

Development Management Officer Report Committee Application

Summary	
Application ID: LA04/2024/1865/O	Committee Meeting Date: 17 June 2025
Proposal: 3no. detached dwellings part 2 storey part 3 storey	Location: Land between No 22 Squires View and Nos 57 & 59 Squires Hill Road, Belfast.
Referral Route: Section 3.8.1 of the scheme of Delegation. An elected Member of the Council (Cllr Jordan Doran) has requested for the application to be referred to the Planning Committee.	
Recommendation:	Approval
Applicant Name and Address: Sentry Properties Limited 31a Main Street Ballyclare BT39 9AA	Agent Name and Address: Dermot Monaghan MBA Planning 4 College House Citylink Business Park Belfast BT12 4HQ
Date Valid: 28 th October 2024	
Target Date: 10 th February 2025	
Contact Officer: Lisa Walshe, Principal Planning Officer (Development Management)	
Executive Summary: This application seeks planning permission for 3 detached, split-level residential properties which are two storeys at the front and three storeys at the rear. The site comprises a vacant parcel of land located between 22 Squires View and 57 and 59 Squires View. The site is located on a steep gradient which falls by approximately 10m from east to west from Squires Hill Road towards the Crumlin Road. The site is also located on a moderate decline when approaching the site from south to north with levels falling from 169.40 to 166.84. The key issues for the assessment of the application are: - Principle of residential dwellings at this location - Impact on existing residential - Housing density - Adaptable and accessible accommodation - Design - Amenity space - Overshadowing - Overlooking - Access and parking - Waste management - Landscaping and trees - Topography of the site - Climate change	

DFI Roads have offered no objection to the proposal following receipt of drawing no.6, uploaded to the planning portal on 12th December 2024.

NI Water have recommended refusal on the basis that there is no available capacity in the downstream Wastewater Infrastructure and no viable developer-led solution is available to achieve a foul connection.

The BCC Tree Officer requested further information including a management and maintenance plan; a proposed planting and landscaping scheme and a tree protection plan. This information was not submitted by the applicant.

Following submission of a biodiversity checklist, NIEA: Natural Environment Division have no objection to the development.

Recommendation

Having regard to the development plan, planning history on the site and other material considerations, the proposal is considered unacceptable and refusal is therefore recommended. 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 they are not substantive.

