

## **LA01/2020/0744/F - Proposed dwelling and detached garage to include proposed driveway, landscaping and all associated site works, 24 & 26 Fivey Road, Armoy**

### **Introduction**

Chair and members, I would like to thank you for the opportunity to submit this representation and supporting information in writing for consideration by the Committee.

My name is Laura McNabb (nee Christie). I am local to the area and having married in May 2022 I hope to construct our self-build family dwelling on this site.

I purchased the subject site in June 2020 on the basis that the planning permission was protected.

### **Proposed Development**

As Members have heard, full planning permission is sought for a proposed dwelling and detached garage to include proposed driveway, landscaping and all associated site works.

This is a modest single storey dwelling located on a brownfield site. A gap site set between and to the rear of two existing dwellings.

### **Application Process**

This application was submitted on 30th July 2020, over 2 years and 3 months ago, a significant length of time for a single dwelling.

A dwelling was previously approved on this site under Outline D/2004/0897/O and subsequent Reserved Matters D/2007/0633/RM. As members will note the planning history on this site dates back nearly 20 years.

There are no third party or statutory objections to the proposal. DfI Roads, NIEA, NI Water & Environmental Health have all confirmed that the proposal is acceptable.

Both neighbours at No.24 & 26 Fivey Road have provided letters of support for the application.

### **Council Planning Position**

**The key issue for this application centres around the original planning permission and if it was protected or not.**

We believe the permission is protected, Council do not. As part of the application process we have provided significant additional information to Council as requested.

### **Information provided and works undertaken (Oct – Nov 2009) include:**

Access arrangements in accordance with Planning Permission D/2007/0633/RM & D/2007/0636/F

The visibility splays of 2.4 x 100m and '*delineation of access Option A contained within existing area of hard standing*' have been provided in accordance with the planning permissions.

Infilling and levelling of the site in accordance with planning permission D/2007/0636/F

The site previously was a large hole that required to be infilled to form a level surface for the dwelling. These works included a significant amount of imported material.

Erection of boundary fence & hedging

The site boundary has been installed and defined by a post and wire fence and boundary planting.

Digging & pouring of foundations

Digging & pouring of foundations was undertaken to a section of the dwelling as approved under D/2007/0633/RM.

All the above is evidence by dated receipts, extracts of bank statements & structural engineers' correspondence as submitted to Council.

Council state that:

*'identified foundation is not reflective of the permission granted'*

*'it is more difficult to ascertain commencement of works in relation to permission for infilling on site'*

*'evidence in the form of aerial photographic images does not appear to corroborate the supporting evidence'*

*'Insufficient information has been presented to confirm that works commenced'*

Contrary to Council's position above, we feel the evidence is compelling and ordinarily would be sufficient to evidence that fact that sufficient works had commenced onsite to 'protect' the original position.

For example, while the positioning of the foundation could have been slightly more accurate it is clear from the information submitted that part of the foundation installed, accords with the dwelling position under the permission granted. In addition, aerial images are very rarely conclusive given their quality.

### **Conclusion**

Your officers have recommended the application for refusal for one reason, in that it is contrary to 6.73 of SPPS and Policy CTY 1 of PPS21. It is clear, therefore, that the site and dwelling are acceptable in all other policy terms relating to design, integration etc

There are no third party or statutory objections to the proposal.

Two letters of support from the neighbours at No.24 & 26 Fivey Road have been provided.

We feel the evidence is compelling and ordinarily would be sufficient to evidence that fact that sufficient works had commenced onsite to 'protect' the original position.

This proposal has been considered by your officers and the case officer's report confirms that this is a finely balanced decision.

We respectfully request that the Committee reconsider this decision and recommend this application for approval.

Thank you for your time.

