

Response from Friends of the Earth

1. Introduction

In adopting a presumption against development in open countryside, the Department for Regional Development (DRD) has made an important step in moving Northern Ireland towards more sustainable forms of rural development. This is long overdue and strongly endorsed by Friends of the Earth. This policy stance is compatible with a range of strategic policy, including the *Sustainable Development Strategy* and the *Regional Development Strategy* (RDS). While offering support to the more restrictive approach to housing in the countryside as laid out in PPS14, Friends of the Earth takes this opportunity to make a number of observations on how effective the draft document is in achieving its objective of managing development in the countryside in a way that is sustainable and consistent with the RDS.

Friends of the Earth shares the view of DRD that the current level and form of rural development is unsustainable and that urgent action is now needed to prevent further erosion of the Northern Ireland countryside as a social, economic and environmental asset. In social terms, the predominant forms of development support car-based commuting to distant urban areas and add little to local community coherence. This form of spatial development could also give rise to major long-term social consequences, as an ageing, dispersed population will come to have increasing difficulty in accessing local services and, in the absence of close neighbours, likely to come to rely on social services for support¹. In economic terms, such developments impose significant additional costs on a wide range of public services and by eroding the landscape quality of the region, threaten the economic basis of tourism. According to the RDS, tourism has the potential to create 20,000 jobs², equal to the current level of employment in the region's agricultural industry and financial services sector combined. In environmental terms, poorly controlled rural development not only causes visual damage but has begun to damage a range of wildlife habitats, resulting in declining quality of air, water and soil. It also impacts less directly on the environment by encouraging energy-intensive lifestyles and car dependency³.

This response addresses some of the arguments cited by opponents of the new policy, then notes the compatibility of the policy statement with strategic government policy and finally goes on to make constructive comments on how the policy can be further strengthened to achieve its articulated objectives.

2. The arguments against PPS14

Recent pressure on the rural environment has acted counter to achieving more sustainable levels of development and thus against the long-term interests of the region, however it has been to the economic benefit of a number of sectoral interests in Northern Ireland. It is therefore not surprising

¹ Speakman, L. and Lowe, P. (2006) *The Ageing Countryside*, Age Concern Books, London.

² p.14, *Regional Development Strategy*.

³ A recent survey from the Republic of Ireland, reported in the Irish Examiner suggests that one in four rural dwellers commutes over 40 miles a day. The same survey suggests that 40 per cent of non-agricultural rural dwellers have little contact with their neighbours and no involvement with any community network, providing further evidence that current development patterns are highly unsustainable, with many counter claims based on outdated and romantic ideas of rural life. See Ryan, R. "Commuting kills village life: 40 per cent don't know neighbours" Irish Examiner, 24/1/06.

that the Department is coming under pressure to soften the approach suggested in draft PPS14. The opponents of the proposed policy statement offer a number of arguments for its withdrawal or significant amendment, many of which lack any form of evidence base and need to be refuted. Some of the common arguments include:

2.1. Dispersed housing is the “Ulster tradition”

It has been suggested that a sporadic and dispersed development pattern is the traditional settlement form of Ulster, implying that a presumption against development in the countryside is somehow unnatural or illegitimate. Such arguments are clearly fatuous. While it is rather unproductive to engage in debate about whether any form of settlement type is, or is not, traditional or typical of the region, there is a body of evidence that undermines this position⁴, and which suggests that there are complex factors behind the current rural form in which state intervention over almost a century has played an important part⁵. Indeed, all settlement patterns have evolved as a result of varying socio-economic contexts over time. Historically, patterns of landownership and agricultural practices would have had a particularly dominant influence. In more recent times, it has been the low cost of private car use, an aspiration for a suburban lifestyle and a failure to properly value the environmental costs of development that have driven the demand for such dispersed development, not any widespread concern for the vernacular.

2.2. The policy is based on inaccurate development statistics

A number of commentators have attempted to undermine DRD’s position by highlighting inaccuracies in the development statistics quoted in support of this policy, due to the double counting of outline and reserved matters permissions. However, the most important issue is the relative trends over time, and the exponential increase over the last decade does show a dramatic rise in this form of unsustainable development. Furthermore, whatever the actual number of dwellings constructed in the countryside, no-one can deny that almost every area of rural Northern Ireland has witnessed an unprecedented level of house-building. Indeed, while the number of consents may be disputed, the consequences of such development are clearly tangible, with an ever-increasing level and distance of commuting⁶ and the impact of non-mains sewerage on water quality.

2.3. The impact on house prices

Detractors of this policy appear to want it both ways. On one hand, some claim that the number of dwellings being built in the countryside is not as high as has been claimed by DRD, while on the other some claim PPS14 will restrict the supply of housing to the extent that it will have a significant impact on house prices. These positions are clearly incompatible. It is recognised that additional development restraint may affect the housing supply but it is also recognised that DRD has a process to regularly review this⁷ and additional land release can be made, should it be shown to be having a significant impact. It should, however, be acknowledged that PPS14 will result in market adjustments.

⁴ For example, a recent survey in other parts of Ireland has suggested that clustering of 15-20 houses surrounded by open countryside may be the longest established rural settlement pattern, see Lucey, A. “An Taisce warns of costs of one-off housing in Kerry”, *The Irish Times*, 24/1/06.

