### Development Management Officer Report Committee Application

Summary		
Committee Meeting Date:	Item Number:	
Application ID: LA04/2015/0052/F	Target Date:	
<b>Proposal</b> Erection of thirteen social/affordable housing units (seven, 2 bed townhouses and six, 2 bed apartments) with associated parking, landscaping and road works, with access from Park Avenue via adjacent approval Z/2010/1434/F including provision for revised access/parking to Masonic hall.	<b>Location</b> Lands to the north of 41-43 Park Avenue and to the south of 45 Park Avenue, Belfast	
Referral Route:         The application is for more than four residential units.		
Recommendation:	Approval	
Applicant Name and Address: Choice Housing Ireland & Dixons Contractors	Agent Name and Address: TSA Planning 29 Linenhall Street Belfast	
	BT2 8AB	

#### **Executive Summary:**

The application seeks erection of thirteen social/affordable housing units (seven, 2 bed townhouses and six, 2 bed apartments) with associated parking, landscaping and road works, with access from Park Avenue via adjacent approval Z/2010/1434/F including provision for a revised access and parking to the Masonic hall.

The main issues to be considered in this case are:

- Planning history on the site and the immediate vicinity, and the acceptability of residential use in this location
- Access and Parking
- Density
- Contamination
- Noise
- Drainage
- Overlooking
- Dominance
- Space Standards
- Landscaping
- Topography
- Amenity

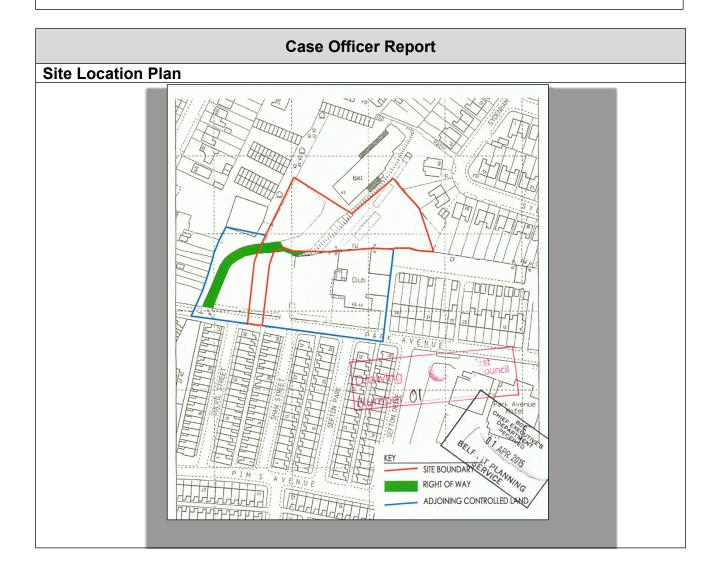
The site located at Park Avenue is not located within any BMAP designations. The proposal has been assessed against the SPPS, Planning Policy Statement 3, 7, Addendum to 7, 15 (Revised) and guidance Creating Places, Parking Standards, DCAN 8 and 15.

There have been no objections to the proposal in principle from statutory consultees.

There were no representations to this planning application.

Having regard to the policy context and other material considerations above, the proposal is deemed to be acceptable.

Signature(s):



the state			
Consultations: Consultation Type	Consu	Itee	Response
Statutory		Agency	No objection
Statutory	NI Wat	<b>č</b> ,	No objection
Non Statutory		City Council	No objection
, ,		nmental Health	· · · · · · · · · · · · · · · · · · ·
Statutory	Transp	ort NI	No objection
Statutory		Vaste Management	No objection
Non Statutory	Belfast City Council Tree Officer		No objection
Non Statutory	Belfast City Council – City and Neighbourhood Department		No objection
Representations:	•		
Letters of Support		None Received	
Letters of Objection		None Received	
Number of Petitions of Objection and signatures		No Petitions Received	
Representations from Elected representatives		Enquiries made by Councillor Jim Rodgers	
Characteristics of the Site and Area			
The proposal is for the erection of thirteen social/affordable housing units (seven, two bed townhouses and six, two bed apartments) with associated parking, landscaping and road works, with access from Park Avenue via adjacent approval Z/2010/1434/F including the provision of a revised access and parking to the Masonic hall.			

