

**Development Management
Addendum Officer Report
Committee Application**

Summary	
Committee Meeting Date:	26 July 2016
Application ID:	Z/2014/1635/F
Proposal: Part retrospective consent for alterations, refurbishment & change of use to five apartments, refurbishment of existing garage, shared parking provision and landscaping to front of 21 & 22 College Gardens (amended scheme)	Location: 22 College Gardens and land to Front of 21 College Gardens Belfast BT9 6BS
Referral Route: More than four residential units	
Recommendation:	Approval
Applicant Name and Address: Arcus Architects Philip Lee 4th Floor Arena Building 85 Ormeau Road Belfast	Agent Name and Address: Arcus Architects Philip Lee 4th Floor Arena Building 85 Ormeau Road Belfast
ADDENDUM REPORT	
<p>This application was previously presented to Belfast City Council Planning Committee on 14th June 2016. The planning application was deferred and a site visit took place on 23rd June 2016. At the site visit concerns were raised regarding the use of the basement for residential accommodation and the extent of the proposed storage areas including the basement and clarification was requested regarding these matters.</p> <p>A letter was sent to the agent seeking clarification of the above matters. A response was received on 06 July setting out an historical (photographic) record of the condition of 22 College Gardens prior to the works being carried out. The response indicated that the issues raised in Belfast Planning Service letter would be addressed under separate letter. However no further information has been received.</p> <p>There are a number of other properties which have been granted approval for apartments in close proximity to the application site including Nos. 21, 19, 16 and 15 College Gardens. For clarification the approvals granted in respect of these properties permitted the following use in the basements:-</p> <ul style="list-style-type: none"> • 15 College Gardens (Z/2008/0686/F) 7 apartments – no information as planning history file not available. 	

- 16 College Gardens (Z/2012/1118/F) 6 apartments approved – basement approved for storage
- 19 College Gardens (Z/2014/0509/F) 4 apartments approved – 1 apartment split between the ground floor and the basement with a bedroom, bathroom and utility room permitted in the basement
- 21 College Gardens (Z/2015/0019/F) 5 apartments approved – basement approved for storage

Late Representations

1 objection and 1 letter of support were received since the last Committee Meeting in June 2016. The letters of objections raised the following issues:

- **Car Parking**

College Gardens is located within the City Centre Fringe Area of Parking Restraint therefore Policy Tran 1(BMAP) is applicable. Two incurtilage spaces are proposed. A parking survey showed that the shortfall of spaces were available at peak residential times. Transport NI is satisfied that the required level of parking has been provided.

- **Proposed Layout**

The layout as originally submitted and currently in use has been amended on the plans to include the following:

Basement – storage

Ground Floor – 1 apartment

First Floor – 2 apartments

Second Floor – 1 apartment with storage area

Third Floor – 1 apartment with storage area

The proposed development comprises a total of 5 apartments with storage proposed in the basement. Clarification has been requested regarding the extent of storage areas proposed however a response is outstanding.

- **Character of the Area and other Planning Matters**

This application is associated with a Listed Building Consent. Historic Environment Division (formerly NIEA) was consulted and the proposal is considered compliant with PPS 6 (Planning, Archaeology and the Built Heritage).

- **Space Standards**

Paragraph 9.10 of Annex A sets out consideration of the layout in terms of space standards. Two of the apartments are marginally below the recommended space standards however the proposal provides for a mix of apartment sizes and on balance they are considered acceptable.

- **Misrepresentation of capacity of scheme to reduce car parking**

The parking requirements for this proposal fall to be considered against Policy TRAN 1 (Parking Standards within Areas of Parking Restraint) of BMAP which states that a standard of 1space per dwelling is required. As indicated above Transport NI is satisfied with the parking proposals (2 incurtilage and 3 on-street spaces).

Clarification was requested regarding the proposed storage areas. This has not been provided. Notwithstanding the scheme as submitted the use of storage areas on the second and third floors for additional bedrooms would not increase the parking requirements. It is proposed that a condition be attached to the permission to restrict the first floor rear apartment to one number bedroom to ensure a satisfactory layout. The use of the basement as a storage area is considered acceptable. Any other use of the basement would be subject to enforcement action.

Detailed consideration of the proposal is set out in Development Management Case Officer's Report which is appended at Annex A. This report includes an assessment of car parking, the impact of the proposal on the conservation area and consideration of the space standards.

Annex A of this Addendum attaches the case officer report which was published for consideration by the Planning Committee in June 2016.

Letter of Support

One letter of support was received from Alderman Chris McGimpsey.

