

## Delegated Application

| Development Management Officer Report                                                                                                                                                                                |                                                                                                                                                      |
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| <b>Case Officer:</b> Peter McKeeman                                                                                                                                                                                  |                                                                                                                                                      |
| <b>Application ID:</b> Full - LA04/2024/1651/F                                                                                                                                                                       | <b>Target Date:</b> 29 <sup>th</sup> January 2025                                                                                                    |
| <b>Proposal:</b><br>Partial demolition of existing rear return, construction of a replacement 3 storey rear return, re-roofing of original front building along with facade alterations.                             | <b>Location:</b><br>79 Somerton Road,<br>Belfast,<br>BT15 4DG                                                                                        |
| <b>Applicant Name and Address:</b><br>Chris Graham<br>Choice Housing Ireland Ltd<br>37-41 May Street<br>Belfast<br>BT1 4DN                                                                                           | <b>Agent Name and Address:</b><br>Andrew Beattie<br>The FCM Partnership<br>B1.13 Portview Trade Centre<br>310 Newtownards Road<br>Belfast<br>BT4 1HE |
| <b>Date of last Neighbour Notification:</b>                                                                                                                                                                          | 12 <sup>th</sup> June 2026                                                                                                                           |
| <b>Date of Press Advertisement:</b>                                                                                                                                                                                  | 11 <sup>th</sup> July 2025                                                                                                                           |
| <b>ES Requested:</b> No                                                                                                                                                                                              |                                                                                                                                                      |
| <b>Consultations:</b><br><br>BCC Conservation<br>DfI Roads<br>NI Water<br>BCC Trees                                                                                                                                  |                                                                                                                                                      |
| Letters of Support                                                                                                                                                                                                   |                                                                                                                                                      |
| Letters of Objection                                                                                                                                                                                                 | 13                                                                                                                                                   |
| Petitions                                                                                                                                                                                                            |                                                                                                                                                      |
| Signatures                                                                                                                                                                                                           |                                                                                                                                                      |
| Number of Petitions of Objection and signatures                                                                                                                                                                      |                                                                                                                                                      |
| <b>Summary of Issues:</b> <ul style="list-style-type: none"> <li>- Scale, Massing, Design</li> <li>- Impact on Somerton Conservation Area</li> <li>- Impact on the amenity of neighbours</li> <li>- Trees</li> </ul> |                                                                                                                                                      |

## Site Visit Report

### Site Location Plan:



**Date of Site Visit:** 6<sup>th</sup> November 2024

### Characteristics of the Site and Area

The existing dwelling is a three bay, two storey dwelling faced in red brick (in Flemish bond) with gabled bay (with flat fronted bay window to the ground floor and roundel to apex) to the left-hand side, bowed bay to the right-hand side with conical roof. Sandstone lintels over openings.

The building falls within the Somerton Road/Chichester Park Conservation Area.

The prevailing area is primarily residential.

### Description of Proposal

Partial demolition of existing rear return, construction of a replacement 3 storey rear return, re-roofing of original front building along with facade alterations.

### Site History

Z/1999/3943/F - Demolition of existing garage and greenhouse both on boundary removal of vehicular access at former garage location. Construction of 2nr.semi-detached 1p, 1b bungalows

inside boundary and provision of new boundary fence to match with existing adjacent boundary fence. Approved

## **Policy Framework**

### **Development Plan – operational policies**

Belfast Local Development Plan, Plan Strategy 2035

### **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)

### **Regional Planning Policy**

Regional Development Strategy 2035 (RDS)

Strategic Planning Policy Statement for Northern Ireland (SPPS)

### **Other Relevant Policies**

Belfast Agenda

## **Development Plan**

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.

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.

The local development plan is now the Belfast Local Development Plan, which replaces the Belfast Urban Area Plan 2001 as the statutory plan for the city. The Belfast LDP comprises two parts: Part 1 is the Plan Strategy, which was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals map for Belfast, is not yet published. 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) 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, retail policies that relate to Sprucefield which remain contentious.

