Development Management Officer Report Committee Application

Summary		
Committee Meeting Date: 20 September 2022	2	
Application ID: LA04/2021/2462/F		
Proposal: Residential housing development comprising (13 dwellings in total) 6no. detached & 6no. semi-detached 2 storey dwellings and 1no. detached 2.5 storey dwelling for social housing, including amenity space, landscaping and all other site and access works.	Location: Lands approx. 60m NW of 29 Hazel View Dunmurry, Belfast.	
Referral Route:		
More than 12 units with objection (as per 3.8.2 (i) of the Delegated Scheme)	
Recommendation: Approve subject to condition	ns.	
Applicant Name and Address: Toland House Properties Ltd 21-23 Chapel Hill Lisburn BT28 1EP	Agent Name and Address: MDF Architecture 1 Tinamara Upper Station Road Greenisland BT38 8FE	
Executive Summary: This application seeks full planning permission for a residential housing development comprising (13 dwellings in total) 6no. detached & 6no. semi-detached 2 storey dwellings and 1no. detached 2.5 storey dwelling for social housing, including amenity space, landscaping and all other site and access works.		
The main issues to be considered in this case an	re:	
 The principle of the proposal at this location Design, layout and impact on the character and appearance of the area Impact on amenity Access, Movement and parking Infrastructure capacity Other Environmental Considerations 		
The application site is on land zoned for housing within the BUAP, draft BMAP 2004 and dBMAP 2015. The proposed residential use is therefore in accordance with the purpose for which the land is zoned. The surrounding area is predominantly residential in character; the wider housing zoning is adjacent to lands zoned as Local Landscape Policy Area, Area of High Scenic Value and a Site of Local Nature Conservation Importance.		
The proposal is for social housing, NI Housing Executive have stated their support for the proposal advising in their response that the "demand for social housing in the West Belfast area continues to be high and our projection of social housing need indicates a requirement for 2,148 new units of social housing across the Council area over the 5 year period 2021-2026". They advise that on the basis of the Housing Need Assessment, they would welcome this scheme as an opportunity to help		

address unmet social housing need in the Outer West Belfast catchment area. It is therefore considered that the proposals will bring forward benefits of much needed new housing stock.

The proposed development will not adversely impact the character and appearance of the surrounding area. It is sympathetic in its built form, scale, massing and appearance with the surrounding area and neighbouring properties. It is considered that the proposal will not raise any unacceptable issues in relation to residential amenity including overshadowing, loss of light and overlooking.

Consultations:

Rivers Agency, NI Water, DfI Roads Service, Shared Environmental Service, DAERA and BCC Environmental Health offer no objections to the proposal.

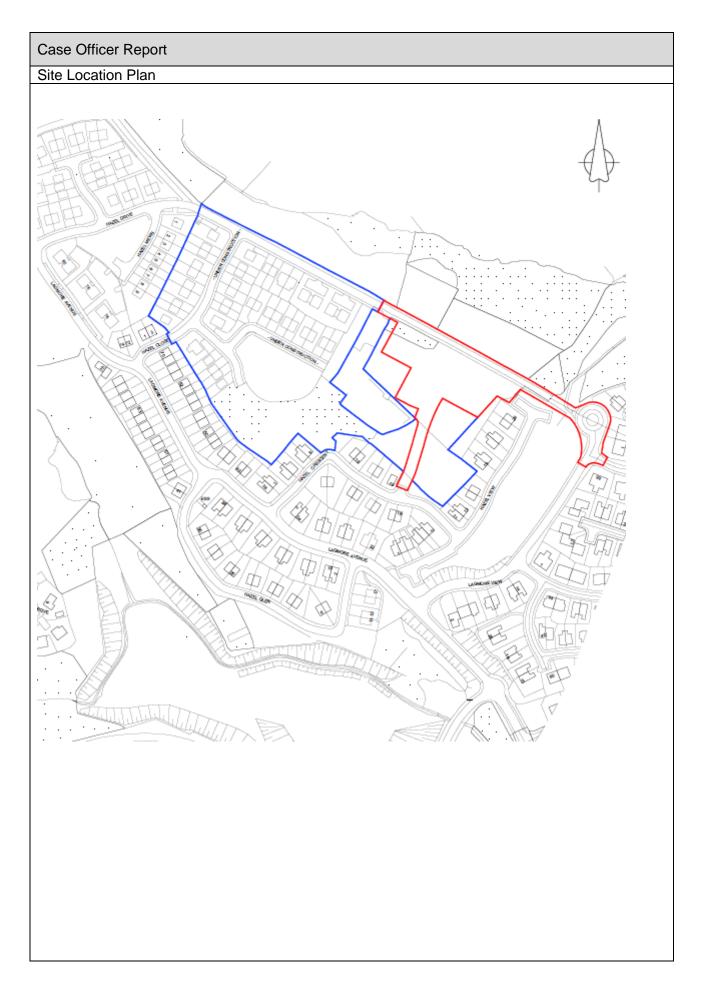
Representations:

