

**Development Management Officer Report
Committee Application**

| Summary | |
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| Committee Meeting Date: 16 May 2017 | |
| Application ID: LA04/2016/0849/F | |
| Proposal Proposed part demolition to the rear return and alteration and extension to the existing building, creating a bookmakers at ground floor and six apartments at first and second floor. | Location 132-134 Ormeau Road Belfast BT7 2EB |
| Referral Route: The application is for more than four residential units. | |
| Recommendation: | Approval subject to Conditions |
| Applicant Name and Address: Sean Graham Oyster House 12 Wellington Place Belfast | Agent Name and Address: Like Architects 34 Bedford Street Belfast BT2 7FF |
| Executive Summary: The application seeks part demolition of the rear return and alteration and extension to the existing building; creating a bookmakers at ground floor and six apartments at first and second floor. The development creates an additional two residential units and a reconfigured bookmakers. The main issues to be considered in this case are: <ul style="list-style-type: none"> • Demolition within the ATC • New development within the ATC • Impact on the Setting of a Listed Building • Shopping/Commercial Designation • Principle of bookmakers use • Principle of residential use • Amenity Space • Waste Storage • Scale and Mass • Density • Dominance/Overshadowing/loss of light • Overlooking • Area of Parking Restraint The application site is located within the Lower Ormeau Area of Townscape Character, adjacent to a Listed Building, along the Ormeau Road Arterial Route and within a shopping/commercial designation. There is currently a bookmakers on the ground floor and four apartments on the first and second floor. The proposal has been assessed against the SPPS, Planning Policy Statement 3, 4, 6, 6 Addendum 7, 12, and supplementary planning guidance – Creating Places, Parking Standards, DCAN 3, 8 and 15. There is no relevant planning history on this site. | |

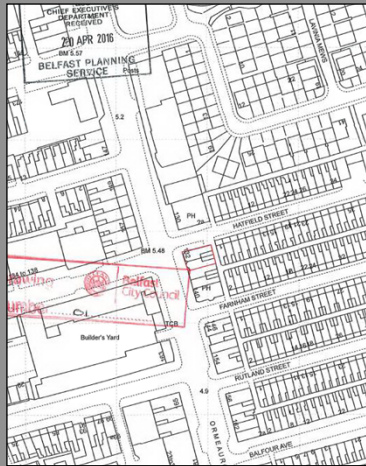
There were no representations objecting to this planning application.

Having regard to the policy context, objections and other material considerations above, the proposal is deemed to be acceptable and planning permission is recommended for approval subject to planning conditions.

Case Officer Report

Plans

Site Location



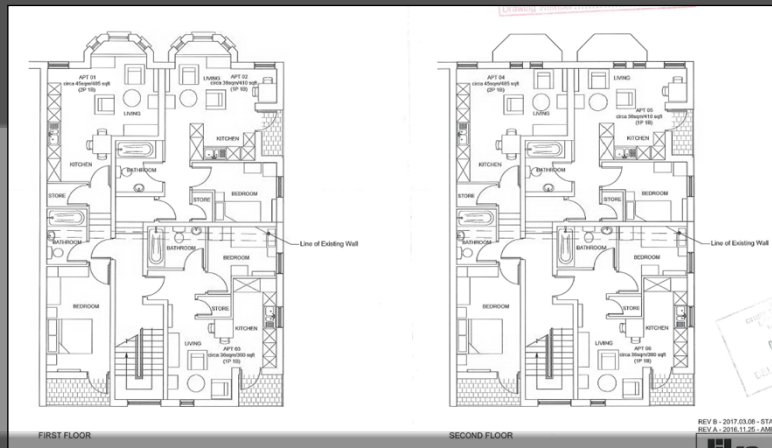
Existing and Proposed Hatfield Road Elevation



Proposed Rear Elevation



Proposed Floor Plans – First and Second Floor



Existing and Proposed Front Elevation



Consultations:

| Consultation Type | Consultee | Response |
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| Statutory | NI Water | No objection |
| Non Statutory | Belfast City Council Environmental Health | No objection |
| Statutory | Transport NI | No objection |
| Statutory | NIEA Historic Environment Division – Historic Buildings | No objection |
| Non Statutory | Belfast City Council City and Neighbourhood Department (Waste Storage) | No objection |