Recommendation

Having reviewed the additional representations, should the Planning Committee be minded to approve, conditions to be attached are detailed below:

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. The external surfaces including fenestration, of the development hereby permitted, shall be as detailed on drawings 10, 11 and 15, date stamped 28 November 2014.
Reason: To safeguard the listed building status and the Queen's Conservation Area.
3. The proposed internal layout of the development hereby permitted, shall be as detailed on drawings 08B date stamped 05 April 2016, and 09A, date stamped 18 February 2016.
Reason: In the interest of the amenity of prospective residents.
4. A detailed window schedule must be submitted to Belfast City Council for

approval.

Reason: To protect against the inclusion of architectural details which materially affect the external appearance of the building.

5. Any windows that are to be replaced or any repairs to the windows are to replicate the existing materials and design in every detail. All windows to be putty-fronted. Slim 12mm overall thickness double glazing must be fitted to all replacement windows (except where stained/coloured glass exists).

Reason: To protect against the use of unsympathetic building materials and techniques that are out of keeping with those found on the building.

6. If any local Building Control submission necessitates changes to the drawings as submitted or changes to the fabric of the listed structure NIEA Historic Environment Division must be re-consulted and Listed Building Consent may be required.

Reason: To protect against the changes required to the fabric of the building which would cause damage to/or result in the destruction of features of special interest.

7. Within three months from the date of this decision, hard surfaced areas within the development hereby permitted shall be constructed in accordance with drawing 07A date stamped 14 May 2015.

Reason: To ensure that adequate provision has been made for parking and traffic circulation within the site.

8. Within three months from the date of this decision, the vehicular access shall be provided in accordance with drawing 07A date stamped 14 May 2015.

Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.

9. Within three months from the date of this decision, secure cycle parking facilities that are permanently retained shall be provided on the site.

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

10. All boundary treatments shall be completed in accordance with the approved drawings 14 and 15 date stamped 28 November 2014, and drawing 18 date stamped 14 May 2015.

Reason: To safeguard the privacy and amenity for prospective residents.

11. All hard and soft landscape works shall be completed in accordance with the approved drawing 17 date stamped 28 November 2014, the appropriate British Standard, the relevant sections of the National Building Specification NBS [Landscape] and plant material with the National Plant Specification NPS prior to the expiration of the first planting season following occupation of any part of the development hereby permitted.

Reason: To ensure the provision, establishment and maintenance of a high standard of landscape.

12. All plant stock supplied shall comply with the requirements of British Standard

3936, 'Specification for Nursery Stock'. All pre-planting site preparation, planting and post-planting maintenance works shall be carried out in accordance with the requirements of British Standard 4428 'Code of Practice for General Landscape Operations [excluding hard surfaces]'.

Reason: To ensure the provision, establishment and maintenance of a high standard of landscape.

13. Proposed planting as indicated on drawing 17 date stamped 28 November 2014, shall not be cut down, uprooted or destroyed, or have their roots damaged within the crown spread nor shall arboricultural work or tree surgery take place on any retained tree, without the prior written approval of Belfast City Council. Any arboricultural work shall be carried out in accordance with the approved details, BS 3998, 2010 'Recommendations for Tree Work' (or equivalent British Standard current at time of works).

Reason: To ensure the continuity of amenity afforded by existing trees and vegetation.

14. Should any tree, shrub or hedge be removed, uprooted or destroyed or dies or becomes, in the opinion of Belfast City Council seriously damaged or defective, it shall be replaced within the next planting season by trees, shrubs or hedges of the same species, variety and size to those originally planted, unless Belfast City Council gives its written consent to any request for variation.

Reason: To ensure the provision, establishment and maintenance of a high standard of landscape.

15. The first floor rear apartment shall be used only for the purposes of a one bedroom apartment and shall be retained as such permanently.

Reason: In the interests of residential amenity.

ANNEX A
Development Management Officer Report
Committee Application

Summary	
Committee Meeting Date: 14 June 2016	
Application ID: Z/2014/1635/F	
Proposal: Part retrospective consent for alterations, refurbishment & change of use to five apartments, refurbishment of existing garage, shared parking provision and landscaping to front of 21 & 22 College Gardens.	Location: 22 College Gardens Belfast & land to Front of 21 College Gardens BT9 6BS
Referral Route: The application is for more than four residential units. It is a legacy application that has been requested by Councillor Boyle to be brought before the Planning Committee.	
Recommendation:	Approval
Applicant Name and Address: Arcus Estates	Agent Name and Address: Arcus Architects Philip Lee 4th Floor Arena Building 85 Ormeau Road Belfast BT7 1SH
Executive Summary: The application seeks part retrospective consent for alterations, refurbishment & change of use to five apartments, refurbishment of existing garage, shared parking provision and landscaping to front of 21 & 22 College Gardens. The main issues to be considered in this case are: <ul style="list-style-type: none"> • The previous planning approvals at 22 College Gardens and the immediate vicinity • Inaccurate drawings • Car parking • Change of use and alteration of a listed building • Development affecting the setting of a listed building • Layout and Space standards • Density • Amenity • Landscaping • Office use in QUB Office Policy Area • The residential environment and its effect upon neighbouring residents. • Queen's Conservation Area <p>The site located at College Gardens is a listed building within Queen's Conservation Area and the Queen's Office Area. The proposal has been assessed against SPPS, PPS 3, PPS 6, PPS 7, PPS 7 Addendum, Creating Places, Parking Standards, DCAN 8 and 15.</p> <p>All statutory and non-statutory consultees are satisfied in principle with the proposed</p>	

