

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 9th April 2019	
Application ID: LA04/2019/0025/F	
Proposal: Demolition of existing residential building and construction of 90 No. apartments with associated car parking and landscaping.	Location: Parklands, Knocknagoney Dale, Knocknagoney Belfast.
Referral Route: Major Application	
Recommendation:	Approve subject to Conditions and Section 76 agreement
Applicant Name and Address: HB Building Property Services Ltd Lesley House 605 Lisburn Road Belfast BT9 7GS	Agent Name and Address: Coogan & Co. Architects Ltd 122 Upper Lisburn Road Finaghy Belfast BT10 0BD
<p>Executive Summary: This application seeks to develop 90 apartments on an established residential site located at the junction of Knocknagoney Road and Holywood Road. There is currently a vacant 5 storey apartment block on the site and planning permission was granted by the former DOE in 2015 for 165 apartments and more recently by Belfast City Council in January 2018 for 105 apartments. The current proposal is a reduction in the number of apartments previously approved and comprises 90 apartments in 3, 4 storey blocks. The proposed blocks are set within a landscaped setting which is to be retained.</p> <p>No objections have been received to the proposed development.</p> <p>Consultees including Environmental Health, DFI Roads, DAERA, Rivers Agency, NI Water have no objection in principle to the proposal and subject to the provision of satisfactory technical details consultees are content.</p> <p><u>Recommendation</u></p> <p>Having regard to the development plan, relevant planning policies and other material considerations it is considered that the proposal complies with planning policy and the development plan context and it is recommended that planning permission is granted, subject to conditions. Whilst consultees have no objection in principle to the proposal final conditions are yet to be received. It is therefore requested that delegated authority is given to the Director of Planning and Building Control and Legal Services to resolve outstanding issues, finalise the Section 76 agreement and conditions.</p>	

