalized by having to wait until the 10 year period has elapsed. On the issue of "development opportunity" sites there may be some scope for omitting replacement and conversions as these could be seen as essentially sustainable opportunities for development in the rural area. This slight relaxation would allow landowners more than one available opportunity within the 10 year period, whilst still adhering to the objectives of RDS and SPPS. The term 'sold-off' also needs clarification.
- 7.61 In relation to the 10 year period, there is a view amongst Members that the period is too restrictive and could be reduced. The consequence of a reduction must be considered in the context of the growth strategy of the Council and whether such an approach would contribute positively to the sustainable development of our rural district. The logical outcome of reducing the 10 year period is that development opportunities will become available quicker and as such it will increase the number of opportunities to apply for single dwellings over the 15 year plan period.
- 7.62 From an evidential context, it is difficult to definitively assess the impact of reducing the 10 year period for our District. As the policy provision dates from 25<sup>th</sup> November 2008, the original period has 20 months left until it lapses. Furthermore this period coincides with the period of the international financial crisis and it could be argued that application for single dwellings could have been affected by this. Based on the evidence that is available to us in relation to average approval rates during the application of CTY 10 and how they can relate our HGI target, it is reasonable to conclude that the proposed reduction in time is more likely to result in more dwellings being approved than what would be considered sustainable. Therefore, on balance, it is recommended that the 10 year period is reasonable and necessary in the context of meeting the broader



objectives of RDS and SPPS. Additionally there does not appear to be local evidential context for relaxing this aspect of CTY 10 and SPPS.

- 7.63 The siting and clustering aspect of CTY 10 and SPPS is another area where there has been views expressed that would advocate for a relaxation of the current policy approach. As stated earlier, the preference within the current policies is to be visually linked or clustered with an established group of buildings. This approach was taken to help minimise adverse impact on the character and appearance of the rural landscape. Although not explicitly stated in the policy justification, it can also be reasonably assumed that the clustering policy relates to preference for consolidating development in the countryside in areas where development already exists and as such avoiding a further dispersal of dwellings and services.
- 7.64 In practice, there have been some cases where the clustered option has been taken when there are other sites on the holding that would have had less impact on the character and appearance of the rural area. Ministerial advice on CTY 10 also advocated a soft approach in terms of approving new accesses for new dwellings due to banks not providing mortgages.
- 7.65 It could also be argued that removal of the clustering requirement will not result in any net increase in terms of the amount of dwellings being approved, as it will always be linked back the status of the farm activity.
- 7.66 The removal of the clustering provision is at odds with the SPPS objectives, which as a Council we have to take account of. Therefore it is fair to say that a convincing local-needs case may need to be presented to remove this requirement. There are question marks as to whether such a case exists and it is also not clear if such policy change would stand up to SA.
- 7.67 Another operational aspect of the CTY 10 that may merit further investigation relates to the viability of some farm holdings that were received under the CTY 10. This relates to very small amount of applications whereby question marks were raised over the viability and authenticity of farm holdings. These are normally very small holdings of one or two small fields. At the moment, the test relates to “active and established” and in practice there is no requirement to demonstrate that the holding has long term viability. Should the policy account for the viability of the farm? Would this ensure that farm holdings are not artificially managed to create additional development opportunities?

## 11) Farm Diversification-CTY 11

- 7.68 This policy aims to promote forms of diversification that are sustainable in the countryside, including suitable tourism or agri-tourism schemes. 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. “To be run in conjunction with” does not necessarily mean that the proposal has to be in some way related to agricultural. However it should be of a scale and nature appropriate for the location and be capable of satisfactory integration into the rural landscape and applications for large-scale proposals more suitable to the urban area or existing urban-based enterprises seeking relocation will not be acceptable.
- 7.69 CTY 11 directs proposals to re-use existing buildings and new builds are only acceptable in exceptional circumstances such as where all other buildings are essential to the requirements of farm or do not meet the requirements of other statutory agencies.
- 7.70 The SPPS strategic policy states that the guiding principle for policies and proposals for economic development in the countryside is to facilitate proposals likely to benefit the rural economy and support rural communities while protecting or enhancing rural character and the environment, consistent with strategic policy elsewhere in the SPPS. In relation to development in the countryside, the SPPS also has specific objectives to manage growth to support a vibrant rural community, to conserve the landscape, facilitate development which contributes to a sustainable rural economy and to promote high standards in design, siting and landscaping.
- 7.71 Both policies specify that the existing business must be active and established. SPPS goes further and states that it must be active for 6 years.
- 7.72 Feedback from Members on this policy is that the active and established and re-use of buildings test are unduly restrictive. They believe that it hinders entrepreneurs who do not have a farming background or access to existing farm buildings. On the other hand anecdotal feedback from Planning Officers suggests that non-farming businesses are using this policy to get approval for uses such as light industrial or start up units because policy in PPS 4 is seen as more restrictive. The purpose of this policy is not to be the sole method of achieving employment uses in the countryside but rather an additional opportunity for farmers to utilise and diversify their businesses to supplement their income and in some cases provide more employment. It should be the role of other policies to

