

Addendum Report	
Application Ref: LA04/2024/1466/F	Committee Meeting Date: 17 th June 2025
Proposal: Ground floor extension and alterations to provide 1 No. retail unit. Two storey rear extension. Rear dormer window. Change of use of first & second floor level & part of ground floor level to 6 bed / 6 person HMO (amended description and plans).	Location: 41 Rosetta Road, Belfast, BT6 0LR
Referral Route: Paragraph 3.8.1 of the Scheme of Delegation – request to be reported to Planning Committee by an Elected Member.	
Recommendation:	Approval
Applicant Name and Address: Hanrose Ltd 41 Rosetta Road, Belfast, BT6 0LR	Agent Name and Address: JWM Planning Ltd Unit 13 3-5 Woodgreen Road Ballymena
Date valid: 30 th August 2024	
Target date: 13 th December 2024	
Contact Officer: Ed Baker, Planning Manager (Development Management)	
Background This application was deferred at the Planning Committee on Tuesday 13th May 2025 to allow members of the Committee opportunity to visit the site. The site visit took place on Wednesday 4th June 2024. Environmental Health provided a final consultation response on 7th May. They are content subject to a condition relating to land contamination. The proposal is therefore considered compliant with Policy ENV1. A list of updated draft conditions is included in this Addendum. This report should be read in conjunction with the original Committee report, appended. Recommendation Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and deal with any other issues that arise, provided that they are not substantive.	

AMENDED DRAFT CONDITIONS:

1. The development hereby permitted must be begun within five years from the date of this permission.

Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.

2. The development hereby permitted shall not be occupied unless sound mitigation measures are installed so that internal noise levels as stated below are not exceeded within habitable rooms. Where closed windows are required to achieve these internal levels, then an alternative means of ventilation must be provided which meets, as a minimum, the sound reduction performance required by the windows. In the case of active or mechanical ventilation the applicant must ensure that the operation of the ventilation system does not result in internal noise in excess of the below stated levels:
 - 35 dB LAeq,16hrs at any time between 07:00hrs and 23:00hrs within any habitable room, if required with the windows closed and alternative means of acoustic ventilation provided.
 - 30 dB LAeq,8hr at any time between the hours of 23:00hrs and 07:00hrs within any bedroom, if required with the windows closed and alternative means of acoustic ventilation provided.
 - 45 dB LAm_{ax} more than 10 times between 23:00hrs and 07:00hrs within any bedroom, if required with the windows closed and alternative means of ventilation provided. The measures required shall be thereafter retained at all times.

Reason: In the interests of residential amenity.

3. The separating ceiling/floor between the ground floor retail unit and the first floor of the HMO and the separating wall between the ground floor retail unit and the ground floor of the HMO shall be so constructed to ensure sufficient sound reduction so that the internal noise levels within habitable rooms (detailed within condition 2) are not exceeded.

Reason: In the interests of residential amenity.

4. The hereby approved ground floor retail unit shall not operate outside the hours of 07:00hrs- 23:00hrs.

Reason: In the interests of residential amenity.

5. Deliveries and collections by commercial vehicles to the ground floor retail unit shall only be made between 07:00hrs and 23:00hrs Monday to Saturday and at no time on Sundays.

Reason: In the interests of residential amenity.

6. No development (other than site clearance, site preparation, demolition and the formation of foundations and trenches) shall commence on site unless a hard and soft landscaping scheme has been submitted to and approved in writing by the Council. The scheme shall include details of all new walls, fences, other boundary treatment and finished ground levels; details of the hard surface treatment of open parts of the site which shall be permeable or drained to a permeable area; a planting specification to include species, size, position and method of planting of all new trees and shrubs; and a programme of implementation.

All hard and soft landscaping works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development unless otherwise agreed in writing by the Council. Any existing or proposed trees or plants indicated on the approved plans which, within a period of five years from

the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size, details of which shall have first been submitted to and approved in writing by the Council. All hard and soft landscape areas and works shall be permanently retained in accordance with the approved details.

Reason: In the interests of the character and appearance of the area, and to promote sustainable drainage. Approval is required upfront because the landscaping is critical to the acceptability of the proposal.

7. Notwithstanding the submitted details no external facing or roofing materials be applied unless in accordance with a written specification of the materials, which shall have first been submitted to and approved in writing by the Council.

