

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

Week Ending 4th September 2026

Item Number 1			
Application Reference	LA05/2026/0490/F	Date Valid	04.06.2026
Description of Proposal	Single storey rear extension	Location	12 Aberdelghy Gardens, Lisburn
Group Recommendation	Approval	Case Officer	Adam Mitchell
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		
Concerns the construction works would inadvertently damage mature tree in objectors rear garden and possible damage to its roots, affecting the tree's stability and future growth.	The tree is located within the curtilage of the neighbouring property and is not proposed for removal as part of the development. Whilst the applicant may undertake works to vegetation within their own ownership, any works associated with the development should be undertaken in a manner which avoids unnecessary damage to vegetation outside the application site. Any subsequent dispute regarding physical damage to tree or its roots situated within neighbouring ownership would primarily constitute a private civil matter between the respective landowners. The tree in question has no Tree Preservation Order as outlined within Lisburn and Castlereagh's TPO Map Viewer.		

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Item Number 2			
Application Reference	LA05/2024/0222/RM	Date Valid	15.03.2024
Description of Proposal	Erection of dwelling and integral single garage and associated site works.	Location	100m NE of 6 Magees Road, Upper Ballinderry, Lisburn
Group Recommendation	Approval	Case Officer	Michael Vladeanu
Reasons for Recommendation			
All relevant planning material considerations have been satisfied.			
Representations			
Objection Letters	Support Letters	Objection Petitions	Support Petitions
11	N/A	N/A	N/A
Consideration of Objections			
Issue	Consideration of Issue		
Accuracy of submitted plans, site boundaries and relationship with the outline approval.	Concern is raised that the RM application does not reflect the site approved under outline permission LA05/2021/0572/O. It is contended that the current red line differs from that approved at outline stage and that an approximately 8-10 metre gap should exist between the two approved dwelling sites to accommodate an agricultural access. Having compared the respective site location plans, the RM application represents a slight reduction in the extent of the application site when compared with the outline approval. There is no substantive extension of the application site beyond that approved at outline stage. The western portion of the RM boundary appears more tightly drawn however; this does not result in a deviation of the ambit of the outline to the development approved in principle. The approved outline location plan does not identify an 8-10 metre gap between the application site and the adjoining approved dwelling site as part of the approved red line boundary. The objection in this instance is therefore not supported by the approved site location plan. The land omitted from the RM red line is not required to accommodate the dwelling, associated curtilage, access or other development necessary to implement the permission. Having regard to the approved outline permission, the siting of the dwelling and the nature and extent of the reduction in the		

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	application boundary, it is considered that the RM proposal remains within the ambit of the outline permission.
Agricultural access and relationship between the two development sites.	Concern is raised regarding the position of an agricultural access, and it is contended that the two outline dwelling sites were intended to be separated by land providing agricultural access to the lands to the rear. It is argued that the current RM application instead show adjoining sites and a paired domestic access arrangement. As set out above, the approved outline site location plan does not identify a separate 8-10 metre strip of land between the two application sites. The current application must be assessed against the red line and parameters of the extant outline permission LA05/2021/0572/O. The proposed dwelling, access and associated site works are contained within the approved outline site and no substantive extension beyond the outline application boundary is proposed. The separate agricultural access referred to in the representation does not form part of the development which RM approval is presently sought. Its position does not alter the extent of the approved outline site or prevent the details development now proposed from being considered pursuant to the extent outline permission.
Policy CTY8 & Policy COU8.	Concern is raised that the current arrangement of the site undermines the basis upon which outline permission was granted under Policy CTY8. It is further argued that, having regard to the present arrangement of the land, sufficient residual frontage could accommodate a third dwelling and that the proposal would therefore fail policy COU8 of the Plan Strategy. The principle of residential development on this site was established through the grant of outline permission LA05/2021/0572/O. The assessment of the proposal against the applicable countryside policy at that time formed part of the determination of the outline application. The current application seeks approval of reserved matters under the extant permission. It is not a fresh application for the principle of a dwelling, so the principle of development does not need to be reassessed against Policy COU8. The key consideration at this stage is whether the submitted details are consistent with the outline permission and acceptable in the current planning policy context for the reserved matters.

