

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date:	Item Number:
Application ID: LA04/2015/0840/F	Target Date:
Proposal: Conversion to 7 No apartments, new frontage, alterations to rear extensions and provision of rear terrace at first floor level.	Location: 42 to 48 Upper Newtownards Road Belfast BT4 3EL
Referral Route: Application is for more than four residential units.	
Recommendation:	
Applicant Name and Address: Sinclair Homes and Development Limited Unit 1 Tamar Commercial Centre Chater Street Belfast BT4 1BL	Agent Name and Address: C60 Ltd 393 Lisburn Road Belfast BT9 7EW
<p>Executive Summary:</p> <p>This application seeks full planning permission for the change of use from 2 retail units at ground floor with offices/residential above to 7 No apartments, new frontage, alterations to rear extensions and provision of rear terrace at first floor level.</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), Hollywood 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 and residential amenity <p>The proposal was assessed against the Development Plan (BMAP 2015); Strategic Planning Policy Statement for N. 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. All consultees responded with no objections. An approval with conditions is recommended.</p>	

Signature(s):

Case Officer Report

Site Location Plan



Consultations:

Consultation Type	Consultee	Response
Non Statutory	Env Health Belfast City Council	No objection
Statutory	Transport NI - Hydebank	No objection
Statutory	NI Water - Multi Units East - Planning Consultations	Generic Advice

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

The site is located at 42-48 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), Hollywood Arches (BT 034). The site consists of a 3 storey mid terraced buildings that included retail units with residential/offices on the upper floors. The existing building is in need of refurbishment. At present all of the units are vacant. There is a small walled storage yard to the rear of the properties with no landscaping. The area is characterised by 2 and a half and 3 storeys, Victorian terrace houses to the west and south. The land use in the surrounding area is primarily residential with some elements of retail. A high

number of commercial properties in the area are vacant and boarded up. The building is finished in red brick to the walls with a mixture of slate and tile roofs and UPVC/timber window frames and aluminium shop fronts with steel shutters/grilles. The buildings located either side are similar in nature to the application site. The walls are constructed in red brick with smooth roof tiles.

Planning Assessment of Policy and Other Material Considerations

Planning History

Z/1984/1430-36-40 UPPER NEWTOWNARDS ROAD-CONVERSION TO TWO RETAIL SHOP UNITS-granted

Z/1986/0396-44 UPPER NEWTOWNARDS ROAD-CHANGE OF USE OF FIRST AND SECOND FLOOR FLATS TO OFFICES-PERMISSION GRANTED

Z/2007/1521/F- 24-40 Upper Newtownards Road, Ballyhackamore, Belfast- Demolition of existing buildings & construction of 3 no. retail units on ground floor with 8 no. apartments above on 1st. & 2nd. floors.- PERMISSION GRANTED

LA04/2015/0233/F- 24-40 Upper Newtownards Road-Change of use from existing furniture store to 9 1 bed apartments and 2 2bed-Granted

Proposal

Conversion to 7 No apartments, new frontage, alterations to rear extensions and provision of rear terrace at first floor level.

Policy Framework

Belfast Metropolitan Area Plan (BMAP) 2015

Upper Newtownards Road Arterial Route AR 02/12

Policy SETT3, Arterial Routes

Hollywood Arches ATC BT 034

Strategic Planning Policy Statement for Northern Ireland (SPPS)

Good Design paras. 4.23 – 4.26

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

Policy AMP 1: Creating an Accessible Environment

Policy AMP 6: Transport Assessment

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

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

Planning Policy Statement (PPS) 7: Quality Residential Environments

Policy QD 1: Quality in New Residential Development

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

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

Planning Policy Statement (PPS) 12: Housing in Settlements

Planning Control Principle 2: Good Design

Supplementary Planning Guidance – Creating Places

Supplementary Planning Guidance – Parking Standards

Development Control Advice Note 8 – Housing in Existing Urban Areas

Statutory Consultees Responses

DRD Transport NI – No objection subject to conditions
NI Water – No objection

Non Statutory Consultees Responses

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

Representations

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

Assessment

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

The site falls within Hollywood Arches ATC and a shopping/commercial area.

