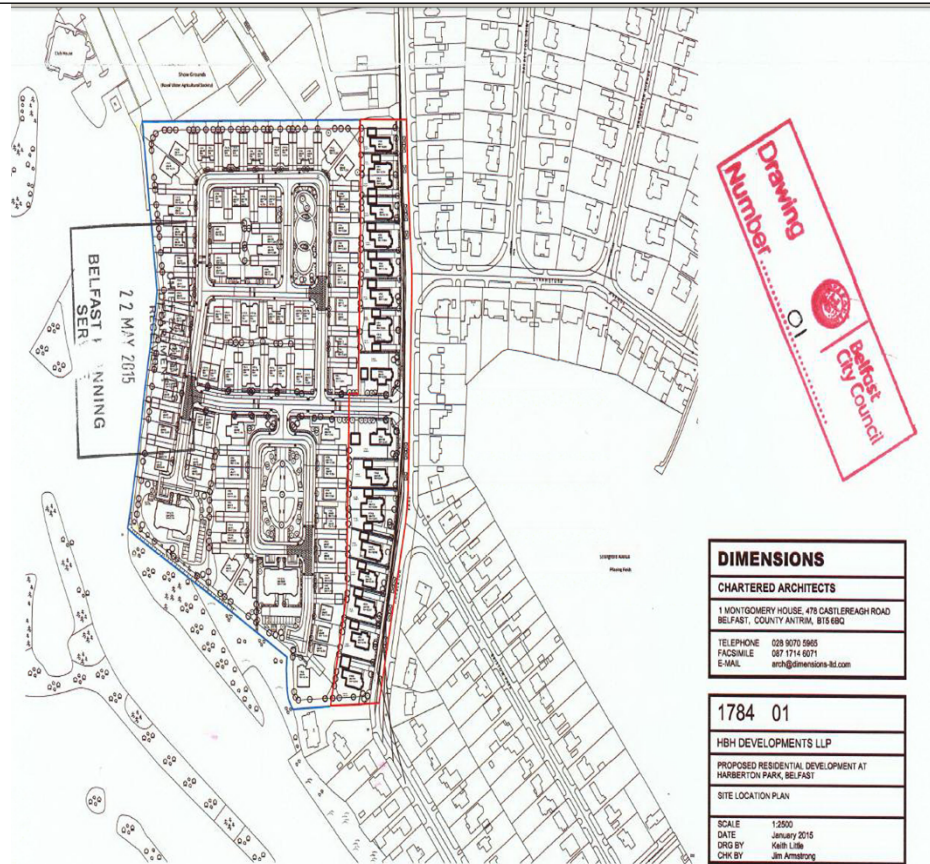


Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 16 February 2016	
Application ID: LA04/2015/0358/F	
Proposal: Amendments to previous planning approval (Z/2012/0645/RM) to include changes to house types and modification to plot arrangements including garages, landscaping and related site and access works for the first phase of development comprising 19 dwellings.	Location: Lands south of No. 25 Harberton Park Belfast BT9 6TW
Referral Route: Proposal is more than 4 dwellings	
Recommendation:	Approval
Applicant Name and Address: HBH Developments	Agent Name and Address: Clyde Shanks 5 Oxford Street Belfast
<p>Executive Summary: This application seeks full planning permission for amendments to a previous planning approval (Z/2012/0645/RM) to include changes to house types and modification to plot arrangements including garages, landscaping and related site and access works for the first phase of development comprising 19 dwellings.</p> <p>The Belfast Metropolitan Area Plan 2015 identifies the site as being within the Development Limits of Belfast.</p> <p>The main issues to be considered in this case are:</p> <ul style="list-style-type: none"> ● Principle of residential use on the site ● Road safety ● Visual amenity <p>The principle of residential development on the site was established by outline planning permission Z/2003/1697/O.</p> <p>The proposal was assessed against the Development Plan (BMAP 2015); Strategic Planning Policy Statement for Northern Ireland (SPPS); Planning Policy Statement 3: Access, Movement and Parking; Planning Policy Statement 7: Quality Residential Environments and Planning Policy Statement 12: Housing in Settlements. The proposal complies with these policies.</p> <p>No representations were made.</p> <p>All consultees responded with no objections.</p> <p>An approval with conditions is recommended.</p>	

Case Officer Report

Site Location Plan



Representations:

Letters of Support	None Received
Letters of Objection	None Received
Number of Support Petitions and signatures	No Petitions Received
Number of Petitions of Objection and signatures	No Petitions Received

Characteristics of the Site and Area**1.0 Description of Proposed Development**

Amendments to previous planning approval (Z/2012/0645/RM) to include changes to house types and modification to plot arrangements including garages, landscaping and related site and access works for the first phase of development comprising 19 dwellings. The dwellings are located parallel to the Harberton Park road.