2.0	Description of Site and Area	
2.1	The cleared site is situated between the former Ulster Maple Leaf Club and the Mount Masonic Hall. It is part of a wider redevelopment (two phases) of this entire area for residential units and the relocation of the Ulster Maple Leaf Club. The site is accessed from Park Avenue which slopes steeply from Holywood Road to Connsbrook Avenue. The immediate vicinity is predominantly high density, terraced dwellings, set within small cartilages, and two-storey semi-detached with larger rear gardens located at Sydenham Park. Adjacent to the site and accessed from Connsbrook Avenue is Gilmore Services Fuel and Oil Distributors. Around the boundaries of the site is existing mature vegetation. Another cleared site is located to the rear of 99-115 Connsbrook Avenue that has been approved for a fifteen unit apartment block in 2015.	
Plann	ing Assessment of Policy and other Material Considerations	
3.0	Site History	
3.1	There is no planning history on this application site.	
3.2	Immediately to the south and adjacent to Park Avenue planning permission was granted approval (LA04/2015/0075/F) in 2016 for modifications to previous planning approval Z/2010/0434/F. It comprised a reduction in the size of the replacement club premises and change of house types to the dwellings at plots 14-21.	
	To the rear of 99-115 Connsbrook Avenue planning permission was granted in 2015 for a four storey building of fifteen apartments, site works and car parking (Z/2014/0052/F). Previously in 2012 eighteen apartments and associated parking spaces had been granted planning permission (Z/2010/1468/RM).	
4.0	Policy Framework	
4.1	Belfast Metropolitan Area Plan 2015	
	<ul> <li>Belfast Metropolitan Area Plan 2015, site is located within the development limits of Belfast (Designation BT 001). The relevant policy is SETT 2, Development within the Metropolitan Development Limit and the Settlement Development Limits</li> <li>Strategic Planning Policy Statement for Northern Ireland (SPPS)</li> <li>Planning Policy Statement 3 – Access, Movement and Parking</li> <li>Planning Policy Statement 7 – Quality Residential Environments</li> <li>Planning Policy Statement 7 Addendum – Safeguarding the Character of Established Residential Areas</li> <li>Planning Policy Statement 15 Revised – Planning and Flood Risk</li> <li>Supplementary Planning Guidance – Creating Places</li> <li>Supplementary Planning Guidance – Parking Standards</li> <li>Development Control Advice Note 8 – Housing in Existing Urban Areas</li> <li>Development Control Advice Note 15 – Vehicular Access Standards</li> </ul>	

5.0	Statutory Consultee Responses	
	Rivers Agency – No objection subject to informatives	
	<ul> <li>Transport NI – No objection subject to conditions and informatives</li> </ul>	
	<ul> <li>NI Water – No objection subject to informatives</li> </ul>	
	<ul> <li>NIEA Waste Management – No objection subject to conditions and</li> </ul>	
	informatives	
6.0	Non Statutory Consultee Responses	
0.0	Belfast City Council Environmental Health – No objection subject to	
	conditions and informatives	
	<ul> <li>Belfast City Council Tree Officer – No objection</li> </ul>	
	<ul> <li>Belfast City Council, City and Neighbourhood Department – No</li> </ul>	
	objection, adequate waste storage	
7.0	Representations	
7.1	There were no representations to this planning application.	
8.0	Other Material Considerations	
	None	
9.0	Assessment	
9.1	The application site is located within the settlement development limits of Belfast.	
	It is not located within any designated BMAP sites.	
9.2	The key issues in this planning application are:	
•	<ul> <li>planning history on the site and the immediate vicinity</li> </ul>	
	<ul> <li>acceptability of residential use in this location</li> </ul>	
	access/parking	
	density	
	contamination	
	• noise	
	drainage	
	amenity	
	overlooking	
	dominance	
	space standards	
	landscaping     boundary treatment	
	<ul> <li>boundary treatment</li> <li>site topography</li> </ul>	
9.3	• Site topography	
9.3	Strategic Planning Policy Statement for Northern Ireland	
	The purpose of planning is to prevent proposals which would unacceptably affect	
	amenity and the existing use of land. Planning authorities are guided by the principle that sustainable development should be permitted, having regard to the	
	local development plan and all other material considerations, unless the proposed	
	development will cause demonstrable harm to interests of acknowledged	
9.4	importance.	

