

## Development Management Officer Report Committee Application

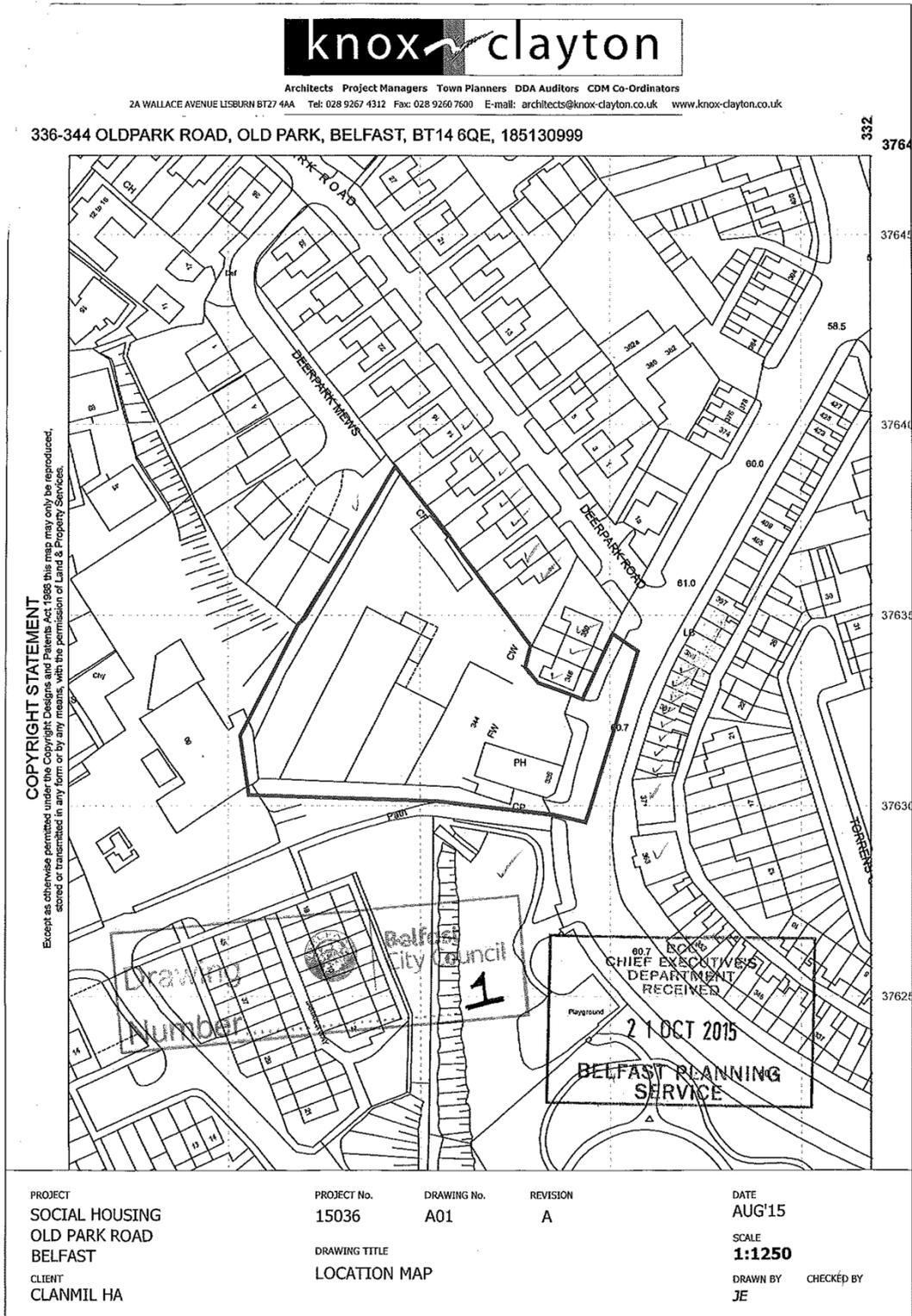
<b>Summary</b>	
<b>Committee Meeting Date:</b> 15 March 2016	
<b>Application ID:</b> LA04/2015/1420/F	
<b>Proposal:</b> Erection of 14 apartments and 8 dwellings with parking, landscaping, associated site works and access arrangements	<b>Location:</b> Lands at 336-344 Old Park Road Belfast BT14 6QE
<b>Referral Route:</b> More than 5 dwellings	
<b>Recommendation:</b>	<b>Approval</b>
<b>Applicant Name and Address:</b> Clanmill Developments Ltd Northern Whig House 3 Waring Street Belfast BT1 2DX	<b>Agent Name and Address:</b> Turley Hamilton House 3 Joy Street Belfast BT2 8LE
<p><b>Executive Summary:</b></p> <p>This application seeks full planning permission for the erection of 14 apartments and 8 dwellings with parking, landscaping, associated site works and access arrangements</p> <ul style="list-style-type: none"> <li>• The main issues to be considered in this case are:</li> <li>• Principle of residential use on the site</li> <li>• Road safety</li> <li>• Protection of nearby monument</li> <li>• Design and layout</li> <li>• Risk of flooding</li> </ul> <p>The Development Plan (Belfast Metropolitan Area Plan 2015) identifies the site as being within the Development Limits of Belfast. The site is unzoned, 'whiteland' and accessed from an Arterial Route (AR 02/03)</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; Planning Policy Statement 12: Housing in Settlements; and Planning Policy Statement 15: Planning and Flood Risk. The proposal complies with these policies.</p> <p>Two representations were received and the issues raised are as follows and are considered through the report:</p> <ul style="list-style-type: none"> <li>• Recommendation that should planning be granted consent a condition be attached to include 'swift bricks' as part of the development to encourage nesting opportunities for swifts.</li> <li>• The local community do not want more apartments in the area</li> <li>• Concern regarding loss of Fir trees to the rear of the site adjacent to Deerpark Mews</li> </ul>	

