

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

Week Ending 20 October 2023

Item Number 1			
Application Reference	LA05/2023/0371/F	Date Valid	28.04.2023
Description of Proposal	Proposed 2 no. 2 storey dwellings with integrated garages to replace existing dwellings as per outline planning application (LA05/2021/1059/O), including demolition and replacement of existing farm buildings, 2 no. septic tanks, and all associated site works.	Location	59 Comber Road, Hillsborough, BT26 6LP
Group Recommendation	Approval	Case Officer	Catherine Gray
Reasons for Recommendation			
All relevant planning material considerations have been satisfied.			
Representations			
Objection Letters	Support Letters	Objection Petitions	Support Petitions
N/A	N/A	N/A	N/A
Consideration of Objections			
Issue	Consideration of Issue		
P2 Challenge	A P2 challenge was raised with respect to the ownership of the laneway. The Council wrote out to the agent regarding the matter and a revised P1 form with Certificate C completed and a P2A form has been submitted.		

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Item Number 2			
Application Reference	LA05/2021/0710/RM	Date Valid	18.06.2021
Description of Proposal	Proposed dwelling and garage (Amended site address)	Location	140m South of 16 Magheradartin Road, Hillsborough, BT26 6LY
Group Recommendation	Approval	Case Officer	Rosaleen Heaney
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		
Failure to comply with duty to make EIA screening	This is not considered to be Schedule 2 development in the Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2017 and no determination is required for this proposal. This is not EIA development.		
Principle of Development	<p>The application is for approval of reserved matters and as such, the principle of development for a dwelling on a farm was accepted.</p> <p>The matters reserved principally relate to the siting, design and layout of the proposed buildings, the means of access and landscaping. They do not engage matters of activity or ownership. There is no requirement to revisit criteria (a) or (b) of policy COU10.</p> <p>The dwelling is designed in a courtyard arrangement and is located beside the group of buildings that were assessed as meeting criteria (c) at the outline stage. The new buildings still cluster with the existing group of buildings. No condition was imposed requiring the existing group of buildings to be retained but they were still in situ at the date of the most recent inspection.</p>		

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	The proposal can be visually integrated into the landscape without harming rural character consistent with Policies COU15 and 16.
Planning Advice Note	The planning advice note referred to has been withdrawn and is not a material consideration in the assessment of this application.

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Item Number 3			
Application Reference	LA05/2021/0168/F	Date Valid	10.02.2021
Description of Proposal	Proposed dwelling in a small gap in a built up frontage	Location	Between 8 and 8a Lough Road Upper Ballinderry Lisburn
Group Recommendation	Refusal	Case Officer	Rachel Taylor
Reasons for Recommendation			
<p>The proposal is contrary to paragraph 6.73 of the SPPS, and policy COU1 of the Lisburn and Castlereagh City Council Plan Strategy 2032 (in that the proposed development is not a type of development which in principle is acceptable in the countryside.</p> <p>The proposal is contrary to bullet point 5 of paragraph 6.73 of the SPPS and policy COU8 of the Lisburn and Castlereagh City Council Plan Strategy 2032 in that the site is not a small gap sufficient to accommodate two dwellings within an otherwise substantial and continuously built-up frontage and would if permitted fail to respect the existing pattern of development along the frontage in terms of its frontage width and plot size and would add to a ribbon of development.</p> <p>The proposal is contrary to the SPPS and policy COU16 of the Lisburn and Castlereagh City Council Plan Strategy 2032 in that the proposed development would if permitted result in urban sprawl and fail to respect the traditional pattern of settlement resulting in an adverse impact on rural character of the area.</p>			
Representations			
Objection Letters	Support Letters	Objection Petitions	Support Petitions
6	N/A	N/A	N/A
Consideration of Objections			
Issue	Consideration of Issue		
No response received to objections and concerns raised other than an acknowledgement of receipt	As is normal practice all objections have been fully considered as part of the application process and in the planning officer's report.		
Details show No. 8a Lough Road as to separate buildings	During the processing of the application amended details were submitted by the agent detailing No. 8a Lough Road as one building. All amendments were re-neighbour/objector notified.		

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rather than a single building	
A biodiversity checklist and accompanying ecology statement has not been submitted if necessary	A biodiversity checklist and accompanying ecological statement was submitted during the application process. The application site is not within or adjacent to any designated areas such as ASSI's etc. and there are no watercourses or streams within or adjacent to the site. The proposal involves no demolition works and all existing boundary vegetation is to be retained except that required to be removed to accommodate the provision of the access. As such it is considered there are no conditions on site that lend itself to any concerns with regards to any natural heritage or protected species. It is contended that the proposal will not have a detrimental impact on any natural heritage features and meets the policy tests of Planning Policy Statement 2 Natural Heritage.
The location address of the proposed development is misleading	An accurate proposal description was submitted during the application process.
Amended drawings do not accurately detail proposed revisions. No consideration to the impact of the proposal on the roadside vegetation across the frontage of No. 8 Lough Road. Query accuracy of visibility splays as shown – would require the removal and set back of existing hedges and trees	<p>In assessing this application it is considered there is sufficient information provided to make an informed assessment in determining the application as required under Article 3 (6) of the Planning (General Development Procedure) Order (Northern Ireland) 2015.</p> <p>To ensure the provision, establishment and maintenance of screening to the site the existing natural screenings of this site shall be retained except that required to be removed to accommodate the provision of the access arrangement unless necessary to prevent danger to the public in which case a full explanation along with a scheme for compensatory planting shall be submitted to and agreed in writing with the Council, prior to removal. New planting of native species hedgerow shall be planted to the rear of the visibility splays.</p>
P2 form has not been amended and notice served on appropriate parties	During the processing of the application an amended P2 certificate and a land registry map indicating land owned by the applicant were submitted by the agent. The outcome of a planning application does not confer title or the other legal responsibilities associated with ownership. It is the responsibility of the developer to ensure that they control all the lands necessary to carry out a proposed development. The Council has no role to play in the determination of disputes over land ownership or access to it.

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<p>Development of the site would have a significant environmental impact on the rural character of the area. The proposed site is an important visual break in the area – development would read as suburban build up in the countryside. The ancillary buildings associated with both No. 8 and No. 8a Lough Road are both sited to the rear of the dwellings with no frontage to the road. The site does not constitute a gap site, a dwelling would result in ribbon development. As the proposal does not meet Policy CYT8 it does not meet Policy CTY1</p>	<p>Following a site inspection and an assessment of all relevant planning policy and all other material considerations it is considered that the proposal does not comply with the relevant planning policy context. On review of the application a line of three buildings exists and that these are comprised of the dwellings at No. 8, No. 8a and the associated garage located within the curtilage of No. 8a Lough Road all of which have frontages onto the Lough Road. However policy COU8 requires there to be 4 buildings along the frontage and discounts domestic ancillary buildings therefore there are only 2 qualifying buildings. The proposal fails COU8 and COU1 in this regard.</p>
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