

Title of Report:	Planning Committee Report – LA01/2024/0688/F
Committee Report Submitted To:	Planning Committee
Date of Meeting:	22nd October 2025
For Decision or For Information	For Decision – Referred item Referred by Alderman John McAuley
To be discussed In Committee YES/NO	NO

Linkage to Council Strategy (2021-25)	
Strategic Theme	Cohesive Leadership
Outcome	Council has agreed policies and procedures and decision making is consistent with them
Lead Officer	Senior Planning Officer

Estimated Timescale for Completion	
Date to be Completed	

Budgetary Considerations	
Cost of Proposal	Nil
Included in Current Year Estimates	N/A
Capital/Revenue	N/A
Code	N/A
Staffing Costs	N/A

Legal Considerations

Input of Legal Services Required	NO
Legal Opinion Obtained	NO

Screening Requirements	Required for new or revised Policies, Plans, Strategies or Service Delivery Proposals.		
Section 75 Screening	Screening Completed:	N/A	Date:
	EQIA Required and Completed:	N/A	Date:
Rural Needs Assessment (RNA)	Screening Completed	N/A	Date:
	RNA Required and Completed:	N/A	Date:
Data Protection Impact Assessment (DPIA)	Screening Completed:	N/A	Date:
	DPIA Required and Completed:	N/A	Date:

<u>No:</u> LA01/2024/0688/F	<u>Ward:</u> Ballycastle
<u>App Type:</u> Full	
<u>Address:</u> 8 Cedar Avenue, Ballycastle	
<u>Proposal:</u> Retrospective application for proposed replacement dwelling as built for residential purposes - (change of house type from LA01/2016/0956/F	
<u>Con Area:</u> n/a	<u>Valid Date:</u> 13.06.2024
<u>Listed Building Grade:</u> n/a	
Agent: MKA Planning Ltd, 32 Clooney Terrace, Waterside, Derry	
Objections: 27	Petitions of Objection: 0
Support: 0	Petitions of Support: 0

Executive Summary

- This is a full application seeking retrospective permission for a replacement dwelling as built for residential purposes - (change of house type from LA01/2016/0956/F)
- The site is located within the settlement limit of Ballycastle and within the Antrim Coast and Glens AONB as defined in the Northern Area Plan 2016.
- There are 27 objections to the proposal from 12 different addresses, most are from properties in the vicinity of the application site including Cedar Avenue, Cedar Drive, Coastguard Cottage and Strandview Road.
- The development as proposed fails to take account of the private amenity of surrounding properties and does not provide a quality residential environment.
- The development is contrary to paragraph 4.12 of the SPPS and criteria (h) of Policy QD1 of Planning Policy Statement 7, Quality Residential Environments, the Design Guide Creating Places and Development Control Advice Note 8, Housing in Existing Urban Areas
- Refusal is recommended.

Drawings and additional information are available to view on the Planning Portal-

<https://planningregister.planningsystemni.gov.uk/simple-search>

1 RECOMMENDATION

- 1.1 That the Committee has taken into consideration and agrees with the reasons for recommendation set out in Section 9 and the policies and guidance in sections 7 and 8 and resolves to **Refuse** planning permission subject to the reasons set out in section 10.

2 SITE LOCATION & DESCRIPTION

- 2.1 The application site is an irregular shaped plot measuring approximately 0.04ha. The site is relatively flat but the dwelling sits at a higher level to the adjacent properties to the north-east and south-east. The land to the north rises towards Rathlin Road.
- 2.2 The application site was previously occupied by a 2 storey detached dwelling. Planning permission has previously been granted on site for a replacement dwelling under application E/2006/0289/F which was subsequently renewed under E/2011/0155/F and LA01/2016/0956/F.
- 2.3 The property is located within the Ballycastle Settlement Development Limit, and within the Antrim Coast and Glens AONB as indicated by map no. 5/01a of the Northern Area Plan.
- 2.4 The site is situated on the eastern side of Cedar Avenue, in close proximity to its junction with Cedar Drive and approximately 1 km north-east of Ballycastle Town Centre.
- 2.5 The immediate surrounding area is urban in character and comprises a varied mix of well-established residential properties.

3 RELEVANT HISTORY

LA01/2024/0191/NMC - Ground Floor: A small extension added to the ground floor with bifold doors added to replace windows along rear elevation; Garage turned into a washroom with heat pumps and solar panel controls; garage door replaced with single door, and an additional window has been added to the ground floor northern elevation in the ensuite of bedroom 1.

First Floor: Balcony has been removed from first floor with internal hall and kitchen/dining area extended; the overlap on southern elevation has been squared off with full height window looking west.

Second Floor: Study and bathroom extension to second floor, mix of brick and glass panels rather than all brick walls on roof terrace, rooflight in hallway added

Consent refused – 24th May 2024

LA01/2016/0956/F - 8 Cedar Avenue, Ballycastle. Proposed replacement dwelling with integral garage for residential purposes. Renewal of existing planning approval E/2011/0155/F.

