

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

Week Ending 04 February 2022

Item Number 1			
Application Reference	LA05/2020/0795/O	Date Valid	07.10.2020
Description of Proposal	Infill site	Location	100m north west of 180 Ballynahinch Road, Dromore
Group Recommendation	Refusal	Case Officer	Cara Breen
Reasons for Recommendation			
<p>1. 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>2. The proposal is contrary to the Strategic Planning Policy Statement (SPPS) and Policy CTY 8 of Planning Policy Statement 21: Sustainable Development in the Countryside, in that the application site is an important visual break and it is not located within a small gap in an otherwise substantial and continuously built up frontage which respects the existing development pattern along the frontage and which meets other planning and environmental requirements and if permitted would add to a ribbon of development along Ballynahinch Road.</p> <p>3. The proposal is contrary to the Strategic Planning Policy Statement (SPPS) and Policy CTY 14 of Planning Policy Statement 21: Sustainable Development in the Countryside, in that the proposal would if permitted result in a suburban style build up of development when viewed with existing buildings, would not respect the traditional pattern of settlement exhibited in the area and would add to a ribbon of development along Ballynahinch Road.</p>			
Representations			
Objection Letters	Support Letters	Objection Petitions	Support Petitions
1	N/A	N/A	N/A
Consideration of Objections			
Issue	Consideration of Issue		
Object to a ridge height greater than 1 and a half storey	It is acknowledged that the substantial and continuously built up frontage which the application site falls within is composed of a mix of both single storey and full two storey dwelling types. It is therefore considered that a ridge height restriction of no more than 6.5m above finished floor level and an associated under-build condition of no more than 0.45m (between existing ground level and finished floor level) would be applied should the application be approved.		

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Item Number 2			
Application Reference	LA05/2020/0794/O	Date Valid	07.10.2020
Description of Proposal	Infill site	Location	40m north west of 180 Ballynahinch Road, Dromore
Group Recommendation	Refusal	Case Officer	Cara Breen
Reasons for Recommendation			
<p>1. 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>2. The proposal is contrary to the Strategic Planning Policy Statement (SPPS) and Policy CTY 8 of Planning Policy Statement 21: Sustainable Development in the Countryside, in that the application site is an important visual break and it is not located within a small gap in an otherwise substantial and continuously built up frontage which respects the existing development pattern along the frontage and which meets other planning and environmental requirements and if permitted would add to a ribbon of development along Ballynahinch Road.</p> <p>3. The proposal is contrary to the Strategic Planning Policy Statement (SPPS) and Policy CTY 14 of Planning Policy Statement 21: Sustainable Development in the Countryside, in that the proposal would if permitted result in a suburban style build up of development when viewed with existing buildings, would not respect the traditional pattern of settlement exhibited in the area and would add to a ribbon of development along Ballynahinch Road.</p>			
Representations			
Objection Letters	Support Letters	Objection Petitions	Support Petitions
1	N/A	N/A	N/A
Consideration of Objections			
Issue	Consideration of Issue		
Object to a ridge height greater than 1 and a half storey	It is acknowledged that the substantial and continuously built up frontage which the application site falls within is composed of a mix of both single storey and full two storey dwelling types. It is therefore considered that a ridge height restriction of no more than 6.5m above finished floor level and an associated under-build condition of no more than 0.45m (between existing ground level and finished floor level) would be applied should the application be approved.		

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Item Number 3			
Application Reference	LA05/2020/0208/F	Date Valid	03.032020
Description of Proposal	Proposed erection of 6 no. detached dwellings, including demolition of existing dwelling, associated road layout, car parking & landscaping.	Location	6 Fort Road, Dundonald
Group Recommendation	Approval	Case Officer	Brenda Ferguson
Reasons for Recommendation			
All relevant planning material considerations have been satisfied.			
Representations			
Objection Letters	Support Letters	Objection Petitions	Support Petitions
18	N/A	N/A	N/A
Consideration of Objections			
Issue	Consideration of Issue		
Introduction of 3 storey semi-detached houses which, due to topography of site, would stand considerably above the height of the existing dwellings on Fort Road and bungalows on Fort Hill	A revised layout was submitted for consideration on 26 th February 2021 along with revised house type B elevations. Proposed elevations show that dwellings 01-03 are two storey with low eaves height and dwellings 04-06 are 2.5 storey with roof space accommodation on the 2 nd floor only. The finished floor levels of all dwellings have been provided and taking into consideration the height of the dwellings and the distance to the boundaries, the proposed dwellings would not be overbearing nor would they cause loss of light or privacy to neighbouring properties		
Overlooking concerns caused by dwellings on elevated site	All dwellings proposed are suitable distances to the boundaries. The layout has been revised and dwellings 04-06 have been pushed back further into the site and are a minimum of 11m to the boundary of dwellings at Fort Hill Close. The dwellings have been designed so as not to overlook any of the surrounding properties		
Loss of light and privacy –	Concern is expressed that large trees which once formed the boundary have been reduced to under 6 foot and have removed any privacy which is a concern as dwellings are 2 storey.		

