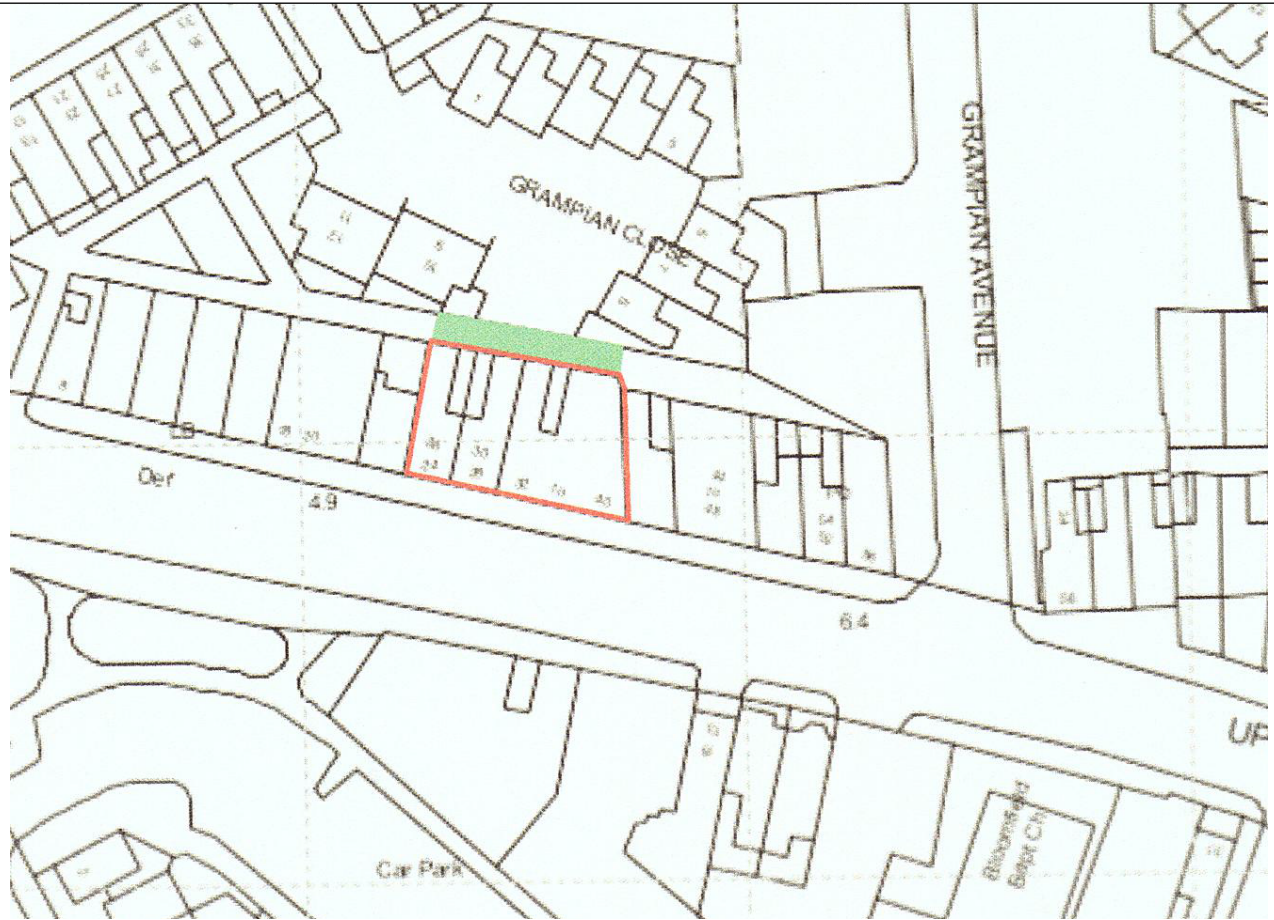


Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 14 th June 2016	
Application ID: LA04/2015/0233/F	
Proposal: Change of use from existing furniture store, coffee shop and hot food takeaway to 9 apartments with elevational changes	Location: 24-40 Upper Newtownards Road Belfast BT94 4GY
Referral Route: Proposal is for more than 5 dwellings	
Recommendation:	Approval with conditions
Applicant Name and Address: Hatching Homes Ltd 19 Drumslade Road Coleraine BT52 1SE	Agent Name and Address: Premier Building Design Ltd 1st Floor Unit 3 27 Wallace Avenue Lisburn BT27 4AE
<p>Executive Summary: This application seeks full planning permission for the Change of use from an existing furniture store, coffee shop and hot food takeaway to 9 apartments with elevational changes.</p> <p>The Development Plan (BMAP) identifies the site as within the development limits of Belfast and on an arterial route AR 02/12. The Plan also identifies the site as a shopping/commercial area and within an Area of Townscape Character (ATC), Holywood Arches (BT 034).</p> <p>The key issues to be considered are:</p> <ul style="list-style-type: none"> (a) Principle of residential use on the site (b) Road safety (c) Effect on Area of Townscape Character (c) Visual amenity <p>The proposal was assessed against the Development Plan (BMAP 2015); Strategic Planning Policy Statement for Northern Ireland (SPPS); Planning Policy Statement 3: Access, Movement and Parking; Addendum to Planning Policy Statement (PPS) 6: Areas of Townscape Character; Planning Policy Statement 7: Quality Residential Environments; Planning Policy Statement 7 (PPS) Addendum: Safeguarding the Character of Established Residential Areas; and Planning Policy Statement 12: Housing in Settlements. The proposal complies with these policies.</p> <p>There were no representations received.</p> <p>All consultees responded with no objections.</p> <p>An approval with conditions is recommended.</p>	

