Causeway Coast & Glens Borough Council

Title of Report:	**Planning Committee Report – LA01/2024/1034/O**
Committee Report Submitted To:	**Planning Committee**
Date of Meeting:	**25th November 2026**
For Decision or For Information	**For Decision – Referred Application by Ald Fielding**
To be discussed In Committee YES/NO	**Yes**

Linkage to Council Plan (2026-31)	
Strategic Theme	Governance, Quality & Continuous Improvement
Outcome	Governance arrangements that ensure compliance, transparency and effective decision-making
Lead Officer	Development Management Manager

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

Legal Considerations	
Input of Legal Services Required	**NO**
Legal Opinion Obtained	**N/A**

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:

No:	**LA01/2024/1034/O** **Ward: Benbradagh**
App Type:	**Outline**
Address:	**Land to the South of Ferndale Park, Greysteel**
Proposal:	**Erection of 5no. 2 storey, detached dwellings with associated access, landscaping, parking and ancillary.**
Con Area:	**N/A** **Valid Date: 20.09.2024**
Listed Building Grade:	**N/A**
Agent:	**Braidwater Ltd. 25F Longfield Road, Eglinton, Co. Derry, BT47 3PY**
Applicant:	**Braidwater Ltd. 25F Longfield Road, Eglinton, Co. Derry, BT47 3PY**
Objections: 1	**Petitions of Objection: 0**
Support: 0	**Petitions of Support: 0**

EXECUTIVE SUMMARY

- Outline planning permission is sought the erection of 5no. 2 storey, detached dwellings with associated access, landscaping, parking and ancillary under Policy QD 1 of PPS 7.

- The application site is located within the settlement limits of Greysteel and zoned for housing under the zoning - GLH 06 as identified in the Northern Area Plan 2016. A Key Site. The site will require a 15 to 25 dwellings per Hectare with a minimum of 10 dwellings for social housing as per Key Site Requirements.

- This outline application proposes 5no. private dwellings which is contrary to the provisions of the NAP 2016.

- The principle of development is considered unacceptable under the SPPS (Edition 2) and NAP 2016 due to the proposal failing to meet the specific Key Site Requirements for zoning GLH 06, which was designated to address an identified social housing need in Greysteel. The proposal for 5no. private dwellings does not provide the required 15–25 dwellings per hectare or minimum 10no. social housing units.

- NIHE has confirmed that the site remains capable of accommodating social housing in accordance with the NAP requirements, and no alternative provision of social housing within Greysteel has been secured. In the absence of such alternative provision, development of GLH 06 for private housing would undermine the purpose of the zoning and is therefore considered unacceptable in principle.

- DFI Roads, DFI Rivers, Environmental Health, Loughs Agency, NI Water, NIEA and SES were consulted on the application and have no concerns with the proposal.

- NIHE recommended refusal and 1 objection has been received

- The application is recommended for Refusal in that it is contrary to paragraph 6.137 of the SPPS Edition 2 and the key site requirements of Housing Zoning GLH 06 (Land to South of Ferndale Park) in that: the development is not within the range of

15 to 25 dwellings per hectare and; a minimum of 10 dwellings are not provided for social housing.

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 conditions set out in section 10.

2 SITE LOCATION & DESCRIPTION

2.1 The application site is located within the settlement limits of Greysteel and zoned for zoned for housing under the zoning - GLH 06 as identified in the Northern Area Plan 2016. The application site is located on land south of Ferndale Park, Greysteel.

2.2 The site is enclosed by existing mature vegetation except for the southern boundary, which is defined by a post and wire fence. The topography rises steeply from the north towards the south and is currently inaccessible from Ferndale Park due to a steep mound. The land to the north and east is made up of residential dwellings.

