

<b>Title of Report:</b>	<b>Planning Committee Report – LA01/2023/0580/F</b>
<b>Committee Report Submitted To:</b>	<b>Planning Committee</b>
<b>Date of Meeting:</b>	<b>24<sup>th</sup> September 2025</b>
<b>For Decision or For Information</b>	<b>For Decision – Referred Application by Cllr Tanya Stirling</b>

<b>Linkage to Council Strategy (2021-25)</b>	
Strategic Theme	Cohesive Leadership
Outcome	Council has agreed policies and procedures and decision making is consistent with them
Lead Officer	Development Management and Enforcement Manager

<b>Estimated Timescale for Completion</b>	
Date to be Completed	

<b>Budgetary Considerations</b>	
Cost of Proposal	Nil
Included in Current Year Estimates	N/A
Capital/Revenue	N/A
Code	N/A
Staffing Costs	N/A

<b>Legal Considerations</b>	
Input of Legal Services Required	NO
Legal Opinion Obtained	NO

<b>Screening Requirements</b>	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:

<b><u>No:</u></b>	<b>LA01/2023/0580/O</b>	<b><u>Ward:</u></b>	<b>Torr Head and Rathlin</b>
<b><u>App Type:</u></b>	<b>Outline</b>		
<b><u>Address:</u></b>	<b>Site Between 56 &amp; 58 Ballykenver Road, Armoy, BT53 8TR</b>		
<b><u>Proposal:</u></b>	<b>Single new infill dwelling (part 2 storey &amp; part 1.5 storey) with extended garage and covered area, associated siteworks and alterations to existing shared entrance.</b>		
<b><u>Con Area:</u></b>	<b>N/A</b>	<b><u>Valid Date:</u></b>	<b>01.06.2023</b>
<b><u>Listed Building Grade:</u></b>	<b>N/A</b>		
<b>Agent:</b>			
<b>Applicant:</b>	<b>Stephen McCooke</b>		
<b>Objections: 0</b>	<b>Petitions of Objection:</b>	<b>0</b>	
<b>Support: 0</b>	<b>Petitions of Support:</b>	<b>0</b>	

## **EXECUTIVE SUMMARY**

- Full planning permission is sought for an infill dwelling (part 2 storey & part 1.5 storey) with extended garage and covered area, associated siteworks and alterations to existing shared entrance in accordance with Policy CTY 8 (Ribbon Development).
- The application site is located outside of any settlement development limits as identified in the Northern Area Plan (NAP) 2016. The site is not subject to any specific environmental designations.
- The principle of development is considered unacceptable having regard to Policy CTY8 as the proposal fails to meet with the provisions for infill dwellings as the application site is not sited within a small gap site within an otherwise substantial and continuously built-up frontage.
- The principle of development is not considered acceptable under Policy CTY 13 and CTY 14.
- It has not been demonstrated that a safe and convenient access can be provided with car parking and circulation within the site.
- The application is recommended for Refusal.

**Drawings and additional information are available to view on the Planning Portal- <https://planningregister.planningsystemni.gov.uk>**

## **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 on in the curtilage of 58 Ballykenver Road, Armoy.
- 2.2 This site is situated on the Ballykenver Road to the west of Armoy. The site is essentially part of the wider curtilage of 58 Ballykenver Road which has been subdivided by timber fencing around the dwelling at 58. The west boundary is defined by a hedge to the neighbouring lane for 56 Ballykenver Road. There is an existing access at the southwest with the road and a low solid wall to the remaining boundary with the road. There is a timber fence between the existing garage with the rest of the site behind the timber fence. The north boundary is defined by a post and wire fence with the field to the north. There is a timber fence and a large shed on the neighbouring boundary to the rear.
- 2.3 58 Ballykenver Road which is identified in the blue line on the location map is a semi detached one and a half storey dwelling with neighbouring 60 Ballykenver. The site is an area surrounded by fields with a rural character. The wider area is rural in nature and characterised by agricultural lands and single rural dwellings and farm holdings.

- 2.4 The application site is located outside of any settlement development limits as identified in the Northern Area Plan (NAP) 2016. The site is not subject to any specific environmental designations.

