

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

Week Ending 21 April 2023

Item Number 1			
Application Reference	LA05/2021/1112/O	Date Valid	11.10.2021
Description of Proposal	Proposed new dwelling under PPS21 in a small gap site within a continuously built frontage (CTY8) and which also forms part of an established cluster (CTY2a)	Location	Lands to the west of 6 Chapel Road, Glenavy
Group Recommendation	Refusal	Case Officer	Richard McMullan
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 CTY2a of Planning Policy Statement 21, New Dwellings in Existing Clusters in that;</p> <ul style="list-style-type: none"> - the proposed dwelling is not located within an existing cluster of development which lies outside of a farm and consists of 4 or more buildings of which at least three are dwellings; - the proposed dwelling is not part of a cluster that appears as a visual entity in the local landscape. - the proposed dwelling is not within a cluster of development that is associated with a focal point such as a social/community building/facility. -the identified site cannot provide a suitable degree of enclosure and it is not bounded on at least two sides with other development within a cluster of development. -the development of the site cannot be absorbed into a cluster of development as it is not located within one, through rounding off and consolidation as it would if permitted, visually intrude into the open countryside. <p>The proposal is contrary to the SPPS and Policy CTY8 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the site is not considered to be a small gap in an otherwise substantial and continuously built up frontage, and as a result the proposal will add to a ribbon of development along the Chapel Road.</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 proposal would, if permitted, create a sub-urban style build-up of development and add to a ribbon of development along Chapel</p>			



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Road and would therefore result in a detrimental change to the rural character of the countryside.			
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 2			
Application Reference	LA05/2020/0420/O	Date Valid	10.06.2020
Description of Proposal	Site for a dwelling, garage and associated site works (infill opportunity under CTY8 of PPS21)	Location	35m due north of 68 Gregorlough Road, Dromore, BT25 1RR
Group Recommendation	Approval	Case Officer	Grainne Rice
Reasons for Recommendation			
All relevant planning material considerations have been satisfied.			
Representations			
Objection Letters	Support Letters	Objection Petitions	Support Petitions
6	N/A	N/A	N/A
Consideration of Objections			
Issue	Consideration of Issue		
Road/Pedestrian safety and traffic generation. Proposal would result in the widening or relocation of an agricultural access.	DfI Roads have been consulted and have no objection subject to standard conditions. The access arrangements for the development involve the construction of a new access along the Gregorlough Road. It is considered that a safe access can be achieved in the interest of road safety and convenience of road users at this location and that the proposal complies with PPS 3 Access, Movement and Parking.		
Proposal would result in further suburbanisation of the countryside for financial gain.	Following a site inspection and an assessment of planning policy and all other material considerations it is considered that the proposal complies with the relevant planning policy context. The frontage width and plot size of the proposed site is considered to respect the existing pattern of development within the identified frontage in line with policy and guidance. It is recommended that the application is approved, subject to appropriate conditions.		
Incorrect address.	During the processing of this application an amended accurate site address was submitted which was re-advertised and neighbour/objector notified.		
Loss of privacy.	It is considered given the separation distances, landscaping and surrounding topography there is no unacceptable adverse impact on any neighbouring properties in terms of loss of privacy. This is an outline planning application and necessary planning conditions will be applied to any potential decision notice.		
Loss of wildlife.	A biodiversity checklist and ecological statement has been submitted with the application. Natural Environment Division has considered the impacts		

