

Addendum

LA01/2017/0263/O

Outline Planning

Update

An email was received from the applicant on 18 December 2017 in support of the above application.

The Applicant recounts that DAERA in their consultation response advised that the farm business has been established for more than six years and has claimed subsidies in the last six years. He further advises that DAERA did not advise that the farm business is not currently active. This is correct.

However, as set out in para 8.9 of the Planning Committee Report, further information provided by DAERA on request was considered. It is Planning Officials rather than DAERA who have deduced from this information that the farm business is not currently active. It is within the remit of Planning Officials to adjudicate on this matter.

The Applicant claims that the Article 41 consent for an agricultural shed issued on 13 February 2004 remains live. This is not the case for the reasons set out in para 8.13 of the Planning Committee Report.

The Applicant cites what he considers precedents. These have been considered in Para 8.24- 8.29 of the Planning Committee Report.

The Applicant considers a fall back position of a replacement dwelling. As this application is not for a replacement dwelling this matter has not been considered fully. However, ostensibly, the ruin would not meet the criteria for replacement under Policy CTY 3 of PPS 21 in that it the external walls are not substantially intact and it does not exhibit the essential characteristics of a dwelling. Therefore there is no valid fall back position.

Recommendation

That the Committee notes the content of this addendum and agrees with the recommendation to refuse as set out in paragraph 9.1 of the Planning Committee Report.