

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 30 July 2015	Item Number: 13
Application ID: Z/2014/0099/F	
Proposal: Erection of 7 dwellings comprising of 2 semi-detached and 5no detached, including associated car parking and landscaping	Location: 20a -22 Old Cavehill Road Belfast
Referral Route: Development of more than 4 dwellings units- previously deferred on 5 th March 2015.	
Recommendation:	Approval
Applicant Name and Address: Property Standard Ltd c/o agent	Agent Name and Address: Coogan and Co Architects Ltd 144 Upper Lisburn Road Finaghy Belfast BT10 0BG
<p>Executive Summary:</p> <p>The application seeks full planning permission for 7 dwellings with associated car parking and landscaping.</p> <p>The application was presented to the Town Planning Committee on 5th March 2015 with an opinion to refuse. Members are directed to the full detailed planning report on the planning portal under application reference Z/2014/0099/F.</p> <p>The application was recommended for refusal relating to adverse impact on the character of the area and residential amenity.</p> <p>Following a deferred office meeting the applicant reduced the scheme from 9 to 7 dwellings.</p> <p>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. <p>The site is located within the development limits of Belfast in the Belfast Metropolitan Area Plan. The principle of development is acceptable given the site's planning history for approval and the fact that it is surrounded on three side 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), with the access arrangement and the car parking element against PPS 3.</p>	

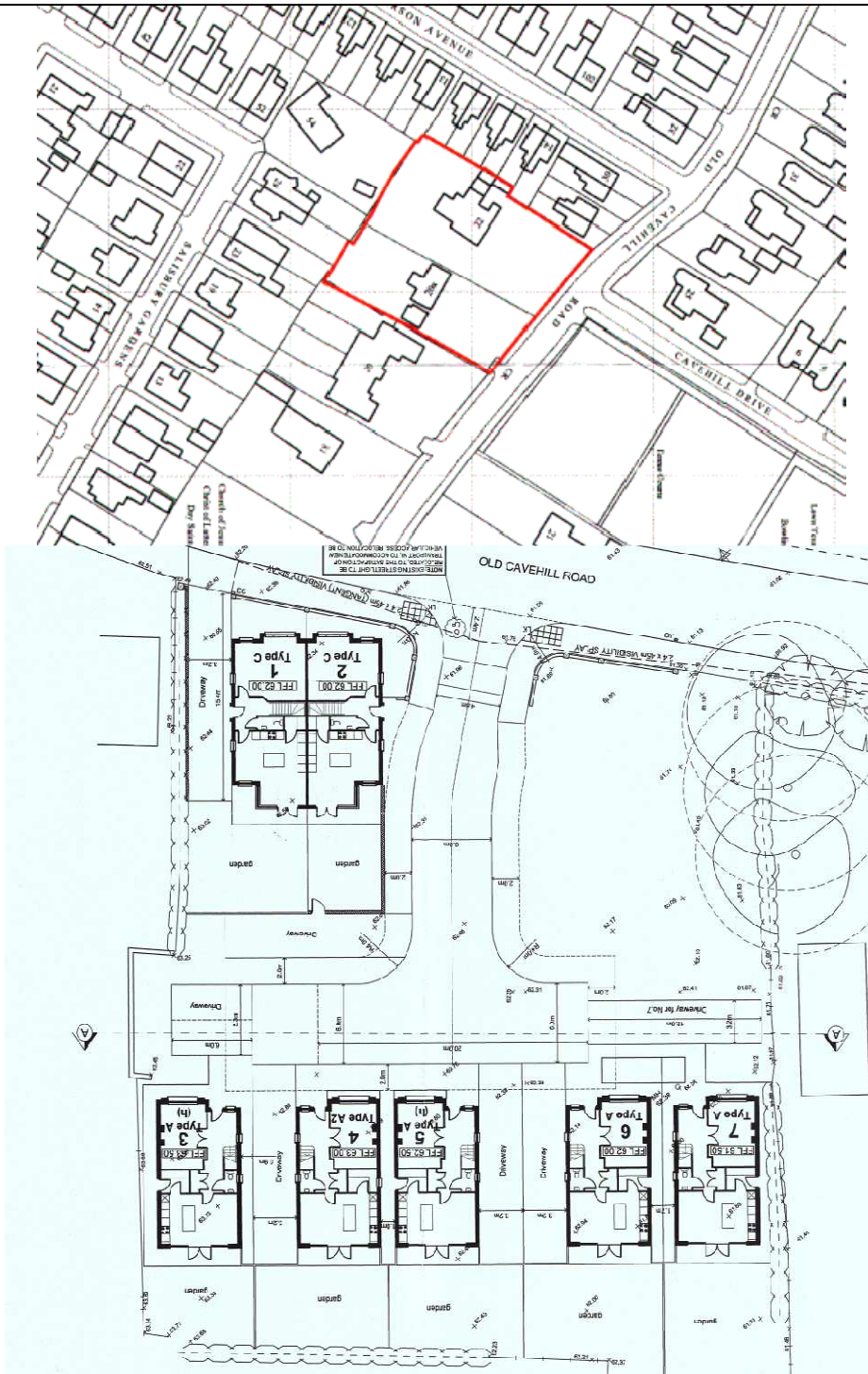
NIWater, Transport NI and Belfast City Councils Environmental Protection Unit have offered no objections to the proposal and standard conditions are to be applied

