

From: JJ Kennedy <jj.kennedy@sandycove.co.uk>

Sent: 06 July 2026 12:27

To: General, Planning <planning@ardsandnorthdown.gov.uk>

Subject: LDP DPS – Counter Representations – Sandycove Holiday Homes Ltd – References DPS-049, DPS-071, DPS-075, DPS-079, DPS-094, DPS-096, DPS-113 and DPS-119

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Dear Local Development Plan Team,

Ards and North Down Local Development Plan 2032 Draft Plan Strategy counter-representation period

Please accept this email as a counter-representation submission on behalf of:

Name: John Kennedy

Organisation: Sandycove Holiday Homes Ltd

Position: Director

Address: Head Office, Sandycove Holiday Homes Ltd, 211 Whitechurch Road, Ballywalter, County Down

Postcode: BT22 2LA

Responding as an individual: No

Responding on behalf of an organisation: Yes

Agent responding for a client: No

Previous representation submitted: Yes

Sandycove Holiday Homes Ltd representation reference: DPS-067

Please register each numbered section below against the representation reference stated in its heading.

Sandycove Holiday Homes Ltd understands that Regulation 18 counter-representations are confined to representations seeking to add, alter or delete a site-specific policy or designation and must not propose further changes to the draft Plan Strategy. This submission therefore opposes the site-specific or spatial changes sought by the identified respondents. It does not introduce an alternative site or seek any change beyond those already duly made through DPS-067.

Where part of a cited representation comprises general policy commentary rather than a site-specific policy representation, Sandycove requests that the comments below be cross-referenced to DPS-067 when the Council considers whether that general commentary provides a sound basis for accepting any related site-specific change. The Council's published instructions require counter-representations to be submitted in full, clearly identify the representation concerned and not propose further changes to the DPS. DPPN 09 similarly confirms that a counter-representation must relate specifically to a site-specific policy representation and address the soundness and sustainability implications of the change sought.

1. Overall counter-representation position

Sandycove supports the protection and responsible management of genuinely undeveloped and environmentally sensitive coast. The company does not seek to diminish the protection afforded to appropriately designated habitats, protected species or genuinely undeveloped coastal landscapes.

The disagreement concerns the use of broad environmental propositions to support further restrictions, extensions of mapped designations or more onerous policy wording without first establishing:

- whether the affected land is genuinely undeveloped;
- whether it is already occupied by established, licensed and serviced tourism infrastructure;
- whether the land is inside or outside statutory environmental designations;
- the actual coastal flooding, erosion or land-instability risk;
- the economic and community consequences of the change;
- whether less restrictive alternatives have been considered; and
- whether the proposed change has been subject to an adequate Sustainability Appraisal covering environmental, social and economic effects.

DPS-067 provides extensive evidence that Ballyferris, Sandycove, Sandend and Springvale are long-established, serviced and managed holiday parks. It also records Sandycove's direct employment, extensive local supply chain, infrastructure and contribution to the visitor accommodation capacity of the Ards Peninsula. To give credence to this, on Friday 12th June 2026 at the Ards Peninsula Business Awards, Sandycove Holiday Homes Ltd was recognised as the Best Tourism Provider of the Year 2026 and a finalist in the Best Family Business by the Ards Chamber of Trade. It should be noted that DPS-072 also identifies the developed tourism and infrastructure context at Whitechurch Road, including the existing caravan parks, residential properties, the NI Water pumping station, the Ards North wastewater investment, gravity sewer infrastructure and three-phase electricity supply.

The local information supplied with this counter-representation records 14 holiday caravan parks within the Ards_Peninsula_C statistical area. Whitechurch, Rockmore, Rockmore Stud, Sandycove, Rosebank and Ballyferris are stated to fall within UCZ1. Sandend and Springvale are situated within Ards_Peninsula_F. This is not a marginal land-use issue: the cumulative application of UCZ1 and associated environmental restrictions directly affects a major concentration of established rural tourism businesses.