development.

One written representation was received concerning this application raising the following issues:

- Erroneously described as an HMO
- Evidence that conversion to a single family home had started and that the original front wall and lawns were to be restored
- Intensification of use
- Car Parking

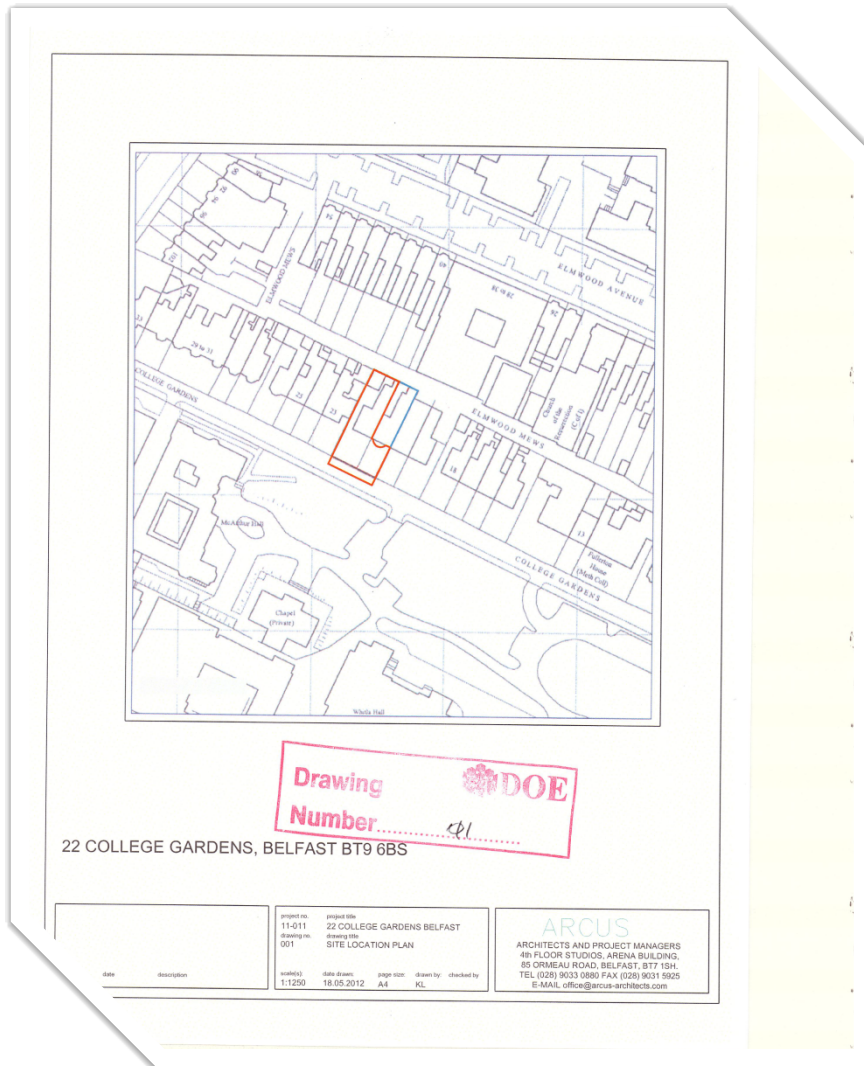
An office meeting was held with Councillor Boyle and the residents of 17, 18, and 20 College Gardens. The following issues were raised:

- Concerns with the accuracy of the description of the application with indicated original use as HMO/hostel with office accommodation.
- The submitted floor plans are not in line with those of QUB when the property was sold, indicating there was no office use and there has been no intervening use of the building as an office.
- Alterations to the front of the property.

Having regard to the policy context and other material considerations above, the amended proposal that removes the proposed ground floor office, lower ground floor apartment and the 'guest apartment' is deemed to be acceptable and is recommended for approval.

