

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

Week Ending 22nd November 2019

Item Number 1			
Application Reference	LA05/2019/0717/F	Date Valid	09.07.2019
Description of Proposal	Erection of a dwelling on a farm in compliance with Planning Policy Statement 21 CTY10 and SPPS 6.73	Location	South east and adjacent to 16 Lisnabreeny Road East Lisnabreeny Castlereagh
Group Recommendation	Refusal	Case Officer	Margaret Manley
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 Policies CTY1 and CTY10 of Planning Policy Statement 21, Sustainable Development in the Countryside and does not merit being considered as an exceptional case in that it has not been demonstrated that the proposed new building is visually linked or sited to cluster with an established group of buildings on the farm and access to the dwelling is not obtained from an existing lane.</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 Lisnabreeny Road East.</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.</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 buildings and would therefore result in a detrimental change to erode the rural character of the countryside.</p>			
Representations			
Objection Letters	Support Letters	Objection Petitions	Support Petitions
2	N/A	N/A	N/A
Consideration of Objections			
Issue	Consideration of Issue		
The building adjacent to the application site is not the existing farm	The address of the owners of the active farm business is recorded as 29 Lisnabreeny Road. No. 29 and its associated agricultural buildings are located approximately 360 metres west of the application site. As these farm buildings are so far removed from the application site the		

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<p>building. The existing farm building is located along Lisnabreeny Road.</p>	<p>proposal fails to meet criteria C of Policy CTY10 in that a farm dwelling established on this site would not be visually linked or sited to cluster with the established group of buildings on the farm.</p>
<p>Proposal is not in compliance with Policy CTY10 of PPS21 and paragraph 6.73 of the SPPS.</p>	<p>The proposal has been assessed against Policy CTY10 of PPS21 and deemed contrary to criteria C of the policy on the basis the proposal is not visually linked or sited to cluster with an established group of buildings on the farm holding and access is not taken from an existing laneway.</p>
<p>The application site is located adjacent to a nature reserve.</p>	<p>The site is located within Local Landscape Policy Area Crossnacreevy/Ryan Park in accordance with draft BMAP. The proposed development is unlikely to result in a significant adverse impact on the features, or combination of features, that contribute to the environmental quality, integrity or character of this Local Landscape Policy Area. The site is not located within any other environmental designation in accordance with the area plans.</p>

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Item Number 2			
Application Reference	LA05/2018/1217/O	Date Valid	04.12.2018
Description of Proposal	Proposed residential dwelling and garage	Location	Lands located immediately south west of No.98 Lough Road, Boardmills, Lisburn BT27 6TT
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		
Proposal is contrary to CTY 8.	When assessed individually the proposals constitute a single dwelling infill opportunity and together they meet the requirements of the infilling of a small gap capable of accommodating a maximum of 2 dwellings.		
There is no substantial and continuous built up frontage in which to infill a "small gap".	Proposal meets requirements of Policy CTY 8 of PPS 21 as it falls under definition of a gap site within an otherwise substantial and continuous built up frontage.		
Site lacks long established natural boundaries to provide a suitable degree of enclosure.	Site has established boundaries to the north and west and meets the requirements of CTY 13 of PPS 21.		
Precedent for future applications on golf courses.	It would be unlikely the approval of these infill sites will set a precedent as there are site-specific distinguishable features and the proposal is considered to be an exceptional case.		

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Item Number 3			
Application Reference	LA05/2018/1219/O	Date Valid	04.12.2018
Description of Proposal	Proposed residential dwelling and garage	Location	Lands located immediately north of No. 94 Lough Road, Boardmills Lisburn, BT27 6TT
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		
Proposal is contrary to CTY 8.	When assessed individually the proposals constitute a single dwelling infill opportunity and together they meet the requirements of the infilling of a small gap capable of accommodating a maximum of 2 dwellings.		
There is no substantial and continuous built up frontage in which to infill a "small gap".	Proposal meets requirements of Policy CTY 8 of PPS 21 as it falls under definition of a gap site within an otherwise substantial and continuous built up frontage.		
Site lacks long established natural boundaries to provide a suitable degree of enclosure.	Site has established boundaries to the north and west and meets requirements of CTY 13 of PPS 21.		
Precedent for future applications on golf courses.	It would be unlikely the approval of these infill sites will set a precedent as there are site-specific distinguishable features and the proposal is considered to be an exceptional case.		

