

Development Management Report

Summary	
Committee Date: 10 th December 2024	
Application ID: LA04/2024/1591/F and LA04/2024/1593/DCA	
Proposal: Demolition of the existing dwelling and construction of a two-storey replacement dwelling with accommodation in the roof, new garden store, widened site access, new gates and pillars and associated site works.	Location: 20 Deramore Park Belfast BT9 5JU
Referral Route: 3.8.2 (i) of the Scheme of Delegation as the application includes full demolition of a main building in a conservation area.	
Recommendation: Approval	
Applicant Name and Address: Ashley Elliott 12a Malone Park Gardens Belfast BT9 6WH	Agent Name and Address: Des Ewing Residential Architects The Studio 13 Bangor Road Holywood BT18 0NU
Date Valid: 17 th September 2024	
Target Date	31 st December 2024
Contact Officer	Matthew McBride, Planning Officer
<p>Executive Summary:</p> <p>This application is located at 20 Deramore Park.</p> <p>The site is a large plot sloping west to east containing a two storey red brick dwelling with a single storey flat roof side extension and a conservatory. The site contains a large garden to the rear bounded by a hedgerow and a smaller garden to the front bounded by a plinth wall with a timber fence above. Parking is provided to the front of the property.</p> <p>The main issues relevant to consideration of the application are set out below.</p> <ul style="list-style-type: none"> • Principle of Demolition within the Conservation Area • Layout, Design, Scale, Massing and Impact on Conservation Area • Impact on Conservation Area • Impact on amenity • Climate change • Proposed Access • Landscaping and Trees • Environmental Protection • Waste Water Infrastructure <p>The existing dwelling makes no material contribution to the Conservation Area and therefore the proposed demolition is considered acceptable. The proposed dwelling is of a traditional design</p>	

which is considered to enhance the character of the surrounding area. Conservation Advice had no objections to the demolition but raised concerns with the proposed replacement, these are considered within the report.

The application was advertised and neighbour notified and two objections were received from GIA Surveyors on behalf of the residents of no. 18 Deramore Park citing concerns in relation to a lack of overshadowing assessment and that the scale and massing of the proposal would have an adverse impact on the levels of natural daylight and sunlight to windows and rooms on the eastern gable of no. 18 and the amenity spaces at ground level. An overshadowing analysis was subsequently submitted and considered. A further objection was received citing a lack of detail within the analysis. Both representations are considered within the report.

No objections were raised from statutory and non-statutory consultees.

Recommendation

Having regard to the Development Plan and material considerations, it is recommended that planning permission is granted subject to conditions.

Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and deal with any other issues that arise, provided that the issues are not substantive.

DRAWINGS AND IMAGERY

Site Location Plan:



Proposed Site Layout:



Proposed Elevations:



SOUTH ELEVATION



EAST ELEVATION

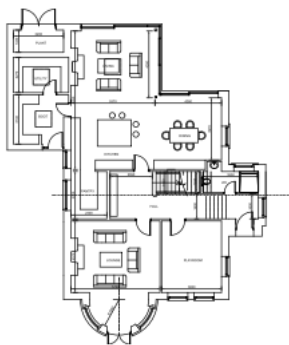


NORTH ELEVATION

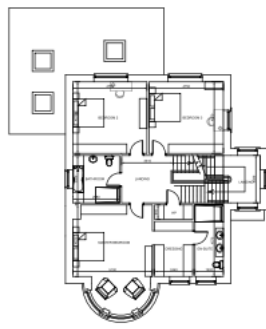


WEST ELEVATION

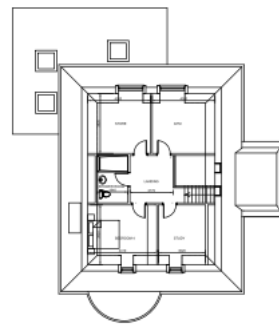
Proposed Floorplans



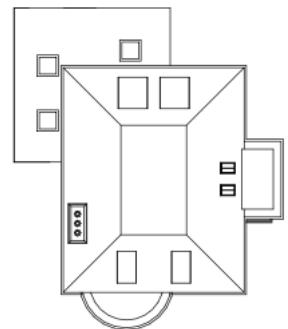
GROUND FLOOR



FIRST FLOOR



ATTIC FLOOR



ROOF PLAN



SECTION A-A

Gross Internal Area

Ground Floor	1,802 sq ft	166.1 sqm
First Floor	1,447 sq ft	134.4 sqm
Attic Floor	455 sq ft	42.1 sqm
Total Floor Area	4,504 sq ft	419.6 sqm



