

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

Week Ending 5th May 2023

Item Number 1			
Application Reference	LA05/2021/0078/F	Date Valid	21.01.2021
Description of Proposal	Housing development- 6 dwellings (2 detached and 4 semi-detached) and 4 apartments	Location	644 Saintfield Road, Carryduff, Belfast
Group Recommendation	Approval	Case Officer	Richard McMullan
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		
Road/Traffic safety concern. Need right turn filter lane/traffic lights at the junction to improve road safety as a result of increased traffic.	DFI Roads can be seen to offer no objections to the development as proposed. Therefore, no issues of concern in respect of road safety are seen to be generated by the development.		
Overflow of cars parking in area (outside adjacent apartment complex at Baronscourt Manor).	Detail provided within this proposal and provided to DFI Roads illustrates that adequate car parking provision has been provided as required.		
Detrimental impact upon character of the area by cramming 10 dwellings into the site.	<p>Following a full assessment of the proposal under the relevant policy criteria including PPS7 it is considered that it has been demonstrated through the submission of the detail drawings and information that the proposal is acceptable and will not be detrimental to the residential character of the surrounding area.</p> <p>It is also noted that the site benefits from an extant planning approval via LA05/2017/1114/O for a 'Housing development comprising 8 dwellings'. Therefore the principle of residential development within the site is seen to have been previously accepted.</p>		
Privacy (overlooking of existing back	It is considered that adequate separation distances are provided between the proposed dwellings and neighbouring established		

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garden & back living room/kitchen).	properties (15m to common boundary) in conjunction with level differences and in situ boundary treatments results in no significant concern with regard to potential undue overlooking.
Proposed planting will not mitigate overlooking concerns to satisfactory degree especially when dormant/insufficient planting.	As outlined it is considered that the development will not result in any undue concerns as a result of overlooking etc. Separation distances proposed are in keeping with planning policy and guidance.
Elevational drawings/study should be provided to fully assess impacts of the development as proposed on established dwellings.	Cross sectional drawings have been provided for consideration which have informed the decision making process with respect to this application.
Re-orientate dwellings (2 & 3) to reduce any overlooking & include a condition that 2 nd storey of house no 4 contains no windows that overlook existing property.	It is considered that the development as proposed is acceptable when assessed against prevailing policy and guidance. As a result it is considered that the re-orientation of houses 2 and 3 is not required. The window within house no. 4 (upper floor bathroom window shall be fitted with obscure glazing via condition).
Replace existing boundary fence between Baronscourt and the development with 6ft fence to mitigate privacy concerns.	Due to differences in ground level such a fence would need to be provided from Baronscourt Link which is outside of the control of the applicant. A 6 foot high fence from ground level within the application site would be of no benefit.
Character of the existing Baronscourt houses bordering the development is single storey, with a rising ridge line. Adjacent rooflines should be respected.	The overall character of the surrounding area is seen to include a range of different house types. These include single storey dwellings to the east of the site, apartments to the north and townhouses to the south. The development as proposed is considered to respect the surrounding mixed residential character in terms of scale, massing, detailing and materials etc.
Landscape plan provided inadequate	It is considered that the proposed landscaping provided within the detail of the application is in this instance sufficient.

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to mitigate privacy concerns.	
Proposed oak tree will in time lead to light loss/overshadowing of rear garden.	A landscape plan has been submitted in relation to the proposal. It is considered that the planting as proposed will not significantly add to loss of light or overshadowing. The detail provided illustrates the planting of a lime tree, not an oak tree as suggested.
Height of the existing boundary fence ranges from 4.5 to 5 feet. This provides limited privacy for both our property and the proposed adjoining houses.	These fences are outside of the control of the applicant/application site on the common boundary and under the control of neighbouring dwellings.
Opportunity has not been taken to increase the depth of planting to an appropriate level.	The landscaping as proposed in conjunction with the retention of in situ landscaping which defines the site boundaries is considered to be acceptable.
Would be helpful if the Planning case officer, assessed the proposed plans from other properties.	The Council planning officer assessing the merits of the application undertook a site inspection from the objector's site. In turn the findings from same has informed the recommendation made in respect of the application.