⁵ John Cronin and Associates “*Rural housing and the national heritage: A report to the Heritage Council*” (2004), which notes that the landscape texture and rural settlement pattern is historically closely linked to farming activity but most of what we see is relatively recent, and in particular was radically influenced by “non-agricultural” housing development along road frontages during the last 30 years. This report also notes that even “traditional” settlement patterns have been heavily influenced by state intervention.

⁶ For example while 71 per cent of the UK population travel to work using the private car, in Northern Ireland this figure is 83 per cent (*Northern Ireland Transport Statistics, 2005*)

⁷ www.rdshousingreviewpanel.com

As noted for some groups in society, this removes what is, in effect, the hidden subsidy of purchasing a housing site at agricultural values (see below) but for those with genuine rural housing *needs* (as opposed to *wants*), it may be necessary to introduce an additional mechanism to ensure suitable accommodation remains accessible. It is noted however that the role of the DRD is not to regulate house prices, but to put in place policies that will enable the region to develop sustainably.

2.4. The housing restraint will strangle the rural economy

It has been suggested that reducing the level of building in the countryside will have devastating consequences for the rural economy as demand diminishes for construction work and building materials. This is an argument that is difficult to support. There is no suggestion that the overall level of construction will reduce, instead housing development will be displaced to within settlement limits. It appears untenable that there is any sector of the construction industry that is solely rural in character and or that any company would go out of business because the location of a new dwelling shifted a few miles to the nearest village.

2.5. Restraint is “anti-rural”

It has been claimed that PPS14 is “anti-rural” but this is also clearly untrue. As it stands, the policy makes generous provision for those with genuine housing needs to be able to live in the countryside, while housing allocations to hamlets, villages and market towns will continue to provide housing where it can be serviced in a more sustainable way. PPS14 seeks to safeguard the social, economic and environmental infrastructure of the region, with rural as well as urban interests benefiting in the long-term from a more sustainable society.

2.6. The problem is design, not location

Some detractors of PPS14 have suggested that if the objective is to secure sustainable forms of development, policies should be focussed on building standards and design, rather than their location. While recognising the poor design and environmental inefficiencies of past construction and that there is certainly a need for action in this area, this argument fails to acknowledge the impact of the location, density and servicing arrangements of dispersed development on a range of sustainability criteria. Sustainable building guidelines are thus complementary, not an alternative to this planning policy statement.

2.7. There is a right to live in the countryside

While some sections of the Northern Ireland community may feel strongly that they have a right to live in the countryside, there is no legal basis for such a claim, just as there is no right to live in any particular town or street. The strategic planning process is essentially concerned with balancing long-term regional interests with those of private individuals. It is regrettable that there exists some resentment about this but Friends of the Earth is satisfied that this is being done with the aim of securing genuine and important long-term objectives.

Friends of the Earth therefore believes that DRD is fully justified in bringing forward this policy at this time and urges the Department to resist any pressure to ameliorate the adopted approach. Indeed, it is suggested below that the policy needs to be further strengthened to actually achieve what it sets out to do.

3. PPS14 and strategic government policy

While it needs to be acknowledged that the more restrictive development regime introduced by draft PPS14 will detrimentally impact on some localised interests and that there may be a need to address such impacts with supplementary initiatives (see section 4.2. below), Friends of the Earth does welcome draft PPS14 as a necessary instrument for securing the wider, long-term interests of the region. PPS14 can therefore be seen as contributing to a significant number of strategic government policies, which include:

3.1. Shaping Our Future: the Regional Development Strategy for Northern Ireland 2025 (RDS)

It is noted that this document provides an “*overarching strategic framework to help achieve a spatially balanced economy, a healthy environment and an inclusive society*” and that the principle aim of PPS14 is to manage the countryside in a way that is consistent with the objectives of the RDS. It is also noted that the RDS reiterates a commitment to the promotion of sustainable development, centred on the principle of ensuring a better quality of life for everyone, now and for generations to come, by seeking to meet social, environmental and economic objectives.

It is the view of Friends of the Earth that draft PPS14 makes an important contribution to achieving the objectives of the RDS and is supportive of at least the following Strategic Planning Guidelines:

SPG-HOU 2: To direct and manage future housing growth to achieve more sustainable patterns of residential development.

SPG-RNI 1: To maintain a working countryside with a strong mixed-use rural economy.

SPG-RNI 3: To support the network of service centres based on main towns, small towns and villages in Rural Northern Ireland.

SPG-RNI 5: To continue to create and sustain an attractive and unique rural environment in the interests of the rural community and the region as a whole.

SPG-ECON 8: To establish a worldwide image for Northern Ireland, based on positive images of progress, and attractive places to visit.

SPG-ECON 9: To protect and enhance a varied range of tourism development opportunities.

SPG-TAN 3: To integrate land use and transportation.

SPG-ENV 1: To conserve the natural environment.

SPG ENV 4: To foster a stronger community spirit and sense of place in relation to local development proposals in urban and rural areas by the use of Local Development Guidelines.

SPG-ENV 5: To promote more prudent and efficient use of energy and resources and effective waste management.

PPS14 provides an important contributing mechanism for ensuring the objectives of the RDS are translated into routine regulatory decisions, such as the adjudication of planning applications, while also helping to realise policy objectives contained in the daughter documents of the RDS, such as the *Regional Transportation Strategy* and *Area Plans*. However, as noted above, the RDS does have aspirations in being more than just a land-use or infrastructure strategy and, as the parent department of the RDS, it could be argued that DRD should apply a more holistic approach to securing sustainable, spatial development with PPS14 (see section 4.1 below) reflecting these wider goals.

