

**Development Management  
Second Addendum Officer Report  
Committee Application**

<b>Summary</b>	
<b>Committee Meeting Date:</b> 13 <sup>th</sup> December 2016	
<b>Application ID:</b> LA04/2015/1056/F	
<b>Proposal:</b> Proposed demolition of existing two and a half storey house and replace with a 3 storey apartment building with 9 No. 2 bedroom apartments.	<b>Location:</b> 1 Hopefield Avenue Belfast
<b>Referral Route:</b> Proposal for more than 5 dwellings.	
<b>Recommendation:</b>	<b>Approve</b>
<b>Applicant Name and Address:</b> Property Standards Ltd 9 Cranmore Gardens Belfast BT9 6JF	<b>Agent Name and Address:</b> Ard Mackel Architects 2 Hannahstown Hill Belfast BT17 0LT
<b>SECOND ADDENDUM REPORT</b>	
<p><b>Deferred Consideration:</b> This application was previously presented to Belfast City Council Planning Committee on 18<sup>th</sup> October 2016 with an officer recommendation to approve. The planning application was deferred for a site meeting which took place on the afternoon of 2nd November 2016. The application was presented to Planning Committee on 15<sup>th</sup> November with an unchanged recommendation to approve.</p> <p>Members expressed concern about the potential for adverse impact on character of Hopefield Avenue and the Area of Townscape Character (ATC) through overdevelopment of the site and inappropriate design out of keeping with the site context. Members have sought advice on potential reasons for refusal should committee determine the application to be unacceptable.</p> <p>Members are advised that overdevelopment of the site is not a reason for refusal in itself. Overdevelopment through excessive scale and massing or unacceptable intensification of site usage or site coverage can be a reason for refusal where it is considered that the proposal has an adverse impact on residential amenity or the character and appearance of the area. The current proposal is for 9 two bedroom apartments in a 3 storey building. The scale and massing of the building is similar to that approved previously on the site under ref: Z/2008/1297/F and is considered in keeping with the site context which contains a mix of 2.5 and 3 storey buildings. This aspect of the proposal is considered acceptable in officers' view and will not adversely impact on the character of the area. The building footprint and the building to plot ratio is considered acceptable and in keeping with its context. There is sufficient private amenity space provided to the rear of the proposed building. In addition, the rear return of the current proposal is stepped in from the western boundary of the site to minimise impact on the residential amenity of number 3 Hopefield Avenue.</p> <p>With regard to the design of the proposal, members have expressed a concern that the design of the front elevation is not in keeping with the character of buildings in Hopefield Avenue and also the character of the ATC.</p>	

It is accepted that the design of the previously approved scheme (Z/2008/1297/F) was more traditional in appearance. The current scheme is a more modern design but it strongly picks up on contextual design cues (solid to void, rhythm of bays, general verticality of openings, pitched roof) and has materials which are in keeping with its context (use of red brick and fibre-cement black slates). The Conservation officer was consulted and he has no objections to the design of the proposed building.

If members remain of the view that the design is unacceptable the following are suggested reasons for refusal:

- (1) The proposal is contrary to Policy QD1 of the Department's Planning Policy Statement 7: Quality Residential Environments in that the proposal fails to respect the surrounding context and is inappropriate to the character to the area by virtue of the design and appearance of the proposed building.
- (2) The proposal is contrary to Policy ATC2 of the Addendum to Planning Policy Statement 6 Areas of Townscape Character in that the proposed development fails to maintain or enhance the overall character or respect the built form of the Lower Cavehill Area of Townscape Character by virtue of its inappropriate design.

Notwithstanding the above refusal reasons, members are advised that whilst officers have considered the concerns expressed by members, their recommendation remains that the application should be approved. Whilst design is a material consideration it is only one material consideration which must be balanced against others such as the existing context of the site and the history of a previous planning approval on the site for a similar apartment scheme.

### **Recommendation**

The recommendation remains to approve as per the original case officer's report attached as an appendix to this addendum report.

