

Development Management Officer Report Deferred Committee Application Addendum Report

| Summary | |
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| Application ID: LA04/2018/0951/F | Date of Committee: 15 th January 2019 |
| Proposal: Construction of a 4 Storey Block containing 20 No. Apartments and Roof terrace with 8 No. in curtilage parking bays and associated hard and soft landscaping | Location: 2-6 Castlereagh Place Belfast |
| Referral Route: Proposal is for over 12 dwellings with representations that conflict with the Case Officer recommendation. | |
| Recommendation: | Approval |
| Applicant Name and Address: Viewpoint Developments Ltd 10A Ballynahinch Road Hillsborough BT26 6AW | Agent Name and Address: BGA Architects Ltd 50 Regent Street Newtownards BT23 4LP |
| <u>ADDENDUM REPORT</u> | |
| <p>The application was scheduled for Committee on 11th December 2018, at which members deferred consideration of the application to undertake a visit of the site and its environs on 9th January 2019. The full planning report prepared for that meeting is appended below and should be read in conjunction with this addendum.</p> <p>Two additional objections (from the same objector) were received following the December meeting of the Planning Committee. The issues included:</p> <ul style="list-style-type: none"> • Adjacent GP surgery increasing in capacity therefore will create a greater need for on street parking in the area (approximate increase of 300 GP visits per day). • Ambulances visiting the GP practice often have to double park or park illegally. • Surrounding parking spaces are often used by commuters, therefore spaces are occupied all day. • Pressure on spaces often leads to instances of illegal parking and therefore, an increase in traffic congestion. • Objector questioned the choice of timings for undertaking the parking survey. • A previous application was approved on the basis that occupiers would utilise public transport rather than relying on use of a car for commuting. • Three nearby churches host funerals and weddings which can impact on parking in the area. • An additional objection contained a photo showing two cars parked illegally on Castlereagh Street, adjacent to the proposed site. <p>It is noted that the peak demand times for residential parking are prior to 7.00 am and after 7.00 pm. The submitted parking survey demonstrates that there is available on street parking within the area and DFI Roads have no objection to the proposal.</p> <p>It is considered that the proposed development accords with the policies of the development plan and prevailing regional planning policy, therefore approval is recommended.</p> | |

Committee Application

| Development Management Report | |
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| Application ID: LA04/2018/0951/F | Date of Committee: 11 December 2018 |
| Proposal: Construction of a 4 Storey Block containing 20 No. Apartments and Roof terrace with 8 No. in curtilage parking bays and associated hard and soft landscaping | Location: 2-6 Castlereagh Place Belfast |
| Referral Route: Proposal is for over 12 dwellings with representations that conflict with the Case Officer recommendation. | |
| Recommendation: | APPROVAL |
| Applicant Name and Address: Viewpoint Developments Ltd 10A Ballynahinch Road Hillsborough BT26 6AW | Agent Name and Address: BGA Architects Ltd 50 Regent Street Newtownards BT23 4LP |
| <p>Executive Summary:</p> <p>The proposal is 'Construction of a 4 Storey Block containing 20 No. Apartments and Roof Terrace with 8 No. in curtilage parking bays and associated hard and soft landscaping'.</p> <p>2 representations have been received, relating to the proposed development.</p> <p>The key issues in the assessment of this proposed development include:</p> <ul style="list-style-type: none"> - Principle of development - Impact on character and density of the surrounding area - Impact on traffic and parking - Design, scale and massing - Impact on residential amenity <p>It is considered that the proposed development accords with the policies of the development plan and prevailing regional planning policy, therefore approval is recommended.</p> | |