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| Non Statutory | Belfast City Council Conservation Officer | The proposal to the rear is contrary to Policy ATC 1 and ATC 2 of PPS 6 Addendum. The amended shop front proposal is now acceptable. |
| Representations: | | |
| Letters of Support | None Received | |
| Letters of Objection | None Received | |
| Number of Petitions of Objection and signatures | No Petitions Received | |
| Representations from Elected representatives | None Received | |
| Characteristics of the Site and Area | | |
| 1.0 | Description of Proposed Development | |
| | The proposal is for the part demolition of the rear return and alteration and extension to the existing building, reconfiguration of bookmakers at ground floor and six apartments at first and second floor. (The proposal is essentially the creation of two additional residential units and the reconfigured bookmakers). | |
| 2.0 | Description of Site and Area | |
| 2.1 | The site is located on at the junction of Hatfield Street and Ormeau Road (Arterial Route) and is occupied by properties 132 and 134 Ormeau Road. At present the ground floor is currently in use as Sean Grahams Bookmakers, and the upper floors of both 132 and 134 are occupied by four apartments (two on both floors). Both premises have canted bay windows with the exception of the ground floor of 132 that now has a flat shop front. Windows on the ground floor of 134 have black roller shutters covering them. The existing two and a half storey red brick buildings form part of the historic frontage addressing the Ormeau Road between Hatfield Street and Farnham Street. These properties are taller than the residential terraced streets to the rear, which occupy the land between the Ormeau Road and The River Lagan. To the rear of the two properties are three storey returns, one of which is paired with the neighbouring property (136). Fronting the Ormeau Road is predominantly business premises with residential streets behind. On the opposite corner of Hatfield Street and Ormeau Road is the listed building – Hatfield House Bar. | |
| Planning Assessment of Policy and other Material Considerations | | |
| 3.0 | Site History | |
| 3.1 | There is no relevant planning history at this location. | |
| 4.0 | Policy Framework | |
| 4.1 | <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 • Area of Townscape Character – BT 043 Lower Ormeau • Arterial Route Designation – Ormeau Road AR 01/12 – Policy SETT 3 • Shopping/Commercial Designation – Ormeau Road AR 03/13 • Adjacent to a Listed Building – Hatfield House Bar (HB26/27/084) • Belfast City Fringe – Area of Parking Restraint BT 009 – Policy TRAN 1 • Strategic Planning Policy Statement for Northern Ireland (SPPS) • Planning Policy Statement 3 – Access, Movement and Parking • Planning Policy Statement 4 – Planning and Economic Development | |

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| | <ul style="list-style-type: none"> • Planning Policy Statement 6 – Planning, Archaeology and The Built Heritage • Planning Policy Statement 6 Addendum – Areas of Townscape Character • Planning Policy Statement 7 – Quality Residential Environments • Planning Policy Statement 12 – Housing in Settlements • Development Control Advice Note 3 – Bookmaking Offices • Development Control Advice Note 8 – Housing in Existing Urban Areas • Supplementary Planning Guidance - Parking Standards • Supplementary Planning Guidance – Creating Places |
| 5.0 | Statutory Consultee Responses |
| | <ul style="list-style-type: none"> • Transport NI – No objection subject to conditions and informatives • NI Water – No objection subject to informatives • NIEA Historic Environment Division: Historic Buildings – No objection |
| 6.0 | Non Statutory Consultee Responses |
| | <ul style="list-style-type: none"> • Belfast City Council Environmental Health – No objection subject to informatives • Belfast City Council City and Neighbourhood Department (Waste Storage) – No objection • Belfast City Council Conservation Officer – The proposal to the rear is contrary to Policy ATC 1 and ATC 2 of PPS 6 Addendum. The amended shop front proposal is now acceptable. |
| 7.0 | Representations |
| 7.1 | The planning application was advertised in the local press and neighbour notified. There were no letters of objection received. |
| 8.0 | Other Material Considerations |
| | None |
| 9.0 | Assessment |
| 9.1 | The application site is located within the Lower Ormeau Area of Townscape Character, adjacent to a Listed Building, along the Ormeau Road Arterial Route and within a shopping/commercial designation. |
| 9.2 | <p>The key issues in this planning application are:</p> <ul style="list-style-type: none"> • Demolition within the ATC • New development within the ATC • Impact on the Setting of a Listed Building • Shopping/Commercial Designation • Principle of bookmakers use • Principle of residential use • Amenity Space • Waste Storage • Scale and Mass • Density • Dominance/Overshadowing/loss of light • Overlooking • Area of Parking Restraint |