Consultees have no objections.

An approval with conditions is recommended.

# Case Officer Report

## Site Location Plan



## Characteristics of the Site and Area

<b>1.0</b>	<p><b>Description of Proposed Development</b> Erection of 14 apartments and 8 dwellings with parking, landscaping, associated site works and access arrangements</p>
<b>2.0</b>	<p><b>Description of Site</b> The site is located at lands at 336 – 344 Old Park Road, Belfast. The site is identified as within the development limits of Belfast however it is situated on white land and accessed from an Arterial Route (AR 02/03). The site is an irregular shape which is covered in hardstanding with vegetation to the sides. The Charles Bell factory and showroom building is on the site at present. The site changes in level from the Old Park Road to the rear and in parts overgrown with small areas of vegetation. The site is bounded by metal fencing to the Old Park Road and the majority of the adjacent pathway (East and South). The site is defined to the North and West by a retaining wall with metal railings on top as is the rest of the Southern boundary. There are mature trees to the rear of the western boundary. There is a Local Landscape Policy Area to the south of the site (Oldpark BT 123) and also an archaeological monument in the vicinity of the site (ANT 060:025). The area is mainly residential with semi detached dwellings and terrace two storey dwellings.</p>
<b>Planning Assessment of Policy and other Material Considerations</b>	
<b>3.0</b>	<p><b>Site History</b> There is no relevant site history on the site.</p>
<b>4.0</b>	<p><b>Policy Framework</b> 4.1 Belfast Metropolitan Area Plan 2015 Designation AR 01: Arterial Routes</p> <p>4.2 Strategic Planning Policy Statement (SPPS) 4.2.1 Good design paras 4.23 – 4.30</p> <p>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 2: Access to Public Roads 4.3.3 Policy AMP 6 - Transport Assessment</p> <p>4.4 Planning Policy Statement (PPS) 6: Planning, Archaeology and the Built Heritage 4.4.1 Policy BH 2: The Protection of Archaeological Remains of Local Importance and their Settings</p> <p>4.5 Planning Policy Statement (PPS) 7: Quality Residential Environments 4.5.1 Policy QD 1: Quality in New Residential Development</p> <p>4.6 Planning Policy Statement (PPS) 12: Housing in Settlements 4.6.1 Planning Control Principle 2: Good Design</p> <p>4.7 Planning Policy Statement 15: Planning and Flood Risk 4.7.1 Policy FLD 3: Development and Surface Water (Pluvial) Outside Flood Plains</p>
<b>5.0</b>	<p><b>Statutory Consultees</b> 5.1 Transport NI – amendments requested 5.2 Northern Ireland Water Ltd - No objection 5.3 NIEA Waste Management Unit - No objection subject to conditions 5.4 NIEA Historic Monuments Unit – No objection 5. DARD Rivers Agency – No objection</p>
<b>6.0</b>	<p><b>Non Statutory Consultees</b> 6.1 BCC Environmental Health – awaiting response</p>

