

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

Week Ending 04 August 2023

Item Number 1			
Application Reference	LA05/2023/0056/F	Date Valid	17.01.2023
Description of Proposal	Proposed single storey rear extension to dwelling, internal remodelling & external landscaping works (including large patio area).	Location	40 Ilford Park, Crossnacreevy, Belfast,
Group Recommendation	Approval	Case Officer	Barbara Hanna
Reasons for Recommendation			
The proposal is in accordance with planning policy.			
Representations			
Objection Letters	Support Letters	Objection Petitions	Support Petitions
1	N/A	N/A	N/A
Consideration of Objections			
Issue	Consideration of Issue		
Concerns over infringement of neighbours access and parking	Agent has advised that works could take approximately 6 months, but the access to the neighbour's property will not be interrupted at any stage. Storage of plant and equipment, will be solely within the applicant's property, and construction work will only be carried out during normal working hours, to minimise impact on all local residents as well as the applicants themselves.		
Overshadowing/Loss of light	Concerns regarding overshadowing/loss of light as a result of the new extension and existing garden shed. The existing garden shed does not form part of this application, it is erected in accordance with Class D of the permitted development legislation and does not require planning permission. Shed is measures 4.88m x 3.3m = 16m ² . It measures 2.2m to the eaves and the ridge height is less than 4m. The extension is positioned 5.3m away from the boundary with No.38; there will be no unacceptable loss of light associated with the proposed extension. Proposal complies with light test.		
Overlooking from proposed window and door alongside elevation.	The side window is a high level window (1.8m to the sill) so there will be no overlooking from this window. The glazed door directly faces the blank side gable of No.38 and there are indirect view towards the 1.8m high close boarded boundary fence which provides adequate screening.		

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Item Number 2			
Application Reference	LA05/2021/0710/F	Date Valid	18.06.2021
Description of Proposal	To erect new 2 span 11000 volt overhead line on 12m tall poles from a new pole underneath the existing overhead line to provide an electrical system upgrade to existing NIE Networks low voltage equipment.	Location	Approximately 70m North East of 1 Drumcill Road Lisburn to approximately 160m South East of 1 Drumcill Road Lisburn
Group Recommendation	Approval	Case Officer	Joanne Doran
Reasons for Recommendation			
The proposal is in accordance with planning policy.			
Representations			
Objection Letters	Support Letters	Objection Petitions	Support Petitions
1	N/A	N/A	N/A
Consideration of Objections			
Issue	Consideration of Issue		
The pole and wire will attract large numbers of birds leading to nesting within their eaves and bird mess on their roof.	Whilst acknowledging these issues, they are not a planning consideration which can be given determining weight, there are already existing overhead cables within close proximity to the dwelling and is not considered that this additional line and poles will exacerbate the situation.		

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<p>Bedrooms overlook this field and pole and wires will be directly in their view with noise from the birds further impacting.</p>	<p>Significant weight cannot be afforded to the concern that birds will cause noise. LCCC Environmental Health were consulted on this application and offered no objections.</p>
<p>Pole is only 24ft from their home and should be positioned further away.</p>	<p>The pole locations have been agreed with the landowner to minimise disruption to his agricultural land whilst being within the constraints of the NIE design specification. Any movement of the middle pole would result in visual intrusion and impact on the usability of the agricultural land.</p>
<p>Property sits on a blind corner of a busy road and cleaning bird mess will cause health and safety issues.</p>	<p>DfI Roads have been consulted on the application and offered no objections. It is not considered that the proposal will prejudice road safety.</p>
<p>Poles and wire will interfere objectors TV reception.</p>	<p>No evidence has been put forward to substantiate this claim. Therefore material weight is afforded to this concern.</p>
<p>Shooting is permitted in the field and are worried the birds may become a sitting target and potentially a safety hazard.</p>	<p>Again, this lies outside the remit and control of planning and therefore is not a material consideration.</p>