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| <p>9.3</p> | <p>Strategic Planning Policy Statement for Northern Ireland</p> <p>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. In managing development within ATCs, the council should only permit new development where this will maintain or enhance the overall character of the area and respect its built form. The demolition of an unlisted building in an ATC should only be permitted where the building makes no material contribution to the distinctive character of the area and subject to appropriate arrangements for the redevelopment of the site.</p> |
| <p>9.4</p> | <p>Planning History</p> <p>There has been no relevant planning history on this site.</p> |
| <p>9.5</p> | <p>Demolition within the Area of Townscape Character</p> <p>Policy ATC 1 of PPS 6 Addendum states that there will be a presumption in favour of retaining any building which makes a positive contribution to the character of an Area of Townscape Character. The Council will normally only permit the demolition of an unlisted building in an Area of Townscape Character where the building makes no material contribution to the distinctive character of the area. Demolition of a building or buildings in an ATC can significantly erode the character, appearance and integrity of such areas. The proposal would see the demolition of the existing rear returns and the ground floor frontage of 134 Ormeau Road.</p> |
| <p>9.5.1</p> | <p>While the rear returned contribute to back land character and the hierarchy of place, there is limited views of the rear returned due to the close proximity of the terrace of 2 storey dwellings on Hatfield Street. As such, there is no objection to the demolition of these rear returns, subject to suitable replacement.</p> |
| <p>9.6</p> | <p>New Development within the Area of Townscape Character</p> <p>Policy ATC 2 of PPS 6 Addendum states that The Council will only permit development proposals in an Area of Townscape Character where the development maintains or enhances its overall character and respects the built form of the area.</p> |
| <p>9.6.1</p> | <p>Shop Front - The proposed shop fronts are of a more appropriate form than originally proposed. As requested by the Conservation Officer there are now two shopfronts to respect the two buildings – i.e. two flat fronted projections, with a section of original, red brick masonry between.</p> |
| <p>9.6.2</p> | <p>Rear – Historic rear subservient returns contribute to back land character by ascribing the hierarchy of place. They are visually and in massing terms subservient (not full width). The proposal would result in a three storey block at the rear covering the entire site. The extension now proposed to the rear has been designed to reflect the shape of two rear returns joined in the centre by a flat roofed section that has two large portions of glazing (stairwell). This alters the perception of a large three storey block. The materials proposed maintain the red brick that is predominant within the immediate vicinity. The rear section is to be increased in height by 1.5 metres; however it remains subservient with the front portion of the building.</p> <p>The proposed demolition and the amended replacement scheme is now considered acceptable in policy terms</p> |

