

**Development Management Officer Report
Committee Application**

Summary	
Committee Meeting Date: 16 May 2017	
Application ID: LA04/2016/0950/F	
Proposal: Proposed residential development comprising of seven detached dwellings with associated car parking and landscaping.	Location: 172-174 Finaghy Road South Belfast
Referral Route: The planning application is for more than four residential units.	
Recommendation:	Approval
Applicant Name and Address: O B C Developments 115 Dromore Road Hillsborough BT26 6JA	Agent Name and Address: Coogan and Co Architects Ltd 144 Upper Lisburn Road Finaghy Belfast BT10 0BG
Executive Summary: The application seeks a residential development comprising seven detached dwellings with associated car parking and landscaping. The main issues to be considered in this case are: <ul style="list-style-type: none"> • planning history on the site and the immediate vicinity • demolition of the existing properties • site density • design • access/parking • amenity • landscaping • overlooking • dominance • building line • boundary treatment • topography • bats The site at Finaghy Road South is not located within any BMAP designation. The proposal has been assessed against the SPPS, Planning Policy Statement 3, 7, Addendum to 7, 15, and guidance - Creating Places, DCAN 8 and 15, and Parking Standards. Having regard to the policy context and other material considerations above, the proposal is deemed to be acceptable with planning conditions.	