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	of the proposal on designated sites and other natural heritage interests and, on the basis of the information provided, has no concerns subject to suggested conditions. 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
Noise pollution and disturbance. Dogs located at No. 65 Redhill Road, this proposal may lead to their upset and the potential for a noise complaint from any future resident.	Environmental Health have been consulted and have no objection to the proposed development. Noise and general disturbance are not dealt with under planning legislation and is a matter for the local Environmental Health Office.
Loss of trees and hedgerow.	This is an outline application and an appropriate condition would be applied to any potential decision notice to ensure the existing natural screenings of this site would be retained and augmented were necessary except that required to be removed to accommodate the provision of the access arrangement. New planting of native species hedgerow shall be planted to the rear of the visibility splays to ensure the provision, establishment and maintenance of screening to the site.
Two dwellings would not be in keeping with the local landscape.	Under Policy CTY 8 an exception will be permitted for the development of a small gap site sufficient only to accommodate up to a maximum of two houses within an otherwise substantial and continuously built up frontage and provided this respects the existing development pattern along the frontage in terms of size, scale, siting and plot size and meets other planning and environmental requirements. Overall, it is considered that the proposal complies with the relevant planning policy context.
The septic tank of another property is located within the site.	Environmental Health have no objection to the above proposed development 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 at the subsequent planning stage. The drawing should also include the position of the septic tank and soakaway for any other relevant adjacent dwelling.
Proposal would result in surface run off.	NIEA Water Management Unit and NI Water were consulted on the application and has considered the impacts of the proposal on the water environment and on the basis of the information provided have no objection with the necessary consents. It is contended that sufficient information 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.

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Item Number 3			
Application Reference	LA05/2020/0421/O	Date Valid	11.06.2020
Description of Proposal	Site for a dwelling, garage and associated site works (infill opportunity under CTY8 of PPS21)	Location	65m due north of 68 Gregorlough Road, Dromore, BT25 1RR
Group Recommendation	Approval	Case Officer	Grainne Rice
Reasons for Recommendation			
All relevant planning material considerations have been satisfied.			
Representations			
Objection Letters	Support Letters	Objection Petitions	Support Petitions
6	N/A	N/A	N/A
Consideration of Objections			
Issue	Consideration of Issue		
Road/Pedestrian safety and traffic generation. Proposal would result in the widening or relocation of an agricultural access.	DfI Roads have been consulted and have no objection subject to standard conditions. The access arrangements for the development involve the construction of a new access along the Gregorlough Road. It is considered that a safe access can be achieved in the interest of road safety and convenience of road users at this location and that the proposal complies with PPS 3 Access, Movement and Parking.		
Proposal would result in further suburbanisation of the countryside for financial gain.	Following a site inspection and an assessment of planning policy and all other material considerations it is considered that the proposal complies with the relevant planning policy context. The frontage width and plot size of the proposed site is considered to respect the existing pattern of development within the identified frontage in line with policy and guidance. It is recommended that the application is approved, subject to appropriate conditions.		
Incorrect address.	During the processing of this application an amended accurate site address was submitted which was re-advertised and neighbour/objector notified.		
Loss of privacy.	It is considered given the separation distances, landscaping and surrounding topography there is no unacceptable adverse impact on any neighbouring properties in terms of loss of privacy. This is an outline planning application and necessary planning conditions will be applied to any potential decision notice.		

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Loss of wildlife.	A biodiversity checklist and ecological statement has been submitted with the application. Natural Environment Division has considered the impacts of the proposal on designated sites and other natural heritage interests and, on the basis of the information provided, has no concerns subject to suggested conditions. 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.
Noise pollution and disturbance. Dogs located at No. 65 Redhill Road, this proposal may lead to their upset and the potential for a noise complaint from any future resident.	Environmental Health have been consulted and have no objection to the proposed development. Noise and general disturbance are not dealt with under planning legislation and is a matter for the local Environmental Health Office.
Loss of trees and hedgerow.	This is an outline application and an appropriate condition would be applied to any potential decision notice to ensure the existing natural screenings of this site would be retained and augmented were necessary except that required to be removed to accommodate the provision of the access arrangement. New planting of native species hedgerow shall be planted to the rear of the visibility splays to ensure the provision, establishment and maintenance of screening to the site.
Two dwellings would not be in keeping with the local landscape.	Under Policy CTY 8 an exception will be permitted for the development of a small gap site sufficient only to accommodate up to a maximum of two houses within an otherwise substantial and continuously built up frontage and provided this respects the existing development pattern along the frontage in terms of size, scale, siting and plot size and meets other planning and environmental requirements. Overall, it is considered that the proposal complies with the relevant planning policy context.
The septic tank of another property is located within the site.	Environmental Health have no objection to the above proposed development 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 at the subsequent planning stage. The drawing should also include the position of the septic tank and soakaway for any other relevant adjacent dwelling.
Proposal would result in surface run off.	NIEA Water Management Unit and NI Water were consulted on the application and has considered the impacts of the proposal on the water environment and on the basis of the information provided have no objection with the necessary consents. It is contended that sufficient information 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.

