

Development Management Report Committee Application

Application ID: LA04/2018/1274/F	Date of Committee: Tuesday 19 th February 2019
Proposal: Detached garage with part roof space storage.	Location: Plot 67 Downshire Hall, Harberton Park Residential Development Belfast.
Referral Route: Request for referral to the Planning Committee under Section 3.8.1 of the Scheme of Delegation by an elected member	
Recommendation: Refusal	
Applicant Name and Address: HBH Developments C/O Blue Horizon Developments 551-555 Lisburn Road Belfast BT9 7GQ	Agent Name and Address: Dimensions Chartered Architects 1 Montgomery House 478 Castlereagh Road Belfast BT5 6BQ
<p>Executive Summary: Proposed 1.5 storey garage with part roof space storage.</p> <p>The area within which the store is to be located is an apartment development granted approval as part of the former Kings Hall lands / Harberton re-development.</p> <p>The overall site was granted outline planning approval in 2009 and Reserved Matters in 2014 and this phase was modified under LA04/2017/0157/F for 19 dwelling houses and 17 apartments, with associated communal amenity and landscaped areas and car parking.</p> <p>The proposal is for a double detached garage located on an area of communal parking to the west of the apartment block shown in drawing no. 02 as plot 67A. The detached garage is to serve the Apartment E of the apartment block to the east of the proposal. The detached garage is to replace two parking spaces at the rear of the to the apartment communal parking area serving the apartment block.</p> <p>The key issues to be considered are:</p> <ul style="list-style-type: none"> • Principle of development • Design of the Garage • Impact on amenity and approved parking/ landscaping <p>The proposed development is considered unacceptable and will adversely impact on the surrounding quality residential development. The proposal conflicts with the overall design concept of the Harberton Development.</p> <p>The development has a mix of dwellings and apartments, dwellings can provide incurtilage gardens, garages and storerooms whereas it is commonly accepted that apartments have shared facilities. It follows that to provide one resident with a double garage should allow equally for all residents to enjoy the benefit of additional ancillary accommodation. However, to allow all the apartments such stores and garages would erode the environmental and residential amenity of the area and result in a disparate form of development and set an undesirable precedent.</p>	

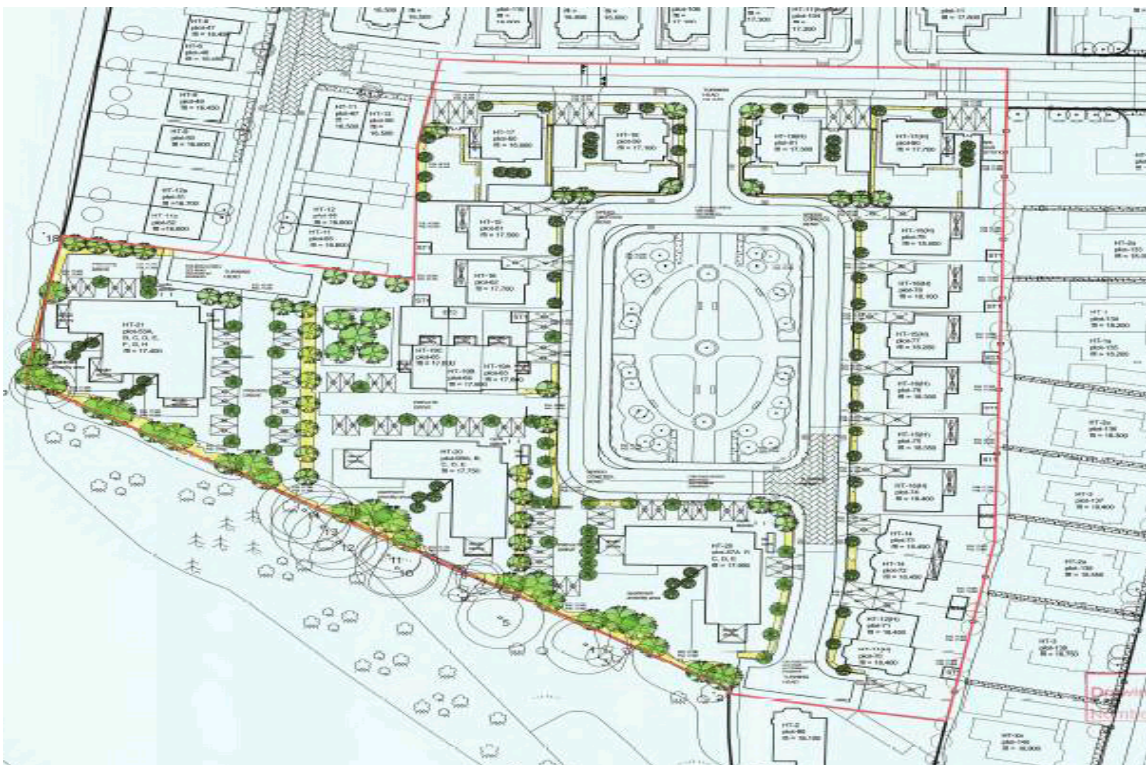
The garage located over two communal parking spaces and a landscaped area would result in over development of the area and appear incongruous as it will not sit within a private curtilage but within shared communal areas. The proposal is contrary to the SPPS and PPS7 Quality Residential Environments.