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Site frontage, dimensions and layout.	Concern is raised regarding the dimensions of the application site and discrepancies between frontage measurements referred to during consideration of the outline application and measurements subsequently undertaken by objectors. It is also contended that the respective dwelling sites differ in width and depth. The plot at outline stage measured 47.5 metres in width and approximately 78 metres in depth which accords with the width of the red line submitted with this RM application. As such no concern is raised.
Land ownership and ownership certificates.	Concern is raised regarding the accuracy of the ownership information submitted with the application. It is also contended that land and vegetation associated with the achievement of the required visibility splays may be outside the applicant's ownership of control. Planning permission does not confer title to land or provide an applicant with authority to undertake works on land which they do not own or otherwise have the legal right to enter. Any dispute concerning land ownership or private property rights is principally a civil matter. The site layout plan indicates that the splays would be sited in an area controlled by the applicant and that only the hedgerow under the control of the applicant would be removed to accommodate the visibility splays required.
Access arrangements and highway safety.	Concern is raised regarding the proposed access onto Magees Road, including its position on a bend, the horizontal and vertical alignment of the road and the potential impact upon the safety of road users. Concern is also raised regarding the detailed configuration of the access, including the proposed gates and pillars. DfI Roads have been consulted on the application and confirmed in its response dated 28 August 2026 that, having considered the matters raised, they had no reason to alter its previous recommendations and offer no objection to the proposal. Having regard to the technical advice received from DfI Roads, it is not considered that the proposal would prejudice road safety.
Visibility splays, forward sight distance and road geometry.	Concern is raised that the proposed 2 metre by 50 metre visibility splays are insufficient having regard to the curvature of Magees Road. It is argued that additional tangential visibility should be provided, that the 85th percentile traffic speed has

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	been underestimated and that sufficient forward visibility cannot be achieved. DfI Roads have considered the visibility requirements of the proposed access. Its consultation assessment records a measured 85th percentile traffic speed of 27mph and confirms that an X-distance of 2 metres, Y-distance of 50 metres and forward sight distance of 50 metres are available. DfI Roads have not requested any additional speed survey, increased visibility distance or further geometric assessment and, following consideration of the recent third-party objections, continues to offer no objection subject to conditions. Officers are satisfied that the proposed access and visibility arrangements are acceptable.
Impact on adjoining hedgerows and third-party land.	Concern is raised that achievement of the required visibility splay may necessitate the cutting back or removal of a roadside hedge stated to be within third party ownership. The submitted site plans identifies the visibility splays required to serve the development and indicates vegetation removal and replacement planting within the ownership of the applicant. The grant of planning permission would not override private property rights. While works may be required on land outside of the applicant's ownership or control, the applicant would be responsible for securing the necessary agreement before those works could be undertaken.
Drainage, surface water and wastewater disposal.	Concern is raised regarding the existing surface water runoff from the site onto Magees Road and the suitability of the site for the proposed wastewater treatment arrangements. Reference is made to local soil conditions, historic septic tank problems and the potential for effluent, contaminated water or odour to adversely affect neighbouring property, the public road and adjoining agricultural land. The site layout plan identifies a treatment plant with sub-soil irrigation and associated wastewater disposal arrangements. Environmental Health has considered the proposal and raises no objection subject to conditions. NIEA Water Management Unit and NI Water have also raised no objection to the application. Having regard to the information submitted and the consultation responses received, there is insufficient evidence to demonstrate that the proposed development would result in an unacceptable drainage, pollution or environmental health impact.

