

Addendum and Erratum

LA01/2018/0566/O

Update

Further information was submitted by the agent raising a number of points.

The agent was disappointed in the lack of communication and opportunity to discuss the planning concerns during the processing of the application. Planning would advise that the application was processed in line with the Efficient Development Management Guidance note. It states that proposals that are fundamentally unacceptable in planning terms are progressed to the contentious list at the earliest appropriate opportunity.

The agent queried the number of objections. To clarify Paragraph 5.1 of the Planning Committee report should include the following:

Three (3) No objections were received from 2 No. properties;

The following issues were raised:

- No existing right of way for any additional properties, or at the proposed entrance
- Impact on privacy
- Roads safety at the access
- Concern with damage to the laneway
- Devaluation of property
- Overbearing and visually intrusive
- Impact from noise

The Planning Committee report assesses the potential impact from overlooking and the proposed setting in paragraphs 8.9 and 8.15. This is an outline application and no details on design are available.

DFI Roads were consulted as part of the application process and commented on the points raised by the objectors. DFI Roads have no objection and advise that adequate visibility splays can be achieved in both directions.

Environmental Health were consulted and raise no concern in relation to noise. Conditions were proposed in relation to the working hours for the construction

The purpose of Planning is set out in the SPPS. It states that it does not exist to protect the private interests of one person against the activities of another.

Right of ways and ownership of land are a civil matter and any developer is required to satisfy themselves that they have the appropriate control of land to enable any proposed development.

The agent advises that this is a historic node and historic road network which development has been approved around. The application has been considered under current policies including Policy CTY 2a as set out in the Planning Committee Report.

The agent refers to 4 dwellings approved on the laneway. These properties were approved under previous policies in the Rural Planning Strategy for Northern Ireland which have been superseded.

The agent raises concern that the consideration does not refer to the historic setting of the previous building on site. Replacement of the footing was considered under planning application listed in paragraph 3 of the Planning Committee report and recommended for refusal. The current application has assessed the proposal under Policy CTY 2 as mentioned above. There is no building to be replaced and whilst historically there was evidence of a building in the application site it does not meet with current planning policy.

Recommendation

That the above refusal reason is accepted and added as a further reason for refusal as set out in section 10 of the Planning Committee Report.