3 representations were received. The main objections raised included the excessive number of dwellings, impact on the character of the area, and impact on existing drainage and sewerage infrastructure.

Having had regard to the development plan, relevant planning policies, and other material considerations, approval is recommended.

Case Officer Report

Site Location Plan



1.0 Description of Site

1.1 The site consists of two 2 storey detached dwellings which are currently derelict. Both plots are rectangular in shape with mature boundary screening. The site falls away from north-west to south-east.

2.0 Description of Proposed Development

- 2.1 Full planning permission is sought for the erection of 7no dwellings comprising of 2no semi-detached and 5no detached, including associated car parking and landscaping

3.0 Site History

- 3.1 Z/20070572/F- Demolition of two existing dwellings, construction of 16 No. apartments and external works including 24 No. car parking spaces

4.0 Policy Framework

- 4.1 Belfast Metropolitan Area Plan 2015
- unzoned land in the development limits
- 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. 3 letters of objection have been received.
- 7.2 The main issues raised are detailed and considered below;
- Too many dwellings
 - Impact on character of the area
 - Drainage of water
 - Sewerage

8.0 Other Material considerations

- 8.1 Development Control Advice Note 8- Housing in Existing Urban Areas.
- 8.2 Creating Places- Achieving Quality in Residential Development

9.0 Planning Assessment of Policy and Other Material Considerations

Addendum Report

- 9.1 The application was presented to the Town Planning Committee on 5th March 2015 with an opinion to refuse. Members are directed to the full detailed planning report on the planning portal under application reference Z/2014/0099/F.
- 9.2 The application was recommended for refusal relating to adverse impact on the character of the area and residential amenity.
- 9.3 A deferred meeting was held and the applicant was given the opportunity to address the issues.
- 9.4 The applicant submitted a revised scheme reducing the proposed development by 2 dwellings.
- 9.5 The key issues in the re-assessment of the proposed development include:
- The principle of development at this location;
 - Impact on the character of this established residential area;
 - Impact on residential amenity; and
 - Traffic and parking.
- 9.6 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 land use the presumption is in favour of development subject to the detailed policy considerations discussed below.
- 9.7 In relation to PPS7, 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. The proposal satisfies all 9 criteria of Policy QD 1 of PPS 7. The proposal complies with criterion (a) in that it respects the scale and massing of the existing buildings and also adheres to the established building line along the Old Cavehill Road. The proposal also respect the gradual fall in topography from west to east. In regards to criterion (b) the mature trees along the eastern boundary of the site are to be retained and it is noted that the built form will not impact on the root protection area. A condition will be attached to any planning permission ensuring the trees are retained. The private amenity space provision is approximately 70 sq metres per dwelling and in line with the guidance document Creating Places- Achieving quality in new Residential Developments. Each dwelling has 2 in-curtilage car parking spaces.
- 9.8 The proposal has also been assessed against Policy LC 1 of the 2nd Addendum of PPS 7: Safeguarding the Character of Established residential Areas. The scheme complies with criterion (a) in that the density is not significantly higher than that found in the locality. The existing character of the area is varied with medium density housing, apartment developments as well as large detached dwellings set in mature plots interspersed

throughout the locality. Given this eclectic mixture of dwelling units and having regard to the varying sizes and the spacing between the units it is considered that a reason for refusal based on the existing pattern of development could not be sustained. The proposal therefore complies with criterion (b).

