

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date:	Item Number:
Application ID: LA04/2015/0669/F	
Proposal: Demolition of existing commercial and residential premises and the erection of 1 nr. apartment block comprising of 9nr. 2 bedroom apartments, 1nr. apartment block comprising of 5nr.1 bedroom apartments and 14nr. 2 bedroom apartments, 2nr. apartment blocks comprising of 4nr. 1 bedroom apartments and 12nr. 2 bedroom apartments (4nr. apartment blocks, 60nr. apartments in total) and communal circulation areas along with associated siteworks and landscaping.	Location: Nrs. 148-158 (evens) Kingsway Dunmurry and Nrs. 1-11 (odds) Dunmurry Lane Belfast BT17 9AA
Referral Route: Major	
Recommendation:	Refusal
Applicant Name and Address: McAleer and Rushe 17-19 Dungannon Road Cookstown BT80 8TL	Agent Name and Address: RPP Architects LTD 155-157 Donegall Pass Belfast BT7 1DT
Executive Summary: The main planning issues include: <ul style="list-style-type: none"> • The principle of the development at this location; • Impact on the character of the Dunmurry Area of Townscape Character ; • Impact on residential amenity; and • Traffic and Parking <p>The proposal has been assessed against Strategic Planning Policy for Northern Ireland, Planning Policy Statement 1, Planning Policy Statement 2: Natural Heritage, Planning Policy Statement 3: Access, Movement and Parking; Planning Policy Statement 6: Areas of Townscape Character Planning Policy Statement 7: Quality Residential Environments and Planning Policy Statement 12: Housing in Settlements.</p> <p>The site is located within the development limits of Belfast in the Belfast Metropolitan Area Plan 2015 and is identified as being with Dunmurry Area of Townscape Character (ATC). The principle of residential development is acceptable on the vacant portion of the site. However the demolition of numbers 3-9 are considered unacceptable as the existing buildings make a material contribution to Dunmurry ATC and no suitable replacement scheme has been presented.</p>	

The replacement scheme will result in overdevelopment of the site due to its inappropriate siting, layout, scale, form, massing and design and does not maintain or enhance the character of the ATC. The proposal will also impact on the existing residents by way of noise and nuisance and fail to provide a quality and sustainable residential environment for prospective residents.

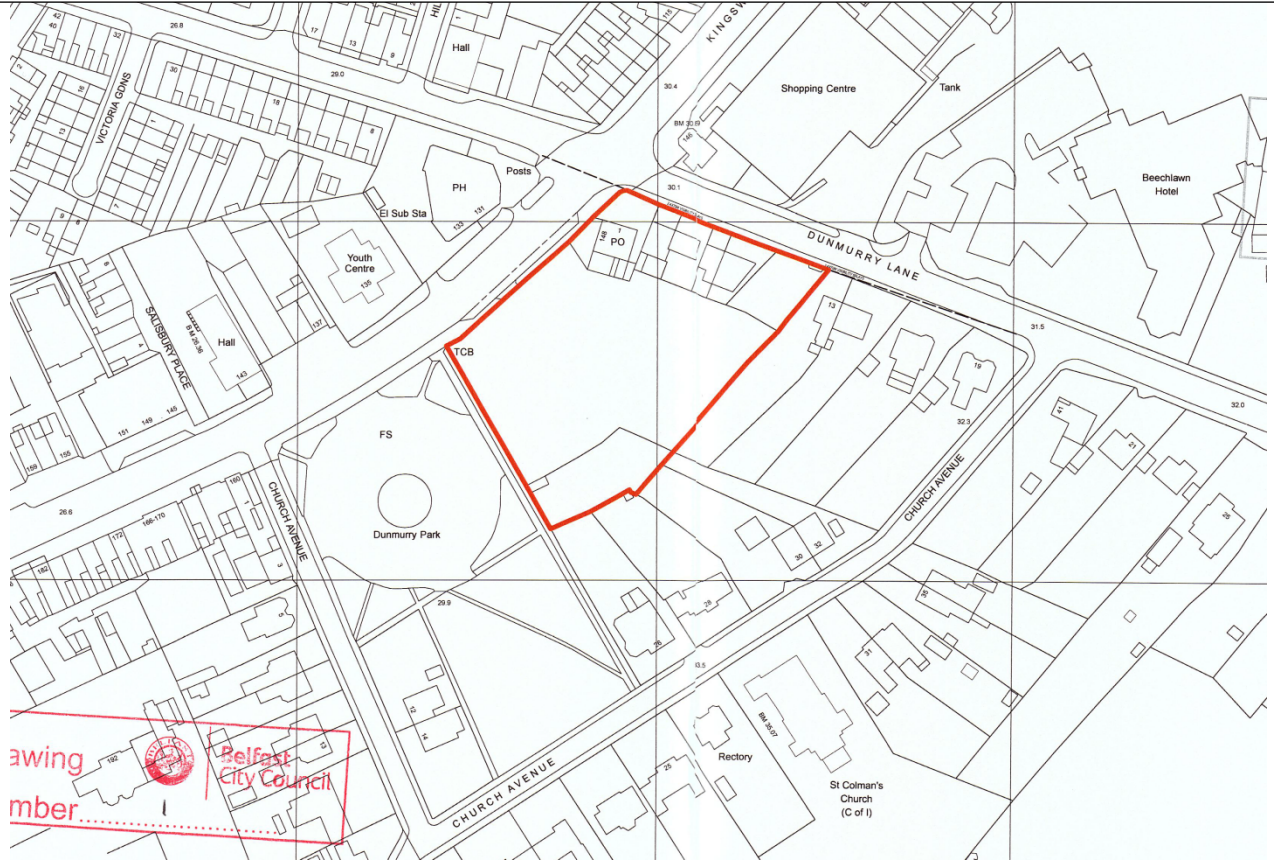
In regards to consultees, Transport NI is seeking further information including the submission of a Transport Assessment Form and NIEA Waste Management Unit are seeking further information on regards to potential contamination on the site.

