

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

Week Ending 10 April 2020

Item Number 1			
Application Reference	LA05/2018/0655/F	Date Valid	18.06.2018
Description of Proposal	Agricultural shed for purposes of agriculture plant and livestock	Location	Peartree Hill Belfast 80m east of Road junction with Gransha Road and Peartree Hill Belfast.
Group Recommendation	Refusal	Case Officer	Rachel Taylor
Reasons for Recommendation			
<p>The application is contrary to the SPPS and policy CTY 1 and 12 of PPS21 Sustainable Development in the Countryside in that insufficient information has been given to demonstrate that the existing agricultural holding is not currently active and established; it is not necessary for the efficient use of the active and established agricultural holding; the development, if permitted, would not visually integrate into the local landscape without the provision of additional landscaping; or the development, if permitted would have an adverse impact on the natural (or built) heritage.</p> <p>The proposal is contrary to the SPPS and Policy CTY8 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the proposal would, if permitted, result in the creation of ribbon development along Peartree Hill.</p> <p>The proposal is contrary to the SPPS and Policy CTY13 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the proposed site lacks long established natural boundaries and is unable to provide a suitable degree of enclosure for the building to integrate into the landscape and the proposed building relies primarily on the use of new landscaping for integration.</p> <p>The proposal is contrary to the SPPS and Policy CTY14 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the building would, if permitted, result in a suburban style build-up of development when viewed with existing and approved buildings, create a ribbon of development and would therefore result in a detrimental change to further erode the rural character of the countryside.</p> <p>The proposal is contrary to the Strategic Planning Policy Statement (SPPS) and NH 2, NH4 and NH5 of Planning Policy Statement 2 Natural Heritage in that insufficient information has been submitted to demonstrate that the proposal would be unlikely to harm a protected species, or a significant adverse impact on the Site of Local Nature Conservation Importance (SLNCI) and local Wildlife Site, or that the proposal would be unlikely to have an adverse impact on priority habitats/species or feature of natural heritage importance.</p>			
Representations			
Objection Letters	Support Letters	Objection Petitions	Support Petitions
1	N/A	N/A	N/A

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Consideration of Objections	
Issue	Consideration of Issue
Contrary to Policy CTY 12	<p>The view is expressed that the proposed development is contrary to CTY12 in that the farm is not active and established, leased in conacre to another farmer (associated with another farm business).</p> <p>DAERA response confirms this – this is reflected in the refusal reason that the farm business under which the applicant is applying has not been evidenced to be active and established for the required number of years.</p>
Applicant does not own any livestock.	This is true, they claimed to need the shed as isolation and shelter in order to get a herd.
Potential impact on Amenity	<p>Concern is expressed in relation to the potential amenity issues on neighbouring dwelling as purpose unclear.</p> <p>The application stated there would be livestock and Environmental Health provided comment on that basis. They had no objections on grounds of amenity.</p>
Not demonstrated that it is necessary for the efficient running of the farm, other buildings at main farm could be available.	As indicated in the refusal reason, it has not been evidenced that this is necessary for the efficient running of the farm. There appear to be no buildings on the single field but without up to date DARD maps and proof of the entirety of the holding and clarity of applicants address and buildings available, there is uncertainty.
No exceptional circumstances have been presented	<p>The view is expressed that there are no exceptional circumstances presented to warrant the shed being separated from the main farm holding.</p> <p>This is noted, however there is no evidence that there are other buildings available at the applicants address.</p>
Future infill opportunity being created under CTY8.	A determination must be made on the merits pertaining to the application at a point in time, no weight can be attached to future development which would be subject to a planning application in its own rights.

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Item Number 2			
Application Reference	LA05/2018/0750/O	Date Valid	18.07.2018
Description of Proposal	Proposed infill of 2 no single dwelling units and garages	Location	Land between No 82 Hillsborough road and 7 Tower Lane Moneyreagh Newtownards
Group Recommendation	Refusal	Case Officer	Rachel Taylor
Reasons for Recommendation			
<p>The proposal is contrary to the SPPS and Policy CTY1 of Planning Policy Statement 21, Sustainable Development in the Countryside in that there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement.</p> <p>The application is contrary to the SPPS and Policy CTY8 - Ribbon Development of PPS 21 Sustainable Development in the Countryside in that the proposal, is not a small gap site sufficient only to accommodate up to a maximum of two houses within an otherwise substantial and continuously built up frontage and does not respect the existing pattern of development along the frontage in terms of size, scale, siting and plot size.</p> <p>The application is contrary to the SPPS and Policy CTY15 - the setting of settlements in that the development if permitted will mar the distinction between Moneyreagh and the surrounding countryside and result in urban sprawl.</p>			
Representations			
Objection Letters	Support Letters	Objection Petitions	Support Petitions
8	N/A	N/A	N/A
Consideration of Objections			
Issue	Consideration of Issue		
P2 challenge.	The P2 form was amended 3 times through the processing of the application to ensure the correct notice was served.		
Inability to put sightlines in.	Sightlines are indicated within the red line and correct notice is now served.		
Roads safety issues.	DFI Roads have been fully consulted and are content with the safety of the accesses shown.		
Contrary to development in the countryside PPS21.	This is reflected in the refusal reasons under PPS21.		
1980 – historical refusal Y/1980/0272/O.	Taken into account however each application is determined on its own merits.		

