

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

Week Ending 4 November 2022

Item Number 1			
Application Reference	LA05/2021/1263/F	Date Valid	19.11.2021
Description of Proposal	Proposed two storey dwelling with alteration of existing garage so as to maintain its function as amenity to no. 5 Ballycrune Road property with a new access for no. 5 Ballycrune road as detailed	Location	Site between 277 Ballynahinch Road and 1B Ballycrune Road Annahilt
Group Recommendation	Approval	Case Officer	Cara Breen
Reasons for Recommendation			
All relevant planning material considerations have been satisfied.			
Representations			
Objection Letters	Support Letters	Objection Petitions	Support Petitions
11	N/A	N/A	N/A
Consideration of Objections			
Issue	Consideration of Issue		
Siting of Proposed Dwelling too close to No. 1B – reduce light	The proposed dwelling would be sited 4.5m (approx.) from No. 1B Ballycrune Road at its closest point and it would be a gable to gable relationship. The distance between the two buildings would not be unrepresentative of what is in the vicinity. The proposed dwelling will follow a similar building line as No. 1B when viewed from Ballynahinch Road and with a depth of 8.6m (approx.) the proposed dwelling would be smaller than No. 1B. The proposed dwelling would be sited at a lower ground level than No. 1B and would have a ridge height of 0.9m (approx.) lower than 1B. It is acknowledged that 2no. ground floor windows are located to the north western side elevation of No. 1B. However, these rooms are also served by other windows to the south west and south east. The first floor window to the north western gable of No. 1B serves a bathroom which is contended not to be a habitable room. Taking the above into account, there are no concerns with regards to the siting of the proposed dwelling.		
Height of dwelling is unacceptable	The proposed dwelling would present a ridge height of 6.8m above finished floor level (FFL). It would sit approximately 0.9m below the ridge height of No. 1B Ballycrune Road and approximately 0.9m above the ridge height of No. 277 Ballynahinch Road, creating a stepped		

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	<p>appearance. The height of the proposed dwelling is considered to be acceptable in the context of the surrounding locality.</p>
Impact of vehicular access/road safety concerns	<p>The vehicular access from Ballynahinch Road would serve the proposed dwelling only. The proposal also incorporates the installation of a new vehicular access arrangement from Ballycrune Road which would serve No. 5 Ballycrune Road only. In-curtilage parking sufficient to accommodate 3 private vehicles has been demonstrated at No. 5. It is proposed that the existing vehicular access from Ballynahinch Road would be upgraded to include the removal of the existing roadside wall and piers.</p> <p>A courtyard parking area to the front of the proposed dwelling has also been demonstrated. This would accommodate the in-curtilage parking for 3 private vehicles in addition to a manoeuvring bay to allow vehicles to egress the site in forward gear. DfI Roads offer no objection to the proposed scheme, subject to condition</p>
Overshadow No. 277 – block solar panels	<p>Whilst it is acknowledged that the proposed dwelling is set forward circa 3.6m from the part of the dwelling at No. 277 closest to the application site, it is noted that it satisfies the 45 degree light test.</p>
Hinder appearance of village	<p>It is acknowledged that the immediate vicinity is composed of a mix of dwelling types and designs and no dominant architectural style exists. The proposed design and schedule of external finishes is akin to that of the existing dwelling at No. 1B Ballycrune Road immediately to the south east of the application site. There are no concerns with regards to the appearance of the proposed dwelling.</p>
Overlooking	<p>It is noted that fenestration detailing to the gable elevations only includes obscure glazed windows which would be conditioned as part of any approval. In terms of separation distances between rear to rear first floor windows, it is acknowledged that the minimum separation distance would be 17.3m (approx.) and this would be between the window serving bedroom 2 of the proposed dwelling and the closest of the two first floor windows of the two storey rear extension of No. 3 Ballycrune Road.</p> <p>However, it is acknowledged that the two closest first floor windows (to the extension) at No. 3 Ballycrune Road appear to serve a bathroom (uninhabitable room). It is noted that the main sitting out area of No. 3 Ballycrune Road appears to be to the south east of the dwelling some 20m+ at an angle from the closest first floor window (Bedroom 2) of the proposed dwelling. The minimum separation distance between the rear first floor windows of the proposed dwelling and those of No. 5 Ballycrune Road is 18.6m (approx.) and this is on balance considered to be acceptable.</p> <p>Taking this and the orientation of the proposed scheme in the context of existing dwellings into account, there are no concerns with regards</p>

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	to potential overlooking to an unreasonable degree. It is noted that the site is to be primarily enclosed by 1.8m high timber fencing (to rear) and beech hedgerow.
Increased noise and light pollution	LCCC Environmental Health were consulted as part of the processing of the application. In their consultation response of 10 th December 2021 they offer no objection to the proposal.
Construction disruption would damage well-being	The proposal relates to a single residential dwelling only. LCCC Environmental Health were consulted as part of the processing of the application and subsequently responded with no concerns.
Overshadowing to No. 3	It is contended that the distance between the two dwellings would be considerable and would not cause overshadowing to an unreasonable degree. The proposed dwelling is to be sited further away from No 3 Ballycrune Road than the existing dwelling in situ at No. 1B Ballycrune Road.

