

Implementation Date: 04 February 2026

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.

Planning Reference	LA01/2024/1283/O
Name	Matt Kennedy
Contact Details	Tel: _____ Email: _____
Support or Objection – please tick relevant box	Support <input checked="" type="checkbox"/> Objection <input type="checkbox"/>
<p>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).</p> <p>Chair/Clrs thank you for the opportunity to address the Planning Committee (PC) on this planning application.</p> <p>You will have already heard our issues with the original PC Report and Planning's failure to pick up on the planning history of Mr Graham's existing stables, have not shown the stables on the PC site location plan and the failure to upload our submitted Visual Photo Montage of the built up frontage along Dunboe Road onto the Planning Portal or into the PC Report.</p> <p>These are some of the reasons why we requested that the PC carry out a site visit and familiarise themselves with the substantial built up frontage at this location.</p> <p><u>Refusal 1</u></p> <p>In terms of the three recommended refusal reasons Reason 1 is a “catch all” refusal reason and if the application is considered to comply with planning policy and in particular Policy CTY 8 then this refusal reason must fall.</p> <p><u>Refusal 3</u></p> <p>Reason 3 is again a “catch all” refusal as if the proposal is considered to be an appropriate</p>	

gap site for two infill dwellings in accordance with Policy CTY 8 then again this refusal reason also must fall.

Refusal 2.

It is clear that this is the substantive refusal reason in this planning application. A substantial and built up frontage is defined by Policy CTY 8 as a line of 3 or more buildings along a road frontage. It is clear from the Photo Montage submitted along Dunboe Road that both the existing two storey house and the substantial garage building to the side of No. 30 both have frontage onto Dunboe Road.



Photo MK1 - No. 30 Dunboe Road and outbuilding to rear of No. 30 Dunboe Road.

It is also clear that the existing house and detached garage at No. 36 also both have frontage onto Dunboe Road.



Photo MK2 – No. 36 Dunboe Road and garage to rear visible from Dunboe Road.

These existing garages/outbuildings have their own frontage and are clearly visible along Dunboe Road and contribute to the substantially built up frontage at this location.

Finally the existing stables/store on Mr Graham's property contributes the fifth building to this built up frontage onto Dunboe Road.



Photo MK3 - Mr Graham's Shed/Stables and Mobile home north of No. 36 Dunboe Road.

This stables/store has now been erected for over two years, it is located side on to Dunboe Road but it has its own vehicular access and frontage and it is clearly visible and contributes to the built up frontage at this location. This is clearly the fifth building along this built up frontage and therefore fully complies with Policy CTY 8. Mr Graham's stables has the same setback off Dunboe Road as the dwelling and garage at No. 30, and the garage at No. 36 and this is a traditional characteristic of frontage development along this section of Dunboe Road. The stables frontage and vehicular access clearly extends to the Dunboe Road, it is within its curtilage and must be considered as the fifth building along this built up frontage. Mr Graham has also a house approved in the front field so this existing substantial built up frontage will be further extended when this house is constructed.

I also attach two PAC decisions (**Planning Appeals 2017/A0109 and 2019/A0093**) to this Submission which support our contention that the subordinate garages/outbuildings should be counted as contributing to the built up frontage at this location.

In **Planning Appeal 2017/A0109** the Commissioner stated in Paragraph 5 of this planning appeal very clearly. **“There is no distinction within policy between main or “subordinate” buildings. “**

In **Planning Appeal 2019/A0093** the Commissioner states:

“ I note nothing in policy that distinguishes between in curtilage buildings such as the garage associated with No. 133 Tullybranningan Road, and individual road frontage buildings on separate plots. Consequently, the garage is a building with a frontage to the lane for the purposes of this policy.”

These appeal decisions clear support our case that the existing garages/outbuildings at No. 30/36 contribute to the built up frontage along this section of Dunboe Road.

The Planning Department has already confirmed at Paragraph 8.14 of the PC Report that the

application proposal visually integrates into the landscape and is in accordance with Policy CTY 13 considering the existing mature vegetation along the frontage which can be retained. The Planning Department confirm at Paragraph 8.15 that the proposal meets all the criteria set out in Policy CTY 14 apart from Criteria (d). However, if the proposal is accepted as an appropriate infill gap site for two infill dwellings in compliance with Policy CTY 8 then this refusal reason must also fall.

