



Department of the
Environment

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Public Consultation

**Draft Addendum to
Planning Policy Statement 7**

**Safeguarding the Character of
Established Residential Areas**

November 2009

Public consultation: give us your views

You are invited to send your views on this draft Addendum to Planning Policy Statement (PPS) 7 on 'Safeguarding the Character of Established Residential Areas.'

Comments should reflect the structure of the document as far as possible with references to paragraph numbers where relevant. In particular, we welcome your comments or suggestions on the consultation questions listed below:

Consultation Questions

Policy LC 1

- 1 Do you agree that the Addendum has adequately reinforced existing policy on the protection of local character, environmental quality and residential amenity within established residential areas, villages and smaller settlements? If no, please state your reasons.

Policy LC 2

- 2 Do you consider that the Department has proposed appropriate planning criteria to ensure existing buildings converted to flats or apartments will sympathetically harmonise with adjacent properties and maintain or enhance the overall character and environmental quality of existing residential areas? If no, please state your reasons.

Policy LC 3

- 3 Do you support the Department's efforts to encourage greater use of permeable paving in new residential developments in order to reduce the risk of flooding from surface water run-off? If no, please state your reasons.

All responses should be made in writing and emailed to:

planning.policy@doeni.gov.uk or sent by post to:

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The consultation period will end on 5 March 2010

This document is available on the Planning Service website: www.planningni.gov.uk or can be obtained by telephoning (028) 9025 4916, textphone at (028) 9054 0642, e-mail from planning.policy@doeni.gov.uk or by writing to the above address.

This document is available in alternative formats, please contact us to discuss your requirements.

In keeping with our policy on openness, the Department may make responses to this consultation document publicly available upon request.

At the end of the consultation period the Department will consider all comments received, following which the draft documents will be amended if necessary and, subject to Executive approval, published in final form.

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Preamble

The Department of the Environment (the Department) is responsible for both planning control and protection of the environment in Northern Ireland. The Planning Service, an Agency within the Department, administers its development management and development plan functions.

The Department has a statutory duty, laid down in Article 3 of the Planning (Northern Ireland) Order 1991, to formulate and co-ordinate policy for securing the orderly and consistent development of land and the planning of that development. The Department is required to ensure that such policy is in general conformity with the Regional Development Strategy (RDS).

The Department's planning policies are normally issued through Planning Policy Statements (PPSs) and PPS 1 'General Principles' advises that:

"Planning Policy Statements set out the policies of the Department on particular aspects of land-use planning and apply to the whole of Northern Ireland. Their contents will be taken into account in preparing development plans and are also material to decisions on individual planning applications and appeals."

This document is a second Addendum to PPS 7 'Quality Residential Developments' and must be read in conjunction with the policies contained within this PPS and within the previous Addendum – 'Residential Extensions and Alterations' (published in March 2008). The Addendum provides new planning policy provisions on the protection of local character, environmental quality and residential amenity within established residential areas, villages and smaller settlements. It also sets out regional policy on the conversion of existing buildings to flats or apartments. In addition, the addendum contains policy to promote greater use of permeable paving within new residential developments to reduce the risk of flooding from surface water run-off.

This policy document has been subject to an equality impact screening exercise in line with the statutory obligation contained in Section 75 of the Northern Ireland Act 1998. The outcome of this exercise indicates that the Addendum is unlikely to have any significant adverse implications for equality of opportunity or community relations.

Nothing in this document should be read as a commitment that public resources will be provided for any specific project. All proposals for expenditure by the Department are subject to economic appraisal and will also have to be considered having regard to the overall availability of resources.

1.0 The Importance of Established Residential Areas

- 1.1 The Government's strategic approach to development in existing urban areas is set out in the Regional Development Strategy (RDS) which provides the overarching strategy for the development of Northern Ireland until 2025.
- 1.2 The RDS promotes a drive to provide more housing within existing urban areas and advocates an increase in the density of urban housing. However, it stresses that achieving an overall increase in town densities must not be interpreted as a mandate to force over-developed and unsympathetic housing schemes into established residential areas. It also emphasises that the redevelopment of existing houses and the development of infill sites need to be handled with particular sensitivity.
- 1.3 The strategic importance attached to established residential areas is reflected in robust operational planning policies (See Annex B). In particular Policy QD 1 of PPS 7 clearly 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.”
- 1.4 PPS 7 is supported by Development Control Advice Note 8 'Housing in Existing Urban Areas' (published June 2002). This supplementary guidance also makes clear that “town cramming” or other inappropriate developments which would adversely affect established residential character and amenity will be resisted.
- 1.5 To assist proper implementation of the policy and in particular to address public concerns about the cumulative impacts, a Planning Circular (PC) 03/07 was issued in August 2007 to remind Planning Service staff of the need to ensure that the impact of new residential development in urban areas, villages and other smaller settlements is fully considered in line with existing policies and other material considerations. These concerns also prompted the current review of policy which is being taken forward by the Environment Minister, Edwin Poots, MLA. Publication of this draft Addendum to PPS 7 marks an important step in the review.
- 1.6 The primary purpose of this addendum to PPS 7 is to reinforce existing planning policy on housing within urban areas by introducing additional provisions to protect areas of established residential character, environmental quality and local amenity. The key consideration is to continue to ensure that new residential schemes are sensitive in design terms to people living in existing neighbourhoods and are in harmony with the local character of established residential areas, villages and smaller settlements.

