

Committee Application

Development Management Report	
Application ID: LA04/2017/0112/F	Date of Committee: 13 th March 2018
Proposal: Change of use of nursing home into 12 apartments and erection of 9 apartments including 3 storey rear extension, associated alterations and site works.	Location: 5-7 Connsbrook Avenue Belfast BT4 1JT
Referral Route: Housing scheme in excess of 12 units with objections	
Recommendation:	Approve
Applicant Name and Address: SAM Residential Homes 8 Orchard Way Newpark Industrial Estate Antrim BT41 2RU	Agent Name and Address: Michael Whitley Architects 232-240 Belmont Road, Belfast BT4 2AW
<p>Executive Summary: This application seeks full planning permission for the change of use and extension of existing nursing home to form 21 apartments (13 x 2 bed and 8 x 1 bed) with associated alterations to the elevations including recladding and rendering and other associated site works.</p> <p>The main issues to be considered in this case are:</p> <ul style="list-style-type: none"> • Principle of development • Design, Impact on character and appearance of the surrounding area • Access, parking, transport, waste • Impact on amenity • Infrastructure Capacity • Flooding <p>The application site is on unzoned land within the development limits of Belfast as designated in the BUAP and Draft BMAP. The surrounding area is characterised by a mixture of apartments and dwelling houses and as such there is no objection in principle.</p> <p>It is considered that the proposal would provide much needed housing that would maintain overall the character and appearance of the existing building and would not cause adverse harm to the local character, environmental quality of the area and amenity of neighbouring properties. It would create a quality and sustainable residential environment in accordance with the main aims and objectives of the SPPS.</p> <p>Transport NI, NI Water, Rivers Agency and the Council's Environmental Health Unit were consulted and have offered no objection.</p> <p>7 letters of objection received (2 additional letters as a result of the re-notification), summarised as:</p> <ul style="list-style-type: none"> • Size and height of development; • No of high rise apartment blocks are increasing which is taking away from the natural beauty of the area; • Lack of on-site parking; • Building work could potentially have a negative effect on the services of Occupational Health Consultancy and Cognitive Behavioural Therapy Centre at Strand House; 	

- Loss of light to offices at rear, current legislation requires DSE users to have natural light and the proposed building breaches this legislation;
- Traffic congestion;
- Loss of natural light and sunlight;
- Overlooking, loss of privacy;
- Strain on existing sewerage, drainage and electricity systems;
- Loss of mature trees;
- Increased noise generation;
- Consider assertions made in Transport Assessment and Parking Report are misleading.

These issues have been addressed in the main body of the report below.

The proposal has been assessed against and is considered to comply with the SPPS, BUAP, Draft BMAP, PPS3, PPS7, PPS7 Addendum and PPS15. Having regard to the development plan, relevant planning policies, and other material considerations, it is recommended that the proposal should be approved.

