

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

Week Ending 8th July 2022

Item Number 1			
Application Reference	LA05/2021/0473/F	Date Valid	04.05.2021
Description of Proposal	New private dwelling-amendment to approval LA05/2015/0502/F	Location	Redundant driveway to 192 Saintfield Road Belfast
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
3	N/A	N/A	N/A
Consideration of Objections			
Issue	Consideration of Issue		
Reduce value of neighbouring property	The potential reduction in value of property is not a material consideration which is awarded determining weight in the assessment of the application.		
Application site is communal land.	It is acknowledged that Planning permission goes with the land and not the applicant. Planning permission does not confer title. The agent has confirmed that the applicant is in full control of the land outlined in red.		
P2 (Land Ownership) challenge.	A P2 (land ownership) challenge was received by the Council during the processing of the application. This was raised with the agent. In a letter received by the Council from the agent on 14 th June 2021, the agent confirms that the applicant is in full control of the area outlined in red. The application was re-advertised and neighbours were re-notified upon receipt of this confirmation. No further comments were received in respect of this matter. It is acknowledged that Planning permission goes with the land and not the applicant and Planning permission does not confer title.		
Denial of access to No. 6 Whinney Heights at its northern boundary and will jeopardise any possibility of developing No. 6 in the future.	The agent has confirmed that the applicant is in full control of the land outlined in red. It is noted by the agent that there is currently no access to No. 6 Whinney Heights from Commons Brae and any future access would have to traverse the applicant's property. This is outside the remit of Planning.		
Adversely affect views from Whinney Heights.	The right to a view is not a material consideration which is awarded determining weight in the assessment of the application.		

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Does not fit in with the surrounding streetscape and properties.	The proposed scheme is considered to meet the relevant Planning policy context and guidance for the reasons outlined in the report and taking into account the Planning history as an important material consideration it is considered to be acceptable.
Outdoor space is not in proportion with the building.	The proposed outdoor private amenity space equates to 82.2m ² (approx.) which is above the proposed Creating Places upper standard of 70m ² . An additional 70m ² (approx.) of landscaped side garden is also proposed. The proposed outdoor private amenity space is therefore considered to be acceptable
Does not respect local context and street pattern.	The proposed scheme is considered to meet the relevant Planning policy context and guidance for the reasons outlined in the report and taking into account the Planning history as an important material consideration it is considered to be acceptable.
Scale and proportion of building is out of character.	The proposed dwelling would have a footprint of 110m ² (approx.) and a maximum height of 11.5m (approx.). The scale and proportion of the building is contended to be acceptable in the context of the site and surrounding area for the reasons outlined in the report.
Would demonstrably harm the amenities enjoyed by local residents, in particular privacy and right to enjoy a quiet and safe residential environment.	The application site is located 20m (approx.) from the nearest residential dwelling at its closest point. It is also acknowledged that there is intervening mature vegetation. Taking this into account, there are no concerns with regards to potential overlooking of any neighbouring property to an unreasonable degree. LCCC Environmental Health unit were consulted as part of the processing of the application and subsequently responded with no concerns.
Alter fabric of neighbourhood and streetscape.	The proposed scheme is considered to meet the relevant Planning policy context and guidance for the reasons outlined in the report and taking into account the Planning history as an important material consideration it is considered to be acceptable.
Allows little space for landscaping and would lead to gross overdevelopment of the site.	In addition to the roof top terrace, 22m ² (approx.) of private amenity space is proposed to the rear of the dwelling. Furthermore, 70m ² (approx.) of a soft landscaped area in the form of a side garden is proposed to the south of the dwelling and this would be conditioned as part of any approval. This is considered to be acceptable in the context of the scale of the proposal and it is not considered that the proposed scheme would lead to gross overdevelopment of the site.
Loss of valuable green space.	It is acknowledged that the proposal will involve the loss of part of the existing vegetated escarpment to accommodate the proposal. It is however noted that this area does not form part of any designated site. It is not considered that the loss of part of this area would have a material effect upon the area's visual amenity or environmental qualities.

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Item Number 2			
Application Reference	LA05/2021/0774/F	Date Valid	14.07.2021
Description of Proposal	Proposed dwelling and garage	Location	Adjacent and east of 26 Steedstown Road Lisburn
Group Recommendation	Refusal	Case Officer	Cara Breen
Reasons for Recommendation			
<p>The proposal is contrary to the SPPS and Policies CTY1 and CTY10 of Planning Policy Statement 21, Sustainable Development in the Countryside and does not merit being considered as an exceptional case in that it has not been demonstrated that:</p> <ul style="list-style-type: none"> • the proposed new building is visually linked (or sited to cluster) with an established group of buildings on the farm and access to the dwelling is not obtained from an existing lane. • health and safety reasons exist to justify an alternative site not visually linked (or sited to cluster) with an established group of buildings on the farm • verifiable plans exist to expand the farm business at the existing building group(s) to justify an alternative site not visually linked (or sited to cluster) with an established group of buildings on the farm <p>The proposal is contrary to the SPPS and Policy CTY13 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the ancillary works do not integrate with their surroundings and the proposed dwelling is not visually linked or sited to cluster with an established group of buildings on the farm 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 impact of ancillary works would damage rural character 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	1
Consideration of Objections			
Issue	Consideration of Issue		
Land ownership.	A P2 challenge was carried out and an amended ownership certificate received.		
The applicant has admitted they are not a farmer.	Planning permission goes with the land to which it relates. In this case the farmer, who has been served notice on, has given over his DARD details for the application to be made on his land. The granting of permission does not confer title.		