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Item Number 3			
Application Reference	LA05/2019/0556/F	Date Valid	23.05.2019
Description of Proposal	Proposed development of 5 houses including altered access to No. 7 Feumore Road	Location	Lands opposite 14A Feumore Road Feumore Upper Ballinderry
Group Recommendation	Approval	Case Officer	Catherine Gray
Reasons for Recommendation			
All relevant planning material considerations have been satisfied.			
Representations			
Objection Letters	Support Letters	Objection Petitions	Support Petitions
2	N/A	N/A	N/A
Consideration of Objections			
Issue	Consideration of Issue		
Over development/ Impact on local character	<p>The view is expressed that the development is excessive over development and that it will impact on local character. Comment is also made that due regard must be had to PPS 7 policy QD1.</p> <p>The proposal has been assessed against Planning Policy Statement 7 and is considered to constitute a quality residential development. The proposal is not considered to be overdevelopment and would not have a negative impact on the local character.</p>		
Cumulative impact with already approved development.	The cumulative impact of the proposal with existing and approved development not yet constructed has been considered.		
Conflicts with the preferred option of the local development plan.	This proposal is located within a Settlement Development Limit and infill opportunities are development within the countryside setting. The policy context is different for Settlements and Countryside development.		
Impact on Lough Neagh/Lough Beg, due regard must be had to PPS 2.	The proposal has been assessed against Planning Policy Statement 2 Natural Heritage and is considered to be comply with it. Both Natural Environment Division and Shared Environmental Services have been consulted on the application and have no objections to the proposal.		
Development is within an Area of High Scenic Value.	It is considered that the proposal would not adversely affect the quality, character and features of interest in the Area of High Scenic Value and a Landscape Analysis has been submitted in line with the policy requirement.		

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Plot ratio.	The proposed plot ratio, size and shape is considered to be acceptable for the site and its location within the Settlement Development Limit of Feumore.
Size and density of the dwellings.	<p>The view is expressed that the 5 pattern row of 2 storey houses set on small individual sites is more akin to an urban/suburban environment and not complimentary to the rural setting. Once added to the other 4 dwelling past would represent nothing less than a housing development.</p> <p>The size and density of the dwellings is considered to be acceptable for within the Settlement Development Limit of Feumore, a housing development within a Settlement Development is considered to an acceptable form of development.</p>
Two storey dwellings are not sympathetic to the character of the settlement.	Within the Settlement Development of Feumore there are other two storey dwellings and this proposal is considered to be sympathetic to the settlement.
Inappropriate rural design	<p>The view is expressed that the style of the dwellings are more akin to an urban/suburban environment and are not reflective of traditional rural design.</p> <p>The application site is within the Settlement Development of Feumore and its style and design is considered to be appropriate for the site and its location.</p>
Impact on Privacy/Overlooking	<p>Concern is expressed that the development will have a negative impact on the privacy of 14E Feumore Road through impact on privacy to the front and side gardens and by overlooking.</p> <p>The dwellings are set back from the road on the site and is across the road from property 14E Feumore Road. The separation distances ensure that there would be no overlooking into the private amenity space of property 14E Feumore Road which is to the rear of the property. The side and front gardens of a property is not private amenity space.</p>
Proximity of the accesses to each other and could present road safety risks.	DfI Roads have been consulted on the application and have no objections to the proposal. The proposal complies with PPS 3.
Connection to previous approval S/2017/0271/F.	The reference number quoted does not exist. It is presumed that the objector means planning application S/2007/0271/F which was approved on 15/04/2008. If the applicant has not commenced development then that application would have now expired. The current application is separate from any other previous approvals.

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<p>Set a dangerous precedent and ruin the Settlement of Feumore.</p>	<p>Concern is expressed that the proposed development would set a dangerous precedent and ruin the Settlement of Feumore. It would not enhance the existing settlement and is in direct conflict with the rural character of the area and is more akin to an urban/suburban environment.</p> <p>The proposal is within the Settlement Development Limit of Feumore and is the context for the urban environment. IT is assessed against PPS 7 and is considered to be a quality residential environment and would not set a dangerous precedent. Rural character is something to be considered for development in the designated countryside.</p>
<p>Mitigation of the visual impact.</p>	<p>The proposed landscaping as detailed on the plans is considered acceptable for this type of development in the Settlement Development Limit of Feumore.</p>
<p>Concerns raised previously</p>	<p>Concerns were expressed with regards planning application S/2008/0114/F and a detrimental precedent was set at that time. This application is a result of the precedent set by the previous approval.</p>

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Item Number 4			
Application Reference	LA05/2019/0013/O	Date Valid	09.01.2019
Description of Proposal	Site for 2 dwellings	Location	Lands to the West of 3 & 4 Fernvalley Close Bridge Road Moira
Group Recommendation	Approval	Case Officer	Brenda Ferguson
Reasons for Recommendation			
All relevant planning material considerations have been satisfied.			
Representations			
Objection Letters	Support Letters	Objection Petitions	Support Petitions
1	N/A	N/A	N/A
Consideration of Objections			
Issue	Consideration of Issue		
Previous outline application and lack of detail associated with this application.	The previous outline permission has now expired and this is a new outline application for 2 no. dwellings. As the permission seeks outline approval only no details have been provided relating to layout of the dwellings. Reserved Matters permission will deal with these detailed matters.		
Concerns regarding overlooking.	The application seeks outline permission only and the proposal is considered acceptable in principle. A ridge height condition would be appropriate in this instance to avoid issues arising with regards to overlooking.		
Concerns about loss of amenity.	A ridge height condition is to be stipulated limiting the height of the dwellings to 1.5 storey as per the previous approvals. As no layout details have been provided the design of the dwelling and the potential impact on residential amenity is for consideration at Reserved Matters stage.		
Loss of air quality resulting from smoke from wood burning stoves or open flue coal fires.	This matter is beyond the remit of planning. Environmental Health has no objections to the proposal for 2 dwellings.		