Case Officer Report

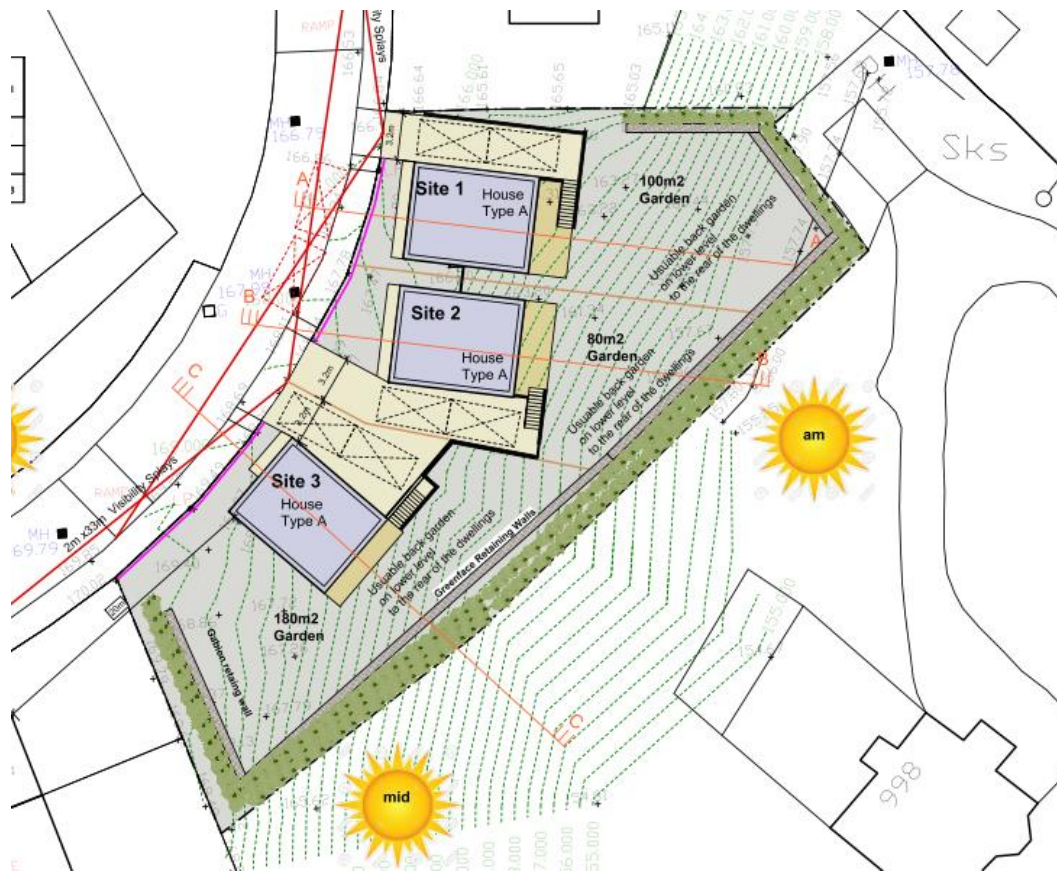
Site Location Plan



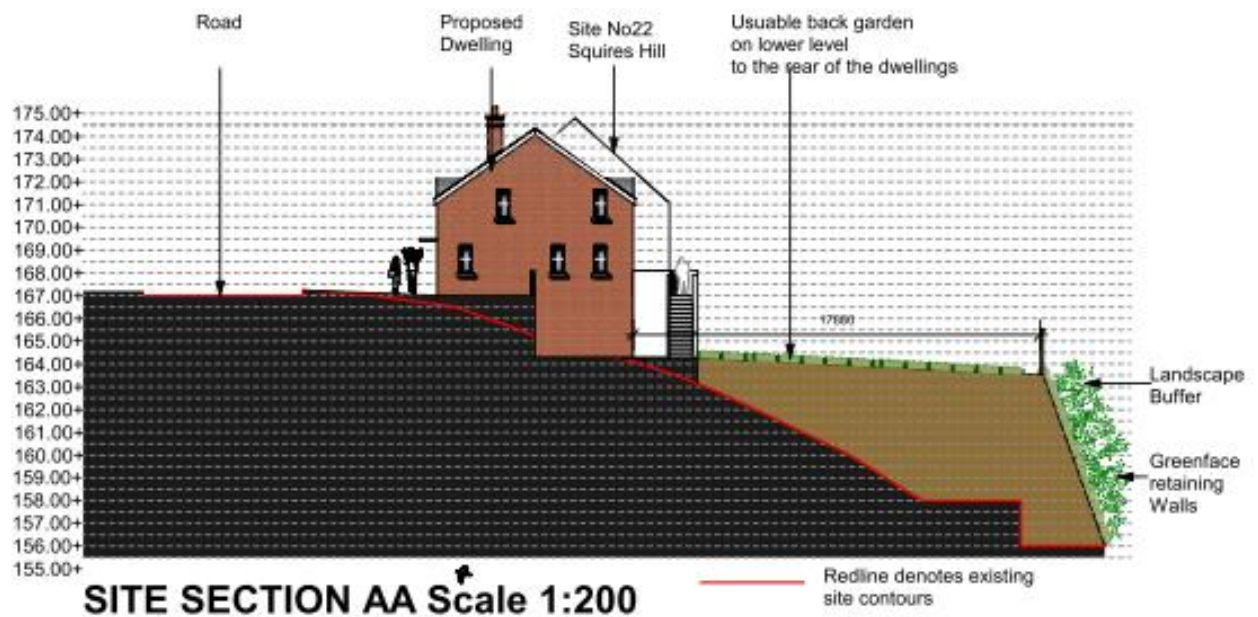
Existing Site Plan

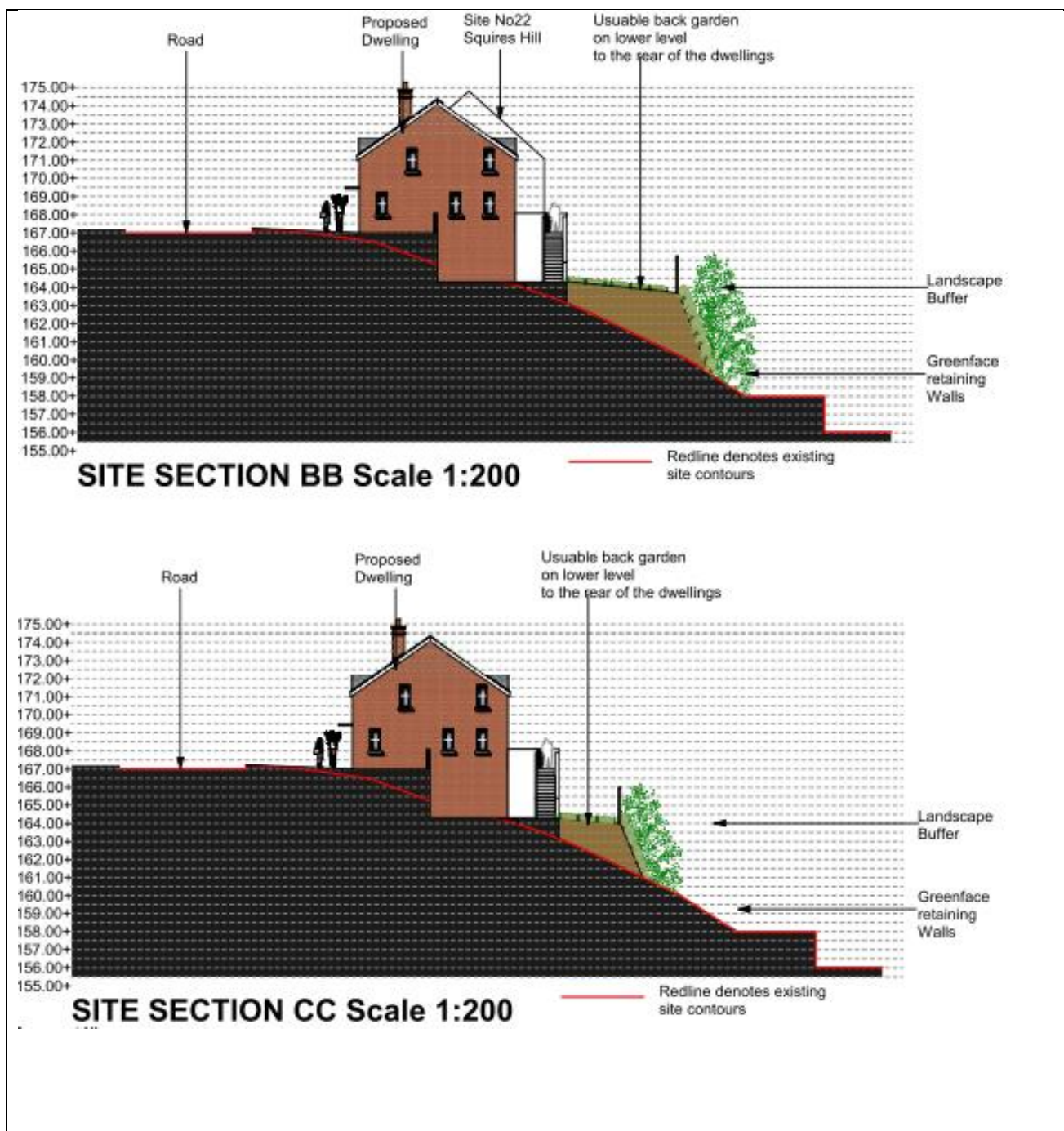


Proposed Site Plan



Proposed Sections





1.0	Description of Proposed Development
1.1	The proposal seeks outline permission for 3 no detached residential properties located on a split level of part 2-storey and part 3-storey design. The proposal includes parking for 2 cars within the curtilage of each of the dwellings. A greenface retaining wall is proposed along the western boundary of the site.
2.0	Description of Site
2.1	The application site relates to an area of land measuring 0.12ha and is located within the development limit of Belfast. The site is zoned for housing in both versions of BMAP. The remainder of the zoning was approved for housing under application Z/1998/2945 and subsequently developed for 54 properties.