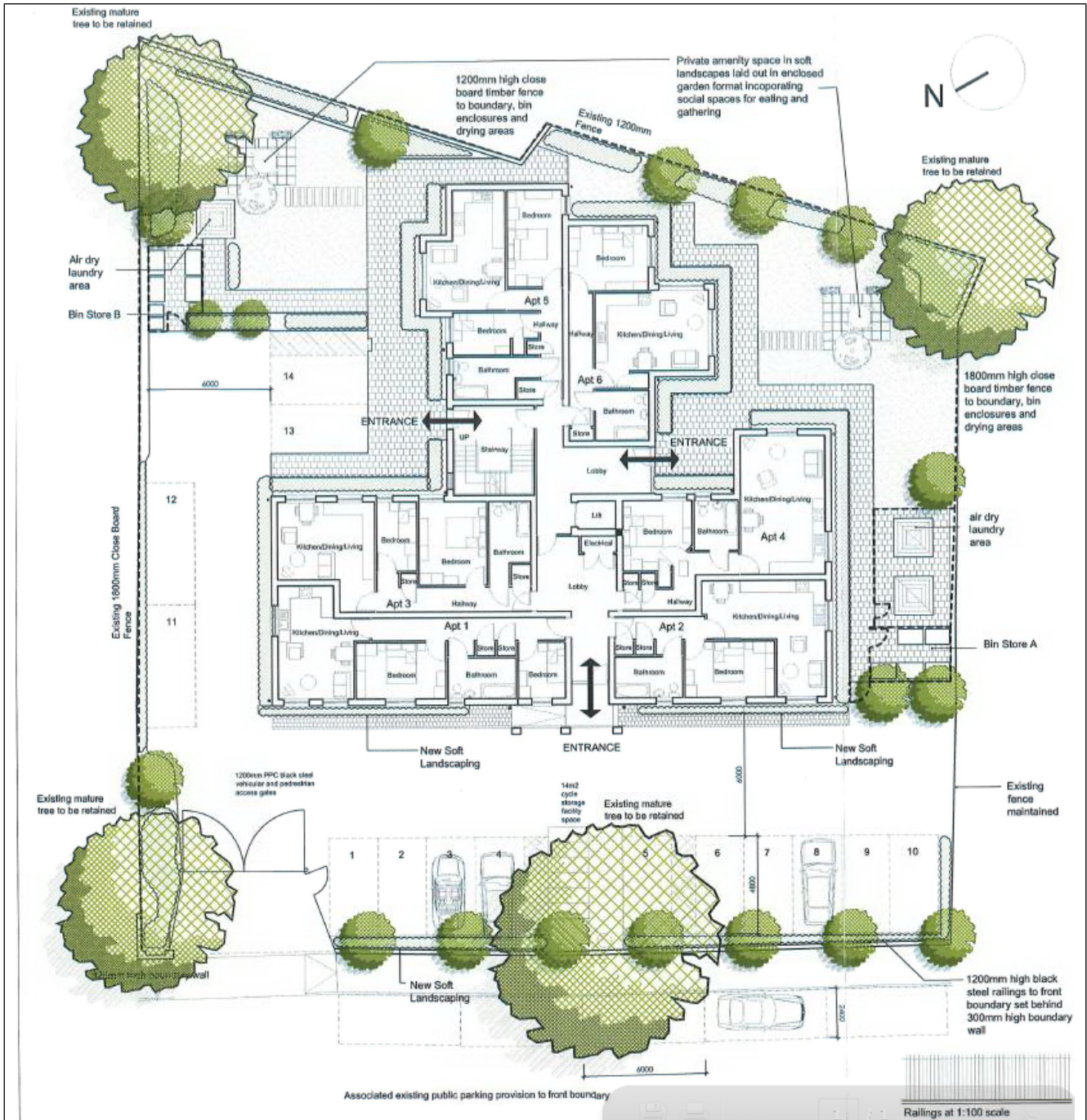
Recommendation

It is requested that committee delegate authority to the Head of Planning and Policy to grant planning permission subject to the conditions listed in Section 11 of the report with the final wording of conditions to be agreed

Case Officer Report

Site Location Plan





Characteristics of the Site and Area

1.0 Description of Proposed Development

This application seeks full planning permission for the change of use and extension of existing nursing home to form 21 apartments (13 x 2 bed and 8 x 1 bed) with associated alterations to the elevations including recladding and rendering and other site works including car parking, cycle store, bin store and railing along front boundary.

Additional information / amendments were secured during the processing of the application including the following:

- Shadow Analysis
- Drainage Assessment
- Reconfiguration of site layout and internal layout of building
- Sections

