



Title of Report:	Planning Committee Report – LA01/2024/1322/F
Committee Report Submitted To:	Planning Committee
Date of Meeting:	27th May 2026
For Decision or For Information	For Decision – Objection Item
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:

App No: LA01/2024/1322/F **Ward:** Ballycastle

App Type: Full

Address: Lands East of No. 1 Glentaisie Drive, Ballycastle and North of No. 39 Mill Street Ballycastle

Proposal: Erection of 5no. detached dwellings at sites 1-5 Glentaisie Drive to include amendments to E/2009/0421/F (i.e. slightly reduced building footprints, omission of one ground floor window, increased private amenity space for each dwelling, increased Finished Floor Levels) to house types B and C and minor adjustments to access roads geometry and finished levels and site enabling works including drainage as constructed, NIE sub-station as installed

Con Area: N/A **Valid Date:** 10/12/2024

Listed Building Grade: N/A **Target Date:**

Agent: GM Design Associates Ltd

Applicant: Alastair McHenry Construction Ltd

Objections: 5 **Petitions of Objection:** 1

Support: 0 **Petitions of Support:** 0

Executive Summary

- Full Planning Permission is sought for the erection of 5no. detached dwellings at sites 1-5 Glentaisie Drive to include amendments to E/2009/0421/F (i.e. slightly reduced building footprints, omission of one ground floor window, increased private amenity space for each dwelling, increased Finished Floor Levels) to house types B and C and minor adjustments to access roads geometry and finished levels and site enabling works including drainage as constructed, NIE sub-station as installed.
- The application site is located within the Settlement Development Limit of Ballycastle, just outside of the Town Centre boundary. The site is also located with an Area of Archaeological Potential and is on Land Zoned for Housing. The site is located within the Antrim Coast & Glens Area of Outstanding Natural Beauty (AONB) and is also partly located within the Local Landscape Policy Area BEL 06 Tow Valley Upper. The surrounding area is predominantly residential.
- The application has been assessed against the relevant policies within the NAP, SPPS, PPS 2, PPS 3, PPS 6, PPS 7, PPS 7 (Addendum) – Safeguarding the Character of Established Residential Areas, PPS 15, A Planning Strategy for Rural NI, Antrim Coast & Glens Design Guide, and Creating Places Guidance.
- Consultation has been carried out with DfI Roads, NI Water, CCG Environmental Health, DfI Rivers, Historic Environment Division, NIEA NED, and CCG Development Plan Team. No objections have been raised by consultees.
- 5 Letters of Objection, 1 Petition (24 Signatures) have been received and taken into consideration.
- The proposal is considered acceptable at this location and complies with the relevant policies listed. Approval is recommended.

Drawings and additional information are available to view on the Planning Portal-
<https://planningregister.planningssystemni.gov.uk/simple-search>

1 RECOMMENDATION

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

2.0 SITE LOCATION & DESCRIPTION

- 2.1 The application site is located in an urban setting and the surrounding land is currently being used for residential and commercial purposes. The overall size of the site is approx. 0.32 hectares. The site will be accessed via a newly constructed access (previously approved under E/2005/0498/F & E/2009/0421/F) onto Glentaisie Drive. There are currently existing residential dwellings to the south, east, north and northwest of the application site. These residential dwellings consist of terraced, semi-detached and detached dwellings. Approximately 90m north of the application site is Castle Street which occupies a range of commercial businesses. The foundations for the 5no. dwellings and the access road have been partially constructed on site.
- 2.2 According to the Northern Area Plan 2016, the site is located within the Settlement Development Limit of Ballycastle, just outside of the Town Centre boundary. The site is also located with an Area of Archaeological Potential and is on Land Zoned for Housing. The application site is also located within the Antrim Coast & Glens Area of Outstanding Natural Beauty (AONB). The application site is also partly located within the Landscape Policy Area BEL 06 Tow Valley Upper.
- 2.3 5no dwellings are proposed in total. 4no of the proposed dwellings are referred to as House Type C and 1no of the proposed dwellings are referred to as House Type B throughout this report.

3.0 RELEVANT HISTORY

PLANNING HISTORY OF SITE

- Application Number: E/2005/0498/F
 - Decision: Permission Granted Decision Date: 27 February 2008
 - Proposal: Erection of 4 No. detached dwellings and 8 No. town houses (Re-advertisement - amended plans received).
- Application Number: E/2009/0421/F
 - Decision: Permission Granted Decision Date: 31 January 2011
 - Proposal: Design amendment to approved housing development (ref: E/2005/0498/F) for change of approved house type on sites 1, 2, 3 & 4 and erection of 1no. additional 1½ storey dwelling

PLANNING HISTORY OF ADJACENT SITES (Mill Street)

- Application Number: E/1999/0319/F
 - Decision: Permission Granted Decision Date: 26 January 2000
 - Proposal: Erection of one and a half storey private dwelling house with integral basement garage
- Application Number: E/2001/0439/F
 - Decision: Permission Granted Decision Date: 08 May 2002
 - Proposal: Proposed 2 storey dwelling and detached garage
- Application Number: E/2003/0101/O
 - Decision: Permission Granted Decision Date: 26 June 2003
 - Proposal: Site for dwelling & domestic garage.
- Application Number: E/2003/0100/O
 - Decision: Withdrawal Decision Date: 16 December 2003
 - Proposal: Site for dwelling & garage
- Application Number: E/2004/0118/F
 - Decision: Permission Granted Decision Date: 28 May 2004
 - Proposal: Change of house type
- Application Number: LA01/2017/0758/F
 - Decision: Permission Granted Decision Date: 30 May 2018

- Proposal: Provision of 4 No. detached dwellings and associated site works and landscaping (Amendment to previously approved housing development ref: E/2005/0498/F and E/2009/0421/F).

