

**Implementation Date: 01 September 2023**

**Template for Requesting Speaking Rights at the Planning Committee**

The Protocol for the Operation of the Planning Committee provides for interested person(s) to register to speak on a planning application that is scheduled to be determined at the next meeting of the Planning Committee. This request must be received by the Planning Department no later than 10am on the Monday before the Planning Committee meeting via email account [planning@causewaycoastandglens.gov.uk](mailto:planning@causewaycoastandglens.gov.uk).

<b>Planning Reference</b>	LA01/2023/1053/F
<b>Name</b>	Matt Kennedy
<b>Contact Details</b>	Tel:  Email:
<b>Support or Objection – please tick relevant box</b>	Support <input type="checkbox"/>  Objection <input type="checkbox"/>

**Written representation summarising key points to be addressed and supplementary information in support of your case (minimum font size 10 and maximum length two sides of A4 page).**

Chair, fellow councilor's thank you for the opportunity to address, the Planning Committee on this Planning application.

Please refer to the attached site layout while reading this submission.

This application was initially scheduled for refusal at the November 2024 PC Planning as they felt the proposal failed to provide for social housing as required by Policy HOU 2 of the Northern Area Plan 2016.

However, prior to the Committee Planning reduced the social housing requirement on the development to two units and the Applicant agreed to provide the two social houses.

I am quite disappointed that this application has been again brought back to PC for refusal as I believed that all the major planning issues were resolved.

It is intended to provide the two social houses on Sites 1/2 in place of the one chalet bungalow. However, Planning in Addendum 2 have stated that the layout change for

Site 1 has an unacceptable relationship which will overlook the rear gardens of Sites 2-8 inclusive and it is overdevelopment.

I do not believe that these objections from Planning can be sustained for the following reasons:-
















1. It is considered that this Site is an ideal location for the social housing within the housing development. It is proposed that we will use a "House Type C" which is a two storey semi-detached dwelling already used within the scheme. This ensures that the two social houses will tie well into the scheme and these houses will be indistinguishable from neighbouring dwellings ensuring integration into the estate.
2. An almost identical plot arrangement has been approved and built at Sites 10-11 (as originally numbered). This arrangement also has two semi-detached "C" house types facing the gable and rear garden of an adjoining dwelling at Site 12, with a private drive in between. I see no material difference from the view from both first floor windows on Site 2 and the view from both first floor windows on Site 11. Planning have totally ignored in their Addendum the uninterrupted views from Site 11 which are identical to the views on Site 2 which raises significant issues of consistency in decision making.
3. Views from Site 1 are primarily at the gable of the house on Site 3, not into the proposed rear garden. This again is identical to the existing approved arrangement at Site 10.
4. The only distinction I see in these two arrangements as a Planner is that there is 15m separation between the houses on Sites 1-2 and Site 3 and only 13m separation between the houses on Sites 10-11 and Site 12. Therefore, this proposed arrangement has a 2m greater separation than that as built arrangement already approved by Planning within the estate and more planning merit.
5. In terms of the issues of privacy and overlooking the Planning Appeals Commission has previously indicated that mutual overlooking occurs in nearly all urban situations and is generally acceptable in new residential developments. In any residential row first floor windows normally partially overlook the rear gardens of adjoining dwellings and for dwellings opposite first floor windows partially overlook the rear garden of the dwelling facing, subject to privacy walls, fencing, planting etc. This occurs in all new residential developments across NI.
6. In this case the proposed house at Site 3 has a 2m high privacy wall proposed along its westerly boundaries opposite Site 1-2 indicated by the red dotted line. This provides privacy and separation to the rear garden of Site 3 just as it

does at Site 12.

7. There is also a 4.8m high garage proposed on the easterly boundary of site 3 which prevents views into Sites 4-8. There are also garages to the rear at Sites 2-8. The idea that the first floor windows at Site 1-2 have uninterrupted views into all these proposed rear gardens is simply incorrect.
8. I see nothing that justifies the Council's claims of overdevelopment as the proposal meets all the requirements of Creating Places in terms of amenity space, garden sizes, car parking, maintains the building line and fits in the approved layout etc. There is no breach of any published planning standard.
9. The Applicant is happy to address the identified issue with the house type on Site 3.

Therefore, for the reasons I have set out above, I respectfully request that the Planning Committee approve this application.



- KEY:**
-  PRINCIPAL ENTRANCE
  -  EXISTING TREES TO BE RETAINED
  -  EXISTING HEDGEROW TO BE RETAINED & AUGMENTED
  -  NEW HEDGEROW  
GARDEN HEDGE: PRIVET, LIGUSTRUM OVALIFOLIUM, SPACED AT 600mm AND 1.8m HIGH AT TIME OF PLANTING
  -  NEW TREE PLANTING  
SEMI-MATURE TREES: QUERCUS ROBUR FASTIGIATA, 25-30cm GIRTH AT TIME OF PLANTING
  -  NEW TREE PLANTING  
EXTRA HEAVY STANDARD TREES: ULMUS NEW HORIZON, PRUNUS SUNSET BOULEVARD & ACER PLATACOIDES DEBORAH, 4.75 - 5.25cm & 14-16cm GIRTH AT TIME OF PLANTING.
  -  GRASSED AREAS
  -  BITMAC  
DRIVEWAY & HARDSTANDING
  -  PAVING  
400mm x 400mm SETS
  -  TIMBER GATE  
1.8m HIGH
  -  VERTICAL TIMBER FENCE  
1.8m HIGH
  -  RENDERED WALL  
1.8m HIGH
  -  RENDERED WALL  
1.2m HIGH
  -  VISITOR PARKING  
2.4 x 6.0m
  -  OPTIONAL SUNROOM

AS APPROVED  
REF: LA01/2018/0106/F & LA01/2023/0137/F  
UNDER CONSTRUCTION

C NOV 2024 AMENDED LAYOUT	
B APRIL 2024 AMENDED LAYOUT	rev. date amendment
project <b>RESIDENTIAL DEVELOPMENT LOUGHERMORE ROAD, BALLYKELLY</b>	
client <b>KAR HOMES LTD</b>	
drawing <b>PROPOSED SITE LAYOUT PLAN</b>	
scale 1:500	date SEPTEMBER 2023
job no. <b>1790</b>	drg no. <b>PL.SL.01</b>
	rev. <b>C</b>

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**NOTE:**  
DRAWING TO READ IN CONJUNCTION WITH CIVIL ENGINEER'S ATKINS DRAWINGS