Permission granted. – 12th October 2016

E/2011/0155/F - 8 Cedar Avenue, Ballycastle. Proposed replacement dwelling with integral garage for residential purposes. (Renewal of existing planning approval ref E/2006/0289/F)

Permission granted. – 5th October 2011

E/2006/0289/F - 8 Cedar Avenue, Ballycastle. Proposed replacement dwelling with integral garage for residential purposes.

Permission granted. – 19th December 2006

4 THE APPLICATION

- 4.1 The application is a retrospective application for proposed replacement dwelling as built for residential purposes - (change of house type from LA01/2016/0956/F).

5 PUBLICITY & CONSULTATIONS

5.1 External

Advertising: Coleraine Chronicle 26.06.24

Neighbours: Notification in accordance with legislation.

5.2 Internal

DFI Roads: No objections

NI Water: Approval

Environmental Health: No objections following submission of additional information

HED: Content

- 5.3 27 letters of objection have been received in relation to the proposal. The objections are from 12 different addresses, most are from properties in the vicinity of the application site including Cedar Avenue, Cedar Drive, Coastguard Cottages and Strandview Road.

The issues raised include the following:

- Scale, size and design not in keeping with the character of the area.
- Overlooking, impact on private amenity of neighbouring properties
- Lack of amenity space
- Health and Safety concerns from flat roof design.

- Overshadowing/Blocks light to rooms in neighbouring properties
- Balconies have an impact on privacy
- Query if development is extension or entire construction varies from approved?
- Development not located as approved
- Concerns regarding proposed use
- Noise from heat pump.
- Removal of existing vegetation
- Building line differs from surrounding development
- Proposed glass covering not acceptable solution
- Blocks views
- Overdevelopment of the site
- Concerns regarding asbestos and waste management from demolition

5.4 In response to these concerns Officials note the following;

- Concerns regarding design and impact on character of the area are addressed in paragraphs 8.13 – 8.44.
- Concerns regarding impact on impact on amenity, overlooking and overshadowing are addressed in paragraphs 8.13 – 8.44.
- Concerns regarding asbestos and waste management were informatives under the previous permission and not specific conditions requiring discharge by the Planning Department.
- Concerns regarding the proposed use of the property have been raised. The current application is for a replacement dwelling and is assessed as such. There is no evidence from site inspection to indicate this in not currently the case.

6 MATERIAL CONSIDERATIONS

6.1 Section 45(1) of the Planning Act (Northern Ireland) 2011 requires that all applications must have regard to the local plan, so far as material to the application, and all other material

considerations. Section 6(4) states that in making any determination where regard is to be had to the local development plan, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

6.2 The development plan is:

- Northern Area Plan 2016 (NAP)

6.3 The Regional Development Strategy (RDS) is a material consideration.

6.4 The Strategic Planning Policy Statement for Northern Ireland (SPPS) is a material consideration. As set out in the SPPS, until such times as both a new local plan strategy is adopted, councils will apply specified retained operational policies.

6.5 Due weight should be given to the relevant policies in the development plan.

6.6 All material considerations and any policy conflicts are identified in the “Considerations and Assessment” section of the report.

7 RELEVANT POLICIES & GUIDANCE

Regional Development Strategy (RDS) 2035

Northern Area Plan 2016

Strategic Planning Policy Statement for Northern Ireland

PPS 3: Access, Movement and Parking

PPS 6: Planning, Archaeology and the Built Heritage

Planning Policy Statement 7 - Quality Residential Environments

Addendum to Planning Policy Statement 7 - Safeguarding the Character of Existing Residential Areas

Planning Policy Statement 12 - Housing in Settlements

Living Places

Creating Places

DCAN 8 - Housing in existing Urban Areas

Antrim Coast and Glens AONB Design Guide

Causeway Coast and Glens Corporate Strategy

8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to the principle of development, planning history, local character, residential amenity.

Planning Policy

- 8.2 The Northern Area Plan 2016 identifies the site as being located within the settlement limit of the town of Ballycastle.
- 8.3 There are no other specific zonings or designations relating to this land set out in the Northern Area Plan 2016.
- 8.4 The proposal must be considered having regard to the SPPS, PPS policy documents and supplementary planning guidance specified above.

Principle of Development

- 8.5 Paragraph 3.8 of the SPPS asserts a presumption in favour of development which accords to an up-to-date development plan unless the development will propose demonstrable harm to interests of acknowledged importance.
- 8.6 The site is located within the settlement development limit of Ballycastle, there are no other specific zonings or designations on the site. Given the site was previously occupied by a single dwelling the principle of development is considered acceptable.

Planning History

- 8.7 The previous permission on site was LA01/2016/0956/F - 'Proposed replacement dwelling with integral garage for residential purposes. Renewal of existing planning approval E/2011/0155/F' The dwelling subsequently erected on the site includes marked design changes including the following:

Ground Floor:

Ground floor rear extension with bi-fold doors creating approximately 7.6m² of additional gross floor space. The integral garage has been omitted and is substituted by a store/tech room and laundry room with the garage door to the principal elevation being replaced by an entrance door and glass screens. An additional en-suite window has been added on the northern elevation.