Institutional status, organisational resources or the number of organisations repeating a policy preference must not be treated as a substitute for relevant evidence. Representations from government divisions, public bodies, national charities and environmental organisations should be given appropriate consideration, but their conclusions must be tested against the same requirements of soundness, proportionality and sustainability as submissions from residents, landowners and local SMEs.

2. Counter-representation to DPS-049 Killinchy Rural Preservation Group

DPS-049 requests, among other matters, that the Undeveloped Coastal Zone be extended from Strangford Lough to the Killinakin and Ballymorran Roads. It also seeks to prohibit intensification of development and recreational use other than around specified clubs and argues that wind turbines should never be permitted within the requested extended protected area.

Sandycove objects to this requested site-specific extension.

The representation relies primarily on visual amenity, local landscape preference, marine designations and concern about recreational activity. It does not contain a parcel-by-parcel coastal character assessment, landscape-capacity assessment, coastal-process analysis, assessment of existing development or appraisal of the social and economic consequences of extending the designation.

The existence of an AONB, Ramsar site, SPA, SAC or MPA does not automatically establish that every adjoining or inland parcel of land is "undeveloped coast". Those designations have their own statutory purposes, boundaries and assessment processes. The creation or extension of an additional planning designation must be independently justified.

The proposal to prohibit intensification except around selected clubs also fails to distinguish between harmful new development and beneficial works such as:

- drainage and flood-resilience improvements;
- renewable-energy infrastructure;

- improved wastewater arrangements;
- habitat enhancement;
- accessibility works;
- landscape restructuring; and
- investment in an existing tourism or recreational facility.

The requested extension has not been demonstrated to be the most appropriate alternative and has not been supported by a Sustainability Appraisal showing that the environmental benefits outweigh the rural economic, community, tourism and climate-adaptation consequences.

Accepting the change sought in DPS-049 would therefore risk failure of:

CE2, because the extension is not founded on a sufficiently robust or site-specific evidence base and relevant alternatives have not been demonstrated;

CE4, because the proposed blanket restriction would be insufficiently flexible to accommodate changing environmental, economic and infrastructure circumstances;

P3, because the social, economic and environmental consequences of the requested extension have not been comparatively appraised; and

C1, C3 and C4, because the representation does not demonstrate how the requested blanket restrictions would achieve the balanced approach to sustainable rural development, tourism, renewable energy and environmental protection required by regional policy and relevant strategies.

The Council should not accept the site-specific extension or blanket prohibitions sought in DPS-049.

3. Counter-representation and linked response to DPS-071 Department for Infrastructure

DPS-071 recommends that Policy CO1 should more closely reproduce the SPPS phrase “national or regional importance as to outweigh any potential detrimental impact”. It also questions the use of “unacceptable impact”, raises concerns about recreational exceptions and suggests that the Council should state more clearly what evidence applicants must submit.

Sandycove does not dispute that the SPPS wording applies to coast which has first been correctly and soundly identified as undeveloped. The fundamental issue raised in DPS-067 and DPS-072 is the prior factual and evidential question: **is the relevant land actually undeveloped coast?**

A stricter development threshold cannot cure an unsound spatial designation. If a long-established licensed holiday park containing roads, utilities, drainage, buildings, caravan bases, landscaping and other permanent infrastructure has been incorrectly classified as undeveloped coast, making Policy CO1 more restrictive would compound rather than resolve the error.

DfI itself identifies material uncertainty about:

- how cumulative impact should be demonstrated;
- what assessment or report would be required;
- how small glamping proposals would be assessed;
- what construction information TSM6 requires; and
- whether a sustainable-benefit statement would be required.

Those observations support Sandycove’s case that the present policy architecture is unclear and that a more restrictive interpretation should not be imposed on established holiday parks or the Whitechurch Road sites without first resolving the spatial classification, evidence and implementation deficiencies.