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Item Number 4			
Application Reference	LA05/2018/0471/F	Date Valid	14.05.2018
Description of Proposal	Proposed replacement of existing dwelling under PPS21 CTY3	Location	29 Hillsborough Road Moirá
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
3	N/A	N/A	N/A
Consideration of Objections			
Issue	Consideration of Issue		
Siting of the dwelling being moved back on the site.	The replacement dwelling is proposed to be sited within the established curtilage, slightly overlapping with the original dwelling and is policy compliant in this regard.		
Size of the proposed property.	The size of the proposal has been reduced from the original proposal and is now considered to be acceptable for the site and its location and is to be policy compliant.		
Loss of light and loss of privacy to property number 31 Hillsborough Road.	From the original submission, the design and positioning of the proposal has been changed. The amended proposal ensures that there would be no unacceptable loss of light or overlooking into the neighbours private amenity space.		
Negative impact on the value of the neighbour's property.	This is a consideration however is not given determining weight.		
The supporting information shows a number of 2 storey dwellings in the area which are mainly farm dwellings and do not show single and one and a half storey houses such	There is a mixture of different types of dwellings in the surrounding area. The proposal is for a two storey dwelling and is considered to be acceptable for the site and locality.		

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as no's 31, 35 and 37 Hillsborough Road.	
Numbers 33 & 35 Hillsborough Road were previously denied permission to move dwellings back due to alignment issues which surely must still be the case.	Each application is considered on its own merits. The site is an end plot in a row of detached residential dwellings. The proposed positioning of the proposal is considered to be acceptable and would not have an adverse impact on the rural character of the area.

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Item Number 5			
Application Reference	LA05/2017/1114/O	Date Valid	01.11.2017
Description of Proposal	Housing development comprising 8 dwellings	Location	644 Saintfield Road Carryduff
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
2	N/A	N/A	N/A
Consideration of Objections			
Issue	Consideration of Issue		
Impact on privacy and enjoyment of home and garden.	The scheme has been reduced from 12 semi-detached and 2 detached dwellings allowing for a greater separation distance between proposed dwellings and existing properties. The application is for outline planning permission and detailed design drawings have not been submitted. At the RM stage, full consideration will be given to the location of windows and potential impacts on existing properties.		
Loss of light	Due to the reduced scheme and fact that the site is at a lower level than surrounding properties, It is not considered that the proposal will result in a loss of light.		
Road safety and risk of accidents	The proposal meets the full standards as stated in DCAN 15 and PPS 3. DFI Roads have offered no objection to the proposal subject to conditions.		

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Item Number 6			
Application Reference	LA05/2018/1191/O	Date Valid	22.11.2018
Description of Proposal	Proposed dwelling	Location	Adjacent to 48 Hertford Crescent, Knockmore, Lisburn
Group Recommendation	Refusal	Case Officer	Richard McMullan
Reasons for Recommendation			
<p>The proposed development is contrary to the SPPS and Policy QD1(a) of Planning Policy Statement 7 in that it would be out of character in this locality and as a consequence would not respect the surrounding established residential context.</p> <p>The proposed development is contrary to the SPPS and policy LC1(b) of the Addendum to PPS7 as it would not be in keeping with the pattern of development/character found within the surrounding established residential area.</p>			
Representations			
Objection Letters	Support Letters	Objection Petitions	Support Petitions
0	N/A	N/A	N/A
Consideration of Objections			
Issue	Consideration of Issue		

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Item Number 7			
Application Reference	LA05/2018/0707/F	Date Valid	10.07.2018
Description of Proposal	Retrospective application to build retaining wall, fence and infill section of garden to South-West part of rear garden and proposed 1.8m and 1.1m fence.	Location	15 Greenwood Hill Ballydollaghan
Group Recommendation	Approval	Case Officer	Joseph Billham
Reasons for Recommendation			
All relevant planning material considerations have been satisfied.			
Representations			
Objection Letters	Support Letters	Objection Petitions	Support Petitions
10	N/A	N/A	N/A
Consideration of Objections			
Issue	Consideration of Issue		
Objecting to the raised part of neighbouring garden being less than 8 feet from the fence which will still lead to overlooking issues.	The raised part of the garden to the South East is not part of this application. The area hatched in the South West part of the garden is taken under consideration on this application.		
Plans are inaccurate and do not reflect what is on site.	Following a site inspection amended plans were requested and have now been received and are deemed accurate to the development on the ground.		
Safety of wall and foundations do not appear to comply with British Standards and if this wall collapsed will cause damage to property.	It is the responsibility of the developer to ensure that appropriate site safety measures are put in place.		
2.6m wall is unacceptable, loss	Under The Planning (General Permitted Development) Order (Northern Ireland) 2015 under Part 3, Class A, a gate, fence, wall or means of		