2.0 Description of Site

The proposed site is located in an area of land to the south east of the Kings Hall complex in south Belfast. The site comprises hard-surfaced car-parking and grassed areas. There is vehicular access onto Harberton Park. Boundary treatments vary in terms of both height and materials, but are generally approximately 3m in height, and consist of palisade metal type fencing along Harberton Park, with walls along the northern site boundary with Balmoral Golf Course. The topography of the site is generally level. The area east of the site is primarily residential and consists of detached and semi-detached dwellings. The Kings Hall complex is located to the North of the site and the Balmoral golf course sits to the West of the site.

Development on the site had begun at the time of the site visit with foundations and footings in place.

Planning Assessment of Policy and Other Material Considerations

3.0 Site History

Z/2003/1697/O: Demolition of existing buildings and erection of residential development comprising 140 units- Granted 19.06.2009

Z/2012/0645/RM-Demolition of existing building and erection of residential development comprising 140 units.-Granted 22.12.2014

LA04/2015/0102/DC-Discharge of condition 10-Granted 08.06.2015-landscape planting plans, a soft works specification and planting schedule in relation to Condition 10 of the planning approval for the above development.

LA04/2015/0501/DC-Discharge of condition 7 of approval for demolition of existing building and erection of residential development comprising 140 units- condition 7 relates to site soil investigation and risk assessment-granted 7-9-15.

Planning permission for housing development on the former Showgrounds land to the rear of Kings Hall was approved under the planning histories referred to above.

4.0 Policy Framework

4.1 Belfast Metropolitan Area Plan (BMAP) 2015

4.1.1 No zones

4.2 Strategic Planning Policy Statement for Northern Ireland (SPPS)

4.2.1 Good Design paras. 4.23 – 4.26

4.3 Planning Policy Statement (PPS) 3: Access, Movement and Parking

4.3.1 Policy AMP 1: Creating an Accessible Environment

4.3.2 Policy AMP 6: Transport Assessment

4.4 Planning Policy Statement (PPS) 7: Quality Residential Environments

4.4. Policy QD 1: Quality in New Residential Development

4.5 Planning Policy Statement 7 (PPS) Addendum: Safeguarding the Character of Established Residential Areas

4.5.1 Policy LC 1: Protecting Local Character, Environmental Quality and Residential Amenity

4.6 Planning Policy Statement (PPS) 12: Housing in Settlements

4.6.1 Planning Control Principle 2: Good Design

4.6.2 Policy HS 4: House Types and Size

5 Statutory Consultees Responses

5.1 DRD Transport NI – No objection subject to conditions

5.2 NI Water – No objection

6 Non Statutory Consultees Responses

6.1 Belfast City Council (BCC) Environmental Health – No objection subject to conditions

7 Representations

7.1 The application has been neighbour notified and advertised in the local press.

8 Other Material Considerations

8.1 Creating Places

8.2 Development Control Advice Notice 8: Housing in Existing Urban Areas

8.3 Development Control Advice Notice 15: Vehicular Access Standards

8.4 Parking Standards

9 Assessment

9.1 The site is located within Belfast's development limits as designated in Belfast Metropolitan Area Plan 2015. The site does not fall within any zones as such. The proposal is for amendments to a previous planning approval (Z/2012/0645/RM) to include changes to house types and modification to plot arrangements including garages, landscaping and related site and access works for the first phase of development comprising 19 dwellings.

9.2 The Council's guiding principle in determining planning applications is that the development should be permitted, having regard to the development plan and all other material considerations, unless the proposal will cause demonstrable harm to interests of acknowledged importance (SPPS, para 3.8). The proposed site is located well within the development limits identified for Belfast within BMAP.