<b>7.0</b>	<p><b>Representations</b> The application has been neighbour notified and advertised in the local press. Two representations have been received.</p>
<b>8.0</b>	<p><b>Other Material Considerations</b> 8.1 DCAN 15: Vehicular Access Standards 8.2 Creating Places</p>
<b>9.0</b>	<p><b>Assessment</b></p>
	<p>9.1 The site is located within Belfast's development limits as designated in Belfast Metropolitan Area Plan 2015. The site is within white land with a Local Landscape Policy Area adjacent on the south of the site (Oldpark BT 123). The access will be off an arterial route (AR 02/03, Oldpark Road). The proposal is for the erection of 14 apartments and 8 dwellings with parking, landscaping, associated site works and access arrangements.</p> <p>9.2 The key issues are  (a) Principle of residential use on the site  (b) Road safety  (c) Protection of nearby monument  (d) Design and layout  (e) Risk of flooding</p> <p>9.3 Two representations were received. One from The Royal Society for the Protection of Birds (RSPB) on 01/12/15 and one from a resident living next to the site at 10 Deerpark Mews on 22/01/16. All issues of concern raised within these representations are fully considered against relevant planning policy and guidance throughout the report and when making a recommendation. The following issues were raised:  (a) Recommendation that should planning be granted consent a condition be attached to include 'swift bricks' as part of the development to encourage nesting opportunities for swifts.  (b) The local community do not want more apartments in the area  (c) Concern regarding loss of Fir trees to the rear of the site adjacent to Deerpark Mews</p> <p>9.4 The proposal makes use of the full site and proposes 14 apartments over 4 detached blocks and 8 dwellings, 2 semi detached and 6 terrace dwellings. Apartment Blocks A, B and D all show 4 apartments and Block C shows 2. All dwellings display private amenity space to the rear and apartment blocks display communal open space. Car parking is proposed throughout the site. Since the land is unzoned within BMAP 2015 the principle of residential accommodation is acceptable.</p> <p>9.5 PPS 3  The proposed access is to the south of the existing access and taken from Oldpark Road itself. The existing redundant access will permanently closed off and the road properly reinstated. In their last consultation response dated 25/02/16 Transport NI, the authoritative body on road safety and parking standards, stated the application in its current form is unacceptable and requested amendments. A Private Streets Determination is also required. A Transport Assessment Form was submitted on 18/01/16 which Transport NI will use to assess the scale of development and transport implications. At the time of writing this report the Agent for the application indicated that amendments would be submitted as soon as possible to comply with Transport NI's request. The proposed changes are technical in nature and do not impact on the principle of the development. It is recommended that should the application be approved subject to conditions and that Committee agrees the Director of Planning and Place is authorised to draft any necessary amendments and /or additional conditions.</p>

#### 9.6 PPS 6

As the site is within the site of an archaeological monument Policy BH 2 of PPS 6 applies and therefore NIEA HMU were consulted for comments regarding the proposal. They responded on 22/12/15 stating they were content with the proposal and therefore had no objections.

