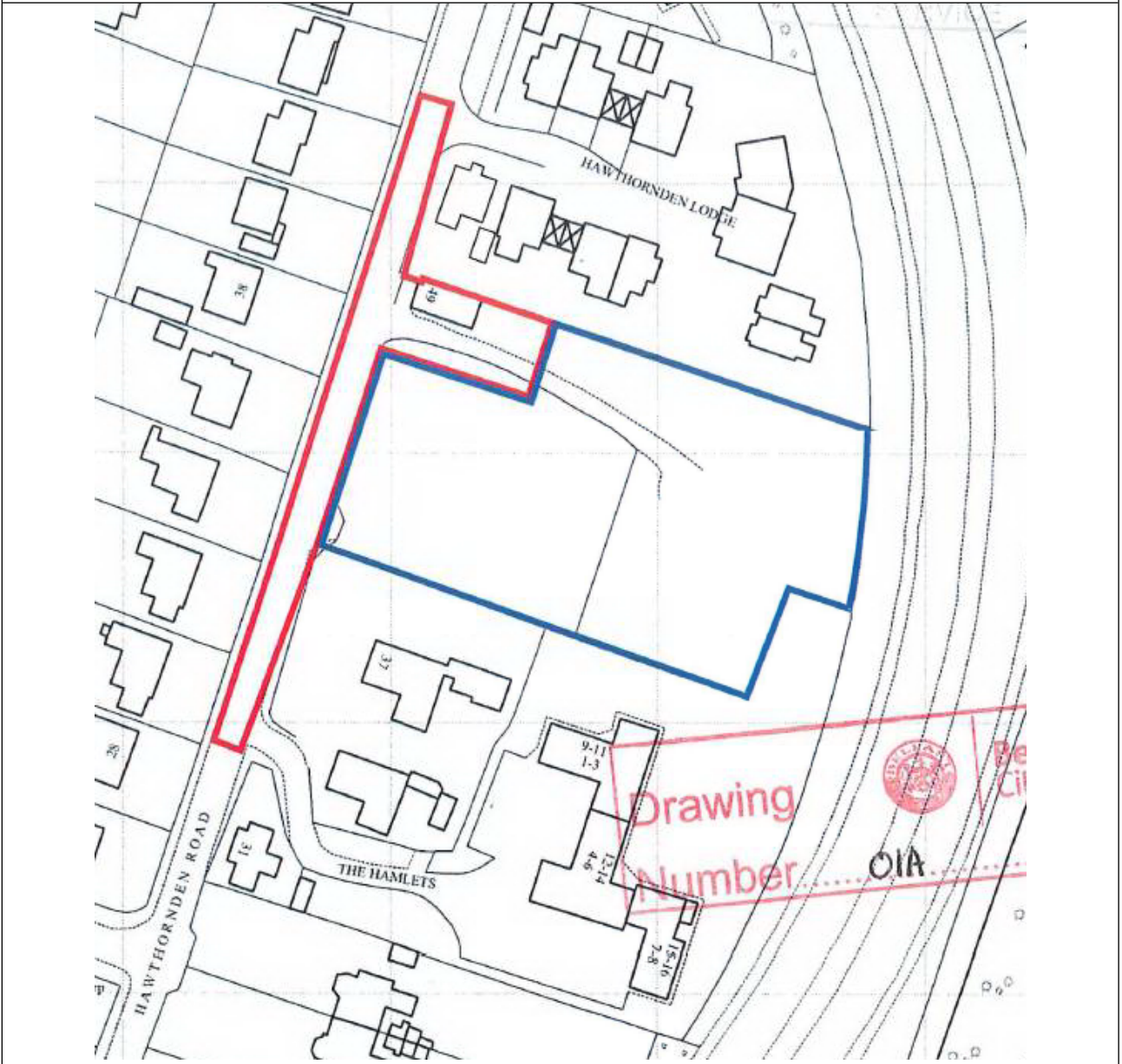


Committee Application

Development Management Report	
Application ID: LA04/2018/0124/F	Date of Committee: 11 September 2018
Proposal: Demolition of existing dwelling and garden wall and proposed construction of replacement dwelling with associated car parking and landscaping.	Location: 49 Hawthornden Road, Belfast
Referral Route: Request for referral to the Planning Committee under Section 3.8.1 of the Scheme of Delegation	
Recommendation: Approval	
Applicant Name and Address: HPD Ltd Lesley House 605 Lisburn Road Belfast BT9 7GS	Agent Name and Address: Coogan & Co Architects Ltd 122 Upper Lisburn Road Belfast BT10 0BD
<p>Executive Summary:</p> <p>Planning permission is sought for demolition of an existing dwelling and garden wall and proposed construction of replacement dwelling with associated car parking and landscaping.</p> <p>The site is located at 49 Hawthornden Road Belfast and is located within a residential area characterised by two storey semi-detached dwellings of similar design and finishes.</p> <p>Eight representations have been received in relation to the application.</p> <p>The key issues to be considered are:</p> <ul style="list-style-type: none"> • The impact on the character and appearance of the area • Design • Impact on amenity • Road safety and free flow of traffic <p>Recommendation Having regard to the policy context and other material considerations, the proposal is considered acceptable and planning permission is recommended subject to conditions.</p>	

Case Officer Report

Site Location Plan



Characteristics of the Site and Area	
1.0	<p>Description of Proposed Development</p> <p>The proposal is for demolition of an existing dwelling and garden wall and proposed construction of replacement dwelling with associated car parking and landscaping. The proposal is to demolish the existing single storey gate lodge on the site to accommodate a 2 storey dwelling. The new dwelling will be 8.4m x 11.7m and will have a pitched roof height of 6.8m with eaves height 4.2m. The proposed dwelling is to be finished in red brick. The proposal includes new landscaping and off street parking to the rear of the site.</p>