### **3 RELEVANT HISTORY**

None

### **4 THE APPLICATION**

- 4.1 Full Planning Permission is sought for an infill dwelling and garage. The application site is located within the curtilage of 58 Ballykenver Road and incorporates the existing detached single garage. This proposal for a new two storey dwelling is shown extending from the existing garage to the side and rear of 58 Ballykenver Road. The existing garage is linked to the proposed dwelling by a proposed garage and a covered area. The proposed finishes to the dwelling include white render walls and dark grey concrete roof tiles.

### **5 PUBLICITY & CONSULTATIONS**

- 5.1 DFI Roads: Request further information.  
Environmental Health: No objection  
NI Water: No objection  
NIEA Water Management Unit: No objection  
DfI Rivers Agency: No objection

### **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 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.

6.6 All material considerations and any policy conflicts are identified in the “Considerations and Assessment” section of the report.

## **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.](#)

[PPS 3: Access, Movement and Parking.](#)

[PPS 21: Sustainable Development in the Countryside.](#)

Supplementary Planning Guidance

[Building on Tradition: A Sustainable Design guide for Northern Ireland.](#)

## **8 CONSIDERATIONS & ASSESSMENT**

- 8.1 The main consideration in the determination of this application relate to the Principle of Development, Integration and Rural Character, HRA, Sewerage Disposal and Access Movement and Parking.

### **Principle of Development**

- 8.2 The policies outlined in paragraph 6.73 of the SPPS and Policy CTY 1 of PPS 21 state that there are a range of types of development which are considered acceptable in principle in the countryside. Other types of development will only be permitted where there are overriding reasons why that development is essential and could not be located in a settlement, or it is otherwise allocated for development in a development plan. The application was submitted for an infill dwelling within a gap, and therefore falls to be assessed under paragraph 6.73 of the SPPS and Policy CTY 8 of PPS 21.
- 8.3 Paragraph 6.73 of the SPPS and Policy CTY 8 of PPS 21 states that planning permission will be refused for a building which creates or adds to a ribbon of development. An exception within this policy will be permitted for the development of a small gap site sufficient only to accommodate up to a maximum of two houses within an otherwise substantial and continuously built-up frontage and provided these respects the existing development pattern along the frontage in terms of size, scale, siting and plot size and meets other planning and environmental requirements. For the purpose of this policy the definition of a substantial and built-up frontage includes a line of three or more buildings along a road frontage without accompanying development to the rear.
- 8.4 The application proposes to subdivide the curtilage of 58 Ballykenver Road. To the east of the application site there is a pair of semi detached dwellings at 58 and 60 Ballykenver Road.

To the north west of the application there is a detached bungalow at 56 Ballykenver Road.

- 8.5 Nos 58 and 60 Ballykenver Road have direct plot frontages onto Ballykenver Road. A detached garage is located to the side of the No. 58 Ballykenver Road and at the front of the application site. No. 56 Ballykenver Road does not have a plot frontage onto Ballykenver Road as the property is set a substantial distance from the road, only the access has a frontage and does not contribute to a substantial and continuous built up frontage.
- 8.6 There are three buildings with frontage to the Road, Nos 60, 58 and its garage.
- 8.7 There is no existing gap as the proposed development is sought to the rear of the existing garage. Given the presence of a garage on the site, the application site does not exist as a gap within this substantial and continuously built-up frontage. Appeal Ref 2024/A0099 is of relevance.
- 8.8 The site lies to the rear of a residential property and a garage. The drawings show the proposed dwelling extending behind No 58 and the garage. This cannot be considered a gap site within the meaning of CTY 8. The dwelling is not accommodated in a gap site within an substantial and built up frontage, it is wholly located to the rear, nor does it respect the existing development pattern along the frontage, the size, siting and plot size.

### **Integration & Rural Character.**

- 8.9 Policy CTY 13 states that permission will be granted for a building in the countryside where it can be visually integrated into the surrounding landscape and it is of an appropriate design.



8.10 This full application shows a dwelling that is substantially larger in size than the existing dwellings at this location. The dwelling is shown with a frontage of 15.5 metres and a height of 7.4 metres the elevation from the west is 28.7 metres including the existing garage and the proposed link. The proposed siting and design does not have a satisfactory relationship with 58 Ballykenver Road, in that it substantially reduces the amenity space and the proposed dwelling would look into the rear amenity space of 58. The site is open to the road at the access and visible over the low wall. The sites lacks natural boundaries to the rear and at the timber fences within the curtilage and would rely primarily on the use of new landscaping for enclosure and integration. The proposal fails to comply with Paragraph 6.70 of the SPPS and Policy CTY13 of PPS21.