#### 9.7 With respect to QD 1 of PPS 7:

(a) The proposed apartments are over 4 blocks, each two storey. Each apartment displays its own separate access. Block A is to the front of the site and displays 4 apartments. The block is a pitched roof with flat roof return and flat roof feature doorway to the front, with mainly vertical fenestration and large feature glazed panels to the rear corners (living areas). The proposed apartments are 3 person, 2 bedroom and each has 62.7 sqm of internal space which is acceptable for the area. Block B is proposed to the middle of the site towards the southern boundary and again has 4 apartments. The roof is pitched. The apartments are 2 person, 1 bedroom and each has an internal space of 51 sqm approximately which is acceptable. Fenestration is vertical however there are no large glazed features relating to habitable rooms as part of the block. Block C is proposed to the north of Block B and shows 2 apartments which are 3 person, 2 bedroom. The building is pitched and has a flat roof return to the rear with a large glazed panel to the corners of the living areas similar to Block A. Each apartment displays an internal space of 61.5 sqm approximately which is acceptable. Finally Block D is proposed to the north west of the site and displays 4 apartments that are 2 bedroom, 1 person each. The block has a pitched roof and is similar in design to Block B. The internal space is measured at 51 sqm approximately which is acceptable. The apartment blocks are of a traditional design overall with some modern features through the use of glazing. The proposed terrace dwellings are two storey with pitched roofs and proposed as 3 person two bedroom each with internal space of 71 sqm which is acceptable. The semi detached dwellings are also two storey with pitched roofs and measure 96.8 sqm approximately internally which is again acceptable. The bulk, scale and massing of the proposed buildings is in keeping with that of the surrounding area and acceptable for the site itself. Bin storage is to the rear of the proposed dwellings and Blocks A, B and C. The proposed bin storage for Block D is to the side and forward of the block itself however it is acceptable as this is the most accessible position for proposed residents of this block. The communal amenity space areas range from 124.6 sqm – 348.4 sqm approximately which is acceptable. The Agent has confirmed both existing and proposed levels to ensure all the proposed space is usable. The average rear garden space for each of the dwellings is 27 sqm approximately which is acceptable.

(b) As stated previously the site is within the site of an archaeological monument however NIEA HMU were consulted for comments and responded on 22/12/15 stating they were content with the proposal and therefore had no objections. There are existing mature trees on the site which are to be retained as per proposed landscaping plan received on 19/02/16. This should be conditioned. With respect to the comments received from RSPB there appears to be no evidence presented that swifts are presently nesting to the site. These are not a species which are subject to protection under European law. The suggestion for bricks suitable for swift nesting to be used as part of the development will be included as an informative rather than a planning condition.

(c) As stated a landscaping plan has been submitted and shows existing mature trees to be retained. There is additional shrub planting as well as semi mature trees proposed along the northern and southern boundaries. All proposed species are native and will aid in visual screening and integration.

(d) The proposed development is not such that would warrant local neighbourhood facilities to be provided within the development itself.

(e) Criteria (e) stipulates that a movement pattern is provided that supports walking and cycling. There are a number of proposed cycle sheds on the site adjacent to bin storage areas. The site is on an arterial route with Metro stops nearby.

(f) The proposed development indicates 30 unassigned parking spaces within the site. Applying relevant Parking Standards a total of 31.5 spaces is required. Transport NI has not objected to the level of parking provision but has requested amendments to the dimensions of two spaces. At time of writing this report, final substantive Transport NI comments have yet to be received.

(g) The design of the development must draw upon the best local traditions of form, materials and detailing. The proposed external materials for the apartment blocks are red multi facing brick and dark grey concrete roof tiles which are acceptable for the area. The proposed external materials for the terrace dwellings as well as semi detached dwellings (and cycle sheds) are a mix of red facing brick and self coloured render to external walls and dark grey concrete tiles proposed for all roofs. These are also acceptable for the area.

(h) The proposal makes full use of the site. There is approximately 14 metres separation from Block C to the back of the closest dwelling on Oldpark Road and 12 metres separation from Block D to the side elevation of No 10 Deerpark Mews. Given the context of location and density in the area, it is considered that the separation distance is acceptable. Creating Places advises in low-density developments, good practice indicates that a separation distance of around 20m or greater between the opposing rear first floor windows of new houses is generally acceptable. In this case the proposed terrace and semi detached dwellings have vacant land to the rear with the exception of units 1 and 2 which back onto the rear amenity space of No 10 Deerpark Mews. All upper floor windows on this elevation for units 1 and 2 are bathroom or bedroom and therefore overlooking will be at a minimum. Given the urban context a degree of overlooking from an upper floor window is somewhat unavoidable however. There are no issues of overshadowing, loss of light or noise.

