

## Committee Application

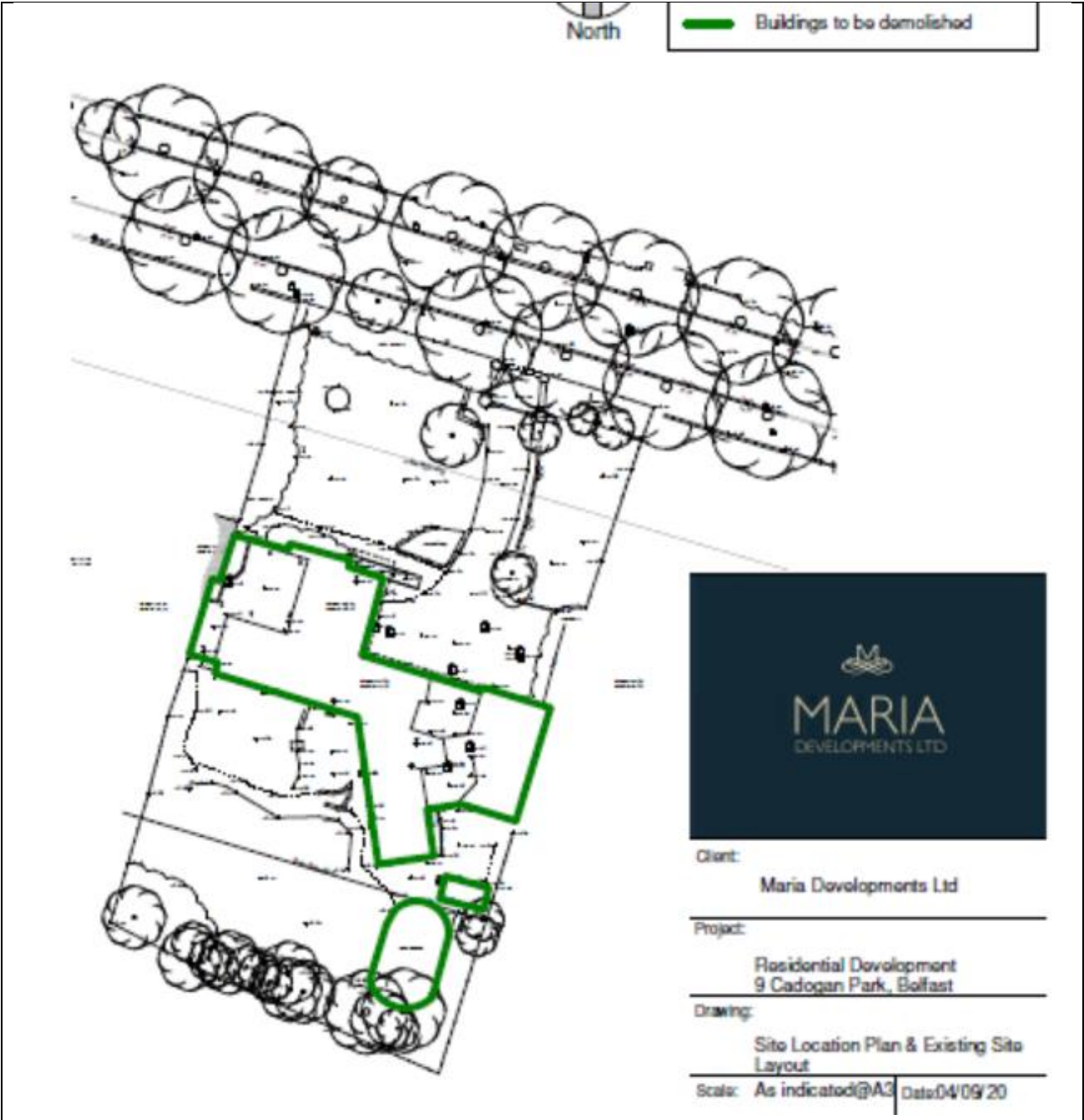
Development Management Report	
<b>Application ID:</b> LA04/2020/2257/DCA	<b>Date of Committee:</b> 18 <sup>th</sup> May 2021
<b>Proposal:</b> Demolition of dwelling and outbuildings	<b>Location:</b> 9 Cadogan Park Malone Lower Belfast BT9 6HG.
<b>Referral Route:</b> Full demolition of main building within the conservation area	
<b>Recommendation:</b>	The Members of the Committee are asked to recommend that, in accordance with the Council decision of 4 <sup>th</sup> May 2021, the Chief Executive exercises her delegated authority to approve the application.
<b>Applicant Name and Address:</b> Maria Developments Ltd 5 Lougherne Road Hillsborough BT26 6BX	<b>Agent Name and Address:</b>
<p><b>Executive Summary:</b> This application seeks conservation area consent for full demolition of the existing dwelling and outbuildings at 9 Cadogan Park, Belfast.</p> <p>The main issue to be considered in this case is:</p> <ul style="list-style-type: none"> <li>• The acceptability of demolition in the Conservation Area</li> </ul> <p>The existing building does not make a material contribution to the character and appearance of Malone Conservation Area. A satisfactory replacement scheme has been proposed under application LA04/2020/2258/F that is considered to enhance the character and appearance of Malone Conservation Area. On this basis, demolition is considered acceptable in accordance with Policy BH14 of PPS6, paragraphs 6.18 - 6.19 of the SPPS, Malone Conservation Area Design Guide and Section 104 (11) of the Planning Act (Northern Ireland) 2011.</p> <p>The BCC Conservation Officer was consulted and has no objection to the loss of the building and is content following amendments with the replacement scheme of two detached dwellings.</p> <p>No representations received.</p> <p>Having regard to the development plan, relevant planning policies, and other material considerations, it is recommended that the proposal is approved.</p> <p><b>Recommendation – Approved subject to conditions</b></p> <p>It is recommended that the Chief Executive, or her nominated officer, uses her delegated authority to grant conditional planning permission and to finalise the wording of conditions.</p>	

