

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

**Week Ending 21<sup>st</sup> March 2025**

Item Number 1			
<b>Application Reference</b>	LA05/2022/0957/RM	<b>Date Valid</b>	18.10.2022
<b>Description of Proposal</b>	Proposed dwelling	<b>Location</b>	Site adjacent to 75 Carryduff Road, Temple, Lisburn
<b>Group Recommendation</b>	Approval	<b>Case Officer</b>	Kevin Maguire
Reasons for Recommendation			
All relevant planning material considerations have been satisfied.			
Representations			
<b>Objection Letters</b>	<b>Support Letters</b>	<b>Objection Petitions</b>	<b>Support Petitions</b>
5	N/A	N/A	N/A
Consideration of Objections			
<b>Issue</b>	<b>Consideration of Issue</b>		
Proposed may cut across third party property/Ownership issues.	The applicant was asked to clarify land ownership on the site and the application form was amended from Certificate A to Certificate C and the Council was advised that notice was served on the relevant party. A further objection was received later in the processing of the application citing that the laneway being used related to a third party right of way and had concerns about restriction of access. Further notice was served by the applicant and was subsequently re-neighbour notified. The Council would note that permission does not confer title, and it is the responsibility of the developer to ensure that they control all the lands necessary to carry out the proposed development.		
Light to proposed balcony on side of dwelling to be block due to presence of trees.	The trees to be retained are on the southern bank of the adjacent watercourse and appear to be in the front garden of No 75, therefore it is unclear regarding the nature of ownership in this case. A request to remove trees will depend on what is to be retained as part of the planning permission and agreement between the relevant parties. Under the most recent amendments the balcony has been removed from the design and replaced with two dormer windows. Should the trees block some light from reaching the proposed dwelling that would be a matter for the applicant and would not be a reason for refusal in this case.		
Previous spills into the adjacent stream caused an odour.	Previous spills into the adjacent watercourse have not been related to the proposed dwelling. NIEA Natural Environment Division, Water Management and Environmental Health have not raised any issues in relation to this application. The application will require consent to discharge prior to becoming occupied. Any discharges into the watercourse would be controlled and enforced through separate legislation.		

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<p>Two storey dwelling will look out of place at entrance to driveway and is larger than previous application on site.</p>	<p>While no ridge height condition was included in the previous planning condition and was left to be decided as part of the reserved matters an indicative 2 storey element within drawings showing a similar footprint were submitted as part of the outline application. The contours of the site, with the land rising up to the road, has meant that from the road frontage the dwelling displays single storey, with the dwelling two storey further back into the site, and because of this there will only be short range views of the return of the dwelling from public vantage points. It is also noted that there are several two storey dwellings in the vicinity of the site and therefore the two-storey element of the dwelling would not be out of place in this area.</p>
<p>Concern that a new house on this site will block stone field drain.</p>	<p>This is a reserved matters submission with the drainage/flooding issues principally dealt with at outline permission with no representations having been received on this matter at that stage. A Flood Risk Assessment was submitted and reviewed by DfI Rivers, which advised that while not being responsible for the preparation of the Flood Risk Assessment, accepts its logic and has no reason to disagree with its conclusions. The applicant is ultimately responsible for justifying the FRA and implementation of the proposed flood risk measures. Under the proposal a 5-metre-wide working strip adjacent to the watercourse has been annotated on the drawing. It is also advised that if, during the course of developing the site, the developer uncovers a watercourse not previously evident, they should advise the local DfI Rivers office immediately in order that arrangements may be made for investigation and direction in respect of any necessary measures required to deal with the watercourse.</p>
<p>Plans incorrectly labelled.</p>	<p>From a review of the plans, it is clear which plan is being referred to; however, the current location plan does not include the incorrect address and No 81 has been identified correctly through the planning process with neighbour notification being issued to this address.</p>