Case Officer Report

Site Location Plan



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

Characteristics of the Site and Area

1.0 Description of Proposed Development

Change of use from existing furniture store, coffee shop and hot food takeaway to 9 apartments with elevational changes

2.0 Description of Site

The site is located at 24-40 Upper Newtownards Road, Belfast. It is located within the development limits of Belfast and on an arterial route AR 02/12 as per Belfast Metropolitan Area Plan (BMAP) 2015. The Plan also identifies the site as a shopping/commercial area and within an Area of Townscape Character (ATC), Holywood Arches (BT 034). There is an existing two storey red brick terrace building on site with four two storey rear returns. There are dormers to the front also which indicates upper floor accommodation. The building is currently a vacant furniture store and retail units which abut the pavement. The rear boundary is defined by the rear walls of the rear returns and red brick walls enclosing the open spaces between.

Planning Assessment of Policy and Other Material Considerations

3.0 Site History

Z/2007/1521/F - Demolition of existing buildings & construction of 3 no. retail units on ground floor with 8 no. apartments above on 1st. & 2nd. Floors – Permission granted – 28/04/08

There is also a current application at 42-48 Upper Newtownards Road, which is directly adjacent to the site, for “Conversion of upper floors to 1 number 1 bed and 3 number 2 bed residential apartments, including facade alterations, removal of redundant chimney, internal alterations and alteration to rear extensions and retention of ground floor retail units” under application ref LA04/2015/0840/F.