10 objections have been received. The main issues raised included impact on the character of the area, traffic, impact on environment and trees, not creating a balance community, contrary to PPS 7, town cramming, design, inadequate parking provision, closure of the post office, contrary to Addendum to PPS 7, value of homes, could be for social housing, crime, waste and bin storage, Japanese knotweed, 3, 5, 7 ad 9 of historic interest.

Refusal is recommended for the reasons set out in the case officers report.

Case Officer Report

Site Location Plan



Characteristics of the Site and Area

1.0	<p>Description of Proposed Development</p> <p>Full planning permission is sought for the demolition of the existing buildings and the erection of 60 apartments in 4 blocks.</p>
2.0	<p>Description of Site</p> <p>The site which is rectangular in shape is located at the corner of Dunmurry Lane and Kingsway. Access is via Kingsway. The current use is that of a car wash, commercial post office premises and residential premises. The site is fairly flat throughout.</p>

Planning Assessment of Policy and other Material Considerations

3.0	<p>Site History</p> <p>No recent planning history</p>
4.0	<p>Policy Framework</p>
4.1	<p>Belfast Metropolitan Area Plan 2015</p>
4.2	<p>SPPS</p>

	<p>Regional Development Strategy Strategic Planning Policy Statement for Northern Ireland Planning Policy Statement 3 - Access, Movement and Parking Planning Policy Statement 6 Addendum: Areas of Townscape Character Planning Policy Statement 7- Quality Residential Environments Planning Policy Statement 12: Housing in Settlements</p>
5.0	Statutory Consultees
	<p>NIEA- Waste Management- Seeking further information; NIEA- Water Management- No Objections; NIEA- Natural Environment Division- No Objections; Transport NI- Seeking further information</p>
6.0	Non Statutory Consultees
	Belfast City Council- EPU- No Objections
7.0	Representations
	<p>The application has been neighbour notified and advertised in the local press. 10 letters of objection have been received.</p> <p>The main issues include:-</p> <ul style="list-style-type: none"> • Impact on the character of the area; • Traffic, • Impact on environment / trees; • Not creating a balance community; • Contrary to PPS 7; • Town cramming; • Design; • Inadequate parking provision; • Closure of the post office; • Contrary to Addendum to PPS 7; • Value of homes; • May be for social housing; • Crime; • Waste and bin storage; • Presence of Japanese knotweed; • Nos. 3,5, 7 and are 9 of historic interest
8.0	Other Material Considerations
	Development Control Advice Note 8: Housing in existing urban areas
9.0	Assessment
	<u>Principle of development</u>
9.1	<p>The key issues in the assessment of the proposed development include:</p> <ul style="list-style-type: none"> •The principle of apartments at this location; •Impact on the character of Dunmurry ATC; and •Impact on residential amenity; and •Traffic and Parking
9.2	The site is located within the development limits of Belfast and within Dunmurry ATC as