2.0 Planning Policies

In exercise of its responsibility for planning control in Northern Ireland, the Department of the Environment assesses development proposals against all planning policies and other material considerations that are relevant to it.

The planning policies of this Addendum to PPS 7 must therefore be read together and in conjunction with the relevant contents of the Department's development plans and other planning policy publications, including the Regional Development Strategy. The Department will also have regard to the contents of published supplementary planning guidance documents.

The following policies together with the extant policy provisions of PPS 7 set out the main considerations that the Department will take into account when assessing proposals for housing development within urban areas. The provisions of the policies will prevail unless there are other overriding policies or material considerations that outweigh it and justify a contrary decision.

Policy LC 1

Protecting Local Character, Environmental Quality and Residential Amenity

In established residential areas planning permission will only be granted for the redevelopment of existing buildings, or the infilling of vacant sites (including extended garden areas) to accommodate new housing, where all the criteria set out in Policy QD1 of PPS 7, and all the additional criteria set out below are met:

- (a) the proposed density is not significantly higher than that found in the locality; and
- (b) the pattern of development is in keeping with the overall character and environmental quality of the existing residential neighbourhood; and
- (c) all dwelling units are built to a size not less than those set out in Annex D.

Justification and Amplification

- 2.1 The majority of established residential areas, villages and smaller settlements do not have the distinctive character of Conservation Areas (CAs) or Areas of Townscape Character (ATCs). However, existing policy emphasises that this does not mean that their quality of residential environment is unimportant. These areas too can be vulnerable to changes in their physical environment particularly from the redevelopment of existing houses and development on infill sites at higher densities than that of the surrounding area. The Department therefore wishes to continue to ensure that future housing development in such areas is also carefully controlled.
- 2.2 Robust planning policies are already in place. In line with Policy QD 1 in PPS 7 (See Annex A) the Department will not permit proposals for new housing development in established residential areas where these would result in unacceptable damage to the local character, environmental quality or residential amenity of these areas. New residential developments should therefore be sensitive in design terms to people living in the existing neighbourhood and be in harmony with local character.

- 2.3 Policy LC 1 is an amplification of Policy QD 1 and is intended to strengthen existing policy criteria to ensure that the quality of these areas is maintained, if not enhanced.
- 2.4 This approach, together with existing policy in PPS 7, is supplemented by the provisions of PPS 12 Housing in Settlements (published July 2005). Planning Control Principle 1 'Increased Housing Density without Town Cramming' advises that:
- “When considering an increase in housing density in established residential areas, great care should be taken to ensure that local character, environmental quality and amenity are not significantly eroded and that the proposed density, together with the form, scale, massing and layout of the new development will respect that of adjacent housing and safeguard the privacy of existing residents.”*
- 2.5 Existing policy also emphasises that analysis of context is particularly important for infill housing, backland development or redevelopment schemes in established residential areas (See PPS 7, paragraphs 4.6 – 4.11). Redevelopment however is generally considered to be the least attractive option for residential intensification. Accordingly, proposals for the sympathetic re-use of existing buildings, as opposed to proposals involving demolition and redevelopment will continue to be looked at more favorably.
- 2.6 Design Concept Statements will be required to support all planning applications for residential development (See Policy QD 2 in PPS 7). These should set out all information necessary to demonstrate how the proposed scheme has taken account of the site and its context and how it will meet the criteria set out under Policies LC 1 of this Addendum and Policy QD 1.
- 2.7 For a residential development scheme to be successful, the following issues will need to be fully considered:
- i. the extent of the surrounding area and the relevant development plan context;
 - ii. context of site and surroundings, including:
 - existing densities and layouts;
 - plot sizes;
 - ratios of built form to garden area;
 - spacing between buildings;
 - scale, height, and massing of buildings;
 - architectural styles and materials;
 - landscaping and boundary treatments; and
 - potential impacts on non-residential uses e.g. schools, open space, etc.
 - iii. the potential impacts of proposals on the street scene including main views, distance from boundaries of adjoining properties, overlooking, loss of light, overshadowing, refuse and recycling storage, noise or other general disturbance;