**Laura McNabb (nee Christie)**



Sean Christie  
5 Carrowcrin Road  
Armoy  
Ballymoney  
BT53 8YL

13/10/2009

Date	Item Description	Cost
13/10/2009	Supply of fill to Fivey Road, Armoy - 1000t @ [REDACTED] Supply & deliver load of 10mm stone	[REDACTED]

Total Excl. VAT

VAT @ 20%

Total Due



Registered office  
151 Glenravel Road, Cargan, Ballymena, BT43 6RA Tel:028 2175 9737  
Manager: [REDACTED] Surveyor: [REDACTED]



Alliance & Leicester Commercial Bank  
BBAM, Bridle Road, Bootle, Merseyside, GIR 0AA  
Facsimile 0844 800 9988  
Telephone 0844 800 2222

## Commercial Bank

DC CONSTRUCTION (NI) LTD  
141 BALLYMENA ROAD  
BALLYMENA  
COUNTY ANTRIM  
BT43 5QS

38699

Account Number	[REDACTED]
Statement Number	2
Statement Date	28 OCT 09
Page Number	3 FINAL

BIC: ALEIGB22

IBAN: GB80 ALEI 7200 0173 0931 83

Please retain statement for future reference. To query any item contact the office shown above.  
VAT Registration number 466 2647 24.

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Narborough, Leicester, LE19 0AL. Company No: 3263713. Registered in England. Alliance & Leicester plc is authorised  
and regulated by the Financial Services Authority. Our FSA register number is 189099.



Sean Christie  
5 Carrowcrin Road  
Armoy  
Ballymoney  
BT53 8YL

02/11/2009

Date	Item Description	Cost
02/11/2009	Supply of fill to Fivey Road, Armoy - 700t @ [REDACTED]	[REDACTED]
	Hire of digger to level boundary & throw back- 21hrs @ [REDACTED]	[REDACTED]

Total Excl. VAT

VAT @ 20%

Total Due



Registered office  
151 Glenravel Road, Cargan, Ballymena, BT43 6RA Tel:028 2175 9737  
Manager: [REDACTED] Surveyor: [REDACTED]

## Commercial Bank

DC CONSTRUCTION (NI) LTD  
 141 BALLYMENA ROAD  
 BALLYMENA  
 COUNTY ANTRIM  
 BT43 5QS

36527

Account Number [REDACTED]  
 Statement Number 3  
 Statement Date 28 NOV 09  
 Page Number 1

DC CONSTRUCTION (NI) LTD

13 36527 0

### Statement

### CURRENT ACCOUNT

Date	Description	Debit £	Credit £	Balance £
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[REDACTED]				
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#### Key to abbreviations

BT Bank Transfer  
 C Cheque  
 CCVD Credit Cards  
 D Deposit  
 DD Direct Debit  
 OD Overdrawn  
 S Standing Order  
 T Transfer  
 TC Transcash

BIC: ALEIGB22

IBAN: GB80 ALEI 7200 0173 0931 83

Please retain statement for future reference. To query any item contact the office shown above.  
 VAT Registration number 466 2647 24.



Sean Christie  
5 Carrowcrin Road  
Armoy  
Ballymoney  
BT53 8YL

01/12/2009

Date	Item Description	Cost
01/12/2009	Hire of digger to erect 200m pig wire fencing - 200m @ [REDACTED] Plant 200m beech hedging Dig & pour foundations for house	[REDACTED]

Total Excl. VAT

VAT @ 20%

Total Due



Registered office  
151 Glenravel Road, Cargan, Ballymena, BT43 6RA Tel:028 2175 9737  
Manager: [REDACTED] Surveyor: [REDACTED]

**SAMORE PLANT CENTRE**  
135 Glenravel Road, Martinstown  
Ballymena, Co. Antrim, N. Ireland  
PHONE 028 2175 8627  
FAX 028 2175 9998  
VAT REG NO. 681 1486 27  
PLANT HEALTH No UK/NI 1092

