



Belfast Planning Service  
Belfast City Council  
Cecil Ward Building  
4-10 Linenhall Street  
Belfast  
BT2 8BP

**Development Management Officer Report**  
**Committee Application**

Summary	
<b>Committee Meeting Date:</b> 17/11/2015	<b>Item Number:</b>
<b>Application ID:</b> LA04/2015/0632/F	<b>Target Date:</b>
<b>Proposal:</b> Change of use to five apartments, ground floor extension and alterations	<b>Location:</b> 179 and 181 Lisburn Road Belfast BT9 6AH
<b>Referral Route:</b> The planning application is for more than four residential units	
<b>Recommendation:</b>	<b>Approval</b>
<b>Applicant Name and Address:</b> Hugh and Ann Curran c/o agent	<b>Agent Name and Address:</b> TSA Planning 29 Linenhall Street Belfast BT2 8AB
<b>Executive Summary:</b>  The application seeks full planning permission for the change of use to five apartments,	

ground floor extension and alterations.

The main issues to be considered in this case are:

- Living over the Shop
- Arterial Route designation
- Living conditions for prospective residents
- Amenity
- Access and Parking
- New development in an Area of Townscape Character

A scheme for six residential units (Z/2015/0167/F) was refused in 2015 due to its inappropriate layout, form and design being harmful to the living conditions for prospective residents due to the creation of an unacceptable living environment, poor outlook and also failing to provide adequate private amenity space. The proposed development would have failed to create a quality residential environment.

This planning application seeks to address the issues which resulted in planning application Z/2015/0167/F being refused.

The site is within an Area of Townscape Character, Arterial Route and Shopping/Commercial Designation, and the proposal has been assessed against SPPS, Planning Policy Statement 3 – Access, Movement and Parking, Planning Policy Statement 6 Addendum – Areas of Townscape Character, Planning Policy Statement 7 – Quality Residential Environments, Creating Places, Development Control Advice Note 8 – Housing in Existing Urban Areas and Development Control Advice Note 15 – Vehicular Access Standards. The proposal is in adherence to all the relevant planning policies.

Consultees offered no objection in principle with the scheme subject to informatives.

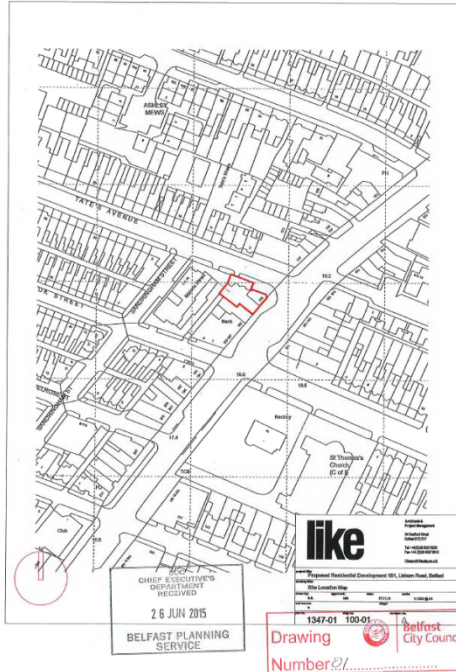
No representations were received.

Having had regard to the development plan, relevant planning policies, and other material considerations, it is determined that the development will not cause demonstrable harm to interests of acknowledged importance. Therefore the proposal should be approved.

**Signature(s):**

## Case Officer Report

### Site Location Plan



### Consultations:

Consultation Type	Consultee	Response
Statutory	NI Transport - Hydebank	No objection. The applicant through a parking survey has demonstrated that on-street parking capacity and availability exists within the surrounding area to accommodate the parking associated with this development proposal.
Statutory	NI Water - Multi Units East - Planning Consultations	No objection
Statutory	Rivers Agency	No objection

Non Statutory	Environmental Health Belfast City Council	No objection
<b>Representations:</b>		
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	
<b>Summary of Issues</b>		
<p>There were no objections to this planning application.</p> <p>The key issues in determining the application are:</p> <ul style="list-style-type: none"> <li>• Living over the Shop</li> <li>• Arterial Route designation</li> <li>• Living conditions for prospective residents</li> <li>• Amenity</li> <li>• Access and Parking</li> <li>• New development in an Area of Townscape Character</li> </ul>		
<b>Characteristics of the Site and Area</b>		
1.0	<b>Description of Proposed Development</b>	
	The proposal is for the change of use of the first and second floors of 179-181 Lisburn Road to five apartments, with ground floor extension and alterations.	
2.0	<b>Description of Site</b>	
2.1	The site is currently a two and a half storey, double fronted property (179 and 181	

