Development Management Officer Report
Deferred Committee Application
Addendum Report

Summary	
Application ID: LA04/2017/1153/F	**Date of Committee**: 16 October 2018
Proposal: 4 Storey apartment development, comprising 31No apartments, car parking, amenity space and associated works	**Location:** 10 Lorne Street, Belfast BT9 7DU
Referral Route: Request for referral to the Planning Committee under Section 3.8.1 of the Scheme of Delegation	
Recommendation:	**Refusal**
Applicant Name and Address: Quinn Family Pension Fund 145 Ballymoney Road Banbridge BT32 4HN	**Agent Name and Address:** Tom Wilson Planning 25 Carn Road Carn Industrial Estate Craigavon BT63 5WG

ADDENDUM REPORT

The application was scheduled for Committee on 11th September 2018, at which members deferred the presentation and consideration of the application to undertake a visit of the site and its environs. The full planning report prepared for that meeting is appended below and should be read in conjunction with this addendum.

The visit was undertaken on 25th September 2018. Amended drawings were received from the agent in advance of the site visit. The main amendments are summarised below:

- Omission of render and addition of red brick to the Lorne Street elevation
- Omission of the dwarf render wall to the Lorne Street elevation and replacement with brick & railings
- Omission of 2no car parking spaces and replacement with further soft landscaping
- An amended landscaping scheme
- Notation that the rear car park wall is painted white to allow solar reflectance to apartments
- Adjustment of internal floor spaces.

The amendments do not address the primary concerns with the proposed scheme, as it does not respect the surrounding context, is inappropriate to the site, the design does not draw upon the best local traditions of form and detailing and it will have an unacceptable adverse impact on the proposed property in terms of loss of light, overshadowing and poor outlook for residents.

It is also considered that the landscaping amendments are not sufficient to soften the visual impact of the scheme or assist integration with the surrounding area.

The amendments include a change to the proposed materials as the render on the Lorne Street elevation is replaced with red brick, It is acknowledged that this is an improvement, however standing

seam zinc metal cladding is still proposed, which is out of character. All proposed apartments now comply with the minimum space standards.

Having regard to the policy context and other material considerations detailed in the planning report, the application is still considered unacceptable and the proposed development is recommended for refusal.

The amended recommended reasons for refusal are set out below:

1. The proposal is contrary to the SPPS and Policy QD1 of Planning Policy Statement 7 in that the development would not, if permitted, respect the surrounding context and is inappropriate to the character of the site in terms of layout, excessive scale and massing and appearance of buildings.

2. The proposal is contrary to the SPPS and Policy QD1 of Planning Policy Statement 7 in that the design of the development does not draw upon the best local traditions of form, materials and detailing and an inadequate landscaping scheme has been provided which does not soften the visual impact of the development or assist integration with the surrounding area.

3. The proposal is contrary to the SPPS and Policy QD1 of Planning Policy Statement 7 in that the development would, if permitted, have an unacceptable adverse effect on the proposed property in terms of loss of light, overshadowing and poor outlook for potential residents.

4. The proposal is contrary to Policy LC1 of Planning Policy Statement 7 Addendum in that the pattern of development is not in keeping with the overall character and environmental quality of the area.

5. The proposal is contrary to the SPPS and Policy FLD 3 of Planning Policy Statement 15 in that the applicant has failed to submit information as requested to demonstrate that adequate measures will be put in place to effectively mitigate the flood risk to the development and from the development elsewhere.

6. The proposal is contrary to the SPPS and Policy ATC 2 of Planning Policy Statement 6 Addendum as the proposed development does not maintain the overall character or respect the built form of the area

Committee Application

Development Management Report	
Application ID: LA04/2017/1153/F	**Date of Committee**: 11th September 2018
Proposal: 4 Storey apartment development, comprising 31No apartments, car parking, amenity space and associated works	**Location:** 10 Lorne Street, Belfast BT9 7DU
Referral Route: Request for referral to the Planning Committee under Section 3.8.1 of the Scheme of Delegation	
Recommendation:	**Refusal**
Applicant Name and Address: Quinn Family Pension Fund 145 Ballymoney Road Banbridge BT32 4HN	**Agent Name and Address:** Tom Wilson Planning 25 Carn Road Carn Industrial Estate Craigavon BT63 5WG

Executive Summary:

The proposal is for '4 Storey apartment development, comprising 31 apartments, car parking, amenity space and associated works'.