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of privacy and overlooking issues.	enclosure can be erected to a height of 2m without the consent of planning. The wall and fence will have a combined height of 2.5m. At the height of 2.5m this will mitigate potential overlooking and privacy issues as the height from the ground level once the infill has been removed to the top of the fence will be 1.7m. The combined height of 2.5m will protect the privacy and amenity of neighbouring residents at No 11 Greenwood Hill and No 45 Greenwood Glen.
Drainage Issues.	A Drainage Assessment is not required due to the size of the development. NIEA: Water Management Unit have been consulted on this application and offered no objections in regards to drainage.
The fencing being erected will impact on natural light.	The fence that bounds No 17 Greenwood Hill is to remain the same height as the existing. This will not have an unduly impact on the appearance, privacy and amenity of No 17 Greenwood Hill.
Fence will visually be an eye sore and not blend in with the surrounding area.	The fencing is located at the rear of the site and will not be seen from street scene. The proposal will not have a detrimental impact on the character of the area.
Detrimental impact on the current resale of my property.	The impact on the resale of property is a material consideration, no evidence was submitted and as such, it is not given determining weight in the assessment of this application.
Are the new plans taking into account the infill that isn't being removed?	It is considered the remaining infill will not have a detrimental impact on the surrounding dwellings.
Restricts Light.	It is considered any potential loss of light will not be detrimental to the amenity of neighbouring properties.

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Item Number 8			
Application Reference	LA05/2017/0784/O	Date Valid	24.07.2017
Description of Proposal	Infill site for 1 no. dwelling with associated site works (Amended plans)	Location	21 Listullycurran Road, Dromore, BT25 1RB
Group Recommendation	Refusal	Case Officer	Margaret Manley
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 CTY8 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the proposal does not respect the existing development pattern found along the frontage in terms of size, scale, siting and plot size.</p> <p>The proposed development is unacceptable in that insufficient information has been submitted to enable the Council to make an informed decision on the proposal in respect of potential loss of amenity due to noise, odour, and insects given proximity to farm buildings.</p> <p>The proposed development is unacceptable in that insufficient information has been submitted to enable the Council to make an informed decision on the proposal in respect of contaminated land.</p> <p>The proposal is contrary to the SPPS and Policy FLD 3 of revised PPS 15, Planning and Flood Risk Development and Surface Water in that insufficient information has been submitted to enable the Council to make an informed decision on the proposal in respect of pluvial flood risk and historical drainage issues.</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 it would if permitted not respect the traditional pattern of settlement exhibited in the area and would therefore result in a detrimental change to (further erode) the rural character of the countryside.</p>			
Representations			
Objection Letters	Support Letters	Objection Petitions	Support Petitions
0	N/A	N/A	N/A
Consideration of Objections			
Issue	Consideration of Issue		