8.11 CTY 14 states that planning permission will be granted for a building in the countryside where it does not cause a detrimental change to, or further erode the rural character of an area. A new building will be unacceptable where:

- a) It is unduly prominent in the landscape
- b) It results in a suburban style build up of development when viewed with existing and approved buildings
- c) It does not respect the traditional pattern of settlement exhibited in that area
- d) It creates a ribbon of development
- e) The impact of ancillary works (with the exception of necessary visibility splays) would damage rural character

8.12 The proposed development would result in a suburban style build up development when viewed with existing and approved buildings. This type of backland development is more typical of urban development.

8.13 As outlined above, the proposal does not represent the infilling of a small gap site. The subdivision of an existing curtilage and the addition of a new dwelling on this site fails to respect the

traditional pattern of development within the area and consequently the proposal fails criterion (c) of CTY14.

### **Habitat Regulations Assessment**

- 8.14 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). The proposal would not be likely to have a significant effect on the features, conservation objectives or status of any of these sites.

### **Sewerage Disposal**

- 8.15 Policy CTY 16 of PPS 21 – Development relying on non-mains sewerage, applies; Planning permission will only be granted for development relying on non-mains sewerage, where the applicant can demonstrate that this will not create or add to a pollution problem.
- 8.16 The applicant proposes to discharge to a septic tank. Environmental Health and Water Management Unit have been consulted and are content therefore the proposal complies with CTY 16 of PPS 21.

### **Access Movement and Parking**

- 8.17 Planning Policy Statement 3 relates to vehicular and pedestrian access, transport assessment, and the protection of transport routes, and parking. Policy AMP2 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.

8.18 The site plan (Drawing 02) indicates the use of the existing access for the proposed new dwelling. Drawing 02 indicates a new access onto the Ballykenver Road for the existing dwelling at 58 however this is outside the application site. The Ballykenver Road is not a Protected Route. DFI Roads was consulted on the proposal and responded requesting amended plans to show visibility splays of 2 x 70 metres. DFI Roads requested a plan to show works to indicate the set back of the wall and three pillars within the splay and turning space plus two parking spaces for each property. Though requested the plans were not submitted and it has not been demonstrated that a safe access is achievable at this location.

## **9 CONCLUSION**

- 9.1 The application site fails to meet with Policy CTY 8 as the application site does not present a small gap within a substantial and continuously built up frontage. The proposed dwelling does not respect the existing character and surrounding pattern of development.
- 9.2 The proposal does not meet with any of the exceptional circumstances for development in the countryside, and no overriding reasons have been provided as to why development is necessary at this location. Refusal is recommended.

## **10 REFUSAL REASONS**

- 1. The proposal is contrary to SPPS Para 6.73 and Policy CTY 1 of Planning Policy Statement 21, Sustainable Development in the Countryside in that there are no overriding reasons why this

development is essential in this rural location and could not be located within a settlement.