allow the entrepreneurs from a non-farming background to have appropriate scale economic development proposals in the countryside.

- 7.73 Overall, the provisions within CTY 11 meets the aims and objectives of the policy. SPPS provides further clarity in terms of the 6 year rule. A combination of the two policies may be adequate for the purposes of the LDP.

#### 12) CTY 12- Agricultural and forestry development

- 7.74 The Planning (General Permitted Development) Order (Northern Ireland) 2015 provides for in the most part for the provision of such development in the countryside without having to apply for permission. CTY 12 sets out the policy requirements when a proposal is not permitted development.
- 7.75 CTY 12 as it exists adheres to the policy approach and objectives of the SPPS. In cases where a new building is proposed it must be sited adjacent to existing farm or forestry buildings. This conforms to the SPPS approach to cluster consolidate and group new development with existing established buildings. By having a policy provision for this type of development goes some way to supporting rural communities, many of which are involved in agriculture and forestry. It also will contribute to a strong and sustainable rural economy. The policy includes criteria to protect landscape character, natural and built heritage and residential amenity. The inclusion of these criteria conform to the SPPS objective to conserve the landscape. In cases where new buildings are applied for under this policy, criteria must be adhered to which relate to design and materials. This is in keeping with the SPPS objective to promote high standards in the design and siting of development.
- 7.76 Issues have been raised in the implementation of CTY 12. In particular there have been cases where genuine start up farmers, who require buildings cannot meet the permitted development allowances under the Planning (General Permitted Development) Order (Northern Ireland) 2015. Furthermore they have had difficulty in meeting the CTY 12 as they don't have any building to site alongside and they haven't been active and established for 6 years. Does this policy discourage start up farmers? Is this contrary to the objective of sustaining rural communities?
- 7.77 The LDP may consider the option of accommodating such scenarios, whilst also being mindful that any solution should not open the door to those who are not genuine farmers. A possible option would be to remove the "established" criteria and to assess proposal on being "active" and put more emphasis on the

“necessity” of the building. A further criteria specifying that the proposed building must exhibit the characteristics and functional layout of an agricultural building may reduce any scope for misuse of the policy.

### 13) Design and Integration – CTY 13 Integration, CTY 14 Rural Character and CTY 15 Setting of Settlements

7.78 PPS 21 contains a number of specific policies relating to integration and design, character and setting. The SPPS, on the other hand, does not deal with these issues by way of regional strategic policies. Rather they are referred to generally and are expected to be taken into consideration in all regional strategic policies.

7.79 The RDS sets out a clear strategic objective to sustain rural communities (SPG 13). This will ensure sustainable growth in the countryside as well as protecting and enhancing the environment. Integration, protection of rural character and protection of the setting of settlements are key policy provisions that ensure that both the rural and environmental character are protected.

7.80 SPPS is less descriptive than PPS 21 and in particular it does not address issue as cumulative build up, prominence, impact of ancillary works and traditional patterns of development. The LDP should take account of the policy approach of CTY 14 in 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.

7.81 Overall it is considered that that the principles as set out in the PPS 21 policies are essential tools in ensuring that development in the countryside is appropriate to its context and does not have a detrimental effect. These detailed policies should be viewed as key objectives in the LDP and given a degree of prominence in the assessment of development in the countryside.

### 14) CTY 16-Development relying on non-mains sewerage

7.82 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.

7.83 In rural areas, it is not usually practical to connect to the main sewerage system and as such development will normally use a form of non-main sewerage treatment such as a septic tank. A Discharge Consent is required under the

Water (Northern Ireland) Order 1999. The aim of the policy is to protect the Region's water resources from the actual and potential polluting effects of on-site treatment plants. SPPS advises that in all circumstances, proposals for development in the countryside must meet planning and environmental considerations including those for drainage and sewerage.