	<p>designated in the Belfast Metropolitan Area Plan 2015. The principle of residential development is acceptable on the vacant portion of the site. However the demolition of numbers 3-9 are considered unacceptable as the existing buildings make a positive contribution to Dunmurry ATC and no suitable replacement scheme has been found. This is detailed below.</p> <p><u>Impact on the character of Dunmurry Area of Townscape Character</u></p>
9.3	<p>The proposal has been assessed against policies ATC 1 & ATC 2 of the Addendum to PPS6: Areas of Townscape Character. ATC 1 states that there will be a presumption in favour of retaining any building which makes a positive contribution to the character of an Area of Townscape Character.</p>
9.4	<p>Kingsway which the application site fronts onto and although fragmented with many alterations to buildings, retains an element of continuity with two storey terracing with vertically proportioned windows, canted bays and corbelled chimneys etc. these front a wide street whose curved nature creates an array of changing views as one moves along.</p>
9.5	<p>The existing buildings make a material contribution to the character and appearance of Dunmurry ATC. 3 – 5 (Roselea) are an interesting pair of semi detached, dwellings – faced in stucco with moulded surrounds to ground floor windows, architraves to doors (pilasters, consoles and cornice canopy), and banding to the first floor that rakes up over semi circular arches to windows. At first floor level the central bay has a blind window – niche like; indeed one retains a plinth seemingly waiting to be graced by a statue. Classical door cases also occur at 7 – 9 – again consisting of pilasters, console brackets with acanthus, to cornice canopy, through otherwise the facades of these dwellings are rather restrained.</p>
9.6	<p>Policy ATC 2 states that the Department will only permit development proposals in an Area of Townscape Character where the development maintains or enhances its overall character and respects the built form of the area. It is considered that the scale and massing of the proposed development is unacceptable when assessed against the existing context of Dunmurry ATC. The development proposes a 5 storey apartment block at the corner of Dunmurry Lane and Kingsway yet the buildings that surround the application site are 2- 2 ½ storey. Visually the scheme will be incongruous in the streetscape and ultimately fails to respect the built form of the ATC seen from critical views along Kingsway and Dunmurry Lane.</p>
9.7	<p>The layout of the proposed development is also considered unacceptable. Internally the scheme is dominated by hardstanding in the form of car parking. Clearly the proposal result is overdevelopment of the site and if approved cause harm to the character of the ATC when seen from critical views when travelling from east to west along Dunmurry Lane and when travelling north to south and south to north along Kingsway.</p>
9.8	<p>Policy ATC 1 is clear, if the existing building makes a material contribution to the character and appearance of Dunmurry ATC there is a presumption in favour of retention. Having concluded that the existing buildings make a material contribution the proposal therefore fails to comply with ATC 1. Furthermore balancing the proposed replacement scheme against the demolition of the existing buildings, it is considered that does not maintain or enhance the ATC and therefore fails to meet policy ATC 2 also.</p>
9.9	<p>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</p>