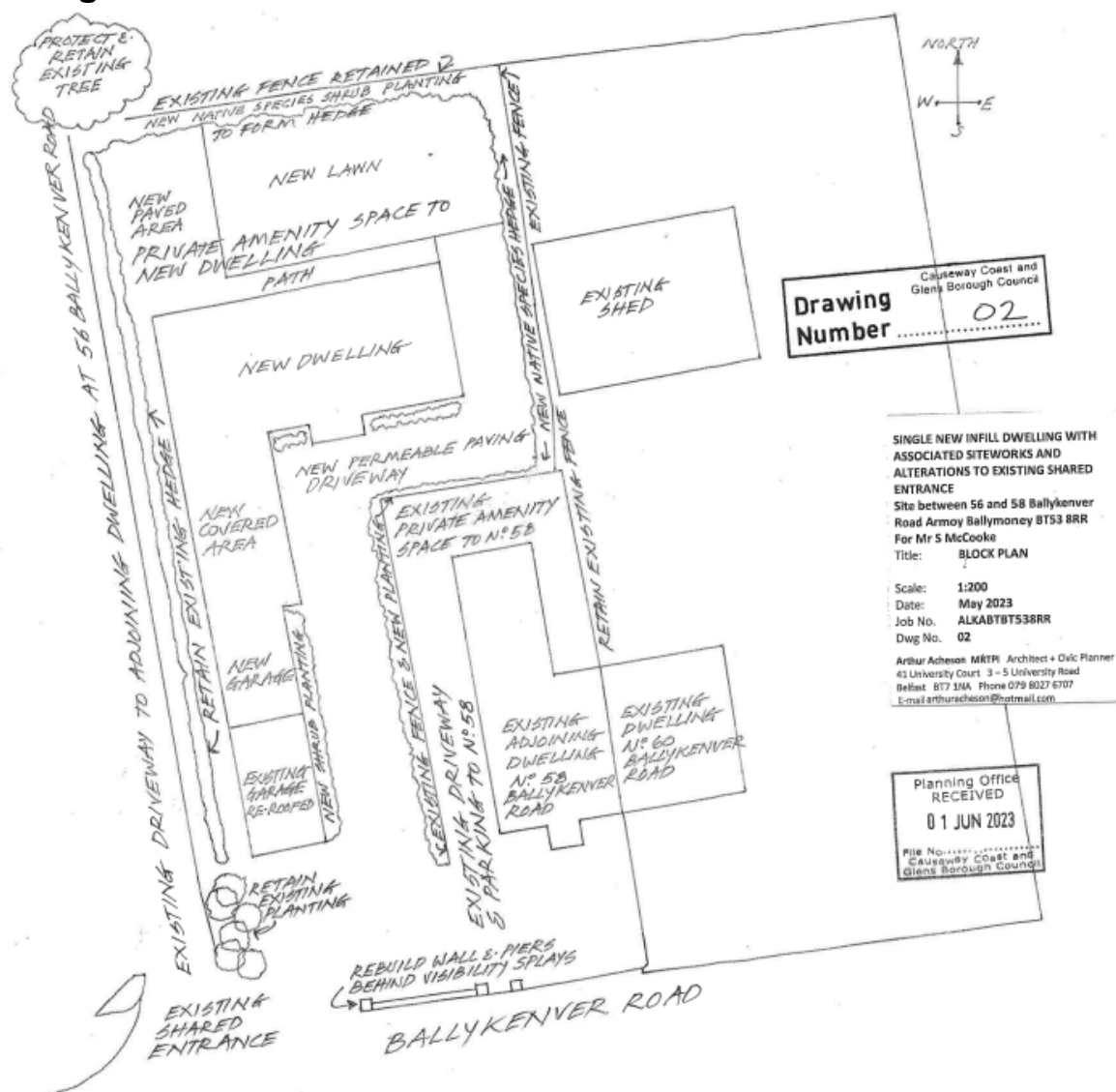
2. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement paragraph 6.73 and Policy CTY 8 of Planning Policy Statement 21, in that the application site does not constitute a gap within an otherwise substantial and continuously built up frontage.
3. The proposal is contrary to Paragraphs 6.70 and 6.73 of the Strategic Planning Policy Statement for Northern Ireland and Policy CTY 13 of Planning Policy Statement 21: Sustainable Development in the Countryside in that the application lacks long established natural boundaries and is unable to provide a suitable degree of enclosure (b) and relies primarily on the use of new landscaping for integration (c).
4. This proposal is contrary to paragraph 6.70 in the Strategic Planning Policy Statement and Policy CTY 14 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that if the dwelling were to be approved it result in a suburban style build up of development when viewed with existing buildings and does not respect the traditional pattern of settlement within the area.
5. The proposal is contrary to Policy AMP 2 of Planning Policy Statement 3 in that it has not been demonstrated that the access will not prejudice road safety or that adequate parking and car circulation can be provided within the curtilage of the site.