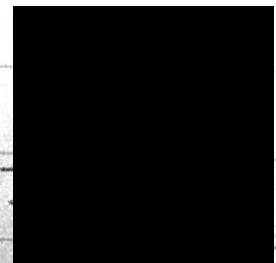
DC Construction

13-11-2009

ref Fivey Rd Armagh

200m Beech hedging 5/11

VAT @ 15%







# STRAID CONCRETE

20408

GERARD MCFALL  
 125 STRAID ROAD  
 BUSHMILLS  
 Co. ANTRIM  
 BT57 8XU  
 Tel/Fax: 028 2073 1751

Order No	Account No.	Radial	Date 9/11/09
----------	-------------	--------	-----------------

Customer..... D.C. COLLINS

Delivered to..... FIVE PD ANNICO

Customer Telephone No. ....

Cubic Metres	Mix	Aggregate	Tonne	Additive
8.0	13.6	—	—	—

I confirm that:-

1. I have accepted delivery of the concrete ordered as above.
2. The times shown at C and D below are correct.
3. I have authorised the addition of the materials specified at E below.

(\* delete if inapplicable)

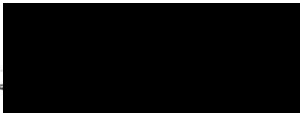
<b>A</b>	Time Ex Plant	<b>C</b>	Time Leaving Site
<b>B</b>	Time Arrived on Site	<b>D</b>	Time On Site
Day's Order This Mix	Delivered Through This Load	<b>E</b> Water and/or any other materials added on site YES <input type="checkbox"/> NO <input type="checkbox"/>	
		Description	

This concrete is sold subject to the terms and conditions shown on our quotation

You are reminded that:-

The time allowed for unloading this vehicle is ten minutes plus five minutes per cubic metre of concrete or part thereof delivered. The company reserves the right to charge for any detention in excess of this period.  
 The Company is not responsible for the slump, strength or quality of concrete to which water and/or any other materials have been added by the customer or at his request

Proportions specified in mix description are by volume unless otherwise stated.

for and on behalf of <b>STRAID CONCRETE</b>	Signature (of/on behalf of) Customer  Signed 
--	---



**Alliance & Leicester Commercial Bank**  
 BBAM, Bridle Road, Bootle, Merseyside, GIR 0AA  
 Facsimile 0844 800 9988  
 Telephone 0844 800 2222

## Commercial Bank

DC CONSTRUCTION (NI) LTD  
 141 BALLYMENA ROAD  
 BALLYMENA  
 COUNTY ANTRIM  
 BT43 5QS

39599

Account Number [REDACTED]  
 Statement Number 4  
 Statement Date 31 DEC 09  
 Page Number 1

DC CONSTRUCTION (NI) LTD

13 39599 0

### Statement

### CURRENT ACCOUNT

Date	Description	Debit £	Credit £	Balance £
[REDACTED]				

- Key to abbreviations**
- 3T Bank Transfer
  - C Cheque
  - CCVD Credit Cards
  - D Deposit
  - DD Direct Debit
  - OD Overdrawn
  - S Standing Order
  - T Transfer
  - TC Transcash

BIC: ALEIGB22 IBAN: GB80 ALEI 7200 0173 0931 83  
 Please retain statement for future reference. To query any item contact the office shown above.  
 VAT Registration number 466 2647 24.

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# **EQUILIBRANT LTD**

## CONSULTING ENGINEERS

Unit 45 North City Business Centre  
2 Duncairn Gardens  
Belfast;  
BT15 2GG  
Tel: +44 (0)28 90767227  
E: eng@equibrant.co.uk  
W: www.equibrant.co.uk

16<sup>th</sup> April 2021

Ms Laura Christie  
5 Carrowcrin Road  
Armoy  
BT53 8YL

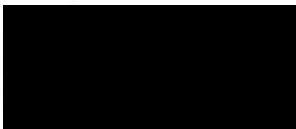
Dear Madam,

**RE      Lands between 24 & 26 Fivey Road, Armoy, Ballymoney, BT53 8UT**

I can confirm foundation inspections were carried out by our office at the above site on the 9<sup>th</sup> of November 2009.