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Item Number 4			
Application Reference	LA05/2021/0002/F	Date Valid	14.01.2021
Description of Proposal	Temporary Marquee (proposed) to cover over sands sports area (retrospective)	Location	591 Saintfield Road Carryduff
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
1	N/A	N/A	N/A
Consideration of Objections			
Issue	Consideration of Issue		
Sand sports area does not have planning approval.	<p>Concern has been raised that the sand sports area does not have planning approval.</p> <p>The sand sports area was granted planning approval by the Council Planning Committee in March 2023.</p>		
Overlooking into properties on Saintfield Road.	<p>The objector has raised concerns that he does not wish for any further structures to be built directly facing his house (on Saintfield Road) and has concerns about overlooking.</p> <p>The proposal is for a temporary structure to cover the approved sports area in inclement weathers. The location of the proposal is on a ground level much lower than the Saintfield Road and it is only slightly visible from public viewpoints. Given its location and the fact that the proposal is more than 80m away from the nearest properties on the Saintfield Road it is unlikely that there will be any unacceptable overlooking to any existing residential properties.</p>		
Impact on view from house on Saintfield Road.	<p>The objector has raised concerns about the impact on his view. This proposal is over 80m away from the objector's property with the Saintfield Road in between. Impact on view is a material consideration that cannot be given determining weight.</p>		
Future development.	<p>Concerns have been raised that the proposed structure would give rise to a series of buildings on all remaining grass areas at the wider site. Any future development would be subject to a planning application.</p>		

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Item Number 5			
Application Reference	LA05/2018/0544/RM	Date Valid	01.06.2018
Description of Proposal	Erection of Infill Dwelling	Location	Between 83 and 85 Hillsborough Road, Dromara, Dromore
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
39	N/A	2	N/A
Consideration of Objections			
Issue	Consideration of Issue		
Road safety	It is acknowledged that the objectors' claims that this is a busy road, and that often people do not adhere to speed limits, but driver behaviour is a matter for the PSNI. DfI Roads have found the access/visibility arrangements proposed to be acceptable subject to condition.		
Other refusals on the site with a road safety refusal reason	It is acknowledged that there were 2 previous refusals on the land (S/1997/0953 and S/1997/0954) under the planning policies applicable at that time. The application for a dwelling at this site was approved in principle at Outline stage as an infill dwelling under CTY 8 of PPS 21 which is a subsequent planning policy. The application is for reserved matters only and does not revisit the principle of development. In terms road safety issues, DfI Roads have been consulted on the detail associated with the application find it acceptable, subject to conditions.		
Approvals for housing within the village will increase traffic on this already busy road.	Approvals for residential developments within Dromara will have been assessed on their own planning merits in terms of road safety and impact on the road network. This application is for reserved matters only and the principle of a dwelling at this location has already been established in principle.		
If approved which Department will oversee and take responsibility for the traffic using the laneway and any accidents in the vicinity.	The onus for safe and courteous driving is on the individual driver and driver behaviour is a matter for the PSNI. In terms of construction access, this is a matter for the developer and any land owners as a civil matter (planning permission does not confer title). Should there be any breach in the planning conditions, then this may be referred to enforcement for investigation.		