The key issues are

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

RDS 2035: The proposal complies with the RDS as it promotes sustainable development by accommodating residential development within an existing urban area.

SPPS: 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. Considering the BMAP policies and other material considerations it is considered that the proposal is deemed acceptable

Principle of residential development

The proposal makes use of the full site and proposes residential apartments in the existing building across all 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. The Plan seeks to support the regeneration of the Arterial Routes by facilitating appropriate housing development. The identification of lands to facilitate an increase in housing within the existing urban footprint will provide the opportunity to increase the support for services provided in local areas. This proposal will bring a dilapidated building back into use.

The proposed development is located within the settlement development limit of Belfast, and is in adherence with Policy SETT 2 as it is sensitive to the size and character of the settlement in terms of scale, form, design and use of materials. The dominant land use

within this area of the city is a mixture of retail and residential use.

The applicant stated that residential and office units occupy the upper floors. Considering the high level of commercial vacancies, and the previous residential use, the loss of commercial to provide for additional residential is considered acceptable. A similar application was approved under LA04/2015/0233/F on the adjacent site. The proposed density is not significantly higher than that found in the established residential area, as there is a mixture of densities present in the area. The pattern of development is in keeping with the overall character and environmental quality of the established residential area, and the scheme promotes a sustainable form of development by facilitating a high degree of integration with centres of employment, community services and public transport.

The front facade on the ground floor will be altered with new window openings. Railings along the front windows will offer an element of defensible space to the ground floor apartments. 3 units are proposed on the ground floor with an additional 2 units on the first and 2 units on the second floor. A communal amenity space is located to the rear on the ground floor. Bin storage is also located in the enclosed rear yard on the ground floor. Belfast City Council - City and Neighbourhood Department were consulted regarding the amount of waste storage provided. The bin storage provision is considered acceptable.

Policies AMP 1 and AMP 6

DRD Transport NI is the authoritative body on road safety and transport issues. 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 4/1/16. Therefore the proposal complies with Policies AMP1 and AMP 6 of PPS 3.

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.

PPS 7 Quality Residential Environments- Policy QD1 Quality in new residential development

Planning permission will only be granted for the conversion or change of use of existing buildings to flats or apartments (including those for multiple occupancy²) where all the criteria set out in Policy QD 1 of PPS 7, and all the additional criteria set out below are met:

- (a) There is no adverse effect on the local character, environmental quality or residential amenity of the surrounding area; the layout of the proposed apartments is acceptable in that each has an aspect to the public road. Limited alterations are proposed, however elevational changes include ground floor front window openings which are consistent with the area. 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 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. The proposal includes 36m² of rear communal amenity space which is below 70m² suggested provision for a proposal of this nature. On balance the level of communal space is considered acceptable taking into account the context within high density residential development with limited amenity space and the proximity of amenity open space at Bloomfield walkway and CS Lewis Park.
- (d) The site is located close to the city centre and a range of facilities at the Hollywood Arches 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 a busy route with regular bus services running each day. Cycle storage is provided internally within the building on the ground floor.
- (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.
- (g) There are minor changes to the front facade on the ground floor. The roof will remain as existing. The design and materials are acceptable for the area. The rear extension will be replaced with a smaller flat roof to the communal garden.
- (h) There are no issues of overlooking or overshadowing onto private amenity space. A 1.8m high timber fence will limit overlooking from the rear balcony and obscure glass on the first floor bedroom windows will also limit this.
- (i) There appear to be no particular issues for concern for crime or personal safety.

Policy LC 2

The proposal complies with Policy LC 2 which is for the Conversion or Change of Use of Existing Buildings to Flats or Apartments. A change of use planning application was granted under LA04/2015/0233/F at 24-40 Upper Newtownards Road for the change of use from existing furniture store, coffee shop and hot food takeaway to 9 apartments. Although apartments are not widely common in the immediate area the criteria (a) – (e) are all met in line with Policy LC 2. The size of the apartments range from 32m² to 86m². These meet the space standards set out in PPS 7.

