

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

**Week Ending 25th November 2022**

<b>Item Number 1</b>			
<b>Application Reference</b>	LA05/2022/0288/F	<b>Date Valid</b>	5.03.2022
<b>Description of Proposal</b>	Construction of 3no two storey dwellings with associated outbuildings, siteworks and access, including demolition of existing building	<b>Location</b>	190 Newtownbreda Road Belfast
<b>Group Recommendation</b>	Approval	<b>Case Officer</b>	Grainne Rice
<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>
2	N/A	N/A	N/A
<b>Consideration of Objections</b>			
<b>Issue</b>	<b>Consideration of Issue</b>		
Potential loss of privacy and overlooking into both living spaces and garden area of objectors property.	This is a renewal application and the scale and massing of the proposal is the same as previously approved and the distance between the common boundary of neighbouring properties would be the same. It is considered there is an adequate separation distance in addition to a roadway and mature boundary screening between the proposed site and the objector's property. The objector's property is also located on higher ground level to the proposed site. It is contended there is no unacceptable adverse loss of privacy to neighbouring properties.		
Issues with sewage blockage, poor drainage of foul water system.	Both NI Water and NIEA Water Management Unit have been consulted on the application and have no objections. As such 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.		
Road safety	DFI Roads have commented on the proposed layout, parking and access arrangements and offers no objection to this development proposal. The proposal provides 3 no. in curtilage car parking spaces for each site. It is considered the proposal complies with Planning Policy Statement 3: Access, Movement and Parking.		
Impact of proposal on the character of the area.	This is a renewal application and as such the principle and design have been previously accepted and circumstances have not significantly changed since the last approval. The surrounding land use is mainly		

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	<p>residential in nature. The existing site has an extensive garden and the sloping nature of the site also lends itself to two storey development as the residential properties to the rear are located as a higher level and would create an effective backdrop. It is considered the proposal would result in a quality residential environment and would not significantly adversely impact on the character of the area.</p>
<p>Insufficient information submitted with the application.</p>	<p>It is considered there is sufficient information submitted with this application to make an informed decision. The details submitted with the application are the same as previously approved under planning applications LA05/2017/0309/F and prior to this application Y/2011/0194/F.</p>

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<b>Item Number 2</b>			
<b>Application Reference</b>	LA05/2021/1311/F	<b>Date Valid</b>	02.12.2021
<b>Description of Proposal</b>	Proposed development of gap site between Nos 78 and 84 Lany Road, Moira, to provide 2 No. 2 storey infill dwellings with detached garages	<b>Location</b>	Gap site between 78 and 84 Lany Road Moira Hillsborough
<b>Group Recommendation</b>	Approval	<b>Case Officer</b>	Sinead McCloskey
<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>
2	N/A	N/A	N/A
<b>Consideration of Objections</b>			
<b>Issue</b>	<b>Consideration of Issue</b>		
Boundary Vegetation to be retained is in neighbours garden.	It is noted on the drawing that the existing vegetation along the site boundary with No. 78 will be retained. The site plan notes that the vegetation along the eastern boundary of the site is not in control of the applicant. This area of vegetation does not appear within the ownership of the dwelling at No. 78. Notwithstanding this, neither area of vegetation will be conditioned in a decision notice as they are outside the control of the applicant.		
Roads Issues and splays encroaching on neighbours land.	Clarification is being sought from the agent to confirm that the applicant is in sole ownership of all the lands to which the application relates. Notwithstanding this, this permission does not confer title. It is the responsibility of the developer to ensure that he controls all the lands necessary to carry out the proposed development.		

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<p>Additional traffic and associated risks of accidents.</p>	<p>DfI Roads were consulted as part of the processing of the Planning application. In their consultation response, dated 24<sup>th</sup> February 2022, they offered no objection to the proposal, subject to the inclusion of 4 no. stipulated conditions, as per their consultation response, with any approval. They have stated in in DC Checklist that the site was visited by a DFI Roads Officer and that there was no relaxation/departure from standard. They also confirmed that 3<sup>rd</sup> Party Comments was received and considered.</p>
<p>Damage to the Natural Surroundings</p>	<p>Consultation with the Natural Heritage Division of NIEA upon receipt of an Ecological Statement and Biodiversity Checklist confirmed that they have no concerns arising from the proposed development subject to conditions to be attached to a decision notice.</p>
<p>Overlooking and Privacy Implications</p>	<p>The dwelling closest to the property at No. 84, is 17m from the common boundary. There are windows from habitable rooms at first floor level on the gable of this dwelling, facing in a westerly direction towards this dwelling, but as there is a separation distance of 17m I am satisfied that there will be no adverse effects on this dwelling in terms of overlooking resulting in privacy concerns. Similarly House Type B is 18m from the common boundary with the dwelling to the east at No. 78 Lany Road. I am equally satisfied that there will be no overlooking and privacy concerns regarding the relationship of the proposed dwelling and this existing property.</p>
<p>Site lies in Green Belt</p>	<p>Both the statutory development plan and the draft BMAP, the application site is identified in the open countryside beyond any defined settlement limit and as there is no difference in the local plan context. As such, Planning Policy Statement 21 is the relevant policy context. This document allows for development in the countryside in accordance with the appropriate policy. This application has been assessed under Policy CTY8 and found to be in compliance with the criteria therein.</p>
<p>The septic tank appears to be in close proximity to our septic tank and oil tank.</p>	<p>The septic tanks are located within the north eastern and north western corners of the proposed dwellings. The septic tank provided for House Type A is shown to be 10m away from the common boundary of the neighbouring property at No. 84 Lany Road. The Environmental Health Department were consulted with the application and raised no objections to the positioning of the septic tank at this location with regard to any adverse effects it may on the adjoining property or their septic tank and oil tank.</p>