Reason: In the interests of the character and appearance of the area.

8. The development hereby permitted shall not be occupied until the waste storage areas have been provided in accordance with the approved plans and shall be permanently retained as such at all times.

Reason: To ensure that appropriate provision is made for storage and disposal of waste.

9. Notwithstanding the submitted details, no development shall commence on site (other than site clearance, site preparation, demolition and the formation of foundations and trenches) unless details of foul and surface water drainage, including a programme for implementation of these works, have been submitted to and approved in writing by the Council. The development shall not be carried out unless in accordance with the approved details, which shall be retained as such thereafter.

Reason: To ensure appropriate foul and surface water drainage of the site and to safeguard to the water environment. Approval is required upfront because the design of the drainage is an integral part of the development and its acceptability.

10. The development hereby approved shall not be occupied or operated unless covered bicycle storage has been provided in accordance with the approved plans. The covered bicycle storage shall be retained in accordance with the approved plans at all times.

Reason: To ensure adequate provision and availability of cycle parking and encourage sustainable travel.

11. If during the carrying out of the development, new contamination is encountered that has not previously been identified, all related works shall cease immediately, and the Council shall be notified immediately in writing. No further development shall proceed until this new contamination has been fully investigated in accordance with current industry recognised best practice. In the event of unacceptable human health risks being identified, a Remediation Strategy and subsequent Verification Report shall be submitted to and agreed in writing by the Council, prior to the development being occupied or operated. The Verification Report shall be completed by competent persons in accordance with best practice and must demonstrate that the remediation measures have been implemented and that the site is now fit for end-use.

Reason: To ensure that any contamination within the site is appropriately dealt with, in the interests of human health.

Development Management Officer Report

Committee Application

Summary	
Application Ref: LA04/2024/1466/F	Committee Meeting Date: 13 th May 2025
Proposal: Ground floor extension and alterations to provide 1 No. retail unit. Two storey rear extension. Rear dormer window. Change of use of first & second floor level & part of ground floor level to 6 bed / 6 person HMO (amended description and plans).	Location: 41 Rosetta Road, Belfast, BT6 0LR
Referral Route: Paragraph 3.8.1 of the Scheme of Delegation – request to be reported to Planning Committee by an Elected Member.	
Recommendation:	Approval
Applicant Name and Address: Hanrose Ltd 41 Rosetta Road, Belfast, BT6 0LR	Agent Name and Address: JWM Planning Ltd Unit 13 3-5 Woodgreen Road Ballymena
Date valid: 30 th August 2024	
Target date: 13 th December 2024	
Contact Officer: Ed Baker, Planning Manager (Development Management)	
Executive Summary: This application seeks full planning permission for ground floor extension and alterations to provide 1 No. retail unit; two storey rear extension; rear dormer window; change of use of first and second floor level and part of ground floor level to 6 bed / 6 person HMO (amended description and plans). The key issues are: • The principle of an HMO at this location • Impact on the character and appearance of the Rosetta Road • Impact on residential amenity • Traffic, Parking and Access • Waste and refuse collection • Wastewater infrastructure • Climate change • Extension of retail unit 129 objections have been received with the issues raised addressed within the main report. Councillor Michael Long requested that the application is reported to the Planning Committee for the following reasons: 1. Significant public interest. 2. Concerns relating to congestion and parking.	

The proposal is compliant with Policy HOU10 in that the 10% threshold for HMOs on this stretch of the Rosetta Road has not been exceeded. The application site also has a frontage onto Wynchurch Road and for completeness a search of the number of HMOs was checked for this street which found there to be no existing HMOs.

Officers consider that the scheme will not be harmful in terms of traffic, parking and impact on the amenity of the surrounding area.

Recommendation

Having regard to the development plan and other material considerations, the proposal is considered acceptable.

It is recommended that planning permission is granted subject to conditions. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and deal with any other issues that arise, including outstanding response from Environmental Health, provided that they are not substantive.