4.0 THE APPLICATION

2.4 Erection of 5no. detached dwellings at sites 1-5 Glentaisie Drive to include amendments to E/2009/0421/F (i.e. slightly reduced building footprints, omission of one ground floor window, increased private amenity space for each dwelling, increased Finished Floor Levels) to house types B and C and minor adjustments to access roads geometry and finished levels and site enabling works including drainage as constructed, NIE sub-station as installed. See summary below:

- The overall difference in footprints from the previous approval E/2009/0421/F to the proposed application varies slightly depending on the house type; however, when measured, this reduction is between approx. 1.4m² and 2.5m².
- The overall difference in FFLs from the previous approval E/2009/0421/F to the proposed application varies slightly depending on the house number; however, when measured, this increase is between approx. 0.34m and 0.90m.
- The foundations already started onsite as part of the previous approval E/2009/0421/F. The Agent has confirmed that the dwellings will be built from the foundations already present. They will be adjusted marginally as need be to account for the reduction in dwelling footprint.
- The proposed dwellings are 1 ½ storey detached dwellings with a ridge height of approx. 7.7m (House Type B) and approx. 7.0m (House Type C) from finished floor level. The previous approved dwellings are also 1 ½ storey detached dwellings with a ridge height of approx. 7.6m (House Type B) and approx. 6.8m (House Type C) from finished floor level.

5.0 PUBLICITY & CONSULTATIONS

5.1 External

Advertising: Advertised on 26th March 2025

Neighbours: 5 Letters of Objection, 1 Petition (24 Signatures) has been received. Most of the objections are from neighbouring residents adjoining the site who live on Glentaisie Drive. Others are local residents who live close to the site. The reasons for objecting are summarised below:

- Lack of documentation for previous planning applications
- Visual amenity
- Highway safety, traffic generation and road access
- Overlooking & loss of privacy
- Loss of light
- Layout & density of building
- Risk of subsidence
- Lack of provision for connecting storm drainage
- Maintenance of landscaping
- Overcrowding

5.2 Internal

- DFI Roads – Content
- CCG Environmental Health – Advice
- NI Water – Advice
- DfI Rivers – Advice
- HED – Content
- NIEA NED – Content
- CCG Development Plan – Content

6.0 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 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.

7.0 RELEVANT POLICIES & GUIDANCE

- Northern Area Plan 2016
- Regional Development Strategy (RDS) 2035
- Strategic Planning Policy Statement (SPPS) 2025 – Edition 2
- Planning Policy Statement (PPS) 2 – Natural Heritage
- Planning Policy Statement (PPS) 3 – Access, Movement and Parking
- Planning Policy Statement (PPS) 6 – Planning, Archaeology and Built Heritage
- Planning Policy Statement (PPS) 7: Quality Residential Environments
- Addendum to Planning Policy Statement (PPS) 7: Safeguarding the Character of Established Residential Areas
- Planning Policy Statement (PPS) 15: Planning & Flood Risk
- A Planning Strategy for Rural Northern Ireland (PSRNI)
- Antrim Coast & Glens Design Guide
- Creating Places Guidance

8.0 CONSIDERATIONS & ASSESSMENT

8.1 The main considerations in the determination of this application relate to; the principle of development, impact of the development on the character of the area, scale, design and visual impact, natural heritage, access and parking, archaeological potential, habitat regulations assessment, objections received.

Principle of development

8.2 The site is located within the Settlement Development Limit of Ballycastle, just outside of the Town Centre boundary. The site is also located with an Area of Archaeological Potential and is on a committed site Zoned for Housing (BEH 17 and BEH 18). According to the NAP, there are no height restrictions for housing within this land. The application site is also located within the Antrim Coast & Glens Area of Outstanding Natural Beauty (AONB).

8.3 This application seeks amendments to previous application E/2009/0421/F include slightly reduced building footprints, omission of one ground floor window, increased private amenity space for each dwelling, and minor increase to finished floor levels to house types B and C and minor adjustments to access roads geometry and finished levels and site enabling works including drainage as constructed, NIE sub-station as installed. The scale, massing, design and use of materials are generally consistent with the previous approval as are the dwellings orientation and frontage.

8.4 The principle of development on the site has been established via the housing zonings in the Area Plan and the previous planning histories. However, the development commenced after the approved planning permission had expired, which is why a new application was submitted for determination. All works have ceased on site pending the outcome of this planning application. This planning application was submitted with minor amendments to the previously approved planning application which has now expired (as discussed in paragraph 8.3 above).

- 8.5 Part of the site encroaches into the LLPA designation, and is the location of the approved access, which is also used in this scheme. The proposed planting is more ornamental than would be found in the wider LLPA valley landscape. However, this part of the LLPA lies within a residential streetscape context and its extent is limited. It will be viewed against established vegetation to the north and from wider views to the south and across the valley. As such, the proposed planting is considered acceptable in the context of the LLPA. The proposal is acceptable in relation to LLPA Designation BEL 06: Tow Valley Upper, and the associated policy ENV 1 of the Northern Area Plan.
- 8.6 As the character and established use of the area is predominantly residential, the principle of development is considered acceptable.

