

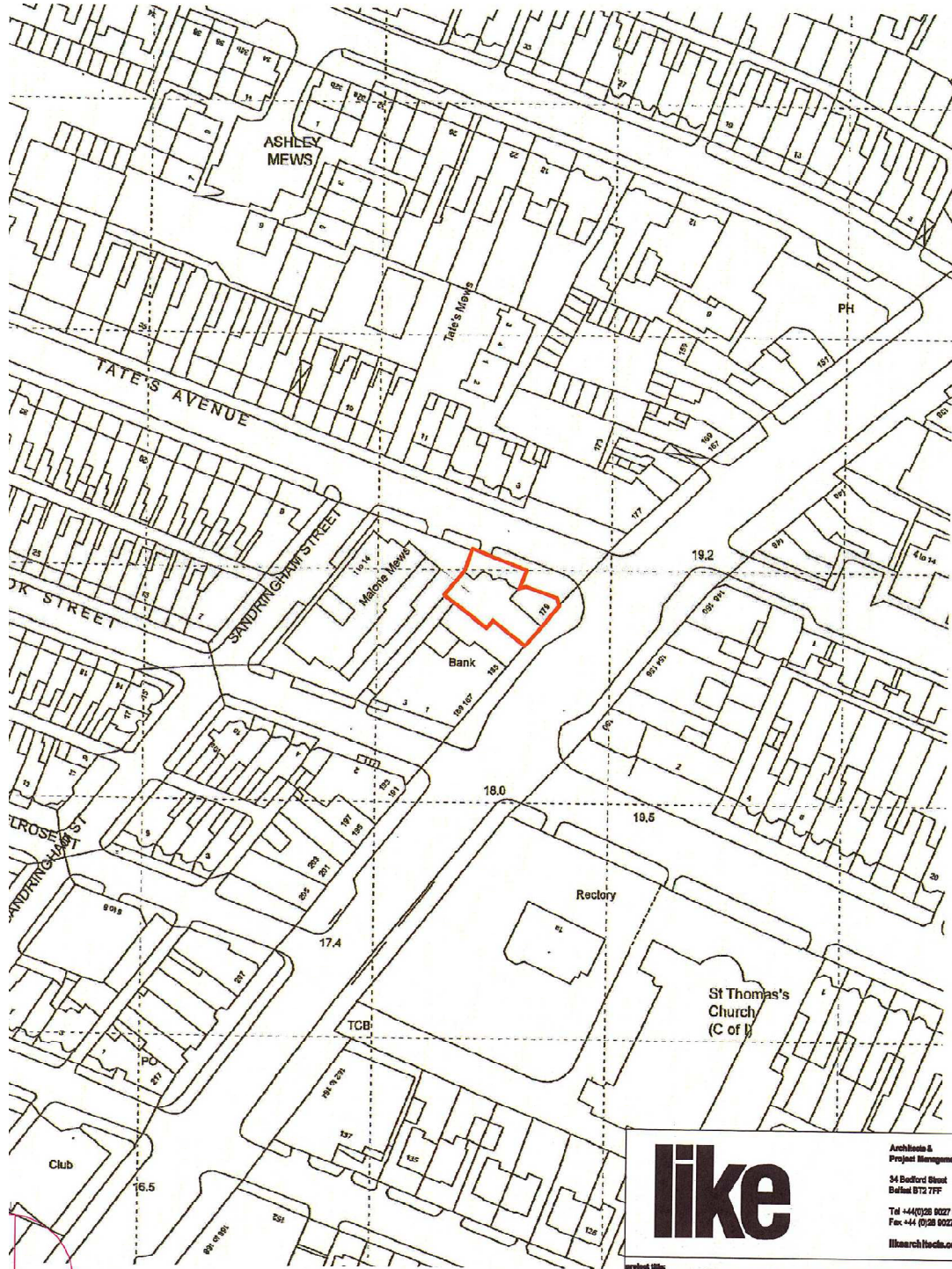


Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 19 May 2015	Item Number:
Application ID: Z/2015/0167/F	Target Date:
Proposal: Change of use and external alterations to provide three apartments and three bedsits	Location: 179 & 181 Lisburn Road Malone Lower Belfast BT9 7EJ
Referral Route: Applications of more than four dwellings must be referred to Committee	
Recommendation:	Refusal
Applicant Name and Address: Hugh & Ann Curran	Agent Name and Address: TSA Planning Ltd 29 Linenhall Street Belfast BT2 8AB
Executive Summary: <p>This application seeks full planning permission for the provision of three (one) bedroom apartments, and three bedsits. External alterations comprising a rear extension at ground floor level, provision of windows to the northern elevation, and alterations/extension to the existing roof.</p> <p>The main issues to be considered in this case are:</p> <ul style="list-style-type: none">• The principle of housing at this location and• The provision of an adequate living environment; <p>The principle of residential use is established in Policy HS1 of PPS12 Housing in Settlements Living Over the Shop. As this is a residential scheme it was also assessed against Policy QD1 (PPS7), Policies LC1 and LC2 (PPS7 Addendum) and DCAN 8.</p> <p>No representations were received.</p> <p>The proposal is deemed to be unacceptable, as there is a lack of acceptable private amenity space, poor outlook for Unit 3, and unacceptable living standards for Unit 4.</p> <p>The proposal is contrary to the Department's Planning Policies (PPS1 and PPS7) General Principles, Quality Residential Environments and Safeguarding the Character of Established Residential Areas. The proposal would result in demonstrable harm being caused to the environment quality and residential amenity of prospective residents, with the inadequate provision of private amenity space, and an undesirable living environment.</p> <p>Recommended for refusal.</p>	

Case Officer Report

Site Location Plan



Area Planning Office
RECEIVED
13 FEB 2015

like

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Project title: Proposed Residential Development 181, Lisburn Road, Belfast

Drawing title: Site Location Map

Drawn by:	approved:	date:	scale:
D.L.	M.H.	17.11.14	1:1250 @ A1
Cell no.:	stage:		
X			
Job no.:	draw no.:	revision no.:	
1347-01	100-01	A	

Consultations:

Consultation Type	Consultee	Response
Non Statutory	NI Transport - Hydebank	Substantive Response Received
Non Statutory	NI Water - Multi Units East - Planning Consultations	Substantive Response Received