Operational policies – the Plan Strategy contains a range of operational policies relevant to consideration of the application, which are set out in the following section of this report. The Plan Strategy replaces the operational policies currently provided by the Departmental Planning Policy Statements (PPSs). Those policies will no longer have effect, irrespective of whether planning applications have been received before or after the adoption date (par. 1.11 of the Strategic Planning Policy Statement).

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) 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.

The site is within the development settlement limits and is unzoned whiteland. It is on an arterial route (AR 1/17) in draft BMAP 2015. It is also in close proximity to the boundary of the Somerton Road/Chichester Park conservation area.

### **Belfast Local Development Plan – Plan Strategy 2035**

- DES1
- BH2
- TRE 1
- ENV1
- ENV 2
- ENC 3
- ENV 4
- ENV5
- TRAN 2
- TRAN 8

### **Strategic Planning Policy Statement for Northern Ireland (SPPS)**

#### **Supplementary Planning Guidance**

- Placemaking and Urban Design
- Waste Management
- Residential Design
- Trees and Development

#### **Statutory Consultations**

- DfI Roads
- NI Water

#### **Non-Statutory Consultations**

- N/A

#### **Internal Consultations**

- Trees Belfast City Council
- Conservation Belfast City Council

#### **Representations**

The council received 13 letters of objection in total, from 3 different third parties.

The objections are outlined and responded to as follows:

1. No indication of how the space between the extension and the boundary with our house to be treated

Council Response: An updated site plan with landscaping was submitted to the council and uploaded 06/10/2025 (Drawing 01B).

2. No provision for an enclosed smoking area

Council response: It is acknowledged that the provision or otherwise of smoking areas is an operational management matter and does not, in itself, constitute a material planning consideration. The planning system does not regulate the personal habits of site users, including smoking.

Notwithstanding this, the potential impacts associated with such activity - such as noise, disturbance, or congregation - have been considered. In this regard, the proposed extension to the care home is not anticipated to materially intensify such activity beyond the existing lawful use of the site. Care homes are typically characterised by low levels of external activity, and residents are unlikely to generate significant noise or disturbance.

3. Traffic congestion/parking – school buses, residents

Council Response: The objection raises concerns regarding parking provision and requests that the matter be revisited.

In this regard, the proposal has been subject to consultation with DFI Roads, the competent authority responsible for the assessment of the public road network, parking provision and road safety matters. DFI Roads has raised no objection to the development.

The proposal has been assessed against the requirements of Policy TRAN 2 (Access to Public Roads) and Policy TRAN 8 (Parking Standards). Having regard to these policies, and the consultation response received, it is considered that the development would not prejudice road safety, nor would it result in unacceptable parking conditions.

While the concerns of third parties are noted, no substantive evidence has been submitted to demonstrate that the proposal would give rise to adverse impacts beyond those already considered by DFI Roads. In the absence of such evidence, there is no reasonable basis to depart from the professional advice of the statutory consultee.

4. The scale, massing and design of the proposal; Impacts on the character of the conservation area; The sense of dominance; Loss of light in my dwelling;

Council Response: The above considerations will be covered in the main body of the report.  
ASSESSMENT

**Scale, Massing, Design**

The proposal encompasses a new 3-storey rear return. The existing rear return will be partially demolished to accommodate the works. The existing rear return is approximately 5.4 metres in length, whilst the replacement return will be approximately 10.1 metres in length.

The proposed extension, by virtue of its scale and footprint, does not read as wholly subservient to the original building when considered in isolation. The additional built form is of a comparable height and extends considerably to the rear of the existing building.

However, policy assessment requires consideration of the proposal in the round, including its context, siting and visual effect. In this regard, the extension is read within a relatively mature landscaped setting which provides substantial filtering and softening of built form. Views of the entire building are only readily available around the entrance to the facility.

The proposed design utilises a roof form, window rhythm and external materials that reflect the established architectural character of the existing care home and wider conservation area, ensuring a coherent and sympathetic relationship with the original building.