### **Planning History**

As detailed in Section 3 the immediate vicinity has been defined by residential planning approvals of apartments and townhouses. Although the portion of land applicable to this planning application has not had previous planning history it is part of a wider redevelopment of the area. As such the principle of residential development on this portion of land is acceptable.

### Access and Parking

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PPS 3 Policy AMP 7 (Car Parking and Service Arrangements) stipulates that adequate provision for car parking should be facilitated that does not prejudice road safety or significantly inconvenience the flow of traffic. Creating Places stipulates for six (two bed) apartments, nine unassigned parking spaces should be provided, and for seven (two bed) terraced properties fourteen parking spaces are required. Communal parking provision of three on street parking spaces, eleven spaces in front of the terraced houses and two lay by spaces have been provided. This equates to a total of sixteen parking spaces at a ratio of one space per unit. This reduced parking provision is acceptable as the location is highly accessible (close to Holywood Road Arterial Route) and well served by public transport. Furthermore in adherence with PPS 7 Policy QD1 (f) a movement pattern that supports walking and cycling has been facilitated. The scheme is for social and affordable housing therefore the level of car ownership is likely to be lower. The parking arrangements for the Mount Masonic Hall (to the rear of this development site) have been altered by the provision of a new single access to the east of the proposed apartment block. Transport NI offers no objections to the proposal after submission of a satisfactory Transport Assessment Form and Private Streets Determination. As such the proposal is compliant with PPS 3 and DCAN 15.

### Density

The immediate vicinity of the application site is defined by high density inner city terraced housing, to the south-west of the site an apartment block of fifteen units was given planning approval in 2015, and to the north-east are lower density semi-detached properties at Sydenham Park. The southern portion of this Park Avenue site (under consideration with planning application LA04/2015/0075/F) has been previously approved under Z/2010/0434/F with twenty one terraced townhouses. As such the proposed site density respects the surrounding context (PPS 7 Policy QD 1 (a) and PPS 7 Addendum Policy LC 1 (a)). The pattern of development is in keeping with the overall character and environmental quality of the established residential area (PPS 7 Addendum Policy LC 1 (b)).

### Contamination

Records held by Belfast City Council Environmental Health indicate that the site of the proposed development is located in close proximity to a former underground fuel storage tank, and commercial tanker service yard. This has the potential to contaminate land and pose a risk to human health. It is also noted that an

electrical substation was located within the proposed site. A contamination assessment was carried out with respect to Phase 1 adjacent (Z/2010/0434/F). A site investigation was carried out which confirmed the presence of poor quality made ground within Phase 1. There exists the possibility that this land may present a risk to human health if the development proceeds without proper consideration of the risks. Belfast City Council Environmental Health requested the applicant submitted a Contaminated Land Risk Assessment that addressed the concerns. The report that was submitted concluded that 'the Generic Quantitative Risk Assessment has not identified any actual pollutant linkages

**9.8** (APL) in respect of either human health (residential site users) or controlled water receptors.' Belfast City Council Environmental Health has no objection in principle to the development.

## Noise

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A revised layout of the Ulster Maple Leaf Club in Phase 1 has been approved under planning application Z/2015/0075/F. Belfast City Council also noted that the proposed Phase 2 development is close to the following additional potential noise sources: existing Masonic Hall, and the commercial yard (tanker repair yard), and the Sydenham bypass. As a consequence a condition is to be applied to prevent db L (noise levels) being exceeded.

# Drainage

The proposed development site is not located within the floodplains associated with any watercourses. A Flood Risk Assessment submitted by the applicant demonstrates that there will be no increase in flood risk elsewhere as a consequence of this development, and the site will not be at risk of flooding in events of less than 1 in 100 year return period. Rivers Agency accepts this logic and has no reason to disagree with the conclusions. As such the proposed development is compliant with PPS 15 Policy FLD 3 (Planning and Flood Risk).

# Amenity

DCAN 8 states that housing layouts need to maintain a clear definition between the public or civic realm of the street and private space associated with the dwelling. Front gardens, or other forms of defensible space, of even a modest size, can provide an effective buffer to the street, particularly if car parking can be accommodated on-street. The proposed provision of a small portion of garden space (enclosed) in front of the seven terrace houses provides this buffer from the parking areas. Garden spaces should be appropriate to context. More substantial rear garden space has been provided which meets the minimum standard for a high density housing complex as stipulated in Creating Places. Bin storage locations have been provided to the rear of the properties with walkways to bring the bins to the front for collection. The apartment development of six units contains an appropriate level of communal amenity space which has been enclosed from the public realm (by low level boundary walls with decorative black railings. It also incorporates bin storage and bicycle stands. As such the proposed development is compliant with PPS 7 QD1 (c) in that a sufficient amount of private open space has been provided (includes communal space for the apartments).

## Landscaping and Boundary Treatment

An acceptable level of landscaping has been provided that helps to soften the visual impact of the development, and integrates it with the surrounding area. The landscaping includes grass, shrubs, flower bulbs and herbaceous planting. It is proposed to have a retaining wall with a 1.8m high wall at the northern boundary with the existing Masonic Clubhouse, and to the rear of dwellings 22-25 and adjacent to dwelling 22. Beyond the proposed rear boundary of the seven dwellings is an existing hedge (to be retained) bounding the existing properties at Sydenham Park. As there is a retaining wall structure proposed along the southern boundary of this site due to the change in levels (discussed in 9.12) landscaping is proposed to soften the visual impact. The proposed apartment block is to be enclosed from the public realm by means of a low level wall with 900mm high decorative black railings on top, and a retaining wall to finish 900mm above finished ground level with 900mm decorative black railings to the top. The proposed seven dwellings are to have their rear garden space separated by 1.8m double sided close boarded fencing. The proposed landscaping and boundary treatment is compliant with PPS 7 Policy QD1 (c).

## Topography

9.12

The site in conjunction with LA04/2015/0075/F has several changes in level, with the proposed development in this application rising approximately three metres in height towards the location of the seven townhouses. There is also a drop in levels from this proposed development into the existing Masonic club house and car park and a rise in level from this application site to phase 1 (LA04/2015/0075/F). Retaining walls are to be used to deal with the changes in ground level (details on drawing 06). It is proposed to have areas of land fill in the vicinity of the Apartment block and areas of cutting to the rear of the seven dwellings. Due to the topography of the site issues pertaining to overlooking will

**9.13** dwellings. Due to the topography of the site issues pertaining to overlooking will be examined in paragraph 9.14. The proposed topographical constraints have been alleviated by the use of retaining structures and as such the development is compliant with PPS 7 Policy QD1 (a).

## Design

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The site is not located within a Conservation Area or Area of Townscape Character. However achieving a quality design is still of paramount importance. The townhouses (22-28) with a ridge height of 8.4m are proposed to be constructed from red brick and render, with concrete roof tiles, painted timber hardwood doors, upvc black rainwater goods/fascias and soffits, and black upvc windows. The front of the properties is proposed to have a mono pitched roof above bedroom 1 which protrudes from the front elevation. The proposed six apartments are proposed to be separated into two offset blocks (three units in each) interconnected by a communal lobby and stairwell. It is to be red brick at ground floor, and render on the upper two floors, with grey aluminium doors and rainwater goods, grey upvc windows, grey metal standing seam roof, and grey aluminium polyester powder coated fascias/soffits. The ridge height of the proposed apartment block is to be 9.5m, with the central communal section having a flat roof at 8.4m in height. The proposed design proposed in the development is compliant with PPS 7 Policy QD1 (g).

### Overlooking

**Townhouses** - The seven proposed townhouses have a separation distance of approximately ten metres to the common boundary with properties at Sydenham Park, and a minimum of twenty metres separation distance between the rear elevations. The proposed properties will be constructed at a lower level than those at Sydenham Park. The separation distance between the gable elevation of proposed house number 1 and 39 Park Avenue is approximately forty metres. A drop of two metres and separation of 3.5m is proposed to occur between house number 28 and the rear elevation of the existing Masonic Clubhouse (to be retained). Due to a proposed rise in ground level of approximately two metres between house 22 in this application site, and house 13 in phase 1 to the south, along with a separation distance of twelve metre between the rear elevation (13) and front elevation (22) there will be no adverse affect caused by overlooking.

