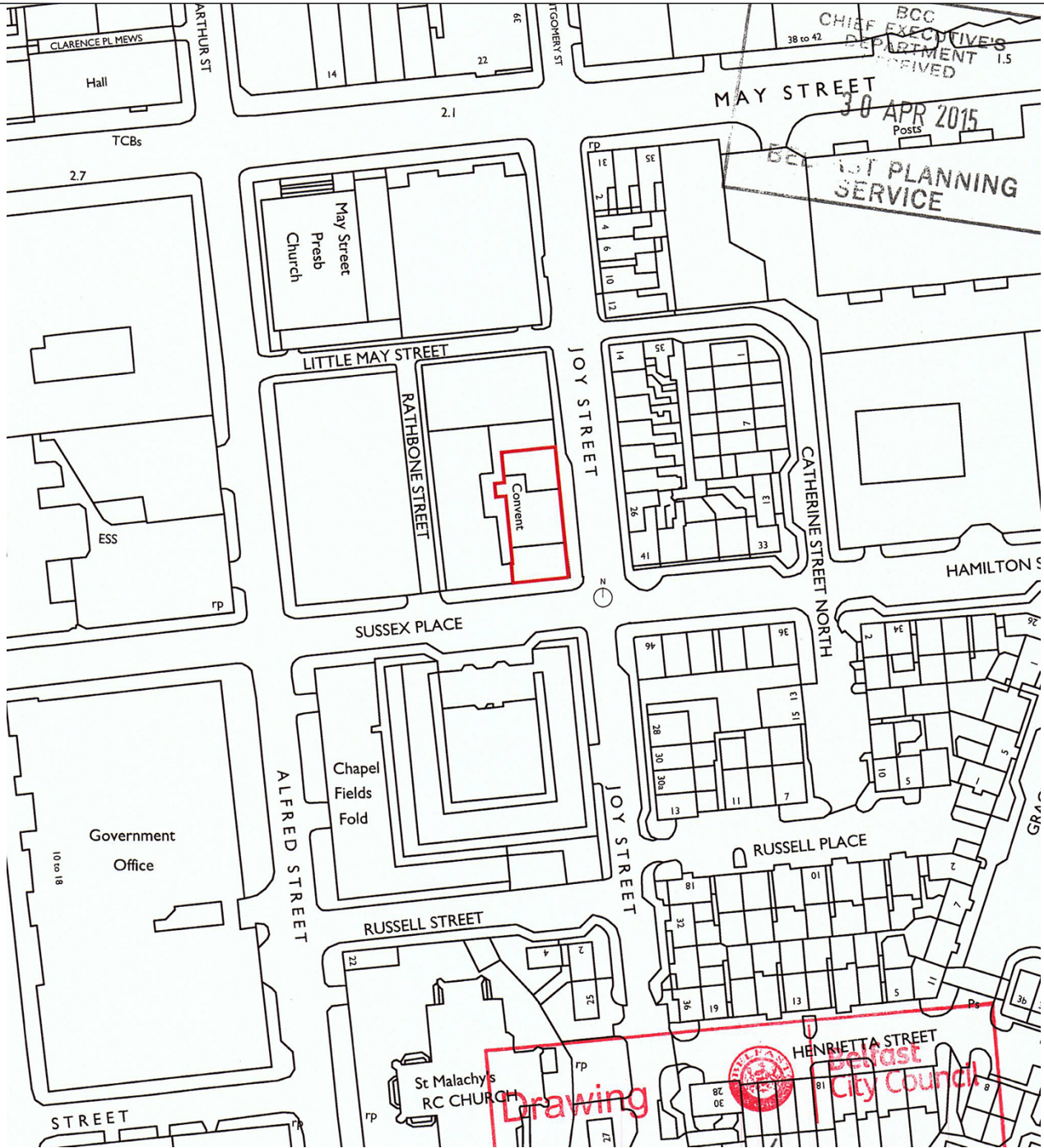


## Development Management Officer Report Committee Application

<b>Summary</b>	
<b>Committee Meeting Date:</b> 19 April 2016	
<b>Application ID:</b> LA04/2015/0224/F	
<b>Proposal:</b> Retention, conversion and extension of former convent house for 6 one-bedroom and 6 two-bedroom apartments (12 in total)	<b>Location:</b> The former St. Malachy's Convent of Mercy Sussex Place and lands adjacent to Hamilton House 3 Joy Street Belfast
<b>Referral Route:</b> More than 4 dwelling units	
<b>Recommendation:</b>	Approval
<b>Applicant Name and Address:</b> Mr Jonathan Bentata	<b>Agent Name and Address:</b> Turley Hamilton House 3 Joy Street Belfast BT2 8LE
<p><b>Executive Summary:</b></p> <p>The application seeks full planning permission for the retention, conversion and extension of former convent house for 6 one-bedroom and 6 two-bedroom apartments (12 in total). The main issues to be considered in this case are:</p> <ul style="list-style-type: none"> <li>• The principle of conversion and extension to residential use at this location;</li> <li>• Impact on the listed building;</li> <li>• Impact on the character of the area;</li> <li>• Impact on residential amenity; and</li> <li>• Traffic and parking.</li> </ul> <p>The site is located within the development limits of Belfast in the Belfast Metropolitan Area Plan (BMAP) and is identified as being in CC007 Commercial District Character area. It is also located within the Linen Conservation Area. The principle of development is acceptable given the fact that the proposal is bringing a listed building back into use and does not conflict with area plan designations.</p> <p>The proposed design and treatment of the elevations of the proposed extension are consistent with the area, incorporating a similar fenestration, solid to void ratios and materials.</p> <p>No neighbouring dwellings are unduly affected by the proposal. In terms of prospective residents, each unit has adequate outlook to the public street and sufficient amenity space provision.</p> <p>All Consultees have offered no objections to the proposal, subject to conditions.</p> <p>One objection has been received but the objector has since stated that they are now satisfied with the proposal in the light of recent revisions.</p> <p>Having regard to BMAP, to the policy context and other material considerations, the proposal is considered acceptable and planning permission is recommended subject to conditions</p>	

