

Title of Report:	Planning Committee Report - LA01/2023/0755/O
Committee Report Submitted To:	Planning Committee
Date of Meeting:	27th May 2026
For Decision or For Information	For Decision - Referred Application 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	Development Management and Enforcement Manager

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>App No:</u> LA01/2023/0755/O <u>App Type:</u> Outline <u>Address:</u> 30m South East of 23 Gaults Road, Cushendall <u>Proposal:</u> Dwelling On The Farm <u>Con Area:</u> N/A <u>Listed Building Grade:</u> N/A <u>Ward:</u> Torr Head and Rathlin <u>Valid Date:</u> 24.07.2023 Agent: Bailey Architecture, 9 Glenview Road, Glenshesk, Ballycastle, BT54 6QE Applicant: Declan Mooney, 19 Gaults Road, Cushendall, BT44 0SR Objections: 0 Petitions of Objection: 0 Support: 0 Petitions of Support: 0

EXECUTIVE SUMMARY

- Outline planning permission is sought for a site for a new dwelling on the farm.
- The site is located outside of any settlement development limits as identified in the Northern Area Plan (NAP) 2016 and lies within the Antrim Coast and Glens Area of Outstanding Natural Beauty. The site is not subject to any specific environmental designations.
- The proposal is contrary to the SPPS para(s) 6.12 and Planning Policy Statement 6: Planning, Archaeology and the Built Heritage (PPS6), Policy BH11 (Development affecting the Setting of a Listed Building).
- 0 objections were received on the application.
- The application is recommended for refusal.

Drawings and additional information are available to view on the Planning Portal- <https://planningregister.planningssystemni.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 approximately 30 metres south east of 23 Gaults Road Cushendall.
- 2.2 The application site is a square shaped plot which is accessed via a private lane off the Gault Road which also services a number of other dwellings and buildings within the farm holding. The site is currently used for agricultural purposes. The site is bound to the north-west by mature vegetation, to the north-east by post and wire fencing whilst the remaining boundaries remain undefined as this is where the site meets the wider agricultural field. The application site is not visible from the Gaults Road due to mature trees and vegetation at the roadside. The topography of the site falls to the south-east.
- 2.3 Gaults Road is rural in nature characterised by agricultural lands, single rural dwellings and farm holdings.
- 2.4 The application site is located outside of any settlement development limits as identified in the Northern Area Plan (NAP 2016 and lies within the Antrim Coast and Glens Area of Outstanding Natural Beauty. The site is not subject to any further environmental designations.

3 RELEVANT HISTORY

- 3.1 E/2010/0136/O - Permission Granted 10 August 2010
For Dwelling on the farm & detached garage.

E/2010/0325/RM - Permission Granted 21 January 2011
for Dwelling on the farm and detached garage.

4 THE APPLICATION

- 4.1 The application seeks outline planning permission for a dwelling on a farm. No detailed plans have been submitted regarding the scale and design of the proposed dwelling.

5 PUBLICITY & CONSULTATIONS

5.1 External

Advertising: Advertised in the Coleraine Chronicle on the 09.08.2023.

Neighbours: Neighbours were notified on 15.08.2023.

No letters of support were received on this application.

No letters of objection were received on this application

5.2 Internal

NI Water: No objection

DFI Roads: No objection

Environmental Health: No objection

NIEA: No objection

DFI Rivers: No objection

DAERA: No objections

Historic Environment Division Historic Monuments – No objection

Historic Environment Division Listed Buildings – objections raised

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: Archaeology and the 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, Access, Built Heritage and Habitats Regulation 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 being a dwelling on a farm in accordance with Policy CTY 10.
- 8.4 Policy CTY 10 notes 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; and
 - (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 have been consulted and advised that the farm business Id has been in existence for more than 6 years, 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. Officials are satisfied that the proposal meets criteria (a).

- 8.6 There is no evidence to suggest that any dwelling or development opportunities out-with settlement limits have been sold off from the farm holding within 10 years of the date of this application. Officials are satisfied that the proposal meets criteria (b).
- 8.7 The proposed site is located approximately 40 metres south/south-west of the main farm grouping. To the immediate north/ of the application site is a single agricultural building. The site benefits from mature screening to the north-western and north-eastern boundaries and is sited to cluster with the overall development at this location. The site is accessed up a private laneway with limited to no views of the development and will read as part of the overall farm grouping at this location. Officials are satisfied that the proposal meets 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 design of the building at this point is unknown and will be given consideration at the Reserved Matters stage. The design of any dwelling would be required to be in keeping with advice set out in the Antrim Coast and Glens Area of Outstanding Natural Beauty and Building on Tradition Design Guides.