Scale = 1 : 50

des ewing	
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PROJECT: 2024-001	
DATE: 2024-01-15	
DRAWN BY: J. SMITH	
CHECKED BY: M. JONES	
SCALE: 1:50	
PROJECT NO: 2024-001	
SHEET NO: 01	

<p>1.0</p> <p>1.1</p> <p>1.2</p> <p>1.3</p> <p>1.4</p>	<p>Characteristics of the Site and Area</p> <p>This application is located at 20 Deramore Park.</p> <p>The site is a large plot sloping west to east containing a two storey red brick dwelling with a single storey flat roof side extension and a sunroom. The site contains a large garden to the rear bounded by a hedgerow and a smaller garden to the front bounded by a plinth wall with timber above. Parking is provided to the front of the property.</p> <p>The site is located within the Malone Conservation Area – Sub Area M: Baldon/Deramore/Newforge and within the development limit in the Belfast Urban Area Plan and both versions of the draft Belfast Metropolitan Area Plan 2015 (v2004 and v2014). The surrounding area is residential comprised of a mix of large semi-detached and detached dwellings on generous plots. A number of dwellings have been subdivided to apartments. The dwellings are a mix of designs and materials are primarily red brick and render.</p> <p>Description of Proposed Development</p> <p>The proposal seeks full planning permission for the demolition of the existing dwelling and construction of a two-storey replacement dwelling with accommodation in the roof, new garden store, widened site access, new gates and pillars and associated site works. A DCA has been submitted for demolition of the existing dwelling under the reference LA04/2024/1593/DCA.</p>
<p>2.0</p> <p>2.1</p>	<p>RELEVANT PLANNING HISTORY</p> <p>There is no relevant planning history for the site.</p>
<p>3.0</p> <p>3.1</p>	<p>PLANNING POLICY</p> <p>Development Plan – Plan Strategy</p> <p><u>Belfast Local Development Plan, Plan Strategy 2035</u></p> <p><i>Strategic Policies:</i></p> <p>Policy SP1A – managing growth and supporting infrastructure delivery Policy SP2 – sustainable development Policy SP3 – improving health and wellbeing Policy SP5 – positive placemaking Policy SP6 – environmental resilience Policy SP7 – connectivity Policy SD2 – Settlement Areas</p> <p><i>Operational Policies:</i></p> <p>Policy DES1 – Principles of urban design Policy RD1 – New residential developments Policy BH2- Conservation Areas</p> <p>Policy TRAN6 – Access to public roads Policy TRAN8 – Car parking and servicing arrangements</p>

3.2	<p>Policy ENV1 – Environmental quality Policy ENV2 – Mitigating environmental change Policy ENV3 – Adapting to environmental change Policy ENV5 – Sustainable drainage systems (SuDS) Policy OS3 – Ancillary open space Policy TRE1 – Trees Policy NH1 – Protection of natural heritage resources</p> <p><u>Supplementary Planning Guidance</u></p> <p>Residential Design</p> <p>Malone Conservation Area Guide</p> <p>Development Plan – zoning, designations and proposals maps Belfast Urban Area Plan (2001) BUAP Draft Belfast Metropolitan Area Plan 2015 (v2004) Draft Belfast Metropolitan Area Plan 2015 (v2014)</p> <p>Regional Planning Policy Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)</p> <p>Other Material Considerations Belfast Agenda (Community Plan)</p>
4.0	<p>CONSULTATIONS AND REPRESENTATIONS</p> <p>4.1 <u>Statutory Consultees</u></p> <p>DfI Roads – No objections</p> <p>NI Water – No objections</p> <p>4.2 <u>Non-Statutory Consultees</u></p> <p>Conservation Advice- No objection to demolition, concerns raised to proposed replacement.</p> <p>Tree Officer- No objections with conditions</p> <p>4.3 <u>Representations</u></p> <p>The application has been advertised in the newspaper and neighbours notified, no representations were received.</p>
5.0	<p>PLANNING ASSESSMENT</p> <p>Main Issues</p> <p>5.1 The main issues relevant to consideration of the application are set out below.</p> <ul style="list-style-type: none"> • Principle of Demolition within the Conservation Area • Layout, Design, Scale, Massing and Impact on Conservation Area

