

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

Week Ending 14th March 2025

| Item Number 1 | | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------|----------------------------|---------------------------------------------|
| Application Reference | LA05/2022/0799/O | Date Valid | 01.09.2022 |
| Description of Proposal | Site for replacement dwelling with retention of old dwelling as domestic store | Location | 25 metres east of 16 Drumcill Road, Lisburn |
| Group Recommendation | Refusal | Case Officer | Michael Creighton |
| Reasons for Recommendation | | | |
| <p>The proposal is contrary to policy COU1 of the Lisburn and Castlereagh City Council Plan Strategy in that the proposed development is not acceptable in the countryside.</p> <p>The proposal is contrary to policy COU3 of the Lisburn and Castlereagh City Council Plan Strategy in that the overall size of the new dwelling will have a visual impact significantly greater than the existing building.</p> <p>The proposal is contrary to policy COU15 of the Lisburn and Castlereagh City Council Plan Strategy in that the dwelling will be a prominent feature in the landscape, the site lacks long established natural boundaries or is unable to provide a suitable degree of enclosure for the building to integrate into the landscape and it will rely primarily on the use of new landscaping for integration.</p> <p>The proposal is contrary to policy COU16 of the Lisburn and Castlereagh City Council Plan Strategy in that the dwelling will be unduly prominent in the landscape, it will result in urban sprawl, and it will have an adverse impact on the rural character of the area.</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 2

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| Application Reference | LA05/2022/0048/F | Date Valid | 13.01.2022 |
| Description of Proposal | Retrospective application for importation of inert waste material and associated infilling of land for the improvement of land for agricultural purposes | Location | Lands approximately 150m south of 6 Mullaghdrin Road East Dromara |
| Group Recommendation | Approval | Case Officer | Michael Creighton |
| 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 | | |
| The land would be unstable and susceptible to land slide. | The application is retrospective as the works have been carried out, no evidence of landslides or details of unstable land has been received as a result of this development. | | |
| The infill material used is not classified as inert. | The applicant / agent has stated that " <i>The site and imported material has been thoroughly inspected with all complaints been dismissed and an acknowledgement that there is nothing that breaches the Waste Management Licensing Regulations.</i> " NIEA have been consulted and have no concerns regarding the material used to infill. | | |
| In heavy rain the water just runs off the land and causes flooding on our land and in the lane. | The site is not within any areas which are affected by flooding and so there was no statutory requirement to consult with DFI Rivers. It is also noted that neither of the previous applications close to the site required DFI Rivers consultation. | | |
| Query farm business. | The details of the farm business are not a material planning consideration of this assessment. | | |

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| <p>This is an area of outstanding natural beauty. So, any construction / dumping in this area should be careful considered.</p> | <p>The site is not located within an Area of Outstanding Natural Beauty as shown in the relevant area plans.</p> |
| <p>This is a landfill business rather than farmland improvement.</p> | <p>The proposed application is for the infilling of land for land improvement and so has been assessed accordingly. No sufficient evidence has been provided to consider an alternative assessment.</p> |
| <p>There have been two previous similar approvals within the same small farm and combined they exceed the .5Ha threshold under schedule 2 (11)(b) of the Planning (Environmental Impact Assessment) Regulation (Northern Ireland) 2017.</p> | <p>Each application is considered under its own merit.</p> |
| <p>EIA screening must be carried out in this instance because the area of the combined portions of the development cannot be salami sliced and considered separately and when considered together (a) exceed 0.5 hectare and (b) the installation is to be sited within 100 metres of any waterway or water in</p> | <p>An EIA determination has been carried out with regard to the 0.17ha of the site under assessment in this application.</p> |