If you have any queries or we can be of further assistance with this matter or in the future please do not hesitate to contact the undersigned.

Yours faithfully  
For and on behalf of  
**EQUILIBRANT LTD**



**Jim Cromie**  
BEng(HONS) PhD CEng FStructE MICE IMaPS DipCII

Mr Dan O'Neill  
24 Fivey Road  
Armoy  
BT53 8UT

Your Ref: LA01/2020/0744/F

25th January 2022

Mr Joseph McCaughan  
CAUSEWAY COAST & GLENS BOROUGH COUNCIL  
Local Planning Office  
Cloonavin  
66 Portstewart Road  
Coleraine  
BT52 1EY



Dear Sir,

**Re: LA01/2020/0744/F | Proposed dwelling and detached garage  
Lands between 24 & 26 Fivey Road, Armoy**

We write with regard to the above application to confirm our support for this proposal.

We are satisfied that this proposal has no unacceptable impact on our property and we very much welcome the development of this site which has been vacant and unsightly for too long. The dwelling proposed will greatly enhance the character and appearance of the surrounding area.

I trust you will record our representation.

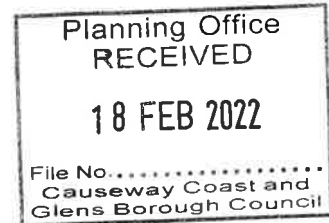
Your faithfully

Mr Dan Oneill

Mrs Young  
26 Fivey Road  
Armoy  
BT53 8UT

3<sup>rd</sup> February 2022

Mr Joseph McCaughan  
CAUSEWAY COAST & GLENS BOROUGH COUNCIL  
Local Planning Office  
Cloonavin  
66 Portstewart Road  
Coleraine  
BT52 1EY



Ref: LA01/2020/0744/F

Dear Sir,

**Re: Proposed dwelling and detached garage  
Lands between 24 & 26 Fivey Road, Armoy**

With reference to the above application, we take this opportunity to confirm our support for this project.