<p>2.0</p>	<p>Description of Site The application site fronts onto Connsbrook Avenue and comprises of a vacant two storey nursing home building. The vehicular access is located within the north western corner of the site. The front and side of the site is covered in hardstanding. The side and rear boundaries are defined by wooden fencing and the front boundary is made of a brick wall with hedgerow behind and a mature tree.</p> <p>The site is located within the development limits of Belfast. Connsbrook Avenue is predominately residential in nature with a mix of apartments and semi-detached housing. The rear of the site backs onto the properties along the Holywood Road which contain a mixture of apartments and offices.</p>
<p>Planning Assessment of Policy and other Material Considerations</p>	
<p>3.0</p>	<p>Site History <u>Application Site</u> Z/1989/0147- Erection of Private Nursing Home – Approved 29.04.1989</p> <p>9 Connsbrook Avenue Z/2000/2767/RM - Reserved matters application for 10 No apartments, demolition of existing dwelling – Approved 29.05.2001</p> <p>13 Connsbrook Avenue Z/2015/0211/F – Demolition of 13 Connsbrook Avenue and erection of 12 apartments (9 1 bed and 3 2 bed) with associated parking – Approved 18.02.2016</p>
<p>4.0</p>	<p>Policy Framework</p>
<p>4.1</p>	<p>Belfast Urban Area Plan 2001 (BUAP)</p>
<p>4.2</p>	<p>(Draft) Belfast Metropolitan Area Plan 2015</p> <p>Following the recent Court of Appeal decision on BMAP, the extant development plan is now the BUAP. However, given the stage at which the Draft BMAP had reached pre-adoption through a period of independent examination, the policies within the Draft BMAP still carry weight and are a material consideration in the determination of planning applications. The weight to be afforded is a matter of judgement for the decision maker.</p>
<p>4.1.1</p>	<p>Policy SETT 2 Development within the Metropolitan Development Limits, and Settlement Development Limits.</p>
<p>4.3</p>	<p>Regional Development Strategy 2035</p>
<p>4.4</p>	<p>Strategic Planning Policy Statement 2015</p>
<p>4.5</p>	<p>Planning Policy Statement 3 - Access, Movement and Parking Planning Policy Statement 7 – Quality Residential Environments Planning Policy Statement 7 Addendum – Safeguarding the Character of Established Residential Areas Planning Policy Statement 15 – Planning and Flood Risk</p>
<p>5.0</p>	<p>Statutory Consultees Responses</p>
<p>5.1</p>	<p>Transport NI – No objection subject to conditions</p>
<p>5.2</p>	<p>NI Water – No objection</p>
<p>5.3</p>	<p>Rivers Agency – No objection</p>
<p>6.0</p>	<p>Non Statutory Consultees Responses</p>
<p>6.1</p>	<p>BCC Environmental Health – No objection</p>
<p>7.0</p>	<p>Representations</p>

7.1	<p>The application has been neighbour notified on the 21st February 2018 and advertised in the local press on the 5th February 2017.</p> <p>A 14-day re-notification was carried out with neighbours and objectors on the additional information and amended plans which expired on the 19th February 2018.</p> <p>7 letters of objection received (2 additional letters as a result of the re-notification), summarised as:</p> <ul style="list-style-type: none"> • Size and height of development; • Number of high rise apartment blocks are increasing which is taking away from the natural beauty of the area; • Lack of on-site parking; • Building work could potentially have a negative effect on the business/ services of Occupational Health Consultancy and Cognitive Behavioural Therapy Centre at Strand House; <p><i>Officer Response: A Construction Management Plan condition has been recommended to minimise disruption during the build period.</i></p> <ul style="list-style-type: none"> • Loss of light to offices at rear, current legislation requires digital screen users to have natural light and the proposed building breaches this legislation; <p><i>Officer Response: This legislation does not apply to the assessment of planning applications. There are planning policies that deal with loss of light and these are addressed in the main body of the report.</i></p> <ul style="list-style-type: none"> • Traffic congestion; • Loss of natural light and sunlight; • Overlooking, loss of privacy; • Strain on existing sewerage, drainage and electricity systems; • Loss of mature trees; • Increased noise generation; <p><i>Officer Response: This is a built up urban area where noise is inevitable. In any case, noise will be limited given the proposed residential land use and similar uses in neighbouring properties. Noise during construction will only be in the short term and is governed by separate legislation. As such no concern is raised.</i></p> <ul style="list-style-type: none"> • Consider assertion made in the developer's Transport Assessment that there will be no increase in traffic, noise generation and air quality to what presently exists misleading; <p><i>Officer Response: Environmental Health have been consulted and have raised no concern in respect of air quality.</i></p> <ul style="list-style-type: none"> • Consider parking report is misleading when it asserts that there is more than sufficient on street parking near the site, spaces are shown on a dangerous corner. <p>All other points raised have been addressed directly in the main body of the report.</p>
8.0	Other Material Considerations
8.1	<p>Parking Standards DCAN 15: Vehicular Access Standards Creating Places</p>
9.0	Assessment
9.1	The proposal is considered to be in compliance with the development plan.
9.2	<p>The key issues in the assessment of the proposed development include:</p> <ul style="list-style-type: none"> - Principle of development - Design, Impact on character and appearance of the area - Access, Parking, Transport and Waste