8.11 There are no views of the application site from Gaults Road or the surrounding area and therefore the proposal would not be considered a prominent or conspicuous feature in the landscape. The site avails of long-established boundaries to the wider agricultural field it forms a part of and would not rely on new landscaping for integration.

8.12 Officials are satisfied that the proposal will not have an unacceptable impact on the visual amenity or character of the surrounding landscape. The application meets CTY 13 and 14.

AONB

8.13 Policy NH 6 of PPS 2 notes that 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.

8.14 A modest scaled dwelling at this location would be considered sympathetic to the AONB and this particular locality. The proposal however is not respectful of features of importance to the character of the landscape given its impact on the setting of the nearby listed building and therefore, fails to comply with criterion (b). As this is an outline application and the design of the dwelling is unknown at this point, it cannot be determined if the development is respectful of local architectural styles and patterns, traditional boundary details or if it proposes the use of local materials, design and colour. This would be assessed as part of any Reserved Matters application if outline permission were approved and should take cognisance of the AONB Design Guide. Given the adverse impact on the setting of the listed building the proposal is contrary to Paragraph 6.187 of the SPPS and PPS2, Policy NH6 criteria (b).

Access

8.15 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

8.16 DFI Roads were consulted in relation to this application and raised no objections to the proposal. The proposal will not prejudice road safety and meets AMP 2 of PPS 3.

Built Heritage

8.17 The application site is in close proximity to No. 21 Gault's Road Cushendall, Co. Antrim, a Grade B2 listed building of special architectural or historic interest as set out in Section 80 and protected under the Planning Act (NI) 2011.

8.18 Historic Environment Division (HED) – Historic Buildings Division were consulted as part of the assessment of the application. HED

consider the proposed site forms part of the immediate setting of the listed building and query the appropriateness of the proposed site location. The historic placement of structures was above the old road/laneway, to the north-west, which the listed building (No. 21 Gault Rd) fronted onto. This old road/laneway, which is still evident on the landscape today, has been utilised by other new development in the locality of the listed building and this considered assessment of site placement should be used to inform this application to retain an authentic and integrated development pattern which is in-keeping with the established historic setting.

- 8.19 HED have proposed an alternative site for the dwelling to the North-west of the application site and immediately adjacent to No. 23. However, this siting is beyond the scope of the application site and would require the submission of a new planning application.
- 8.20 The application proposal is considered to have an adverse impact on the setting of No. 21 Gault's Road and is therefore contrary to Paragraph 6.12 of the SPPS and Policy BH11 of PPS6.

Habitats Regulation Assessment

- 8.21 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.