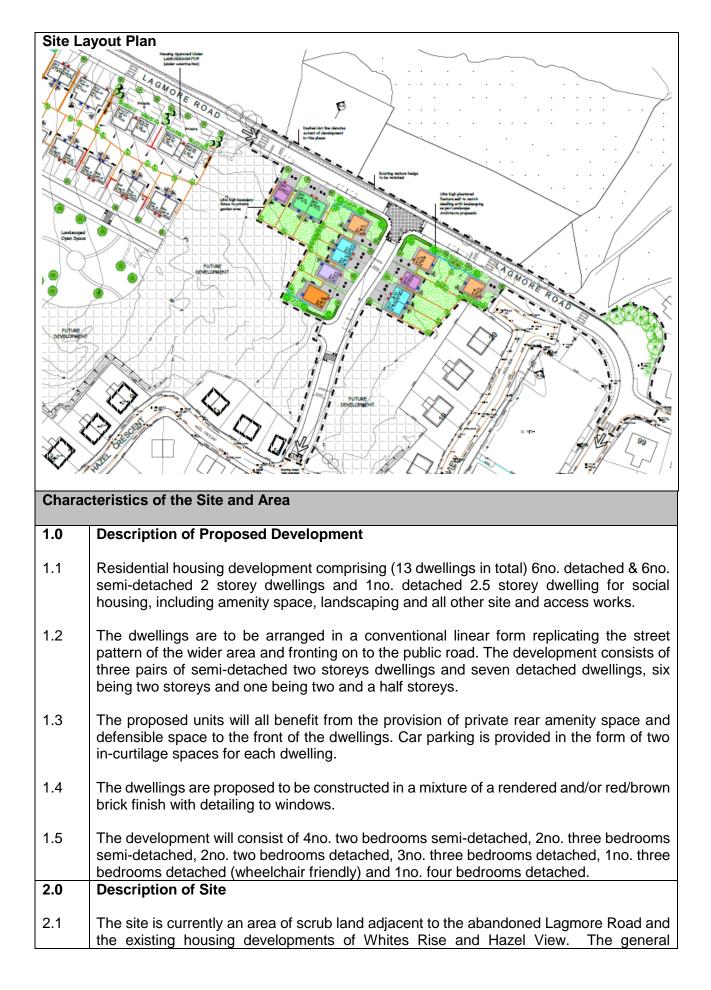
One letter of objection has been received with concerns regarding additional traffic leading to more congestion in the locality.

Having regard to the policy context and all material considerations, the proposal is considered to be acceptable and planning permission is recommended for approval.