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Removal of hedgerows, trees and impact on natural heritage.	Concern is raised regarding the loss of existing hedgerow and vegetation required to facilitate the development and visibility splays. It is contended that the removal of vegetation could adversely affect biodiversity and potentially exacerbate existing surface water run-off. NIEA Natural Environment Division has considered the impact of the proposal upon designated sites and other natural heritage interests and is content with the proposal subject to recommended conditions. Subject to the recommended mitigation, it is considered that the development would not result in an unacceptable impact upon natural heritage interests.
Previous enforcement matters relating to the agricultural access.	Reference is made to enforcement case LA05/2023/1108/CA concerning works associated with an agricultural access undertaken following the grant of outline permission. Enforcement is a separate process from the determination of the current RM application. The current application must be assessed having regard to the extant outline planning permission, the details presently submitted for approval and all other material planning considerations. The existence of a separate enforcement matter does not, in itself, prevent the determination or approval of reserved matters where the details are otherwise considered acceptable.
Adequacy of consultation and neighbour notification.	Concern is raised regarding the timing of neighbour notification and the period available to make representations. Concern is also expressed that some statutory consultees provided responses before detailed objections had been submitted. Representations received during the processing of the application have been accepted and have been considered prior to determination. Where additional information or matters requiring technical consideration have subsequently arisen, further consultation has taken place as appropriate. The timing of an initial of an initial consultation response does not prevent the Council from taking account of representations received subsequently or from seeking further advice from the relevant consultee.
Case law and alleged procedural/maladministrative matters.	Reference is made to other planning cases, all cases are assessed on their own merits and consideration of such matters raised has been considered in the assessment of this application.

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Item Number 3			
Application Reference	LA05/2022/0225/RM	Date Valid	15.03.2024
Description of Proposal	Erection of dwelling and integral single garage and associated site works	Location	60m SW of 4a Magees Road, Upper Ballinderry, Lisburn
Group Recommendation	Approval	Case Officer	Michael Vladeanu
Reasons for Recommendation			
All relevant planning material considerations have been satisfied.			
Representations			
Objection Letters	Support Letters	Objection Petitions	Support Petitions
9	N/A	N/A	N/A
Consideration of Objections			
Issue	Consideration of Issue		
Accuracy of the Submitted Plans and Conformity with the Outline Permission.	Concern is raised that the Reserved Matters application does not correspond with the site approved under outline planning permission LA05/2021/0571/O. It is contended that the current red line has been altered and that the application therefore extends beyond or materially differs from the development approved at outline stage. Having compared the respective site location plans, the Reserved Matters application represents a slight reduction in the extent of the application site when compared with that identified at outline stage. There is no substantive extension of the application site beyond that approved at outline stage. The northeastern portion of the Reserved Matters boundary is more tightly drawn however; this does not represent a material extension onto additional land. The dwelling, associated curtilage, access and other development necessary to implement the permission can be accommodated within the Reserved Matters application site. The omission of land from the wider outline site does not materially alter the nature or character of the development approved in principle. Having regard to the approved outline permission, the siting of the dwelling and the nature and extent of the reduction in the application boundary, it is considered that the Reserved Matters proposal remains within the ambit of the outline planning permission.		

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Alleged 8–10 Metre Gap Between the Two Approved Sites.	Concern is raised that the outline permissions provided for an approximately 8–10 metre strip of land between the two dwelling sites to facilitate an agricultural access to the lands to the rear. It is argued that the Reserved Matters applications have removed this separation and instead show a common boundary between the sites. Having reviewed the approved outline site location plan for LA05/2021/0571/O, no separate 8–10 metre gap is identified within the approved red line. The application site is shown as a single defined area and the current Reserved Matters proposal does not substantively extend beyond that approved site. The assertion that the current application has removed a separately approved 8–10 metre strip is therefore not supported by the approved outline site location plan.
Agricultural Access and Enforcement Case LA05/2023/1108/CA.	Concern is raised regarding an agricultural access formed following the grant of outline planning permission. It is contended that the access constitutes separate development, is incompatible with the outline permission and should prevent approval of the current Reserved Matters application. The enforcement case concerns a separate statutory process, and the current application must be determined having regard to the extant outline permission, the matters reserved by that permission and the development presently proposed. The agricultural access referred to within the representations does not form part of the development for which Reserved Matters approval is presently sought. The existence of a separate enforcement matter does not, in itself, prevent determination of the Reserved Matters application where the details submitted are otherwise considered acceptable.
Policy CTY 8 and Policy COU 8.	Concern is raised that the alleged alteration of the relationship between the two sites undermines the assessment undertaken under Policy CTY 8 at outline stage. It is further argued that the resulting arrangement would leave sufficient frontage to accommodate a third dwelling and would therefore fail Policy COU 8. The principle of a dwelling on this site was established through outline planning permission LA05/2021/0571/O. The assessment of the proposal against Policy CTY 8 formed part of the determination of that application. The current application seeks approval of matters reserved pursuant to the extant outline permission. It is not a fresh application for the principle of residential development and it is therefore not appropriate to reassess the principle of development against Policy COU 8.

