

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

Week Ending 8 May 2020

Item Number 1			
Application Reference	LA05/2018/0080/F	Date Valid	16.01.2018
Description of Proposal	Erection of free range poultry house with 2 no feed bins, washing collection tank, standby generator building, litter storage shed and associated site works (to contain 16,000 free range egg laying hens	Location	Land approximately 175 metres south west of 6 Tullyrusk Road Knockcairn Dundrod Crumlin BT29 4JA
Group Recommendation	Refusal	Case Officer	Rachel Taylor
Reasons for Recommendation			
<p>The proposal is contrary to the SPPS and Policy CTY12 of Planning Policy Statement 21, Sustainable Development in the Countryside in that: (b) the development is not of a scale and character that is suitable for the area; (C) in that it does not visually integrate into the local landscape and additional landscaping It has not been provided as necessary; it is not is sited beside existing farm or forestry buildings; and it has not been demonstrated that there are no other sites available at another group of buildings on the holding, and where and there are demonstrable health and safety reasons for the separation.</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 building is a prominent feature in the landscape and the site lacks long established natural boundaries/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, be unduly prominent in the landscape 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
45	N/A	N/A	N/A
Consideration of Objections			
Issue	Consideration of Issue		
Loss of visual amenity/visual impact.	The visual impact of the proposal has been considered and the council have concerns regarding the appropriateness of the proposal to this site. The visual impact is not considered acceptable under CTY12, CTY 13 and CTY14 as reflected in the refusal reasons.		

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Noise disturbance.	LCCC Environment Health were consulted as part of the application and have no concerns with regards to potential noise disturbance.
Over development.	Planning policy allows for intensive agricultural operations within the countryside location provided they meet all applicable policy criterion. Overdevelopment is not an issue in this instance that is given any significant determining weight.
Odour, pests and vermin.	An Air Quality Impact Assessment (AQIA) has been submitted and amended to the satisfaction of LCCC Environmental Health Department who offer no objections with regards to odour, pests and vermin.
Invalid as major application.	The Council must determine the application on the basis of the information provided. And whilst it is clear that the application falls short of the Major threshold of development by some 0.01ha, the Council cannot force the applicant to enlarge the red line. The choice to keep the red line to a minimum has had a detrimental impact on the application by virtue of being unable to provide any integration within the red line and having to locate the swale outside of the red line.
Neighbour notification not received.	Neighbour notification was checked on site and all relevant neighbours who require notification have subsequently been notified.
Ownership issues.	The Council undertook a P2 challenge on the applicant and clarification regarding ownership was confirmed through the processing of the application.
Pollution of air, landscape and watercourses by virtue of ammonia discharge and deposition.	Extensive consultation has been carried out with multiple consultees with this regard. The ammonia in poultry litter being produced has been agreed to be land banked by a farmer in co Louth by way of agreement. NIEA are content that the proposal, and is in line with DAERA's operational policy on nitrogen emissions. Shared Environment Services have carried out a Habitats Regulations Assessment (HRA) and having considered the nature, scale, timing, duration and location of the project concluded that, the proposal will not have an adverse effect on site integrity of any European site. The applicant must adhere to conditions on the AQIA and farm management agreements and to limit the poultry to 16,000 free range layers.
Impact on flora and fauna as well as ancient woodland to north east.	The relevant biodiversity checklist were carried out and full consultation with NIEA Natural Heritage have resulted in no objections from the consultee in relation to Natural Heritage.
Confirmation to status of any environmental assets appraisal or	A representation sought confirmation as to the status of any environmental asset appraisal or landscape assessment carried out as per paragraph 6.75 of Regional Strategy objectives.

