

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

**Week Ending 17 January 2019**

<b>Item Number 1</b>			
<b>Application Reference</b>	LA05/2019/1218/O	<b>Date Valid</b>	28.11.2019
<b>Description of Proposal</b>	A proposed infill dwelling with associated site works	<b>Location</b>	Adjacent to 31 Lurgan Road Moira
<b>Group Recommendation</b>	Approval	<b>Case Officer</b>	Catherine Gray
<b>Reasons for Recommendation</b>			
All relevant planning material considerations have been satisfied.			
<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>			
<b>Issue</b>	<b>Consideration of Issue</b>		
Proximity and loss of privacy to neighbours property.	The concept plan provided is only an indicative plan which currently details the dwelling positioned 1m away from the site boundary. It is considered that it is not unreasonable for a dwelling to be positioned one metre away from a side boundary as long as it does not have a negative impact on the neighbouring property. It would not cause any overlooking or cause a significant loss of light. The proposal would be conditioned to be single storey and have a ridge height restriction which would ensure that no overlooking is caused hence no loss of privacy.		
New building would be shoehorned into a space that is not big enough.	The site is large enough in size to accommodate a dwelling. It is similar in plot size and layout to development in the surrounding residential area.		

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<b>Item Number 2</b>			
<b>Application Reference</b>	LA05/2019/0981/F	<b>Date Valid</b>	27.09.2019
<b>Description of Proposal</b>	2 No. proposed new entrances including gates, walls and piers (change of entrance positions as previously approved under LA05/2016/0905/F)	<b>Location</b>	Lands between No.9 and No.23 Drumbo Road Lisburn
<b>Group Recommendation</b>	Approval	<b>Case Officer</b>	Catherine Gray
<b>Reasons for Recommendation</b>			
All relevant planning material considerations have been satisfied.			
<b>Representations</b>			
<b>Objection Letters</b>	<b>Support Letters</b>	<b>Objection Petitions</b>	<b>Support Petitions</b>
4	N/A	N/A	N/A
<b>Consideration of Objections</b>			
<b>Issue</b>	<b>Consideration of Issue</b>		
Challenge to ownership/control of the roadside boundaries, sharing of access and notification of correct parties involved.	A P2 challenge was issued to the agent with regards to land ownership. Information was provided in response to the challenge showing the applicants ownership. The onus is on the applicant/developer to ensure that they have ownership/control of all lands necessary to implement a planning permission.		
Believes the drawings misrepresents the roadside to the north	The drawings are considered to be accurate and DfI Roads have been consulted on the detail to ensure that the drawings accurately reflect the accesses.		
Access Arrangements/Conflict	Concerned is expressed that the positioning and angle of the proposed new entrance would cross the path of vehicles using an existing entrance to no.9, creating a conflict. DfI Roads have been consulted and have raised no objections subject to standard conditions and informatives. There should be no conflict between the two entrances.		
Invalid Application	View is expressed that the Council should consider invalidating the application due to the land ownership issue, that correct parties have not been notified and that the signature provided on the P1 form is not sufficient.  The application has been through a validation process and is considered to be a valid application.		

