

**Mark Smyth**

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**To:** planning@causewaycoastandglens.gov.uk  
**Subject:** APPLICATION REF LA01/2019/0923/O – SITE FOR DWELLING AT GLENHEAD ROAD BALLYKELLY

Hello Elected Member

**RE: APPLICATION REF LA01/2019/0923/O – SITE FOR DWELLING AT GLENHEAD ROAD BALLYKELLY**

On behalf of the applicant Vivian Whyte we would be grateful if you could take a little time to read over the accompanying papers prior to consideration of the application at the Committee on Wednesday. We will be attending the meeting to present this case to the Committee.

The key matters in support of the application are:

- The application has been submitted under Policy CTY6 Personnel and Domestic Circumstances. The applicant Vivian Whyte [REDACTED] [REDACTED] Medical evidence was submitted with the application from her medical team regarding her condition and the need for a dwelling.
- She currently lives with her mum and dad in the family home on the Glenhead Road It is not possible to convert the family home due to restricted space and it will not be possible for her to live there long term due to family commitments/circumstances.
- Vivian has a keen interest in horses and equestrian activities. The site when were the dwelling is at is the only other land that the family own and it is where her horses graze. He medical team has confirmed that a new modest sized house designed to meet her specific needs will give her a degree of independent living. This is encouraged by planning policy. It will also help with her [REDACTED] being beside her grazing horses.
- There are no other planning issues with this application. Roads have signed of the access and the planners are content that the site can accommodate a modest sized dwelling to meet Vivian's needs. The single issue is the principle of the proposal in relation to CTY 6 and the site specific need in relation to Vivian's living and health requirements.

Your consideration is much appreciated.

Regards

Mark

For and on behalf of

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**GM** Design Associates

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18<sup>th</sup> October 2019

Our ref: 2018280L/MS/SD/P4

Martin McErlain  
Causeway Coast and Glens Borough Council  
Planning Office  
Cloonavin  
66 Portstewart Road  
Coleraine  
BT52 1EY

architecture

planning

interior design

Dear Martin

**RE: SITE FOR DWELLING 80m WEST OF 100 GLENHEAD ROAD  
BALLYKELLY – REF LA01/2019/0923/O**

urban design

I refer to our recent correspondence regarding the above application and take the opportunity to provide further evidence to support the site specific case of need in response to the applicant – Vivian Whyte's - personal and domestic circumstances.

landscape  
architecture

Policy CTY 6 states that permission will be granted for a dwelling for the long term needs of the applicant, where there are compelling and site specific reasons for this related to the applicants personal or domestic circumstances subject to meeting the required criteria. This application fulfils the criteria as follows.

development  
consultants

**Criteria (a)**

To demonstrate Vivian's personal and domestic circumstances and the site specific need for a dwelling at this location we have provided medical evidence from Vivian's GP and Consultant [REDACTED] which highlights Vivian's [REDACTED] and [REDACTED] Vivian is [REDACTED] and suffers from [REDACTED]

project  
management

Vivian currently lives at the family home at 33a Glenhead Road circa 1 mile north of the application site. Given family commitments and future plans it will not be feasible or practical for her to continue to live here in the future (this is elaborated on in Criteria (b) below) hence the requirement for her own modest dwelling at the application site which would be designed and built to meet her specific needs.

cdm  
principal designer

Vivian's has a keen interest in equestrian activities. At the family home she has a stable block and riding/exercise arena for her horses. She currently has 4 horses which she interacts with and tends to on a daily basis. You will note from your site visit that her horses were grazing in the field at the application site. You will also note from the medical evidence provided by Vivian's GP and [REDACTED] that her interest in the horses has a positive impact on her [REDACTED]



Directors: William G L Gamble B.Sc (Hons) MSc Dip Urban Design MRTPI Derek Logue BA (Hons) Arch, Dip Arch, RIBA, IMaPS

Consultant: W J D Robinson BSc (Hons) MSc MRTPI

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vat no. 393 646711

Given that in the future it will no longer be feasible for Vivian to continue to live at the family home she is seeking permission to build a modest dwelling on the small field owned by her father Danny. This field is the only land outside of the curtilage of No 33a that is owned by the family and it is where her horses graze. This proposal will enable her to continue to avail of the continuing level of care she requires but importantly also benefit from a greater degree of independent living and continue to have access to her horses, particularly when they are close by and grazing on the land adjacent to the application site.

