

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

Week Ending 4 October 2019

Item Number 1			
Application Reference	LA05/2019/0292/F	Date Valid	20.03.2019
Description of Proposal	Replacement dwelling and associated site works	Location	Lands 30 metres east of No 102 Edentrillick Road, Hillsborough
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 CTY3 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that there is no structure that exhibits the essential characteristics of a dwelling, the overall size of the proposed replacement dwelling would have a visual impact significantly greater than the existing building and the access to the public road will prejudice road safety.</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 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 2.4 metres x 93 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 the width and visibility of the existing access renders it unacceptable for intensification of use and is not in accordance with the standards contained in the Department's Development Control Advice Note 15.</p>			
Representations			
Objection Letters	Support Letters	Objection Petitions	Support Petitions
0	N/A	N/A	N/A
Consideration of Objections			
Issue	Consideration of Issue		

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

Week Ending 4 October 2019

Item Number 2			
Application Reference	LA05/2019/0568/F	Date Valid	30.05.2019
Description of Proposal	2 No one and a half storey detached dwellings including access and associated site works	Location	Lands at 3 Damhead Road, Moira
Group Recommendation	Approval	Case Officer	Margaret Manley
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		
Overlooking/loss of privacy	<p>Dwelling proposed at site 2 has been moved further forward to increase separation distance from objector's dwelling.</p> <p>Cross sections and a landscaping scheme have been provided showing the retention of the existing fence and existing hedge retained at a height of 5 metres.</p> <p>The retention of the existing boundary treatment and the increased separation distance are considered adequate to ensure there will be no significant adverse impact on the privacy of neighbouring dwelling no. 2 Anvil Close.</p>		
Removal of Hedges	<p>Concern is expressed in relation to the potential removal of hedge between proposed dwellings and neighbouring dwelling. Resulting impact on privacy and nesting birds. The hedge referred to will be retained at a height of 5 metres. This will protect the amenity of the existing neighbouring dwelling. There will be no negative impact on nesting birds.</p>		

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Week Ending 4 October 2019

Item Number 3			
Application Reference	LA05/2018/0729/F	Date Valid	17.07.2018
Description of Proposal	Erection of replacement dwelling, provision of new access point to Ravarnet Road and new Septic Tank	Location	9 Ravarnet Road, Ravarnet, Lisburn
Group Recommendation	Refusal	Case Officer	Margaret Manley
Reasons for Recommendation			
<p>The proposal is contrary to the SPPS and Planning Policy Statement 3, Access, Movement and Parking, Policy AMP 4, in that it would, if permitted, result in the creation of a new vehicular access onto a Strategic Road Scheme Road Protection Corridor, designed to protect a route for new transport schemes. Thereby prejudicing the free flow of traffic and conditions of general safety.</p> <p>The proposal is contrary to Planning Policy Statement 13, General Principle 8, in that it would, if permitted, result in the creation of a new vehicular access onto a Strategic Road Scheme Road Protection Corridor, and prejudice the implementation of the M1/A1 Sprucefield Bypass, identified in the Belfast Metropolitan Transport Plan 2015.</p>			
Representations			
Objection Letters	Support Letters	Objection Petitions	Support Petitions
1	N/A	N/A	N/A
Consideration of Objections			
Issue	Consideration of Issue		
Resulting restricted access to neighbour's field as new entrance is located opposite their entrance.	The proposed development is located on the opposite side of the road from the objector's field and would not appear to affect access to this field.		
Proposal could block access to existing lane which objector has right of way over.	The applicant has indicated they propose a new access which will join the existing laneway. They have shown the existing laneway as a right of way and the red line of the application site includes a section of this laneway. Use of this laneway is a legal matter between the concerned parties.		
Lane should be constructed first. If this is not the case only the current	In the event planning permission is approved the construction of the new access could be stipulated as a pre-commencement condition of the permission.		

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

Week Ending 4 October 2019

lane will be used to access the proposed dwelling.	
Will agricultural and heavy good vehicles bringing materials to the site will use the new lane.	This pre-commencement condition would ensure the new vehicular access is constructed prior to the commencement of any other development. This new access could then be used to bring materials to the site.
Concerns regarding the safety of young children given the amount of large vehicles accessing the existing lane.	Roads Service were consulted in relation to this proposal. They did not raise any concerns regarding road safety along the existing laneway.
Plans not uploaded to planning portal correctly.	The proposed plans have been uploaded to and are viewable from the Planning portal.
Additional access onto Ravarnet Road will add to road safety danger.	Roads Service did not raise any concerns regarding road safety along Ravarnet Road.
Plans to place a motorway junction in the area of the site.	The site is affected by a Strategic Road Scheme Road Protection Corridor (M1/A1 Sprucefield Bypass) and as such Roads Service have advised no development on or across the corridor is permitted.
Objector queries if new entrance will affect their sightlines.	The applicant has indicated they own all lands required for visibility splays to serve the new entrance. Any dispute regarding this would be a legal matter between the concerned parties.
Objector queries if the septic tank and its run off will impede on or run toward their house and land.	The Council's Environmental Health Department were consulted in relation to this proposal. They did not raise any concerns regarding the septic tank and/or potential run off affecting neighbouring properties.