Therefore, for these reasons we request that the Planning Committee allow this planning application as it is an acceptable infill proposal within a closely built and substantial frontage of development.

Appeal Decision

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Appeal Reference:	2017/A0109
Appeal by:	Mr B Fry
Appeal against:	The refusal of outline planning permission
Proposed Development:	Site for 2 no. dwellings and garages (infill)
Location:	Land between 187 and 191 Portglenone Road
Planning Authority:	Antrim and Newtonabbey Borough Council
Application Reference:	LA03/2017/0117/O
Procedure:	Written representations and accompanied site visit on 20 December 2017
Decision by:	Commissioner D McShane, dated 2 January 2018.

Decision

1. The appeal is allowed and outline planning permission is granted, subject to the conditions set out below.

Reasons

2. The main issues in this appeal are:
 - whether the proposal is acceptable in principle; and
 - its impact on visual amenity and rural character.
3. Section 6 (4) of the Planning Act (NI) 2011 requires that the determination of proposals must be in accordance with the local development plan (LDP) unless material considerations indicate otherwise. The Antrim Area Plan 1984-2001 (AAP) operates as the LDP. It contains specific provisions for residential development in the countryside; however these are out of date and are not of determining weight. The appeal site is located outside any designated settlement development limit, therefore the relevant policy context is provided by Planning Policy Statement 21: Sustainable Development in the Countryside (PPS 21), which is identified by the Strategic Planning Policy Statement for NI (SPPS) as a retained policy document.
4. Policy CTY 1 of PPS 21 lists a range of types of development which in principle are considered to be acceptable in the countryside and that will contribute to the aims of sustainable development. A number of instances when planning permission will be granted for an individual dwelling house are outlined. The Appellant argues that the appeal proposal represents an infill opportunity in accordance with Policy CTY 8.
5. Policy CTY 8 entitled 'Ribbon Development' states that planning permission will be refused for a dwelling that creates or adds to a ribbon of development. Paragraph

5.32 states that ribbon development is detrimental to the character, appearance and amenity of the countryside. Notwithstanding that this form of development has been consistently opposed, policy goes on to state that an exception will be permitted for the development of a gap site. The amplification text at paragraph 5.34 is clear that the gap is between houses or other buildings and that an exception will be permitted, even where the gap provides relief and a visual break in the developed appearance of the locality that helps maintain rural character, providing four elements are met. Namely, the gap site must be within an otherwise substantial and continuously built up frontage; the gap site must be small; the existing development pattern along the frontage must be respected; and other planning and environmental requirements must be met.

6. The first step in determining whether an “infill” opportunity exists is to identify whether there is an otherwise substantial and continuously built up frontage present. For the purpose of policy this “includes a line of three or more buildings along a road frontage without accompanying development to the rear”. There is no distinction within policy between main or “subordinate” buildings. A building has a frontage to a road if the plot on which it stands abuts or shares a boundary with the road. The dwelling at No.191 and its detached garage, which stands to its side as well as No.187, stand on plots that abut Portglenone Road. The appeal proposal meets the first element that is required in order to qualify as an infill site.
7. The second element requires the gap site to be small. The gap between the garage at No.191 and No.187 (approximately 90m) is of a size sufficient to accommodate only the proposed two dwellings and their garages, while respecting the existing pattern of development along the road frontage, which varies in terms of size, scale, siting and plot size. I conclude that the appeal proposal meets the second and third elements that are required in order to qualify as an infill site.
8. The fourth step of the infill policy in CTY 8 that must be considered is whether the appeal proposal meets other planning and environmental requirements. In the context of this appeal, the Planning Authority is concerned about visual amenity and rural character.
9. Policy CTY 13 states that planning permission will be granted for a building in the countryside where it can be visually integrated into the surrounding landscape and is of an appropriate design. Travelling in both directions along Portglenone Road, views of the site are limited by the mature vegetation to the north and south. The vegetation combined with the buildings at No.191 and No.187 would be sufficient to provide a suitable degree of enclosure for two bungalows and their garages to integrate into the landscape. Accordingly, the Planning Authority has failed to sustain its third reason for refusal based upon Criteria (b) and (c) of Policy CTY 13.
10. Policy 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. The appeal dwelling would represent another incident of development in the area; however as it would be located within an existing substantially and continuously built up frontage as defined by policy, it would not create a ribbon of development or result in a suburban style build up of development when viewed with existing buildings. The Planning Authority has failed to sustain its second reason for refusal based upon Policy CTY 14.