3.2. The Sustainable Development Strategy for Northern Ireland

Since the publication of draft PPS14, the need to secure sustainable development has been further endorsed and elaborated in the *Sustainable Development Strategy for Northern Ireland*. This places an enhanced onus on the Northern Ireland planning system to deliver on sustainable development issues. A number of the strategy’s targets and identified “important steps” have implications for rural land

use planning and need to be further taken into account when issuing the final version of PPS14. These include the following commitments:

By 2009, ensure planning policy and guidance fully reflect the sustainable communities approach, integrate health objectives, incorporate greater consideration of crime prevention and permit development only within local environmental capacity (Key target).

Ensure the review of the NI RDS and other relevant planning policies reinforce sustainable development and provide for appropriate protection of the landscape (Important step).

Develop a strong, diverse rural economy (Important step).

Use technology and land-use planning to improve employment opportunities for all and access to jobs in remote areas (Important step).

Ensure urban and rural regeneration aligns with the principles of sustainable development and is carried out in an holistic manner targeting the most deprived communities (Important step).

Ensure future development maximises the use of brownfield sites, includes appropriate targets for affordable housing and that developers provide appropriate contributions towards the community and infrastructure costs arising from their proposals (Important step).

Locate new development in areas which are accessible by means of walking, cycling and public transport, thereby reducing reliance on the private car (Important step).

Increase the overall percentage of houses connected to mains sewers and the effectiveness of effluent treatment for house properties not connected to mains sewers. Promote the introduction of sustainable drainage systems in future developments (Important step).

It is also noted that the Sustainable Development Strategy and proposed land-use planning legislation⁸ will see sustainable development become a statutory objective of the planning system. For the reasons articulated in section 1, Friends of the Earth asserts that the adoption of anything short of a presumption against development in the countryside in PPS14, would be to act contrary to this statutory objective.

The UK Government and Northern Ireland administration are increasingly making policy commitments to sustainable development to ensure that the nation and region contribute to some of the most pressing challenges the human race has ever faced, including climate change, social and environmental injustice, the depleting resource base and future economic instability. These issues are of such magnitude that they should be informing every aspect of public policy, regulation and expenditure. While the increasing recognition of these issues in strategic policy can only be welcomed, there is currently a major disparity between the rhetorical stance expressed in policy documents and the decisions that are taken in practice⁹. PPS14 provides a critical link between these areas of government activity, so it is vitally important to the future of the region that DRD upholds the policy of restraint set out in draft PPS14.

3.3. Water Framework Directive

The Water Framework Directive (2000/60/EC) is a major driver for achieving a high level of environmental protection leading to a clean and healthy water environment. It includes important considerations such as the precautionary principle, and targets for the control and prevention of pollution. The purpose of the Directive is for all inland and coastal waters to achieve at least good

⁸ The Planning Service (2004) *Reforming Planning: Proposals to Amend Primary Planning Legislation in Northern Ireland*, The Planning Service, Belfast.

⁹ For example, DOE's decision to lift its moratorium on housing development in those areas with inadequate sewerage infrastructure. This decision is currently the subject of legal challenges by both Friends of the Earth and the European Commission.

status by 2015. It is estimated, however, that 90 per cent of Northern Ireland's waters will fail to meet this target¹⁰.

A significant impediment to attaining good status is the proliferation of septic tanks, a product of the dispersed development pattern prevalent in Northern Ireland. Approximately 17 per cent of Northern Ireland's homes use a septic tank, compared to a UK average of 4 per cent¹¹. Around 60 per cent of discharges from septic tanks reach surface waters due to inadequate maintenance, bad design or inappropriate siting¹². An estimated 12 per cent and 14 per cent of phosphate loadings in Lough Erne and Lough Neagh respectively come from septic tanks¹³. Lough Erne is designated as eutrophic while Lough Neagh is considered to be hypertrophic¹⁴. Housing Growth Indicators suggest a need for somewhere in the region of 45,000 new homes in the Lough Neagh catchment¹⁵ and 5,400 in Fermanagh¹⁶. If the aim of the Directive is to be met, it is essential that the vast majority of these houses, and those in the rest of Northern Ireland, are in existing urban areas where they can be connected to mains sewerage, enabling their waste water discharges to receive proper treatment in sewage works.

3.4. Nitrates Directive

Another important water quality driver is the Nitrates Directive (91/676/EEC). Under this Directive, the whole of Northern Ireland has been designated as vulnerable to nutrient enrichment. Although the Nitrates Directive deals primarily with agricultural sources of nutrients, the total territory designation is a clear indication of the sensitivity of Northern Ireland's water, and of the precautionary principle in action. Given the already poor performance of septic tanks, and the environmental implications of further proliferation, Friends of the Earth strongly supports a planning presumption against development requiring connection to a septic tank..

4. Draft Planning Policy Statement 14

Friends of the Earth strongly believes that DRD is justified in introducing additional restraint on housing in the countryside. Indeed, this approach is entirely consistent with the strategic intent of a wider range of government policy and the overall goal of moving towards a more sustainable model of development (see above). Friends of the Earth strongly supports the *intent* of PPS14, however it is suggested that to be fully effective in meeting its articulated objectives, the draft policy document does need amendment. A number of comments are made in this respect, both in terms of the wider context of the policy and the specific wording of the current draft.

