

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 17 May 2016	
Application ID: LA04/2015/1521/F	
Proposal: Erection of 10 dwellings with car parking, landscaping and associated site works	Location: Lands immediately west of 44 Gainsborough Drive and east of 70 Gainsborough Drive Belfast BT15 3EJ
Referral Route: Proposal for more than 5 dwellings	
Recommendation: Approval with conditions	
Applicant Name and Address: Clanmill Developments Ltd Northern Whig House 3 Waring Street Belfast BT1 2DX	Agent Name and Address: Turley Hamilton House 3 Joy Street Belfast BT2 8LE
<p>Executive Summary: This application seeks full planning permission for the construction of 10 terrace dwellings. The proposed dwellings are all two storey.</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 ● Risk of flooding <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>Three representations were received highlighting the following points:</p> <ul style="list-style-type: none"> (a) The style is out of keeping for the area (b) a letter of assurance was allegedly given to the residents when the original houses were demolished stating any new development would be in keeping with the existing Victorian houses (c) a traditional style of architecture should be promoted (d) the internal layout is not suitable (e) the sun tube light will not allow as much natural light as a window or velux and may lead to mental health issues (f) no natural light in upper floor bathroom (g) brick finish would be better than paint as it may cost more to maintain (h) Residents within 20m were notified and not long standing members of the community within 100-200m (i) Plans are being drawn up for a new road in the area and who is responsible for this. <p>These matters are considered throughout the assessment in accordance with current legislation</p>	

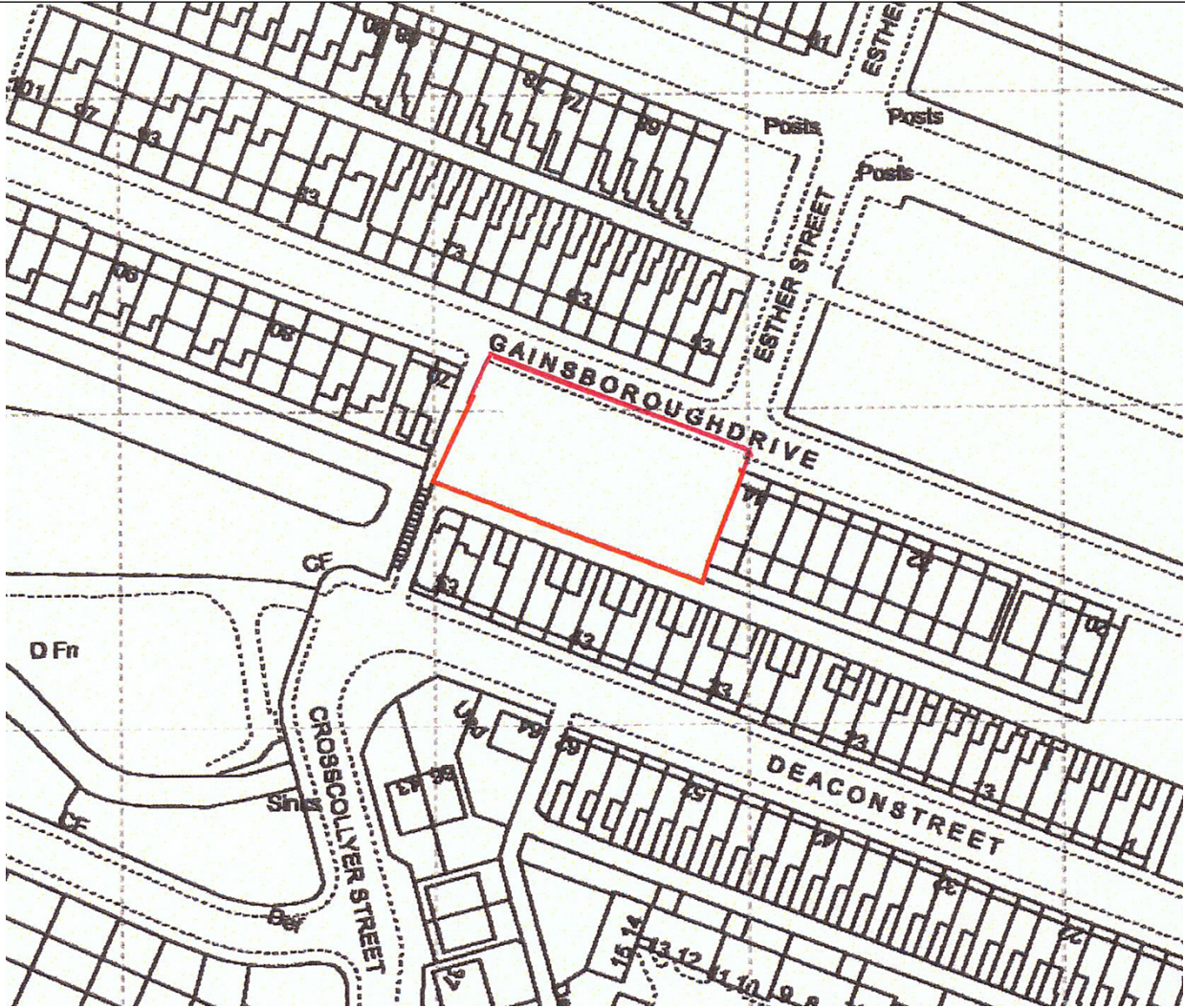
and planning policy, however a number are outside of the remit of the planning authority.

