

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

Week Ending 29 January 2021

Item Number 1			
Application Reference	LA05/2019/0732/O	Date Valid	09.07.2019
Description of Proposal	Proposed infill dwelling with retention of an outbuilding as garage and store	Location	Approximately 83 metres west of 77 Comber Road, Hillsborough
Group Recommendation	Refusal	Case Officer	Margaret Manley
Reasons for Recommendation			
<p>The proposal is contrary to Policy FLD1 of Revised PPS15 Planning and Flood Risk in that insufficient information has been submitted to demonstrate the proposed development does not lie in a flood plain and that the proposed site is not at risk of flooding.</p> <p>The proposal is contrary to the Strategic Planning Policy Statement, paragraph 6 as it has not been demonstrated that prospective residents of the proposed dwelling would suffer loss of amenity due to noise, odour and pests arising from the open slurry tank located immediately adjacent to the site.</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 2			
Application Reference	LA05/2019/0733/O	Date Valid	09.07.2019
Description of Proposal	Proposed infill dwelling with retention of an outbuilding as garage and store	Location	Approximately 67 metres west of 77 Comber Road, Hillsborough
Group Recommendation	Refusal	Case Officer	Margaret Manley
Reasons for Recommendation			
The proposal is contrary to Policy FLD1 of Revised PPS15 Planning and Flood Risk in that insufficient information has been submitted to demonstrate the proposed development does not lie in a flood plain and that the proposed site is not at risk of flooding.			
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 3			
Application Reference	LA05/2020/0716/O	Date Valid	11.09.2020
Description of Proposal	Site for dwelling and garage	Location	Site to west of 161 Ballynahinch Road Hillsborough
Group Recommendation	Refusal	Case Officer	Grainne Rice
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 constitute a small gap in a substantial and built up frontage and in addition does not respect the existing development pattern along the frontage in terms of size, scale, siting and plot size and would, if permitted, result in the creation of a ribbon of development.</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 proposal would, if permitted be a prominent feature in the landscape and is unable to provide a suitable degree of enclosure for the building to integrate into the landscape and would rely primarily on the use of new landscaping for integration.</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 proposal would, if permitted result in a build-up of development when taken cumulatively with other existing buildings and the creation of a ribbon of development resulting in a detrimental change to 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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Item Number 4			
Application Reference	LA05/2019/0807/F	Date Valid	07.08.2019
Description of Proposal	Demolition of existing public house and the construction of residential development consisting of 36 no. cat 1 (elderly) apartments incorporating 22no. 3p2b and 14 no. 2p1b apartments with associated landscaping and car parking.	Location	The Beechill Inn 14 Cedarhurst Road Belfast
Group Recommendation	Approval	Case Officer	Mark Burns
Reasons for Recommendation			
All relevant planning material considerations have been satisfied.			
Fifteen Objections have been received – Five letters of objection have been withdrawn. Of the 10 remaining, only 1 is in relation to the amended scheme submitted in October 2020.			
Representations			
Objection Letters	Support Letters	Objection Petitions	Support Petitions
As above	1	N/A	N/A
Consideration of Objections			
Issue	Consideration of Issue		
Character of the area.	An objection has been raised that the proposal will impact on the character of the area. The proposal has been amended and now includes 3 blocks of apartments each with a ridge height of 10.8 metres. It is considered that this is acceptable and is in keeping with the immediate character of the area.		
Traffic/Parking.	An objection has been raised in relation to the additional traffic the proposal will generate and the number of spaces provided to serve the proposal. Dfi Roads were consulted in relation to the proposal and following the submission of amended plans and additional information they now have no objections to the proposal.		
Impact on Wildlife	Objections have been raised stating that the proposal could impact on the existing wildlife on the site.		

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	<p>The agent has submitted a number of surveys including a Preliminary Ecological Appraisal and a Preliminary Roost Assessment for Bats. Natural Heritage Division (NED) were consulted in relation to the proposal and stated that they considered it unlikely that the development will have any significant impact on the local bat population in the event of planning permission being granted.</p>
Overlooking	<p>An objection had been raised from existing residents in Royal Lodge stating that the proposal will overlook their property and private amenity space.</p> <p>The amend plans have positioned the apartments blocks so as to limit any potential overlooking. Balconies have also been removed from the rear of the apartment blocks</p> <p>Following the submission of amended plans and discussions with the developer number 25 and 27 Royal Lodge Road, which are adjacent to the site, have withdrawn their refusal reasons and are content with the amended proposal.</p>
Scale, form, massing and design of buildings	<p>An objection has been raised in relation to the scale form and massing of the proposal.</p> <p>It is considered that the scale form massing and design of the proposal is acceptable and will not have a detrimental impact on the character of the area and the residential amenity of existing dwellings.</p> <p>The materials proposed for the apartments blocks will be in keeping with the area.</p>
Demolition of existing Bar could damage foundations of dwellings	<p>An objection has been raised by a resident in Royal Lodge stating that the demolition of the existing bar which is only 1 metre from the site boundary could damage the foundations of her house.</p> <p>A contractor demolishing the existing building on site would have to show due diligence while carrying out any works to the site. Any damage to foundations at existing residential properties would be a civil matter.</p> <p>The resident who made this representation has met with the developer with regards to this issue and has written to the Council to confirm that he no longer wishes to object under these grounds.</p>