4.1. PPS14 in its wider context

There are a number of issues relating to the wider context and coverage of the draft PPS14 that bring into question the effectiveness of the policy *on its own* to promote sustainable development in the countryside in line with the objectives of the RDS. These include:

¹⁰ Council for Nature Conservation and the Countryside, Seventh Report, 2003 – 2006.

¹¹ Ibid.

¹² Ibid.

¹³ Ibid.

¹⁴ Report on the environmental aspects of the Nitrates Directive, DOE and DARD Scientific Working Group, August 2002

¹⁵ This is an estimate reached by adding the suggested housing figures for the Antrim, Armagh, Ballymena, Banbridge, Cookstown, Craigavon, Dungannon and Magherafelt areas, plus 3,000 of the 9,000 homes planned for the BMA rural hinterland, Regional Development Strategy, DRD, 2001.

¹⁶ Regional Development Strategy, DRD, 2001.

PPS14 and Spatial Planning

In formulating and publishing the RDS, DRD has been central to establishing spatial planning¹⁷ as an effective response to the development challenges of Northern Ireland, and to overcoming the shortcomings of *land-use* planning. Indeed, the RDS is not limited to land-use matters, recognising that the delivery of sustainable development needs to address a range of economic, social, environmental and community issues¹⁸ (p.2). Furthermore, it is a statutory responsibility that all Northern Ireland departments should “*have regard to the regional development strategy*”¹⁹. This suggests that in expressing the aim of PPS14 to “*achieve the strategic objectives of the RDS*”²⁰ it would be reasonable to assume that DRD has some responsibility to co-ordinate a government-wide approach to improving rural sustainability.

However, PPS14 remains solely a land-use instrument and offers no links to broader initiatives to promote sustainable development in the countryside. Furthermore, the document is expressed entirely in terms of containment and preservation of the countryside, rather than including measures to actually enhance and manage rural Northern Ireland with the aim of improving sustainability. Indeed, as a consequence of this, PPS14 tends to address the *symptoms* but not the *causes* of the current unsustainable rural development. For example, two factors driving demand are the excessive development gains to be had from securing planning permission in the countryside and the lack of disincentives for long-distance commuting. Thus, because housing in the countryside tends to be proposed on land left unzoned in a development plan, securing planning permission delivers a multiple increase in land values. This provides a very strong incentive for landowners to bring forward such sites and it should be recognised that, despite the proposed presumption against development, the substantial development gains will be a significant motivator for many landowners to continue to apply for sites. Furthermore, without a more integrated government response to Northern Ireland’s car dependency, such as road charging and better public transport provision, the option of long-distance commuting will continue to be an attractive lifestyle choice for certain sections of society, further fuelling development pressure in the countryside.

It is therefore suggested that PPS14 is a *necessary but insufficient* response to the strategic objectives of the RDS and, as such, needs to be accompanied by a more holistic approach to the causes of unsustainable development in rural Northern Ireland.

4.1.2. Defining sustainable development in a rural context

The concept of sustainability, as applied in draft PPS14, appears to lack a full appreciation of the multifaceted nature of rural sustainable development. For example, the document is strong on constraining the visual and landscape impacts of development, yet neglects its other environmental²¹,

¹⁷ “*Spatial planning goes beyond traditional land-use planning to bring together and integrate policies for the development and use of land with other policies and programmes which influence the nature of places and how they function. This will include policies which can impact on land use by influencing the demands on, or needs for, development, but which are not capable of being delivered solely or mainly through the granting or refusal of planning permission and which may be implemented by other means.*” Source: the Planning Portal Glossary (<http://www.planningportal.gov.uk/england/government/en/1115310689529.html>)

¹⁸ See RDS p.2.

¹⁹ Article 3, The Strategic Planning (Northern Ireland) Order, 1999

²⁰ Draft PPS14, section 3.1, p.19.

²¹ An effective way of incorporating this into environmental decision making has been developed by a coalition of statutory organisations in England and Wales including the Countryside Agency and the Environment Agency, under the “Quality of Life Capital” approach.

(see <http://www.countryside.gov.uk/LAR/Landscape/Quality/index.asp>).

See also Owen, S. (1996) ‘Sustainability and Rural Settlement Planning’, *Planning Practice and Research*, Vol.11, No. 1, p.37-47.

social²² and economic²³ impacts. Essentially, it seeks to protect the *land*, not the environment, economy and community which make up a sustainable countryside. Furthermore, while one of the objectives of the document is to “*facilitate development necessary to achieve a sustainable rural economy*”. Friends of the Earth believes that the primary purpose of the countryside must be the production of food in order to reduce our dependence on energy-intensive imports and hence combat climate change. However, current planning and agricultural policy is failing to address the changing nature of contemporary rural economies and is undermining the viability of a healthy farming system serving local markets, with some analysts beginning to discuss a “non-agricultural” rural economy²⁴. PPS14 should therefore include some clarification of how the agricultural sector can be developed in a complementary way to the proposed settlement strategy to achieve defined sustainability goals, for example by encouraging economic activities that support sustainable development (e.g. low-impact development, eco-tourism, forestry, biomass and other renewable energy initiatives) and discouraging activities that undermines this objective (e.g. haulage, industrialised food processing). While PPS14 shows some appreciation of this, it is not made clear that it is the *contribution to rural sustainability* that is the key defining criterion, rather than a development falling into a pre-defined category of land use. It is suggested that a more sophisticated criteria-based approach is adopted to assess the compatibility of proposed development with Government’s sustainability objectives, for example a more formal adoption of the concept of natural capital²⁵ in strategies to provide for affordable rural housing and employment. It is also suggested that it is important to co-ordinate the objectives of PPS14 with policies for rural employment, transport, affordable housing and rural service provision and, in particular, to integrate specific targets and objectives from the *Sustainable Development Strategy for Northern Ireland*.