Consultees have no objections.

An approval with conditions is recommended.

Case Officer Report

Site Location Plan



Representations:

Letters of Support	None Received
Letters of Objection	3
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	<p>Description of Proposed Development Erection of 10 dwellings with car parking, landscaping and associated site works</p>
2.0	<p>Description of Site The site is located at lands immediately west of 44 Gainsborough Drive and east of 70 Gainsborough Drive Belfast. The site is identified as within the development limits of Belfast however it is situated on white land adjacent to Alexandra Park which is a Historic Park (BT 063), Local Landscape Policy Area (BT 085) and site of local nature conservation importance (BT 084/01). The site is a vacant rectangular plot of land which is covered in gravel/hardstanding and in parts overgrown with small areas of vegetation. The site is bounded by metal fencing to the north, south and east. The</p>

	western boundary is undefined but is adjacent to the gable wall of No 44 Gainsborough Drive which is completely blank. Terrace dwellings are opposite the site as well as on both sides and to the rear. There is a significant difference in levels between the rear of the site and dwellings below on Deacon Street.
Planning Assessment of Policy and other Material Considerations	
3.0	Site History There is no relevant site history on the site itself however the dwellings to the eastern side of the site were built as approved under Z/2010/1544/F – Development of 13 no social housing units comprising 3 no 2 storey houses and 10 no 3 storey houses. This was granted permission on 07/03/2011
4.0	Policy Framework 4.1 Belfast Metropolitan Area Plan 2015 4.1.1 No zones 4.2 Strategic Planning Policy Statement (SPPS) 4.2.1 Good design paras 4.23 – 4.30 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 4.4.1 Policy QD 1: Quality in New Residential Development 4.5 Planning Policy Statement (PPS) 7 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 4.7 Planning Policy Statement 15: Planning and Flood Risk 4.7.1 Policy FLD 3: Development and Surface Water (Pluvial) Outside Flood Plains
5.0	Statutory Consultees 5.1 Transport NI – No objection 5.2 Northern Ireland Water Ltd - No objection 5.3 NIEA Waste Management Unit - No objection subject to conditions 5.4 DARD Rivers Agency – No objection
6.0	Non Statutory Consultees 6.1 BCC Environmental Health – No objection
7.0	Representations The application has been neighbour notified and advertised in the local press. Three representations have been received.
8.0	Other Material Considerations 8.1 DCAN 8: Housing in Existing Urban Areas 8.2 DCAN 15: Vehicular Access Standards 8.3 Creating Places
9.0	Assessment 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 and adjacent to Alexandra Local Landscape Policy Area (LLPA BT 085) and Alexandra Park Historic Park, Garden

and Demesne (BT 063) and Alexandra Park site of local nature conservation importance (BT 084/01). The proposal is for the erection of 10 dwellings with car parking, landscaping and associated site works. The dwellings are proposed to be 3 person 2 bedroom dwellings.