Non Statutory	Rivers Agency	No Objection
Non Statutory	Env Health Belfast City Council	Substantive Response Received
Non Statutory	Land and Resource Management	Substantive Response Received
Non Statutory	Protecting Historic Monuments	No Objection
Representations:		
Letters of Support	None Received	
Letters of Objection	None Received	
Number of Support Petitions and signatures	No Petitions Received	
Number of Petitions of Objection and signatures	No Petitions Received	
Summary of Issues		
There was no representations to this planning application.		
Characteristics of the Site and Area		
<p>The site is currently a two and a half storey, double fronted property (179 and 181 Lisburn Road), located at the junction of Tates Avenue, and Lisburn Road. It currently operates as an off licence on the ground floors, with ancillary space on the upper floors. Adjoining the Tates Avenue elevation is a raised concrete terrace bounded by metal railings. To the rear is an existing gated yard accessed from Tates Avenue, that provides access into the back of the retail unit, and further along a common passageway (through a doorway). The upper floors maintain the red bricked traditional terrace form, with bay windows and lucarnes. Modifications have occurred at the ground floor with dominant shop signage, an extended projection on the Tates Avenue elevation, and rendering (front and side elevations). A traditional slate, pitched roof is visible from the Lisburn Road, with a flat roof to the rear, where modifications to the building are apparent.</p> <p>The site is located on the Lisburn Road which is designated as an Arterial Route (AR 01/10) and is within the Lisburn Road Area of Townscape Character (BT 039). The site is located at a busy intersection (Lisburn Road/Tates Avenue) which is dominated by commercial premises fronting Lisburn Road, and traditional residential streets running horizontal from it. The application site is part of a block of properties between Tates Avenue, and Donnybrook Street which incorporates a neighbouring charity shop with the same design features, and a more imposing Ulster Bank building. Immediately to the rear of 179-181 Lisburn Road is a modern apartment block (Malone Mews). Directly</p>		

opposite the side elevation of the application site (Tates Avenue) is a long standing vacant building at 155-177 Lisburn Road, with planning permission for a mixed use development of forty five private apartments with on site car parking and three retail units to ground floor.