4.0 Policy Framework

4.1 Belfast Metropolitan Area Plan (BMAP) 2015

4.1.1 Upper Newtownards Road Arterial Route AR 02/12

4.1.2 Policy SETT3, Arterial Routes

4.1.3 Holywood Arches ATC BT 034

4.2 Strategic Planning Policy Statement for Northern Ireland (SPPS)

4.2.1 Good Design paras. 4.23 – 4.26

4.3 Planning Policy Statement (PPS) 3: Access, Movement and Parking

4.3.1 Policy AMP 1: Creating an Accessible Environment

4.3.2 Policy AMP 6: Transport Assessment

4.4 Addendum to Planning Policy Statement (PPS) 6: Areas of Townscape Character

4.4.1 Policy ATC 2: New Development in an Area of Townscape Character

4.4 Planning Policy Statement (PPS) 7: Quality Residential Environments

4.4. Policy QD 1: Quality in New Residential Development

4.5 Planning Policy Statement 7 (PPS) Addendum: Safeguarding the Character of Established Residential Areas

4.5.1 Policy LC 2: The Conversion or Change of Use of Existing Buildings to Flats or Apartments

4.6 Planning Policy Statement (PPS) 12: Housing in Settlements

4.6.1 Planning Control Principle 2: Good Design

5.0 Statutory Consultees Responses

5.1 DRD Transport NI – No objection subject to conditions

5.2 DOENI NIEA – No objection subject to conditions

5.3 NI Water – No objection

6.0 Non Statutory Consultees Responses

6.1 Belfast City Council (BCC) Environmental Health – No objection subject to conditions

7.0 Representations

7.1 The application has been neighbour notified and advertised in the local press. No representations have been received.

8.0 Other Material Considerations

8.1 Creating Places

8.2 Development Control Advice Notice 8: Housing in Existing Urban Areas

8.3 Parking Standards

9.0 Assessment

9.1 The site is located within Belfast's development limits as designated in Belfast Metropolitan Area Plan 2015. The site falls within Holywood Arches ATC and a shopping/commercial area. The proposal is for the change of use from existing furniture store, coffee shop and hot food takeaway to 9 apartments with elevational changes. The proposal originally was for 11 apartments.

9.2 The key issues are

- (a) Principle of residential use on the site
- (b) Road safety
- (c) Effect on Area of Townscape Character
- (c) Visual amenity

9.3 The proposal makes use of the full site and proposes residential apartments in the existing building over 3 floors. The land is identified as a shopping/commercial area on BMAP 2015. The principle of residential use is acceptable, particularly as a regeneration project along this arterial route and is in accordance with Policy SETT3 of BMAP.

9.4 There are four one bed apartments on the ground floor (apartments 1, 2, 3, and 4), four two bed apartments over the first and second floors (apartments 6, 7, 8 and 9) and one three bedroom unit over the 3 floors (apartment 5). There are 3 enclosed areas to the rear of the development for bin storage and bike storage with steps leading to these for the upper floor apartments. Apartment 5 has an individual one whereas the rest of the apartments share the two communal spaces.

9.5 Policies AMP 1 and AMP 6

DRD Transport NI is the authoritative body on road safety and transport issues. Their consultation response dated 31/07/15 requested a parking statement demonstrating that adequate reserve parking capacity exists in the vicinity of the proposed development, i.e. 14 spaces. They also requested that cycle facilities be shown. A Transport Assessment Form was submitted and forwarded to Transport NI as well as plans showing cycle facilities. The scale of development and transport implications of the proposal were assessed and considered to be acceptable and conditions recommended to be attached to any decision notice should approval be granted as set out in their response dated 19/11/15. Therefore the proposal complies with Policies AMP1 and AMP 6 of PPS 3.

9.6 Policy ATC 2

There are no trees, archaeological or other landscape features to be protected adjacent to or on the site. The development represents a positive regeneration project which will improve the appearance of an unattractive facade and enhances the overall character and respects the built form of the area.

9.8 Policy QD 1

PPS7 sets out the Department's policies for achieving quality in new residential development. QD1 of the statement requires development to conform to all of the criteria stated (a-i).