Case Officer Report

Site Location Plan



Consultations:

Consultation Type	Consultee	Response
Statutory	NI Transport - Hydebank	No objection, satisfied that parking on-street is unlikely to have a significant impact on the local road network in terms of traffic and road safety.
Statutory	NI Water – Multi Units East	No objection
Statutory	Rivers Agency	No objection
Statutory	NIEA Historic Environment Division	No objection
Non Statutory	Waste Management Service Belfast City Council	No objection
Non Statutory	Environmental Health Belfast City Council	No objection
Non Statutory	Belfast City Council Conservation Area Officer	No objection

Representations:	
Letters of Support	None Received
Letters of Objection	1
Number of Petitions of Objection and signatures	No Petitions Received
Representations from Elected representatives	Office meeting was held with Councillor Boyle and the residents of 17, 18, and 20 College Gardens.
Characteristics of the Site and Area	
1.0	Description of Proposed Development This is a part retrospective consent for alterations, refurbishment & change of use to five apartments, refurbishment of existing garage, shared parking provision and landscaping to front of 21 & 22 College Gardens. The scheme has been amended to remove the lower ground floor apartment, ground floor office accommodation and the second floor guest apartment.
2.0	Description of Site and Area
2.1	The site comprise a B2 listed building which is a three and a half storey (includes traditional dormer and a basement) stucco and brick finished Victorian terrace located at 22 College Gardens, with Elmwood Mews to the rear. It is part of a terrace of four similar properties, located within the Queen's Conservation Area. The site includes the former front garden of both 21 and 22 College Gardens, which is now a paved parking area, with a porous bitmac driveway, and to the rear is a patio area. The property is currently in use as six apartments. As the site is split level with College Gardens being elevated above Elmwood Mews there is a stepped return to the rear, with a red bricked wall forming the boundary to Elmwood Mews. From the Mews access is gained to the property garage from a door in the wall leading to the rear yard. Opposite the property on 22 College Gardens is Methodist College Grammar School, and on Elmwood Mews is the rear of properties located on Elmwood Avenue.
2.2	All of College Gardens which comprises 3-4 storey stucco and brick finished Victorian terraces is listed. The front elevations suffer from unsuitable flat roofed dormers in some locations. Parking pressures have resulted in the paving of front gardens and the removal of the hedge and wall line along the road boundaries. Methodist College is located on the other side of College Gardens, resulting in high levels of on street parking. To the rear of the properties is Elmwood Mews, with the majority having rear boundary walls and roller shutters. Elmwood Mews is dominated by the rear of College Garden and Elmwood Avenue properties. The Queen's Conservation area is formed from a combination of small and large scale elements of architecture which are successfully integrated by the recurrent theme of tree lined open spaces and streets.
Planning Assessment of Policy and other Material Considerations	
3.0	Site History
3.1	In 2008 planning permission was granted (Z/2008/1193/F) at 19-22 College Gardens for the change of use, part demolition, alteration, restoration and extension of four listed terraced properties. Reverting back to the original purpose built form, i.e. four dwelling houses. An associated listed building consent was also granted (Z/2008/1195/LB) in 2008.
3.2	Along College Gardens there have been properties converted to apartments. In 2014 permission was granted at 16 College Gardens (Z/2012/1118/F) for the conversion to six apartments including alterations (upgrade of existing dormers and replacement windows.

<p>3.3</p> <p>3.4</p>	<p>An associated listed building consent was granted in 2014 (Z/2014/0238/LBC). At 15 College Gardens planning permission was granted in 2008 for the demolition of the rear return and outbuildings, alteration and refurbishment of existing buildings to facilitate three (2 bedroom) apartments and four storey extension to the rear to accommodate three (2 bedroom) apartments and one (1 bedroom) apartment including landscaping and parking provision. An associated listed building consent was granted in 2008 (Z/2008/0674/LBC). Planning Permission was approved in 2015, with an associated listed building consent and demolition consent (Z/2014/0509/F, Z/2014/0525/LBC and Z/2014/0507/DCA) at 19 College Gardens for the material change of use from a redundant office building into four self contained apartments including restoration and reconfiguration works, including various minor amendments of demolition throughout the building and the demolition of the lower ground floor walls of the rear return.</p> <p>There have also been properties along College Gardens changed from residential use to business use.</p> <p>Head of Estates Planning at Queen’s University Belfast confirmed through historical floor plans that there had been no office use within 22 College Gardens.</p>
<p>4.0</p>	<p>Policy Framework</p>
<p>4.1</p>	<p>Belfast Metropolitan Area Plan 2015</p> <ul style="list-style-type: none"> • 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 • Queen’s Office Policy: OF 5 – Queen’s University Office Area • HMO 02/10, Fitzwilliam: Policy HMO 1 – HMO Policy Areas • Queen’s Conservation Area • Listed Building: HB 26/28/020 A, B2, 3 storey brick terrace with much stucco trim, built in 1881, designated 27/09/79. • Strategic Planning Policy Statement for Northern Ireland • Planning Policy Statement 3 – Access, Movement and Parking • Planning Policy Statement 6 – Planning, Archaeology and The Built Heritage • Planning Policy Statement 7 – Quality Residential Environments • Planning Policy Statement 7 (Addendum) – Residential Extensions and Alterations • Supplementary Planning Guidance – Creating Places • Supplementary Planning Guidance – Parking Standards • Development Control Advice Note 8 – Housing in Existing Urban Areas • Development Control Advice Note 15 – Vehicular Access Standards
<p>5.0</p>	<p>Statutory Consultee Responses</p>
	<ul style="list-style-type: none"> • Transport NI – no objection subject to conditions and informatives • NI Water – no objection subject to informatives • Rivers Agency – no objections subject to informative • NIEA Historic Environment Division – no objection subject to conditions
<p>6.0</p>	<p>Non Statutory Consultee Responses</p>
	<ul style="list-style-type: none"> • Belfast City Council Environmental Health – no objection • Belfast City Council Waste Management Service – no objection
<p>7.0</p>	<p>Representations</p>
<p>7.1</p>	<p>The application has been neighbour notified and advertised in the local press. There was</p>

