

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

**Week Ending 18 June 2021**

Item Number 1			
<b>Application Reference</b>	LA05/2020/0887/F	<b>Date Valid</b>	03.11.2020
<b>Description of Proposal</b>	Proposed replacement garage with ancillary storage above	<b>Location</b>	18 Governors Gate Hillsborough
<b>Group Recommendation</b>	Approval	<b>Case Officer</b>	Barbara Hanna
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>		
Overlooking and loss of privacy	<p>Concern is expressed in relation to potential for Overlooking and loss of privacy from new external staircase to neighboring amenity</p> <p>Amended plans were submitted 11<sup>th</sup> May 2021 to relocate the external staircase to the south east side elevation and a 1.8m high screen has been included at the top of the stairs to prevent overlooking. The proposed garage is located 7.8m from the north east gable end of the garage at No.95 and the private amenity space is located beyond this. The area most affected by the new garage is used for storage purposes and not amenity purposes.</p>		
Overshadowing of private amenity space.	<p>Concern in relation to overshadowing of private amenity space which already has limited sunshine is expressed.</p> <p>Due to adequate separating distances and the sloping roof, any overshadowing on the private amenity space of No.95 will not be to an unacceptable degree.</p>		
Finishes not in keeping with surrounding properties.	<p>The proposed finishes have been amended to remove the use of render, finishes now include brick and stone to match the existing dwelling.</p>		

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<b>Item Number 2</b>			
<b>Application Reference</b>	LA05/2018/0862/F	<b>Date Valid</b>	15.08.2018
<b>Description of Proposal</b>	Proposed infill site for 2 no dwellings with detached garages	<b>Location</b>	Between 26 & 30 Magheraconluce Road Hillsborough
<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>
11	N/A	N/A	N/A
<b>Consideration of Objections</b>			
<b>Issue</b>	<b>Consideration of Issue</b>		
Planning permission was refused previously.	Planning permission on this site was previously refused in 1987/88. The planning history is taken into consideration through the processing of the application.		
The proposal is not infill.	The proposal has been assessed against Planning Policy Statement 21 Sustainable Development in the Countryside. It is considered that the proposal complies with the exception as set out in policy CTY 8 Ribbon Development and is considered to be an infill site.		
Precedence.	Concern is expressed that the proposal could set a precedent for more development under policy CTY 8. Each application is assessed on its own merits and compliance with the exception under CTY8 allows for approval of an infill opportunity.		
Previous ridge height restriction.	<p>The view is expressed that the surrounding dwellings are all single storey and the applicant is proposing a split level dwelling. The outline permission approved had a ridge height restriction of 6.0m above the finished floor level.</p> <p>Through the processing of the application the design of the proposed dwellings have been amended. The proposed dwellings are single storey and have a proposed ridge height of 6.4m above the finished floor level. The design of the proposal is considered to be acceptable for the site and its location.</p>		
Prominence.	Through the processing of the application the design of the proposal has changed and it is considered that the amended scheme would not be		

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	<p>prominent in the landscape. It is considered that the proposal complies with policies CTY 13 and 14 of PPS 21.</p>
<p>Traffic impact and road safety.</p>	<p>The view is expressed that the required visibility splays cannot be achieved and a fully dimensioned engineering drawing clearly showing visibility splays and forward sight lines properly dimensioned and accurate as required by DfI Roads has not been provided, as it is clearly obvious that these are unattainable. Concerns are expressed that two more dwellings would be added to a very dangerous stretch of road and about the possible accident potential.</p> <p>Through the processing of the application amended plans have been received to address concerns raised by DfI Roads and they now have no objection to the latest plans. DfI Roads have no objection to the proposal and provided standard conditions and informatives. The proposal complies with Planning Policy Statement 3 Access, Movement and Parking.</p>
<p>Consultation on the application.</p>	<p>The view is expressed that the consultation dates are excessively short. However, as with every application, a representation can be made on any planning application right up until a decision is made.</p>
<p>Accuracy of the plans.</p>	<p>The view is expressed that the site location plan outlined in red (13.6.19) varies greatly from that originally submitted to council (16.8.18) and appears to include land not currently owned by the applicant.</p> <p>The red line of an application site can be extended for access purposes only and land ownership is a legal matter.</p>
<p>Land ownership issues and implementation.</p>	<p>The view is expressed that where the applicant proposes to remove hedging and erect post and wire fencing on the field side is not owned by the applicant and asks if it can be ascertained that 1. Permission will be granted for these changes to take place. 2. That these changes will actually be carried out. 3. That these changes if carried out will improve the safety or reduce potential for traffic accidents.</p> <p>The onus is on the applicant/developer to ensure that he has ownership/control of all lands necessary to implement a planning approval. If a planning approval has not been implemented in accordance with the approved plans, the Councils enforcement team can take action if/when required. DfI Roads have no objection to the proposal and it complies with PPS 3 Access, Movement and Parking.</p>