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Item Number 2			
<b>Application Reference</b>	LA05/2022/0093/F	<b>Date Valid</b>	27.01.2022
<b>Description of Proposal</b>	Boundary walls and fences, together with garden enhancements (levels of rear gardens raised) (Retrospective)	<b>Location</b>	Sites 1, 2, 3, 81 and 82 Governors Gate Demesne, Hillsborough.
<b>Group Recommendation</b>	Approval	<b>Case Officer</b>	Kevin Maguire
Reasons for Recommendation			
All relevant planning material considerations have been satisfied.			
Representations			
<b>Objection Letters</b>	<b>Support Letters</b>	<b>Objection Petitions</b>	<b>Support Petitions</b>
1	N/A	N/A	N/A
Consideration of Objections			
<b>Issue</b>	<b>Consideration of Issue</b>		
Failure to comply with conditions of previous planning permission.	The objector has stated that the developer has failed to comply with the conditions of the original planning permission by the removal of the 5-metre planting buffer to the western boundary. This buffer relates to a much longer section than solely the application site being considered which is limited to sites 1, 2, 3, 81 and 82, with the rest of this buffer outside of this site and is to be retained as indicated on the plans. The buffer with Sites 1-3 has been replaced by a smaller number of ornamental trees. Based on the site as developed, while this is an amendment to the previous permission it is considered that based on the assessment of the current site and adjoining properties it is considered that the boundaries would be acceptable.		
Concerns regarding potential amenity and value of property.	On the boundary at the rear of Nos 1-3 Governor Gate Demesne the site also abuts the boundary of No 39 Governors Bridge Road which is sited within a few metres of this boundary however the arrangement is side on and not back-to-back with the dwelling at No 1. There are limited windows on the eastern gable of the dwelling at No 39 so issues concerning potential impact on privacy or overshadowing/loss of light from the retaining wall/fence would be minimal. The boundary at No 14 Downshire Crescent is a 1.65m wall and 1.8m high fence to the latter, however it is unlikely to adversely impact on the amenity of this dwelling due to the distance away from the dwelling itself (approximately 35 metres between the boundary and dwelling to rear), the construction of a 1.8m high fence and retention of some existing hedge/trees along this boundary to filter views between. Given that No 12 Downshire Crescent		

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	is not directly behind the site and further away it is considered the amenity impact would be even less. Issues relating to property values would not be a material planning consideration
Concern regarding safety of retaining wall.	The construction and safety of a retaining wall is outside of the remit of planning permission and no detailed engineering drawings have been submitted to the Council for consideration. It is not clear whether building control is needed for such a structure or has been sought however if required this would be assessed under separate legislation.
Environmental impacts of the removal of trees.	The application is for retrospective approval relating to a number of plots to the western side of Governors Gate Demesne, with the natural boundaries to the rear of Sites 1, 2 and 81 already removed. It is indicated that some of the hedge/tree boundary to the rear of Site 3 has been retained and it is proposed to also retain the remainder of the 5-metre buffer further to the north outside of the site. A number of semi mature trees have been planted in the rear gardens of the dwellings at Sites 1, 2 and 3 to soften the impact along the boundary.

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<b>Item Number 3</b>			
<b>Application Reference</b>	LA05/2023/0941/F	<b>Date Valid</b>	24.11.2023
<b>Description of Proposal</b>	Extension to existing Eurospar, amalgamation with Units 1 and 2, new elevational treatment, alterations to parking layout and demolition of ATM unit	<b>Location</b>	756 Upper Newtownards Road, Belfast
<b>Group Recommendation</b>	Approval	<b>Case Officer</b>	Barbara Hanna
<b>Reasons for Recommendation</b>			
All relevant planning material considerations have been satisfied.			
<b>Representations</b>			
<b>Objection Letters</b>	<b>Support Letters</b>	<b>Objection Petitions</b>	<b>Support Petitions</b>
1	N/A	N/A	N/A
<b>Consideration of Objections</b>			
<b>Issue</b>	<b>Consideration of Issue</b>		
Concerns regarding potential piling.	The proposed works relate to small extensions to an existing building. Building Control are the competent authority to address concerns during construction works.		
Adequate provision for lorry parking.	A Service Yard Management Plan has been submitted as part of this application. There will only be van deliveries to the service yard at the rear (northwest) of the Eurospar buildings with access off Cherryhill Road. Artic lorries are to service the site to the front (south) of the Eurospar building, entering the site off Cherryhill Road and exiting via the Upper Newtownards Road. Oil tanker lorries are to enter and exit the site via the Upper Newtownards Road. DFI Roads have offered no objections to the proposal subject to conditions and informatives. Operation in accordance with the Service Yard Management Plan is one of the conditions.		
Noise pollution.	LCCC Environmental Health have been consulted on this application and offer no objections subject to conditions. Any future issues relating to noise should be directed to Environmental Health.		
Refrigeration fans.	The proposed fans are positioned to the rear of the building as such are visually acceptable. They are considered necessary to prevent any adverse impacts in terms of odour and smell.		