One objection has been received concerned that there is inadequate parking proposed.

Councillor Kyle requested that the proposed development is referred to the Planning Committee for consideration following the case officer's recommendation to refuse.

There is no relevant site planning history.

The main issues to consider are:

- Impact on character of area
- Impact on residential amenity of existing and future residents
- Impact on car parking
- Impact on drainage and flooding
- Size of proposed dwellings

It is considered that the proposed development does not respect the surrounding context, is inappropriate to the character of the site, the design does not draw upon the best local traditions of form, materials and detailing and it will have an unacceptable adverse effect on the proposed property in terms of loss of light, overshadowing and poor outlook for residents. The proposal is not in keeping with the overall character and environmental quality of the area and four units are an inadequate size. Furthermore, the applicant has failed to demonstrate that adequate measures will be put in place to mitigate flood risk to the development and from development elsewhere. For the reasons outlined above, it is recommended that planning permission is refused.

Characteristics of the Site and Area	
1.0	**Description of Proposed Development** The proposal is for a '4 Storey apartment development, comprising 31No apartments, car parking, amenity space and associated works'. The proposal also involves the demolition of the existing building on the site. The proposed building is a 'U' shaped block with frontage onto Lorne Street. There are two proposed accesses into the site, with a new access proposed on Lorne Street (9 parking spaces) and re-use of an existing access off Lower Windsor Avenue (24 parking spaces). The 'U' shaped building creates a courtyard area, where some of the car parking spaces are proposed, in addition to cycle parking. Proposed materials include a mix of red / brown brick, render and zinc cladding to external walls, dark grey uPVC windows
2.0	**Description of Site** The site is located within the settlement limit of Belfast, approximately 90 metres west of Lisburn Road. The site measures 0.2 Ha and is irregularly shaped. There is currently a large warehouse building located on the site, with a footprint measuring approximately 1000 sq metres. The main views of the building are from Lorne Street. The site can be accessed from both Lorne Street and Lower Windsor Avenue. The site is located directly to the South of Morton Community Centre, Lorne Street and directly to the west of the existing Camseng building. The surrounding area is predominately characterised by residential development, primarily terraced dwellings, with some apartment buildings within the immediate locality. There is also a church and community centre adjacent to the site, with commercial uses prevalent to the east of the site, close to the Lisburn Road.
Planning Assessment of Policy and other Material Considerations	
3.0 3.1	**Site History** No relevant site history
4.0	**Policy Framework**
4.1	Belfast Urban Area Plan 2001 (BUAP) Draft Belfast Metropolitan Area Plan 2015 (dBMAP)
	4.1.1 White land - BUAP 4.1.2 Lisburn Road Area of Townscape Character (ref. BT056) - dBMAP
4.2	Strategic Planning Policy Statement (SPPS) PPS 3 - Movement, Access and Parking PPS 6 Addendum – Areas of Townscape Character PPS 7 - Quality Residential environments PPS 7 Addendum - Safeguarding the Character of Established Residential Areas PPS 12 - Housing in settlements PPS 15 – Planning and Flood Risk
4.3	Other Material Considerations:

