

Title of Report:	Planning Committee Report - LA01/2025/0342/O
Committee Report Submitted To:	Planning Committee
Date of Meeting:	27th May 2026
For Decision or For Information	For Decision – Referred by Cllr Dawn Huggins
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	Development Management and Enforcement Manager

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>App No:</u>	LA01/2025/0342/O	<u>Ward:</u>	Route
<u>App Type:</u>	Outline		
<u>Address:</u>	40 Meters West of 18 Ballyhackett Lane, Castlerock		
<u>Proposal:</u>	Construction of a dwelling with detached garage and including a new access and parking area		
<u>Con Area:</u>	N/A	<u>Valid Date:</u>	10.04.2025
<u>Listed Building Grade:</u>	N/A		
Agent:	Ivan McDonald, 15 Cloonavin Park, Coleraine, BT52 1RU		
Applicant:	Patrick Doherty, 18 Ballyhackett Lane, Castlerock, BT51 4SU		
Objections:	0	Petitions of Objection:	0
Support:	0	Petitions of Support:	0

EXECUTIVE SUMMARY

- Outline planning permission is sought for a dwelling with detached garage, including a new access and parking area
- The site is located outside of any settlement development limits as identified in the Northern Area Plan (NAP) 2016 and is not subject to any specific environmental designations.
- The application is contrary to PPS 21, Policy CTY 13 and CTY 14 criteria in that a proposed dwelling at this location would be a prominent feature in the landscape and the site lacks long established natural boundaries and is unable to provide a suitable degree of enclosure for the building to integrate into the landscape.
- The application is contrary to PPS 6 Policy BH 1 and BH 2 in that the proposed siting could adversely affect the setting of Archaeological Remains.
- The application is contrary to PPS 2, in that the proposal fails to be sympathetic to the special character of the Area of Outstanding Natural Beauty.
- The application is recommended for refusal.

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

1 RECOMMENDATION

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

2 SITE LOCATION & DESCRIPTION

- 2.1 The application site is located on lands 40m West of 18 Ballyhackett Lane Castlerock.
- 2.2 The application site is comprises the eastern portion of a larger agricultural field which fronts onto Ballyhackett Lane. The field undulates with gradual rises in a western and southern direction. Ballyhackett Lane continues west to a dead-end. The site is set at a high ground level with the Ballyhackett Lane rising steeply in a westerly direction. The northern boundary to Ballyhackett Lane is defined by post and wire fencing. The western boundary is undefined and open to the remainder of the agricultural field. The southern boundary is defined by post and wire fencing. The eastern boundary to no. 18 is defined by post and wire fencing. No. 18 is set at a much lower ground level than the application site, with the ridge of no.18 below the ground level of the eastern site boundary. The site will be accessed via the creation of a new access onto Ballyhackett Lane.
- 2.3 The site is located in the open countryside outside any defined development settlement limit. The site is located within Binevenagh AONB.

3 RELEVANT HISTORY

- 3.1 LA01/2022/1079/O – Permission Refused for Proposed Farm Dwelling with Detached Domestic Garage, Site 40m SW of 18 Ballyhackett Lane Castlerock.

- 3.2 LA01/2024/0509/O – Permission Refused for Construction of a dwelling with detached garage and including a new access and parking area 40m West of 18 Ballyhackett Lane, Castlerock

4 THE APPLICATION

- 4.1 Construction of a dwelling with detached garage and including a new access and parking area

5 PUBLICITY & CONSULTATIONS

5.1 External

Advertising: Advertised in the Coleraine Chronicle on the 23.04.25.

Neighbours: Neighbours were notified on 11.04.25.

No letters of support were received on this application.

No letters of objection were received on this application.

5.2 Internal

DFI Roads: No objection

Environmental Health: No objection

NIEA WMU: No objection

DAERA (DARD): No objection

HED: Specific comments in regard to siting, landscaping and design.

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 (SPPS) is a material consideration. As set out in the SPPS, until such times as both a new local plan strategy is adopted, councils will apply specified retained operational policies.