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Item Number 2			
Application Reference	LA05/2022/0593/O	Date Valid	14.06.2022
Description of Proposal	2 no. infill dwellings within a gap along a substantially built up frontage	Location	Land between 4E and 6 Irwinstown Lane Ballinderry Lisburn
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
1	N/A	N/A	N/A
Consideration of Objections			
Issue	Consideration of Issue		
The frontage has remained constant for 40-50 years with one additional property (4E) only currently under construction. This site has been strategically developed to increase the "built up frontage" and to facilitate infill.	Property 4E has extensive planning history on the site dating back to 2003 including a recent extant approval for a change of house type under LA05/2020/0030/F. Both the garage and dwelling have now been completed and hence form part of the consideration in relation to the built up frontage.		
There will be infill of 3 houses on a small country lane.	The proposal is for 2 infill dwellings which Policy CTY 8 allows for providing it meets all the criteria.		
Four other houses that have been developed over time. This makes way for further expansion of this laneway development at a future date.	Consideration is based on the currently proposal which is for 2 infill dwellings. There are currently no applications to be considered along the laneway.		

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Item Number 3			
Application Reference	LA05/2022/1023/O	Date Valid	02.11.2022
Description of Proposal	Proposed erection of 1no. detached dwelling with associated site works	Location	Lands approx. 20 South East of 50 Back Road, Drumbo, Lisburn
Group Recommendation	Refusal	Case Officer	Laura McCausland
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 CTY8 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that no gap exists within an otherwise substantial and continuously built-up frontage at this location and in addition does not respect the existing development pattern along the frontage in terms of size, scale, siting and plot size and would, if permitted, result in the addition to a ribbon of 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 would result in the addition of ribbon development and would also result in a suburban style build-up of development when viewed with existing buildings, 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	LA05/2022/0613/F	Date Valid	20.06.2022
Description of Proposal	Proposed change of house type ref LA05/2017/0814/F, LA05/2018/0822/RM, LA05/2015/0327/O, Dwelling and detached garage to include stables and garden store.	Location	40 metres South-East of 3 Aghalee Road, Lower Ballinderry, Lisburn
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
4	N/A	N/A	N/A
Consideration of Objections			
Issue	Consideration of Issue		
Raising of ground levels against wooden fence and trees.	The associated plans indicate a degree of infilling of the site. The proposed levels are largely akin and lower than what was approved under the extant approval and viable fall-back position of LA05/2017/0814/F and are considered to be acceptable. Section Y-Y depicts infilling against the existing close boarded timber fence, which as indicated within the plans is within the applicant's ownership. Planning permission goes with the land and not the applicant and Planning permission does not confer title.		
Potential for flooding.	DfI Rivers were consulted as part of the processing of the application. A Drainage Assessment produced by Flood Risk Consulting was submitted during the processing of the application. In their final consultation response, dated 22 nd March 2023, DfI Rivers offer no objection to the proposal and provide a series of informatives to be included with any approval.		

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Item Number 5			
Application Reference	LA05/2022/1164/F	Date Valid	13.12.2022
Description of Proposal	Change of use from vacant office to bookmakers (sui-generis)	Location	Unit E, 636 Saintfield Road BT8 8BT
Group Recommendation	Approval	Case Officer	Jonathan Marley
Reasons for Recommendation			
All relevant planning material considerations have been satisfied.			
Representations			
Objection Letters	Support Letters	Objection Petitions	Support Petitions
1	N/A	N/A	N/A
Consideration of Objections			
Issue	Consideration of Issue		
Unit E has been operating as a bookmakers and operating since 13 th Dec 2022 without planning permission. No details of it being "retrospective".	It is noted that the site was not occupied on the day of site visit. Legislation provides for retrospective permission to be granted and any development carried out without the benefit of planning permission is done so at the owner's risk.		
Approval for bookmakers as part of Carryduff Shopping Centre redevelopment—therefore no justification for this application.	Legal agreements pertaining to occupation are outside of the control of the planning process and will likely be dealt with by the licensing authority.		
In light of above, if approved there will be 2 bookmakers within Carryduff and therefore reduced space for retail/offices etc.	There is no embargo on the number of units for a particular use. Much of Carryduff is zoned as white land (as is the current site). Unit E was originally approved as offices, there was no specific condition relating to its retention as offices. The principle of changing the use from offices was set under the LA05/2019/0772/F application.		