3 RELEVANT HISTORY

Application Number: B/1976/0023
Decision: Permission Granted
Decision Date: 12 March 1976
Proposal: PUBLIC HOUSING

Application Number: B/1980/0222
Decision: Permission Granted

Decision Date: 04 November 1980
Proposal: PRIVATE HOUSING (DETAILS OF PHASE 1 - 10 SEMI-DETACHED BUNGALOWS)

Application Number: B/1981/0157
Decision: Permission Granted
Decision Date: 03 September 1981
Proposal: PRIVATE HOUSING

Application Number: B/1984/0032
Decision: Permission Granted
Decision Date: 18 April 1984
Proposal: ERECTION OF DWELLING WITH DOMESTIC GARAGE

Application Number: B/1985/0303
Decision: Permission Granted
Decision Date: 06 March 1986
Proposal: PUBLIC SECTOR RESIDENTIAL DEVELOPMENT

Application Number: B/1999/0386/RO
Decision: Permission Granted
Decision Date: 26 January 2000
Proposal: Erection of 6 No. semi-detached two storey dwellings, 4 No. semi-detached and 1 No. detached bungalow.

Application Number: LA01/2025/1002/PAD
Decision: Decided
Decision Date: 18th Dec 2025
Proposal: Erection of 12 No Social Housing Units

4 THE APPLICATION

4.1 Outline Planning Permission is sought for the erection of 5no. 2 storey, detached dwellings with associated access, landscaping, parking and ancillary.

5 PUBLICITY & CONSULTATIONS

5.1 **External**

Neighbours: Eight (8) neighbours were notified of this proposal. One objection letter has been received. Key points raised are:

- Overlooking
- Loss of light
- Increased traffic and noise associated with traffic
- No consultation with other residents

5.2 **Internal**

DFI Rivers – Content
Department for Infrastructure (Roads) – Content
Environmental Health – Content
NI Water – Content
NIEA (Natural Environment Division)– Content
NIEA (Regulation Unit) – Content
Northern Ireland Housing Executive – Refuse
Shared Environmental Services – Content

6 MATERIAL CONSIDERATIONS

6.1 Section 45(1) of the Planning Act (Northern Ireland) 2011 requires that all applications must have regard to the local plan, so far as material to the application, and all other material considerations. Section 6(4) states that in making any determination where regard is to be had to the local development plan, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

6.2 The development plan is:

- Northern Area Plan 2016 (NAP)

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

6.4 The Strategic Planning Policy Statement (Edition 2) 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.

7 RELEVANT POLICIES & GUIDANCE

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

Regional Development Strategy 2035.
Northern Area Plan 2016.
Strategic Planning Policy Statement Edition 2 - 2025 (SPPS).
Planning Policy Statement 2 - Natural Heritage
PPS 3: Access, Movement and Parking.
Planning Policy Statement 7 – Quality Residential Environments
Addendum to Planning Policy Statement 7 – Safeguarding the Character of Established Residential Areas
DCAN8 – Housing in Existing Urban Areas
Creating Places
A Planning Strategy for Rural Northern Ireland

8 CONSIDERATIONS & ASSESSMENT

8.1 The main consideration in the determination of this application relate to the Principle of Development, Layout, Access Movement and Parking, Sewerage Disposal, Natural Heritage and HRA.

Planning Policy

Assessment of Planning Issues/Material Considerations

8.2 The application site is located within the settlement limits of Greysteel and is zoned for housing under GLH 06 of the Northern

Area Plan 2016 (NAP). The zoning is a Key Site and is subject to specific requirements, including a density of 15–25 dwellings per hectare and the provision of a minimum of 10no. social housing units. The zoning was introduced following the Public Inquiry stage of the NAP specifically to address an identified social housing need within Greysteel. Accordingly, the provision of social housing is a fundamental requirement of the zoning and is not simply a general housing allocation.

8.3 The proposal is for 5no. private dwellings and therefore does not accord with the requirements of GLH 06. While the applicant has raised concerns regarding the site's topography, character of the surrounding area and the technical and economic viability of achieving the required density, NIHE has confirmed that it considers the site capable of accommodating social housing in accordance with the NAP requirements. Despite discussions with the applicant and NIHE, no alternative site or mechanism for delivering the required social housing provision elsewhere within Greysteel has been secured. In these circumstances, the development of GLH 06 solely for private housing would fail to deliver the specific purpose for which the site was zoned and would be contrary to the provisions of the NAP 2016. Accordingly, the principle of the proposed development is considered unacceptable having regard to the SPPS and NAP 2016.