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Item Number 2			
Application Reference	LA05/2021/1305/F	Date Valid	01.12.2021
Description of Proposal	Retention of temporary accommodation for use during the construction of proposed infill dwelling between 2 and 4 Lairds Road (approval S/2013/0641/F and application LA05/2021/0560/F)	Location	Lands to the rear and east of no 95 Magheraconluce Road and south of 2 Lairds Road Hillsborough
Group Recommendation	Refusal	Case Officer	Cara Breen
Reasons for Recommendation			
<p>The proposal is contrary to the SPPS and Planning Policy Statement 3: Access, Movement and Parking, Policy AMP 2, in that it would, if permitted, prejudice the safety and convenience of road users since visibility splays from the proposed access cannot be provided in accordance with the standards contained in the Department's Development Control Advice Note 15.</p> <p>Insufficient information has been provided regarding the above proposal, as required in accordance with Section 3(6) of the Planning (General Development Procedure) Order (Northern Ireland) 2015, to enable the Council to make an informed decision.</p>			
Representations			
Objection Letters	Support Letters	Objection Petitions	Support Petitions
3	N/A	N/A	N/A
Consideration of Objections			
Issue	Consideration of Issue		
Road Safety	As per refusal reason 1, the proposal is considered to be contrary to Planning Policy Statement 3: Access, Movement and Parking, Policy AMP 2, in that it would, if permitted, prejudice the safety and convenience of road users since visibility splays from the proposed access cannot be provided in accordance with the standards contained in the Department's Development Control Advice Note 15.		
Located on land which serves as the drainage easement for No. 2 Lairds Road.	It is acknowledged that this is a legal/civil matter and is outside the remit of Planning.		
Concerns regarding storage	The proposal pertains to the retention of temporary residential accommodation only.		

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of oil on the application site	
Reference made to the use of the word retention in the proposal description	The word retention was used as the application essentially seeks temporary planning permission for works which had already commenced prior to the submission of the application. Section 55 of the Planning (NI) Act 2011 allows for applications to be submitted retrospectively.
Accuracy of application form	The P1 Form has since been amended following these comments. It is now contended to be satisfactory to inform an assessment on the application.

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Item Number 3			
Application Reference	LA05/2021/0144/F	Date Valid	05.02.2021
Description of Proposal	Proposed site for a single detached dwelling, development of a small gap site within an otherwise substantial and continuously built up frontage- PPS21 CTY8	Location	At lands adjacent to and east of 99 Ballydonagh Road
Group Recommendation	Refusal	Case Officer	Joseph Billham
Reasons for Recommendation			
<p>The proposal is contrary to the 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 Policy CTY 8 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that it fails to meet the provisions for an infill dwelling as the application site does not respect the existing development pattern along the frontage in terms of scale siting, and plot size and would if permitted result in the addition of ribbon development.</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 proposal would, if permitted 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, add to a ribbon of development and would therefore result in a detrimental change to (further erode) the rural character of the countryside.</p>			
Representations			
Objection Letters	Support Letters	Objection Petitions	Support Petitions
1	N/A	N/A	N/A
Consideration of Objections			
Issue	Consideration of Issue		
No substantial and continuous built up frontage and ancillary buildings are excluded therefore not 3	As per the assessment, it is contended that the proposal complies with first step of the policy test of Policy CTY 8, in that the application site is considered to be within an otherwise substantial and continuously built up frontage of 3 or more buildings		

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qualifying buildings in a row	
The proposed development does not respect scale, size, siting style, character or plot layout of the agricultural building	It is agreed the proposal does not respect the existing pattern of development by way of scale, siting, plot size along the Ballydonaghy Road and therefore contrary to CTY 8
Removal of hedgerow impact rural character and read as suburban build up and is contrary to CTY 14	It is considered there is no unnecessary hedgerow is being removed on site. As per the assessment it is contended the proposal would result in a suburban style build-up of development and therefore contrary to CTY 14
Creates ribbon of development	As per the assessment, it is contended that the proposal does not comply with criteria d) of Policy CTY 14 and will add to a ribbon of development.
All policies taken into account and interpretation of CTY 8 is improper	All relevant planning policies have been taken into consideration during the assessment of the application