9.3 The key issues are

- (a) Principle of residential use on the site
- (b) Road safety
- (c) Visual amenity

9.4 The mix of dwellings remains unchanged from the reserved matters approval- 13 detached and six semi-detached units. The proposed changes to the reserved matters approval involve reconfiguration of plot and dwelling footprint arrangements. The building line hasn't been changed on the majority of plots apart from a slight variation on plot numbers 5, 136, 138, 139 and 140. The applicant has stated that plot arrangements and dwelling footprints have been reviewed and revised to maximise the housing footprint opportunities presented by the plots and to better embrace the relationship between the dwellings and their generous garden space. Garden/sun rooms have been introduced to each of the semi-detached units and to a number of the detached dwellings. Garages have been moved within the plots to maximise the garden amenity space and brought forward within the plots to achieve a better relationship. Boundary treatment to the rear of each plot, as previously approved, remains unaffected and unchanged. The principle of residential use is acceptable.

9.5 The primary access to the overall scheme is located off the Harberton Park road. The entrance will feature ornamental planting. Each dwelling will have their own individual access off Harberton Park road apart from the two dwellings at the primary entrance which front on to the main access to the site.

9.6 Policies AMP 1 and AMP 6

DRD Transport NI is the authoritative body on road safety and transport issues. Their consultation response dated 18th November 2015 stated they had no objection to the proposal and suggested conditions to be included should approval be granted.

9.7 PPS 7

PPS7 sets out the criteria against which the Council will assess all proposals for residential development. The proposal complies with the criteria set out under PPS7. Dwellings at each of the site plots have already been approved therefore the principle of the development is acceptable. The footprints of the majority of dwellings have been slightly altered but not significantly. This is illustrated on page 5 of the design and access statement. The remaining units are in situ though they have additional sunrooms to the rear.

9.7.1 Policy QD 1

PPS7 sets out the Department's policies for achieving quality in new residential development. QD1 of the statement requires development to conform to all of the criteria stated (a-i).

(a) The proposed site shows a scheme which is sympathetic to the surrounding context. The site is relatively flat and therefore there will be minimal works required to accommodate a

development on this site. The massing and appearance of the buildings are considered to be in keeping with the dwellings in the area. House types, as approved, have been reviewed and elevational and building finishes have been redesigned to introduce housing styles that better fit and reflect the wider Harberton area. House types comprise of detached and semi detached dwellings. There are areas of planting and communal amenity areas throughout the development which will help to soften the visual impact of the dwellings.

(b) There are no features of archaeological and built heritage importance to be protected.

(c) There is proposed planting across the site which will help to soften the visual impact.

Creating Places advises 'In the case of green field sites and in lower density developments, all houses should have an area of private open space behind the building line and the average space standard should be around 70 sq m per house or greater. The garden areas fall within this recommendation. The residual garden amenity space as a consequence of the design changes remains generous at an average of 100 sq. M which comfortably reflects the pattern of development in the area. This area is comprised mainly of semi detached and detached dwellings with front and rear garden areas. The previously approved landscaping plans which formed part of the reserved matters permission have been re-examined and modest revised planting proposals have been prepared.

(d) The site is located close to suburban centres of Belfast with shops and services nearby. The scale of the development is not such that would warrant local neighbourhood facilities to be provided within the development itself.

(e) There is a primary access to the development as stated previously. This will access the wider part of the overall Harberton Park development. Footpaths are provided and the site is within walking distance to public transport nodes.

(f) Adequate parking provision has been provided and Transport NI have responded to consultation with no objection subject to conditions.

(g) The proposed dwellings are of a similar style to the previous approval which was deemed acceptable with pitched roofs and external materials consisting of grey slate roof tiles, cement render and facing brick. A greater mix of red brick and render has been included with more roof detailing introduced and more detail to entrance features. This includes redesigning the roof pitches to better integrate with the style of established housing. Internal constraints presented in the design of some approved house types have also been addressed in the internal configuration of the five house types that are presented as part of this application. The design and materials are acceptable for the area.

(h) There are no issues of overlooking or overshadowing onto private amenity space.

Relationships between these modified 19 dwellings and existing and approved housing have been reviewed in the context of the reserved matters permission baseline. Whilst sun rooms have been added which extends the building footprint on a number of the plots the separation distance with existing and approved houses and the proposed unchanged boundary treatment combines to ensure that acceptable residential amenity will be safeguarded.

(i) There appear to be no particular issues for concern for crime or personal safety.

9.8 Policy LC 1

The type of dwelling included in this proposal is similar to that found in the immediate area. The criteria (a) – (c) are all met in line with Policy LC 1. The layout of the development is sympathetic to the existing residential development in the area in its linear form. Dwelling sizes are similar to those already established in the vicinity. The dwellings meet the space standards for two storey 3-4 bedroom homes as set out in Annex A of Addendum to PPS 7.