	Creating Places Parking Standards DCAN 8 Housing in Existing Urban Areas
5.0	**Statutory Consultees Responses**
5.1	DFI Roads – No objection, subject to conditions
5.2	NI Water – No objection
6.0	**Non Statutory Consultees Responses**
6.1	BCC Environmental Health – No objection, subject to conditions
6.2	Rivers Agency – Further information requested
6.3	BCC Conservation Officer – Objections to proposal
6.4	BCC Urban Design Unit – Objections to proposal
7.0	**Representations**
7.1	One objection has been received concerned that there is inadequate parking proposed.
7.2	Councillor Kyle requested that the proposed development is referred to the Planning Committee for consideration following the case officer's recommendation to refuse. Councillor Kyle's reason for referral to committee are provided below. *The draft reasons for refusal do not properly take into account the thrust and direction of the relevant planning policies, which require the existing character of the area to be maintained or enhanced. Therefore, it must be accepted that the retention of the existing façade would fully meet the policy tests and that must be the benchmark for the policy considerations. This proposal provides a significant enhancement in terms of design and finishes.* *The existing development on the site and on the adjoining site (a vacant warehouse and the Morton Community Centre) comprise the totality of the frontage on this street. Consequently, the form of the proposed development does respect the established context of the site, a warehouse and community building, and does respect the built form of the area. The suggested grounds for refusal do not acknowledge that the planning policy requires only that, in Areas of Townscape Character, the development must maintain or enhance the overall character of the area.* *In this case, the proposed development will replace a vacant, unkempt warehouse, in a predominantly residential area, with new residential development which adopts and respects the built form on the site and replaces incongruous brown brick with appropriate finishes for the area.* *This application is to provide much needed social housing for Triangle Housing Association and has been designed to the HA's specification.*
7.3	It is noted that the applicant for the application is 'Quinn Family Pension Fund' and no case has been made previously by the agent regarding provision of social housing.
8.0	**Assessment**

	Development Plan
8.1	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.
8.2	The site is not zoned or designated within the BUAP, however the site is located within the proposed Lisburn Road ATC, as designated in dBMAP. The PAC examined the ATC designation during the BMAP Inquiry and recommended no change. The ATC was included within the adopted BMAP, and it is reasonable to assume that this ATC will be included if and when BMAP is formally adopted in the future. It is considered that the proposed ATC is a material consideration for this proposed development.
	Area of Townscape Character
8.3	dBMAP described key features of the ATC, such as the Edwardian and Victorian two and three storey terrace and semi-detached dwellings, which are evident in the immediate locality around the site. dBMAP states that all proposals should be assessed against key design criteria 1A, 1B, 2B, 2C, 3A, 4A and 5A contained in Policy UE 3 of the Plan. The draft Plan states that eaves, cornices, ridge height and storey heights should conform to adjoining buildings and new buildings shall not exceed three storeys in height. It also states that the size, plot ratio and ratio of footprint to open space shall be compatible with the historic character and appearance of the immediate neighbourhood and the relationship between existing buildings and site boundary is retained. Furthermore, development shall not involve the removal of trees between the building line and boundary of the road / footway, new buildings shall replicate existing form, layout, materials and detailing of buildings within the area and extensions and alterations to the rear of terraces shall be subordinate to the main building and will be no more than 2 storeys high.
8.4	Belfast City Council's Conservation Area Officer (CAO) commented on the proposal. The CAO noted that Lorne Street appears as a subservient space relative to the Lisburn Road. The CAO advised that the elevation facing Lorne Street should be no more than three storeys high with an attic floor (giving four storeys of accommodation). The CAO suggested the attic floor could be articulated in a manner reflecting traditional character, pitched back at an angle with a sloping form and possible addition of dormer windows. The CAO advised that the block to the rear should be no more than two storey (plus attic) in order to respect the subservient nature of this part of the site. He noted that the proposed form is broadly acceptable and advised that boundary detailing should be red brick plinth wall with piers and railing between them.
	SPPS
8.5	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 introduces core planning principles, including 'improving health and well-being' and 'supporting good design and positive place making'. The SPPS also aims to increase housing density without town cramming and encourages sustainable forms of development, good design and balanced communities. With regard to density in areas of distinctive