	<p>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. It has been established that the proposal fails to meet ATC 2 and consequently therefore fails to meet criterion (a) of QD 1.</p>
9.10	<p>The proposal also fails to meet the criterion (c). Paragraph 5.20 of Creating Places states that In the case of apartment or flat developments, or 1 and 2 bedroomed houses on small urban infill sites, private communal open space will be acceptable in the form of landscaped areas, courtyards or roof gardens. These should range from a minimum of 10 sq m per unit to around 30 sq m per unit. Whilst there is an area of existing open space abutting the application site it is considered that both the amount of communal amenity space provided and its location around the edges of the application site is frugal and not acceptable for prospective residents.</p>
9.11	<p>It is considered that the site is not located within an established residential area as it front onto 2 major thoroughfares. Therefore the 2nd Addendum to PPS 7: Safeguarding the Character of Established Residential Areas is not applicable in the assessment of this application.</p>
	<p><u>Impact on Residential Amenity</u></p>
9.12	<p>In regards to impact on residential amenity, criterion (h) of QD 1 of PPS 7 requires there to be no unacceptable adverse effect on existing properties in terms of overlooking, loss of light, overshadowing, noise or other disturbance and the orientation of the development in relation to the existing dwellings. It is considered that overlooking, dominance and loss of light will not be an issue given the separation distances between the proposed development and the existing dwellings that abut the application. It is considered however, that there will be unacceptable impact on the residential amenity of number 13 Dunmurry Lane through noise from increased traffic movements and parking along its shared boundary and well as general nuisance and noise from the bin store area that serves the whole development. And whilst these issues could be easily resolved it is considered that there are more fundamental issues with the proposed scheme that it does not warrant going back to the applicant to seek changes.</p>
	<p><u>Traffic and Parking</u></p>
9.13	<p>The proposal has been assessed against Policy AMP 7 of PPS 3: Access, Movement and parking. The proposal shows approximately 17 car parking spaces less than the required amount having regard to the Parking Standards. However it is considered that this is acceptable given the sites location on an arterial route with good links to public transport,</p>
	<p><u>Objections</u></p>
9.14	<p>In regard to the objections received;</p> <p>Amenity Issues</p> <ul style="list-style-type: none"> • The proximity of the bin store to number 13 has been detailed in the above report. <p>Policy Issues</p> <ul style="list-style-type: none"> • The proposal has been assessed against QD 1 of PPS 7 in the above report. • The proposal is considered overdevelopment of the site. • The scale and massing is considered unacceptable and contrary to policy ATC 2 of PPS 6.

	<ul style="list-style-type: none"> • The design of the development (contemporary flat roof) cause harm to the ATC; • The 2nd Addendum to PPS 7 is not applicable as the site is not located in an established residential area. • There are 69 car parking spaces proposed. Having regard to the parking standards approximately 86 spaces are required. However the site is located on a major arterial route with access to good public transport links. In this regard the parking is considered acceptable. • Nos 3, 5, 7 and 9 are considered to be make a material contribution to the ATC. This is detailed in the above report; • It is considered that that the proposal with a mixture of 1 bedroom and 2 bedroom will help create a balanced community. <p>Natural Environment Issues</p> <ul style="list-style-type: none"> • It has been confirmed by NIEA that Japanese Knotweed is present on the site. However NIEA has advised that anybody removing it needs a license which is outside the scope of this planning application. • There are 2 mature trees to the front of the site that are not shown on the block plan. It is unclear whether block 2 or the covered shed for the bicycles will impact upon their root protection areas. <p>Other</p> <ul style="list-style-type: none"> • There is no evidence that the proposal if permitted will result in increased levels of crime. • There is no evidence that the proposal, if permitted, will result in any devaluation of homes. • The closure of the post office is not a material planning consideration.
<p>10.0</p> <p>10.1</p>	<p>Summary of Recommendation: Refusal</p> <p>Having regard to the development plan, relevant planning policies, and other material considerations, it is considered that the development will cause unacceptable damage to the character and residential amenity through inappropriate layout, scale and massing. Refusal is recommended.</p>
<p>11.0</p>	<p>Reasons for Refusal</p> <ol style="list-style-type: none"> 1. The proposal is contrary to policies ATC 1 of Planning Policy Statement 6 addendum, in that the proposal would if approved; result in the demolition of buildings which make a positive contribution to the Dunmurry Area of Townscape Character. 2. The proposal is contrary to ATC 2 of Planning Policy Statement 6 Addendum and Policy QD1 of the Department's Planning Policy Statement 7 Quality Residential Environments in that the proposal would, if permitted, result in overdevelopment of the site due to its inappropriate siting, layout, scale, form, massing and design and does not maintain or enhance the character of the ATC. The proposal also fails to provide adequate private amenity space, and would therefore fail to provide a quality and sustainable residential environment.

