

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 18th October 2016	
Application ID: LA04/2016/0027/F	
Proposal: Demolition of existing building and erection of 7 storey building containing 34 apartments.	Location: Durham House Durham Street Belfast BT12 4GB
Referral Route: Major Application	
Recommendation:	Approval
Applicant Name and Address: Helm Housing Association Helm House 38-52 Lisburn Road Belfast	Agent Name and Address: Michael Burroughs Associates 33 Shore Road Holywood BT18 9HX
Executive Summary: The application seeks full planning permission for the demolition of existing building and erection of 7 storey building containing 34 apartments. The main issues to be considered in this case are: <ul style="list-style-type: none"> • The principle of the development at this location; • Impact on the character of the area; • Impact on neighbouring residential amenity; and • Traffic and parking. The site is located within the development limits as expressed in the Belfast Metropolitan Area Plan and is identified as being within a protected city centre housing area. The principle of development is acceptable given the site is currently in use as a developed apartment site. The proposal has been assessed against Strategic Planning Policy Statement (SPPS), Planning Policy Statement 3 (PPS 3), PPS 7 & PPS 12 Consultees offered no objections in principle with the scheme, and standard conditions and informatives are to be applied. Two objections have been received following neighbour notifications and press advertisements. Having regard to the development plan, relevant planning policies, and other material considerations, it is determined that the development will not result in demonstrable harm to the character of the area and residential amenity. Approval is therefore recommended with conditions.	

Case Officer Report

Site Location Plan



Characteristics of the Site and Area

1.0 Description of Proposed Development

Demolition of existing building and erection of 7 storey building containing 34 apartments.

2.0 Description of Site

The site currently contains a seven storey building with roof plant room; it is in apartment use. The building is rather bland in appearance being finished in brown brick at the ground floor and cladding above. The ground floor design contains a number of roller shutters doors creating a dead frontage at street level; one wall is covered in graffiti at this level. The character of the area is mixed with a listed Church to the south, the former NI blood transfusion service building to the west (also listed) an apartment building to the east and two storey residential dwellings to the north.

Planning Assessment of Policy and other Material Considerations

3.0 Site History

3.1 There are number of previous applications on the site but none with relevance to this application.

4.0 Policy Framework includes

	<p>Belfast Metropolitan Area Plan 2015 Strategic Planning Policy Statement for Northern Ireland Planning Policy Statement 3 - Access, Movement and Parking Planning Policy Statement 7 Quality Residential Environments Planning Policy Statement 12 Housing in Settlements</p>
5.0	Statutory Consultees
	<p>NIEA- Waste Management & Historic Buildings Units - No Objections with conditions Transport NI- No Objections with conditions NIWater – No objection</p>
6.0	Non- Statutory Consultees
	Belfast City Council- EPU- No Objections with condition and informatives
7.0	Representations
	<p>Two letters of objection have been received – local resident group & neighbour <u>Issues raised include</u></p> <ul style="list-style-type: none"> • Height of proposal • Number of one bedroom apartments • No onsite parking • Privacy of neighbouring dwellings • Safety regarding roof garden
8.0	Other Material Considerations
	N/A
9.0	Assessment
9.1	<p>The main issues to be considered are as follows:</p> <ul style="list-style-type: none"> • The principle of apartment development at this site • Impact on neighbouring residential amenity • Impact on character of surrounding area • Traffic and parking
9.2	<p>SPPS The SPPS advises that to achieve sustainable development five core planning principles should be considered.</p> <ul style="list-style-type: none"> • Improving health and wellbeing • Creating and enhancing shared space • Supporting sustainable economic growth • Supporting good design and positive place making • Preserving and improving the built and natural environment
9.3	<p>Paragraphs 4.11 and 4.12 require consideration to be given to the safeguarding of residential and work environs. Paragraphs 4.13 to 4.17 relates to creating and enhancing shared space and paragraphs 4.23 to 4.27 stress the importance of good design</p>
9.4	<p>Paragraph 3.8 advises that planning permission should be granted for development that having regard for the area plan and other material considerations unless the development will cause demonstrable areas of acknowledged importance.</p>

