

## Development Management Addendum Report

**Application ID:** LA04/2020/0562/DCA

**Date of Committee:** 17<sup>th</sup> May 2022

**Proposal:**

Demolition of rear extension (partly single storey, partly one and a half storey) and existing shed and summerhouse

**Location:**

24 Malone Park Belfast BT9 6NJ

**Referral Route:** Paragraph 3.8.7 of the Scheme of Delegation, following legal advice

**Recommendation:** Approval

**Applicant Name and Address:**

Andras House Ltd  
60 Great Victoria Street  
Belfast  
BT2 7BB

**Agent Name and Address:**

Turley  
Hamilton House  
3 Joy Street  
Belfast  
BT2 8LE

### ADDENDUM REPORT

This application for Conservation Area Consent for demolition was previously listed for Planning Committee on 15 February then 14 April 2022. The application was withdrawn from the 15 February meeting to allow officers time to consider a speaking note provided on behalf of the objector at No. 26 Malone Park. The application was then deferred at the 14 April meeting for a Committee Site Visit.

This Addendum report should be read in conjunction with the original report to the February Committee, which is appended.

An associated application for full planning permission is also to be considered by the Planning Committee at this same meeting (LA04/2020/0559/F).

**Recommendation**

Having regard to the assessment in the previous report, the officer recommendation remains to grant Conservation Area Consent. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of conditions.

## Committee Report

Development Management Report	
<b>Application ID:</b> LA04/2020/0562/DCA	<b>Date of Committee:</b> Tuesday 15 <sup>th</sup> February 2022
<b>Proposal:</b> Demolition of rear extension (partly single storey, partly one and a half storey) and existing shed and summerhouse	<b>Location:</b> 24 Malone Park Belfast BT9 6NJ
<b>Referral Route:</b> 3.8.7 Following legal advice	
<b>Recommendation:</b> Approval	
<b>Applicant Name and Address:</b> Andras House Ltd 60 Great Victoria Street Belfast Bt2 7BB	<b>Agent Name and Address:</b> Turley Hamilton House 3 Joy Street Belfast BT2 8LE
<b>Executive Summary:</b> <p>The site is located at 24 Malone Park. The site is a 2.5 storey semi-detached residential home finished in red brick on a large plot. The dwelling contains an existing two storey rear return. There is parking to the side elevation and extensive gardens forming the front, side and rear elevations.</p> <p>The surrounding area is residential comprised of large semi-detached and detached properties within large plots. The site is within the Malone/Adelaide Park Conservation Area.</p> <p>The proposed demolition relates to a section of the two storey rear return which contains a mono pitched roof and the single storey lean to containing a boiler house.</p> <p>The proposal conforms to policy BH 14 of PPS 6 and paragraph 6.19 of the SPPS. The proposed demolition relates to sections of the rear return of the dwelling which do not make a material contribution to the character and appearance of the area. The neighbouring semi-detached property has demolished the same section as proposed in this application and therefore the demolition will not remove any element of symmetry between the two dwellings. There are no views of the section of the dwelling to be demolished therefore all views of the dwelling from the public realm area maintained.</p> <p>The Conservation Officer was consulted and had no objections.</p> <p>One objection was received from councillor Donal Lyons due to the impact on the Conservation Area. This issue is considered within the report.</p> <p><b>Recommendation</b> The application is recommended for approval</p>	

# Case Officer Report

## Site Location Plan



## Block Plan



# Elevations and Floor Plans- Red hatching shows proposed demolition

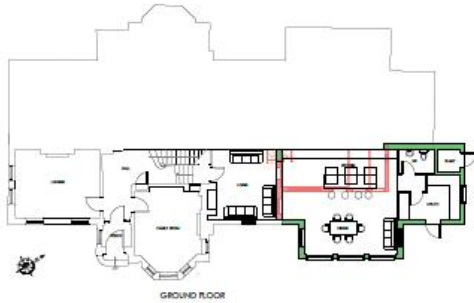


SOUTH ELEVATION

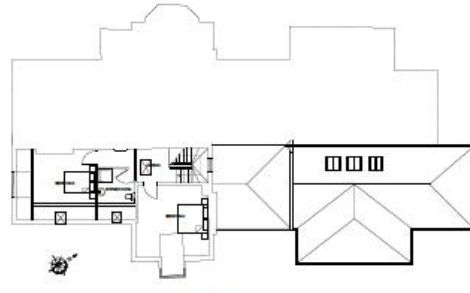
EAST ELEVATION

NORTH ELEVATION

- Materials**
- Roof: Natural Stone to match existing
  - Walls: Red brick to match existing
  - Windows: Handmade/replica wood 2-over-2 panes with white
  - Doors: Handmade/replica wood with
  - Non-Fabric Details: Handmade replica metal work



GROUND FLOOR



SECOND FLOOR



FIRST FLOOR

des

PROJECT: [illegible]  
 LOCATION: [illegible]  
 DATE: [illegible]