9.2 The key issues are

- (a) Principle of residential accommodation on the site
- (b) Road safety
- (c) Design and layout
- (d) flood risk

9.3 Three objections were received from the resident at 61 Gainsborough Drive which raised the following points

- (a) The style is out of keeping for the area
- (b) a letter of assurance was allegedly given to the residents when the original houses were demolished stating any new development would be in keeping with the existing Victorian houses
- (c) a traditional style of architecture should be promoted
- (d) the internal layout is not suitable
- (e) the sun tube light will not allow as much natural light as a window or velux and may lead to mental health issues
- (f) no natural light in upper floor bathroom
- (g) brick finish would be better than paint as it may cost more to maintain
- (h) Residents within 20m were notified and not long standing members of the community within 100-200m
- (i) Plans are being drawn up for a new road in the area and who is responsible for this. These matters will be considered throughout the assessment in accordance with current legislation and planning policy, however a number are outside of the remit of the planning authority. A new road is not part of this proposal and therefore is not considered as part of this assessment. All residents directly adjacent to the site's curtilage were notified of the proposed development as is the statutory duty of the Council. The proposal was also advertised in the local press. In relation to the letter of assurance this again is not a consideration of this proposal and is essentially a civil matter between the relevant parties. In addition to this the Planning Authority cannot make comment on how design will affect mental health of residents.

9.4 The proposal makes use of the full site and proposes 10 two storey terrace dwellings. The site is unzoned in BMAP 2015 and therefore the principle of residential use is acceptable. Each dwelling displays its own individual pedestrian gateway access with small front gardens and rear gardens also. There is no off street parking proposed.

9.5 AMP 1 and AMP 6 of PPS3

The proposed development does not prejudice road safety nor inconvenience the flow of traffic. Transport NI has no objections to the proposal following the submission of a Transport Assessment Form which included a parking statement and results of parking surveys. There is no off street parking proposed which is the character of the area when viewing other recently built dwellings in the area. The existing terrace dwellings on Gainsborough Drive do not have individual accesses. The proposal therefore complies with AMP 1 and AMP 6 of PPS 3 and DCAN 15.

9.6 QD 1 of PPS 7:

- (a) The proposed dwellings are over two floors, each with individual pedestrian gateways to the front. They display individual gardens to the rear and overall are of a traditional design. The proposal is in keeping with the context/character of the area. The proposed dwellings are 8.7m from finished floor level to ridge height which is

acceptable for the area with pitched roofs. Bin storage is to the rear. The rear gardens are approximately 22.5 sqm each. The amount of amenity space is acceptable. The bulk, scale and massing of the proposed dwellings is in keeping with that of the surrounding area.

(b) There are no features of archaeological and built heritage importance to be protected. Similarly there is no vegetation or landscape features on the site. The application site is adjacent to Alexandra Park SLNCI and accordingly NIEA Natural Heritage team were consulted however they do not comment on proposal outside of these areas.

(c) No landscaping plan has been submitted however proposed site layout plan 02A shows amenity areas finished partly in a soft planted area and partly in stones which is acceptable and characteristic of the area. The boundaries are characterised by timber fencing and brick walls which is also characteristic of the area.

(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. The site is road side and given its small nature, paths for walking and cycling are not required. The application site is also close to Metro bus routes.

(f) Adequate parking provision has been indicated on street through evidence provided by the agent and Transport NI has responded to consultation with no objection.