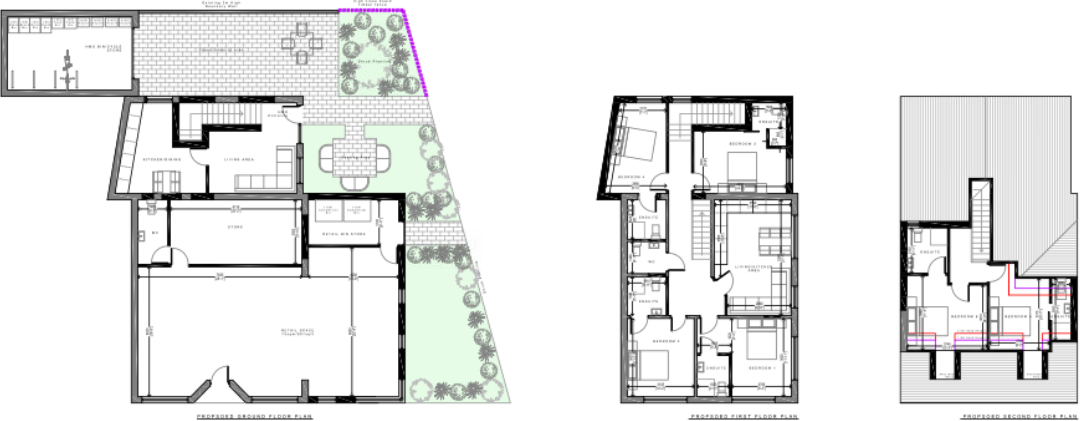
Officer Report	
1.0	DRAWINGS
1.1	Site Location Plan: 
	Proposed Site Layout: 

Existing Floor Plans and Elevations:



Proposed Elevations:



	Proposed Floor Plans: 
.0	Characteristics of the Site and Area
2.1	The application site is located at 41 Rosetta Road. The property is a 2-storey building with a retail unit at ground floor selling catering equipment. The first floor is currently office/storage space. The building has a hipped roof and sits on the corner of Wynchurch Road, benefiting from access from Rosetta Road and private access from Wynchurch Road.
2.2	There is a small, enclosed amenity space to the side of the building, enclosed by palisade fencing. There is also space to the rear of the property, where a detached store is situated which is proposed to be used as a bin store.
2.3	The prevailing area is a predominantly residential, however, there is a strong commercial presence on the south side of the Rosetta Road, where the site is situated.
3.0	Description of Proposal
3.1	The application is seeking full planning permission for ground floor extension and alterations to provide 1 No. retail unit; two storey rear extension; rear dormer window; change of use of first and second floor level and part of ground floor level to 6-bed HMO (amended description and plans).
4.0	Planning Policy and Other Material Considerations
4.1	Development Plan – operational policies Belfast Local Development Plan, Plan Strategy 2035
4.2	Development Plan – zoning, designations and proposals maps Belfast Urban Area Plan (2001) BUAP Draft Belfast Metropolitan Area Plan 2015 (v2004) Draft Belfast Metropolitan Area Plan 2015 (v2014)
4.3	Regional Planning Policy Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)
4.4	Relevant Planning History There is no relevant planning history.

5.0	Consultations and Representations
5.1	Statutory Consultations DfI Roads – No objection NI Water – Objection as no available capacity in the downstream Wastewater infrastructure DFI Rivers – No objection
5.2	Non-Statutory Consultations Environmental Health – still pending a response Representations
5.3	The application has been advertised and neighbours notified. The Council has received 115 letters of objection to this proposal. The issues raised in the objections are summarised as follows: 1. Parking, traffic, road safety. 2. Waste and refuse collection 3. Adverse impact on the sewage network 4. Anti-social behaviour/noise 5. Adverse visual impact/anti-social behaviour/noise pollution 6. Flooding 7. The development is not in keeping with the local character 8. Overcrowding 9. Concerns regarding the actual intended 'use' of the property 10. Devaluing property 11. No kitchen facilities 12. Proliferation of coffee shops in the area 13. Not receiving letters on time
5.3	Concerns raised under points 1-8 are addressed in the main body of the report. Concerns raised at points 9-11 are not relevant material planning considerations.
5.4	In respect of point 8, overcrowding, the proposal includes 6 bedrooms which meet the space standards for HMOs as set out in the Plan Strategy. An HMO at this location would require an HMO licence which whilst is outside the remit of the planning process would restrict the number of occupants.
5.5	In respect of point 12, the coffee shop element has been omitted from the scheme and the proposed ground floor extension will fully be Class A1 retail use.
5.6	The final concern regarding the delivery of neighbour notification letters not being delivered on time is an administration issue. The Council sends these via Royal Mail post and acknowledges that there can be delays, which are outside the control of the Council. However, the Council has accepted written representations well beyond the 14 days for submission that was stipulated in the letters and therefore considers no one to be prejudiced.