- iv. the impact of parking provision on street scene and the ratio of hard landscaping to soft landscaping / garden areas, and where appropriate;
 - v. the size, form, function and existing character of villages and smaller settlements.
- 2.8 In recognition of public concerns associated with the perceived link between the regional 'brownfield' target and the loss of former garden areas to development the RDS has been adjusted to make clear the term 'previously developed land' (also commonly referred to as brownfield land) excludes the gardens of dwellings and apartments. For the purpose of this Addendum and existing planning policy and guidance the term will continue to be consistent with the description set out at Appendix 8 of the adjusted RDS (reproduced at Annex C)
- 2.9 The size of a home is a key factor in defining who can live there and how they use the property, and this will be particularly important in terms of protecting the character of established residential areas. Whilst a mixture of different types and sizes of houses (including apartments and townhouses) can assist in the creation of balanced communities it is critical that all new housing units are sufficiently spacious, particularly if they are to prove attractive to families with children on a long-term basis. In recent years, possibly in response to the sharp increases in the cost of development land and property values, there has been an unwelcome trend from some developers towards provision of dwelling units of particularly limited internal floor areas.
- 2.10 The Department expects developers to provide adequately sized dwelling units (See Annex D).
- 2.11 Further information and guidance on the importance of quality design in new residential developments is contained in the documents referred to at Annex B. In addition, the Department would draw attention to the Department for Social Development's design requirements for Housing Associations which are available to download from www.dsdni.gov.uk. Developers and their professional advisors should take account of these standards in preparing new residential schemes.
- 2.12 A definition of an Established Residential Area is contained in Annex E.

Policy LC 2

The Conversion or Sub-division of Existing Buildings to Flats or Apartments

Planning permission will only be granted for the conversion or sub-division of existing buildings to flats or apartments (including those for multiple occupancy) where all the following criteria are met.

- (a) There is no adverse effect on the local character, environmental quality or residential amenity of the surrounding area (See Policy LC 1) ;
- (b) The proposal maintains or enhances the form, character and architectural features, design and setting of the existing building;
- (c) The original property is greater than 150m² gross internal floorspace;
- (d) All flats or apartments are self contained (ie having separate bathroom, w.c, and kitchen available for use only by the occupiers);
- (e) The development does not contain any flat or apartment which is wholly in the rear of the property and without access to the public street; and
- (f) There is no reduction in space available for in-curtilage parking.

Justification and Amplification

- 2.13 The conversion and reuse of existing buildings for flats or apartments is consistent with achieving more sustainable patterns of residential development and makes an important contribution to meeting the varied housing needs of the whole community, assists with the creation of balanced communities, and can also support urban regeneration by recycling buildings.
- 2.14 The residential intensification of existing dwellings or the conversion of other buildings to residential use can however sometimes have negative impacts on the local character of an area, the amount of amenity space, and on the privacy of adjoining residents. For example, as a result of increased density, overlooking, increased traffic congestion and the loss of family sized housing.
- 2.15 In line with existing planning policy and guidance with an emphasis on quality and sustainability, the overall aim is to ensure converted buildings sympathetically harmonise with adjacent properties and maintain or enhance the overall character and environmental quality of existing residential areas. Policy LC 2 also seeks to protect the amenity and privacy of existing residents.
- 2.16 To ensure that individual dwellings are appropriate for conversion, a minimum size limit is placed on dwellings which will be permitted for conversion to flats or apartments.
- 2.17 Amenity space is an essential part of the character and quality of the environment of residential properties. It is important therefore to ensure, when bringing forward a proposal to convert an existing dwelling to apartments that adequate amenity space remains. The level of private open space for new residential property is detailed in the 'Creating Places' design guide.

2.18 Provision for waste and recycling storage should be appropriately screened from public view. In relation to car parking provision there should be no reduction in space available for in-curtilage parking. Furthermore, proposals involving the replacement of front gardens with hard surface car parking areas will be resisted (See also Policy LC 3).

2.19 Any proposals involving extensions are required to be consistent with Policy EXT 1 set out in the PPS 7 addendum for achieving quality in relation to proposals for residential extensions and alterations (published in March 2008). In addition the Department will need to be satisfied that any extension will:

- 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 overlap the site in terms of mass or density, as this can contribute to the loss of character of existing residences;
- retain an acceptable proportion of amenity space to the built form

2.20 Further information and guidance on the conversion/extension of houses into flats/ apartments is contained in DCAN 8 (paragraphs 5.8 – 5.18).

Policy LC 3

Permeable Paving in New Residential Developments

Favourable consideration will be given to using permeable paving within new residential developments as a means of reducing the risk of flooding associated with surface water run-off.