First Floor:

The cantilevered section of first floor to the south-eastern side elevation has been altered in scale and design and now includes a rear facing window.

The front roof terrace has been removed and squared off to extend the landing and dining area.

The rear balcony is surrounded with solid glass balustrade. Previous approved plans indicate this balcony to have a vertical railing style balustrade.

Second Floor:

Floorspace has been increased to include a study and bathroom. There are 2 high level windows on the northern sided elevation similar to those previously approved. A rooflight has been added to the hallway. Bi-fold doors have been added to the rear elevation and glass balustrade now surrounds part of the roof terrace to the front and rear.

- 8.8 The overall scale of the dwelling is similar to that previously approved. The internal room layout on all three floors of the dwelling has been altered as has the fenestration on all four elevations.
- 8.9 There were no objections on the previous approvals. However, the adjacent properties at No 6 & 10 Cedar Avenue and No 8 Cedar Drive were all notified of the applications. The level of objection to this proposal is a new material consideration. Given this is now a retrospective application the presence of the building now on site will highlight the impact on surrounding properties.
- 8.10 Planning permission was originally granted for a replacement dwelling on site under E/2006/0289/F. The design of this permission was the same as that approved under E/2011/0155/F and LA01/2016/0956/F. These 2 permissions were renewal applications submitted before the expiry of the previous permission.
- 8.11 While the site history indicated planning permission has previously been granted for a replacement dwelling on site, the dwelling constructed does not correspond with the approved plans and the changes made were not accepted as a non-material change. The previous planning permission on site has expired (expired 12th October 2021) and there is no longer a fallback. The proposal has been assessed as a new dwelling (which aligns with the description of development) with appropriate weight given to the planning history and other material planning considerations. The planning policy context for this type of development has not changed since consideration of the previous planning application on the site.

Local Character and Residential Amenity

- 8.12 The principal policy considerations for impact on character and residential amenity will be Policy QD1 of PPS 7 and Policy LC 1 of the Addendum to PPS 7. Policy QD 1 Quality in New

Residential Development notes that all proposals for residential development will be expected to conform to specific criteria.

(a) The development respects the surrounding context and is appropriate to the character and topography of the site in terms of layout, scale, proportions, massing and appearance of buildings, structures and landscaped and hard surfaced areas;

- 8.13 The dwelling is 3 storey dwelling with an overall ridge height of approximately 9m (previously approved at 9m). The dwelling will have an overall frontage/ width of approximately 10.5m and a gable width of approximately 16.9m. The dwelling is sited 4.8m from the rear boundary (previously 6m) and 10.8m from the roadside boundary. The finishes of the dwelling as constructed include smooth render to the walls and upvc windows.
- 8.14 The application is for the retention of a replacement dwelling the development is described as 'Retrospective application for proposed replacement dwelling as built for residential purposes - (change of house type from LA01/2016/0956/F)'. Details of the planning history on site are outlined above.
- 8.15 Representations have raised concern that the development is not in line with the adjacent properties. The dwelling projects further to the front than the adjacent properties. However, the established building line along this stretch of the road is largely retained and is not considered to have a significant impact on the surrounding character.
- 8.16 The surrounding area is defined by a mix of different house types and designs. While many of the surrounding dwellings have been extended they still retain the traditional style and design in keeping with the area. The dwelling to be retained has a more modern/contemporary form and design with differing roof style with a mix of flat roof and pitch roof elements. However, the overall design is similar to that previously approved on site. The flat roof elements, although not characteristic of the area do not

appear incongruous as they are mixed with pitched roof elements also. Policy does not preclude contemporary designs using modern materials.

- 8.17 The site is not located within a designated Conservation Area or Area of Townscape Character where specific design guidance would often be provided.
- 8.18 The overall scale and massing and proportions of the dwelling do not appear out of place in the streetscape with the frontage and gable depth in keeping with other properties along Cedar Avenue. The dwelling also retains the stepped down character of Cedar Avenue respecting the levels of the previous and development on site.
- 8.19 While the first-floor overhang has increased in size from previously approved the visual impact of this from Cedar Avenue is not significant as the main increased area is mostly visible to the rear of the property. Therefore, in terms of character this part of the development would not have a significant adverse impact when taken in the context of development along Cedar Ave.

On assessment the development complies with criteria (a).

(b) Features of the archaeological and built heritage, and landscape features are identified and, where appropriate, protected and integrated in a suitable manner into the overall design and layout of the development;

- 8.20 The site lies to the north-west of Coastguard Cottages which is Grade B2 Listed Building. HED have been consulted as the competent authority and advised they have no concerns advising the proposal has no greater demonstrable harm on the setting of the listed building.