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	<p>There will be no loss of light or loss of privacy into neighbouring properties as a result of the development. Landscaping proposals have been submitted which indicate existing trees to the south to be retained as well as existing hedging with additional proposed planting to the east and within the site</p>
Right of Access	<p>Concern is expressed that there is no right of access over lands at no. 1 Forthill. Strip of land that applicant seeks to use to gain exit onto Fort Hill and visibility splays encroach into objectors property</p> <p>The applicant has submitted an adoption map from DFI roads which shows the lands in question to form part of an adopted strip which is part of a verge controlled by roads</p>
Impact on Character	<p>Concern is expressed that two storey semi-detached houses detract from the character of adjoining houses in Fort Hill as existing houses are detached bungalows</p> <p>No. 8 Fort Road is two storey and Fort Hill consists of chalet bungalows. The dwellings have been designed to function as two storey properties however have the appearance of low two storey dwellings due to their proposed low eaves height. The dwellings to the rear have roof space accommodation only. It is considered that the dwellings proposed would not be out of character with the area</p>
Removal of trees opens up the site and replacement of bungalow with 2 storey dwellings would result in overlooking	<p>It is considered that no overlooking will occur and planting proposals have been submitted which will maintain privacy between the site and neighbouring properties</p>
Damage to habitats - Removal of trees with possible bats roosting	<p>The impact of the proposal on natural heritage interests has been considered. A biodiversity checklist along with an accompanying ecological statement, revised landscaping proposals and additional ecological information have been submitted to date. Evidence shows that a number of trees were removed prior to submission of application. These were said to have negligible bat roost potential. The landscaping proposals show the existing trees on site to be retained therefore avoiding the need for a bat roost potential survey. The proposal will not have any adverse impact on habitats and natural heritage interests</p>
Trees have been cut down by $\frac{3}{4}$ of their height as opposed to just	<p>Should the trees form part of the site and if they are within the ownership of the applicant they can be trimmed as is deemed necessary. The trees within the site are not protected under the Tree Protection Order</p>

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trimming the canopy	
Plans inaccurate and do not take into account the exact location of no. 1 Fort Hill Close in relation to the proposed development	A site location plan, site layout and landscaping proposals drawing have all been submitted which show the approximate positioning of no. 1 Fort Hill Close in relation to the site boundary and proposed dwellings. The drawings appear to reflect the position of said property on the ground and on google imagery and aerial maps
Traffic management – pedestrian safety concerns	DFI Roads have commented on the proposed layout, parking and access arrangements. They have no objections and the proposal is said to comply with Planning Policy Statement 3: Access, Movement and Parking
Retaining wall to rear of no. 1 Fort Hill Close along with drainage/flooding concerns due to construction and flow of groundwater	The existing and proposed retaining walls have been considered. The proposed retaining walls are no greater than 1.5 metres in height and sections have been provided to show the difference in existing and proposed levels. A drainage assessment and drainage layout drawing has been submitted for consideration by Rivers Agency. Schedule 6 consent to discharge has been obtained and Rivers Agency has no reasons to disagree with the findings in the drainage report. All consultees are content from a drainage and flood perspective and it is concluded that no flooding concerns will arise as a result of the proposed development