	<ul style="list-style-type: none"> • Impact on Neighbouring Amenity • Climate Change • Proposed Access • Landscaping and Trees • Environmental Protection • Waste Water Infrastructure
	<p>Development Plan Context</p>
5.2	<p>Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.</p>
5.3	<p>Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.</p>
5.4	<p>The Belfast Local Development Plan (LDP) when fully completed will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 (“Departmental Development Plan”) remain part of the statutory local development plan until the Local Policies Plan is adopted.</p>
	<p><u>Operational Polices</u></p>
5.5	<p>The Plan Strategy contains a range of operational policies relevant to consideration of the application. These have been listed at paragraph 3.1.</p>
	<p><u>Proposals Maps</u></p>
5.6	<p>Until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001 (“Departmental Development Plan”), both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals maps is a matter for the decision maker. It is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.</p>
5.7	<p>Belfast Urban Area Plan 2001 – the site is un-zoned “white land” within the Development Limit.</p>
5.8	<p>Draft Belfast Metropolitan Area Plan 2015 (2004 & 2014) – the site is within the Malone Conservation Area</p>
5.9	<p>With regards to development in Conservation Areas, Section 104(11) states that special regard must be had to the desirability of; (a) preserving the character or appearance of that area in cases where an opportunity for enhancing its character or appearance does not arise; (b) enhancing the character or appearance of that area in cases where an opportunity to do so does arise.</p>

5.10	<p>The SPPS states that “in managing development within a designated Conservation Area the guiding principle is to afford special regard to the desirability of enhancing its character or appearance when an opportunity to do so exists, or preserve its character or appearance where an opportunity to enhance does not exist”.</p> <p><u>Principle of Demolition within the Conservation Area</u></p>
5.11	<p>The full application is accompanied by a Demolition Consent to demolish the existing dwelling under the reference LA04/2024/1593/DCA.</p>
5.12	<p>Policy BH2 states there will be a presumption in favour of retaining listed buildings and non-listed buildings in conservation areas. Total demolition of a building will only be permitted where:</p> <p>j. It makes either a negative or no material contribution to the character and appearance of the area; and</p> <p>k. The design quality of the proposed building is considered to enhance the overall character of the conservation area paying due regard to viability of retention or restoration of the existing building.</p>
5.13	<p>In regards to criteria j the existing building on site is a two storey red brick dwelling with a single storey side extension containing a flat roof and a conservatory. The existing dwelling is considered out of character with the surrounding Conservation Area and has no architectural merit. Conservation Advice has been sought and states that <i>the building to be demolished is outwith the period character of this section of the Conservation Area</i>. The response agrees that the existing dwelling does not make a contribution to the character and appearance of the area.</p>
5.14	<p>The replacement of the dwelling is therefore considered acceptable in principle subject to being of a quality which enhances the overall character of the conservation area.</p> <p><u>Layout, Design, Scale, Massing and Impact on the Conservation Area</u></p>
5.15	<p>The proposed dwelling is of a traditional design. It is two storeys in height with dormer windows in the hipped roof to provide an attic conversion, features a bay window to the front with windows of a vertical emphasis. To the rear is a single storey off shoot with a flat roof and to the side is a single storey store.</p>
5.16	<p>The proposal is of a high quality design which is sympathetic and in keeping with the surrounding area when compared to the previous dwelling to be replaced. The height of the proposed dwelling steps down with the slope and sits below the neighbouring apartment building at no. 18. The building line of the dwelling is stepped slightly further back when compared to the previous dwelling to tie in with the established building line. The dwelling is set down to single storey at the rear and towards the western boundary to ensure there is sufficient separation distances between dwellings allowing an appreciation of views through the site.</p>
5.17	<p>The proposed materials are to be white render walls with hardwood sash windows and hardwood doors. White render is common within the surrounding area while the hardwood sash windows and doors utilises traditional materials which is welcome.</p>
5.18	<p>Conservation Advice was sought and has concerns with the design of the replacement dwelling.</p>

