

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 30 July 2015	Item Number: 15
Application ID: Z/2015/0122/O	
Proposal: redevelopment of site for 8 dwellings and 2 apartments with associated site works	Location: 10 Carncoole Park Belfast BT14 8JU
Referral Route: Committee consideration – Exceeds 4 dwelling units	
Recommendation:	Refusal
Applicant Name and Address: H. Gillespie (Properties) Ltd	Agent Name and Address: AMD Architectural Design 8 Canvy Manor Drumnacanvy Portadown BT63 5LP
<p>Executive Summary: The application seeks outline planning permission for 8 dwellings and 2 apartments with associated car parking. The main issues to be considered in this case are:</p> <ul style="list-style-type: none"> • The principle of housing at this location; • Impact on the character of this established residential area; • Impact on residential amenity; and • Traffic and parking. <p>The site is located within the development limits of Belfast in the Belfast Metropolitan Area Plan and is identified as whiteland. The principle of housing is acceptable given the site's planning history for residential redevelopment and the fact that the site is surrounded by 3 sides by residential land use.</p> <p>The site is located within an established residential area, and the proposal has been assessed against Policy QD 1 (PPS 7), Policy LC 1 (PPS 7 addendum), and the car parking element (PPS 3).</p> <p>Consultees offered no objections in principle with the scheme, and standard conditions and informatives are to be applied.</p> <p>5 objections have been received together with 1 representation from the applicant. The main issues raised included impact on the character of the area, impact on residential amenity, traffic, parking and road safety, access for bin lorries, value of property, Article 8 of the European Character for Human Rights, impact of wildlife and impact on existing sewerage infrastructure.</p> <p>Having regard to the development plan, relevant planning policies, and other material considerations, it is determined that the development will result in demonstrable harm to the character of the area and residential amenity. It is therefore recommended for refusal.</p>	

Case Officer Report

Site Location Plan

**1.0 Characteristics of the Site and Area**

- 1.1 The site is located at the top end of Carncoole Park. Existing on the site is a detached bungalow set in a generous plot screened by bushes and semi-mature trees along the northern boundary. The north eastern boundary of the site is defined leylandi and privet hedging.

2.0 Description of proposal

- 2.1 Outline planning permission is sought for the erection of 8 dwellings and 2 apartments with associated car parking.

Planning Assessment of Policy and Other Material Considerations**3.0 Site History**

3.1 Z/2005/2607/F- Proposed development for 12 apartments and two blocks of semi-detached dwellings. Approved 27th April 2007.

4.0 Policy Framework

4.1 Belfast Metropolitan Area Plan 2015

- unzoned land

4.2 Planning Policy Statement 1(PPS1): General Principles
4.2.1 Paragraph 59

4.3 Planning Policy Statement 7(PPS 7): Quality Residential Environments
4.3.1 Policy QD 1

4.4 2nd addendum to PPS 7: Safeguarding the Character of Established Residential Area
4.4.1 Policy LC 1

5.0 Statutory Consultee Responses

5.1 Transport NI- No Objections subject to conditions
5.2 NIWater- No objections

6.0 Non Statutory Consultee Responses

6.1 Belfast City Council EH- No Objections

7.0 Representations

7.1 The application has been neighbour notified and advertised in the local press. 5 letters of objection were received.

7.2 The main issues raised are detailed below and considered under paragraph 9.9:

- Impact on the character of the area;
- Traffic, parking and road safety issues;
- Impact on privacy;
- Impact on existing sewerage and drainage;
- Noise disturbance;
- impact on wildlife;
- Article 8 of the European Character for Human Rights
- access for bin lorries
- Value of property; and
- lack of confidence in the developer.

8.0 Other Material considerations

8.1 Development Control Advice Note 8- Housing in existing urban Areas

9.0 Assessment

9.1 The key issues in the assessment of the proposed housing include:

- The principle of the development at this location;
- Impact on the character of this established residential area;
- Impact on residential amenity;
- Wildlife;
- Impact on Trees; and

- Traffic and Parking;