Whilst not strictly subservient in terms of scale and massing, the extension is visually recessive within the streetscape and does not appear dominant or incongruous when viewed from public vantage points, large in part due to tree coverage and an existing building on its south side that will partially obscure views of the extension from Somerton Road, on its south side.

The proposal therefore satisfies the broader policy objectives relating to design quality and contextual integration. The proposal complies with policy DES 1.

**Impact on Somerton Conservation Area**

Given the site's location within Somerton Conservation Area, particular regard has been given to preserving or enhancing the character and appearance of the area. Conservation advice sought by the council states that the amended plans assist in the creation of a more contextually appropriate form, however, the length of the return remains non-compliant with the policy requirement that new rear offshoots are subservient to the dwellings extended.

The extension remains largely screened by existing mature vegetation from key vantage points and is positioned such that key views and the principal architectural features of the building remain legible. The development does not erode the prevailing grain, scale or historic character of the area.

On balance, it is considered that the proposal preserves the character and appearance of the Conservation Area and accords with Policy BH2.

**Impact on the amenity of neighbours**

Objections have been received from neighbouring residents to the north of the site raising concerns regarding overlooking and loss of privacy. The proposed extension includes windows facing north towards the adjoining property. Amended plans were received which require the windows to be fitted with obscure glazing, which will inhibit any chance of overlooking into their private amenity space.

Subject to a planning condition securing the retention of obscured glazing in perpetuity, it is considered that the proposal will not give rise to unacceptable overlooking or loss of privacy. The separation distance between buildings, intervening boundary treatments and mature further proposed vegetation further reduce any potential for direct views.

Concern has been raised regarding the proposed smoking area and its potential impact on neighbouring amenity. During the assessment of the application, advice was sought from the Council's Environmental Health service as to whether formal consultation was required. Environmental Health confirmed that consultation was not considered necessary and advised that they would not normally comment on smoking areas associated with residential uses. Notwithstanding this advice, the potential amenity implications of the proposed smoking area has been considered as part of the planning Assessment. The area is located within the established care home grounds and is not in close proximity to neighbouring residential properties, with the nearest residential receptors situated to the north and separated from the area by the existing/proposed built form of the care home. Having regard to its location, separation from neighbouring residential properties and the intervening built form, it is not considered that the proposed ancillary use would result in an unacceptable impact upon residential amenity.

Concern has also been raised regarding overshadowing and loss of light to properties located immediately north of the application site.

Given the orientation of the site with the objecting properties positioned to the north of the proposed extension, any additional overshadowing would be limited. The sun path in this latitude results in sunlight travelling predominantly from the south, east and west throughout the day. As such, properties located to the north would not experience significant additional loss of direct sunlight as a result of the extension.

While there may be some limited additional overshadowing during early morning or late evening periods, this would not be materially harmful or significantly different from the existing baseline relationship between the buildings.

Having regard to the scale of the extension, its siting and the existing built context, it is considered that the proposal would not result in an unacceptable loss of light or overbearing impact on neighbouring residential amenity. The proposal is therefore considered to comply with Policy DES1 of the LDP.

#### Plant and Machinery

The proposal involves the internal relocation of the existing kitchen within the care home. The submitted plans do not identify any new external kitchen extraction system, associated ducting or other significant items of external plant or machinery as part of the development. The proposed elevations similarly do not indicate any substantial new external plant which would give rise to additional visual or residential amenity impacts.

Existing chimney features are retained as part of the development and the relocation of the kitchen is principally an internal alteration. On the basis of the development as submitted, there is therefore no evidence of any significant additional impact arising from plant or machinery in terms of noise, odour, visual amenity or the amenity of neighbouring residential properties. The proposal is considered acceptable in this regard in relation to Policy DES1.

#### Waste management

The proposed site plan identifies a combined bin storage, cycle storage and smoking area within the southern portion of the site, in proximity to the Somerton Park frontage. Insofar as the refuse

storage element is concerned, the location provides a defined area for the storage of waste associated with the care home and is readily accessible from the internal servicing area.