(g) The design of the development must draw upon the best local traditions of form, materials and detailing. The proposed external materials to external walls are a mix of red multi clay bricks with rendered blockwork to the front single storey bay window. Blue/black tiles are proposed for the roof. These are acceptable for the area as it displays a mix of design and materials. The proposed treatment for the boundaries are a mix of timber fencing, palisade fencing and clay facing brick walls which are acceptable for the area and integrate with the overall design. Each dwelling proposes a sun pipe front the roof to light up the landing which has been found to be a successful method of introducing natural light to internal spaces in past developments.

(h) The proposal backs onto residential dwellings which are at a considerably lower level. There is approximately 15.5 metres separation from the backs of the proposed dwellings to rear of the dwellings at Deacon Street. Given the difference in levels as well as the context of location and density in the area, it is considered that the separation distance is acceptable. 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. There is an existing walkway along the rear of the site, however this is outside the boundary of the site.

9.7 LC1 of Addendum to PPS7

The pattern of development is in keeping with the overall character of the existing area and the proposed density is not significantly higher than that found in the area. All units are built to approximately 74 sqm. This size complies with the space standards listed within Annex A of Addendum to PPS7 for units of this type. Therefore the proposal complies with LC 1 of Addendum to PPS7.

	<p>9.8 FLD3 of PPS15 Since the proposal is for development of 10 units FLD 3 of PPS 15 applies. A Drainage Assessment was submitted and sent to DARD Rivers Agency for comment. They responded on 03/05/16 with no objections.</p> <p>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 and layout as previously considered in the report through assessment of QD 1 of PPS 7, LC1 of Addendum to PPS 7 and Creating Places.</p> <p>9.10 BCC Environmental Health having reviewed a contaminated land assessment has no objections to the proposal.</p> <p>9.11 The proposal is considered to be in compliance with the development plan.</p> <p>9.12 Having regard to the policy context and other material considerations above, the proposal is considered acceptable and planning permission is recommended subject to conditions.</p>
10.0	Summary of Recommendation: Approval with conditions
<p>Conditions</p> <p>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.</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 proposed planting, as indicated on approved drawing No 02A bearing the date stamp 04/02/16, shall be undertaken during the first available planting season after the occupation of the dwellings hereby approved.</p> <p>Reason: In the interest of visual amenity</p> <p>5. If within a period of 5 years from the date of the planting of any tree, shrub or</p>	

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 Council gives its written consent to any variation.

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

ANNEX	
Date Valid	26th November 2015
Date First Advertised	18th December 2015
Date Last Advertised	
<p>Details of Neighbour Notification (all addresses)</p> <p>The Owner/Occupier, 37 Deacon Street, Skegoneill, Belfast, Antrim, BT15 3EG, The Owner/Occupier, 39 Deacon Street, Skegoneill, Belfast, Antrim, BT15 3EG, The Owner/Occupier, 41 Deacon Street, Skegoneill, Belfast, Antrim, BT15 3EG, The Owner/Occupier, 43 Deacon Street, Skegoneill, Belfast, Antrim, BT15 3EG, The Owner/Occupier, 44 Gainsborough Drive, Skegoneill, Belfast, Antrim, BT15 3EL, The Owner/Occupier, 45 Deacon Street, Skegoneill, Belfast, Antrim, BT15 3EG, The Owner/Occupier, 47 Deacon Street, Skegoneill, Belfast, Antrim, BT15 3EG, The Owner/Occupier, 49 Deacon Street, Skegoneill, Belfast, Antrim, BT15 3EG, The Owner/Occupier, 50 Gainsborough Drive, Skegoneill, Belfast, Antrim, BT15 3EL, The Owner/Occupier, 51 Deacon Street, Skegoneill, Belfast, Antrim, BT15 3EG, The Owner/Occupier, 51 Gainsborough Drive, Skegoneill, Belfast, Antrim, BT15 3EH, The Owner/Occupier, 52 Gainsborough Drive, Skegoneill, Belfast, Antrim, BT15 3EL, The Owner/Occupier, 53 Deacon Street, Skegoneill, Belfast, Antrim, BT15 3EG, The Owner/Occupier, 53 Deacon Street, Skegoneill, Belfast, Antrim, BT15 3EG, The Owner/Occupier, 53 Gainsborough Drive, Skegoneill, Belfast, Antrim, BT15 3EJ, The Owner/Occupier, 55 Deacon Street, Belfast The Owner/Occupier, 55 Gainsborough Drive, Skegoneill, Belfast, Antrim, BT15 3EJ, The Owner/Occupier, 56 Gainsborough Drive, Skegoneill, Belfast, Antrim, BT15 3EL, The Owner/Occupier, 57 Gainsborough Drive, Skegoneill, Belfast, Antrim, BT15 3EJ, The Owner/Occupier, 58 Gainsborough Drive, Skegoneill, Belfast, Antrim, BT15 3EL,</p>	

