



Title of Report:	Planning Committee Report – LA01/2024/0119/O
Committee Report Submitted To:	Planning Committee
Date of Meeting:	27th May 2026
For Decision or For Information	For Decision – Referred item Referred by Cllr Cara McShane
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> LA01/2024/0119/O	<u>Ward:</u> Torr Head and Rathlin
<u>App Type:</u> Full	
<u>Address:</u> Lands to the West of St. Patrick's Culfeightrin Church, 89 Cushendall Road, Ballyvoy	
<u>Proposal:</u> Erection of 14 no. social and affordable housing units under Policy CTY 5 of PPS 21	
<u>Con Area:</u> n/a	<u>Valid Date:</u> 31.01.2024
<u>Listed Building Grade:</u> n/a	
Agent: MKA Planning Ltd, 32 Clooney Terrace, Waterside, Derry	
Objections: 0	Petitions of Objection: 0
Support: 17	Petitions of Support: 0

Executive Summary

- This is an outline application seeking permission for 14 No. social and affordable housing units
- The site is located within the countryside as defined in the Northern Area Plan 2016 and falls within Local Landscape Policy Area (LLPA) BVL 01 and Antrim Coast and Glens AONB
- The site is located in close proximity to the western edge of the settlement development limit of Ballyvoy.
- There have been no objections to the development and there have been 17 comments of support.
- The proposal is contrary to Policy ENV 1 and BLV 01 of the Northern Area Plan 2016 in that the proposed development does not provide sensitively sited development essential for farming operations and significantly impacts key features of the LLPA.
- The proposal is contrary to paragraph 6.73 of the SPPS (Edition 2) and Policy CTY 5 of PPS 21 in that the application fails to prove there is a demonstrable need for the development to meet the needs of the rural community.
- HED (Historic Buildings) advise that the proposal as presented shall have an adverse impact on the adjacent Listed Building, amended plans have not been submitted to address these concerns, the development is contrary to paragraph 6.12 of the SPPS and Policy BH 11 of Planning Policy Statement 6 – Planning, Archaeology and the Built Heritage
- The development as proposed fails to take account of the surrounding context and character and does not provide a quality residential environment
- The development is contrary to paragraph 4.12 of the SPPS (Edition 2) and criteria (a), (b), (c), (f), (g) and (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

- The development is contrary to CTY 13, CTY 14 and CTY 15 of PPS 21 Sustainable Development in the Countryside.
- The development is contrary to policy NH6 of PPS 2.
- DFI Roads advise that the submitted layout and parking are not in accordance with Creating Places Guidance.
- 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 forms part of a larger agricultural field. The land on the site rises towards the northern boundary and continues to rise beyond the boundary. The southern roadside boundary is defined by a mature hedge. The eastern boundary is defined by a post and wire fence and some mature trees, the northern boundary is defined by a post and wire fence, low trees and gorse, the western boundary is undefined. There is a small agricultural building in the south-western part of the site.
- 2.2 The site lies in the countryside, adjacent to the settlement limit of the village of Ballyvoy. To the east of the site is St Patricks Church which is a Listed Building. The site also lies in the vicinity of archaeological sites and monuments. To the south of the site on the opposite side of the road is dwelling and a car park.
- 2.3 The site falls within Antrim Coast and Glens AONB and LLPA BLV 01.

3 RELEVANT HISTORY

LA01/2022/0608/PAD

Proposal: Proposed outline planning application for 14 no.

Social and affordable housing units in accordance with Policy

CTY 5 of PPS 21 at lands to the west of St Patrick's Culfeightrin

Church, 89 Cushendall Road, Ballyvoy, Ballycastle, BT54 6QY
Decision Date: 24 May 2023.

Advice stated proposal likely not acceptable, Contrary to Policy CTY 5, CTY 13, 14 & 15 of PPS 21 and contrary to PPS 6 and the Northern Area Plan 2016. This advice was discussed at an office meeting during the PAD process. Concerns in relation to the layout were also raised.

4 THE APPLICATION

- 4.1 This is an outline application for the erection of 14 no. social and affordable housing units under Policy CTY 5 of PPS 21.

5 PUBLICITY & CONSULTATIONS

5.1 External

Advertising: Coleraine Chronicle 14.02.24

Neighbours: Notification in accordance with legislation.

- 5.2 17 comments of support have been received, the comments support the need for new affordable housing for local families to support the rural community.

5.3 Internal

NI Housing Executive: Advice provided

Re-con – 20/12/24 advice provided relating to current need in Ballyvoy which is 2 units for 2023 - 2028 period.

Re-con - 19/3/25 - Ballyvoy Housing Need Assessment (HNA) area has an unmet need of one social housing unit for the 2024-2029 period.

No further comment following receipt of Housing Capacity Assessment

NIE: Advice provided

NI Water: on – 29/12/25 – Approval recommended, site specific conditions recommended

Development Odour Encroachment assessment has been undertaken and NI Water do not maintain an objection based on potential odour issues.

DFI Roads: Conditions provided - Dwg No 02 cannot be approved - road layout and parking not in accordance with Creating Places

DFI Rivers: Require Schedule 6 consent for discharge to the watercourse.

Letter from DFI Rivers to agent dated 8th October 2025 states 'DfI - Rivers Directorate 'is satisfied' with your proposal to discharge storm water at a rate of 6.46 lit/sec (equivalent to greenfield run-off), from the above proposed development into the aforementioned watercourse. The discharge should be to the point indicated as per your drawing C101 submitted with your application.

Geological Survey: Content

Environmental Health: No objection

Historic Environment Division:-

Historic Monuments: Conditions provided

Historic Buildings: the proposal, as presented, shall have an adverse impact (harm) on the listed building.

Design & Access Statement

- 5.4 A Design & Access Statement is required under Article 6 of the Planning (General Development Procedure) Order (NI) 2015 as the application as the application is for more than one dwelling and is located within a designated area (Antrim Coast and Glens AONB).