## Appendix

### Development Management Addendum Officer Report Committee Application

Summary	
<b>Committee Meeting Date:</b> 15 November 2016	
<b>Application ID:</b> LA04/2015/1056/F	
<b>Proposal:</b> Proposed demolition of existing two and a half storey house and replace with a 3 storey apartment building with 9 No. 2 bedroom apartments.	<b>Location:</b> 1 Hopefield Avenue Belfast
<b>Referral Route:</b> Proposal for more than 5 dwellings.	
<b>Recommendation:</b>	<b>Approve</b>
<b>Applicant Name and Address:</b> Property Standards Ltd 9 Cranmore Gardens Belfast BT9 6JF	<b>Agent Name and Address:</b> Ard Mackel Architects 2 Hannahstown Hill Belfast BT17 0LT
<p><b>ADDENDUM REPORT</b></p> <p>This application was previously presented to Belfast City Council Planning Committee on 18<sup>th</sup> October 2016. The planning application was deferred for a site meeting for the following reason:-</p> <p style="padding-left: 40px;"><i>That the Committee, given the issues which had been raised regarding the number of objections and density of the proposed building, together with its potential impact on the townscape character of the area, agrees to defer consideration of the application to enable a site visit to be undertaken.</i></p> <p>The site visit took place on the afternoon of 2nd November 2016, to enable to members to assess the density of the proposal and the potential impact on the character of the Area of Townscape Character.</p> <p>Members considered the proposed scale, height and mass of the proposed building (and also the previously approved building) in its context and sought clarification of the external materials. The architect has confirmed that the external walls are to be constructed in red brick and the roofing material is fibre-cement black slate.</p> <p>No new evidence was presented or considered at the site visit and no further representations were received.</p> <p><b><u>Recommendation</u></b></p> <p>The recommendation remains to approve as per the original case officer's report attached as an appendix to this addendum report.</p>	

## Development Management Officer Report Committee Application

<b>Summary</b>	
Committee Meeting Date: 18 October 2016	
Application ID: LA04/2015/1056/F	
Proposal: Proposed demolition of existing two and a half storey house and replace with a 3 storey apartment building with 9 No. 2 bedroom apartments	Location: 1 Hopefield Avenue Belfast
Referral Route: Proposal for more than 5 dwellings	
<b>Recommendation:</b>	<b>Approval</b>
Applicant Name and Address: Property Standards Ltd 9 Cranmore Gardens Belfast BT9 6JF	Agent Name and Address: Ard Mackel Architects 2 Hannahstown Hill Belfast BT17 0LT
<p><b>Executive Summary:</b> This application seeks full planning permission for the demolition of an existing 2 ½ storey house and replacement with a 3 storey apartment building (9 no.2 bedroom apartments).</p> <p>The site is on Hopefield Avenue which runs between the Antrim Road and the Cavehill Road. Hopefield Avenue falls within the Lower Cavehill Area of Townscape Character as designated in BMAP.</p> <p>The main issues in this case are:</p> <ul style="list-style-type: none"> <li>• The acceptability of the proposed apartment development at this location</li> <li>• The impact of the development on residential and visual amenity</li> <li>• The impact of the proposal on the ATC</li> <li>• Traffic and parking</li> </ul> <p>Planning permission was previously granted for a three storey apartment block comprising 9 apartments in March 2009 (Ref Z/2008/1297/F) on the site.</p> <p>25 objections were received regarding this proposal. The main issues raised include:</p> <ul style="list-style-type: none"> <li>• Unauthorised demolition in an ATC</li> <li>• Overdevelopment of the site</li> <li>• Design out of character with the ATC</li> <li>• Sets a precedent for apartment blocks in the area</li> <li>• Insufficient parking space provided</li> <li>• Loss of light at neighbouring property</li> </ul> <p>Transport NI has no objection in relation to traffic and parking, the conservation officer has no objection to the design and the principle of 9 apartments at this location has been established.</p>	

It is recommended that the application be approved subjects to conditions.