9.10 Planning Control Principle 2 Good Design

The proposal is considered to comply with Planning Control Principle 2 of PPS 12 in that it demonstrates a high quality of design, layout and landscaping as previously considered in the report through assessment of QD 1 of PPS 7 and LC 1 of PPS 7 (Addendum).

9.11 The proposal is only a small deviation from what was previously approved. In this regard it is considered that the proposal is acceptable as it will not cause unacceptable damage to the

local character, residential amenity and environmental quality. None of the consultees have any objections to the proposal. Having regard to the policy context the proposal is considered acceptable and planning permission is recommended.

10.0 Summary of Recommendation
Approval subject to conditions

Neighbour Notification Checked: Yes

Summary of Recommendation: Approval subject to conditions

Conditions:

1: As required by Section 61 of the Planning Act (Northern Ireland) 2011, 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 for each dwelling, including visibility splays and any forward sight distance, shall be provided in accordance with Drawing No P239/R06C bearing the DOE Planning date stamp 8/8/15, prior to its occupation.

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

3: No dwelling shall be occupied until hard surfaced areas have been constructed in accordance with the approved plan. These facilities shall be permanently retained.

Reason: To ensure acceptable parking facilities on the site.

4: The access gradients to the dwellings hereby permitted shall not exceed 8% (1 in 12.5) over the first 5 m outside the road boundary. Where the vehicular access crosses footway or verge, the access gradient shall be between 4% (1 in 25) maximum and 2.5% (1 in 40) minimum and shall be formed so that there is no abrupt change of slope along the footway.

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

5: All redundant accesses from the site to the public road shall be permanently closed off and the footpath reinstated to the satisfaction of Transport NI.

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

6: Prior to the occupation of the proposed development, the applicant shall provide to Belfast City Council, for approval, a Verification Report. This report must demonstrate that the contaminated land remediation measures, as outlined in the following reports, have been implemented:

- RSK report 'Additional Environmental Site Assessment - Lands South of 25 Harberton Park, Belfast', Report reference number 601161-1(00), dated June 2015
- RSK letter report 'Lands south of Harberton Park, Belfast' Report reference number 610238,

dated 11th September 2014

• RSK letter report 'Lands south of Harberton Park, Belfast' , Report reference number 601161, dated 15th September 2015

The Verification Report shall demonstrate the successful completion of remediation works and that the site is now fit for end-use. It must demonstrate that any identified significant pollutant linkages are effectively broken. The Verification Report should be in accordance with current best practice and guidance as outlined by the Environment Agency. In particular, this Verification Report must demonstrate that:

a. Suitable gas protection measures in accordance with Amber 1, CIRIA C665 have been installed in the designated areas as outlined in RSK letter report dated 15th September 2015, Report reference number 601161, Figure 2, RSK Drawing showing gas protection extent, dated 14/09/14.

b. A ventilated sub-floor void of 150mm is incorporated in all buildings within the development.

c. All affected soils in gardens and landscaped areas are capped with appropriate material demonstrably suitable for end use (Residential) to a minimum depth of 600mm and a minimum of 200mm top soil in the designated areas as outlined in RSK letter report dated 15th September 2015, Report reference number 601161, Figure 1, RSK Drawing showing capping layer extent, dated 14/09/14.

Reason: In the interest of Environmental Health.

7: In the event that contamination not previously considered is encountered during the approved development of this site the development shall cease and a written report detailing the nature of this contamination and its management must be submitted to Belfast council Planning Service for approval. This investigation and risk assessment must be undertaken in accordance with current best practice.

Reason: In the interests of Environmental Health.

8: All hard and soft landscape works shall be completed in accordance with the approved drawing no 10A date stamped received 5 February 2016, the Landscape Planting Schedule date stamped received 5 February 2016, the appropriate British Standard, the relevant sections of the National Building Specification NBS [Landscape] and plant material with the National Plant Specification NPS prior to the occupation of each dwelling hereby approved. All plant stock supplied shall comply with the requirements of British Standard 3936, 'Specification for Nursery Stock'. All pre-planting site preparation, planting and post-planting maintenance works shall be carried out in accordance with the requirements of British Standard 4428 'Code of Practice for General Landscape Operations [excluding hard surfaces]'.

Reason: To ensure the provision, establishment and maintenance of a high standard of landscape.