Scale/Design, Local Character, Environmental Quality and Residential Amenity

- 8.7 Paragraphs 4.23 to 4.30 of the Strategic Planning Policy Statement (SPPS) are relevant to this application which relate to good design. Design is a material consideration in the assessment of all applications and good design should be encouraged. The SPPS outlines the aim to provide sustainable development and with respect to that should have regard to the development plan and any other material considerations. The general planning principles with respect to this proposal have been complied with.

Planning Policy Statement (PPS) 7: Quality Residential Environments

Policy QD 1 – Quality in New Residential Development

Planning permission will only be granted for new residential development where it is demonstrated that the proposal will create a quality and sustainable residential environment. The design and layout of residential development should be based on an overall design concept that draws upon the positive aspects of the character and appearance of the surrounding area.

In established residential areas proposals for housing development will not be permitted where they would result in unacceptable damage to the local character, environmental quality or residential amenity of these areas.

All proposals for residential development will be expected to conform to all of the following 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;*

8.8 The surrounding area comprises a mix of house types and designs. There is residential development surrounding the site comprising predominantly terrace and semi-detached dwellings. The scale, proportions and massing of the proposed dwellings is similar to that of existing dwellings in the immediate area and to those already approved under E/2005/0498/F & E/2009/0421/F. The scale, massing, height and use of materials are outlined in paragraph 8.19 below and are considered acceptable as they will not detract from the appearance and character of the surrounding area. The site is on Land Zoned for Housing according to the Northern Area Plan (NAP) 2016. The site will be accessed via a newly constructed access (previously approved under E/2005/0498/F & E/2009/0421/F) onto Glentaisie Drive. In terms of landscaping and boundary treatments, there is currently:

- Proposed tree/hedge/shrub planting (along the driveway into the site and along the path which leads to each dwelling);
- Proposed grass areas (along the driveway into the site and to the rear of the dwellings between the proposed fencing and existing fencing),
- A proposed raised deck area (to the rear of the dwellings),
- A proposed 1.8m high timber close boarded fence (to the sides of each proposed dwelling and along the rear of the decking area)
- An existing 1.8m high timber close boarded fence (separating the grass area to the rear of the dwellings with Mill Street).

8.9 There is no indication that existing boundary treatments will be removed. The proposal will respect the established building line created by the dwellings previously approved under E/2005/0498/F and E/2009/0421/F. The separation distance between the proposed dwellings and the rear elevations of properties on Mill Street is approximately 22.2m, with a separation distance of approximately 12.6m between the respective rear boundaries. Furthermore, there are no first-floor rear-facing windows serving the proposed dwellings, only skylights. The differences in ground levels between the application site and the properties on Mill Street is approximately 10m. When considered alongside the proposed landscaping, boundary treatments, access arrangements and hard-surfaced areas, the development is considered to respect the surrounding context and to be appropriate to the character and topography of the site in terms of its layout, scale, proportions, massing and appearance. The application meets criteria (a) of PPS 7.

(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;

8.10 There are no landscape features identified within the site or the surrounding area.

8.11 According to the Northern Area Plan 2016, the application site is located within an Area of Archaeological Potential. Historic Environment Division (HED) were consulted as part of this planning application and have stated the following:

HED (Historic Monuments) notes that this site was archaeologically mitigated under planning reference E/2005/0498/F and excavation license AE/08/224. Nothing of archaeological significance was encountered. As such, HED (Historic Monuments) has assessed the application and on the basis of the information provided is content that the proposal is satisfactory to SPPS and PPS 6 archaeological policy requirements.

HED (Historic Buildings) has considered the impacts of the proposal on the listed buildings and based on the information provided, advises that: we are content with the proposal as presented.

8.12 The application meets criteria (b) of PPS 7.

(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;*

8.13 Policy OS 2 of PPS 8 does not apply in this instance as it requires the provision of public amenity space where 25 units or more are proposed.

8.14 Creating Places, paragraph 5.19 states that all houses should have an area of private open space behind the building line and it should be approximately 70sqm per house or greater. Smaller areas may be more appropriate for houses with 1 or 2 bedrooms but any individual house with an area of less than around 40sqm will generally be unacceptable. Private open space for the proposed 5 dwellings involves the proposed decking area to the rear and measures as follows:

- C1 – approx. 60.7sq m
- C2 – approx. 59.1sq m
- C3 – approx. 77.1sq m
- C4 – approx. 74.6sq m
- B1 – approx. 44.9 sqm

8.15 Whilst not all of the proposed dwellings fully meet the recommended private open space standards set out within Creating Places, the provision is considered comparable to the rear garden spaces associated with surrounding residential properties in the immediate area. Furthermore, the site benefits from access to additional amenity areas, including nearby public open spaces and children's play facilities. As such, the

level of private open space proposed is considered acceptable in the context of the surrounding pattern of development. All 5no dwellings have an area allocated for bin storage within their respective back yards, located away from windows/doors. The application meets criteria (c) of PPS 7.

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

8.16 According to the Northern Area Plan (NAP) 2016, the site is located within the Settlement Development Limit of Ballycastle, just outside of the Town Centre boundary where local neighbourhood facilities are available. The application meets criteria (d) of PPS 7.

(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;*

8.17 According to the Northern Area Plan (NAP) 2016, the site is located within the Settlement Development Limit of Ballycastle, just outside of the Town Centre boundary. The application site is within walking distance of public transport and there are footpaths provided from the site access, into the town centre. The application meets criteria (e) of PPS 7.