Policy NH 1 - European and Ramsar Sites - International

8.4 Planning permission will only be granted for a development proposal that, either individually or in combination with existing and/or proposed plans or projects, is not likely to have a significant effect on:

• a European Site (Special Protection Area, proposed Special Protection Area, Special Areas of Conservation, candidate Special Areas of Conservation and Sites of Community Importance); or

• a listed or proposed Ramsar Site

Policy NH 3 - Sites of Nature Conservation Importance - National

8.5 Planning permission will only be granted for a development proposal that is not likely to have an adverse effect on the integrity, including the value of the site to the habitat network, or special interest of: • an Area of Special Scientific Interest;
• a Nature Reserve;
• a National Nature Reserve; or
• a Marine Nature Reserve.

Policy NH5 - Habitats, Species or Features of Natural Heritage Importance

8.6 Planning permission will only be granted for a development proposal which is not likely to result in the unacceptable adverse impact on, or damage to known:
- priority habitats;
- priority species;
- active peatland;
- ancient and long-established woodland;
- features of earth science conservation importance;
- features of the landscape which are of major importance for wild flora and fauna;
- rare or threatened native species; • wetlands (includes river corridors); or
- other natural heritage features worthy of protection.

8.7 A Bio-Diversity Checklist was submitted with the application and a subsequent Ecological Statement. The application site is hydrologically connected to Lough Foyle via a small stream which is located to the west of the site.

8.8 A Ground Level Tree Assessment (GLTA) was undertaken of all trees on site for roosting bats. Trees to the western and northern boundaries were observed to be tall and thin and lacked the required features for roosting bats and assessed as being of negligible roosting potential for bats and further survey of these is not required.

8.9 The site and 30m buffer were surveyed for evidence of badger. No specific evidence of badger was noted during the survey such as snagged hair, setts or latrines. Mammal holes were noted within the hedgerow to the southwest, however, it is likely that the majority of these are occupied by rabbits due to the size of the holes. The site is deemed suitable for commuting/foraging badgers and it is recommended that once construction works have begun on site it is advised that any open excavation pits or trenches should have wooden planks or sloping earth banks placed within them over night and outside construction periods to provide a means of escape and avoid accidental trapping of Badgers, or other wild animals within them. Soil mounds on site should be minimised in order to prevent Badgers from excavating setts within them. It is also recommended that a pre-construction check is undertaken for this species in order to ensure that setts have not been excavated within the site or immediate buffer.

8.10 It was noted that the stream had potential for commuting and foraging otters and there were recommendations provided above for the protection of the water quality of the stream will ensure that this area remains viable for local otter populations.

8.11 NIEA's NED, SES and Lough's Agency were consulted on the proposal and had no concerns subject to conditions.

8.12 It is considered that the proposal would not result in an unacceptable adverse impact on, or damage to, habitats, species or features to comply with Policy NH5.

PPS 3: Policy AMP 2 - Access to Public Roads

8.13 Planning Policy Statement 3 relates to vehicular and pedestrian access, transport assessment, and the protection of transport routes, and parking. 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.

8.14 The agent has stated that DfI Roads could not adopt the internal road. However, no supporting information has been submitted to confirm this position, and DfI Roads have not been reconsulted on the matter. DfI Roads were previously consulted on the proposal and raised no objection, subject to conditions.

Policy QD1 Quality in New Residential Development

8.15 While it is considered that the principle of development is unacceptable under the Northern Area Plan 2016, the site is also subject to creating a quality residential environment in accordance with Policy QD 1 of PPS 7 and the Creating Places design guide.