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| <p>underground strata or, marine waters.</p> | |
| <p>This development must be regarded as unauthorised EIA development which is notoriously hard to regularise and this can only be done in exceptional circumstance and where the developer has not profited from the unauthorised development and the environmental baseline is known.</p> | <p>The developer has submitted a biodiversity report but it is not one which does or could identify the environmental baseline after the land filling has taken place.</p> <p>All relevant information has been provided and relevant consultees consulted, no objections to the proposed development were received from all consultees.</p> |
| <p>Regulation 32 of the 2017 Regulations which states Duty to ensure objectives of the Directive are met 32.</p> | <p>The council or, as the case may be, the Department shall consider the exercise of their enforcement functions in such a way as to secure compliance with the objectives and requirements of the Directive. Requires the Council to do whatever it takes to ensure that there is compliance with the Directive which will now (a) require random boreholes or sample holes to identify the nature of the waste and (b) water samples from boreholes and the surface water runoff.</p> <p>An enforcement case was opened and is currently being assessed by the LCCC planning enforcement team.</p> |

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| Item Number 3 | | | |
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| Application Reference | LA05/2021/0497/O | Date Valid | 05.05.2021 |
| Description of Proposal | Proposed infill dwelling | Location | 60m Southeast of 25 Braniel Road, Lisburn |
| Group Recommendation | Refusal | Case Officer | Barbara Hanna |
| Reasons for Recommendation | | | |
| <p>The proposal is contrary to Policy COU1 of the Lisburn and Castlereagh City Council Plan Strategy, in that it is not a type of development which in principle is considered to be acceptable in the countryside.</p> <p>The proposal is contrary to Policy COU8 of the Lisburn and Castlereagh City Council Plan Strategy, in that the development, if approved, would create a ribbon of development along Braniel Road as there is not a small gap sufficient to accommodate two dwellings within an otherwise substantial and continuously built up frontage whilst respecting the existing pattern of development and being appropriate to the existing plot size and width.</p> <p>The proposal is contrary to Criteria (c) and (e) of Policy COU16 of the Lisburn and Castlereagh City Council Plan Strategy, in that the proposed development would, if permitted, not respect the traditional pattern of settlement exhibited in that area and would have an adverse impact on the rural character of the area.</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 | | | |
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| Application Reference | LA05/2023/0848/F | Date Valid | 24.10.2023 |
| Description of Proposal | Demolish part of existing return and construct new cavity wall with retention of existing sunroom | Location | 23 Coolsara Park, Lisburn |
| Group Recommendation | Approval | Case Officer | Helen McGuinness |
| 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 | | |
| Overlooking/loss of privacy concerns proposed development. | <p>The application property will maintain a separation distance of approximately 12 metres from the rear elevation to the rear boundary abutting no. 24a North Circular Road. An additional separation distance of approximately 15 metres is maintained between the shared boundary and nearest wall of no. 24a North Circular Road.</p> <p>Due to the separation distances maintained, the scaling and design of the proposal and location of buildings in situ between the properties, it is considered that the proposed and retained works would not result in unacceptable harm to the amenity of no. 24a North Circular Road.</p> | | |
| Overlooking/loss of privacy concerns retention of sunroom. | <p>Officers note that the sunroom in situ currently falls within the maximum depth parameters as accepted under permitted development. In addition, the sunroom maintains a separation distance of approximately 12 metres from the shared boundary. The sunroom remains at ground floor level.</p> <p>It is therefore considered that the retention of the sunroom to the rear of 23 Coolsara Park will not have an unacceptable impact on the neighbouring amenity of no. 24a North Circular Road due to the scale, massing, design and separation distances maintained.</p> | | |