The design and access statement provides details of the design principles and concepts that have been applied to the development and how issues relating to access to the development have been dealt with.

Environmental Impact Screening

- 5.5 The proposed development is located within a sensitive area (Antrim Coast and Glens AONB) and falls within Category 10 (b) of Schedule 2 of The Planning (Environmental Impact Assessment) Regulations (NI) 2017 and therefore the Council is obliged under Regulation 12 (1) to make a determination as to whether the application is for EIA development.
- 5.6 The Council determined on 07/11/2024 that the proposal is not an EIA development and as such this planning application, did not need to be accompanied by an Environmental Statement.

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:
- The 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 - Edition 2 (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 RELEVANT POLICIES & GUIDANCE

The Regional Development Strategy 2035

The Northern Area Plan 2016

The Strategic Planning Policy Statement (SPPS) Edition 2

Planning Policy Statement 2 (PPS 2) – Natural Heritage

Planning Policy Statement 3 (PPS 3) – Access, Movement and Parking

Planning Policy Statement 6: Planning Archaeology and the Built Heritage

Planning Policy Statement 7 (PPS 7) – Quality Residential Environments

Addendum to Planning Policy Statement 7 (APPS7) – Safeguarding the Character of Established Residential Areas

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

Planning Policy Statement 21 (PPS 21) - Sustainable Development in the Countryside

Creating Places - Achieving Quality in Residential Developments

Living Places

DCAN 8 - Housing in Existing Urban Areas

DCAN 15 - Vehicular Access Standards

Parking Standards

Antrim Coast and Glens Design Guide

Causeway Coast and Glens Corporate Strategy

8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to: Principle of Development and Area Plan Designations, Social and Affordable Housing outside the settlement limit, Quality in New Residential Development, Impact on Built Heritage, Access and Parking, Water, Sewage and Drainage and Habitats Regulations Assessment.

Principle of Development and Area Plan Designations

- 8.2 The site lies in the countryside adjacent to the settlement development limit of the village of Ballyvoy. The site falls within Antrim Coast and Glens AONB and within LLPA BLV 01 (St Patricks.)
- 8.3 The LLPA designation states that this LLPA will be protected from all development other than sensitively sited development essential for farming operations, the proposed development is contrary to this. The adjacent church is also identified as a key feature within the LLPA that contributes to the environmental quality, integrity or character of this area.
- 8.4 The views of the church from the west along Cushendall Rd will be adversely impacted by the current proposal. New development, of this scale, on the site will have a significant impact on the setting of the church due to the siting, scale and layout of the proposal.

- 8.5 Consideration is also given to the size of the proposed development. While the 2025 Housing Monitor indicates there is no remaining capacity in the village the current proposal represents approximately 21% increase in housing provision, this figure is considered significant in terms of the current context of the village.
- 8.6 Following an office meeting the agent submitted a letter dated 11th July 2025. This letter referred to Northern Area Plan (NAP) Independent Examination (IE) Repo. The report stated *'this site would make a logical extension to the SDL given the existence of development immediately opposite this land'* however at that time they concluded that *'the lack of need for more housing overrides any justification for the inclusion of more land within the SDL'*. On consultation with the Councils Development Plan section they note that the role of the PAC in this report is only to consider objections to the draft plan, PAC comments are not made on a full analysis of the settlement and make no comment on matters such as density, character or impact on the Historic Building.
- 8.7 The agent also makes reference to North Eastern Area Plan 2002 (NEAP) and the fact that the site was contained within the settlement development limit of Ballyvoy in this plan. This plan pre-dates the Northern Area Plan 2016 which is the current up-to-date plan. Within NEAP Ballyvoy is designated as a hamlet and development in Ballyvoy should be considered in this context. NEAP states the plan identifies *'eight hamlets where there is some scope for a limited amount of additional development, provided that the scale and character of each settlement is not significantly changed.....each has an existing nucleus with potential for the satisfactory integration of a modest amount of new development'*. The settlement development limit of Ballyvoy contained extensive lands to accommodate a modest amount of new development suggesting low density development was envisaged to ensure the Strategy's requirements that sensitive infilling and limited

additional development that did not significantly change the character of the settlement could be met. NEAP has been superseded by the current NAP 2016 which is the relevant plan to assess this planning application against.

- 8.8 The agent references semi-detached development at Blackpark Rd and Blackpark Cottages. The setting and layout of these properties are different to the proposed development. The existing semi-detached properties are on larger sites and can accommodate in-curtilage parking and vegetation between many of these dwellings. The dwellings at Blackpark Cottages have a less formal layout compared to the linear layout of the proposal. The proposed development is set in 2 formal rows of dwellings with very small gaps between meaning the layout has the appearance of 2 terraces of development which is not in keeping with the character of residential development within Ballyvoy.

Social and Affordable Housing Outside the Settlement Limit

- 8.9 Policy CTY 5 (Social and Affordable Housing) of PPS 21 advises that planning permission may be granted for a group of no more than 14 dwellings adjacent to or near a small settlement or within a designated dispersed rural community to provide social and affordable housing to meet the needs of the rural community. Permission will only be granted where the application is made by a registered Housing Association and where a demonstrable need has been identified by the Northern Ireland Housing Executive (NIHE) which cannot readily be met within an existing settlement in the locality.
- 8.10 The most recent consultation response from NIHE dated 19th March 2025 states that The Housing Executive carries out Housing Need Assessments (HNAs) annually to identify social housing need. This proposed development is located just outside the Ballyvoy Housing Need Assessment (HNA) area which has an unmet need of one social housing unit for the 2024-29 period as stated in NIHE response dated 19/3/25.