## Case Officer Report

### Site Location Plan



<b>Representations:</b>	
Letters of Support	None Received
Letters of Objection	25
Number of Support Petitions and signatures	No Petitions Received
Number of Petitions of Objection and signatures	No Petitions Received
<b>Characteristics of the Site and Area</b>	
<b>1.0</b>	<b>Description of Proposed Development</b> The application seeks full planning permission for the demolition of an existing 2 ½ storey house and replacement with a 3 Storey building with 9 no.2 bedroom apartments. Upon site inspection the existing building, a detached double fronted dwelling unit was demolished.
<b>2.0</b>	<b>Description of Site</b> There is a mix of development types in the area. To the immediate east of the site is a terrace of 4 houses (two storey) built in the 1980's, to the west of the site and opposite the site are older terraced dwellings that add significantly to the character of the area. A number of these houses have previously been converted into flats including Nos. 4, 6, 8 & 38. An office development is located at No.22-38 Hopefield Avenue.
<b>Planning Assessment of Policy and other Material Considerations</b>	
<b>3.0</b>	<b>Planning History</b> Z/2008/1297/F – The erection of 9 no. 2 bedroom apartments with associated parking and landscaping. Permission granted 10 <sup>th</sup> March 2009. This approval expired in March 2014. Therefore the principle of 9no. apartments on the site has been established. The current proposal and the block previously approved (Z/2008/1297/F) have similar footprints.
<b>4.0</b>	<b>Policy Framework</b> BMAP 2015 The site is in the Lower Cavehill Area of Townscape Character. Strategic Planning Policy Statement (SPPS) Planning Policy Statement 3 (PPS 3) – Access, Movement and Parking Addendum to Planning Policy Statement 6 (PPS6) - Areas of Townscape Character Planning Policy Statement 7 (PPS 7) - Quality Residential Environments Addendum to Planning Policy Statement 7 (PPS7) – Safeguarding the Characteristics of Residential Areas
<b>5.0</b>	<b>Non Statutory Consultees</b> Environmental Health Following the submission of a Preliminary Contamination Risk Assessment Environmental Health concluded that no unacceptable risks are likely to arise at this site. Consequently Environmental Health offer no objection to the proposal.  Conservation Officer The Conservation Officer offers no objection to the proposal.  Transport NI Following consideration of A Parking Statement and a Parking Survey Transport NI offer no objection to this proposal on road safety and traffic progression grounds.
<b>6.0</b>	<b>Representations</b>
6.1	25 representations were received regarding the proposal. The issues raised in the

<p>6.2</p> <p>6.3</p> <p>6.4</p> <p>6.5</p> <p>6.6</p> <p>6.7</p> <p>6.8</p> <p>6.9</p>	<p>objections include:-</p> <ul style="list-style-type: none"> <li>• The original building was demolished without permission The principle of demolishing the original building and redeveloping the site for apartments was approved under application Z/2008/1297/F. This approval is a material consideration and determining weight is given to this prior approval.</li> <li>• Overdevelopment of the site The principle of 9 apartments has been established with the previous approval (Z/2008/1297/F). The footprint of the proposal and the previous approval are similar.</li> </ul> <p>The footprint of the proposed building is much greater than the original dwelling house however as indicated above a similar footprint and proposal for 9 apartments was approved under Z/2008/1297/F.</p> <ul style="list-style-type: none"> <li>• Design is out of character with neighbouring houses The conservation officer is satisfied that the appearance of the proposal is in keeping with neighbouring properties. Design cues from the area including bays have been incorporated into the proposal. The height of the building has been reduced during the processing of the application and the design is considered acceptable.</li> <li>• Proposal will set a precedent for apartment blocks in the area An apartment block has already been approved at this site and there are a number of other apartments in the street. Apartment development on this site has been established through the previous approval.</li> <li>• There is insufficient parking space in the area. A Parking Statement and a Parking Survey were submitted and assessed by Transport NI who offer no objection to the proposal.</li> <li>• Loss of light at the rear of no.3 Hopefield Avenue. At ground floor level, the rear return projects 9.3m, this is reduced to 8.1m at first and second floor. The angle test has been carried out and it is considered that there will be no adverse impact from loss of light from the first and second floors on No.3 Hopefield Avenue. In comparison to the previously approved scheme the impact from the ground floor return will be less and it is therefore considered acceptable.</li> <li>• The proposal stretches the full extent of the garden to the back entry wall. This is not the case. There is a gap of 8.8m between the end of the rear return and the rear wall that separates the curtilage from the entry.</li> </ul>
<p>7.0</p>	<p><b>Other Material Considerations</b> Creating Places DCAN 8 Housing in Existing Urban Areas</p>
<p>8.0</p> <p>8.1</p> <p>8.2</p>	<p><b>Assessment</b></p> <p>BMAP 2015 The site is located in the Lower Cavehill Area of Townscape Character BMAP 2015, BT 040 (part 4 vol.2). This ATC was formally adopted in 2015.</p> <p>SPPS The proposal is in keeping with core planning principles are set out in para 4.1- 4.40 of this document</p>

