

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 16 January 2018	
Application ID:	LA04/2017/1762/F
Proposal: Change of use from first and second floor offices to 2 No. flats including 2.5 storey rear extension, replacement single storey bays and elevation changes (amended scheme)	Location: 1 Rugby Avenue Belfast BT7 1RD
Referral Route: Applicant is related to Cllr with Belfast City Council.	
Recommendation:	Approval Subject to Conditions
Applicant Name and Address: Mrs M Boyle 34 University Avenue Belfast BT7	Agent Name and Address: Total Architecture + Design Limited 25 University Street Belfast BT7 1FY
<p>Executive Summary: This application seeks full planning permission for the change of use from first and second floor offices to 2 No. flats including 2.5 storey rear extension, replacement single storey bays and elevation changes.</p> <p>The key issues in the assessment of the proposed development include:</p> <ul style="list-style-type: none"> - Principle of Development; - Character of the host building / surrounding area; - Amenity; - Character of the Holyland ATC; and - Impact on parking / traffic. <p>The site is located within the development limits for Belfast as per the draft Belfast Metropolitan Area Plan 2015 and BUAP and is within an Area of Townscape Character (Holyland Area of Townscape Character (BT 033)).</p> <p>The principle of development already established under planning permission ref. Z/2008/2442/F.</p> <p>No third party representations have been received in respect of this proposal.</p> <p>Transport NI; Environmental Health; NI Water and Belfast City Council's Conservation Officer raised no objection in principle to the proposal.</p> <p>The proposal is considered to be in general compliance with Policy ATC 2 of APPS6.</p> <p>Given the high density urban context, it is considered that in this context, the proposal is</p>	

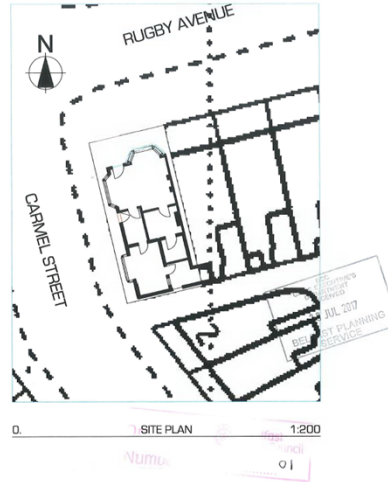
acceptable would not harm the character or appearance of the immediate area.

On balance, the proposal is considered to comply with relevant planning policy and would constitute an acceptable development at this location. This proposal would lead to the delivery of new homes and regenerate a building close to public transport links, in a sustainable location.

Recommendation: Approve subject to conditions.

Case Officer Report

Site Location Plan



<small>client</small> M. BOYLE	TOTAL ARCHITECTURE + DESIGN LIMITED	<small>fig no.</small> 001	<small>revision</small>
<small>project</small> 1 RUGBY AVE BELFAST BT7 1RD		<small>job no.</small> 0519	
<small>drawing</small> LOCATION PLAN & SITE PLAN	<small>25 LINNERSHIE STREET BELFAST BT7 1PQ T. 028 90310077</small>	<small>date</small> JUN 17	
		<small>scale</small> 1:1000 & 1:200	

Characteristics of the Site and Area

1.0	Description of Proposed Development
1.1	Change of use from first and second floor offices to 2 No. flats including 2.5 storey rear extension, replacement single storey bays and elevation changes.
2.0	Description of Site
2.1	The application site is occupied by a Victorian two bay, two and a half storey end-of-terrace building faced in red brick with pitched / slated roof and chimney expressed over the ridge. This has 2.5 storey return that is gabled onto Carmel Street, with two bay windows at ground floor. There is minor lean-to single storey extension to the rear. There is a small covered yard area to the rear enclosed by a 2m tall approx. rendered block wall with gated access to a shared service alleyway. The site is currently vacant but the last known use was as offices.
2.2	The surrounding area is characterised by terraced streets and period architecture in a varied range of uses, such as residential, ecclesiastical, educational and commercial. Mature trees line the road to the front of the application site.

