

## Development Management Officer Report Committee Application

<b>Summary</b>	
<b>Committee Meeting Date:</b> 16 January 2018	
<b>Application ID:</b> LA04/2017/0902/F	
<b>Proposal:</b> Change of use from retail/tanning salon to exhibition and interpretive centre. 2nd floor rear extension. One storey side extension. 2 storey side extension with terrace. Elevation changes including new entrance.	<b>Location:</b> 374-376 Falls Road Belfast Co. Antrim BT12 6DG.
<b>Referral Route:</b> Belfast City Council Interest	
<b>Recommendation:</b>	Approve Subject to Conditions
<b>Applicant Name and Address:</b> Failte Feirste Thiar 243 Falls Road Belfast BT11 6FB	<b>Agent Name and Address:</b> McGurk Architects 33 King Street Magherafelt BT45 6AR
<p><b>Executive Summary:</b> Planning permission is sought for the change of use from retail/tanning salon to exhibition and interpretive centre. It includes a second floor rear extension, a one storey side extension, a two storey side extension with terrace, and elevation changes including new entrance.</p> <p>The site is on an arterial route, surrounded by a mix of commercial and residential uses and is located within an Area of Townscape Character (ATC).</p> <p>One respondent has submitted a representation of objection.</p> <p>The key issues to be considered are:</p> <ul style="list-style-type: none"> <li>• The impact on the character and appearance of the area</li> <li>• Impact on residential amenity</li> <li>• Road Safety and traffic impact</li> </ul> <p><u>Recommendation</u> Having regard to the policy context and other material considerations, the proposal is considered acceptable and planning permission is recommended for approval subject to conditions.</p>	

## Case Officer Report

### Site Location Plan



#### 1.0 Characteristics of the Site and Area

- 1.1 The site, located at 374-376 Falls Road, Belfast, comprises a three-storey detached property at the corner with St. James's Park. It is finished in red brick and painted render. The site is adjacent to a three-storey apartment block at the corner of Falls Road and La Salle Park. To the rear of the site is a two-storey detached dwelling and neighbouring properties which form one side of the residential street of St. James's Park. Opposite the site is Beechview Park and an adjacent development site with an extant approval for extensions to school buildings, new sports building, pitches and other associated works.
- 1.2 The site is on an arterial route, surrounded by a mix of commercial and residential uses and is located within an Area of Townscape Character (ATC).

#### 2.0 Description of Proposal

- 2.1 The proposal is for the change of use from retail/tanning salon to exhibition and interpretive centre. It includes a second floor rear extension, a one storey side extension, a two storey

side extension with terrace, and elevation changes including new entrance.

## **Planning Assessment of Policy and Other Material Considerations**

### **3.0 Site History**

#### 3.1 Site History

- Z/1992/2142 - Extension to post office (Permission Granted)
- Z/1992/2384 - Renovations to shop at 376 Falls Road and change of use of flats above 374/378 to offices (Permission Granted)
- Z/1993/2817 - Change of use of existing first floor office accommodation to dental surgery (Permission Granted)
- LA04/2016/0072/A - 48 Sheet billboard to gable wall (Application Withdrawn)
- LA04/2017/1126/F - Perforated metal façade artwork of James Connolly to be installed on the exterior of the James Connolly Visitor Centre building on the west exterior wall (West elevation supplied) (New Application Received)

### **4.0 Policy Framework**

#### 4.1 Belfast Urban Area Plan (BUAP) 2001

#### 4.2 Draft Belfast Metropolitan Area Plan 2015 (dBMAP)

#### 4.3 Strategic Planning Policy Statement for Northern Ireland (SPPS)

##### 4.3.1 Furthering Sustainable Development Para. 3.8

##### 4.3.2 Decision-taking Principles and Practices Para. 5.72

##### 4.3.3 Good Design Paras. 4.23 – 4.30

#### 4.4 Planning Policy Statement 3 – Access, Movement and Parking (PPS 3)

#### 4.5 Addendum to Planning Policy Statement 6 – Areas of Townscape Character (APPS 6)

##### 4.5.1 ATC 2 – New Development in an Area of Townscape Character

### **5.0 Statutory Consultees Responses**

#### 5.1 Department for Infrastructure (DfI) Roads

### **6.0 Non Statutory Consultees Responses**

#### 6.1 Council's Environmental Health Service

#### 6.2 Council's Tree Officer

### **7.0 Representations**

7.1 The application has been neighbour notified and advertised in the local press. One representation of objection has been received. The stated grounds for the objection are summarised as follows:

- concerns around health and safety due to construction works
- issues around traffic overflow along St. James's Park
- noise disturbance
- the impact of the proposal in terms of blocking sunlight to No. 2 St. James's Park
- the impact of the proposal on property value

7.2 The points raised in the objection in relation to traffic, noise and sunlight are material planning considerations and will be considered in the assessment below.

### **8.0 Other Material Considerations**

#### 8.1 None

### **9.0 Assessment**

- 9.1 The key issues to be considered are:
- The impact on the character and appearance of the area
  - Impact on residential amenity
  - Road Safety and traffic impact

Impact on Character and Appearance of the Area

- 9.2 The proposed change of use will result in the existing ground floor entrance and window, presently separated by painted render, being replaced by a row of three windows and matching entrance. Additional changes to the front elevation comprise feature brick detailing above the ground floor windows and entrance and amendments to the first and second floor windows, including a reduction in width of one of the first floor openings. A single storey side extension is proposed to enlarge the existing entrance hall and is a minor addition to the host property. In addition, the proposal will add a two storey side extension with terrace to the elevation facing St. James's Park, and introduce folding doors to the second floor. It will create a frosted glass window to the existing rear return, together with new planting bays spanning the width of the elevation and the removal of the existing emergency exit. It will also result in a second floor extension to the rear of the property and the addition of a new opening on rear elevation, together with new roof lights to the existing rear returns.
- 9.3 In terms of policy, Paragraphs 3.8 and 5.72 of the SPPS state that sustainable development should be permitted, having regard to the development plan and all other material considerations, unless the proposed development will cause demonstrable harm to interests of acknowledged importance. Paragraph 3.8 further states that in practice this means that development that accords with an up-to-date development plan should be approved and proposed development that conflicts with an up-to-date development plan should be refused, unless other material considerations indicate otherwise.
- 9.4 In respect of ATCs, Policy ATC 2 of APPS 6 states that development proposals will only be permitted in an ATC where the development maintains or enhances its overall character and respects the built form of the area.
- 9.5 It is not considered that the proposal will cause demonstrable harm on the character and appearance of the surrounding area, or that it will have a detrimental impact on the ATC. The changes to the front elevation are minimal and largely in keeping with the existing appearance of the host building so as not to appear obtrusive. The proposed extension to the rear of the units has been reduced in size following submission of amended plans. It is considered that the rear extension, as revised, is a minor addition to the property and that it will not impact on the character and appearance of the area. The proposed two storey side extension is considered appropriate in terms of scale, form and massing. It is intended that this extension will be clad with perforated metal to portray a visual representation, composed of what are appear to be rustic brown colours. While the perforated metal cladding will appear as a new feature to the area, it will complement the red brick finish so as to achieve a sufficient blend with the host property and the neighbouring properties which are also finished in red brick. The proposed planting bays will also help soften the appearance of the side extension, and external finishes used elsewhere in the proposal will match those of the existing property, and so are considered acceptable.

Impact on Amenity

- 9.6 In terms of the amenity, it is not considered that the proposal will have an adverse impact on the adjacent properties and neighbouring residential streets. The elevation along St James Park has been designed to step down towards the neighbouring building and the rear return has been stepped back from the road to help mitigate against any sense of being

hemmed in by the alterations and extension to the rear of the building. The proposal will not conflict with the adjacent land uses and it is not considered that it will impact in terms of overlooking, loss of light, overshadowing, noise or other disturbance. The Council's Environmental Service has been consulted and has raised no objection to the proposal

#### Road Safety and Traffic Impact

- 9.7 The proposal benefits from sufficient pavement widths to permit a convenient movement along the pathways that provide an approach to the building and units. Transport NI has offered no objection to the proposal. It is therefore considered that the proposal will not present any road safety or traffic impacts. Transport NI has been consulted and has offered no objection to the application.