9: Notwithstanding the provisions of Article 3 and Schedule, Part 1 Classes A, B, C, D, E, I, Part 2 Classes C, D, F, and Part 3 Classes A and B, of the Planning (General Permitted Development) Order (Northern Ireland) 2015 (or any legislation revoking that Order and re-enacting those provisions) no enlargement, improvement or other alteration of any dwellinghouse and no development shall take place within the curtilage of the dwellings hereby approved, including the formation of vehicular / pedestrian accesses, without the written permission of the Council.

Reason: To preserve the integrity of the design and layout of the development and in the

interests of residential amenity.

10: Prior to the occupation of each dwelling hereby approved, boundary walls and fencing in association with each dwelling shall be erected in accordance with the approved plans 10A, 2B and 16A date stamped received 5th February 2016 and shall be permanently retained. In the event any part of the boundary walls or fencing become damaged or defective, they shall be replaced in accordance with the approved details.

Reason: In the interest of privacy and amenity.

11: No dwelling hereby approved shall be occupied until the Developers have entered into a Corporate Commuter Initiative Agreement with Translink and the details verified to the satisfaction of the Department.

Reason: To encourage the provision and use of public transport.

12: No part of the development hereby approved shall be occupied until the Developer has contributed, to the satisfaction of Transport NI, towards the provision of a traffic camera on the Bus Lane on Upper Malone Road.

Reason: In the interests of road safety.

ANNEX	
Date Valid	28 th May 2015
Date First Advertised	3 rd July 2015
Date Last Advertised	
<p><i>Details of Neighbour Notification (all addresses)</i></p> <p>Details of Neighbour Notification (all addresses)</p> <p>The Owner/Occupier, 27 Harberton Park, Malone Upper, Belfast, Antrim, BT9 6TX, The Owner/Occupier, 30 Harberton Park, Malone Upper, Belfast, Antrim, BT9 6TS, The Owner/Occupier, 32 Harberton Park, Malone Upper, Belfast, Antrim, BT9 6TS, The Owner/Occupier, 34 Harberton Park Malone Upper Belfast The Owner/Occupier, 36 Harberton Park Malone Upper Belfast The Owner/Occupier, 38 Harberton Park Malone Upper Belfast Charles Bamford 40 Harberton Park Malone Upper Belfast The Owner/Occupier, 42 Harberton Park Malone Upper Belfast The Owner/Occupier, 44 Harberton Park Malone Upper Belfast The Owner/Occupier, 46 Harberton Park Malone Upper Belfast The Owner/Occupier, 48 Harberton Park Malone Upper Belfast The Owner/Occupier, 50 Harberton Park Malone Upper Belfast The Owner/Occupier, 52 Harberton Park Malone Upper Belfast The Owner/Occupier, 54 Harberton Park Malone Upper Belfast The Owner/Occupier, 56 Harberton Park Malone Upper Belfast The Owner/Occupier, 58 Harberton Park Malone Upper Belfast The Owner/Occupier, 60 Harberton Park Malone Upper Belfast The Owner/Occupier, 62 Harberton Park Malone Upper Belfast The Owner/Occupier, 64 Harberton Park Malone Upper Belfast The Owner/Occupier, 67 Bristow Park, Malone Upper, Belfast, Antrim, BT9 6TG, The Owner/Occupier, 68 Bristow Park Malone Upper Belfast The Owner/Occupier, 69 Bristow Park Malone Upper Belfast The Owner/Occupier, King's Hall Stand, Harberton Park, Malone Upper, Belfast, Antrim,, The Owner/Occupier,</p>	
<i>Date of Last Neighbour Notification</i>	26 th November 2015
<i>ES Requested</i>	No
<p><i>Planning Histories</i></p> <p>Ref ID: Z/2012/0645/RM Proposal: Demolition of existing building and erection of residential development comprising 140 units. Address: Lands south of 25 Harberton Park, Belfast, Decision: PG Decision Date: 22.12.2014</p>	

Ref ID: Z/2011/0478/F

Proposal: Change of use from ancillary car park to area of hardstanding for storage of motor vehicles.

Address: The King's Hall Complex, opposite 48-64 Harberton Park, Belfast, BT9 6GW.,

Decision:

Decision Date: 20.10.2011

Ref ID: Z/2011/0474/F

Proposal: Semi-permanent, transportable exhibition facility.

Address: King's Hall Complex, Belfast, BT9 6GW.,

Decision:

Decision Date: 20.10.2011

Ref ID: Z/2008/0629/F

Proposal: Demolition of existing ancillary buildings to the rear of the Kings hall and relocation of existing car parking.

