

**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>	LA01/2025/0342/O.
<b>Name</b>	John Simpson
<b>Contact Details</b>	Tel:  Email:
<b>We are committed to ensuring our meetings are accessible and inclusive. Please let us know if you require any reasonable adjustments to support your participation (e.g. accessible formats, changes to agenda timing, or other requirements).</b>	
<b>Support or Objection – please tick relevant box</b>	Support <input checked="" type="checkbox"/>  Objection <input type="checkbox"/>
<b>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).</b>	
<p><b>Reasons for Refusal: 1.</b> The application is contrary to the SPPS, Paragraph 6.70 and Planning Policy Statement 21 – Sustainable Development in the Countryside, Policy CTY 13 criteria (a) and (b) and CTY 14 criteria (a) in that a proposed dwelling at this location would be a prominent feature in the landscape and the site lacks long established natural boundaries and is unable to provide a suitable degree of enclosure for the building to integrate into the landscape.</p>	

The proposed dwelling would be no more prominent than several existing dwellings in the vicinity are. The lands to the west of the site rise significantly and provide a natural backdrop. This can be seen in the photographs provided. These also show dwellings to the north which are set at a similar elevation and are reliant on the highly adequate backdrop of the western hills. In another application, LA01/2022/1195/O, this is noted in the DMO Report connected “The topography of the site and surrounding area rises from the southeast towards the northwest, and beyond the site which will act as a backdrop for a modest dwelling” and “the existing vegetation will be conditioned to be retained”. New vegetation will necessarily be provided where the access and visibility splays will be formed along Ballyhackett Lane, and all efforts would be made to establish hedging/planting of the remaining boundaries of the site. Very few of the existing dwellings have substantial enclosures and these do not appear incongruous.

**Refusal Reason 2:** The application is contrary to the SPPS, Paragraphs 6.8 and 6.9 and Planning Policy Statement 6 – Planning Archaeology and Built Heritage, Policy BH 1 and BH 2 in that the proposed siting could adversely affect the Preservation and protection of Archaeological Remains.

An area was noted as being “preferred” for the siting of the dwelling. This would be flexible. The dwelling, if accepted, could be located fairly centrally behind No 18, subject to the agreement with HED/Planning. This area is approx. 6.0M below the level of the western limit of the field and has the rising hills beyond that to help it integrate. In this position it would be some 180 m from the centre of the mound and on the other side of the valley from it. A circle of this radius covers the majority of the dwellings in the laneway off Ballyhackett Lane so it would not have any further damaging effect than has been accepted previously.

**Refusal Reason 3:** The application is contrary to the SPPS, Paragraph 6.186 and Policy NH 6 of Planning Policy Statement 2, Natural Heritage, in that the proposal fails to be sympathetic to the special character of the Area of Outstanding Natural Beauty.

If the dwelling is located behind No 18 then it would benefit from the backdrop of the western hills as other dwellings in the vicinity do. The boundary along Ballyhackett Lane will necessarily be reformed to accommodate the visibility splays and the eastern boundary would be formed and planted with native species of hedging. A single storied, modestly sized, dwelling in this location would not be unsympathetic in the area. Viewed from Altikeeragh Road it would be a tiny development in the landscape.

#### **ADDITIONAL INFORMATION**

In the DMO Report for the previously refused application LA01/2022/1079/O it is noted: “It was advised to the agent in emails that a preferred siting would be to the front of No 18 Ballyhackett Lane where the land is set at a much lower ground level which would reduce the visual impact. This would relate to fields 3 or 2 on the farm maps submitted. No consideration of this alternative siting was given by the agent/applicant.” The agent concerned with that application did not reply to several emails and did not make Mr Doherty aware of this until after the refusal was decided. The mention of fields 3 or 2 was taken up in a subsequent application, LA01/2023/1183/O) by Mr Doherty for Field 2. This was mentioned in the Design and Access Statement in that application but was not mentioned in the DMO Report for the eventual refusal. In all the applications Mr Doherty has made since 2022 it was clear that his intention was to position a small farm building, within the limitations of “Permitted Development”, on the field to the east of No 18, Number 3 on the farm map. The structural elements and the cladding for this building are stored on Mr Doherty’s property in readiness for this. The field is quite steep, with areas of filled ground, and has drainage pipes running

through it to the stream at the lane. The farm building would have lighter loadings for foundations on a sloping site so construction standards would be less severe. Access by agricultural vehicles rather than domestic traffic would also be easier to accommodate.

This compelled Mr Doherty to re-apply for his first choice of site which will be the only farm field available adjacent to the present farm cluster.