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**Democratic Services Section
Legal and Civic Services Department
Belfast City Council
City Hall
Belfast
BT1 5GS**



**Belfast
City Council**

23rd June, 2023

MEETING OF THE PLANNING COMMITTEE

Dear Alderman/Councillor,

The above-named Committee will meet in the City Hall on Thursday, 29th June, 2023 at 5.00 pm, for the transaction of the business noted below.

You are requested to attend.

Yours faithfully,

John Walsh

Chief Executive

AGENDA:

- 5 (e) LA04/2023/2640/F - Front porch extension. Two storey extension to side and rear. Internal alterations and External alterations related to energy efficiency improvements - Air Source Heat Pump, Solar PV panels, triple glazing & external wall insulation with rendered finish, 30 Dorchester Park (Pages 1 - 12)

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 29th June 2023	
Application ID: LA04/2023/2640/F	Target Date:
Proposal: Front porch extension. Two storey extension to side and rear. Internal alterations and External alterations including change in roof materials, and related to energy efficiency improvements - Air Source Heat Pump, Solar PV panels, triple glazing & external wall insulation with rendered finish (amended description)	Location: 30 Dorchester Park Malone Upper Belfast BT9 6RJ
Referral Route: Paragraph 3.8.1 of the Scheme of Delegation (request from an Elected Member)	
Recommendation: Approval	
Applicant Name and Address: Gary Colleary 30 Dorchester Park Malone Upper Belfast BT9 6RJ	Agent Name and Address: Olivia Laughlin 50.8 Architecture + Interiors Clockwise Offices 48-60 High Street Belfast BT1 2BE