5.19	Concerns are raised regarding the two storey side projection and the single storey rear/side offshoot containing a flat roof. Further concerns were raised with the single storey rear/side offshoot in that subservient blocks should be located to the rear and not project beyond the side elevation, neither should there be large elements of glazing which draw the eye disproportionately.
5.20	The two storey side projection while containing a flat roof is of a modest scale which is designed as an entrance to the dwelling. It is set back from the front elevation ensuring there it will not draw the eye disproportionately, similarly the single storey side and rear offshoot is set behind the building line and given the boundary treatments there will be limited views. Consideration is given to the previous dwelling which contained a single storey side attached garage with a flat roof that was flush with the front building line. In terms of the large area of glazing this is limited to the rear of the dwelling and there will be no public views and therefore no impact on the conservation area.
5.21	The Conservation Advice also stated concerns with the store which generally should be located to the rear of the building. The proposed store is located behind the building line and is of a scale which will minimise public views. Stores and garages are common within the surrounding area to be located to the side and therefore it is not considered to be out of character.
5.22	Given the traditional design of the building and appropriate scale and massing it is considered that the proposal successfully enhances the overall character of the Conservation Area. Due regard to viability of retention or restoration of the existing building is considered but not deemed necessary given the existing dwelling makes no material contribution to the conservation area. It is not deemed necessary to condition appropriate recording of the existing building given it is not of architectural or historic merit.
	<u>Impact on Amenity</u>
5.23	The proposed dwelling neighbours an apartment building at no. 18 and a two storey dwelling which unusually sits to the rear of the site at no. 20A. No windows of habitable rooms face onto the private amenity space of either of the neighbouring dwellings/apartments and therefore there are no concerns of overlooking.
5.24	In terms of overshadowing/loss of light and in relation to no. 20A, the proposed dwelling extends deeper into the site than the existing dwelling and therefore closer to the front of no. 20A. It is considered that the front of the neighbouring dwelling would have been overshadowed by the existing dwelling in Spring/Autumn evenings and that the proposed dwelling would not exacerbate this impact to an unacceptable degree. Likewise any overshadowing to the rear would not be exacerbated by this proposal given the existing location of the existing dwelling.
5.25	In relation to no. 18 a representation was received from GIA Surveyors on behalf of the residents of no. 18 Deramore Park citing concerns in relation to a lack of an overshadowing assessment and that the scale and massing of the proposal would have an adverse impact on the levels of natural daylight and sunlight to windows and rooms on the eastern gable of no. 18 and the amenity spaces at ground level.
5.26	In response the applicant has submitted an overshadowing analysis and it is noted that given the orientation of the proposed dwelling there will be no impact past midday or during the winter months. The overshadowing analysis demonstrates there will not be an adverse impact on the residents of no.18. Any additional shadow caused by the