- 8.11 The agent submitted a Housing Capacity Assessment (HCA) which explored alternative sites within Ballyvoy including zoning BVH 01 and the site of the former Primary School. It has been advised that there is no capacity within the zoned site and the school site is currently being used as a childcare facility.
- 8.12 The HCA based the search for alternative sites on the basis of providing 14 units with at least 28 parking spaces. These numbers match the current proposal but not the housing need for Ballyvoy as identified by the Housing Executive, which is 1 dwelling. As such the number of units proposed appears to be as a consequence of the policy parameters rather than the identified need in Ballyvoy. Given the low number it is reasonable to expect that a need of 1 dwelling could be accommodated within the settlement development limit of Ballyvoy.
- 8.13 The information provided fails to prove there is a demonstrable need for 14 units to meet the needs of the rural community, the development therefore fails to comply with CTY 5 of PPS 21.
- 8.14 The HCA acknowledges a need of less than 5 units within Ballyvoy. The assessment also references the housing need within the town of Ballycastle located approximately 2 miles to the west of the application site. The assessment also states that there is a housing need within Ballycastle of 70 units, it also states that Ballyvoy is a secondary preference. The agent acknowledges in letter dated 11/7/25 that the development will help meet the social housing need for Ballycastle. However, it has not been demonstrated that this need is for the rural community as specified in the policy, rather an unmet need for Ballycastle.
- 8.15 On consultation with NIHE they have advised that they are currently exploring sites within Ballycastle settlement limits with Housing Associations in order to meet the remaining need there. Ballycastle is a designated local Hub where development is encouraged and a broader range of services are available, making it a more appropriate location for social housing to meet the needs of Ballycastle.

- 8.16 Ballyvoy is a village as designated in Northern Area Plan 2016, which is 2 levels below Ballycastle which is a Local Hub. The services in Ballyvoy have reduced in recent years with the closure of the Post Office, school, café and dry cleaners. Hunters Bar is also currently for sale.
- 8.17 The agent refers to a bus service operating through Ballyvoy, connecting it to Ballycastle and Cushendall, Glenariff and Carnlough. This is the 162a service which operates 4 buses on Mondays to Fridays only, from 0940 to 1532 from Carnlough to Ballycastle, and 3 from Ballycastle to Carnlough from 1101 to 1601. There are no Saturday or Sunday services. This limited availability of services and public transport connections to Ballycastle means greater dependence on private vehicle use meaning new social housing at this location may not be suitable for those who depend on public transport to access work and services especially if it is to meet the social housing need of Ballycastle. There is no evidence to indicate that the development will reverse the loss of services and facilities in Ballyvoy and it cannot be assumed. Any residents will be required to travel outside Ballyvoy to access most services.
- 8.18 The agent has explored alternative sites within Ballycastle as part of the sequential test set out within CTY 5 however these are not relevant to this application as Ballycastle is not classed a small settlement and the need for the rural community has not been established. The HCA is seeking to apply a rural policy to address an urban need which is misplaced and not in keeping with the policy objectives.

Quality in New Residential Development

- 8.19 Policy QD 1 of PPS 7 sets out a presumption against housing development in residential areas where they would result in unacceptable damage to the local character, environmental quality or residential amenity of these areas. Proposals for new residential development should comply with 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;

- 8.20 This outline proposal provides provisions of 14 units laid out in 2 terraces that run parallel to the road with the access provided at the western end of the roadside boundary onto Cushendall Rd.
- 8.21 The site is currently agricultural land outside the settlement development limit. The land on the site rises from the road towards the north. There is a church located on the land to the east of the site. To the south on the opposite side of the road there are detached dwellings and a car park.
- 8.22 The proposed dwellings are 2 storey and laid out in 2 terraces with the access road and parking located between these 2 terraces. The form, scale and layout of the development is not in keeping with surrounding character and residential development which tends to be modest size detached and semi-detached dwellings.
- 8.23 The layout of the buildings does not respect the existing development on this side of the Cushendall Rd, the proposed dwellings sit forward of the building line of the church and former primary school to the east of the site on the same side of the road.
- 8.24 The adjacent church is a prominent feature on the western approach to Ballyvoy. The concept layout as proposed is a formal layout in 2 terraced blocks. This style of development is uncharacteristic for the settlement which is characterised by individual buildings which have evolved in an informal way as witnessed on the opposite side of the road from the application site which is more rural in style, form and layout.
- 8.25 The concept layout also includes a dominant road through the site with extensive area of parking/hardstanding which is out of character with the setting adjacent to the church. The Concept Plan and Design and Access Statement fails to provide a detailed appraisal of the site and setting and fails to indicate how the proposed development has taken the site and setting into consideration within the proposed scheme

8.26 No additional buffer planting has been provided in the submitted plans.

8.27 The development as proposed will have a detrimental impact on the existing character of the area as a result of the scale and layout of the dwellings proposed. Issues in relation to the proposed layout and the context of the site were raised during the PAD process but not addressed through the submission of the planning application. The development is contrary to 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;

8.28 The application site lies adjacent to St Patricks Church which is a listed building. The church is an important focal point within Ballyvoy and development on the application site will impact the setting. HED had been consulted under the previous PAD application and advised of concerns relation to the development as proposed.

8.29 Under the current application HED Historic Buildings advised that proposal as presented would be harmful to the visual amenity, special architectural and historic character, and setting of the listed building. It is recognised that the listed Church and its curtilage occupies a key focal site within the local settlement due to its social and cultural importance. The proposed juxtaposition of building mass, with associated curtilage structures, form a competing adverse impact (harm) to both the immediate and greater rural setting which currently enriches the contribution the setting makes for the listed building. HED consider that the planned site form of the proposal shall significantly alter the experience and use of the listed building, graveyard and general curtilage area through intensified noise, nuisance, and general disturbance.

8.30 HED set out additional information to be provided and points to consider. The agent advised in a letter dated 11th July 2025 that the layout and design of the proposed dwellings are appropriate for this location and have been designed and laid

out to be sympathetic to the listed church, no amended plans have been received to address HED comments.

8.31 This application site is located adjacent to a significant number of archaeological sites and monuments. HED historic Monuments have indicated there is the potential for below-ground archaeological remains to be encountered during the course of development works. They advise archaeological mitigation in the form of a Programme of Archaeological Works under Policy BH4 of PPS 6 would be appropriate for any subsequent planning application based on this outline.

