

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

**Week Ending 27 January 2023**

<b>Item Number 1</b>			
<b>Application Reference</b>	LA05/2017/0633/O	<b>Date Valid</b>	14.06.2017
<b>Description of Proposal</b>	Proposed 2 no. infill dwellings and garages	<b>Location</b>	Adj to 11 Magheraconluce Lane, Lisburn
<b>Group Recommendation</b>	Refusal	<b>Case Officer</b>	Rosaleen Heaney
<b>Reasons for Recommendation</b>			
<p>The proposal is contrary to the Strategic Planning Policy Statement (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 Policies CTY1 and 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 creation of ribbon development along this section of the Magheraconluce Lane.</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 building is a prominent feature in the landscape, lacks long established natural boundaries to provide a suitable degree of enclosure for the building to integrate into the landscape, relies primarily on the use of new landscaping for integration and fails to blend with the landform, slopes and other natural features which provide a backdrop and therefore would not visually integrate into the surrounding landscape.</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 buildings would, if permitted, be unduly prominent in the landscape, result in a suburban style build-up of development when viewed with existing and approved buildings, not respect the traditional pattern of settlement exhibited in that area creating a ribbon of development and would therefore result in a detrimental change to the rural character of the countryside.</p>			
<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>		
Same proposal as one that was previously refused under application LA05/2016/0760/O.	The application is the same as the previous application is the same proposal as was previously refused on the site by the Council on 02/02/2017		

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

**Week Ending 27 January 2023**

Access and increase in traffic.	DfI Roads have no objection to the proposed development and the proposal complies with PPS 3.
Concerns in relation to use of septic tanks and impact on water quality.	Both Environmental Health and Water Management Unit have been consulted on the proposal and have raised no concerns or objections.
Creation of a ribbon of development.	The proposal would create a ribbon of development along Magheraconluce Lane and is contrary to planning policy.
Proposed site is not a small gap.	The proposal is contrary to Policies CTY1 and CTY8 of PPS 21 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 would create a ribbon of development along this section of the Magheraconluce Lane.
Integration and Rural Character concerns.	The proposal is contrary to policy CTY 13 in that the proposal would be a prominent feature in the landscape, the site lacks long established natural boundaries to provide a suitable degree of enclosure for integration purposes and the proposal would rely primarily on the use of new landscaping for integration. The proposal is also contrary to Policy CTY 14 in that the proposal would be unduly prominent in the landscape, would result in a sub-urban style of build up of development, it would not respect the traditional pattern of development within the area and it would create a ribbon of development and thus have a negative impact on the rural character of the countryside.
Inaccuracies with site layout map.	View expressed by way of representation is that the site layout map was misleading as it exaggerates the gap between numbers 11 and 20 and it shows that there is a private lane coming onto Magheraconluce Lane, however this is a track only used by the farmer to move cattle. Having reviewed the detail associated with the layout drawing it is considered that it has to some extent has been manipulated to show a continuous and built up frontage which does not exist on the ground.
Impact on wildlife species/habitats.	The proposal would not have a negative impact on any natural heritage as the proposal would not involve the removal of a significant amount of vegetation or habitat.

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

**Week Ending 27 January 2023**

<b>Item Number 2</b>			
<b>Application Reference</b>	LA05/2022/0707/F	<b>Date Valid</b>	26.07.2022
<b>Description of Proposal</b>	Proposed 2 bed detached bungalow	<b>Location</b>	Adjacent and south of 30 Rosssdale Heights Ballymaconaghy Belfast
<b>Group Recommendation</b>	Refusal	<b>Case Officer</b>	Laura McCausland
<b>Reasons for Recommendation</b>			
<p>The proposal is contrary to the SPPS and Policy QD1 (a) of Planning Policy Statement 7: "Quality Residential Environments" in that it fails to respect the surrounding context and would be detrimental to the character and appearance of the local area by virtue of its layout, form and design resulting in overdevelopment of the site.</p> <p>The proposal is contrary to the SPPS and Policy QD1 (f) of Planning Policy Statement 7: "Quality Residential Environments" in that lack of information has been received to demonstrate that adequate and appropriate provision is made for parking.</p> <p>The proposal is contrary to the SPPS and Policy LC1 (b) of the Addendum to PPS 7 "Safeguarding the Character of Established Residential Areas" in that the pattern of development is not in keeping with the overall character and environmental quality of the established residential area.</p> <p>The proposal is contrary to SPPS and Policy AMP 2 of Planning Policy Statement 3 - Access, Movement and Parking in that it would, if permitted, prejudice the safety and convenience of road users since visibility splays of 2.0 metres x 33.0 metres from the proposed access cannot be provided in accordance with the standards contained in the Department's Development Control Advice Note 15.</p> <p>The proposal is contrary to SPPS and Planning Policy Statement 3, Access, Movement and Parking, Policy AMP 7, in that it would, if permitted, prejudice the safety and convenience of road users since adequate provision cannot be made clear of the highway for the parking of vehicles which would be attracted to the site.</p>			
<b>Representations</b>			
<b>Objection Letters</b>	<b>Support Letters</b>	<b>Objection Petitions</b>	<b>Support Petitions</b>
0	N/A	N/A	N/A
<b>Consideration of Objections</b>			
<b>Issue</b>	<b>Consideration of Issue</b>		