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<p>The existing lane/access point cannot be closed off as there is an agricultural right of way</p>	<p>The proposed drawings do not indicate that the existing lane will be closed off – neither have Dfi Roads requested this. Any dispute over land ownership is a civil matter.</p>
<p>Electric pole detailed to be removed is on their land.</p>	<p>Planning permission does not confer title. It is the responsibility of the applicant/owner/developer to be able to satisfy all conditions pertaining to the approval. If this involves aspects or land which they do not own, then permission must be sought from the owners. Any disputes over land ownership are a civil matter.</p>
<p>Privacy/overlooking</p>	<p>The drawings do not show a second floor, nor is there an internal staircase. There is only one velux style window, which is on the section of roof which faces north east. This will not impact the owners of number 85. The windows on the proposed dwelling are all at ground floor level. The existing/proposed hedging, the banked land between the sites and the fact that the proposed dwelling will be at a lower level than number 85, all mean overlooking will not be a significant concern. The design of the proposed dwelling/the orientation, and the fact that the land between the sites will be banked and face north west means it will be unlikely to be utilised as recreational space. The existing hedges/trees within number 35 also help protect privacy.</p>
<p>Possible flooding of objectors land and the adjacent road.</p>	<p>The site is not within an area known for flooding. The land between number 85 and the proposed dwelling is shown on the drawings to be graded and sloping down from the shared boundary (hedge planting and trees) into the site and towards the proposed dwelling. The Planning Unit have also ensured that the drawings show that all hardstanding is to be permeable to help reduce the likelihood of any excessive water runoff.</p> <p>The existing roadside hedgerow is to be retained and augmented which will also help reduce runoff from the site and onto the road as will the additional tree planting shown on the drawings. There is also a soak pit located to the south east of the proposed dwelling, to further reduce potential run off. NI Water and Environmental Health have been consulted and offer no objections. Furthermore it is the responsibility of the developer to make sure the site is developed in such a way so as not to result in flooding on adjacent lands.</p>
<p>Section of land to north should not be allowed to be built on</p>	<p>It is not within the scope of this application (Reserved Matters) to add new conditions restricting any future development on lands within the site. The area in question has been clearly shown to be planted with 8 new trees (helping overall integration) and is not sectioned off from the remainder of the site in the final drawings.</p>

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Owner of site has window business which he may run business from site or build a warehouse which will increase traffic. Home office was noted on previous drawings

Any future use of the land or any future buildings for business use would likely require planning permission and would be considered against the appropriate policy. A home office is a common feature of new and existing dwellings and does not necessarily equate with running a business. The scale and degree of working from home, is the key consideration and the application as presented is for a residential dwelling with the current drawings showing a study within the attached garage.

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Item Number 6			
Application Reference	LA05/2022/1058/O	Date Valid	11.11.2022
Description of Proposal	Proposed site for dwelling and garage (agricultural-dwelling on a farm)	Location	100m SW of 38 Drumview Road, Lisburn
Group Recommendation	Refusal	Case Officer	Laura McCausland
Reasons for Recommendation			
<p>The proposal is contrary to the SPPS and Policy CTY 1 of PPS 21 Sustainable Development in the Countryside in that there are no overriding reasons why the development is essential and could not be located in a settlement</p> <p>The proposal is contrary to the SPPS and Policy CTY10 of Planning Policy Statement 21, Sustainable Development in the Countryside in that it has not been demonstrated that the farm business is currently active and established for at least 6 years</p> <p>The proposal is contrary to the SPPS and Policy CTY10 of Planning Policy Statement 21, Sustainable Development in the Countryside and does not merit being considered as an exceptional case in that it has not been demonstrated that the proposed new development is visually linked (or sited to cluster) with an established group of buildings on the farm and no justification has been provided in respect of demonstrable health and safety reasons or verifiable plans of expansion to justify the proposed siting.</p> <p>The proposal is contrary to the SPPS and Policy CTY 8 of Planning Policy Statement 21: Sustainable Development in the Countryside, in that the application site if permitted would create a ribbon of development along Drumview Road.</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 dwelling is not visually linked or sited to cluster with an established group of buildings on the farm and therefore would not visually integrate into the surrounding landscape, the proposed site lacks long established natural boundaries and is unable to provide a suitable degree of enclosure and the proposed development would rely primarily on the use of new landscaping for integration.</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 development would, if permitted result in a suburban style build-up of development when viewed with existing and approved buildings and it would, if permitted add to a ribbon of development along Drumview Road 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
Consideration of Objections			



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Issue	
Issue	Consideration of Issue