Planning Assessment of Policy and Other Material Considerations

PROPOSAL ASSESSED AGAINST THE FOLLOWING

Belfast Metropolitan Area Plan 2015, site is located within the development limits of Belfast (Designation BT 001). The relevant policy is SETT 2, Development within the Metropolitan Development Limit and the Settlement Development Limits

Area of Townscape Character Designation BT 039 Lisburn Road

Designation AR 01/10 – Lisburn Road Arterial Route

Designation AR 03/11 – Lisburn Road Shopping/Commercial Areas on Arterial Routes

Policy R4 – Arterial Routes and Local Centres

Planning Policy Statement 1 - General Principles

Planning Policy Statement 3 – Access, Movement and Parking

Planning Policy Statement 6 – (Addendum) Areas of Townscape Character

Planning Policy Statement 7 – Quality Residential Environments

Planning Policy Statement 7 (Addendum) – Safeguarding the Character of Established Residential Areas

Planning Policy Statement 12 – Housing in Settlements

Supplementary Planning Guidance – Creating Places

Development Control Advice Note 8 – Housing in Existing Urban Areas

Development Control Advice Note 15 – Vehicular Access Standards

SITE HISTORY

Z/2005/2431/F, alteration and refurbishment of existing building, including new facades to Lisburn Road and Tates Avenue and a shopfront for provision of new sit-in sandwich bar, approved 04/05/06

PLANNING HISTORY IN THE IMMEDIATE VICINITY

Z/1995/0415, site bounded by Tates Avenue/Sandringham Street and Donnybrook Street, erection of 14 apartments, approved

Z/1997/0556, 157,159-163 and 171-173 Lisburn Road and lands to the rear, relocation of existing restaurant with offices above, development of residential apartments on lands to rear, approved

Z/2008/2429/F, 155-177 Lisburn Road, mixed use development of 45 No. private apartments with on site car parking and 3 No. retail units to ground floor, approved 30/07/10

REPRESENTATIONS RECEIVED

None

CONSULTATIONS

Transport NI – No objection, subject to informative

Rivers Agency – No objection
 NI Water – No objection subject to informatives
 Environmental Health (BCC) – No objection, subject to informatives
 NIEA Waste Management – Contaminated Land Risk Assessment required
 NIEA Protecting Historic Monuments – No objection

ASSESSMENT

Policy HS1 of PPS 12 Housing in Settlements and DCAN 8

Despite the principal of residential use being established above shops through planning policy HS7 of PPS12 and PPS 1 (General Principles), taking account of the development plan and all other material considerations, it is considered that this proposal will cause demonstrable harm to the interests of acknowledged importance to the quality and amenity of prospective occupiers.

Policy QD 1 of PPS 7 Quality Residential Environments

Belfast City Council is concerned with the lack of provision of private open space for the development. Criterion (c) of Policy QD1 of Planning Policy Statement 7 – Quality Residential Environments (PPS 7) requires that adequate provision is made for private open space as an integral part of the development. Amenity space is an essential part of the character and quality of the environment of residential properties. The guidance in Creating Places allows for lower levels of provision as this is an inner city location, with reference made to provision ranging from a minimum of 10sqm to 30sqm per unit. The amount of private amenity space provided in this proposal is approximately 40sqm (also accounting for the approach from Tates Avenue to the front door of the lobby). This incorporates an existing raised terrace on the busy Tates Avenue which lacks privacy due to its proposed open nature/location, and the provision of a new lobby in what is an existing rear yard. Development Control Advice Note 8 (Housing in Existing Urban Areas) states that layouts should seek to maintain a clear definition between the public realm of the street and private space associated with the dwelling. The siting of the raised terrace on Tates Avenue fails to make a clear definition to render this a thoroughly private space. As there are six units proposed in the scheme this would equate to approximately 7sqm per unit. is below the minimum standard. No expansion has been provided to justify a reduction in proposed amenity space and therefore this aspect fails to meet policy requirement and therefore is considered unacceptable.