## Site Location

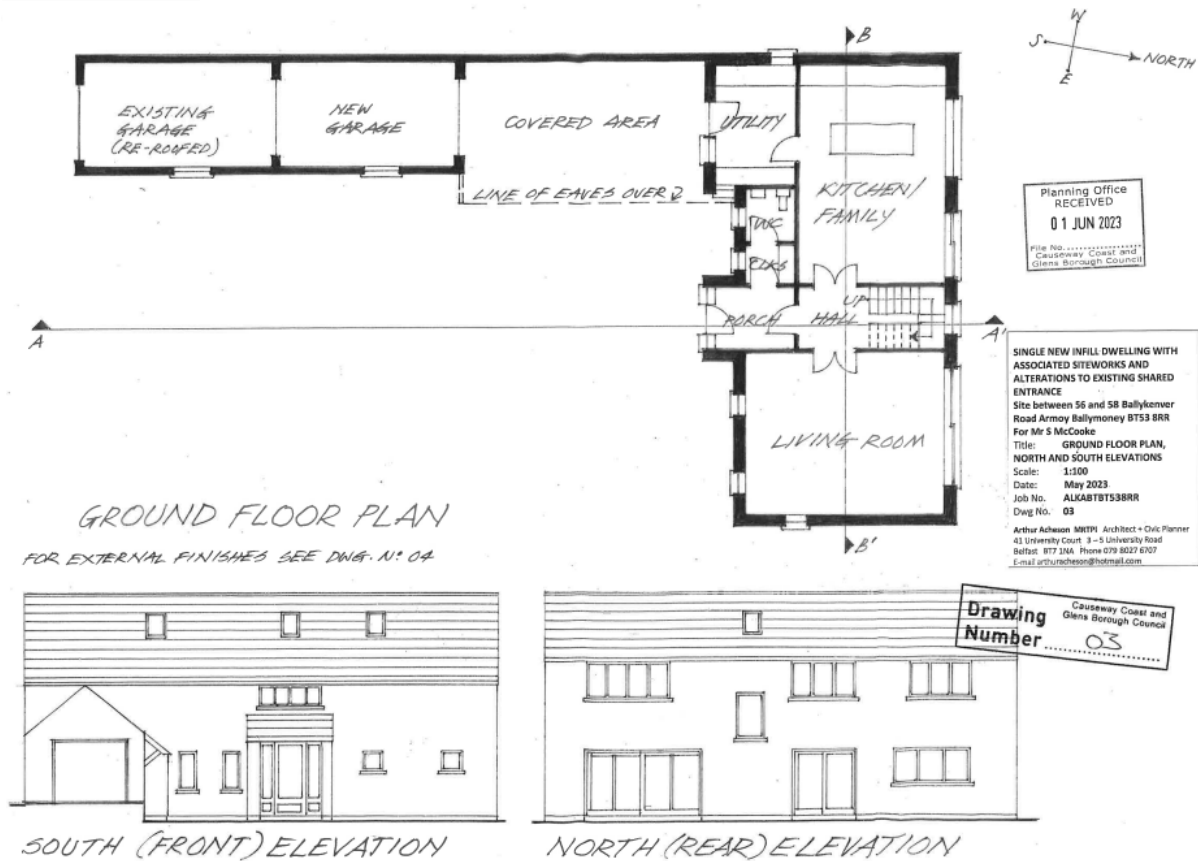
### Drawing 01



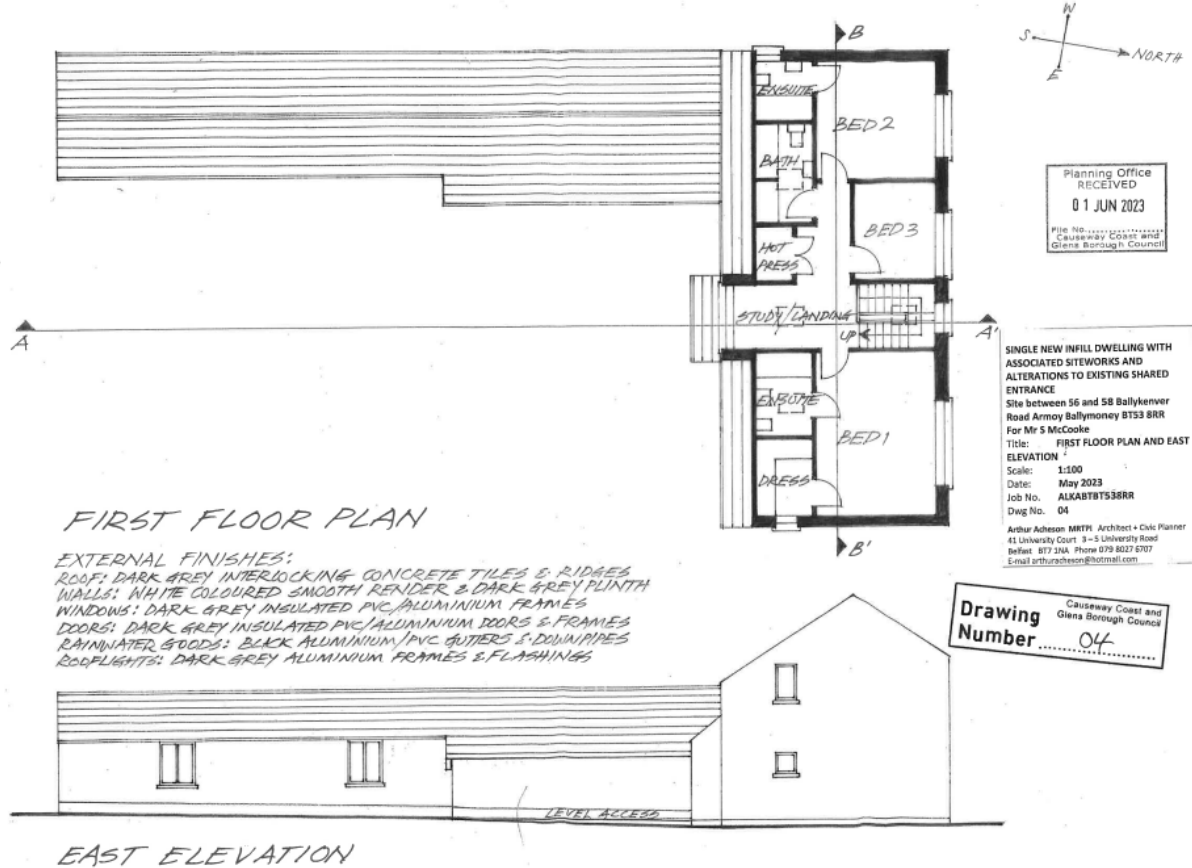
## Block Plan Drawing 02



## Ground