**Apartment Block** - A separation distance of 21 metres is to exist between the apartment block proposed and the closest townhouse (28). The closest separation distance between the proposed apartment block and townhouses (14-

**9.15** 21 rear elevations) proposed in planning application LA04/2015/0075/F is in excess of twenty metres. The rear of the proposed apartment block faces the gable elevation of the Masonic Club and the north western elevation faces the car park of that club.

The proposed development is compliant with PPS 7 Policy QD1 (h).

### 9.16 Dominance

The separation distances discussed in paragraph 9.14 are satisfactory in that no detrimental harm to perspective residents is likely to occur by way of dominance/loss of light. As such the proposed development is compliant with PPS 7 Policy QD 1 (h).

#### Space Standards

Policy LC1 (c) Annex A of PPS 7 Addendum states that a minimum space standard should be attained for all dwelling units and apartments. The proposed townhouses meet the minimum of 70m2 for a two storey, three person/two bedroom unit. However the apartments fall slightly short of the required 60m2 for a single storey, three person/two bedroom unit but given content are considered acceptable.

### 9.6 Conclusion

The site is located in a predominantly high density residential area, therefore the proposed mix of townhouses and apartments is deemed to be appropriate. A reduced level of car parking is accepted in an area where public transport is within close proximity and for a housing development where car ownership is likely to be

	lower than average. As the site is in close proximity to land uses that have the potential to cause noise disturbance Belfast City Council Environmental Health have requested the imposition of a condition to ensure internal noise decibel levels do not exceed a threshold. Land Contamination and drainage issues have been examined by way of respective reports. The proposed topographical constraints have been alleviated by the use of retaining structures and the residential environment by way of amenity, landscaping and design is deemed to be acceptable. It is unlikely that any issues pertaining to overlooking and dominance/loss of light will occur due to satisfactory separation distances. Having regard to the policy context and other material considerations above, the proposal is considered to be acceptable and planning permission should be approved.		
10.0	Summary of Recommendation		
	Approval		
11.0	Conditions		
	<ul> <li>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</li> </ul>		
	• The materials to be used in the construction of the external surfaces of the apartment block (29-34) and townhouses (22-28) hereby permitted, shall be as stipulated on drawings 04A and 05A, date stamped 24 March 2016. Reason: In the interest of visual amenity.		
	<ul> <li>All boundary treatments shall be completed in accordance with the approved drawings 03C and 06A date stamped 24 March 2016. Reason: To safeguard the privacy and amenity for prospective residents.</li> </ul>		
	<ul> <li>Any excavation within tree protection areas shall be carried out using non mechanised hand tools only. All roots that are uncovered during excavation in preparation for laying foundations etc., which are in excess of 2.5cm in diameter shall be retained and shall be treated in accordance with BS 3998, 2010 Recommendations for Tree Work [or appropriate British Standard current at time of works] and foundations bridged around them. Any tree roots exposed, which are in excess of 5cm in diameter, shall be surrounded in sharp sand before replacing soil or other material in the vicinity.</li> <li>Reason: To respect the topography of the site and to ensure the protection</li> </ul>		
	of existing landscape features.		
	<ul> <li>All hard and soft landscape works shall be completed in accordance with the approved drawing 03C and 07C date stamped 24 March 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 expiration of the first planting season</li> </ul>		

following occupation of any part of the development hereby permitted. Reason: To ensure the provision, establishment and maintenance of a high standard of landscape.

- 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.
- Trees and vegetation to be retained within the site and proposed planting as indicated on drawing 07C date stamped 24 March 2016 shall not be cut down, uprooted or destroyed, or have their roots damaged within the crown spread nor shall arboricultural work or tree surgery take place on any retained tree, without the prior written approval of Belfast City Council. Any arboricultural work shall be carried out in accordance with the approved details, BS 3998, 2010 'Recommendations for Tree Work' (or equivalent British Standard current at time of works). Reason: To ensure the continuity of amenity afforded by existing trees and vegetation.
- Should any tree, shrub or hedge be removed, uprooted or destroyed or dies or becomes, in the opinion of Belfast City Council seriously damaged or defective, it shall be replaced within the next planting season by trees, shrubs or hedges of the same species, variety and size to those originally planted, unless Belfast City Council gives its written consent to any request for variation.

