

SITE VISIT REPORT: MONDAY 21st November 2022

Committee Members: Alderman Baird, Boyle, Duddy, S McKillop and McKeown; Councillors Anderson, Dallat O'Driscoll (Vice Chair), Hunter, McGurk, MA McKillop, McMullan (Chair), P McShane, Nicholl, Peacock, Scott and Storey

11.15 am

LA01/2020/0744/F – Lands between 24 and 26 Fivey Road, Armoey.

App Type: Full Application

Proposal: Proposed dwelling and detached garage to include proposed driveway, landscaping and all associated site works.

Present: Ald Baird, Ald S McKillop, Councillor Hunter, Official E Hudson.

Apologies: Ald Boyle

Comments:

Viewed from site entrance and also rear of site to view trench. Official outlined the details of the application and the reason for refusal. Official advised that the principle of development was reliant on a material start having been commenced on the site within the time frame of previous outline and reserved matters applications. The key date for commencement having been completed was 10th October 2010. Official advised there was also a separate application submitted for infilling of the site however this did not lengthen the time limit of the reserved matters application. Official advised that evidence was submitted by the agent to support the principle of development taking place within the time frame. This included receipts for fill, concrete and a letter from an engineering company stating a site inspection of a foundation was carried out in November 2009. No building control inspection was carried out on the site. Official referred to dated aerial photos of the site which do not demonstrate any foundations were in place during the extant period of the application. The only aerial image which shows a trench in place is a more recent receipt overview which would be outside the time of the planning permission. Official also advised that this trench was not in line with approved drawings. Members and officials viewed the trench at the rear of the site and members queried if concrete was poured as it was overgrown. Official advised that concrete was evident in the base of the trench at the time the case officer viewed the site. However, it has not been proven that this was done during the extant planning permission.

Official advised that the evidence presented was contradictory and it has not been sufficiently demonstrated that commencement took place within the time frame of the outline or reserved matters application. Official also advise that the application did not meet Policy CTY 8 of PPS 21 as there was wasn't a line of 3 buildings along the road frontage. The application was contrary to Policy CTY 1 of PPS21.

E Hudson 21/11/2022