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<p>They did not apply for temporary permission – so will effectively have 2 shops if approved.</p>	<p>There is no requirement for the applicant to apply for temporary permission. This is a full application which has been assessed on its own merits.</p>
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Item Number 6			
Application Reference	LA05/2021/1139/F	Date Valid	15.10.2021
Description of Proposal	Erection of 10no. Dwellings and 8no. apartments with associated car parking and landscaping, and all other associated site works	Location	Lands at 28-34 Ballynahinch Road, Carryduff
Group Recommendation	Approval	Case Officer	Rachel Taylor
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		
Access / egress onto Ballynahinch road and close proximity to busy junction.	DFI Roads have been fully consulted and are content with the proposal. The proposal has also been reduced through the processing of the application from 14 dwellings and 9 apartments to 10 dwellings and 8 apartments as a more appropriate mix for the area.		
Loss of trees.	There are no trees which are protected on site. Upon inspection there has been some vegetation removal and site clearance which has occurred. A landscaping scheme has been submitted and will be conditioned as part of the application to ensure the provision of soft landscaping as part of the development.		
Removal of 'green space'.	The area is the curtilage of a dwelling house and would not be considered within the definition of open space to be protected under PPS8 Policy OS1		
Concerns over capacity of local storm and sewer network.	NIEA Water Management Unit, and NI Water have been consulted and are content with the application. NI Water note there is available capacity in the WWTW for the proposal.		
On-going construction work	When a developer chooses to commence development is outside of the remit of planning.		

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which could coincide with development of Lidl complex.	
Insufficient parking and road safety.	There is sufficient parking provision within the scheme which meets Parking Standards. There are 2 in curtilage parking spaces provided for each dwelling and 12 parking spaces for 8 apartments.
Inadequate drainage, increased hardstanding and vegetation removal.	A full drainage assessment and addendum have been submitted along with details of the drainage plans for the development. 3 consultation responses have been received from Rivers Agency who acknowledge a portion of the south-east of the site lies within the 1 in 100 year fluvial flood plain but as the built development is outside the flood plain a Flood Risk Assessment is not required. The Drainage Assessment Addendum 1 indicates there is no infilling to take place on any part of the site shown to be within the 1 in 100 year fluvial flood plain. The site is traversed from south to north by an undesignated culverted watercourse known as 'Carryduff River' where an adjacent working strip is to be retained to facilitate future maintenance by DfI Rivers, other statutory undertakers. DfI Rivers accepts the logic of the Drainage assessment (and Addendum) and has no reason to disagree with its conclusions.
Dwellings at plots 20-23 will create loss of light and overlooking.	This comment was based on the original submissions of the scheme. Several revisions have been sought through the planning process and the dwellings at this part of the site now face the public road and do not face the rear amenity of the objector's property. There will be no loss of light or overlooking. Further neighbour notification occurred and no further objections were received.
Bat activity in the area, habitat removal for existing wildlife.	NIEA have been consulted a number of times throughout the processing of the application. Biodiversity Checklist, Bat Survey & Impact Assessment, Lighting Impact Assessment and Lighting Report have been carried out and a lighting plan submitted which deals with the last remaining concern of NIEA. NED notes that the site contains suitable habitat for breeding birds and considers that site vegetation clearance works should not be undertaken during the bird breeding season (which extends from 1st March to 31st August)
9 apartments would not enhance the residential character of the area.	The apartments have been redesigned removing the mansard roof and reduced to 8. The amended design the appearance of a terrace of three dwellings.
Development too large and should be 6 dwellings.	The Planning Unit had the scheme reduced from 14 dwellings and 9 apartments to 10 dwellings and 8 apartments which are considered appropriate for the site.

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Overloaded sewage system.	NI Water have been consulted and indicated that there is capacity for this development in the WWTW.
Overshadowing and loss of light to existing residential properties at Meadowvale Gardens.	The proposal has been redesigned and reduced to the point that it is now considered policy compliant in terms of separation distances, boundary treatments and heights whilst acknowledging there is always a degree of overlooking within the urban context and that this site is already a domestic house and curtilage.
General disturbance to neighbouring residential properties.	Whilst the disturbance of any construction is outside of the remit of planning and a material consideration which cannot be afforded determining weight, Environmental Health have been consulted with regards any potential amenity issues and have responded with no objection.
Apartments will overlook neighbouring properties.	The apartments have been reduced and redesigned to minimise the window openings towards the rear properties and increase the distance of separation. They are now considered to be policy compliant.
Clarity on structure shown as No. 10.	This was an earlier iteration of the drawings and has since been removed.