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Item Number 3			
Application Reference	LA05/2022/0544/F	Date Valid	01.06.2022
Description of Proposal	Detached 1.5 storey dwelling and detached garage, with new site entrance	Location	7 Ballyknockan Road Saintfield Ballynahinch
Group Recommendation	Approval	Case Officer	Calum McCormick
Reasons for Recommendation			
The proposal is in accordance with planning policy.			
Representations			
Objection Letters	Support Letters	Objection Petitions	Support Petitions
1	N/A	N/A	N/A
Consideration of Objections			
Issue	Consideration of Issue		
Elevated nature of site.	It is noted the existing boundary between Saintfield Nursery Centre and the application site consists of an over 2m high evergreen hedge to be retained. The proposed dwelling will be set back from this boundary by approximately 5m at its closest point and is located centrally on the site at a height of 7m, and approximately 12m from the Ballyknockan Road.		
Concern regarding the possibility of both loss of light for the objectors' business, Saintfield Nursery Centre.	While some seasonal loss of direct sunlight to the yard area of Saintfield Nursery Centre maybe anticipated, the overall loss of light to the yard area is not considered to be at an unacceptable level with respect to planning policy. Given the position of the dwelling and its location relative to an existing and already high boundary hedge a refusal cannot be reasonably sustained on the basis of loss of light to the adjacent commercial operation.		

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<p>Loss of privacy</p>	<p>A further concern was raised over loss of privacy to the yard area from the eastern aspect of the proposed dwelling. With respect to the numerous windows on the ground floor facing east towards the Saintfield Nursey Centre, any acceptable overlooking for this aspect would be mitigated by the retained existing substantial planting along the eastern boundary. On the first floor, it is noted that there is one window facing east. As this serves a hallway/stairway which is not a habitable room, unacceptable overlooking is not considered likely from this aspect.</p> <p>Proposed windows facing west on both the ground and first floor windows do not directly overlook the adjacent No.5a and instead face onto a driveway. As such, acceptable overlooking is not anticipated from this aspect. Overlooking is not anticipated from the southern aspect given the combination of boundary planting and the large separation distance to other dwellings.</p> <p>In summary, a refusal cannot be sustained on the basis of loss of light or privacy in this instance.</p>
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Item Number 4			
Application Reference	LA05/2019/0794/F	Date Valid	02 August 2019
Description of Proposal	Replacement dwelling [Retrospective]	Location	Beside 29 Old Coach Road, Hillsborough
Group Recommendation	Approval	Case Officer	Maire-Claire O'Neill
Reasons for Recommendation			
The proposal is in accordance with planning policy.			
Representations			
Objection Letters	Support Letters	Objection Petitions	Support Petitions
1	N/A	N/A	N/A
Consideration of Objections			
Issue	Consideration of Issue		
Policy Compliance	That the Council had failed to apply the policy properly. A full justification of how the proposal meets the requirements of the SPPS and policies COU1, COU3, COU15 and COU16 of the draft Plan Strategy is set out in the officer's report. This is a replacement opportunity and the new dwelling as constructed integrates into the countryside without harming the rural character of the area. All other planning and environmental considerations have been assessed and met.		
Planning History	It is indicated that this dwelling was replaced before and cannot be replaced again. 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 planning and building control records and investigated the land registry and statutory charges register there is no evidence linking a planning history to a building control record and statutory charge. This dwelling has not been replaced before for the reasons set out in the report.		
Building on Tradition	It is stated that essential guidance in Building on Tradition has not formed part of the Council consideration. It has for the reasons set out in the planning officer's report.		
Other Material Considerations	<u>Trees</u> In relation to the comments made about the removal of trees prior to the submission of this planning application, the trees are not protected by a tree preservation order. It is material that the Council has no direct power		

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	<p>other than by means of planning condition to require the trees to be retained.</p> <p>The need to remove trees for the purpose of achieving an access is dealt with in the report. The Council consider the visual impact of the new buildings in the context of there being less screening.</p> <p>In relation to the proposed removal of hedgerow and trees it is identified on drawing 02/3 that four mature trees are required to be removed along the site frontage in order to accommodate the required visibility splays. Road safety is a material consideration given significant weight and this is reconciled against the impact the ancillary works will have on the rural character of the area in the assessment above.</p>
<p>Other Material Considerations -</p>	<p><u>Bats</u></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 Council is satisfied that there will be no impact caused to wildlife or protected species. The submitted ecology report was taken into account. 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.</p>