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Item Number 4			
Application Reference	LA05/2019/0815/F	Date Valid	08/08/2019
Description of Proposal	Proposed use of swimming pool for private swimming lessons (retrospective)	Location	2A Church Road, Carryduff, BT8 8DT
Group Recommendation	Approval	Case Officer	Richard Mc Mullan
Reasons for Recommendation			
All relevant planning material considerations have been satisfied.			
Representations			
Objection Letters	Support Letters	Objection Petitions	Support Petitions
13	N/A	N/A	N/A
Consideration of Objections			
Issue	Consideration of Issue		
Customers use on street parking bay adjacent to 4-10 Church Road. The Church Road residents use it as a car park because they have nowhere else to park	Dfl Roads have been consulted within the processing of this application and are content. They outline that more than sufficient available parking spaces compared to the demand from the proposal in close proximity to the proposed site are available. It is acknowledged that this includes car parking utilised by residents within the area. However these are unassigned car parking spaces, available for members of the public. It has been demonstrated by parking surveys that within the overall area, sufficient car parking space are available. Therefore, to refuse the application on this basis would be unsustainable		
Traffic congestion when the site is operational	As Dfl Roads have offered no objections to the development, to refuse it on the basis of the above outlined issue would be unsustainable		
Parking bay is not large enough to accommodate Church Road residents as well as the swimming pool clients	The parking bay can be used by members of the public and it has been demonstrated to Dfl Roads satisfaction that sufficient car parking capacity is available within the local area to serve the site without detrimental impacts upon local resident's car parking		
Parking of vehicles on footpaths causing obstructions	Illegal car parking would be a matter than would fall outside of the remit of planning		

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Doorway in the side of the building for public access to the pool, has generated noise (from customers & plant/machinery)	LCCC EHO have offered no objections to the application, therefore, to refuse it on the basis of undue noise it is considered would not be sustainable. A large hedgerow which provides a strong buffer is noted in situ along the southern boundary of the site
Privacy invaded by constant stream of customers	No issues of concern arise from the site in respect of overlooking/impacts upon privacy as a result of the mature boundaries
Health and Safety	Health and Safety concerns from planted boundaries of the site-results in pedestrians being pushed towards the Saintfield Road and they obscure the vision of traffic lights at the busy junction with Church Road This issue would fall outside of the remit of this planning application
Inconsiderate parking by customers in Alveston Park	The above issue would be a matter for the PSNI and wider parking issued for an area
Inadequate parking	Alleged illegal car parking would be a matter for the PSNI. DfI Roads have been consulted within the processing of this application and are seen to be content. They outline that sufficient car parking is available within the local area
Road works (road re-alignment, new bus stops being added) being undertaken along the Saintfield Road shall remove parking spaces/severely hamper their use	DfI Roads have been consulted and are seen to offer no objections to the development on the basis of road safety/car parking. Clarification has been received from DfI Roads that they were/are aware of the roadworks etc. and they remain to have no objections to the development
Car parking survey provided inaccurate due to Covid pandemic	A car parking statement was provided for consideration at the time of submission. In turn a further amended statement was provided July 2021. DfI Roads have been consulted on the basis of the most up-to-date information provided and are seen to be content
Health and safety concerns regarding plant safety and industrial purification heating systems within the site/building	The above would not fall within the remit of planning control. It would be the site operator's responsibility to ensure that all relevant legislation is complied with
Potential damage to neighbouring properties	Any damage caused to neighbouring properties would be considered to be a civil matter not a planning issue

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Use of local lay-bys as private car park for the swimming pool/development	Dfl Roads have been consulted and they outline that they have no objections to the development. They outline that sufficient space is available within the local area in respect of car park provision. They have further clarified that they are aware of the road alterations taking place within the area and that they remain content.
Impact upon disabled residents having to search for car parking spaces	The Council while noting the above concerns and to a degree having empathy in regard to same, would outline that the car parking spaces within the local area are off street, unassigned spaces and as such are available for use by all members of the public. Unfortunately, they are not assigned to any dwellings. The provision of disabled car parking bays would be an issue to be discussed directly with Dfl Roads.
Prescriptive rights to park outside of dwelling	The above would be a civil matter not a planning matter
If approved the allocation of 3 car parking spaces for sole use of staff and/or patrons of the swimming pool, would adversely impact upon quality of life and amenities	No car parking spaces outside of the application site are being allocated for the sole use of the development. Dfl Roads have indicated that off street car parking within the general area is adequate to serve the development without adverse impacts upon in situ residential car parking
The only spaces available for the residents is the parking bay. To reduce this facility by 3 spaces would have an adverse impact upon service providers being able to park close at hand if/and when required	The car parking bay is unassigned off street car parking spaces for the use of everyone. Dfl Roads have been consulted and outline that sufficient capacity exists for the development to proceed
Applicant may apply for further car parking spaces in the event of this application being approved	Any such applications if submitted would be assessed upon their merits. No guarantee of approval would be taken as a result of the processing of this current application
Concerns with Car Parking statement dated 2nd July 2021 regarding spaces, impact of road works, impact	Dfl Roads have been consulted in an open and transparent manner and it is seen that they have assessed the information provided and are content. They offer no objections to the development indicating that more than sufficient available parking spaces compared to the demand from the proposal in close proximity to the proposed site, are available. It is acknowledged that this includes car parking utilised by residents within