<p>7.2</p> <p>7.3</p>	<p>one written representation received concerning this application raising the following issues:</p> <ul style="list-style-type: none"> • Erroneously described as an HMO • Evidence that conversion to a single family home had started and that the original front wall and lawns were to be restored • Intensification of use • Car Parking <p>An office meeting was held with Councillor Boyle and the residents of 17, 18, and 20 College Gardens on the 01 July 2015. The following issues were raised:</p> <ul style="list-style-type: none"> • Concerns with the accuracy of the description of the application with indicated original use as HMO/hostel with office incorrect. • The submitted floor plans are not in line with those of QUB when the property was sold, indicating there was no office use and there has been no intervening use of the building. • Alterations to the front of the property. <p>There were written representations to previous planning applications that were subsequently made invalid.</p>
<p>8.0</p>	<p>Other Material Considerations</p>
	<p>None</p>
<p>9.0</p>	<p>Assessment</p>
<p>9.1</p>	<p>The property is a listed building located within the Settlement Development Limits of Belfast, the Queen's Conservation Area and Queen's Office Policy Area.</p>
<p>9.2</p>	<p>The key issues affecting this planning application are: the previous planning approvals at 22 College Gardens and the immediate vicinity, inaccurate drawings, car parking, change of use and alteration of a listed building, development affecting the setting of a listed building, space standards, density, amenity, landscaping, office use in QUB Office Policy Area, Queen's Conservation Area and the residential environment and its effect upon neighbouring residents.</p>
<p>9.3</p>	<p>Strategic Planning Policy Statement for Northern Ireland</p> <p>The purpose of planning is to prevent proposals which would unacceptably affect amenity and the existing use of land. Planning authorities are guided by the principle that sustainable development should be permitted, having regard to the local development plan and all other material considerations, unless the proposed development will cause demonstrable harm to interests of acknowledged importance. The Strategic Planning Policy Statement for Northern Ireland states in paragraph 6.18 that within a Conservation Area the guiding principle is to afford special regard to the desirability of enhancing its character or appearance where an opportunity to do so exists, or to preserve its character or appearance where an opportunity to enhance does not arise. Accordingly, there will be a general presumption against the grant of planning permission for development where proposals would conflict with this principle. Paragraph 6.12 and 6.13 state that listed buildings of special architectural or historic interest are key elements of our built heritage and are often important for their intrinsic value and for their contribution to the character and quality of settlements. It is important therefore that development proposals impacting upon such buildings and their settings are assessed, paying due regard to these considerations, as well as the rarity of the type of structure and any features of special architectural or historic interest which it possesses. Development involving a change of use and / or works of extension / alteration may be permitted,</p>

