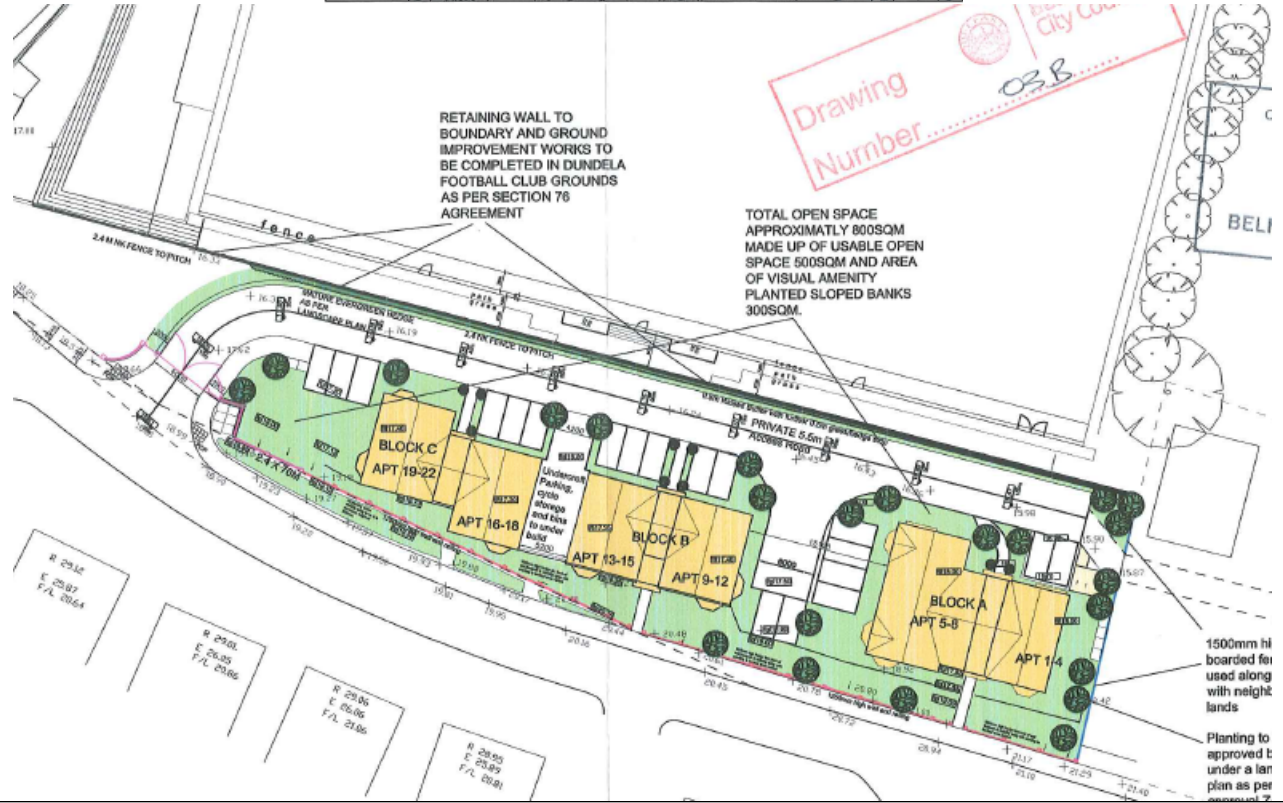
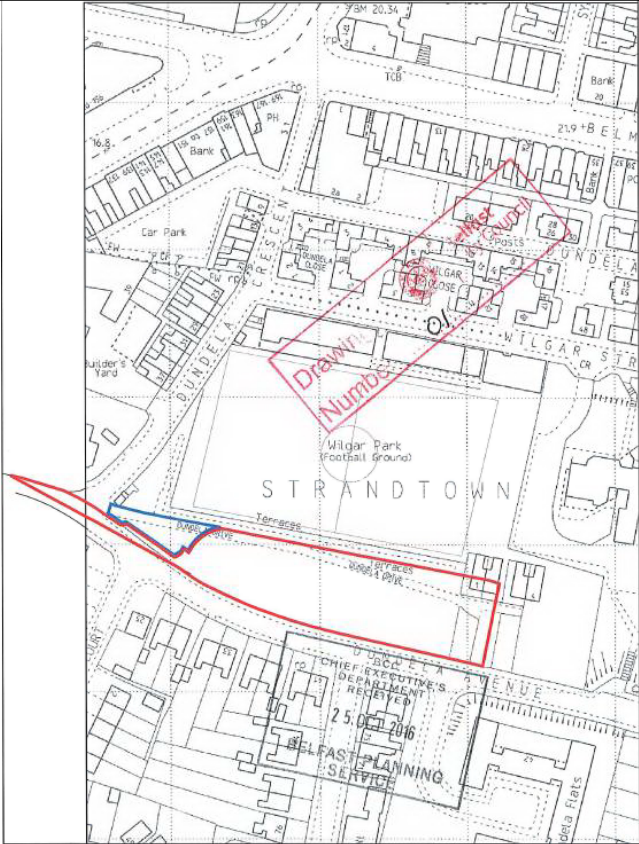


Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 20 June 2017	
Application ID: LA04/2016/2291/RM	
Proposal: Reserve matters application for erection of 22 apartments across 3 blocks (4 storey buildings) with a new access to Dundela Avenue and associated site works including boundary wall and fence as per schedule 76 agreement.	Location: Former training ground for Dundela Football Club opposite from 25-45 Dundela Avenue Belfast
Referral Route: More than 12 residential units	
Recommendation:	Approval
Applicant Name and Address: Acheson Homes Richard Acheson 104A Circular Road Belfast BT4 2GF	Agent Name and Address: Site Express Unit 8 Belmont Business Park Belfast BT4 3BQ
<p>Executive Summary: The application seeks planning approval for erection of 22 apartments across 3 blocks (4 storey buildings) with a new access to Dundela Avenue and associated site works including a boundary wall and fence as set out in the Section 76 agreement arranged as part of the outline permission relating to this site under planning application Z/2014/0271/F.</p> <p>The main issues to be considered in this case are:</p> <ul style="list-style-type: none"> - Acceptability of the design and layout - Impact on residential amenity - The impact on existing roads infrastructure - Flood risk - Land contamination <p>The site not located within any draft BMAP designation. The proposal has been assessed against the SPPS, Planning Policy Statements 3, 7, 15 and the Addendum to PPS 7.</p> <p>A previous outline application (Ref: Z/2014/0271/F) relating to this application was allowed (subject to conditions) by the Planning Appeals Commission (PAC) following an appeal and is the subject of a Section 76 agreement relating to ground improvement works to be carried out at Dundela Football Club.</p> <p>Nine objections were received to this proposal raising the following concerns: car parking, traffic, height of buildings, design of proposal, loss of privacy, impact on local character, density, no public notice, impact on vegetation, loss of open space, dominance and construction traffic disruption.</p> <p>Having regard to the policy context and other material considerations above, the proposal is deemed to be acceptable and is recommended for approval. It is requested that the final framing of the conditions be delegated to the Director of Planning and place.</p>	