Recommendation - Approval subject to conditions

It is requested that the committee delegate authority to the Director of Planning and Building Control to finalise the wording of conditions.





	surrounding character is one of residential housing developments adjacent to former agricultural land.	
Plann	ing Assessment of Policy and other Material Considerations	
3.0	Site History	
	S/1996/0601/O Residential development Permission Granted 23 December 1999 S/2005/1667/F Application under article 28 to carryout housing development at Mount Eagles Lagmore with variation of conditions 4 & 6 attached to previous outline permission (Ref: S/1996/0601/0) Permission Granted 11 August 2006 S/2006/1180/RM Phase 3 & 4 of the ongoing housing development at Mount Eagles for 293 dwellings for domestic use in accordance with outline S/2007/1348/RM Phase 1A of the ongoing housing development at Mount Eagles for 59 Residential Units for domestic use in accordance with original outline	
4.0	Policy Framework	
4.1	Belfast Urban Area Plan	
4.2	Draft Belfast Metropolitan Area Plan 2004	
4.3	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.	
	The Belfast Local Development Plan Draft Plan Strategy 2035 will guide future planning application decision making to support the sustainable spatial growth of the city up to 2035. The draft Plan Strategy has been subject to examination by the Planning Appeals Commission and the Council has been provided with a copy of their Report, together with a Direction from the Department for Infrastructure in relation to additional required steps before it can be adopted. Paragraph 1.10 of the Strategic Planning Policy Statement (SPPS) states that a transitional period will operate until such times as a Council's Plan Strategy has been adopted. Accordingly, whilst the Draft Plan Strategy is now a material consideration it has limited weight until it is adopted and during this transitional period existing policies will be applied including the SPPS and relevant PPSs.	
4.4	Regional Development Strategy (RDS) 2035	
4.5	Strategic Planning Policy Statement 2015 (SPPS)	
4.6	 Planning Policy Statement 2 – Natural Heritage Planning Policy Statement 3 – Parking, Movement and Access. Planning Policy Statement 7 – Quality Residential Environments Planning Policy Statement 7 (Addendum): Safeguarding the Character of Established Residential Areas Planning Policy Statement 15 – Planning and Flood Risk 	
5.0	Statutory Consultees Responses	
5.1	DFI Roads – no objection with conditions	

5.2	Northern Ireland Water (NIW) - no objection		
5.3	DFI Rivers – No objection		
5.4	NI Housing Executive- Supportive of the proposal.		
5.5	Shared Environmental Services – No objection		
5.6	DAERA – No Objection		
6.0	Non Statutory Consultees Responses		
6.1	BCC Environmental Health – no objection		
7.0	Representations		
7.1	The application has been neighbour notified and advertised in the local press. One objection has been received regarding the proposal. Concerns relate to additional traffic and congestion.		
8.0	Other Material Considerations		
8.1	Creating Places		
8.2	Parking Standards		
9.0	Assessment		
9.1	 The key issues in the assessment of the proposed development include: The principle of the proposal at this location Design, layout and impact on the character and appearance of the area Impact on amenity Access, Movement and Parking Infrastructure capacity Other Environmental Considerations 		
9.2	Principle of development The application site is within the settlement development limits and on land zoned for housing within the BUAP and dBMAP. The SPPS advises that planning permission ought to be granted for sustainable development that accords with the area plan and causes no harm to areas of acknowledged importance.		
9.3	The site is contained within a larger housing zone now partially developed. The wider residential development is part of the Lagmore Masterplan for which outline approval was granted approval subject to an Article 40 Agreement in December 1999. The outline Conceptual Masterplan included housing on the site which is subject to this standalone application therefore the development proposed remains in general accordance with the approved masterplan.		
9.4	The proposal is for social housing consisting of a mix of house types within an area of social housing. NI Housing Executive have expressed their support for the proposal.		
9.5	The proposal is for residential development on lands zoned for housing; the proposed development is therefore acceptable in principle.		
9.6	Design, Impact on character and appearance of the area		

The proposed scheme comprises 13 dwellings arranged in a conventional linear form replicating the existing pattern of development in the wider area. The proposal consists of a mix of house types that includes 2 and 3 bedrooms semi-detached, 2 and 3 bedrooms detached, and a single 4 bedroom detached. All dwellings except for the 4 bedroom unit will be two storey the exception being two and a half storeys.