8.32 The development as proposed is contrary to criteria (b).

(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;

8.33 While this is an outline application the concept plan does not indicate that sufficient private amenity space can be provided for the proposed units, the proposed concept layout for one of the units measures approx. 28 square metres which is below the guidance as set out in Creating Places. Private amenity of the dwellings on the southern part of the site is overlooked by the units sited on the northern part of the site.

8.34 This concept layout proposes 14 units which is well below the 25 unit threshold as stated in PPS 8 Open Space and Recreation policy OS 2 relating to open space in new residential development. As such public open space is not required by policy.

8.35 No landscape buffer has been provided along the western boundary which defines the edge of the settlement limit, this is required in accordance with PPS 7 in order to help the development integrate with the adjacent countryside.

8.36 While this is an outline application and details with regard landscaping and boundary treatments will be considered fully at

reserved matters stage it has not been demonstrated that criteria (c) can be complied with.

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

(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;

8.37 Given the scale of this proposal to provide 14 units provisions for local neighbourhood facilities are not required. The proposal is just outside the settlement limit of Ballyvoy. While there are currently limited facilities within Ballyvoy following the primary school and some local businesses the developer is not required to make provision for local neighbourhood facilities as an integral part of the development. However, the limited access to services, schools and transport is at odds with the sustainable approach to housing advocated through the RDS and the SPPS.

8.38 The development is located along the main road between Cushendall and Ballycastle and along existing public transport routes.

8.39 Paragraph 8.17 above outlines the limited access to public transport which will increase reliance on private cars which is contrary to part (e) of QD 1.

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

8.40 A new access is proposed onto Cushendall Rd to serve the development. The submitted site plan indicates the provision of 32 parking spaces, 28 communal spaces and 4 on-street spaces. A housing mix has been provided within the Design and Access Statement, based on this information at least 22 spaces are required. DFI Road have however advised that the parking provision and roads layout is not in accordance with Creating Places Design Guide. Based on the information provided to date the proposal is contrary to criteria (f).

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

- 8.41 The dwellings proposed are of a traditional form and includes 2 terraces with 1.5 storey chalet style buildings with 1st floor dormer windows.
- 8.42 PPS 7 states 'many villages and smaller settlements in Northern Ireland display an essentially rural character, and proposals for housing development in such locations should reflect this in their design, layout and detailing. The overall scale and density of development proposed should also respect the form and character of the settlement'. The proposed finishes include natural slate, smooth plaster render and hardwood doors. While the development proposes use of traditional materials, as discussed above the overall form, scale and layout of the development is not in keeping with the area and setting and is therefore contrary to 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;

- 8.43 The site is located in the countryside outside the settlement development limit. To the south of the site is the church car park and to the south east are detached 2 storey dwellings. To the east of the site is St Patricks Church.
- 8.44 The concept layout proposes two terraces with the parking and access road central between them. Due to the difference in levels on the site the front of the proposed units to the north will overlook the rear of the units on the southern part of the site and will also overlook the rear amenity space. There is a separation distance of approximately 25m between the front elevations and the rear returns however given the difference in levels there will be a greater perception of being overlooked. Creating Places guidance suggests a minimum separation distance of 20m however an enhanced separation distance may also be necessary for development on sloping sites.

8.45 Environmental Health have been consulted and express no objections. There are no anticipated issues in relation to noise or other disturbance from this development.

8.46 The development is contrary to criteria (h).

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

8.47 The development has been designed to deter crime and promote personal safety.

Policy QD 2 PPS 7 - Design Concept Statements

8.48 Policy QD 2 states The Department will require the submission of a Design Concept Statement, or where appropriate a Concept Master Plan, to accompany all planning applications for residential development.

8.49 A Concept Plan has been submitted in the form of a plan indicating the layout of the application site and photographs of the surrounding area, an additional plan indicating conceptual elevations has also been provided. While these accompany the application Policy QD2 states that a Design Concept Statement is necessary to accompany outline as well as full planning applications, to show how the developer will deliver a quality residential environment on a particular site. QD 2 goes on to state, for sites in sensitive locations the type of information and detail required for the Design Concept Statement will include some or all of the following:

- an appraisal of the site context highlighting those features in the vicinity of the site which influence the design of the scheme;
- an appraisal of the characteristics of the site - identifying features within the site and how they influence the design of the scheme. This should include landscape features, an analysis of existing flora and fauna and the location of any archaeological or built heritage features or sites of nature conservation importance;
- an indicative layout of the proposed scheme including for example the siting of buildings, existing and proposed public transport facilities, pedestrian and cycle routes, the layout of

streets, access arrangements and traffic calming measures proposed;

- sketch details of the design of buildings;
- a comprehensive and readily understood structure to the open space and landscape elements of the scheme including proposals for subsequent management and maintenance; and
- the type and location of any necessary local neighbourhood facilities.

8.50 QD 2 states a Design Concept Statement is necessary to demonstrate how the proposed scheme has taken account of the main features of the site and its context and how it will meet the criteria set out in Policy QD 1. A Concept Plan and A Design and Access Statement accompanies the application. The Design and Access Statement refers to the criteria in Policy QD 1 however it fails to fully consider the context of the site and its setting.

8.51 While a Heritage Statement also accompanies the application the submission to date fails to provide a detailed appraisal of the site and setting and fails to indicate how the proposed development has taken the site and setting into consideration within the proposed scheme. The development is therefore contrary to Policy QD 2 of PPS 7.

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

8.52 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 all the criteria set out in Policy QD 1 of PPS 7, and all the additional criteria set out below are met:(a) the proposed density is not significantly higher than that found in the established residential area; (b) the pattern of development is in keeping with the overall character and environmental quality of the established residential area; and (c) all dwelling units and apartments are built to a size not less than those set out in Annex A.

