

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 16 May 2017	
Application ID:	LA04/2015/0598/O
Proposal: Residential development comprising 60no. apartments	Location: Former Monarch Laundry Site 451-455 Donegall Road Belfast BT12 6FS
Referral Route: 4 or more dwellings	
Recommendation:	Refusal
Applicant Name and Address: MKB57 Ltd MKB Law 14 Great Victoria Street Belfast BT2 7BA	Agent Name and Address: AMD Architectural Design 8 Canvy Manor Portadown BT63 5LP
<p>Executive Summary: The application seeks outline permission for a residential development comprising of 60 apartments spread over 9 building units at the former Monarch Laundry Site.</p> <p>The main issues to be considered in this case are:</p> <ul style="list-style-type: none"> - Principle of residential accommodation on the site - Design and layout/ Impact on residential amenity; - The impact on roads - Impact on scheduled monument - Outstanding Information – Noise, Air & Contamination - Flood risk <p>The site is located within the Belfast City Centre as designated in the Belfast Metropolitan Area Plan (BMAP). The site is located on land zoned for housing – Designation SB 04/11 Monarch Street.</p> <p>The principle of residential use is acceptable on the site providing all other constraints can be overcome and the scale of development proposed is acceptable. In this regard the proposal is considered unacceptable. The proposal is located within an established residential area and its height, scale and massing would adversely affect the character and appearance of the area and cause an unacceptable impact on residential amenity.</p> <p>The proposed scheme has failed to demonstrate that the development would provide a quality residential environment for future and existing residents.</p> <p>Outstanding Information The applicant has also failed to demonstrate that the development will not result in an adverse impact on the amenity of residential premises by way of noise, air quality or that the site can be made suitable for the proposed residential end use in terms of contamination and flood risk has not been demonstrated. In that further information in respect of contamination, air quality and noise impact requested from the agent has not been received to date.</p>	

The proposal has also failed to demonstrate that there is adequate parking availability within the area.

A total of seven objections have been received, issues raised include the following:

- Lack of community consultation
- Interface issues
- Need for social housing
- Impact on transport
- Out of character with the area

These issues are fully considered in the case officer report below.

Consultees

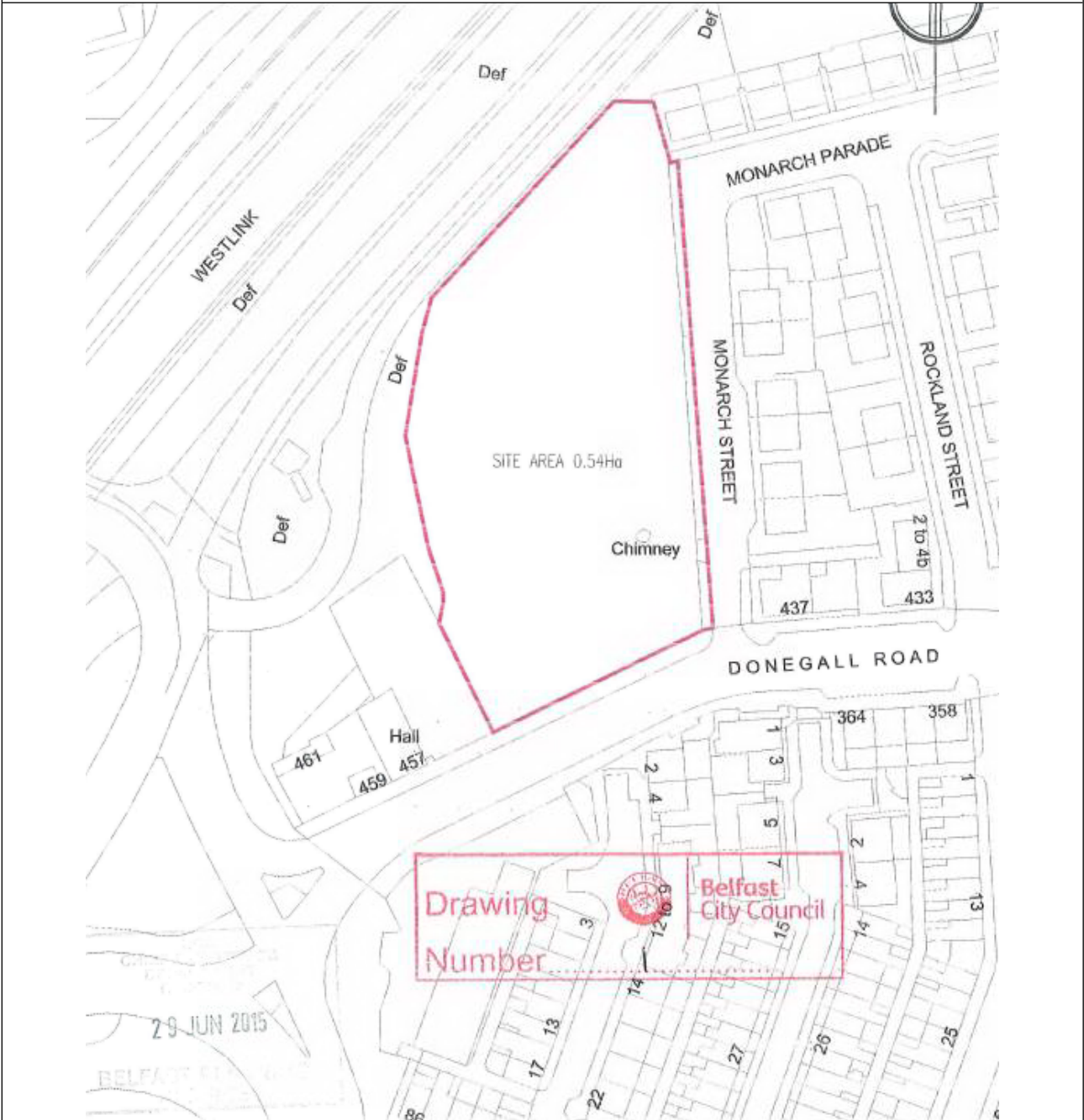
Rivers Agency have no objection subject to flood mitigation incorporated into the scheme. Belfast City Council Environmental Health and Transport NI have requested further information to demonstrate how the proposal is acceptable in terms of the suitability of the proposed end use, the potential impact on the amenity of existing and proposed residents and measures to demonstrate the impact on parking within the vicinity.