Officer Report

1.0

Drawings

Site Location Plan and Block Plan

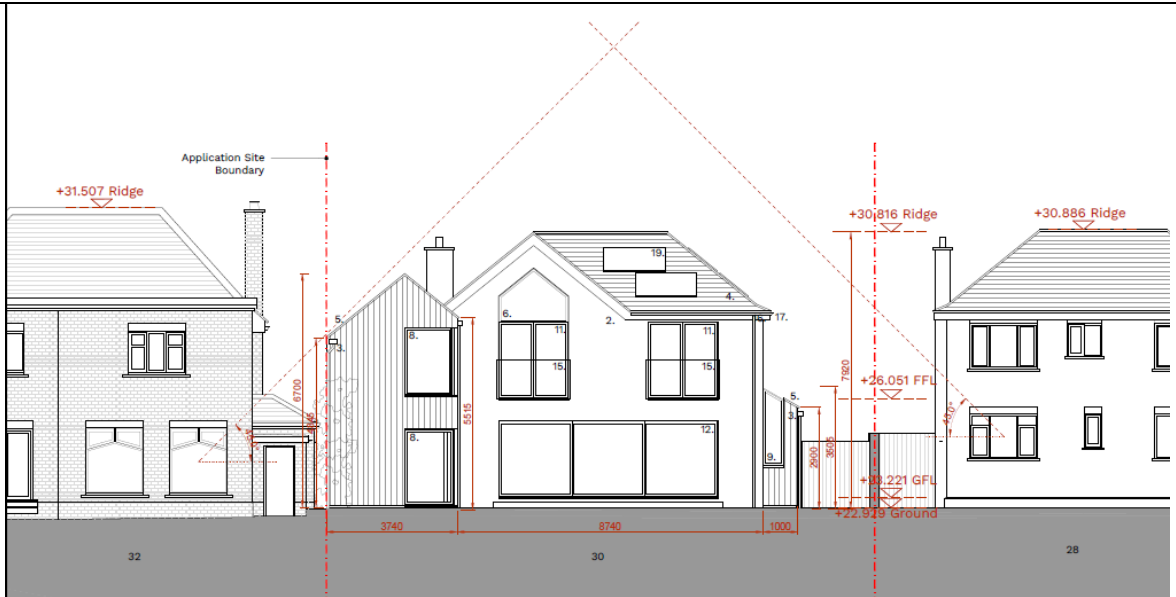


Existing Elevations

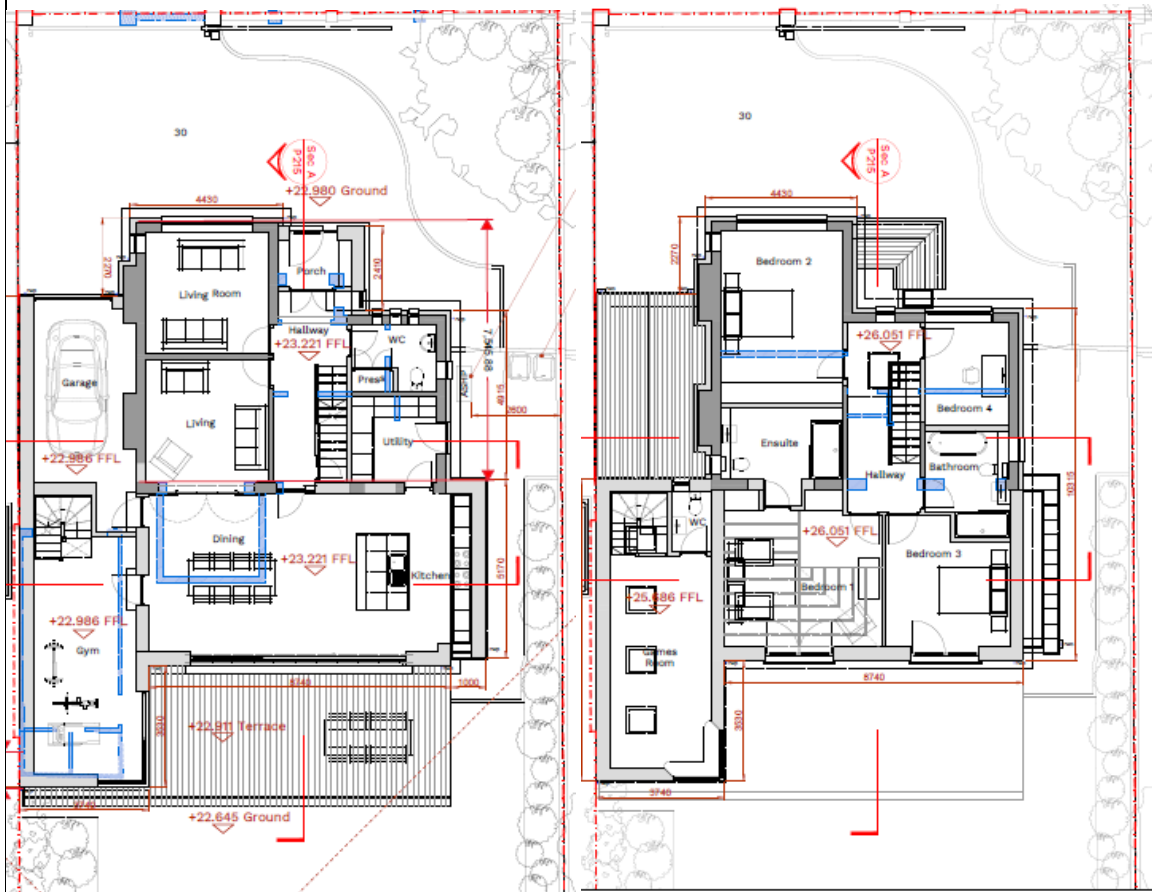


Proposed Elevations





Proposed Floor Plans



2.0

Characteristics of the Site and Area

2.1

The application site is located at No. 30 Dorchester Park in south Belfast. The property is a two-storey detached dwelling finished in red brick with an existing conservatory to the rear as well as a detached garage to the side. To the front of the site there is an area of hardstanding for off-road parking as well as grassed amenity space, with a further paved area and generous garden to the rear.

2.2	The surrounding area is largely categorised by housing similar to the application site with a mix of finishes. A number of dwellings in the locality has previously been extended, most closely, No. 32 Dorchester Park, immediately next door.
2.3	The site is un-zoned in the Belfast Urban Area Plan 2001 and both versions of the draft Belfast Metropolitan Area Plan 2015 (v2004 and v2014). The site falls within the Settlement Development Limits of Belfast.
3.0	Description of Proposal
3.1	The application seeks full planning permission for a front porch extension. Two storey extension to side and rear. Internal alterations and External alterations including change in roof materials from tiles to blue-black slate, rendering and related to energy efficiency improvements (Air Source Heat Pump, Solar PV panels, triple glazing & external wall insulation with rendered finish).
3.2	The application is referred to the Committee on the request of Councillor Maskey on grounds of impact on the character and appearance of the area and neighbour amenity.
4.0	Planning Policy and Other Material Considerations
4.1	Development Plan – operational policies Belfast Local Development Plan, Plan Strategy 2035 <ul style="list-style-type: none"> • DES 1 (Principles of urban design) • RD2 (Residential extensions and alterations) • ENV2 / ENV3, ENV5 (Environmental change) • GB1 (Green and blue infrastructure) • TRE1 (Trees)
4.2	Development Plan – zoning, designations and proposals maps Belfast Urban Area Plan (2001) BUAP Draft Belfast Metropolitan Area Plan 2015 (v2004) Draft Belfast Metropolitan Area Plan 2015 (v2014)
4.3	Supplementary Planning Guidance Residential Extensions and Alterations Supplementary Planning Guidance
4.4	Regional Planning Policy Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)
4.5	Planning History No relevant history
5.0	Consultations and Representations
5.1	Statutory Consultations None required
5.2	Non-Statutory Consultations None required
5.3	Representations The application has been advertised and neighbours notified. Two letters of objection were received, one from No. 32 Dorchester Park, and the other from Lauren Kendall –