# Case Officer Report

## Site Location Plan



1 Site Location Plan  
1:1250



<b>Characteristics of the Site and Area</b>	
<b>1.0</b>	<p><b>Description of Proposed Development</b> This application seeks conservation area consent for the full demolition of the existing dwelling and outbuildings.</p> <p>There is a corresponding planning application for the replacement scheme under reference LA04/2020/2258/F.</p>
<b>2.0</b>	<p><b>Description of Site and Area</b> The site comprises of a single storey detached dwelling finished in render. To the front of the site there is driveway and garden enclosed by a boundary planting and fencing. To the rear is a large rear garden bounded by timber fencing and planting. The surrounding area comprises of a mix of residential, Church uses.</p>
<b>Planning Assessment of Policy and other Material Considerations</b>	
<b>3.0</b>	<p><b>Site History</b> LA04/2020/2258/F – associated full application for demolition of existing dwelling and erection of 2no. two storey detached dwellings with</p>
<b>4.0</b>	<b>Policy Framework</b>
4.1	Belfast Urban Area Plan
4.2	(Draft) Belfast Metropolitan Area Plan (BMAP) 2015
	Following the recent Court of Appeal decision on BMAP, the extant development plan is now the BUAP. However, given the stage at which 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.
	Draft BMAP 2004
	Policy SETT2 Development with the Metropolitan Development Limit and Settlement Development Limits
	Draft BMAP 2015 (purported to be adopted)
	Policy SETT 2 Development within the Metropolitan Development Limits and Settlement Development Limits.
4.3	Regional Development Strategy 2035
4.4	Strategic Planning Policy Statement 2015
4.5	Planning Policy Statement 6: Planning, Archaeology and the Built Environment
4.6	Section 104 (11) of the Planning Act (Northern Ireland) 2011
<b>5.0</b>	<b>Statutory Consultees Responses</b>
5.1	None
<b>6.0</b>	<b>Non-Statutory Consultees Responses</b>
6.1	BCC Conservation Officer – No objection to the loss of the building, an acceptable replacement scheme has been submitted and considered by Officers to be acceptable complying with policies BH12 and BH14
<b>7.0</b>	<b>Representations</b>
7.1	The application was advertised in the local press on the 20 <sup>th</sup> Nov. 2020.
	No representations received.

<b>8.0</b>	<b>Other Material Considerations</b>
8.1	Malone Conservation Area Design Guide
<b>9.0</b>	<b>Assessment</b>
9.1	The proposal is considered to be in compliance with the development plan.
9.2	The key issues in the assessment of the proposed development include: - The acceptability of demolition in the Conservation Area
9.3	<u>The acceptability of demolition in the Conservation Area</u> The existing building does not make a material contribution to the character and appearance of Malone Conservation Area. It appears to be a late 1960s early 1970s single storey dwelling with outbuildings attached which is not in keeping with the character of buildings upon which the Conservation Area is based mostly two and two and a half storey buildings built between 1903 and 1939.
9.4	A satisfactory replacement scheme has been proposed under application LA04/2020/2258/F which is considered to enhance the character and appearance of Malone Conservation Area, the assessment of which is addressed in detail in the development management officer report for that application.
9.5	To conclude, it is considered that demolition is justified in accordance with Policy BH14 of PPS6, paragraphs 6.18 - 6.19 of the SPPS, Malone Conservation Area Design Guide and Section 104 (11) of the Planning Act (Northern Ireland) 2011.
<b>10.0</b>	<b>Summary of Recommendation:</b> Having regard to the development plan, relevant policy context and other material considerations, the proposal is considered acceptable. It is requested that the Planning Committee delegates authority to the Director of Planning and Building Control to grant conditional conservation area consent and to finalise the wording of conditions.
<b>11.0</b>	<b>Conditions</b>  1. This consent is granted subject to the implementation of the satisfactory replacement scheme as approved under planning application ref. LA04/2020/2258/F.  Reason: To ensure the implementation of a satisfactory replacement scheme in the interests of Malone Conservation Area.

**Notification to Department (if relevant):** N/A

**Representations from Elected members:** N/A

**Details of Neighbour Notification (all addresses)** N/A