| Characteristics of the Site and Area | | | | | | | |
|--|---|-------|-------------------|-------|--------------------|-------|------------------------|
| 1.0 | <p>Description of Proposed Development</p> <p>The proposal is 'Construction of a 4 Storey Block containing 20 No. Apartments and Roof terrace with 8 No. in curtilage parking bays and associated hard and soft landscaping'.</p> <p>The building is an 'L' shaped building, with a parapet height of 11.5 m from ground level. The proposal includes a roof terrace with stair access via a glazed link. The glazed link is set back on the roof, 4.6 m from the Castlereagh St elevation and 7.1 m from the Castlereagh Place elevation. The total height of the building is 13.3 m from ground level, including the glazed stair link.</p> <p>The predominant material on the external walls is red brick, with render bay windows and exposed recessed concrete lintels over windows. Windows, doors and downpipes are grey aluminium.</p> <p>The proposal includes 8 parking spaces at the rear of the building, along with external bin and cycle storage.</p> | | | | | | |
| 2.0 | <p>Description of Site</p> <p>The site is located within the urban limits of Belfast. The site is rectangular in shape and is relatively flat, measuring approximately 0.08 Ha. The site is currently vacant and is bound by a low slung render wall in places with metal post and wire fencing.</p> <p>The surrounding area is characterised by a mix of land uses, with a mix of commercial, residential and ecclesiastical land uses along Castlereagh Street and residential primarily along Castlereagh Place. There is an existing four storey apartment building directly adjacent to the site along Castlereagh Street.</p> | | | | | | |
| Planning Assessment of Policy and other Material Considerations | | | | | | | |
| 3.0 | <p>Site History</p> <p>Z/2008/2185/F - Construction of 4 storey apartment block for 24 apartments with in curtilage parking (Amended scheme) – Granted 24/6/09</p> <p>Z/2006/1972/F - Demolition of existing commercial unit complete, replaced by 4no storey L shaped block consisting of 20no 1 bed apartments & 4no 1 bed + study apartments c/w in-curtilage parking for 10no spaces – Granted 25/10/07</p> | | | | | | |
| 4.0 | Policy Framework | | | | | | |
| 4.1 | Belfast Urban Area Plan 2001 (BUAP) Draft Belfast Metropolitan Area Plan 2015 (dBMAP) | | | | | | |
| | <table border="1"> <tr> <td>4.1.1</td> <td>White land - BUAP</td> </tr> <tr> <td>4.1.2</td> <td>White land – dBMAP</td> </tr> <tr> <td>4.1.3</td> <td>Arterial Route - dBMAP</td> </tr> </table> | 4.1.1 | White land - BUAP | 4.1.2 | White land – dBMAP | 4.1.3 | Arterial Route - dBMAP |
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| 4.1.2 | White land – dBMAP | | | | | | |
| 4.1.3 | Arterial Route - dBMAP | | | | | | |
| 4.2 | Strategic Planning Policy Statement (SPPS) Planning Policy Statement 3: Access, Movement and Parking | | | | | | |

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| | <p>Planning Policy Statement 7: Quality Residential Environments Planning Policy Statement 12: Housing in Settlements Planning Policy Statement 15: Planning and Flood Risk</p> |
| 4.3 | <p>Other Material Considerations: Creating Places Parking Standards DCAN 8 Housing in Existing Urban Areas</p> |
| 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 |
| 6.2 | Rivers Agency – No objection |
| 6.3 | BCC Tree Officer - No objection, subject to conditions |
| 6.4 | BCC Urban Design Unit – No objection in principle. Suggested amendments which informed the final proposed design. |
| 7.0 | Representations |
| 7.1 | 2 representations have been received, objecting to the proposed development. The issues raised are summarised below: |
| 7.2 | <ul style="list-style-type: none"> - Local area is already over-populated. - Impact on parking. - Increased noise. |
| 7.3 | The highlighted issues will be discussed further later in the report. |
| 8.0 | Assessment |
| 8.1 | <p>The key issues in the assessment of this proposed development include:</p> <ul style="list-style-type: none"> - Principle of development - Impact on character and density of the surrounding area - Impact on traffic and parking - Design, scale and massing - Impact on residential amenity |
| 8.2 | <p><u>Development Plan</u> 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</p> |

