

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

Week Ending 11 February 2022

Item Number 1			
<b>Application Reference</b>	LA05/2021/1351/F	<b>Date Valid</b>	13.12.2021
<b>Description of Proposal</b>	Proposed double storey rear/side extension	<b>Location</b>	39 Drumlough Road
<b>Group Recommendation</b>	Approval	<b>Case Officer</b>	Morgan Poots
Reasons for Recommendation			
All relevant planning material considerations have been satisfied.			
Representations			
<b>Objection Letters</b>	<b>Support Letters</b>	<b>Objection Petitions</b>	<b>Support Petitions</b>
1	N/A	N/A	N/A
Consideration of Objections			
<b>Issue</b>	<b>Consideration of Issue</b>		
Significant Location of the property	This area has not been identified as being an area of high scenic value or an area of outstanding natural beauty. The application site is not located within a Conservation area. The location and siting of the property is considered as a material consideration by the Council in the officer's report. However, it is not thought that the proposal will detract from the surrounding area in any way.		
Visual impact of the two storey extension in a row of single storey dwellings	Drumlough Road has a range of house types and styles which do not mirror each other exactly. There are modern two storey houses seen less 300 metres away and a two storey farm house is situated at the start of the Drumlough Road. The extension will not appear out of place or character along this road.		

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

**Week Ending 11 February 2022**

<b>Item Number 2</b>			
<b>Application Reference</b>	LA05/2021/0428/O	<b>Date Valid</b>	20.04.2021
<b>Description of Proposal</b>	Proposed infill dwelling within a gap along a substantially built up frontage	<b>Location</b>	Lands between 4e & 6 Irwinstown Lane, Ballinderry, Lisburn
<b>Group Recommendation</b>	Refusal	<b>Case Officer</b>	Brenda Ferguson
<b>Reasons for Recommendation</b>			
<ol style="list-style-type: none"> <li>The proposal is contrary to 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.</li> <li>The proposal is contrary to the SPPS and Policy CTY8 of Planning Policy Statement 21, Sustainable Development in the Countryside in that it is considered there is no small gap within an otherwise substantial and continuously built up frontage and the proposal would, if permitted, result in the addition of ribbon development along the Irwinstown Lane</li> <li>The proposal is contrary to Policy CTY14 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the (building) would, if permitted create add to a ribbon of development and would therefore further erode the rural character of the countryside.</li> </ol>			
<b>Representations</b>			
<b>Objection Letters</b>	<b>Support Letters</b>	<b>Objection Petitions</b>	<b>Support Petitions</b>
0	N/A	N/A	N/A
<b>Consideration of Objections</b>			
<b>Issue</b>	<b>Consideration of Issue</b>		

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

**Week Ending 11 February 2022**

<b>Item Number 3</b>			
<b>Application Reference</b>	LA05/2021/0197/O	<b>Date Valid</b>	18.02.2021
<b>Description of Proposal</b>	Renewal of outline approval for 2 no. two storey dwellings with garages, previously approved ref no. LA05/2017/0361/O	<b>Location</b>	14A Feumore Road, Ballinderry Upper Lisburn
<b>Group Recommendation</b>	Approval	<b>Case Officer</b>	Margaret Manley
<b>Reasons for Recommendation</b>			
All relevant planning material considerations have been satisfied.			
<b>Representations</b>			
<b>Objection Letters</b>	<b>Support Letters</b>	<b>Objection Petitions</b>	<b>Support Petitions</b>
3	N/A	N/A	N/A
<b>Consideration of Objections</b>			
<b>Issue</b>	<b>Consideration of Issue</b>		
No linear pattern of development, proposal does not respect established building line.	There is no established building line along this stretch of Feumore Road. Some dwellings are located close to the roadside frontage while others are set back from the road. The proposed dwellings are set approximately 16 metres back from Feumore Road and the proposal is not uncharacteristic of the area.		
Overdevelopment	The proposed housing density is considered to respect the housing density of the surrounding area. The housing density of the proposed development is very similar to that of the 4 dwellings located across the road and a short distance east of the site (initially approved under LA05/2017/0417/O) and also the 5 dwellings approved under LA05/2019/0556/F across the road and south of the site.		