	<p>proposed dwelling is limited to early mornings in the summer, (no impact over the existing dwelling from 10am) while in Spring/Autumn any additional impact is limited to the amenity space by 10am and no further impact over the existing dwelling by 12pm.</p>
5.27	<p>While it is accepted the proposal will cause some additional overshadowing to the eastern elevation of no. 18 and the associated amenity space, the impact is limited to the morning with no impact during winter months. It is not considered that the level of overshadowing would not be considered adverse or to an unacceptable degree. It is acknowledged in paragraph 3.1.40 of the residential SPG that some overshadowing of garden areas will rarely constitute sufficient grounds to justify a refusal of permission and this where the main impact lies.</p>
5.28	<p>A further representation was submitted from GIA surveyors providing comments on the submitted overshadowing analysis. The representation states the study is devoid of any detail and not what was recommended in the first representation. It states that:</p>
5.29	<p><i>The study plots a transient shadow path at its most basic level. It does not consider the appropriate BRE metrics for assessing the impact of a new development to neighbouring buildings. There should be a detailed assessment of the Vertical Sky Component to windows, the No Sky Line test to rooms, and the Annual Probable Sunlight Hours test to windows.</i></p>
5.30	<p>The representation is noted and it is recognised that paragraph 3.1.43 of the Residential SPG states the Council will generally apply guidance targets within the latest edition of the Building Research Establishment (BRE) guidelines “Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice (BR 209)”</p>
5.31	<p>While the overshadowing analysis is basic in its detail, given the scale of the proposal it is not deemed necessary for further detail to be provided to allow officers to conclude for the reasons set out that the proposed development would not cause overshadowing to an adverse or unacceptable degree.</p>
5.32	<p>The proposal is not considered to impact no. 18 by way of dominance. The existing bay window to the eastern side elevation currently faces the gable wall of the existing dwelling and the proposed dwelling maintains this relationship. The projecting rear bay has two windows which will directly face the single storey rear element of the proposal. The single storey portion of the proposal is to be 3.8m in height and with consideration to the 0.6m difference in levels and existing boundary treatments between the proposed site and the neighbouring site, it is not considered to dominate any outward views.</p>
5.33	<p>The proposal is not considered to unduly affect the privacy or amenity of neighbouring residents in accordance with policy RD1.</p> <p><i>Private Amenity Provision</i></p>
5.34	<p>In terms of the prospective occupants the dwelling contains a rear garden of 178sqm which complies with the guidance contained within Creating Places which advocates for a minimum of 70sqm in lower density areas.</p> <p><u>Climate Change</u></p> <p><i>Proposed Demolition</i></p>
5.35	<p>In terms of the proposed demolition of the existing dwelling Policy ENV 2 states:</p>

	<p><i>Development proposals should, where feasible, seek to avoid demolition and should consider how existing buildings or their main structures could be reused. Development proposals that include the demolition of existing buildings should demonstrate that reuse is not appropriate or feasible. Where demolition is proposed, measures should be included to minimise any waste through the reuse of as much building material as possible.</i></p>
5.36	<p>A Demolition Justification Statement has been submitted and states that the existing dwelling does not meet modern building regulations and has a poor energy rating meaning it is a more sustainable option to replace the dwelling. Given the reasons put forward within the statement along with the consideration that the dwelling has no architectural merit the demolition is considered acceptable. A condition will be attached to ensure the re-use of materials.</p>
5.37	<p>Policy ENV2 states that planning permission will be granted for development that incorporates measures to mitigate environmental change and reduce greenhouse gases by promoting sustainable patterns of development. Policy ENV3 states that planning permission will be granted for development that incorporates measures to adapt to environmental change.</p>
5.38	<p>A Climate Change Statement has been submitted and includes measures to adapt to environmental change such as orientating the dwelling for thermal gain, use of solar panels, an electric charging point, use of water saving devices and high quality insulation.</p>
5.39	<p>Policy ENV5 states that all built development shall include, where appropriate, SuDs measures to manage surface water effectively on site, to reduce surface water run-off and to ensure flooding is not increased elsewhere. The application proposes SuDS features such as the provision of permeable paving, permeable resin bound aggregate driveway and new tree and shrub planting.</p>
	<p><u>Proposed Access</u></p>
5.40	<p>The proposal includes a widened access with proposed pillars and gates, the proposed gates allow views to the proposed dwelling and are considered acceptable within the Conservation Area. DFI Roads were consulted in terms of the proposed access and had no objections.</p>
	<p><u>Landscaping and Trees</u></p>
5.41	<p>The existing site contains mature hedgerows and trees. The proposal includes 3x trees to be planted within the rear garden and 2x in the front garden which is welcomed. The Tree Officer was consulted and had no objections to the proposal but advised officers to seek clarification on the species of trees proposed. A soft landscaping plan will be conditioned to be submitted and agreed to ensure the proposed planting is appropriate.</p>
	<p><u>Environmental protection</u></p>
5.42	<p>Policy ENV1 states that planning permission will be granted for development that will maintain and, where possible, enhance environmental quality, and protects communities from materially harmful development.</p>
5.43	<p>Given the proposal is a replacement dwelling largely on the footprint of the existing dwelling there are no concerns in terms of contaminated land or noise and therefore Environmental Health have not been consulted.</p>