(c) Adequate provision is made for public and private open space and landscaped areas as an integral part of the development. Where appropriate, planted areas or discrete

groups of trees will be required along site boundaries in order to soften the visual impact of the development and assist in its integration with the surrounding area;

- 8.21 The site will provide private rear garden and amenity space to the front of the dwelling. The private amenity area to the rear of the dwelling is approximately 73 square metres which is above the recommended 70m² in guidance document creating places. Considering the scale of development, for 1 dwelling, there is no provision to provide public open space as part of this proposal.

(d) Adequate provision is made for necessary local neighbourhood facilities, to be provided by the developer as an integral part of the development.

- 8.22 Given the scale and nature of the development for one dwelling the need to provide local neighbourhood facilities is not relevant.

(e) a movement pattern is provided that supports walking and cycling, meets the needs of people whose mobility is impaired, respects existing public rights of way, provides adequate and convenient access to public transport and incorporates traffic calming measures;

- 8.23 The proposed dwelling is located within the defined development limit of Ballycastle and will support walking and cycling and will be located near to public transport links within the area. The application meets criteria (e) of this policy.

(f) Adequate and appropriate provision is made for parking;

- 8.24 In-curtilage parking spaces are provided to the front of the dwelling. DFI Roads were consulted, following submission of amended plans DFI Roads have no objection subject to conditions.

(g) The design of the development draws upon the best local traditions of form, materials and detailing;

- 8.25 Objections have been raised regarding the design and scale of the development including the three-storey appearance and over-dominating scale and form of dwelling. The proposed finishes include grey flat profile roof tiles, render walls and PVC windows and rainwater goods which is in keeping with surrounding development.
- 8.26 The dwelling does have a more modern design compared to the surrounding development with a variety of different roof styles, overhang detailing and glazed balconies to the front and rear. While the design differs to the surrounding development the overall scale and massing is not significantly different to surrounding dwellings, many of which have been extended. The surrounding dwellings all have varied design and planning policy does not preclude contemporary design using modern materials. The development complies with criteria (g).

(h) The design and layout will not create conflict with adjacent land uses and there is no unacceptable adverse effect on existing or proposed properties in terms of overlooking, loss of light, overshadowing, noise or other disturbance.

- 8.27 The site is within an established residential area within the development limit of Ballycastle. The use of the site for residential is considered an appropriate land use.
- 8.28 To the immediate south-east of the site is no. 6 Cedar Avenue. This is a 2-storey detached dwelling and sits at a lower level to the application site. The rear private amenity space of No 6 is directly overlooked by the 1st and 2nd floor rear balconies. Where balconies and roof terraces had previously been approved under the previous applications these are now surrounded by glazed balustrades. The agent was advised that the balconies are unacceptable due to overlooking and also the perception of overlooking. Amended plans now show a coloured panel to the balconies and obscure glazing to be provided to the 1st floor balcony. The coloured pvc panel is 1.1m high which will

not prevent overlooking into the neighbouring property. The 2nd floor rear external area was previously approved as a roof-terrace. However, this has now been opened up on 2 sides with glazing which results in unacceptable overlooking and impact on private amenity on the adjacent properties, in particular No 6 Cedar Avenue and No 8 Cedar Drive (north-east). Amended plans were received replacing the glazed elements with a wall. The agent has clarified that the height of the wall is to be 1.2m as previously approved. Given the location of the balconies and roof terrace when using these the private rear amenity of the neighbouring properties including No 10 Cedar Ave, No. 6 Cedar Avenue and No 8 Cedar Drive will be directly overlooked from the 2nd floor roof terrace. The 2nd floor roof terrace is located less than 1 metre from the shared boundary with no. 10 Cedar Ave. Concern has also been raised regarding the potential noise generated from the roof terrace which lies in close proximity to 2nd floor bedroom windows on this property. Both the front and rear 2nd floor balconies measure approximately 18 square metres which could accommodate several people and result in an impact on private amenity.

- 8.29 Due to the orientation of the 1st floor balcony and the limited depth of the rear garden at No 6 Cedar Ave, the rear amenity of this property is entirely overlooked.
- 8.30 The existing vegetation to the north-eastern boundary provides partial screening to No 8 Cedar Drive when viewed from the 1st floor.
- 8.31 The north-eastern facing window on the overhang section currently overlooks the rear amenity space of No 6 Cedar Avenue. Amended plans have been submitted to show this window to be provided with obscure glazing to be permanently retained. This would limit the overlooking of the private amenity space of the adjacent dwelling.
- 8.32 The 1st floor window of on the south-eastern side elevation (northern end) also overlooks the amenity space immediately to the rear of No 6 Cedar Avenue. This window serves an open plan kitchen and living area and there are other windows which

also serve this space on the front and rear elevations and also a velux window. Whilst a similar window was approved under the previous permissions it is recommended obscure glazing is provided to this window and that this should be permanently retained.