	<p>Lisburn Road), located at the junction of Tates Avenue, and Lisburn Road. It currently operates as an off licence on the ground floors, with vacant ancillary space on the upper floors. At ground floor level along 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, providing access to 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><b>2.2</b> The site is located on the Lisburn Road 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 similar 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 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.</p>
<p><b>Planning Assessment of Policy and other Material Considerations</b></p>	
<p><b>3.0</b></p>	<p><b>Site History</b></p>
<p><b>3.1</b></p>	<p>Permission was refused (Z/2015/0167/F) in 2015 for the proposed change of use</p>

3.2	<p>of floors one and two to provide 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. In 2006 permission was granted (Z/2005/2431/F) for the alteration and refurbishment of the existing building, including new facades to Lisburn Road and Tates Avenue, and a shop front for the provision of a new sit-in sandwich bar.</p> <p>Within the immediate vicinity planning permission was granted (Z/2008/2429/F) in 2010 for a mixed use development of forty five private apartments with on site car parking and three retail units to the ground floor at 155-177 Lisburn Road.</p>
4.0	<b>Policy Framework</b>
4.1	<p><b>Belfast Metropolitan Area Plan 2015</b></p> <ul style="list-style-type: none"> <li>• 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</li> <li>• Area of Townscape Character Designation BT 039 Lisburn Road</li> <li>• Designation AR 01/10 – Lisburn Road Arterial Route – Policy SETT 3</li> <li>• Designation AR 03/11 – Lisburn Road Shopping/Commercial Area</li> <li>• Policy SETT 3 – Arterial Routes</li> </ul>
4.2	<p><b>Planning Policy Statements</b></p> <ul style="list-style-type: none"> <li>• Strategic Planning Policy Statement for Northern Ireland (SPPS)</li> <li>• Planning Policy Statement 3 – Access, Movement and Parking</li> <li>• Planning Policy Statement 6 – (Addendum) Areas of Townscape Character</li> <li>• Planning Policy Statement 7 – Quality Residential Environments</li> </ul>

	<ul style="list-style-type: none"> <li>• Planning Policy Statement 12 – Housing in Settlements</li> <li>• Supplementary Planning Guidance – Creating Places</li> <li>• Development Control Advice Note 8 – Housing in Existing Urban Areas</li> <li>• Development Control Advice Note 15 – Vehicular Access Standards</li> </ul>
<b>5.0</b>	<b>Assessment</b>
<b>5.1</b>	The site is located within the Metropolitan Development Limit of Belfast, in an area of townscape character, along the Lisburn Road Arterial Route, and within a shopping/commercial designation.
<b>5.2</b>	The key issues in this planning application are: living over the shop, amenity space, living conditions of prospective residents, access, the arterial route and area of townscape character.
<b>5.3</b>	<p><b>LIVING OVER THE SHOP</b></p> <p>The principal of residential use above shops is established through planning Policy HS7 of PPS12 and DCAN 8.</p>
<b>5.4</b>	<p><b>ARTERIAL ROUTE</b></p> <p>The strategy formulated for Arterial Routes is intended to enhance Belfast City and reduce the need to travel by car. All of the arterial routes are principal bus routes into the city centre and are well served by public transport. Therefore living over the shop on first and second floors is a way of enhancing these routes and promoting the arterial routes strategy. The Policy SETT 3 identifies appropriate housing on arterial routes as a way of facilitating the regeneration.</p>
<b>5.5</b>	<p><b>LIVING CONDITIONS OF PROSPECTIVE RESIDENTS</b></p> <p>Belfast City Council considers that the development unlike planning application</p>



Z/2015/0167/F affords acceptable living conditions for prospective residents. 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 provides a primary outlook for each of the five apartments onto either Tates Avenue or Lisburn Road. Access to the proposed ground floor extension to the rear containing a new lobby, utility zone and bin store is provided by a stairwell for all five apartments, and as such meets criterion (i) of Policy QD1 by promoting personal safety. Due to the location of the properties on the junction of Tates Avenue and Lisburn Road there will be no detrimental impacts on other properties within the vicinity through overlooking. Five new window openings are proposed: one to the rear elevation, and four on the Tates Avenue elevation, all of which are considered acceptable.

## 5.6

### **AMENITY SPACE**

The 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 amenity space as an integral part of the development. 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 50sqm (including the enclosed area on Tates Avenue). This incorporates a raised terrace on the Tates Avenue elevation which is enclosed by 1.4m high railings and a gate, 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 and private space. It is considered that this has been achieved in the proposed design. The proposal encloses the raised terrace on Tates Avenue, and the area outside the main entrance into the lobby providing a clear definition between the public realm and private space. This also

