

Committee Application

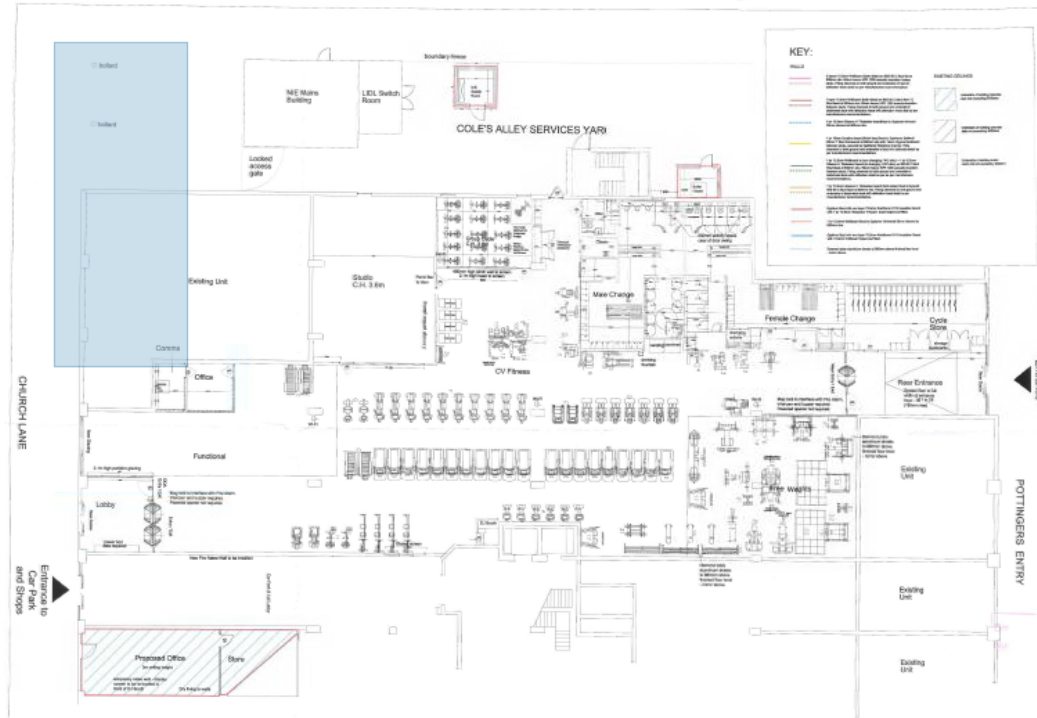
Development Management Report	
Application ID: LA04/2017/2048/F	Date of Committee: 11 September 2018
Proposal: Change of use from shop unit to office. Erection of single storey boiler house and NIE switch room	Location: 14c Hi-Park Centre Church Lane BT1 4QN
Referral Route: Belfast City Council related application	
Recommendation:	Approval
Applicant Name and Address: Greenwick Leisure Ltd (GLL) Middlegate House The Royal Arsenal London SE18 6SX	Agent Name and Address: Samuel Stevenson and Sons 4 Greenwood Avenue Belfast BT4 3HR
Executive Summary: Full permission is sought for the change of use of a retail unit to office use. Also proposed is a new single storey boiler house and a new NIE switch room. The key issues in assessment of the proposed development include: <ul style="list-style-type: none">• The principle of office use at this location• Impact of boiler house and switch room on Conservation Area• Impact on amenity• Impact on traffic flow The site is located within the city development limits for Belfast as designated within the Draft Belfast Metropolitan Area Plan 2004. It falls within the Primary Retail core and Belfast City Centre Conservation Area. DfI Roads and BCC Environmental Health were consulted and have no objection to the proposal. Recommendation It is recommended that the application is approved.	

Characteristics of the Site and Area

1.0 Description of Proposed Development

The proposal is for the change of use of the unit at 14c Hi-Park Centre from retail to office use. Also proposed is a new single storey boiler house and a new NIE switch room to be erected on Cole's Alley.

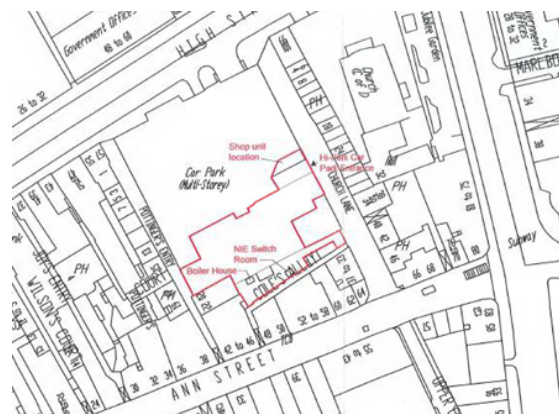
1.1 Proposed Plan for Office, Boiler House and NIE Switch Room



2.0 Description of Site

2.1 The site address is 14c Hi-Park Centre, located on Church Lane in Belfast City Centre. It consists of a 57sqm ground floor retail unit. Additionally, part of the proposal is located in Cole's Alley off Church Lane. The character of the area is representative of the city centre, composed primarily of retail use.