2.2	The site is a vacant parcel of land located between 22 Squires View and 57 - 59 Squires View. The site is located on a steep gradient which falls by approximately 10m from west to east from Squires Hill Road towards the Crumlin Road. The site is also located on a slight gradient when travelling towards the site on Squires Hill Road in a northerly direction, with levels falling from 169.40 to 166.84.
2.3	There is a hedge located along the western boundary of the site which was planted as part of the landscaping for the overall residential development under application Z/1998/2945 with trees and shrubs located at the southwest of the site. The landscaping of the site was included within the conditions of the original planning permission for 54 houses.
2.4	An existing retaining wall is located along the eastern boundary, separating the site from the land at no. 998 Crumlin Road.
2.5	The surrounding area is predominantly 2-storey, semi-detached residential properties. There are 2 detached properties located directly to the north of the site.
3.0	Planning History of the application site
3.1	Z/1998/2945 – Squires Hill Crescent and the rear of 1000 Crumlin Road. Development of 54 semi-detached dwelling houses. Permission granted 05/09/2000
3.2	LA04/2020/0359/F – 30m South of 22 Squires View. 4 semi-detached dwellings. Permission refused 04/06/2021
	Surrounding history
3.3	Z/2010/1625/F – Lands opposite No's 1-3 Squires View. Two detached dwellings and garages (Amended Address). Permission granted 02/11/2011.
3.4	Z/2007/1837/F – 60 Squires Hill Road. Erection of two-storey detached dwelling (Amended plans). Permission granted 10/04/2008. (Property now no. 1A Squires View)
3.5	LA04/2023/3305/O – 998 Crumlin Road. Erection of a detached dwelling & associated domestic garage. Permission granted 14/06/2024.
3.6	LA04/2024/1178/RM - 998 Crumlin Road. Erection of a detached dwelling & associated garage. Pending decision.
4.0	Policy Context
4.1	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.
4.2	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.
4.3	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 remain part of the statutory local development plan until the Local Policies Plan is adopted.
4.4	Operational policies – the Plan Strategy contains a range of operational policies relevant to consideration of the application. These are listed below:
4.5	Proposals Maps – 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, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015), HMO Subject Plan 2015 and other relevant area plans. The weight to be afforded to these proposals maps is a matter for the decision maker. Whilst the Belfast Urban Area Plan 2001 remains the statutory plan insofar as the proposals maps (“Departmental Development Plan”), 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.
5.0	PLANNING POLICY
5.1	Development Plan – Plan Strategy <u>Belfast Local Development Plan, Plan Strategy 2035</u> Policy HOU4 – Density of residential development Policy HOU7 – Adaptable and accessible accommodation Policy DES1 – Principles of urban design Policy RD1 – New residential developments Policy TRAN6 – Access to public roads Policy TRAN8 – Car parking and servicing arrangements Policy ENV1 – Environmental quality Policy ENV2 – Mitigating environmental change Policy ENV3 – Adapting to environmental change Policy ENV4 – Flood Risk Policy ENV5 - Sustainable drainage systems (SuDS) Policy OS1 – Protection of Open Space Policy TRE1 – Trees Policy NH1 – Protection of Natural Heritage Resources <u>Supplementary Planning Guidance</u> Residential Design Placemaking and Urban Design Sustainable Urban Drainage Systems Trees
5.2	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)
5.3	Regional Planning Policy Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)