(a) The layout of the proposed apartments is acceptable in that each has an aspect to the public road and each has a separate access to the rear amenity space and bin storage. Limited alterations are proposed, however elevational changes include ground floor front window openings which are consistent with the area and incorporate a similar fenestration to the existing first floor windows, as well as solid to void ratios in the area. The front 'lounge' windows are adjacent to the public footpath and the units have no 'defensible' space to set the residential use apart from what is a commercial frontage. The scheme is considered acceptable on balance given the extent of the residential frontage being created and the regeneration benefits of the proposal, improving a vacant and run-down frontage. The limited window openings with railings is considered to be acceptable on balance given that the location is close to the edge of the shopping/commercial area and adjacent to residential properties already fronting onto the Upper Newtownards Road. The existing roof dormers are also amended to rise from the roof plate and not from the roof itself. They display similar window openings to the proposed ground floor and existing upper floor (which will remain unchanged). The proposal shows a scheme which is more sympathetic than the existing vacant units. The proposal is in keeping with the context/character of the area. Therefore the proposed design alterations are acceptable and compliant with criteria (a) and (g) of PPS 7.

(b) There are no features of archaeological and built heritage importance to be protected.

(c) There is no proposed planting. Creating Places advises 'In the case of apartment or flat developments, private communal open space should range from a minimum of 10 sq m per unit to around 30 sq m per unit. The appropriate level of provision should be determined by having regard to the particular context of the development and the overall design concept. As stated previously apartment 5 shows its own amenity space which is approximately 11.6 sqm. The shared communal spaces fall short of this recommendation with a total space of approximately 53sqm. The residential aspect of the area is comprised mainly of terraced housing with small back garden areas and on balance the level of communal space is considered acceptable and characteristic of the area.

(d) The site is located close to the city centre with shops and services nearby. The scale of the development is not such that would warrant local neighbourhood facilities to be provided within the development itself.

(e) The site is located on an arterial route with regular bus services running each day. There is cycle stands proposed to the rear of the development also. The proposal does not affect any rights of way.

(f) There is no in curtilage parking proposed however the Parking Statement demonstrated that adequate reserve parking capacity exists in the vicinity of the proposed development, i.e. 14 spaces.

(g) There are elevational changes to the front as stated previously. The proposed external material is smooth render which is acceptable for the area and the building itself. The roof will remain as existing. The design and materials are acceptable for the area.

(h) There are no issues of overlooking or overshadowing onto private amenity space. The site is in the vicinity of land use types that have the potential to contaminate land which may pose a risk to human health. A Preliminary Risk Assessment alleviated BCC Environmental Health's concerns however due to its proximity to a busy road and also retail units they raised concerns regarding noise. They suggested a condition be attached to any approval ensuring the submission of a verification report demonstrating that mitigation measures have been implemented to ensure that internal noise levels do not exceed recommended levels.

(i) There appear to be no particular issues for concern for crime or personal safety. As discussed above, there is no defensible space at the front of the ground floor apartments, however, this is considered acceptable given the location near the edge of the shopping/commercial area and the extent of the residential frontage being created.

9.9 Policy LC 2

Although apartments are not widely common in the immediate area the criteria (a) – (e) are all met in line with Policy LC 2.

9.11 Planning Control Principle 2

The proposal is considered to comply with Planning Control Principle 2 of PPS 12 in that it demonstrates a high quality of design and layout as previously considered in the report through assessment of QD 1 of PPS 7 and LC 2 of PPS 7 (Addendum). Although there is no landscaping as such the development is in the vicinity of parks and green spaces.

9.13 Having regard to the policy context and Development Plan the proposal is considered acceptable and planning permission is recommended.

10.0 Summary of Recommendation

Approval subject to conditions

Neighbour Notification Checked: Yes

Summary of Recommendation: Approval subject to conditions

Conditions

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.

Reason: Time Limit.

2. Prior to the occupation of the development, a Verification Report must be submitted which demonstrates that suitable noise mitigation measures have been implemented to ensure that internal noise levels within any apartment shall
 - a. not exceed 35 dB LAeq,16hr between 07:00hrs and 23:00hrs within any habitable room, with the windows closed and alternative means of ventilation provided in accordance with current building control requirements;
 - b. not exceed 30 dB LAeq,8hr between the hours of 23:00 and 07:00hrs within the proposed bedrooms with the windows closed and alternative means of ventilation provided in accordance with current building control requirements;
 - c. not exceed 45 dB LAm_{ax} for any single sound event between the 23:00hrs and 07:00hrs within any proposed bedrooms with the windows closed and alternative means of ventilation provided in accordance with current building control requirements.