2.0	<p>Description of Site</p> <p>The site is located within the urban area of Belfast. The site encompasses a rectangular portion of land fronting onto Hawthornden Road with an existing gate lodge situated on the site. The site is overgrown with a number of large trees located on the site. Land adjacent and to the rear of the site is currently vacant, however planning approval has been granted for the erection of 6 detached dwellings (ref LA04/2015/1099/F). The gate lodge is located at the front of the site with the gable fronting onto Hawthornden Road.</p> <p>The surrounding area is defined by residential dwellings which are finished with a mixture of white render and red brick. The locality is dominated by large detached buildings on large plots, with generous separation distance between buildings. It is however noted that there are a few exceptions to this, not least North of the site there are a number of semi-detached dwellings in a cul de sac development.</p>
Planning Assessment of Policy and other Material Considerations	
3.0	<p>Site History</p> <ul style="list-style-type: none"> • LA04/2015/1099/F Site at 45 - 49 Hawthornden Road, Belfast, Proposed Residential Development comprising of 6 detached dwellings and retention of Gate Lodge at 49 Hawthornden Road including car parking and landscaping PERMISSION GRANTED • Z/2007/1101/F Site at 45-49 Hawthornden Road, Ballycloghan, Belfast, BT04 3JW. Demolition of dwelling & outbuildings at 45 and 47 Hawthornden Road and erection of residential development comprising 24 new residential units and retention of gate lodge at 49 Hawthornden Road. PERMISSION GRANTED • Z/2005/1009/F 45 -49 Hawthornden Road, Ballycloghan, Belfast, Northern Ireland, BT04 3JW Demolition of dwelling houses at 45 and 47 Hawthornden Road (including outbuildings) PLANNING APPEAL UPHeld • Z/2004/1480/F 45-49 Hawthornden Road, Ballycloghan, Belfast, Northern Ireland, BT04 3JW Proposed new development of 6 no. apartments, 2 no. duplex apartments and 10 no. houses with retention of existing gatelodge dwelling (49 Hawthornden Road) PLANNING APPEAL UPHeld
4.0	Policy Framework
4.1	Belfast Urban Area Plan 2001 (BUAP)
4.2	(Draft) Belfast Metropolitan Area Plan 2015
	Following the recent Court of Appeal decision on BMAP, the extant development plan is now the BUAP. However, given the stage at which the Draft BMAP had reached pre-adoption