Planning Assessment of Policy and other Material Considerations

3.0	Site History Z/2008/2442/F - Change of use from offices to apartments on 1st and 2nd floor (one bedroom apartments) with alterations to rear return and side of terrace. Approval.
4.0	Policy Framework
4.1	Draft Belfast Metropolitan Area Plan 2015 Belfast Urban Area Plan 2001
4.2	Regional Development Strategy 2035;

	<p>Belfast Urban Area Plan 2001; Belfast Metropolitan Area Plan (BMAP) 2015 (draft); Strategic Planning Policy Statement for NI (SPPS); Planning Policy Statement 6 – Planning, Archaeology and the Built Heritage (PPS6) Planning Policy Statement 7 (Addendum) – Safeguarding the Character of Established Residential Areas APPS7); and Planning Policy Statement 3 - PPS3: Access, Movement and Parking. Parking Standards</p>
5.0	<p>Statutory Consultees Transport NI – No objection NIW – No objection</p> <p>Non Statutory Consultees Environmental Health – No objection Conservation Area Officer – no objection in principle</p>
6.0	<p>Planning Assessment</p> <p>6.1 The main issues to be considered in the assessment of this case include:</p> <ul style="list-style-type: none"> - Principle of Development; - Character of the host building / surrounding area; - Amenity; - Character of the Holyland ATC; and - Impact on parking / traffic. <p>6.2 <u>Principle of Development:</u> The application site is within the development limits for Belfast in both the extant BUAP 2001 and draft BMAP 2015. The immediate vicinity is characterised by high density residential development and therefore the proposal is compatible with the character of the area.</p> <p>6.3 The original existing building has a gross internal floor space area of approx. 142sqm. Policy LC2 (c) of APPS 7 requires the original part of all buildings subject of conversion to flats to have a floorspace area greater than 150sqm as required. However, in the Justification and Amplification of this policy, a flexible approach can be applied where the site is close to key and link transport corridors or adjacent to main public transportation nodes. The site is within walking distance to Ormeau Road (arterial route); University Street; and Botanic Avenue which are all key / link transport nodes. As such a flexible approach can be applied in this case given that the floorspace is marginally lower than the required threshold. There is also an historical approval on the site for a similar change of use which, although expired, there has been no change in the policy context in the interim period.</p> <p>6.4 The proposal is therefore deemed to be acceptable in principle subject to the consideration and resolution of other planning and environmental matters.</p> <p><u>Impact on the character of the host building / surrounding area</u></p> <p>6.5 An extension to the existing 2.5 storey rear return is proposed. This will project out from the main part of the building by 4m and from the side of the existing return by 2m. It will have a height equal to the existing return but will be set back from it by 0.5m. As such it will be subservient to the main building. Proposed finished materials consist of render and slate roof tiles. The latter should match existing roof finishes but the render is at odds with the original. However, this appears to be deliberate so as not to offset the form of the original. Policy QD 1 (a), (b) and (g) is considered to be complied with.</p>

6.6	<p>The elevational changes such as insertion of windows and rebuilding of the side window will be minimal. The materials used will be more in keeping with the original building. This complies with Policy QD 1.</p>
	<p><u>Amenity</u></p>
6.7	<p>The retention of the existing office at ground floor does not require planning permission. Under the terms of the SPPS, Environmental Health was consulted regarding potential for detrimental impact from the existing office use on the amenity of the proposed flats. However, Environmental Health has no concerns that this will be an issue.</p>
6.8	<p>Regarding the potential for overlooking the insertion of two new windows in the rear of the existing return will have a view out towards the road at Carmel Street. The windows in the extension will present views onto a blank side gable wall of No. 2 Carmel Street. Two new windows in the side elevation face out onto the public street and a blank gable wall of No.63 Collage Park Avenue, opposite. As such it is considered that no unacceptable overlooking will result from proposal.</p>
6.9	<p>In terms of overshadowing and dominance in high density urban areas characterised by terraced dwelling with rear returns, such as this, overshadowing and dominance already exists to a certain degree. Due the location of the proposed extension, between the original return and the back of the return of the adjacent property at No.3 Rugby Avenue, overshadowing and dominance will not significantly exacerbate the existing situation to an unacceptable level.</p>
6.10	<p>Each flat will be afforded an acceptable degree of outlook. The proposal adheres to guidance outlined under paragraph 5.9 DCAN 8.</p>
6.11	<p>A maximum of 7sqm of covered private amenity space is to be provided to serve both residential units and the office units. This conflicts with guidance as outlined in the Departmental guide Creating Places which states that communal open space is acceptable for apartments / flats developments but that this should be calculated as 10-30sqm per unit. As such the minimum for this development should be 20sqm for the apartments. No specific guidelines exist for office developments. The proposal is therefore contrary to Policy QD 1 (c) of PPS 7.</p>
6.12	<p>However, a precedent has been set. The prevailing locality is characterised by HMOs and large dwellings converted into flats and a less than standard size amenity space is normal. The reality of shared amenity space is that it is rarely used for anything other than a storage area for bicycles and bins; both of which are easily accommodated here. Also, the prevailing local environment is characterised by large dwellings on small plots with limited amenity space provision. Therefore a degree of flexibility should be afforded as it is unrealistic to expect the high levels of amenity space in an area characterised by high density development.</p>
	<p>Impact on the Character of the Holyland ATC</p>
6.13	<p>The Conservation Officer advised no objection in principle to the proposal however requested a number of design changes and several of these were incorporated into an amended scheme. The design changes do not fully address the CO's concerns; however, it is considered that a balance has been struck which will see maximum retention of original fabric of the building while simultaneously contributing to the regeneration of the area.</p>

