

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

Week Ending 17th July 2020

Item Number 1			
Application Reference	LA05/2019/0843/F	Date Valid	16.08.2019
Description of Proposal	Proposed 1 no. infill dwelling and garage under planning policy PPS 21 CTY 8	Location	Between 96 and 98 Ballinderry Road Lisburn
Group Recommendation	Approval	Case Officer	Grainne Rice
Reasons for Recommendation			
All relevant planning material considerations have been satisfied.			
Representations			
Objection Letters	Support Letters	Objection Petitions	Support Petitions
3	N/A	N/A	N/A
Consideration of Objections			
Issue	Consideration of Issue		
The proposal does not meet the criteria within CTY8 or CTY13 of PPS21.	It is contended the proposal meets the policy tests of CTY8 and CTY13 as there is a substantial and built up frontage including a line of 3 or more buildings along the road frontage and the proposed dwelling can visually integrate into the surrounding landscape and it is of an appropriate design.		
The construction of 2 no. houses their height and scale would be detrimental to the character of the area.	The scheme has been amended to 1 no. dwelling and the design of the dwelling is appropriate to the site and its locality.		
Road safety, a visibility splay goes through objector's property, notice has not been served or their agreement sought.	Dfi Roads have been consulted on the planning application and have no objections subject to conditions. Entrance details were submitted by the agent detailing no obstructions to sight lines outside the control of the applicant. 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 control all the lands necessary to carry out a proposed development. The proposal complies with PPS 3 Access Movement and Parking.		
Plans submitted for 1 dwelling are the same as was previously submitted for 2 dwellings. They	The amended plan for 1 no. dwelling has re-sited the proposed dwelling 35m from the northern boundary, it was previously 15m. The property at No. 96 Ballinderry Road has an extensive garden and the site would be read with this dwelling and No. 98 Ballinderry Road in terms of frontage and plot size. The introduction of a dwelling in the		

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<p>have been depicted in a manner to try and artificially fill the site and is suburban in form.</p>	<p>existing gap would not have a detrimental impact on the character of the area.</p>
<p>The gap between the nearest buildings cannot be considered as a small gap and serves as an important visual break. The Council and PAC have previously accepted that gaps the size of the proposed site are not considered as small.</p>	<p>Given the average plot widths along the road frontage and the width of the proposed site the proposal could accommodate one dwelling. Each planning application is considered on its own merits and no two sites are identical. Whilst this size of gap may have been found too big in another application, it is the site context and character and plot sizes of the area under each application which is assessed.</p>

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Item Number 2			
Application Reference	LA05/2018/0763/F	Date Valid	20.07.2018
Description of Proposal	A proposed single storey standalone retail unit	Location	23 Maghaberry Road Maghaberry, Craigavon
Group Recommendation	Approval	Case Officer	Richard McMullan
Reasons for Recommendation			
All relevant planning material considerations have been satisfied.			
Representations			
Objection Letters	Support Letters	Objection Petitions	Support Petitions
4	N/A	N/A	N/A
Consideration of Objections			
Issue	Consideration of Issue		
Application was originally for a pharmacy which would provide an unfair business risk to established pharmacy within Maghaberry.	This would not be a material planning consideration. Competition between businesses is not an issue that falls within the remit of planning. The proposal description was amended so that the development seeks to provide a retail unit.		
Objector not neighbour notified	The objector in question does not fulfil the requirements for being neighbour notified. The application was advertised in the local press and relevant neighbours notified in accordance with requirements.		
Overshadowing	It is considered that given the siting and scale of the proposal in conjunction with the sun's path that no issues with respect to overshadowing shall arise.		
Dominance	It is considered that the proposal would not have a dominating impact upon neighbouring residential dwellings as a result of its size and siting. The building is single storey and set 2.4m away from the common boundary. It is considered to be of a scale, size and orientation that would be acceptable.		
Design (out of character with residential properties)	It is considered that the design and finishes of the building would be visually acceptable. The proposal is to be sited within an established commercial site and is in keeping with the buildings within the site. It is considered to be acceptable when adjacent residential properties are taken into account.		
Potential disturbance from proposed use	Following consultation with LCCC Environmental Health unit it is noted that they have no objections to the development. Therefore it is		

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	considered that no issues shall arise with regard to noise, smells or odours etc.
Impacts upon existing privacy levels	No windows are proposed within the scheme which would result in any undue overlooking of any existing private amenity areas. An existing wooden fence is noted which is considered to provide an adequate buffer between the site and neighbouring residential properties.
Impacts upon private views from garden	Although a view is a material consideration it is not given determining weight in this instance. It is considered that the proposal will not have a detrimental impact on views from the adjacent gardens.
Car parking/reduced car parking spaces within application site.	Transportni have been consulted a number of times within the processing of the application. Following the submission of additional information they now offer no objections to the development. Consequently, it is considered that no issues of concern shall arise with respect to car parking within the site.
Precedent for further similar applications.	Each application is assessed upon its own merits. The potential submission of further applications for similar developments would not be a determining consideration in this case.
Proposal description vague.	Originally the application was submitted seeking permission for a stand-alone pharmacy unit. This was changed by the applicant to a stand-alone retail unit. It is considered that this proposal description is acceptable and provides adequate information in respect of the proposed use of the building. Such a use would fall within Part A (Shopping and Financial & Professional Services) Class A1: Shops of The Planning (Use Classes) Order (Northern Ireland) 2015.
Applicant did not discuss development with neighbours.	This is a local planning application and there is no requirement for the applicant to discuss the development with local neighbours. The application has been advertised in the local press and relevant neighbours notified in accordance with requirements.
Air conditioning units would harm residential amenity levels.	No air conditioning units are proposed within the scheme.