



# Factsheet

## Objecting to Flats and Apartments in your Area

December 2011



### Background

This is an introduction to objecting to proposals for flats or apartments in your area. For more detailed information and advice please contact us.

New planning applications for flats and apartments in your area are likely to fall into two categories:

- Conversion of existing houses to flats/apartments;
- New build flats/apartments (this may involve demolition of an existing property).

Objection letters may differ depending on which type of development you are objecting to.



# Policies that Apply to Both Flat Conversions and New Build Apartments

## Design Issues

Planning policies that relate to good design will apply to both flat conversions and new build apartments.

Questions that you could raise about the quality of the design of flats in your area include:

- Does this design provide adequate amenity space?
- Does it provide adequate parking?
- Will it cause any loss of amenity to neighbouring properties – loss of light, overshadowing, overlooking or over dominance?
- Is the development in keeping with the surrounding area?

## Character of your Area

Communities sometimes feel that a proposed new development will not fit in with the character of the area or will have a negative effect on homes in the area as a result of the way it has been designed. If this is the case, planning Policy Statement 7 (PPS 7) is useful to refer to in backing up your objections.

Policy QD 1 of PPS 7 states:

“in established residential areas proposals for housing development will not be permitted where they would cause unacceptable damage to the local character and environmental quality or residential amenity of these areas”.

The policy also lists a number of key criteria against which all proposals for residential development will be determined:

- (a) development should respect the surrounding character of the area;
- (b) protection for important natural or built heritage features;
- (c) provision of adequate private and public open space;
- (d) provision of neighbourhood facilities where appropriate;
- (e) adequate car parking;
- (f) design based on local traditions;
- (g) protection of residential amenity;
- (h) development designed to deter crime.



## What is the established character of the area?

Look at:

- is it residential?
- number of storeys;
- detached/semi detached/terraced;
- plot size;
- front and rear gardens?
- building line.

## Is the new proposal in keeping with the area's character?

Look at:

- height;
- scale;
- materials;
- windows/doors/other details;
- landscaping;
- amenity space available - has it decreased?
- views of the proposal.

## Overdevelopment

Is the proposal overdevelopment of the site?

Will the intensification of use of the site detract from the character of the immediate area and the wider area?

## Loss of Amenity

Will the development cause any loss of amenity to neighbouring properties?

- overlooking;
- overshadowing;
- loss of light.

Recent planning appeal decisions have refused proposals for apartments based on overdevelopment of the site and design that is not in keeping with the character of the area.



## Addendum to PPS 7 - Safeguarding the Character of Established Residential Areas (August 2010), Policy LC 1 – Protecting Local Character, Environmental Quality and Residential Amenity

Communities are often concerned that a proposed development will result in overdevelopment or will provide too many small apartments in the area. If this is the case, it may also be useful to refer to policy LC1 of the Addendum to PPS 7 - Safeguarding the Character of Established Residential Areas (August 2010) in your objection letter. This policy only applies in “established residential areas” in cities, towns, villages and smaller settlements. Established residential areas are defined in the Addendum as:

normally “residential neighbourhoods dominated by medium to low density single family housing with associated private amenity space or gardens” (for example, these might be residential areas made up of detached and semi-detached houses with gardens);



Example of an established residential area with low density housing.



Example of an established residential area with a range and mix of dwelling styles.

They can sometimes be “settled housing areas where there is a greater range and mix of dwelling styles and where the overall pattern of development is less uniform” (for example, this might be a settled housing area where there is a range of different housing types such as detached and semi-detached houses, terraced housing, maisonettes and flats).

“In smaller towns, villages and other settlements, established residential areas generally display a more intimate character” with more variety in architectural style, building lines etc (for example, this might be an area of housing located within the settlement limit of a village).



Example of an established residential area in a village.

The following areas **are not** considered to be established residential areas:

- Designated town centres and city centres (these are designated in Area Plans);
- Key and link transport corridors (including designated arterial routes) in cities and large towns; and
- Sites adjacent to main public transportation nodes within cities and large towns.

## Size and Density

Policy LC 1 states that planning applications to build on sites created by demolition, vacant sites, (including large garden areas) and where buildings are being redeveloped, should meet the following criteria in addition to other planning requirements:

- The proposed density (the number of dwellings per hectare) should not be significantly higher than that found in the area.
- The “pattern of new development” (i.e. the way it is laid out and designed) should be in keeping with the area.
- All houses and apartments must be built to the minimum internal floorspace sizes set out in the table below if they are located in “established residential areas”.

<b>Space Standards</b>			
<b>Type</b>	<b>Single Storey (m2)</b>	<b>Two Storey (m2)</b>	<b>Three Storey (m2)</b>
1-Person/bedsit	30/35	-	-
1-Person/1-Bedroom	35/40	-	-
2-Person/2-Bedroom	50/55	-	-
3-Person/2-Bedroom	60/35	70/75	-
4-Person/2-Bedroom	70/75	75/80	-
4-Person/3-Bedroom	75/80	80/85	-
5-Person/3-Bedroom	80/85	90/95	95/100
6-Person/3-Bedroom	85/90	95/100	100/105
6-Person/4-Bedroom	90/95	100/105	105/110
7-Person/4-Bedroom	105/110	115/120	115/120

(from Annex A of the Addendum)

## Addendum to PPS 7 - Safeguarding the Character of Established Residential Areas (August 2010), Policy LC3 – Permeable Paving in New Residential Developments

This policy encourages the use of permeable paving in all new residential developments. This is aimed at reducing the risk of flooding associated with surface water run-off. The policy says that,

“Where appropriate private driveways, patios, paths, and shared hard landscaped surfaces should be built using permeable paving materials.”