To the extent that DPS-071 seeks a change which would impose a more onerous test on sites contained within UCZ1, it would risk worsening failures under **CE1, CE2, CE3 and CE4**. The suggested wording should not be relied upon to reject the site-specific evidence and requested outcomes contained in DPS-067.

4. Counter-representation to DPS-075 and DPS-113 Ulster Wildlife

DPS-075 seeks stronger nature-recovery provisions and supports a more precautionary approach. It argues for the retention or reinstatement of mapped Sites of Local Nature Conservation Importance. DPS-113 develops that position through its soundness questionnaire and seeks reinstatement of all SLNCl designations, stronger mapped protection and additional ecological evidence.

Sandycove objects to any site-specific reinstatement or extension of mapped environmental designations where current site surveys, boundaries, ecological condition and effects on established land uses have not been demonstrated.

Ulster Wildlife's own submissions acknowledge that:

- the original SLNCl surveys are approximately 25 years old;
- the priority-habitat inventory is incomplete;
- desk-based mapping may not replace site-specific field surveys;
- site conditions may have changed; and
- the appropriate response to outdated evidence is to update surveys and review boundaries.

Those admissions are important. They support the principle advanced by Sandycove that current, site-specific evidence is required before a mapped designation is used to restrict an existing licensed tourism business or infrastructure-ready land.

Reinstating all former designations before completing current surveys would apply the precautionary principle selectively. It would presume the continuation and boundaries of ecological value while giving insufficient consideration to:

- changes in land condition and use;
- existing planning permissions and infrastructure;
- established commercial operations;
- rural employment;
- visitor accommodation;
- climate adaptation;
- drainage and wastewater improvements; and
- the ability to achieve biodiversity enhancement through managed investment.

DPS-075 and DPS-113 do not assess the caravan holiday park sector, the concentration of parks on the Ards Peninsula, the Council's caravan-site licensing information or the consequences of additional restrictions for local SMEs and residents.

Any request to reinstate or alter a mapped site-specific designation without current surveys and a balanced Sustainability Appraisal would fail **CE2** and **P3**. Applying such a designation without clear delivery, monitoring and review arrangements would also raise **CE3** and **CE4** concerns.

Sandycove supports updated ecological surveys and proportionate site-level assessment. It opposes the automatic reinstatement or enlargement of mapped restrictions based on incomplete or historic evidence, particularly where they overlap with existing caravan parks, the Whitechurch Road tourism corridor or infrastructure-ready land.

5. Linked response to DPS-079 Northern Ireland Marine Task Force

DPS-079 welcomes the principle of an Undeveloped Coastal Zone. However, the respondent expressly states that it has not provided a full or complete response because of limited capacity. It also identifies unresolved questions about the draft NI Marine Plan, developing MPA Management Plans, the Offshore Renewable Energy Action Plan and future shoreline-management work.

The representation therefore does not provide a completed evidence base capable of justifying a more restrictive site-specific designation.

DPS-079 calls for definitions of "unacceptable impact", acceptable-impact thresholds and associated metrics. It also states that both ecosystem and socio-economic benefits should be considered. These observations support rather than displace the central argument in DPS-067: the present policy and evidence base does not provide sufficiently clear, measurable and locally calibrated criteria.

A marine-policy objective does not itself demonstrate that a serviced caravan park, inland agricultural field or developed tourism corridor causes an unacceptable marine impact. The causal pathway, receptor, scale of effect, cumulative effect and appropriate mitigation must be established through evidence.

Future MPA management plans, a future Marine Plan or future shoreline-management recommendations should not be treated as though they are completed and adopted evidence. Nor should the absence of those documents be used to impose an indefinite moratorium on established tourism businesses.

To the extent that DPS-079 is relied upon to retain or intensify UCZ1 restrictions affecting the sites addressed in DPS-067, it would fail **CE2 and CE3** because the necessary thresholds, evidence, implementation mechanisms and monitoring arrangements remain undefined.