- 7.84 It is recommended that the policy approach and amplification contained with CTY 16 is retained as the protection of our water and rivers are key themes within the Draft Community Plan and the level of detail of CTY 16 is preferable to the broad approach taken by SPPS.

#### 14) Policy AMP 3-Access to Protected Routes

- 7.85 This relates to the consequential amendment to Policy AMP 3 of PPS 3. It set out the exceptional cases within PPS21 where an access can be granted onto a protected route. This meets the SPPS objective to restrict the number of new accesses and control the level of use of existing accesses onto Protected Routes.
- 7.86 The approach taken by AMP 3 provides clarity and any protected route policy in the LDP should be similarly descriptive.

## 8.0 Proposed Rural Strategy for LDP

- 8.1 New growth must be developed within established strategic parameters. The Regional Development Strategy 2025 (DRD 2001) introduced a framework for the future physical development of the Region based on urban hubs and clusters, key and link transport corridors and the main gateways of ports and airports. Protection and enhancement of the environment allied to the promotion of a strong spatially based economy, a healthy living environment and an inclusive society where an integral part of the drive is to achieve balanced growth within the Region. These themes have been built upon in the RDS 2035 (2012).
- 8.2 For the rural area outside of the main and local hubs, the RDS spatial framework guidance is to:
- sustain the rural communities living in smaller settlements (small towns, villages and small rural settlements) and the open countryside; and
  - to improve accessibility for rural communities.

The RDS recognises that a strong network of smaller towns supported by villages helps to sustain and service the rural community.

- 8.3 A new strategy for rural development must be brought forward through our LDP. This policy must facilitate the sustainable development of our countryside. The strategy will reflect the aims and objectives of the SPPS and RDS, whilst also acknowledging the local circumstance of Derry City and Strabane District Council.
- 8.4 There are a number of key local considerations that will frame our approach to the rural strategy:
- Our population is 149,000. Of this 115,000 is in urban areas and 35,000 is in rural areas (including those within settlements limits).
  - This is a 77/23 split in terms of urban/rural split.
  - In 2011, it was estimated that approximately 21,000 or 15% of our population lived in the “open countryside”.

- We have 1, 735 farms
- HGI for residential units until 2032 for the our District is calculated to be 6,545 units
- If 77/23 split was applied we would need 1,495 rural dwellings over the plan period or 88 dwellings per year.
- If the 85/15 split was applied we would need 975 rural dwellings over the plan period or 57 dwellings per year.
- If we applied the current rural policy, PPS 21, it is likely that we would broadly meet these indicators.
- Even at moderate or elevated growth levels, if we applied the 15% figure it is considered that a policy similar to the existing or slightly relaxed version would accommodate the projected figures.
- PPS 21 has a 81% approval rate in DCSDC
- PPS 21 has been in place during the financial crisis period and it may be the case that the number of applications during that period has been deflated.
- There is no evidence of significant de-population of any our 19 rural Super Output Areas (SOAs) between 2001 and 2011. Only one SOA had a decrease in that period. <sup>4</sup>

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<http://www.ninis2.nisra.gov.uk/InteractiveMaps/Population/Population%20Change/Population%20Totals/atlas.html>

- There has been some evidence of decreases in population in some SOAs between 2011 and 2015. 1 of the 19 rural SOAs had a significant decrease of more than a 100 in that period.

Super Output Area (SOAs)	Population 2001	Population 2011 (Difference since 2001)	Population 2015 (Difference since 2011)
Glenderg	2,483	2,612 (+129)	2,659 (+47)
Clare	2,440	2,652 (+212)	2,637 (-15)
Castledearg	2,068	2,128 (+60)	2,107 (-21)
Finn	2,397	2,806 (+409)	2,893 (+87)
Victoria Bridge	2,117	2,297 (+180)	2,256 (-41)
Artigarvan	2,345	2,762 (+417)	2,879 (+117)
Slievekirk	2,069	2,515 (+446)	2,414 (-101)
Claudy 1	1,545	1,588 (+43)	1,573 (-15)
Claudy 2	1,686	1,973 (+287)	1,972 (-1)
Dunnamanagh	2,131	2,213 (+82)	2,208 (-5)
Plumbridge	2,183	2,228 (+45)	2,215 (-13)
Enagh 1	1,710	2,419 (+709)	2,515 (+96)
Enagh 2	1,689	3,323 (+1,634)	3,405 (+82)
Eglinton 1	1,898	1,769 (-129)	1,800 (+31)
Eglinton 2	2,104	2,635 (+531)	2,616 (-19)
Hollymount 1	1,796	2,261 (+465)	2,351 (+90)
Hollymount 2	2,009	2,950 (+941)	3,094 (+144)
Banagher	2,965	3,475 (+510)	3,547 (+72)
Creevagh 1	1,846	2,018 (+172)	1,980 (-38)