Recommendation

Having had regard to the development plan, relevant planning policies, and other material considerations, it is determined that the proposal should be **refused**.

Elevations

LA04/2017/0157/F





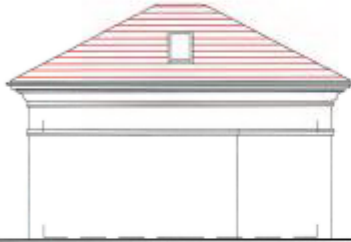
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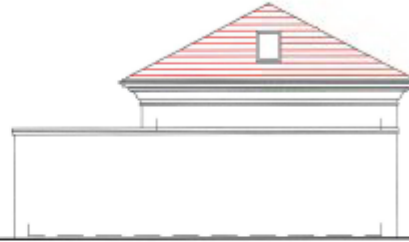
FRONT ELEVATION



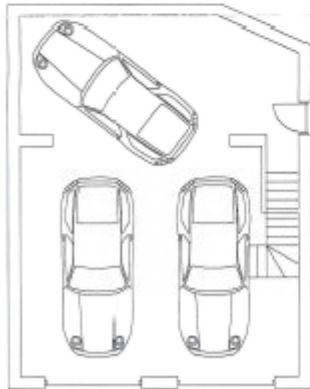
SIDE ELEVATION



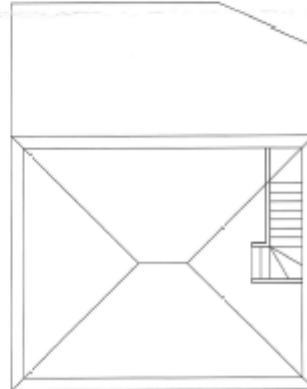
FRONT ELEVATION



SIDE ELEVATION



GROUND FLOOR



MEZZANINE FLOOR

Materials:

Walls: cement render including reconstituted stone details
Walls: facing brick
Roof: Grey slate finish
Windows: UPVC

REV. A 12/10/2014 AMENDED TO SUIT TREE IN SITE SCHEME

Committee Application

Characteristics of the Site and Area	
1.0	<p>Description of Proposed Development</p> <p>The Proposed is for a 1.5 storey garage with part roof space storage. The garage measures 9.5m by 7.5m with a height of 5.8m. The garage contains a pitched roof as well as a flat roof to the rear section with two garage doors to the front elevation as well as a door to the side elevation. The building is to be finished in brick with a slate roof.</p>
2.0	<p>Description of Site</p> <p>The site is within the development currently under construction situated between Harberton Park and Balmoral Golf Club. The site relates to plot 67 within the development.</p>
Planning Assessment of Policy and other Material Considerations	
3.0	<p>Site History</p> <ul style="list-style-type: none"> • LA04/2017/0157/F. Plots 53-64 and 69-89 and 91-103 9total 46 units of residential development to lands south of 25 Harberton Park Belfast. Revision of previous approved application (Z/2012/0645/RM) and erection of 12 no. detached dwellings, 4 no. semi-detached dwellings, 3 no. townhouses and 18 no. apartments (in total 37 units) and associated works. GRANTED 20.09.2017 • Z/2012/0645/RM - Demolition of existing buildings and erection of residential development comprising 140 units. PERMISSION GRANTED 22.12.2014 • Z/2003/1697/O - Demolition of existing buildings and erection of residential development comprising 140 units. PERMISSION GRANTED 19.06.2009.
4.0	Policy Framework
4.1	Belfast Urban Area Plan
4.2	<p>Draft Belfast Metropolitan Area Plan 2015</p> <p>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.</p>
4.3	Strategic Planning Policy Statement for Northern Ireland (SPPS)
4.4	Planning Policy Statement 7- Quality Residential Environments
4.4.1	Policy QD 1
4.5	Planning Policy Statement 7 (addendum)- Residential Extensions and Alterations
4.5.1	Policy EXT 1
5.0	<p>Statutory Consultees Responses</p> <p>DFI Roads- No objections</p>