	<ul style="list-style-type: none"> - Impact on amenity - Infrastructure capacity - Flooding
	<p><u>Principle of development</u></p>
9.3	<p>The application site is unzoned land within the development limits as designated in the BUAP and Draft BMAP. The surrounding area is predominately of a residential nature and contains a mixture of apartments and dwelling houses. The principle of residential apartments at this location is therefore considered acceptable subject to the material considerations as set out below.</p>
	<p><u>Design, Impact on character and appearance of the area</u></p>
9.4	<p>Connsbrook Avenue is predominately defined as a combination of apartments and terraced dwellings on the eastern side and suburban semi-detached dwellings on the western side. There is a transition in scale and density from the Hollywood Road to the suburban two storey semi-detached dwellings on the western side of Connsbrook Avenue. The application site forms part of this transition line, where two five / six storey apartment blocks and a four storey office block provide the backdrop to the site. The proposed three storey building with roof accommodation at a height of 11.8 metres would sit below the buildings on Hollywood Road and would be the same height as other three storey apartment buildings along Connsbrook Avenue including No 9 Connsbrook Avenue which is next door to the site and the new apartment development under construction at No 13 Connsbrook Avenue. The proposed scale is therefore considered appropriate in the surrounding context as illustrated in the submitted sections. The proposed density would also be similar to that already established in the surrounding area.</p>
9.5	<p>The proposed extensions and alterations would generally be in keeping with the massing, proportions and appearance of the existing building and would reinforce the established character of the area. The materials proposed consist of a mixture of white render and dark grey natural slate stone cladding. The white render is typical of the materials found along the street however the natural slate stone cladding is not. In light of this, it is considered necessary to attach a condition requiring samples of the external materials to be submitted to ensure high quality materials are secured that respect the character and appearance of the area.</p>
9.6	<p>At present the grounds to the site are dominated by hardstanding. The proposed redevelopment would increase the amount of soft landscaping along with new tree planting and paving which will help to provide a more attractive development which also enhancing the character and appearance of the area. Concerns have been raised over the potential loss of trees on the site and neighbouring properties. The proposed works mainly comprise of a roof extension therefore there would be no ground disturbance and nearby trees would not be compromised. There is a small extension proposed at the southern side of the building, however this would be a sufficient distance away from nearby trees.</p>
9.7	<p>There is a tree along the front boundary of the site that would be affected by the proposed boundary works. However, this tree is not protected and can be removed at any time. In any case tree, additional tree planting is proposed along the front boundary which would compensate for the loss of this tree.</p>
9.8	<p>Overall it is considered that the proposal would maintain overall the character and appearance of the existing building and would not cause adverse harm to the local character and environmental quality of the area in accordance with Draft BMAP, Policy QD1 of PPS7 and Policies LC1 and LC2 of PPS7 Addendum, Creating Places and the SPPS.</p>
	<p><u>Access, Parking and Transport</u></p>
	<p>The planning application is supported by a Transport Assessment Form and Parking Report.</p>