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Item Number 7			
Application Reference	LA05/2019/0794/F	Date Valid	02.08.2019
Description of Proposal	Replacement dwelling	Location	Beside 29 Old Coach Road, Hillsborough
Group Recommendation	Approval	Case Officer	Maire Claire O'Neill
Reasons for Recommendation			
All relevant planning material considerations have been satisfied.			
Representations			
Objection Letters	Support Letters	Objection Petitions	Support Petitions
One	N/A	N/A	N/A
Consideration of Objections			
Issue	Consideration of Issue		
Illegality	It is alleged that the Council erred in law in its interpretation of policies CTY1, CTY3, CTY13, CTY14 and SPPS and thereby failed to apply them property or at all. In relation to this ground and as detailed in the case officer's report, it is contended that the proposal is in accordance with all relevant policy tests.		
Irrationality	<p>It is alleged that the Council view that policy is complied with is irrational in the Wednesbury sense in that the building identified to be replaced has been replaced before.</p> <p>The Council has investigated this matter carefully and has considered whether there is evidence of an earlier building that would engage the policy. Having considered a number of statutory sources that would be expected to show a further building, there is no convincing evidence suggesting that the building to be replaced has been replaced before.</p>		
Material Considerations – Building on Tradition	<p>The view is expressed that essential guidance in Building on Tradition has not formed part of the Council consideration</p> <p>Criteria of policy and related guidance within Building on Tradition have been considered and applied as part of the assessment.</p>		
Material Considerations – Removal of Trees	<p>The view is expressed that that trees have been removed prior to the application being submitted to circumvent planning and environmental hurdles.</p> <p>The trees referred to are not protected by a Tree Preservation Order. The need to remove trees for the purpose of achieving an access is dealt</p>		

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	<p>with in the report. Anything removed before the planning application is submitted is not a matter for the Council to weigh other than to consider the visual impact of the new buildings in the context of there being less screening.</p>
<p>Material Considerations - Bats</p>	<p>The view is expressed that removing trees and vegetation before bat and biodiversity surveys were undertaken the planning applicant has attempted to circumvent the legislation which protects bats, bat roosts and habitat.</p> <p>The onus is on a planning applicant to ensure that during works no offence is caused to wildlife or protected species in accordance with the Wildlife Order in removing trees as part of site clearance/maintenance. This is dealt with in the submitted bat report and the Council has sought specialist expert advice from Natural Environment Division</p> <p>The Council is satisfied that there will be no impact caused to wildlife or protected species and as the building that was the subject of the assessment is now demolished it is not considered necessary to ask for the survey to be repeated by way of condition.</p>
<p>Material Considerations – Scale and Mass</p>	<p>Concern is expressed in relation to the size and mass the proposed replacement and to its visual impact.</p> <p>Careful consideration has been given to the bulk, scale and massing of the proposed building. Officers are of the view that the proposed dwelling does not have an impact significantly greater than the original dwelling.</p>
<p>Planning Advice Note</p>	<p>The view is expressed that a Planning Advice Note issued by the Department of Infrastructure on the 2nd August 2021 is a material consideration.</p> <p>The PAN has been rescinded by the DfI and is no longer a material consideration.</p>

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Item Number 8			
Application Reference	LA05/2021/0099/F	Date Valid	26.01.2021
Description of Proposal	Replacement dwelling and detached garage and retention of existing structure as a store	Location	30m north west of 730 Saintfield Road, Carryduff, BT8 8BY
Group Recommendation	Approval	Case Officer	Rachel Taylor
Reasons for Recommendation			
All relevant planning material considerations have been satisfied.			
Representations			
Objection Letters	Support Letters	Objection Petitions	Support Petitions
0	N/A	N/A	N/A
Consideration of Objections			
Issue	Consideration of Issue		
Illegality	It is alleged that the Council erred in law in its interpretation of policies CTY1, CTY3, CTY8, CTY13, CTY14 and SPPS and thereby failed to apply them property or at all. In relation to this ground and as detailed in the case officer's report, it is contended that the proposal is in accordance with all relevant policy tests.		
Irrationality	It is alleged that the Council view that policy is complied with is irrational in the Wednesbury sense in that it wrongly concluded that the design meets the standards of Building on Tradition, that all planning considerations including consultation responses have been assessed and that the proposal would not have a detrimental impact on the character of the area and would not cause demonstrable harm to interests of acknowledged importance. In relation to this ground, it is contended that the conclusions and recommendations which have been reached are not Wednesbury irrational and the full detail of the assessment is contained within the case officer's report.		
That the original dwelling is a vernacular building which ought not to be replaced without a suitable structural engineers report indicating that the	The matters pertaining to vernacular assessments have been fully considered and set out in the report. CTY 3 allows for replacement of a vernacular building which does not make an important contribution to the heritage, appearance or character of the locality whilst encouraging its retention as an ancillary building.		