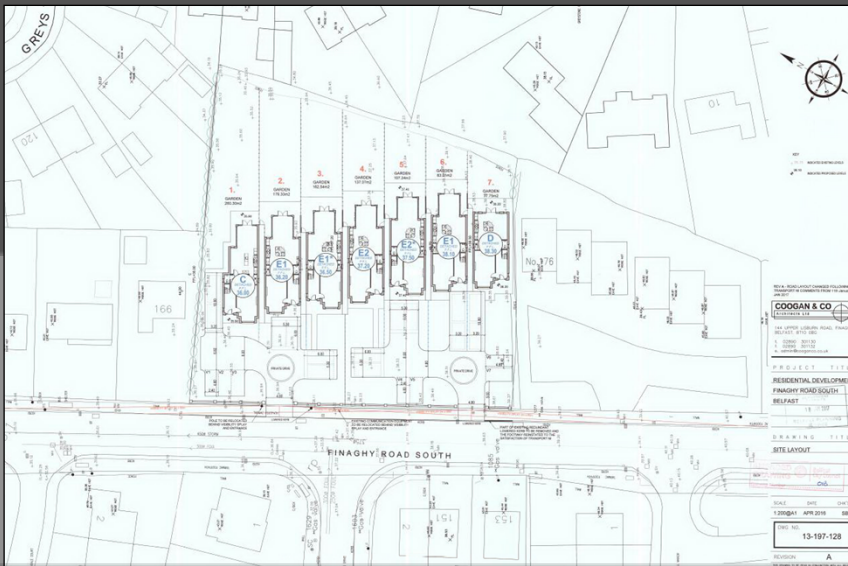
Case Officer Report

Plans

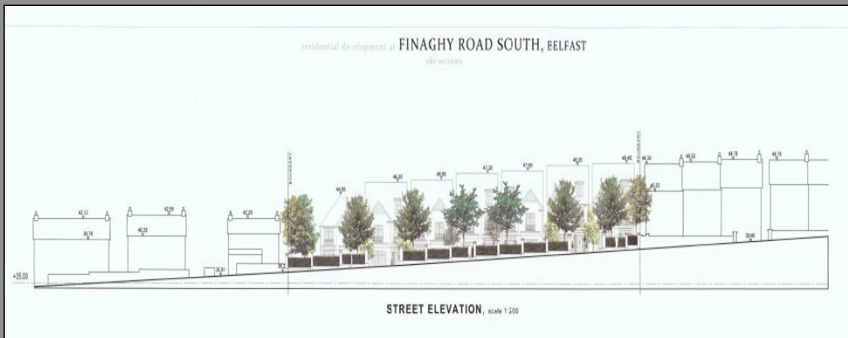
Site Location Plan



Proposed Site Layout



Proposed Streetscape



Consultations:		
Consultation Type	Consultee	Response
Statutory	NI Transport	No objection
Statutory	NI Water - Multi Units East	No objection
Statutory	Rivers Agency	No objection
Non Statutory	Environmental Health Belfast City Council	No objection
Statutory	DAERA Water Management	Potential to adversely affect the surface water environment
Statutory	DAERA Natural Heritage	No objection
Non Statutory	Belfast City Council Tree Officer	No objection
Representations:		
Letters of Support	None Received	
Letters of Objection	1	
Number of Support Petitions and signatures	No Petitions Received	
Number of Petitions of Objection and signatures	No Petitions Received	
Representations from Elected representatives	None	
Characteristics of the Site and Area		
1.0	Description of Proposed Development The proposal is for a residential development of seven detached dwellings with associated car parking and landscaping.	
2.0	Description of Site and Area	
2.1	The site on the Finaghy Road South contains two derelict properties (172 and 174) and is in an overgrown state. The land rises from 166 Finaghy Road South, and is elevated above the level of houses to the rear in Greystown Avenue.	
2.2	Finaghy Road South is a busy thoroughfare linking Upper Malone Road and Lisburn Road. It is predominantly residential in nature, with front and rear gardens prevalent. There are no BMAP designations at this location.	
Planning Assessment of Policy and other Material Considerations		
3.0	Site History	
3.1	<ul style="list-style-type: none"> In 2006 planning permission (Z/2004/2736/F) was granted for the demolition of the existing residence and garage at 172 Finaghy Road South and the construction of seven private self-contained apartments. Planning approval (Z/2005/0816/F) for the development of five townhouses with associated car parking was granted in 2006. Planning application (Z/2014/1470/F) for a residential development of ten units comprising eight detached and two semi-detached dwellings with associated car parking and landscaping was withdrawn in 2015 as it was to be presented to the Belfast City Council Town Planning Committee as a refusal. 	

3.2	<ul style="list-style-type: none"> • Planning application (LA04/2015/1164/F) for a residential development comprising of eight detached dwellings with associated car parking and landscaping was refused at Belfast City Council Town Planning Committee and subsequently withdrawn prior to the decision notice being issued. • In the immediate vicinity of 172-174 Finaghy Road South the majority of planning permissions have been for domestic extensions to residential properties. However there has been several higher density housing schemes granted approval. In 2004 planning permission (Z/2003/2857/F) was granted at 176 Finaghy Road South (adjacent site) for a residential development of six townhouses. In 2007 planning approval was granted for the demolition of 167 Finaghy Road South and the construction of one detached property and three townhouses with garages and associated parking. Planning permission was granted approval in 2009 for the demolition of 129-131 Finaghy Road South and the erection of a two storey building plus with roof space accommodation comprising of seven apartments and associated car parking.
4.0	Policy Framework
4.1	<p>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</p> <p>Strategic Planning Policy Statement for Northern Ireland (SPPS)</p> <p>Planning Policy Statement 2 – Natural Heritage</p> <p>Planning Policy Statement 3 – Access, Movement and Parking</p> <p>Planning Policy Statement 7 – Quality Residential Environments</p> <p>Planning Policy Statement 7 Addendum – Safeguarding the Character of Established Residential Areas</p> <p>Planning Policy Statement 15 Revised – Planning and Flood Risk</p> <p>Supplementary Planning Guidance – Creating Places</p> <p>Supplementary Planning Guidance – Parking Standards</p> <p>Development Control Advice Note 8 – Housing in Existing Urban Areas</p> <p>Development Control Advice Note 15 – Vehicular Access Standards</p>
5.0	Statutory Consultee Responses
	<p>Rivers Agency – No objection subject to informatives</p> <p>Transport NI – No objection subject to conditions and informatives</p> <p>NI Water – No objection subject to informatives</p> <p>DAERA Water Management – Potential to adversely affect the surface water environment</p> <p>DAERA Natural Heritage – No objection subject to informatives</p>
6.0	Non Statutory Consultee Responses
	<p>Belfast City Council Environmental Health – No objection subject to informative</p> <p>Belfast City Council Tree Officer – No objection subject to conditions</p>
7.0	Representations
7.1	<p>This planning application was neighbour notified and advertised in the local press. There was one representation objecting to the planning application for the following reasons:</p> <ul style="list-style-type: none"> • Development not in keeping with the building line • Access and Parking