(f) *adequate and appropriate provision is made for parking;*

8.18 The proposed site layout plan shows space for 2no parking spaces to the side of each dwelling. DfI Roads were consulted as part of this planning application and have no concerns. Parking provision is considered adequate and appropriate and in accordance with the DfI Roads Parking Standards. The application meets criteria (f) of PPS 7.

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

8.19 The scale, massing, height and use of materials is generally consistent with the previous approval as are the dwellings orientation and frontage. The proposed dwellings are 1 ½ storey detached dwellings with a ridge height of approx. 7.7m (House Type B) and approx. 7.0m (House Type C) from finished floor level. The surrounding area comprises a mix of house types and designs. There is residential development surrounding the site comprising predominantly terrace and semi-detached dwellings. The scale, proportions and massing of the proposed dwelling is similar to that of existing dwellings in the immediate area and to those already approved under E/2005/0498/F & E/2009/0421/F. Finishes of the proposed development include:

House Type B (1no):

- Roof: slim profile fibre cement slate
- Walls: render painted white
- Cills & Copings: concrete
- Windows: PVC (dark grey or black)
- External Door: GRP (colour TBC)
- Soffits & Fascias: PVC (dark grey or black)
- Rainwater goods: PVC (dark grey or black)

House Type C (4no):

- Roof: slim profile fibre cement slate
- Walls: render painted white
- Cills & Copings: concrete
- Windows: PVC (dark grey or black)
- External Door: GRP (colour TBC)
- Soffits & Fascias: PVC (dark grey or black)
- Rainwater goods: PVC (dark grey or black)

8.20 The application meets criteria (g) of PPS 7.

(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; and

8.21 Creating Places Guidance states that well-designed layouts should, wherever possible, seek to minimise overlooking

between dwellings and provide adequate space for privacy. The amount of space considered appropriate will vary according to the location, context and characteristics of the site, and will generally be set by the overall design concept for the development. To give privacy to adjacent dwellings and gardens, an appropriately designed boundary treatment, such as a hedge, or wall, that is above eye level in height (or a set-back in the building line) should be provided for a distance of around 3m from the back of the house. It will also be desirable for the design to indicate an appropriate boundary treatment, generally above eye level in height, at the ends of abutting back gardens.

- 8.22 Creating Places Guidance also states that on green-field sites and in low-density developments, good practice indicates that a separation distance of around 20m or greater between the opposing rear first floor windows of new houses is generally acceptable. Consideration may, however, be given to a smaller separation distance in order to meet the overall quality objectives set out in the design concept for the development, or in cases where it is important to reflect traditional building forms in the locality. Where smaller separation distances are employed, the design should include mitigating measures to help promote privacy - for example, through the location of bathrooms and the use of high level windows on upper floors to minimise the overlooking of living room windows and gardens of buildings opposite. A smaller separation distance will generally also be acceptable for single-storey development. Where the development abuts the private garden areas of existing properties, a separation distance greater than 20m will generally be appropriate to minimise overlooking, with a minimum of around 10m between the rear of new houses and the common boundary. An enhanced separation distance may also be necessary for development on sloping sites.
- 8.23 The separation distance between each of the proposed 5no dwellings is different. The distance between the proposed dwellings is approximately 4.4m; however, there is a greater distance of approx. 6.6m between House No. 2 and House No. 3. There is a proposed 1.8m high timber close boarded fence proposed to separate each of the proposed dwellings. As stated previously, the scale, massing, height and use of materials is generally consistent with the previous approval as

are the dwellings orientation and frontage. Given the separation distance is similar to those in the surrounding area, this separation distance is considered acceptable. The close boarded fence between dwellings and the positioning of windows will aid privacy and residential amenity.

8.24 New planting is proposed along the access track which will help to screen the development from existing dwellings on Glentaisie Drive. There is also an existing timber close boarded fence and some planting which runs along the access into No. 70 Glentaisie Drive which will help to screen the development from this existing dwelling. There is proposed hedge/shrub planting (as well as a proposed raised deck area) along the eastern boundary of the site, separating the application site with the existing dwellings on Mill Street.

8.25 There is a proposed 1.8m high timber close boarded fence (to the sides of each proposed dwelling and along the rear of the decking area), and an existing 1.8m high timber close boarded fence (separating the grass area to the rear of the dwellings with Mill Street). The newly constructed dwellings to the rear of the site (Mill St) sit at a significantly lower ground level to the application site. A large retaining structure comprising a terramesh embankment and retaining wall runs along this boundary. This has been constructed and formed part of the previous planning approval for the site and the approval for the dwellings along Mill Street. The separation distance between the proposed dwellings and the dwellings on Mill Street (rear elevations) is approximately 22.2m. The separation distance between the proposed rear boundary and the existing rear boundary of the dwellings on Mill Street is approx. 12.6m. There are no first-floor windows to the rear of the dwellings facing Mill Street, only skylights. The differences in ground levels between the application site and the properties on Mill Street is approximately 10m. When considered alongside the separation distances, the proposed boundary treatments, and the fact there are no first-floor windows, it is considered that the proposal will not result in any significant overlooking of existing dwellings.

8.26 The closest proposed dwelling (House Type B) is approximately 19m southeast of No. 70 Glentaisie Drive. No. 1

Glentaisie Drive is approx. 33.9m west of the closest proposed dwelling. According to the levels shown on the cross section submitted, No. 70 Glentaisie Drive sits approx. 2.83m higher than the closest proposed dwelling. Due to the existing and proposed boundary treatments, orientation, the separation distances and the FFLs / ridge heights, it can be considered that there will be no significant loss of light, overshadowing, loss of privacy, or other disturbance resulting from the proposed development.