Case Officer Report

Site Location Plan





Characteristics of the Site and Area	
1.0	Description of Proposed Development This is a reserved matters application for erection of 22 apartments comprising 3 blocks (4 storey) with a new access to Dundela Avenue and associated site works including boundary wall and fence as set out in the Section 76 Planning Agreement relating to the previous outline permission on the site.
2.0	Description of Site The site is located approximately 3km east of Belfast City centre. It is bounded by Wilgar Park football grounds (Dundela FC) to the North; unoccupied lands and Dundela infant primary school beyond the site boundary to the east. Dundela Avenue runs parallel to the site to the south with residential properties along the opposite side of this road. The topography of the site and surrounding area slopes markedly downwards to the north and west. The land is currently unoccupied and surfaced with grass and overgrown vegetation.
Planning Assessment of Policy and other Material Considerations	
3.0	Site History Z/2014/0271/F- Former training ground for Dundela Football Club situated opposite from 25-45 Dundela Avenue, Belfast, BT4 3BQ- Housing development for 23 apartments across 5 blocks with a new access created to Dundela Avenue and all associated site works. Outline permission allowed on appeal (To Note: An amended scheme was submitted at appeal stage (2014/AO139) by the Appellants. They requested that the application be changed to an outline proposal, seeking only permission in principle at that stage.) Z/2004/0133/O – Site for residential development of 17 no. apartments, Land within Wilgar Park, Wilgar Street, inc. nos. 1&2 Dundela Avenue, opposite nos. 25-45 Dundela Avenue, Belfast Permission refused. Allowed on appeal (Ref: 2004/A414) and was the subject of a Planning Agreement which set out arrangements for profits from the proposed scheme to be used for the benefit of Dundela Football Club on the basis that at least 75% of the monies be used for ground improvements and no more than 25% be used to clear the Club's outstanding debts.
4.0	Policy Framework
4.1	Regional Development Strategy (RDS); Belfast Urban Area Plan 2001 Draft Belfast Metropolitan Area Plan (2015) Version Belfast Metropolitan Area Plan published 03.09.14 Strategic Planning Policy Statement (SPPS) Planning Policy Statement 3 – Parking, Access and Movement Planning Policy Statement 7 – Quality Residential Environments Planning Policy Statement 7 Addendum – Safeguarding the Character of Established Residential Areas Planning Policy Statement 8 – Open Space Planning Policy Statement 15 Revised – Planning and Flood Risk
5.0	Statutory Consultees Responses
5.1	Transport NI – No objections subject to conditions Rivers Agency – No objection
6.0	Non Statutory Consultees Responses
6.1	Environmental Health – No objection subject to conditions

7.0	Representations
7.1	Nine objections received. Concerns raised include car parking, traffic, height of buildings, design of proposal, loss of privacy, impact on local character, density, no public notice, impact on vegetation, loss of open space, dominance and construction traffic disruption.
8.0	Other Material Considerations
8.1	Creating Places guidance Parking Standards
9.0	Assessment
9.1	The key issues in the assessment of the proposed development include: <ul style="list-style-type: none"> - Design, scale and massing - Impact on residential amenity - The impact on existing roads infrastructure - Flood risk - Contamination
9.2	Background Two previous approvals for the application site (Z/2004/0133/O and Z/2014/0271/F) were allowed on appeal and both were the subject of Planning Agreements to secure benefits for the adjoining football club.
9.3	The first planning agreement (Ref: Z/2004/0133/O) set out arrangements that profits from the proposed scheme were to be used for the benefit of Dundela Football Club on the basis that at least 75% of the monies be used for ground improvements and no more than 25% be used to clear the Club's outstanding debts. The most recent Section 76 Agreement (Ref Z/2014/0271/F) amended the above arrangements to secure at least 25% of the monies for ground improvements for Dundela Football Club and no more than 75% to be used to clear the Club's outstanding debts. Ground improvement works to the value of £84,720.00 have been secured through the most recent Section 76 Agreement (Z/2014/0271/F) negotiated by Belfast City Council.
9.4	Reserved matters A non-determination appeal for planning application Z/2014/0271/F (Housing development for 23 apartments across 5 blocks with a new access created to Dundela Avenue and all associated site works) was upheld by the PAC on the 13 th June 2016. The principle of residential use at this location has been established under the Z/2014/0271/F approval. An amended scheme was submitted at appeal stage (2014/AO139) by the Appellants. They requested that the application be changed to an outline proposal, seeking only permission in principle which was allowed by the PAC. The loss of open space was considered to be acceptable under the appeal and therefore the principle has been established. This reserved matters is required to comply with the conditions set out in the appeal decision.
9.5	Design, Scale and Massing The site is not located within any environmentally sensitive designated areas as set out in draft BMAP. The proposal is for 22 apartments across 3 four storey blocks with outlook onto Wilgar Park to the North and Dundela Avenue to the south. Apartment Nos 1-8 are to be located in Block A, apartment Nos 9-15 in Block B and Nos 16-22 in Block C. Objections highlighted concerns with the design of the proposal, the height of the buildings and considered the proposal to be out of character with the area due to the high density nature of the development. The site sits at a lower level (approximately 3 metres) than Dundela Avenue which reduces the impact of the height of the 4 storey blocks on the local streetscape. The lower ground floor will not be visible from views along Dundela