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Item Number 5			
Application Reference	LA05/2020/0705/O	Date Valid	10 September 2020
Description of Proposal	Infill dwelling and garage	Location	Lands south east of 18 Clogher Road, Lisburn.
Group Recommendation	Refusal	Case Officer	Richard McMullan
Reasons for Recommendation			
<ul style="list-style-type: none"> ▪ The proposal is contrary to the SPPS and Policy CTY1 of PPS 21 in that there are no overriding reasons why this development is essential and could not be located in a settlement, or it is otherwise allocated for development in a development plan. ▪ The proposal is contrary to the SPPS and Policy CTY8 of Planning Policy Statement 21, Sustainable Development in the Countryside in that it fails to meet the provisions for an infill development as no gap exists within the application site and the development would not respect the existing development pattern long the frontage in terms of size, scale, siting and plot size and would if permitted result in the addition of ribbon development along the Clogher Road. ▪ 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 not if permitted respect the traditional pattern of settlement exhibited in the area and it would, if permitted add to a ribbon of development along the Clogher Road and would therefore result in a detrimental change to the rural character of the countryside. 			
Representations			
Objection Letters	Support Letters	Objection Petitions	Support Petitions
7	0	N/A	N/A
Consideration of Objections			
Issue	Consideration of Issue		
No gap exists	<p>The view is expressed that there is no gap and therefore the application is not valid and there would seem to be no legislation to create an infill.</p> <p>The application is considered to be valid. In turn, following a full assessment of the merits of the development as proposed it is considered that it is contrary of the provisions of Policy CTY8 of PPS 21 Infill Development. It is noted that no gap exists and this is reflected within the refusal reasons.</p>		
Ribbon Development	The view is expressed that the development will add to the in situ ribbon of development.		

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	<p>Following a full assessment of the merits of the application it is considered that the proposal would add to the in situ ribbon of development. This is reflected within the refusal reasons put forward in this case.</p>
Failure to respect existing pattern of development	<p>The view is expressed that the proposal does not respect the existing pattern of development along the frontage.</p> <p>It is considered that this is the case as is illustrated by the refusal reasons put forward in respect of this application following a full assessment against prevailing planning policy.</p>
Rural Road	<p>Reference is made to the Clogher Road being a narrow rural road, approximately 1km long, with much access to agricultural farmland which must be maintained.</p> <p>DfI Roads have been consulted and offer no objections to the development.</p>
Precedent	<p>The view is expressed that a precedent would be set if permission was granted to infill numerous gaps along the Clogher Road which would destroy the rural character of the area.</p> <p>Each application is assessed upon its own merits. In this case it is considered that the development as proposed is unacceptable when assessed against prevailing policy. Any further applications submitted for similar types of development will be assessed against prevailing planning policy also.</p>
Not Essential	<p>The view is expressed that there are no overriding reasons why this development is essential in this rural local and therefore should therefore not be permitted.</p> <p>As the principle of development is considered to be flawed the refusal reasons outline that the development is not essential in the rural area etc.</p>
Lacks long established natural boundaries	<p>Site lacks long established natural boundaries and is detrimental to the nature of the existing building at 18.</p> <p>It is considered that the development has sufficient in situ natural boundaries which would in the event of approval provide for adequate levels of integration etc. The submitted proposed site layout drawing it is considered illustrates a satisfactory relationship with no. 18 Clogher Road. In the event of approval a full assessment of the impacts would be made and mitigated against if required.</p>
Result in a suburban style build-up of development	<p>The development would result in a suburban style build-up of development and add to a ribbon of development.</p>

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	<p>It is considered that the development would result in a build-up of development along this section of the Clogher Road and also add to the existing ribbon of development found along this stretch of road. This has been reflected within the refusal reasons.</p>
Pollution problem	<p>A question is posed as to whether the applicant has demonstrated that there will be no pollution problem as there is no mains sewerage.</p> <p>The development seeks to utilise a septic tank. LCCC Environmental Health, NI Water and DAERA Water Management have offered no objections in respect of the development.</p>
Road safety/traffic	<p>Concerns are expressed in relation to road safety/traffic issue.</p> <p>DfI Roads have been consulted and offer no objections to the development.</p>
No application to demolish	<p>Development seeks to demolish a significant part of an existing dwelling (18) and no planning application has been submitted for this change.</p> <p>Planning permission would not be required for these works. The application has been assessed on the basis of the submitted information and the situation on the ground etc.</p>
Misleading information	<p>The view is expressed that there is misleading information provided within Proposed Concept Plan and Support Statement in respect of laneway to the south of the site (which belongs to 20 Clogher Road).</p> <p>The comments are noted. It is noted that the red line as illustrated upon the site location map submitted with the application does not include the laneway within it. The agent has in turn outlined that they are aware of this and conceded same.</p>
Planting	<p>Submitted details illustrates existing dense mature treeline to southern boundary. This area is not within the ownership of the applicant.</p> <p>The above area has not been included within the red line of the application nor is it included within the blue lands. The applicant has not claimed to own or have control of this section of land.</p>