	<p>particularly where this will secure the ongoing viability and upkeep of the building. It is important that such development respects the essential character and architectural or historic interest of the building and its setting, and that features of special interest remain intact and unimpaired.</p>
9.4	<p>Planning History</p> <p>The property at 22 College Gardens was in the ownership of QUB before being sold and remained vacant until it was converted into six apartments and a retrospective planning application was submitted. Other applications that had been submitted by the same applicant were deemed invalid prior to this one. A previous planning application and associated listed building consent for 19, 20, 21, and 22 College Gardens was granted permission in 2008 for the change of use, part demolition, alteration, restoration and extension of four listed terraced properties. Reverting back to the original purpose built form, i.e. four dwelling houses. This planning permission was not enacted. Within College Gardens there have been several properties converted into multiple apartments. As detailed in paragraph 3.2 this includes 15 College Gardens – seven apartments, 16 College Gardens – six apartments, and 19 College Gardens – four apartments. These planning approvals have included apartments located wholly in the rear with an outlook onto Elmwood Mews – 16 College Gardens (Z/2012/1118/F).</p>
9.5	<p>Inaccurate Drawings</p> <p>Objectors have raised concerns about the validity of the floor plans submitted, and that there was no prior use as an office. Prior to the conversion of this property to apartments the property had fallen into disrepair since its last known use as QUB student accommodation. Drawing 02 bearing date stamp 28 Nov 2014 illustrates the existing site layout as having the traditional front gardens however the gardens have been removed to form car parking. Belfast City Council contacted Queen’s University Belfast Head of Estates Planning to ascertain the floor plans and use of the building prior to it being sold and falling into disrepair. Floor plans were provided that detailed that 22 College Gardens was used for student accommodation and that no office use was present within the confines of the building. The current proposal is for private apartments and not student accommodation.</p>
9.6	<p>Listed Building</p> <p>Consultation was sought from NIEA Historic Environment Division regarding the proposals presented in this planning application. It is considered that the proposal is compliant with Policy BH 7 (Change of Use of a Listed Building), Policy BH 8 (Extension or Alteration of a Listed Building) and Policy BH 11 (Development affecting the Setting of a Listed Building) of PPS 6. It has been requested by NIEA Historic Environment Division that should the application be approved that conditions must be included (see Section 11).</p>
9.7	<p>Alterations to the exterior of the building</p> <p>The alterations to the building relate to the fenestration, with changes to the positioning of windows. NIEA Historic Environment Division considers the proposal compliant with PPS 6 Policy BH 8 (Extension or Alteration of a Listed Building). The proposals are also compliant with PPS 7 Addendum Policy EXT 1 (Residential Extensions and Alterations).</p>
9.8	<p>Queen’s Conservation Area</p> <p>The Belfast City Council Conservation Officer has been consulted and has no concern</p>

	<p>regarding the proposal. It is considered to be compliant with Policy BH 12 (New Development in a Conservation Area), and will not have a detrimental impact upon the Queen's Conservation Area.</p>
9.9	<p>Office Use</p> <p>The proposal included a ground floor office facility, however as detailed in paragraph 9.5 floor plans from Queen's University and discussions with Head of Estates Planning confirmed that there had been no office use in the building. As the proposal is within the designated Queens Office Policy Area Policy OF 5 should be considered. It states that permission will only be granted for office use whereby it is for university related uses. The description of the proposal on the applicants P1 Form states that the proposed office at the ground floor is an estate management facility. Therefore the proposal is contrary to BMAP Policy OF 5. As a consequence the development has been amended to remove the proposed ground floor office use and replace it with an apartment.</p>
9.10	<p>Layout – Space Standards</p> <p>PPS 7 Addendum Safeguarding the Character of Established Residential Areas, states that an established residential area is a neighbourhood dominated by medium to low density single family housing with associated private amenity space or gardens. Despite the change in nature of College Gardens with business use and apartment conversion there remain single family properties, however College Gardens would not be described as an established residential area. PPS 7 Policy QD 1 (a) requires an acceptable layout to be provided that respects the site. Policy LC1 (c) of the addendum to PPS 7 states that all apartments should be built to a size not less than those set out in Annex A. The original scheme was substandard in relations to space standards however the amendments proposed mean that the shortcomings in the layout have been alleviated with an appropriate space in each apartment. The measurements below illustrate the space in each apartment, and as such they result in a layout which can be deemed as compliant to PPS 7 Policy QD 1 (a).</p> <ul style="list-style-type: none"> • Basement – storage • Ground Floor – one apartment (1 bed) 85sqm (required standard 35/40sqm) • First Floor Front – one apartment (2 bed) 57sqm (required standard 60/65sqm) • First Floor Back – one apartment (1 bed) 36sqm (required standard 35/40sqm) • Second Floor Front – one apartment (2 bed) 57sqm (required standard 60/65sqm) • Second Floor Back – storage and cleaners washroom • Third Floor – one apartment (2 bed) 57sqm (required standard 60/65sqm) • Third Floor Back – cleaners store
9.11	<p>Density</p> <p>Policy QD1 of PPS 7 (a) states that the development should respect the surrounding context. There are single family properties within College Gardens, however there are planning histories at both 15 College Gardens (seven apartments), and 16 College Gardens (six apartments) which are equal to or greater in density than the retrospective application at 22 College Gardens. Therefore it could be argued that a precedent for this number of apartments has been set in the immediate vicinity.</p>
9.12	<p>Residential Environment</p> <p>The original submission proposed six apartments which would have created an unacceptable and adverse living environment for residents (PPS 7 Policy QD1 (h)). One apartment was proposed wholly in the basement of 22 College Gardens with a minimal</p>