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

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

7 RELEVANT POLICIES & GUIDANCE

7.1 The application has been assessed against the following planning policy and guidance:

- [Regional Development Strategy \(RDS\) 2035](#)
- [Northern Area Plan \(NAP\) 2016](#)
- [Strategic Planning Policy Statement \(SPPS\) 2025](#)
- [PPS 2: Natural Heritage](#)
- [PPS 3: Access, Movement and Parking](#)
- [PPS 6: Planning, Archaeology and Built Heritage](#)
- [PPS 21: Sustainable Development in the Countryside](#)

7.2 Supplementary Planning Guidance

- [Building on Tradition: A Sustainable Design guide for Northern Ireland.](#)

8 CONSIDERATIONS & ASSESSMENT

8.1 The main considerations in the determination of this application relate to the principle of development, integration/impact on rural character, AONB, impact on archaeology remains, access and Habitat Regulations Assessment.

Principle of Development

- 8.2 The proposal must be considered having regard to the NAP 2016, SPPS, and PPS policy documents specified above.
- 8.3 Planning Policy Statement 21 – Sustainable development in the Countryside, Policy CTY 1 notes there are a range of types of development which in principle are considered to be acceptable in the countryside and that will contribute to the aims of sustainable development, one of which is a dwelling on a farm in accordance with Policy CTY 10.
- 8.4 CTY 10 notes that planning permission will be granted for a dwelling house on a farm where all of the following criteria can be met:
- (a) the farm business is currently active and has been established for at least 6 years;
 - (b) no dwellings or development opportunities out-with settlement limits have been sold off from the farm holding within 10 years of the date of the application. This provision will only apply from 25 November 2008;
 - (c) the new building is visually linked or sited to cluster with an established group of buildings on the farm and where practicable, access to the dwelling should be obtained from an existing lane.

Exceptionally, consideration may be given to an alternative site elsewhere on the farm, provided there are no other sites available at another group of buildings on the farm or out-farm, and where there are either:

- demonstrable health and safety reasons; or
- verifiable plans to expand the farm business at the existing building group(s).

- 8.5 DAERA (DARD) were consulted on the application and confirmed that; the farm business Id identified on the Form P1C has been in existence for more than 6 years, the farm business has claimed payments through the Basic Payment Scheme or Agri Environment scheme in each of the last 6 years, and the application site is on land for which payments are currently being claimed by the farm

business. The farm business is active and established and officials are satisfied that the application meets CTY 10 criteria (a).

- 8.6 A planning history search of all farm lands have been carried out. There are no recent approvals on the lands. Officials are satisfied that the application meets CTY 10 criteria (b).
- 8.7 The farm business as per the P1C form is registered at 18 Ballyhackett Lane. The application site is proposed at lands 40m West of 18 Ballyhackett Lane. The site will be visually linked with the existing dwelling and outbuilding at 18 Ballyhackett Lane on approach from the east. Officials are satisfied the proposal meets criteria CTY 10 Criteria (c).

Integration/Impact on Rural character

- 8.8 Planning Policy Statement 21 – Sustainable development in the Countryside CTY 13 notes that planning permission will be granted for a building in the countryside where it can be visually integrated into the surrounding landscape and it is of an appropriate design. A new building will be unacceptable where:
- (a) It is a prominent feature in the landscape; or
 - (b) The site lacks long established natural boundaries or is unable to provide a suitable degree of enclosure for the building to integrate into the landscape; or
 - (c) It relies primarily on the use of new landscaping for integration; or
 - (d) Ancillary works do not integrate with their surroundings; or
 - (e) The design of the building is inappropriate for the site and its locality; or
 - (f) It fails to blend with the landform, existing trees, buildings, slopes and other natural features which provide a backdrop; or
 - (g) In the case of a proposed dwelling on a farm (see Policy CTY 10) it is not visually linked or sited to cluster with an established group of buildings on a farm.
- 8.9 Policy CTY 14 notes that planning permission will be granted for a building in the countryside where it does not cause a detrimental change to, or further erode the rural character of an area. A new building will be unacceptable where:
- (a) it is unduly prominent in the landscape; or

- (b) it results in a suburban style build-up of development when viewed with existing and approved buildings; or
- (c) it does not respect the traditional pattern of settlement exhibited in that area; or
- (d) it creates or adds to a ribbon of development (see Policy CTY 8); or
- (e) the impact of ancillary works (with the exception of necessary visibility splays) would damage rural character.

8.10 The application site comprises the eastern portion of an agricultural field which fronts onto Ballyhackett Lane. The field undulates, with a gradual rise in a westerly direction. Ballyhackett Lane continues west to a dead-end. The site is set at a high ground level with the Ballyhackett Lane rising steeply in a westerly direction from the adjacent No. 18 which is set at a much lower ground level than the application site, with the ridge of 18 below the ground level of the eastern site boundary. The northern boundary to Ballyhackett Lane is defined by post and wire fencing. The western boundary is undefined and open to the remainder of the agricultural field. The southern boundary is defined by post and wire fencing with a hedge line. The eastern boundary to no. 18 is defined by post and wire fencing.

8.11 A dwelling at this location would appear prominent considering the elevated nature of the site, particularly when travelling east along Ballyhackett Lane on approach to the site, and when passing along the site frontage in both directions. Additionally, the sites lack of long-established natural boundaries and vegetation to the application boundaries to provide any meaningful screening or enclosure to the site. The application site appears as an open and exposed site and fails to satisfactorily integrate into the landscape when viewed from Ballyhackett Lane and indeed from wider vantage points along Altikeeragh Rd. The proposal fails to blend with its surroundings and would be primarily reliant on the use of new landscaping to attempt to achieve a satisfactory level of integration. It is noted that the two previous refusals on the site, applications LA01/2022/1079/O and LA01/2024/0509/O, were refused in part due to concerns regarding prominence and failure to integrate. There has been no change in circumstances on the ground which would allow for an altered assessment on these matters.

8.12 The potential siting in the area/land to the front/east of no.18 would has previously been suggested given that it provides a better

integrated and much less prominent site as the land is much lower than that of no.18. The plans submitted with this application note “future farm shed and access” on these lands. No planning application has been received to date a farm shed on these lands. Additionally, given the proximity of neighbouring dwellings, the applicant could not avail of permitted development rights for a shed on these lands. No firm or verifiable plans to expand the farm at this location and officials consider this to be a better placed site in order to meet with all relevant planning policies.

- 8.13 The application fails CTY 13 criteria (a), (b), (c) and (f) and CTY 14 criteria (a) in that a proposed dwelling at this location would be a prominent feature in the landscape and the site lacks long established natural boundaries and is unable to provide a suitable degree of enclosure for the building to integrate into the landscape, failing to blend with the surrounding landform and being reliant primarily on new landscaping for integration.

AONB

- 8.14 PPS 2 – Natural Heritage, Policy NH 6 - Areas of Outstanding Natural Beauty notes 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:
- a) 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
 - b) it respects or conserves features (including buildings and other man-made features) of importance to the character, appearance or heritage of the landscape; and
 - c) 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.
- 8.15 As outlined at Paragraphs 8.8-8.13 the application site is located on elevated ground, above the existing farm buildings, which lacks any meaningful natural screening to its site boundaries. A dwelling on this site would read as a prominent feature and would fail to integrate into the landscape. The proposed siting and scale would not be sympathetic to the special character of this AONB.

8.16 Additionally, as discussed below at Paragraphs 8.17 to 8.20 the proposal has not demonstrated that it respects features of heritage importance within the vicinity of the application site. The proposal is contrary to Paragraph 6.187 of the SPPS and Policy NH 6 of PPS 2.

Impact on archaeology remains

8.17 This application site is located close to Scheduled Monument LDY006:014 (possible Motte) and a LDY006:013 (Rath). Policy BH 1 and BH 2 of PPS 6 apply.

