

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

Week Ending 04 October 2024

Item Number 1			
Application Reference	LA05/2021/0325/F	Date Valid	23.03.2021
Description of Proposal	Two detached two storey houses	Location	Site adjacent to 61 Moss Road, Lambeg, Lisburn, BT27 4NT
Group Recommendation	Approval	Case Officer	Laura Mc Causland
Reasons for Recommendation			
All relevant planning material considerations have been satisfied.			
Representations			
Objection Letters	Support Letters	Objection Petitions	Support Petitions
2	0	N/A	N/A
Consideration of Objections			
Issue	Consideration of Issue		
Road Safety	Third party raised concern that proposed development would increase traffic therefore prejudice road safety. DFI Roads have been consulted and offer no objection to the proposal. It is deemed that the proposed development is in accordance with TRA2 in that the proposed development can be accommodated without prejudice to road safety or significant inconvenience to the flow of traffic or any road users.		
Landownership	Third party has raised concern relating to landownership. The applicant has provided legal documentation in response to objector's comments and has served notice as required on neighbouring properties and provided copies of such notice to Council. This is a legal matter and not a material planning consideration in the assessment of this application.		

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Item Number 2			
Application Reference	LA05/2020/0411/F	Date Valid	08.06.2020
Description of Proposal	Retrospective application for one agricultural shed	Location	Approximately 120m south east of 6 Mullaghdrin Road East Dromara
Group Recommendation	Approval	Case Officer	Laura Mc Causland
Reasons for Recommendation			
All relevant planning material considerations have been satisfied.			
Representations			
Objection Letters	Support Letters	Objection Petitions	Support Petitions
8	0	N/A	N/A
Consideration of Objections			
Issue	Consideration of Issue		
Location of Shed	<p>The third party considers that the only reason planning is being sought for this shed is so the applicant can fill the land between the shed and the barn conversion with ribbon development. They state 'local farmers have traditionally built their sheds next to the Farm house so they can keep an eye on their animals and protect valuable material. It makes no sense to build a Farm shed so far away from the Farm house'.</p> <p>Policy COU12 permits consideration to be given to an alternate site away from the farm holding as an exception where there are no other sites available at the at another group of buildings on the holdings where development is essential for the efficient functioning of the farm business. The agent has provided evidence to demonstrate that there are no other buildings that can be reused/renovated on the farm holding to address identified need of the farm business and permit the business to function efficiently. During the site inspection it was also noted that this was the principle farm building and the farm holding was in close proximity to several other residential properties that are not associated with this farm. Due to the proposed use of the proposal building I am content that there are no other available sites that would be suitable at the farm holding and that sufficient evidence has been provided by the agent to satisfy policy COU12 expectation test in this instance to permit an alternate site at this location. Any forthcoming applications would be assessed in their own merits.</p>		
Applicant is a property developer not farmer	The third party claims the applicant is a property developer and does not have interest in farming. They also provide a list of other planning applications on the applicant's land and other planning applicant		

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	<p>references outside the Council Area. the third party suggests that Sell off have been made from the farm holding. Third party requests Council check out development associated with the applicant outside of the Council Area.</p> <p>Each application is assessed on its own merit. Development outside the Council area is not a material consideration within the assessment of this application. The address of the farm holding as provided on P1 form and P1c form has been confirmed by the agent. This is an application for an agricultural shed relevant to be assessed is Policy COU12 and other relating policy's within the countryside such as COU15 & COU16. DAREA have been consulted and confirm that the applicant has an active and established farm business for a minimum of 6 years. I am content that the applicant is currently an active farmer as during the site inspection it was evident that farming activity was undergoing on the site. The shed is considered to meet criteria (a)- (f) and exception test of policy COU12. Within paragraph one of the justification and amplification of Policy COU12 it directs that criteria for an active and established business set out under Policy COU10 is met. Criteria (a) of COU10 is the only criteria of COU10 that relates to an active and established farm business with paragraph 2 of the justification and amplification referring to agricultural activity for the purposes of policy. Therefore criteria (b) – (c) of policy COU10 are not engaged. I am content based on response from DAERA and farming relating activity that observed during the site inspection that criteria (a) of COU10 has been met.</p>
Retrospective application	The third party states the shed was erected without permission. The shed has been erected without the benefit of planning permission and the applicant seeks to regularise unauthorised development via this application.
Natural Heritage Concern	The third party raises concern that the development would have an impact on protected species This is a retrospective application. NED have been consulted and have considered supporting ecological information. On consideration of their comments and review of retrospective developments works undergone at the proposal site it is accepted that such works have undergone at a minimal scale possible to accommodate the development therefore interference to ecology does not raise an unacceptable level of concern. The proposal is in accordance with policy NH1, NH2 and NH5.
Contrary to planning policy	The view is expressed that the development to be contrary SPPS and policies PPS21 policies. These policies have been superseded since adoption of the LCCC Plan Strategy. Assessment has been carried out considering all relevant planning policies and material considerations. The development is deemed to be in accordance with policy COU12.
Designation and integration	The third party is concerned that the shed is a blot on the landscape in an area of Natural beauty and environmental significance and considers