	through a period of independent examination, the policies within the Draft BMAP still carry weight and are a material consideration in the determination of planning applications. The weight to be afforded is a matter of judgement for the decision maker.
4.3	Strategic Planning Policy Statement for Northern Ireland (SPPS)
4.4	Planning Policy Statement 3: Access, Movement and Parking
4.4.1	Policy AMP 2
4.5	Planning Policy Statement 7: Quality Residential Environments
4.5.1	Policy QD 1
4.6	Addendum to Planning Policy Statement 7: Safeguarding the character of established residential areas
4.6.1	Policy LC1
4.7	Planning Policy Statement 12: Housing in Settlements
4.7.1	Planning Control Principal 1 & 2
4.8	Creating Places
5.0	Statutory Consultees Responses
5.1	None
6.0	Non Statutory Consultees Responses
6.1	DFI Roads – Content subject to condition Environmental Health - Content NI Water - Content
7.0	Representations
7.1	<p>The application has been neighbour notified and advertised in the local press. 7 objections have been received raising a number of concerns.</p> <p>A letter of objection was received from no.40 Hawthornden Road regarding the trees on the site which are protected with tree preservation orders. The tree officer has been consulted and is content with the removal of the trees and the replacement planting.</p> <p>An objection was received from no.14 Hawthornden Lodge drawing attention to the planning history of the site and the potential impact in terms of dominance and overshadowing that proposal would have on his dwelling. The proposal has since been amended to reduce the ridge height to 6.8m, with the two storey element now 4.9m from the site boundary. This is considered sufficient to ensure the proposal will not overshadow or dominate no. 14 Hawthornden Lodge. No further objection was received following the amended drawings.</p> <p>The accuracy of the site location map was raised by no.15 Hawthornden Lodge as the objector's site was not shown on the map, an amended drawing was received to rectify this.</p> <p>The planning history of the site was referenced in the objection, most recently 6 detached dwellings with the retention of the gate lodge was granted in 2017. There are a number of previous applications approved for the site which have retained the existing gate lodge. It is noted that each application is assessed on its own merits. The Conservation officer was consulted and observed that there was no substantial architectural detail to the building, therefore the demolition was considered acceptable.</p> <p>No.15 Hawthornden Lodge also referenced the impact the proposal would have on neighbouring amenity in terms of overlooking, overshadowing and dominance. These issues were taken into consideration and as a result amendments were made to the proposal to rectify</p>