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

Week Ending 4 October 2019

Item Number 4			
Application Reference	LA05/2019/0426/F	Date Valid	17.04.2019
Description of Proposal	One dwelling and garage	Location	Site 117 Limestone Meadows, Moira
Group Recommendation	Refusal	Case Officer	Margaret Manley
Reasons for Recommendation			
<p>The proposal is contrary to the SPPS and criteria (a) and (h) of Policy QD1 of Planning Policy Statement 7 in that the proposed development would if permitted fail to respect the surrounding context in terms of layout and would have an unacceptable adverse effect on existing properties in terms of loss of light/overshadowing.</p> <p>The proposal is contrary to the SPPS and Criteria (b) of Policy LC1 of the Addendum to Planning Policy Statement 7 Safeguarding the Character of Established Residential Areas in that the pattern of development is not in keeping with the overall character of the established residential area.</p>			
Representations			
Objection Letters	Support Letters	Objection Petitions	Support Petitions
4	N/A	N/A	N/A
Consideration of Objections			
Issue	Consideration of Issue		
Loss of light	The proposed dwelling will have an overbearing impact on neighbouring dwellings nos. 5 and 7 Limestone Meadows. The proposed dwelling will result in the loss of light/overshadowing of the private amenity space of these neighbouring dwellings.		
Loss of green space	The wider housing development approved under S/2005/0419/F is served by 2 main areas of open green space. This was considered an adequate level of open space to serve this approved development and the further dwellings approved under subsequent applications, including 13 dwellings approved under S/2014/0855/F, 3 dwellings approved under S/2014/0841/F and 3 dwellings approved under S/2013/0195/F. The loss of the open space the application site provides would not warrant refusal of this application given the wider housing development is served by an adequate level of open space.		
Failure to respect building line/out of character	The location of the proposed dwelling does not respect the building line of the neighbouring dwellings. Limestone Meadows housing development is characterised by a number of different pockets of development. The area to the east is characterised by large detached dwellings set on generous plot sizes. The area to the north-west is characterised by terraced town houses. This proposal to site a single		

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Week Ending 4 October 2019

	two-storey dwelling on a relatively small plot which does not read with any pocket of development within this housing development is not considered to respect the established character of Limestone Meadows.
Devaluation of property	Devaluation of property is not a material consideration afforded any significant weight in this assessment.
Ownership dispute	Certificate A was originally signed confirming the applicant had actual possession of every part of the land relating to the application. In light of the objector's ownership query this issue was raised with the applicant's agent who confirmed the applicant had full ownership of the application site and the correct certificate of ownership had been completed. Land ownership is a legal matter between the concerned parties.
Overlooking/Loss of privacy	Considering the orientation of the proposed dwelling and positioning of windows the proposal will not generate significant overlooking concerns.
Overdevelopment	The proposed development is considered to constitute overdevelopment in that it fails to respect the character of this established residential estate.
Exacerbation of existing traffic problems	Roads Service were consulted in relation to this proposal. They did not raise any concerns regarding increased traffic or access issues.
Infrastructure in Moira is inadequate to cope with further housing development	This application seeks permission for one dwelling only. Improvements to infrastructure in Moira is not deemed a reasonable request for such a small scheme. The approval of one dwelling is unlikely to have a major negative implication on the infrastructure of Moira.
Failure to notify all existing neighbours and potential buyers of neighbouring properties	The occupants of 2 Limestone Meadows Crescent stated they did not receive notification of this planning application. A neighbour notification letter was posted to their address on 27.6.2019 following the site inspection. Concerns were raised that potential buyers of unoccupied dwellings were not notified. Another objector contacted the Council via email to advise nos. 1 and 3 Limestone Meadows Crescent had become occupied since the original neighbour notifications and site inspection. These additional neighbours were subsequently notified on 21.8.2019.
Negative cumulative impact of subsequent approvals for further housing within Limestone Meadows	This application proposes one dwelling and garage. This is the only development under consideration. Any possible negative cumulative impact resulting from subsequent approvals for further housing within Limestone Meadows since the 2005 original permission is not matter for this application. Every planning application is determined on its individual merits.