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Lack of sightlines and traffic	DFI Roads have been consulted regarding the application and confirmed that they have no objections subject to condition
Destruction of old railway bridge	NIEA Historic Environment Division have been consulted and note that a substantial stretch of the bridge parapet has been removed. They advise that this should be rebuilt as far as practicable under the sightline requirements and have no objection regarding compliance with policy BH2 of PPS6
Unauthorised infill on site adds to flooding	NIEA Regulation Unit have been consulted with regards to the unauthorised infilling of land which has occurred on the old rail bed and Regulation Unit (RU) Land and Groundwater Team advise that a Preliminary Contaminated Land Risk Assessment (PRA) for the application site is required as a minimum. This has been requested from the agent and not been forthcoming thus is included as a reason for refusal on lack of information.
Overlooking	This is an outline application therefore and potential for overlooking to occur could be designed out at reserved matters stage in the event that the scheme was acceptable in principle
No water and septic tank discharges	This is an outline application in order to ascertain if the principle of development is acceptable. Details associated with septic tank and discharge would be dealt with at reserved matters stage. Environmental Health, NIEA Water Management Unit and NI Water have been consulted and offer no objections
Historical flooding	This has been noted by Rivers Agency who have requested a Drainage Assessment. This has in turn been requested from the agent who has failed to provide it thus this has been included as a refusal reason under PPS15
Detrimental to rural character of the area	The assessment of the Council is that the proposal fails to comply with CTY 8 and development of this site would in turn be detrimental to the rural character of the area. This has therefore been included as a refusal reason under policy CTY14
Proximity to local farm	The close proximity to the working farm has been highlighted as an issue by Environmental Health. There is no scope within the red line of the site to erect a dwelling which would not be negatively impacted by noise, odour and insects. This has been raised with the agent and no evidence to counter these potential impacts has been submitted therefore a refusal reason relating to impact on residential amenity has been included
Previously refused as unsuitable location	Each application is determined on its own merits pertaining to the site conditions, LDP and policy consideration at that time. It is noted that there was a planning appeal refused under S/2005/0903/O for a cyclist and rambling travel lodge and a site for a bungalow refused under S/1999/0866/O. this application has been determined under CTY8 Ribbon Development.
Inadequate information regarding road drainage	Detail associated with site drainage would usually be submitted in the form of a drainage assessment. A drainage assessment was requested and has not been forthcoming. This is included as a refusal reason. It is the responsibility of DFI Roads to ensure the drainage for the road network is adequate

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Overdevelopment	The site is capable of accommodating a modest sized dwelling however the Council view is that it is not in keeping with the existing development pattern found along the frontage in terms of size, scale, siting and plot size and this has been included as a refusal reason
Impact on wildlife corridor	NIEA Natural Environment Division (NED) have been consulted on the NI Biodiversity Checklist submitted. NED notes that the application site is within Hillsborough - Dromore Old Railway Line Site of Local Nature Conservation Importance within the Belfast Metropolitan Area Plan 2015. NED has visited the site and notes that clearance of the site has started. NED recommends a planning condition in relation to a compensatory planting scheme of native species
No pre application community consultation	The statutory requirement for pre application community consultation only relates to major planning applications. This application is local and therefore does not trigger the requirement for community consultation
Not designated but locally used as public right of way	There is no public right of way pertaining to the land
Incomplete planning submission	Several of the refusal reasons are recommended predicated on lack of information which was required in order to complete a full and proper assessment
No complete ecological assessment and incorrect answers to ecological questions on biodiversity checklist	NED have accepted the contents of the submitted information and suggested planting conditions
No entrance detail	This is an outline application to establish the principle of development and full detail such as access and splays would only be detailed at reserved matters stage. DFI Roads are content that the site is capable of facilitating an access should it be acceptable
Dumping has changed the natural topography	This has been noted and NIEA Regulation Unit have been consulted with regards to the unauthorised infilling of land which has occurred on the old rail bed and Regulation Unit (RU) Land and Groundwater Team advise that a Preliminary Contaminated Land Risk Assessment (PRA) for the application site is required as a minimum. This has been requested from the agent and no been forthcoming thus is included as a reason for refusal on lack of information
No outline of where dwelling would be located	This is an outline application to establish the principle of development and full detail such as location would only be detailed at reserved matters stage
Not linked to surrounding farm and too close. Will result in loss of amenity	Whilst there is no requirement for a dwelling, should it comply with CTY8 to be linked to the adjoining farm, the close proximity to the working farm has been highlighted as an issue by Environmental Health. There is no scope within the red line of the site to erect a dwelling which would not be negatively impacted by noise, odour and insects. This has been raised

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	with the agent and no evidence to counter these potential impacts have been submitted therefore a refusal reason relating to impact on residential amenity has been included.
Railways protected wall boundary	NIEA Historic Environment Division have been consulted and note that a substantial stretch of the bridge parapet has been removed. They advise that this should be rebuilt as far as practicable under the sightline requirements and have no objection regarding compliance with policy BH2 of PPS6
Contrary to CTY8 in that the buildings either side do not have a frontage onto the Listullycurran Road	The Council view is that the buildings either side do have a frontage onto the Listullycurran Road. However the Council have reached the view that the application is contrary to CTY 8 in that the proposal does not respect the existing development pattern found along the frontage in terms of size, scale, siting and plot size