	<p>these concerns. The ridge height was lowered to 6.8m in height and the 2 storey element stepped back from the boundary with the properties North of the site to 4.9m, therefore it is no longer considered to impact the amenity of neighbouring properties in terms of dominance of overshadowing. There is 1 ground floor window on the side elevation facing onto 15 Hawthornden Lodge, however the landscape plan proposes 11no. Sorbus Autumn Spire trees along the boundary 2.5m-3.0m in height. These will prevent any overlooking into the rear amenity area of 15 Hawthornden Lodge. There is one velux window at first floor level, however this will not impact the amenity of the adjacent property.</p> <p>The proposals impact on the character and appearance of the area and design of the dwelling was also raised through objections. It is considered that the design of the dwelling is in keeping with the character of the area in terms of scale and massing. The materials match that of the adjacent dwelling therefore the proposal is not considered to significantly impact the character and appearance of the area. The scale and size of the dwelling is considered acceptable in relation with dwellings in the surrounding area. The ridge height is marginally lower than the adjacent property no.15 Hawthornden Lodge, and is considered in keeping with the surrounding streetscape.</p> <p>A second letter was received from no.15 Hawthornden Lodge following a number of amendments to the proposal. A number of these points reiterated what was stated in the first letter, as well as fresh concerns regarding the amended landscape plan. This was following the request of a new landscape plan from the tree officer. Replacement planting is proposed due to the felling of large trees to the front of the site. A number of trees are proposed along the boundary with no.15 Hawthornden Lodge, these are not considered to significantly impact on neighbouring amenity as they will be 2.5m - 3.0m at the time of planting. The tree officer was consulted and is content with the amended landscaping proposal.</p>
8.0	Other Material Considerations
8.1	None
9.0	Assessment
9.1	The site is located within the settlement development limit for Belfast as designated by the Belfast Metropolitan Plan 2015. The site is located within a residential area characterised by large detached dwellings on spacious plots. It is however noted that there are a few exceptions to this, not least North of the site there are a number of semi-detached dwellings in a cul de sac development.
9.2	Section 45 (1) of the Planning Act (Northern Ireland) 2011 requires regard to be had to the Development Plan, so far as material to the application and to any other material considerations. Section 6(4) states that where regard is to be had to the Development Plan, the determination must be made in accordance with the Plan unless material considerations indicate otherwise. The site is located within the urban area of Belfast. The adopted Belfast Metropolitan Area Plan 2015 (BMAP) has been quashed as a result of a judgement in the Court of Appeal delivered on 18th May 2017. As a consequence of this, the Belfast Urban Area Plan 2001 (BUAP) is now the statutory development plan for the area with draft BMAP remaining a material consideration.
9.3	The site is not zoned for a use within BUAP or draft BMAP, however the site is located within Belmont ATC
9.3	The SPPS provides a regional framework of planning policy that will be taken account of in the preparation of Belfast City Council's Local Development Plan (LDP). At present, the LDP has not been adopted therefore transitional arrangements require the council to take account of the SPPS and existing planning policy documents, with the exception of PPS 1, 5 and 9. The SPPS states that the demolition of an unlisted building in an ATC should only be permitted where the building makes no material contribution to the distinctive character of the area and subject to appropriate arrangements for the redevelopment of the site. The conservation officer has been consulted and has no objection to the proposed demolition of the existing

	gatehouse as it is a later addition which has little architectural value. The proposed new dwelling is considered an acceptable redevelopment of the site. Para 1.12 of the SPPS advises that where the SPPS is silent or less prescriptive on a particular planning policy matter than retained policies this should not be judged to lessen the weight to be afforded to the retained policy.
9.4	Planning Policy Statement 7: Quality Residential Environments Proposal for residential development should conform to all of the points (a)-(l) in policy QD1. Development should produce an appropriate level of design and create a quality and sustainable environment. Development should not cause unacceptable harm to local character, environmental quality or residential amenity.
9.5	The proposal is considered to comply with Policy QD1. The proposal will maintain the environmental quality, local character and privacy of existing residents in-keeping with the requirement and usage in this area. The principle of a dwelling at this location is acceptable. The proposed development respects the surrounding context and is appropriate to the character and topography of the site in terms of layout, scale, proportions, massing and appearance of buildings. The proposal has respected the characteristic land form and the local townscape setting. The proposed dwelling has a two storey front elevation which is slightly smaller in scale to the dwellings which have been approved adjacent to the site.
9.7	Three trees are to be removed as part of the proposal, with new planting to accommodate the loss of the large trees to the front of the site. The new planting along the side boundary of the site will also provide screening to the adjacent site. The scheme will not erode the character or amenity of the area and the proposal does not constitute over development due to the existing gate lodge existing on the site. The development will create a safe environment with a clearly defined private space to the rear of the dwelling with appropriate gardens and amenity space.
9.8	Adequate provision has been made for open space with a rear garden. The design and layout will not conflict with adjacent land uses
9.9	Taking into account the orientation of the proposed dwelling and the separation distances to neighbouring properties it is considered that the proposal will not have a significant adverse impact on any existing properties in terms of overlooking, overshadowing or loss of light. The eaves of the two storey element are 4.3m in height and are 4.9m from the site boundary. This is considered an acceptable separation distance to ensure the dwelling will not dominate or overshadow the adjacent properties. There are no end gable windows looking into the neighbouring properties at first floor level. There is one ground floor window on the side elevation of the dwelling, however the proposed boundary trees will prevent any overlooking.
9.10	The proposal is on a site which has the appropriate depth and configuration for detached dwelling and is in line with guidance as per DCAN – Housing in existing Urban Areas and Creating Places. The proposal illustrates how the design principles have been taken into account by demonstrating an appreciation of context and local character particularly in relation to the existing gatehouse on the site. The scale and form and roofline of the proposed dwelling is in-keeping with the surrounding dwellings.
9.11	Amenity space In the case of small urban infill sites, private communal open space will be acceptable in the form of landscaped areas, courtyards or roof gardens. These should range from a minimum of 10 sq m per unit to around 30 sq m per unit. An individual dwelling should have a minimum of 40 square metres. The rear garden amenity space for the property is well over the required standard which is deemed acceptable.
9.12	Noise and Disturbance As this is a proposal for a single dwelling within an established residential area it is considered that no unacceptable noise and disturbance would be created.
9.13	Addendum to PPS 6: Areas of Townscape Character The proposal is considered compliant with Policy ATC 1 in that the existing building makes no material contribution to the distinctive character of the area. The conservation officer was consulted and is of the opinion that the gate lodge is a later building which may have replaced