The supporting evidence from Vivian's health care professionals make reference to the quality of life and wellbeing she will have with a purpose designed dwelling with a greater degree of independent living yet close to her horses and family. It is clear in this case that genuine hardship would be caused to Vivian if planning permission was refused.

#### **Criteria (b)**

There are no alternative accommodation options at the family home or within its curtilage to meet Vivian's specific circumstances and accommodation needs. Vivian's father and brother run the family vehicle repairs business and the 3 garages and the vehicle circulation and parking area associated with the business are located within the curtilage of the property. As referenced above, Vivian's stables and riding area are also located within the curtilage of No 33a. There is therefore no scope within the curtilage of the existing dwelling to provide a purpose built extension or annex that would comply with [REDACTED] OT adaption space standards and requirements (both internal and external) to cater for Vivian's accommodation needs. There are no other buildings within the site that would be suitable for conversion or reuse and the use of a mobile home within the site is clearly not a feasible option given Vivian's [REDACTED]

Vivian's father has informed me that the families' plans for the future involve the vehicle repairs business and home being signed over to Vivian's brother and he and his young family will live in No 33a. This process has already commenced with the garages already in his name. Vivian's brother has [REDACTED]

[REDACTED] Given the site constraints and the family situation there is no opportunity to extend the existing dwelling. As Vivian's brother and family will move into the dwelling it is not possible to adapt it to accommodate Vivian's specific accommodation and medical needs. In any case given her brother's own family situation it will not be suitable for Vivian and her brother and his family to live together in that environment.

Having regard to the circumstances there is a strong and genuine need for a modest dwelling nearby at the application site where Vivian can have a degree of independence and still interact with her horses, which as referenced in the medical evidence, is beneficial to her overall mental health and wellbeing. If permission was refused this would have a detrimental impact on Vivian's welfare and in all likelihood she would have to move into a facility that could cater for her medical and health requirements thereby removing her independence or alternatively try and

relocate to a purpose built property within a settlement. [REDACTED]  
[REDACTED] Both scenarios would dramatically restrict the interaction she has with her horses and having regard to the submitted medical evidence would clearly impact negatively upon her [REDACTED]. Genuine hardship would undoubtedly be caused – not only for Vivian but also for her family as a result of the [REDACTED] this situation would cause.

Policy CTY 6 is geared up to facilitate the social wellbeing of the applicant when there are genuine personal and domestic circumstances and a site specific need at the heart of the application – subject off course to meeting all other relevant planning requirements. Vivian's personal and domestic circumstances and the site specific reasons for this application are fully compliant with the spirit and intent of the policy.

#### **The SPPS – A dwelling where there are personal and domestic circumstances**

The SPPS states that provision should be made for a dwelling to meet the long term needs of a person where there are compelling and site specific reasons related to the person's personal or domestic circumstances, and where there are no alternative solutions to meet the circumstances of the case. This application is fully in accordance with the criteria from the SPPS in terms of establishing the principal of need.

Unlike CTY 6 the SPPS does not make reference to the requirement to demonstrate that genuine hardship would be caused if planning permission was refused. However, clearly in this case genuine hardship would be caused.

Yours sincerely

Mark Smyth  
For and on behalf of  
**GM DESIGN ASSOCIATES**



[REDACTED]  
[REDACTED] (1st Floor)  
Roe Valley Hospital  
24D Benevenagh Drive  
Limavady  
BT49 0AQ

Telephone: [REDACTED]

29 May 2019

**Private & Confidential**

**To Whom It May Concern**

**RE: Miss Vivian Whyte, 33a Glenhead Road, Ballykelly, Limavady, BT49 9JS,**

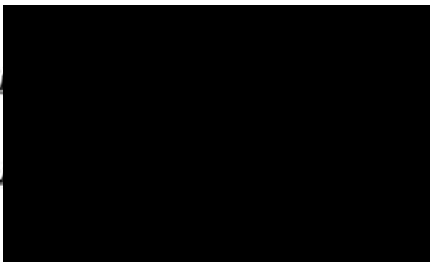
[REDACTED]  
The above lady is currently under the care of [REDACTED]

I understand her family are seeking planning permission for a bungalow for her near their home, where she could be more independent but still have the support of family and access to her horses.