6. Counter-representation and linked response to DPS-094 National Trust

DPS-094 welcomes UCZ1 and states that exceptions should not become commonplace. It also seeks clearer net-positive biodiversity requirements. However, the representation records that the mapped UCZ boundary tends to follow coastal roads rather than the stated 5-metre contour and acknowledges the need to consider future coastal flooding and erosion evidence.

This is a material admission concerning the reliability and calibration of the current boundary.

A road-aligned, settlement-limit-aligned or mechanically drawn boundary does not necessarily distinguish developed from undeveloped coast. Nor does it demonstrate the environmental capacity or coastal risk of each parcel of land.

The correction of a demonstrably inappropriate designation around an established licensed holiday park would not make exceptions “commonplace”. Sandycove’s evidence concerns a defined class of long-established, serviced and managed tourism assets whose physical character is inconsistent with the description “undeveloped”.

The National Trust representation does not examine:

- the individual Sandycove parks;
- the Whitechurch Road infrastructure;
- the land’s relationship with statutory environmental designations;
- the Council’s caravan-site licensing evidence;
- local employment and visitor expenditure; or
- the need for adaptation, drainage, renewable-energy and landscape-betterment works.

A blanket insistence on robust application of an inadequately calibrated boundary would be circular: it would treat the existence of the mapped designation as proof that the land possesses the characteristics that the Council has not yet demonstrated.

The requested approach should not be accepted insofar as it would prevent the Council from giving proper consideration to the site-specific evidence in DPS-067. Otherwise, it risks failure under **CE1, CE2 and CE4**.

7. Counter-representation and linked response to DPS-096 and DPS-119 DAERA – Natural Environment, SA, SEA and HRA comments

DPS-096 and DPS-119 welcome UCZ1 and the use of a precautionary approach. They request site-specific ecological assessment and cumulative-impact analysis for proposals within UCZ1 and suggest additional safeguards for tourism activities. They also record support for the HRA conclusion that, with mitigation, the Plan Strategy will not adversely affect the integrity of relevant marine protected areas.

The requirement for site-specific assessment supports Sandycove’s position that decisions should be evidence-led and based on the actual characteristics and impacts of a proposal. It does not justify treating every site within the broad UCZ1 boundary as environmentally identical or unsuitable for development.

The HRA conclusion that effects can be addressed through mitigation is also inconsistent with an interpretation of UCZ1 as an effective blanket prohibition. Appropriate assessment, avoidance, mitigation, habitat enhancement and monitoring are established mechanisms for protecting designated sites.

DAERA’s submissions do not contain an assessment of:

- the individual holiday parks affected by UCZ1;
- whether their curtilages are developed or undeveloped;
- the economic and employment effects of restricting reinvestment;
- the omission of caravan-site information from the tourism evidence base;
- the infrastructure at Whitechurch Road;
- the concentration of caravan parks in Ards_Peninsula_C and Ards_Peninsula_F; or
- the rural-needs implications for the Outer Ards Peninsula.

The suggested tourism safeguards, codes of conduct or seasonal controls may be appropriate for particular activities where disturbance pathways have been demonstrated. They should not be converted into undifferentiated restrictions on all caravan-park development, infrastructure renewal or inland tourism-support uses.

To the extent that DPS-096 or DPS-119 seeks or is relied upon to justify a more restrictive site-specific outcome, the requested change has not been demonstrated to satisfy **CE2, CE3, CE4 or P3**.

8. The cumulative evidence and Sustainability Appraisal deficiency

The Council should consider the cumulative implications of the contrary representations rather than assessing each in isolation.

The combined outcome requested by the environmental and public-sector respondents would potentially involve:

- an extended or more restrictive UCZ1;
- a lower development-impact threshold;
- fewer exceptions;
- reinstated mapped environmental designations;
- broader precautionary controls;
- additional ecological assessments;
- seasonal or activity restrictions; and
- greater reliance on future marine and coastal-management documents.

