

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

Week Ending 10 July 2020

| Item Number 1 | | | |
|--|---|---------------------|--|
| Application Reference | LA05/2017/0605/F | Date Valid | 12.06.2017 |
| Description of Proposal | Proposed residential development comprised of 13 no. dwellings, 3 no. detached and 10 no. semi-detached. Part demolition of existing building and proposed alteration to access road and reconfiguration of existing car park layout. | Location | Lands to rear of Gowdys Bar/ restaurant at 60 Gravelhill Road Lisburn |
| Group Recommendation | Refusal | Case Officer | Grainne Rice |
| 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 proposal is contrary to the SPPS and Policy CTY13 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the proposed development would be unduly prominent, the site lacks long established natural boundaries and is unable to provide a suitable degree of enclosure for the development to integrate into the landscape and the proposal would rely 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 development would, if permitted be unduly prominent and result in a suburban style build-up of development when viewed with existing buildings 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 SPPS and Policy CTY15 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the development would if permitted mar the distinction between the defined settlement limit of Long Kesh and the surrounding countryside and result in urban sprawl.</p> <p>The proposal is contrary to the SPPS and Policy AMP 2 and AMP 6 of Planning Policy Statement 3 Access Movement and Parking (PPS 3) in that the submitted details have failed to demonstrate that a safe and efficient access to the adjoining road network can be provided and to provide a transport assessment to enable roads service to assess the new access position proposed thereby prejudicing the road safety and convenience of road users.</p> <p>The proposal is contrary to the SPPS and Planning Policy Statement 15, Planning and Flood Risk, policy FLD1 and FLD 5 in that it has not been demonstrated how the residual risk has been designed for or that the condition, management and maintenance regime of Park Lake Hillsborough, Culcavy, Hillsborough Castle Pond Reservoirs are appropriate to provide</p> | | | |

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sufficient assurance regarding reservoir safety so as to enable the development to proceed in order to minimise the risk of flooding to the proposed development and elsewhere

The proposal is contrary to the SPPS (Para 5.72) in that insufficient information has been submitted in the form of an acoustic report or odour impact assessment to demonstrate that there is no significant impact on amenity due to noise and odour from the adjacent bar/commercial premises.

Representations

| Objection Letters | Support Letters | Objection Petitions | Support Petitions |
|-------------------|-----------------|---------------------|-------------------|
| 9 | N/A | N/A | N/A |

Consideration of Objections

| Issue | Consideration of Issue |
|--|--|
| Validity issues red line of application amended. | The red line of the application site was reduced and amended for access purposes only. The application is valid and there is sufficient information provided to make an informed assessment. |
| Site ownership – applicant not in full ownership. | During the processing of the application a challenge to the ownership certificate was made to the agent. Certificate A was completed when the application was submitted and the agent never amended this. The outcome of a planning application does not affect title or the other legal responsibilities associated with ownership. It is the responsibility of the developer to ensure that they controls all the lands necessary to carry out a proposed development. |
| encroachment into the countryside and Urban Sprawl | Concern is expressed that the proposal would lead to encroachment into the countryside, urban sprawl, is out in keeping with the area and would set an undesirable precedent. These matters have been assessed and impact is reflected within the refusal reasons |
| The proposal would prejudice road safety and significantly inconvenience the flow of traffic. | Dfi Roads were consulted on the planning application and the proposal is contrary to Policy AMP 2 and AMP 6 of Planning Policy Statement 3 Access Movement and Parking (PPS 3) in that the submitted details have failed to demonstrate that a safe and efficient access to the adjoining road network can be provided and to provide a transport assessment to enable roads service to assess the new access position proposed thereby prejudicing the road safety and convenience of road users. |
| Potential impact on residential amenity. Proposed position of foul pumping station would result in foul odour near existing dwellings. | Environmental Health has been consulted on the application and an acoustic report or odour impact assessment has not been submitted to demonstrate no significant impact on amenity from noise and odour from the adjacent bar/commercial premises and to determine if the proposal is suitable. In addition, the pumping station should be relocated to ensure it is a minimum of 15m from one of the proposed dwellings. It is contended that it has not been demonstrated that the |