9.9	This demonstrates that the proposed development is unlikely to have any significant impact on the local highway network in terms of capacity and safety.
9.10	A total of 14 on-site parking spaces would be provided which equates to a ratio of 0.6 parking space per apartment. It acknowledged that this falls short of the recommended provision set out in the Parking Standards document. However, justification is provided for this reduced standard due to the site's sustainable location in close proximity to a wide range of local amenities and public transport / cycling links which reduces the reliance on the private car in line with the main objectives of the SPPS and Draft BMAP. In addition, the Parking Report demonstrates that there is available capacity of on-street parking within the vicinity of the site to accommodate the requirements of the development during periods of peak demand without having an adverse impact on existing parking within the area. TNI have reviewed the Parking Report and are content with its findings.
9.11	It is noted that objections have raised concerns that the parking report is misleading in respect of the location of on-street parking. However, these are spaces which are not restricted and can be used at anytime, therefore there is no reason why they can't be included.
9.12	The development would be served by the existing vehicular access which is proposed to widened. Transport NI were consulted and have no objection to the proposed development subject to conditions.
9.13	The proposal is therefore considered to be acceptable in terms of highway safety, capacity and car parking and would comply with Draft BMAP, PPS3, PPS7 and the SPPS.
9.14	There is adequate provision within the site to accommodate a communal bin storage area and bin collection point which follows the guidance contained with the Local Government Waste Storage Guide and the Council's Supplementary Guidance on Waste Storage for developments in Belfast. A Management Company would be responsible for the movement of the euro bins to and from the bin collection point on collection day. Conditions are recommended requiring full details of a Waste Management Plan to be provided.
9.15	<p><u>Impact on amenity</u></p> <p>The future occupiers of the apartments would have access to 270m² of communal amenity space which would exceed the minimum recommended standard set out in Creating Places. Each apartment would have satisfactory outlook from their main habitable areas over the communal amenity space or the main road which would also ensure that they receive an adequate degree of light. The original property would exceed 150 square metres gross internal floorspace and each apartment would meet the space standards.</p>
9.16	No 3 Connsbrook Avenue is an apartment building located along the south western boundary of the site. The proposed extensions would be on a similar building line to the existing building and would be sited 8.8 metres from fenestrated side elevation of No 3 which would prevent an overbearing impact. As No 3 lies to the south of the application site, no overshadowing would be caused. The only side facing windows that would look onto the fenestrated side gable of No 3 would serve bathrooms which can be conditioned to be obscurely glazed to prevent an undue loss of privacy. The existing building has side facing windows which currently overlook the rear space of No 3 and as such it is not considered that the proposed changes would result in a material change over the existing situation.
9.17	No 9 Connsbrook Avenue is an apartment building that adjoins the northern eastern boundary of the site. Given the separation distance between the buildings and the increase in height will be no greater than No 9 itself, the proposed roof extension would not have an overbearing impact on No 9. It is acknowledged that there are a number of habitable rooms on the side elevation to No 9 which face onto the application site. The shadow analysis submitted

	<p>demonstrates that there is little change over the existing shadow patterns as a result of the increase in height. The only difference is in the late winter months on two bedroom windows on the second floor of the main side gable of No 9, however this would not be so significant as to cause an unacceptable impact over the existing situation in this urban location. In terms of natural light, the windows serving the main habitable rooms in No 9 would still receive an adequate degree. In terms of overlooking, there would be no material change over the existing situation.</p>
9.18	<p>Strand House is a 4 storey office building that adjoins the rear boundary of the site. Office buildings are not afforded the same degree of amenity as residential buildings given the nature of the way they are occupied and utilised. The new apartment building would sit substantially lower than Strand House. In addition Strand House is located to the south of the application site and as such no overshadowing would be caused. In light of this, it is not considered that it would result in an unacceptable loss of light to Strand House that would warrant refusal of the application. Given the existing degree of overlooking between the buildings and the separation distance to any new windows being created, the proposal would not cause an unacceptable loss of privacy to Strand House.</p>
9.19	<p>No 104 Holywood Road is a six storey apartment building which also backs onto the rear boundary of the site. Due to the existing tight knit nature of the buildings and the orientation of No 104, it is not considered that the proposed development would result in an unacceptable loss of light to these apartments over and above what presently exists. There would be a separation distance in excess of 20 metres from the nearest rear facing windows to the rear elevation of No 104 which prevents an undue loss of privacy.</p>
9.20	<p>In light of the above, it is considered that an adequate level of residential amenity would be maintained for future and existing occupiers in accordance with PPS7, PPS7 Addendum (Safeguarding the Character of Established Residential Areas) and the SPPS.</p>
9.21	<p><u>Infrastructure Capacity</u> NI Water have confirmed that there is available capacity within the WWTW and as such no objection is raised. Connections to the water and foul sewer system would be covered by separate legislation.</p>
9.22	<p><u>Flooding</u> The site is not located within the fluvial or coastal flood plain. In line with the requirements of the SPPS and PPS15 the application is supported by a Drainage Assessment. This has been reviewed by Rivers Agency who have cited no objection. It has been demonstrated that adequate measures will be put in place to effectively mitigate the flood risk to the proposed development and from development elsewhere. As such the proposed development would comply with Policy FLD3 of PPS 15 and the SPPS</p>
10.0	<p>Summary of Recommendation: Having regard to the policy context and other material considerations above, the proposal is considered acceptable and planning permission is recommended subject to conditions for the following reasons.</p>
11.0	<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. Notwithstanding the materials outlined on the approved plans, the development hereby