Floor Plan & South and North Elevations Drawing 03



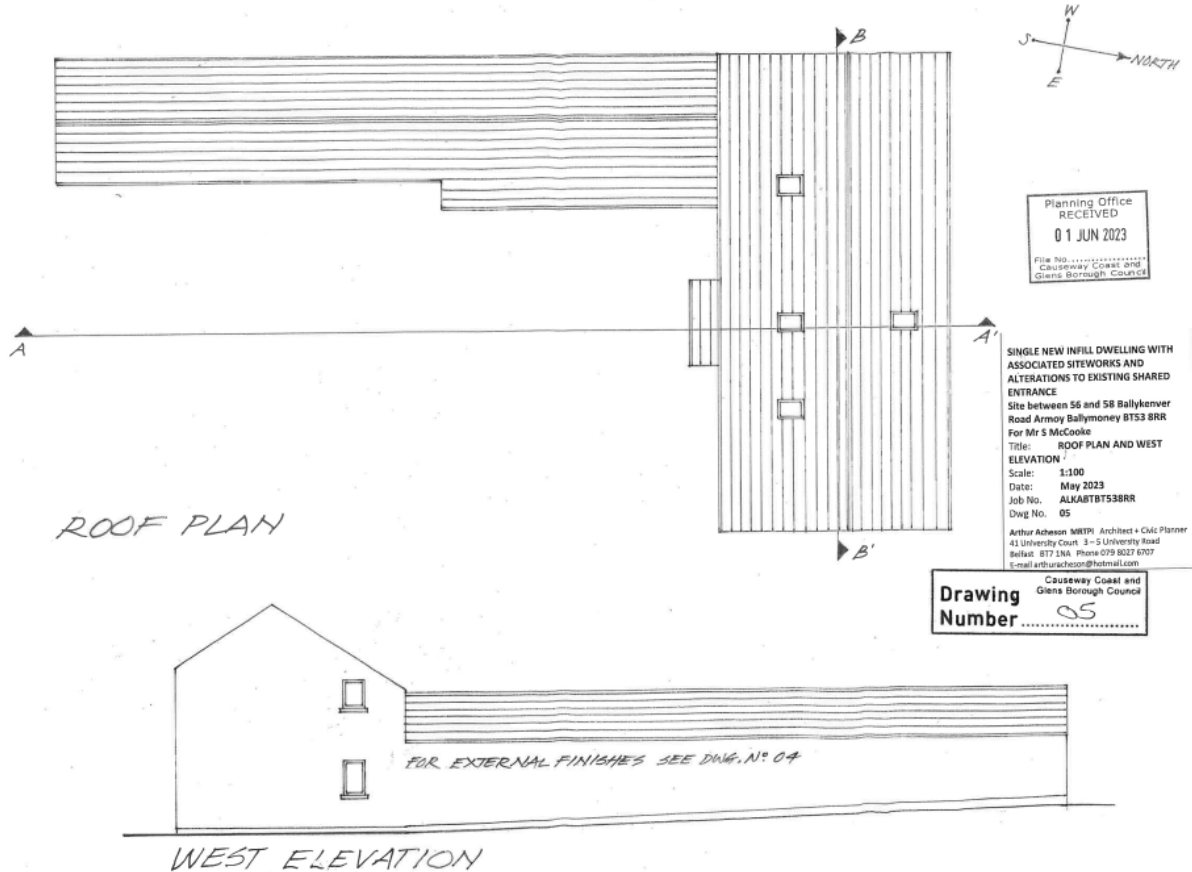
# First Floor Plan & East Elevation Drawing 04





## Roof Plan & West Elevation

### Drawing 05



## Sections A-A & B-B

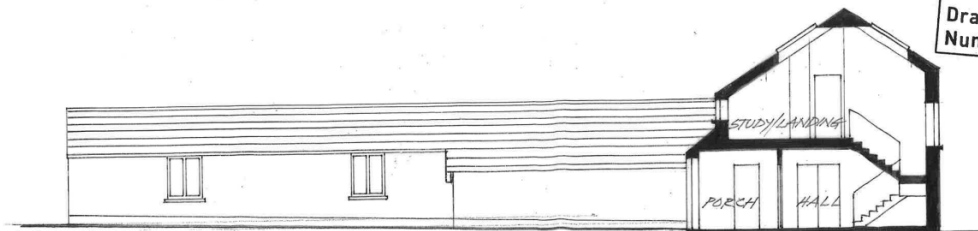
### Drawing 06



SECTION B-B' (SEE PLANS)

Planning Office  
RECEIVED  
01 JUN 2023  
File No. ....  
Causeway Coast and  
Glens Borough Council

SINGLE NEW INFILL DWELLING WITH  
ASSOCIATED SITEWORKS AND  
ALTERATIONS TO EXISTING SHARED  
ENTRANCE  
Site between 56 and 58 Ballykenver  
Road Arroy Ballymoney BT53 8RR  
For Mr S McCooke  
Title: SECTION B - B' AND  
SECTIONAL ELEVATION A - A'  
Scale: 1:100  
Date: May 2023  
Job No. ALKABT538RR  
Dwg No. 06  
Arthur Acheson MRTP Architect + Civic Planner  
41 University Court 3 - 5 University Road  
Belfast BT7 1NA Phone 019 8027 9707  
e-mail arthuracheson@hotmail.com



SECTIONAL ELEVATION ON LINE A-A' (SEE PLANS)

Drawing  
Number 06  
Causeway Coast and  
Glens Borough Council

## Referral Request

Planning Reference LA01/2023/0692/O  
Elected Member Name Tanya Stirling

Tanya.Stirling@causewaycoastandglens.gov.uk

### 1. POLICY

The relevant Policy Is Planning Policy Statement PPS 21, CTY8. Policy CTY8 Justification and Amplification Paragraph 5(33) confirms that a ribbon of development includes buildings that are set back from the road but which include a frontage onto the road or visibility from the road. The Policy permits an infill dwelling that does not extend the ribbon of development.

### 2. FAILURE TO ACKNOWLEDGE POLICY

Planning Officials have failed to acknowledge that in this case there is an existing ribbon of development of 3 or more buildings. There are 4 buildings in the existing ribbon, namely:

No. 56,

a garage,

No. 58 and

No. 60.

The proposal incorporates and continues the use of the garage between No. 56 and No. 58. No. 56 is set further back from the road than the other buildings. No. 56 is visible from the road and its frontage onto the road includes its gate posts.

### 3. COMPLIANCE

The proposed dwelling complies with Planning Policy, it is within the existing ribbon of development and does not extend it, access requirements of DfI Roads service can be met and all other material considerations fulfilled. It should therefore be approved.