	the original gate lodge. The conservation officer considers there to be no substantial architectural detail on the gate lodge. It is also considered that the new dwelling will maintain the distinctive character of the area.
9.14	The proposed new gate lodge is considered to maintain the overall character and built form of the area. The appearance and scale of the dwelling is similar to the adjacent property therefore will not adversely impact the overall character and built form of the area.
9.15	PPS3: Transport NI has no objection to the proposal subject to a number of conditions regarding access and parking standards. Private on site car parking is offered and there is good pedestrian access to local facilities and public transport.
9.16	PPS 12: The proposal complies with relevant policy and guidance in PPS12. The proposal will not increase the density of the site due to the existing gate lodge being demolished as part of the proposal. The design of the dwelling is of a simple form and is unobtrusive.
9.17	Creating Places: The proposal complies with relevant policies in Creating Places. Sufficient amenity space and bin storage will be provided. There is provision for access for bins. Parking will be provided in curtilage.
9.18	Addendum to PPS7: Policy LC1 The proposed density is not significantly higher than that found in the locality due to it replacing the existing gatehouse located on the site. The pattern of development is in keeping with overall character and environmental quality. The proposal complies with Policy LC1 in that the proposed density is not significantly higher than that found in the established residential area. The unit meets the space standards requirements for a 2 bedroom 2 storey house. The proposal is greater than the required 75m2 standard illustrated in annex A of PPS 7 (addendum).
9.19	All consultees are satisfied that the proposed development is in accordance with their guidelines and prevailing policy. Having regard to the policy context above, the proposal is considered acceptable, and planning permission is recommended subject to a number of conditions.
10.0	Summary of Recommendation: Having regard to the policy context and other material considerations above, the proposal is considered acceptable and planning permission is recommended for approval subject to conditions. Delegated authority is sought to approve the application with conditions.
11.0	Conditions <ol style="list-style-type: none"> 1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission. Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011. 2. The development hereby permitted shall not be occupied until hard surfaced areas have been constructed in accordance with Drawing No.02B bearing the date stamp 6th June 2018 to provide for the parking of 2No. cars within the curtilage of the site. No part of these hard surfaced areas shall be used for any purpose at any time other than for the parking and movement of vehicles. REASON: To ensure that adequate provision has been made for parking within the curtilage of the site. 3. All trees and planting within the site shall be retained unless shown on the approved drawing number 04B– titled Landscape Proposal, date stamped 6th June 2018 as being removed. Any trees or planting indicated on the approved drawings which, within a period of five years from the date of planting, die, are removed or become seriously

damaged, diseased or dying, shall be replaced during the next planting season (October to March inclusive) with other trees or plants of a location, species and size to be first approved in writing by the Council.

Reason: In the interests of visual amenity

4. All landscaping and tree protection measures works shall be carried out in accordance with the approved details as per drawing number 04B titled Landscape Proposal, date stamped 6th June 2018. The works shall be carried out prior to the occupation of any part of the development unless otherwise agreed in writing by the Council. Any trees or plants indicated on the approved scheme which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size, details of which shall have first been submitted to and approved in writing by the Council.

Reason: In the interests of the character and appearance of the area.

