**Development Management Officer Report**

**Committee Application**

### Summary

<table>
<thead>
<tr>
<th>Committee Meeting Date: 16 June 2015</th>
<th>Item Number:</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Application ID:</strong> Z/2014/1460/F</td>
<td><strong>Target Date:</strong></td>
</tr>
<tr>
<td><strong>Proposal:</strong> Residential development of 14 units comprising of 6 no detached houses and 8 no semi-detached houses, including carparking and landscaping.</td>
<td><strong>Location:</strong> Site at 45-49 Hawthornden Road Belfast BT4 3JW</td>
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<tr>
<td><strong>Referral Route:</strong> Committee – more than 4 dwellings</td>
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<tr>
<td><strong>Recommendation:</strong></td>
<td><strong>Refusal</strong></td>
</tr>
<tr>
<td><strong>Applicant Name and Address:</strong> HPD Ltd</td>
<td><strong>Agent Name and Address:</strong> Coogan And Co Architects LTD 144 Upper Lisburn Road Finaghy Belfast BT10 0BG</td>
</tr>
</tbody>
</table>

### Executive Summary:

The application seeks full permission for 14 dwellings. The main issues to be considered in this case are:

- The principle of redevelopment for housing at this location;
- The potential impact on TPO trees, neighbouring amenity and character of the area.

The site has been cleared of buildings and is largely vacant within the central area of the site, save for a single storey 'gatelodge' type building in the northwestern corner of the site adjacent to Hawthornden Road. There are a large number of TPO trees mostly around the site boundaries.

There is history of planning approvals on the site for residential development for 17 units in 2009, with further approvals previous to that. All previous approvals for residential development have lapsed.

The proposal has been assessed against relevant planning policy including the adopted Belfast Metropolitan Area Plan and Planning Policy Statement 7 Safeguarding Character Addendum which have been introduced since previous approvals on the site.

Consultees require further information –
- Transport NI in respect of access and parking layout,
• Rivers Agency have not confirmed acceptability of drainage assessment submitted.

6 representations were received objecting for the following reasons:

- Increase in / evidence of flooding in the locality;
- Increase in traffic; Inadequacy of footpath / existing turning facilities;
- Size, layout design of buildings; Impact on character and amenity;
- Impact on privacy, dominance, and loss of daylight,
- Impact on trees;

The proposal is considered overdevelopment of the site as the density, scale and massing is out of character with this area and is unacceptable. The majority of dwellings have below or minimum amenity space standards and therefore will impact on the living conditions for prospective residents and there will be dominance from some proposed buildings for neighbouring residents. The buildings proposed will also encroach on the root protection zones of Trees specially protected under a Tree Preservation Order.

Refusal is recommended:

1) The proposal is contrary to policy QD1 of the Department's Planning Policy Statement 7 in that the proposal would, if permitted, result in overdevelopment of the site due to its inappropriate siting, layout, scale, form, massing and design causing unacceptable damage to the character and appearance of the area and fails to provide adequate private amenity space. The proposal would fail to provide a quality and sustainable residential environment.

2) The proposal is contrary to policy QD1 of the Department's Planning Policy Statement 7: "Quality Residential Environments" in that it would, if permitted, result in overdevelopment of the site in that it would, if permitted, be harmful to the living conditions of existing and prospective residents through dominance and overlooking resulting in a loss of residential amenity, and would be harmful to the living conditions of prospective residents due to poor outlook. The proposed development would therefore fail to create a quality residential environment.

3) The proposal is contrary to the Department's Planning Policy Statement 1 General Principles, Planning Policy Statement 7 (Addendum) Safeguarding the Character of Established Residential Areas Policy LC1, and DCAN8, in that the proposal would, if permitted, result in a significantly higher density and a development pattern which is not in keeping with this established residential area.

4) The proposal is contrary to the Department's Planning Policy Statement 2: Planning and Nature Conservation, and Planning Policy Statement 7: Quality Residential Environments in that it would, if permitted, prejudice the long term viability of significant trees which are subject to a Tree Preservation Order due to its inappropriate siting and layout of the proposed development.

5) The proposal is contrary to policy QD1 of the Department's Planning Policy Statement 7: "Quality Residential Environments", Creating Places, and related guidance in that it has not been demonstrated that the proposal would provide a satisfactory means of access and adequate facilities for parking and service vehicles as part of the development.