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Site Frontage, Dimensions and Layout.	Concern is raised regarding differences between frontage measurements referred to at outline stage and measurements subsequently undertaken by objectors. It is contended that changes to the dimensions of the site materially alter the development approved at outline. The plot at outline stage measured 47.5 metres in width and approximately 78 metres in depth which accords with the width of the red line submitted with this RM application. As such no concern is raised.
Land Ownership and Ownership Information.	Concern is raised regarding the accuracy of the ownership information accompanying the application and whether all lands necessary to implement the development are within the applicant's ownership or control. Planning permission does not confer title to land or provide authority to undertake works on land which the applicant does not own or otherwise control. Any dispute regarding ownership or private property rights is primarily a civil matter. The responsibility remains with the applicant to ensure that they have the necessary ownership, control or agreement to implement any planning permission granted.
Access Arrangements and Highway Safety.	Concern is raised regarding the proposed access onto Magees Road and whether its location and configuration would provide a safe means of access. Particular concern is expressed regarding the geometry of Magees Road, the relationship with the agricultural access and the ability of vehicles to safely enter and exit the site. DfI Roads has been consulted as the competent authority in respect of road safety and access matters. DfI Roads was subsequently re-consulted having regard to the detailed third-party representations and, in its response dated 28 August 2026, confirmed that having considered the recent objections it had no reason to change its previous recommendations and continued to offer no objection to the proposal. DfI Roads recommends conditions requiring the vehicular access, visibility splays and forward sight distance to be provided prior to the commencement of other development and thereafter retained. Conditions are also recommended regarding the gradient of the access, parking and circulation within the site and the permanent closure of the existing field gate. Having regard to the technical advice received from DfI Roads, it is considered that the proposed access arrangements would not prejudice road safety or the convenience of road users.

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Visibility Splays and Forward Sight Distance.	Concern is raised regarding the ability to achieve adequate visibility splays and forward sight distance having regard to the horizontal and vertical alignment of Magees Road. It is also contended that additional visibility may be required due to the curvature of the road. DfI Roads has specifically considered the visibility requirements associated with the proposed access. Its assessment records a measured 85th percentile traffic speed of 27mph and confirms that the required 2.0 metre X-distance, 50 metre Y-distance and 50 metre forward sight distance are available. DfI Roads has not requested an increased visibility distance, additional speed survey or further geometric assessment and, following consideration of the recent third-party objections, continues to offer no objection subject to conditions. In the absence of contrary technical evidence from the competent roads authority, it is considered that the proposed visibility and access arrangements are acceptable.
Drainage and Surface Water Runoff.	Concern is raised regarding existing surface water accumulation within the site, particularly in the vicinity of the existing field access, and the potential for the proposed development, additional hardstanding and changes to vegetation to increase runoff onto Magees Road and neighbouring land. The representations refer to persistent water accumulation and contend that the site is unsuitable for further development without a detailed site-specific drainage strategy. As per the Flood Maps NI the site does not lie within the fluvial floodplain nor is it identified as an area of flood risk from Rivers or surface water. The development also does not meet the thresholds for the requirement of a Drainage Assessment Policy FLD3 of the Plan Strategy. It is the responsibility of the developer/applicant to ensure that water does not flow from the site onto the public road, including the verge or footway, and that existing roadside drainage is preserved.
Wastewater Treatment and Disposal.	Concern is raised regarding the position and suitability of the proposed sewage treatment plant, soakaway and subsoil irrigation arrangements. It is contended that these are located within a low-lying and potentially saturated part of the site and that there is a risk of effluent, odour or contaminated water affecting neighbouring land or the public road. Further percolation testing and a detailed wastewater management strategy have been requested. Environmental Health has considered the proposed development and raises no objection subject to a condition requiring the septic tank/sewage treatment unit to be sited as indicated with suitable levels and an adequate area of subsoil irrigation for the disposal of effluent.