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landscape assessment	The application site has been assessed as per the relevant local development plan context, applicable planning policy and all other material considerations.
Application breaches Policies CTY 11 and 12.	The application has not been assessed as a diversification project under CTY11 as it is for an intensive agricultural operation on an existing agricultural holding. It is agreed however that the application breaches CTY12 and this is reflected in the refusal reasons.
Impact on integration and rural character.	As demonstrated in the refusal reasons attached that the Council agree with the potential detrimental impact on the character of the area by virtue of lack of integration.
Commencement of works on the site.	The earthworks carried out were reported to the LCCC enforcement sections for investigation.
Impact on historic assets.	Photomontages were submitted for the application to demonstrate if the proposal would have adverse impact on several surrounding historic assets. Consultation with DFC Historic Monuments Unit offer no further objections to the proposal n found it compliant with PPS6 in that there is no significant detrimental impact on the assets.
Traffic impact and safety on Tullyrusk Road.	The applicant has submitted a Traffic Assessment Form which has been accepted and agreed with DFI Roads who offer no objections subject to conditions regarding the access and visibility splays.
Prominence	This has been considered and due to the flat nature of the site and the lack of sufficient boundaries, prominence is reflected in refusal reasons on CTY13 and 14 grounds.
Lack of buildings to cluster with, other building on the farm and insufficient evidence base of 'biosecurity risks' cited.	This has been considered through the processing of the applications and it is considered fatal to the application reflected in the refusal reasons on CTY12.
Queries regarding the cross referencing of submitted documentation, lack of evidence base and qualifications of authors.	Clarity was sought and submitted in relation to the documentation to the satisfaction of the Council. Whilst there was a page missing from the DARD maps, this was not owner therefore could not be considered a viable alternative site.
Flawed EIA Determination.	An EIA determination was carried as per the Schedule 2 of the Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2017 and it was considered that there was no significant environmental impact and that the application could be determined through the normal planning process.

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Item Number 2			
Application Reference	LA05/2017/0537/F	Date Valid	22.05.2017
Description of Proposal	Demolition of existing buildings and erection of 20 social housing apartments with associated car parking, site access and landscaping.	Location	Former Richard Crothers Autos, 11 Sloan Street, Lisburn
Group Recommendation	Refusal	Case Officer	Brenda Ferguson
Reasons for Recommendation			
The proposal is contrary to the SPPS and Policy QD 1 (a) of Planning Policy Statement 7- Quality Residential Environments in that the development, if permitted, would result in overdevelopment of the site and would be detrimental to the local character and appearance of the area in terms of its layout, scale, form, proportions, massing and appearance.			
Representations			
Objection Letters	Support Letters	Objection Petitions	Support Petitions
3	N/A	N/A	N/A
Consideration of Objections			
Issue	Consideration of Issue		
Object to the development of the Barbour Play Park and the development of protected open space.	The site does not encompass any existing open space area and only relates to the former car repair sales building and surrounding curtilage. The site is un-zoned within the city centre boundary.		

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Item Number 3			
Application Reference	LA05/2017/0658/F	Date Valid	23.06.2017
Description of Proposal	Proposed single dwelling in a cluster	Location	Between 2 & 6 Ballycolin Road Belfast
Group Recommendation	Refusal	Case Officer	Brenda Ferguson
Reasons for Recommendation			
<p>The proposal is contrary to paragraph 3.3 of the SPPS in that it has not been demonstrated that the development would not have a significant adverse impact on the water environment.</p> <p>The proposal is contrary to the SPPS and Policy AMP 2 of Planning Policy Statement 3 – Access, Movement and Parking, in that it involves the intensification of use of an existing access and it has not been demonstrated that such access will not prejudice road safety or significantly inconvenience the flow of traffic.</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	LA05/2019/0892/F	Date Valid	27.08.2019
Description of Proposal	Replacement of existing barn plus extension for keeping of domestic and agricultural machinery and equipment.	Location	65 Drumlough Road, Hillsborough
Group Recommendation	Refusal	Case Officer	Richard McMullan
Reasons for Recommendation			
<p>The proposal is contrary to the SPPS and Policy CTY12 of Planning Policy Statement 21, Sustainable Development in the Countryside in that it has not been demonstrated that the existing agricultural (or forestry holding) is currently active and established; it is necessary for the efficient use of an active and established agricultural (or forestry) holding; it is appropriate to this location due to the unacceptable character and scale of the development and the development, if permitted, would not visually integrate into the local landscape without the provision of additional landscaping.</p> <p>The proposal is contrary to the SPPS and policy CTY12 of Planning Policy Statement 21 Sustainable Development in the Countryside, in that the applicant has not provided sufficient information to confirm that there are no suitable existing buildings on the holding or enterprise that can be used; the design and materials to be used are sympathetic to the locality and adjacent buildings and the proposal is sited beside existing farm or forestry buildings.</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 building would be a prominent feature in the landscape; the proposed site lacks long established natural boundaries/is unable to provide a suitable degree of enclosure for the building to integrate into the landscape; the proposed building relies primarily on the use of new landscaping for integration and the design of the proposed building is inappropriate for the site and its locality and therefore it 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 building would, if permitted, be unduly prominent in the landscape and the building would, if permitted result in a suburban style build-up of development when viewed with existing and approved buildings 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