6) The proposal is contrary to Planning Policy Statement 1: General Principles and policy FLD3 of the Department's Planning Policy Statement 15: "Planning and Flood Risk" in that it has not been demonstrated that the proposal would provide satisfactory measures for
the mitigation of flood risk.
Case Officer Report

Site Location Plan

Site Layout

Typical semi-detached elevations:
Typical detached elevations:

<table>
<thead>
<tr>
<th>Consultation Type</th>
<th>Consultee</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Non Statutory</td>
<td>Env Health Belfast City Council</td>
<td>Add Info Requested</td>
</tr>
<tr>
<td>Statutory</td>
<td>NI Transport - Hydebank</td>
<td>Requested additional information</td>
</tr>
<tr>
<td>Non Statutory</td>
<td>NI Water - Multi Units East - Planning Consultations</td>
<td>No Objection</td>
</tr>
<tr>
<td>Non Statutory</td>
<td>Rivers Agency</td>
<td>Add Information Requested</td>
</tr>
<tr>
<td>Statutory</td>
<td>NI Water - Strategic Applications</td>
<td>Awaiting response</td>
</tr>
<tr>
<td>Non Statutory</td>
<td>Rivers Agency</td>
<td>Awaiting response</td>
</tr>
</tbody>
</table>

Representations:

| Letters of Support        | None Received                           |
| Letters of Objection      | 6                                        |
| Number of Support Petitions and signatures | No Petitions Received                 |
| Number of Petitions of Objection and signatures | No Petitions Received                 |

Characteristics of the Site and Area

The site is located at Hawthornden Road in east Belfast and has been cleared of buildings and is largely vacant within the central area of the site, save for a single storey ‘gate lodge’ type building.
in the north western corner of the site adjacent to Hawthornden Road. There are a large number of Trees protected by a Tree Preservation Order (TPO) trees around the site boundaries. Boundaries comprise a mix of fencing and walls. The topography of the site is generally level. There are dwellings to the north and south of the site and Hawthornden Way, part of the outer ring road, is to the rear/east of the site.

The site is within an Area of Townscape Character and characterised by detached and semi-detached dwellings within generous plots.

Planning Assessment of Policy and Other Material Considerations

Planning History:

The site has been subject to a number of applications and redevelopment of the site for residential has previously been accepted. (See Annex ).

The most recent approval, reference Z/2007/1068/F was granted 30/01/2009, expiring January 2014. The current application was received in October 2014. Accordingly the site is not subject to any extant permissions. Whilst higher density schemes have been approved previously the PPS7 Addendum contains policy in respect of density and Policy LC1 must be applied

Consultation Responses:

NI Water Service – considering drainage assessment;
Transport NI – further information required;
Environmental Health – no objections subject to conditions and/or informatives;
Rivers Agency - considering drainage assessment;

Representations:

41 neighbours were notified and 6 representations were received following the advertisement / neighbour notification process. Issues raised include the following:

- Increase in / evidence of flooding in the locality;
- Increase in traffic;
- Inadequacy of footpath / existing turning facilities;
- Size, layout design of buildings;
- Impact on character and amenity;
- Impact on privacy, dominance, and loss of daylight,
- Impact on trees;

This proposal is assessed against current planning legislation and policy. Of particular relevance are the following policy documents:

Planning Policy and Guidance

Regional Development Strategy (RDS);
Belfast Metropolitan Area Plan (BMAP);
PPS 1 – General Principles
PPS 2 – Natural heritage
PPS 3 – Access Movement and Parking
PPS6 - Planning, Archaeology and The Built Heritage
PPS7- Quality Residential Environments
Assessment:

The site is identified as within an Area of Townscape Character (ATC). Planning Policy Statement (PPS) 1 General Principles is a material consideration, promoting good design and the protection of amenity. PPS6 addendum relates to ATC's. PPS7 refers to housing developments. PPS 7 objectives places emphasis on achieving quality residential development not only in terms of respecting local character and amenity of established residential areas, but also the developments themselves should be attractive for prospective residents. It also states that in established residential areas proposals will not be permitted where unacceptable damage to local character would result. QD1 lists 9 criteria with which all proposals for residential development must conform. PPS12, DCAN 8 and Creating Places relate to housing developments and are also material considerations. PPS7 addendum safeguarding character is also a material consideration and includes three policies LC1-3.

Proposal:

The proposed layout comprises 5 dwellings fronting onto Hawthornden Road, with an access road leading to 9 dwellings to the rear.

Layout:

In relation to PPS7 QD1 criteria [a] relates to surrounding context & appropriate to the site in terms of layout, scale proportions, etc. The site is located adjacent to residential development, of detached and semi-detached design. The proposed scale/height of the dwellings is 2.5 storeys and is broadly consistent with the locality. The layout follows that of an existing housing development immediately adjacent to the site, however this is not characteristic of the area – dwellings generally are set well back off Hawthornden Road exhibiting a building. Separation distances between proposed properties are very restricted, with separation to the southern boundary (shared with no 37 & the Hamlets), of approximately 8m. Separation distances of properties to the rear and the Hawthornden Way boundary range from 5.4m at closest to 11.4m at widest. Notwithstanding the site history, the layout and resulting plot characteristic does not reflect the character of the locality and exhibits characteristics of cramming. The number of dwellings proposed results in excessive areas of hardsurfacing. The topography will not be significantly altered and is considered acceptable.

Density:

PPS7 addendum safeguarding character has been introduced in the interim since the last permission was granted. It seeks to regulate densities in established residential areas. The site is located within low density suburban context and was previously occupied by 3 dwellings. The proposed increase to 14 would result in more than a four-fold increase in density which would adversely impact on the character of the area. The proposed dwellings would comply with the relevant space requirement listed in annex A.

