

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

Week Ending 19th August 2022

Item Number 1			
Application Reference	LA05/2021/1205/F	Date Valid	05.11.2021
Description of Proposal	Proposed 2 storey and single storey rear extension (bathroom first floor and living area ground floor), single storey side extension (utility) with 1 and a half storey front extension (working from home office upstairs, larder, boot room, WC and garage downstairs) and new front porch with associated works	Location	2 The Steadings Drumbeg Belfast
Group Recommendation	Approval	Case Officer	Jonathan Marley
Reasons for Recommendation			
All relevant planning material considerations have been satisfied.			
Representations			
Objection Letters	Support Letters	Objection Petitions	Support Petitions
8	1	N/A	N/A
Consideration of Objections			
Issue	Consideration of Issue		
Inaccuracies with drawings and request for sections and levels.	Inaccuracies with the drawings have been corrected through the processing of the application. The drawings are deemed acceptable and no further amendments or additional drawings are required to make an assessment or to make the proposal acceptable in terms of policy.		
Unwanted precedent if approved.	It is not considered that the proposal will set an unwanted precedent. All applications are assessed on their own site specific merits. While the history of the site and wider area are a material consideration the application for an extension has been assessed against prevailing planning policy and is considered to be acceptable.		
Contrary to Policy – size, scale, materials, height, parking, Amenity, overlooking, overshadowing,	The proposed works are acceptable when assessed against relevant planning policy requirements. The scale is subservient to the main dwelling. The materials match the existing dwelling. The agent has reduced the height from what was originally proposed. There are other similar approvals which have been given. It is not considered to		

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<p>dominant, negative impact on character of area.</p>	<p>negatively impact the character of the wider area. The retention of the existing trees etc. within the site help screen the works. There will be no significant, uninterrupted views or overlooking to an unreasonable degree from any aspects of the proposed works. This is largely due to the separation distances to neighbouring properties and the existing mature vegetation both within and outside of the site which help restrict views. It is not considered that there will be an increase in overshadowing/loss of light to the neighbouring properties to an unreasonable degree primarily due the distance of the properties from the proposed works, and the existence of extensive amenity areas on those properties. In relation to dominance, the closest neighbouring dwelling at number 1 is at a slightly lower level. It does however have mature shrubs and fencing along the boundary with the proposed works and is an adequate distance from the proposed works. It is also noted that sufficient parking remains within the site.</p>
<p>Planted roof to enhance views from number 1.</p>	<p>A planted/sedum roof is not required in policy and does not form part of this proposal.</p>
<p>Number 12 and 11 not built in accordance with approved plans.</p>	<p>This is not a material consideration in the assessment of the current application.</p>
<p>Sample brick.</p>	<p>A sample brick is not required and materials can be conditioned to match the existing dwelling.</p>
<p>Future use - if they employ people, increased parking. Excessive size for office, too many windows.</p>	<p>The home office provision above the garage is modest in size. The application is on a householder form and it is not possible to pre-empt the operation of a business from this modest office. Any operation of a business in excess of that permitted under homeworking would require the submission of a planning application. Within the Design and Access Statement the agent explains that the office will also be used as a study area for the children in the family. There are 2 windows serving the office which are not deemed excessive. The size and scale is considered ancillary to the main dwelling.</p>

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Item Number 2			
Application Reference	LA05/2022/0331/O	Date Valid	28.03.2022
Description of Proposal	Site for dwelling	Location	Clogher Road approx. 40m NW of 58 Clogher Road and immediately North of 115a Saintfield Road Lisburn
Group Recommendation	Refusal	Case Officer	Cara Breen
Reasons for Recommendation			
<p>The proposal is contrary to the Strategic Planning Policy Statement (SPPS) and Policy CTY 1 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 Strategic Planning Policy Statement (SPPS) and Policy CTY 8 of Planning Policy Statement 21: Sustainable Development in the Countryside, in that the application site is not located within a small gap within an otherwise substantial and continuously built up frontage which meets other planning and environmental requirements and if permitted would add to a ribbon of development along Clogher Road.</p> <p>The proposal is contrary to the Strategic Planning Policy Statement (SPPS) and Policy CTY 14 of Planning Policy Statement 21: Sustainable Development in the Countryside, in that the proposal would if permitted result in a suburban style build up of development when viewed with existing buildings, would not respect the traditional pattern of settlement exhibited in the area and would add to a ribbon of development along Clogher Road.</p>			
Representations			
Objection Letters	Support Letters	Objection Petitions	Support Petitions
4	N/A	N/A	N/A
Consideration of Objections			
Issue	Consideration of Issue		
Ribboning	It is contended that the proposed scheme does not fulfil the exceptions test for infill development as outlined in Policy CTY 8 of Planning Policy Statement 21: Sustainable Development in the Countryside and that any dwelling on the application site would by virtue of visual linkage and common frontage result in the addition to ribbon development along the south western side of Clogher Road.		
Would not form part of a cluster	As per the associated Supporting Planning Statement which accompanied the Planning application and the submitted Concept Plan, the application has been submitted for assessment for infill development under the exceptions test of Policy CTY 8 of Planning Policy Statement		