6.0	PLANNING ASSESSMENT
6.1	Development Plan Context
6.1	Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.
6.2	Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.
6.3	The Belfast Local Development Plan (LDP), when fully completed, will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 remain part of the statutory local development plan ("Departmental Development Plan") until the Local Policies Plan is adopted.
6.4	Operational policies – the Plan Strategy contains a range of operational policies relevant to consideration of the application, which are set out in the following section of this report. The Plan Strategy replaces the operational policies previously provided by the Departmental Planning Policy Statements (PPSSs). Those policies no longer have effect, irrespective of whether planning applications have been received before or after the adoption date (par. 1.11 of the Strategic Planning Policy Statement).
6.5	Proposals Maps – until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals is a matter for the decision maker. It is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.
6.6	The site is located within the settlement development limit in the BUAP 2001 and is not zoned for any use. In draft BMAP 2015 (v2004) the site is located within the settlement development limits of Belfast and within a proposed Area of Townscape Character – Lower Cliftonville (Ref: BT 058). In draft BMAP 2015 (v2014) the site is also located within the settlement development limits of Belfast and within a proposed Area of Townscape Character – Lower Cliftonville (Ref: BT 041). The site is not located in a Housing Policy Area or an HMO Development Node in the Belfast HMO Subject Plan 2015.
	Relevant Planning Policies
6.7	The following policies in the Plan Strategy are relevant to consideration of the application. • Policy HOU10 – Housing Management Areas • Policy RD1 – New residential developments • Policy RD3 – Conversion or subdivision of existing buildings for residential use • Policy TRAN8 – Car parking and servicing arrangements • Policy ENV1 to ENV5 – Environmental considerations

	• Policy OS3 – Ancillary open space • Policy DES 1 – Principles of Urban Design Key Issues
6.8	The key issues to be considered in this application are: • The principle of an HMO at this location • Impact on the character and appearance of the Rosetta Road • Impact on residential amenity • Traffic, Parking and Access • Waste and refuse collection • Wastewater infrastructure • Climate change • Extension of retail unit The principle of an HMO at this location
6.9	The site is outside Housing Policy Areas and development nodes as designated in the Belfast HMO Subject Plan 2015. Policy HOU10 of the Plan Strategy is applicable and states that: <i>‘Outside of designated HMAs planning permission will only be granted for HMOs where the number of HMOs would not as a result exceed 10% of all dwelling units on that road or street. Where such a street is in excess of 600 metres in length, the 10% threshold will be calculated on the basis of existing residential units within 300 metres of either side of the proposal on that street’.</i>
6.10	The justification and amplification text to Policy HOU10 confirms at paragraph 7.1.66 that the level of HMOs outside a HMA will be measured by adding together: 1. The number of HMOs recorded under the HMO Licensing scheme; and 2. The number of planning approvals for HMOs not yet licensed
6.11	According to the HMO Database, there are no HMOs on Rosetta Road. The site also has a frontage onto Wynchurch Road and for completeness a search of the number of HMOs was checked for this street which found there to be no existing HMOs. The proposal for a change of use to HMO would not result in an exceedance of the 10% threshold and is therefore considered compliant with Policy HOU 10 and is acceptable in principle.
6.12	Officers consider that this scheme is compliant with relevant policy for the reasons stated above and any further applications for HMOs will be assessed in accordance with the relevant planning policy.
6.13	Paragraph 7.1.69. of HOU10 states that in all cases, intensive forms of housing whether within or outside HMAs will still be carefully assessed against the relevant criteria set out in Policies RD1, RD2 and RD3. Policy DES1 is also relevant to the proposed extensions. The assessment of the proposal against these policies is set out below. Impact on the character and appearance of the area
6.14	The existing property is an end-of-terrace with a hipped roof. The other end of this terrace has a gable end. The proposal seeks to change the hip to a gable to match that on the opposite end of the terrace row. This is considered to be in keeping with the character of the surrounding area.