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Item Number 4			
<b>Application Reference</b>	LA05/2023/0787/RM	<b>Date Valid</b>	04.10.2023
<b>Description of Proposal</b>	Replacement Dwelling	<b>Location</b>	58 Creevytenant Road, Ballynahinch
<b>Group Recommendation</b>	Approval	<b>Case Officer</b>	Barbara Hanna
Reasons for Recommendation			
All relevant planning material considerations have been satisfied.			
Representations			
<b>Objection Letters</b>	<b>Support Letters</b>	<b>Objection Petitions</b>	<b>Support Petitions</b>
1	N/A	N/A	N/A
Consideration of Objections			
<b>Issue</b>	<b>Consideration of Issue</b>		
Certificate A - Declaration of ownership.	Ownership was queried with the agent who responded: - <i>I can confirm that the applicant is content with the ownership certificate and is in possession of every part of the land the application relates too.</i> Planning does not confer title; land ownership is a civil matter.		
Protected wildlife on the site.	Condition 10 of the outline permission advised that no works shall be carried out on the onsite buildings until a NIEA Wildlife License has been obtained and evidence of this has been provided to the Planning Authority, which is now the Council, in writing. This condition is to be repeated on any reserved matter approval. The appropriate informatives are also to be included. This will ensure that the development as proposed will not result in any undue harm to any interests of natural heritage importance.		
Disputed ownership of visibility splays.	Information has been submitted to suggest that a wayleave is needed over a portion of land to the front of No.54a. The applicant has confirmed that they are in possession of every part of the land the application relates to. Planning does not confer title; land ownership is a civil matter. DfI Roads were consulted and offer no objections in relation to the visibility splays.		

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Item Number 5			
<b>Application Reference</b>	LA05/2023/0108/O	<b>Date Valid</b>	02.02.2023
<b>Description of Proposal</b>	2 no. infill dwellings and garages	<b>Location</b>	Land adj to Castlerobin House, 2 Braithwaites Road, Lisburn,
<b>Group Recommendation</b>	Refusal	<b>Case Officer</b>	Sinead McCloskey
Reasons for Recommendation			
<ul style="list-style-type: none"> <li>▪ 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.</li> <li>▪ The proposal is contrary to Policy COU8 of the Lisburn and Castlereagh City Council Plan Strategy, in that the development, if approved, would add to a ribbon of development along Braithwaites 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.</li> <li>▪ The proposal is contrary to Policy COU16 criteria c), e) and g) 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, it has not been demonstrated that all necessary services can be provided without significant impact on the environment and it would have an adverse impact on the rural character of the area.</li> <li>▪ The proposal is contrary to Policies NH2 and NH5 of the Lisburn and Castlereagh City Council Plan Strategy in that it has not been demonstrated that there would be no adverse effects on any protected or priority species or habitats that may be within or adjacent to this site.</li> <li>▪ The proposal is contrary to Strategic Policy 02 and 19 of the Lisburn and Castlereagh City Council Plan Strategy in that it has not been demonstrated that there would be no adverse impacts on human health, or the environment caused by land contamination.</li> </ul>			
Representations			
<b>Objection Letters</b>	<b>Support Letters</b>	<b>Objection Petitions</b>	<b>Support Petitions</b>
0	N/A	N/A	N/A
Consideration of Objections			
<b>Issue</b>	<b>Consideration of Issue</b>		



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<b>Item Number 6</b>			
<b>Application Reference</b>	LA05/2021/0583/F	<b>Date Valid</b>	24.05.2021
<b>Description of Proposal</b>	Change of use from Clothing alteration store to pizza take away restaurant	<b>Location</b>	5 Church Road Dundonald
<b>Group Recommendation</b>	Refusal	<b>Case Officer</b>	Sinead McCloskey
<b>Reasons for Recommendation</b>			
<ul style="list-style-type: none"> <li>The proposal is contrary to Strategic Policy 02 of the Lisburn and Castlereagh City Council Plan Strategy in that it has not been demonstrated that there would be no negative impacts to human health and well-being, and residential amenity caused by odour.</li> </ul>			
<b>Representations</b>			
<b>Objection Letters</b>	<b>Support Letters</b>	<b>Objection Petitions</b>	<b>Support Petitions</b>
0	N/A	N/A	N/A
<b>Consideration of Objections</b>			
<b>Issue</b>	<b>Consideration of Issue</b>		