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

- The internal noise levels within the proposed apartments and dwellings shall:
  - (a) not exceed 35 dB L<sub>Aeq,16hr</sub> between 07:00hrs and 23:00hrs within any habitable room, with the windows closed and alternative means of ventilation provided in accordance with current building control requirements.
  - (b) not exceed 30 dB L<sub>Aeq,8hr</sub> between 23:00hrs and 07:00hrs within any proposed bedroom with the window closed and an alternative means of ventilation provided in accordance with current building control requirements.
  - (c) not exceed 45 dB L<sub>Amax</sub> for any single sound event between the 23:00hrs and 07:00hrs within any proposed bedrooms with the windows closed and alternative means of ventilation provided in accordance with current building control requirements.

Reason: Protection of residential amenity.

• The vehicular access, including visibility splays and any forward sight distance,

shall be provided in accordance with Private Streets Determination drawing No.140101-C100 Rev. D date stamped 01 July 2016, prior to the occupation of any other works or other development hereby permitted. Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users. The area within the visibility splays and any forward sight line shall be . cleared to provide a level surface no higher than 250mm above the level of the adjoining carriageway before the development hereby permitted is occupied and such splays shall be retained and kept clear thereafter. Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users. The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992. The Department hereby determines that the width, position and arrangement of the streets, and the land to be regarded as being comprised in the streets. shall be as indicated on drawing No.140101-C100 Rev. D bearing the Transport NI Determination date stamp 10 August 2016. Reason: To ensure there is a safe and convenient road system to comply with the provisions of the Private Streets (Northern Ireland) Order 1980. No dwelling shall be occupied until that part of the service road which provides access to it has been constructed to base course. The final wearing course shall be applied on the completion of each phase of the development. Reason: To ensure the orderly development of the site and the road works necessary to provide satisfactory access to each dwelling. Notwithstanding the provisions of the Planning (General Development) (Northern Ireland) Order 1993, no buildings, walls or fences shall be erected, nor hedges nor formal rows of trees grown in service strips determined for adoption. Reason: To ensure adequate visibility in the interests of road safety and the convenience of road users and to prevent damage to or obstruction of services within the service strip. Notwithstanding the provisions of the Planning (General Development) (Northern Ireland) Order 1993, no planting other than grass, flowers or shrubs with a shallow root system and a mature height of less than 0.5m shall be carried out in service strips determined for adoption. Reason: To prevent damage to or obstruction of services within the service strip. The development hereby permitted shall not be occupied until hard surfaced areas have been constructed in accordance with Private Streets Determination drawing No.140101-C100 Rev. D date stamped 01 July 2016 to provide for parking within the site. No part of these hard surfaced areas shall be used for any purpose at any time other than for the parking and movement of vehicles.

	Reason: To ensure adequate provision has been made for parking and traffic circulation within the site.	
	<ul> <li>The development hereby permitted shall not be occupied until any retaining structure requiring Technical Approval, as specified in the Roads (NI) Order 1993, has been approved and constructed in accordance with BD2 Technical Approval of Highways Structures: Volume 1; Design Manual for Roads and Bridges.</li> <li>Reason: To ensure that the structure is designed and constructed in accordance with BD2 Technical Approval of Highways Structures: Volume 1; Design Manual for Roads and Bridges.</li> </ul>	
12.0	Notification to Department (if relevant)	
	N/A	
13.0	Representation from elected member: Enquiries made by Councillor Jim Rodgers	

ANNEX		
Date Valid	01 April 2015	
Date First Advertised	08 May 2015	
Date Last Advertised	N/A	
Details of Neighbour Notification (all ac	ldresses)	
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43 Park Avenue, Strandtown, Belfast, Dow	43 Park Avenue, Strandtown, Belfast, Down, BT4 1PU,	
The Owner/Occupier,		
45 Park Avenue Strandtown Belfast		
The Owner/Occupier,		
99 Connsbrook Avenue Strandtown Belfast		
Date of Last Neighbour Notification	07 May 2015	
Date of EIA Determination	N/A	
Date of EIA Determination	N/A	
ES Requested	No	
Notification to Department (if relevant)		
N/A		