11. The appeal proposal complies with the environmental and planning requirements under Policy 14; therefore I conclude that the fourth element required by Policy CTY 8 is met. As the appeal dwelling meets the four elements within Policy CTY 8 it qualifies as an exception under Policy CTY 1. Accordingly, the Planning Authority has failed to sustain its first reason for refusal based upon Policies CTY 1 and 8.
12. In the interest of visual amenity a landscaping scheme is required to be submitted. In the interest of rural character, it is necessary to attach a ridge restriction. In the interest of road safety visibility splays are required to be provided and permanently retained.

Conditions

- (1) Except as expressly provided for by Conditions 2 and 3, the following reserved matters shall be as approved by the Planning Authority – the siting, design and external appearance of the dwellings and the means of access thereto.
- (2) The ridge height of the two dwellings and garages shall not exceed 6.0m above existing ground level at the lowest point within their footprints.
- (3) Visibility splays of 2.4m by 150m shall be laid out on Portglenone Road before any building operations commence and shall be permanently retained thereafter.
- (4) No development shall take place until there has been submitted to and approved by the Planning Authority a landscaping scheme showing trees and hedgerows to be provided along the boundaries of the sites, the location, numbers species and sizes of trees to be planted within the sites during the first planting season after the dwellings are occupied. Trees or shrubs dying, removed or becoming seriously damaged shall be replaced during the next planting season with others of a similar size unless the Planning Authority gives written consent to any variation.
- (5) Application for approval of reserved matters shall be made to the Planning Authority before the expiration of three years from the date of this decision.
- (6) The development shall be begun before the expiration of 5 years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

This decision approves the following drawing:-

- Drawing No.01: Site Location Plan (Scale 1:2500)

COMMISSIONER DMCSHANE

List of Appearances

Planning Authority:-	Mr J Cairns (Antrim and Newtonabbey Borough Council)
Appellant:-	Mr I McClean (Planning Advisor Ltd) Mr B Fry

List of Documents

Planning Authority:-	"LA1" Statement of Case and Appendices "LA2" Rebuttal Statement
Appellant:-	"A1" Statement of Case and Appendices "A2" Rebuttal Statement

Appeal Decision

Park House
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Appeal Reference:	2019/A0093
Appeal by:	Mr N Dodds
Appeal against:	The refusal of outline planning permission
Proposed Development:	2 Infill dwellings
Location:	West of No 133 Tullybrannigan Road Newcastle
Planning Authority:	Newry Mourne and Down District Council
Application Reference:	LA07/2018/1995/O
Procedure:	Written representations and accompanied site visit on 20 th December 2019
Decision by:	Commissioner Helen Fitzsimons 30th December 2019

Decision

1. The appeal is allowed subject to conditions.

Reasons

2. The main issues in this appeal are whether the proposed development is acceptable in principle in the countryside and whether it would have an adverse impact on rural character.
3. The appeal site lies outwith any settlement or designation as defined by the Banbridge, Newry and Mourne Area Plan 2015 (BNMAP) the Local Development Plan which operates in the area where the appeal site lies. There are no plans or policies in the plan pertinent to the appeal proposal within BNMAP. The Strategic Planning Policy Statement for Northern Ireland (SPPS) retains the policies of Planning Policy Statement 21: Sustainable Development in the Countryside (PPS21) and consequently PPS 21 provides the relevant policy context for the appeal proposal. The appeal site also lies within the Mournes Area of Outstanding Natural Beauty (AONB).
4. Policy CTY 1 of PPS 21 states that there are a range of types of developments which in principle are considered to be acceptable in the countryside and that will contribute to the aims of sustainable development. One of these is a dwelling in accordance with Policy CTY 8 'Ribbon Development'. Policy CTY 8 states that planning permission will be refused for a building which creates or adds to a ribbon of development. However, it also includes the exception that 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 will be permitted. For the purposes of this policy the definition of a substantial and continuously built

up frontage includes a line of 3 or more buildings along a road frontage without accompanying development to the rear. It is under this aspect of Policy CTY 8 that the Council has raised objections.