## Case Officer Report

### Site Location Plan



### Characteristics of the Site and Area

<b>1.0</b>	<p><b>Description of Proposed Development</b></p> <p>Retention, conversion and extension of former convent house for 6 one-bedroom and 6 two-bedroom apartments (12 in total).</p>
<b>2.0</b>	<p><b>Description of Site</b></p>

	Vacant listed building formerly used as a school and convent.
<b>Planning Assessment of Policy and other Material Considerations</b>	
<b>3.0</b>	<b>Site History</b>  Z/2009/0527/F- Conversion of former convent residence into serviced office accommodation, including 4-storey extension to rear at Sussex Place Convent, Belfast  Approved 26.05.2010  Z/2009/0519/LB- Conversion of former convent residence into serviced office accommodation, including 4 storey extension to rear (amended plans) Address: Sussex Place Convent, Sussex Place, Belfast, BT2  Decision: Consent granted Decision Date: 02.06.2010  LA04/2015/0648/LBC- Retention, conversion and extension of former Convent House for 14 one bedroom and 2 two bedroom apartments (16 units in total) Address: The former St Malachy's Convent of Mercy, Sussex Place and lands adjacent to Hamilton House, 3 Joy Street, Belfast,  Decision: Pending.
<b>4.0</b>	<b>Policy Framework</b> Belfast Metropolitan Area Plan 2015 Regional Development Strategy Strategic Planning Policy Statement for Northern Ireland Planning Policy Statement 3 - Access, Movement and Parking Planning Policy Statement 6- Planning, Archaeology and the Built Environment Planning Policy Statement 7- Quality Residential Environments Planning Policy Statement 12- Housing in Settlements
<b>5.0</b>	<b>Statutory Consultees</b> NIEA- Historic Buildings Unit- No Objections Transport NI- No Objections
<b>6.0</b>	<b>Non- Statutory Consultees</b> Belfast City Council- EPU- No Objections
<b>7.0</b>	<b>Representations</b>  1 representation received. However the original objection no longer stands as the objector is now satisfied with the proposal.
<b>8.0</b>	<b>Other Material Considerations</b> DCAN 8- Housing in existing Urban Areas Linen Conservation Area Guide Creating Place- Achieving quality in residential developments