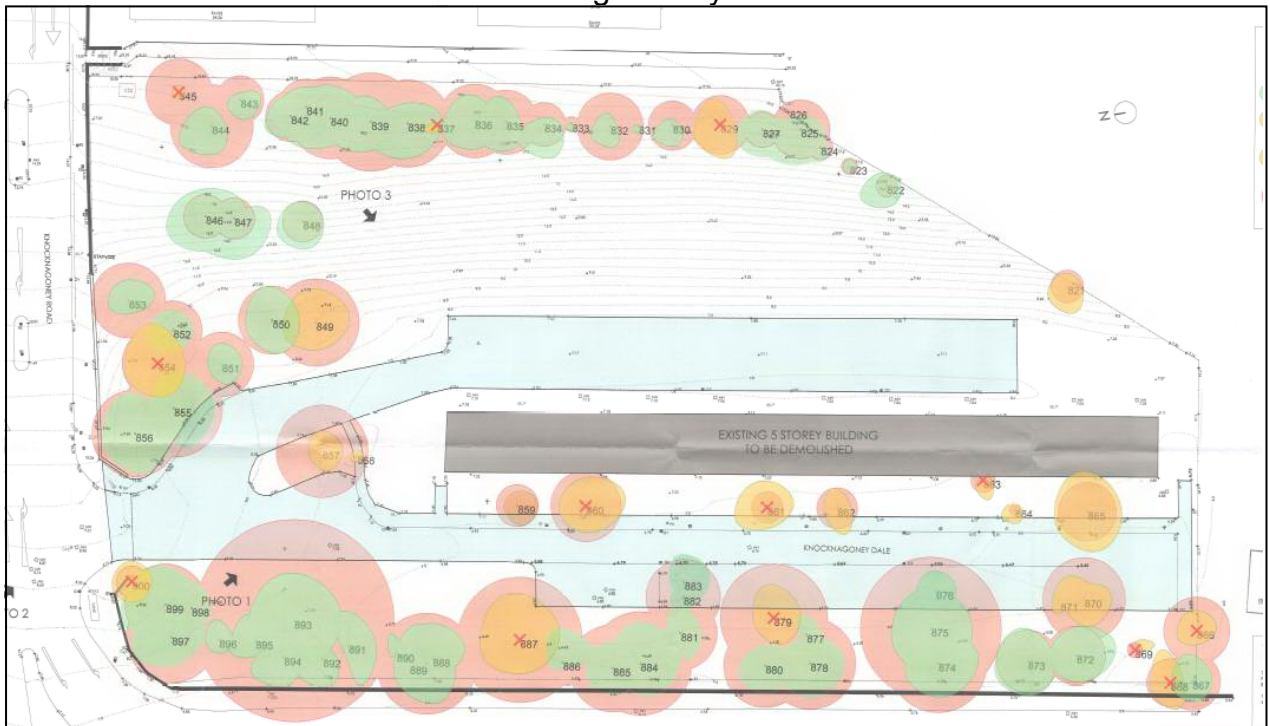
Case Officer Report

Associated Drawings

Site Location Plan



Existing Site layout



Proposed Site Layout



Elevations



Section



Consultations:

Consultation Type	Consultee	Response
Statutory	NI Water - Strategic Applications	No objections
Statutory	DFI Roads - Hydebank	Technical issues to be resolved

Non Statutory	Env Health Belfast City Council	No objections
Statutory	NIEA	No objections
Statutory	Rivers Agency	No objections
Non Statutory	Belfast City Airport	No objections
Advice and Guidance	Parks Recreation Belfast City Council	No objections
Statutory	Building Control Belfast City Council	No objections
Non-Statutory	BCC Tree Officer	Technical issues to be resolved

Representations: None Received

1.0 Characteristics of the Site and Area

1.1 The site is located at the junction of Knocknagoney Road and Holywood Road and to the immediate west of the A2 Belfast to Bangor road. There is an existing access to the site from the Knocknagoney Road opposite the access to Tesco Petrol Filling Station and Supermarket. At present there is an existing vacant 5 storey apartment block which has a flat roof with protruding chimneys and is finished in red/brown brick unsightly due to vandalism.

1.2 The boundary along the Holywood Road frontage and the southern boundary adjacent to Knocknagoney Park is defined by a stone wall which varies in height along its length (1-1.5m approximately) and mature planting with a palisade fence immediately behind. The boundary along Knocknagoney Road is defined by a brick wall with metal fencing between brick piers. The eastern boundary is defined by a palisade fence with mature trees behind and in front of the fence facing dwellings on Knocknagoney Park.

1.3 The western (lower) part of the site is relatively flat. The site rises steeply to the rear of the existing apartment block and adjacent dwellings in Knocknagoney Park to the immediate east of the site are at a much higher level than the existing and proposed apartment block.

1.4 At present there is a tarmac area to the front and rear of the existing apartment blocks which provided access/circulation space for vehicles. There is a grassed embankment to the rear of the existing apartments. Mature planting exists around the perimeter of the site, providing a mature landscape setting for the existing apartment block.

1.5 The area is characterised by a mix of uses including commercial outlets to the north (Tesco Petrol Filling Station and Supermarket) and west (Holywood Exchange), established residential dwellings to the east and Open space (Knocknagoney Park) to the immediate south. Belfast city Airport is also located in close proximity (to the west).

2.0 Description of Proposal

2.1 The proposal comprises the demolition of the existing 5 storey residential building and construction of 90 No. apartments in 3, 4 storey blocks with associated car parking and landscaping.

3.0 Planning Assessment of Policy and Other Material Considerations

3.1 Regional Planning Policy

Strategic Planning Policy statement for Northern Ireland (SPPS)
PPS 2 Nature Conservation
PPS 3 Access, Parking and Movement
PPS 7 Quality Residential Environments
PPS 12 Housing in Settlements
PPS 15 Flood Risk

3.2 Local Planning Policy

Belfast Urban Area Plan (BUAP)
Draft Belfast Metropolitan Area Plan (BMAP)
Draft Belfast Local development Plan (draft LDP)
Belfast Local Development Plan – Draft Plan Strategy 2035

3.3 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 version of BMAP purported to be adopted 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.

3.4 Within the BUAP the site is unzoned land within the development limit. In the Draft BMAP the site is also unzoned and falls within a wider Local Landscape Policy Area (Ref BT 132 – Knocknagoney LLPA). In the version of BMAP purported to be adopted the site is also unzoned and falls within a wider Local Landscape Policy Area (Ref BT 114 – Knocknagoney LLPA).

3.5 Other Material Considerations

Creating Places

3.6 Representations

The application was advertised in the local press and neighbour notifications were issued. No representations were received.