Belfast City Council considers that the development would harm the living conditions of prospective residents of the new dwelling through poor outlook. Criterion (h) of Policy QD1 requires that 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. The proposal includes unit 3 being wholly in the rear of the property with an outlook looking primarily into the Malone Mews apartment block. There is no primary outlook immediately onto Lisburn Road at the front, or Tates Avenue to the side. Although the amended drawings submitted include an extension to this unit and a split level over two floors, making provision for additional light, they do not provide for sufficient and appealing outlook. Unit 4 restricted nature and awkward arrangement into the corner of this scheme and split over two floors with a bathroom on the first floor,

and living/kitchen area on the second is considered unacceptable. It was suggested to the applicant that one less unit should be included, preferably excluding unit 4, and providing unit 3 with an outlook over Tates Avenue. This was not forthcoming in the amended scheme, and as such is unacceptable, as the proposal to include six units gives the appearance and feel of 'cramming'.

Policy LC 1 and 2 of PPS 7 (Addendum) Safeguarding the Character of Established Residential Environments

Policy LC1 stipulates that in established residential areas planning permission will only be granted for the redevelopment of existing buildings, to accommodate new housing, where all the criteria set out in Policy QD 1 of PPS 7 (not achieved as highlighted above), and (c) all dwelling units and apartments are built to a size not less than those set out in Annex A. Each unit is at the lowest threshold stipulated in Annex A, and Unit 4 given its minimal space provision should be located on one floor as opposed to being split over two. Whilst acknowledging that space provision for Unit 4 outlined on the plans excludes the stairwell it will still provide an unacceptable living standard.

In contravention of Policy LC 2, Unit 3, although having an indirect access to the public street, is wholly located in the rear of the building. As outlined already this provides an unacceptable living standard for prospective residents.

Conclusion

The proposal is deemed to be unacceptable, as there is a lack of acceptable private amenity space, poor outlook for Unit 3, and unacceptable living standard for Unit 4.

RECOMMENDATION

Refusal

Reason:

The proposal is contrary to the Department's Planning Policy Statement 1 General Principles, Planning Policy Statement 7 Quality Residential Environments Policy QD 1 (criteria c and h), Planning Policy Statement 7 (Addendum) Safeguarding the Character of Established Residential Areas Policy LC 1 and LC 2, and DCAN 8. The proposal would result in demonstrable harm being caused to the environmental quality and residential amenity of prospective residents, with the inadequate provision of private open space, and an undesirable living environment.

Neighbour Notification Checked

Yes

Summary of Recommendation:

Having assessed all material considerations, and issues raised by representations and/or consultees, it is deemed that this application should be refused.

Conditions/Reasons for Refusal:

The proposal is contrary to the Department's Planning Policy Statement 1 General Principles, Planning Policy Statement 7 (Addendum) Safeguarding the Character of Established Residential Areas Policy LC1 and LC2 and DCAN8. The proposal would result in demonstrable harm being caused to the environmental quality and residential amenity of prospective residents, with the inadequate provision of private open space, and an undesirable living environment.

Signature(s)

Date:

ANNEX	
Date Valid	13th February 2015
Date First Advertised	13th March 2015
Date Last Advertised	N/A
Details of Neighbour Notification	
28 neighbours notified	
Date of Last Neighbour Notification	6th March 2015
Date of EIA Determination	
ES Requested	Yes /No
Summary of Consultee Responses	
<p>NIEA Waste Management had no records of industrial land uses on the site, they stated that industrial activities from adjacent sites may impact upon on the application area. It was recommended that planning approval be withheld pending the submission and agreement of additional information to identify and manage the risks.</p> <p>Environmental Health (Belfast City Council) is the authoritative body with respect to environmental health matters, and as they had no objection to the scheme, no further information was requested.</p> <p>Transport NI found the application unacceptable and requested a Parking Survey as no in-curtilage parking was to be provided.</p> <p>NI Water responded with no objections subject to informatives.</p> <p>NIEA – Protecting Historic Monuments responded with no objections.</p> <p>Rivers Agency responded with no objections to the proposal.</p>	

Drawing Numbers and Title

No 01 Site location
No 02 Block plan
No 03A Existing ground floor plan
No 04a Existing first floor plan
No 05a Existing second floor plan
No 06 Roof plan
No 07 Proposed ground floor plan
No 08a Proposed first floor plan
No 09a Proposed second floor plan
No 10 Existing elevation (Lisburn Road)
No 11 Existing elevation (Tates Avenue)
No 12A Proposed rear elevation
No 13 Proposed elevation (Lisburn Road)
No 14 Proposed elevation (Tates Avenue)
No 15 Proposed roof plan