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

Justification and Amplification

- 2.21 Where the natural drainage system is altered by residential development the amount of water infiltrating the ground is normally reduced. Roofs, driveways, pavements, parking bays and a range of other surfaces can radically alter the natural drainage pattern of rain or storm water.
- 2.22 With conventional hard surfaces (e.g. impermeable concrete and tarmac) rain and storm water is allowed to flow across such surfaces to gulleys that collect and direct water into underground pipes and drains. This can simply increase the speed and volume of flows downstream and the risk of flooding elsewhere. Permeable pavement is one straightforward example of a Sustainable Drainage Systems (SUDS) which can usefully contribute to a reduction in the amount and speed of surface water run-off from new development. Policy LC 3 therefore encourages greater use of permeable paving within new residential developments in locations where the future maintenance of such surfaces can be controlled by the individual householder or by a property management company. This approach to reducing flood risk is consistent with the Department's commitment to minimise flood risk to people, property and the environment as set out in PPS 15 'Planning and Flood Risk' and reinforces the requirement for developers to assess the likely impact of their developments on flood risk.
- 2.23 There is an ever increasing choice of materials available which are designed specifically to allow water to infiltrate to the ground or be collected for re-use. Accordingly, when assessing proposals for permeable surface treatments within new residential developments the Department will operate a flexible approach to the acceptability of materials provided the resulting surface treatment is:
- suitable to its location;
 - high quality; and
 - visually attractive and appropriate to the overall scheme design
- 2.24 As permeable paving should be constructed to suitable specification the Department would draw attention to the requirements of BS7533 Part 3 in terms of installation. Further best practice, guidance and advice to assist developers and their professional advisors when proposing permeable and porous surface treatments is available from www.ciria.com/suds/ and www.paving.org.uk/

Annex A: Policy QD 1 of PPS 7

Policy QD 1

Quality in New Residential Development

Planning permission will only be granted for new residential development where it is demonstrated that the proposal will create a quality and sustainable residential environment. The design and layout of residential development should be based on an overall design concept that draws upon the positive aspects of the character and appearance of the surrounding area.

In established residential areas proposals for 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.

In Conservation Areas and Areas of Townscape Character housing proposals will be required to maintain or enhance their distinctive character and appearance. In the primarily residential parts of these designated areas proposals involving intensification of site usage or site coverage will only be permitted in exceptional circumstances.

All proposals for residential development will be expected to conform to all of the following criteria:

- (a) the development respects the surrounding context and is appropriate to the character and topography of the site in terms of layout, scale, proportions, massing and appearance of buildings, structures and landscaped and hard surfaced areas;
- (b) features of the archaeological and built heritage, and landscape features are identified and, where appropriate, protected and integrated in a suitable manner into the overall design and layout of the development;
- (c) adequate provision is made for public and private open space and landscaped areas as an integral part of the development. Where appropriate, planted areas or discrete groups of trees will be required along site boundaries in order to soften the visual impact of the development and assist in its integration with the surrounding area;
- (d) adequate provision is made for necessary local neighbourhood facilities, to be provided by the developer as an integral part of the development;
- (e) a movement pattern is provided that supports walking and cycling, meets the needs of people whose mobility is impaired, respects existing public rights of way, provides adequate and convenient access to public transport and incorporates traffic calming measures;
- (f) adequate and appropriate provision is made for parking;
- (g) the design of the development draws upon the best local traditions of form, materials and detailing;
- (h) the design and layout will not create conflict with adjacent land uses and there is no unacceptable adverse effect on existing or proposed properties in terms of overlooking, loss of light, overshadowing, noise or other disturbance; and
- (i) the development is designed to deter crime and promote personal safety.

Any proposal for residential development which fails to produce an appropriate quality of design will not be permitted, even on land identified for residential use in a development plan.

Annex B: Existing Policy and Guidance

Strategic Planning Guidelines	Relevance
<p>Regional Development Strategy for Northern Ireland 2025:</p> <p>SPG-HOU 4: To promote a drive to provide more housing within existing urban areas</p> <p>SPG-HOU 5: To encourage an increase in the density of urban housing appropriate in scale and design to the cities and towns of Northern Ireland</p> <p>SPG-RNI 1: To create and sustain a living countryside with a high quality life for all its residents.</p> <p>SPG-ENV 4: To foster a stronger community spirit and sense of place in relation to local development proposals in urban and rural areas by the use of Local Development Guidelines.</p> <p>See also</p> <p>Adjustments to the Regional Development Strategy (June 2008)</p>	<p>Strategic planning guidance in the RDS promotes more sustainable forms of development by encouraging compact and more attractive urban forms and increase housing within urban areas but without ‘town cramming’ (SPG-HOU 4 & 5). It also promotes a vibrant and self-generating rural community through meeting local housing needs, promoting the use of Local Development Guidelines and by reinforcing community identity (SPG-RNI 1 & ENV 4).</p> <p>Following the outcome of the first five year review of the RDS in June 2008 SPG HOU 4 has been adjusted to replace reference to ‘brownfield target’ with ‘regional target for 60% of additional dwellings to be provided within urban footprints’, and to give increased emphasis to the need for the of necessary infrastructure to support housing development. Appendix 8 which sets out guidance on urban housing has been updated to clarify the definition of previously developed/ brownfield land. (See Annex C)</p>
Operational Planning Policy	Relevance
<p>Planning Policy Statement 1: General Principles</p>	<p>PPS 1 identifies relevant material considerations (including the policy context set out below) in determining planning applications. The Department’s guiding principle in determining planning applications is that development should be permitted, having regard to the development plan and all other material considerations, unless the proposed development will cause demonstrable harm to interests of acknowledged importance.</p>