3.7 Planning History

Z/2008/0728/F - Construction of 165 apartments, with covered parking and hard and soft landscaped amenity provision, Knocknagoney Dale, BT4. Permission granted 04.02.2015.

LA04/2017/0043/F - Demolition of existing building and construction of residential development consisting of 104 apartments (18no 1 bed, 83no. 2 bed and 3no. 3 bed) with associated fitness suite, car parking and landscaping, Parklands, Knocknagoney Dale, Knocknagoney, Belfast. Permission granted 09.01.2018.

LA04/2018/1985/PAN - Development of 90 No. apartments with associated car parking and landscaping, Parklands, Knocknagoney, Belfast, BT4 2PS.

Assessment

3.8 The main issues to be considered in the assessment of this proposal are set and considered in detail below:

- Principle of development
- Scale, Height, Massing and Design
- Traffic and Parking

- Impact on Character of the Area
- Impact on Adjacent Land Uses

Principle of Development

3.9 The site is not zoned for any specific use in the BUAP or draft BMAP and lies within the development limit of Belfast. There is an established 5 storey vacant residential development on the site and planning permission was previously granted for a 10 storey apartment block accommodating 165 apartments (Z/2008/0728/F) and 3 nine storey apartment blocks for 105 apartments (LA04/2017/0043/F) on the site. Whilst the site falls within a wider Local Landscape Policy Area (LLPA) this does not preclude development within and the impact of the proposal on the LLPA is further considered below. The proposed use does not conflict with the development plan or planning policy context and is considered acceptable in principle. Details of the proposal are considered below.

Scale, Height, Massing and Design

3.10 Policy QD 1 (Quality in New Residential Development) of PPS 7 states that planning permission will only be granted where it is demonstrated that the proposal will create a quality and sustainable residential environment. The policy further states that in established residential areas housing development will not be permitted where they would result in unacceptable damage to the local character, environmental quality or residential amenity of these areas. The policy sets out 9 criteria which all residential developments are expected to meet. The proposal is assessed against each of the criteria below.

The layout proposes three, 4 storey blocks laid out in a linear form with parking between, to the sides and front of the blocks. Each of the three blocks are the same design and are 14.6m at the highest point which includes roof plant. The front elevation of each block incorporates a setback and side projections with a varied roof height. The external wall finishes include a mix of cream/buff brick and white render. Window sizes vary across the elevations providing an appropriate solid to void ratio. Internal, external and Juliette balconies are proposed adding variety to the elevations and providing private amenity space to some of the apartments. The top floor is set back from the front elevation allowing terraces to be provided at the upper level. The architectural detailing of the blocks will create visual contrast within the development. The depth of the proposed blocks are deeper than the existing development resulting in excavation of the lower part of the embankment to the rear. A retaining wall measuring 2.9 m high is proposed around the rear of the block as shown in the section above.

The scale, height and massing of the proposed development is appropriate to the character of the area and respects the surrounding context. The proposal therefore complies with criterion (a) of Policy QD 1, PPS 7.

The density of the proposed development is in keeping with the established residential development currently on the site. Each of the apartments has an outlook to the side or front of the proposed blocks which is acceptable providing for passive surveillance of the parking and open space areas. The apartments vary in size with studios (34-36sqm), 1 bedroom apartments (38-48sqm), 2 bedroom apartments (68-74sqm) and 3 bedroom apartments (89-94sqm) and are in accordance with the recommended space standards as set out in PPS 7 and the draft LDP.

The majority of apartments (60) have private amenity space in the form of a private garden at ground floor level or balconies/terraces at upper levels. The average level of private amenity provision per apartment is marginally below the recommended standards set out in Creating Places. However, sufficient communal amenity space is provided around the blocks which offset the level of private amenity provision. Overall the level of amenity provision (private and communal provision) is in accordance with recommended standards set out in Creating Places. The proposal is a betterment on the previous permissions with significantly reduced massing and a reduction in

the number of units. The proposal complies with criterion (c) of Policy QD 1, PPS 7 and Policy OS2 of PPS 8 (Public Open Space in New Residential developments).

Bin storage is provided at 3 locations to the rear of the development and is accessible to all the apartments.