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<b>Item Number 3</b>			
<b>Application Reference</b>	LA05/2019/1136/F	<b>Date Valid</b>	05.11.2019
<b>Description of Proposal</b>	Proposed erection of 1 no. dwelling house and garage with associated amenity space and parking	<b>Location</b>	Land 25 metres south west of 41A Drumview Road, Lisburn, BT27 6YF.
<b>Group Recommendation</b>	Refusal	<b>Case Officer</b>	Brenda Ferguson
<b>Reasons for Recommendation</b>			
<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 CTY2a of Planning Policy Statement 21, New Dwellings in Existing Clusters in that the proposed dwelling is not located within an existing cluster of development consisting of 4 or more buildings of which at least three are dwellings; the cluster is not associated with a focal point or is not located at a cross-roads; the proposed site is not bounded on at least two sides with other development in the cluster and does not provide a suitable degree of enclosure, and the dwelling would if permitted visually intrude into the open countryside.</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 add to a ribbon of development and would therefore further erode the rural character of the countryside.</p> <p>The proposal is contrary to the SPPS and Planning Policy Statement 3, Access, Movement and Parking, Policy AMP 2, in that it would, if permitted, prejudice the safety and convenience of road users since it proposes to intensify the use of an existing access at which visibility splays of 2.0 metres x 63.0 metres cannot be provided in accordance with the standards contained in the Department's Development Control Advice Note 15.</p> <p>The proposal is contrary to the SPPS and Planning Policy Statement 3, Access, Movement and Parking, Policy AMP 2, in that it would, if permitted, prejudice the safety and convenience of road users since it would not be possible within the application site to provide an access with visibility splays of 2.0 metres x 63.0 metres, in accordance with the standards contained in the Department's Development Control Advice Note 15.</p>			
<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 4			
<b>Application Reference</b>	LA05/2018/0665/O	<b>Date Valid</b>	29.06.2018
<b>Description of Proposal</b>	Proposed petrol filling station including ancillary shop, car wash facilities, vehicle parking and associated landscaping.	<b>Location</b>	Lands 75m South West of 84 Hillsborough Road and directly opposite 80 Church Road Moneyreagh.
<b>Group Recommendation</b>	Refusal	<b>Case Officer</b>	Richard McMullan
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 paragraphs 6.279 &amp; 6.280 of the SPPS as it has not been demonstrated that the proposal will not have an adverse impact on the vitality and viability of existing retail centres within the local area or that suitable alternative sites are not available.</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 result in a suburban style build-up of development when viewed with existing and approved 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 Moneyreagh and the surrounding countryside and also result in urban sprawl.</p> <p>The proposed development is contrary to Policy IC15 of the 'Planning Strategy for Rural Northern Ireland' in that the proposal fails to establish a clear indication of need.</p>			
Representations			
<b>Objection Letters</b>	<b>Support Letters</b>	<b>Objection Petitions</b>	<b>Support Petitions</b>
<b>190</b>	<b>122</b>	<b>N/A</b>	<b>N/A</b>
Consideration of Objections			
<b>Issue</b>	<b>Consideration of Issue</b>		

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Three other filling stations within 5 mile radius.	Proximity of other petrol stations within local area has been noted.
Negative environmental impact upon the countryside.	Within the processing of this application the Shared Environmental Services unit and DAERA Natural Heritage and Drainage water unit have been consulted and have no objections on any environmental matters..
Impact upon privacy levels of neighbouring dwellings.	No plans or elevations of the proposed building have been provided for consideration as this is an outline application. The site layout drawing provided illustrates that the gable of the building would face onto the Hillsborough Road. In the event of approval a condition could be attached that no side windows are provided within the side elevation to protect neighbouring privacy levels.
Impact upon views of the countryside.	It is considered that the blocking of private views of the countryside would not be a determining factor in this case.
Compromise rural character.	It is considered, following a full assessment of the proposal that the development would have a detrimental impact upon the rural character of the area by virtue of the build-up of development. This is reflected within the refusal reasons put forward with the Councils refusal recommendation.
Potential negative impact upon local post office and shop.	A supporting statement provided within this application claims that the application would not negatively impact on the viability and vitality of an existing retail shop within Moneyreagh. However, this statement has no evidence base that has been submitted. Accordingly, the application is recommended for refusal on potential impact on vitality and viability.
Devaluation of adjacent development/ Properties.	This is a material consideration but not afforded determining weight in this case.
Potentially attractive site for anti-social behaviour.	This is a material consideration but not afforded determining weight in this case.
Increased traffic (and accident likelihood).	Within the processing of this application DfI Roads have been consulted and offer no objections to the development.
Visual impact.	This application seeks outline approval to determine the principle of development. Given the nature of the topography of the site and existing boundaries it is considered that the visual impact of a suitably designed building would be acceptable.
Noise, air and light pollution.	LCCC Environmental, Health unit and DAERA Natural Heritage and Drainage units have been consulted and have no objections to the development. Therefore, it is considered that no issues with respect to noise, air or light pollution shall arise.
Not in keeping with the village (of Moneyreagh).	It is considered that the development mars the distinction between Moneyreagh and the surrounding countryside to the south. This is reflected in the refusal reason on policy CTY15.