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structure is unsound.	
The Planning Advice Note issued by the Department of Infrastructure on the 2 nd August 2021 is a material consideration.	The PAN has been rescinded by the DfI and is no longer a material consideration.
The Council didn't investigate if the former dwelling to be replaced had been replaced before and a former dwelling that has been replaced cannot be replaced again.	The evidence available to the Council would suggest that the dwelling identified to be replaced has not been replaced before. Firstly, the planning history of the site which contains no historical records that this dwelling has been replaced before and no robust evidence is presented to the contrary.
The approved dwelling has moved forward into a more prominent location and is at least 4 times bigger than the original dwelling. It breaches the policy requirement 'the overall size of the new dwelling should allow it to integrate into the surrounding landscape and would not have a visual impact significantly greater than the existing building'.	In terms of visual impact it is considered that the proposed new dwelling will integrate with the exiting group of rural buildings being some 33 metres from the dwelling to the former dwelling to be replaced. As detailed within the report all existing hedges and trees are to be retained with the exception of a small widening of the existing field gate access. It is therefore considered that the new dwelling will integrate adequately with the surroundings. The two adjacent dwellings and outbuildings are not considered to be disproportionate in size and scale to the proposed dwelling. In addition the extant approval LA05/2019/1156/O and previous lapsed planning histories are also material considerations afforded significant weight that the principle of a dwelling at this location was accepted and unchallenged. The assessment acknowledges that policy also makes provision for modern living standards to be met. It is also considered that the 56 metre squared dwelling is significantly smaller than the minimum size required for modern day living standards. The proposed footprint is 162 metres squared. It provides for living accommodation and one bedroom at ground floor with a three additional bedrooms provided of at first floor. The footprint whilst larger than the existing building, is not considered to be of a scale or mass, that would result in a significantly greater visual impact for the reasons outlined within the report.
BOT cannot have been properly taken into account as the proposed development departs from BOT in relation to	In relation to the points raised, the assessment within the case officers report sets how the guidance in Building on Tradition has been taken into account. Within the context of paragraph 5.3.0 of Building on Tradition, it could not be perceived that the proposed dwelling would be out of character as it is being added to the group of an existing large dwelling at 730 - its sizable outbuildings and barns and indeed the newly built farm dwelling which all share the same access lane. The two adjacent

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<p>replacement dwellings in relation to size, design, and siting of the new dwelling and integration with the existing group of buildings and into rural setting.</p>	<p>dwellings and outbuildings are not considered to be disproportionate in size and scale to the proposed dwelling. Building on Tradition actually goes on to deal with offsite replacements and states that circumstances may arise where there are good planning reasons for a replacement dwelling to depart from the site of the original dwelling. Consideration was given to the existing curtilage being so restricted that it could not reasonably accommodate a modest sized dwelling without detriment caused to the existing amenity provision of number 730 by virtue of the new dwelling being built so close to an existing one.</p>
<p>Scale of Dwelling</p>	<p>The view is expressed that the proposed dwelling, if built will represent a large modern house which will transform half an existing agricultural field into a modern dwelling with large gardens. It present a loss of farmland, intrusion into open countryside, suburban build-up and erosion of rural character which are all prohibited by policy.</p> <p>In terms of design of the proposed dwelling is of a relatively simple rural form with a long narrow main section and few add ons. It is also without architecturally fussy fenestration. The gables are considered to have vertical emphasis and the plan is narrow consistent with design principles set out in Building on Tradition.</p>
<p>Ribbon Development</p>	<p>The view is expressed that this house will add to the existing ribbon of development as due to its location, size and alignment with existing houses will share a frontage and become visually linked to all the adjacent houses and thus extend/add to an existing ribbon of development.</p> <p>In relation to this point ribbon development applies to road frontage sites. This development is not occupying a road frontage plot and as such, it cannot not be perceived as ribbon development. The development is along a private laneway as it is grouped with an existing group of farm buildings which terminate the laneway.</p>