9.5	<p><u>Principle of Development</u></p> <p>The proposal is for development within the existing development limits as designated within the current area plan BMAP 2015 and identified as being within an area of protected city centre housing area. The site is currently in use as an apartment development and the surrounding area is dominated by residential usage the principle of apartments is considered to be acceptable at this site.</p>
9.6	<p>The development therefore, adheres to the current area plan and satisfies the first part of paragraph 3.8.</p>
9.7	<p><u>Principle of height, scale & massing</u></p> <p>The submitted plans show the proposal to be of a similar height, scale and massing as the building that it is proposed to replace. The proposal will therefore not introduce a building of a height, scale or massing that is an alien feature to this area.</p>
9.8	<p>The Urban Design Criteria (UDC) for this Character Area (West City Fringe) CC011 indicates that areas outside of Millfield, Carrick Hill and College Avenue will be restricted to a minimum height of three storeys and a maximum height of four storeys. Whilst it is acknowledged that the proposal is higher than recommended in the UDC the site already contains a building of seven storeys; this building being in-situ prior to the publication of BMAP. The site already containing a seven storey building is a mitigating factor in setting aside the UDC. The principle of a replacement seven storey building on this particular site is acceptable.</p>
9.9	<p>PPS 7</p> <p>Policy QD 1 states that planning permission will only be granted for new residential development where it is demonstrated that the proposal will create a quality and sustainable residential environment. In established residential areas proposals for housing development will not be permitted where it would result in unacceptable damage to the local character, environmental quality or residential amenity. The policy sets out nine key criteria to be met for all housing developments.</p>
9.10	<p>Criterion (a) states that the development respects the surrounding context and is appropriate to the character of the site in terms of layout, scale, proportions, massing and appearance.</p>
9.11	<p>The character of the area is dominated by two main uses, commercial/educational to the south and residential to the east & north. Approaching the site from the south the proposal will respect the character of the commercial area. The neighbouring apartment development to the east is six storeys high ensuring that the proposal is not an overly dominant building. The change in materials from the present cladding to a more common material of facing brick will also reduce the impact the proposal will have along this approach.</p>
9.12	<p>Approaching the site from the north the proposal will be read against the existing two storey residential dwellings, and the three storey neighbouring apartment development to the east. The appearance of the proposal from this view point is significantly greater in scale than the neighbouring properties. The current view of the building onsite, with a</p>

	<p>commercial appearance, does little to reduce its impact on the streetscape. The proposal however is to employ facing brick, similar to the surrounding dwellings, to the first five storeys with aluminium cladding to the top two floors. The curvature of the corner of the proposal should have a mitigating affect of lessening the impact of the proposal by giving a more residential appearance to the building and removing the current commercial appearance. The inclusion of ground floor apartments in the proposal removes the harsh appearance of the current dead frontage; also the inclusion of small garden areas at the street level will also lessen the impact and boost the residential appearance. The proposal on balance complies with criterion (a) of the policy and generally respects the character of the surrounding area.</p>
9.13	<p>Criterion (b) speaks of features of archaeological importance; the Council consulted NIEA Historic Environment Division (HED). HED found the proposal to be acceptable with the inclusion of conditions for programme of archaeological works and access to be afforded to archaeologist. Given the comment from HED it is considered that a criterion (b) is satisfied.</p>
9.14	<p>Criterion (c) requires the provision of adequate public and private amenity space. The proposal will have an area of the roof set aside for garden use accessed by residents. It is considered that this space is sufficient to provide adequate space for private amenity.</p>
9.15	<p>Criterion (d) provision of adequate neighbourhood facilities. It is accepted that this requirement is not relevant to this proposal; the site is within an existing built up area with facilities already in place to meet the needs of potential residents.</p>
9.16	<p>Criterion (e) requires new developments to support movement patterns of walking, cycling and public transport. The site is located within the city centre with sufficient access to the public transport network and within walking distance to most facilities and provision for cycle parking is to be provided at ground floor level.</p>
9.17	<p>Criterion (f) appropriate provision of parking for the development. In line with the requirements policy AMP 7 of PPS 3 the applicant has demonstrated to the satisfaction of TransportNI that sufficient parking can be accommodated within the adjacent College Gate development which is within the control of the applicant. The provision of parking was an issue raised in the objections to the proposal it therefore considered that this point objection has been assessed during the application process and found to be acceptable.</p>
9.18	<p>Criterion (g) the design of the development to draw upon the best local traditions of form, materials and detailing. The design of the proposal is to employ facing brick in much of the construction; this will be in line with dominant material used in the surrounding area. The detailing in the area is quite limited the properties to the north and east of the site being modern simple designed residential dwellings of apartments and two storey terraces. The modern design of the proposal will not clash with these buildings. The form of construction within the area is varied between Georgian period Church and school, modern commercial and residential buildings. The form of the proposal will be in line with the modern surrounding buildings and therefore on balance complies with the criterion.</p>
9.19	<p>Criterion (h) design will not create conflict with adjacent land uses and no unacceptable</p>