6.15	The proposal also incorporates a two-storey rear extension and dormer window. The existing building has a single storey return to the rear, which projects 4.5m out from the main building. The new two storey extension will be constructed using the same footprint of this existing element. The ridgeline of the roof will be lower than the ridgeline of the main building. These dimensions will ensure the two-storey extension would be subservient to the host building. The entire building, old and new, is to be rendered so that all finish materials will match. Officers consider that these elements of the proposal would respond positively to local context and character in respect of height, form scale, massing and proportion and therefore would comply with all relevant criteria in Policy DES1.
6.16	The proposed extension to the ground floor commercial unit is to be to the side of the existing building. This is to be a single storey with a flat roof. The site has ample space to accommodate this addition. It is acknowledged that design is not in general conformity with the host building, or the surrounding area and breaches the building line on Wynchurch Avenue, however it is considered acceptable in that it will replace an existing unattractive open storage compound enclosed by a 2.5m tall steel palisade fence and would result in a visual improvement. The proposal is considered acceptable having regard to Policy DES1.
6.17	Criterion f. of Policy DES1 requires the promotion of a diversity of land uses and active frontages to ensure vibrancy throughout the day. This diversity is achieved by the reuse of the upper floors for HMO whilst retaining commercial at ground floor. This will also ensure the existing active frontage along Rosetta Road is not impacted.
6.18	The proposal is considered to satisfy the relevant design criteria in Policies DES1, RD1, and RD3 of the Plan Strategy.
	Impact on residential amenity
6.19	There is ample separation distance between the proposed extensions and neighbouring residential properties. The positioning of the extension and the orientation of the site in relation to neighbouring residential properties will also ensure that there will be minimal conflict with residential amenity in respect of overshadowing, loss of light, overlooking, and dominance. This satisfies Policy DES1 criterion j. and Policy RD1 criteria a. and b.
	<i>Noise and disturbance:</i>
6.20	In respect of potential noise from the HMO, this is covered by the statutory HMO licencing scheme. This also ensures landlords are compliant with regulations, such as the number of occupants and provision of sufficient bin storage. Noise from the proposed ground floor retail unit is not considered be any greater than that of the existing commercial unit at this location as the net increase will only equate to 27 square metres.
	<i>Internal Layout:</i>
6.21	The proposal would provide a quality and sustainable residential environment in that all habitable rooms in the dwelling have access to natural light and an attractive outlook. The internal living space exceeds the requirements set out in the HMO space standards for a 6 bed HMO as set out within Appendix C of the Plan Strategy The internal spaces are set in in the following table:

	Room	Space Standards (Appendix C of Plan Strategy)	Measured floor space (excluding ensembles)
	Bedroom 1	6.5sqm	12.5sqm
	Bedroom 2	6.5sqm	11.2sqm
	Bedroom 3	6.5sqm	11.5sqm
	Bedroom 4	6.5sqm	10.5sqm
	Bedroom 5	6.5sqm	7.9sqm
	Bedroom 6	6.5sqm	10.2sqm
	Living/kitchen areas (combined)	19.5sqm	45.2sqm
6.22	The proposal is considered to satisfy the relevant criteria in Policies DES1, RD1, and RD3 of the Plan Strategy.		
	Traffic, Parking and Access		
6.23	The proposal does not include any in-curtilage car parking provision and third parties have raised concerns with regards to the impact of this on traffic and on street parking. DfI Roads is the statutory authority regarding parking and traffic. The Council consulted Roads on this application, and they confirmed they have no objections to the scheme. Whilst the various policy requirements of Policy HOU10 seek to address need and protect residential amenity, the provision of car parking is not a requirement of this policy.		
6.24	Policy TRAN8 – Car parking and servicing arrangements states that, ' <i>Development proposals will be required to provide adequate provision for car parking and appropriate servicing arrangements</i> '. Existing Regional Planning Policy and SPG, including the published 'Parking Standards', do not incorporate car parking as a requirement for HMO development.		
6.25	However, to satisfy the concerns raised in relation to parking the Planning Service requested a parking survey. The parking survey demonstrates that adequate parking is available within a radius of 100 metres walking distance from the application site to serve the proposal without detriment to the parking provision for existing residents in the area. DfI Roads were consulted on the parking survey and advised that their position of no objections is retained. The parking survey demonstrates that adequate parking is available to serve the proposal which is considered to meet Policy TRAN8. Furthermore, the site is in a sustainable location with bus services operating in close proximity and accessible to services and amenities in the local and wider area, such as the Ormeau Road and Ravenhill Road.		
	Waste and Refuse Collection		
6.26	Policy RD3 criterion b requires that adequate refuse storage space is provided within the curtilage of the site, large enough to allow for the separation of recyclable waste and is designed to not be visible from the amenity space / public realm.		
	The waste provision requirements as set out in the Waste Infrastructure SPG are broken down as follows:		