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Item Number 9			
Application Reference	LA05/2021/0721/RM	Date Valid	18.06.2021
Description of Proposal	Erection of a new storey and a half dwelling with detached garage	Location	Site between 254 and 260 Hillhall Road Lisburn
Group Recommendation	Approval	Case Officer	Mark Burns
Reasons for Recommendation			
All relevant planning material considerations have been satisfied.			
Representations			
Objection Letters	Support Letters	Objection Petitions	Support Petitions
0	N/A	N/A	N/A
Consideration of Objections			
Issue	Consideration of Issue		
Illegality	It is alleged that the Council erred in law in its interpretation of policies CTY8, CTY13, CTY14 and SPPS and thereby failed to apply them property or at all. In relation to this ground and as detailed in the case officer's report, it is contended that the proposal is in accordance with all relevant policy tests.		
Irrationality	<p>It is alleged that the Council view that policy was complied with is irrational in the Wednesbury sense in that they wrongly relied on a non-existent building at 254 Hillhall Road and considered that as the principle of a dwelling and garage has already been agreed issues of build-up and ribbon development are not relevant in the determination of this application for reserved matters.</p> <p>The assessment of the application demonstrates how the detail associated with the siting, design, external appearances and landscaping have been considered and planning judgement is applied in concluding that the development meets the standards of Building on Tradition and can be visually integrated into the surrounding landscape and that the building is of an appropriate design for this countryside location.</p> <p>In relation to this ground, it is contended as detailed above that the conclusions and recommendations which have been reached are not Wednesbury irrational and the full detail of the assessment is contained within the case officer's report.</p>		
Consideration of Policy	An objection has been raised in relation to the policy in which the application was assessed against.		

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	<p>This is a Reserved Matters application and the outline permission associated with this application for approval of reserved matters confirmed the principle for a dwelling in the countryside.</p> <p>The assessment is confined to a consideration of the detail of the matters reserved including whether the proposed design is in accordance with the relevant policies and guidance.</p>
Different site/Red Line	<p>An objection has been raised stating that the red line associated with access arrangements is reduced when compared to that of the outline application.</p> <p>In this instance the red line reduction was for the purposes of achieving sight splays and this considered to be acceptable.</p>
Structure at 254 Hillhall Road.	<p>It has been stated that the structure at 254 Hillhall Road is too small to be considered as a building in relation to CTY 8. However this is a Reserved Matters application and the principle of development including whether a gap site exists was considered in the processing of the outline application.</p>
The dwelling will further erode the rural character and will register as a suburban build up	<p>In terms of the siting, the dwelling is set back from the road by approximately 23 metres. It is orientated within the site to face the road in keeping with the dwelling at other dwellings along the Hillhall Road. The garage is likewise is set back from the road by approximately 50 metres consistent with the established built form along this stretch of the Hillhall Road. The proposed dwelling is designed as a two storey building with a front elevation, 7.0 metres to the ridge with the detached single storey garage 5.1 metres to the ridge.</p> <p>The dwelling house and garage are designed to respect the existing topography of the site. The changes in levels as outlined above are consistent with tests set out in policies CTY 13 and 14 and the guidance in Building on Tradition. It is therefore considered that the proposal will not further erode the rural character of the area or result in suburban style build-up of development at this location.</p>
Building on Tradition was not taken into account.	<p>Paragraph 4.4.1 of Building on Tradition - A Sustainable Design Guide for the Northern Ireland Countryside outlines that policy CTY 8 Ribbon development sets out the circumstances under which a small gap site can, in certain circumstances, be developed to accommodate a maximum of two houses, within an otherwise substantial and continuous built up frontage.</p> <p>Building on Tradition was a material consideration in the processing of the outline application and it was concluded that there was gap site to accommodate the proposed dwelling.</p>



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	<p>In relation to design criteria it is considered that the assessment of the application demonstrates how the siting, design and external appearances of the dwelling are in keeping with guidance set out in Building on Tradition.</p>
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