	<p>Avenue. The applicant provided a contextual streetscape (as shown on page 3 of this report) illustrating the proposed development set against the existing streetscape. This demonstrates that the roofline height of the apartment blocks is in keeping with the wider residential development opposite the site and it is considered that the height of the proposed blocks is acceptable in the context.</p>
9.6	<p>Criterion (g) of Policy QD 1 (PPS 7) states that the design of the development should draw upon the best local traditions of form, materials and detailing. The site is not located within an Area of Townscape Character or a Conservation Area. The proposed layout and design is considered to be in keeping with its context. The proposed materials include brick and render finishes which replicate materials already in use in the area and are acceptable.</p>
9.7	<p>The proposed development has been designed to meet the prevailing space standards set out in the Housing Association Guide and Annex A of the Creating Places guidance document. The buildings comply with the bulk, scale and massing of existing buildings in the local context. The proposed density is not significantly higher than that found in the established residential area, as there is a mixture of densities present in the area. The pattern of development is in keeping with the overall character and environmental quality of the established residential area and it is therefore considered acceptable in this context of the urban streetscape.</p>
9.8	<p>The outlook from all apartments ranges from views across Dundela FC's playing field to views across Dundela Avenue and landscaped areas. The proposal includes retaining walls which are required due to the topography of the site and in line with the conditions set out under the outline approval. The retaining walls run parallel to the boundary of Dundela FC and are 1.6m in height. A 2.4m fence will run above the retaining wall in order to demarcate the boundary along the Northern aspect of the site. Details provided of the proposed retaining structures are considered acceptable.</p>
9.9	<p>Impact on Residential amenity Local residents objected to the impact the proposal would have on their residential amenity. The proposal has been assessed against paragraph 4.12 of the SPPS, in terms of potential impact on amenity of neighbouring properties. It is considered that the proposed buildings will not have a detrimental impact on the general amenity of neighbouring residents.</p>
9.10	<p>Overlooking/Loss of light Criterion (h) of Policy QD 1 (PPS 7) states that a proposed layout should not create conflict by overlooking between proposed and/or existing properties. There are no issues with overlooking pertaining to the proposed development due to the separation distances of approx. 35-50 metres between the proposed buildings and the buildings across the opposite side of the road along Dundela Avenue. The position of the proposed development relative to the direction of the sun would mean that there would be no unacceptable loss of light to existing residents. Having carefully considered the concerns of the objectors, I find that none of these matters, either individually or cumulatively, would warrant refusal of the proposal.</p>
9.11	<p>Dominance Criterion (h) of Policy QD 1 (PPS 7) states that the layout will not create conflict by dominance between proposed and/or existing properties. The proposal does not create any issues pertaining to dominance with this proposed development. Separation distances are adequate as mentioned in the previous paragraph and as a result it is considered that the proposal would not have a detrimental impact on neighbouring and/or</p>