8.27 In summary, having regard to the separation distances, the site levels, the proposed and existing boundary treatments, the finished floor and ridge levels, and the orientation and nature of the first-floor windows, it is considered that the potential for overlooking and any associated loss of privacy would be limited and would not result in unacceptable harm to residential amenity. In particular, the elevated position of No. 70 Glentaisie Drive relative to the proposed dwellings significantly reduces the potential for direct overlooking from the development. It is therefore considered that the proposed development would 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. Environmental Health were consulted as part of this planning application and raised no concerns.

8.28 The application meets criteria (h) of PPS 7.

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

8.29 The application site is surrounded by other residential dwellings. As stated previously, there is currently proposed tree planting, proposed grass areas, proposed hedge/shrub planting, a proposed raised deck area, a proposed 1.8m high timber close boarded fence, a proposed 1.8m high garden gate, and an existing 1.8m high timber close boarded fence. There is no indication that existing boundary treatments will be removed. All of this will help to deter crime and promote personal safety. The application meets criteria (i) of PPS 7.

Addendum to PPS 7 - Safeguarding the Character of Established Residential Areas

Policy LC 1 – Protecting Local Character, Environmental Quality & Residential Amenity

- 8.30 This policy sets out additional criteria to be met when assessing housing in established residential areas. The surrounding area comprises a mix of house types and designs. There is residential development surrounding the site comprising predominantly terrace and semi-detached dwellings. The scale, proportions and massing of the proposed dwellings is similar to that of existing dwellings in the immediate area and to those already approved under E/2005/0498/F & E/2009/0421/F. The application site measures approx. 0.32ha. The proposed dwellings are 1 and a ½ storey dwellings with 3no bedrooms. The proposed dwellings are appropriate in size in accordance with the PPS 7 (Addendum) Space Standards. The proposed density is similar to that of the surrounding area and as stated within the assessment, under PPS 7 above, the proposed dwelling is in keeping with the overall character and environmental quality of the surrounding area.

Natural Heritage

Planning Policy Statement (PPS) 2: Natural Heritage

Policy NH 6 – Areas of Outstanding Natural Beauty

Planning permission for new development within an Area of Outstanding Natural Beauty will only be granted where it is of an appropriate design, size and scale for the locality and all the following criteria are met:

- *the siting and scale of the proposal is sympathetic to the special character of the Area of Outstanding Natural Beauty in general and of the particular locality; and*
- *it respects or conserves features (including buildings and other man-made features) of importance to the character, appearance or heritage of the landscape; and*
- *the proposal respects:*
 - *local architectural styles and patterns;*
 - *traditional boundary details, by retaining features such as hedges, walls, trees and gates; and*
 - *local materials, design and colour.*

- 8.31 The application involves the erection of 5no. detached dwellings at sites 1-5 Glentaisie Drive to include amendments to E/2009/0421/F. The previous applications (E/2005/0498/F & E/2009/0421/F) set the precedent for this planning application in that 5no detached dwellings have already been approved at this site. The application site is located in an urban setting and the surrounding land is currently being used for residential and commercial purposes. As stated previously, this application site is currently on Land Zoned for Housing. The proposed dwellings are similar in size, scale and design to other dwellings within this area and to the dwellings already accepted under the previous planning applications for this site.
- 8.32 In terms of landscaping and boundary treatments, there is currently proposed tree planting, proposed grass areas, proposed hedge/shrub planting, a proposed raised deck area, a proposed 1.8m high timber close boarded fence, a proposed 1.8m high garden gate, and an existing 1.8m high timber close boarded fence (more detail in paragraph 8.8). There is no indication that existing boundary treatments will be removed. Finishes of the proposed development have been included in paragraph 8.19.
- 8.33 It has been determined that the proposal respects local architectural styles and patterns, and the proposed finishes are widely found in the local area. The proposal meets the criteria listed within Policy NH 6 of PPS 2.

Access, Movement & Parking

Planning Policy Statement (PPS) 3: Access, Movement & Parking

Policy AMP 2: Access to Public Roads

- 8.34 The proposal involves the construction of a new access onto the public road. DfI Roads were consulted as part of this planning application and are content with the proposal subject to planning conditions. Each dwelling is provided with 2no. in-curtilage parking spaces.

Flood Risk

Planning Policy Statement (PPS) 15: Planning & Flood Risk

8.35 PPS 15, Policy FLD 3 requires a Drainage Assessment for development proposals exceeding specified thresholds. In this instance, the relevant threshold relates to *hard surfacing exceeding 1,000 square metres*. An assessment of the proposed hard surfaced areas has been undertaken by the Agent. This confirms that the combined area of the access road, driveways, and associated pathways across the site amounts to approx. 989 square metres, which falls below the 1,000 square metre threshold. The rear decking areas have not been included within this calculation, as they are considered permeable, with any surface water runoff able to drain between the decking slats into the ground below. Accordingly, a Drainage Assessment is not required in support of this application. The application site is also located outside the surface water flood risk layer identified within the Strategic Flood Map.

Habitat Regulations Assessment

8.36 The potential impact of this proposal on Special Protection Areas, Special Areas of Conservation and Ramsar sites has been assessed in accordance with the requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc) Regulations (Northern Ireland) 1995 (as amended). The proposal would not be likely to have a significant effect on the features of any European Site.