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

**Week Ending 27 January 2023**

<b>Item Number 3</b>			
<b>Application Reference</b>	LA05/2022/0482/RM	<b>Date Valid</b>	04.05.2022
<b>Description of Proposal</b>	Proposed dwelling with detached garage in courtyard arrangement	<b>Location</b>	Site south west of no. 7 Pot hill Lane Lisburn
<b>Group Recommendation</b>	Approval	<b>Case Officer</b>	Laura McCausland
<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>
3	N/A	N/A	N/A
<b>Consideration of Objections</b>			
<b>Issue</b>	<b>Consideration of Issue</b>		
Disagree with principle of outline permission.	Concern that the principle of development should not have been approved at the outline stage. These comments are not afforded any material weight. The earlier decision was not challenged and this application is assessed on its merits.		
Neighbour Notification Process	Concern is expressed that neighbours were not correctly notified. Whilst it is acknowledged that number 9 Pot Hill Lane was not initially notified this issue was rectified and all neighbours have since been notified in compliance with legislative statutory requirements.		
P2A land ownership challenge.	Concern was expressed that an additional land owner is in ownership of the lane. No evidence from the objector has been submitted to support this claim. The agent has submitted a copy of P2A Form date stamp dated 4th May 2022 and part c of question 27 on P1 form indicates that a third party is part owner of the lane. The agent has provided a response to confirm the P1 form and P2A is correct. This is a civil matter and not planning related thus has not been afforded any material weight.		
Fails to comply with CTY14.	Concern that the footprint is excessive and when viewed along the lane dominates the landscape". The site is considered a large enough plot to absorb the proposed development. Although properties 9a, 9 and 7 are road side development the proposed dwelling is to be set back from Pot Hill Lane in line and viewed with property number 6 and 4, thus not regarded as prominent in the landscape when viewed from all critical vantage points.		
Design.	Concern that design being "out of keeping with other dwellings located around the development". The proposed design is considered to be in keeping with Building on a Tradition guidance and as set out above proposed design, scale, layout and materials are appropriate at this location.		

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

**Week Ending 27 January 2023**

<p>Fails to comply with CTY13.</p>	<p>Concern proposal relies on new landscaping and removal of mound to accommodate development is excessive. The dwelling will be viewed with an existing back drop of development from all critical views, additional planting will improve the bio-diversity value of the site and the site is bounded on 2 sides by existing planting that is to be retained. The existing and proposed levels are clearly shown on proposed site layout and are considered to be acceptable change in levels across the site ranging in difference from 0.5 -1.0 metres where the proposed dwelling is to be sited.</p>
<p>DFI inconsistencies.</p>	<p>Concern relating to DFI Roads inconsistency in their sight slay standards. DFI Roads have been consulted and have provided a response as the statutory consultee and offer no objection to the proposed development.</p>
<p>Overlooking/loss of privacy.</p>	<p>Concern that the proposed flat roof may create a clear view of their property and therefore the external staircase should be removed. It is regarded that there is sufficient separation distance approximately 80m will not create any negatively impact upon residential amenity of objectors property (number 9) caused by overlooking or loss of privacy.</p>