Table 7: Population changes in rural SOAs sourced from [www.ninis2.gov.uk](http://www.ninis2.gov.uk)

- 8.5 The Council's new draft Community Plan (Strategic Growth Plan) aims for ambitious and sustainable growth across the District inclusively. In line with this, the LDO will seek to provide additional opportunities for appropriate, sustainable development in the countryside and in rural settlements. In terms of residential development, these key local considerations would appear to indicate that our strategy should indeed adopt an approach of sustaining the existing rural community in order to meet our overall objectives in relation to growth.
- 8.6 The strategy adopted will conform to the broader regional strategic objectives as set out in the SPPS:



- **Manage growth to achieve appropriate and sustainable patterns of development which supports a vibrant rural community**

Current trends would allow for an adequate supply of dwellings during the plan period when assessed against the parameters of the HGI, however, the LDP's plans for sustainable growth would require some additional opportunities for further dwellings and small businesses in the countryside. However the baseline evidence suggests that our strategy should not seek to significantly relax residential policy in the open countryside, but take an approach that allows for a sustained growth and this will justify some relaxation or re-interpretation of the current policies.

- **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**

This SPSS objective will be adhered to in the new LDP potentially by the protection of certain landscape within the Areas of Outstanding Natural Beauty (AONB) and special areas of constraint such areas of high scenic value, areas of archaeological significance, areas of development pressure etc.

- **Facilitate development which contributes to a sustainable rural economy**

It is acknowledged that this Council experiences a higher than average level of unemployment, deprivation and disadvantage. Therefore there is a strong case for appropriate relaxation of economic development policy in the rural area, as this will contribute to sustainability of existing rural communities. (See PPS 4 Paper)

- **Promoting high standards in design, siting and landscaping**

The LDP will include a specific policy which will deal with the integration of buildings in the Countryside, will ensure protection of rural character, will require all proposals to be appropriately designed and will protect against urban sprawl.

## **Policy Approaches and Preferences**

The following section summarises possible policy approaches and points towards a preferred approach for the Council. These suggestions are however subject to further research, consultation with stakeholders, public, consultees and DfI, as well as sustainability assessment and Member consideration.

### Location, siting and design

*Approach 1- Adopt PPS 21 approach in terms of CTY 13, 14 & 15*

*Approach 2-Adopt SPSS approach*

*Approach 3- Adopt PPS 21 approach with emphasis that the policy provisions apply to all development in the countryside.*

Preferred policy approach is *Approach 3*.

### Development in Dispersed Rural Communities

*Approach 1- Adopt PPS 21 approach and identify appropriate locations within and designate as DRCs.*

*Approach 2-Take regional SPSS approach and remove any reference to DRCs*

The Council's preferred policy approach would be *Approach 1*. However, DCSDC does not have any obvious candidate areas for DRCs. Any area that may have been considered as a 'Dispersed Rural Community' are already designated as settlements based on their function and focal nature. Given the strong pattern of single dwellings gravitating towards these focal points already, there is not a strong indication that this form of intervention is required in terms of sustaining local rural communities.

### New Dwellings in Existing Clusters

*Approach 1-Adopt PPS 21 policy CTY 2a*

*Approach 2-Adopt less descriptive SPSS policy*

*Approach 3-Adopt the broad approach taken in PPS 21 but with some relaxation*

Preferred policy approach would be *Approach 3*.

This option would propose a minor change so that the specific reference to ‘community building/facility’ is removed and left as ‘focal point’. This would mean we give more regard to the contemporary context and not some historic focal points i.e. the primary consideration should be that we comply with the broad overall intent to round off and consolidate an existing cluster without changing the character of the area.