	<ul style="list-style-type: none"> • Pattern of development not coherent with the character and appearance of the area • Insufficient separation distances • Lack of amenity space
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	<p>The key issues in this planning application are:</p> <ul style="list-style-type: none"> • planning history on the site and the immediate vicinity • demolition of the existing properties • site density • design • access/parking • amenity • landscaping • overlooking • dominance • building line • boundary treatment • bats • topography
9.3	<p>Strategic Planning Policy Statement for Northern Ireland</p> <p>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 importance.</p>
9.4	Planning History
9.4.1	The previous planning history on this site has established the principle of demolition of the existing properties, and the replacement with a higher density development. Planning application Z/2004/2736/F granted a three storey single apartment block of seven units on the site of 172 Finaghy Road South, with parking to the front and rear.
9.4.2	Planning application Z/2005/0816/F granted five, three storey dwellings in a stepped terrace formation on the site of 174 Finaghy Road South, with parking to the front.
9.4.3	<p>However in 2015 a planning application (Z/2014/1470/F) for the construction of ten dwellings was withdrawn by the applicant as it was to be presented to the Belfast City Council Town Planning Committee as a refusal for the following reasons:</p> <ul style="list-style-type: none"> • Contrary to policy QD1 of the Department's Planning Policy Statement 7 in that the proposal would, if permitted, result in overdevelopment of the site due to its inappropriate siting, layout, scale, form, massing and design causing unacceptable damage to the character and appearance of the area and fails to provide adequate

private amenity space. The proposal would fail to provide a quality and sustainable residential environment.

- Contrary to the Department's Planning Policy Statement 1 General Principles, Planning Policy Statement 7 (Addendum) Safeguarding the Character of Established Residential Areas Policy LC1, and DCAN8, in that the proposal would, if permitted, result in a significantly higher density and a development pattern which is not in keeping with this established residential area.
- Contrary to policy QD1 of the Department's Planning Policy Statement 7: "Quality Residential Environments" in that it would, if permitted, result in overdevelopment of the site in that it would, if permitted, be harmful to the living conditions of existing and prospective residents through dominance and overlooking resulting in a loss of residential amenity, and would be harmful to the living conditions of prospective residents due to poor outlook. The proposed development would therefore fail to create a quality residential environment.
- Contrary to policy QD1 of the Department's Planning Policy Statement 7: "Quality Residential Environments", Creating Places, and related guidance in that it has not been demonstrated that the proposal would provide a satisfactory means of access and adequate facilities for parking and service vehicles as part of the development.

9.4.2

In 2016 a planning application (LA04/2015/1164/F) for a residential development comprising of eight detached dwellings with associated car parking and landscaping was refused at Belfast City Council Town Planning Committee and subsequently withdrawn prior to the decision notice being issued. The refusal reasons were as follows:

- The proposal is contrary to Policy QD1 of Planning Policy Statement 7 in that it would, if permitted, result in overdevelopment of the site due to its inappropriate siting, layout, scale, form, massing and design causing unacceptable damage to the character and appearance of the area. The proposal would fail to provide a quality and sustainable residential environment.
- The proposal is contrary to Policy LC1 of Planning Policy Statement 7 (Addendum) Safeguarding the Character of Established Residential Areas in that it would, if permitted, result in a significantly higher density and a development pattern which is not in keeping with this established residential area.
- The proposal is contrary to Policy QD1 of Planning Policy Statement 7: "Quality Residential Environments" in that it would, if permitted, result in overdevelopment of the site causing harm to the living conditions of existing and prospective residents through dominance and overlooking resulting in a loss of residential amenity, and would be harmful to the living conditions of prospective residents due to poor outlook. The proposed development would therefore fail to create a quality residential environment.
- The proposal is contrary to Planning Policy Statement 3: Access, Movement and Parking; Policy AMP 7, Car Parking and Servicing Arrangements, and Planning Policy Statement 7: Quality Residential Environments, in that it would, if permitted, prejudice the safety and convenience of road users since the applicant has failed to demonstrate that adequate provision can be made clear of the highway for the turning of service vehicles that would be attracted to the site.