2.1 Site Location



Planning Assessment of Policy and other Material Considerations	
3.0	Site History Z/1984/0731 - 59-97 HIGH STREET - CONSTRUCTION OF MULTI-STOREY CAR PARK WITH GROUND FLOOR SHOPPING COMPLEX - PERMISSION GRANTED Z/2005/1396/F - Units 6-11, Hi Park Centre - Change of use from retail unit to amusement arcade – PERMISSION GRANTED 31.08.05 Z/2008/2005/F - Units 38-39 Hi-Park Centre - Change of use from retail unit to amusement arcade - PERMISSION GRANTED 24.11.08 Z/2014/1441/F - Former In Shops Shopping centre, 71-72 High Street - External alteration to Cole's Alley elevation to provide for plant and air conditioning units set on concrete plinth and demountable louvres and High Street elevation to provide a louvre and 3 no. wall mounted bicycle racks - PERMISSION GRANTED 28.01.15 LA04/2016/0558/F - Hi Park Centre - Change of use from retail to gymnasium, alteration to external fabric of the building and provision of cycle storage - PERMISSION GRANTED 23.08.16 LA04/2018/1290/A - 14A High-Park Rear Unit, Church Lane - Projecting sign to existing gymnasium - PERMISSION GRANTED 20.08.2018
4.0	Policy Framework
4.1	BUAP 2001 Draft Belfast Metropolitan Area Plan 2004 Version of Belfast Metropolitan Area Plan published 03.09.14 Strategic Planning Policy Statement (SPPS) Planning Policy Statement 6: Planning, Archaeology and the Built Heritage
5.0	Statutory Consultees Responses
5.1	None
6.0	Non Statutory Consultees Responses
6.3	Dfl Roads – no objection BCC Environmental Health – no objection
7.0	Representations
7.1	The application has been neighbour notified and advertised in the local press. No comments have been received.
8.0	Other Material Considerations
8.1	None
9.0	Assessment

	<u>Plan Status/Relevant Policy/Constraints</u>
9.1	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 version of BMAP purported to be adopted 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.
9.2	The site is within the development limit of Belfast as designated in both the BUAP and the draft BMAP. The site falls within the City Centre Conservation Area and the Primary Retail Core as designated in Draft BMAP.
9.3	The Strategic Planning Policy for Northern Ireland (SPPS) is a material consideration for all decisions on individual planning applications and provides general policy context.
	<u>SPPS</u>
9.4	Under the SPPS, the guiding principle for planning authorities in determining planning applications is 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. 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.
	<u>Principle of Office Use at Location</u>
9.5	The proposal is to provide an ancillary boiler house and NIW switch room to serve the Better Gym at 14a Hi-Park Centre, approved under LA04/2016/0558/F. Adjoining retail Unit 14c is to initially be used for gym membership sales and once the gym opens the intention is to convert this into an office.
9.6	The site falls within the Primary Retail Core as designated in draft BMAP. Policy R1 of the BMAP Plan Strategy and Framework states that non-retail development will be restricted in designated Primary Retail Cores so that no more than 25% of the frontage of the shopping street to which it relates is in non-retail use and no more than three adjacent units are in non-retail use.
9.7	Church Lane runs from High Street to Ann Street and is made up of a mixture of uses including retail, restaurants, cafes, bars and beauty/barber shops. An analysis of the existing uses indicates that approximately 50% of the units are in retail use. Most of the other units are in bar/restaurant use or services use.
9.8	The west frontage falls within the Primary Retail Core (PRC) and has the least retail use. The opposite frontage lies outside the PRC yet has most of the retail. The proposal will not add a further non-retail use but will be associated with the existing gymnasium. It will not result in three adjacent non-retail units. Given the small size of the unit, its use with an existing gymnasium will have little impact on the character and vitality of the street.
9.9	As the purpose of Policy R1 is to ensure the continuance of a compact, lively and attractive shopping environment it is considered that Church Lane still achieves this. Additionally, as the proposed office unit is relatively small floor space (57sqm) and is ancillary to the gym

	<p>approved under LA01/2016/0558/F to provide membership sales etc, it is considered that it would not have an unacceptable impact on the retail/commercial nature of the lane.</p> <p><u>Impact of Boiler House and Switch Room on Conservation Area</u></p> <p>9.10 The proposed NIE switch room has a 2.8m x 2.8m footprint and comes to 2.4m in height. It is to be built 3.7m behind an existing NIE mains building and LIDL switch room, situated some 10m into Cole's Alley. The proposed boiler house is 2m x 2.5m and is also 2.4m in height. It is to be positioned against the side wall of Hi-Park to the rear of a projecting stairwell. Both are to be finished in brick to match the existing buildings. As both proposed service buildings are to be constructed behind existing structures they will not be seen from Church Lane. It is therefore considered that they will have little impact on the character of the Conservation Area and are compliant with BH 12 of PPS 6 in this regard.</p> <p><u>Impact on Amenity</u></p> <p>9.11 The Council's Environmental Health Unit was consulted about the proposed change of use and service buildings and offered no objection subject to an informative.</p> <p><u>Impact on Traffic Flow</u></p> <p>9.12 DfI Roads was consulted about the proposed change of use and service buildings and offered no objection.</p> <p><u>Conclusion</u></p> <p>9.13 The proposed change of use and new plant rooms are considered acceptable. Delegated authority is sought to approve the application with conditions.</p>
10.0	Summary of Recommendation: Approval
11.0	<p>Conditions</p> <ol style="list-style-type: none"> 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 boiler house and NIE switch room hereby approved shall be constructed in accordance with Approved Drawing Nos. 04 and 05, date stamped 23 August 2017. Reason: In the interests of visual amenity. <p>Informatives</p> <ol style="list-style-type: none"> 1. 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. 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

	<p>any necessary mitigation measures and verification (if required) should be prepared and submitted for appraisal.</p> <p>Noise / Fumes</p> <p>The applicant is advised to ensure that all plant and equipment is so situated, operated and maintained as to prevent the transmission of noise or fumes to nearby premises.</p>
<p>Notification to Department (if relevant)</p> <p>N/A</p>	
<p>Representations from Elected members:</p> <p>N/A</p>	