5. Paragraph 5.33 of Policy CTY 8 of PPS 21 says that for the purposes of this policy a road frontage includes a footpath or private lane. The appeal site has frontage to a private lane which serves two dwellings and a farm complex. It is located between a dwelling and garage at No 131 Tullybrannigan Road and a dwelling at No 133 Tullybrannigan Road all of which have frontage to the lane. I note nothing in policy that distinguishes between in curtilage buildings, such as the garage associated with No 133 Tullybrannigan Road, and individual road frontage buildings on separate plots. Consequently the garage is a building with a frontage to the lane for the purposes of this policy. As there is a substantial and continuously built up frontage comprising a line of 3 buildings the proposed development meets the requirements of Policy CTY 8 of PPS 21. The Council has not sustained its first and second reasons for refusal based on the SPPS and Policies CTY 1 and CTY 8 of PPS 21.
6. Policy CTY 14 of PPS 21 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. It continues that a new building will be unacceptable in five stated cases one of which is (d) it creates or adds to a ribbon of development (see Policy CTY 8). As I have concluded that the proposed development is an infill opportunity under of Policy CTY 8 of PPS 21 it would also meet Policy CTY 14 of PPS 21 and it would not cause a detriment to rural character. The Council has not sustained its third reason for refusal based on Policy CTY 14 of PPS 21.
7. I note from the Design and Access Statement which accompanied the application for planning permission that the appellant proposes dwellings with restricted ridge heights and I consider a condition necessary to secure this in order to ensure that the new dwellings are not prominent features in the landscape. Given their AONB location which the appellant has acknowledged in his Design and Access Statement and his commitment to delivering dwellings of rural designs and finishes I consider that it is necessary and appropriate to require that the dwellings should be designed in accordance with the guidance set out in the Department's document 'Building on Tradition – A sustainable Design Guide for the Northern Ireland Countryside to reflect and respect their AONB location. Landscaping would allow the new dwellings to better integrate into the surrounding landscape and this would assist with protecting the visual amenities of the countryside.

Conditions

1. Except as expressly provided for by Condition 2 and 3 the following reserved matter shall be as approved by the planning authority – the siting of the buildings and the means of access thereto
2. The ridge height of the dwellings shall not exceed 6.45m from the lowest ground level within their footprints.
3. The design and materials of the dwellings shall be in accordance with Building on Tradition – A Sustainable Design Guide for the Northern Ireland Countryside

4. No development shall take place until there has been submitted to and approved by the planning authority a landscaping scheme showing the retention of and augmentation with new native species planting between the points A-B and B-C except for the access onto the lane and new native species planting between points C-D and D-E all as marked on attached annotated drawing PAC 1. The scheme of planting as finally approved shall be carried out during the first planting season after the commencement of the development. Trees or shrubs dying, removed or becoming seriously damaged within five years of being planted shall be replaced in the next planting season with others of a similar size and species unless the planning authority gives written consent to any variation.
5. Application for approval of the reserved matters shall be made to the planning authority before the expiration of three years from the date of this decision.
6. The development shall be begun before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

This decision is based on the 1:2500 scale site location plan and the 1:500 scale drawing entitled Proposed Access.