<p><b>9.0</b></p>	<p><b>Assessment</b></p> <p>The main issues to be considered in this case are:</p> <ul style="list-style-type: none"> <li>• The principle of conversion and extension to residential use at this location;</li> <li>• Impact on the listed building;</li> <li>• Impact on the character of the area;</li> <li>• Impact on residential amenity; and</li> <li>• Traffic and parking.</li> </ul>
<p>9.1</p> <p>9.2</p> <p>9.3</p> <p>9.4</p> <p>9.5</p> <p>9.6</p> <p>9.7</p>	<p><u>Principle of Development</u></p> <p>The site is located within the development limits of Belfast and is identified as being within CC007 Commercial District Character Area. The principle of the conversion and extension to apartments is considered acceptable in principle as it does not conflict with area plan designations and does not adversely affect the listed building.</p> <p>The SPPS sets out five core planning principles of the planning system, including improving health and well being, creating and enhancing shared space, and supporting good design and place making. The SPPS states PPS3 remains applicable under 'transitional arrangements'.</p> <p><u>Impact on the Listed Building</u></p> <p>Designed by Timothy Hevey and built in gothic revival style in 1878, the existing listed building is noteworthy in terms of architectural features. It consists of a 2 storey red brick facade with cream sandstone bands. It is gable fronted with 3 lancet windows.</p> <p>Policy BH 8 of PPS 6 is a material consideration. This policy states that proposals for the extension or alteration of a listed building will only be acceptable where 3 criteria are met: These include that the essential character of the building and its setting are retained and its features of special interest remain intact and unimpaired; that the works proposed make use of traditional and/or sympathetic building materials and techniques which match or are in keeping with those found on the building; and that the architectural details (e.g. doors, gutters, windows) match or are in keeping with the building.</p> <p>In regards to the 3 criteria it is considered that historic character of the building is being retained. The features of architectural interest including the facade, internal walls, window openings, door and door openings are also being retained. Of particular note is the rebuilding of the historic 2.5 metre high wall around the front and side boundary of the building. NIEA Historic Monuments Unit has offered no objection subject to conditions relating to the re-use of materials to ensure maximum retention of the historic fabric.</p> <p>The extension to the rear of the building is a modern adaption and acts a contrast to the historic gothic revival style of the listed building and in regard is considered acceptable, a view shared by NIEA.</p> <p><u>Impact on City Centre Conservation Area</u></p> <p>The site falls within Linen Conservation Area and consequently the proposal has been assessed against BH 12 of PPS 6.</p>