<p>Planning Policy Statement 2: Planning and Nature Conservation</p>	<p>PPS 2 would be of relevance where development proposals affect sites with nature conservation designations or protected species.</p>
<p>Planning Policy Statement 3: Access, Movement and Parking</p>	<p>PPS 3 requires new development to provide safe and adequate access to public roads and to produce Transport Assessments for large scale proposals. It also ensures adequate parking provision.</p>
<p>Planning Policy Statement 6: Planning, Archaeology and the Built Heritage and Addendum: Areas of Townscape Character</p>	<p>PPS 6 and the addendum are relevant where development proposals affect listing buildings or their setting or are within conservation areas or areas of townscape or village character. It sets additional policy tests for any form of development including residential development over and above the general policy set out in PPS 7 below. This is to ensure the protection of listed buildings and their setting and to maintain the appearance and character of conservation areas and areas of townscape or village character.</p>
<p>Planning Policy Statement (PPS) 7: Quality Residential Developments</p>	<p>In the determination of individual planning applications for residential development the main statement of policy is set out in Planning Policy Statement (PPS) 7: Quality Residential Environments. The main objective of the policy is to promote quality residential development in all types of settlement. PPS 7 lists a number of key criteria against which all proposals for residential development will be determined. In summary these are:- 1. Development that respects the surrounding character of the area; 2. Protection for important natural or built heritage features; 3. Provision of adequate private and public open space; 4. Provision of neighbourhood facilities where appropriate; 5. Adequate access to public transport; 6. Adequate car parking; 7. Design based on local traditions; 8. Protection of residential amenity; and 9. Development designed to deter crime. In relation to 1. above the individual or cumulative effects of new residential development is relevant.</p>

<p>PPS 7 (Addendum): Residential Extensions and Alterations</p>	<p>This Addendum to PPS 7 sets out the Department's planning policy for achieving quality in relation to proposals for residential extensions and alterations. It also provides guidance which is intended to provide advice to homeowners and to assist the Department in the determination of proposals. The Addendum embodies the Government's commitment to sustainable development and the Quality Initiative.</p>
<p>Planning Policy Statement 8: Open Space, Sport and Outdoor Recreation</p>	<p>PPS 8 requires that public open space is provided as an integral part of the development in proposals for 25 units or more.</p>
<p>Planning Policy Statement 12: Housing in Settlements</p>	<p>PPS 12 promotes a drive to provide more housing in settlements and encourages an increase in the density of urban housing appropriate to the scale and design to the cities and towns of Northern Ireland.</p>
<p>Planning Policy Statement 15: Planning and Flood Risk</p>	<p>PPS 15 ensures that new development is not exposed to the direct threat of flooding and that it does not increase flood risk elsewhere. It also secures and promotes the natural role of flood plains as a form of flood defence.</p>

<p>Development Plans</p>	<p>Development Plans set out development limits for each settlement including villages and small settlements which are defined following a detailed Countryside Assessment and Settlement Appraisal. This involves a detailed analysis of each settlement, including specific roles and functions, environmental and townscape character issues, availability of services, community facilities, infrastructure and spare capacity and current development pressures. In deciding the appropriate plan policies, proposals and designations for villages and small settlements, Planning Service takes into account the need to protect the unique character and environmental quality of these small settlements. Development plans may also incorporate specific policies and or guidance for the control of housing development in established residential areas.</p> <p>More recent Area Plans identify key site requirements for residential zonings cities, towns and villages. These requirements include housing density. There are no specific zonings in small rural settlements.</p>
<p>Supplementary Planning Guidance</p>	<p>Relevance</p>
<p>Development Control Advice Note 8: Housing in Existing Urban Areas</p>	<p>Non-statutory planning guidance intended to supplement Regional Policy in the RDS and PPS 7 in terms of improving the quality of new housing development.</p>
<p>Creating Places – achieving quality in residential development</p>	<p>Supplementary design guidance (prepared jointly by Planning Service & Roads Service) for residential development incorporating guidance on the layout of internal roads and access.</p>
<p>Improving the Quality of Housing Layouts in Northern Ireland</p>	<p>Provides further supplementary design guidance.</p>

Annex C: Previously Developed Land

Extracted from [Appendix 8] of the adjusted Regional Development Strategy for Northern Ireland 2025

Guidance in relation to urban housing

Strategic Planning Guideline SPG-HOU 4 (Chapter 9) emphasizes the need to promote more sustainable forms of housing development. This can be achieved by accommodating an increased share of future residential development within existing urban areas to reduce Greenfield housing extensions.