	townscape character, it is considered an increase in density should only be allowed in exceptional circumstances.
	Character of Area
8.6	The proposal is assessed against the policy tests of PPS 7 relating to Quality Residential Environments. The application site is located in an area that is notable for its distinctive character, such as the Edwardian and Victorian two and three storey dwellings along Lower Windsor Avenue and Lorne Street. The height of the existing building on the site equates roughly to the Morton Community Centre, the key difference being the set back on the Community Centre. The front façade of the Community Centre measures approximately 8.2 m from ground level, whilst the front façade of the existing building measures approximately 11-12 m from ground level. It is noted that no details of the existing building have been submitted. The proposed building is four storey in height (measuring approximately 12.4 m from ground level). The building extends to approximately 16 m in height to facilitate the provision of stairs and lifts to the rooftop amenity space. The proposal also includes glass balustrades on the roof set back approximately 1.2 m from building's edge. It is acknowledged that the building may appear as a four-storey building when viewed directly from the front, however the building will appear as a five-storey building from particular viewpoints, such as the junction of Edinburgh Street and Lorne Street. Belfast City Council's Urban Design Officer (UDO) advised that cognisance should be given to the surrounding residential terraced houses along Lower Windsor Avenue and Lorne Street. The UDO acknowledged that the existing building is a material consideration when assessing height of the proposal. The UDO advised that four storeys was the maximum limit, inclusive of built form for stair / lift access and that the upper floor should be set back from the lower floors, with a pitched roof to read as a subservient attic addition. The UDO advised that the rear portion of the proposal should incorporate a maximum of three storeys, as it should be subservient in nature to the front block.
8.7	It is considered the proposed development undermines this character in terms of layout, scale and appearance. Although the proposal is situated adjacent to the Morton Community Centre and involves the replacement of an existing warehouse building, the proposed building is taller than the existing community centre and the building to be replaced. It is therefore considered that the proposed development does not respect the surrounding context and will be harmful to the character of the area.
	Amenity Space & Landscaping
8.8	The proposed development includes communal amenity space on the roof top measuring 392 sq. metres, which is considered adequate for 31 apartments. BCC's tree officer (TO) provided comment on the proposed landscaping, stating that the proposal lacks any sufficient landscaping design, resulting in little to no effect for an appropriate landscaping scheme to be fully implemented due to the confined nature of the site. The TO also stated that trees and landscaping within the site could help create and promote a sense of belonging, and may help soften the development into the site surroundings.
	Design and Materials
8.9	There are concerns with the proposed standing seam zinc metal cladding to the projections along the Lorne Street elevation. Traditionally, this material would have been restricted to the attic floor level. The other materials utilised on the main building are considered acceptable, however samples should be provided in the event of approval. The UDO and CAO had concerns regarding the Lorne Street boundary treatment and advised that a low level brick wall with piers and railings would be more sensitive to the existing character than the proposed render wall.
	Demolition within the ATC

8.10	It is considered that the existing building on the site makes no material contribution to the distinctive character of the area, therefore there are no concerns with policy ATC 1. Policy ATC 2 will be considered later in the report.
	Residential Amenity
8.11	The site is located within an existing residential area, therefore it is considered that the proposed use will not in principle create conflict with adjacent land uses. There are no overlooking concerns associated with the proposal. No shadow analysis has been undertaken for the proposal; however, there are concerns regarding overshadowing and loss of light on particular apartments within the proposal. Apartment U GF1 is located on the ground floor in the north eastern corner of the development. The windows are orientated to the east and the apartment is located approximately 11 metres from the corner of the main Camseng building and immediately adjacent to a two storey extension of the Camseng building. It is considered that this apartment may suffer from a loss of light and overshadowing. The issue of overshadowing and loss of light is more acute in the ground floor apartments due to the massing and layout of the proposal, with the exception of Apartment L 1F3 which has windows orientated both east and west. There are also concerns with outlook for potential residents, an issue that is also more acute for ground floor residents as the views from most of the apartments are on to the car parking areas. A sketch was provided in an attempt to mitigate against this by changing ground material of the courtyard from asphalt and adding two trees to the courtyard car park. This drawing was not formally submitted, however in any case, the amended materials do not solve the issue. It is acknowledged that the proposal includes Juliette balconies to all apartments and low level planting along the ground floor windows to enhance amenity and provide defensible space.
	Local Services and Safety
8.12	The site is located in close proximity to services and facilities and there is no requirement to provide integral neighbourhood facilities. It is considered that the proposal is designed to deter crime and promote personal safety.
	Movement & Parking
8.13	An acceptable movement pattern is proposed with access for cyclists and pedestrians. Following consultation with Transport NI, it is considered that adequate provision is made for parking.
	Archaeological and Built Heritage
8.14	There are no concerns regarding archaeological or built heritage.
	Residential Density
8.15	The proposed density of the site is approximately 150 per Hectare, whilst the immediate area encompassing land at Lorne Street, Lower Windsor Avenue and Edinburgh St has a residential density between approximately 115 per Hectare and 140 per Hectare. These calculations assume that none of the surrounding properties have been changed into flats / apartments therefore on balance, it is considered that the proposed density is not significantly higher than that found in the established residential area. It is however a concern that the surrounding character of the site is defined primarily by traditional terraced dwellings, whilst the proposed development is for a larger scale apartment block alien to the surrounding area.
	Space Standards
8.16	Four of the proposed apartments are built to a size less than the recommended space standards. Apartments No. L GF5, L 1F4, L 2F4 and L 3F4 all measure 48.9 sq metres. It is also considered that the proposed development is out of keeping with the overall character and environmental quality of the established residential area.
	Impact on ATC

8.17	Policy ATC 2 of PPS 6 Addendum relates to 'New Development in an ATC'. It is considered that the proposed development does not maintain or enhance the overall character of the area and it does not respect the built form of the area.
	Other consultee issues
8.18	The Council also consulted with NI Water, BCC Environmental Health and Rivers Agency on the proposal. NI Water have no objection to the proposal. BCC EHO provided comment on the submitted Contamination Assessment and Remediation Strategy and offered no objection, subject to condition. As the proposal is for over 10 dwelling units, a drainage assessment is required under policy FLD 3 of PPS 15. A drainage assessment was submitted and Rivers advised that further information is required to fully demonstrate the viability of the proposals. This information has been previously requested but remains outstanding.
	Statutory notification
8.19	The planning application was advertised in the local press and 40 neighbours were notified of the proposal. 1 representation was received.
9.0	**Summary of Recommendation: Refusal**
9.1	It is considered that the proposed development does not respect the surrounding context, is inappropriate to the character of the site, the design does not draw upon the best local traditions of form, materials and detailing and it will have an unacceptable adverse effect on the proposed property in terms of loss of light, overshadowing and poor outlook for residents. The proposal is not in keeping with the overall character and environmental quality of the area and four units are an inadequate size. Furthermore, the applicant has failed to demonstrate that adequate measures will be put in place to mitigate flood risk to the development and from development elsewhere. For the reasons outlined above, it is recommend that planning permission is refused.
10.0	**Reasons for refusal:**
10.1	The proposal is contrary to the SPPS and Policy QD1 of Planning Policy Statement 7 in that the development would not, if permitted, respect the surrounding context and is inappropriate to the character of the site in terms of layout, excessive scale and massing and appearance of buildings.
10.2	The proposal is contrary to the SPPS and Policy QD1 of Planning Policy Statement 7 in that the design of the development does not draw upon the best local traditions of form, materials and detailing and an inadequate landscaping scheme has been provided which does not soften the visual impact of the development or assist integration with the surrounding area.
10.3	The proposal is contrary to the SPPS and Policy ATC 2 of Planning Policy Statement 6 Addendum as the proposed development does not maintain the overall character or respect the built form of the area.
10.4	The proposal is contrary to the SPPS and Policy QD1 of Planning Policy Statement 7 in that the development would, if permitted, have an unacceptable adverse effect on the proposed property in terms of loss of light, overshadowing and poor outlook for potential residents.
10.5	The proposal is contrary to Policy LC1 of Planning Policy Statement 7 Addendum in that the pattern of development is not in keeping with the overall character and environmental quality of the area and four proposed dwelling units are built to a size less than those set out in the Space standards (Annex A of PPS 7 Addendum).

10.6	The proposal is contrary to the SPPS and Policy FLD 3 of Planning Policy Statement 15 in that the applicant has failed to submit information as requested to demonstrate that adequate measures will be put in place to effectively mitigate the flood risk to the development and from the development elsewhere.

Notification to Department (if relevant)

Representations from Elected members:

Councillor Kyle requested the application is referred to Planning Committee