5. The first floor gable velux window in the north elevation as indicated on drawing no. 03A date stamped 6th June 2018 shall at all times be glazed with obscure glass to at least Pilkington Level 3 (or equivalent)

Reason: To safeguard the privacy of adjacent properties

6. The external finishes of the dwelling will match those as per drawing no. 03A date stamped 6th June 2018.

Reason: To safeguard the character and appearance of the area.

Informatives:

1. Notwithstanding the terms and conditions of the Planning Authority'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 Infrastructure'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 Department for Infrastructure 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.
2. All construction plant and materials shall be stored within the curtilage of the site.
3. Should any unforeseen ground contamination be encountered during the development, and in order to protect human health, 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 and verification (if required) should be prepared and submitted for appraisal.
4. This permission does not alter or extinguish or otherwise affect any existing or valid right of way crossing, impinging or otherwise pertaining to these lands.

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| | <p>5. This permission does not confer title. It is the responsibility of the developer to ensure that he controls all the lands necessary to carry out the proposed development.</p> |
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<p>Notification to Department (if relevant)</p>
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<p>Representations from Elected members:</p>

<p>Two letters of objection have been received from Councillor McReynolds relating to the impact the new dwelling would have on no.15 Hawthornden Road. The first objection was received on 24th April 2018 raising concerns regarding dominance, the impact on the garden of no.15 Hawthornden Road, and potential overshadowing from the scale and size were all raised in the objection.</p>
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<p>The second objection was received on 11th July 2018 following the most recent amendments to the proposal. The concerns raised were similar to the original objection while also stating that the existing gate lodge has a strong heritage in the area.</p>

ANNEX	
Date Valid	16th January 2018
Date First Advertised	2 nd February 2018
Date Last Advertised	2nd February 2018
Details of Neighbour Notification (all addresses)	
<ul style="list-style-type: none"> • 1 Hawthornden Lodge,Belfast,Down,BT4 3PG • 12 Hawthornden Lodge,Belfast,Down,BT4 3PG • 13 Hawthornden Lodge,Belfast,Down,BT4 3PG • 14 Hawthornden Lodge,Belfast,Down,BT4 3PG, • 15 Hawthornden Lodge,Belfast,Down,BT4 3PG, • 2 Hawthornden Lodge,Belfast,Down,BT4 3PG • 28 Hawthornden Road,Belfast,Down,BT4 3JW • 3 Hawthornden Road,Belfast,Down,BT4 3JW • 30 Hawthornden Road,Belfast,Down,BT4 3JW • 31 Hawthornden Road,Belfast,Down,BT4 3JW, • 32 Hawthornden Road,Belfast,Down,BT4 3JW, • 34 Hawthornden Road,Belfast,Down,BT4 3JW, • 35 Hawthornden Road,Belfast,Down,BT4 3JW, • 36 Hawthornden Road,Belfast,Down,BT4 3JW • 37 Hawthornden Road,Belfast,Down,BT4 3JW, • 38 Hawthornden Road,Belfast,Down,BT4 3JW • 40 Hawthornden Road,Belfast,Down,BT4 3JW • 42 Hawthornden Road,Belfast,Down,BT4 3JW, • 44 Hawthornden Road,Belfast,Down,BT4 3JW, • 45 Hawthornden Road,Belfast,Down,BT4 3JW, • 5 Hawthornden Road,Belfast,Down,BT4 3JW, • 6 Hawthornden Road,Belfast,Down,BT4 3JW, • 88, University Avenue, Belfast, Antrim, Northern Ireland, BT7 1GY • 9 Hawthornden Road,Belfast,Down,BT4 3JW, • 90 Hawthornden Road,Belfast,Down,BT4 3JW, 	
Date of Last Neighbour Notification	29/06/2018

Date of EIA Determination	
ES Requested	No
Drawing Numbers and Title 01- 01A- Location Plan, 02- 02B- Site Plan 03- 03A- Gate Lodge 04- 04B- Landscape Proposal 05- Street View Elevations	
Notification to Department (if relevant) Date of Notification to Department: Response of Department:	