5.4	<p>Green Party Representative. The objection points raised are summarised below. The representations are available to view in full on the NI Planning Portal.</p> <ul style="list-style-type: none"> • The extension of the application site (red line) renders the application invalid. • The rainwater goods would overhang the site boundary and the foundations would cross the boundary • Adverse impact on neighbour amenity • Overlooking of adjacent residential properties; insufficient separation distances • Loss of light to neighbouring property. Loss of light to the kitchen window of No. 32 Dorchester Park. The 45 degrees test in the SPG has not been conducted • Dominance of neighbouring property • Change of roof materials from tiles to blue-black d and facing materials from brick to render, out of character with the area • The proposal is contrary to the Council's SPG as it would not be subservient (and is not set down 500mm from the roofline and there is no 1m separation to the boundary. It would more than double the size of the dwelling and is wider than the existing dwelling). • The proposal would fill the plot, devoid of gaps between the properties, again contrary to the SPG • Overdevelopment of the plot and scale out of keeping with the locality • The applicant relies on precedents rather than context for justifying the proposal • Amendments should be made to the scheme including: <ul style="list-style-type: none"> - Reduction of the overall height to 500mm below the current ridge - 1 metre separation distance between the extension and No. 32 - Redesign to make the proposal subordinate - Removal of the two storey charred wood clad elements to ensure no overlooking of No. 28 and no loss of light to No. 32 - Revisions to the remainder of the extension, either complementing the host building or contrasting with it • Concerns about maintenance of the extension given its position on the boundary <p>The points raised will be discussed in the report below.</p>
6.0	PLANNING ASSESSMENT
	<p>Development Plan Context</p> <p>6.1 Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.</p> <p>6.2 Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.</p> <p>6.3 The Belfast Local Development Plan (LDP), when fully completed, will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 remain part of the statutory local development plan until the Local Policies Plan is adopted.</p>

6.4	<p>Operational policies – the Plan Strategy contains a range of operational policies relevant to consideration of the application. These are listed in the report.</p>
6.5	<p>Proposals Maps – until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals maps is a matter for the decision maker. It is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.</p> <p><u>Impact on the character and appearance of the area</u></p>
6.6	<p>The proposal includes a range of design changes to the existing house. The house will be rendered in place of the existing brick; most of the houses in the area are brick although some are rendered including elements of render on both adjacent houses. The dwelling would be re-roofed in slate in place of the existing roof tiles. Roof tiles are prevalent in the area, although there are examples of slate roofed properties. The proposed rendering of the house and change to the roof materials would, on balance, be in keeping with the locality.</p>
6.7	<p>Objectors have expressed concern about the proposed charred timber cladding of the extensions. It is recognised that the charred timber cladding would be a new addition to the area in terms of materials, however, it would be confined to the two-storey extension which is to be set back from the front of the site. On balance, it is considered to be acceptable and will provide a modern aesthetic to the property.</p>
6.8	<p>The garage will be repositioned further towards the front but will still be set 2.77m back from the principal elevation, with the two-storey element set back from the front of the house by 7.5m. Aside from the render and change to roof material, the design of the front elevation of the original house will remain the same with the addition of a slightly larger porch. Although the extension would be built up to the shared boundary, it would not have a harmful impact on the site or wider street scene given that the bulk of the extension would be set back into the site. It is noted there are large scale two-storey extensions along Dorchester Park, including at the neighbouring property No. 32 Dorchester Park.</p>
6.9	<p>Concerns have been raised about the proposed side extensions closing the visual gap between the properties, however, this is not considered to be significant given that the garage to the front would only be single storey, and the two-story element would be set back from the front of the house, set down from the existing roof form, and with a pitched roof, allowing it to be read as an addition rather than a continuation of the original house.</p>
6.10	<p>Whilst accepting that the proposal does not follow all the guidelines in the SPG, overall and on balance, it is considered that the design changes are appropriate to the existing house and surrounding area. The character and appearance of the area would be preserved.</p> <p><u>Impact on amenity</u></p>
6.11	<p>It is considered that the proposed extensions would not be harmful to the amenity of neighbouring residents. The proposed extensions would be built up to the shared boundary, however, amended drawings show that there would be no overhanging onto neighbouring land. The two-storey element would be built adjacent to the existing two-</p>