	objectors properties.
9.12	<p>Amenity Space</p> <p>The private amenity space provided in this development is commensurate with Creating Places. The site layout identifies a total of 500m² useable amenity space (excluding the sloping landscaping banks adjacent to Dundela Avenue) which as a whole provides more than the minimum space requirement of 220m² for 22 units. As such the proposed amenity space is compliant with criterion (c) of Policy QD 1 (PPS 7).</p>
9.13	<p>Road safety including access and parking- Policies AMP 1 and AMP 6</p> <p>Objection letters raised concerns regarding traffic intensification, car parking and access arrangements. Transport NI was consulted and having assessed the proposal they have no objections to the proposal which provides 22 parking spaces along with provision for cycle parking. Parking provisions are therefore in line with parking standards; and the site benefits from accessibility to non-car modes due to high quality pedestrian and cycle routes in the local area. The site is also accessible by regular bus services with bus stops located within the recommended walking distances along Holywood Road. Overall there is good accessibility for residents to travel by alternative modes of transport to and from the site. The proposal includes a footbridge link from Blocks A and B onto Dundela Avenue for the convenience of pedestrian access. The proposal complies with Policies AMP1 and AMP 6 of PPS 3.</p>
9.14	<p>Flood risk</p> <p>A Drainage assessment was submitted and has been assessed against Policy FLD 1 of the Revised PPS15 – ‘Development in Fluvial (River) and Coastal Flood Plains’. The Flood Hazard Map (NI) indicates that the development is not within any river or coastal flood plains and Rivers Agency have no objection to the proposed development from a drainage or flood risk perspective.</p>
9.15	<p>Landscaping</p> <p>The scheme makes provision for communal amenity space in the form of a landscaped zone which wraps around the northern and western boundaries of the site. The communal area comprises ornamental planting and lawn areas to create variety and interest. Hard and soft landscaping is proposed to enhance the overall quality and character of the space around the buildings and boundaries of the site. Landscaping details will be required to be submitted and approved prior to development as set out in the conditions. The circulation space around the buildings will be finished in paving. The blocks are set back from the footpath and small areas of defensible space provided along the front elevations protect against passers-by looking in. Existing trees are to be retained along the eastern boundary to afford an element of screening along Dundela Avenue.</p>
9.16	<p>Contamination</p> <p>A condition attached to the outline approval stated that <i>“Prior to the occupation of any part of the development hereby permitted, a verification report shall be submitted to and agreed by the Planning Authority. This report shall demonstrate the successful completion of the proposed remediation works outlined in the Generic Quantitative Contamination Risk Assessment referenced PM14-1170.”</i> The Department of Agriculture Environment and Rural Affairs (DAERA) replied indicating no objections to the proposal and the Condition was discharged on 16/11/2016 (Ref. LA04/2016/2206/DC).</p>
11.0	<p>Summary of Recommendation: Approval</p> <p>Having regard to the policy context and other material considerations the proposal is considered acceptable, the application complies with the outline conditions and planning</p>

	<p>permission is recommended subject to conditions for the following reasons.</p> <p>The proposed development is considered acceptable in this location. The scale and massing and layout proposed are considered acceptable. There will be no detrimental impact on residential amenity. Statutory and non-statutory consultees have offered no objections subject to the conditions. Approval is recommended.</p>
<p>12.0</p>	<p>Conditions</p> <p>1. The development to which this approval relates must be begun by whichever is the later of the following dates:-</p> <ul style="list-style-type: none"> i. The expiration of a period of 5 years from the grant of outline planning permission; or ii. The expiration of a period of 2 years from the date hereof. <p>Reason: As required by Section 62 of the Planning Act (Northern Ireland) 2011.</p> <p>2. No development shall take place until there has been submitted to and approved by the Planning Authority a landscaping scheme providing for soft and hard landscaping within the site. The scheme of planting as finally approved shall be carried out during the first available planting season after the commencement of the development. Trees or shrubs dying, removed or becoming seriously damaged within 5 years of being planted shall be replaced in the next planting season with others of a similar size and species unless the Planning Authority gives written consent to any variation.</p> <p>Reason: To ensure the provision, establishment and maintenance of a high standard of landscape.</p> <p>3. Before any dwellings are occupied, a landscape management plan shall be submitted to and approved by the Planning Authority setting out the period of the plan, long term objectives, management responsibilities, performance measures and maintenance schedules for all landscaped areas. The landscape management plan shall be carried out as approved.</p> <p>Reason: To ensure the provision, establishment and maintenance of a high standard of landscape.</p> <p>4: The vehicular access, including visibility splays and any forward sight distance, shall be provided in accordance with Private Streets Determination drawing No.2511/PSD01.1E bearing Planning Authority date stamp 30th March 2017, prior to the commencement of any other works or other development hereby permitted.</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>5: 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 commenced and such splays shall be retained and kept clear thereafter.</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>6: Any existing street furniture or landscaping within the visibility splays as conditioned</p>