- 8.33 While the planning history is acknowledged it is noted that it has expired and weight in this instance is given to the adverse overlooking to the rear of neighbouring and adjoining properties and the demonstrable harm to privacy this has created. The level of overlooking and impact on private amenity of surrounding dwellings is unacceptable and contrary to Criteria (h) of Policy QD 1 of PPS 7.
- 8.34 The 1st floor overhang on the side elevation is larger than previously approved, it has now been squared off, it runs level with the site boundary and a new window has been created on the north-western rear elevation, this window looks out towards the rear amenity space at No 6 Cedar Ave. Concern has also been raised that the overhang section has blocked light into the bathroom of the adjacent dwelling. The Addendum to PPS 7, while referring to residential extension and alterations provided guidance regarding level of loss of light and -states that 'In terms of daylighting, the effect on all rooms, apart from halls, landings, bathrooms and utility rooms will be considered. As such, the level of loss of light as a result of the overhang is not considered so significant to merit refusal for this reason.
- 8.35 Additional information was requested in relation to the noise from the heat pump. Environmental health has been re-consulted and have indicated they have no objection to the development and have provided advice.
- 8.36 On assessment of the above the development is contrary to criteria (h) of Policy QD 1.
- 8.37 Creating Places para 7.13 advises that the privacy of occupants of residential properties is an important element of the quality of residential environments and is a key consideration where new development is proposed adjacent to existing properties.

Paragraph 7.17 states that care is needed in design terms, such as apartments, where living rooms or balconies on upper floors, such as that proposed, can cause significant loss of amenity to adjoining dwellings, especially where they are close to the boundaries of existing properties.

- 8.38 DCAN 8 (Housing in Existing Urban Areas) para 3.22 recognises that distance separation, screening, window size and style, orientation and location of rooms and circulation space are some factors to consider in relation to ensuring adequate privacy and daylight. It is considered that the orientation, window style/size, distance from boundaries does not protect the privacy of adjoining properties. The proposal is considered contrary to these elements of Creating Places and DCAN 8.
- 8.39 Issues in relation to overlooking were raised, most recently, with the agent on 4th July 2025 and 14 days were given for the submission of further information. No information was received within the timeframe. The application was added to the contentious list on 9th September 2025 with a recommendation to refuse.

(i) The development is designed to deter crime and promote personal safety.

- 8.40 The proposed dwelling will not lead to the creation of areas where anti-social behaviour may be encouraged. The amenity area of the dwelling will be private and the proposal meets criteria (i) of this policy.
- 8.41 Policy LC 1 of the Addendum to PPS 7 states that in established residential areas planning permission will only be granted for the redevelopment of existing buildings, or the infilling of vacant sites (including extended garden areas) to accommodate new housing where certain criteria are met. On as outlined above the principle of development is considered acceptable in relation to density and pattern of development as it is replacing one dwelling with another. The dwelling meets the space standards of Annex A. The application complies with policy LC 1.

9 CONCLUSION

- 9.1 The development is considered unacceptable in this location having regard to the Northern Area Plan 2016, and other material considerations, including the SPPS. There have been twenty seven letters of objection to the application. The principle of a replacement dwelling on the site is considered acceptable. However, the previous planning permission has expired and as such there is no fallback position. Weight has been given to the previous history on site, however it is considered that the level of overlooking will cause demonstrable harm to neighbouring properties and their amenity, which is not outweighed by the planning history on site. As such, refusal is recommended.

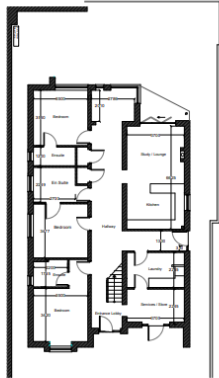
10 Reasons for Refusal

1. The proposal is contrary to paragraph 4.12 of the SPPS and criteria (h) of Policy QD1 of Planning Policy Statement 7, Quality Residential Environments, the Design Guide Creating Places and Development Control Advice Note 8, Housing in Existing Urban Areas in that the development as proposed fails to take account of the private amenity of surrounding properties and does not provide a quality residential environment.

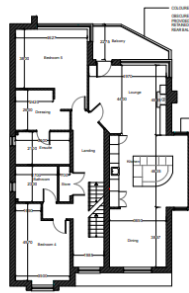
Site Location Plan



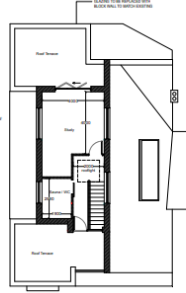
Proposed Elevations – Dwg 03 (Rev 02)