9.5	<p>Demolition of the Existing Dwellings</p> <p>The two properties that exist on the site (172 and 174 Finaghy Road South) are in a derelict state. As they are not located within an Area of Townscape Character or Conservation Area and are not of any architectural merit. Demolition is acceptable.</p>
9.6	<p>Bats</p> <p>In accordance with Policy NH 2 of PPS 2 planning permission will only be granted for a development that is not likely to harm a European protected species. NIEA Natural Environment Division (NED) has considered the contents of the Bat Roost Potential Survey. NED are content that adequate information has been provided in this instance, the surveyor has stated that it is highly unlikely that bats would utilise a structure (two derelict properties) in such condition for roosting purposes. The buildings on site have negligible bat roost potential and the proposal is unlikely to affect the local bat population.</p>
9.7	<p>Topography</p> <p>The site is relatively flat with site section drawing (16A) indicating a slight excavation of ground to the front of some of the properties, however, this will not require retaining structures.</p>
9.8	<p>Site Density</p> <p>Policy QD1 of PPS 7 (a) stipulates that proposed developments should by way of their layout respect the surrounding context. This part of the Finaghy Road South is residential in nature with two-storey/two and a half storey detached/semi-detached properties set within medium sized plots with front and rear gardens. Dwellings front onto the principle roads in the area creating a uniformity of development. There has been redevelopment of properties along Finaghy Road South as discussed in section 3 (Planning History) into higher density developments. As such the principle of a housing density higher than the established residential area has been accepted. An amended site layout presents all of the proposed properties fronting Finaghy Road South and in general adherence to the existing building line. The proposed site layout is in keeping with the adjacent development – 176 Finaghy Road South. The development complies with Policy LC1 (a and b) of PPS 7 Addendum in that the proposed density is not significantly higher than the established residential area; and the pattern of development is now in keeping with the established residential area.</p>
9.9	<p>Design</p> <p>Policy QD1 of PPS 7 (g) stipulates that the design of the dwellings must draw upon the best traditions of form, materials and detailing. The proposed development is a mixture of two and two and a half storey dwellings constructed from rustic brick and/or smooth painted render, hardwood painted doors, white uPVC windows and a tile slate look-a-like roof. The proposed design of the development is acceptable in this location (not within a Conservation Area or Area of Townscape Character), and is in keeping the surrounding context.</p>
9.10	<p>Access/Parking</p> <p>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 detached (four bed) houses (with two in-curtilage spaces illustrated) a parking requirement of three in-curtilage spaces is necessary. As such the proposed development should provide three in-curtilage parking spaces per dwelling (7) giving a total of 21. The applicant has shown a total of 14 in-curtilage car parking spaces and a further seven additional/visitor spaces (total of 21). This reduced parking provision would be considered acceptable as the location is highly accessible (close to Malone Road and the Lisburn Road) and well served by public transport. Transport NI have been consulted regarding the proposed</p>

	development and offer no objection subject to planning conditions.
9.11	<p>Amenity</p> <p>Creating Places stipulates that in lower density developments should have an area of private open space behind the building line. Back garden provision is calculated as an average space standard for the development as a whole and should be around 70sqm per house or greater. For any individual house an area less than 40sqm will be considered as unacceptable. The proposed development exceeds these standards and as such is considered acceptable. 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. The proposed development has provided this and as such is compliant with PPS 7 QD1 (c) in that a sufficient amount of private open space has been provided.</p>
9.12	<p>Overlooking</p> <p>PPS 7 Policy QD1 (h) states that the layout will not create conflict by overlooking between proposed and/or existing dwellings. The amended site layout alleviates concerns regarding overlooking within the development, and the separation distances between the proposed properties and existing dwellings adjacent are sufficient.</p>
9.13	<p>Dominance</p> <p>PPS 7 Policy QD1 (h) states that the layout will not create conflict by way of dominance or overshadowing and loss of light between proposed and/or existing dwellings. The amended site layout has rectified these issues with the general building line of Finaghy Road South adhered to and acceptable separation distances with existing adjacent dwellings. The relationship between proposed Plot 1 and 166 Finaghy Road South is considered acceptable due to the rear portion of the proposed property being set back by one metre. It also does not encroach any closer to the party boundary than the existing derelict dwelling (172 Finaghy Road South).</p>
9.14	<p>Building Line</p> <p>DCAN 8 states that retaining the building line is an important way of maintaining the character of the area. This part of Finaghy Road South is characterised by dwellings set back from the main road with front gardens. Most urban housing benefits from a set-back which provides an adequate buffer zone to the street and is capable of accommodating suitable frontage planting, or providing defensible space. There was a strong building line present however in recent years this has become disrupted by higher density redevelopment schemes. DCAN 8 stresses that the set-back from the road will not, normally be sufficient to accommodate in-curtilage parking. The new housing development that has replaced the former 176 Finaghy Road South has a stepped appearance with predominantly hard surfaced space adjacent to the road. The proposed development presents a building line similar to 166 Finaghy Road South, with a stepped approach that is similar to the development at 176 Finaghy Road South. The proposal at 172-174 Finaghy Road affords a mixture of garden space and car parking between the road and the building line. As the development adjacent has been approved precedence for a disrupted building line has been set. The landscaping scheme will soften the view of the development from Finaghy Road South.</p>
9.15	<p>Landscaping</p> <p>PPS 7 Policy QD1 (c) states that planted areas or discrete groups of trees will be required along site boundaries in order to soften the visual impact of the development and assist in its integration with the surrounding area. Concern was raised in the assessment of planning application Z/2014/1470/F about the lack of significant landscaping to supplement the existing vegetation. It was also raised that the future viability of the</p>