Objections Received

8.37 Objections are set out below in *italics* with a response to the objections below.

- *Context of response with regard to lack of documentation for previous planning applications.*
 - *Reference is made throughout the application that it is a minor design amendment to previous planning application E/2009/0421/F. Given the age of that referenced application and its subsequent expiry, the*

documentation is not available to view online within the planning system and so full feedback cannot be given without being able to see online the previous plans. I would request that in order for full context to be given, those documents should be made available online.

8.38 Previous plans from application E/2009/0421/F have been uploaded to the public portal for viewing and the objector informed of this.

- *Visual amenity.*
 - *As per the Northern Area Plan 2016, part of the site sits within Local Landscape Policy Area BEL 06 Tow Valley Upper indicating that it is of great landscape value in defining the setting of Ballycastle and worthy of protection. Development on this site to date has contributed to significant loss of visual amenity for residents of and travellers through Glentaisie Drive with a former green wooded area (as recently as 2001) now a building site.*

8.39 CCG Development Plan Team have been consulted as part of this planning application due to the application site being partly within Landscape Policy Area BEL 06 Tow Valley Upper. They have stated the following;

The principle of development on the site has been established via the housing zonings in the area plan and secured via the previous planning history. Part of the site encroaches into the LLPA designation, and is the location of the approved access, which is also used in this scheme. The proposed planting is more ornamental than would be found in the wider LLPA valley landscape. However, this part of the LLPA lies within a residential streetscape context and its extent is limited. It will be viewed against established tree line to the north outside of the site in views from elsewhere, for example, to the south and across the valley. As such, the proposed planting is considered acceptable in the context of the LLPA. The proposal is acceptable in relation to LLPA Designation BEL 06: Tow Valley Upper, and the associated policy ENV 1 of the Northern Area Plan.

- *Highway safety, traffic generation and road access.*
 - *The proposed exit from the site of the shared private driveway is adjacent to the convergence of two existing roadways and an existing private driveway. This could lead to a scenario where traffic converges from five directions and is hazardous for drivers and pedestrians alike. Given the on-street parking of residents of Glentaisie Drive, the existing roadway is effectively suitable only for vehicles in a single direction at one time, thus increasing the level of danger.*
 - *Lines of sight are already heavily restricted at that convergence of roadways as a result of on-street parking to the south on one side of the road and to the north towards Castle Street on the other side of the road, and it is very difficult to see traffic emerging from either direction.*
 - *Since permission was granted for the previous application, the volume of traffic on Glentaisie Drive has increased considerably over the years due to increased enrolment of pupils at Gaelscoil An Chaistil located on Mill Street at the south end of Glentaisie Drive. In the mornings and afternoons parents use Glentaisie Drive as access to drop off / collect children from the Gaelscoil. Adding an additional access road with potential for approx. another ten vehicles (two per house) will increase the level of danger for both vehicle users and pedestrians on Glentaisie Drive.*

8.40 DfI Roads are the statutory competent authority in relation to traffic and access and they have been consulted as part of this planning application. They have advised that they are content with the proposal as presented, subject to planning conditions which are outlined below. The application site has also been zoned within the Northern Area Plan (2016) for Housing. DfI Roads were reconsulted due to the comments made within the objection and stated that; DfI Roads would advise that we have noted the comments made in the objection letter published 8th January 2025 and would advise that the conditions and informatives noted on the DfI Roads consultation dated 14th March 2025 remain unchanged.

- *Overlooking & loss of privacy.*
 - *The elevation of the proposed structures, both in terms of starting elevation at finished floor level and total ridge height will result in major loss of privacy for both residents of 70 Glentaisie Drive and the newly built houses. The height of the upper windows of the new properties will be on a level with the ground floor windows of 70 Glentaisie Drive meaning residents will not have privacy from either. Additionally the upper floor windows of 70 Glentaisie Drive will overlook the new houses. At least three of the new houses will have direct views from their upper front windows into living areas of 70 Glentaisie Drive and potential to look up to upper floor windows of 70 Glentaisie Drive containing bedrooms, in some cases of children. Residents of 70 Glentaisie Drive will be subject to severe lack of privacy due to this.*

- *Loss of light.*
 - *The height and density of the proposed properties will result in loss of sunlight for the ground floor rooms and front garden area of 70 Glentaisie Drive. Additionally, the potential 600cm height of tree beside the NIE sub-station will further lead to loss of light.*

8.41 In relation to this concern, a cross section from No. 70 Glentaisie Drive towards the application site was requested and submitted by the Agent on 2nd April 2025. The submitted cross section shows the existing ground profile as per the as-built survey, the proposed ground profile, and the finished floor levels.

8.42 The closest proposed dwelling (House Type B) is located approximately 19m southeast of No. 70 Glentaisie Drive, measured from the front elevation of No. 70 to the front elevation of House Type B. No. 1 Glentaisie Drive is approximately 33.9m west of the closest proposed dwelling. The submitted cross section demonstrates that No. 70 Glentaisie Drive sits approximately 2.83m higher than the closest proposed dwelling. The proposed dwellings are 1½ storey detached dwellings with ridge heights of approximately

7.7m (House Type B) and 7.0m (House Type C) above finished floor level. The previously approved dwellings were also 1½ storey detached dwellings with ridge heights of approximately 7.6m (House Type B) and 6.8m (House Type C). One of the proposed first-floor windows within House Type B serves a bathroom and will therefore be fitted with obscured/frosted glazing, whilst the remaining first-floor window serves a bedroom rather than a principal living area.