8.3	<p>PPS3 Access, Movement and Parking. Transport NI is content with the proposal which complies with policies in this document.</p>
8.4	<p>Addendum to PPS6 Policy ATC1 &amp; ATC2 Policy ATC1 Demolition Control in an Area of Townscape Character This policy states that there is a presumption in favour of retaining any building which makes a positive contribution to the character of an ATC. The principle of demolition of the dwelling unit was established under approval Z/2008/1297/F and the building has been demolished.</p>
8.5	<p>Policy ATC2 This policy states that development will only be approved where the development maintains the overall character and respects the built form of the area. The initial plans submitted were considered unacceptable by the Council's Conservation Officer as the design was not in keeping with the ATC. Amended plans were submitted and the conservation officer is now satisfied that the proposal is in keeping with policy ATC2 and the proposal is considered to maintain the overall character of the ATC and respect the built form of the area.</p>
8.6	<p>PPS7 Quality residential Environments. The proposal requires to meet the following criteria as set out in Policy QD1 quality in New Residential Development:</p>
8.7	<p>(a) The development respects the surrounding context and is appropriate to the character of the site in terms of layout, scale, proportions, massing and appearance of buildings, structures and landscaped and hard surfaced areas,</p> <p>The proposal is similar in terms of design, scale and massing to the previous approval on this site. The neighbour at no.3 Hopefield Avenue commented in her objection letter that she welcomed improvement on this application in terms of an increased separation distance between her property and proposal. This application has been reduced in height so that the proposal is of an acceptable scale and similar to that of neighbouring properties.</p>
8.8	<p>(b) Features of the built heritage are identified and where appropriate protected and integrated in a suitable manor into the overall design and layout of development.</p> <p>The conservation officer requested for changes to the original plans. Changes made include the introduction of bay windows, alignment of the building line with the neighbouring property, window heights are now in keeping with neighbouring properties. The height, scale, grain (urban texture) and materials are now in keeping with the ATC.</p>
8.9	<p>(c) Adequate provision has been made for public and private open space. The ground floor apartments benefit from sufficient private amenity spaces apt 1 28sqm, apt 2 32.9sqm and apt3 22.9sqm. A communal amenity area of 122sq is provided to the rear to serve the apartments on the first and second floors. In addition a separate bin storage area is proposed to the rear which complies with waste management standards. It is considered the proposal provides adequate amenity space.</p>
8.10	<p>(d) Criterion D of QD 1 requires neighbourhood facilities which is not relevant to this proposal.</p>
8.11	<p>(e) Movement pattern that supports walking and cycling is encouraged. Provision for cycle storage has been included to the rear of the building and satisfies this</p>



	element of the policy.
8.12	(f) Adequate and appropriate provision is made for parking Transport NI is satisfied that adequate on street parking is available to serve the development.
8.13	(g) The design draws on the best local traditions of form, materials and detailing, Design uses have been drawn from other buildings in the street including bay windows and building height.
8.14	(h) No unacceptable <del>over looking</del> <u>overlooking</u> , loss of light, over shadowing, noise or other disturbance The rear return on the approved application adjacent to no.3 Hopefield Avenue is 8.1m. It is set in from the boundary by 1.7m at ground, first and second floor. The proposed development has a rear return of 9.35m in length which is slightly longer than that approved, however it is set in from the boundary by 1.9m on the ground floor and by maximum of 3.5m at first and second floors. With regard to loss of light at no. 3 Hopefield Avenue, the proposal passes the angle test at first and second floor level and is therefore unlikely to adversely impact on amenity. In comparison to the previously approved scheme at ground floor the impact will be lessened.
8.15	Windows are proposed in the western and eastern elevation at ground floor level. There are boundary walls along the western boundary (with No. 3 Hopefield Avenue) and along the eastern boundary with the adjoining terrace of dwellings. Therefore it is considered that the boundary walls (approximately 1.8m high) will afford adequate screening and overlooking will not result. Windows on the first floor along the eastern and western elevations will be fitted with opaque glazing to avoid any overlooking.
8.16	Environmental Health are satisfied that noise will not be an issue.
8.17	(i) The development is designed to deter crime. The boundaries of the site will be secured and it is considered that overall the design will seek to deter crime.
8.18	Addendum to PPS7 – Safeguarding the Character of Established Residential Areas. The proposal has been assessed against Policy LC 1 of PPS 7 Addendum and the proposed density is consider to be not significantly higher than found in the area, the pattern of development is in keeping with the overall character of the area and the apartments meet the space standards as set out in Annex A. The space standards set out the minimum internal floor space for a 3 Person / 2 bedroom single storey at 60/65 m2. The internal floor space of the proposed 9no. 2 bedroom apartment range from a 60m2 – 64.7m2 and therefore satisfy the space standards.
8.19	It is considered that the proposal complies with BMAP and relevant regional policies. All other material considerations have been considered including the previous approval for a similar scheme on this site and the issues raised in objections. Consultees are content subject to conditions. It is recommended that the application be approved subject to conditions set out below.
Summary of Recommendation: Approval subject to conditions	
Conditions	
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.	

Reason: Time Limit.

2. The development hereby permitted shall not become operational until provision has been made for cycle parking in accordance with the approved plan. These facilities shall be permanently retained.

Reason: To ensure acceptable cycle parking facilities on the site and to encourage alternative modes of transport to the private car.

#### Informatives

1. Precautions shall be taken to prevent the deposit of mud and other debris on the adjacent road by vehicles travelling to and from the construction site. Any mud, refuse, ~~etcetc.~~ deposited on the road as a result of the development, must be removed immediately by the operator/contractor.
2. All construction plant and materials shall be stored within the curtilage of the site.
3. Notwithstanding the terms and conditions of the Department of Environment's approval set out above, you are required under Article 71-83 inclusive of the Roads (NI) Order 1993 to be in possession of the Department for Regional Development's consent before any work is commenced which involves making or altering any opening to any boundary adjacent to the public road, verge, or footway or any part of said road, verge, or footway bounding the site. The consent is available on personal application to the Roads Service Section Engineer whose address is Belfast South Section Office, 1A Airport Road, Belfast BT3 9DY. A monetary deposit will be required to cover works on the public road.
4. It is the responsibility of the developer to ensure that:- surface water does not flow from the site onto the public road; the existing roadside drainage is accommodated; no water flows from the public road onto the site; surface water from the roof of the development hereby approved does not flow onto the public road, including the footway.
5. CLEAN NEIGHBOURHOODS AND ENVIRONMENT (NORTHERN IRELAND) ACT 2011  
Should any unforeseen ground contamination be encountered during the development, all works on the site should immediately cease. Belfast City Council should be informed and a full written risk assessment in line with current government guidance (*Model Procedures for the Management of Land Contamination* - CLR11) that details the nature of the risks and any necessary mitigation measures should be prepared and submitted for appraisal.
6. No surface water sewer within 20m of your proposal, you may wish to apply to NIW to requisition a surface water sewer to serve your proposal if it will serve more than 1 property to discharge roof drainage.
7. The applicant is advised to contact NIW through its Customer Relations Centre on 08457 440088 or [waterline@niwater.com](mailto:waterline@niwater.com), upon receipt of this consultation to discuss any areas of concern. Application forms and guidance are also available via these means.
8. If during the course of developing the site the developer uncovers a pipe not previously evident, NIW should be notified immediately in order that arrangements may be made for investigation and direction in respect of any necessary measures required to deal with the pipe. Notify NIW Customer Relations Centre on 08458 770002.