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	<p>development not to be discreet and does not blend into the environment/ landscape.</p> <p>The application is designated within the open countryside as BMAP 2015. Assessment has been made and design, scale and material finish of development is acceptable. Siting is acceptable as an alternative site satisfying exception test of policy COU12. The location of the shed is considered to integrate well sympathetically at this location and to be of appropriate design therefore criteria (a)- (g) of policy COU15 has been met. In addition development also is considered to meet criteria (a)- (i) of policy COU16 and will not cause detrimental change to, or erode the rural character at this location.</p>
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Item Number 3			
Application Reference	LA05/2023/0755/F	Date Valid	Kevin Maguire
Description of Proposal	Proposed site for two infill dwellings at lands adjacent to and south of 6 Glenavy Road, Ballinderry BT28 2PE	Location	At lands adjacent to and south of 6 Glenavy Road, Ballinderry BT28 2PE
Group Recommendation	Approval	Case Officer	Kevin Maguire
Reasons for Recommendation			
All relevant planning material considerations have been satisfied.			
Representations			
Objection Letters	Support Letters	Objection Petitions	Support Petitions
1	0	N/A	N/A
Consideration of Objections			
Issue	Consideration of Issue		
Requirements for septic tanks and space available for them to be located.	The application proposes a treatment plant for each of the new proposed dwellings and a new relocated treatment plant to the rear of the existing dwelling at number 6 to the north of the site. Both LCCC Environmental Health and NIEA Water Management Unit have been consulted and have raised no concerns with the proposed arrangement, however NIEA have noted that consent to discharge will be required under separate legislation.		
Potential for flooding	Concern is expressed that the existing field drain runs from a field at the rear of the plot between 6 Glenavy Road and 6A Glenavy Road which potentially could cause flooding if blocked. DfI Rivers have been consulted and in their response have noted this undesignated watercourse requires an adjacent working strip being retained to facilitate future maintenance by the riparian landowner. This working strip has been provided within the most recent site layout plan and on this basis DfI Rivers have no issues in relation to Policy FLD2.		
Bat roosts are present within the site	Bat roost potential was examined as part of a Preliminary Ecological Assessment and notes that the principal aim of the work was to assess the requirement for bat emergence/return or activity surveys. A number of survey areas within the site were identified and noted that there was only one built structure within the site (former dog/chicken run) and the bat roost potential was considered as negligible. The survey noted that only Tree 5 with a bat roost potential status of 'moderate would require an emergence return survey if removed however this tree is to be		

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	<p>retained. NIEA NED was re-consulted on this information and on this basis have no concerns, however in relation to bats should there be any evidence of bat activity/roosting on the site identified during construction all works should cease immediately and further advice sought from the NIEA Wildlife Inspector's Team.</p>
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Item Number 4			
Application Reference	LA05/2023/0438/O	Date Valid	26.05.2023
Description of Proposal	Adjacent and North of 60 Mill Road, Carryduff, Belfast, BT8 8HL	Location	Dwelling & detached garage
Group Recommendation	Refusal	Case Officer	Brenda Ferguson
Reasons for Recommendation			
<ol style="list-style-type: none"> The proposal is contrary to Policy COU1 of the Lisburn and Castlereagh City Council Plan Strategy 2032, in that the development in principle is not considered to be acceptable in the countryside nor will it contribute to the aim of sustainable development. The proposal is contrary to criteria (c) of Policy COU2 of the Lisburn and Castlereagh City Council Plan Strategy 2032 in that the cluster is not associated with a focal point such as a social/ community building. The proposal is contrary to Policy COU8 of the Lisburn and Castlereagh City Council Plan Strategy 2032 in that it would, if permitted, add to a ribbon of development along the Mill Road, Carryduff. The proposal is contrary to criteria (e) to Policy COU16 of the Lisburn and Castlereagh City Council Plan Strategy 2032 in that it would, if permitted, have an adverse impact on the rural character of the area by virtue of the addition to a ribbon of development along the Mill Road, Carryduff. 			
Representations			
Objection Letters	Support Letters	Objection Petitions	Support Petitions
0	0	N/A	N/A
Consideration of Objections			
Issue	Consideration of Issue		
Land ownership Concerns	<p>Concern is expressed that the applicant does not own or control all the lands required to provide the visibility splays.</p> <p>The onus is on the application to ensure that the information contained within the P1 form is correct.</p> <p>The standard condition associated with the RS1 Form is placed on outline approvals and the onus is on the applicant to ensure that this is achievable when submitted a full or reserved matters application in line with the details provided on the RS1 form.</p>		

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Parking Provision	<p>Concerns is expressed in relation to the ability of the site to provide the required parking spaces stipulated in the advice from DfI Roads dated 04 July 2023.</p> <p>This is a standard roads condition to be adhered to and shown on the proposed site layout when the reserved matters/full details are to be provided.</p>
Ribbon Development/Rural Character	<p>Concern is expressed that the addition of a dwelling and garage at this location would add to the appearance of a ribbon.</p> <p>The assessment demonstrates that the development, would if approved, add to a ribbon on development along the Mill Road and would harm the rural character at this location.</p>
No focal point	<p>The assessment confirms that the proposal fails to conform to Policy COU2 in that the cluster is not associated with a focal point</p>
Pattern of Development	<p>Concern is expressed that the development would not respect the pattern of development.</p> <p>The existing pattern of development has been considered and it is concluded that the proposal, if permitted, would add to an existing ribbon.</p>
Proposal contrary to Policy COU16 of the Plan Strategy	<p>The assessment demonstrates how the proposal is contrary to Policy COU16 of the LCCC Plan Strategy</p>