	<p>adverse effect on existing properties in terms of overlooking, lost of light, overshadowing, noise or other disturbances. The proposal has one elevation fronting onto neighbouring residential properties (Galway Street). The windows along the elevation relates of a living room accommodation to each end of the elevation with four bedrooms between. The design of the proposed building ensures that the windows to the living rooms that fronts onto Galway Street are at an angled ensuring that only the front street elevation of dwellings along this site can be viewed, the private amenity of these properties should remain protected. Taking into consideration the layout of the existing building onsite, with four living rooms and two bedrooms along the same elevation, there should be a reduction in potential overlooking. Regarding the proposed roof garden area which is set back from the parapet edge of the roof, the original proposal was for an enclosing railing to the garden area to be 1.2m high, an amendment was sought to increase the railing to 1.8m. Planning Service had two reasons for seeking the amendment; provision of privacy for neighbouring properties and an additional safety feature for those using the facility by preventing ease of access to the parapet roof edge. A planning condition can be applied to ensure the railing is constructed as per the approved plan to ensure the stated aims are achieved. The issue of overlooking was raised in objections to the proposal on balance it is considered that overlooking is not significantly increased above the existing level. The proposal being of a similar height to the existing building onsite ensures that there is no greater impact in terms of lost of light or overshadowing.</p>
9.20	<p>Criterion (i) development designed to deter crime and promote personal safety. The proposal is designed with ground floor apartments which will give an outlook onto the streets around the site providing an element of secure space. The current property has a dead frontage at street level providing no security which can be seen by the quantity of graffiti adorning the walls of the building onsite.</p>
10.0	<p><u>Objections</u></p>
10.1	<p>In regards to the objections received:</p> <ul style="list-style-type: none"> • The height of the building higher than existing – the height of the proposal is not significantly higher than the existing the eaves level are shown to be below the existing with a slight increase in the height of the plant room (0.3m) and the roof garden wall which is 0.9m higher than existing eaves level • Types of apartments, objectors claim 34 one bedroom apartments – actual 13 two bedrooms and 21 one bedroom apartments • No residential car parking on site; considered under paragraph 9.17 • Privacy issues due to overlooking; considered under paragraph 9.19 • Safety issues regarding roof garden; considered under paragraph 9.19
11.0	<p>Summary of Recommendation: Approval</p>
11.1	<p>Having regard to the development plan, relevant planning policies, and other material</p>

considerations, it is considered that the development is acceptable. Approval is recommended with conditions.

12.0 Conditions

1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.

2. The roof garden enclosing railings shall be constructed and permanently retained at a height of 1.8m.

Reason: to protect the amenity of neighbouring properties and the provision of a safety barrier.

3. The development hereby permitted shall not be occupied until cycle parking has been provided and permanently retained in accordance with approved drawing No.08a bearing the Planning Service date stamp 21 March 2016

Reason: To ensure that adequate provision has been made for cycle parking and to encourage and promote alternatives modes of transport.

4. No site works of any nature or development shall take place until a programme of archaeological work has been implemented, in accordance with a written scheme and programme prepared by a qualified archaeologist, submitted by the applicant and approved by the Department. The programme should provide for the identification and evaluation of archaeological remains within the site, for mitigation of the impacts of development, through excavation recording or by preservation of remains, and for preparation of an archaeological report.

Reason: to ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded.

5. Access shall be afforded to the site at all reasonable times to any archaeologist nominated by the Department to observe the operations and to monitor the implementation of archaeological requirements.

Reason: to monitor programmed works in order to ensure that identification, evaluation and appropriate recording of any archaeological remains, or any other specific work required by condition, or agreement is satisfactorily completed.

6. Where brickwork walls are proposed they are to be formed in red clay brick, aluminium windows are to be grey powder coated.

Reason: to protect the setting of adjacent Listed Buildings.

7. The mitigation measures outlined in section 4, and figure 1 and 2 of Acoustic Inward Noise Impact Assessment, Report ref: 0440/22, 19/09/2015, prepared by Commercial Connections by way of glazing and ventilator specifications shall be incorporated into the proposed building.

Reason: to ensure an adequate level of protection for the apartments.

Informatives

1. Notwithstanding the terms and conditions of the Planning Service approval set out above, you are required under Article 71-83 inclusive of the Roads (NI) Order 1993 to be in possession of the Department for Infrastructure's consent before any work is commenced which involves making or altering any opening to any boundary adjacent to the public road, verge, or footway or any part of said road, verge, or footway bounding the site. The consent is available on personal application to the TransportNI Section Engineer whose address is 148-158 Corporation Street, Belfast, BT1 3DH (Tel: 028 9025 4059). A monetary deposit will be required to cover works on the public road.