	<p>outlook, and loss of natural light. This scheme has been amended to move this apartment to the ground floor as a replacement for the office premises. There is one apartment located wholly in the rear of the first floor, with only an outlook towards Elmwood Mews and the rear of properties on Elmwood Avenue. This is acceptable in this location as Elmwood Mews is utilised as a thoroughfare in the area, and the open views afforded across the Mews towards Elmwood Avenue from the upper floors of premises on College Gardens. A planning approval at 16 College Gardens (Z/2012/1118/F) included apartments wholly on the rear of the building. As the development is proposed to be amended a satisfactory layout has been achieved. There will be no detrimental impact on surrounding properties by way of overlooking.</p>
<p>9.13</p>	<p>Parking</p> <p>It is essential that adequate and appropriate provision is made for parking (PPS 7 QD1 (f)). The provision of a shared access and driveway with 21 College Gardens contains in curtilage parking for seven vehicles. Creating Places details that for unassigned communal parking 1.5 spaces are necessary for two bedroom apartments (four in total for 22 College Gardens), and 1.25 spaces for one bedroom apartments (two in total for 22 College Gardens). In conjunction with 21 College Gardens whereby there are three (two bedroom) apartments, and three (one bedroom) apartments proposed there would be a total requirement for 16.75 spaces. Excluding the garage to the rear of 22 College Gardens there are 7 dimensioned car parking spaces detailed at the front of both properties. According to the requirements of Creating Places it would be necessary to provide a total of 16.75 parking spaces for the residential units alone (not including the proposed office use on the ground floor). Therefore there is a shortfall of 9.75 residential spaces in the proposal encompassing 21 and 22 College Gardens. Policy AMP 7 of PPS 3 and DCAN 8 allows for a reduced level of car parking spaces where the development is in a highly accessible location well served by public transport. Given the inner city location of 21/22 College Gardens and its location close to the University Road and Lisburn Road Arterial Routes a reduced level of car parking would be acceptable. Transport NI was consulted and, having considered the parking statement and parking survey submitted by the applicant, is satisfied that parking on-street is unlikely to have a significant impact on the local road network in terms of traffic and road safety.</p>
<p>9.14</p>	<p>Amenity</p> <p>PPS 7 QD1 (c) requires the adequate provision of private amenity space with landscaped areas as integral. The amenity space within the curtilage of 22 College Gardens meets the standards stipulated in Creating Places. The proposed bin storage is deemed to be acceptable by Belfast City Council Waste Management Service. Cycle stand provision is to be provided within the garage at the rear of the property. There is access from the garage and the rear patio to Elmwood Mews.</p>
<p>9.15</p>	<p>Landscaping</p> <p>It would have been preferable had the historic gardens been maintained to the front of 21 and 22 College Gardens. However in consultation with NIEA it is considered that the proposals are compliant with PPS 6. There are other examples along College Gardens where the historic garden space to the front of properties has been replaced by car parking, such as 24 College Gardens. In accordance with DCAN 8 the boundary treatment (front and rear) maintains a clear definition between the public and private realm.</p>
<p>9.16</p>	<p>Conclusion</p>

	<p>The part retrospective application is proposed has been amended to meet the policy context as outlined above. The relocation of an apartment located in the lower ground floor to replace the office accommodation in the ground floor, and the replacement of the 'guest apartment' with storage space has alleviated concerns regarding an acceptable layout. Account has been taken of the planning history in College Gardens that has allowed apartment developments within the properties. Having regard to the policy context above, the proposal is considered acceptable, and planning permission is recommended for approval.</p>
<p>10.0</p>	<p>Summary of Recommendation</p> <p>Approval</p>
<p>11.0</p>	<p>Conditions</p> <ol style="list-style-type: none"> 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. The external surfaces including fenestration, of the development hereby permitted, shall be as detailed on drawings 10, 11 and 15, date stamped 28 November 2014. Reason: To safeguard the listed building status and the Queen's Conservation Area. 3. The proposed internal layout of the development hereby permitted, shall be as detailed on drawings 08B date stamped 05 April 2016, and 09A, date stamped 18 February 2016. Reason: In the interest of the amenity of prospective residents. 4. A detailed window schedule must be submitted to Belfast City Council for approval. Reason: To protect against the inclusion of architectural details which materially affect the external appearance of the building. 5. Any windows that are to be replaced or any repairs to the windows are to replicate the existing materials and design in every detail. All windows to be putty-fronted. Slim 12mm overall thickness double glazing must be fitted to all replacement windows (except where stained/coloured glass exists). Reason: To protect against the use of unsympathetic building materials and techniques that are out of keeping with those found on the building. 6. If any local Building Control submission necessitates changes to the drawings as submitted or changes to the fabric of the listed structure NIEA Historic Environment Division must be re-consulted and Listed Building Consent may be required. Reason: To protect against the changes required to the fabric of the building which would cause damage to/or result in the destruction of features of special interest. 7. Within three months from the date of this decision, hard surfaced areas within the development hereby permitted shall be constructed in accordance with drawing 07A date stamped 14 May 2015.