8.16 Policy QD1 states that planning permission will only be granted for new residential development where it is demonstrated that the proposal will create a quality and sustainable residential environment. The design and layout of residential development should be based on an overall design concept that draws upon the positive aspects of the character and appearance of the surrounding area.

8.17 Policy QD 1 Quality in New Residential Development notes that all proposals for residential development will be expected to conform to all of the following criteria:

8.18 (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;

8.19 The application proposes the construction of 5 no. two storey detached dwellings with associated access, landscaping, parking

and ancillary. The development will be accessed off the Ferndale Park development. There is a concept plan submitted however no details of design as this is an outline application. The site rises steeply from the north to the south however no levels have been submitted. There are developments to the north and east however that have been development on similar topography and therefore it is considered that the site can be developed while respecting the surrounding area.

8.20 (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;

8.21 The site is hydrologically linked to lough Foyle. NIEA'S NED, SES and Loughs Agency were consulted and had no concerns subject to conditions.

8.22 The site is not subject to any archaeological or built heritage.

8.23 (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;

8.24 Policy OS 2 Public Open Space in New Residential Development states the Council will only permit proposals for new residential development of 25 or more units, or on sites of one hectare or more, where public open space is provided as an integral part of the development. In smaller residential schemes the need to provide public open space will be considered on its individual merits. This is an outline proposal and is for 5no. dwellings. The concept plan shows large gardens and it is considered there is no requirement to provide communal open space.

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

8.26 The site is located within the defined development limit of Greysteel and is zoned for housing. The size of the site is under 0.5 hectares and is proposed for 5no. dwellings. The need to provide local neighbourhood facilities is not necessary.

8.27 (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;

8.28 The site is located within the defined development limit of Greysteel and will have access to local public transport links within the settlement. As this is an outline application there is not enough detail to assess the layout. It is considered movement pattern is provided that supports walking and cycling, meets the needs of people whose mobility is impaired and respects existing public rights of way. The closest bus stop to the site is a 6minute walk from the site, located on the Clooney Road.

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

8.30 The concept plan indicates in curtilage parking. DFI Roads were consulted and responded with no objections. Further details would be provided as RM stage.

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

8.32 As this is an outline application, no designs have been proposed. It is however considered that the development could be designed in a way that draws upon the best local traditions of form, materials and detailing.

8.33 (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;

8.34 The site is located to the south of Ferndale Park and to the west of Hawthorn Park. There has been an objection received from a property within Ferndale Park raising concerns of overlooking, loss of light and noise associated from increased traffic

8.35 While there is a significant level increase towards the south, the concept plan shows plot 1 being located some 16.4metres from the rear of No. 15 Ferndale Park. Creating Places states where the development abuts the private garden areas of existing properties, a separation distance greater than 20m will generally be appropriate to minimise overlooking, with a minimum of around 10m between the rear of new houses and the common boundary. An enhanced separation distance may also be necessary for development on sloping sites. Given the steep incline, it would be considered beneficial for the dwelling on plot 1 to be brought further south, away from the boundary of No. 15 Ferndale Park. It is considered this could be rectified at RM stage.

8.36 The increase in noise related to traffic is not uncommon for a housing development. Environmental Health raised no concerns. The proposal will not create conflict with these surrounding uses. Overlooking would be assessed at RM stage as there has been no designs proposed.

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

8.38 It is considered the proposed development would not lead to the creation of areas where anti-social behaviour may be

encouraged. The amenity areas of the dwellings will be private areas.

Impact on the character of the surrounding area

8.39 Policy LC 1 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.

8.40 This proposal respects the density of the dwellings within Ferndale Park and Hawthorn Park. Details of proposed designs, sizes and scale has not been submitted at this outline stage.