	storey extension at No.32 Dorchester Park, although would project 1.0m further back. The neighbouring extension is blank other than a first floor bathroom en-suite window which is not sensitive to loss of light. In terms of dominance, overshadowing and loss of light, it is considered that the impacts would not be so significant to warrant refusal of permission. Given the orientation of the site and built form there may be some overshadowing in the morning or early afternoon in the direction of No.32, however, some overshadowing is to be expected in close knit developments. It is noted that the proposals meet the angles test both horizontally and vertically and therefore is considered to be acceptable on balance, having regard to the SPG.
6.11	The bathroom en-suite windows to either side would be fitted with obscured glazing to prevent overlooking (this should be secured by means of a planning condition). It is considered there are sufficient separation distances and boundary treatments to avoid significantly harmful overlooking or loss of privacy.
6.12	Access to neighbouring land for construction or maintenance is not a planning consideration.
6.13	The proposal would not result in an unacceptable loss of existing on-site parking spaces. The area of hardstanding to the front of the site would be extended and there would be sufficient space for at least 2 vehicles to park within the site. A condition is required to secure porous materials. Suitable provision for bin storage would remain.
6.14	The proposal includes appropriate measures to enable people to stay within their own home and energy efficiency enhancements and in this regard is compliant with Policy RD2 of the Plan Strategy. The proposal is also compliant with Policy TRE1 in that the existing hedgerow, trees and planting will be retained within the site with the addition of new herbaceous planting to the front and rear of the site.
	<u>Response to representations</u>
6.15	The extension of the application site (red line) renders the application invalid. <i>The red line boundary remains as originally submitted.</i>
6.16	The rainwater goods would overhang the site boundary and the foundations would cross the boundary <i>From the plans submitted, the rainwater goods and foundations are shown to be within the application site, and do not cross over beyond the red line at any point.</i>
6.17	Adverse impact on neighbour amenity <i>The impact on residential amenity is discussed elsewhere, however it is not expected that the extension would be significantly harmful to residential amenity to warrant a refusal.</i>
6.18	Overlooking of adjacent residential properties; insufficient separation distances <i>It is noted that the proposal includes large corner windows to the rear however given the site context and existing mature vegetation, it would not exacerbate any current opportunities for overlooking. The separation distances are considered to be acceptable and are comparable with separation distances of neighbouring properties which have previously been extended.</i>
6.19	Loss of light to neighbouring property. Loss of light to the kitchen window of No. 32 Dorchester Park. The 45 degrees test in the SPG has not been conducted <i>There is one window serving the kitchen area of No.32 which would be adjacent to the proposed single storey garage extension at the side, although this room is also served by two large rear facing windows in open plan. It is not expected that the single storey</i>