	<p>Reason: To ensure that adequate provision has been made for parking and traffic circulation within the site.</p> <p>8. Within three months from the date of this decision, the vehicular access shall be provided in accordance with drawing 07A date stamped 14 May 2015. Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.</p> <p>9. Within three months from the date of this decision, secure cycle parking facilities that are permanently retained shall be provided on the site. Reason: To ensure acceptable cycle parking on the site and to encourage alternative modes of transport to the private car.</p> <p>10. All boundary treatments shall be completed in accordance with the approved drawings 14 and 15 date stamped 28 November 2014, and drawing 18 date stamped 14 May 2015. Reason: To safeguard the privacy and amenity for prospective residents.</p> <p>11. All hard and soft landscape works shall be completed in accordance with the approved drawing 17 date stamped 28 November 2014, the appropriate British Standard, the relevant sections of the National Building Specification NBS [Landscape] and plant material with the National Plant Specification NPS prior to the expiration of the first planting season following occupation of any part of the development hereby permitted. Reason: To ensure the provision, establishment and maintenance of a high standard of landscape.</p> <p>12. All plant stock supplied shall comply with the requirements of British Standard 3936, 'Specification for Nursery Stock'. All pre-planting site preparation, planting and post-planting maintenance works shall be carried out in accordance with the requirements of British Standard 4428 'Code of Practice for General Landscape Operations [excluding hard surfaces]'. Reason: To ensure the provision, establishment and maintenance of a high standard of landscape.</p> <p>13. Proposed planting as indicated on drawing 17 date stamped 28 November 2014, shall not be cut down, uprooted or destroyed, or have their roots damaged within the crown spread nor shall arboricultural work or tree surgery take place on any retained tree, without the prior written approval of Belfast City Council. Any arboricultural work shall be carried out in accordance with the approved details, BS 3998, 2010 'Recommendations for Tree Work' (or equivalent British Standard current at time of works). Reason: To ensure the continuity of amenity afforded by existing trees and vegetation.</p> <p>14. Should any tree, shrub or hedge be removed, uprooted or destroyed or dies or becomes, in the opinion of Belfast City Council seriously damaged or defective, it shall be replaced within the next planting season by trees, shrubs or hedges of the same species, variety and size to those originally planted, unless Belfast City Council gives its written consent to any request for variation. Reason: To ensure the provision, establishment and maintenance of a high standard of landscape.</p>
12.0	<p>Notification to Department (if relevant) N/A</p>

13.0	Representation from elected member: Councillor Boyle

ANNEX	
Date Valid	28 November 2014
Date First Advertised	19 June 2015
Date Last Advertised	11 March 2016
<p>Riddell Family 18, College Gardens, Belfast, Antrim, Northern Ireland, BT9 6BQ The Owner/Occupier, 20 College Gardens, Malone Lower, Belfast, Antrim, BT9 6BS, The Owner/Occupier, 21 College Gardens, Malone Lower, Belfast, Antrim, BT9 6BS, The Owner/Occupier, 23 College Gardens, Malone Lower, Belfast, Antrim, BT9 6BS, The Owner/Occupier, 28-38, Elmwood Avenue, Malone Lower, Belfast, Antrim, BT9 6AY, The Owner/Occupier, 40 Elmwood Avenue, Malone Lower, Belfast, Antrim, BT9 6AZ, The Owner/Occupier, 42 Elmwood Avenue, Malone Lower, Belfast, Antrim, BT9 6AZ, The Owner/Occupier, Flat 1, 22 College Gardens, Malone Lower, Belfast, Antrim, BT9 6BS, The Owner/Occupier, Flat 2, 22 College Gardens, Malone Lower, Belfast, Antrim, BT9 6BS, The Owner/Occupier, Flat 3, 22 College Gardens, Malone Lower, Belfast, Antrim, BT9 6BS, The Owner/Occupier,</p>	
Date of Last Neighbour Notification	29 February 2016
Date of EIA Determination	N/A
ES Requested	N/A