Urban Footprint

The urban footprint for towns and cities throughout the North of Ireland is defined as the continuous built-up area of the settlement. The boundary will be represented by an uninterrupted line, often lying inside the planned settlement limit. The urban footprint contains land which has a formal urban use including land on the edge of the settlement where it forms part of the curtilage of a building. However, this does not necessarily imply that gardens are acceptable for housing development. Undeveloped zoned land at the edge of the settlement will be excluded. Urban footprints have been identified and set as a baseline of January 2001, and, for monitoring purposes, will not be altered until the 2010 Review of the RDS.

Sites within the urban footprint which may count towards the regional target for housing within urban limits will be assessed through urban capacity studies as part of the development plan process.

Such sites include previously developed land (see definition below), and other suitable sites, normally comprising undeveloped land within the urban footprint.

Previously-developed/Brownfield land

Previously developed land (also commonly referred to as brownfield land) is that which is, or was occupied by, a permanent structure within a defined settlement limit.

The term may encompass vacant or derelict lands; infill sites; land occupied by redundant or under-used buildings; a piece of industrial or commercial property that is abandoned or under-used and often environmentally contaminated.

The following are excluded from the definition of previously development land:

- open space of public value as defined in Planning Policy Statement 8 'Open Space, Sport and Outdoor Recreation'; and
- the gardens of dwellings and apartments (broadly defined as those areas within the curtilage of a dwelling not containing buildings).

Established Residential Areas

The Strategy makes clear that setting a regional target and seeking to achieve higher densities in urban areas should not be used as a mandate to force over-developed and unsympathetic housing schemes into established residential areas. The overriding objective in such areas should be to avoid unacceptable damage to the environmental quality, density and privacy enjoyed by existing residents.

Proposals for the redevelopment of existing dwellings and infill development in residential areas will be assessed in the context of prevailing planning policy. Relevant policy and guidance includes PPS1 – General Principles, PPS 7 – Quality Residential Environments, PPS 8 – Open Space and Recreation, Creating Places – Achieving Quality in Residential Developments and DCAN 8 – Housing in Existing Urban.

Annex D: Space Standards

Space Standards			
Type	Single Storey / Flat m²	Two Storey m²	Three Storey m²
1-Person/ Bedsit	30/35	-	-
1-person/ 1-Bedroom	35/40	-	-
2-Person/ 1-Bedroom	50/55	-	-
3-Person/ 2-Bedroom	60/65	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

(Adapted from DSD's Housing Association Guide 2009: Design Standards)

Annex E: Definition of an Established Residential Area

For the purposes of this Addendum and in order to clarify the existing application of the term, established residential areas are normally taken to mean sub-urban residential neighbourhoods dominated by medium to low density single family housing with associated private amenity space or gardens.

Within cities and larger towns of over 5,000 population established residential areas often display a clear spatial structure. Building forms, plot sizes and shapes are sometimes similar with a well defined pattern of local development. Properties may exhibit comparable design styles including common architectural detailing and treatments. Areas of public amenity space together with the private gardens of properties are frequently defined with mature trees, shrubs and hedgerow planting. The overall spatial structure is often delineated by a clear network of streets and roads. However, it is recognized that there are also settled sub-urban housing areas where there is a greater range and mix of dwelling styles and where the overall pattern of development is less uniform. These areas too have an established residential character worthy of protection against redevelopment or infill at a significantly higher density than that found in the locality.

In smaller towns, villages and other settlements established residential areas generally display a more intimate character and spatial scale. There is often more local variety in architectural styles and treatments, with building lines, property sizes, plot ratios, and road layouts being much more changeable. Residential developments in these locations may have a close spatial relationship with land used for other purposes such as for employment, local schools, and other local services.

In recognition of the desirability of promoting increased density housing in appropriate locations the term established residential areas will not apply to:

- higher density inner city areas (including previously developed land / brownfield land – See Annex C for definition); and
- designated city centres, and designated town centres within larger towns (including previously developed land / brownfield land – See Annex C for definition); and
- public transport corridors and arterial routes within cities and larger towns.

Annex F: Screening for Equality Impact Assessment

DOE SECTION 75 EQUALITY OF OPPORTUNITY SCREENING ANALYSIS FORM

Section 1 – Policy to be Screened

1.1 Please insert below a brief description of the policy/legislation, including the title and all the main aims and objectives.

Title:

Draft Addendum to Planning Policy Statement 7: Safeguarding the Character of Established Residential Areas.

Description:

This document is a second Addendum to PPS 7 'Quality Residential Developments' (Published June 2001) and must be read in conjunction with the policies contained within this PPS and within the previous Addendum 'Residential Extensions and Alterations (published in March 2008). The Addendum provides new planning policy provisions on the protection of local character, environmental equality and residential amenity within established residential areas, villages and smaller settlements. It also sets out regional policy on the conversion of existing buildings to flats or apartments. In addition the Addendum contains policy to promote greater use of permeable paving within new residential developments to reduce the risk of flooding from surface water run-off.