Given the size of the development local neighbourhood facilities are not required to be provided and therefore criterion (d) of Policy QD 1 does not apply to the development. The development is well located to avail of existing neighbourhood facilities/amenities in the area such as recreational facilities (Knocknagoney Park), schools (Knocknagoney Primary & Nursey School, Ashfield Boys/Girls High School), community facilities (Knocknagoney Community Centre) and retail developments (Tesco and Holywood Exchange). Belfast City Airport is also located to the west.

Traffic and Parking

The existing access point from Knocknagoney Road is proposed to access the development. 128 parking spaces are proposed on the site between the apartment blocks and to the side and front of the blocks. 10 cycle stand providing space for parking 20 cycles are also proposed on site. A pedestrian access point is proposed onto the Holywood Road which will provide improved connectivity to the immediately adjoining Knocknagoney Park. Planning permission was previously granted in 2015 for 165 units on the site and more recently in 2018 for 105 apartments. Given that the number of apartments proposed has reduced from previous permissions which also proposed similar access arrangements the proposed access arrangements are considered acceptable. DFI advises that an acceptable solution was agreed for the previous approval (LA04/2017/0043/F) and that subject to receipt of a satisfactory technical drawing the proposal is acceptable (conditions to follow). The proposal therefore complies with criterion (e) of Policy QD 1, PPS 7.

Design, Form, Materials and Detailing

The external finishes include white render, cream/buff brick, metal cladding to penthouse apartments, dark grey aluminium windows, doors, balconies, cills and coping and provide variation in the elevational treatment. The limited palette of materials will create cohesion within the development. The proposal therefore complies with criterion (g) of Policy QD 1, PPS 7.

The parking and communal open space areas will be overlooked providing surveillance and providing a secure environment and promoting the safety of prospective occupiers and therefore complies with criterion (i) of Policy QD 1, PPS 7.

Impact on the Character of the Local Area and on Adjacent Land Uses

There is an established residential development (Knocknagoney Park) located to the east of the proposed development which sits at a much higher level than the proposed development. There are mature trees at the top of the embankment within the site boundary and trees outside the site boundary between the existing dwellings and the proposed apartments which will provide a suitable buffer between the developments. There is also adequate separate distance (approx. 39m) and a height differential of 13m between the ground floor level of the proposed apartments and the ground floor level of properties in Knocknagoney Park to ensure that there will be no adverse impact on the amenity of existing residents in Knocknagoney Park by way of noise, overlooking or overshadowing. To the immediate south of the site is an area of existing open space (Knocknagoney Park) which will serve the development as a valuable open space and recreational asset. Tesco Petrol Filling Station and Supermarket are located to the north of the site. The proposed development will not create and adverse impact on the existing adjacent land uses and therefore complies with criterion (h) of Policy QD 1, PPS 7.

Features that contribute to the environmental quality, integrity and character of the LLPA surrounding the apartment block include the well planted steep embankment and groups of mature trees surrounding the existing apartment block. Revised landscaping details and an updated tree

survey is required to finalise the landscaping proposals (conditions to follow). Excavation of the lower part of the embankment and retention of existing mature trees in good condition will not compromise the integrity of the Knocknagoney LLPA at this location and will ensure that landscape features are integrated into the development and protected through appropriate measures during the construction phase and managed and maintained in perpetuity. The proposal complies with criterion (b) of Policy QD 1, PPS 7.

The design and layout of the proposed residential development on an established residential site is considered acceptable and will enhance the bringing a viable use with environmental improvements and enhanced links to the local area. The proposal respects the surrounding context and is considered acceptable.

Drainage

A Drainage Assessment (DA) and conceptual drainage layout drawing accompanied the application. The DA acknowledges that a small part of the site (at the entrance from Knocknagoney Road) is at risk of fluvial and pluvial flooding, there is no building on this part of the site. The DA states that this part of the site will be retained as currently exists and will be drained by a dedicated storm water drainage system, suitably sized to serve the site in accordance with NI Water requirements. The site is served by an existing NI Water drainage infrastructure. NI water has confirmed that there is an existing public storm sewer and foul sewers within the site which can serve this proposal. Waste water treatment facilities are available at Kinnegar WWTW to serve the development. River Agency has raised no objections to the proposal and recommend that the area of predicted floodplain at the entrance to the site be kept free from development and should not be raised or the flood storage capacity and flood conveyance route reduced by unsuitable planting or obstructions. In summary the site benefits from existing infrastructure and the drainage arrangements are considered acceptable.