COMMISSIONER HELEN FITZSIMONS

2019/A0093

List of Documents

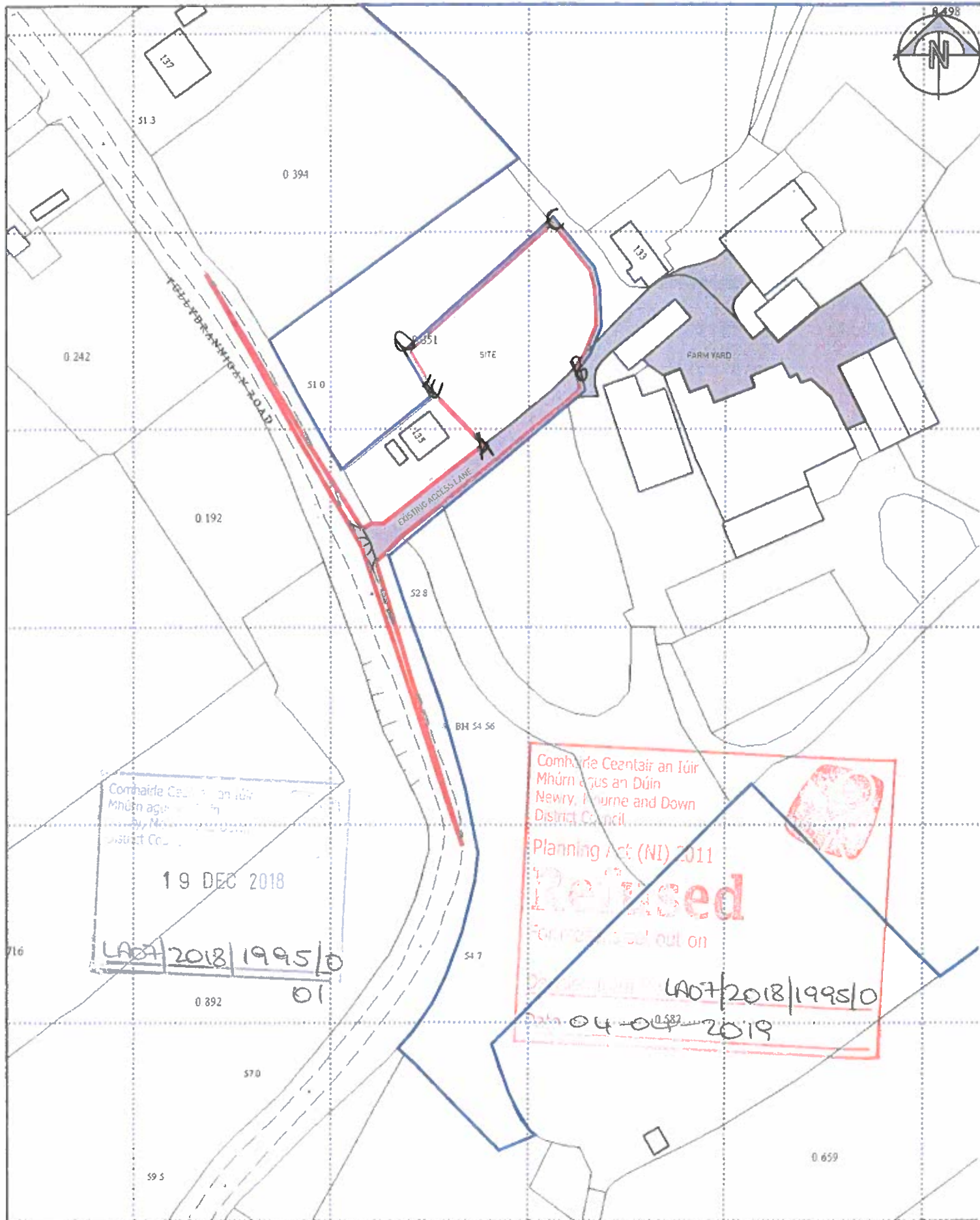
Planning Authority: - PA1 Written Statement and Appendices

Appellant: - A 1 Written Statement and Appendices
A2 Comments

Attendances

Planning Authority: - Ms C Moane

Appellant: - Mr B Hillen (Hillen Architects)



CLIENT
AMY SCOTT

PROJECT
INFILL DWELLINGS SOUTH WEST OF 133 TULLYBRANNIGAN ROAD NEWCASTLE

DRAWING NAME
LOCATION MAP

SCALE
1:1250

PROJECT NO
2018 1627

DATE
21/11/2018

DRAWN BY
AL - 01

STATUS
PLANNING



HILLEN
ARCHITECTS

ARCHITECTURE : DESIGN : PLANNING

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PAC1

