

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

Week Ending 28 May 2021

Item Number 1			
Application Reference	LA05/2017/0452/F	Date Valid	05.05.2017
Description of Proposal	Site development works including new access road to serve zoned light industrial land including formation of sightlines and other necessary works, (previous planning reference S/2006/1351/F)	Location	Land adjacent to 16 Gobrana Road Glenavy
Group Recommendation	Refusal	Case Officer	Catherine Gray
Reasons for Recommendation			
The proposal is contrary to the SPPS and Policy AMP 2 of Planning Policy Statement 3 Access, Movement and Parking, in that insufficient information has been provided on the nature and scale of the development to determine whether the access arrangement prejudices road safety or significantly inconveniences the flow of traffic.			
Representations			
Objection Letters	Support Letters	Objection Petitions	Support Petitions
46	N/A	N/A	N/A
Consideration of Objections			
Issue	Consideration of Issue		
Proposal description.	The view has been expressed that the description is inaccurate and misleading to members of the public. The proposal description is considered to be accurate. The application has went through a validation process and is considered to be valid.		

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

Week Ending 28 May 2021

<p>Zoning.</p>	<p>Concerns have been expressed that the proposal is no longer suitable at this location, as BMAP has been quashed, and the site now lies within Countryside in the Lisburn Area Plan. It is stated that the Planning Act (NI) 2011 established a plan-led system which gives primacy to the plan in the determination of planning applications unless other material considerations indicate otherwise. The view is expressed that the development requires assessment under the Lisburn Plan 2001.</p> <p>Section 6(4) of the Planning Act (Northern Ireland) 2011 requires that in making a determination on planning applications regard must be had to the requirements of the local development plan and that determination of applications must be in accordance with the plan unless material considerations indicate otherwise. The adopted Belfast Metropolitan Area Plan 2015 has been declared unlawful following a judgement in the Court of Appeal issued on 18th May 2017. A recent consideration by the Planning Appeals Commission (PAC) notes its current thinking in relation to this matter. The PAC concluded that the LDP preceding BMAP, in its draft form is applicable, therefore in this case the Lisburn Area Plan 2001 is the up to date LDP. However draft BMAP and its policy considerations remains a material consideration. Within the LAP the application site is within the Countryside. Within dBMAP the application site is within the Settlement Development Limit of Glenavy and also within designation GY 05. Designation GY 05 is 6.28 hectares of land north west of Gobrana Road which is zoned for Employment/Industry. Giving consideration to the content of the Planning Appeals Commission report and the zoning of the land for Employment/Industry that was previously adopted, determining weight is given to the zonings within the dBMAP of the site being within a SDL and zoned for Employment/Industry. Recent appeal decisions by the Planning Appeals Commission support this interpretation of policy.</p>
<p>Planning History.</p>	<p>The view is expressed that the planning history on this site does not carry any significant weight as it has lapsed, the employment use zoning is no longer applicable, there were no objections to the previous planning but there is to this application and that the previous decision was taken the Department of the Environment.</p> <p>The planning history on the site is a material consideration however in this case the previous application has expired and is not given determining weight in the processing of the application.</p>
<p>Road safety concerns.</p>	<p>Concerns have been raised about the increase in traffic that the proposal would bring, that the Gobrana Road is widely used as a thoroughfare between Crumlin Road and the A26, and raises concerns over road safety.</p> <p>DfI Roads advise that the proposal is contrary to the SPPS and Policy AMP 2 of Planning Policy Statement 3 Access, Movement and Parking,</p>

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

Week Ending 28 May 2021

	<p>in that insufficient information has been provided on the nature and scale of the development to determine whether the access arrangement prejudices road safety or significantly inconveniences the flow of traffic.</p>
Residential Amenity / Character of the area.	<p>Concerns are raised about the impact of the proposal on neighbouring residential amenity and that it would erode the character of the area.</p> <p>It is considered that the proposed access would not have a negative impact on residential amenity. Environmental Health have been consulted and have no objection to the proposal.</p>
Environmental Impact	<p>Concerns have been raised about the environmental impact of the proposal.</p> <p>The proposal involves the removal of a small portion of hedgerow to accommodate the visibility splays and a small area of improved grassland. Compensatory planting is proposed to the rear of the proposed fencing. It is considered that the proposed access works would not harm any protected species or habitat and complies with PPS 2 Natural Heritage.</p>
Pumping station/housing development/leisure facilities	<p>Customer objects to a pumping station and housing development and anything that is not in keeping with the village of Glenavy. Also the view is expressed that the village needs leisure facilities.</p> <p>The proposal is for an access and not for a pumping station, housing development or leisure facilities.</p>
Pollution	<p>Concerns have been raised about pollution.</p> <p>Environmental Health have been consulted and have no objections to the proposal, raising no concerns about pollution.</p>
Noise impact	<p>Concerns have been raised about the noise impact of the proposal.</p> <p>Construction works are of a temporary nature. Environmental Health have no objection to the proposed site development works. However have noted that any subsequent application stage details of the proposal should identify any potential sources of impact and detail mitigation measures as necessary. A noise impact assessment may be requested by Environmental Health at that stage.</p>
Devaluation of properties	<p>The view is expressed that the proposal would devalue neighbouring properties.</p> <p>The valuation of neighbouring properties is not a material consideration.</p>