6.0	<p>Non Statutory Consultees Responses Tree Officer- Requested additional information</p>
7.0	<p>Representations</p> <p>The application has been neighbour notified on the 8 January 2019 and advertised in the local press on the 19 January 2019. No representations have been received.</p>
8.0	<p>Other Material Considerations Previous application- LA04/2017/0157/F</p>
8.1	<p>Any other supplementary guidance Creating Places</p>
9.0	<p>Assessment</p>
9.1	<p>The proposal is considered to be in compliance with the development plan.</p>
9.2	<p>Assessment</p> <p>The key issues to be considered are:</p> <ul style="list-style-type: none"> • Principle of a detached store within this location • Design of the garage • Impact on approved parking / landscaping <p>It is considered that the proposal is not in compliance with SPPS in that the proposed development will cause demonstrable harm to interests of acknowledged importance which are considered below.</p>
9.3	<p>Principle and conflict with the Design Concept</p> <p>The principle of constructing a double garage within this location that is considered unacceptable. The proposal is considered to be contrary to the SPPS and PPS7 Quality Residential Environments.</p> <p>The proposal conflicts with the overall design concept of the Harberton Development. The development has a mix of dwellings and apartments, dwellings can provide incurtilage gardens, garages and storerooms whereas it is commonly accepted that apartments have shared facilities. The store would appear incongruous as it will not sit within a private curtilage but on shared parking and amenity space.</p>
9.4	<p>Impact on Amenity</p> <p>The proposal is for a detached garage located on an area of communal parking to the west of the apartment block shown in drawing no. 02 as plot 67A. The detached garage is to serve the apartment E of the apartment block to the east of the proposal.</p> <p>The double garage is proposed within close proximity to the southern boundary of the site adjoining Balmoral Golf Club. Shared parking and amenity space is an integral part of the housing scheme and contributes to the creation of a sustainable and quality residential environment. The use of 'greening' to raise the quality of residential development is particularly important given its proximity and integration with the golf course. It is considered that the proposed form of development will intensify built form on this already high density development when combined with the impact of ancillary amenity by incrementally 'eating' into the landscaped areas and impacting the everyday activity of car parking and refuse storage and will undermine and impact on the local character of this</p>

<p>9.5</p> <p>9.6</p> <p>9.7</p> <p>9.8</p>	<p>residential development and constitute overdevelopment where landscaping and amenity areas are important to create a quality residential environment.</p> <p>Precedent</p> <p>The introduction of such built form at this location will also create an unwelcome precedent in the area. It follows that to provide one resident with a garage should allow equally for all residents to enjoy the benefit of additional ancillary accommodation. However, to allow a store/garage for every apartment would erode the environmental and residential amenity of the area and result in over development. Cumulatively when read with the apartment blocks the garage will result in over development within the communal parking area and associated amenity space to the rear.</p> <p>Design of the Garage</p> <p>It is considered that the proposed form of development will intensify built form on this already high density development and will constitute overdevelopment where landscaping and amenity areas should be and would incrementally erode communal circulation and parking spaces in the area.</p> <p>The proposal is considered to be contrary to QD 1 of PPS 7. Paragraph A11 of the Addendum to PPS 7 advises that garages should be subordinate in scale to the existing property and should take account of the local character and the level of visibility of the building from surrounding views. The garage measures 9.5m by 7.5m with a height of 5.8m which is not subordinate in scale with the surrounding area which contains communal parking spaces with no garages. The proposed garage is also larger in scale than previously approved garages associated with dwellings. It is considered the scale and location of the garage will result in a detrimental impact on the surrounding residential environment. The introduction of such built form at this location will also create an unwelcome precedent in the area.</p> <p>Impact on approved landscaping</p> <p>Condition 8 of the planning approval LA04/2017/0157/F required all proposed planting indicated within revised drawing 17A and drawings 18, 19, 20 and 21 to be planted prior to completion of the proposed development. The Tree Officer was consulted in relation to the impact upon the conditioned planting. The Tree Officer stated there would be concerns regarding the impact upon the approved locations of 4-5 trees to be planted as part of the scheme and therefore requested an amended landscape plan. The landscape plan has not been requested due to the principle issue of the proposal. An approval of this application would require an amended landscape plan otherwise the applicant could not comply with condition 8 of the approval LA04/2017/0157/F.</p> <p>Further information submitted by the agent has been noted, however it does not alter the issues that are presented above.</p>
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10.0	<p>The proposed store is deemed as unacceptable development within communal amenity space and contrary to the SPPS and Policy QD 1 of PPS 7.</p> <p>Having regard for the policy context and the considerations above, the proposal is deemed unacceptable.</p>
10.1	Summary of Recommendation: Refusal
11.0	<p>Reasons for Refusal</p> <ol style="list-style-type: none"> 1. The proposed development is contrary to Policy QD 1 of PPS 7 and the SPPS as the proposed store is inappropriate at this location and will result in damage to the quality of the local character of the immediate area by way of overdevelopment in that the garage will result in the loss of amenity space and be detrimental to the quality residential environment. The proposal will lead to the introduction of buildings that are inappropriate and incongruous to the area and will create a precedent for the incremental loss of amenity, circulation and parking spaces. 2. The proposal is considered contrary to Planning Policy Statement 7 Policy QD 1 in that the garage is of an excessive scale and would result in a visually dominant feature when viewed from the surrounding residential properties and amenity areas.
Notification to Department (if relevant)	
<p>Representations from Elected members: Councillor Declan Boyle is supportive of the application and has requested the application be presented to Committee</p>	