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<b>Item Number 3</b>			
<b>Application Reference</b>	LA05/2018/0845/F	<b>Date Valid</b>	10.08.2018
<b>Description of Proposal</b>	Demolition of existing buildings and construction of 14 no. houses including proposed retaining walls and all associated landscaping and site works.	<b>Location</b>	Land 50 metres East of 91 Causeway End Road Lisburn
<b>Group Recommendation</b>	Approval	<b>Case Officer</b>	Grainne Rice
<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>
2	N/A	N/A	N/A
<b>Consideration of Objections</b>			
<b>Issue</b>	<b>Consideration of Issue</b>		
Inappropriate use for site.	The site is located within the development limit of Lisburn and the proposed surrounding area is urban in nature and with an existing built up area to the north, east and west of the site consisting mainly of residential properties. There is also a previous planning permission for a 76 bedroom private nursing home (S/2012/0229/O) on the site. It is considered that the application satisfies all policy tests set out primarily in Policy PPS 7 and its addendum and that housing is an acceptable land use for the site.		
No neighbour notification took place for another planning application.	The party was advised that the other planning application referenced was decided at the time objection was made. For this planning application the necessary neighbours were notified in line with statutory requirements.		
Potential impact on visual amenity of the area.	It is contended that the overall design concept draws upon the positive aspects of the character and appearance of the surrounding area and would contribute to the sites character and respect the surrounding context. Development of the proposed site would result in a planning gain as it has been lying vacant with derelict buildings and overgrown vegetation for some years.		

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<p>Inadequate parking/loading/turning/traffic generation.</p>	<p>DfI Roads offer no objection to the development proposal subject to appropriate conditions and informatives. The proposal is policy compliant with PPS 3 Access Movement and Parking. It has been demonstrated that cars can enter and leave the site in a safe manner and that there is adequate car parking.</p>
<p>Potential for noise and disturbance.</p>	<p>Noise and general disturbance caused by construction are not dealt with under planning legislation and is a matter for the local Environmental Health Office. Appropriate informatives will be applied to any potential decision notice.</p>
<p>Proposal potentially compromises ability to operate a local business.</p>	<p>This planning application only relates to development located within the red line of the application site. It is contended the proposal would not have a detrimental impact on any neighbouring properties and would not cause demonstrable harm to interests of acknowledged importance.</p>
<p>Necessary biodiversity information incomplete – fails to provide a bat survey.</p>	<p>NIEA Natural Heritage has considered the impacts of the proposal on natural heritage interests and have no concerns. NED notes the site does not contain any vegetation with the exception of non-native hedgerow along the northern boundary and the treeline along the southern boundary which is to be retained. Additionally the existing structures on the site would not be likely to support roosting bats and they have not triggered any of the scenarios which would result in a bat survey being required. NED is content that the proposal is unlikely to significantly impact protected and priority species and habitats.</p>
<p>Noise assessment inadequate.</p>	<p>Environmental Health have been consulted on the application and have no objections subject to conditions and informatives. A noise assessment was submitted with the application and a condition will be applied to any potential decision notice stating that a 1.8m high acoustic barrier shall be erected and constructed of a suitable material (with no gaps) should have a minimum self-weight of 6kg/m<sup>2</sup> and so retained thereafter. The proposed fence is detailed on drawing 03D date stamped 22 Feb 2020. It is contended that this fence will protect the amenity of neighbouring dwellings with respect to noise.</p>
<p>Lands outside of the red line of the application site and not in the ownership of the applicant have been detailed on the application.</p>	<p>It is the responsibility of the developer to ensure that they control all the lands necessary to carry out a proposed development. Similarly planning permission does not confer title does not give the applicant any right in land which they would not otherwise have. The Council has no role to play in the determination of disputes over land ownership or access to it.</p>