### Replacement Dwellings

*Approach 1-Adopt PPS 21 policy CTY3*

*Approach 2-Adopt less descriptive SPPS*

*Approach 3-Adopt broad CTY 3 approach with minor changes i.e. non vernacular buildings should be defined as ‘making significant contribution to the heritage, appearance or character of the locality’ rather than ‘important contribution’.*

Preferred policy approach is to retain policy approach of CTY 3. It adheres to the aims and objectives of the SPPS, but also provides more detail and direction.

### Conversion and Reuse of Existing Buildings

*Approach 1-Adopt PPS 21 policy approach*

*Approach 2-Adopt SPPS policy approach*

*Approach 3- Adopt PPS 21 policy approach with minor changes*

Preferred policy approach is *Approach 3* to retain CTY 4 wording with some minor changes. SPPS introduces an unduly restrictive ‘merit test’. Such a test excludes buildings which are capable of sympathetic and sustainable conversion with little or no impact on the environment. Minor improvements in relation to what are unsuitable buildings e.g. domestic and agricultural will provide more clarity for the public and decision makers.

## Social and Affordable Housing

*Approach 1-Adopt PPS 21 policy approach*

*Approach 2-Adopt SPPS approach*

*Approach 3-Allocate adequate land to accommodate social housing with settlements rather than adjacent or near to settlements*

Preferred policy approach is *Approach 3*. This policy is only required in circumstances where need has not been foreseen and provided for through the development plan. This was an understandable approach when viewed in the context of older nature of some of our development plans, however this reasoning cannot be considered justified when the LDP has the opportunity to identify more suitable and sustainable locations within the smaller rural of settlements of 2, 250 or less.

## Personal and Domestic Circumstances

*Approach 1-Adopt PPS21 CTY 6 policy approach*

*Approach 2-Adopt SPPS approach*

Preferred policy approach is to retain CTY 6 policy wording as provides greater clarity, whilst still meeting the broad regional objectives of SPPS. There are no compelling local circumstances that would merit the relaxation of these policies.

## Dwellings For Non-Agricultural Business Enterprises

*Approach 1-Adopt PPS 21 CTY 7 policy approach*

*Approach 2-Adopt SPPS approach*

*Approach 3-Adopt a new approach whereby established rural businesses of 10 ten or more will be entitled to dwelling provided it is clustered or visually linked to the business.*

Preferred policy approach is *Approach 3*. The aim of the RDS is sustain rural communities. Our LDP may reflect the reality that existing rural businesses contribute to the sustainability of their area in a similar fashion to farms. Therefore it appears

reasonable that established businesses where there is already a residential commitment should benefit in the same way e.g. if a rural business owner already resides besides his/her business then they should be afforded the opportunity to provide a dwelling for their offspring once every 10 years. If no business linked residence exists, then the existing test of CTY 7 should be applied.

### Ribbon Development

*Approach 1-Adopt PPS 21 CTY 8 policy approach*

*Approach 2-Adopt SPPS approach*

*Approach 3- SPPS approach with definitions of gap site as being for only one dwelling and a clear frontage definition.*

Preferred policy approach is *Approach 3*. This would adopt the aims and objectives of the SPPS. It appears that in practice that the application of CTY 8 has led to developments that could be considered damaging to rural character and rather than infilling they have created ribbon development. Gaps suitable for 1 dwellings are more natural infill opportunities and will remain a sustainable option for development in the rural area.

### Residential Caravans and Mobile Homes

*Approach 1-Adopt PPS 21 CTY 9 approach*

*Approach 2-Adopt SPPS approach*

*Approach 3-No policy allowing temporary caravans and mobile homes*

Preferred policy approach is *Approach 3*. CTY 9 is more descriptive and defines an acceptable period for approval. It also directs temporary caravans to cluster with existing buildings. This meets the clustering and consolidation objective of SPPS. It is recommended that CTY 9 is carried forward as it provides more clarity and it supports the objectives of SPPS.

## Dwellings on Farms

*Approach 1-Adopt PPS 21 CTY 10 approach*

*Approach 2-Adopt SPPS approach*

*Approach 3- Adopt PPS 21 CTY 10 approach with an additional viability test*

*Approach 4- Adopt PPS 21 CTY 10 approach but with minor relaxation in relation to the development opportunities such replacements/conversion not being included as “development” opportunities in the 10 year period.*

*Approach 5-Relax policy so that dwelling does not have to cluster with existing buildings*

*Approach 6-Relax policy so that it removes ‘established test’.*

Preferred policy approach is *Approach 3*. Approach 2 is not prescriptive enough for our local area. Approach 3 allow for a modest relaxation of the policy to allow farmers to avail of their one in 10 year opportunity, as well any sustainable options development opportunities such as replacements and conversions.