<p>9.16</p>	<p>proposed landscaping was uncertain given the proximity to the rear boundary of the properties. The current application has significantly increased the amount of landscaping around the boundaries and within the development to order to soften the visual impact and provide screening with existing dwellings adjacent to the site. Belfast City Council's Tree Officer states that the planting proposals are acceptable. The scheme includes a range of tree sizes and species which will be in character with the area and will reduce the impact of the development.</p> <p>Boundary Treatment</p> <p>DCAN 8 states that boundary treatments can have an important influence on local character, and should be retained where possible, in order to protect the surrounding street character. Well-designed walls or railings, and planting, can be used to mitigate the detrimental visual impact of cars and dustbins. The existing brick and stone boundary fronting Finaghy Road South is proposed to be replaced by a 1.5m high rendered wall with mild steel railings interspersed with rendered pillars with concrete caps. Two entrance points are proposed, and the boundary is to be softened by heavy standard/extra heavy standard trees and shrub borders. The existing hedge boundary adjacent to 166 Finaghy Road South and Greystone Avenue is to be retained and strengthened. To the rear of the site the boundary is enhanced by extra heavy standard/heavy standard trees and multi stem/whip trees. Adjacent to properties at the former 176 Finaghy Road South is proposed a boundary incorporating native hedgerow and timber fencing. Within the proposed site there are a variety of boundaries proposed including: 1.8m timber close boarded fencing, black metal railing estate fencing (1.2m and 1.5m), rendered wall (2m).</p>
<p>9.17</p>	<p>Conclusion</p> <p>The principle of redevelopment of the site has been established through the previous planning approvals – Z/2004/2736/F and Z/2005/0816/F. The development is now considered to be of a density applicable to the character of the area, maintains the general building line, provides an acceptable living environment for prospective residents, does not cause issues of demonstrable harm to adjacent existing properties, provides appropriate amenity space, landscaping proposals and parking facilities. Having regard to the policy context and other material considerations above, the proposal is deemed to be acceptable and compliant with Policy QD1 of PPS 7 and Policy LC1 of PPS 7 Addendum.</p>
<p>10.0</p>	<p>Summary of Recommendation</p> <p>Approval</p>
<p>11.0</p>	<p>Conditions</p> <ol style="list-style-type: none"> 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. Reason: Time Limit 2. The materials to be used in the construction of the external surfaces of the dwellings hereby permitted, shall be as stipulated on approved drawings 20, 22, 24, 26, 28 and 30, date stamped 15 September 2016. Reason: In the interest of visual amenity. 3. Prior to occupation all boundary treatments shall be completed in accordance with the approved drawing 17B, date stamped 18 January 2017.

Reason: To safeguard the privacy and amenity for prospective residents.

4. All hard and soft landscape works shall be completed in accordance with the approved drawing 17B, date stamped 18 January 2017, 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 following occupation of any part of the development hereby permitted.

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

5. 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.

6. 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 the Department gives its written consent to any request for variation.

