

8th December 2025

LDP Team
Ards and North Down Borough Council
2 Church Street
Newtownards
BT23 4AP

Dear LDP Team,

Re: Representation to the Draft Plan Strategy – Objection to Policy HOU 17 (Dwellings on Farms)

I am writing to submit a formal representation regarding the soundness of the Ards and North Down Borough Council Draft Plan Strategy. Specifically, I object to the following wording of Policy HOU17 and the associated "Justification and Amplification" text:

- “Those farm businesses which do not have an established group of farm buildings associated with them will not satisfy this policy. It will not be possible to site a proposed dwelling to visually link with a dwelling and ancillary domestic buildings...”
- “For the purposes of this policy, an established group of buildings on the farm holding would not include a dwelling and ancillary domestic building only (e.g. garage, shed, outbuilding, domestic stable etc.)”

I contend that this policy is unsound as it fails the Consistency (C1 & C3) and Coherence and Effectiveness (CE1 & CE2) tests outlined in Development Plan Practice Note 6, as set out below:

1. Failure of Test C1: Inconsistency with the Regional Development Strategy (RDS)

Requirement: Practice Note 6 (Section 5.4.1) requires the Council to take account of the RDS.

The Objection:

The restrictive nature of this policy undermines the strategic guidelines set out in RDS 2035:

- Conflict with SFG13: Spatial Framework Guidance 13 of the RDS aims to "Sustain rural communities living in smaller settlements and the open countryside." This strategic guidance encourages appropriate development that supports rural dwellers. Placing an arbitrary barrier on established farm holdings—where a cluster exists but is "domestic" in nature—works against this strategic aim by preventing genuine farm families from living on their land.
- Conflict with RG14: Regional Guidance 14 aims to "Protect and enhance the rural environment." The mechanism to do this is ensuring buildings integrate into the landscape. Other buildings can, in some circumstances, provide the same or better integration and screening as farm buildings. Excluding such ancillary buildings does not serve RG14; it merely frustrates SFG13.

2. Failure of Test C3: Inconsistency with Departmental Policy (SPPS)

Requirement: Practice Note 6 (Section 5.4.8) states that a council "must take account of any policy or advice contained in guidance issued by the Department".

The Objection:

The proposed policy contradicts the flexibility and specific wording of the Strategic Planning Policy Statement (SPPS):

- Conflict with SPPS Wording: Paragraph 6.73 of the SPPS explicitly states that new dwellings on farms must be "visually linked or sited to cluster with an established group of buildings on the holding." The SPPS uses the inclusive phrase "buildings on the holding" and does not distinguish between agricultural and domestic, ancillary or other structures. By artificially narrowing this definition to exclude non-agricultural buildings, the Council is introducing a restriction that contradicts the clear wording of regional policy.

- Conflict with SPPS Strategic Aim: The SPPS (Paragraph 6.70) aims to strike a balance between protection of the environment and "supporting and sustaining rural communities." The "clustering" requirement is a visual tool to achieve environmental protection. By excluding structures that physically achieve this visual clustering based solely on their use, the policy prioritises bureaucracy over the physical reality of a site, hindering the aim of supporting rural communities without any environmental benefit.

3. Failure of Test CE1: Coherence and Effectiveness

Requirement: Practice Note 6 (Test CE1) requires that the DPD "sets out a coherent strategy from which its policies and allocations logically flow".

The Objection:

The policy is internally incoherent because the specific restriction on ancillary domestic and other, non-farm buildings does not logically flow from the Plan's own strategic objectives.

- Internal Contradiction: The strategic objective of the "Dwellings on Farms" policy is to facilitate sustainable rural housing while protecting rural character through visual integration (clustering). If a site contains a substantial group of ancillary domestic buildings, it physically meets the strategic requirement for a visual cluster.
- Illogical Mechanism: By explicitly excluding these buildings, the policy creates a contradiction where a site that physically achieves the visual goal of the strategy is rejected based on a technical classification of the existing buildings' use/uses. The restriction undermines the strategy itself. To be coherent, the definition of a "group of buildings" should be based on visual massing and permanence, not the internal usage of the structure.

4. Failure of Test CE2: Lack of Robust Evidence and Justification for Departure

Requirement: Practice Note 6 (Section 5.5.10) requires that strategies and policies must be "founded on a robust evidence base". Furthermore, where a policy is not consistent with regional policy, the Council "must be able to provide robust evidence of a local justification for departure".

The Objection:

- No Evidence of Harm: The Council has presented no evidence to demonstrate that a dwelling clustered with ancillary domestic buildings causes greater visual harm than one clustered with farm buildings. Without a Landscape Character Assessment or visual study proving this specific harm, the exclusion is unfounded and fails the Robust Evidence test.
- Unjustified Departure: As established above, the restriction departs from the inclusive wording of SPPS Para 6.73 ("buildings on the holding"). The Council has failed to provide the "robust local justification" required by Practice Note 6 to validate this departure.

Proposed Change to Make the Plan Sound

To remedy this unsoundness, I propose the following modifications:

- Amend the text in Policy HOU17 (Dwellings on Farms) as follows: "Those farm businesses which do not have an established group of ~~farm~~ buildings associated with them will not satisfy this policy. It will not be possible to site a proposed dwelling to visually link with ~~a dwelling and ancillary domestic buildings, or with~~ neighbouring farm buildings."
- Delete the following text from paragraph 7.164 of the Justification and Amplification text: "For the purposes of this policy, an established group of buildings on the farm holding would not include a dwelling and ancillary domestic building only (e.g. garage, shed, outbuilding, domestic stable etc.). This is to ensure that the general policy approach of the SPPS to cluster, consolidate, and group new development with established groups of buildings is maintained and that new residential development would not result in a suburban style build up and a negative impact on rural character should a new farm dwelling be sited in proximity to an existing dwelling and ancillary building without the integration afforded by a group of established farm buildings."

I trust these points will be given due consideration during the Independent Examination.

Thank you,

Richard O'Toole BSc (Hons) MSc MRTPI

O'Toole & Starkey Ltd