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<b>Item Number 4</b>			
<b>Application Reference</b>	LA05/2019/0544/F	<b>Date Valid</b>	22.05.2019
<b>Description of Proposal</b>	Retention of fence and entrance gates	<b>Location</b>	Lands north west of St Patricks Church Barnfield Road Lisburn
<b>Group Recommendation</b>	Refusal	<b>Case Officer</b>	Richard McMullan
<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 CTY13 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the proposed site lacks long established natural boundaries/is unable to provide a suitable degree of enclosure for the development to integrate into the landscape and therefore would also rely primarily on the use of new landscaping for integration purposes. It also fails to blend with the landform, existing trees, slopes and other natural features which provide a backdrop and therefore would not visually integrate into the surrounding landscape.</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 impact of ancillary works would damage rural character and would therefore result in a detrimental change to (further erode) the rural character of the countryside.</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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<b>Item Number 5</b>			
<b>Application Reference</b>	LA05/2021/0146/F	<b>Date Valid</b>	05.02.2021
<b>Description of Proposal</b>	Removal of existing garage; ground floor extension to front, side and rear; increase in ridge height to provide 1st floor living accommodation, to include front dormer windows; and external alterations	<b>Location</b>	27 Cairnshill Road Belfast
<b>Group Recommendation</b>	Approval	<b>Case Officer</b>	Brenda Ferguson
<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>		
Overlooking and loss of privacy	<p>The issues raised include concerns that the dwelling is on an elevated site in comparison to their site and that the increase in ridge height will overlook their garden area, patio area and windows will look into their property, resulting in loss of privacy.</p> <p>High level velux windows only are proposed to the rear of the property at first floor level. The only additional extension at the rear is a single storey sunlounge. There is ample separation distance between this property and the boundary of no. 7 Gracemount Park, even with the difference in levels. The additional features will not result in the loss of privacy to this property or other neighbouring properties and there will be no loss of light or overshadowing.</p>		
Concerned that this will reduce the value of their property.	The issue raised relating to the value of the property is not a planning consideration.		



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<b>Item Number 6</b>			
<b>Application Reference</b>	LA05/2020/0916/F	<b>Date Valid</b>	10.11.2020
<b>Description of Proposal</b>	Extensions and alterations including sunroom at rear of property	<b>Location</b>	1 Waringfield Drive Moirá
<b>Group Recommendation</b>	Approval	<b>Case Officer</b>	Joseph Billham
<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>
3	N/A	N/A	N/A
<b>Consideration of Objections</b>			
<b>Issue</b>	<b>Consideration of Issue</b>		
Neighbour notification not received.	All neighbour notifications are considered to be accurate and have been fully completed on this application.		
Overlooking and privacy concerns.	The new east gable window as part of the proposal is a fire escape window for the occupants. The window has been re-positioned further towards the front of the dwelling and has been reduced to 0.8m in width. It is considered due to the orientation of the applicants dwelling the new window will not directly face the rear of the neighbouring dwelling. It is considered that the proposal will not have an unacceptable impact on the privacy and amenity of neighbouring residents.		
Rear extension and patio area 5m from shared boundary.	The single storey rear extension is located between 4m-5m from the shared boundary. The boundary consists of a 1.8m boarded timber fencing. It is considered the extension and patio area will not give rise to any privacy and amenity concerns.		
Proposal is contrary to PPS7 Policy QD1(A) & (H) and APP7 LC1(B) as it will result in unacceptable harm to privacy and amenity of neighbouring dwelling by way of	<p>The rear sunroom extension is extending 3.3m from the existing dwelling and has a ridge height of 4m with a matching pitched roof. The extension is considered to be subordinate in scale, proportion and massing to the existing dwelling that respects the layout with the surrounding context. Single storey sunroom extensions are prevalent in the surrounding area. The proposal is deemed to be keeping with the pattern of development in the area and is considered not have a detrimental impact on the established residential character.</p> <p>The proposal will not create conflict with adjacent land uses that remain residential. The new east gable window will be conditioned to be fitted</p>		



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<p>overlooking and is inappropriate in terms of layout on the established residential character.</p>	<p>with obscure glazing and be fully opening for fire escape purposes. This will help minimise the potential for any overlooking. The new ground floor window on the east gable will have no greater impact than the existing window in situ. The patio doors and window on the rear extension have a separation distance of 4m-5m from the shared boundary and will not cause any unduly amenity issues. The proposal is considered not to cause an unacceptable adverse impact in terms of overlooking.</p>
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