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

**Week Ending 27 January 2023**

<b>Item Number 4</b>			
<b>Application Reference</b>	LA05/2022/0767/F	<b>Date Valid</b>	25.08.2022
<b>Description of Proposal</b>	Materials recovery facility (for accepting and processing waste materials) and associated infrastructure including the retention of existing timber clad office building (believed to have been constructed circa 2015) and construction of a new warehouse building, weighbridge, storage bunkers, sprinkler tank and pumphouse and associated hardstandings. The facility is located within an existing industrial complex.	<b>Location</b>	280 Comber Road, Lisburn, BT27 6TA.
<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>
1	N/A	N/A	N/A
<b>Consideration of Objections</b>			
<b>Issue</b>	<b>Consideration of Issue</b>		
Parking	Five parking spaces are shown to be provided on the site layout. The P1 Form indicates that there will be 9 persons attending the premises daily. This is more than adequate parking to cater for those who are travelling by car. DFI Roads were consulted and stated that they had no concerns in relation to the parking provision as indicated.		
Fire Concerns	Page 13 of the Planning Supporting Statement outlines the Fire Prevention and Control Measures to be put in place at the facility. Detailed instructions are set out for staff to complete at the end		

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

**Week Ending 27 January 2023**

	<p>of each working day. Fire extinguishers are available. Incoming material is checked for fire hazards. Any hazardous material found will be removed from the vehicle and quarantined. It is stated that given the nature of the wastes accepted at the site, with the majority being high value metals, the fire risk is considered to be very low. EHO were consulted on the application and had raised no concerns in terms of fire hazardous arising from this proposal.</p>
Disposal and licensing of environmental pollutants	<p>Paragraph 1.3 of the Planning Support Statement states that the primary use of the site will involve the internal/external storage and processing of materials which are wastes arising from construction works. It continues by stating that the operations will have low quantities of specific non-hazardous waste managed on an annual basis. On the granting of planning permission, an application will be made for a Waste Management Licence (WML) to operate the facility. Table 1.1 in this document lists all the EWC codes that have been previously approved for acceptance at the existing facility. No wastes will be accepted on site that are not listed in this table. A condition has been provided from EHO restricting the waste on site to the EWC codes listed. NIEA Waste Regulation Unit have also stated that should planning be approved, the additional waste codes, processes and footprint of the site will require a modification of the current License or a new Waste Management Licence for the site. Any waste not permitted by the WML will be placed in a quarantined area and removed from the site as soon as practicably possible.</p>
Land Use	<p>While the site is not specifically zoned for industrial/employment uses in either relevant area plans, the site is part of a larger industrial complex where approved industrial and commercial activities are carried out. The land is currently not agricultural but consists of an industrial shed, offices and hardstanding</p>

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

**Week Ending 27 January 2023**

<b>Item Number 5</b>			
<b>Application Reference</b>	LA05/2021/0459/F	<b>Date Valid</b>	23.04.2021
<b>Description of Proposal</b>	Proposed residential development comprising of 28 no dwellings (10 no detached, 10 no semi-detached and 8 no apartments) open space, landscaping, internal roads and all other associated site and access works	<b>Location</b>	Lands at Ballantine Garden Village south east of Hillhall roundabout and south west of Nos 126 to 132 (evens) Hillhall Road, Lisburn
<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>
20	N/A	N/A	N/A
<b>Consideration of Objections</b>			
<b>Issue</b>	<b>Consideration of Issue</b>		
Potential for flooding.	<p>Dfl Rivers have been consulted on the application and have no objections subject to appropriate conditions. The site is traversed at the south from east to west by a culverted watercourse. An adjacent working strip will be retained to facilitate future maintenance by Dfl Rivers, other statutory undertakers or the riparian landowners.</p> <p>A drainage assessment and a flood risk have been submitted and Dfl Rivers while not being responsible for the preparation of these documents accept their logic and have no reason to disagree with their conclusions. It will be brought to the applicant's attention that the responsibility for justifying the drainage assessment and flood risk assessment rests with the developer and his/her professional advisors. It is considered the proposal complies with PPS 15 Planning and Flood Risk.</p>		
Proposal encroaches on play area/green open space area	During the processing of the application the layout was revised to ensure the said area of existing area of open space is fully retained. The amended proposal does not encroach upon the open space and respects the boundary along the north eastern edge of the Ballantine		