9.8	<p>Policy BH 12 of PPS 6 sets out 7 criteria which must be met in order for new development to be acceptable in a Conservation Area. As stated previously the proposal involves substantial retention of internal fabric to the historic Convent of Mercy including elements of significance contributing to its essential character and legibility – i.e. the reading of the host building as one of special architectural or historic interest (a mid to late Victorian era ecclesiastical building).</p>
9.9	<p>The external elevations are Gothic Revival in style – typical of ecclesiastical buildings of the period. These will remain unaltered. A high wall will be constructed to enclose the front garden. Whilst this will obscure the ground floor of the front elevation and arguably visually diminish the contribution of the building to the character and appearance of the Conservation Area the wall is based on historic research and restores the previous situation. It will be constructed in reclaimed imperial brick in the historically correct bond etc. It is consistent with the historic Convent use of the building and its expression as such. Therefore this aspect is acceptable.</p>
9.10	<p>The proposed extension is adapted from the historic with a clear base, middle and attic, a high solid to void ratio in terms of proportion, contextually appropriate materials, and touches the historic fabric in a lightweight manner. It will not draw the eye disproportionately – visual prominence will remain with the heritage asset. The proposal clearly complies with Policy BH 12 of PPS 6.</p>
9.11	<p><u>Assessment against QD 1 of PPS 7</u></p> <p>Policy QD1 states that planning permission will be granted for new residential development only where it is demonstrated that it will create a quality and sustainable residential environment. It indicates that housing will not be permitted in established residential areas where it would result in unacceptable damage to local character, environmental quality or residential amenity of these areas. The policy sets out nine criteria which all residential development proposals are expected to meet.</p>
9.12	<p>In relation to the character of the area criterion (a) states that the development must respect the surrounding context and be 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. This has been considered in detail under paragraphs 9.8 -9.9.</p>
9.13	<p>The impact on the listed building has been detailed under paragraph 9.5 and 9.6. It is considered that the proposal complies with criterion (b).</p> <p>The private amenity space provision for the apartments is less than the recommended 10 sq metres standard set out in the guidance document '<i>Creating Places- Achieving quality in new Residential Developments</i>'. However, considering the context (city centre location) and the fact that there is an element of planning gain in bringing back a listed building to a viable use it is considered that the proposal complies with criterion (c).</p>
9.14	<p><u>Impact on Residential Amenity</u></p> <p>In regards to impact on residential amenity, criterion (h) of QD 1 of PPS 7 requires there to be no unacceptable adverse effect on existing properties in terms of overlooking, loss of light, overshadowing, noise or other disturbance and the orientation of the development in relation to the existing dwellings. It is considered that dominance and loss of light will not be an issue given the separation distances between the proposed development and the existing dwellings opposite the application site. The overlooking from the proposal is typical in any urban location and is also not considered to be an issue. The proposal</p>

<p>9.15</p> <p>9.16</p>	<p>complies with criterion (h).</p> <p><u>Traffic and Parking</u></p> <p>The proposal has been assessed against Policy AMP 7 of PPS 3: Access, Movement and parking. No car parking is proposed by the applicant. This however has been offset by cycle parking and it would be unreasonable to refuse the application on that basis given that it is located within the City Centre and all its associated amenities.</p> <p><u>Objections</u></p> <p>In regard to the objection received;</p> <ul style="list-style-type: none"> <li>• The issues raised were in relation impingement of foundations, location of emergency access, overlooking and fire safety. The objector has since stated they have no objections to the proposal following the submission of amended plans.</li> </ul>
<p>10.0</p> <p>10.1</p>	<p><b>10.0 Summary of Recommendation:</b> Approval</p> <p>10.1 Having regard to the development plan, relevant planning policies, and other material considerations, it is considered that the development is acceptable. Approval is recommended with conditions.</p>
<p>11.0</p>	<p><b>11.0 Conditions</b></p> <p>1. 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>2. No apartments in the rear extension of the development hereby approved shall be occupied until the alterations and restoration works of 1 Joy Street have been fully completed.</p> <p>Reason: To ensure the on-going preservation of the listed building.</p> <p>3. All historic doors and surrounds shall be retained unless shown as being removed on the approved drawings. Existing doors and surrounds to be upgraded as agreed with HED to meet fire regulations rather than replaced.</p> <p>Reason: To preserve historic fabric.</p> <p>4. All historic doors and door surrounds that are removed as part of internal alterations shall be reused in proposed new openings within the listed buildings.</p> <p>Reason: To preserve historic fabric.</p> <p>5. Repairs to existing principal historic staircase to match the original in every respect.</p> <p>Reason: To preserve architectural and historic integrity of main staircase.</p>