## Policies that Apply to Flat Conversions

### Addendum to PPS 7 - Safeguarding the Character of Established Residential Areas (August 2010), Policy LC2 – The Conversion or Change of Use of Existing Buildings to Flats or Apartments

Communities are sometimes concerned about the impact that the conversion of a building to flats or apartments will have on the character of their area and on neighbouring homes. If this is the case, it may be useful to refer to Policy LC2 of the addendum to PPS 7 in your objection letter. Policy LC 2 applies in all parts of the region, not just in “established residential areas”.

Proposals to convert or sub-divide existing buildings to flats or apartments (including flats and apartments that will be used as houses in multiple occupancy (HMOs)), must meet all the following criteria in addition to other planning requirements:

They should not have a negative impact on the character, amenity (e.g. privacy and light) and environmental quality of existing residential areas.

They should maintain or enhance “the form, character and architectural features, design and setting of the existing building”.

The size of the building being converted should be at least 150 m<sup>2</sup> in area. (However at some locations within designated city and town centres, along key transport and link transport corridors and sites adjacent to main public transportation nodes, the conversion of existing buildings to flats or apartments will be considered even if the building is smaller than this).

Flats or apartments should be self contained i.e. they should have a separate bathroom, toilet, and kitchen that is used only by the people who live in that flat or apartment.

The flat or apartment should not be located entirely to the back of the building with no access to the public street.

Further guidance on policy LC 2 is set out in the justification to the policy which states that:

in assessing applications for the conversion or change of use of existing buildings to flats or apartments “full account will be taken of the potentially damaging effect of cumulative changes in a neighbourhood”

Proposals for the conversion or change of use of existing buildings to flats or apartments which involve residential extensions and alterations should:

- harmonise with the existing dwelling in scale, style, and the use of materials;

- not be detrimental to the amenities of adjoining properties, particularly in terms of privacy and their right to light;
- not overdevelop the site in terms of mass or density, as this can contribute to the loss of character of existing residences; and
- retain an acceptable amount of amenity space in relation to the size of the building.

### **Flat Conversion Areas**

Communities concerned about flat conversions in the Belfast, Castlereagh and Newtownabbey Council areas may also find it useful to refer to guidance on flat conversion areas in their objection letter. Flat conversion areas form part of planning policy guidance (Development Guidance Note 4) which was introduced in 1992 and applies to certain areas located within the Belfast, Castlereagh and Newtownabbey Council areas. This guidance is still relevant to proposals for flat conversions. These are areas that have been identified as suitable for flat conversions.

All flat conversions (both inside and outside flat conversion areas) are assessed against the parking and design standards. These are:

### **Parking**

Adequate off-street parking should be provided.

One space per flat will usually be required but this may be reduced in flat conversion areas.

Parking should not be in front gardens, unless screened from view, should not be on the road if it is a main route and will only be allowed in rear laneways if there is enough room to manoeuvre.



## Design

Flats should be self-contained (with their own bathroom, kitchen and WC) and should have some street frontage and adequate amenity space.

Extensions should be in scale with existing dwelling and should not cause loss of amenity.

External access e.g. fire escapes, bin storage and dormers should usually be to the rear of the property.

Alterations and extensions should respect the character of neighbouring buildings and the area.

Trees, garden walls and hedges should be retained.

Flat conversions outside flat conversion areas will be allowed if:

- The dwelling is considered no longer suitable for single family accommodation. This will be assessed by looking at the size, age and condition of the house and adjoining land uses.
- It does not adversely affect the character of the area.
- An exceptional need for flats can be demonstrated.
- The conversion is in between two other flat conversions or rounds off a street/terrace of flats.
- The property fronts an arterial route and the character of the area is appropriate.
- The conversion uses upper floors of commercial properties.
- Offices/commercial properties are being brought back to residential use and the conversion is in keeping with the character of the area.

If you want to object to flat conversions, possible points to consider might include:

- is the existing building of an adequate size to be converted?
- what would be the cumulative affect of this conversion on the character of the area, when considered along with other conversions that have already taken place;
- loss of housing stock which is still suitable for single family occupation;
- increased traffic generation;
- inadequate car parking provision;

- loss of amenity in existing single family residential neighbourhoods;
- overlooking/loss of privacy/overshadowing;
- large numbers of flat conversions leading to a change in the character of the area;
- negative cumulative effect of this and other approvals on the residential character of the area.

## **Objecting to New Build Flats or Apartments**

### **Demolition**

Proposals for new build apartments will often involve the demolition of an existing building.

In objecting to the demolition of an existing building, you may want to consider the contribution that this building makes to the character of the immediate and wider areas.

If you believe the building makes a significant contribution to the character of the area, you could argue that it should be retained. This point is particularly relevant if the building is located within a Conservation Area or Area of Townscape Character.

If there are any significant or mature trees on the site you may wish to draw attention to these, and argue for their retention.

### **New Building**

Key issues will be if the design is appropriate, if this constitutes overdevelopment of the site, loss of amenity, parking and traffic etc.

The most relevant policy is likely to be policy QD1 of PPS 7 (see page 1) and policy LC1 of the addendum to PPS 7 (see page 2-3).

The planning guidance and policies outlined above may not be strictly applied in all cases and decisions are based on the planners' evaluation of each individual scheme. In addition to this policy, they look at other relevant policies, previous decisions, the results of planning appeals and whether or not the developer makes a good case for the development.



**For further information about any of the above and please contact us:**

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