

Implementation of Strategic Planning Policy on Development in the Countryside

Planning Advice Note

August 2021



Department for

Infrastructure

An Roinn

Bonneagair

www.infrastructure-ni.gov.uk

Introduction

1. The objective of the planning system, consistent with Part 1, Section 1 of the Planning Act (NI) 2011, is to secure the orderly and consistent development of land whilst furthering sustainable development and improving well-being. Furthering sustainable development is, therefore, at the heart of the Strategic Planning Policy Statement (SPPS) and its policies must be taken into account by planning authorities when preparing plans and taking decisions.
2. The Planning Act (Northern Ireland) 2011 transfers responsibility for the preparation of local development plans (LDPs) from the Department for Infrastructure (the Department) to councils and establishes a plan-led planning system which gives primacy to the plan in the determination of planning applications, unless other material considerations indicate otherwise. Sections 8 and 9 of the 2011 Act require a council to take account of the RDS and any policy or advice contained in guidance issued by the Department, including the SPPS.
3. In preparing LDPs the SPPS states that *“councils shall bring forward a strategy for sustainable development in the countryside, together with appropriate policies and proposals that must reflect the aims, objectives and policy approach of the SPPS, tailored to the specific circumstances of the plan area.”*
4. A council’s new draft plan strategy will be examined at Independent Examination (IE) against soundness tests which will relate to how the plan strategy has been produced, and how it has taken account of central government plans, policy and guidance, and also its coherence, consistency and effectiveness. It is therefore important that, whilst having the flexibility to bring forward new policies for development in the countryside, tailored to the circumstances in their areas, councils must properly take account of the regional policy context, as set out in the SPPS, including the policy matters highlighted in this Planning Advice Note (PAN), when preparing their new LDPs.
5. Since the 1 April 2015 councils have also had responsibility for determining the vast majority of planning applications, including those for development in the countryside. In this context it is important that planning authorities afford the correct weight to the regional policy as set out in the SPPS, as a material consideration in decision taking.

Background

6. The SPPS was published in September 2015 following Executive Committee agreement. Since then the Department issued a ‘Call for Evidence’ and commissioned independent consultants to undertake background research on the issue of development in the countryside. The overall aim of the research was to provide an updated evidential context to inform the best strategic planning policy approach for development in the countryside, which furthers sustainable development and is appropriate for the two-tier planning system. The independent consultants’ final research report recommended that the preferred option for the way forward for strategic planning policy on Development in the Countryside, is that the Department should provide an ‘emphasis’ of fundamental aspects of the SPPS policy,

rather than undertake a review of it. A copy of the Call for Evidence 'Emerging Issues Paper – Development in the Countryside' and consultants' final report can be viewed using the following link: www.infrastructure-ni.gov.uk/publications/PAN-countryside

7. Having considered all of the available evidence, including the Call for Evidence; independent research report; correspondence with stakeholders; and, ongoing departmental work to maintain up-to-date evidence and an understanding of how policy is being interpreted and applied in practice, DfI Minister Nichola Mallon MLA is satisfied that the policy provisions of the SPPS are appropriate and robust for the two-tier planning system. The Minister has, therefore, decided to reaffirm and clarify her commitment to sustainable development in the countryside as per the current policy approach and the Department has produced this PAN, to support its implementation.
8. The purpose of this PAN is to re-emphasise fundamental aspects of existing strategic planning policy on Development in the Countryside, as contained in the SPPS; and, clarify certain extant provisions of it. It does not add to or change existing policy or guidance. This PAN is relevant to planning authorities and all users of the planning system involved in the preparation and determination of planning applications and appeals; and, in the formulation of LDPs.