8.53 As discussed above the site is located outside the settlement development limit. The character of the surrounding residential development on the southern side of Cushendall Rd which is within the settlement limit is low density individual detached dwellings with approximate density of 7.5 dwellings per hectare (this calculation does not include the land for the GAA pitch). The development on the application site has an approximate density of 21.5 dwellings per hectare. The housing at Blackpark Cottages to the northern end of the settlement of Ballyvoy has a density of approx. 20 dwellings per hectare. The overall density is significantly higher than that of the land within the development limit on the southern side of Cushendall Rd. The size of the application is too restricted to accommodate the scale of development proposed. The pattern of development also does not respect the character of the settlement as previously discussed. The development is contrary to Policy LC 1.

Impact on Built Heritage

8.54 The application site is in close proximity to and impacts upon HB05 04 019 St. Patrick's R C Church Barnish Co. Antrim (Grade B1) which is of special architectural or historic interest and is protected by Section 80 of the Planning Act (NI) 2011.

8.55 HED (Historic Buildings) acknowledge the provision of a Heritage Statement, however, the assessment of the impact of this development is lacking in terms of providing information to allow HED to understand the applicant/design teams assessment of the contribution of the setting of the listed building(s) and how this informs the significance of the listed building(s). e.g. their architectural or historic interest, note other interests will apply, and how the proposed works are considered appropriate.

8.56 HED advised that the proposal as presented would be harmful to the visual amenity, special architectural and historic character, and setting of the listed building. It is recognised that the listed Church and its curtilage occupies a key focal site within the local settlement due to its social and cultural importance. The proposed juxtaposition of building mass, with associated curtilage structures, form a competing adverse impact (harm) to both the immediate and greater rural setting

which currently enriches the contribution the setting makes for the listed building. HED consider that the planned site form of the proposal shall significantly alter the experience and use of the listed building, graveyard and general curtilage area through intensified noise, nuisance, and general disturbance.

- 8.57 HED set out additional information to be provided and points to consider. The agent advised in a letter dated 11th July 2025 that the layout and design of the proposed dwellings are appropriate for this location and have been designed and laid out to be sympathetic to the listed church, no amended plans have been received to address HED comments.
- 8.58 The development as presented will have an adverse harm on the listed building and is contrary to BH 11 of PPS 6.

Integration & Rural Character

- 8.59 The proposal comprises 14 residential units, the exact specification of type and size has not been submitted at this stage as this is an outline application, a proposed housing mix has been suggested by NIHE. The site comprises an area of agricultural land outside the settlement limit. The settlement development limit of Ballyvoy runs just to the east of the site adjacent to St Patricks Church and also to the south of the site on the opposite side of Cushendall Rd. As all the site lies outside the settlement limits Policy CTY 13 – Integration and Design of Buildings in the Countryside and CTY 14 – Rural Character will also be a consideration.
- 8.60 There will be views on approach from the west travelling along Cushendall Road from Ballycastle. When viewed for here the site is open and the western boundary is undefined. The land on the site rises from the road towards the north. Given the rising land on the site the western side elevation of the proposed dwellings will appear prominent when travelling from the west. The access road and parking are located between the 2 rows of dwellings, this will also appear prominent when approaching from the west.

- 8.61 The submitted plans suggest the existing roadside hedge is to be retained however the western boundary is undefined, the development would therefore rely on the use of new landscaping for integration. As discussed above Paragraph 4.28 of PPS 7 states that the integration of development at the edges of settlements is also important and buffer planting will be required to help assimilate and soften its impact on the countryside, while the submitted plans suggest 'screen planting' PPS 7 recommends a buffer of 8 – 10m to help assimilate and soften the impact on the countryside, this degree of landscaping has not been provided.
- 8.62 When approaching from the east along Cushendall Rd, the site is largely screened by existing development to the east including the church and the former primary school.
- 8.63 The form, layout and density of the development proposed is not in keeping with the form of surrounding development. The form, density and layout do not respect the layout of the surrounding residential development and will further erode the rural character of the area. The development is therefore contrary to CTY 13 and CTY 14 of PPS 21.

The Setting of Settlements

- 8.64 Policy CTY 15 of PPS 21 states that planning permission will be refused for development that mars the distinction between a settlement and the surrounding countryside or that otherwise results in urban sprawl.
- 8.65 Where social and affordable housing under Policy CTY 5 may in principle be acceptable, it will be important to consider what siting options are available and to mitigate any adverse impact on the setting of the settlement. The proposal is not considered to be acceptable in principle under Policy CTY 5. While the development is located adjacent to the settlement development limit the development fails to comply with the requirements of CTY 5 and the form and scale of development are not in keeping with surrounding development and will have an

unacceptable impact on the adjacent Listed Building. The proposal is contrary to Policy CTY 5.

Impact on Natural Heritage

8.66 The application site is located within Antrim Coast and Glens Area of Outstanding Natural Beauty. The site is located within the countryside. The site is bounded to the east by St Patricks Church, the eastern boundary is defined by some mature trees, these are proposed to be retained. There is an existing hedge along the roadside boundary, part of this is to be removed to accommodate the access to the development. As discussed above the siting, layout and scale of the proposal is not considered to be sympathetic to the character of this area of the AONB. The proposal fails to comply with Policy NH 6 (AONB) of PPS 2.

Access and Parking

8.67 The development proposes a new access onto Cushendall Road, the proposed access is to the western end of the roadside boundary. Visibility splays of 80m are required in both directions. DFI Roads have no objection to the proposed access.

8.68 While this is an outline application an indicative layout has been provided for consideration. The submitted site plan indicates the provision of 32 parking spaces, 28 communal spaces and 4 on-street spaces. A housing mix has been provided within the Design and Access Statement, based on this information at least 22 spaces are required. DFI Road have however advised that the parking provision and roads layout is not in accordance with Creating Places Design Guide. The development is contrary to Policy AMP 2 of PPS 3.