	<p>6. Internal floor plates including ornamental plasterwork to ceilings, joists and boarded floors shall be retained and upgraded to meet noise and fire separation requirements with details agreed in advance with HED.</p> <p>Reason: To preserve historic fabric.</p> <p>7. Any repointing of external brickwork to be carried out in a non cementitious mix agreed in advance with HED.</p> <p>Reason: To preserve historic fabric.</p> <p>8. Rainwater goods to the listed building to be in cast iron.</p> <p>Reason: To preserve historic and architectural integrity of the building.</p> <p>9. Prior to the commencement of development details of the external finishes, including samples of materials to be used in the construction of the 2.5 metre high wall shall be submitted to Belfast City Council for agreement in writing, the development shall be constructed in accordance with those exemplars agreed and noted on the approved drawings.</p> <p>Reason: To ensure a quality standard of finish in the interests of visual amenity and the character and appearance of the area.</p>
<b>12.0</b>	<p><b>Notification to Department (if relevant)</b></p> <p>N/A</p>
<b>13.0</b>	<p><b>Representations from Elected Members</b></p> <p>N/A</p>

<b>ANNEX</b>	
<b>Date Valid</b>	30th April 2015
<b>Date First Advertised</b>	29th May 2015
<b>Date Last Advertised</b>	9th October 2015
<p><b>Details of Neighbour Notification (all addresses)</b></p> <p>The Owner/Occupier, 1 Sussex Place, Town Parks, Belfast, Antrim, BT2 8LN, The Owner/Occupier, 1, Chapel Fields Fold, Sussex Place, Town Parks, Belfast, Antrim, BT2 8PS, The Owner/Occupier, 10, Chapel Fields Fold, Sussex Place, Town Parks, Belfast, Antrim, BT2 8PS, The Owner/Occupier, 11, Chapel Fields Fold, Sussex Place, Town Parks, Belfast, Antrim, BT2 8PS, The Owner/Occupier, 12, Chapel Fields Fold, Sussex Place, Town Parks, Belfast, Antrim, BT2 8PS, The Owner/Occupier, 14, Chapel Fields Fold, Sussex Place, Town Parks, Belfast, Antrim, BT2 8PS, The Owner/Occupier, 15, Chapel Fields Fold, Sussex Place, Town Parks, Belfast, Antrim, BT2 8PS, Stephen Douglas 152, Albertbridge Road, Belfast, Ballymacarret, Down, Northern Ireland, BT5 4GS Hall Black Douglas on behalf of The Belfast Buildings Trust 152, Albertbridge Road, Belfast, Ballymacarret, Down, Northern Ireland, BT5 4GS The Owner/Occupier, 16, Chapel Fields Fold, Sussex Place, Town Parks, Belfast, Antrim, BT2 8PS, The Owner/Occupier, 17, Chapel Fields Fold, Sussex Place, Town Parks, Belfast, Antrim, BT2 8PS, The Owner/Occupier, 18 Joy Street Town Parks Belfast The Owner/Occupier, 18, Chapel Fields Fold, Sussex Place, Town Parks, Belfast, Antrim, BT2 8PS, The Owner/Occupier, 19, Chapel Fields Fold, Sussex Place, Town Parks, Belfast, Antrim, BT2 8PS, The Owner/Occupier, 2, Chapel Fields Fold, Sussex Place, Town Parks, Belfast, Antrim, BT2 8PS, The Owner/Occupier, 20 Joy Street Town Parks Belfast The Owner/Occupier, 20, Chapel Fields Fold, Sussex Place, Town Parks, Belfast, Antrim, BT2 8PS, The Owner/Occupier, 21, Chapel Fields Fold, Sussex Place, Town Parks, Belfast, Antrim, BT2 8PS, The Owner/Occupier, 22 Joy Street Town Parks Belfast The Owner/Occupier, 22, Chapel Fields Fold, Sussex Place, Town Parks, Belfast, Antrim, BT2 8PS,</p>	