Waste Management

BCC Waste management Unit is satisfied that application has applied the correct calculations for overall waste and the bin stores proposed are sufficient.

Developer Contributions

It is appropriate that this major proposal should be subject to the developer entering a legal agreement under Section 76 of the Planning Act with Belfast City Council in order to secure the orderly development of land and mitigate against the impact of the development.

The developer has expressed a willingness and commitment to provide a financial contribution towards the provision and improvement of open space and recreational facilities including access to the adjoining Knocknagoney Park. In addition management and maintenance of the communal open space areas will be secured through a Section 76 planning agreement.

Pre-Community Consultation

In accordance with the requirements of Section 27 of the Planning Act (NI) 2011, the applicant served a Proposal of Application Notice (PAN) on Belfast City Council on 7th August 2018 (LA04/2018/1985/PAN). Belfast City Council responded confirming that the PAN and associated approach met the requirements of Section 27 of the Planning Act and was acceptable. The Council advised that consultation with the Community Development Officer, Knocknagoney Community Centre should be carried out. The Pre-Application Community Consultation (PACC) public engagement sessions for this proposal took place on 5th September 2018.

A Pre-Application Community Consultation Report has been produced to comply with the statutory requirement laid out in Section 28 of the Planning Act (Northern Ireland) 2011. The purpose of a PACC report is to confirm that pre-application community consultation has taken place in line with statutory minimum requirements and has taken account of the Council's comments during the PAN process. The report has confirmed advertising for the public events and that public events have

taken place in accordance with section 5 of The Planning (Development Management) Regulations (Northern Ireland) 2015. The report also confirmed that an invitation was issued to Knocknagoney Community Forum and 250 leaflets were distributed to local residents that surround Parklands.

The report also set out details of meetings which took place and summarises the issues raised at the public event and during the consultation period which included the impact of additional traffic on the surrounding road network and the desire to keep the trees on the site.

In addition to the statutory requirements for pre-application consultation Knocknagoney Community Centre were aware of the event and undertook to advise local residents of the Consultation event through the distribution of leaflets.

The Pre-Community Consultation Report submitted satisfactorily demonstrates that the applicant has complied with the requirements of Sections 27 and 28 of the Planning Act (NI) 2011 and Section 5 of The Planning (Development Management) Regulations (Northern Ireland) 2015 and has adhered to Council recommendations during the PAN process. The PACC report is considered acceptable.

Neighbour Notification Checked

Yes

Summary of Recommendation:

Having regard to the assessment and taking account of relevant material considerations including the previous permission on the site, it is recommended that planning permission is granted subject to conditions. It is requested that delegated authority is given to the Director of Planning and Building Control in conjunction with Legal Services to resolve the outstanding issues, finalise the conditions and the Section 76 Planning Agreement.

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. Prior to commencement of development a lighting plan shall be submitted and agreed in writing with the Council. The Lighting Plan shall be in accordance with Bat Conservation Trust guidance and shall below carried out in accordance with the approved details.

Bat Conservation Trust guidance can be found at:

<https://www.theilp.org.uk/documents/guidance-note-8-bats-and-artificial-lighting/>

The Lighting plan shall demonstrate that none of the existing areas of boundary vegetation are illuminated above 1 Lux level.

Reason: To minimise the impact of the proposal on foraging and commuting bats.

3. If during the development works, new contamination or risks are encountered which have not previously been identified, works should cease and the Planning Authority shall be notified immediately. This new contamination shall be fully investigated in accordance with the Model Procedures for the Management of Land Contamination (CLR11). In the event of unacceptable risks being identified, a remediation strategy shall be agreed with the Planning Authority in writing, and subsequently implemented and verified to its satisfaction.

Reason: Protection of environmental receptors to ensure the site is suitable for use.

4. After completing the remediation works under Condition 3; and prior to occupation of the development, a verification report needs to be submitted in writing and agreed with Planning Authority. This report should be completed by competent persons in accordance with the Model Procedures for the Management of Land Contamination (CLR11). The verification report should present all the remediation and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and achieving the remedial objectives.

Reason: Protection of environmental receptors to ensure the site is suitable for use.