PROPOSED GROUND FLOOR PLAN



PROPOSED FIRST FLOOR PLAN



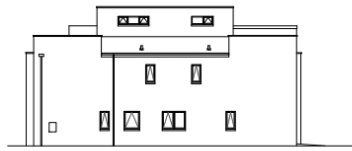
PROPOSED SECOND FLOOR PLAN



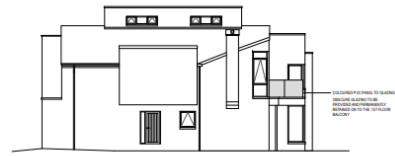
PROPOSED FRONT ELEVATION



PROPOSED REAR ELEVATION

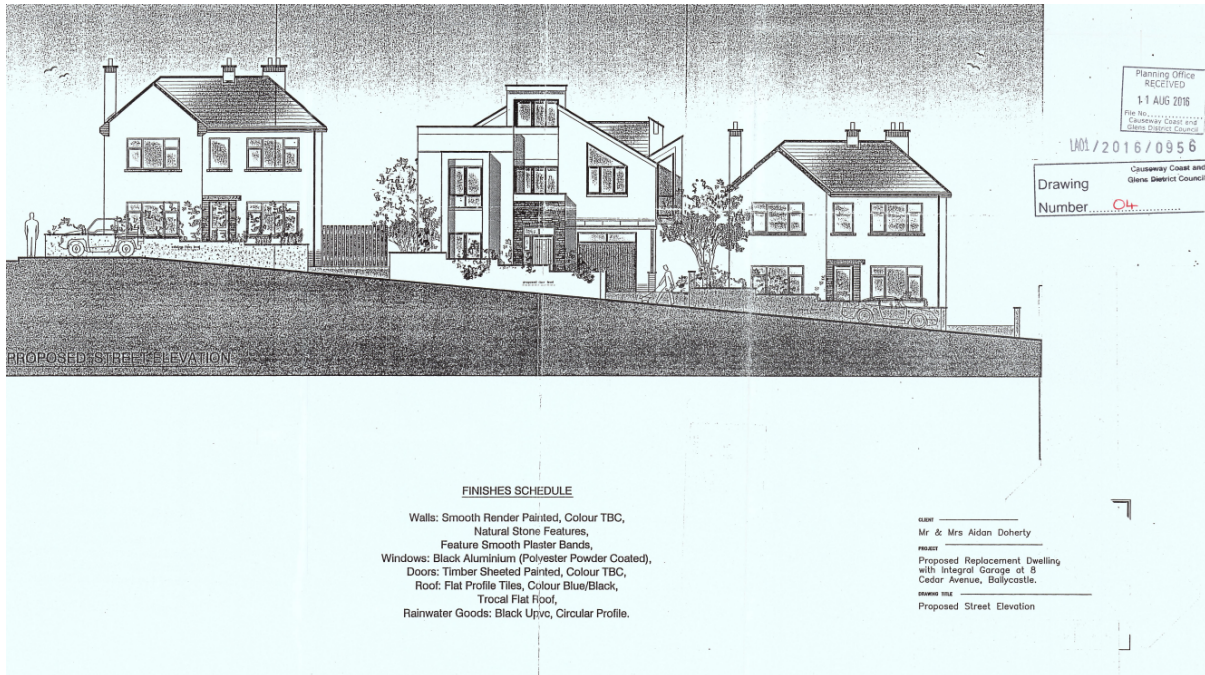


PROPOSED SIDE ELEVATION



PROPOSED SIDE ELEVATION

Previous approved Elevations – LA01/2016/0956/F



Previous Approved Elevations LA01/2011/0155/F



Referral Request

Good Evening

Please find attached Call In request for Planning Application LA01/2024/0688/F

Regards

John McAuley

Causeway Coast & Glens Borough Council

Mob.

Email:



issuing of the contentious list and submitted via email to planning@causewaycoastandglens.gov.uk.

Planning Reference	LA01/2024/0688/F
Elected Member Name	Alderman John McAuley
Contact Details	Email Address: Telephone Number:

Refusal Reason 1:

- 1. The proposal is contrary to paragraph 4.12 of the SPPS and criteria (h) of Policy QD1 of Planning Policy Statement 7, Quality Residential Environments, the Design Guide Creating Places and Development Control Advice Note 8, Housing in Existing Urban Areas in that the development as proposed fails to take account of the private amenity of surrounding properties and does not provide a quality residential environment.**

This refusal cannot be sustained as all material planning considerations have not been properly taken into account:

1. There are a number of properties with similar balconies in the surrounding area which serve as precedents for this proposal.

2. The planning history of the application site is a significant planning consideration in this proposal. Both the first floor and second floor balconies were approved previously under the same planning policy context. The Council has not defined how the proposal and balconies are materially different from the previous permission. This permission weighs heavily in favour of this proposal.
3. The planning authority cannot ignore their previous planning decisions and these decisions stand as precedent in favour of this proposal. The Planning Department previously indicated that this proposal was acceptable for approval. Planning needs to clarify how the opinion changed from an approval to a refusal.
4. This proposal provides a quality residential environment in line with Policy QD1 of PPS7. The Applicant is disappointed that he has not had the opportunity to address the Council's concerns and finds this recommendation premature.

Addendum

LA01/2024/0688/F

1.0 Update

- 1.1 Following publication of the Planning Committee Schedule for October 2025 the agent has requested that this planning application be deferred to allow for the submission of a revised proposal.

2.0 Recommendation

- 2.1 That the Committee note the contents of this Addendum and agree with the recommendation to defer the application to allow for the submission of revised proposals.