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| <p>9.7</p> | <p>Scale and Mass</p> <p>PPS 7 Policy QD 1 (a) states that new development must respect the surrounding context by way of scale and mass. The existing extensions reflect the historical pattern of rear returns being subservient to the main body of the dwelling, stepping down in height towards the rear boundary. It is proposed to preplace these returns with a three storey block, which covers the full width of the site. As stated above, this rear block has been designed to reflect two rear returns with a glazed link between. As such the scale and mass although still three storeys and covering the entire site has a less bulky appearance and is considered more appropriate in this location.</p> |
| <p>9.8</p> | <p>Impact on the Setting of a Listed Building</p> <p>Historic Environment Division: Historic Buildings has been consulted to consider whether the proposed development affects the Grade B1 Listed Building: Hat House Bar – of special architectural or historic interest as set out in Section 80 and protected under the Planning Act (NI) 2011. HED considers that the proposal complies with Policy BH 11 (Development affecting the Setting of a Listed Building) of PPS 6.</p> |
| <p>9.9</p> | <p>Shopping/Commercial Designation and Principle of Bookmakers</p> <p>Bookmakers are classed as sui generis in The Planning (Use Classes) Order (Northern Ireland) 2015. As such Policy R4 and OF3 are not applicable. As there is currently a bookmakers in 132 and 134 Ormeau Road the principle of continued use in a reconfigured form is acceptable. Belfast City Council Environmental Health has examined the plans of the proposed development and offer no objection. The provisions of PPS 4 and DCAN 3 have been taken into consideration in the assessment of this planning application.</p> |
| <p>9.10</p> | <p>Principle of Residential Use</p> <p>In adherence to Policy HS1 of PPS 12 – Housing in Settlements, planning permission will be granted for residential use above shops and other business premises subject to a suitable living environment and adequate refuse storage space. A flexible approach will be applied to car parking having regard to the circumstance of each case. The parking provision is deemed to be acceptable as detailed in paragraph 9.14. The living environment is considered compliant with PPS 7 Policy QD1 as the living accommodation of each apartment has an outlook onto either Ormeau Road or Hatfield Street.</p> |
| <p>9.11</p> | <p>Density</p> <p>PPS 7 (a) states that the proposed development must respect the surrounding context and the site. There are currently four residential units on the first and second floors, therefore the principle of six apartments on the arterial route would be acceptable as the space standards detailed in PPS 7 Addendum are not applicable at this location.</p> |
| <p>9.12</p> | <p>Amenity</p> <p>PPS 7 (c) stipulates that there should be a provision for private amenity space in proposed developments. Creating Places stipulates a minimum of 10sqm per unit in an inner city environments. The proposed development would provide only around 15sq metres of private amenity space for the six apartments: this is in the form of small scale balconies. A further just over 16 q metres of amenity space is provided on the ground floor by way of an entrance area and bin store. Whilst there is a shortfall in private amenity space it is considered acceptable. This is based on the context of amenity provision in the surrounding area, where amenity provision for residential dwellings is also below standards. In addition,</p> |

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| <p>9.13</p> <p>9.14</p> <p>9.15</p> <p>9.16</p> | <p>the site is in close proximity to the Lagan Tow Path and Ormeau Park.</p> <p>Waste Storage</p> <p>Belfast City Council City and Neighbourhood Department have stated that the bin storage provision that has been proposed for the commercial and residential uses is adequate.</p> <p>Parking</p> <p>The site is located within Belfast City Fringe Area of Parking Restraint and is subject to Policy TRAN 1 which allows reduced parking provision. Even further reductions in car parking provision can be considered in appropriate circumstances where evidence of alternative transport arrangements can be clearly demonstrated. In adherence to PPS 3 Policy AMP 7 (Car Parking and Servicing Arrangements) the development is in a highly accessible location well served by public transport (Arterial Route). While no in-curtilage parking is proposed with the development, it has been demonstrated by a car parking survey that the development would benefit from spare capacity available in nearby public car parks or adjacent on street car parking. Having regard to the Parking Statement, Transport NI would offer no objections to the proposed development. It is also considered that as this area has a high level of on-street car parking the additional vehicles generated by this proposed development would not be significantly more detrimental to the amenity of residents in the immediate vicinity. The proposal also includes cycle stand provision and is in close proximity to the city centre and university to promote walking.</p> <p>Dominance/Overshadowing and Loss of Light</p> <p>PPS 7 Policy QD1 (h) states that the proposed development should not create conflict with adjacent land uses. The rear section of the development would not create conflict by way of dominance/overshadowing/loss of light as it backs onto the gable elevation of 1 Hatfield Street (no windows), and will adjoin the existing rear return of 136 Ormeau Road.</p> <p>Overlooking</p> <p>PPS 7 Policy QD1 (h) states that the proposed development should not create conflict with adjacent land uses. The side elevation of the development faces towards the gable elevation of the Hatfield House Bar and onto Hatfield Street while the rear elevation faces into the gable elevation of 1 Hatfield Street, the adjoining end terraced dwelling. As such there will be no overlooking issues associated with proposed windows and balconies.</p> |
| <p>10.0</p> | <p>Conclusion</p> <p>The demolition of the rear returned and erection of a replacement 3 storey extension is considered acceptable as is the principle of additional residential apartments at this location. The development has been designed to ensure a level of amenity and pleasant outlook for prospective residents has been provided as well there is no impact on adjacent residential properties or the adjacent listed building. Having regard to the policy context, planning history, and other material considerations above, the proposal is deemed to be acceptable and recommended for approval.</p> |
| <p>11.0</p> | <p>Summary of Recommendation</p> <p>Approval</p> |