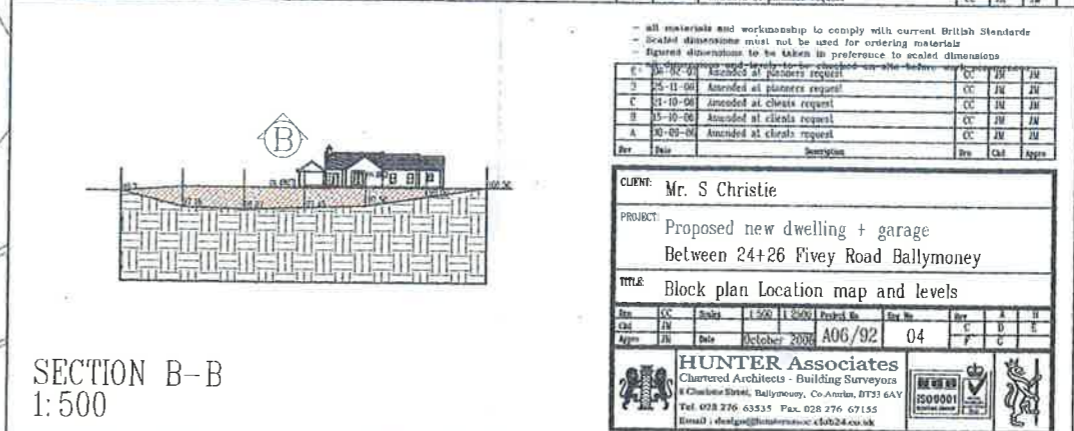
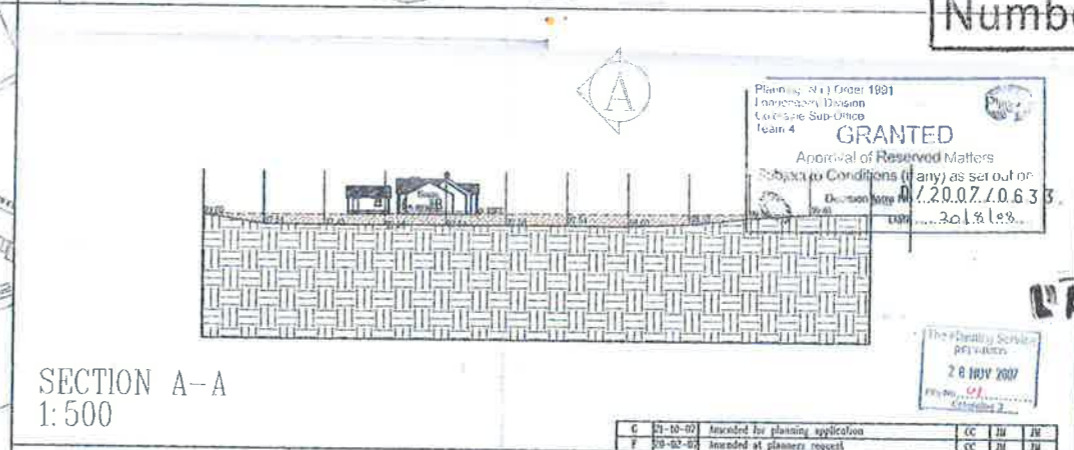
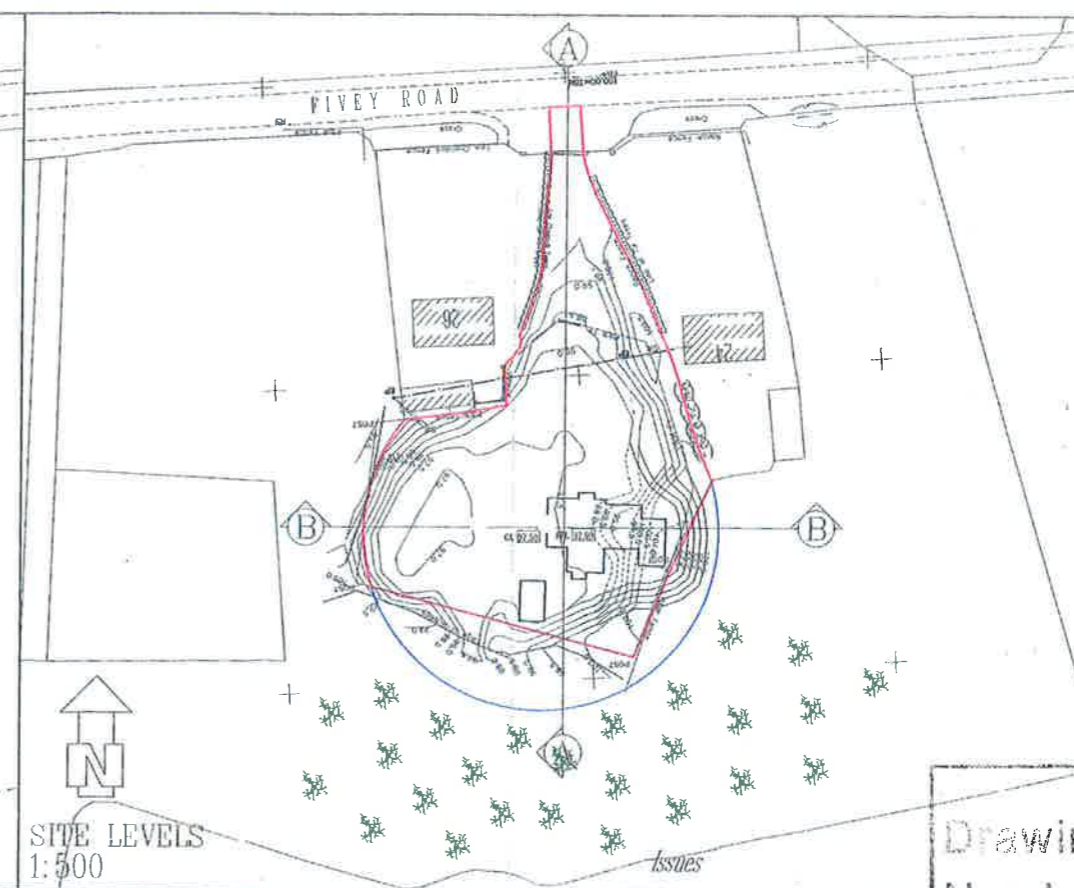
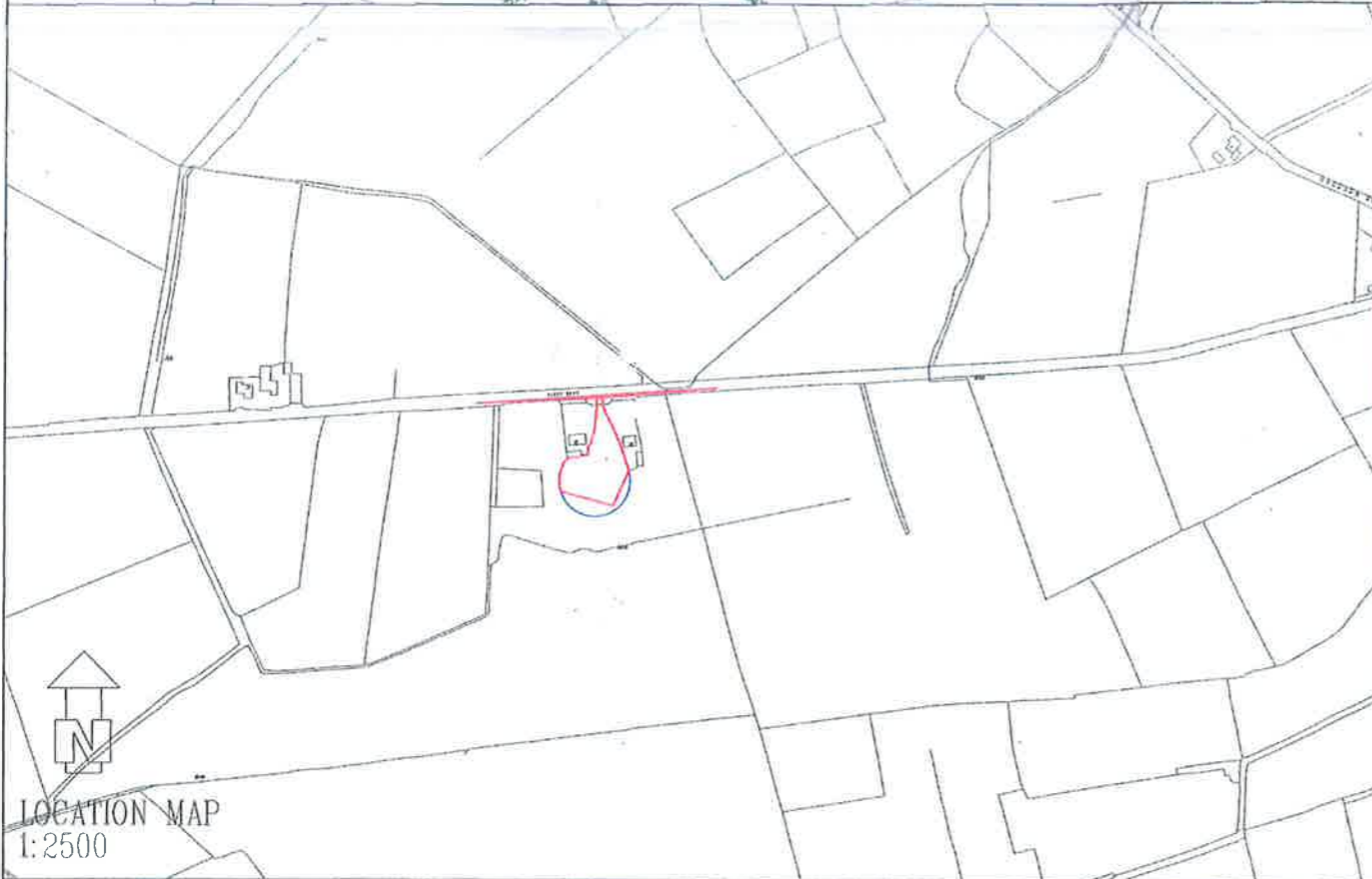
We have looked at this scheme and are happy that it has no detrimental impact to our property. Furthermore, we would greatly welcome the development of this site as has been sitting derelict and unsightly for too long and has recently been subject to antisocial behaviour which has left me extremely anxious.