The structure is set back from the Somerton Park frontage and is positioned within the landscaped grounds of the care home. Existing mature vegetation, together with the proposed landscaping in the immediate vicinity, would assist in limiting its visual prominence from the public realm. Having regard to its ancillary function, siting and relationship with the existing and proposed development, the refuse storage provision is considered to be satisfactorily integrated within the overall site layout in accordance with Policy DES 1.

In terms of amenity, the nearest residential receptors are located to the north of the site, with the existing and proposed care home buildings providing substantial physical separation and screening. Given this separation, together with the enclosed nature of the bin store, it is not considered that its siting would give rise to unacceptable impacts upon neighbouring residential amenity through noise, odour or disturbance associated with its use and servicing.

#### Transport

The proposal is considered acceptable in terms of access, parking and highway safety. DfI Roads were consulted on the application, including representations received, and has confirmed that it has no objection to the development. The development is therefore considered acceptable in transport terms and accords with policies TRAN 2 and TRAN 8 of the Belfast LDP Plan Strategy.

#### Demolition

The proposed development would see a small section of the existing return retained with the rest demolished and a longer return added. The conservation officer states that demolition of the existing return would result in a loss of local distinctiveness and detailing which is of significance in this case. The council have acknowledged these comments.

The proposal involves the demolition of the existing building and its replacement with a purpose-designed residential development. Whilst the council's conservation officer maintains concerns regarding the extent and scale of the proposed return, the scheme has been subject to significant amendment throughout the assessment process. These revisions have included the introduction of a stepped building form responding to the site's natural topography, the incorporation of hipped roof elements to reduce perceived bulk and massing, and the reconfiguration of the bay projections to provide a more traditional rhythm and articulation across the elevations.

The new extension is sympathetic to the characteristics of the original building and also the prevailing built form within the conservation area through its scale, materials and roofscape whilst introducing a contemporary design of appropriate quality. While the existing building makes a positive contribution to the conservation area, Policy BH2 requires consideration of both the contribution of the existing structure and the quality of the replacement development. In this case, the council considers that the architectural quality of the replacement building, together with the enhancements secured through the design process, would ensure that the redevelopment of the site preserves and enhances the overall character and appearance of the conservation area. Accordingly, the demolition is considered to be in accordance with policy BH2.

#### Trees

Trees in a conservation are protected under section 127 of the Planning Act (NI) 2015 and the proposal has the potential to impact several trees. The proposal requires the removal of 2 x existing conifer trees at the existing rear return which lie 2.2m to the side elevation of the adjacent unit. The trees have restricted growing areas causing lifting of the surrounding pavement surface with partial canopy overhang of the detached building creating potential risk. Their removal is therefore not considered detrimental to the amenity quality of the site.

The proposal has been assessed against Policy TRE1 of the Belfast Local Development Plan 2035, which seeks to protect existing trees and ensure that new development incorporates appropriate landscaping where necessary.

The Tree Officer has recommended a number of additional measures, including:

- Alternative tree species along the shared boundary
- Additional planting along the rear boundary
- Use of porous materials/geocell membrane for pathways
- Submission of a detailed Tree Protection Plan

While these recommendations are noted, it is considered that the current proposal already provides an appropriate level of tree protection and landscaping in line with the requirements of Policy TRE 1. In particular:

#### Boundary Screening and Planting

The proposed landscaping scheme includes sufficient boundary treatment and planting to the north boundary, which will provide adequate screening and integration with the surrounding environment. The extent of planting is considered proportionate to the scale and nature of the development, and additional planting is not deemed necessary to meet policy requirements.

#### Tree Species Selection

The proposed species are considered suitable for the context of the site and will not result in any unacceptable impact on neighbouring amenity or the long-term health of the landscape. Policy TRE1 does not prescribe specific species, but rather seeks appropriate and sustainable planting, which is achieved in this instance.

#### Surfacing and Root Protection

Given the scale and siting of the development, it is not considered that the proposed pathway construction would result in unacceptable harm to existing trees or their root systems. The requirement for porous materials or geocell systems is therefore not considered essential in this case.