2. All construction plant and materials shall be stored within the curtilage of the site.

3. Precautions shall be taken to prevent the deposit of mud and other debris on the adjacent road by vehicles travelling to and from the construction site. Any mud, refuse, etc deposited on the road as a result of the development, must be removed immediately by the operator/contractor.

4. The applicant should ensure that the management of all materials onto and off this site are suitably authorized through the Waste Management Regulations (NI) 2006 and/or the Water Order (NI) 1999.

5. THE CLEAN NEIGHBOURHOODS AND ENVIRONMENT ACT (NORTHERN IRELAND) 2011

- Should any unforeseen ground contamination be encountered during the development, and in order to protect human health, all works on the site should immediately cease. The Health and Environmental Services of Belfast City Council should be informed and a full written risk assessment in line with current government guidance (Model Procedures for the Management of Land Contamination - CLR11) that details the nature of the risks and any necessary mitigation measures should be prepared and submitted for appraisal.

6. The applicant is advised to ensure that all plant and equipment used in connection with the development is so situated, operated and maintained as to prevent the transmission of noise, vibration, odours, and fumes to the residential premises.

7. For guidance on the preparation of the Written Scheme and Programme of Archaeological Work, which should be submitted for approval at least 4 weeks before work is due to begin, contact:

Historic Environment Division – Historic Monuments Unit

Causeway Exchange

1–7 Bedford St

Belfast, BT1 7FB

Quote reference: SM11/1 ANT 061:017

ANNEX	
Date Valid	11th December 2015
Date First Advertised	22nd January 2016
Date Last Advertised	22nd January 2016
Details of Neighbour Notification (all addresses)	
<p>2, 4, Galway Street, Town Parks, Belfast, Antrim, BT12 4AF, 68 Durham Street, Town Parks, Belfast, Antrim, BT12 4GB, 87,89, Durham Street, Belfast, Antrim, Northern Ireland, BT12 4GB</p> <p>Apartment 1, College Gate, 29 College Square North, Apartment 1, Galway Place, 3 Galway Street, Apartment 10, College Gate, 29 College Square North, Apartment 10, Galway Place, 3 Galway Street Apartment 11, College Gate, 29 College Square North, Apartment 11, Galway Place, 3 Galway Street Apartment 12, College Gate, 29 College Square Apartment 13, College Gate, 29 College Square North Apartment 14, College Gate, 29 College Square North Apartment 15, College Gate, 29 College Square North Apartment 16, College Gate, 29 College Square North Apartment 17, College Gate, 29 College Square North, Apartment 2, College Gate, 29 College Square North, Apartment 2, Galway Place, 3 Galway Street, Apartment 3, College Gate, 29 College Square North, Apartment 3, Galway Place, 3 Galway Street, Apartment 4, College Gate, 29 College Square North, Apartment 4, Galway Place, 3 Galway Street, Apartment 5, College Gate, 29 College Square North, Apartment 5, Galway Place, 3 Galway Street, Apartment 6, College Gate, 29 College Square North Apartment 6, Galway Place, 3 Galway Street Apartment 7, College Gate, Apartment 7, Galway Place Apartment 8, College Gate Apartment 8, Galway Place Apartment 9, College Gate, 29 College Square North Apartment 9, Galway Place, 3 Galway Street, Christ Church (c Of I), College Square North</p>	
Date of Last Neighbour Notification	19 th April 2016
Date of EIA Determination	N/A
ES Requested	No

Drawing Numbers and Title

Drawing No. 01
Type: Site Location Plan
Status: Approved

Drawing No. 02
Type: Existing Site Survey
Status: Approved

Drawing No. 03
Type: Existing Floor Plans
Status: Approved

Drawing No. 04
Type: Existing Floor Plans
Status: Approved

Drawing No. 05
Type: Existing Elevations
Status: Approved

Drawing No. 06
Type: Existing Elevations
Status: Approved

Drawing No. 07A
Type: Block/Site Survey Plans
Status: Approved

Drawing No. 08A
Type: Block/Site Survey Plans
Status: Approved

Drawing No. 09A
Type: Proposed Floor Plans
Status: Approved

Drawing No. 10A
Type: Technical Specification
Status: Approved

Drawing No. 11A
Type: Proposed Elevations
Status: Approved

Drawing No. 12A
Type: Proposed Elevations
Status: Approved

Notification to Department (if relevant): N/A