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

**Week Ending 27 January 2023**

<p>utilised by resident's.</p>	<p>Development. Objectors were re-notified and no further comments were received in this regard.</p>
<p>Proposed apartment building to high and would impact visually on area, encroach on existing area of open space and the overall aesthetics of the development.</p>	<p>During the processing of the application the proposed apartment building was relocated to the south eastern portion of the site and as such does not encroach on the existing area of open space. Objectors were re-notified and no further comments were received in this regard.</p>
<p>Road safety/parking : Traffic and Parking and Fumes.</p>	<p>DfI Roads have been consulted and have no objection subject to appropriate conditions for inclusion in any decision notice. The proposed development is accessed via a roundabout junction from Hillhall which serves the existing Ballintine Village Development. The internal road network consists of a number of shared surfaces with footpaths that tie into the existing pedestrian facilities. The proposed road layout to be adopted connects into previous road layouts.</p> <p>Car parking is provided through in curtilage spaces for each dwelling, communal spaces to serve proposed apartments and the provision of adequate visitor parking. Taking the above into account, and having regard to the advice of DfI Roads it is considered that the requirements of policy AMP 2 of PPS 3 Access, Movement and Parking are met and that the parking and access arrangements can be provided in accordance with published standards in DCAN 15. The proposal complies with the SPPS and PPS 3 in that the proposed access will not prejudice road safety or significantly inconvenience the flow of traffic.</p>
<p>Potential loss of views.</p>	<p>Whilst the loss of a view is a material consideration it is not given determining weight in this instance.</p>
<p>Potential loss of privacy and noise pollution.</p>	<p>It is considered that the separation distances and orientation of the proposed buildings would ensure that the design and layout will not significantly conflict with adjacent land uses and there is no unacceptable adverse effect on existing or proposed properties in terms of overlooking, loss of light, overshadowing, noise or other disturbance.</p>
<p>Proposal would impact on marketability of the surrounding properties.</p>	<p>This is not a material consideration that can be given determining weight.</p>

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

**Week Ending 27 January 2023**

<p>Lack of new proposed open space.</p>	<p>A plan detailing open maintained space and an open space analysis have been submitted to demonstrate adequate provision is made for public open space in line with the requirements of Policy OS 2 of PPS 8. The proposal incorporates 2 no. areas of proposed open space and also sits adjacent to an existing area of open space located to the south west of the site.</p>
<p>Lack of neighbour notification on proposal. No public consultation by the developer.</p>	<p>The correct formal public consultation process in the form of advertisement and neighbour notification has taken place. All statutory neighbour notifications have been completed in accordance with council procedures. The developers actions do not fall within the remit of planning control.</p>
<p>Appearance and design of development and materials proposed - There is a distinct difference in the quality of build, design and materials for different phases of the development - scale and dominance.</p>	<p>The proposed development consists of 10 no. two storey detached, 10 no two storey semi-detached and 8 no. apartments. Materials consist of red brick, stone and render walls, concrete roof tiles and uPVC rainwater goods. It is acknowledged the proposed house types have been broadly designed to be in keeping with the previously approved phases of Ballantine Garden Village. The proposed architectural style is largely in keeping with the character of the vicinity which consists of varying styles within an urban context.</p>
<p>No landscaping details.</p>	<p>During the processing of the application a comprehensive landscaping plan and landscape management plan was submitted</p>
<p>Effect on wildlife/nature conservation.</p>	<p>NIEA, Natural Environment Division (NED) has considered the impacts of the proposal on natural heritage interests and, based on the information submitted, is content subject to recommended conditions. A Biodiversity Checklist and a Bat Survey Report was submitted and fully considered.</p> <p>Using the information submitted, NED is content that the buildings to be removed are unlikely to currently be supporting roosting bats, and therefore the proposed development is unlikely to significantly impact roosting bats. Should evidence of roosting bat be found during works, all works must stop and advice sought from NIEA Wildlife Team.</p> <p>NED notes that the Biodiversity Checklist indicates the potential presence of breeding birds within the storage container office area. NED advises that the removal of the building is undertaken outside the bird breeding season between 1st March and 31st August, or checked by a suitably qualified ecologist, with suitable protective measures undertaken should any active nests be found.</p>

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

**Week Ending 27 January 2023**

	<p>Taking the above into account, it is accepted that the proposal would not result in demonstrable harm being caused to any features of natural heritage importance and as such the requirements of PPS 2 are considered to be met.</p>
--	--