

Addendum

LA01/0217/0852/O

Update

Further information was submitted by the Agent relating to the principle of development on this site.

The Agent has provided additional information to consider the application under Policy CTY 6 of PPS 21. CTY 6 allows for a dwelling for personal and domestic circumstances where it meets the long term needs of the applicant, where there are compelling, and site specific reasons for this related to the applicants personal or domestic circumstances and provided the following criteria are met:

- (a) The applicant can provide satisfactory evidence that a new dwelling is a necessary response to a particular circumstance of the case and that genuine hardship would be caused if planning permission were refused: and
- (b) There are no alternative solutions to meet the particular circumstances of the case, such as: an extension or annex attached to the existing dwelling; the conversion or reuse of another building within the curtilage of the property; or the use of a temporary mobile home for a limited period to deal with immediate short term circumstances.

The applicants' father recently suffered extensive injuries following a car accident which has left him unable to farm the land. The applicant who currently lives at home is now required to take over the farm on a full time basis. The applicant is to get married in November and the dwelling would enable him to live in close proximity to the farm.

The Agent states that genuine hardship would be caused as refusal of this application would force him to purchase a site elsewhere at extra cost as well as the inconvenience and expense of travelling on a frequent basis to and from his farm.

The applicant has not been able to identify any other suitable alternative sites on the farm. The house and surrounding grounds are very

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restricted and an annex is not acceptable as it would cause hardship to the father and mother. The applicants' sister also lives in the house. The agent advises that if the applicant and his future wife were to move into the family home it would cause personal distress and hardship for all members of the family.

Policy CTY 6 as set out in the policy and justification and amplification text is for cases where special personal or domestic circumstances require a new house on the countryside. It provides for cases such as a young adult who requires a continuing and high level of care, but who could also benefit from greater degree of independent living.

The applicant requires a new dwelling to actively farm the land, the proposal does not meet with Policy CTY 10 as set out in the Planning Committee Report. To allow the applicant a dwelling under CTY 6 as the result of the unfortunate forced early retirement of the applicants' father is misplaced. The policy only permits dwelling to meet the compelling and site specific needs of the applicant. The settlement of Cushendall is around 1 mile from the farm and it would not be considered onerous to travel that short distance to the farm.

Furthermore, the applicant would be entitled to a dwelling at a different location under CTY 10.

Access

The applicant has submitted revised plans relocating the proposed access to an existing farm gate to the boundary of No 66. The Agent has advised that the relocated access point will enable retention of the majority of hedgerow which will assist in the integration of the site. The revised access is with DFI Roads for consultation.

The additional information and relocation of the access will require an amended P1 form to be submitted for advertisement and re neighbour notification.

Visual integration and Rural Character

A block plan has been submitted siting the dwelling to the rear of the site. The lands are lower and a modest dwelling may integrate. The impact of the dwelling and access are also reliant on the retention of the road side vegetation. Until the extent of boundary treatment is confirmed the refusal reasons relating to Integration and rural character remain.

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Recommendation

That the refusal reasons recommended in the Planning Committee report remain and an additional reason outlined below is added.

Refusal reason

The proposal is contrary to Paragraph 6.73 of the SPPS and Policies CTY 1 and CTY 6 of Planning Policy Statement 21 “Sustainable Development in the Countryside” in that there are no compelling or site specific reasons relating to the long term needs of the applicant for a dwelling at this location.