Addendum 2

LA01/2024/0688/F

1.0 Policy Update

- 1.1 On the 11 December 2025, the Minister for Infrastructure, Liz Kimmins MLA, published a policy revision to the Strategic Planning Policy Statement (SPPS) focusing on the subject of renewable and low carbon energy and thereby revoked the SPPS (2015). All other policy provisions within the former SPPS are unchanged, except for some technical changes, such as amendments to the contents page, paragraph numbers, and factual clarifications, where relevant.
- 1.2 Any reference to “The Strategic Planning Policy Statement for Northern Ireland (SPPS) 2015” in the committee report should be read as “The Strategic Planning Policy Statement for Northern Ireland (SPPS) Edition 2 (2025)”.

2.0 Update

- 2.1 This application was placed on the schedule for the Planning Committee on 22nd October 2025 with recommendation for refusal.
- 2.2 Following publication of the Planning Committee Schedule for October 2025 the agent requested that this planning application be deferred to allow for the submission of a revised proposal. The Council agreed to defer the application for the submission of revised plans.
- 2.3 Additional supporting information was received from the agent on 11th December 2025, this information includes a supporting

statement, letters of support and a personal statement from Mrs M Doherty (applicant).

- 2.4 The supporting statement provides a comparative analysis of the previous approved dwelling and the dwelling as constructed, it concludes that the differences between the approved and as-built schemes are modest and do not translate into unacceptable harm on the ground and consideration should be given to personal circumstances.
- 2.5 The personal statement from Mrs M Doherty includes details of measures taken to co-operate with neighbours and provides comments to address concerns regarding impact on amenity. Her comments also outline the personal impact of the planning process.
- 2.6 Since the October 2025 Planning Committee a total of 53 comments have been received in support of the development. The reasons for support include the following:
- Personal circumstances of the applicants
 - Benefits to local community and local economy
 - Amended design is similar to previous approvals on site
 - Constructed to high environmental standards
 - Re-development has enhanced local character
- 2.7 Amended plans were received on 3rd and 6th February 2026. These include an amended site layout plan and amended elevations and floorplans. Further neighbour notification was carried out on 18th February 2026 to allow comment on the amended plans and additional information.
- 2.8 There have been no further objections to the application following notification of the amended plans.
- 2.9 The amended site layout plan now includes a note to advise that the existing vegetation to the rear is to be retained.

2.10 The amended elevations and floorplans have been amended to include the following:

- On the first-floor rear balcony the balustrade is to be amended at the southern end. It is to be increased in height from 1.2m to 1.8m and this section will have an opaque film applied to the face of glass, this will extend for 1m along the rear elevation.
- The southern facing (side elevation) corner window on the 1st floor will have an opaque film applied to the inside of the existing glass.
- The north-eastern facing (rear elevation) 1st floor window of the overhang section will have an opaque film applied to complete inside face of existing glass.
- The existing glazed balustrade on the 2nd floor rear roof terrace will have opaque film applied to the face of the glass to both rear and side elevations.
- The north-western facing side elevation of the second-floor rear roof terrace will be increased in height from 1.2m to 1.5m with a solid timber panel constructed on top of the existing wall.

2.11 The objections originally raised relating to privacy were from properties in the vicinity of the application site including Cedar Avenue, Cedar Drive and Coastguard Cottages. The Planning Committee report published for the October 2025 Planning Committee outlined the concerns in relation to the impact of the development on private amenity at Nos 6 and 10 Cedar Avenue and No 8 Cedar Drive which adjoin the application site. Given the separation distance between the development and the properties on the opposite side of Cedar Avenue the impact on amenity of these properties was not considered unacceptable.

2.12 The amendments to the first-floor balcony and the proposed opaque covering to the 1st floor windows on the north-eastern and south-eastern elevations will reduce the level of overlooking onto the private amenity space directly to the rear of No 6 Cedar Avenue and will no longer result in an unacceptable impact on private amenity of No 6 Cedar Avenue.

- 2.13 The amendments to the second-floor rear roof terrace also help reduce impact on private amenity of surrounding properties. The opaque finish to the 2nd floor balcony helps reduce overlooking and perception of overlooking from the second-floor rear roof terrace onto adjacent properties. The increase in height of the north-western wall of this roof terrace will also reduce level of overlooking and will help reduce the impact of noise on No 10 Cedar Avenue.
- 2.14 Retention of existing vegetation along the rear boundary of the site will help protect private amenity at No 8 Cedar Drive. The obscure finish to the glass balcony balustrades will also help reduce the level of overlooking and perception of overlooking onto No 8 Cedar Drive.
- 2.15 Appropriate weight has given to the previous planning permissions on site and on consideration of the proposed amendments to address the concerns relating to impact on private amenity the development as now proposed is considered to be acceptable subject to conditions.

3.0 Recommendation

- 3.1 That the Committee note the contents of this Addendum and agree with the new recommendation to Approve planning permission subject to the conditions below.