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

9.8 The pattern of development is in keeping with the overall character of the existing area. Although the Addendum to PPS7 does not apply for this proposal since the site is accessed from a designated arterial route all dwellings are proposed to a size which complies with the space standards listed within Annex A for units of this type.

9.9 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 Creating Places.

9.10 BCC Environmental Health at the time of writing had not yet responded officially to consultation request with regards to Additional Site Investigation information as well as a Remediation Strategy and Further Investigation of Asbestos in Soils and Waste Classification of Soil Samples received in February. They have however indicated through internal communication that they will be responding with no objections to the proposal subject conditions.

9.11 PPS 15

Since the proposal is for development of more than 10 units FLD 3 of PPS 15 applies. A Drainage Assessment was submitted and sent to DARD Rivers Agency for comment.

	<p>They responded on 22/02/16 with no objections.</p> <p>9.12 The proposal is considered to be in compliance with the development plan</p> <p>9.13 Having regard to the policy context and other material considerations above, the proposal is considered acceptable and planning permission is recommended subject to conditions and that Committee agrees the Director of Planning and Place is authorised to draft any necessary amendments and /or additional conditions.</p>
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10.0	Summary of Recommendation: Approval with conditions
11.0	<p>Conditions</p> <p>1. As required by Article 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.</p> <p>Reason: Time Limit.</p> <p>2. If during the development works, new contamination or risks to the water environment are encountered which have not previously been identified, works should cease and the Planning Authority shall be notified immediately. This new contamination shall be fully investigated in accordance with the Model Procedures for the Management of Land Contamination (CLR11). In the event of unacceptable risks being identified, a remediation strategy shall be agreed with the Planning Authority in writing, and subsequently implemented and verified to its satisfaction.</p> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p> <p>3. After completing all remediation works under Condition 2 and prior to occupation of the development, a verification report needs to be submitted in writing and agreed with Planning Authority. This report should be completed by competent persons in accordance with the Model Procedures for the Management of Land Contamination (CLR11). The verification report should present all the remediation and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and achieving the remedial objectives.</p> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p> <p>4. The existing planting, as indicated on Drawing No 09, date stamped 19/02/16, shall be permanently retained and the proposed planting, as indicated on the same stamped drawing, shall be undertaken during the first available planting season after the occupation of the dwelling hereby approved.</p> <p>Reason: In the interest of visual amenity</p> <p>5. If any retained tree is removed, uprooted or destroyed or dies within 3 years from the date of the occupation of the building for its permitted use, another tree or trees shall be planted at the same place and those trees shall be of such size and species and shall be planted at such time as may be specified by the Department.</p> <p>Reason: To ensure the continuity of amenity afforded by existing trees.</p>

6. If within a period of 5 years from the date of the planting of any tree, shrub or hedge, that tree, shrub or hedge is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Department, seriously damaged or defective, another tree, shrub or hedge of the same species and size as that originally planted shall be planted at the same place, unless the Department gives its written consent to any variation.