4.1.3. Planning within environmental capacities.

It was noted above that the *Sustainable Development Strategy for Northern Ireland* makes a commitment that development will only be permitted within local environmental capacity. However, draft PPS14 appears to have taken a very narrow view of the environmental impacts of one-off housing in the countryside, suggesting that if certain types of development (replacement dwellings, farm dwellings etc.) can be shown to have a negligible impact on the landscape, it may be awarded permission. It is suggested that this presents an over-romanticised view of the countryside and a failure to grasp that achieving rural sustainability requires action on a wide range of issues. The social and economic impacts are addressed elsewhere in this document, but it is specifically suggested that even if development is seen as being desirable in terms of how it supports agricultural activity (e.g. as proposed in policy CTY2, Farm Dwellings), it should not be given permission if it exceeds the local environmental capacity of an area. Thus, if the Northern Ireland administration is serious about achieving rural sustainability, PPS14 must adopt a further set of criteria, based on the concept of environmental stock²⁶ or notions of environmental capital. This will help ensure that decisions on *any* future development in the countryside, *for whatever purpose* should include consideration of its

²²Lowe, P. and Murdoch, J. (1993) *Sustainable Development, Strategy Review: Topic Paper 1* (Salisbury, Rural Development Commission)

²³ Additional economic costs arise from additional mileage costs, time-related costs and economies of scale. It has been suggested that this amounts, on average, to the cost of delivering a range of service to areas that are mainly rural being 250 per cent more expensive than delivering equivalent services to areas that are mainly urban. See Hindle, T., Spollen, M and Dixon, P. (2004) *Review of Evidence on Additional Costs of Delivering Services to Rural Communities*, Final Report for DEFRA. Sectra, London.

Available at: http://www.defra.gov.uk/rural/pdfs/research/secta_rural_communities.pdf.

²⁴ For example, Marsden, T. (1999) ‘Rural Futures: The Consumption Countryside and its regulation’ *Sociologia Ruralis*, Vol. 39, No. 4, p.501-526.

²⁵e.g. Owens, S. (1995) *Planning Settlements Naturally*, London, Nathaniel Lichfield and Partners), Oleweiler, N. (2006) Environmental sustainability for urban areas: The role of natural capital indicators, *Cities*, Vol.23, No. 3, p184-195.

²⁶ For example see Department of the Environment (1993) *Environmental Appraisal of Development Plans; A Good Practice Guide*, London, HMSO, p. 20-23.

impacts in respect to, *inter alia*: water, air and soil conservation and quality; wildlife habitats; embodied and ongoing energy efficiency; natural drainage and flooding; integration of natural and local materials; car dependency; local services; waste streams; local food production; and use of renewable energy. It is also important to consider the health impacts of rural dwellings in the context of an increasingly industrialised landscape, including high transmission lines²⁷ and crop spraying²⁸.

4.1.4. Access to rural housing

It should be acknowledged that, although justified in terms of the broader and long-term interests of the region, the policy announcement on 16 March 2006 will have a significant effect on the ability of certain rural groups to meet their housing needs. As noted above, the previously more relaxed approach to granting planning permission for dwellings in the countryside meant that housing sites could be secured at prices significantly lower than in (urban) areas zoned for residential purposes. This has had two effects. For some, this acted as an incentive to move to the countryside, often irrespective of commuting distance or relationship to the local community, while for those who were required to live in the countryside for employment or family reasons, it provided an unintended, yet valuable “subsidy” for ensuring access to local housing. In broad terms, a policy aimed at achieving rural sustainability should be able to effectively differentiate between these two groups. Some attempt at this is made in CTY2 and CTY6, with the latter representing an implied “exceptions” policy that has been shown to be a useful instrument but is often undermined by other factors and remains only a modest way to secure the level of housing required²⁹. It is therefore suggested that access to affordable rural housing needs to be further strengthened, which would do much to promote rural sustainability and help persuade rural interests of the sagacity of the policy statement. There are a number of suggestions on how this could be achieved to complement existing policy, for example by establishing clearer targets for the provision of affordable rural housing and ensuring their achievement through establishing a new affordable housing class (i.e. C1b) in the Planning (Use Classes) Order³⁰. More could also be done through the use of planning agreements to secure occupancy by those with specific housing needs³¹, particularly in areas with polarised housing markets, such as those with a high proportion of second homes. Furthermore, as it stands, PPS14 appears to assume that owner occupation is the only form of tenure that needs to be planned for, yet many of the problems of accessibility could be addressed by shorter term forms of tenure, particularly in the context of flexibility among a high proportion of the rural workforce. This would provide more options for those unable to purchase their own house.