No respondent has presented a complete appraisal of the cumulative effects of those changes upon the caravan holiday park sector, rural SMEs, employment, visitor accommodation, local services, infrastructure investment or the demographic sustainability of the Ards Peninsula.

DPS-067 identifies that caravan-park information was excluded from the Council's Tourism Position Paper evidence base despite the Council holding licensing and inspection information about the location, size and infrastructure of caravan sites. It explains why this omission affects the assessment of TSM6, UCZ1 and related economic and infrastructure policies.

It would be unsound to use representations which also omit this sector to reinforce or expand restrictions created from an incomplete baseline.

Sustainability Appraisal is not an environmental appraisal alone. It must examine social and economic effects alongside environmental effects. DPPN 09 confirms that a respondent seeking a change should demonstrate why its alternative is more appropriate in meeting the sustainability objectives of the DPD.

The contrary representations have not shown that their requested site-specific changes provide a more sustainable alternative once the full rural-economic and community effects are included.

9. Coastal Forum evidence and governance transparency

Several representations refer to work being undertaken through the Northern Ireland Coastal Forum, future Shoreline Management Plans and emerging coastal or marine evidence.

A Northern Ireland Assembly answer lists "Leona McGinn (A&NDBC)" as a local-authority attendee at the Coastal Forum meeting on 19 November 2025. Earlier published cross-council spatial-working-group minutes list "Leona Maginn (Ards & NDBC)" as an attendee.

Sandycove makes no allegation of misconduct or improper participation. Cross-government and cross-council engagement may be entirely appropriate. However, where a Council officer involved in preparing or administering the DPS has also participated in external coastal-policy groups, good governance requires a transparent evidence trail.

If Coastal Forum work, unpublished shoreline-management material or working-group recommendations have informed UCZ1, Policy CO1, the assessment of DPS-067, or the Council's consideration of the contrary representations, Sandycove requests disclosure of:

- the relevant terms of reference;
- meeting minutes and papers;
- the officer's capacity and role;

- the evidence or recommendations supplied to the LDP team;
- how that evidence was subjected to Sustainability Appraisal; and
- the arrangements for separating policy preparation from the assessment of objections and counter-representations.

The issue is transparency and apparent role separation, not the legitimacy of participation. Reliance on unpublished or non-auditable material would raise concerns under **CE2 and CE3** and would make it difficult for affected SMEs and residents to test the evidence at Independent Examination.

10. Requested treatment of the counter-representations

Sandycove Holiday Homes Ltd respectfully requests that the Council:

1. Registers each section of this email against the corresponding representation reference.
2. Rejects DPS-049 insofar as it seeks a site-specific extension of UCZ1 and blanket prohibitions unsupported by a current coastal, economic and sustainability appraisal.
3. Does not accept or rely upon the relevant parts of DPS-071, DPS-075, DPS-079, DPS-094, DPS-096, DPS-113 or DPS-119 to extend, reinstate or intensify site-specific restrictions affecting established caravan holiday parks or the Whitechurch Road sites unless those changes are supported by current site-specific evidence and a balanced Sustainability Appraisal.
4. Gives full consideration to the detailed evidence already duly submitted through DPS-067 and DPS-072.
5. Distinguishes genuinely undeveloped and environmentally sensitive coast from established, licensed, serviced and managed tourism sites.
6. Gives equal and proportionate weight to environmental, social and economic evidence and does not treat organisational status or institutional resources as a substitute for robust evidence.
7. Confirms whether any Coastal Forum or other unpublished material has informed the disputed coastal designations or the Council's consideration of representations.
8. Confirms the Council reference number allocated to each counter-representation contained in this email.

These counter-representations do not propose any further change to the draft Plan Strategy. They request that the contrary site-specific changes and associated restrictive interpretations identified above should not be accepted because they have not been demonstrated to be sound or more sustainable.

Please acknowledge receipt within the period specified by the Council.

Yours faithfully,

John Kennedy

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