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

<b>ANNEX</b>	
<b>Date Valid</b>	21st October 2015
<b>Date First Advertised</b>	4th December 2015
<b>Date Last Advertised</b>	
<p><b>Details of Neighbour Notification (all addresses)</b></p> <p>The Owner/Occupier, 10 Deerpark Mews, Old Park, Belfast, Antrim, BT14 7RB, The Owner/Occupier, 10 Deerpark Road, Old Park, Belfast, Antrim, BT14 7PT, Elaine Burns 10, Deerpark Mews, Belfast, Antrim, Northern Ireland, BT14 7RB The Owner/Occupier, 12 Deerpark Road, Old Park, Belfast, Antrim, BT14 7PT, The Owner/Occupier, 14 Deerpark Road, Old Park, Belfast, Antrim, BT14 7PT, The Owner/Occupier, 18 Jamaica Way, Old Park, Belfast, Antrim, BT14 7QX, The Owner/Occupier, 2 Deerpark Road, Old Park, Belfast, Antrim, BT14 7PT, The Owner/Occupier, 346 Oldpark Road, Old Park, Belfast, Antrim, BT14 6QE, The Owner/Occupier, 348 Oldpark Road, Old Park, Belfast, Antrim, BT14 6QE, The Owner/Occupier, 350 Oldpark Road, Old Park, Belfast, Antrim, BT14 6QE, The Owner/Occupier, 365 Oldpark Road, Old Park, Belfast, Antrim, BT14 6QS, The Owner/Occupier, 371 Oldpark Road, Old Park, Belfast, Antrim, BT14 6QS, The Owner/Occupier, 373 Oldpark Road, Old Park, Belfast, Antrim, BT14 6QS, The Owner/Occupier, 375 Oldpark Road, Old Park, Belfast, Antrim, BT14 6QS, The Owner/Occupier, 377 Oldpark Road, Old Park, Belfast, Antrim, BT14 6QS, The Owner/Occupier, 379 Oldpark Road, Old Park, Belfast, Antrim, BT14 6QS, The Owner/Occupier, 381 Oldpark Road, Old Park, Belfast, Antrim, BT14 6QS, The Owner/Occupier, 383 Oldpark Road, Old Park, Belfast, Antrim, BT14 6QS, The Owner/Occupier, 385 Oldpark Road, Old Park, Belfast, Antrim, BT14 6QS,</p>	

The Owner/Occupier,  
 387 Oldpark Road, Old Park, Belfast, Antrim, BT14 6QS,  
 The Owner/Occupier,  
 4 Deerpark Road, Old Park, Belfast, Antrim, BT14 7PT,  
 The Owner/Occupier,  
 45 Jamaica Road, Old Park, Belfast, Antrim, BT14 7QW,  
 The Owner/Occupier,  
 6 Deerpark Road, Old Park, Belfast, Antrim, BT14 7PT,  
 The Owner/Occupier,  
 8 Deerpark Road, Old Park, Belfast, Antrim, BT14 7PT,  
 The Owner/Occupier,  
 Apartment 1, 363 Oldpark Road, Old Park, Belfast, Antrim, BT14 6QS,  
 The Owner/Occupier,  
 Apartment 2, 363 Oldpark Road, Old Park, Belfast, Antrim, BT14 6QS,  
 The Owner/Occupier,  
 Apartment 3, 363 Oldpark Road, Old Park, Belfast, Antrim, BT14 6QS,  
 The Owner/Occupier,  
 Apartment 4, 363 Oldpark Road, Old Park, Belfast, Antrim, BT14 6QS,  
 The Owner/Occupier,  
 Apartment 5, 363 Oldpark Road, Old Park, Belfast, Antrim, BT14 6QS,  
 The Owner/Occupier,  
 Apartment 6, 363 Oldpark Road, Old Park, Belfast, Antrim, BT14 6QS,  
 The Owner/Occupier,  
 Northern Ireland HQ, Belvoir Park Forest, Belvoir Drive, Belfast, BT8 7QT

**Date of Last Neighbour Notification**

4th February 2016

**Date of EIA Determination**

N/A

**ES Requested**

No

**Planning History**

Ref ID: Z/2014/0933/PREAPP

Proposal: Residential development of 6no three bedroom houses. 8no two bedroom houses and 2 no two bedroom apartments

Address: 336-344 Oldpark Road, Belfast, BT14 6QE,

Decision:

Decision Date:

Ref ID: Z/1988/3130

Proposal: Erection of Palisade Fence.

Address: 344 OLDPARK ROAD, BELFAST.