4.1.5. Management of housing demand

Following from the last point, it should be clear that the success of PPS14 depends on its ability to address key drivers of rural housing demand. Thus, while SPG-HOU 2 sets an objective to *direct* and *manage* housing growth to achieve more sustainable patterns of residential development, in relying solely on land-use regulation, PPS14 only achieves the former and neglects to manage demand. It is argued here that to effectively manage housing demand requires intervention not just in land-use planning, but also in transport policy and potentially in fiscal policy. Thus, as noted above, to effectively secure a more sustainable future for the Northern Ireland countryside, it may be necessary

²⁷For example, the forthcoming report by the Stakeholder group on Extremely Low Electromagnetic Fields (Sage), as reported on the Planning Portal on 4/5/06.

²⁸ Royal Commission on Environmental Pollution (2005) *Crop Spraying and the Health of Residents and Bystanders*, London, The Stationery Office.

²⁹Gallant, N. and Bell, P (2000) ‘Planning Exceptions in Rural England: Past, Present and Future’, *Planning practice and Research*, Vol.14, No. 4, p375-384.

³⁰ See Cabinet Office Performance and Innovation Unit, London, (2000) *Rural Economies Report* The Stationery Office

³¹ For example, s.106 agreements introduced by a range of Welsh local authorities, see Edwards, W.J. (2003) ‘Wales’ in Gallant, N, Shucksmith, M. and Tewdwr-Jones, M. (eds) *Housing in the European Countryside*, London, Routledge,

to introduce some form of regional or national (rurally sensitive) road pricing³² and a mechanism, such as development tax³³ to remove the excessive development gains that often drive the volume of planning applications in the countryside.

4.1.6. Status and Objectives of the Belfast Green Belt

The effect of extending the presumption against development to all countryside, rather than that previously designated Green Belt, does raise questions over the status and objectives of this long-standing policy initiative. It should be noted that Green Belt designation is not just about protecting the surrounding countryside³⁴ and while PPS14 does usefully extend important principles behind this policy, it does not seem to recognise that Green Belt policy should be aimed at dealing with the unique mix of urban and rural land uses that occur at the urban fringe. As such it is important that there is some recognition that the transitional zone between truly urban (e.g. the BMA, main hubs and local hubs in the RDS) and distinctively rural parts of Northern Ireland (e.g. Sperrins and Mourne) offers specific opportunities for providing for recreation, countryside access for urban dwellers and local food provision. Those areas previously designated as Green Belt are also those that experience the most intense development pressure, with their inner fringes most likely to be re-zoned in to urban uses in the long term. This observation therefore supports the view that PPS14 does offer a crude “blanket” approach to countryside development and should aim to better reflect the diversity of development pressures, environmental sensitivities and sustainability functions of the Northern Ireland countryside. It also highlights the fact that some rural areas will require active management and enhancement if they are to contribute fully to the region. It is suggested that these variations could best be taken forward in Area Plans, under a general presumption against development established in PPS14, but that this document should acknowledge the rural diversity across the region.

4.1.7. Sustainability of local services

Despite high levels of development pressure in parts of the Northern Ireland countryside, many rural areas suffer from complex issues of deprivation, including reduced service provision and job losses that tend to reinforce isolation and social exclusion. It is suggested here that a critical factor in improving the economic, social and environmental sustainability of rural areas is the protection of local services which will, in turn, reduce car use, overcome isolation among those without access to private transport and boost the rural economy. It is possible to plan rural housing in a way that maximises potential access to local services³⁵ and, while this has its greatest potential in preparing development strategies for villages and small towns, it can be argued that this should form a further criterion for evaluating development proposals in the open countryside. Such analysis can be used to determine whether any proposed development would assist in the provision of a sustainable level of services in a particular locality and, in so doing, make a useful contribution to the economy of the area. It should also be noted that the *NI Sustainable Development Strategy* makes a commitment that “*developers provide appropriate contributions towards the community and infrastructure costs arising from their proposals*”, that one-off developments in the countryside impose greater such costs and that this should be reflected in the charge made to developers.

³² UK Commission for Integrated Transport (2002) *Paying for Road Use*, IFCIT, London (see www.cfit.gov.uk/docs/2002/pfru/)

³³ This has also been proposed in HM Treasury, (2004) *Barker Review of Housing Supply*, London, The Stationery Office. As the “planning-gain supplement”.

³⁴ See *Planning Strategy for Rural Northern Ireland* (1993), p.136 and Elson, M. (ed) (1993) *The Effectiveness of Green Belts*, HMSO

³⁵ For example, see the catchment area and accessibility analyses suggested by Williams, J. (2000) ‘Achieving sustainability – tools for determining sustainable provision of facilities and services in rural Gloucestershire’, *Planning Practice and Research*, Vol. 15, No.3, p 155-175.

4.2. Specific provisions of Draft PPS14

The above comments provide the context for a number of concerns that Friends of the Earth has in respect to the specific provisions of draft PPS14 and which raise significant questions over whether the policy statement is robust enough to ensure that housing in the countryside is effectively controlled in the interests of sustainable development. These specific comments include:

p.6-8. Relationship to *A Planning Strategy for Rural Northern Ireland* (PSRNI) and Area Plan designations. PPS14 usefully indicates which of the provisions contained in PSRNI and existing Area Plans will be superseded by the policy statement, effectively discounting around 25 per cent of the policies contained in PSRNI. When combined with the fact that other PPSs remove other provisions of the Strategy, it leaves a complicated and fragmented planning policy regime applying to rural Northern Ireland. Planning can be jargon-laden and impenetrable to the lay person, which acts as a significant obstacle to individuals engaging in local environmental debates. It can be argued that the further fracturing of the policy regime effected by PPS14 exacerbates this situation. A far more satisfactory approach, illustrating the aspiration of joined-up government, would be to supersede PSRNI in its entirety, either by updating the complete Strategy or by the simultaneous publication of a series of PPSs that would up-date its provisions (for example, covering Renewable Energy, Tourism, Minerals).