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	Environmental Health further advises that this assessment does not remove the requirement to comply with the Water (Northern Ireland) Order 1999 and that consent to discharge must be obtained from the Northern Ireland Environment Agency. Having regard to the information submitted and the consultation response received from Environmental Health, it is considered that wastewater would be adequately treated at the site.
Hedgerows, Trees and Natural Heritage.	Concern is raised regarding the potential removal of mature trees and hedgerows and the consequent effects upon biodiversity, landscape character and protected species. Specific reference is made to the mature oak trees within and adjacent to the site, and it is contended that these should be retained and protected. Concerns are also raised regarding bats, badgers and breeding birds. NIEA Natural Environment Division has considered the effects of the proposal upon designated sites and other natural heritage interests and is content with the proposal subject to recommended conditions. NED has considered the additional bat and tree information submitted in support of the application. It notes the high level of bat foraging activity and recommends the provision of two compensatory bat boxes on retained trees. NED is satisfied that the trees are unlikely to currently support roosting bats, while advising that works must cease and further advice be obtained should roosting bats be identified during construction. NED further recommends that all trees and hedgerows identified for retention on Site Plan 02/1 are retained and protected in accordance with BS 5837:2012, with no unauthorised felling, uprooting or damage to roots within the crown spread. Having regard to the ecological information submitted and the advice of NIEA Natural Environment Division, it is considered that the proposal would not result in an unacceptable impact upon natural heritage interests, subject to the recommended condition and informatives.
Adequacy of Information Submitted at Reserved Matters Stage.	Concern is raised that the application does not contain sufficient detailed information to demonstrate that the development can be satisfactorily implemented, particularly in relation to access, drainage and wastewater disposal. The application has been supported by detailed site, access, landscaping, drainage and elevational plans and has been subject to consultation with the relevant technical bodies. DfI Roads, Environmental Health, NIEA Natural Environment Division & Water Catchment Unit and NI Water, have each been provided with information relevant to their respective areas of responsibility and have not identified any outstanding matter which prevents determination of

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	the application. DfI Roads and Environmental Health raise no objection subject to conditions, while NIEA NED is content subject to its recommended natural heritage safeguards. It is therefore considered that sufficient information has been submitted to allow the Reserved Matters application to be fully and properly assessed.
Neighbour Notification and Consultation.	Concern is raised regarding the timing of neighbour notification and the period afforded to submit representations. It is stated that notification was received after the application had already been subject to statutory consultation. Representations received during consideration of the application have been accepted and taken into account prior to determination. The fact that a consultee may have provided an initial response before a subsequent representation was received does not prevent the Planning Authority from considering that representation or seeking further consultation where necessary.
Consideration of Third-Party Representations by Statutory Consultees.	Concern is raised that statutory consultees may have provided their original responses prior to receipt of some of the detailed representations and may therefore not have considered all of the matters subsequently raised. DfI Roads was specifically re-consulted in relation to the recent third-party objections. In its response dated 28 August 2026, DfI Roads confirmed that it had considered the objections and had no reason to change its previously recommended conditions or informatives, continuing to offer no objection to the development. NIEA Natural Environment Division has also considered updated information submitted during the processing of the application, including supplementary bat-roosting information and a Ground Level Tree Assessment, before confirming that it is content with the proposal subject to conditions. It is therefore considered that the relevant technical matters raised through the representations have been appropriately considered during the processing of the application.
Case Law and Alleged Procedural or Maladministrative Matters.	Reference is made to other planning cases, all cases are assessed on their own merits and consideration of such matters raised has been considered in the assessment of this application.