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

**Week Ending 11 February 2022**

	As the housing density is characteristic of the surrounding area and there is adequate space to allow for sufficient amenity space for each dwelling the proposal is not deemed to constitute overdevelopment.
Position of dwellings must be considered to avoid any future tandem development.	The current application can only assess the 2 dwellings proposed. An application proposing the demolition of the existing building and construction of 4 no. detached two storey dwellings with garages on land incorporating the current application site and additional adjoining lands to the north is currently under consideration under LA05/2021/0206/O. Each application will be considered on its merits and take into account any planning histories and current planning proposals.
Cumulative impact of 8 no 2 storey dwellings (proposed under LA05/2017/0417/O, LA05/2017/0352/F and overdevelopment	The application site is located within the development limit of Feumore. The proposal is considered to respect the surrounding context in terms of housing density and plot size. The proposed 2 dwellings are not considered to constitute excessive development and would not have a negative impact on the character of the area when assessed in accumulation with the 4 dwellings approved under LA05/2017/0417/O and the 2 dwellings approved under LA05/2017/0352/F.
Shared access does not respect character of area	The proposed shared/dual access ensures it is not deemed out of keeping with development within a Settlement Limit. Roads Service are satisfied the proposal allows for a safe access to each dwelling.
Two-storey dwellings do not respect character of area	Two storey dwellings are considered to respect the established character of the surrounding area. There are a number of two storey dwellings already established in close vicinity of the application site. 2 no. 2 storey dwellings are located immediately adjacent and west of the site. Planning permission has been approved for 5 no. 2 storey dwellings across the road and south of the site under LA05/2019/0556/F. Planning permission has also been approved for 4 no. 2 storey dwellings across the road and a short distance east of the site. 3 of these dwellings have now been constructed. (Originally approved under LA05/2017/0417/O).
Close proximity to DOE Pumping Station	There is adequate separation distance between the application site and the existing Pumping Station to avoid any impact on the Pumping Station or any adverse impact on the amenity enjoyed by prospective residents of the proposed dwellings from the Pumping Station. Environmental Health have been consulted and have no objections to the proposal.
Proposal conflicts with preferred option of local development plan	The application site is located within the settlement limit of Feumore in accordance with both the Lisburn Area Plan 2001 and DBMAP. The proposed development does not encroach into the open countryside.

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

**Week Ending 11 February 2022**

Rural character of Feumore.	PPS21 applies to countryside locations ie land lying outside of settlement limits as identified in development plans. As the application site is located within the development limit of Feumore in accordance with the relevant area plans PPS21 is not applicable in the determination of the proposal.
Application is invalid as it proposes demolition works outside application site.	The application is not considered invalid given it proposes demolition outside the application site. Demolition of the concerned building does not require planning permission.
Reduction in visibility splays and resulting road safety concerns.	Roads Service were consulted in relation to this proposal. They did not raise any road safety concerns and are satisfied the proposed visibility splays are adequate.
Physical features obstructing east visibility splay	Roads Service are satisfied the visibility splays exhibited on the site layout plan are sufficient. In the event planning permission is approved they have recommended it is on the following condition: 'Any existing street furniture or landscaping obscuring or located within the proposed carriageway, sight visibility splays or access shall, after obtaining permission from the appropriate authority, be removed, relocated or adjusted at the applicant's expense. Reason: In the interest of road safety and the convenience of road users.'
Ownership query of land required for visibility splays	The issue of ownership was queried with the applicant's agent in light of this concern.  The agent forwarded email correspondence from the applicant's solicitor confirming the applicant should complete Certificate A of the Certificate of Ownership.  Land ownership is a legal issue which falls outside the remit of planning.
Contrary to Policy LC1 of the Addendum to PPS7 in relation to housing density.	The proposed housing density is considered to respect the established housing density of the surrounding area. The housing density of the proposed development is very similar to that of the  5 dwellings approved across the road and south of the site (LA05/2019/0556/F) and the 4 dwellings approved across the road and a short distance east of the site (initially approved under LA05/2017/0417/O)

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

**Week Ending 11 February 2022**

<p>The application site is located in close proximity to Lough Neagh RAMSAR site, an area of scientific interest and within Lough Neagh and Lough Beg Special Protection Area.</p>	<p>Shared Environmental Services were consulted in relation to this proposal given the application site is located within Lough Neagh and Lough Beg Ramsar site.</p> <p>Having considered the nature, scale, timing, duration and location of the project, they concluded that it would not be likely to have a significant effect on any European site, either alone or in combination with any other plan or project and therefore an appropriate assessment was not required. They concluded there will be no likely significant effect due to the quality of habitat present and the absence of a hydrological link via surface-water.</p> <p>The applicant has provided supporting information to address ecological issues including a Biodiversity checklist, Ecological Statement and Bat Surveys. Natural Environment Division were consulted in relation to this application. They have considered the impacts of the proposal on designated sites and other natural heritage interests and, on the basis of the information provided, have no concerns subject to recommended conditions and informatives.</p>
<p>Impact on privacy of no. 14E Feumore Road</p>	<p>In the event planning permission is approved an appropriate house type and boundary treatment along the site's east boundary can be agreed at reserved matters stage to ensure there is no detrimental impact on the amenity of this neighbouring dwelling.</p> <p>Regard will be given to the fenestration of the dwellings proposed to ensure no overlooking/loss of privacy.</p>
<p>Proposal does not represent an infill opportunity</p>	<p>Infill policy ie Policy CTY8 of PPS21 is only applicable to lands located in the countryside ie land lying outside of settlement limits as identified in development plans.</p> <p>The application site is located within the development limit of Feumore and has been assessed in accordance with the relevant area plans and Planning Policy. PPS 21 is not applicable in the determination of the proposal.</p>