Decision:

Decision Date:

Ref ID: Z/1998/2986

Proposal: Extension of manufacturing facility and finished goods storage area. (Outline Application)

Address: 344 OLDPARK ROAD, BELFAST BT14

Decision:

Decision Date:

Ref ID: Z/2003/0072/F

Proposal: Change of use from part of bar to off-sales; internal alterations, new external access at front elevation and first floor extension to rear.

Address: 336 Oldpark Road, Belfast.

Decision:

Decision Date: 06.05.2003

Ref ID: Z/1992/2253

Proposal: Erection of wall mounted advertising panel

Address: GABLE OF 336 OLDPARK ROAD BELFAST

Decision:

Decision Date:

Ref ID: Z/1991/2934

Proposal: Internal alterations and construction of fire escape

Address: 336 OLDPARK ROAD, BELFAST BT14

Decision:

Decision Date:

Ref ID: Z/1998/2698

Proposal: Ground floor rear extension

Address: 350 OLDPARK ROAD BELFAST BT14

Decision:

Decision Date:

Ref ID: LA04/2015/0922/PAD

Proposal: Erection of 8 one bedroom apartments, 6 two bedroom apartments, 6 two bedroom dwellings and 2 three bedroom dwellings with in-curtilage and communal parking and private amenity space (22 units in total)

Address: 336-344 Old Park Road, Belfast, BT14 6QE,

Decision:

Decision Date:

Ref ID: LA04/2015/1420/F

Proposal: Erection of 14 apartments and 8 dwellings with parking, landscaping, associated site works and access arrangements

Address: Lands at 336-344 Old Park Road, Belfast, BT14 6QE,

Decision:

Decision Date:

Ref ID: Z/2000/2664/F

Proposal: Proposed extension at ground floor level to comprise new extended lounge and bar with store

Address: 336 Oldpark Road, Old Park, Belfast, Northern Ireland, BT14 6QE

Decision:

Decision Date: 17.03.2001

Ref ID: Z/2008/0769/F

Proposal: Demolition of existing public house and erection of 9 no apartments.

Address: 336 Old Park Road, Belfast, BT14 6QE.

Decision:

Decision Date: 07.05.2009

Ref ID: Z/1994/2327

Proposal: Replacement of flat roof to pitched roof

Address: 12 DEERPARK ROAD BELFAST BT14

Decision:

Decision Date:

Ref ID: Z/1993/2273

Proposal: Refurbishment of factory

Address: 344 OLDPARK ROAD BELFAST BT14

Decision:

Decision Date:

Ref ID: Z/2001/2720/F

Proposal: Erection of 10 no. semi detached houses

Address: Land to the rear of No.10-32 (inclusive) Deerpark Road and accessed off land adjacent to No.32 Deerpark Road, Belfast.

Decision:

Decision Date: 03.09.2003

Ref ID: Z/2003/2744/F

Proposal: Proposed housing development of 10 no. semi-detached houses (Amended scheme, previous approval Z/2001/2720/F).

Address: Land to the rear of no.10-32 (inclusive) Deerpark Road and accessed off land adjacent to no. 32 Deerpark Road, Belfast

Decision:

Decision Date: 18.05.2005

Ref ID: Z/1996/2046

Proposal: Alterations and extension to premises to provide wash-up and covered fire escape to rear

Address: JAMAICA INN 69 JAMAICA STREET, BELFAST BT14

Decision:

Decision Date:

Ref ID: Z/1996/2721  
 Proposal: Boundary wall / fence and gates.  
 Address: JAMAICA INN, 69 JAMAICA STREET, BELFAST BT14.  
 Decision:  
 Decision Date:

Ref ID: Z/1993/2755  
 Proposal: Internal alterations to public house and enlargement of windows in north gable  
 Address: 69 JAMAICA STREET BELFAST BT14  
 Decision:  
 Decision Date:

Ref ID: Z/1996/2424  
 Proposal: New park, including play areas, all weather pitch and informal grass area  
 Address: JAMAICA STREET/ALLIANCE AVENUE, BELFAST BT14  
 Decision:  
 Decision Date:

**Notification to Department (if relevant) N/A**

Date of Notification to Department:  
 Response of Department:

**Notification from Elected Members:** N/A

Signature(s)

Date: