

Addendum

LA01/2021/0692/MDA

1.0 Update

1.1 On 21st October 2021 additional information was submitted in support of the application. This information included;

- A letter to the Chair and Members of the Planning Committee challenging the 3 reasons for refusal.
- An accompanying plan and photograph indicating floorspace and private amenity space for each property.

1.2 Part 7 of the Planning Committee report refers to the Planning Advice Note (PAN) – Implementation of Strategic Planning Policy in the Countryside. Following the withdrawal of the PAN by the Department of Infrastructure on 15th October 2021 this advice note is no longer applicable and no longer forms part of the relevant policies and guidance.

2.0 Assessment

2.1 The submitted letter challenges the reasons for refusal stated in the committee report:

Reason 1: In relation to Policy CTY 1 of PPS 21 the supporting information advises that as the buildings are in-situ the policy cannot be applied retrospectively. However, the proposal was considered acceptable when approved under E/98/0238 as tourism development not as permanent dwellings. The supporting information also refers to an urgent need for affordable homes in the Glens area and sustainability of the local community and school. In order to be considered an acceptable form of development in the Countryside the proposal must meet one of the acceptable policy requirements outlined in Policy CTY 1. The proposal fails to comply with the list of acceptable Housing Development as set out in Policy CTY 1 and as considered in paragraphs 8.7 and 8.8 of the Committee report. No evidence has

been submitted to demonstrate how the proposal would meet any of the policy exceptions for housing in the countryside as outlined in Policy CTY 1.

- 2.2 Reason 2: The submitted information advised that the private amenity for each property is in excess of 70 sq metres. On assessment of the development the Planning Department measured the area to the rear of each property from the granted plans under planning application E/2004/0227/RM with the resulting figure indicating the private amenity space provision falling below 70 sq metres. The plan included in the supporting information highlights the level of amenity to be in excess of 70 sq m. However, this plan is not to scale and the amenity areas outlined do not appear to correspond to what was evident on site at time of inspection nor is it reflective of an aerial view of the site captured on Spatial NI. The provided amenity space to property No. 3 did not appear to extend to the side of the property, this area provides parking and turning space. When measured from Spatial NI the amenity space (area of patio to the rear of the properties) to the rear of the properties appear to be in the region of 35-37 square metres in area. Also at time of inspection gates were evident between the properties to the rear meaning the existing amenity space is open in nature between properties and could not be considered private. We therefore remain of the opinion the development is contrary to the SPPS and PPS 7 as previously outlined in the Committee Report.
- 2.3 Reason 3: The agent had indicated within previously submitted information that the 3 bedroom properties measure approximately 78 square metres in area. The supporting information recently submitted states that the properties are in excess of 80 square metres and therefore comply with the space standards as highlighted in the Addendum to PPS 7. In the absence of accurate plans of the existing properties we remain of the opinion that the development fails to meet Policy LC1 (c) of the Addendum to PPS 7.

3.0 Recommendation

- 3.1 That the Committee note the contents of this Addendum and agree with the recommendation to refuse the application in accordance with Paragraph 1.1 of the Planning Committee