The dwelling proposed will greatly enhance the character and appearance of the surrounding area and will put an end to unwanted & un needed late night vehicles visiting the land.

I trust you will consider details within when you examining the application.

Your faithfully

Mrs Young



Planning Office  
RECEIVED  
30 JUL 2020  
File No. ....  
Causeway Coast and  
Glens Borough Council

Causeway Coast and  
Glens Borough Council  
**Drawing**  
Number **07**

Planning (A) Order 1991  
Temporary Design  
Local Sub-Office  
Team 4  
**GRANTED**  
Approval of Reserved Matters  
Subject to Conditions (if any) as set out on  
Decision Notice D/2004/0897/O & D/2007/0633/RM  
Date: 20 JUL 2020

**LA01/2020/0744**

G	21-10-07	Amended for planning application	CC	JM	JM
F	20-02-07	Amended at planners request	CC	JM	JM

- all materials and workmanship to comply with current British Standards  
- scaled dimensions must not be used for ordering materials  
- figured dimensions to be taken in preference to scaled dimensions

E	15-10-06	Amended at planners request	CC	JM	JM
D	25-11-06	Amended at planners request	CC	JM	JM
C	21-10-06	Amended at clients request	CC	JM	JM
B	15-10-06	Amended at clients request	CC	JM	JM
A	10-09-07	Amended at clients request	CC	JM	JM

**CLIENT:** Mr. S Christie  
**PROJECT:** Proposed new dwelling + garage  
Between 24+26 Fivey Road Ballymoney  
**TITLE:** Block plan Location map and levels

Rev	CC	Date	1:500	1:500	Project No.	Rev	A	B
01	JM	10/07/20			A06/92	04		
Appr	JM	Date	October 2006				F	C

**HUNTER Associates**  
Chartered Architects - Building Surveyors  
4 Clarendon Street, Ballymoney, Co. Antrim, BT53 6AY  
Tel: 028 276 63535 Fax: 028 276 67155  
Email: hchalgo@hunterassoc.co.uk

**PROPOSED BLOCK PLAN, LOCATION MAP & LEVELS  
AS APPROVED UNDER EXTANT PLANNING  
PERMISSIONS: D/2004/0897/O & D/2007/0633/RM**

Project Ref: <b>20117</b>	Client: <b>Miss. L Christie</b>	Date: 10/07/20
Drawing Ref: <b>R01</b>	Project Title: <b>Proposed Dwelling and Garage, Between 24/26 Fivey Road, Ballymoney</b>	Scale: N.T.S
Revision:	Drawing Title: <b>PROPOSED BLOCK PLAN, LOCATION MAP &amp; LEVELS AS APPROVED</b>	Drawn By: TB
	Checked By: FDMCL	Drawn By: TB
	Checked By:	Checked By:

**HERE ARCHITECTS**  
4-6 Linenhall Street, Ballymoney,  
County Antrim, BT53 6DP  
T: 028 7044 5000  
E: hello@herearchitects.com  
W: www.herearchitects.com