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of adjacent children's football ground, bus stops & impact of planning application ref: LA05/2019/0782/F (Ext. To Carryduff Nursing Home)	the area. However, as outlined, these are unassigned car parking spaces, available for members of the public etc. It has been demonstrated that within the overall area, sufficient car parking space are available. Therefore, to refuse the application on this basis would be unsustainable
Fail to understand why there has been a request for the car parking spaces outside 4-10 Church Road where residents live to be used for the development when there clearly enough car parking around the area for customers	The application/development is not seeking to request the exclusive use of the above outlined car parking spaces (as it is noted that the red line of the application does not include these spaces). The information provided within the application (which includes reference to these spaces) has been provided to DfI Roads for consideration. Within their consultation response they outline that they consider that there is adequate car parking provision for the development within the local area. This does not entail the allocating of any car parking spaces outside of the site for the exclusive use of customers
Timetable (as per site website) of the business is incorrect when compared to table 1 Swimming Lessons Timetable as per Car Parking Statement	The application site benefits from a Certificate Of Lawful use via LA05/2015/0296/LDE which facilitates/permits the hiring of the pool to swimmers for private swimming lessons between the hours of 7am-2pm weekdays and 3.30pm-9.30pm at weekends. This application seeks to provide additional hours outside of this in situ permission. A condition of approval would restrict the hours of operation to those stated within Table one (3pm-8pm weekdays & 9am-2pm weekends). If the site is operating outside of the approved timeframes this would be a matter for the planning enforcement section to investigate.
Mortgage implications of sub letting	This would not be a planning matter
Increased volume of traffic due to potential new shopping centre on the Saintfield Road	Each application is assessed on its own merits and following a full assessment against prevailing planning policy, taking into account comments received from LCCC EHO and DfI Roads it is considered that this application warrants approval
Who is responsible for the rates for the premises	This would not be a planning matter
Plant and machinery running 7 days a week	LCCC EHO unit have been consulted and they have provided no objections to the development

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Item Number 5			
Application Reference	LA05/2020/0616/F	Date Valid	17.08.2020
Description of Proposal	27 Magheralave Park East, Lisburn, BT28 3BT	Location	2 storey side and rear extension to existing dwelling to include 1st floor roof terrace
Group Recommendation	Approval	Case Officer	Joseph Billham
Reasons for Recommendation			
All relevant planning material considerations have been satisfied.			
Representations			
Objection Letters	Support Letters	Objection Petitions	Support Petitions
4	N/A	N/A	N/A
Consideration of Objections			
Issue	Consideration of Issue		
Overlooking and Privacy issues	The view has been expressed of overlooking and privacy concerns from the roof terrace. The roof terrace is proposed above the flat roof rear extension. A 1.8m screen has been proposed to minimise any potential for overlooking to residents at No 25. It is considered due to the orientation there will be no direct overlooking caused from the roof terrace towards No 29. There is a separation distance of 10m from the terrace to the site boundary of No 29. It is considered the proposal will not have a detrimental impact on the privacy or adjacent neighbours		
Overshadowing	The two storey element that faces east has a separation distance of 6m side to side with No 29. The proposal does not protrude past the existing rear return of the dwelling. It is considered due to the siting of the dwelling being set further forward the extension will not have a detrimental impact on the potential of loss of light on the adjacent neighbours. Overshadowing to a garden area on its own will rarely constitute sufficient grounds to justify a refusal of permission		
Attend meetings to this planning application	Should the application be called-in to be determined at the Planning Committee speaking requests can be made from third parties in relation to the application		
Noise and disturbance	LCCC Environmental Health have been consulted on the application relating to amenity issues/noise and they responded with no concerns		
No previous correspondence was sent	All statutory neighbour notification have been completed in accordance with the application		