6.0	Statutory Consultees DFI Roads- No objections NIEA – no objection NI Water – refusal
7.0	Non-Statutory Consultees BCC Tree Officer – further information requested
8.0	Representations
8.1	15 letters of objection have been received and 1 non-committal representation. The main issues raised are summarised as follows: a) Green belt land should be protected b) Site is a wildlife habitat with bats and badgers present c) Significant damage to existing properties as a result of extensive piling required d) Increase traffic e) Loss of privacy f) Clearing of trees and shrubs on site g) Impact on views from no. 59 h) Overlooking into rear amenity area of no. 59 (first floor windows are obscure – no overlooking. No overlooking from GF windows – hall and toilet – also obscure) i) Entrance and egress the proposed properties would cause a danger to pedestrians using the footpath j) Sewage and waste capacity issues k) De-value surrounding properties l) Presence of the existing green break should be retained for visual amenity m) Lack of need for an additional 3 houses at this location n) Overshadowing of no.1A Squires View directly across from site Full consideration has been given to all relevant concerns noted in the representations in the assessment of the application below.
9.0	ASSESSMENT
	<u>Principle of development</u>
9.1	The application site forms part of a larger residential development of 54 units which was approved under application Z/1998/2945 in 2000. On the approved Landscaping Proposals Plan of the previous approval, the current application site was shown as a steep slope with no built form and a hedge and trees around its boundaries. A note on the Landscape Proposal stated 'All banks to be topsoiled and planted with grass and wildflower seeds.' This landscape proposal was conditioned in the approval under Z/1998/2945.
9.2	In November 2011, planning approval was granted for two houses to the north of the application site under planning application Z/2010/1625/F. The site which was assessed under application Z/2010/1625/F was not as steep as the existing application site. Sections submitted as part of that application show that the levelling works required for the development were not as extensive as what is shown on the site sections for this proposed outline and required less engineering/retaining structures.
9.3	Although the site is zoned for housing in both versions of draft BMAP and the principle of residential development within the area has been established under applications Z/1998/2945 and Z/2010/1625/F, the application site has never been developed due to the

	steep topography of the site. This portion of land formed part of the approval of Z/1998/2945 as a landscaped area which provided a visual break between the properties on Squires Hill and Squires View. Due to the constraints of the land, the site is not considered appropriate for housing. It would also create a conflict with the conditions/approved plans of the host approval.
9.4	<u>Character of established residential area</u> Policy RD1 states that residential proposals should not create conflict with adjacent land uses, remaining in conformity with the character of any established residential uses.
9.5	The levels shown across the Proposed Site Plan relate to the existing site levels and do not reflect the proposed site levels which are shown in the sections on the same drawing no. 03B. The proposed levels are provided on the section drawings across the site.
9.6	The site is a steep bank within the wider residential development. The sections demonstrate that the site falls in a steep decline from west to east from 167 to 157 (a decline of 10m). Up to 2m of fill is required on the western side of the bank to create a level ground floor access (165-167). The rear garden areas require significant fill which varies in depth across the sites to create useable garden space. The property noted as 'site 1' shows infill up to 8m at the rear. 'Site 2' requires approximately 4m of fill and 'Site 3' would require 3m fill.
9.7	The proposed split-level design, with a two-storey frontage and three-storey rear elevation would not remain in conformity with the character of the established residential area. By definition, an established residential area is dominated by a recognisable form housing styles with associated private amenity space or gardens. The definition contained in Appendix B of the Plan Strategy also notes that "properties may exhibit comparable design styles including common architectural detailing and treatment... however it is recognised that there are also settled housing areas where there is a greater range and mix of dwelling styles and where the overall pattern of development is less uniform." The existing housing development of Squires View and Squires Hill is characterised by two storey dwellings and level access to the rear. The overall pattern of development would be considered uniform in its design and layout. Although there are no public views of the application site outside of the existing residential development, the form and design would be at odds with the existing properties and would result in a design which is out of character to the area.
9.8	Paragraph 3.1.6 of the residential design SPG states particular care will be necessary in preparing layout proposals on sloping sites in order to minimise the impact of differences in level between adjoining properties, existing or proposed and it may be appropriate to consider the use of split-level dwellings. In this case the site is being inappropriately engineered with significant infill to create the levels required to facilitate a split-level development. The topography of the site does not naturally allow for development, even that of split-level design.
9.9	Based on the indicative levels shown on the sections and the ground levels of the adjacent properties at no's 22, 57 and 59 Squires Hill Road, it does not appear that there would be a significant impact on these neighbours in terms of the differences in levels. However, in the absence of existing and proposed site levels overlaid on the proposed site plan across the development site and the neighbouring properties it is difficult to know for certain what the impact on these properties would be.
9.10	The SPG states that particular care will be necessary in preparing layout proposals on sloping sites in order to minimise the impact of differences in level between adjoining