p.13, section 1.2. This paragraph should recognise the broader implications of rural development on sustainability, as noted above. This should include, *inter alia*, the damage caused to ground water quality from poorly maintained septic tanks, increased energy use and emissions from high levels of car dependency, and general difficulties in coordinating the environmental, social and economic dimensions to rural sustainability.

p.19. section 3.1. It would be useful if the specific strategic objectives of the RDS which PPS14 is considered to support were indicated here.

p. 19. section 3.2. The objectives should clarify the following issues:

Growth should be managed to meet the needs of both current and future generations.

The statement should seek to protect the natural and social capital of rural areas, thus providing a more tangible concept of how “excessive” or “inappropriate” development can be measured.

What is meant by a “sustainable rural economy”?

The physical form of development is an important issue but should not be prioritised above other issues which could also be noted here, including minimising the impact on the environment through the use of local and sustainable building materials, high levels of energy efficiency, reducing car dependency and supporting local services.

p.20. While PPS14 is primarily intended to be a land-use instrument, it is noted that the RDS applies to all government departments. It would be appropriate for this policy statement be drawn to the attention of all relevant Government Departments, particularly DARD and DSD, and that they similarly take its constituent policies into consideration when making decisions which have a bearing on rural sustainability.

p. 21. Policy CTY 1. The overall intent of this policy is strongly endorsed, however it does not mention that the guiding principle for awarding permission should be whether a development promotes or undermines sustainable development. Criteria for this should be included in this policy, or as an accompanying schedule.

p. 21. Policy CTY 1. This policy should make clear that even when development is considered to be in accordance with the provisions of this policy, it should minimise its impact on the environment

through the use of sustainable building materials, high levels of energy efficiency and use of renewable sources of energy. A potential developer should also demonstrate that its siting has taken full advantage of micro-climatic effects (e.g. for the purposes of passive solar heating) and that its overall design minimises the impact on a range of environmental criteria, such as water resources and the waste stream. Ability to service the development by mains sewerage should be a planning consideration. Permission should only be given to those without such services when a full justification is provided and in such cases a legal agreement or bond system put in place to ensure septic tanks are maintained regularly.

p. 22. Policy CTY 1. Given that PSRNI is now substantially superseded and is likely to become entirely redundant in the medium term, it would be more appropriate if the criteria of HOU 16, TOU polices, MIN policies and PSU 12 of the PSRNI, as referred to in this policy are actually included in the PPS14 in full.

p.23. Policy CTY1. “other types of non-residential development” should be judged against specific sustainability criteria and not just be “in accordance with existing published planning policies”.

p.23-24. Policy CTY1. Reuse of buildings should be permitted in accordance with specified sustainability criteria which, in addition to those referred to above, may include improvement to the energy efficiency of the building and in terms of the last bullet point, the environmental and social capital of an area, as well as “agriculture, residential amenity and landscape quality”.

p.27. Policy CTY 2. While recognising that in some cases it will be necessary to provide further residential facilities to support the needs of a farm, Friends of the Earth is concerned, in the context of a declining agricultural workforce, that this policy will be exploited to extract the development gain which the awarding of permission will attract. There should therefore be a number of additional safeguards to ensure that any permitted development is specifically used to support the viability of the farming unit. First, it would seem reasonable to offer a sequential test for the location of such new dwellings in that it may be possible for a farm worker to live in a nearby settlement or other available dwelling before an application in the countryside will be considered. If it is conceded that there are grounds for a dwelling within the farm unit, additional measures should be secured through the use of planning agreements on those issues that cannot be secured through planning conditions (e.g. issues of tenure) and should be accompanied by a statement in relation to the robust enforcement process that will follow in relation to such conditions/agreements.

p.27. Policy CTY 2. While agreeing with the proposition that permission should not be awarded if any dwellings or development opportunities have been sold off from the farm holding, questions do arise over the details of this clause. In particular, there is some ambiguity over the time frame for this condition. Is it acceptable if a dwelling was sold off 10, 20 or 50 years ago? Furthermore, in the context of a dynamic farm holding which may consist of fields that may have once belonged to other farm units, would it be acceptable if the previous owner had sold off a site on the edge of a field that now belongs to another farm? These are issues that will inevitably be tested in law or at appeal and it is suggested that DRD pre-empts such debates by providing further clarification on this issue in PPS14.

p.27. Policy CTY 2. Friends of the Earth has similar concerns over the final clause of this policy which notes that in exceptional circumstances, the son or daughter of a farmer will be granted a new house. First, in providing such a clause, it opens up further opportunities for abuse and it is not apparent why the children of farmers should be treated differently than other sections of the community. It is considered that if a dwelling for a son or daughter cannot be justified on conditions a-b of CTY 2 and the additional sustainability criteria noted above, it should not be awarded permission. It is also unclear under what “exceptions” this would be permitted. In the event that the

DRD decides to proceed with this clause, it is at least necessary to provide a clarification of the type of exceptional circumstances that will be taken into account when evaluating applications from the children of farmers.