- 9.7 The proposed separation distances, window placement and use of obscured glazing assist in mitigating against any potential adverse impact on the neighbouring residential amenity.
- 9.8 The palette of materials and finishes proposed for the treatment of the elevations reflect those found in the surrounding residential area with the proposed dwellings finished in a rendered finished with some dwellings having additional red brick detailing around the windows, the roofs are to be covered with common roof tiles. The proposed development will be enhanced by quality hard and soft landscaping around the buildings.

Streetscape Elevations Proposed



- 9.9 Ornate hedging on corner site locations, to the front garden areas and additional structural planting assists in further softening the elevational & visual impact of the proposed dwellings and hardstanding.
- 9.10 The density of development reflects the existing density in the surrounding context. The proposal represents 16 dwellings/hectare which is similar to adjacent developments of 25 dwellings/hectare. The scale, form and massing of the proposed development is also in keeping with the overall character of the area immediately surrounding the application site. The design, building line, ridge heights, fenestration and solid to void proportions are typical of the surrounding area.
- 9.11 Overall, the proposed development would not cause unacceptable harm to the local character, appearance and environmental quality of the area of the area in accordance with Policy QD1 of PPS7, Policy LC1 of PPS7 Addendum, Creating Places and the SPPS.

9.12 Impact on Amenity

² Consideration has been given to the surrounding context regarding the design and layout of the development. The internal layout and window locations minimises the potential impact on neighbouring land uses in terms of overlooking.

9.13 The layout of the dwellings results in no significant overlooking into existing neighbouring properties. In addition, there is sufficient separation distances to the existing housing developments to ensure that dominance and overshadowing will not occur. There will be no opportunity to dominate or overshadow the existing neighbouring properties due to the separation distances which are circa 45m to the north and 36m to the south. Only one proposed dwelling (House Type E1 Plot 105) will have a close relationship with the

existing dwellings (no. 29 Hazel View) and their private amenity, this property will project a gable with a first-floor landing window, a non-habitable room.

A planted buffer to the rear of plots 32 and 33 will prevent overlooking into the rear garden on plot 30. The corner plots on to Lagmore will benefit from 1.8m high feature walls to match the existing dwellings enclosing their private rear gardens.

- 9.14 There will be a limited level of overlooking within the layout design of the development, this is always unavoidable in a relatively tight grain housing development and is quite common within residential environments.
- 9.15 The proposed dwellings will have adequate provision of private rear amenity space and a small level of defensible space to the front of the dwellings. The rear gardens range from 75sq m to 109sqm all above the recommended 70sq m set out in the Creating Places guidance document. The rear amenity spaces are proposed to be enclosed by 1.8m high close boarded timber fencing or wall, providing privacy between neighbours.
- 9.16 In terms of outlook each unit has an adequate outlook to the proposed roadways and external amenity areas. It is considered that the design, layout and separation distances proposed are acceptable and will not impinge on residential amenity via overlooking, dominance, loss of light or overshadowing.
- 9.17 All the dwellings benefit from adequate internal amenity space and satisfy the space standards as set out in Annex A of the Addendum to PPS 7.
- 9.18 The site is in close proximity (within 75m) of the existing multi-use games area, children's play park and grassed open space located at Hazel View/Lagmore View to the east. It will also benefit from open space provision as part of the wider Lagmore development.
- 9.19 Residential use is not normally associated with the generation of significant noise or odour. Similarly, the existing land uses in the immediate context of the application site are not considered to be significant noise or odour generating uses.
- 9.20 Overall, the proposed development would not cause unacceptable amenity impacts to existing or proposed residents and is in accordance with Policy QD1 of PPS7, Policy LC1 of PPS7 Addendum, Creating Places and the SPPS
- 9.21 <u>Access, Movement and Parking</u> Dfl Roads Service have considered the acceptability of the road layout to serve the development and has found it to be acceptable. Car parking is provided in the form of two in-curtilage spaces for each of the dwellings. Conditions are recommended. The proposal complies with the SPPS, PPS7 and PPS3 with respect to access and parking.
- 9.22 Infrastructure Capacity NI Water advise that there is no objection to the development. There is available capacity at the Waste Water Treatment Works. There is a public foul sewer, public surface water sewer and public water main all within 20m of the proposed development boundary which can adequately service the proposals.
- 9.23 Flooding Rivers Agency have commented that the Flood Hazard Map (NI) indicates that the development does not lie within the 1 in 100 year fluvial or 1 in 200-year coastal flood plain. Dfl Rivers do not object to the proposed development from a drainage or flood risk perspective and recommend a condition with respect to final drainage design agreement.
- 9.24 Other Environmental Considerations