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| 12.0 | <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 materials to be used in the construction of the building hereby permitted, shall be as stipulated on drawings 05B, date stamped 21 December 2016, 08C and 9B, date stamped 08 March 2017. Reason: In the interest of visual amenity and the preservation of the Lower Ormeau Area of Townscape Character. 3. Bin store doors shall not open out over the public rear entry. Reason: In the interests of the safety and convenience of road users. 4. The development hereby permitted shall not be occupied until cycle parking has been provided and permanently retained in accordance with approved drawing 06D, date stamped 08 March 2017. Reason: To ensure that adequate provision has been made for cycle parking and to encourage and promote alternative modes of transport. 5. Prior to occupation of the apartments, the balustrades of all external balconies shall be constructed with frosted glass as detailed on approved drawings 08C and 09B, date stamped 08 March 2017, and permanently retained thereafter. Reasons: In the interests of privacy for prospective and neighbouring residents. 6. No apartment shall be occupied until provision has been made for bin stores in accordance with the approved drawing 06D, date stamped 08 March 2017. These facilities shall be permanently retained. Reason: To ensure an acceptable waste storage provision. |
| 12.0 | <p>Notification to Department (if relevant)</p> <p>N/A</p> |
| 13.0 | <p>Representation from elected member:</p> <p>N/A</p> |

| ANNEX | |
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| Date Valid | 20 April 2016 |
| Date First Advertised | 13 May 2016 |
| Date Last Advertised | 10 March 2017 |
| Details of Neighbour Notification (all addresses) | |
| <p>The Owner/Occupier, 1 Hatfield Street, Malone Lower, Belfast, Antrim, BT7 2FB, The Owner/Occupier, 132 Ormeau Road, Malone Lower, Ormeau, Belfast, Down, BT7 2EB, The Owner/Occupier, 132 Ormeau Road, Malone Lower, Ormeau, Belfast, Down, BT7 2EB, The Owner/Occupier, 136 Ormeau Road, Malone Lower, Ormeau, Belfast, Down, BT7 2EB, The Owner/Occupier, 161A Ormeau Road, Malone Lower, Ormeau, Belfast, Down, BT7 1SL, The Owner/Occupier, 161B Ormeau Road, Malone Lower, Ormeau, Belfast, Down, BT7 1SL, The Owner/Occupier, 163 Ormeau Road, Malone Lower, Ormeau, Belfast, Down, BT7 1SP, The Owner/Occupier, Flat 1, 134 Ormeau Road, Malone Lower, Ormeau, Belfast, Down, BT7 2EB, The Owner/Occupier, Flat 2, 134 Ormeau Road, Malone Lower, Ormeau, Belfast, Down, BT7 2EB, The Owner/Occupier, Flat 3, 134 Ormeau Road, Malone Lower, Ormeau, Belfast, Down, BT7 2EB, The Owner/Occupier, Hatfield House, 130 Ormeau Road, Malone Lower, Ormeau, Belfast, Down, BT7 2EB,</p> | |
| Date of Last Neighbour Notification | 24 February 2017 |
| Date of EIA Determination | N/A |

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| Notification to Department (if relevant) | N/A |
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