

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 with 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

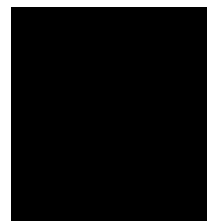
13/10/2009

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
 SO Standing Order
 T Transfer
 TC Transcash

BIC: ALEIGB22

IBAN: GB80 ALEI 7200 0173 0931 83

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 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

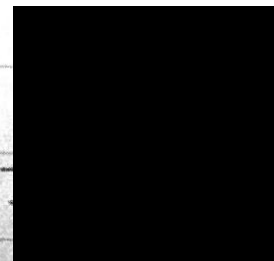
DC Construction

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
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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)

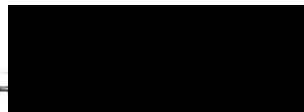
A	Time Ex Plant	C	Time Leaving Site
B	Time Arrived on Site	D	Time On Site
Day's Order This Mix	Delivered Through This Load	E Water and/or any other materials added on site YES <input type="checkbox"/> NO <input type="checkbox"/>	
		Description	

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 STRAID CONCRETE	Signature (of/on behalf of) Customer Signed 
--	---

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**
- 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.

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

16th April 2021

Ms Laura Christie
5 Carrowcrin Road
Armoy
BT53 8YL

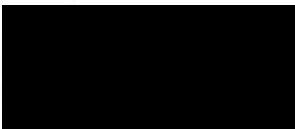
Dear Madam,

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 9th 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.

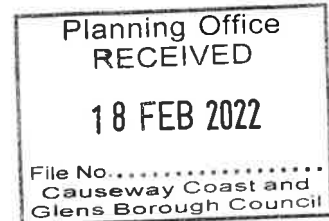
Your faithfully

Mr Dan O'Neill

Mrs Young
26 Fivey Road
Armoy
BT53 8UT

3rd 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