The Environmental Health Service has considered the proposed development in terms of noise, air pollution, general amenity, ambient air quality, contaminated land and other considerations and offers no objection.

- 9.25 Shared Environmental Services considered the application in light of the assessment requirements of Regulation 43(1) of the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) on behalf of Belfast City Council which is the competent authority. Having considered the nature, scale, timing, duration and location of the project it is concluded that it is eliminated from further assessment because it could not have any conceivable effect on a European site. HRA Stage 1 screening has concluded no viable environmental pathways from the proposal at both construction and operational phases to any European Site or feature of one.
- 9.26 DAERA The Drinking Water Inspectorate refer to standing advice and guidance on private water supply; the Agent has confirmed that a scoping exercise was undertaken and no registered private water supplies are present within a 1km search radius; it is not their intention to use any borehole / private water supply on-site and from undertaking a site walkover, no existing borehole or wells are apparent. In any event NI Water have confirmed availability of adequate public water supply in a Pre Development Enquiry and in their consultation response.
- 9.27 Water Management Unit (WMU), referred to a potential adverse impact on surface water, advising NIW should be consulted and in the event NIW indicate Capacity at the WWTW and associated sewer network they would have no objection. NI Water have confirmed availability at the Waste Water Treatment Works and associated sewer network.
- 9.28 Natural Environment Division considered the proposal subject to the Conservation (Natural Habitats, etc) Regulations (Northern Ireland) 1995 (as amended) (known as the Habitats Regulations). The application site is in close proximity to the Lagmore Glen SLNCI a site which is of Local Nature Conservation Importance and is protected by relevant legislation. NED considered the NI Biodiversity Checklist submitted in support of the application and requested that a badger survey be carried out. Upon receipt and consideration of that survey NED are content that the development is not predicted to have any significant adverse impact on natural heritage and recommend Informatives.
- 9.29 The proposal is in compliance with the policy provisions of the SPPS, PPS7 and PPS 2.
- 9.30 Representation

One objection was received from a resident at Hazel Crescent to the south of the application site. This raises school provision and traffic congestion. The proposal is for 13 no. houses on lands zoned for housing; a proposal of this size would not in itself require provision of additional neighbourhood facilities. 4 no. houses are directly accessed off Lagmore Road; the remaining houses can be accessed from either Lagmore Road or Hazel Crescent. Each dwelling will benefit from 2 no. in curtilage parking spaces. Dfl Roads have considered the proposals with respect to parking and traffic and offer no objection.

9.31 Having regard to the policy context and other material considerations above, the proposal is considered to be acceptable and planning permission is recommended subject to conditions.

10.0	Summary of Recommendation:	Approval subject to conditions
11.0	Conditions	

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.

2: A detailed programme of works and any required/associated traffic management proposals, shall be submitted to and agreed by Dfl Roads, prior to the commencement of any element or road works.

Reason: To ensure traffic management proposals are adequate.

3: No dwelling shall be occupied until its related hard surfaced area (incurtilage driveway) has been constructed in accordance with the approved Drawing No. 13, published to the planning portal NI 12th August 2022, to provide adequate facilities for parking. These spaces shall be permanently retained.

Reason: To ensure adequate parking in the interests of road safety and the convenience of road users.

4: The access gradients to the dwellings hereby permitted shall not exceed 8% (1 in 12.5) over the first 5 m outside the road boundary. Where the vehicular access crosses a footway or verge, the access gradient shall be between 4% (1 in 25) maximum and 2.5% (1 in 40) minimum and shall be formed so that there is no abrupt change of slope along the footway.

Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.

5. The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992. The Department hereby determines that the width, position and arrangement of the streets, and the land to be regarded as being comprised in the streets, shall be as indicated on Drawing No: 13 bearing the Department for Infrastructure determination date stamp 7/7/22 uploaded to the planning portal NI 12th August 2022.

Reason: To ensure there is a safe and convenient road system to comply with the provisions of the Private Streets (Northern Ireland) Order 1980.

6. The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992. No part of the development hereby permitted shall be occupied until the works necessary for the improvement of a public road have been completed in accordance with the details outlined blue on Drawing No: 13 bearing the date stamp 7/7/22 uploaded to the planning portal NI 12th August 2022. The Department hereby attaches to the determination a requirement under Article 3(4A) of the above Order that such works shall be carried out in accordance with an agreement under Article 3 (4C).

Reason: To ensure that the road works considered necessary to provide a proper, safe and convenient means of access to the development are carried out.

7. All redundant accesses from the site to the public road shall be permanently closed off and the footpath reinstated to the satisfaction of Department for Infrastructure.

Reason: In order to minimise the number of access points on to the public road in the interests of road safety and the convenience of road users. 8. No dwellings shall be occupied until that part of the service road which provides access to it has been constructed to base course; the final wearing course shall be applied on the completion of the development. Reason: To ensure the orderly development of the site and the road works necessary to provide satisfactory access to each dwelling. 9. Prior to the commencement of any of the approved development on site, a final drainage assessment, compliant with FLD 3 & Annex D of PPS 15, and Sewers for Adoption Northern Ireland 1st Edition, including a detailed drainage network design and a demonstration of how out of sewer flooding due to exceedance of the drainage network will be managed, must be submitted to the Planning Authority for its consideration and approval. Reason: To safeguard against flood risk to the development and from the development to elsewhere. 10. All hard and soft landscaping works shall be carried out in accordance with the approved details on Drawing Number 05C, published to the Planning Portal on 29/06/2022. The works shall be carried out prior to the occupation of any 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. Reason: In the interests of the character and appearance of the area. 11. The development hereby permitted shall not be occupied until all boundary walls, fences or other means of enclosure as detailed on Drawing Number 05C, published to the Planning Portal on 29/06/2022 have been implemented in accordance with the approved details and shall be permanently retained as such thereafter. Reason: In the interests of the character and appearance of the area and residential amenity. 12. The upper floor window on the south facing gable elevation of House Type E1 on Plot no. 105 as detailed on Drawing Number 05C shall be finished in obscure glazing. Once installed the window shall be permanently retained in that condition. Reason: To protect the amenity and privacy of the occupiers of adjoining properties. Notification to Department (if relevant) N/A

Representations from Elected members: None

ANNEX		
Date Valid	29th October 2021	
Date First Advertised	12 th November 2021	
Date Last Advertised		
Details of Neighbour Notification (all addre	esses)	
The Owner/Occupier,		
1 White Rise, Dunmurry, Antrim, BT17 0XB		
The Owner/Occupier,	I	
10 Hazel Crescent, Belfast, Antrim, BT17 0WN The Owner/Occupier,	N	
10 White Rise, Dunmurry, Antrim, BT17 0XB		
The Owner/Occupier,		
11 Hazel Crescent, Belfast, Antrim, BT17 0WN	1	
The Owner/Occupier,		
11 White Rise, Dunmurry, Antrim, BT17 0XB		
The Owner/Occupier,		
12 Hazel Crescent, Belfast, Antrim, BT17 0WN The Owner/Occupier,	N	
12 White Rise, Dunmurry, Antrim, BT17 0XB		
The Owner/Occupier,		
13 Hazel Crescent, Belfast, Antrim, BT17 0WN	1	
The Owner/Occupier,		
13 Hazel View,Belfast,Antrim,BT17 0WQ		
The Owner/Occupier,		
14 Hazel Crescent, Belfast, Antrim, BT17 0WN The Owner/Occupier,	N	
15 Hazel Crescent,Belfast,Antrim,BT17 0WN	J	
The Owner/Occupier,		
15 Hazel View,Belfast,Antrim,BT17 0WQ		
The Owner/Occupier,	The Owner/Occupier,	
16 Hazel Crescent, Belfast, Antrim, BT17 0WN		
The Owner/Occupier,		
17 Hazel Crescent, Belfast, Antrim, BT17 0WN The Owner/Occupier,	N	
17 Hazel View,Belfast,Antrim,BT17 0WQ		
The Owner/Occupier,		
18 Hazel Crescent,Belfast,Antrim,BT17 0WN		
The Owner/Occupier,		
19 Hazel Crescent,Belfast,Antrim,BT17 0WN		
The Owner/Occupier, 19 Hazel View,Belfast,Antrim,BT17 0WQ		