PROPOSED ELEVATION

DATE: [illegible]

DRAWING

<b>Characteristics of the Site and Area</b>	
<b>1.0</b>	<b>Description of Proposed Development</b> Demolition of rear extension (partly single storey, partly one and a half storey) and existing shed and summerhouse.
<b>2.0</b>	<b>Description of Site</b> The site is located at 24 Malone Park. The site is a 2.5 storey semi-detached residential home finished in red brick on a large plot. The dwelling contains an existing two storey rear return. There is parking to the side elevation and extensive gardens forming the front, side and rear elevations. The surrounding area is residential comprised of large semi-detached and detached properties within large plots. The site is within the Malone/Adelaide Park Conservation Area.
<b>Planning Assessment of Policy and other Material Considerations</b>	
<b>3.0</b>	<b>Site History</b> LA04/2019/0665/F, 24 Malone Park, Belfast, BT9 6NJ, Renovation and single storey rear extension to dwelling. Construction of a new detached garage. Decision Quashed.  LA04/2019/0627/DCA, 24 Malone Park, Belfast, BT9 6NJ, Demolition of rear extension, partly single storey, partly one and a half storey. Decision Quashed.
<b>4.0</b>	<b>Policy Framework</b>
4.1	Belfast Urban Area Plan
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 6: Planning, Archaeology and The Built Heritage
<b>5.0</b>	<b>Statutory Consultees Responses</b> None
<b>6.0</b>	<b>Non-Statutory Consultees Responses</b> Conservation Officer- No objections to demolition
<b>7.0</b>	<b>Representations</b>  The application was advertised on 13.03.2020. One objection was received from Councillor Donal Lyons and is considered within the report.
<b>8.0</b>	<b>Other Material Considerations</b> None
8.1	<b>Any other guidance</b> Malone Park/ Adelaide Park Conservation Area Guide (Dec 1993)

<b>9.0</b>	<b>Assessment</b>
9.1	<p>The proposal is considered to be in compliance with BUAP and both versions of draft BMAP.</p> <p>It is also considered that the proposal is in compliance with Policy and the Malone Park/ Adelaide Park Conservation Area Guide.</p>
9.2	Assessment
9.21	<p>With regards to development in Conservation Areas, Section 104(11) states that special regard must be had to the desirability of;</p> <p>(a)preserving the character or appearance of that area in cases where an opportunity for enhancing its character or appearance does not arise;</p> <p>(b)enhancing the character or appearance of that area in cases where an opportunity to do so does arise</p>
9.22	<p>The SPPS states that <i>“in managing development within a designated Conservation Area the guiding principal is to afford special regard to the desirability of enhancing its character or appearance when an opportunity to do so exists, or preserve its character or appearance where an opportunity to enhance does not exist”</i>.</p>
9.23	<p>Par. 6.19 of the SPPS sets out the criteria which should be applied when determining such development.</p>
9.24	<p>Planning Policy Statement 6 sets out the Department’s planning policies for the protection and conservation of archaeological remains and features of the built heritage.</p> <p><b>Demolition within the Conservation Area</b></p>
9.25	<p>The proposal conforms to policy BH 14 of PPS 6 and paragraph 6.19 of the SPPS. The proposed demolition relates to a section of the two storey rear return which contains a mono pitched roof, to the rear of this is a single storey lean to containing a boiler house and also with a mono pitched roof.</p>
9.26	<p>While the dwelling as a whole makes a significant contribution to the conservation area the demolition of this section of the rear return does not. The two storey section contains a large ground floor window with a horizontal emphasis which is out of place with the rest of the building. The boiler house has a separate entrance and is in a state of disrepair. The neighbouring semi-detached property has demolished the same section as proposed in this application and therefore the demolition will not remove any element of symmetry between the two dwellings. There are no views of the section of the dwelling to be demolished therefore all views of the dwelling from the public realm area maintained. The conservation officer was consulted and had no objection to the proposed demolition.</p>
9.27	<p>With the considerations above it is deemed that the demolition and proposed extension will preserve the character and appearance of the area as per section 104 of the Planning Act (Northern Ireland) 2011.</p>
9.28	<p>One objection was received from Councillor Donal Lyons due to the impact on the Conservation Area. For the reasons above it is considered the proposed demolition will not have a negative impact on the conservation area.</p>

9.29	Having regard for the policy context and the considerations above, the proposal is deemed acceptable.
<b>10.0</b>	<b>Summary of Recommendation: Approve</b>
<b>11.0</b>	<p>Conditions</p> <ol style="list-style-type: none"> <li>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.</li> <li>2. This consent relates only to the walls hatched red on drawing 04A, uploaded to the portal on the 20/10/2021.  Reason: Reason: In the interests of the preservation of the Malone Conservation Area.  Informatives  1. This consent should be read in conjunction with the approval LA04/2020/0559/F</li> </ol>
<b>Notification to Department (if relevant)</b>	
<b>Representations from Elected members:</b> Kate Nicholl, Donal Lyons	