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).

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

Neighbour Notification Checked

Yes

Summary of Recommendation: Approval subject to 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 approved accommodation shall not be occupied until the windows annotated as obscure glass windows as indicated on drawing No. 12 of LA04/2015/0840/F date stamped 11-Aug-2016 is fitted with obscure glass which will thereafter be permanently retained.

Reason: To preserve the amenity of neighbouring residents.

3. The proposed development should be constructed to incorporate noise attenuation measures to ensure that the internal noise levels within the any residential unit shall;
- not exceed 35 dB LAeq (1 hour) at any time between 07:00 hrs and 23:00 hrs within any habitable room, with windows closed and alternative means of ventilation provided in accordance with current building regulation requirements.
 - not exceed 30 dB LAeq at all other times measured over a five minute period within any proposed bedrooms with the windows closed and alternative means of ventilation provided in accordance with current building regulation requirements.
 - not exceed 45 dB LAmax for any single sound event between 23:00 hrs and 07:00 hrs within any proposed bedrooms with the windows closed and an alternative means of ventilation provided in accordance with current building regulation requirements

Reason: In the interests of residential amenity

Signature(s)

Date:

ANNEX	
Date Valid	14th August 2015
Date First Advertised	4th September 2015
Date Last Advertised	27th May 2016
Details of Neighbour Notification (all addresses) The Owner/Occupier, 13-15 Upper Newtownards Road Ballyhackamore The Owner/Occupier, 28-40 Upper Newtownards Road Ballyhackamore The Owner/Occupier, 50 Upper Newtownards Road Ballyhackamore Dundonald The Owner/Occupier, 8 Grampian Close Ballyhackamore Belfast	
Date of Last Neighbour Notification	24th May 2016
Date of EIA Determination	
ES Requested	No
Planning History	
<p>Ref ID: Z/1985/1891 Proposal: CHANGE OF USE TO HOT FOOD BAR Address: 46/48 UPPER NEWTOWNARDS ROAD Decision: Decision Date:</p>	
<p>Ref ID: Z/1986/0396 Proposal: CHANGE OF USE OF FIRST AND SECOND FLOOR FLATS TO OFFICES Address: 44 UPPER NEWTOWNARDS ROAD, BT4 Decision: Decision Date:</p>	
<p>Ref ID: Z/2003/0902/F Proposal: Change of use from vacant ground floor shop unit to hot food bar. Address: 48 Upper Newtownards Road, Belfast, BT4 3EL Decision: Decision Date: 05.02.2004</p>	
<p>Ref ID: Z/1992/0468 Proposal: New shop fronts to form 2 new shops and 2 accesses to</p>	

above

Address: 42,44,46 AND 48 UPPER NEWTOWNARDS ROAD, BELFAST BT4

Decision:

Decision Date:

Ref ID: LA04/2015/0840/F

Proposal: Change of use from retail to residential , consisting of 3no 1 bed and 5no 2 bed residential apartments, including replacement of shop frontages with residential facades and alterations to rear extension.

Address: 42 to 48 Upper Newtownards Road, Belfast, BT4 3EL,

Decision:

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:

Decision Date: 28.04.2008

Drawing Numbers and Title

Drawing No. 01

Type: Site Location Plan

Status: Submitted 31-7-15

Drawing No. 07E

Type: Proposed floor plan

Status: Submitted 11-8-16

Drawing No. 08B

Type: Proposed floor plan level 01

Status: Submitted 11-08-16

Drawing No. 09C

Type: Proposed front elevation

Status: Submitted 11-08-16

Drawing No. 11

Type: Proposed floor Plan level 02

Status: Submitted 11-08-16

Drawing No. 12

Type: Rear proposed elevation

Status: Submitted 11-08-16

Notification to Department (if relevant)

Date of Notification to Department: N/A