Regional Strategic Planning Policy

9. The countryside is recognised as one of our greatest assets which is highly valued. 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.”* Its policy objectives for development in the countryside are to:
 - *Manage growth to achieve appropriate and sustainable patterns of development which supports a vibrant rural community;*
 - *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;*
 - *Facilitate development which contributes to a sustainable rural economy; and,*
 - *Promote high standards in the design, siting and landscaping of development.*

Local Development Planning and Development Management

10. The SPPS sets out a range of policy provisions for appropriate residential and non-residential development in the countryside, and states that, *“The policy approach must be to cluster, consolidate and group new development with existing established buildings, and promote the re-use of previously used buildings”* (Para. 6.69). Integrating new development with existing buildings is, therefore, a fundamental underlying principle of strategic planning policy for development in the countryside, which is relevant to both plan-making and decision-taking. There are specific policy provisions for the conversion and re-use of existing buildings in the countryside for residential and a variety of other non-residential uses; and,

for certain farm diversification schemes where proposals involve the re-use or adaptation of existing buildings (Para. 6.73). These elements of the current policy approach further support the sustainability strategy of the SPPS for the countryside and must be central to local plan-making and decision-taking going forward. This sustainable approach seeks to exploit the planning advantages of re-using buildings, securing their upkeep and retention as appropriate. It also provides for the facilitation of new development opportunities in the countryside, which can benefit from the utilisation of existing services such as access and drainage, whilst simultaneously mitigating the potential adverse impacts from the cumulative effect of one-off, sporadic development upon rural amenity and landscape character.

11. Whilst PPS 21: Sustainable Development in the Countryside continues to have effect under the transitional arrangements of the SPPS, the SPPS clarifies at para. 1.12, that, *“Any conflict between the SPPS and any policy retained under the transitional arrangements must be resolved in favour of the provisions of the SPPS. For example, where the SPPS introduces a change of policy direction and/or provides a policy clarification that would be in conflict with the retained policy the SPPS should be accorded greater weight in the assessment of individual planning applications.”*
12. As per paragraph 8 above, this PAN does not add to or change existing policy or guidance already contained within the SPPS. Therefore, the guidance contained in it, including that with respect to the policy matters bulleted below, should be read together with the SPPS when plan-making and in the determination of planning applications and appeals:
 - Integration and rural character;
 - Dwellings on farms;
 - Infill/ribbon development; and,
 - Dwellings in existing clusters

Integration and rural character

13. As a result of some perceived ambiguity within the policy wording of PPS 21, it was apparent that, in relation to all forms of development in the countryside, decisions were sometimes taken whereby integration and impact on rural character were not given the intended consideration and weight.
14. The SPPS clarifies for plan-making and decision-taking that *“All development in the countryside must integrate into its setting, respect rural character and be appropriately designed”* (Para. 6.70). Furthermore, it states that, *“In all circumstances 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...”* (Para. 6.77).
15. Given that the SPPS explains that any conflict between the SPPS and any policy retained under the transitional arrangements must be resolved in favour of the provisions of the SPPS (Para. 1.12), there should no longer be any such ambiguity in this regard. The Department considers that all forms of development in the countryside must therefore

integrate into their setting and ensure that there is no adverse impact on the rural character of the area, as per the SPPS.