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

**Week Ending 11 February 2022**

<b>Item Number 4</b>			
<b>Application Reference</b>	LA05/2020/1014/F	<b>Date Valid</b>	03.12.2020
<b>Description of Proposal</b>	Install a new 11KV Switch Board, two 33/11KV Transformers and outdoor 33KV Circuit Breakers at Lisburn North	<b>Location</b>	Lisburn North 33/11KV Substation Beside 166 Moss Road Lisburn
<b>Group Recommendation</b>	Approval	<b>Case Officer</b>	Margaret Manley
<b>Reasons for Recommendation</b>			
All relevant planning material considerations have been satisfied.			
<b>Representations</b>			
<b>Objection Letters</b>	<b>Support Letters</b>	<b>Objection Petitions</b>	<b>Support Petitions</b>
1	N/A	N/A	N/A
<b>Consideration of Objections</b>			
<b>Issue</b>	<b>Consideration of Issue</b>		
One map (A1 proposed site layout) is not viewable on the planning portal.	All plans received in respect of this application have now been uploaded to the planning portal.		
Lack of information regarding length of construction phase.	The applicant is not obliged to detail the length of the construction phase within the planning process.		
Noise pollution and resulting impact on health conditions.	The Council's Environmental Health Department were consulted in relation to this proposal.  They did note there are a number of dwellings located in close proximity to the site and transformers have the potential to impact on the amenity of adjacent receptors with respect to noise. Therefore they advised that		

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

**Week Ending 11 February 2022**

	<p>within 3 months of the commissioning of the development a noise report should be submitted to demonstrate that the proposal has not had an adverse impact on nearby receptors.</p> <p>If the assessment indicates that noise from the development is likely to affect any relevant receptor then a detailed scheme of noise mitigation measures shall be submitted. The mitigation measures shall be designed to ensure that no adverse impact occurs.</p>
Failure to consult as part of the process.	All relevant neighbours have been notified of the planning application in accordance with the statutory requirement of the Planning (General Permitted Development) Order (NI) 2015
Negative impact on view and resulting negative impact on health	Negative impact on view is not a material planning consideration.
Devaluation of property	Devaluation of property does not fall within the remit of the planning process.
Traffic disruption throughout construction	<p>Roads Service were consulted in relation to the proposed development. They did not raise any concerns regarding disruption to traffic.</p> <p>Any potential disruption to traffic during the construction phase would only be for a temporary period of time during this phase and would therefore not warrant refusal of planning permission.</p>
Traffic disruption will impact access to objector's property	Roads Service did not raise any concerns regarding any resulting negative impact on access arrangements for neighbouring properties.
Impact on medical conditions of objector's family	The medical condition of the objector's family has been noted but in this instance it does not warrant refusal of planning permission.



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

**Week Ending 11 February 2022**

<b>Item Number 5</b>			
<b>Application Reference</b>	LA05/2018/1030/F	<b>Date Valid</b>	10.10.2018
<b>Description of Proposal</b>	Demolition of existing buildings and erection of service station and associated forecourt and Parking	<b>Location</b>	99 Moneyreagh Road, Moneyreagh
<b>Group Recommendation</b>	Refusal	<b>Case Officer</b>	Grainne Rice
<b>Reasons for Recommendation</b>			
<ol style="list-style-type: none"> <li>1. The proposal is contrary to paragraphs 6.279 &amp; 6.280 of the SPPS as it has not been demonstrated that the proposal will not have an adverse impact on the vitality and viability of existing retail centres within the local area or that suitable alternative sites are not available.</li> <li>2. 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.</li> <li>3. The proposal is contrary to the SPPS and Policy CTY13 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the proposed development would be unduly prominent and the site lacks long established natural boundaries and is unable to provide a suitable degree of enclosure for the development to integrate into the landscape and the proposal would rely primarily on the use of new landscaping for integration.</li> <li>4. 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 be unduly prominent, would result in a suburban style build-up of development when viewed with existing buildings and would not respect the traditional pattern of settlement exhibited in the area and would therefore result in a detrimental change to the rural character of the countryside.</li> <li>5. The proposal is contrary to the SPPS and Policy CTY15 of the Planning Policy Statement 21 Sustainable Development in the Countryside in that the development would if permitted mar the distinction between the defined settlement limit of Moneyreagh and the surrounding countryside and also result in urban sprawl.</li> <li>6. The proposal is contrary to paragraph 4.12 of the SPPS CTY16 of the Planning Policy Statement 21 Sustainable Development in the Countryside in that insufficient information</li> </ol>			