6.27	100L per bedroom + 60L per dwelling. As the proposal is for a 6-bed HMO, the requirement is 100L x 6 + 60L to give a total requirement of 660L. This figure of 660L is further broken down into waste types as follows: - 35% General Waste (Black bins) = 462L (Collected every 2 weeks) requiring 3 x 180L bins. 3 x 180L black bins are required. - 55% Recycling (Recycling packs) = 363L (Collected weekly) requiring 3 sets of 3 x 55L bins. 3 x recycling packs (each with 3x 55L recycling boxes). - 10% Food Waste (Brown bins/food caddy) = 66L (Collected weekly) requiring 3 x 23L food bins. 3 x 140L food bins are proposed. It has been demonstrated how the proposal would be able to provide the required volume and separation of bins.
6.28	As illustrated on the proposed plan, the bins would be accommodated in an outbuilding within the rear yard of the property. As stated under Table 7 of Appendix 2 of the waste
6.29	SPG, for each set of 3 black bins, 3 recycling packs and 4 food caddies, and if the yard is enclosed with a single row layout of bins, the following measurements are needed to accommodate the bins: For each set of 3 bins (black bin, recycling pack and food caddy) in an enclosed yard 2.0 x 1.8m is required in a single row layout 2.0 x 1.8m = 3.6sqm x 3 = 10.8 sqm. 10.8 sqm is required in a single row layout. The proposed bin store has a floorspace of (5.8m x 3.4m) 19.7 sqm which is 8.9 sqm in excess of the required 10.8 sqm. It is acknowledged that the bin store will also contain a bike rack, however, it is considered that this will not impact access to the bins given the size of the bin store.
6.30	The disposal of rubbish is the responsibility of tenants and the landlord. The premises will continue to be served by three Council refuse bins for general waste, recycling and food. Bin storage is also a HMO licensing requirement and the Council's website states that <i>"during the period of the licence the licensee shall ensure that sufficient bins or other suitable receptacles are provided that are adequate for the requirements of each household occupying the HMO for the storage of refuse and litter pending their disposal in accordance with the Local Government Waste Storage Guide for Northern Ireland"</i>. Wastewater infrastructure NI Water as the statutory authority has objected to the proposal on the grounds that it will result in intensification and there is no capacity within their current water and sewerage network to accommodate this.
6.31	Policy SP1a requires that necessary infrastructure is in place to support new development. Whilst NI Water has objected to the application, no clear evidence has been provided to demonstrate specific harm resulting from the development. Moreover, NI Water has a duty to connect committed development across the city to its waste-water infrastructure. Such development, which includes significant levels of residential and commercial floor space across the city, will not all come forward at once and some may not come forward at all. A condition is recommended to secure final details of foul and surface water drainage prior to commencement of development.
6.32	
6.33	For these reasons, it would be unreasonable for the Council to refuse planning permission on these grounds and the proposal is considered acceptable having regard to Policy SP1A of the Plan Strategy. Flooding