- 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. Given the separation distances between the front of the proposed dwellings 3-7 and the rear of dwellings 1 and 2 (22 metres), it is considered that overlooking will be limited and will not result in unacceptable damage in residential amenity. In any case it is accepted that in an urban environment some degree of overlooking is inevitable. The windows on the first floor of the side elevation of units 1, 3 and unit 7 that face onto neighbouring property are to be constructed in obscure glazing which will inhibit any overlooking. There may be some overshadowing and loss of light to the rear of the apartments in 7 and 8 in Beechwood Chase by site 7. However, it is considered that the overshadowing will be limited to late afternoon / evening and would not warrant seeking amendments. Again there will also be degree of dominance from site 7 on the adjacent amenity space of apartments 7 and 8 of Beechwood Chase but it is not to an unacceptable level and therefore does not warrant seeking amendments.
- 9.10 The proposal has been assessed against Policy AMP 7 of PPS 3: Access, Movement and parking. The proposal complies with the Department's Parking Standards in that each dwelling has 2 in-curtilage car parking spaces proposed. It is therefore accepted that the proposal will not prejudice road safety or inconvenience the flow of traffic, a view shared by Transport NI.

Neighbour Notification Checked

Yes

10.0 Summary of Recommendation:

- 10.1 16 apartments previously approved on the site. This approval was extant when current application submitted. Following no objections from consultees and no further objections received, approval is recommended subject to conditions.

11.0 Conditions

1. As required by Article 34 of the Planning (Northern Ireland) Order 1991, the development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

Reason: Time limit

2. The vehicular access, including visibility splays and any forward sight distance, shall be provided in accordance with Private Streets Determination drawing No.13-143-PSD10 Rev.B bearing the date stamp 20th July 2015, prior to the occupation of any other works or other development hereby permitted.

Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.

3. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250mm above the level of the adjoining carriageway before the

development hereby permitted is occupied and such splays shall be retained and kept clear thereafter.

Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.

4. The development hereby permitted shall not be occupied until the redundant vehicular access from the site to the public road has been permanently closed and the footway reinstated to the satisfaction of TransportNI.

Reason: In order to minimise the number of access points onto the public road in the interests of road safety and the convenience of road users.

5. The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992.

The Department of Regional Development hereby determines that the width, position and arrangement of the streets, and the land to be regarded as being comprised in the streets, shall be as indicated on Drawing No.13-143-PSD10 Rev.B bearing the TransportNI Determination date stamp 21st July 2015.

Reason: To ensure there is a safe and convenient road system to comply with the provisions of the Private Streets (Northern Ireland) Order 1980.

6. Notwithstanding the provisions of the Planning (General Development) (Northern Ireland) Order 1993, no buildings, walls or fences shall be erected, nor hedges nor formal rows of trees grown in service strips determined for adoption.

Reason: To ensure adequate visibility in the interests of road safety and the convenience of road users and to prevent damage to or obstruction of services within the service strip.

7. Notwithstanding the provisions of the Planning (General Development) (Northern Ireland) Order 1993, no planting other than grass, flowers or shrubs with a shallow root system and a mature height of less than 0.5m shall be carried out in service strips determined for adoption.

Reason: To prevent damage to or obstruction of services within the service strip.

8. The development hereby permitted shall not be occupied until hard surfaced areas have been constructed in accordance with Private Streets Determination drawing No.13-143-PSD10 Rev.B bearing the date stamp 20th July 2015 to provide for parking within the site. No part of these hard surfaced areas shall be used for any purpose at any time other than for the parking and movement of vehicles.

Reason: To ensure adequate provision has been made for parking and traffic circulation within the site.

9. To protect any retained tree and other vegetation fencing shall be erected in accordance with section 8 & 10 of BS 5837 Trees in Relation to Construction. It shall be erected at the crownsread or half the height of the tree whichever is the greatest and in accordance with the approved plans and particulars before any equipment, machinery or materials are brought onto the site for the purposes of the development. The fencing shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and no works shall

be carried out including changes ground levels, excavations or fires lit without the written consent of the Department.

Reason. To protect trees and other vegetation to be retained.

Signature(s)

Date: