

Addendum

LA01/2016/1461/O

Update

Further information was submitted by the Agent.

The Agent identified a need for a dwelling at this location and has submitted information in relation to this. Paragraphs 8.10 to 8.14 of the Planning Committee report address these points. As set out in Paragraphs 8.6 and 8.11 of the Planning Committee Report, planning policy does not provide for a farm workers dwelling in addition to a dwelling on the farm.

The Agent states that refusal would not be fair or consistent with other farmers that have been approved dwellings on out farms. The farm holding already has 3 dwellings approved, 2 of which are for farm dwellings on outlying farmlands. Policy applies to the entirety of the farm lands and not just individual parcels.

The Agent discussed revocation of E/2010/0012/F. As set out in the Planning Committee report in paragraph 8.9 to 8.11 and the PAC decision paragraph 15, it would not be expedient for the Council to revoke the approval as proposed.

A case was made that the dwelling at Drumaroan Road would be the most economical as the dwelling at the main farm holding requires a new lane and visibility splays. The economic benefit is questionable as the dwelling has already been commenced at the main farm holding and both sites require visibility splays. Furthermore, a dwelling at the Drumaroan site requires significant site levelling.

The applicant has confirmed that he has not sold off any of the properties listed in Section 3 of the Planning Committee Report. He acknowledges that a dwelling approved under CTY 10 is only forthcoming every 10 years. The Agent further states that he could apply for another farm dwelling in 2019, ten years after E/2009/0093/O. It should be noted that the latest application approved under this farm business ID and holding was at Cairns Road and was approved July 2015. The business ID of Mr Johnny O'Kane was used in this application as he takes the land in conacre. Therefore, a further dwelling would not be permitted until 2025 under this policy.

The Agent has provided information on the planning history and who occupies or intends to occupy the dwellings. The farm dwellings at Layde Road, Glenmakeeran Road and Cairns Road are all under the farm holding of Mr Johnny O'Kane, planning policy only has interest if they are sold off or if a dwelling has been approved under CTY 10 in the last 10 years.

In relation to existing buildings on the farm. The container though established for more than ten years is not defined as a building for planning purposes. It is a temporary and moveable structure. Therefore, it does not meet with Criteria c of CTY 10 as set out paragraph 8.8 of the Planning Committee report and the PAC report. There is only one building at this location.

The Agent has also referred to planning application E/2009/0095/O at Cairns Road. This was the farmers' only dwelling approved under CTY 10 on the farm holding and differs from this application on that basis. The case officer also gave weight to the fact that the applicant was unable to provide for a site at the main farm holding due to the lack of visibility splays to provide a safe access.

The Departmental advice notes in relation to CTY 10 have been withdrawn. No weight is given to them in the determination of this application.

In terms of integration and rural character, this has been set out in the Planning Committee Report paragraphs and 8.12 and 8.15.

The Agent has suggested moving the access to the existing field gate. This proposal is not part of the current application. Transport NI have not commented on this.

Moving the access would also not assist in the integration of the proposed dwelling which will be skyline when viewed from the Cushendall Road and Drumaroan Road.

Conclusion

The additional information received does not change the recommendation as set out in paragraph 9.1 of the Planning Committee report or the reasons for refusal as set out in section 10.