6.34	Objectors have alluded to a history of flooding in the area. The Planning Service consulted DfI Rivers, who have no objections to the scheme. DfI Rivers advise that a Drainage Assessment is not required but the applicant is still advised to carry out their own assessment of flood risk and construct in the appropriate manner that minimises flood risk to the proposed development and elsewhere. This will involve acquiring consent to discharge storm water run-off from the site. Policy ENV4 has been considered.
6.35	Open Space Policy RD1 requires new residential development to make provision for appropriate open space. <i>Creating Places</i> (CP) does not set out external private amenity space standards for HMOs However, CP advocates between 40sqm and 70sqm open space for new residential development. A total of 80 sqm of private open amenity space will be provided for the HMO, equating to 13.3 sqm per bedroom/person. This satisfies criterion d. of Policy RD1.
6.36	Landscaping The proposed open space at rear and side will be appropriately landscaped with pavers, grass lawns and shrubs. The boundary will be open to the front and side albeit with a 1.8 metre tall close-boarded timber fence on the southwest corner. A detailed landscaping plan can be secured via a negative condition.
6.37	Health impacts Policy HC1 seeks to ensure that all new developments maximise opportunities to promote healthy and active lifestyles. New developments should be designed, constructed and managed in ways that improve health and promote healthy lifestyles. This will include supporting active travel options, improving accessibility to local service centres, reducing the use of private car travel, adequate provision of public open space, leisure and recreation facilities, high quality design and promoting balanced communities and sustainable neighbourhoods.
6.38	The site is highly accessible and provides excellent opportunities for active travel, including walking and cycling, through good linkages with the city and public amenity. The site is within short walking distance of leisure amenities, playing pitches and a public park. Cycle stands are also proposed to encourage cycling and discourage the use of the private car. The proposal is considered to satisfy the requirements of Policy HC1 and Policy RD1 c.
6.39	Environmental protection Policy ENV1 states that planning permission will be granted for development that will maintain and, where possible, enhance environmental quality, and protects communities from materially harmful development. The proposed development has been assessed by Environmental Health in terms of noise, air pollution, general amenity, ambient air quality, contaminated land, and other considerations. Environmental Health (EH) has no concerns with odour and air quality and is generally satisfied in respect of noise impacts, subject to conditions. In its initial response EH requested a Generic Quantitative Risk Assessment to check for land contamination. This

6.40	has been submitted by the applicant and EH is to provide feedback on this. Delegated authority is sought to deal with any issues that may be raised by Environmental Health in their final response.
	Retail
6.41	The application site is outside an existing retail centre as defined by Policy RET1 of the LDP. As such Policy RET2 is applicable. This states that the applicant must demonstrate that there is not a sequentially preferable site in, or on the edge of, existing centres.
6.42	The previous use of the ground floor was Class A1 retail. This was approved in 1990 under planning application ref. Y/1990/0203.
6.43	The gross floorspace of the existing retail unit is 82sqm approx. The gross floorspace of the retail unit as proposed is 109 sqm approx. including a store but excluding a bin storage area.
6.44	This is a net increase of 27 sqm which is marginally (6.5 sqm) in excess of the increase allowed under permitted development, which is 25% of the original floorspace (20.5 sqm). As such a sequential test in this case would not be reasonable as there is unlikely to be any negative impact on existing retail centres by the overall increase.
6.45	Consideration has been given to potential for conflict between the proposed HMO and the commercial use at ground floor. The HMO will have its own separate access, from Wynchurch Road, and all waste will be stored and accessed independently. It is therefore considered that this will not result in prejudicing the commercial functions of the retail unit. This satisfies Policy RD3 d.
	Climate Change
6.46	Policy ENV2 states that planning permission will be granted for development that incorporates, where feasible, measures to mitigate environmental change and reduce greenhouse gases by promoting sustainable patterns of development.
6.47	The proposal retains the existing building consistent with the aim of Policy ENV2 which seeks to avoid demolition where feasible. The applicant has provided details on the various sustainable design features which will be incorporated into the development. The proposal intends to alter and extend the existing building as opposed to demolishing it, as encouraged by ENV2. The existing fabric will be utilised as much as possible to minimise waste and ultimately reduce the carbon footprint of the building. The thermal efficiency of the building will be upgraded where necessary to further reduce the need for additional heating and cooling. It is noted that these policies state that climate change measures shall be incorporated where feasible or where appropriate.
6.48	The policy also sets out measures to maximise opportunities to incorporate sustainable design features. The current site has zero biodiversity value. The new proposal will remove large areas of hardstanding and introduce soft landscaping to increase the overall biodiversity of the site and help with water attenuation during periods of heavy rainfall. This is compliant with Policies ENV2 and ENV3.
	Policy ENV5 states that all built development shall include, where appropriate, SuDs measures to manage surface water effectively on site, to reduce surface water run-off and to ensure flooding is not increased elsewhere. As a largely change of use application, it is proposed to retain, re-use and adapt the current drainage network on