Water, Sewage and Drainage

8.69 Foul sewage is to be disposed of via mains. NI Water have advised there is capacity at the Waste Water Treatment Works, they also advise there may be nuisance due to proximity to the Waste Water Treatment Works. A letter from NI Water dated 24

Aug 24 was submitted by the agent to advise while proposed development is inside odour consultation zone their assessment concludes they will not object (PPS 11).

- 8.70 A Drainage Assessment has been submitted and DFI Rivers advised that Schedule 6 consent is required. A letter from DFI Rivers to the agent dated 8th October 2025 states 'Dfi - Rivers Directorate 'is satisfied' with your proposal to discharge storm water at a rate of 6.46 lit/sec (equivalent to greenfield run-off), from the above proposed development into the aforementioned watercourse. The discharge should be to the point indicated as per your drawing C101 submitted with your application.

Habitats Regulations Assessment

- 8.71 The potential impact this proposal on Special Areas of Conservation, Special Protection Areas 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, conservation objectives or status of any of these sites.

9 Conclusion

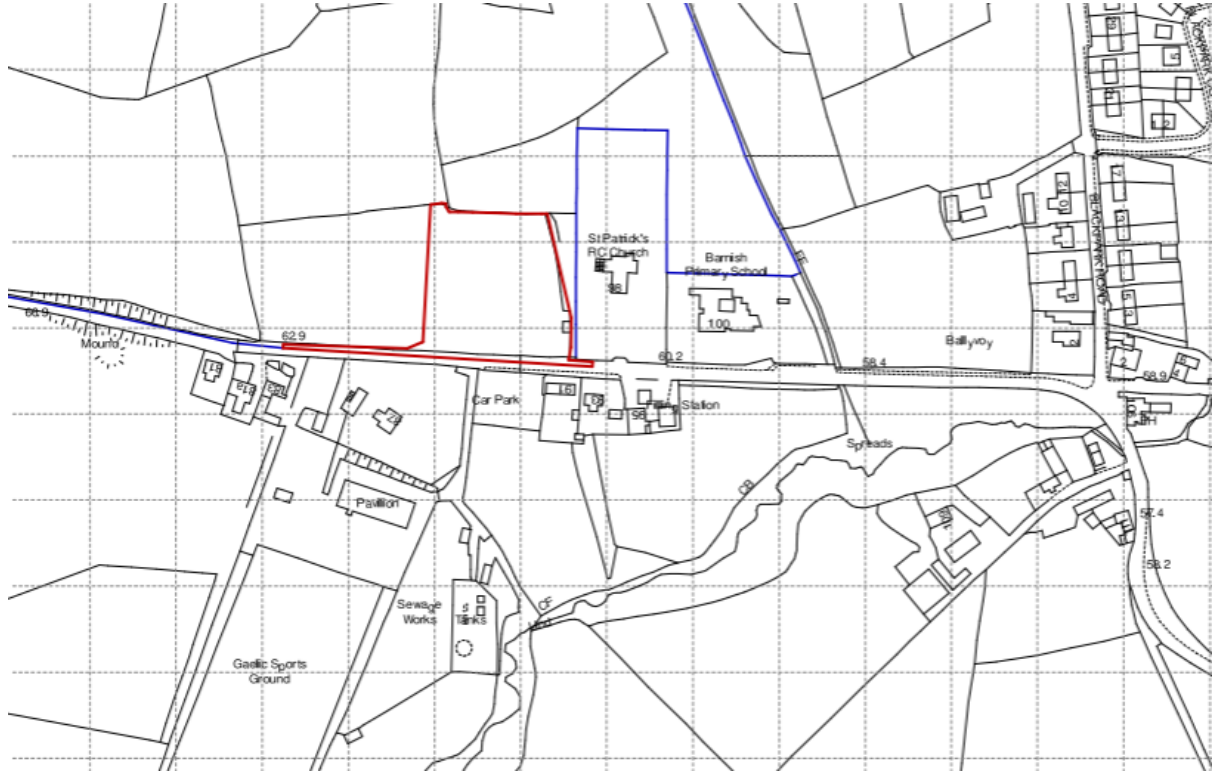
- 9.1 The proposed housing development is considered unacceptable in this location having regard to the Northern Area Plan 2016, and other material considerations, including the SPPS. It has not been proven that the development will meet the needs of the rural community in accordance with CTY 5 of PPS 21. The development as proposed fails to take account of the surrounding context and character and does not provide a quality residential environment and is contrary to the SPPS, QD1 and QD 2 of PPS 7, Policy LC1 of the Addendum to PPS 7 and relevant planning guidance in relation to new residential development. The development will also harm the visual amenity, special architectural and historic character and setting of the adjacent listed building. Refusal is therefore recommended.

Reasons for Refusal

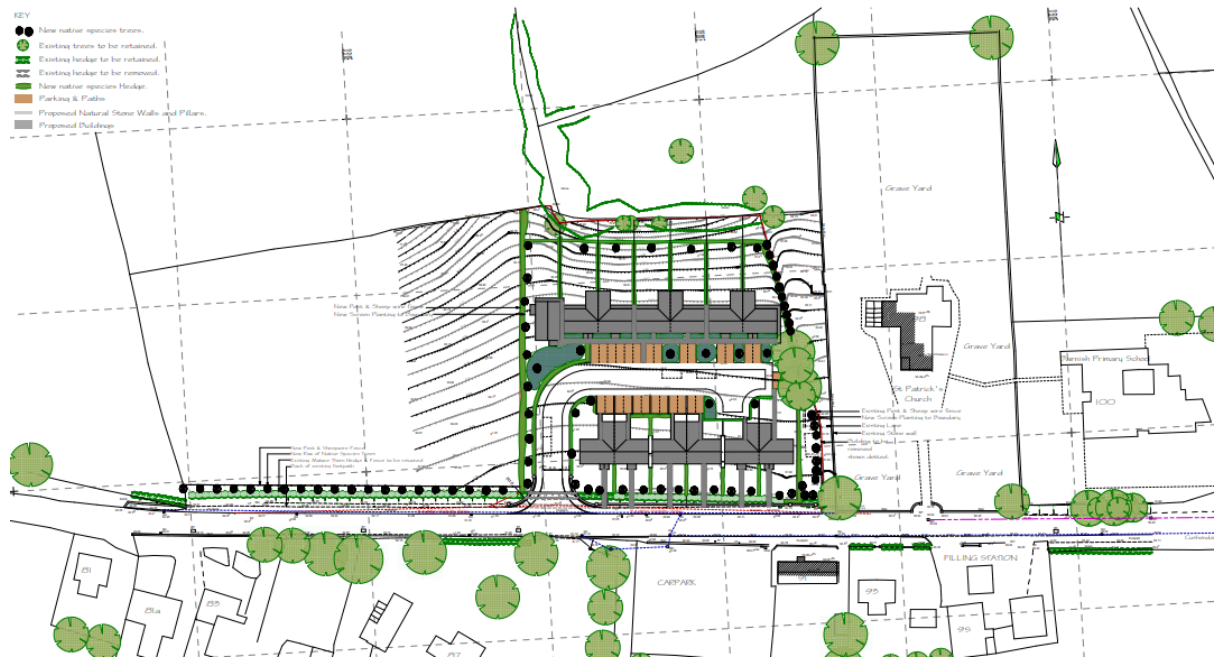
1. The proposal is contrary to paragraph 6.73 of the SPPS (Edition 2) and Policy CTY 5 of PPS 21 in that the application fails to prove there is a demonstrable need for the development to meet the needs of the rural community.
2. The proposal is contrary to the RDS, the SPPS (Edition 2) and criteria (a), (b), (c), (e) (f), (g) and (h) of Policy of Planning Policy Statement 7, Quality Residential Environments, criteria (a) & (b) of Policy LC1 of the Addendum to PPS 7 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 surrounding context and character and does not provide a quality residential environment.
3. The proposal is contrary to paragraph 6.137 of the SPPS (Edition 2) and Policy QD 2 of Planning Policy Statement 7, Quality Residential Environments in that the concept plan fails to fully consider the context of the site and its setting and it has not been demonstrated a quality residential development can be provided at this location.
4. The proposal is contrary to paragraph 6.12 of the SPPS (Edition 2) and Policy BH 11 of Planning Policy Statement 6 – Planning, Archaeology and the Built Heritage in that the proposal will harm the visual amenity, special architectural and historic character and setting of the listed building.
5. The proposal is contrary to Policy AMP 2 of Planning Policy Statement 3 Access, Movement and Parking and Creating Places Guidance document as the proposed road layout and car parking as outlined on Site Plan 02 is not in accordance with published standards and would have an adverse impact on road safety.
6. The proposal is contrary to Policy ENV 1 and BLV 01 of the Northern Area Plan 2016 in that the proposed development does not provide sensitively sited development essential for farming operations.

7. The proposal is contrary to paragraph 6.70 of the Strategic Planning Policy Statement for Northern Ireland (Edition 2) and Policy CTY13 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the proposed development and access would be prominent in the landscape; the site is unable to provide a suitable degree of enclosure for the buildings to integrate into the landscape; the site relies primarily on new landscaping for integration, the design and layout are inappropriate for the site and its locality and therefore would not visually integrate into the surrounding landscape.
8. The proposal is contrary to paragraph 6.70 of the Strategic Planning Policy Statement Edition 2 for Northern Ireland and Policy CTY14 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the development would, if permitted, result in a suburban style build-up of development when viewed with existing and approved buildings and does not respect the traditional pattern of settlement in the area and would therefore result in a detrimental change to the rural character of the countryside.
9. The proposal is contrary to the Strategic Planning Policy Statement Edition 2 and Policy CTY 15 of PPS 21: Sustainable Development in the Countryside in that the development would if permitted mar the distinction between the defined settlement limit of Ballyvoy and the surrounding countryside through urban sprawl.
10. The proposal is contrary to Paragraph 6.187 of the SPPS (Edition 2) and Policy NH 6 of Planning Policy Statement 2, Natural Heritage in that the development, if permitted, would have a detrimental impact upon the character and appearance of this designated Area of Outstanding Natural Beauty.

Site Location Plan



Site Plan



Referral Request

From: Cara McShane
Sent: 30 January 2026 17:29
To: Planning
Subject: Ref LA01/2024/0119/O
Attachments: Ballyvoy Referral Form.docx

A chara

Please see attached request for referral to planning committee, planning reference **LA01/2024/0119/O**

I would be most grateful if you could advise on the outcome of this request.

Go raibh maith agat

Cara

Planning Reference	LA01/2024/0119/O
Elected Member Name	Cllr Cara Mc Shane
Contact Details	Tel: Email:

It is clear from the Development Management Officer Report (DMR) that all material planning considerations have not been fully taken into account and the various refusal reasons cannot be sustained for the various material planning considerations as set out below:-

Refusal Reason 1:

The proposal is contrary to paragraph 4.12 & 6.137 of the SPPS and criteria (a), (b), (c), (f), (g) and (h) of Policy of Planning Policy Statement 7, Quality Residential Environments, criteria (a) & (b) of Policy LCI of the Addendum to PPS 7 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 surrounding context and character and does not provide a quality residential environment.

This proposal is for approval in principle only. Matters of design and detail can be resolved at Reserved Matters stage.

In terms of criteria (a) the application proposal has been sited, laid out and designed taking into account design cues from the adjacent listed chapel and parochial house which are the two best examples of vernacular architecture in the settlement.

The proposal has been designed to be sympathetic to the adjacent listed building by providing sightlines through the two terraces of houses of the chapel from the Cushendall Road.

In terms of criteria (b) a Heritage Assessment was submitted assessing the impact of the proposal on the adjacent listed church on 1/2/24. This is a material planning consideration of significant weight. This Assessment is not even acknowledged or considered in the Council's DMR or this refusal reason.