permitted shall not commence until samples and a written specification of the materials to be used in the external elevations have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and thereafter retained in accordance with the approved details.

Reason: To protect the visual amenities of the area.

3. The development hereby permitted shall not commence until a detailed landscaping scheme including replacement tree planting has been submitted to and approved in writing by the Local Planning Authority which specifies species, planting sizes, spaces and numbers of trees/ shrubs and hedges to be planted. All landscaping shall be carried out in accordance with the approved scheme in the first planting season (November-March) following the occupation of the buildings or the completion of the development (in that phase) whichever is the sooner and maintained thereafter. Any retained or newly planted trees, shrubs or hedges which die, become seriously damaged or diseased or are removed or destroyed within a period of 5 years from the date of planting shall be replaced during the next planting season with specimens of the same size and species unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of amenity and biodiversity and to preserve and enhance the character and appearance of the area.

4. No development shall commence on site until a landscape management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscape areas has been submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be carried out as approved in accordance with the approved details.

Reason: To ensure the proper management of the landscaped areas in the interests of visual amenity.

5. Prior to the first occupation of the development hereby permitted, the bin store facilities shall be provided in accordance with the approved plans and shall be made available and thereafter be retained for use at all times.

Reason: In the interests of amenity and to ensure the provision of satisfactory facilities for the storage and recycling of refuse and to protect the character and appearance of the area.

6. The development hereby permitted shall not commence until a Waste Management Plan including details of bin collection arrangements have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in full prior to the first occupation of the development and maintained thereafter for use at all times.

Reason: In the interests of amenity, to ensure the appropriate provision of infrastructure and to protect the character and appearance of the area.

7. The development hereby permitted shall not occupied until hard surfaced areas have been constructed and permanently marked out in accordance with the approved plan Drawing No 08B stamped received by Belfast City Council 9th November 2017 for vehicles to park and turn. The parking and turning area shall be used and retained exclusively for its designated purpose.

	<p>Reason: To ensure sufficient on-site turning and parking.</p> <p>8. Prior to the occupation of the development hereby permitted, sheltered cycle parking as shown on the approved plans shall be provided on the site and made available for use. The cycle parking and any associated facilities shall thereafter be retained for use by the occupants of and visitors to the development at all times.</p> <p>Reason: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than the private car.</p> <p>9. The vehicular access, including visibility splays shall be provided in accordance with approved Drawing No.08X stamped received by Belfast City Council XXX prior to the occupation of any other works or other development hereby permitted.</p> <p>Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.</p> <p>10. Windows which are shown to be obscure-glazed on the approved plans at first floor level and above shall remain obscure glazed and non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed and thereafter permanently retained as such.</p> <p>Reason: To safeguard the privacy of the occupiers of the adjoining properties.</p> <p>11. The development hereby permitted shall not commence until a Construction Management Plan has been submitted to and approved in writing by, the Local Planning Authority. The Management Plan shall provide for:</p> <ul style="list-style-type: none">i) the parking of vehicles of site operatives and visitors;ii) loading and unloading of plant and materials;iii) storage of plant and materials used in constructing the development;iv) measures to control the emission of dust and dirt during construction;v) measures to control noise and vibration during construction. <p>The Management Plan shall be implemented as approved and maintained for the duration of the construction works unless otherwise agreed in writing by the Local Planning Authority.</p> <p>Reason: In the interests of public safety and amenity.</p>
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Notification to Department (if relevant): N/A

Representations from Elected members: N/A