	properties, existing or proposed. Outline planning approval has been granted for a dwelling at no. 998 Crumlin Road under application reference LA04/2023/3305/O. Although this development has not yet been constructed it remains to be a material consideration when assessing the impact of the proposed development. The level difference and creation of retaining walls would have a significant impact on this property. The difference in levels between the site at Crumlin Road and the top of the proposed retaining structure would be approximately 9m at a distance of 25m approx. This, with the dwellings on top, would be unduly prominent on this property and result in harm in respect of over-dominance. This is contrary to Policy RD1 and Policy DES1 of the LDP PS. <u>Design</u>
9.11	Policy DES1 - Principles of urban design and policy RD1 - New residential development are applicable to new residential development. These policies seek to ensure the highest quality of urban design is met and the amenities of residents are protected. As this proposal is for outline permission to establish the principle of housing development on this site, design details are not required at this stage. In the applicant's planning statement, they have noted that matters relating to siting, design external appearance, access and landscaping are reserved and that illustrative drawings have been submitted for information only. Whilst these details can be reserved, the supporting illustrative details do not demonstrate that appropriate development can be accommodated on the site. In order to achieve meaningful open space to the rear of the properties, each of the dwellings would sit ahead of the established building line of Squires Hill Road. The private amenity areas would meet the space standards set out in Creating Places, however the site would require between 3 - 8m of infill to achieve a usable rear amenity space. This level of engineering of the site demonstrates that the site is not appropriate for development. The proposal is therefore considered to be contrary to Policy DES1 and Policy RD1 for the reasons outlined above.
9.12	Although it has not yet been constructed, material consideration is given to the approved residential dwelling at no. 998 Crumlin Road which lies to the east of the site on a lower level. This outline permission, reference number LA04/2023/3305/O, expires 13 June 2029. A subsequent reserved matters application (LA04/2024/1178/RM) was received on 03 July 2024 and remains under consideration by the planning authority. The FFL of the dwelling at no. 998 Crumlin Road is noted as 141.00 (figure taken from the submitted site plan as part of the reserved matters planning application). The ridge height of the proposed dwellings (as shown on the sections of the submitted illustrative drawings) is noted to be 174.00. The height difference of 33m is substantial and would result in a development which is significantly dominant when viewed from the dwelling at no. 998 Crumlin Road. Although the ridge height of the proposed dwellings appears to be similar to the adjacent property at no. 22 Squires Hill Road, the proposed dwellings on site would sit closer to the dwelling at no. 998 Crumlin Road and therefore have a greater impact. For this reason, the proposed development is considered unacceptable. The proposal therefore fails to comply with Policy RD1 and Policy DES1.
9.13	Policy HOU7, adaptable and accessible accommodation also applies to all new homes. The criteria under this policy could be reserved matters if the principle of development was considered acceptable.
9.14	<u>Density</u> Policy HOU4 relating to density advises that within the outer Belfast area the average density for residential development is 25-125 units per hectare. The site measures 0.12ha