<p>The Owner/Occupier, 59 Gainsborough Drive, Skegoneill, Belfast, Antrim, BT15 3EJ, The Owner/Occupier, 60 Gainsborough Drive, Skegoneill, Belfast, Antrim, BT15 3EL, The Owner/Occupier, 61 Gainsborough Drive, Skegoneill, Belfast, Antrim, BT15 3EJ, Robert Hargrove 61, Gainsborough Drive, Belfast, Antrim, Northern Ireland, BT15 3EJ The Owner/Occupier, 62 Gainsborough Drive, Skegoneill, Belfast, Antrim, BT15 3EL, The Owner/Occupier, 63 Gainsborough Drive, Skegoneill, Belfast, Antrim, BT15 3EJ, The Owner/Occupier, 64 Gainsborough Drive, Skegoneill, Belfast, Antrim, BT15 3EL, The Owner/Occupier, 65 Gainsborough Drive, Skegoneill, Belfast, Antrim, BT15 3EJ, The Owner/Occupier, 66 Gainsborough Drive, Skegoneill, Belfast, Antrim, BT15 3EL, The Owner/Occupier, 67 Gainsborough Drive, Skegoneill, Belfast, Antrim, BT15 3EJ, The Owner/Occupier, 68 Gainsborough Drive, Skegoneill, Belfast, Antrim, BT15 3EL, The Owner/Occupier, 69 Gainsborough Drive, Skegoneill, Belfast, Antrim, BT15 3EJ, Robert Hargrove 6b Gainsborough Drive, Belfast, BT15 3EJ The Owner/Occupier, 70 Gainsborough Drive, Skegoneill, Belfast, Antrim, BT15 3EL, The Owner/Occupier,</p>	
Date of Last Neighbour Notification	
Date of EIA Determination	
ES Requested	Yes /No
<p>Planning History</p> <p>Ref ID: LA04/2015/1521/F Proposal: Erection of 10 dwellings with car parking, landscaping and associated site works Address: Lands immediately west of 44 Gainsborough Drive and east of 70 Gainsborough Drive, Belfast, BT15 3EJ, Decision: Decision Date:</p> <p>Ref ID: Z/2010/1544/F Proposal: Development of 13 no. social housing units comprising 3 no. 2 storey houses</p>	

and 10 no. 3 storey houses

Address: Lands At Gainsborough Drive, Belfast BT15,

Decision:

Decision Date: 10.03.2011

Ref ID: Z/2014/0078/PREAPP

Proposal: Short term pod development and a long term masterplan consisting of business start up units, a landmark business innovation centre, boxing club, retained residential lands and the reconfiguration of the junction between North Queen Street and York Road.

Address: Former Grove Leisure Centre and surrounding sites, North Queen Street, Belfast,

Decision: EOLI

Decision Date:

Notification to Department (if relevant): N/A

Notification from Elected Members: N/A