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| | proposal will not have a significant impact on the residential amenity of adjacent land uses from noise and odour nuisance. |
| Fundamental issue with the principal of housing at this location. | This is reflected in the refusal reason under PPS21 CTY1 in that the proposal is located within the countryside. |
| No drainage assessment submitted – potential for flooding. | <p>A drainage assessment was submitted and DfI Rivers has no reason to disagree with its conclusions. It is the responsibility for the accuracy, acceptance of Drainage Assessment and implementation of the proposed flood risk measures rests with the developer and their professional advisors.</p> <p>Within their consultation, Rivers Agency found the proposal contrary to the SPPS and Planning Policy Statement 15, Planning and Flood Risk, policy FLD1 and FLD 5 in that the finished levels are above the flood plain and it has not been demonstrated how the residual risk has been designed for or that the condition, management and maintenance regime of Park Lake Hillsborough, Culcavy, Hillsborough Castle Pond Reservoirs are appropriate to provide sufficient assurance regarding reservoir safety so as to enable the development to proceed in order to minimise the risk of flooding to the proposed development and elsewhere</p> |

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| Item Number 2 | | | |
|---|---|----------------------------|-------------------------------|
| Application Reference | LA05/2020/0188/F | Date Valid | 27.02.2020 |
| Description of Proposal | Single storey flat roof extension and alterations to existing kitchen | Location | 21 Ballylenaghan Park Belfast |
| Group Recommendation | Approval | Case Officer | Jonathan Marley |
| 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 | | |
| Loss of privacy. | The proposal would not result in loss of privacy to an unreasonable degree within the urban context. Policy advises that in most urban areas a degree of overlooking is expected and there is already a degree of overlooking from the site. The proposal is single storey and not excessively greater than what would be allowed under permitted development which must be considered as a fallback position. The applicant has removed the raised decking and there are now steps down from the extension to the garden level which has ameliorated any concern of overlooking. | | |
| Increase in noise as much closer to boundary (decking and sliding doors). | The proposal will be closer to the boundary. A revised drawing has now removed proposed decking along the boundary thus minimising overlooking and prospective users sitting at a higher level. Sliding doors are proposed to access the rear of the property which are considered acceptable and will not cause excessive noise. | | |
| Negative impact on re-sale value of their property. | No evidence is submitted to substantiate this concern. The impact on the re-sale value of neighbouring properties is not given defining weight in the assessment of this application. | | |

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| Item Number 3 | | | |
|--|---|----------------------------|---|
| Application Reference | LA05/2019/1024/F | Date Valid | 10.10.2019 |
| Description of Proposal | The development is for an asphalt surfaced car park, which shall be an extension to the existing DFI Park and Ride site. The extension shall provide 359 additional parking spaces. The scheme shall include new concrete kerbs and boundary fencing. Additional street lighting shall be provided for the extension. | Location | Lands south of 229 Saintfield Road Belfast |
| 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 |
| 5 | N/A | N/A | N/A |
| Consideration of Objections | | | |
| Issue | Consideration of Issue | | |
| No consultation with neighbours prior to planning application. | Pre-community consultation is only required under legislation for major planning applications. This is a local planning application which does not meet the limits requiring such public consultation. | | |
| Increase in traffic. | DfI Roads have been consulted on the proposal and have no objections. The proposal complies with PPS 3 Access, Movement and Parking. | | |
| Devaluation of neighbouring properties. | No evidence is submitted to substantiate this concern. This is not a planning consideration that can be given determining weight in this assessment. | | |
| Impact on health. | Environmental Health have been consulted and have no objections to the proposal. | | |
| Anti-social behaviour. | Anti-social behaviour is not something which falls within the control of a planning application. | | |

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| Increased traffic noise and pollution. | Environmental Health have been consulted and have no objections to the proposal. The opening hours are to be restricted to 0630 to 2230 Monday to Friday and 0800 to 2200 on Saturday on Sundays to protect the amenity of neighbouring dwellings with respect to noise. |
| Neighbours want their properties to be integrated in a more satisfactory manner. | The application is assessed as presented to the council for determination. |
| Detrimental to present living conditions. | The proposal complies with planning policy and it is considered that the proposal would not be detrimental to present living conditions. |
| Impact on habitat | The application has been assessed against the Environmental Impact Regulations (NI) 2017 and it is considered that an Environmental Impact Assessment is not necessary for this proposal. It is considered that all impacts of the proposal can be dealt with through the normal planning process. An Environmental Assessment Report along with additional information was submitted for consideration. Natural Environment Division have been consulted and have no objections to the proposal. The proposal complies with Planning Policy Statement 2 Natural Heritage. |