- 9.2 The site is located on unzoned land within the development limits of Belfast as designated in the Belfast Metropolitan Area Plan 2015. Given this and the fact that the site is surrounded on three sides by residential development the presumption is in favour of development subject to the policy considerations discussed below.
- 9.3 Policy QD1 states that planning permission will be granted for new residential development only where it is demonstrated that it will create a quality and sustainable residential environment. It indicates that housing will not be permitted in established residential areas where it would result in unacceptable damage to local character, environmental quality or residential amenity of these areas. The policy sets out nine criteria which all residential development proposals are expected to meet.
- 9.4 In relation to the character of the area criterion (a) states that the development must respect the surrounding context and be appropriate to the character and topography of the site in terms of layout, scale, proportions, massing and appearance of buildings, structures and landscaped and hard surfaced areas.
- 9.5 The existing character of the area is defined by linear development, with in-curtilage car parking, reasonable sized front and rear garden spaces and dwellings occupying reasonable sized plots. The top end of Carncoole Parks which includes the application site contains 4 bungalows set in generous plots at a quiet cul-de-sac location.
- 9.6 The development consist of 2 apartments at the entrance to the site with 8 dwelling located to the rear, served by an access road. The apartments, if conditioned to respect the height of the adjacent semi-detached dwellings will not cause unacceptable damage to the character of the area. The dwellings, however, are located at the rear of the site and it is considered that they do not respect the character of the area in terms of layout. The proposal therefore fails to comply with criterion (a).
- 9.7 In terms of impact on landscape features, a site visit was carried out by the Tree Officer from Belfast City Council on 7th July 2015 who concluded that the vast majority of existing vegetation was of poor quality and not worthy of retention. It is therefore considered that the proposal does not conflict with criteria (b) of QD 1 of PPS 7.
- 9.8 On the 20th April 2007 a similar form of development was granted planning permission under Z/2005/2706/F(now expired). This permission predates a new policy titled the '2nd Addendum to PPS 7: Safeguarding the Character of Established Residential Areas. This addendum provides additional planning policies on the protection of local character, environmental quality and residential amenity within established residential areas, villages and smaller settlements. The site is located within an established residential area as defined by Annex E of this Addendum. The proposal fails to meet criterion (a) of Policy QD 1 and criterion (b) of LC1(addendum) in that it has not been demonstrated through the design concept that the proposal will create a quality residential environment. The submitted concept seeks to introduce a form of development which is out of context with the existing pattern in the area with excessive and unacceptable hardstanding to the front of the properties.
- 9.9 In regards to residential amenity Criterion (h) requires there to be no unacceptable adverse effect on existing properties in terms of overlooking, loss of light, overshadowing, noise or other disturbance. It is considered that the proposed development as indicated on the concept layout will result in unacceptable damage to the residential amenity of number 12 Carncoole Park through noise and general disturbance generated by increased traffic movements along the access lane which runs parallels with the shared site boundary. Given the separation distances involved and taking account the orientation of the proposed dwellings in respect to the surrounding plots, overlooking,

	overshadowing and dominance are not considered to be issues in the assessment of this proposal.	
9.10	Whilst an objector specifically raised wildlife issues as one of their concerns, no evidence of wildlife was noted by the Case Officer during his site visit.	
9.11	The proposal has been assessed against Policy AMP 1 and AMP 7 of PPS 3. Transport NI has offered no objections to the proposed development subject to conditions. The proposal therefore does not conflict with PPS 3.	
9.12	<p>In regard to the objections received;</p> <ul style="list-style-type: none"> • The impact on the character of the area is considered in detail under paragraphs 9.3 and 9.4 • Given the shortfall of parking spaces shown on the indicative layout (drawing 02) and notwithstanding the response from Transport NI who raised no objections, it is considered that quantity and location of the parking would result in poor quality residential environment. • It is considered that the width of the road will enable bin lorries to access the site. • The proposal is for outline planning permission. Issues of overlooking from any gable windows, if proposed, can be overcome at the Reserved Matters stage. • Having regard to the DARD flood maps the area is not prone to fluvial or pluvial flooding. Ni Water has raised no issues regarding the existing sewerage infrastructure. • The site is located within the development limits of Belfast and was formerly the rear garden of number 10 Carncoole. There is no evidence of any wildlife protected by the Wildlife Order on the site • The value of property is not a material planning consideration. • In respect to Article 8 of the ECHR- the right to respect private and family life the application has been robustly assessed against planning policy especially potential impact on neighbouring properties. • The lack of confidence in the developer is not a material planning consideration. • The noise generated by the increase amount of traffic using the proposed access is likely to have an unacceptable adverse impact on the residential amenity of number 12 Carncoole Park. 	
Neighbour Notification Checked		Yes
10.0	Summary of Recommendation	
10.1	Having had regard to the development plan, relevant planning policies, and other material considerations, it is determined that the development will result cause demonstrable harm to the character of the area. Therefore the proposal should be refused.	
11.0	Reasons for Refusal:	
11.1	The proposal is contrary to Policy QD1 of the Department's Planning Policy Statement 7: Quality residential environments and LC 1 of the 2 nd Addendum to Planning Policy Statement 7: Safeguarding the character of established residential areas in that it would if permitted cause unacceptable damage to the character and residential amenity of the area through inappropriate form and layout and pattern of development and would result in noise and nuisance to number 23 Carncoole Park and loss of privacy through increase traffic movements.	