The Original and Original is a	[
The Owner/Occupier,	
2 White Rise, Dunmurry, Antrim, BT17 0XB	
Mairead Cunningham	
21 Hazel Crescent,Belfast,Antrim,BT17 0WN	
The Owner/Occupier,	
21 Hazel View,Belfast,Antrim,BT17 0WQ	
The Owner/Occupier,	
23 Hazel View, Belfast, Antrim, BT17 0WQ	
The Owner/Occupier,	
25 Hazel View, Belfast, Antrim, BT17 0WQ	
The Owner/Occupier,	
27 Hazel View, Belfast, Antrim, BT17 0WQ	
The Owner/Occupier,	
29 Hazel View, Belfast, Antrim, BT17 0WQ	
The Owner/Occupier,	
3 White Rise, Dunmurry, Antrim, BT17 0XB	
The Owner/Occupier,	
32 Lagmore Road, Dunmurry, Antrim, BT17 0N	IT
The Owner/Occupier,	
4 Hazel Crescent, Belfast, Antrim, BT17 0WN	
The Owner/Occupier,	
4 White Rise, Dunmurry, Antrim, BT17 0XB	
The Owner/Occupier,	
5 White Rise, Dunmurry, Antrim, BT17 0XB	
The Owner/Occupier,	
6 Hazel Crescent, Belfast, Antrim, BT17 0WN	
The Owner/Occupier,	
6 White Rise, Dunmurry, Antrim, BT17 0XB	
The Owner/Occupier,	
7 Hazel Crescent, Belfast, Antrim, BT17 0WN	
The Owner/Occupier,	
7 White Rise, Dunmurry, Antrim, BT17 0XB	
The Owner/Occupier,	
8 Hazel Crescent, Belfast, Antrim, BT17 0WN	
The Owner/Occupier,	
8 White Rise, Dunmurry, Antrim, BT17 0XB	
The Owner/Occupier,	
9 Hazel Crescent, Belfast, Antrim, BT17 0WN	
The Owner/Occupier,	
9 White Rise, Dunmurry, Antrim, BT17 0XB	
The Owner/Occupier,	
99 White Rise, Dunmurry, Antrim, BT17 0XD	
The Owner/Occupier,	
Lagmore Road, Dunmurry, Antrim, BT17 0NT	
Date of Last Neighbour Notification	
_	24 th November 2021
Date of EIA Determination	9/9/22
	313122
ES Requested	No

Drawing Numbers and Title

01 Site Location Plan - published to Planning Portal 01/11/2021

05C Site layout and block plan 01/11/2021

07 House Type A1 Plans and Elevations - published to Planning Portal 01/11/2021

08 House Type B1 Plans and Elevations - published to Planning Portal 01/11/2021

09 House Type C1 Plans and Elevations - published to Planning Portal 01/11/2021

10 House Type E1 Plans and Elevations - published to Planning Portal 01/11/2021

11 House Type E2 Plans and Elevations - published to Planning Portal 01/11/2021

12 House Type F2 Plans and Elevations - published to Planning Portal 01/11/2021

13 PSD Layout published to Planning Portal 12/08/2022

14 Road Long Sections published to Planning Portal 12/08/2022

Notification to Department (if relevant)

Date of Notification to Department: Response of Department: