

# List of delegated planning applications with objections received / recommendation to refuse

**Week Ending 14 June 2024**

Item Number 1			
<b>Application Reference</b>	LA05/2023/0402/F	<b>Date Valid</b>	12.05.2023
<b>Description of Proposal</b>	Retrospective application for upper extension to existing garage providing annex room	<b>Location</b>	30 Millmount Lane, Dundonald,
<b>Group Recommendation</b>	Approval	<b>Case Officer</b>	Helen McGuinness
Reasons for Recommendation			
All relevant planning material considerations have been satisfied.			
Representations			
<b>Objection Letters</b>	<b>Support Letters</b>	<b>Objection Petitions</b>	<b>Support Petitions</b>
1	N/A	N/A	N/A
Consideration of Objections			
<b>Issue</b>	<b>Consideration of Issue</b>		
A number of unauthorised extensions on site.	Site history investigations have determined that the existing rear sunroom extension and upward side extension are immune from enforcement action as they have been included in the drawings as approved for rear dormer window under Y/2014/0307/F.		
The extension obstructs the view from neighbouring bedroom window and is an eyesore.	The development is sited an adequate distance (approx.12 metres to no. 18 flank) from the neighbouring property and complies with policy HOU7 with regards to impact on neighbouring amenity.		
Garden is obstructed from full access from the sun.	The development is located to the south of the application site approx. 12 metres from the development, sun calculation maps show an acceptable impact with regards to light year-round to no.18 Millmount.		
Guttering drains to neighbouring garden causing flooding.	This falls outside the remit of planning and therefore does not form part of the assessment of this application.		
The extension decreased the value of neighbouring house.	This falls outside the remit of planning and therefore does not form part of the assessment of this application.		

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Item Number 2			
<b>Application Reference</b>	LA05/2022/0980/O	<b>Date Valid</b>	21.10.2022
<b>Description of Proposal</b>	Proposed site for a single detached dwelling, within the development limit of Lisburn area.	<b>Location</b>	At lands to the rear of 18 Hillside Crescent, Lisburn
<b>Group Recommendation</b>	Refusal	<b>Case Officer</b>	Laura McCausland
Reasons for Recommendation			
<ul style="list-style-type: none"> <li>The proposed development is contrary to criteria (a) of policy HOU3 of the Lisburn and Castlereagh City Council's Plan Strategy in that the development fails to respect the surrounding context and is not appropriate to the character of the site in terms of layout.</li> <li>The proposed development is contrary to criteria (i) of policy HOU4 of the Lisburn and Castlereagh City Council's Plan Strategy in that the proposed development would if approved result in an adverse effect on existing properties in terms of other disturbance.</li> <li>The proposed development is contrary to criteria (b) of policy HOU8 of the Lisburn and Castlereagh City Council's Plan Strategy in that the pattern of development would not be in keeping with the local character of the existing area and existing residential amenity of the established residential area.</li> </ul>			
Representations			
<b>Objection Letters</b>	<b>Support Letters</b>	<b>Objection Petitions</b>	<b>Support Petitions</b>
7	N/A	N/A	N/A
Consideration of Objections			
<b>Issue</b>	<b>Consideration of Issue</b>		
Proposal does not respect design and setting of area.	Design would be assessed at reserved matters stage however for reasons set out above the proposed development does not respect the setting and character of the area thus material weight has been afforded to this comment.		
Loss of light to property and 3 <sup>rd</sup> party's solar panels, removal of trees, close proximity to oil tank.	The planning system does not exist to protect the private interests of one person against the activities of another is not whether owners and occupiers of neighbouring properties would experience financial or other loss from a particular development, but whether the proposal would unacceptably affect amenities and the existing use of land and buildings that ought to be protected in the public interest. The proposed design, scale, site layout and proposed development would be considered at reserved matters stage however it is regarded that the proposed driveway		

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	to serve the proposed dwelling would have a negative impact upon the residential amenity of adjoining development. EHD have been consulted and offer no objection to the proposed development.
Permitted development rights should be removed.	This would be assessed at the reserved matters stage.
Privacy.	Whilst proposed block plan 02A denotes achievable separation distances, as assessment relates to principle of development privacy relating to impact of design would be assessed at the reserved matters stage however the proposed driveway will likely create potential for negative impact upon residential amenity on properties No. 16 and No. 18 Hillside Crescent.
Wildlife concern and removal of trees.	Based on the detail submitted is regarded that the proposal complies with NH5 and no trees on site are protected by TPO and could be removed by the occupier of the property without permission. Consideration of site layout and landscaping would be accessed at reserved matters stage.
Precedent.	Every application is assessed in its and determined on its own merits.

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<b>Item Number 3</b>			
<b>Application Reference</b>	LA05/2023/0022/F	<b>Date Valid</b>	10.01.2023
<b>Description of Proposal</b>	Proposed 4no glamping pods inc. associated communal/recreation area, parking, access paths with new ranch type fencing to site boundary.	<b>Location</b>	135m north of 14b Feumore Road, Lisburn.
<b>Group Recommendation</b>	Refusal	<b>Case Officer</b>	Catherine Gray
<b>Reasons for Recommendation</b>			
<ul style="list-style-type: none"> <li>• The proposal is contrary to Policy COU1 of the Lisburn and Castlereagh City Council's Plan Strategy, in that it is not a type of development which in principle is considered to be acceptable in the countryside.</li> <li>• The proposal is contrary to Policy TOU3 of the Lisburn and Castlereagh City Council's Plan Strategy, in that the proposal is located on the periphery of a settlement and it has not been demonstrated that there is no suitable site within the settlement of Feumore or other nearby settlements, it does not involve the conversion and reuse of a suitable building or the replacement of an existing building and it is not for the expansion of existing tourist accommodation.</li> <li>• The proposal is contrary to Policy TOU4 of the Lisburn and Castlereagh City Council's Plan Strategy, in that the development is not located within the grounds of an existing or approved tourist accommodation or holiday park, or, at or close to an existing or approved tourism amenity that is/will be a significant visitor attraction in its own right.</li> <li>• The proposal is contrary to Policy COU15 of the Lisburn and Castlereagh City Council's Plan Strategy, in that the development is not sited to cluster with an established group of buildings.</li> <li>• The proposal is contrary to Policy COU16 of the Lisburn and Castlereagh City Council's Plan Strategy, in that the development is not sited to cluster with an established group of buildings.</li> </ul>			
<b>Representations</b>			
<b>Objection Letters</b>	<b>Support Letters</b>	<b>Objection Petitions</b>	<b>Support Petitions</b>
1	N/A	N/A	N/A
<b>Consideration of Objections</b>			

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Issue	Consideration of Issue
Excessive construction in the vicinity of property 14b Feumore Road.	<p>The view is expressed that over the last few years there has been excessive construction in the vicinity of property 14b Feumore Road.</p> <p>It is acknowledged that there has been a number of planning approvals on land within the surrounding area, within the Settlement Development Limit in close proximity to 14b Feumore Road which is also within the SDL. However, each application is assessed on its own merits.</p>
Construction results in a loss of trees.	<p>The view is expressed that construction in the vicinity has resulted in a loss of trees.</p> <p>Previous tree removal within the surrounding area is not relevant to this planning application.</p>
Loss of picturesque view.	<p>The view is expressed that construction has spoilt the picturesque view.</p> <p>Previous construction is not relevant to this proposal and a view is a material consideration that is not given determining weight.</p>
Impact on privacy.	<p>Concern is raised that development of this glamping site would negatively impact upon the existing privacy at 14b Feumore Road because the site would have visibility to the rear of the property.</p> <p>The proposed positioning of the glamping pods are located circa. 135 metres away from the rear of the dwelling house of 14b Feumore Road. Also, there is an existing boundary treatment to the rear of property 14b. There are no concerns with regards to overlooking or loss of privacy into their private amenity space due to the separation distances.</p>
Increased traffic.	<p>Concern is raised that this proposed glamping site would generate increased and unwanted traffic.</p> <p>The proposal is considered to comply with policies TRA2 and TRA7. DfI Roads have been consulted on the application and have no objections to the development proposal.</p>
Noise and disturbance and fear of crime.	<p>The view is expressed that the glamping site would generate noise and disturbance and that they fear that noise and disturbance could be further exacerbated by the influence of alcohol and recreational drugs by any potential glamping pod users. And that with this, there is also an increased fear of crime.</p> <p>Environmental Health have been consulted and have raised no objections or concerns with regards to noise or disturbance to neighbouring properties. Fear of a situation is a material consideration that is not given determining weight.</p>

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<b>Item Number 4</b>			
<b>Application Reference</b>	LA05/2023/0493/F	<b>Date Valid</b>	14.06.20232
<b>Description of Proposal</b>	Erection of a replacement cottage with associated site works	<b>Location</b>	111 Saintfield Road, Lisburn
<b>Group Recommendation</b>	Refusal	<b>Case Officer</b>	Cara Breen
<b>Reasons for Recommendation</b>			
<ul style="list-style-type: none"> <li>The proposal is contrary to Policy COU1 of the Lisburn and Castlereagh City Council's Plan Strategy, in that it is not a type of development which in principle is considered to be acceptable in the countryside.</li> <li>The proposal is contrary to Policy COU3 of the Lisburn and Castlereagh City Council's Plan Strategy, in that planning permission has previously been granted for a replacement dwelling and a condition has been imposed restricting the future use of the original building.</li> </ul>			
<b>Representations</b>			
<b>Objection Letters</b>	<b>Support Letters</b>	<b>Objection Petitions</b>	<b>Support Petitions</b>
0	N/A	N/A	N/A
<b>Consideration of Objections</b>			
<b>Issue</b>	<b>Consideration of Issue</b>		

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Item Number 5			
<b>Application Reference</b>	LA05/2023/0809/F	<b>Date Valid</b>	12.10.2023
<b>Description of Proposal</b>	Proposed replacement dwelling and detached garage with works to levels in garden curtilage to provide elements that are subterranean against existing contours.	<b>Location</b>	2 Monument Road, Royal Hillsborough
<b>Group Recommendation</b>	Approval	<b>Case Officer</b>	Kevin Maguire
Reasons for Recommendation			
All relevant planning material considerations have been satisfied.			
Representations			
<b>Objection Letters</b>	<b>Support Letters</b>	<b>Objection Petitions</b>	<b>Support Petitions</b>
3	N/A	N/A	N/A
Consideration of Objections			
<b>Issue</b>	<b>Consideration of Issue</b>		
Ownership issues.	Certificate A was completed as part of the application submission process. Through the processing of the application and following the submission of representations from the objector the agent has submitted further information to confirm the correct certificate was used as part of the application declaring that the applicant owns all of the land enclosed by the red line and that all of the land contained within this application site forms part of the legal folio of the applicant and in addition the land outlined in blue. The onus is on the applicant/developer to ensure that they have ownership/control of all lands necessary to implement a planning approval. Should elements including the implementation of boundaries or provision of visibility splays not be provided as per the plans submitted on account of a land ownership dispute or any other reason, enforcement action may be taken.		
Accuracy of maps used.	It was advised that the applicant has been contacted separately regarding correct legal boundary. It notes that the neighbour notification process was followed and did not raise any formal or informal objections on the Site Location Plan. The Council would contend that the neighbour notification process is there to serve notice of the application to any identified occupier on neighbouring land in accordance with Article 8(2) of the GDPO. No representation received following this notification process would not confirm the ownership of a particular parcel of land.		

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Removal of trees.	<p>The representation noted that trees and other vegetation was removed from the southern boundary of the proposed site. The removal of these trees was noted during site visit. While the Council would generally recommend the retention of vegetation where possible in this case the details provided by the applicant show that the part of the boundary is to be replanted with a beech hedgerow along the top of the plateau and this compensatory planting would be considered acceptable in this context. It has been indicated by the information submitted including the ownership certificate completed that the vegetation was within ownership of applicant and are not subject to a condition or protected by a Tree Preservation Order.</p>
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