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

Week Ending 28 May 2021

<p>Neighbour notification / Public consultation / No community engagement.</p>	<p>Concern has been expressed about neighbour notification and an objector has raised concerns asking if public consultation has been arranged? The view is expressed that there has been no community engagement.</p> <p>The application has been advertised in the local press and neighbour notification has taken place. The Council has fulfilled its statutory obligations with regards to neighbour notification and advertising.</p>
<p>Lack of information / No intended use has been provided / Interpretation of light industrial</p>	<p>Concern has been raised about the lack of information of intended use and about the interpretation of light industrial</p> <p>Light industrial is any use under Class B2 of The Planning (Use Classes) Order (Northern Ireland) 2015 in which involves the use of any industrial process which can be carried out without detriment to amenity by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit.</p>
<p>Impact on children living nearby.</p>	<p>Concern has been raised about the impact of the proposal on children living and playing nearby.</p> <p>The proposal is for an access and would not affect designated children's play areas.</p>
<p>Clarification of the extent of the site development works.</p>	<p>Concern has been expressed that clarification is needed of the extent of the site development works.</p> <p>All development works is within the red line of the application as detailed on the site location map.</p>

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

Week Ending 28 May 2021

Item Number 2			
Application Reference	LA05/2021/0216/F	Date Valid	24.02.2021
Description of Proposal	Proposed single storey extensions to side and rear of dwelling	Location	50 Glenhugh Park Belfast
Group Recommendation	Approval	Case Officer	Cara Breen
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		
Not notified.	The objector's property does not directly abut the application site and it is not considered to be neighbouring land for the purposes of statutory neighbour notification. Notice of, and publication of the application was carried out as per Article 8 of the Planning (General Development Procedure) Order (Northern Ireland) 2015 (GDPO). Neighbour notification was checked again on the ground at the time of site inspection.		
Impact on view.	Impact on view is not considered to be a material consideration of determining weight in the assessment of Planning applications.		
Impact on light.	The proposed extensions are both single storey in form. Taking what could be constructed under Permitted Development legislation and the separation distances between the proposed extensions and the objector's dwelling (27m+) and existing intervening vegetation into account, there are no concerns with regards to potential loss of light.		
Noise disturbance.	Any noise disruption during construction is outside the remit of Planning. Any concerns regarding noise disruption should be directed to the Council's Environmental Health department.		
Impact on value of property.	Impact on property value is not considered to be a material consideration of determining weight in the assessment of Planning applications.		

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

Week Ending 28 May 2021

Item Number 3			
Application Reference	LA05/2020/0848/F	Date Valid	23.10.2020
Description of Proposal	Proposed change of use from domestic dwelling to bridal salon to include a 2 storey rear extension.	Location	17 Lisburn Street Hillsborough
Group Recommendation	Approval	Case Officer	Cara Breen
Reasons for Recommendation			
All relevant planning material considerations have been satisfied.			
Representations			
Objection Letters	Support Letters	Objection Petitions	Support Petitions
2	2	N/A	N/A
Consideration of Objections			
Issue	Consideration of Issue		
Overshadowing.	A 45 degree light test, as per Figure 1 of Planning Policy Statement 7 (Addendum): Residential Extensions and Alterations, has been conducted, to which the proposal meets. Therefore, there are no concerns with regards to the proposal and potential overshadowing of any neighbouring dwelling to an unreasonable degree.		
Alteration of window.	Following the submission of amendments, this no longer forms part of the proposal and the existing window opening will be retained. It has since been removed from the proposal description in the submitted P1 Form.		
Detrimental effect of extension on No. 19.	A 45 degree light test, as per Figure 1 of Planning Policy Statement 7 (Addendum): Residential Extensions and Alterations, has been conducted, to which the proposal meets. Therefore, there are no concerns with regards to the proposal and potential overshadowing to an unreasonable degree. The proposed extension would not be any greater in width than the existing rear extension. LCCC Environmental Health were consulted as part of the processing of the application and subsequently responded with no concerns.		
No car parking.	DfI Roads were consulted as part of the processing of the application and subsequently responded with no concerns.		
Change of changing the character of the	The application site falls within the defined settlement limit of Hillsborough. The Strategic Planning Policy Statement for Northern Ireland; Planning for Sustainable Development (2015) promotes a 'town		

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

Week Ending 28 May 2021

<p>Conservation Area. Use from residential to commercial is</p>	<p>centre first' approach in respect of retail development. It is noted that no designated Town Centre exists in Hillsborough, however the immediate vicinity is composed of a mix of uses, including retail. Therefore, the proposal is considered acceptable. Following consultation with LCCC Conservation, it is also considered that the proposal meets the relevant policy context with regards to development in a designated Conservation Area.</p>
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List of delegated planning applications with objections received / recommendation to refuse

Week Ending 28 May 2021

Item Number 4			
Application Reference	LA05/2019/0748/F	Date Valid	17.07.2019
Description of Proposal	Retrospective perimeter fencing, gates, walls, guard house, CCTV cameras and floodlights on mounted poles and improved access (previously granted under S/2010/0041)	Location	Land at 211 Moira Road Lissue Lisburn BT28 2SN (former Burn House)
Group Recommendation	Refusal	Case Officer	Brenda Ferguson
Reasons for Recommendation			
The proposal is contrary to the provisions of paragraph 6.107 of the SPPS and Policy FLD1 of Revised Planning Policy Statement 15 Planning and Flood Risk, in that it has not been demonstrated to the satisfaction of the Council that the building is not located within a 1 in 100 year floodplain of the designated Lagan River.			
Representations			
Objection Letters	Support Letters	Objection Petitions	Support Petitions
0	N/A	N/A	N/A
Consideration of Objections			
Issue	Consideration of Issue		