12.0	Notification to Department (if relevant) N/A
13.0	Representations from Elected Members N/A

ANNEX	
Date Valid	30th June 2015
Date First Advertised	14th August 2015
Date Last Advertised	14 th August 2015
Details of Neighbour Notification (all addresses)	
<p>The Owner/Occupier, 1 Church Avenue Dunmurry Dunmurry</p> <p>The Owner/Occupier, 1 Dunmurry Lane Dunmurry Dunmurry</p> <p>The Owner/Occupier, 11 Church Avenue Dunmurry Dunmurry Gareth Mehaffy 11 Church Avenue, Dunmurry, Belfast, BT17 9RS</p> <p>The Owner/Occupier, 115 Kingsway Dunmurry Antrim</p> <p>The Owner/Occupier, 119 Kingsway Dunmurry Antrim</p> <p>The Owner/Occupier, 12 Church Avenue Dunmurry Dunmurry</p> <p>The Owner/Occupier, 121 Kingsway Dunmurry Antrim</p> <p>The Owner/Occupier, 123 Kingsway Dunmurry Antrim</p> <p>The Owner/Occupier, 125 Kingsway Dunmurry Antrim</p> <p>The Owner/Occupier, 127 Kingsway Dunmurry Antrim</p> <p>The Owner/Occupier, 129 Kingsway Dunmurry Antrim</p> <p>The Owner/Occupier, 13 Church Avenue Dunmurry Dunmurry</p> <p>The Owner/Occupier, 13 Dunmurry Lane Dunmurry Dunmurry</p> <p>The Owner/Occupier, 13, Dunmurry Lane, Dunmurry, Dunmurry, Antrim, Northern Ireland, BT17 9RP</p> <p>The Owner/Occupier, 130 Kingsway Dunmurry Antrim</p> <p>The Owner/Occupier, 131-133 Kingsway Dunmurry</p> <p>The Owner/Occupier, 134-136 Kingsway Dunmurry</p> <p>The Owner/Occupier, 137-139 Kingsway Dunmurry</p> <p>The Owner/Occupier, 139 Kingsway Dunmurry Antrim</p>	

The Owner/Occupier,
14 Church Avenue Dunmurry Dunmurry
The Owner/Occupier,
140-144 Kingsway Dunmurry
The Owner/Occupier,
141A Kingsway Dunmurry Antrim
The Owner/Occupier,
146 Kingsway Dunmurry Antrim
The Owner/Occupier,
146A Kingsway Dunmurry Antrim
The Owner/Occupier,
15 Dunmurry Lane Dunmurry Dunmurry
The Owner/Occupier,
17 Dunmurry Lane Dunmurry Dunmurry
The Owner/Occupier,
19 Dunmurry Lane Dunmurry Dunmurry
Gerald J. Kelly
21, Church Avenue, Dunmurry, Dunmurry, Antrim, Northern Ireland, BT17 9RS
D.S. White
23, Church Avenue, Dunmurry, Dunmurry, Antrim, Northern Ireland, BT17 9RS
The Owner/Occupier,
28 Church Avenue Dunmurry Dunmurry
The Owner/Occupier,
3 Church Avenue Dunmurry Dunmurry
The Owner/Occupier,
3 Dunmurry Lane Dunmurry Dunmurry
The Owner/Occupier,
30 Church Avenue Dunmurry Dunmurry
Ryan Landy
30, Church Avenue, Dunmurry, Dunmurry, Antrim, Northern Ireland, BT17 9RS
The Owner/Occupier,
32 Church Avenue Dunmurry Dunmurry
Nonagh E.R. Boyd
32, Church Avenue, Dunmurry, Dunmurry, Antrim, Northern Ireland, BT17 9RS
Alan E. Bell
33, Church Avenue, Dunmurry, Dunmurry, Antrim, Northern Ireland, BT17 9RS
W.A. Harkness
34, Church Avenue, Dunmurry, Dunmurry, Antrim, Northern Ireland, BT17 9RS
The Owner/Occupier,
4 Dunmurry Lane Dunmurry Dunmurry
The Owner/Occupier,
5 Church Avenue Dunmurry Dunmurry
The Owner/Occupier,
5 Dunmurry Lane Dunmurry Dunmurry
R.N. Graham
5, Church Avenue, Dunmurry, Dunmurry, Antrim, Northern Ireland, BT17 9RS
The Owner/Occupier,
7 Church Avenue Dunmurry Dunmurry
The Owner/Occupier,
7 Dunmurry Lane Dunmurry Dunmurry

<p>The Owner/Occupier, 9 Church Avenue Dunmurry Dunmurry The Owner/Occupier, Select Vestry Of St Colmans Church 143 Kingsway Dunmurry The Owner/Occupier, Unit 1 128 Kingsway Dunmurry Valerie Harkness</p> <p>Valerie Harkness</p>	
Date of Last Neighbour Notification	11
Date of EIA Determination	
ES Requested	No
Drawing Numbers and Title	
1-13	