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| | <p>Area Plan 2001 (BUAP) is now the statutory development plan for the area with draft BMAP remaining a material consideration. The site is not zoned or designated within the BUAP or dBMAP, however the site is located adjacent to an arterial route (Castlereagh Street).</p> |
| 8.3 | <p><u>SPPS</u> 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. It advises that higher density developments should be promoted in locations that benefit from high accessibility to public transport facilities and more urban housing should be accommodated through the recycling of land and buildings.</p> |
| 8.4 | <p><u>Character of Area</u> The proposal is assessed against the policy tests of PPS 7 relating to Quality Residential Environments. The proposal occupies a relatively prominent site on the corner of Castlereagh Street and Castlereagh Place. Castlereagh Street is designated as an arterial route and is a main thoroughfare for traffic within the city. It is characterised by a mix of land uses including commercial, residential and ecclesiastical. Castlereagh Place is a subservient space compared to Castlereagh Street, characterised primarily by residential development in 2 and 2.5 storey Victorian terraced dwellings. The existing terrace located adjacent to the site has a ridge height of 10.2 metres. Immediately to the east of the application site lies an existing 4 storey apartment building (12 metres to parapet). Further along Castlereagh Street (approximately 40 m from the site) is another large building, Mountpottinger Presbyterian Church. The proposed building is an 'L' shape with continuous frontage along both Castlereagh Street and Castlereagh Place, with parking located to the rear. Given the surrounding context, in particular the neighbouring apartment building, it is considered, on balance, that the proposed development is appropriate to the character and topography of the site in terms of layout, scale, proportions, massing and appearance of buildings, landscaped and hard surfaced areas.</p> |
| 8.5 | <p><u>Amenity Space & Landscaping</u> Communal amenity space is proposed on the roof of the building and at the front of the building at ground level (facing Castlereagh Street). This amenity provision is at an acceptable standard, in accordance with the provisions of 'Creating Places'. BCC's Tree Officer has commented on the landscaping proposals and is content, subject to conditions. The landscaping proposals assist in integration of the development.</p> |
| 8.6 | <p><u>Residential Amenity</u> The proposed building is 4 storeys in height, with residential accommodation at each storey. It is located approximately 5.5 metres from the adjacent apartment building, 13 metres from the dwellings opposite on Castlereagh Place and 18.7 metres from the opposite buildings on Castlereagh Street. The proposed building is 11.5 metres to parapet from ground level. The building also has a stair link to the roof terrace, 13.3 metres from ground level. It is considered that the link will be visible from long term views, however it is set back sufficiently so as not to impact detrimentally on amenity of nearby residents. Furthermore, the roof terrace includes a balustrade set back sufficiently to prevent overlooking from this area. The proposed building is sited to the east of No. 1, 3, 5 and 7 Castlereagh Place, with a separation distance of approximately 13 metres. It is acknowledged that the proposed building may impact on light to these properties in the morning time during summer, however this impact is not considered to be significant, due to the limited times of impact. The proposed building sits 5.5 metres to the west of the existing apartment building, however the orientation and the 'L' shape of the</p> |

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| | <p>proposal should allow for sufficient light to be maintained to the adjacent apartment building. It is not considered that the proposed development will give rise to a significant noise nuisance. With regard to outlook, 16 of the 20 apartments look out onto either Castlereagh Place or Castlereagh Street. The remaining 4 apartments are located at the rear of the building with a view over the car parking area. A planted hedge buffer is proposed opposite the window of the ground floor apartment to provide screening of the cycle storage area. The apartments on the upper floors include a Juliette balcony for enhanced amenity. On balance, it is considered that this arrangement is acceptable.</p> |
| 8.7 | <p>Consequently, it is considered that the proposal does not create conflict with adjacent land uses and there is no unacceptable adverse effect on existing or proposed properties in terms of overlooking, loss of light, overshadowing, noise or other disturbance.</p> |
| | <p><u>Design & Materials</u></p> |
| 8.8 | <p>It is considered the proposed design is acceptable and draws upon the best local traditions of form, materials and detailing. Following consultation with BCC's Urban Design Unit, it is recommended that appropriate samples are submitted to the Council for inspection prior to commencement of development. The proposed dwellings also provide adequate internal floorspace.</p> |
| | <p><u>Boundary treatments</u></p> |
| 8.9 | <p>The proposed boundary treatments are acceptable. The Castlereagh Street elevation is bound by a 500 mm high red brick wall with 700 mm high metal railing. Furthermore, the entrance to the car park will be secured with a 2 metre high steel gate with timber panels.</p> |
| | <p><u>Movement, Access & Parking</u></p> |
| 8.10 | <p>It is considered an acceptable movement pattern is proposed with access for cyclists, pedestrians and people whose mobility is impaired. The internal lift terminates at the third floor, however a stair lift is proposed for access to the roof terrace. The proposed development is connected to the existing footpath network and is sited along an arterial route, which benefits from convenient access to public transport. The proposal includes provision for parking of 8 cars and 16 bicycles. A parking survey was submitted to support the proposal, showing that adequate on street parking capacity exists in the locality. Following consultation with DFI Roads, it is considered that this arrangement is adequate.</p> |
| | <p><u>Local services and Safety</u></p> |
| 8.11 | <p>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.</p> |
| | <p><u>Drainage / Flooding</u></p> |
| 8.12 | <p>In accordance with Policy FLD 3 of PPS 15, a Drainage Assessment was submitted for the proposal. DFI Rivers Agency accept the logic of the drainage assessment and have no reason to disagree with the conclusions. The site is not located within a floodplain, therefore no Flood Risk Assessment was required. The proposal also includes permeable paving within the parking area, thereby reducing the risk of flooding associated with surface water run-off.</p> |
| | <p><u>Sewage</u></p> |
| 8.13 | <p>NI Water have no objection to the proposed development, advising that there is available capacity within the existing Waste Water Treatment Works.</p> |
| | <p><u>Contaminated land</u></p> |
| 8.14 | <p>The site is a brownfield site and a 'Phase 1 Preliminary Risk Assessment' was submitted in support of the proposal. Following consultation with BCC EHO, there are no objections to the proposal.</p> |

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| 8.15 | <p><u>Statutory consultation</u></p> <p>The planning application was advertised in the local press and 82 neighbours were notified of the proposal. As already discussed, 2 representations were received.</p> |
| 9.0 | Summary of Recommendation: Approval |
| 9.1 | It is considered that the proposed development accords with the policies of the development plan and prevailing regional planning policy, therefore approval is recommended. |
| 10.0 | Conditions |
| 10.1 | <p>The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.</p> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p> |
| 10.2 | <p>All landscaping works shall be carried out in accordance with the approved details on Drawing No's 02B and 03B, dated 23rd November 2018. The works shall be carried out prior to the occupation of the first apartment / dwelling 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.</p> <p>Reason: In the interests of the character and appearance of the area</p> |
| 10.3 | <p>Prior to any work commencing all protective barriers (fencing) and ground protection is to be erected or installed as specified in British Standard 5837: 2012 (section 6.2) on any trees / hedging to be retained within the site, and must be in place before any materials or machinery are brought onto site for demolition, development or soil stripping. Protective fencing must remain in place until all work is completed and all associated materials and equipment are removed from site.</p> <p>Reason: To ensure the protection of, and to ensure the continuity of amenity afforded by any existing trees to be retained within the site and on adjacent lands.</p> |
| 10.4 | <p>If roots are accidentally damaged the tree council must be notified and given the opportunity to inspect the damage before it is covered over.</p> <p>Reason: To ensure the protection of, and to ensure the continuity of amenity afforded by existing trees / hedging.</p> |
| 10.5 | <p>No storage of materials, parking of vehicles or plant, temporary buildings, sheds, offices or fires within the RPA of trees within the site and adjacent lands during the construction period.</p> <p>Reason: To avoid compaction within the RPA.</p> |
| 10.6 | <p>Provision of permeable paving shall be carried out in accordance with the approved details on Drawing No. 02B, dated 23rd November 2018. The works shall be carried out prior to the occupation of the first apartment / dwelling unless otherwise agreed in writing by the Council.</p> <p>Reason: To reduce risk of flooding.</p> |

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| 10.7 | <p>The development hereby permitted shall not be occupied until hard surfaced areas have been constructed in accordance with Drawing No. 02B, dated 23rd November 2018, to provide for parking 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 in connection with the approved development.</p> <p>Reason: To ensure that adequate provision has been made for parking within the site.</p> |
| 10.8 | <p>The development hereby permitted shall not be occupied until the vehicular access, including width and visibility, shall be constructed in accordance with Drawing No. 02B, dated 23rd November 2018.</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> |
| 10.9 | <p>The development hereby permitted shall not be occupied until covered cycle parking shall be provided in accordance with Drawing No. 02B, dated 23rd November 2018.</p> <p>Reason: To ensure acceptable cycle parking on the site and to encourage alternative modes of transport to the private car.</p> |
| 10.10 | <p>Notwithstanding the details as specified on the proposed drawings 03A and 05D, the balustrade around the eastern boundary to Frank Place and southern boundary to the car park shall be constructed in opaque glass, at no less than 2metres in height, and thereafter retained to this specification.</p> <p>Reason: To prevent overlooking and protect the residential amenity of neighbouring properties.</p> |
| <p>Notification to Department (if relevant): N/A</p> | |
| <p>Representations from Elected members: N/A</p> | |