Recommendation

Having regard to the development plan, policy context and other material considerations, the proposal is considered unacceptable and planning permission should be refused for the reasons set out in the report below.

Case Officer Report

Site Location Plan



Characteristics of the Site and Area

1.0	Description of Proposed Development Residential development comprising 60no. apartments
2.0	Description of Site The site is located on a vacant plot of land between Donegall Road and Monarch Street measuring approximately 0.52ha. It is relatively flat with a frontage of approximately 48m onto Donegall Road and 93m onto Monarch Street. The site is zoned for residential development with a historic industrial use and contains a historic monolithic chimney structure.

Planning Assessment of Policy and other Material Considerations	
3.0	Site History None relevant
4.0	Policy Framework
4.1	Regional Development Strategy (RDS); Belfast Metropolitan Area Plan (2015) Strategic Planning Policy Statement (SPPS) Planning Policy Statement 3 - Access, Movement and Parking Planning Policy Statement 6 - Planning, Archaeology and the Built Heritage Planning Policy Statement 7 - Quality Residential Environments Planning Policy Statement 7 Addendum: Safeguarding the Character of Established Residential Areas Planning Policy Statement 15 - Planning and Flood Risk Creating Places
5.0	Statutory Consultees Responses
5.1	Rivers – no objection with conditions NIEA – no objection Transport NI – lack of information
6.0	Non Statutory Consultees Responses
6.1	Environmental Health – lack of information
7.0	Representations
7.1	Seven objections, raising issues including: <ul style="list-style-type: none"> - Lack of community consultation - Interface issues - Need for social housing - Impact on transport - Out of character with the area
8.0	Other Material Considerations
8.1	N/A
9.0	Assessment
9.1	The key issues in the assessment of the proposed development include: <ul style="list-style-type: none"> - Principle of residential accommodation on the site - Design and layout/ Impact on residential amenity; - The impact on roads - Impact on scheduled monument - Flood risk
9.2	Principle of residential accommodation on the site The site is located within the development limits of the Belfast Metropolitan Area Plan (BMAP). The site is located on land zoned for housing – Designation SB 04/11 Monarch Street as designated in BMAP. Therefore, in principle the use is acceptable providing all other policy and material considerations are satisfied.