8.43 Having regard to the separation distances, the site levels, the proposed and existing boundary treatments, the finished floor and ridge levels, and the orientation and nature of the first-floor windows, it is considered that the potential for overlooking and any associated loss of privacy would be limited and would not result in unacceptable harm to residential amenity. In particular, the elevated position of No. 70 Glentaisie Drive relative to the proposed dwellings significantly reduces the potential for direct overlooking from the development. It is therefore considered that the proposed development would not give rise to any unacceptable loss of light, overshadowing, loss of privacy, or other disturbance to neighbouring residential properties. Environmental Health were consulted as part of this planning application and raised no concerns.

- *Layout & density of building.*
 - *The tightly packed nature of buildings and height will give the impression of a continuous wall of upper floors & roofs when viewed from the north side of Glentaisie Drive or number 70 leading to loss of visual amenity as referenced in point 2 above. Especially from number 70 this continuous run of buildings are akin in appearance to residents of number 70 building a 4m high wall at the edge of our property.*

8.44 Please refer to paragraphs 8.21 to 8.25 and 8.29 in relation to the distances between dwellings and the density of the application site.

8.45 As stated previously, well-designed layouts should, wherever possible, seek to minimise overlooking between dwellings and provide adequate space for privacy. The amount of space considered appropriate will vary according to the location,

context and characteristics of the site, and will generally be set by the overall design concept for the development.

8.46 The separation distance between each of the proposed 5no dwellings is different. The distance between the proposed dwellings is approx. 4.4m; however, there is a greater distance of approx. 6.6m between House No. 2 and House No. 3. This is a typical separation distance for dwellings in the area and won't appear out of place.

- *Risk of subsidence.*
 - *The current site plan does not appear to show or make reference to any provision of retaining wall or other support along the northern to western edge of the site. Groundworks undertaken on the site to date have resulted in significant subsidence from the area of 70 Glentaisie Drive. No preventative action has been taken on this and is likely to worsen. There is also a concern that, without any mitigation, similar could occur along the north-north-western edge with the potential to undermine the private driveway leading to 70 Glentaisie Drive.*

8.47 The Proposed Site Layout submitted with this planning application has outlined the access point. Clarity was sought from the Agent in relation to retaining structures and it has been confirmed that there will be no structures retained at the access point. It is important to note that this access matches the access previously approved under E/2005/0498/F & E/2009/0421/F. The Agent provided a response in relation to this comment stating that; *We have investigated this and see no obvious subsidence. In any case and by way of background. Our client was in the process of implementing planning approval and was at the stage where construction of the engineer designed retaining structure in this locality was about to begin; however, due to development starting after the previous approval had expired, work ceased. Pending planning approval, work will re-commence, and the wall will be constructed, thereby ensuring any potential for subsidence in the future is mitigated.* Any damage to a third parties property or site would be a civil matter outside the planning process.

- *Lack of provision for connecting storm drainage.*

- *Groundworks undertaken on the site to date have resulted in damage to old output pipes draining surface water from the area of 70 Glentaisie Drive. On the current plans there appears to be no acknowledgement of these and provision for connection of these to the new storm drainage network. This could result either in blockage of these flows or them flowing directly onto the frontage of the new properties.*

8.48 The Proposed Site Layout submitted with this planning application shows the location of the proposed storm network within the application site boundary. NI Water and DfI Rivers were consulted and are content with the proposal.

- *Maintenance of landscaping.*
 - *There is scant reference to maintenance obligations longer-term particularly with regard to border fencing, hedge and tree heights.*

8.49 Details of landscaping has been included on the Proposed Site Plan. In terms of landscaping and boundary treatments, there is currently proposed tree planting, proposed grass areas, proposed hedge/shrub planting, a proposed raised deck area, a proposed 1.8m high timber close boarded fence, a proposed 1.8m high garden gate, and an existing 1.8m high timber close boarded fence. There is no indication that existing boundary treatments will be removed. A condition has been attached to this permission with regards to retaining existing boundary treatments.

9.0 CONCLUSION

9.1 In conclusion, taking all relevant planning policy and material considerations into account, it is considered that the proposal is acceptable in terms of its siting, scale and design. The principle of development is considered acceptable. The site is zoned for housing in the NAP 2016 and the proposed dwellings have been designed sympathetically to be in character with the surrounding area and to avoid undue impact on privacy. The proposal is similar to previous planning histories on site. Therefore, the proposal is acceptable and complies with the aforementioned policies. Therefore, the application is recommended for Approval.

10.0 CONDITIONS

Drawings 01, 02A, 03A, 04, 05, 06, 07

1. The development hereby permitted must be begun within five years from the date of this permission.

REASON: As required by Section 61 of the Planning Act (Northern Ireland) 2011.

2. No development shall take place until the vehicular access, including visibility splays and any forward sight distance, are provided in accordance with Drawing No. 02A published 13th March 2025. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250mm above the level of the adjoining carriageway and such splays shall be retained and kept clear thereafter.

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

3. The access gradient to the dwellings hereby permitted shall not exceed 8% (1 in 12.5) over the first 5 m outside the road boundary. Where the vehicular access crosses a footway, the access gradient shall be between 4% (1 in 25) maximum and 2.5% (1 in 40) minimum

and shall be formed so that there is no abrupt change of slope along the footway.

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

4. The development shall be carried out in accordance with the stamped approved Drawing No 01, 04 received 3rd December 2024, Drawing 02A, 03A, received 13th March 2025, Drawing 05 received 9th December 2024, and Drawing 06, 07 received 2nd April 2025.