Whilst there are merits with Approach 4 in relation to possible better integrated sites, this approach does not meet the overall objectives of SPPS in terms of consolidation and sustainability.

## Conversion and re-use of existing buildings for non-residential use

*Approach 1-Adopt PPS 21 policy approach*

*Approach 2-Adopt SPPS policy approach*

*Approach 3- Adopt PPS 21 policy approach with minor changes*

Preferred policy approach is *Approach 3* to retain CTY 4 wording with some minor changes. SPPS introduces an unduly restrictive ‘merit test’. Such a test exclude buildings which are capable of sympathetic and sustainable conversion with little or no impact on the environment. Minor improvements in relation to what are unsuitable buildings e.g. domestic and agricultural will provide more clarity for the public and decision makers.

### Farm Diversification

*Approach 1-Adopt PPS 21 CTY 11 approach*

*Approach 2-Adopt SPPS approach*

*Approach 3-Merge the two so that the “6 year” rule in terms of activity is adopted*

Preferred policy approach is *Approach 3*. This approach gives detail whilst meeting the aims and objectives of SPPS.

### Agricultural and Forestry Development

*Approach 1-Adopt PPS 21 CTY12 approach*

*Approach 2-Adopt SPPS approach*

*Approach 3-Amend CTY 12 to remove the established test and replace it with a necessity test. New policy should also insist that design of building is agricultural in nature.*

Preferred policy approach is *Approach 3*. Approaches 1 & 2 do not allow new genuine farmers to provide necessary facilities for their holdings. As there is no allowance for this under PD it seems unfair that you can't get approval for a shed until the business is 6 years old. The necessity may be proven through the submission of suitable supporting information including proof from DAERA that the housing or shed is required, details of stock/business etc. An additional line indicating that the shed shall be designed for agricultural purposes only would also dissuade the submission of sheds that are clearly not agricultural in nature.

### Development relying on non-mains sewerage

*Approach 1-Adopt 1 Adopt PPS 21 CTY 16 approach*

*Approach 2-Adopt SPPS approach*

Preferred policy approach is *Approach 1*. Justification and amplification should also be retained.

### Access to Protected Routes

*Approach 1-Adopt AMP 3 approach*

*Approach 2-Adopt SPPS approach*

Preferred policy approach is *Approach 1* as this gives more direction of the types of development that would be considered exceptions in terms of accessing protected routes.

## **9.0 Consideration of other issues not covered in current rural policy**

9.1 The following policy approaches have been suggested by Members for consideration: Kinship test for non-farming rural dwellers and local approach to recognise the linear form of development along the Glenelly Valley

### 1) Kinship test for non-farming rural dwellers

9.2 There is an opinion that current planning policy does not adequately account for non-farming rural dwellers and that they have particular difficulty demonstrating that they meet any of existing criteria that allows for residential development in the countryside. It has been suggested that one method of redressing this is to allow for a criteria that allows non-farming rural dwellers to avail of a site provided that they demonstrate that they have a viable connection to the rural area.

9.3 A contrary view to the above is that non-farming rural dwellers are catered for in the current planning policy through opportunities such as replacement dwellings, conversion, infill sites, rural clustering and dwellings for non-agricultural business enterprises. Furthermore, the policy for dwellings on farms is not aimed exclusively at farmers and non-farming rural dwellers can benefit from these approvals also.

9.4 A paper was prepared for the then Environment Minister on “non-farming rural dwellers” by an independent panel in 2008. This was during the Draft PPS 21 period. The independent panel concluded that planning policy should not create a special category for the non-farming rural dweller. Planning decisions for single houses should not be determined on the basis of kinship, connection or occupation. With particular reference to “kinship” it advised that “apart from the practical difficulties in terms of implementation, assessment and enforceability, there would be potential for arbitrary circumvention of other important policies if the concept of kinship were to be embodied in policy: policies that are designed to encourage appropriate rural development”. It suggests that any policy may fall short of meeting the legislative requirement of “orderly and consistent” development and the overarching aims and objectives of the RDS and SPPS.