Design:

The design comprises a semi detached and detached house types, two and a half storeys in height which are common form (mostly 2 storeys) in the locality. I consider the proposed materials, design and fenestration to be consistent with the area, incorporating a similar,
fenestration, and solid to void ratios. I therefore consider the proposed designs, in isolation, to be acceptable and compliant with criteria [g]. The design detail would not adversely impact on the ATC, and it is therefore compliant with PPS6 requirements in this regard.

Landscape features:

QD1 (b) relates to landscape features. The site is subject to a TPO however little information of the impact on, or protection measures for TPO trees has been provided. Generally the proposed dwelling are located to close to trees to be retained within the site and well within the Root Protection Areas of retained trees – some trees outside the site are also likely to be impacted. Trees along the site frontage are also likely to be adversely impacted upon to facilitate the proposed access road. The proposal fails to satisfy this criteria and also PPS2 in this regard. Limited information has been provided on proposed landscaping details.

Amenity:

In relation to amenity space provision, QD1 [c] PPS7 requires the level of provision of private space to be appropriate to the surrounding context, be useable. Further guidance on amenity space is provided in Creating Places. The amount of garden space proposed falls short of relevant guidance for the majority of the dwellings proposed. Similarly the viability of most of this space is likely to be very limited due to the proximity to/ number of TPO trees within garden areas. Given the generous provision in the locality, this aspect is unacceptable, and is indicative of overdevelopment of the site.

Criteria [h] relates to amenity considerations. In terms of dominance, overshadowing and overlooking, on balance the proposal would not have an unacceptable impact on adjacent existing dwellings due to the separation distances available (notwithstanding concerns above). However, the limited separation distances between a number of the proposed dwellings will result in unacceptable dominance and overshadowing. Similarly, the proposal would provide acceptable amenity provisions for prospective residents in terms of outlook.

All areas of the site are subject to surveillance from the proposed dwellings and the layout is considered compliant with criteria [i] in this regard.

Access, Traffic and Parking:

In relation to traffic, access, and parking issues, Transport NI were consulted and are not yet satisfied with the proposed layout, access, and parking arrangements. Adequate arrangements have not therefore been demonstrated.

Public Health:

Environmental Health has no objections subject to conditions and/or informatives. There are therefore unlikely to be noise or disturbance due to the proposed residential use.

Drainage:

NI Water and Rivers Agency have not yet confirmed if the submitted drainage assessment adequately addresses flooding issues in the locality. Until this is assessed based on evidence from representations the proposal would be contrary to PPS15 Flood Risk. In light of this the precautionary principle in paragraph 13 of PPS1 applies.

Representations:

Representations have been carefully considered, and I agree that the proposal would adversely
impact on character, trees, and result in overdevelopment of the site for the reasons set out above.

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<tr>
<th>Neighbour Notification Checked</th>
<th>Yes</th>
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**Summary of Recommendation:**

The proposal is considered overdevelopment of the site as the density, scale and massing is out of character with this area and is unacceptable. The majority of dwellings have below or minimum amenity space standards and therefore will impact on the living conditions for prospective residents and there will be dominance from some proposed buildings for neighbouring residents. The buildings proposed will also encroach on the root protection zones of Trees specially protected under a Tree Preservation Order.

Refusal Recommended.

**Reasons for Refusal:**

1) The proposal is contrary to policy QD1 of the Department's Planning Policy Statement 7 in that the proposal would, if permitted, result in overdevelopment of the site due to its inappropriate siting, layout, scale, form, massing and design causing unacceptable damage to the character and appearance of the area and fails to provide adequate private amenity space. The proposal would fail to provide a quality and sustainable residential environment.

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<th>Signature(s)</th>
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## ANNEX

<table>
<thead>
<tr>
<th>Date Valid</th>
<th>30th October 2014</th>
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<tbody>
<tr>
<td>Date First Advertised</td>
<td>14th November 2014</td>
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<tr>
<td>Date Last Advertised</td>
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<tr>
<td>Details of Neighbour Notification (all addresses)</td>
<td>41 neighbours were notified and 6 representations objecting to the application were received following the advertisement / neighbour notification process.</td>
</tr>
<tr>
<td>Date of Last Neighbour Notification</td>
<td>11th May 2015</td>
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<tr>
<td>Date of EIA Determination</td>
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<tr>
<td>ES Requested</td>
<td>Yes /No</td>
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<tr>
<td>Relevant Planning History:</td>
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<tr>
<td>Z/2007/1068/F - Demolition of dwellings and outbuildings at 45 and 47 Hawthornden Road and erection of residential development comprising 17 residential units (7 apartments, 6 townhouses, 4 semi-detached) and retention of gate lodge at 49 Hawthornden Road. PERMISSION GRANTED 30.01.2009.</td>
<td></td>
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<tr>
<td>Z/2005/1009/F - Demolition of dwelling houses at 45 and 47 Hawthornden Road (including outbuildings). PLANNING APPEAL UPHELD.</td>
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<tr>
<td>Notification to Department (if relevant) N/A</td>
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<tr>
<td>Response of Department:</td>
<td></td>
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