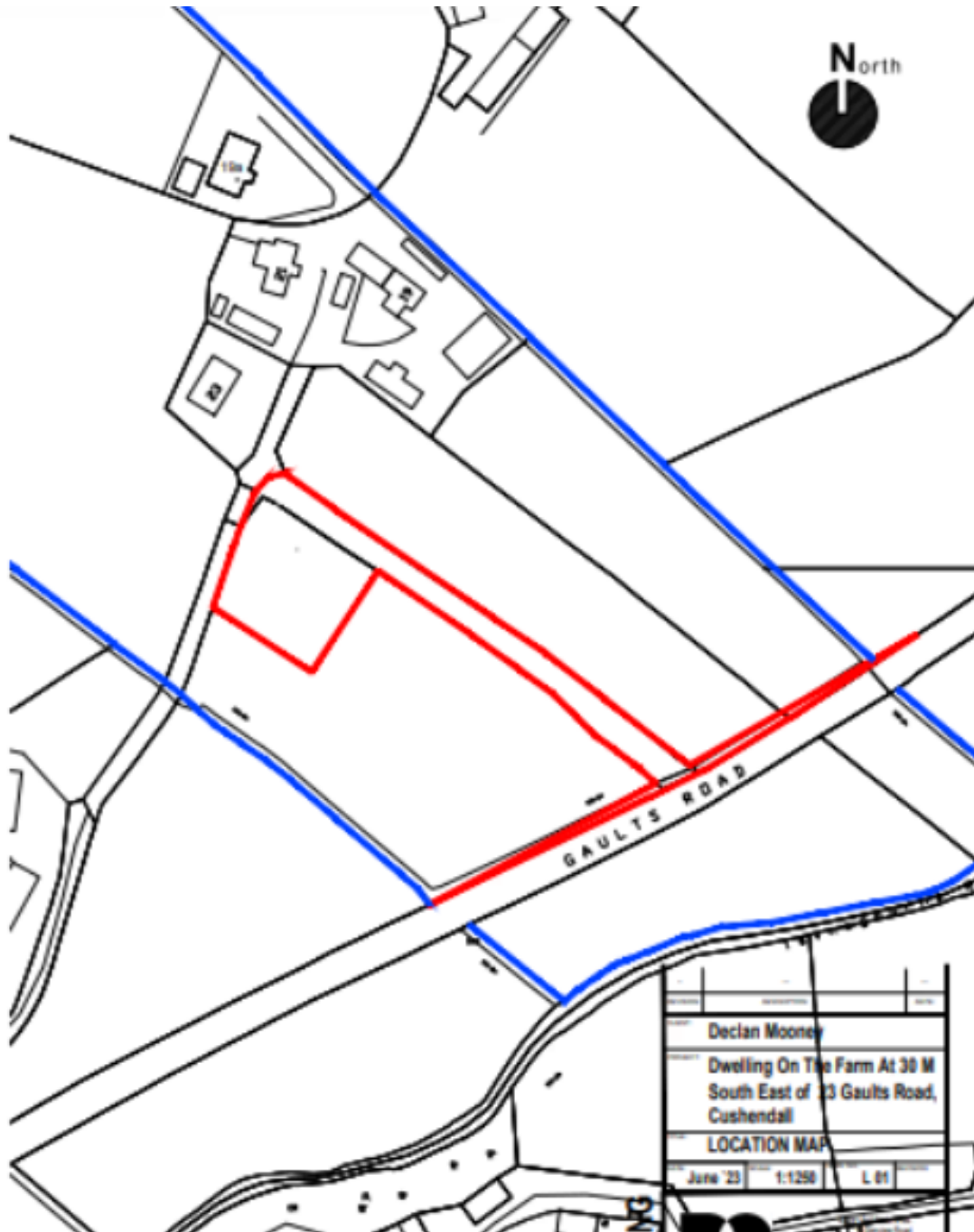
9 CONCLUSION

- 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 proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland (SPPS) Paragraphs 6.12 and 6.187, Planning Policy Statement 6: Planning, Archaeology and the Built Heritage (PPS6), Policy BH11 (Development affecting the Setting of a Listed Building) and Planning Policy Statement 2: Natural Heritage (PPS6), Policy NH6 (Areas of Outstanding Natural Beauty. Refusal is recommended.

10 Refusal Reasons

1. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland (SPPS) Paragraph 6.12, and Planning Policy Statement 6: Planning, Archaeology and the Built Heritage (PPS6), Policy BH11 (Development affecting the Setting of a Listed Building) in that the proposed development will have an unacceptable impact on the setting of No. 21 Gault's Road, a Grade B2 Listed Building.
2. The application is contrary to The SPPS, Paragraph 6.187 and Policy NH 6 of Planning Policy Statement 2, Natural Heritage, in that the proposal fails to respect features of importance to the heritage of the landscape.

Site Location



Referral Request

From: Cara McShane
Sent: 14 May 2025 13:01
To: Planning; Denise Dickson; Sandra Hunter
Subject: LA01/2023/0755/O - Dwelling On The Farm - 30m South East of 23 Gaults Road, Cushendall

A chairde

This application has today been placed on the Contentious Delegated List with recommendation for Refusal.

I would be most grateful if this application can be deferred to the Planning Committee, for the reasons outlined below.

Reasons for Refusal:

The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland (SPPS) para(s) 6.12, Planning Policy Statement 6: Planning, Archaeology and the Built Heritage (PPS6), Policy BH11 (Development affecting the Setting of a Listed Building).

Reasons For Requesting For Deferral To The Planning Committee

Further consideration is required on this application over and above that already given by HED as their response being based on viewing a historical map through a desktop survey.

This application needs to be viewed on the ground and in the context of what is current and not a snapshot from a historical map.

Consideration needs to be given to the development pattern that exists in the area at present in relation to the historic road/laneway referred to.

The proposed site under this application does not have any detrimental effect on the nearby listed building mentioned in the HED consultation.

The historic road/laneway whilst previously may have been a public road it is no longer and is in private ownership with no views of it or the application site available by the public from the current public roads.

Please advise if you require any further information. Look forward to hearing from you.

Is mise,

Cara