The primary purpose of this addendum is to reinforce existing planning policy on housing within urban areas by introducing additional provisions on the protection of established residential character, environmental quality and amenity. The key consideration for the Department is to continue to ensure that new residential schemes are sensitive in design terms to people living in existing neighbourhoods and are in harmony with the local character of established residential areas, villages and smaller settlements. This is consistent with the policy objectives set out in PPS 7 'Quality Residential Developments'.

The objectives of the Addendum are set out in the principle policy document. These are reproduced below:

PPS 7 Objectives

- To promote an integrated approach to achieving sustainable and quality residential environments.
- To promote quality residential development that:
 - creates places for people which are attractive, locally distinctive and appropriate to their surroundings, safe, convenient, adaptable and easy to maintain;
 - respects and enhances features of value and local character and promotes biodiversity; and
 - reduces reliance on the private car, supports movement by pedestrians and cyclists, provides adequate and convenient access to public transport and connects well with the wider locality.

- To promote the comprehensive planning and development of residential areas and ensure that adequate information accompanies planning applications which will enable the
- delivery of an improved design quality.
- To ensure that adequate provision is made for infrastructure and appropriate local neighbourhood facilities as an integral part of residential development.

1.2 On whom will the policies/legislation impact? Please specify

The policy will have direct implications for developers and applicants seeking planning permission for residential development in settlements

1.3 Who is responsible for (a) devising and (b) delivering the policy, eg is it DOE, a Whitehall Department or EU? What is the relationship and have they considered this issue and any equality issues?

(a) DoE Planning and Natural Resources Division has responsibility for formulating operational planning policy. However, responsibility for implementing operational policy rests with Planning Service.

(b) The policy will be implemented through the development management process by those with responsibility for making planning decisions, normally the DoE Planning Service, but also the Planning Appeals Commission.

1.4 What linkages are there to other NI Departments/NDPBs in relation to this policy/legislation?

The Draft Addendum to PPS 7 has been prepared within the strategic context provided by the Sustainable Development Strategy (responsibility of Office of First Minister and Deputy First Minister) and the Regional Development Strategy for Northern Ireland 2025 (responsibility of the Department for Regional Development).

1.5 What data are available to facilitate the screening of this policy/ legislation?

There are a variety of information sources that can be drawn upon on the Section 75 groups from the Northern Ireland Statistics and Research Agency (NISRA) and the Planning Service database of development decisions.

1.6 Is additional data required to facilitate screening? If so, give details of how and when it will be obtained.

As part of the public consultation exercise the Department will forward the draft consultation document to relevant S75 groups for comment. Subject to the views received from these groups the Department may re-assess the PPS 7 Addendum policies for equality of opportunity and undertake an analysis of the data referred to at paragraph 2.5.

Section 2 – Screening Analysis

2.1 Is there any indication or evidence of higher or lower participation or uptake by the following Section 75 groups?

	Yes	No
Religious belief		✓
Political opinion		✓
Racial group		✓
Age		✓
Marital status		✓
Sexual orientation		✓
Gender		✓
Disability		✓
Dependants		✓

Please give details

The Department considers that the draft addendum will not have any differential impact on any of the groups within the Section 75 groups in relation to lower participation or take up. The Policy will be implemented through the development management process by those with responsibility for making planning decisions, normally the DoE Planning Service but also the Planning Appeals Commission.

2.2 Is there any indication or evidence that any of the following Section 75 groups have different needs, experiences, issues and priorities in relation to this policy issue?

	Yes	No
Religious belief		✓
Political opinion		✓
Racial group		✓
Age	✓	
Marital status		✓
Sexual orientation		✓
Gender		
Disability	✓	
Dependants	✓	

Please give details

The policy will have direct implications for all developers and applicants seeking planning permission for residential development schemes (includes the conversion or sub-division of buildings to flats or apartments).

For the public in general, the Department considers that the Addendum will have positive effects overall. For example: by continuing to ensure that new residential developments are sensitive in design terms to people living in existing neighbourhoods and in harmony with local character and promoting the need for adequately sized dwelling units.

All age groups should benefit from the policies contained in the PPS 7 Addendum. In particular, younger and older people will benefit from the requirement for developers to provide adequately sized dwelling units when meeting the range of housing needs. The Department also recognises that specific proposals for housing may be brought forward to meet the particular needs of those with a disability. This is already reflected in the principle document and the earlier Addendum on Residential Extension and Alterations.

2.3 Have consultations with the relevant representative organisations or individuals within any of the Section 75 categories, indicated that policies of this type create problems specific to them?

	Yes	No
Religious belief		✓
Political opinion		✓
Racial group		✓
Age		✓
Marital status		✓
Sexual orientation		✓
Gender		✓
Disability		✓
Dependants		✓

Please give details of any consultations carried out, and any problems identified.