	and as such the proposed density for the site would be between 3-15 dwellings. The proposal therefore meets the lower end of the density band.
9.15	<u>Climate Change</u> SuDs measures and details regarding design and layout would be reserved matters.
9.16	<u>Access and Car Parking</u> DFI Roads were consulted and is content in principle, subject to conditions. Therefore, it is considered that there would not be any issues relating to traffic, access or parking based on the illustrative plans and as such the proposal would comply with policies TRAN 6 and 8 of the LDP.
9.17	<u>Open space</u> Open Space is not defined within the LDP, however the SPPS defines 'open space' as <i>"all open space of public value, including not just land, but also inland bodies of water such as rivers, canals, lakes and reservoirs which offer important opportunities for sport and outdoor recreation and can also act as a visual amenity."</i>
9.18	The SPPS states that <i>'open space, whether or not there is public access to it, is important for its contribution to the quality of urban life by providing important green lungs, visual breaks and wildlife habitats in built-up areas.'</i> Paragraph 6.200 also goes on to state that open space can enhance the character of residential areas.
9.19	Policy OS 1 of the LDP PS states that the council will support the retention and improvement of existing open space throughout the district area. There is a general presumption in favour of retaining all such lands, including protecting any character and amenity value, whether specifically identified in the LDP or not unless the lands are identified in the LDP for an alternative use. 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, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015). Although the site is currently zoned for housing and not zoned as open space it acts as a visual break within the built development of the wider residential area and was approved as an area of open space in the original planning approval under Z/1998/2945. There is a presumption against the loss of existing open space which applies irrespective of ownership, public access, physical condition or appearance.
9.20	The site as existing provides a visual break between Squires Hill Road and the newer Squires View development and as such has significant amenity value. The redevelopment of the site is not considered to bring substantial community benefits that decisively outweigh the loss of this open space. The provision of these 3 dwellings would not make a significant contribution to meeting any housing shortfall in the area. The proposal is therefore considered to be contrary to Policy OS1 in that officers are not satisfied that the loss of the open space would not result in detriment to the overall green infrastructure provision.

9.21	<u>Natural Heritage, Trees and Landscaping</u> Policy TRE1 states that the council will seek to protect existing trees from new development, particularly those that are of visual, biodiversity or amenity quality and significance.
9.22	There is a presumption in favour of retaining and safeguarding trees that make a valuable contribution to the environment and amenity. The proposal, if permitted, would result in the loss of shrubs and hedging which make a valuable contribution to the environment, biodiversity and visual amenity by way of a buffer to the built residential development at Squires Hill. However, there are no trees on the site and whilst the Council's Tree Officer assessment makes clear that the construction process will require considerable 'cut and fill' operations in close proximity to an existing tree group adjacent to the site southern boundary, these trees are of little amenity value due to poor condition and could be easily compensated for at Reserved Matters stage. The proposal is not considered to conflict with Policy TRE1.
9.23	NIEA NED have acknowledged that there is suitable nesting and foraging habitat for birds on site within the trees along the South boundary of the site and the scrub vegetation within the site. However, NED did not object to the development nor were ecological reports requested. NIEA HED also advised that any removal of hedgerow/vegetation should be replaced with like-for-like planting comprising a range of native and tree species. It is considered that the proposal would not have an unacceptable effect on any habitat and thus adheres to Policy NH1.
10.0	Recommendation
10.1	Due to the constraints of the site, the principle of residential development is not considered acceptable.
10.2	Having regard to the development plan, planning history on the site and other material considerations, the proposal is recommended for refusal.
11.0	Draft Refusal Reasons
11.1	The proposal is contrary to the Belfast Local Development Plan: Plan Strategy 2035 Policy OS1: Protection of Open Space, in that the loss of the open space would be detrimental to the overall green infrastructure provision in the locality and the redevelopment of the site is not considered to bring substantial community benefits which decisively outweigh the loss of the open space.
11.2	The proposal is contrary to the Belfast Local Development Plan: Plan Strategy 2035 Policy RD1: New Residential Developments and Residential Design SPG in that it fails to respect the characteristics and features of the site and, if permitted, would result in a form of development that is not in conformity with the character of the established residential area and would create conflict with adjacent land uses by way of over-dominance.
11.3	The proposal is contrary to the Belfast Local Development Plan: Plan Strategy 2035 Policy DES1 – Principles of urban design and Residential Design SPG in that it fails to respond positively to local context and character through architecture and urban form and would, if permitted, result in a form of development that is not of a high quality, sustainable design due to inappropriate engineering operations, ground remodelling works and associated retaining structures and would encroach beyond the established building line.