5. No development or piling work should commence on this site until a piling risk assessment has been submitted in writing and agreed with the Council. Piling risk assessments should be undertaken in accordance with the methodology contained within the Environment Agency document on "Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention" available at <http://publications.environment-agency.gov.uk/PDF/SCHO0501BITT-E-E.pdf>.

Reason: Protection of environmental receptors to ensure the site is suitable for use.

6. Prior to the occupation of the proposed apartments the applicant shall provide to Planning Service, for approval in writing a Noise Verification Report which demonstrates that:

- a) The noise mitigation measures as outlined in the RPS Noise and Vibration Impact Assessment for Parklands, Knocknagoney Belfast dated December 2018 document no NI1729/N/02/01 and as clarified in the glazing and ventilation specification pdf drawing emailed by RPS to the planning service dated 20/2/19" have been implemented .

- b) That the entire window system (including frames, seals etc.) and ventilator units to the residential units have been so installed so as to ensure that internal noise levels within any proposed residential unit shall:

- Not exceed 35 dB LAeq,16hrs at any time between 07:00hrs and 23:00hrs within any habitable room, with the windows closed and alternative means of acoustic ventilation provided in accordance with current building control requirements;
- Not exceed 30 dB LAeq,8hr at any time between the hours of 23:00hrs and 07:00hrs within any proposed bedrooms, with the windows closed and alternative means of acoustic ventilation provided in accordance with current building control requirements;
- Not exceed 45 dB LAmax for any single event on more than 10 occasions between 23:00hrs and 07:00hrs within any proposed bedrooms with the windows closed and alternative means of ventilation provided in accordance with current building control requirements.

Reason: Protection of residential amenity.

7. Prior to development commencing, a Construction Noise Vibration and Dust Management Plan must be developed and submitted for review and approval in writing by Belfast City Council. This Plan should outline the methods to be employed to minimise any noise, vibration and dust impacts of demolition and construction operations demonstrating 'best practicable means'. The Plan should pay due regard the Parklands, Belfast: Air Quality Impact Assessment (November 2018) and the RPS Noise Impact Assessment for Parklands (December 2018) and to BS 5228:2009 Noise and Vibration Control on Construction and Open Sites and include a detailed programme for the demolition/construction phase, the proposed noise and vibration monitoring methods, noise mitigation methods and evidence of neighbour liaison.

Reason: Protection of residential amenity.

Notification to Department (if relevant)

Date of Notification to Department: Not Required

Response of Department:

ANNEX	
Date Valid	17th December 2018
Date First Advertised	18th January 2019
Date Last Advertised	
Details of Neighbour Notification (all addresses) The Owner/Occupier, 60 Knocknagoney Park, Belfast, Down, BT4 2PU The Owner/Occupier, 62 Knocknagoney Park, Belfast, Down, BT4 2PU The Owner/Occupier, 64 Knocknagoney Park, Belfast, Down, BT4 2PU The Owner/Occupier, 66 Knocknagoney Park, Belfast, Down, BT4 2PU The Owner/Occupier, 68 Knocknagoney Park, Belfast, Down, BT4 2PU The Owner/Occupier, 70 Knocknagoney Park, Belfast, Down, BT4 2PU The Owner/Occupier, 72 Knocknagoney Park, Belfast, Down, BT4 2PU The Owner/Occupier, 74 Knocknagoney Park, Belfast, Down, BT4 2PU The Owner/Occupier, 76 Knocknagoney Park, Belfast, Down, BT4 2PU The Owner/Occupier, Tesco Filling Station, Knocknagoney Road, Knocknagoney, Belfast, BT4 2PW The Owner/Occupier, Tesco Store, 2 Knocknagoney Road, Knocknagoney, Belfast, BT4 2PW	
Date of Last Neighbour Notification	14th January 2019
Date of EIA Determination	10th January 2019
ES Requested	Yes /No
Drawing Numbers and Title	
Drawing No. 01 – Site Location Plan	
Drawing No. 02 – Existing Site Plan	
Drawing No. 03 – Proposed Site Plan	
Drawing No. 04 – Ground & First Floor Plans	
Drawing No. 05 – Second & Third floor Plans	
Drawing No. 06 – Proposed Elevations	
Drawing No. 07 – Proposed Landscape Plan	
Drawing No. 08 – Proposed Site Sections & Sketch Views	
Drawing No. Conceptual Drainage Layout	