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

7. Prior to occupation of the dwellings, all windows shown as opaque glazing on approved drawings 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29 and 30, date stamped 15 September 2016, shall be constructed as such and permanently retained.

Reasons: In the interests of privacy for prospective and neighbouring residents.

8. The vehicular accesses, including visibility splays and any forward sight distance, shall be provided in accordance with approved drawing 01B, date stamped 18 January 2017, prior to the occupation of any other works or other development hereby permitted.

Reason: To ensure there is satisfactory means of access in the interests of road safety and the convenience of road users.

9. 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.

10. Any existing street furniture or landscaping within the visibility splays as conditioned above shall, after obtaining permission from the appropriate authority,

	<p>be removed, relocated or adjusted at the applicant's expense.</p> <p>Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.</p> <p>11. The access gradient shall not exceed 4% (1 in 25) over the first 10m outside the road boundary. Where the vehicular access crosses a footway or verge, the access gradient shall be between 4% (1 in 25) maximum and 2.5% (1 in 40) minimum and shall be formed so that there is no abrupt change of slope along the footway.</p> <p>Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.</p> <p>12. The vehicular accesses hereby permitted shall be formed by lowered kerbs at the carriageway edge and associated re-grading of the footway to the satisfaction of Transport NI.</p> <p>Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.</p> <p>13. The development hereby permitted shall not be occupied until hard surfaced areas have been constructed in accordance with approved drawing 01B, date stamped 18 January 2017, to provide for parking and traffic circulation within the site. No part of these hard surfaced areas shall be used for any purpose at any time other than for parking and movement of vehicles in connection with the approved development.</p> <p>Reason: To ensure that adequate provision has been made for parking and traffic circulation within the site.</p>
12.0	Notification to Department (if relevant) N/A
13.0	Representation from elected member None

ANNEX	
Date Valid	10 May 2016
Date First Advertised	27 May 2016
Date Last Advertised	07 October 2016

Details of Neighbour Notification (all addresses)

The Owner/Occupier,
1 Drummond Manor,Ballyfinaghy,Belfast,Antrim,BT10 0DD,
The Owner/Occupier,
1 Redhill Manor,Ballyfinaghy,Belfast,Antrim,BT10 0PA,
The Owner/Occupier,
1 Trossachs Drive,Ballyfinaghy,Belfast,Antrim,BT10 0HS,
The Owner/Occupier,
102 Greystown Avenue,Ballyfinaghy,Belfast,Antrim,BT9 6UL,
The Owner/Occupier,
104 Greystown Avenue,Ballyfinaghy,Belfast,Antrim,BT9 6UL,
The Owner/Occupier,
106 Greystown Avenue,Ballyfinaghy,Belfast,Antrim,BT9 6UL,
The Owner/Occupier,
108 Greystown Avenue,Ballyfinaghy,Belfast,Antrim,BT9 6UL,
The Owner/Occupier,
114 Greystown Avenue,Ballyfinaghy,Belfast,Antrim,BT9 6UL,
The Owner/Occupier,
116 Greystown Avenue,Ballyfinaghy,Belfast,Antrim,BT9 6UL,
The Owner/Occupier,
14 Greystown Park,Ballyfinaghy,Belfast,Antrim,BT9 6UN,
The Owner/Occupier,
151 Finaghy Road South,Ballyfinaghy,Belfast,Antrim,BT10 0DA,
The Owner/Occupier,
153 Finaghy Road South,Ballyfinaghy,Belfast,Antrim,BT10 0DA,
The Owner/Occupier,
166 Finaghy Road South,Ballyfinaghy,Belfast,Antrim,BT10 0DH,
The Owner/Occupier,
172 Finaghy Road South,Ballyfinaghy,Belfast,Antrim,BT10 0DH,
The Owner/Occupier,
174 Finaghy Road South,Ballyfinaghy,Belfast,Antrim,BT10 0DH,
The Owner/Occupier,
2 Chippendale Court,Ballyfinaghy,Belfast,Antrim,BT10 0DU,
The Owner/Occupier,
2 Trossachs Drive,Ballyfinaghy,Belfast,Antrim,BT10 0HS,
The Owner/Occupier,

Date of Last Neighbour Notification	22 September 2016
Date of EIA Determination	N/A
ES Requested	No