8.18 HED (Historic Monuments) were consulted and raised no objections in principle subject to the following:

“1. That the proposed dwelling is in a modest, vernacular style with a low ridge height. This is to minimize any visual impact upon the archaeological sites in the vicinity, and to ensure that the new development is integrated into their landscape setting, as per Policies BH 1 and BH 2 of PPS 6.

2. The dwelling should be sited in the northern half of the proposed development area; this is also to aid integration as per Policies BH 1 and BH 2 of PPS 6.

3. Boundary treatment, especially to the south of the proposed development area, should consist of native species hedge/trees; this is also to aid integration as per Policies BH 1 and BH 2 of PPS 6.”

8.19 The submitted drawings show a hatched area with the preferred siting to the southern portion of the site, the same as that on previous refusal LA01/2022/1079/O. In this location the proposal has the potential to adversely affect the integrity of the setting of both sites and therefore fails Paragraphs 6.8 and 6.9 of the SPPS and PPS 6, Policies BH 1 and BH 2.

8.20 An amended plan to indicate the proposed siting to the northern portion of the site was not requested from the agent as it would not address the other reasons for refusal in regard to integration, prominence and character of the AONB.

Access

- 8.21 PPS 3, Policy AMP 2, Access to Public Roads notes planning permission will only be granted for a development proposal involving direct access, or the intensification of the use of an existing access, onto a public road where: a) such access will not prejudice road safety or significantly inconvenience the flow of traffic; and b) the proposal does not conflict with Policy AMP 3 Access to Protected Routes
- 8.22 The application proposes the creation of a new access onto the Ballyhackett Lane. DFI Roads have been consulted on the application and raised no objections.

Habitats Regulation Assessment

- 8.23 The potential impact of 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.

