

Addendum - ITEM 5.7

LA01/2015/1065/O Outline Planning

Update

Further letter of support **(1) one** has been received for the above application. The letter is from an Agent now acting on behalf of the applicant. The Agent has raised issues which will be addressed below:

- That the proposal is not to improve security but continue security. The Applicant stated that though the previous attempted break-ins were not reported to the PSNI that on average there would be several forced and attempted break-ins in one calendar year.
- The applicant wishes to move out of the home that he currently shares with his parents into a new dwelling. His father and brother that reside either side of the business are not available to provide site security. The father suffered from ill health and the brother works away. Furthermore, the Agent points out that they are not ELV skilled and trained to deal with an incident on the site. The emergency services are located in Ballymoney and Ballycastle and would take considerable time to get to the site if required. Proposal is to continue the security and mitigate against any health and safety issues.
- The Agent states that the building clusters and integrates with the existing buildings and business on site.

As stated in the Planning Committee Report, paragraph 8.7, other measures may be taken to ensure an appropriate level of security at the site.

The needs of the applicant have been fully outlined in Paragraphs 8.4 to 8.9 of the Planning Committee Report. NIEA who grant the licence for

ELV state that fencing with regular daily checks of the security system are sufficient for the purposes of licensing.

The dwelling associated with the existing business is No 118a, it is adjacent to the commercial enterprise and is ideally sited for the supervision of the business. The PAC in Appeal 2009/A0205, see paragraph 8.10 of the Planning Committee Report, state that where there is an existing dwelling the question of who occupies it is an operational business matter. In the Appeal case the father was retiring and the son was taking over the business and required an additional home for the son to move into to supervise the business and provide security. The PAC set out that “Policy CTY 7 makes no provision for an additional dwelling to facilitate the retirement of an employee or proprietor of a business and the evidence does not establish there to now be a site specific need for a further dwelling. There is no policy support for the proposal in CTY7.” This case has similarities. It reinforces that a genuine site specific need is to be clearly demonstrated at a rural location as opposed to a dwelling in a settlement.

See paragraphs 8.11 and 8.12 of the Planning Committee Report in relation to the siting and visual impact.

It should be noted, that the Planning Authority have not approved a dwelling under CTY 7 in these circumstances. The recommendation of refusal still remains.