<b>ANNEX</b>	
<b>Date Valid</b>	17th September 2015
<b>Date First Advertised</b>	9th October 2015
<b>Date Last Advertised</b>	29th April 2016
<p><b>Details of Neighbour Notification</b> (all addresses)</p> <p>10 Cedar Avenue Skegoneill Belfast  Stephen Faherty 10 Hopefield Avenue Skegoneill Belfast  12 Hopefield Avenue Skegoneill Belfast  Patrick Larkin 12, Hopefield Avenue, Belfast, Antrim, Northern Ireland, BT15 5AP  Ciaran O'Hanlon 13, Hopefield Avenue, Belfast, Antrim, Northern Ireland, BT15 5AP  Bernard Henry 14, Hopefield Avenue, Belfast, Antrim, Northern Ireland, BT15 5AP  16 Cedar Avenue Skegoneill Belfast  16 Hopefield Avenue Skegoneill Belfast  Manus Maguire 16, Hopefield Avenue, Belfast, Antrim, Northern Ireland, BT15 5AP  Maeve Cross 16, Hopefield Avenue, Belfast, Antrim, Northern Ireland, BT15 5AP  Conor Morris 18, Hopefield Avenue, Belfast, Antrim, Northern Ireland, BT15 5AP  The Owner/Occupier, 1A Hopefield Avenue Skegoneill Belfast  The Owner/Occupier, 1B Hopefield Avenue Skegoneill Belfast  The Owner/Occupier, 1C Hopefield Avenue Skegoneill Belfast  The Owner/Occupier, 1D Hopefield Avenue Skegoneill Belfast  Manuel Donaghy 2, Hopefield Avenue, Belfast, Antrim, Northern Ireland, BT15 5AP  Gertrude Doonan 3 Hopefield Avenue, Antrim Road, Belfast, BT15 5AP  John Glackin 4A Cedar Avenue Skegoneill Belfast  Colette McCaughey 6 Cedar Avenue, Skegoneill, Belfast, Antrim, BT15 5AS,  John Loughran 7, Hopefield Avenue, Belfast, Antrim, Northern Ireland, BT15 5AP  Jayne Loughran 7, Hopefield Avenue, Belfast, Antrim, Northern Ireland, BT15 5AP  The Owner/Occupier, 8 Cedar Avenue Skegoneill Belfast  Sam Porter 9 Hopefield Avenue, Belfast, BT15 5AP  The Owner/Occupier, Flat 1 4 Cedar Avenue Skegoneill  The Owner/Occupier, Flat 2 4 Cedar Avenue Skegoneill  Maureen McCarthy</p>	
<b>Date of Last Neighbour Notification</b>	20/09/2016
<b>Date of EIA Determination</b>	
<b>ES Requested</b>	Yes /No

**Planning History**

Ref ID: Z/2008/1297/F

Proposal: Erection of 9no 2 bedroom apartments with associated car parking and landscaping facilities

Address: 1 Hopefield Avenue, Belfast, BT15

Decision:

Decision Date: 11.03.2009