Conditions

- 1 This planning permission has effect from the date which the development hereby approved was carried out.

Reason: As required by Section 55 of the Planning Act (Northern Ireland) 2011.

- 2 The widening of the existing vehicular access shall be provided in accordance with Drawing No. 02 (Rev. 06) published 6th February 2026 and DfI Roads FCD 1 form within three months from the issue date of this planning permission.

Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.

- 3 The works to increase the height of the 1st floor balcony shall be carried out within 3 months from the date of this permission.

Reason: To safeguard the privacy of adjacent properties.

- 4 The opaque finish shall be provided to the 1st floor windows and 1st and 2nd floor balconies as indicated in drawing No 03 (Rev 03) within 3 months from the date of this permission and shall be permanently retained.

Reason: To safeguard the privacy of adjacent properties.

- 5 The north-western wall of the 2nd floor rear roof terrace shall be increased in height as indicated in drawing No 03 (Rev 03) within 3 months from the date of this permission and shall be permanently retained.

Reason: To safeguard the privacy of adjacent properties.

- 6 The existing natural screenings of the site, along the north-eastern boundary as indicated on approved drawing No. 03 (Rev 03) shall be permanently retained unless necessary to prevent danger to the public in which case a full explanation along with a scheme for compensatory planting shall be submitted to and agreed in writing with the Council, prior to removal.

Reason: To safeguard the privacy of adjacent properties.

Addendum 3

LA01/2024/0688/F

1.0 Update

- 1.1 Email correspondence was received from Ms Deirdre Doherty (8 Cedar Drive, Ballycastle) on 24th March 2026, the day before the March Planning Committee meeting. Included in the correspondence were aerial images to illustrate concerns in relation to overdevelopment, overlooking and privacy. This correspondence also stated that they had not received further neighbour notification issued on 18th February 2026.
- 1.2 An email was received from Mr Brendan Donaghy (6 Cedar Ave, Ballycastle) on 24th March 2026, a separate objection from Mr Donaghy was also received via the Planning Portal on the same date. These comments requested a postponement to any judgement, given additional information, and that there was a lack of time to prepare for the Planning Committee meeting. The email also stated they did not receive further neighbour notification dated 18th February 2026.
- 1.3 The planning application was subsequently deferred at the March Planning Committee for a site inspection to take place with members.
- 1.4 In response to concerns from objectors that re-neighbour notification of amended plans had not been received it was agreed that further notification would be carried out. This was carried out on 31st March 2026. Two further objections were

received from No. 8 Cedar Drive and No. 6 Cedar Avenue on 14th April 2026. These further objections states that the latest amended plans do not address their concerns in relation to overlooking and restoring amenity. In summary they also state:

- The amended plans rely on an opaque film on balcony surrounds which is susceptible to removal;
- The proposed development is contrary to planning policy namely Policy QD 1 of PPS7;
- Views into neighbouring properties remain through oblique angles and the use of the spaces;
- Increased noise and disturbance;
- Refute suggestions of neighbour harassment with all correspondence having been carried out formally through the planning process.

1.5 In addition to the conditions outlined in Addendum 2 of the Planning Committee report it is recommended the following condition is also included:

‘Notwithstanding the provisions of the Planning (General Permitted Development) Order (Northern Ireland) 2015 (or any order revoking and/or re-enacting that order with or without modification), no extension, garage, shed, outbuilding, wall, fence or other built structures of any kind (other than those forming part of the development hereby permitted) shall be erected without express planning permission.

Reason: Any further extension or alteration requires further consideration to safeguard the amenities of the area’

2.0 Consideration

2.1 The issues raised in relation to overdevelopment, overlooking and impact on amenity have been considered in the Planning Committee report and Addendum 2 of the Committee report.

- 2.2 Having regard to the previous planning permissions on site it is considered that amended plans (received February 2026) address concerns in relation in overlooking and impact on privacy to the immediate adjoining properties.
- 2.3 The immediate private curtilage of No. 8 Cedar Drive, which sits to the rear of the application site, is separated from the rear boundary of the site by a commercial unit (a short-term holiday let). The rear amenity space for No. 8 is sited approximately 14 metres from the 2nd floor rear balcony. Creating Places document advises a distance of around 15 metres should be achieved from the rear of apartments (or residential schemes with upper floor balconies) to the common boundary of existing properties. Taking into account the planning history, amended plans and distance these views would not be considered unacceptable in an urban context.
- 2.4 The amendments to the 1st and 2nd floor balconies and side windows, in relation to the impact on No. 6 Cedar Ave, are considered acceptable as outlined in paragraphs 2.12-2.15 of Addendum 2 to the Planning Committee report.
- 2.5 The opaque finish to windows and balconies shall be permanently retained as outlined in Condition No 4 of Addendum 2 of the Planning Committee Report.

3.0 Recommendation

- 3.1 That the Committee note the contents of this Addendum and agree with the recommendation to Approve planning permission as outlined in Addendum 2 of the Planning Committee report.