p.32. Policy CTY 3. It is suggested that similar safeguards are required in respect to this policy as with those called for in CTY 2 above. Thus, this policy does open up further opportunities for abuse and the extraction of development gain. It is not clear how the need for the additional dwelling will be evaluated. It is suggested that a sequential test be applied to the need for a retirement dwelling (i.e. there needs to be some justification of why it is not appropriate for the farmer to retire to a nearby village or other available dwelling in the locality) and where permission is awarded, it should not be permitted to be sold off and its occupancy protected by planning agreement and/or planning conditions.

p.34. Policy CTY 4. Similar comments apply, including sequential tests, the need for sustainability criteria and the enforcement of planning agreements or conditions.

p. 35, Policy CTY 5. It should be recognised that the renovation of existing dwellings offers substantial sustainability benefits from the reuse of the building fabric. In the light of this, it is suggested that the clause of this policy in relation to “Other Dwellings” should be based not just on visual impact but on a justification of the sustainability benefits of a replacement dwelling. In all cases construction should maximise the reuse of materials from the original dwelling and/or use environmentally benign materials. While agreeing with the other provisions, there appears to be a number of ambiguities in relation to this policy that require clarification to avoid abuse of its provisions, in particular:

What type of exceptional circumstances will justify the replacement of a listed building?

What makes a dwelling an important element in the landscape?

Furthermore, it should be noted that in addition to landscape, heritage, access or amenity benefits, alternative positioning of a dwelling should also be permitted if justified on the basis of energy efficiency or energy capture (e.g. to facilitate passive solar gain or orientation in relation to prevalent wind direction for the purposes of micro-generation or shelter).

p.40, Policy CTY 6. While Friends of the Earth supports the intent and detail of this policy, it is suggested that the justification and amplification should include a proposal that, like other policies, any dwellings awarded permissions under this policy will have their status as “affordable housing” protected by planning condition and/or planning agreement.

p.42. Policy CTY 7. It is suggested that the exceptional circumstances listed under this policy should be widened to include a temporary site for Traveller accommodation where there is no alternative site in the area suitable under the criteria listed in the Equality Commission’s *Best Practice Guidance for Planning for Travellers (2004)*.

p.47. Policy CTY 9 . In addition to the visual criteria noted in the policy, it is suggested that a farm diversification activity also be subject to specified sustainability criteria, as noted above.

p.49. Policy CTY 10 and p. 54 Policy CTY 11. As noted above, the provisions of these policies are necessary but insufficient in that they fail to recognise that achieving sustainability involves more than whether a dwelling blends into the landscape. Issues such as natural capital, water quality, car dependency, connection to mains sewerage and any contribution to the viability of local services should be accorded equal weight with visual criteria when judging whether a development is unacceptable or not. It is noted that the design elements as discussed on pages 49-53 and 54-56 do

not mention any preference for locally derived sustainable materials, how features such as micro-generation and energy efficiency should be integrated, nor mention that siting should take advantage or improve local microclimates, avoid unstable land and flood plains, respect natural drainage patterns and encourage natural water infiltration of the ground.

p.60, Policy CTY 14. As noted above, there should be a presumption against developments relying on non-mains sewerage unless a full justification is provided, such as the use of natural wetland systems. In the case of any non-mains sewerage, a legal agreement or bond should be secured that ensures that the system will be regularly maintained.

5. Conclusion

Friends of the Earth strongly endorses the presumption against development in the countryside introduced by draft PPS14. It recognises that this is a strongly emotive issue in the context of rural Northern Ireland and that DRD is coming under pressure from a range of sectional interests to relax the position of development restraint it announced on 16 March 2006. This response has set out a range of reasons why it is critically important that this position be upheld, noting, among other reasons, that many of the arguments proposed against this decision are undermined when faced with the need to secure sustainable development. However, in offering its support to the draft PPS14, Friends of the Earth regards it as a necessary but insufficient response to the challenge of development in the countryside. Following from this, it proposes the draft document be amended in line with the comments made in this response, in particular:

In line with the wider objectives of *spatial* planning, DRD should co-ordinate a range of other government initiatives that will address the causes, not just the symptoms of unsustainable development pressure on the countryside and introduce supporting measures to tackle the consequences of a reduced housing supply in rural areas.

The current wording of draft PPS14 is not sufficiently robust to secure the effective control over development in the countryside. A range of further safeguards is necessary to ensure those dwellings that are permitted under PPS14 are used for the intended purpose.

Notwithstanding these comments, Friends of the Earth congratulates DRD in making this bold step in an attempt to control a key development trend that was eroding Northern Ireland's resource base and crystallising settlement forms and lifestyle choices that poorly serve the region in its shift to more sustainable patterns of development.

Geraint Ellis³⁶
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³⁶ Dr. Geraint Ellis is Senior Lecturer in the School of Planning, Architecture and Civil Engineering (SPACE) and Institute of Environmental and Spatial Planning (ISEP) at Queen's University, Belfast. He has degrees from the Universities of Birmingham (B.Sc. Geography, First Class Hons), Reading (M.Phil, Environmental Planning) and Cardiff (Ph.D., City and Regional Planning). He has over sixteen years experience working and researching environmental planning in the UK and in the developing world and holds a number of positions in influential organisations in the field of planning and the environment, including membership of the UK Sustainable Development Panel. He was awarded the European Planning Studies Prize for 2001.