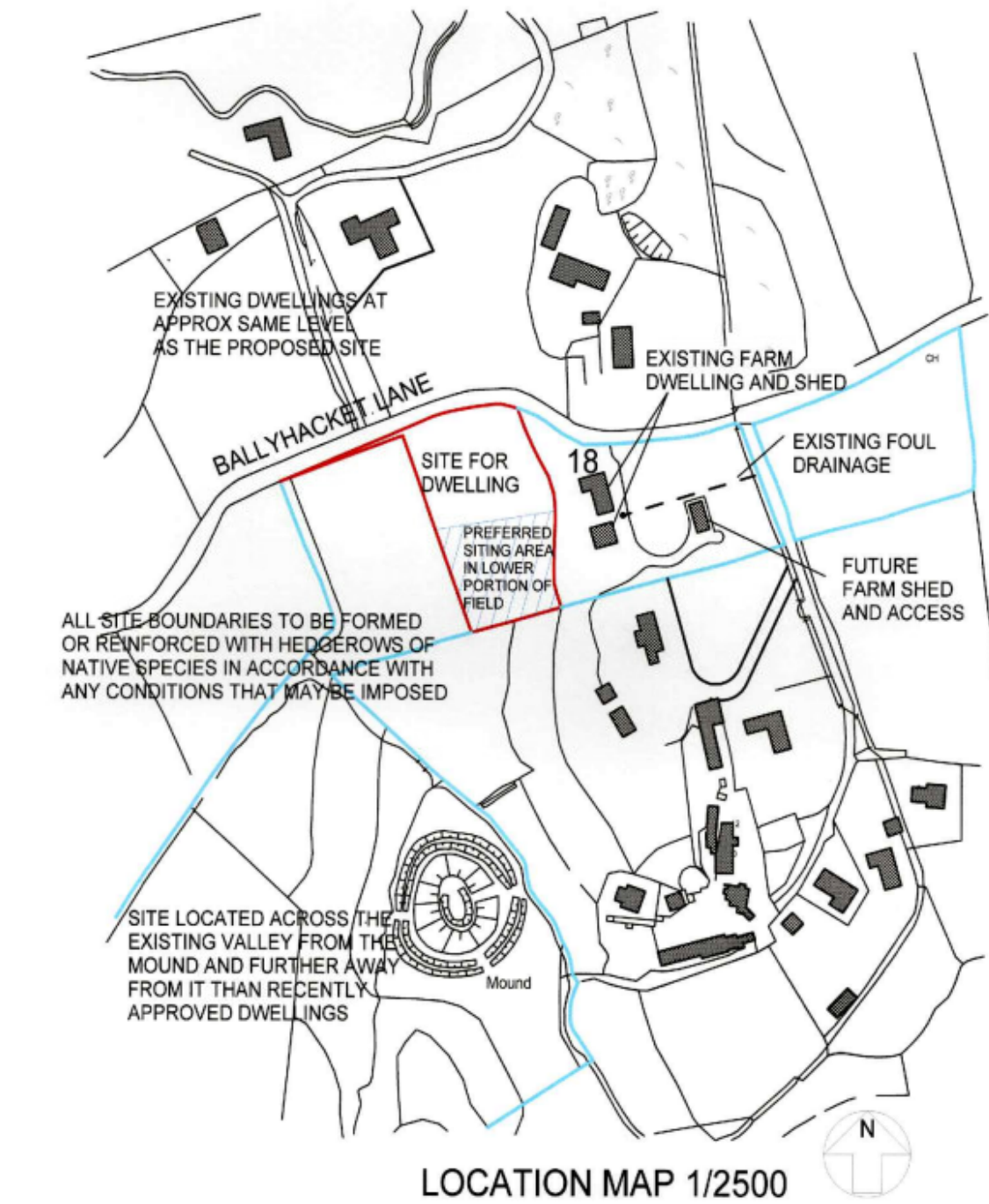
9 CONCLUSION

- 9.1 The proposal is considered unacceptable in this location having regard to the Northern Area Plan 2016 and other material considerations, including the SPPS. The proposed development would result in a prominent feature in the landscape and would fail to satisfactorily integrate with its surrounding resulting in an adverse impact on the character of the designated AONB. The proposal would also have a detrimental impact on the setting of features of archaeological importance within the vicinity of the site.
- 9.2 The proposal is contrary to Paragraphs 6.8, 6.9, 6.70 and 6.187 of the SPPS, Policies BH1 and BH2 of PPS6, Policies CTY13 and CTY14 of PPS 21 and Policy NH6 of PPS2. Refusal is Recommended.

10 Refusal Reasons

1. The application is contrary to the SPPS, Paragraph 6.70 and Planning Policy Statement 21 – Sustainable Development in the Countryside, Policy CTY 13 criteria (a), (b), (c) and (f) and CTY 14 criteria (a) in that a proposed dwelling at this location would be a prominent feature in the landscape and the site lacks long established natural boundaries and is unable to provide a suitable degree of enclosure for the building to integrate into the landscape, would rely primarily on the use of new landscape for integration and would fail to blend with the landform.
2. The application is contrary to the SPPS, Paragraphs 6.8 and 6.9 and Planning Policy Statement 6 – Planning Archaeology and Built Heritage, Policy BH 1 and BH 2 in that the proposed siting could adversely affect the setting of Archaeological Remains.
3. The application is contrary to The SPPS, Paragraph 6.186 and Policy NH 6 of Planning Policy Statement 2, Natural Heritage, in that the proposal fails to be sympathetic to the special character of the Area of Outstanding Natural Beauty and fails to respect features of importance to the heritage of the landscape.

Site Location



Referral Request



**Causeway
Coast & Glens
Borough Council**

**Development Management
Information Note 07
January 2024**

Annex 1

Template for Requesting Referral of a Contentious Delegated Decision to Issue' List Planning Application to Planning Committee for Determination

The Protocol for the Operation of the Planning Committee provides for an Elected Member to request a planning application listed on the weekly list of 'contentious delegated decisions ready' to be referred to Planning Committee for determination. This request must be received by the Planning Department no later than 10am on the Monday following the issuing of the contentious list and submitted via email to planning@causewaycoastandglens.gov.uk.