#### Other Matters – Contaminated Land and Trees

- 9.8 The Council's Environmental Health Service has been consulted. After considering the submitted Preliminary Risk Assessment report, it has offered no objection to the application, subject to consideration of an informative.
- 9.9 The Council's Tree Officer has been consulted. After considering the submitted Tree Survey and Report, the Tree Officer has put forward a number of points in relation to the trees adjacent to the site. In relation to the tree identified as No. 2 on the submitted Tree Constraints Plan, the Tree Officer raised concerns that the proposal, if permitted, may lead to a deterioration of the tree and impact its future stability. In addition, the Tree Officer commented that the proposed terrace location may lead to requests for the height of tree No. 2 to be reduced. Furthermore, the Tree Officer has highlighted that the proposal may impact on the trees identified as No. 1 and No. 3 on the Tree Constraints Plan, and has stressed that efforts should be made to retain the trees which add to the character of the area.
- 9.10 In relation to the Tree Officer's comments, it is recognised that the trees do add to the character of the area. However, it is also acknowledged that the trees referred to are not located within a Conservation Area or subject to a Tree Preservation Order. The trees are owned by the DfI, and managed and maintained by Belfast City Council on its behalf. The DfI has not raised any concerns or objections in relation to the impact of the proposal on the trees and conditions are recommended regarding the retention of trees.

### **10.0 Summary of Recommendation: Approval**

- 10.1 Having regard to the policy context and other considerations above, the proposal is considered to be acceptable. The proposal is recommended for approval subject to conditions detailed below.

#### **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. All external facing and roofing materials shall be implemented as specified on the approved drawing No. 05A, date stamped received 02 October 2017.

Reason: In the interests of the character and appearance of the Area of Townscape

Character.

3. No works or development shall commence on the two storey side extension and adjoining concrete base wall planter as shown on approved drawing No. 05A, date stamped received 02 October 2017, until a Construction Management Plan has been submitted to and approved in writing by the Council. The Construction Management Plan shall demonstrate the protection and long-term retention of the tree identified as No. 2 on the submitted Tree Constraints Plan, dated stamped received on 02 October 2017. No works in respect of the two storey side extension and adjoining concrete base wall planter shall be carried out unless in accordance with the approved Construction Management Plan.

Reason: To ensure the protection of, and to ensure the continuity of amenity afforded by existing trees.

4. Prior to any work commencing all protective barriers (fencing) and ground protection is to be erected or installed as specified in British Standard 5837: 2012 (section 6.2) and must be in place before any materials or machinery are brought onto site for demolition, development or soil stripping. Protective fencing must remain in place until all work is completed and all associated materials and equipment are removed from site.

Reason: To ensure the protection of, and to ensure the continuity of amenity afforded by any existing trees to be retained within the site and on adjacent lands.

5. If roots are accidentally damaged the Council must be notified and given the opportunity to inspect the damage before it is covered over.

Reason: To ensure the protection of, and to ensure the continuity of amenity afforded by existing trees.

6. No storage of materials, parking of vehicles or plant, temporary buildings, sheds, offices, fires, topsoil / subsoil or any excavated material within the RPA (Root Protection Area) of trees to be retained within the site or on adjacent lands.

Reason: To avoid compaction within the RPA.

7. No excavation or increase in levels within the RPA.

Reason: To avoid root severance, root compaction and damage to the tree(s).

**Informatives:**

1. The Clean Neighbourhoods and Environment (NI) Act 2011 Contaminated Land - Should any unforeseen ground contamination be encountered during the development, and in order to protect human health, all works on the site should cease. 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.
2. There are a number of street trees within close proximity to the development site, should any of trees require tree works before, during, or after construction, the applicant should liaise with the Department for Infrastructure who shall advise accordingly.