In terms of criteria (c) I repeat this is an outline planning application for approval in principle only. A Concept Plan is intended to be indicative, not to be definitive and matters of detail are resolved at RM stage. The proposed layout can be amended to provide additional private amenity space.

In terms of criteria (f) I repeat this is an outline planning application for approval in principle only. A Concept Plan is intended to be indicative, not to be definitive and matters of detail are resolved at RM stage. The proposed layout can be amended to provide additional parking spaces.

In terms of criteria (g) the Council accept that the proposal provide traditional materials such as natural slate, smooth plaster render and hardwood doors. However, Planning argue the proposal is not in keeping with the area and setting.

In terms of criteria (h) this proposed layout is similar to residential development on any sloping housing site within the Council area and is not a valid objection.

Policy LCI(a) and (b) of PPS7 Addendum only applies within established residential areas, villages and small settlements. This planning policy cannot be applied outside settlement limits where the application proposal is located.

Refusal Reason 2:

The proposal is contrary to paragraph 6.137 of the SPPS and Policy QD 2 of Planning Policy Statement 7, Quality Residential Environments in that the concept plan fails to fully consider the context of the site and its setting and it has not been demonstrated a quality residential development can be provided at this location.

The Council acknowledge and accept in this refusal reason that a Heritage Assessment has been submitted but have not acknowledged it in Reason 1.

Both the Heritage Assessment and the Concept Plan provides a detailed appraisal of the application site and how it is has been taken into consideration in the proposal application.

The concept plan and the design concept takes design clues from the adjacent listed building and parochial house and nearby residential development opposite the application site and within this specific node of the settlement.

These design cues have been used to reflect the traditional nature of the proposed design.

The proposed Concept Plan and sketches clearly show that a quality residential environment has been provided.

Refusal Reason 3:

The proposal is contrary to paragraph 6.12 of the SPPS and Policy BH II of Planning Policy Statement 6 – Planning, Archaeology and the Built Heritage in that the proposal will harm the visual amenity, special architectural and historic character and setting of the listed building.

This refusal reason raises serious issues as the scheme has been sensitively designed to not obstruct important views of the church and reinforce the existing landscape buffer.

This proposal has been designed to not adversely impact on the church. Churches traditionally have always been a focal point within settlements and it is natural that development radiates outward from the focal point.

It is noteworthy that the application site was previously part of the original development limits of Ballyvoy in the North East Area Plan 2002 indicating that the Department previously considered that the principle of development on the application site was acceptable.

The PACNI also stated in their NAP 2016 Independent Examination that the application site:

"would make a logical extension to the SDL given the existence of development immediately opposite this land".

Therefore, I do not accept that this residential scheme which is sensitively sited and designed and a natural focus for the expansion of the settlement will detract from the setting or character of the adjacent church.

Refusal Reason 4:

The proposal is contrary to paragraph 6.73 of the SPPS and Policy CTY 5 of PPS 21 in that the application fails to prove there is a demonstrable need for the development to meet the needs of the rural community.

The NIHE have indicated there is a social housing need of 2 units in Ballyvoy between 2023-2028.

The NIHE have indicated their support for the proposal on the basis that there are a substantial number of households on the NIHE waiting list from Ballyvoy and the surrounding rural area who place Ballycastle as their first preference as there are no NIHE houses available elsewhere. The NIHE estimated in 2024 that there were 160 applicants on the waiting list who had Ballyvoy as an additional choice.

The NIHE HIP Update 2025 indicates a social housing need in Ballycastle of 106 households between 2023-2028.

The only proposals in Ballycastle the NIHE's 5 year programme are:

Broomberg 14

Ramoan Road 6

Ramoan Road 1

Ramoan Gdns 1

In total this will provide 22 units in Ballycastle up until 2028 which is less than 20 per cent of the social housing need in the settlement and clearly indicates that the need cannot be addressed due to the lack of housing land. The NIHE have been forced in Ballycastle to build and get permission on its recreational and open space land.

There are significant difficulties in providing new social housing in Ballycastle due to factors such as lack of housing zonings/land, increasing land/house prices, NI water constraints on new housing development and increasing social housing need.

There is a significant demand for the affordable housing element in Ballyvay from young families who wish to stay in their local area and play for their local Club.

Local residents indicate a strong support for the proposed housing development with a significant number of support letters.

The Applicants indicate the only housing zoning in the settlement was completed in 2016 and there has been little if any new residential development since in Ballyvay to retain the local population and prevent out migration.

Refusal Reason 5:

The proposal is contrary to Policy AMP 2 of Planning Policy Statement 3 Access, Movement and Parking and Creating Places Guidance document as the proposed road layout and car parking as outlined on Site Plan 02 is not in accordance with published standards and would have an adverse impact on road safety.

This is an application for approval in principle only.

Additional car parking and the proposed can be provided at Reserved Matters stage.

The DFI consultation response dated 27/2/24 approves the application with a number of planning conditions and issues a Form RSI for the vehicular access.

The response does state as a footnote at the end that the Site Plan Org. No. 02 should not form part of the planning approval for this site as the road layout and car parking is not in accordance with the Creating Places Design Guide.

However, this is not grounds for a refusal reason and puts the Council at risk of a Costs Award if this proposal goes to planning appeal in front of the Planning Appeals Commission.

Refusal Reason 6:

The proposal is contrary to Policy ENV 1 and BLV 01 of the Northern Area Plan 2016 in that the in that the proposed development does not provide sensitively sited development essential for farming operations.

This proposal is located within an Local Landscape Policy Area (LLPA). However this is no obstacle to development and a number of housing zonings within the NAP 2016 have LLPA's located within all or part of these zonings.

This proposal has been designed not to detract from the LLPA and has been both sensitively sited and designed with the landscape.

In terms of the LLPA the proposal represents a planning gain in removing the existing visually unsightly agricultural building close to the listed church which both detracts from its setting and its character.