Address: Kings Hall, Balmoral, Upper Lisburn Road, Belfast

Decision:

Decision Date: 16.02.2009

Ref ID: Z/2005/1489/F

Proposal: (Retrospective) Change of use from ancillary car park to area of hard-standing for storage of motor vehicles (amended description).

Address: The King's Hall Complex (opposite 48-64 Harberton Park), Belfast, BT9 6GW

Decision:

Decision Date: 04.07.2006

Ref ID: Z/2003/1697/O

Proposal: Demolition of existing buildings and erection of residential development comprising 140 units

Address: Land 85 metre south of 25 Harberton Park, BT9 6TW

Decision:

Decision Date: 19.06.2009

Ref ID: Z/2001/0193/F

Proposal: Replacement of demountable fence with gates and replacement of four temporary pay boxes with two temporary pay boxes

Address: Balmoral Showgrounds, The King's Hall, Balmoral, Belfast

Decision:

Decision Date: 12.04.2001

Ref ID: Z/1996/6042

Proposal: Showgrounds, masterplan and new arena. Balmoral Showgrounds, Upper Lisburn Road, Belfast BT9

Address: Balmoral Showgrounds, Upper Lisburn Road, Belfast BT9

Decision:
Decision Date:

Ref ID: Z/1987/0923

Proposal: Construction of 4 apartments

Address: LAND ADJACENT TO 27 HARBERTON PARK BELFAST

Decision:

Decision Date:

Ref ID: Z/1984/1523

Proposal: CONSTRUCTION OF 3 SELF-CONTAINED FLATS

Address: 27 HARBERTON PARK

Decision:

Decision Date:

Ref ID: Z/1981/1329

Proposal: ERECTION OF 2 FLATS

Address: 27 HARBERTON PARK, BELFAST

Decision:

Decision Date:

Ref ID: LA04/2015/0501/DC

Proposal: Demolition of existing building and erection of residential development comprising 140 units

Address: Lands south of 25 Harberton Park, Belfast,

Decision:

Decision Date:

Ref ID: LA04/2015/0358/F

Proposal: Amendments to previous planning approval (Z/2012/0645/RM) to include changes to house types and modification to plot arrangements including garages, landscaping and related site and access works for the first phase of development comprising 19 dwellings.

Address: Lands south of No. 25 Harberton Park, Belfast, BT9 6TW,

Decision:

Decision Date:

Ref ID: LA04/2015/0230/F

Proposal: Retrospective planning application for the relocation of an established nursery and playschool to new modern modular buildings within the Kings Hall complex.

Permission is sought to continue to use the buildings on a temporary basis for a further four years.

Address: Lands at Kings Hall Complex, Lisburn Road, Balmoral, Belfast, BT9 6GW,

Decision:

Decision Date:

Ref ID: LA04/2015/0102/DC

Proposal: Discharge of condition 10

Address: Lands South of, 25 Harberton Park, Belfast,

Decision:

Decision Date:

Drawing Numbers and Title

Drawing No. 01A
Type: Site location plan

Drawing No. 02B
Type: Site Plan

Drawing No. 03
Type: Comparable site plans

Drawing No. 04A
Type: House Type 1 & 1A Plans and Elevations
Status: Submitted

Drawing No. 05A
Type: House Type 2 Plans and Elevations
Status: Submitted

Drawing No. 06A
Type: House Type 3 Plans and Elevations
Status: Submitted

Drawing No. 07B
Type: House type 4 Plans and Elevations
Status: Submitted

Drawing No. 08A
Type: House Type 5 Plans and Elevations
Status: Submitted

Drawing No. 09A
Type: Ornamental Planting: General Areas
Status: Submitted

Drawing No. 10A
Type: Landscape Site Plan
Status: Submitted

Drawing No. 11B
Type: Proposed Parking layout
Status: Submitted

Drawing No. 12A
Type: Proposed road layout
Status: Submitted

Drawing No. 13A
Type: Proposed Road sections
Status: Submitted

Drawing No. 14
Type: Garage Types 1, 1A & 1B
Status: Submitted

Drawing No. 15
Type: Garage Types 2, 3 & 6
Status: Submitted

Drawing No. 16A
Type: Site works walls and fences
Status: Submitted

Drawing No. 17
Type: Proposed drainage layout
Status: Submitted

Drawing No. 18
Type: House type 4A Plans and Elevations
Status: Submitted

Notification to Department (if relevant): N/A

Notification from Elected Members: N/A