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| Item Number 5 | | | |
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| Application Reference | LA05/2021/0540/O | Date Valid | 14.05.2021 |
| Description of Proposal | Proposed site for a dwelling and garage on a farm | Location | 65 Upper Branial Road Belfast |
| Group Recommendation | Refusal | Case Officer | Sinead McCloskey |
| Reasons for Recommendation | | | |
| <p>The proposal is contrary to Policy COU1 of the Lisburn and Castlereagh City Council Plan Strategy, in that it is not a type of development which in principle is considered to be acceptable in the countryside.</p> <p>The proposal is contrary to Policy COU10 of the Lisburn and Castlereagh City Council Plan Strategy, in that it has not been demonstrated that farm business is currently active.</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 6 | | | |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------|--------------------------|
| Application Reference | LA05/2022/0238/F | Date Valid | 04.03.2022 |
| Description of Proposal | Material change of use to convert rear yard to public dining space and retain existing canvas retractable awning to the front elevation. The proposal includes the retention of pizza preparation building with fabric canopy, Perspex covered seating for dining and fenced off bin storage area. To the front retention of the outdoor seated area with canvas retractable awning | Location | 70 Main Street Moira |
| Group Recommendation | Refusal | Case Officer | Catherine Gray |
| Reasons for Recommendation | | | |
| <p>The proposal is contrary to policy TC3 of the Lisburn and Castlereagh Plan Strategy in that it has not been demonstrated that the proposal is suitable in terms of design to have no adverse impact on adjacent land uses by reason of noise and odour.</p> <p>The proposal is contrary to policy HE10 of the Lisburn and Castlereagh Plan Strategy in that it has not been demonstrated that the development does not result in adverse environmental impacts such as noise, nuisance or disturbance which would be detrimental to the particular character of Moira Conservation Area.</p> | | | |
| Representations | | | |
| Objection Letters | Support Letters | Objection Petitions | Support Petitions |
| 7 | N/A | N/A | N/A |
| Consideration of Objections | | | |
| Issue | Consideration of Issue | | |
| Public access through private land/development. | <p>The view is expressed that staff and public are parking on the curb at the entrance to Village Court blocking the use of the pavement for those with prams or wheelchairs. And that public parking in private spaces is not acceptable.</p> <p>Unauthorised parking is a matter for DfI Roads enforcement.</p> | | |

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| <p>Noise.</p> | <p>The view is expressed that with late night opening noise at the rear of FINE is unacceptable with public loitering in Village Court.</p> <p>Environmental Health have been consulted through the processing of the application. A noise and odour assessment has been submitted for consideration, however additional information to allow a full assessment of the proposal was requested and not provided to the Council for consideration.</p> <p>It is considered that it has not been demonstrated that the proposal has been designed to have no adverse impact on adjacent land uses and not result in adverse environmental impacts such as noise, nuisance or disturbance which would be detrimental to the particular character of the conservation area.</p> |
| <p>Rubbish and Vermin.</p> | <p>The view is expressed that there have been various sightings of rats in Village Court since this property has been used as a pizza outlet. And that people are leaving their rubbish at the rear of the property leaving residents to clear up after them.</p> <p>Bins are provided within the application site and the supporting statement advises that the bins are collected twice weekly by River Ridge Recycling. Environmental Health have raised no concerns with regards to the impact on amenity due to vermin, insect or litter problems etc.</p> |
| <p>Liability and opening hours.</p> | <p>The question is asked 'Can the council confirm should a member of the public get injured in Village Court that liability will be accepted by the Council? They state that FINE close their coffee business at front of house allowing only access from Village Court during the late-night opening hours.</p> <p>Public liability and land ownership is not a planning matter to be weighed in the processing of the application. The information provided with regards to opening hours of the development conflict and the agent has not provided any clarification on the opening hours and what access is used at different times of the day.</p> |
| <p>Waste system.</p> | <p>The view is expressed that the existing waste system is not suitable for the day to day running of a busy coffee shop, let alone the opening hours and to support extra customers. The neighbour expresses the view the waste pipe has been illegally attached to their waste drain, to get to the main drain and that this has caused numerous issues with human waste overflowing at their back door regularly and advise that they have had to get a builder to carry out works to try to deal with the issue on their property. They state that when the toilet extension was granted in 2017 it had a stipulation regarding the waste pipe and overflow drain.</p> <p>The condition referred to in the 2017 application on the site stipulated that the foul sewerage should be connected to the main sewer with Northern Ireland Water approval. NI Water and Water Management Unit have both been consulted on the proposal and have raised no objections to the development.</p> |