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

**Week Ending 11 February 2022**

<p>in respect of sewage and water quality has been provided to enable the Council to make an informed decision in relation to potential impacts on the environment and amenity</p> <p>7. The proposed development is contrary to the SPPS and Policy IC 15 of the 'Planning Strategy for Rural Northern Ireland' in that the proposal is not located on a trunk road network and fails to establish a clear indication of need and satisfactory access arrangements.</p> <p>8. 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 proposed access is located in close proximity to a road junction, namely Moneyreagh Road/Hillsborough Road where the slowing down and turning movements of vehicles entering and leaving the access would conflict with traffic movements at the junction.</p> <p>9. The proposal is contrary to the SPPS and Planning Policy Statement 3, Access, Movement and Parking, Policy AMP 2 in that it would not be possible within the application site to provide an access with visibility, in accordance with the standards contained in the Department's Development Control Advice Note 15.</p> <p>10. The proposal is contrary to the SPPS and Planning Policy Statement 3, Access, Movement and Parking, Policy AMP 3, in that it would, if permitted, result in the intensification of use of an existing access onto a Protected Route, thereby prejudicing the free flow of traffic and conditions of general safety.</p>
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### Representations

Objection Letters	Support Letters	Objection Petitions	Support Petitions
<b>9</b>	<b>1</b>		

### Consideration of Objections

Issue	Consideration of Issue
The site is located outside the settlement limits of Moneyreagh in the open countryside where rural planning policy applies.	It is acknowledged that the proposed site is located in the open countryside and the application has been assessed against all the relevant policy provisions.
Policy IC 15 Roadside Service Facilities is applicable, there is no indication of	It is considered the proposed development is contrary to Policy IC 15 of the 'Planning Strategy for Rural Northern Ireland' in that the proposal fails

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

**Week Ending 11 February 2022**

need and new facilities within 12 miles of existing services not normally acceptable.	to establish a clear indication of need and satisfactory access arrangements.
Traffic safety and congestion – access arrangement unsatisfactory.	Dfi Roads have been consulted on the application and have offered 3 refusal reasons. It is considered the proposal is contrary to Planning Policy Statement 3 Access Movement and Parking Policy AMP 2 and AMP 3.
PPS 4 Planning and Economic Development is not applicable despite assertions in the supporting statement	It is acknowledged that PPS 4 does not apply to this proposal – it does not consider Petrol Filling Stations or Local Shops and is discounted
Proposal is contrary to the SPPS which identifies that retailing will be directed to town centres first.	It is considered that the proposal is contrary to paragraphs 6.279 & 6.280 of the SPPS as it has not been demonstrated that the proposal will not have an adverse impact on the vitality and viability of existing retail centres within the local area or that suitable alternative sites are not available. The proposal is also contrary to the SPPS in that there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement.
Longer term development projects could be impacted on as a result of this application if it was approved.	Each planning application is subject to detailed planning and environmental criteria and each application is site specific. Any future planning applications received by the Council will be considered on their own merits.
Impact on Viability of existing services	Concern is expressed that the proposed scale of retailing at the site would have a major impact on the viability of the existing convenience store and post office located in Moneyreagh village centre.  It is recommended that permission is refused for this application as the requirements and criteria of the relevant planning policies are not met. However it is not the role of the planning system to restrict competition or preserve existing commercial interests.
Size/Scale	The view is expressed that the proposed size is out of proportion with previous shop on the site. The scale of this application is not a reinstatement of the previous convenience store but a significant

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

**Week Ending 11 February 2022**

	<p>expansion of the retail space.</p> <p>It is acknowledged that there is an existing vacant convenience store on the site of approximately 103 sqm net retail floorspace. However this store will be demolished to facilitate the proposed development and the proposal seeks planning permission for a PFS and shop with a net retail area of approximately 275 sq.m. It is considered the proposed relocation of the shop and increase in scale and massing would result in a proposal that would be unduly prominent in its rural location.</p>
<p>The incorrect ownership certificate has been completed</p>	<p>The ownership certificate was amended during the processing of the application. It is contended there is sufficient information provided to make an informed assessment. A planning permission does not confer title. It is the responsibility of the developer to ensure that he/she controls all the lands necessary to carry out the proposed development.</p>