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An opportunity has been sold off within the last 10 years	This is reflected in the refusal reason that, at the time of submission there had been an opportunity sold off within the last 10 year period.
The proposal does not cluster with existing buildings on the farm.	This is reflected within the refusal reason that confirms that the application is contrary to policy CTY10 part (c)
The proposal contrary to all criteria of CTY13 Design and Integration of Buildings in the Countryside.	The objector has stated that the proposal fails all grounds of policy CTY13 however after a full assessment, the Planning Unit would agree that the proposal fails only to cluster with existing buildings on the farm and that the proposed new long laneway is unacceptable in terms of the ancillary works. In terms of prominence, it is considered that the distance away from the road, along with the existing and proposed boundary planting are sufficient that a refusal on this could not be sustained coupled with the pattern of other buildings in the area. The design of the proposed dwelling is simple rural form, render finish, pitched roof and vertical emphasis windows and also considered on balance to be acceptable with the context of only long distance views.
The proposal contrary to all criteria of CTY14 Rural Character by prominence	The objector has stated that the proposal fails all grounds of policy CTY14 however after a full assessment, the Planning Unit would agree that the ancillary works proposed by virtue of the long lane would potentially damage rural character. Assessment against prominence has been found to be acceptable on balance as has pattern of development, ribbon development given that it's not a roadside location and build up.

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Item Number 3			
Application Reference	LA05/2021/1227/F	Date Valid	12.11.2021
Description of Proposal	Development of a single dwelling	Location	Approx 30m east of 69 Church Road Temple Lisburn
Group Recommendation	Refusal	Case Officer	Brenda Ferguson
Reasons for Recommendation			
<p>The proposal is contrary to the SPPS and Policy CTY2a of Planning Policy Statement 21, New Dwellings in Existing Clusters in that:</p> <ul style="list-style-type: none"> ▪ the proposed dwelling is not located within an existing cluster of development consisting of 4 or more buildings of which at least three are dwellings; ▪ the proposed site is not bounded on at least two sides with other development in the cluster and does not provide a suitable degree of enclosure; and ▪ the dwelling would if permitted visually intrude into the open countryside <p>The proposal is contrary to the SPPS and Policy CTY8 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the proposal would, if permitted, result in the creation of ribbon development along the Church Road.</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 impact of ancillary works would damage rural character 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
0	N/A	N/A	N/A
Consideration of Objections			
Issue	Consideration of Issue		

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Item Number 4			
Application Reference	LA05/2022/0133/F	Date Valid	10.02.2022
Description of Proposal	Car port with decking over the top 900mm ballustrading on decking (Retrospective)	Location	8 Robbs Road Dundonald Belfast
Group Recommendation	Refusal	Case Officer	Jonathan Marley
Reasons for Recommendation			
<p>The development is contrary to the SPPS and Policy EXT 1 criteria (a) of the Addendum to Planning Policy Statement 7, Residential Extensions and Alterations in that the design of the proposal is not sympathetic with the built form and appearance of the existing property and would detract from the appearance and character of the surrounding area.</p> <p>The development is contrary to the SPPS and Policy EXT 1 criterion (b) of the Addendum to Planning Policy Statement 7, Residential Extensions and Alterations in that the proposal would unduly impact on the privacy and residential amenity of neighbouring residents through overlooking.</p>			
Representations			
Objection Letters	Support Letters	Objection Petitions	Support Petitions
1	N/A	N/A	N/A
Consideration of Objections			
Issue	Consideration of Issue		
Overlooking / Loss of privacy.	It is considered that the decking on the roof of the car port will overlook into the adjacent property at 10 Robbs Road impacting on their residential amenity which will also result in a loss of their privacy.		
Loss of marketability/value of property.	The impact that a proposed development may have on the value of another property is not a consideration that can be afforded significant weight nor is it a criteria of the relevant planning policy. Whilst the impact on property value is not a material consideration afforded much weight, the reason why the property value could be impacted is valid. The design of the proposal, allows for the applicant to access the roof of the structure, which in turn results in significant overlooking and loss of privacy to the neighbouring dwelling. If permission is granted for the structure, it would impact the marketability of the neighbouring property and most likely impact its value. It is not unreasonable to assume that many people, would be discouraged from buying a property which is overlooked, to the scale that is currently evident from number 10.		