9.5 The group recognised that there may be scope for local solutions in spatially defined areas. This approach could be tailored to reflect economic, social and environmental diversity rather than an approach based on kinship, connection or occupation. This approach could focus development on areas of our District that require intervention socially or economically. This may be an area that has experienced dramatic population decline or economic decline. From an environmental perspective it could mean focusing development in sustainable locations that are capable of development without adverse impact on the environment.



- 9.6 This report was prepared in advance of PPS 21 and the revised RDS. The planning trends in DCSD suggest that PPS 21 is allowing a rate of approvals for dwellings in the countryside which is commensurate with the revised HGI figures. There is not is a strong indication of de-population in our rural areas, although this will have to be kept under review. As a District, we exceed a lot of the indicators of social deprivation. Whilst this is particularly true in urban areas, there are also areas of deprivation in our rural areas. However these areas are not easily defined spatially.
- 9.7 One side effect of introducing of spatially defined areas is that the more permissible the policy is then the more likely that you will need to balance that by having a less permissible policy elsewhere. This will make it more difficult to meet the overall objectives of managing development in a sustainable manner. The parameters for what defines the spatial area may also have implications in terms of managing the overall objectives of the LDP. For example if the parameters are too wide it may mean large areas of the countryside could be included because they meet a particular economic threshold.
- 9.8 Overall, it is considered, that the spatial approach holds more merit than the kinship approach in that it can, if properly regulated, target growth towards areas that most need it. However, at this stage, planning policy trends suggest that a policy similar to or slightly more relaxed than PPS21 will adequately provide for rural dwellers on a District wide basis. However, there may be some value in looking at this approach at review stage if there is a case where there is demonstrable evidence that the adopted policy is not meeting its target of sustaining a particular community.

#### 2) Local approach to recognise the linear form of development along the Glenelly Valley

- 9.9 It was raised during Member discussions that any rural policy in the LDP should recognise the linear form of development along the Glenelly Valley. In certain parts of our rural area, we have a landscape of long, steep sided narrow valleys. Due these particular topographical features there has been a trend of mostly linear and roadside development.
- 9.10 Glenelly Valley very much reflects this pattern of development. A cursory inspection of overhead photos and inspection of our rural development pressure analysis map would validate this assertion. Along the main Glenelly Road, most dwellings and farm buildings are close to the road.

- 9.11 Members are concerned that planning policy may direct residential properties in this area to steeper slopes rather than following the traditional linear pattern of roadside development. The existing pattern of the development suggests that planning policy has up until now allowed for a linear pattern of development as long as it didn't result in ribbon development.
- 9.12 The farm dwelling policy is the most commonly used of the rural policies. This policy directs new dwellings to cluster or to be visually linked to the farm buildings. This approach is the recommended preferred option going forward. Given that the most of the farm buildings in the Glenelly Road are roadside at present this approach will direct new dwellings to these areas provided they do not create ribbon development.
- 9.13 Given that the vast majority of development proposal will be directed towards the roadside there is not a strong case for amending planning policy for this local area as in the vast majority of cases, it appears that policy will direct development towards roadside locations.

## **10.0 Sustainable Rural Development Approach in the LDP Preferred Options Paper**

- 10.1 In light of the consideration set out in this paper, the POP proposes the following preferred options, regarding rural dwellings:
- 10.2 The SPPS and PPS objectives will inform the policy direction for the LDP's rural development policy and accordingly much of the policy direction as set out in the SPPS will need to be carried forward into the LDP. However, in order to sustain the rural community in our District and to meet our overall growth objectives, the Council intends to explore how to provide some additional opportunities in relation to new dwellings in the countryside, specifically in existing CTY2a nodes / clusters, dwellings on farms and dwellings for non-agricultural business enterprises, and conversions, as well as the siting requirements for dwellings. There is also a need to clarify other policies such as infill, agricultural development and active farming criteria for rural dwellings, as well as to explore the potential for DRCs as indicated in the current PPS 21.
- 10.3 With regard to other forms of development in the countryside the POP proposes to identify additional opportunities for appropriate small businesses (PPS 4) and for tourism projects (PPS 16). The POP also proposes to consider the identification of specific spatial areas of the countryside, which are under particular development pressure or landscape sensitivity where further controls will apply, including rural buildings and wind turbines.