

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

Week Ending 22 July 2022

Item Number 1			
Application Reference	LA05/2021/0229/F	Date Valid	01.03.2021
Description of Proposal	Retrospective application for awning to rear of dwelling (retractable roof and sides and fixed glazed roof between dwelling and garage and fixed glazed panel on boundary fence)	Location	23 Thompson Manor Lisburn
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
3	N/A	N/A	N/A
Consideration of Objections			
Issue	Consideration of Issue		
Plans submitted contain insufficient information and are inaccurate.	Additional information was requested and submitted during the processing of the application which was re neighbour/objector notified. It is considered there is sufficient information provided to make an informed assessment and the information submitted meets the relevant planning policy requirements. There is provision in legislation for an application under Section 55 for retrospective planning permission. The planning agent has confirmed the entire awning structure is within the applicant's property/ownership.		
The structure is beyond permitted development.	The development works under consideration require planning permission and do not fall under the terms of permitted development.		
Potential impacts on residential amenity, overbearing effect, noise.	Details of ribbed glazing on the party fence line has been provided to demonstrate that natural light is maintained while adding to the privacy for the applicant and neighbour while at the same time helping to contain BBQ smoke and odours drifting across to neighbours. It is considered that the relationship and the effect upon the use and enjoyment of the respective neighbouring private amenity area would be adequately safeguarded by the existing boundary treatment consisting of a timber boarded fence with ribbed glazing above. Furthermore the proposed awning is for domestic purposes only and is sited side gable onto the adjoining semi-detached property. As such it is considered any loss to residential amenity would not be significant. It		

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	is contended a refusal reason based on loss of residential amenity could not be sustained.
Concerns that the canopy is not fire proof – barbecues with the roof fully extended take place.	It is the responsibility of the owner of the property to ensure the site meets the necessary fire safety obligations. Fire safety falls outside of the remit of planning
The structure is of a considerable weight and requires appropriate load bearing support. It has been erected on a retaining wall and there is evidence of damage.	Land register/deeds should detail which party has responsibility for structures such as retaining walls. The onus is on the applicant/agent to ensure any necessary compliance with the building regulations from building control. Boundary permission is a civil matter between the two parties and lies outside of planning control.
The awning structure is more in keeping with the type of extension added to commercial premises.	Retrospective permission has been applied for an awning to rear of the dwelling were an existing outdoor patio area is located. The application has been made on a PHD householder application form for domestic purposes and within the curtilage of the dwelling. The awning has a retractable roof and sides and fixed glazed roof between dwelling and garage and fixed glazed panel on boundary fence. The information submitted with the application demonstrates the proposal is for domestic purposes only and to serve the existing dwelling on the site.
The awning is built up to the shared boundary which allows for no provision for any maintenance.	Infringement of property rights is primarily a legal matter between the relevant parties. Permission is required from a neighbouring property for maintenance works on neighbouring lands.
The scale, massing, design and external materials are not sympathetic with the build and appearance of existing properties and detract from the character and appearance of the area.	The awning is approximately 6m wide to the rear, 4.2m long and 3.1m high (25.2 m ²). Materials consist of supporting frame beams and posts aluminium PPC dark grey, retractable canopy waterproof fabric cream, closure panel above garage and sun lounge eaves PPC dark grey. Panel above party fence is ribbed glazing. The awning runs from an existing rear sun lounge to the rear boundary fence were an existing outdoor patio area is located. Given its location to the rear of the site it is considered the awning would not be a prominent feature in the street scene. As a whole the visual impact of the proposal is deemed to be minimal on the surrounding area. It is contended the scale, massing, design and materials to be used are all acceptable when assessed against the individual site location.
No drainage attached to the structure and cascades into their property.	The agent has advised and detailed on the drawings that supporting framework posts contain down pipes that collect the rain water. It has also been advised that the awning has a self-contained drainage system and therefore rainwater will not be discharged unto any neighbouring property.

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<p>The rear of the properties face directly into the grounds of Thompson House Hospital (Grade 2 listed building).</p>	<p>The proposed site is located the side and rear of the main Thompson House Hospital (40m to the north west) with limited views. It is considered the proposal will not have a detrimental impact on the Thompson Grange Hospital due to its scale and nature. In any event this is a householder application within the curtilage of an existing dwelling house and which would have a degree of Permitted Development as a fall-back position.</p>
<p>Impact on enjoyment and value of objector's property.</p>	<p>Impact of a development on the value of a property is a material consideration however in this instance it is not given determining weight.</p>

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Item Number 2			
Application Reference	LA05/2021/0861/F	Date Valid	05.08.2021
Description of Proposal	Proposed redevelopment of existing 2no agricultural silos and new build element (containing bathrooms, kitchen and living veranda area) to create tourist living accommodation in conjunction with existing wedding venue within the grounds of Larchfield Estate.	Location	Larchfield Estates Bailliesmills Road Lisburn
Group Recommendation	Approval	Case Officer	Richard McMullan
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		
Planning approval is a formality.	All planning applications are assessed upon their merits against prevailing planning policy and guidance taking into account objections lodged and consultation responses received. The granting of planning approval would not be considered to be a formality and is only provided following a full assessment etc.		
Concern that the development will lead to undue noise.	LCCC EHO unit have been consulted within the processing of this application and offer no objections. Therefore, to refuse this application on the basis of potential undue noise would not be sustainable.		
No. 23 Bailliesmills Road which is owned by the applicant and is used for guest accommodation	This matter would not to fall within the remit of this planning application as the site in question is outside of the application site/red line. Any such issues would fall to be considered by the Council EHO unit (Noise complaints) and PSNI if required.		

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became a 'party house' resulting in adverse impacts as a result of undue noise	
Land ownership.	This matter would not be one of concern in respect of this application. As is outlined within the P1 application form the filling out of Question 27 (Ownership Certificate) constitutes a statement of ownership, not proof of ownership. No issue of concern has been raised with respect to land ownership in relation to the application site as defined by the submitted red line.
The shared lane is of insufficient width to allow 2 vehicles to pass.	The shared laneway is not part of this application as it is not within the red line of the application site. This application has been assessed on its merits on the basis of the red line as submitted. This in turn provides for access to the site to be gained via the main access which serves Larchfield House, as illustrated upon the submitted drawings and outlined within supporting information provided etc
Traffic on the shared lane has increased	This matter would fall outside of the remit of this planning application as the shared laneway is not within the current application site as defined via this application.
Access arrangements.	All applications are assessed on the basis of the information provided within them. In this case the red line of the application and submitted P1 form indicates that the development as proposed shall utilise the existing entrance arrangements available which serve Larchfield House (opposite Hillsborough Lodge). DfI Roads have been consulted on this basis and are seen to be content.
History of the existing silos	The silos are to be altered via the provision of the linking development between the two and window and door openings etc. which in turn shall provide for the unit of tourist accommodation as proposed. The Council is content with this. In turn an amended application form has been provided with COU ticked.
Number of people attending new development and the unacceptable levels of noise.	An amended P1 application form has been provided with numbers outlined (4 visitors and 1 employee) to be attending the development. This in conjunction with the drawings provided which illustrates the floor plans of the development, illustrating that it would be utilised by between 1-4 people at any one time, is considered to be acceptable. LCCC EHO unit have outlined that they have no issues with regards to the development therefore no undue issues of concern with respect to noise shall arise.