

**MALONE PARK RESIDENTS ASSOCIATION LIMITED**  
**(Registration No. NI011173)**

**Email:** [mpresidentsassoc@gmail.com](mailto:mpresidentsassoc@gmail.com)

Chairman:	David Thompson
Honorary Secretary:	Orla MacAllister
Honorary Treasurer	Declan Cunnane

14/02/2022

Dear Member,

24 Malone Park  
Planning Application Reference – LA04/2020/0559/F and LA04/2020/0562/DCA

Malone Park Residents Association is an association made up from residents of Malone Park that is charged with the management and maintenance of the ‘public’ areas of the Park, those being the footpaths, grass verges, street trees and roadway. The Association is also charged with the preservation of the character and appearance of the Malone Park Conservation Area on behalf of all residents.

The above referenced planning application represents a pivotal point in time for this conservation area as there are a number of applications both currently in the planning system (and yet more that we are aware of that are currently held in abeyance) for which the decision in this application will be critical. The approval of this application will allow more bigger developments negatively affecting the relationship of landscape and buildings and which would when combined decimate the character and appearance of the Malone Park Conservation Area.

Relevant considerations include:

- Malone Park is a conservation area;
- It is in the public interest to protect and conserve the character and appearance of conservation areas;
- Malone Park is a valuable local amenity for those people living in south Belfast and was particularly valuable during the pandemic as it was used as a public park despite being in private ownership;
- The Malone Park Conservation Area design guide was written specifically for and tailored to the protection and preservation of this small part of south Belfast;
- The design guide states (page 23) in relation to new development that ***‘In no circumstances should building coverage be more than one and a half times that of the original dwelling’***;
- **‘In no circumstances’** is a unique phrase in planning policy it does not appear anywhere else;
- **‘building coverage’** relates to all proposed buildings; and
- **‘original dwelling’** is the original dwelling only and is as it was built in the late 19th or early 20<sup>th</sup> centuries.

These matters have been determined by both the High Court and Court of Appeal. This decision seeks to blur the lines between **‘building coverage’** and **‘original dwelling’** by

including a detached garage in the calculation of the 'original dwelling'. The Case Officers Report at paragraph 9.54 indicates this blurring where it uses the phrase 'original building'. This is not what the policy states. The policy clearly makes a difference between 'original dwelling' and 'building coverage', if it were intended that building and dwelling were to mean the same thing then the policy would state original building and not 'original dwelling'.

The Association has supported the Council in its implementation of an Article 4 direction to restrict home owners permitted development rights. This support was provided in good faith and the Association now simply seeks for Belfast City Council and the Town Planning Committee to act in good faith and apply the policy set out in the design guide as it has been written.

We hope that the Planning Committee will take on board these matters in determining this planning application on Tuesday evening.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'David Thompson', with a stylized initial 'D' and 'T'.

**David Thompson**  
**Chairman**