#### Tree Protection Measures

The development is of a modest nature and does not directly impact on significant existing trees that would necessitate a formal Tree Protection Plan. Standard construction practices will ensure that any nearby vegetation is adequately safeguarded during works.

### **Climate Change**

The proposal has been assessed against Policies ENV1, ENV2, ENV3, ENV4, and ENV5 of the Plan Strategy.

In accordance with ENV2, the development incorporates measures to mitigate environmental change, including enhanced insulation, energy-efficient glazing and airtightness, and

construction to current Building Regulation standards. Given that the proposal comprises an extension to an established care facility within the existing urban area, it represents an efficient use of an existing developed site and associated infrastructure.

In relation to ENV3, the proposal incorporates measures to assist adaptation to environmental change, including appropriate window placement and natural ventilation, consideration of solar gain and shading, and energy-efficient building materials. These measures are particularly relevant given the needs and potential vulnerability of residents of the care facility.

The site is not identified as being within an area of flood risk and the proposal does not raise concerns under Policy ENV4. Surface water drainage and the applicability of SuDS have been considered in accordance with ENV5, having regard to the nature and scale of the extension and existing site conditions.

### **Conclusion**

Weight has been given to a number of mitigating factors. Firstly, the level of existing tree coverage and landscape screening around the site and limited visibility of the extension from key vantage points such as the Somerton Road. The absence of unacceptable impacts on neighbouring residential amenity and the functional requirement to provide enhanced accommodation associated with the main established residential care use.

### **Neighbour Notification Checked**

Yes

### **Summary of Recommendation**

The proposal is considered acceptable having regard to the Belfast LDP Plan Strategy 2035 and other material considerations. The scale, design and siting of the extension are appropriate in the context of the existing care home and would not result in unacceptable impacts on the character of the area or neighbouring residential amenity. Associated matters including access and parking, landscaping and trees, waste storage, servicing and environmental considerations have also been satisfactorily addressed. The matters raised through representations have been considered and do not outweigh the merits of the proposal. Approval is therefore recommended subject to conditions.

### **Conditions**

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. All new soft landscaping works shall be carried out in accordance with the approved details prior to the occupation of the development, or within the first available planting season after occupation, whichever is the sooner. 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.

Reason: In the interests of amenity.

3. No works shall commence on site (including demolition and site clearance) unless a Tree Protection Plan ("TPP") to BS5837:2012 (or any standard that reproduces or replaces this standard) has been submitted to and approved in writing by the Council. The TPP shall detail the methods of tree/hedge protection and clearly detail the position and specifications for the erection of tree protective fencing and a programme for its implementation. The works shall not be carried out unless in accordance with the approved details and the measures specified by the TPP shall remain in place until the completion of the construction.

Reason: To safeguard existing trees in the interests of visual amenity. Approval is required upfront to ensure that important trees are not permanently damaged or lost.

4. No external facing or roofing materials shall be constructed or applied unless in accordance with a written specification and a physical sample panel, details of which shall have first been submitted to and approved in writing by the Council.

The sample panel shall be provided on site and made available for inspection by the Council for the duration of the construction works.

The sample panel shall show the make, type, size, colour, bond, pointing, coursing, jointing, profile and texture of the external brick materials.

Reason: In the interests of the character and appearance of the Conservation area

5. Notwithstanding the provisions of the Planning (General Permitted Development) Order (Northern Ireland) 2015 (or any order revoking and/or re-enacting that order), the windows on the proposed left side elevation, shown on Drawing 08C, uploaded 06/10/2025, shall at all times be glazed with obscure glass to at least Privacy Level 3 (or equivalent).

Reason: To safeguard the privacy of adjacent properties.

#### **Informatives**

1. This application should be read in conjunction with LA04/2024/1735/DCA
2. The onus is on the developer to ensure that any necessary planning permission is in place before the installation of any external plant or machinery, air conditioning units, kitchen extraction units and flues at the premises .

**Case Officer Signature:** PMcK

**Date:** 12/06/2026

**Appointed Officer Signature:** Paul O'Reilly

**Date:** 07/08/2026