Reason: In the interests of residential amenity.

3. If during the development works, new contamination or risks are encountered which have not previously been identified, works should cease and the Planning Authority shall be notified immediately. This new contamination shall be fully investigated in accordance with the Model Procedures for the Management of Land Contamination (CLR11). In the event of unacceptable risks being identified, a remediation strategy shall be agreed with the Planning Authority in writing, and subsequently implemented and verified to its satisfaction.

Reason: Protection of environmental receptors to ensure the site is suitable for use.

4. After completing any remediation works under Condition 3; and prior to occupation of the development, a verification report needs to be submitted in writing and agreed with the Planning Authority. This report should be completed by competent persons in accordance with the Model Procedures for the Management of Land Contamination (CLR11). The verification report should present all the remediation and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and achieving the remedial objectives.

Reason: Protection of environmental receptors to ensure the site is suitable for use.

5. The development shall not be occupied until secure cycle parking facilities have been provided on the site. These facilities shall be permanently retained on the site.

Reason: To ensure acceptable cycle parking on the site and to encourage alternative modes of transport to the private car.

ANNEX	
Date Valid	22nd April 2015
Date First Advertised	31st July 2015
Date Last Advertised	
Details of Neighbour Notification (all addresses) The Owner/Occupier, 10 Grampian Close Ballyhackamore Belfast The Owner/Occupier, 11 Upper Newtownards Road, Ballyhackamore, Dundonald, Down, BT4 3HT, The Owner/Occupier, 22 Upper Newtownards Road Ballyhackamore Dundonald The Owner/Occupier, 42 Upper Newtownards Road, Ballyhackamore, Dundonald, Down, BT4 3EL, The Owner/Occupier, 8 Grampian Close Ballyhackamore Belfast The Owner/Occupier, 9 Grampian Close Ballyhackamore Belfast	
Date of Last Neighbour Notification	26th April 2016
Date of EIA Determination	
ES Requested	Yes /No
Planning History Ref ID: Z/2007/2396/F Proposal: Demolition of existing single storey commercial premises, and erection of new three-storey, mixed use commercial and residential development, comprising 2 commercial units and 10 apartments. Address: 16-22 Upper Newtownards Road, Ballyhackamore, Belfast, BT04 3EL Decision Date: 01.07.2008 Ref ID: Z/1981/0068 Proposal: CHANGE OF USE FROM COFFEE SHOP TO HOT FOOD BAR Address: 28 UPPER NEWTOWNARDS ROAD, BT4 Decision Date: Ref ID: Z/1987/2223 Proposal: Illuminated shop signs Address: 28 UPPER NEWTOWNARDS ROAD BELFAST BT4 Decision Date: Ref ID: Z/2007/1521/F Proposal: Demolition of existing buildings & construction of 3 no. retail units on ground floor with 8 no. apartments above on 1st. & 2nd. floors. Address: 24-40 Upper Newtownards Road, Ballyhackamore, Belfast, BT04 3EL Decision Date: 28.04.2008 Ref ID: Z/1986/2244 Proposal: Extension and improvements to shop Address: 36-40 UPPER NEWTOWNARDS ROAD, BELFAST BT5	

Decision:
Decision Date:

Ref ID: Z/1984/1430
Proposal: CONVERSION TO TWO RETAIL SHOP UNITS
Address: 36-40 UPPER NEWTOWNARDS ROAD
Decision Date:

Ref ID: Z/2001/2788/F
Proposal: Extension to furniture showroom
Address: 28-40 Upper Newtownards Road, Belfast, BT4 3EL
Decision:
Decision Date: 28.01.2002

Notification to Department (if relevant) **Not required**

Date of Notification to Department:
Response of Department: