

Addendum

LA01/2017/1580/O

Update:

Appeal decision 2017/A0147 at 142 Tullaghans Road, Dunloy, was raised as relevant to this application. Though the Commissioner upheld the Council's refusal reasons in that the proposal was contrary to policies CTY 1, CTY 8 and CTY 14 of PPS21, the appeal was granted subject to conditions at appeal.

The Commissioner stated in his assessment that: "the site does not appear as unambiguously agricultural or rural in character... that the site presents as a side garden to adjoining property or as a remnant site just as much as it would an agricultural field within the countryside." He states that "on approach along the road in either direction, the proposed development because of its design. The composition of the appeal site and its juxtaposition with the adjacent development would read as an integral, albeit extended part of the urban fabric of Dunloy." The Commissioner also stated "that the proposal marks an opportunity to deliver an environmental enhancement through provision of a clearer more coherent, logical and unambiguous edge to the settlement limit."

The Council questioned the basis for the decision and the conflicting appeal decision with the Planning Commission. The Commission clarified in their response, see below, that whilst the Commissioner found that the proposal offended policies within PPS 21, he judged that the development would provide a clearer settlement edge and that this consideration overrode planning policy.

Turning to the current application, the settlement of Garvagh is well defined with mature hedging that clearly defines the edge of the built up area. The application site is part of a larger agricultural field. Development of this site would have a detrimental impact on the setting

of Garvagh and result in ribbon development detrimental to the rural character. The Development Plan process is the appropriate mechanism to consider the extension of settlement development limits.

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.