<b>ANNEX</b>	
<b>Date Valid</b>	2nd June 2017
<b>Date First Advertised</b>	7th July 2017
<b>Date Last Advertised</b>	
<p><b>Details of Neighbour Notification</b> (all addresses)</p> <p>The Owner/Occupier, 1,376B Falls Road,Ballymurphy,Belfast,Antrim,BT12 6DG, The Owner/Occupier, 2 St. James's Park,Ballymurphy,Belfast,Antrim,BT12 6DT, Donna Kelly 2, St. James's Park, Belfast, Antrim, Northern Ireland, BT12 6DT The Owner/Occupier, 2,376C Falls Road,Ballymurphy,Belfast,Antrim,BT12 6DG, The Owner/Occupier, 372 Falls Road,Ballymurphy,Belfast,Antrim,, The Owner/Occupier, 372 Falls Road,Ballymurphy,Belfast,Antrim,BT12 6DG, The Owner/Occupier, 374-374a St. James's Park Post Office,Falls Road,Ballymurphy,Belfast,Antrim,BT12 6DG, The Owner/Occupier, 374-374a,Falls Road,Ballymurphy,Belfast,Antrim,BT12 6DG, The Owner/Occupier, 376A Falls Road,Ballymurphy,Belfast,Antrim,BT12 6DG, The Owner/Occupier, 380 Falls Road,Ballymurphy,Belfast,Antrim,BT12 6DH, The Owner/Occupier, 447 Falls Road,Ballymurphy,Belfast,Antrim,BT12 6DD, The Owner/Occupier, 447 Falls Road,Ballymurphy,Belfast,Antrim,BT12 6DD, The Owner/Occupier, 447 Falls Road,Ballymurphy,Belfast,Antrim,BT12 6DD, The Owner/Occupier, 449 Falls Road,Ballymurphy,Belfast,Antrim,BT12 6DD, The Owner/Occupier, Apartment 1,372 Falls Road,Ballymurphy,Belfast,Antrim,BT12 6DG, The Owner/Occupier, Apartment 10,372 Falls Road,Ballymurphy,Belfast,Antrim,BT12 6DG, The Owner/Occupier, Apartment 11,372 Falls Road,Ballymurphy,Belfast,Antrim,BT12 6DG, The Owner/Occupier, Apartment 12,372 Falls Road,Ballymurphy,Belfast,Antrim,BT12 6DG, The Owner/Occupier, Apartment 13,372 Falls Road,Ballymurphy,Belfast,Antrim,BT12 6DG,</p>	

<p>The Owner/Occupier,          Apartment 14,372 Falls Road,Ballymurphy,Belfast,Antrim,BT12 6DG,          The Owner/Occupier,          Apartment 2,372 Falls Road,Ballymurphy,Belfast,Antrim,BT12 6DG,          The Owner/Occupier,          Apartment 3,372 Falls Road,Ballymurphy,Belfast,Antrim,BT12 6DG,          The Owner/Occupier,          Apartment 4,372 Falls Road,Ballymurphy,Belfast,Antrim,BT12 6DG,          The Owner/Occupier,          Apartment 5,372 Falls Road,Ballymurphy,Belfast,Antrim,BT12 6DG,          The Owner/Occupier,          Apartment 6,372 Falls Road,Ballymurphy,Belfast,Antrim,BT12 6DG,          The Owner/Occupier,          Apartment 7,372 Falls Road,Ballymurphy,Belfast,Antrim,BT12 6DG,          The Owner/Occupier,          Apartment 8,372 Falls Road,Ballymurphy,Belfast,Antrim,BT12 6DG,          The Owner/Occupier,          Apartment 9,372 Falls Road,Ballymurphy,Belfast,Antrim,BT12 6DG,</p>	
<b>Date of Last Neighbour Notification</b>	30th June 2017
<b>Date of EIA Determination</b>	
<b>ES Requested</b>	No
<b>Drawing Numbers and Title</b>	
<p>01 – Site Location Plan          02 – Existing Block Plan          03 – Block Plan          04 – Existing Plans, Section and Elevations          05A – Proposed Plans, Section and Elevations</p>	
<b>Notification to Department (if relevant) – N/A</b>	
<p>Date of Notification to Department:          Response of Department:</p>	