The Owner/Occupier,  
 23,Chapel Fields Fold,Sussex Place,Town Parks,Belfast,Antrim,BT2 8PS,  
 The Owner/Occupier,  
 24 Joy Street Town Parks Belfast  
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 24,Chapel Fields Fold,Sussex Place,Town Parks,Belfast,Antrim,BT2 8PS,  
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 The Owner/Occupier,  
 26 Joy Street Town Parks Belfast  
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 26,Chapel Fields Fold,Sussex Place,Town Parks,Belfast,Antrim,BT2 8PS,  
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 27,Chapel Fields Fold,Sussex Place,Town Parks,Belfast,Antrim,BT2 8PS,  
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 28,Chapel Fields Fold,Sussex Place,Town Parks,Belfast,Antrim,BT2 8PS,  
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 3,Chapel Fields Fold,Sussex Place,Town Parks,Belfast,Antrim,BT2 8PS,  
 The Owner/Occupier,  
 4,Chapel Fields Fold,Sussex Place,Town Parks,Belfast,Antrim,BT2 8PS,  
 The Owner/Occupier,  
 41 Hamilton Street,Town Parks,Belfast,Antrim,BT2 8LP,  
 The Owner/Occupier,  
 5,Chapel Fields Fold,Sussex Place,Town Parks,Belfast,Antrim,BT2 8PS,  
 The Owner/Occupier,  
 6,Chapel Fields Fold,Sussex Place,Town Parks,Belfast,Antrim,BT2 8PS,  
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 7,Chapel Fields Fold,Sussex Place,Town Parks,Belfast,Antrim,BT2 8PS,  
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 8,Chapel Fields Fold,Sussex Place,Town Parks,Belfast,Antrim,BT2 8PS,  
 The Owner/Occupier,  
 9,Chapel Fields Fold,Sussex Place,Town Parks,Belfast,Antrim,BT2 8PS,  
 The Owner/Occupier,

<b>Date of Last Neighbour Notification</b>	29 <sup>th</sup> September 2015
<b>Date of EIA Determination</b>	N/A
<b>ES Requested</b>	No

#### **Planning History**

Ref ID: LA04/2015/0648/LBC

Proposal: Retention, conversion and extension of former Convent House for 14 one bedroom and 2 two bedroom apartments (16 units in total)

Address: The former St Malachy's Convent of Mercy, Sussex Place and lands adjacent to Hamilton House, 3 Joy Street, Belfast, BT2 8LE,

Decision: Pending

Ref ID: Z/2009/0527/F

Proposal: Conversion of former convent residence into serviced office accommodation, including 4-storey extension to rear.(amended plans)

Address: Sussex Place Convent, Belfast, BT2

Decision: Approval

Decision Date: 01.06.2010

Ref ID: Z/2009/0519/LB

Proposal: Conversion of former convent residence into serviced office accommodation, including 4 storey extension to rear (amended plans)

Address: Sussex Place Convent, Sussex Place, Belfast, BT2

Decision: Consent granted

Decision Date: 02.06.2010

Ref ID: Z/2007/0032/F

Proposal: Conversion from school house to community/ cultural use with ancillary office space and associated alterations to include three two storey extensions to side of building and new vehicle access onto Joy Street (amended description)

Address: 1 Sussex Place, Town Parks, Belfast, BT2 8LN

Decision:

Decision Date: 20.03.2008

Ref ID: Z/2007/0060/LB

Proposal: Conversion from school house to community/ cultural use with ancillary office space and associated alterations to include three two storey extensions to side of building and new vehicle access onto Joy Street (amended description)

Address: 1 Sussex Place, Town Parks, Belfast, BT2 8LN

Decision:

Decision Date: 21.03.2008

Ref ID: Z/2013/0300/LBC

Proposal: Conversion from school house to community/ cultural use with ancillary office space and associated alterations to include three two storey extensions to side of building and new vehicle access onto Joy Street

Address: 1 Sussex Place, Town Parks, Belfast, BT2 8LN,

Decision: Withdrawn

Decision Date: 13.11.2013