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No need as are adequately provided for. Biodiversity impacts.	It is considered that the supporting information provided within the processing of this application does not establish a clear indication of need for the development which is reflected in the reason for refusal. DAERA Natural Heritage unit and the Shared Environmental Services unit have been consulted within the assessment of this application. Following the submission of a Preliminary Ecological Appraisal they have no objections. In the event of approval a number of conditions and informative can be attached.
Increased rubbish/waste.	LCCC Environmental Health unit have been consulted and have no objections.
Existing brownfield sites within 0.5-3 miles of the site which would be better suited to the proposed development.	Each planning application is assessed upon its own merits against prevailing planning policy. In this case it is noted that a current planning application is under consideration for a petrol filling station on a brownfield site to the east of the application site. This application will be fully assessed in due course.
Disappointed that new infrastructure for fossil fuel based energy is being considered/ requirement for petrol stations will be declining in the future.	All submitted planning applications are considered against prevailing planning policy.
Size of site (area) more than 0.5h (measures 0.5h) therefore required to be community consultation etc.	The site is noted to measure 0.5 hectares in area and community consultation is not required. The application was advertised in local newspapers and relevant neighbouring properties notified as required.
No details with respect to proposed signage.	This application is for a petrol filling station and ancillary shop, car wash facilities, vehicle parking and associated landscaping. Proposed signage would fall within this remit of a Consent to Display an Advertisement application if required. This application seeks to determine the principle of the development only.
Urban Sprawl.	Following an assessment against the provisions of PPS 21 it is considered that the development fails the requirements of policy CTY 15 which outlines that planning permission will be refused for development that mars the distinction between a settlement and the surrounding countryside or that otherwise results in urban sprawl.
Too close to day nursery - bad for their health and danger to children.	LCCC Environmental Health unit and DfI Roads have been consulted and forward no objections in respect of the proposal. Therefore, it is considered that no issues of concern with respect of fumes or road safety shall arise.

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Spar will be opening at Ewarts so no need for another shop opening	Each planning application submitted is required to be assessed against prevailing planning policy. Potential similar developments on other sites are noted.
Existing shop of good standard accessible by foot within Moneyreagh.	The existing shop within Moneyreagh has been noted within the assessment of his application.
Population increase does not justify the need for a petrol station with car washing etc.	It is considered that population increase alone does not justify the need for the development as submitted.
Increased risk of flooding.	Within the processing of this application Rivers Agency have been consulted and have no objections to the development following the submission of a Flood Risk Assessment and amended drawings.
Contamination and risk to groundwater.	DAERA Drainage and Water unit have been consulted within this application and can be seen to offer no objections. As such it is considered that no issues with respect to groundwater shall arise. They have requested the imposition of a condition and appropriate informatives in the event of approval being granted.
Safe crossing would be required for pedestrians from Moneyreagh crossing a busy road.	TransportNI have been consulted and can be seen to offer no objections to the development.
Impacts upon property insurance.	It is considered that this would not fall under the remit of planning.
PPS 4 PED 6-not in keeping with this policy.	The application is not required to be assessed via this policy.
Increased congestion in Moneyreagh.	Transportni have been consulted within the processing of his application and are seen to offer no objections.
Has EIA been carried out?	In this instance an EIA determination is not required as the development does not exceed any of the thresholds within the EIA regulations.
Precedent.	As the application is deemed to be unacceptable it is considered that no precedent would be set.
Closure of shop within Moneyreagh would have impact upon elderly residents who walk to same and who would not be able	It has not been demonstrated within this application that the proposal would not have a detrimental impact upon the shop within Moneyreagh. This is reflected in the refusal reasons put forward following a full assessment of this application.

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to walk to proposed development.	
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