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under Policy CTY 2a	21: Sustainable Development in the Countryside. No consideration has therefore been given to Policy CTY 2A.
Not a gap	It is acknowledged that there is an existing structure (incomplete stable block approved under LA05/2020/0856/F) in situ within the application site and no buildings are in situ in close proximity to the north western side of the application site. For these reasons, it is not perceived that the application site constitutes a gap.
Not a continuously built up frontage	Whilst there are four buildings which present a road frontage to the south eastern side of the application site, there is no built development in close proximity to the north western side of the application site. It is therefore considered that the application site does not fall within a substantial and continuously built up frontage.
Road safety	DfI Roads were consulted as part of the processing of the Planning application. In their final consultation response, dated 13 th June 2022, they offer no objection to the proposal, subject to the inclusion of 3no. stipulated conditions, as per their consultation response, with any approval.
Contrary to Policies CTY 1, 3, 4, 5, 9, 10, 12 and 13.	As per the refusal reasons, it is contended that the proposed scheme is contrary to Policy CTY 1, Policy CTY 8 and Policy CTY 14 (b),(c) and (d) of Planning Policy Statement 21: Sustainable Development in the Countryside.
No existing mains sewerage – could lead to pollution problem.	As confirmed by Q18 of the submitted P1 Form, the proposed method of foul sewage disposal is via septic tank. LCCC Environmental Health unit were consulted as part of the processing of the application. In their final consultation response, dated 22 nd April 2022, they offer no objection in principle subject to the applicant providing a detailed site plan which includes the location of the proposed dwelling, the septic tank/bio disc and the area of subsoil irrigation for the disposal of effluent. The drawing should also include the position of the septic tank and soakaway for any other relevant adjacent dwelling at the subsequent Planning stage. DAERA Water Management Unit and NI Water were also consulted as part of the processing of the application and subsequently offered no concerns, subject to advice.
Risk of precedence.	It is recommended that the application is refused. It is acknowledged that all planning applications are assessed on their own merits and against relevant Planning policy/guidance and all other material considerations.
Structure on the north west boundary should not be used for infill development	It is acknowledged that an incomplete stable block (3 breeze block walls) which was approved under LA05/2020/0856/F has been erected and is in situ within the application site. No built development is in situ in close proximity on the north western side of the application site. For these reasons it is not considered that the application site constitutes a small

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	<p>gap within an otherwise substantial and continuously built up frontage and therefore the proposed scheme does not fulfil the exceptions test as set out in Policy CTY 8 of Planning Policy Statement 21: Sustainable Development in the Countryside.</p>
<p>The felling of two trees is an infringement of the Wildlife and Countryside Act 1981 and is in breach of the European Habitats Directive 1992/Nesting Birds Directive and is a criminal offence under the Wildlife (N.I) Order 1985.</p>	<p>The objector's reference to the felling of two trees has already occurred. From the Site Access Plan, it is not perceived that the proposal would require the removal of trees. It is acknowledged that no TPO's exist/existed within the application site. The felling of trees is subject to separate legislation and is outside the remit of Planning.</p>
<p>Would lead to the suburbanisation of a rural area – destroy character.</p>	<p>It is contended that the proposed scheme does not comply with the exceptions test for infill development as outlined in Policy CTY 8 of Planning Policy Statement 21: Sustainable Development in the Countryside. As a result, and by virtue of visual linkage and a common frontage, it is perceived that a proposed dwelling on the application site would add to a ribbon of development along this section to the south west of Clogher Road, in turn leading to a suburban style build-up of development when viewed with the existing buildings at No. 58 Clogher Road and 115a Saintfield Road.</p>