5.44	<p><u>Waste-water infrastructure</u></p> <p>Policy SP1a requires that necessary infrastructure is in place to support new development. NI Water has been consulted and have no objections.</p>
	<p>Recommendation</p> <p>Having regard to the Development Plan and material considerations, it is recommended that planning permission is granted subject to conditions.</p> <p>Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and Section 76 planning agreement and deal with any other issues that arise, provided that the issues are not substantive.</p>
7.0	<p>DRAFT CONDITIONS</p> <p>LA04/2024/1591/F</p> <ol style="list-style-type: none"> 1. The development hereby permitted must be begun within five years from the date of this permission. Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011. 2. The vehicular access width shall not exceed 5m. Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users. 3. All trees and planting within the site shall be retained unless shown on the approved drawings as being removed. Any retained trees or planting indicated on the approved drawings which become seriously damaged, diseased, or dying, shall be replaced during the next planting season (October to March inclusive) with other trees or plants of a location, species and size to be first approved in writing by the Council. Reason: In the interests of visual amenity 4. Prior to any work commencing all protective barriers (fencing) and ground protection is to be erected or installed as specified in British Standard 5837: 2012 (section 6.2) on any trees / hedging to be retained within the site & on along the public streetscape and must be in place before any materials or machinery are brought onto site for demolition, development, or soil stripping. Protective fencing must remain in place until all work is completed, and all associated materials and equipment are removed from site. Reason: To ensure the protection of, and to ensure the continuity of amenity afforded by any existing trees to be retained within the site and on adjacent lands. 5. No storage of materials, parking of vehicles or plant, temporary buildings, sheds, offices or fires within the RPA of trees within the site during the construction period.

	<p>Reason: To avoid compaction within the RPA.</p> <p>6. No development (other than site clearance, site preparation, demolition and the formation of foundations and trenches) shall commence on site unless a soft landscaping scheme has been submitted to and approved in writing by the Council. The scheme shall include all trees, hedgerows and other planting which are to be retained; a planting specification to include species, size, position and method of planting of all new trees and shrubs; and a programme of implementation.</p> <p>All soft landscaping works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development unless otherwise agreed in writing by the Council. Any existing or proposed trees or plants indicated on the approved plans which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size, details of which shall have first been submitted to and approved in writing by the Council.</p> <p>Reason: In the interests of the character and appearance of the area. Approval is required upfront because the soft landscaping is critical to the acceptability of the proposal.</p> <p>7. The development hereby approved shall not be occupied unless measures contained within the Climate Change Statement uploaded to the portal on the 17th September have been implemented. The climate change measures shall be retained in accordance with the approved details at all times.</p> <p>Reason: To mitigate and/or adapt to climate change.</p> <p>LA04/2024/1593/DCA</p> <p>1. No demolition shall commence on site unless a contract has been let for the redevelopment of the site in accordance with planning permission LA04/2024/1591/F dated (Insert) and evidence of that contract has been submitted to and approved in writing by the Council. The development shall not be carried out unless in accordance with planning permission [LA04/2024/1591/F].</p> <p>Reason: As required by Sections 91(6) and 105 of the Planning Act (Northern Ireland) 2011, to preserve or enhance the character or appearance of the Conservation Area. Approval is required upfront because if redevelopment of the site does not take place it could leave the vacant site unsightly and harmful to the Conservation Area.</p>