Habitats Regulations Assessment

8.41 Habitat Regulations Assessment Screening Checklist - Conservation (natural Habitats, etc) (Amendment) Regulations (Northern Ireland) 2015: 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). A Biodiversity Checklist has been provided which demonstrates no adverse impact on Natural Heritage. There is a hydrological link to Lough Foyle a designated SPA/SAC/ASSI. NIEA'S NED, SES and Lough Agency were consulted for comment and had no concerns subject to conditions. 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

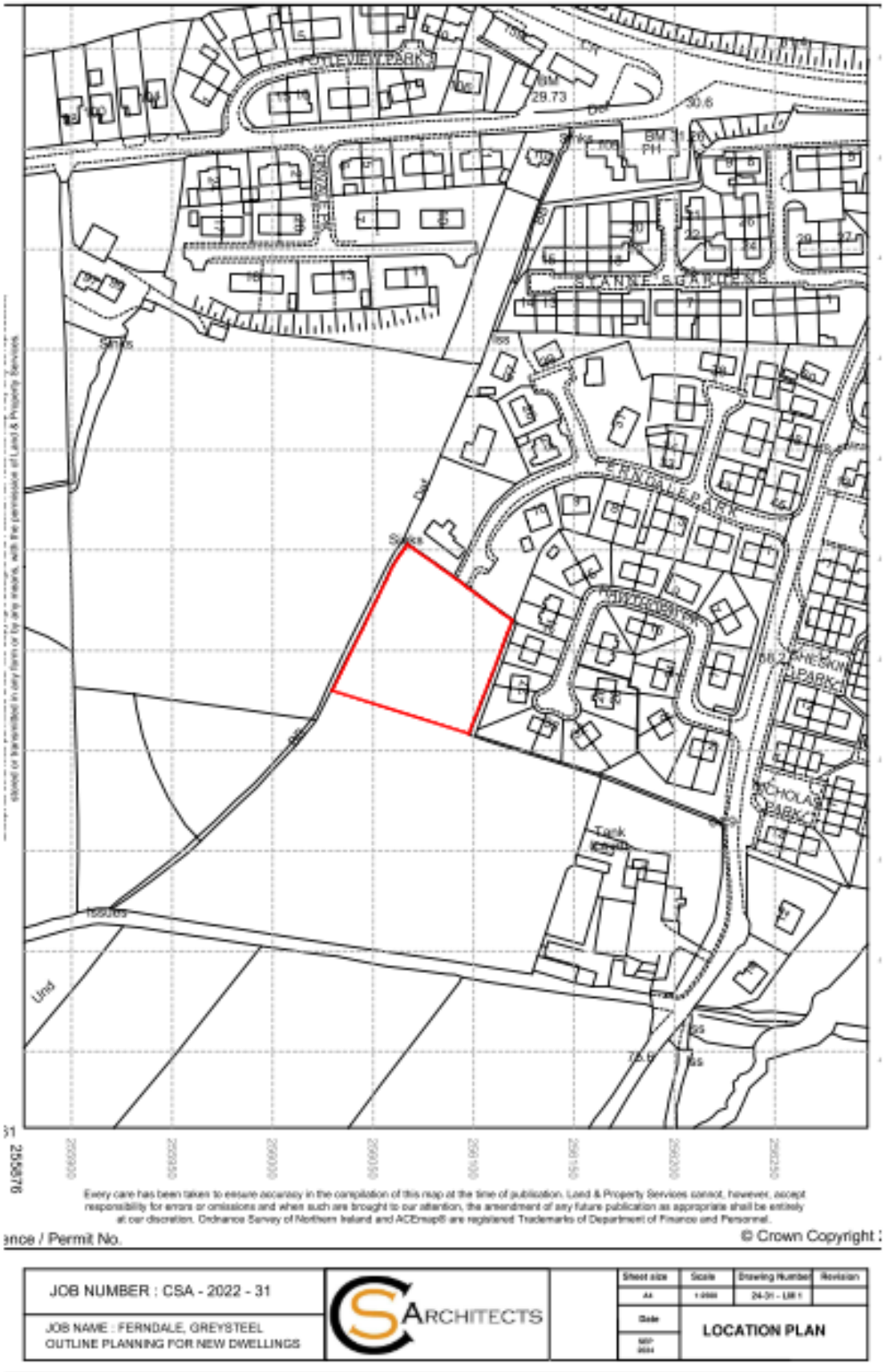
9.1 While the proposal is considered capable of satisfying a number of relevant planning considerations, including ecology, access, residential amenity, open space and the creation of a quality residential environment, the principle of development is unacceptable. The site forms part of zoning GLH 06, a Key Site specifically identified in the NAP 2016 to address an identified social housing need in Greysteel, with requirements for a density of 15–25 dwellings per hectare and a minimum of 10no. social housing units. The proposal for 5no. private dwellings fails to meet these requirements, and no alternative provision of social housing within Greysteel has been secured. Notwithstanding the applicant's concerns regarding the site's constraints and viability, NIHE has confirmed that the site remains capable of accommodating social housing.