9.3	<p>The proposal makes use of the full site and proposes 60 apartments spread over 9 units ranging from 2 storey buildings to 4 storey with access via Monarch Street. Private parking is provided within the site totalling 56 spaces with small pockets of amenity space throughout. The area is characterised by two storey semi-detached and terraced housing with commercial uses dispersed along Donegall Road. Any proposal for residential development which fails to produce an appropriate quality of design will not be permitted even on land identified for residential use.</p>
9.4	<p>Design and Layout/Impact on residential amenity; The proposal has been assessed against QD 1 of PPS 7. The preamble to PPS7 advises that it applies to all residential applications with the exception of single houses in the countryside. Policy QD1 states that planning permission will be granted for new residential development only where it is demonstrated that it will create a quality and sustainable residential environment. It indicates that housing will not be permitted in established residential areas where it would result in unacceptable damage to local character, environmental quality or residential amenity of these areas.</p>
9.5	<p>The specific design details are not necessary with outline application. The details relating to the design, layout, scale, form, massing and materials of the proposed dwelling for the site can be agreed at the reserved matters stage. However, it is incumbent on the applicant to demonstrate that the scale of development proposed can be accommodated on the site. In this respect it is considered that the development does not respect the surrounding context and is not appropriate to the character of the site in terms of layout, scale, massing and proportion of hard surfaced areas.</p>
9.6	<p>The proposal details approximately 865sqm of amenity space located in small pockets throughout the site. This equates to an average of 14.5sqm per unit. Creating places details a range from 10-30sqm for urban sites. Whilst this site meets the requirements no details have been provided of cycle parking or bin storage, this essentially may result in a reduction in amenity space proposed leading to in inadequate provision of private open space.</p>
9.7	<p>The design and layout has been considered in relation to the adjacent land_uses. The surrounding residential developments consist of two storey semi-detached and terraced dwellings. The introduction of 60 apartments ranging from 2-4 storeys will appear out of character with the area and will introduce a new form of development. The Monarch Street frontage consists of two, 2.5 storey blocks, each with 6 apartments. In relation to the existing housing on Monarch Street, the apartments will overshadow and dominate the dwellings and have an adverse impact on residential amenity.</p>
9.8	<p>Two apartment blocks are proposed along the west/north west boundary of the site with M1 motorway/Westlink containing a total of 28 apartments. Environmental Health were consulted on the application and have concerns regarding the potential for noise disturbance associated with road traffic noise from the adjacent M1 motorway/Westlink. A Noise Impact Assessment was requested along with details of design mitigation measures. To date this information has not been received. Additionally Environmental Health have noted that the proximity to the Westlink/M1 poses air quality concerns and as such have requested a Detailed Air Quality Assessment. To date this information has not been submitted.</p>
9.9	<p>The site has previously been used for manufacturing industry and as such the site has the potential to contain contaminants in the land which may pose a risk to human health if development proceeds without proper consideration of the risks. Environmental Health have consequently requested a Contaminated Land Risk Assessment to address the</p>

	<p>concerns in full. No such assessment has been provided to date.</p>
9.10	<p>Overall the proposal fails to demonstrate a quality residential environment that respects the local character and residential amenity. Policy QD1 states that any proposal for residential development which fails to produce an appropriate quality of design will not be permitted even on land identified for residential use.</p>
9.11	<p>The impact on roads/road safety; A total of 56 private parking spaces are shown to be provided within the site. Car parking standards for development of this nature would require a total of 90 spaces. A Transport Assessment and travel plan have been submitted to justify the shortfall in parking spaces. Transport NI were consulted on the application and note that the site is not located within an Area of Parking Restraint and as such may result in an increase in demand for on street parking within the vicinity of the site. A parking survey has been requested to demonstrate available capacity to serve the development. To date this has not been received.</p>
9.12	<p>Impact on scheduled monument The application site contains an industrial chimney which is a monument of regional importance and is protected under PPS 6 Policy BH1. The policy operates a presumption in favour of the physical preservation of archaeological remains of regional importance. HED: Historic Monuments Unit has advised that any works that would intrude within the scheduled area would require Scheduled Monument Consent. As such the scheme has been amended to include an 8m x 4m protection zone around the chimney and is excluded from any development proposals. It is considered the proposal complies with Policy BH1.</p>
9.13	<p>Flood risk The site is affected by both a culverted section of watercourse flowing just outside of the Northern Boundary of the Blackstaff River and the flood extent area from Springfield (Mackies) Reservoir. It is also located within the one in 100 year fluvial floodplain. As such a flood risk and drainage assessment has been submitted for Rivers Agency consideration. Rivers Agency have concluded that in order to avoid flooding and comply with PPS 15, it is proposed that the finished floor levels are set 600mm above the Q100 flood levels. This will result in an up build and increase ground level of the site ranging from 1m in northern area of the site, 0.9m in central site to 0.8m in southern area of the site. To facilitate the requested up build the properties fronting Monarch Street will exacerbate the issue around building heights to an unacceptable level of dominance and overshadowing on the existing properties and fail to create a scheme which is considered to provide a quality residential environment for both existing and prospective residents.</p>
9.14	<p>Objections Seven objections were received from neighbouring residents all issues have been considered below:</p> <ul style="list-style-type: none"> - Lack of community consultation – This application was submitted on 29 June 2015 - 1 day prior to the change in legislation, which brought forward Pre application community consultation for major development. The application has been neighbour notified and advertised in accordance with the legislation. - Interface issues – the proposal is for outline planning, any design issues can be dealt with at reserve matters stage. - Need for social housing – the site is zoned for housing and does not make any specific reference to social housing - Impact on transport – Transport NI have requested additional information to fully assess the potential impact of the development on the transport infrastructure. No

	<p>such assessment has been provided to date.</p> <ul style="list-style-type: none"> - Out of character with the area – as detailed above the proposed apartments will introduce a form of development which is uncharacteristic of the area and has the potential to dominate the existing housing.
<p>10.0</p> <p>10.1</p> <p>10.2</p> <p>10.3</p>	<p>Summary of Recommendation: Refusal</p> <p>Having regard to the policy context and other material considerations above, the proposal is considered unacceptable and planning permission should be refused for the following reasons.</p> <p>The proposal is located within an established residential area and its height, scale and massing would adversely affect the character of the area and cause an unacceptable impact on residential amenity. It has failed to demonstrate that the proposal would provide a quality residential environment for future residents.</p> <p>The proposal fails to adequately demonstrate how it will not adversely impact on parking availability within the area.</p> <p>It has also failed to demonstrate how the proposal will not have a significant adverse impact on the amenity of neighbouring residential premises by way of noise and air quality or that the site can be made suitable for the proposed residential end use. Further information in terms of contamination, air quality and noise impact has not been received to date.</p>
<p>11.0</p>	<p>Reasons for Refusal</p> <ol style="list-style-type: none"> 1. The proposal is contrary to the SPPS and the Living Places guide and Policy QD1 of the Departments Planning Policy Statement 7 'Quality Residential Environments' in that it has not been demonstrated that the proposal would provide a quality residential environment for future residents. The proposal is considered to constitute overdevelopment of the site and fails to respect the surrounding context and is inappropriate to the character of the area in terms of height, layout, scale, and massing and inadequate provision of amenity space. 2. The proposal is contrary to SSPS and Policy QD1 of the Department's Planning Policy Statement 7 in that insufficient information has been submitted to satisfy the Council that the amenity of prospective residents would not be adversely affected by noise and disturbance from the adjoining motorway and the applicant has also not demonstrated that satisfactory measures will be incorporated to mitigate potential ground contamination. 3. The proposal is contrary to SPPS and Policy QD1 of the Department's Planning Policy Statement 7 in that it has not been demonstrated that the proposal would provide a satisfactory facilities for parking as part of the development.
<p>Notification to Department (if relevant)</p> <p>N/A</p>	

Representations from Elected members:

N/A

ANNEX	
Date Valid	29th June 2015
Date First Advertised	24th July 2015
Date Last Advertised	27th May 2016
Details of Neighbour Notification (all addresses)	
<p>Philip Carson 1 Forest Education Centre Belvoir Drive The Owner/Occupier, 1 Benburb Street Malone Lower Belfast E Niblock 11, Monarch Street, Belfast, Antrim, Northern Ireland, BT12 6HD William Dickson 177, Tates Avenue, Belfast, Antrim, Northern Ireland, BT12 6NA William Dickson 177, Tates Avenue, Belfast, Antrim, Northern Ireland, BT12 6NA The Owner/Occupier, 2 Lecale Street Malone Lower Belfast The Owner/Occupier, 23 Monarch Parade Malone Lower Belfast The Owner/Occupier, 3 Monarch Street Malone Lower Belfast Campbell McGrath 3, Monarch Street, Belfast, Antrim, Northern Ireland, BT12 6HD The Owner/Occupier, 437 Donegall Road Malone Lower Belfast The Owner/Occupier, 457 Donegall Road Malone Lower Belfast The Owner/Occupier, 5 Monarch Street Malone Lower Belfast Kylie Moore 5, Monarch Street, Belfast, Antrim, Northern Ireland, BT12 6HD Ian Shanks 62, Ravenswood Park, Belfast, Down, Northern Ireland, BT5 7PT The Owner/Occupier, 7 Monarch Street Malone Lower Belfast Gail Moore 9, Monarch Street, Belfast, Antrim, Northern Ireland, BT12 6HD</p>	
Date of Last Neighbour Notification	
Date of EIA Determination	N/A

ES Requested	No
<p>Planning History</p> <p>Ref ID: LA04/2017/0369/A Proposal: Retrospective application for 1 No. 48 Sheet Advertising Panel Address: At junction of, Donegall Road and, Monarch Street, Belfast, Decision: Decision Date:</p> <p>Ref ID: Z/2000/1481/F Proposal: Erection of Neighbourhood foodstore and related site works Address: 451-453 Donegall Road, Belfast, BT12 6FS Decision: Ap Decision Date: 23.06.2001</p> <p>Ref ID: Z/2006/0649/F Proposal: Variation of condition 1 of previous approval Z/2000/1481/F (Time Limit). Address: 451-453 Donegall Road, Belfast BT12 6FS Decision: Ap Decision Date: 03.07.2006</p>	
<p>Drawing Numbers and Title</p> <p>01 – Site location plan 02(B) – Conceptual Site Layout 03 – Conceptual Streetscape</p>	