6.49	site. The proposal includes measures to assist with the drainage system to make it more sustainable. This includes the removal of large areas of hardstanding and the introduction of soft landscaping to help with water attenuation during periods of heavy rainfall. These SuDS measures are considered acceptable. The proposal is considered acceptable having regard to Policy ENV5.
6.50	
7.0	Recommendation
7.1	Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions.
7.2	Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and deal with any other issues that arise, including outstanding response from Environmental Health, provided that they are not substantive.
8.0	DRAFT CONDITIONS: 12. The development hereby permitted must be begun within five years from the date of this permission. Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011. 13. The development hereby permitted shall not be occupied unless sound mitigation measures are installed so that internal noise levels as stated below are not exceeded within habitable rooms. Where closed windows are required to achieve these internal levels, then an alternative means of ventilation must be provided which meets, as a minimum, the sound reduction performance required by the windows. In the case of active or mechanical ventilation the applicant must ensure that the operation of the ventilation system does not result in internal noise in excess of the below stated levels: • 35 dB LAeq,16hrs at any time between 07:00hrs and 23:00hrs within any habitable room, if required with the windows closed and alternative means of acoustic ventilation provided. • 30 dB LAeq,8hr at any time between the hours of 23:00hrs and 07:00hrs within any bedroom, if required with the windows closed and alternative means of acoustic ventilation provided. • 45 dB L_{Amax} more than 10 times between 23:00hrs and 07:00hrs within any bedroom, if required with the windows closed and alternative means of ventilation provided. The measures required shall be thereafter retained at all times. Reason: In the interests of residential amenity. 14. The separating ceiling/floor between the ground floor retail unit and the first floor of the HMO and the separating wall between the ground floor retail unit and the ground floor of the HMO shall be so constructed to ensure sufficient sound reduction so that the internal noise levels within habitable rooms (detailed within condition 2) are not exceeded. Reason: In the interests of residential amenity

15. The hereby approved ground floor retail unit shall not operate outside the hours of 07:00hrs- 23:00hrs.

Reason: In the interests of residential amenity.

16. Deliveries and collections by commercial vehicles to the ground floor retail unit shall only be made between 07:00hrs and 23:00hrs Monday to Saturday and at no time on Sundays.

Reason: In the interests of residential amenity.

17. No development (other than site clearance, site preparation, demolition and the formation of foundations and trenches) shall commence on site unless a hard and soft landscaping scheme has been submitted to and approved in writing by the Council. The scheme shall include details of all new walls, fences, other boundary treatment and finished ground levels; details of the hard surface treatment of open parts of the site which shall be permeable or drained to a permeable area; a planting specification to include species, size, position and method of planting of all new trees and shrubs; and a programme of implementation.

All hard and soft landscaping works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development unless otherwise agreed in writing by the Council. Any existing or proposed trees or plants indicated on the approved plans which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size, details of which shall have first been submitted to and approved in writing by the Council. All hard and soft landscape areas and works shall be permanently retained in accordance with the approved details.

Reason: In the interests of the character and appearance of the area, and to promote sustainable drainage. Approval is required upfront because the landscaping is critical to the acceptability of the proposal.

18. Notwithstanding the submitted details no external facing or roofing materials be applied unless in accordance with a written specification of the materials, which shall have first been submitted to and approved in writing by the Council.

Reason: In the interests of the character and appearance of the area

19. The development hereby permitted shall not be occupied until the waste storage areas have been provided in accordance with the approved plans and shall be permanently retained as such at all times.

Reason: To ensure that appropriate provision is made for storage and disposal of waste.

20. Notwithstanding the submitted details, no development shall commence on site (other than site clearance, site preparation, demolition and the formation of foundations and trenches) unless details of foul and surface water drainage, including a programme for implementation of these works, have been submitted to and approved in writing by the Council. The development shall not be carried out unless in accordance with the approved details, which shall be retained as such thereafter.

	Reason: To ensure appropriate foul and surface water drainage of the site and to safeguard to the water environment. Approval is required upfront because the design of the drainage is an integral part of the development and its acceptability. 21. The development hereby approved shall not be occupied or operated unless covered bicycle storage has been provided in accordance with the approved plans. The covered bicycle storage shall be retained in accordance with the approved plans at all times. Reason: To ensure adequate provision and availability of cycle parking and encourage sustainable travel.
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