9.2 The proposal is subsequently contrary to paragraph 6.137 of the SPPS Edition 2 and the key site requirements of Housing Zoning GLH 06 (Land to South of Ferndale Park) in that: the development is not within the range of 15 to 25 dwellings per hectare and; a minimum of 10 dwellings are not provided for social housing.

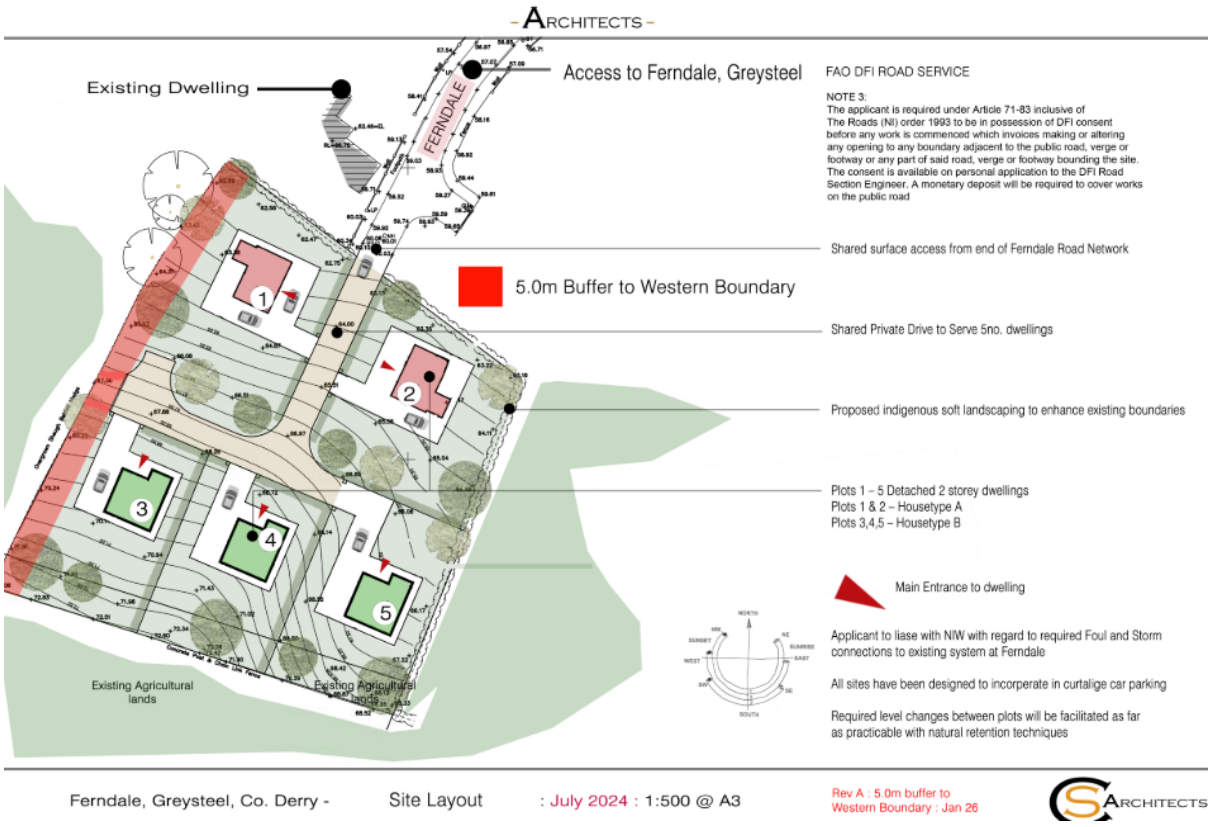
10 REFUSAL REASON

1. The proposal is contrary to paragraph 6.137 of the SPPS Edition 2 and the key site requirements of Housing Zoning GLH 06 (Land to South of Ferndale Park) in that: the development is not within the range of 15 to 25 dwellings per hectare and; a minimum of 10 dwellings are not provided for social housing.

Site Location Plan



Block Plan


- ARCHITECTS -
Existing Dwelling
Access to Ferndale, Greysteel
FERNDALE
FAO DFI ROAD SERVICE
NOTE 3:
The applicant is required under Article 71-83 inclusive of The Roads (NI) order 1993 to be in possession of DFI consent before any work is commenced which invoices making or altering any opening to any boundary adjacent to the public road, verge or footway or any part of said road, verge or footway bounding the site. The consent is available on personal application to the DFI Road Section Engineer. A monetary deposit will be required to cover works on the public road
Shared surface access from end of Ferndale Road Network
5.0m Buffer to Western Boundary
Shared Private Drive to Serve 5no. dwellings
Proposed indigenous soft landscaping to enhance existing boundaries
Plots 1 – 5 Detached 2 storey dwellings
Plots 1 & 2 – Housetype A
Plots 3,4,5 – Housetype B
Main Entrance to dwelling
Applicant to liase with NIW with regard to required Foul and Storm connections to existing system at Ferndale
All sites have been designed to incorperate in curtalige car parking
Required level changes between plots will be facilitated as far as practicable with natural retention techniques
1
2
3
4
5
Existing Agricultural lands
Existing Agricultural lands
Ferndale, Greysteel, Co. Derry -
Site Layout
: July 2024 : 1:500 @ A3
Rev A : 5.0m buffer to Western Boundary : Jan 26
ARCHITECTS

Referral Request

Referral by Alderman Mark Fielding