I would fully support this and believe it would be most beneficial to her overall [REDACTED]

Yours faithfully


[REDACTED]



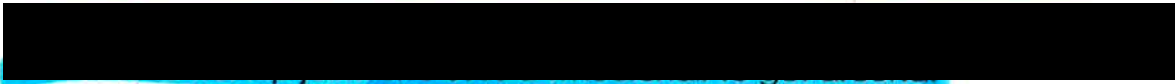
25 June 2019

TO WHOM IT MAY CONCERN

RE:


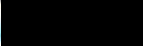

Ms Vivian Whyte  
33a Glenhead Road  
Ballykelly  
BT49 9JS  
Date of Birth 

This lady is a patient of our practice. She has requested a medical letter to help with a planning application



She also has had   
 for this which is likely to  
be needed long term. She attends follow up with the  team.

She has horses which appear to have a beneficial effect on her 

In my opinion a bungalow would be needed because of her   
issues and being close to family and horses would benefit her   


Yours faithfully



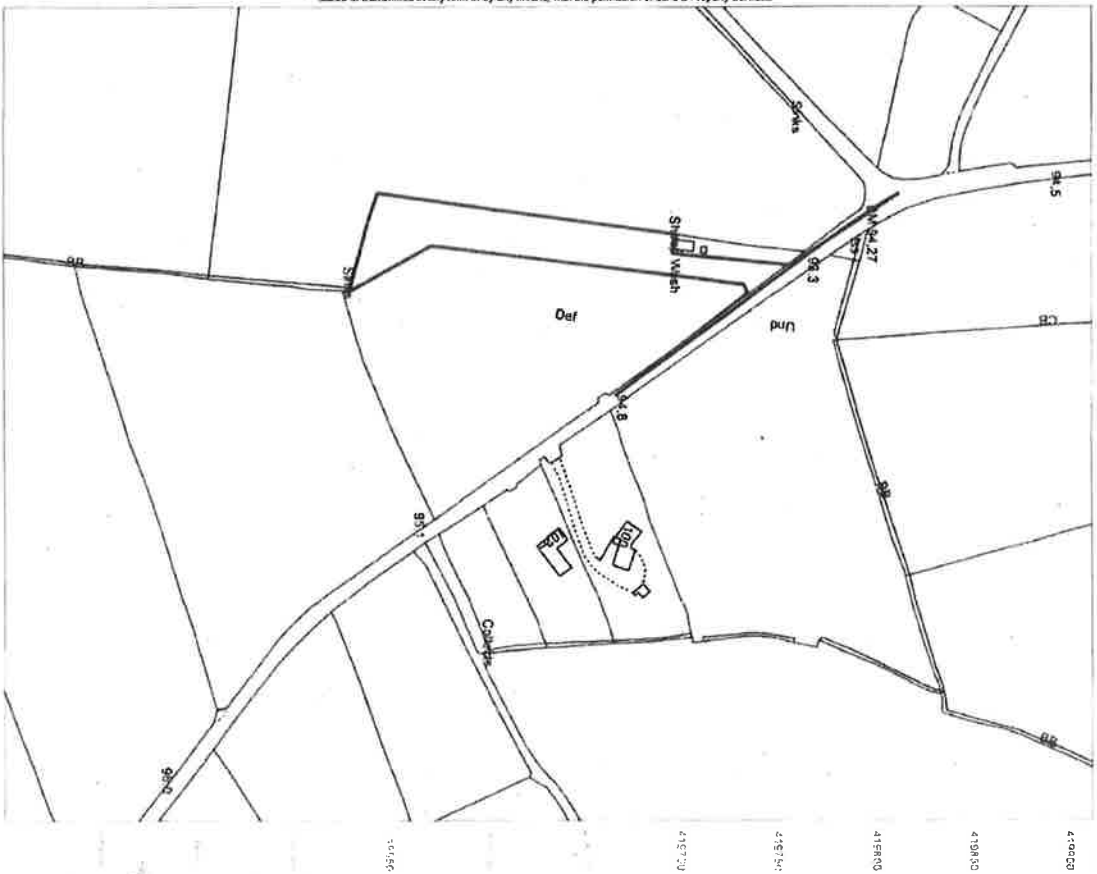
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APPLICATION SITE  
 VISIBILITY SURVEY AND ROAD FORM  
 PROPOSED ACCESS 7m x 70m

**PLANNING ISSUE**

SITE FOR DWELLING  
 LAND NORTH WEST OF 700 GLENHEAD ROAD  
 BALLYMELLY

LOCATION MAP

Scale	Date	Drawn	Checked	Scale	Date
1:2500	AUG 18	JR	JR	1:2500	AUG 18

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