	<p><i>garage extension would result in significant loss of light. The 45 degrees angles test as detailed in SPG has been carried out – this is annotated on Drawing no.18A on the Public Planning Register. Given that the proposed extension at the point of the kitchen window of no.30, would be single storey, the proposal is acceptable having regard to the 45 degrees (vertical) angles tests.</i></p>
6.20	<p>Dominance of neighbouring property <i>The extensions would be built up to the shared boundary, and the projection is approximately 1.0m further than the projection of the two-store extension at No.32. However, whilst the proposal is in contravention with the SPG, the additional projection of 1.0m is not expected to be so overly dominant to warrant refusal.</i></p>
6.21	<p>Change of roof materials from tiles to blue-black slate and facing materials from brick to render, out of character with the area <i>The proposed materials of render and blue-black slate are not out of character of the area. The adjacent dwelling No.32 is finished in a cream-yellow colour render as well as other properties along Dorchester Park. Furthermore, blue-black slate can be seen on a number of roof forms within the streetscape of Dorchester Park. It is recognised that the charred timber cladding would represent a modern addition to the site and surrounding area, however it is noted that the use of this material is set back from the front of the site, on the two-storey side extension.</i></p>
6.22	<p>The proposal is contrary to the Council’s SPG as it would not be subservient (and is not set down 500mm from the roofline and there is no 1m separation to the boundary. It would more than double the size of the dwelling and is wider than the existing dwelling). <i>The SPG advises that ‘the appropriate distance that an extension should be set back and set down will be decided on a case by case basis’ and goes on to say that a minimum would be required of 500mm set back from the front of the house, 500mm down from the existing roofline and 1m separation from the boundary in the case of side extensions. The guidance also advises that ‘the requirement for a minimum 500mm set down and set back will only be relaxed if it can be conclusively demonstrated that it is not feasible due to technical and/or site constraints, and only in instances where: the extension will not project above the existing ridge line and/or forward of the building line; and where there will not be a significant negative impact on the character and appearance of the existing property and the surrounding area’.</i></p>
6.23	<p><i>In this case, the proposed side garage and two-storey side extension is set back from the front of the house by 2.27m. Although this element would be built up to the shared boundary, it would be unfeasible to achieve a 1m separation here as it would render the internal space unusable. The two-storey side extension would be set down from the existing roofline by almost 1.2m. On the other side, the side extension is only single storey, and 1.0m wide, leaving approximately 2.1m to the boundary. It is noted the two-storey element to the rear would be the same height as the existing roofline on the dwelling, however, given that the most visible elements are complaint with the guidance, the proposals are considered to be acceptable on balance as the extension will not project above the existing ridge line and/or forward of the building line; and there will not be a significant negative impact on the character and appearance of the existing property and the surrounding area as a result of the scale or siting of the extensions.</i></p>
6.24	<p>The proposal would fill the plot, devoid of gaps between the properties, again contrary to the SPG <i>The proposed extensions would not fill the plot as there would be sufficient space remaining within the curtilage of the house for parking, recreational and bin storage purposes. Furthermore, although there would be a two-storey side extension, it is</i></p>

6.25	<p><i>considered that a visual gap would remain between the properties given that there would be a single storey side garage extension to the front of the two-storey extension – the roof of which would be approximately 1.2m lower than the roof of the original house. Furthermore, the roof profile of the side extensions also helps retain a visual gap between the dwellings.</i></p> <p>Overdevelopment of the plot and scale out of keeping with the locality <i>It is not considered that the proposals would result in overdevelopment of the site. It is noted that there are a number of properties within the immediate vicinity of the application site which have large rear extensions, most closely – No.32 Dorchester Park.</i></p> <p>Amendments should be made to the scheme including:</p> <ul style="list-style-type: none"> • Reduction of the overall height to 500mm below the current ridge • 1 metre separation distance between the extension and No. 32 • Redesign to make the proposal subordinate • Removal of the two storey charred wood cladded elements to ensure no overlooking of No. 28 and no loss of light to No. 32 • Revisions to the remainder of the extension, either complementing the host building or contrasting with it
6.26	<p><i>The Council is required to determine the application before it. The amendments set out above are not considered to be necessary.</i></p>
6.27	<p>Concerns about maintenance of the extension given its position on the boundary <i>Any access that is required for construction or maintenance would be a civil matter.</i></p>
7.0	Recommendation
7.1	<p>Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions.</p>
7.2	<p>Delegated authority is sought for the Director of Planning and Building Control to finalise the conditions and deal with any other matters which may arise.</p>
<p>DRAFT CONDITIONS:</p> <ol style="list-style-type: none"> 1. The development hereby permitted must be begun within five years from the date of this permission. Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011. 2. Notwithstanding the provisions of the Planning (General Permitted Development) Order (Northern Ireland) 2015 (or any order revoking and/or re-enacting that order), the first floor bathroom en-suite windows in the North West and South East side elevations shall at all times be glazed with obscure glass to at least Privacy Level 3 (or equivalent). Reason: To safeguard the privacy of adjacent properties 3. The extended driveway shall be surfaced with porous materials. Reason: To promote sustainable drainage. 	

ANNEX	
Date Valid	03 March 2023
Date First Advertised	12 June 2023 (NN) 13 March 2023 (Ad)
Date Last Advertised	N/A
Details of Neighbour Notification (all addresses)	
19 CAMBOURNE PARK, MALONE UPPER, BELFAST, ANTRIM, BT9 6RL	
21 CAMBOURNE PARK, MALONE UPPER, BELFAST, ANTRIM, BT9 6RL	
28 DORCHESTER PARK, MALONE UPPER, BELFAST, ANTRIM, BT9 6RJ	
32 DORCHESTER PARK, MALONE UPPER, BELFAST, ANTRIM, BT9 6RJ	

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