Planning Reference	LA01// 2025/O 342/O.
Elected Member Name	Dawn Huggins
Contact Details	Tel: 07966504064 Email: Dawn.Huggins@causewaycoastandglens.gov.uk

Refusal Reason 1:

Reasons for Refusal: 1. The application is contrary to the SPPS, Paragraph 6.70 and Planning Policy Statement 21 – Sustainable Development in the Countryside, Policy CTY 13 criteria (a) and (b) and CTY 14 criteria (a) in that a proposed dwelling at this location would be a prominent feature in the landscape and the site lacks long established natural boundaries and is unable to provide a suitable degree of enclosure for the building to integrate into the landscape.

The proposed dwelling would be no more prominent than several existing dwellings in the vicinity are. The lands to the west of the site rise significantly and provide a natural backdrop. This can be seen in the photographs provided. These also show dwellings to the north which are set at a similar elevation and are reliant on the highly adequate backdrop of the western hills. In another application, LA01/2022/1195/O, this is noted in the DMO Report connected “The topography of the site and surrounding area rises from the southeast towards the northwest, and beyond the site which will act as a backdrop for a modest dwelling” and “the existing vegetation will be conditioned to be retained”. New vegetation will necessarily be provided where the access and visibility splays will be formed along Ballyhackett Lane and all efforts would be made to establish hedging/planting of the remaining boundaries of the site. Very few of the existing dwellings have substantial enclosures and do not appear incongruous. See photographs.

2. The application is contrary to the SPPS, Paragraphs 6.8 and 6.9 and Planning Policy Statement 6 – Planning Archaeology and Built Heritage, Policy BH 1 and BH 2 in that the proposed siting could adversely affect the Preservation and protection of Archaeological Remains.

Refusal Reason 2:

An area was noted as being “preferred” for the siting of the dwelling. This would be flexible. The dwelling, if accepted, could be located fairly centrally behind No 18, subject to the agreement with HED/Planning. This area is approx. 6.0M below the level of the western limit of the field and has the rising hills beyond that to help it integrate. In this position it would be some 180 m from the centre of the mound and on the other side of the valley from it. A circle of this radius covers the majority of the dwellings in the laneway off Ballyhackett Lane so it would not have any further damaging effect than has been accepted previously.

3. The application is contrary to The SPPS, Paragraph 6.186 and Policy NH 6 of Planning Policy Statement 2, Natural Heritage, in that the proposal fails to be sympathetic to the special character of the Area of Outstanding Natural Beauty.

If the dwelling is located behind No 18 then it would benefit from the backdrop of the western hills as other dwellings in the vicinity do. The boundary along Ballyhackett Lane will necessarily be reformed to accommodate the visibility splays and the eastern boundary would be formed and planted with native species of hedging. A single storied, modestly sized, dwelling in this location would not be unsympathetic in the area. Viewed from Altikeeragh Road it would be a tiny development in the landscape. See photograph.

ADDITIONAL INFORMATION

In the DMO Report for the previously refused application LA01/2022/1079/O it is noted: “It was advised to the agent in emails that a preferred siting would be to the front of No 18 Ballyhackett Lane where the land is set at a much lower ground level which would reduce the visual impact. This would relate to fields 3 or 2 on the farm maps submitted. No consideration of this alternative siting was given by the agent/applicant.” The agent concerned with that application did not reply to several emails and did not make Mr Doherty aware of this until after the refusal was decided. The mention of fields 3 or 2 was taken up in a subsequent application LA01/2023/1183/O by Mr Doherty for Field 2. This was mentioned in the Design and Access Statement in that application but was not mentioned in the DMO Report for the eventual refusal. In all of the applications Mr Doherty has made since 2022 it was clear that his intention was to position farm building/s on the field to the east of No 18, Number 3 on the farm map. It is quite steep and has drainage pipes running through it to the stream at the lane. A small farm building within the limitations of “Permitted Development” is intended to be constructed on it. The structural elements and the cladding are stored on Mr Doherty’s property in readiness for this. This would have lighter loadings for foundations on a sloping site so construction standards would be less severe. Access by agricultural vehicles rather than domestic traffic would also be easier to accommodate.

This compelled Mr Doherty to re-apply for his first choice of site which will be the only farm field available and adjacent to the present farm cluster.