

Addendum

LA01/2018/1209/O

Update:

A number of Planning Appeal decisions are of relevance in consideration of this planning application.

Appeal decisions 2017/A0113, at land adjacent to 33 Gaults Road, Cushendall and 2018/A0018, at land 20m North of 4b Liscall Road, Garvagh are of particular relevance in relation to what qualifies as development for the purposes of enclosure of the site and rounding off.

The Commissioner stated in appeal ref: 2018/A0018 that: 'From the critical views identified, the appeal site is both physically and visually separated from the buildings behind it on the laneway by the laneway itself and by the thick band of intervening vegetation. Even when taking into account seasonal variations in vegetation cover, the physical gap or separation distance which the laneway provides is such that the appeal site is not bounded with the qualifying development along the laneway....Even if it was considered part of the cluster, the identified site would only have development to bind it on one side. This falls short of the policy requirement.'

In relation to appeal ref: 2017/A0113 the Commissioner states: 'I do not consider that the front garden of No. 33a and the laneway to that dwelling represents 'development' in the context of Policy CTY 2a and I thus disagree with the appellants submission that the appeal site is bounded on two sides by other development in the cluster.'

Recommendation

That the Committee notes the contents of the Addendum and agrees with the recommendation to REFUSE, as set out in paragraph 10.1 of the Planning Committee Report.