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<b>Item Number 7</b>			
<b>Application Reference</b>	LA05/2024/0685/F	<b>Date Valid</b>	24.09.2024
<b>Description of Proposal</b>	Proposed new access on to Lisdoonan Road in lieu of approved access on to Belfast Road to serve approved dwelling as approved under LA05/2023/0432/RM	<b>Location</b>	Opposite 20 Lisdoonan Road, Lisdoonan, Carryduff
<b>Group Recommendation</b>	Refusal	<b>Case Officer</b>	Callum Henderson
<b>Reasons for Recommendation</b>			
<ul style="list-style-type: none"> <li>The proposal is contrary to Policy COU15 criteria g) of the Lisburn and Castlereagh City Council Plan Strategy, in that the proposed development would, if permitted, not integrate with the surroundings.</li> <li>The proposal is contrary to Policy COU16 criteria a) and h) of the Lisburn and Castlereagh City Council Plan Strategy, in that the proposed development would, if permitted be unduly prominent in the landscape and the impact of the ancillary works would have an adverse impact on the rural character of the area.</li> </ul>			
<b>Representations</b>			
<b>Objection Letters</b>	<b>Support Letters</b>	<b>Objection Petitions</b>	<b>Support Petitions</b>
0	N/A	N/A	N/A
<b>Consideration of Objections</b>			
<b>Issue</b>	<b>Consideration of Issue</b>		

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Item Number 8			
<b>Application Reference</b>	LA05/2021/0144/F	<b>Date Valid</b>	05.02.2021
<b>Description of Proposal</b>	Proposed dwelling on a farm	<b>Location</b>	At lands adjacent to and east of 99 Bally Ballydonaghy Road, Crumlin
<b>Group Recommendation</b>	Refusal	<b>Case Officer</b>	Joseph Billham
Reasons for Recommendation			
<ul style="list-style-type: none"> <li>The proposal is contrary to Policy COU1 of the Lisburn and Castlereagh City Council Plan Strategy 2032 in that the proposed development is not a type of development which in principle is acceptable in the countryside.</li> <li>The proposal is contrary to Policy COU10 criteria (a) of the Lisburn and Castlereagh City Council Plan Strategy 2032 in that it has not been demonstrated that the farm business is currently active and has been established for at least 6 years.</li> <li>The proposal is contrary to Policy COU10 criteria (c) of the Lisburn and Castlereagh City Council Plan Strategy 2032 in that it has not been demonstrated that the proposal is visually linked or sited to cluster with an established group of buildings.</li> <li>The proposal is contrary to Policy COU15 criteria (b) of the Lisburn and Castlereagh City Council Plan Strategy 2032 in that it has not been demonstrated that the proposed development will be sited to cluster with an established group of buildings.</li> <li>The proposal is contrary to Policy COU16 criteria (b) and (e) of the Lisburn and Castlereagh City Council Plan Strategy 2032 in that it has not been demonstrated that the proposed development will be sited to cluster with an established group of buildings and if approved would have an adverse impact on the rural character of the area by virtue of the adding to ribbon of development.</li> <li>The proposal is contrary to Policy COU8 of the Lisburn and Castlereagh City Council Plan Strategy in that the development, if approved, would add to a ribbon of development along the Ballydonaghy Road.</li> </ul>			
Representations			
<b>Objection Letters</b>	<b>Support Letters</b>	<b>Objection Petitions</b>	<b>Support Petitions</b>
1	N/A	N/A	N/A
Consideration of Objections			
<b>Issue</b>	<b>Consideration of Issue</b>		
No substantial and continuous built-up	The proposal is for a farm dwelling and assessed in accordance with Lisburn and Castlereagh City Council Plan Strategy 2032.		

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frontage and ancillary buildings are excluded therefore not 3 qualifying buildings in a row.	
The proposed development does not respect scale, size, siting style, character or plot layout of the agricultural building.	The proposal is considered to respect the scale, size and siting within the rural area and surrounding buildings.
Removal of hedgerow impact rural character and read as suburban build up and is contrary to CTY 14.	It is considered there are no unnecessary hedgerow is being removed on site. The proposal is considered have an adverse impact on the rural character of the area by virtue of the adding to a ribbon of development.
Creates ribbon of development.	As per the assessment the proposal is considered to add to a ribbon of development along the Ballydonaghy Road.
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 in accordance with the Lisburn and Castlereagh City Council Plan Strategy 2032.