Dwellings on farms

16. The SPPS (and extant PPS 21 Policy CTY 10) provides the opportunity for dwellings on farms. In relation to a new dwelling on a farm, the SPPS makes it clear for plan-making and decision-taking, that, as per the policy of PPS 21, the proposed dwelling must be *“visually linked or sited to cluster with an established group of buildings on the farm holding”*, and therefore it would be expected that there would be a group of farm buildings on the holding to cluster with. Departmental guidance was issued in the past for situations where there were no buildings on the farm, including holdings which may have at least a residential dwelling and garage. This guidance was subsequently withdrawn, however, it highlights the original policy intent, whereby there is an expectation that there is an established group of buildings on the farm holding, with which a new dwelling could visually link or be sited to cluster with.
17. Furthermore, the supplementary planning guidance contained within ‘Building on Tradition: A Sustainable Design Guide for the Northern Ireland Countryside’, which must be taken into account in assessing all development proposals in the countryside, furthers this point in Chapter 04 ‘Visually Integrated’. This guidance gives added emphasis on new development being visually linked, stating *“Hence the policies are structured to direct development to locate (inter alia)... adjacent to established farm groups...”*
18. This guidance is in line with the general policy approach of the SPPS to cluster, consolidate, and group new development with established groups of buildings on a farm. Not applying the extant policy as intended, when plan-making and decision-taking, may result in new dwellings being approved on farms which are poorly integrated and/or have an adverse impact on the rural character of the area by, for instance, introducing a suburban style of build-up (by siting beside an existing dwelling and domestic garage rather than an established group of buildings on the farm); by creating or adding to ribbon development, or by potentially creating further future infill opportunities which may ultimately lead to a change of rural character and result in ribbon development.
19. As per the policy position set out in the SPPS in relation to development in the countryside, the policy is clear that all new development proposals should be appropriately integrated, not have an adverse impact on rural character, or create or add to a ribbon of development. Therefore, for the purposes of this policy, the Department considers that new dwellings on farms should be sited to visually link or cluster with an established group of buildings on the farm holding, which would not include a dwelling and domestic garage only.

Infill/ribbon development

20. The SPPS (and extant PPS 21 Policy CTY 8) provides the opportunity for the development of a small gap site in an otherwise substantial and continuously built up frontage. The policy

states that *“Planning permission will be refused for a building which creates or adds to a ribbon of development.”*

21. The application and interpretation of infill/ribbon development policy has and continues to be a cause of debate, particularly in respect of the definition of a ‘building’ for the purposes of the policy, and what constitutes a ‘substantial and continuously built up frontage’. Preparing plans and taking decisions that are not in keeping with the original intention of the policy will therefore undermine the wider policy aims and objectives in respect of sustainable development in the countryside.
22. The acceptance of an unsubstantial ancillary building, such as a domestic garage or small outbuilding as a ‘building’ which contributes to the assessment of a substantially and continuously built up frontage, is at odds with the original policy intent. It was not the intention of the policy that such buildings would be considered suitable in any reasonable planning assessment of a proposal for an infill dwelling, given their limited size and visual impact, in terms of their ability to contribute visually to a substantial and continuously built up frontage.
23. As set out above, the SPPS is clear, in that, for plan-making and decision-taking, all development in the countryside should integrate, respect rural character and not create or add to a ribbon of development.

New dwellings in existing clusters

24. The SPPS (and extant PPS 21 Policy CTY 2a) makes provision for a dwelling at an existing cluster of development which lies outside a farm provided it, *“appears as a visual entity in the landscape; and is associated with a focal point; and the development can be absorbed into the existing cluster through rounding off and consolidation and will not significantly alter its existing character, or visually intrude into the open countryside.”*
25. The policy requires that **all** of the policy criteria for new dwellings in existing clusters of development are met. Not applying the extant policy as intended may result in new dwellings being approved without meeting all of the listed criteria, hence undermining the policy intent. For example, the requirement that the cluster *“is associated with a focal point”* is a key policy consideration in determining development proposals in an existing cluster of development.
26. In order to ensure the intention of the policy is not undermined; to maintain the integrity of the planning system; and, to ensure that sustainable development is achieved, it is important that, when preparing plans and taking decisions, all criteria are applied as the policy requires, unless there are clear overriding material considerations for not doing so, in which case these should be clearly set out. The Department therefore considers that approving the development of a new dwelling, which is not associated with an existing cluster of development, as defined by policy (e.g. not linked with a focal point, or indeed without complying with the other specified criteria), may result in inappropriate development, contrary to the aims and objectives of strategic planning policy.

Application and Review

27. This PAN is relevant to planning authorities and all users of the planning system involved in the preparation and determination of planning applications and appeals; and, in the formulation of local development plans (LDPs).
28. The Department may review and update the PAN as considered necessary.
29. This PAN issued on the 2nd August 2021.

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