	<p>above shall, after obtaining permission from the appropriate authority, 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>7: The development hereby permitted shall not become operational until the redundant vehicular access from the site to the public road has been permanently closed and the footway reinstated to the satisfaction of the Department for Infrastructure.</p> <p>Reason: In order to minimise the number of access points onto the public road in the interests of road safety and the convenience of road users.</p> <p>8: 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.2511/PSD01.1E bearing the Department for Infrastructure Determination date stamp 9th June 2017.</p> <p>Reason: To ensure there is a safe and convenient road system to comply with the provisions of the Private Streets (Northern Ireland) Order 1980.</p> <p>9: The development hereby permitted shall not be occupied until hard surfaced areas have been constructed in accordance with Private Streets Determination drawing No.2511/PSD01.1E bearing the date stamp 30th March 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 the parking and movement of vehicles.</p> <p>Reason: To ensure adequate provision has been made for parking and traffic circulation within the site.</p> <p>10: 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.</p> <p>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.</p>
	<p>Representations for Elected Representatives: None</p>
	<p>Notification to Department (if relevant): N/A</p>

ANNEX	
Date Valid	25th October 2016
Date First Advertised	11th November 2016
Date Last Advertised	
Details of Neighbour Notification (all addresses) The Owner/Occupier, 1 Douglas Court,Ballyhackamore,Belfast,Down,BT4 3EH, The Owner/Occupier, 1, 2, 3, 4 Dundela Drive,Ballyhackamore,Belfast,Down,BT4 3DL, The Owner/Occupier, 16, 18, 25-45 Dundela Avenue,Ballyhackamore,Belfast,Down,BT4 3BQ, Dundela Infants School,Wilgar Street,Ballyhackamore,Belfast,Down,BT4 3BL, Flat 1 -30,Dundela Flats,47 Dundela Avenue,Ballyhackamore,Belfast,Down,BT4 3BT,	
Date of Last Neighbour Notification	10th April 2017
Date of EIA Determination	
ES Requested	No
Planning History Ref ID: Z/2004/0133/O Proposal: Site for residential development of 17 no. apartments Address: Land within Wilgar Park, Wilgar Street, inc. nos. 1&2 Dundela Avenue, opposite nos. 25-45 Dundela Avenue, Belfast. Decision: Decision Date: 30.04.2004 Ref ID: LA04/2016/2291/RM Proposal: Reserve matters application for erection of 22 apartments across 3 blocks (4 storey buildings) with a new access to Dundela Avenue and associated site works including boundary wall and fence as per schedule 76 agreement. Address: Former training ground for, Dundela Football Club, opposite from, 25-45 Dundela Avenue, Belfast, BT4 3BQ, Decision: Decision Date: Ref ID: LA04/2016/2289/F Proposal: Close the access at the corner of Dundela Crescent and Dundela Avenue as per approval Z/2014/0271 and moved to opposite the access of 39 Dundela Crescent. Address: Dundela Football Club, Wilgar Park, Strandtown, Belfast, BT4 3BL, Decision: Decision Date: Ref ID: Z/2014/0135/F	

Proposal: New artificial football pitch, 24 floodlights on 6 x 15m columns, 5 stands, perimeter fencing and associated ground works. New two-storey clubhouse incorporating bar, changing facilities, kickboxing club with community use area to replace existing single-storey building.

Address: Dundela FC Wilgar Street, Belfast, BT4 3BL,

Decision: PG

Decision Date: 05.01.2015

Ref ID: Z/2014/0271/F

Proposal: Housing development for 23 apartments across 5 blocks with a new access created to Dundela Avenue and all associated site works. (amended proposal)

Address: Former training ground for Dundela Football Club situated opposite from 25-45 Dundela Avenue, Belfast, BT4 3BQ,

Decision:

Decision Date:

Drawing Numbers and Title

Drawing No.01, 03B, 04A, 05A, 07, 08A, 09, 11,14, 15
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