mark.fielding@causewaycoastandglens.gov.uk Telephone 07971 059829

LA01/2024/1034/O

Erection of 5 no. 2 Storey, detached dwellings with associated access, landscaping, parking, and ancillary on Land to the South of Ferndale Park Greysteel.

Refusal reason. The proposal is contrary to paragraph 6.137 of the SPPS Edition 2 and the key site requirements of Housing Zoning GLH 06 (Land to South of Ferndale Park) in that : the development is not within the range of 15 to 25 dwellings per Hectare and; a minimum of 10 dwellings are not provided for social housing.

Reason to refer to Planning Committee.

While the proposal does not fully meet the Key Site Requirements of zoning GLH06 in respect of density and the provision of social housing, there are significant material considerations which justify referral of this application to Planning Committee.

The site is within the settlement limit and zoned for housing, so the principle of residential development is accepted. Planning Officers have confirmed there are no overriding technical or environmental constraints that would preclude development.

The sole issue relates to meeting specific Key Site Requirements.
Robust evidence has been submitted through the processing of the application demonstrating that delivery of social housing at the site is not feasible due to its steep topography, which would necessitate extensive engineering works, significant retaining structures, and abnormal costs.

Independent technical advice confirms that an adoptable access and compliant layout for 10 units is not achievable, and that a lower density scheme represents the only realistic form of development. In addition, there is no current interest from any housing association to deliver social housing on the site. The identified social housing need can be met on other suitable sites within Greysteel.

Given these constraints, rigidly applying the Key Site Requirements could leave this zoned site undeveloped, which would undermine the wider planning objectives around sustainable development. This is a balanced planning judgement which merits consideration by the Planning Committee.