As part of the public consultation exercise the document will be forwarded to relevant S75 groups for comment. Any problems will be identified following receipt of the views expressed

2.4 Is there an opportunity to better promote equality of opportunity or community relations by altering the policy, or by working with others, in Government, or in the larger community in the context of this policy?

No.

Please give details

The latest Draft Addendum positively responds to the different needs, issues and priorities experienced by children and the elderly and to people with disability. In particular by requiring developers to provide adequately sized dwelling units.

2.5 It may be that a policy/legislation has a differential impact on a certain Section 75 group, as the policy has been developed to address an existing or historical inequality or disadvantage. If this is the case, please give details below:

Not applicable.

2.6 Please consider if there is any way of adapting the policy to promote better equality of opportunity or good relations.

Please give details

It is considered that PPS 7 already promotes equality of opportunity for all Section 75 groups. The first PPS 7 Addendum is considered to positively address the needs of people with disabilities, those with dependants and the elderly. This is reinforced through the latest PPS 7 Addendum policies.

2.7 In relation to Departmental obligations under Section 49A of the Disability Discrimination Act 1995 (DDA) (as amended by the Disability Discrimination (Northern Ireland) Order 2006), please consider if there is any way of adapting the policy to show due regard to the need to promote positive attitudes towards disabled people and/or encourage participation by disabled people in public life.

Please give details

The latest Draft Addendum seeks to positively respond to the different needs, issues and priorities experienced by people with disability by requiring developers to provide adequately sized dwelling units which reinforces policies set out in the principle document and the first PPS 7 Addendum.

Section 3 - EQIA Recommendation

3.1 Full EQIA procedures should be carried out on policies considered to have significant implications for equality of opportunity. Please fill in the following grid in relation to the policy/legislation.

Prioritisation Factors	Significant Impact	Moderate Impact	Low Impact
Social Need.			✓
Effect on people's daily lives.		✓	
Effect on economic, social and human rights.			✓
Strategic significance			✓
Financial significance			✓

Please give details:

It is considered that the Draft Addendum will have a moderate effect on people's daily lives by strengthening existing policy to prevent town cramming in particular. In line with existing policy, the Department will not permit proposals for the redevelopment of existing buildings, or the infilling of vacant sites (including extended garden areas) to accommodate new housing where the proposed density is not significantly higher than that found in the locality and the pattern of development is in keeping with the overall character and environmental quality of the existing residential neighbourhood. The Draft Addendum amplifies policy QD 1 in PPS 7 and sets out additional policy criteria to ensure that the local character, environmental quality and residential amenity of established residential areas is maintained or enhanced.

The latest addendum to PPS 7 also requires developers to provide adequately sized dwelling units to meet the range of housing needs including the needs of families with children and the elderly.

The Draft Addendum therefore seeks to positively respond to the different needs, issues and priorities experienced by people within these Section 75 groups.

All other impacts are considered low and overall it is not considered that the policy has any significant implications for equality of opportunity

3.2 In view of the considerations in Section 3 and 4 do you consider that this policy/legislation should be subject to a full EQIA? Please give reasons for your considerations. If you are unsure, please consult with affected groups and revisit the screening analysis accordingly. Yes/No/Unsure

No. The draft policy is not considered to have significant adverse impact. It seeks to positively balance the need for higher density housing in appropriate locations while protecting established residential character. As a result, the Department has concluded it does not have potential for significant adverse impact on any Section 75 groups.

3.3 If an EQIA is considered necessary is any data required to carry it out/ensure effective monitoring?

Please give details:

Not applicable.

Main Groups Relevant to the Section 75 Categories

Category	<u>Main Groups</u>
Religious belief	Protestants; Catholics; people of non-Christian faiths; people of no religious belief
Political opinion	Unionists generally; Nationalists generally; members/ supporters of any political party
Racial Group	White people; Chinese; Irish Travellers; Indians; Pakistanis; Bangladeshis; Black Africans; Black Caribbean people; people with mixed ethnic group
Gender	Men (including boys); women (including girls); trans-gendered people
Martial status	Married people; unmarried people; divorced or separated people; widowed people
Age	For most purposes, the main categories are: children under 18, people aged between 18-65, and people over 65. However, the definition of age groups will need to be sensitive to the policy under consideration
“Persons with a disability”	Disability is defined as: A physical or mental impairment, which has a substantial and long-term adverse effect on a person’s ability to carry out normal day-to-day activities as defined in Sections 1 and 2 and Schedules 1 and 2 of the Disability Discrimination Act 1995
“Persons with dependants”	Persons with personal responsibility for the care of a child; persons with personal responsibility for the care of a person with an incapacitating disability; persons with personal responsibility for the care of a dependant elderly person
Sexual orientation	Heterosexuals; bi-sexuals; gays; lesbians