6.14	<p>Also, public views of the proposed extension will be limited to an alley at the rear of the site. The works to the bay windows will be an improvement to the overall appearance of the host building and the general area. Finished materials can be secured via conditions to ensure they are conform to those of the original. The proposal is considered to be in general compliance with Policy ATC 2 of APPS6.</p> <p><u>Impact on Parking / Traffic</u></p>
6.15	<p>DoE's Parking Standards document advocates a minimum standard of 1.5 parking spaces per apartment unit. However, no incurtilage car parking is proposed and a parking survey was provided on the request of an initial consultation with TransportNI. TNI is content that sufficient on-street parking is available to accommodate the required spaces generated by the proposal. The proposal is considered to comply with Policy AMP 7 of PPS 3.</p>
7.0	Summary of Recommendation: Approval
7.1	<p>Having regard to the policy context and other material considerations above, the proposal is considered acceptable and planning permission is recommended for approval subject to conditions detailed below.</p>
8.0	Conditions:
8.1	<p>The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.</p> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p>
8.2	<p>Notwithstanding the details hereby approved, no development shall commence on site until details and samples of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.</p> <p>Reason: In the interests of visual amenity and the character and appearance of the Holyland Area of Townscape Character.</p>
9.0	Informatives:
9.1	<p>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 DFI Roads Section Engineer whose address is 1A Airport Road, Belfast, BT3 9DY. Email: TNI.BelfastSouth@infrastructure-ni.gov.uk . A monetary deposit will be required to cover works on the public road.</p>
9.2	<p>All construction plant and materials shall be stored within the curtilage of the site.</p>
9.3	<p>CLEAN NEIGHBOURHOODS AND ENVIRONMENT ACT (NORTHERN IRELAND) 2011</p> <p>Should any unforeseen ground contamination be encountered during the development,</p>

	<p>and in order to protect human health, all works on the site should immediately 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 and verification (if required) should be prepared and submitted for appraisal.</p>
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ANNEX	
Date Valid	4th August 2017
Date First Advertised	18th August 2017
Date Last Advertised	22nd December 2017
Details of Neighbour Notification (all addresses) The Owner/Occupier, 1a ,Carmel Street,Belfast,Antrim,BT7 1QE, The Owner/Occupier, 1b ,Carmel Street,Belfast,Antrim,BT7 1QE, The Owner/Occupier, 2 Carmel Street,Belfast,Antrim,BT7 1QE, The Owner/Occupier, 2 Rugby Avenue,Malone Lower,Belfast,Antrim,BT7 1RG, The Owner/Occupier, 3 Rugby Avenue,Malone Lower,Belfast,Antrim,BT7 1RD, The Owner/Occupier, 4 Rugby Avenue,Malone Lower,Belfast,Antrim,BT7 1RG, The Owner/Occupier, 63 College Park Avenue,Belfast,Antrim,BT7 1LR,	
Date of Last Neighbour Notification	14th December 2017
Planning History Ref ID: Z/2008/2442/F Proposal: Change of use from offices to apartments on 1st and 2nd floor (one bedroom apartments) with alterations to rear return and side of terrace (Amended Scheme). Address: 1 Rugby Avenue, Belfast, BT7 1RB Decision: Decision Date: 16.11.2009	
Drawing Numbers and Title	

Drawing No. 01
Type: Location and Site Plan

Drawing No. 02
Type: Existing Plan

Drawing No. 03A
Type: Proposed Plans

Drawing No. 04
Type: Existing Elevations

Drawing No. 05B
Type: Proposed Elevations

Drawing No. 06
Type: Existing Sections

Drawing No. 07A
Type: Proposed Sections