REASON: To ensure the development is carried out in accordance with the approved plans

5. No development shall proceed until a landscaping scheme has been submitted to and approved by the Council showing the location, numbers, species and sizes of trees and shrubs to be planted. The scheme of planting as finally approved shall be carried out during the first planting season after the commencement of the development. Trees or shrubs dying, removed or becoming seriously damaged within five years of being planted shall be replaced in the next planting season with others of a similar size and species unless the Council gives written consent to any variation.

REASON: In the interest of visual amenity and to ensure the provision, establishment and maintenance of a high standard of landscape.

6. A Management Maintenance Agreement, including maintenance schedules for all landscaped areas, other than small, privately owned domestic gardens, (except for trees or other vegetation retained in the public interest) shall be submitted to and approved by the Council prior to the occupation of the first unit.

Reason: To ensure the sustainability of the proposal through its successful establishment and long-term maintenance.

7. 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.

8. No development shall progress until it has been demonstrated to the satisfaction of the Council and agreed in writing that the mains sewer and the receiving Wastewater Treatment Works has the capacity to receive the wastewater and foul sewage from the development.

REASON: To ensure an adequate means of sewage disposal is provided and to ensure protection of the aquatic environment.

9. No development shall be occupied until connection has been made to the public sewer.

REASON: To ensure an adequate means of sewage disposal is provided and to ensure protection of the aquatic environment.

10. No development shall proceed beyond sub-floor construction until a suitable dedicated surface water solution has been agreed upon. The applicant may requisition NI Water in accordance with Article 154 of the Water and Sewerage Services (Northern Ireland) Order 2006, for this purpose.

Reason: To ensure a practical solution to the disposal of surface water from this site.

11. All walls, railings, and timber fencing as shown on drawing Nos. 02A, 06A, 07 shall be provided along the curtilage boundary of each dwelling (and where shown within the curtilage of each dwelling), as indicated prior to the occupation of any dwelling.

REASON: In the interest of residential and visual amenity.

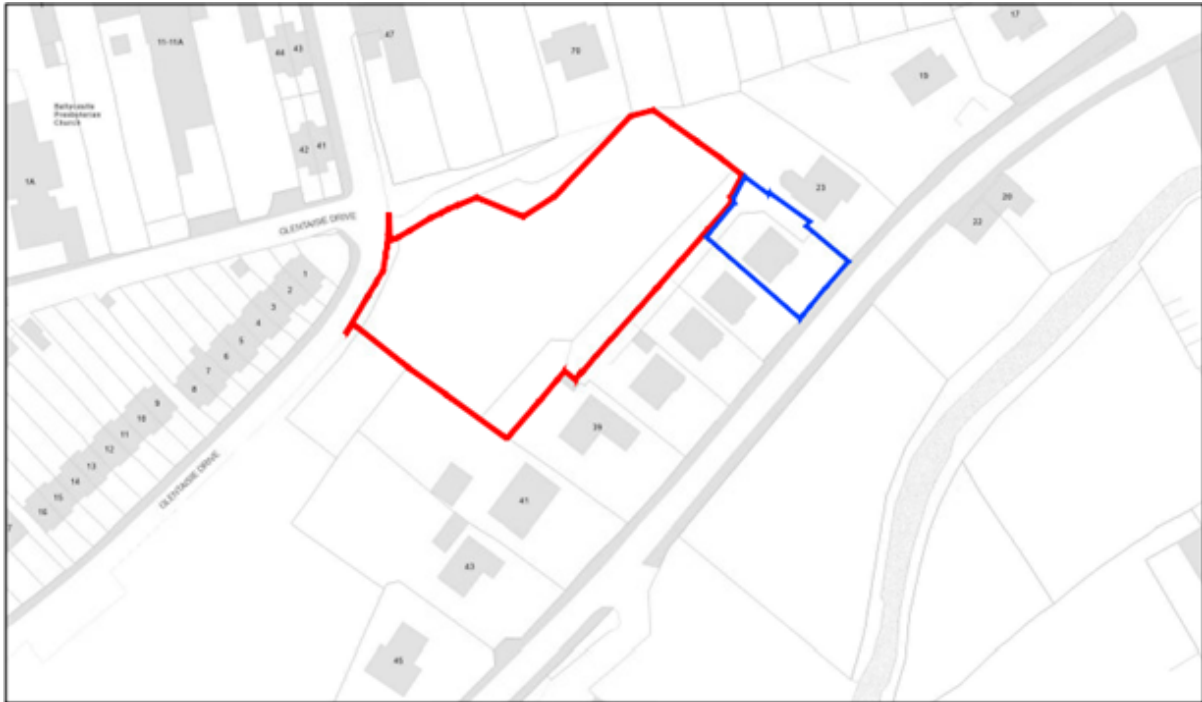
12. All works, materials and finishes shall be as indicated on the approved plans.

REASON: To ensure a satisfactory form of development.

Informatives:

1. This permission does not confer title. It is the responsibility of the developer to ensure that he controls all the lands necessary to carry out the proposed development.
2. This permission does not alter or extinguish or otherwise affect any existing or valid right of way crossing, impinging or otherwise pertaining to these lands.
3. This approval does not dispense with the necessity of obtaining the permission of the owners of adjacent dwellings for the removal of or building on the party wall or boundary whether or not defined.
4. This determination relates to planning control only and does not cover any consent or approval which may be necessary to authorise the development under other prevailing legislation as may be administered by the Council or other statutory authority.
5. You should refer to any other general advice and guidance provided by consultees in the process of this planning application by reviewing all responses on the Public Register website at <https://planningregister.planningsystemni.gov.uk/>

Site Location Map



Proposed Block Plan