	<p>creates an environment to deter crime and promote personal safety, a criterion set out in PPS 7 (QD1 i). As there are five units proposed in the scheme this would equate to approximately 10sqm of amenity provision per unit meeting the minimum standard. Adequate provision has been made for bin storage.</p> <p><b>5.7 ACCESS AND PARKING</b></p> <p>The applicant through a parking survey has demonstrated that on-street parking capacity and availability exists within the surrounding area to accommodate the parking associated with this development proposal. It is unlikely to result in a significant impact on the local road network in terms of traffic progression and road safety. Therefore criterion (f) of Policy QD 1 of PPS 7 and PPS 3 has been adhered to. The location of the site along an arterial route, and the proposed cycle provision meets criteria (e) of Policy QD 1 of PPS 7 by promoting walking, cycling and access to public transport. Transport NI are satisfied with the information provided and have raised no objection.</p> <p><b>5.8 NEW DEVELOPMENT IN AN ATC</b></p> <p>In adherence to Policy ATC 2 of PPS 6 Addendum the new development of the rear extension to provide a new lobby and bin store, and the proposed five additional windows will not be detrimental to the Lisburn Road Area of Townscape Character. The proposed extension with opaque glass doors measures 2.6m in height, 3.3m in width and 6.8m in depth. The existing brick boundary wall at Malone Mews is to be retained. Apart from a new roof finish of grey Redland cambian concrete roof tiles on the rear return all existing finishes are to be retained.</p>
<p><b>5.9</b></p>	<p>This planning application addresses the issues that resulted in Z/2015/0167/F being refused. Having regard to the policy context above, and all material considerations, the proposal is considered acceptable, and planning permission is recommended subject to conditions/refused for the following reasons.</p>

6.0	<p><b>Summary of Recommendation</b></p> <p>Approval</p>
7.0	<p><b>Conditions</b></p> <p>As required by Section 61 of the Planning Act (Northern Ireland) 2011, the development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.</p> <p>Reason: Time Limit</p> <p>The proposed development hereby permitted, shall be as stipulated on drawings 06A, 09A, and 12A date stamped 08 September 2015, and 10, 11, and 13 date stamped 26 June 2015,</p> <p>Reason: In the interest of the amenity of prospective residents.</p>
8.0	<p><b>Notification to Department (if relevant)</b></p> <p>N/A</p>
9.0	<p><b>Representations from Elected members</b></p> <p>N/A</p>
	<p><b>Signature(s)</b></p> <p><b>Date:</b></p>



**ANNEX**

**Date Valid**

10 July 2015

**Date First Advertised**

31 July 2015

**Date Last Advertised**

9 October 2015

**Details of Neighbour Notification (all addresses)**

The Owner/Occupier, 152 Lisburn Road, Malone Lower, Malone Lower, Belfast, Antrim, BT9 6AJ,

The Owner/Occupier, 154-156, Lisburn Road, Malone Lower, Malone Lower, Belfast, Antrim, BT9 6AJ,

The Owner/Occupier, 158 Lisburn Road, Malone Lower, Malone Lower, Belfast, Antrim, BT9 6AJ,

The Owner/Occupier, 177 Lisburn Road Malone Lower Malone Lower

The Owner/Occupier, 179 Lisburn Road, Malone Lower, Malone Lower, Belfast, Antrim, BT9 7EJ,

The Owner/Occupier, 181 Lisburn Road, Malone Lower, Malone Lower, Belfast, Antrim, BT9 7EJ,

The Owner/Occupier, 183 Lisburn Road Malone Lower Malone Lower

The Owner/Occupier, 185-189 Lisburn Road Malone Lower

The Owner/Occupier, 3 Tates Avenue Malone Lower Belfast

The Owner/Occupier, 5 Tates Avenue Malone Lower Belfast

The Owner/Occupier, Apartment 101 Malone Mews 2 Sandringham Street

The Owner/Occupier, Apartment 102 Malone Mews 2 Sandringham Street

The Owner/Occupier, Apartment 201 Malone Mews 2 Sandringham Street

The Owner/Occupier, Apartment 202 Malone Mews 2 Sandringham Street

The Owner/Occupier, Apartment 203 Malone Mews 2 Sandringham Street

The Owner/Occupier, Apartment 204 Malone Mews 2 Sandringham Street

The Owner/Occupier, Apartment 205 Malone Mews 2 Sandringham Street

The Owner/Occupier, Apartment 301 Malone Mews 2 Sandringham Street  
The Owner/Occupier, Apartment 302 Malone Mews 2 Sandringham Street  
The Owner/Occupier, Apartment 303 Malone Mews 2 Sandringham Street  
The Owner/Occupier, Apartment 304 Malone Mews 2 Sandringham Street  
The Owner/Occupier, Apartment 305 Malone Mews 2 Sandringham Street  
The Owner/Occupier, Apartment 401 Malone Mews 2 Sandringham Street  
The Owner/Occupier, Apartment 402 Malone Mews 2 Sandringham Street

<b>Date of Last Neighbour Notification</b>	24th September 2015
<b>Date of EIA Determination</b>	N/A
<b>ES Requested</b>	No