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| <p>Canopy fixings.</p> | <p>The neighbour advises that the canopy fixings are attached to their wall without discussion or consent and that they have written to the tenant to remove these fixings, only to be ignored.</p> <p>Land ownership is not a planning matter. The onus is on the applicant/developer to ensure that they have ownership or control of all lands necessary to implement a planning approval.</p> |
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| Item Number 7 | | | |
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| Application Reference | LA05/2023/0950/F | Date Valid | 15.12.2023 |
| Description of Proposal | Change of use to Cafe for the sale of food or drink for consumption on the premises. Current use Class A1: Shop. | Location | Unit 1 Emerson House 14B Ballynahinch Road Carryduff Down |
| Group Recommendation | Refusal | Case Officer | Catherine Gray |
| Reasons for Recommendation | | | |
| The proposal is contrary to policy WM2 Treatment of Wastewater in that the applicant has failed to demonstrate that there is an alternative and viable non mains solution for the treatment and disposal of wastewater and that this solution if approved would not create or add to a pollution problem. | | | |
| Representations | | | |
| Objection Letters | Support Letters | Objection Petitions | Support Petitions |
| 24 | 1 | N/A | N/A |
| Consideration of Objections | | | |
| Issue | Consideration of Issue | | |
| Neighbour notification. | The view is expressed that some adjacent properties did not receive neighbour notification. The Council has fulfilled its statutory obligations with regards to neighbour notification. | | |
| Parking provision and road safety. | The view is expressed that there is inadequate parking provision to facilitate the development. The car park associated with the neighbouring business called Eight South has become an overflow facility to which they have had to hire their own parking attendant to police their car park. There is not enough car parking to facilitate the existing businesses of Emerson House never mind adding another business. The existing situation is unsustainable. The view is also expressed that the information put forward by the agent is incorrect with regards to the figures relating to the parking. The neighbouring streets are being turned into a car park for Betty's café. Car parking along adjacent streets is blocking people driveways. The lack of car parking is having an impact on the adjacent businesses who are losing out as people are put off because of the lack of parking facilities. The view is expressed that the car parking does not meet the Parking Standards. SW Consultancy has submitted objections alongside their own parking survey that details that there are not enough car parking facilities to accommodate the proposal, and express concerns in relation to safety, access and parking. Photos | | |

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| | <p>have also been provided by adjacent business detailing the parking situation at different times of the day.</p> <p>Through the processing of the application, DfI Roads have been consulted numerous times for comment, taking on board the additional information in the representations and from the agent. DfI Roads offer no objection to the development proposal. And it is considered that the proposal complies with the Parking Standards.</p> |
| <p>The proposal is already in operation.</p> | <p>The representations detail that the proposal opened for business in March 2024 and therefore is operating illegally.</p> <p>The details have been passed to the Councils Enforcement Team.</p> |
| <p>Loss of business.</p> | <p>The view is expressed that there has been a loss of business to a number of the adjacent businesses, less footfall and customer count since the proposal became operational.</p> <p>Business competition is a material consideration that is not given determining weight.</p> |

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| Item Number 8 | | | |
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| Application Reference | LA05/2021/1108/F | Date Valid | 03.10.2021 |
| Description of Proposal | Erection of stables in connection with existing equestrian stables and care farm operating under existing farm business | Location | 300m NE of 15 Shore Road Ballinderry Upper Lisburn |
| Group Recommendation | Refusal | Case Officer | Cara Breen |
| Reasons for Recommendation | | | |
| <p>The proposal is contrary to Policy COU1 of the Lisburn and Castlereagh City Council Plan Strategy, in that it is not a type of development which in principle is considered to be acceptable in the countryside.</p> <p>The proposal is contrary to Criteria (b) of Policy COU12 of the Lisburn and Castlereagh City Council Plan Strategy, in that it is not considered necessary for the efficient use of the agricultural holding. Furthermore, the proposal is not sited beside existing farm buildings, and it is not considered to be essential for the efficient functioning of the business or that there are demonstrable health and safety reasons for an alternative site away from the existing farm.</p> <p>The proposal is contrary to Criteria (b) of Policy COU15 of the Lisburn and Castlereagh City Council Plan Strategy, in that it is not sited to cluster with an established group of buildings.</p> <p>The proposal is considered to be contrary to Criteria (b) of Policy COU16 of the Lisburn and Castlereagh City Council Plan Strategy, in that it is not sited to cluster with an established group of buildings.</p> <p>The proposal is contrary to Policy FLD1 of the Lisburn and Castlereagh City Council Plan Strategy, in that it is not deemed an exception, as it has not been demonstrated that for operational reasons the agricultural use needs to be located within the flood plain.</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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