

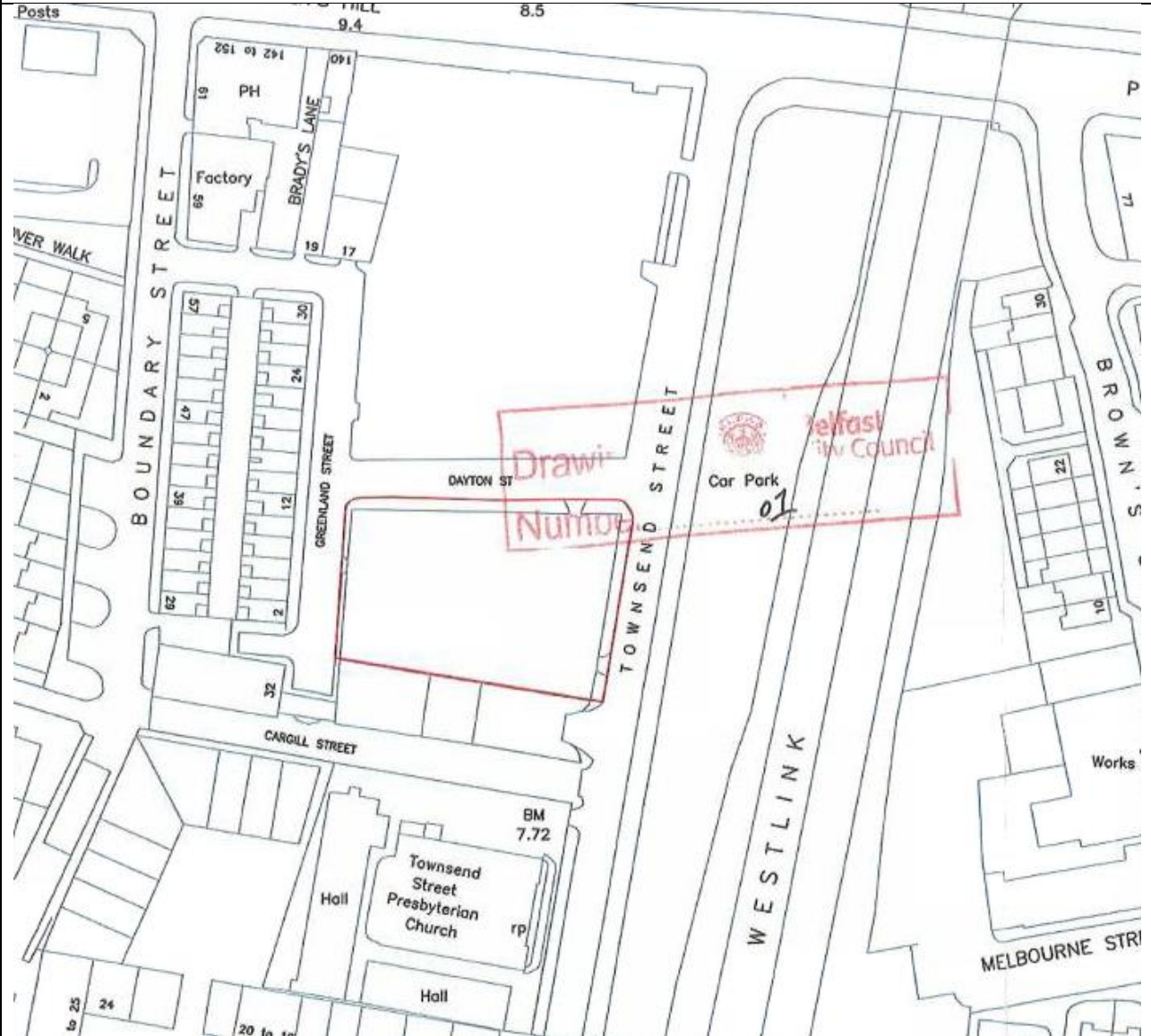
Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: Tuesday 15 November 2019	
Application ID: LA04/2018/2076/F	
Proposal: New residential scheme consisting of 39 apartments in 3 blocks varying in height from 3 to 4 stories.	Location: 40-50 Townsend Street, Belfast.
Referral Route: More than 12 residential units are proposed with objection.	
Recommendation:	Approve subject to conditions
Applicant Name and Address: Bluehouse Developments Ltd 141-143 Donegall Pass Belfast	Agent Name and Address: Dickson Fitzgerald Architects 250 Ravenhill Road Belfast BT6 8GQ
<p>Executive Summary:</p> <p>The main issues to be considered are;</p> <ul style="list-style-type: none"> -The principle of the proposal at this location; -The impact of the development on listed buildings nearby; -The impact of the development on terrace housing opposite on Greenland Street; -The impact on traffic and parking; -Third party representations. <p>The principle of the proposal is acceptable on the basis that the site is within the development limits in both the extant and draft plans and is in keeping with white land designation in dBMAP. The proposed land use for housing is acceptable and compatible with the surrounding context.</p> <p>The proposed design is considered acceptable and will a positive impact on the character of the area; and a Shadow Analysis indicates Greenland Street will not be cast in shadow and that the proposal will not result in an unacceptable impact on residential amenity.</p> <p>All consultees offered no objections to the proposal. HED are satisfied the proposal will not affect the setting of the listed buildings nearby.</p> <p>4 representations were received, 3 objections and 1 letter of support. The following issues were raised:</p> <ul style="list-style-type: none"> • Over-shadowing and loss of light in classrooms of listed school house & Loss of light of Greenland Street due to over dominant impact of a 3 storey building with beside 2 storey dwellings on Greenland Street. • Over-dominant impact on adjacent listed Church and Townsend Street <p>These matters are dealt with in the case officer report below</p>	

It is considered that the proposed development accords with the policies of the development plan and prevailing regional planning policy and therefore **approval** is recommended, subject to conditions. It is requested that final wording of conditions is delegated to the Director of Planning and Building Control.

Case Officer Report

Site Location Plan



Consultations:

Consultation Type	Consultee	Response
Non Statutory	Env Health Belfast City Council	Add Info Requested
Non Statutory	DFI Roads - Hydebank	
Statutory	NI Water - Multi Units East - Planning Consultations	Advice
Statutory	Historic Environment Division (HED)	Advice
Statutory	Rivers Agency	Content
Statutory	Historic Environment Division (HED)	Advice
Non Statutory	Env Health Belfast City Council	Substantive Response Received

Statutory	Historic Environment Division (HED)	Advice
Non Statutory	DFI Roads - Hydebank	
Non Statutory	Env Health Belfast City Council	Substantive Response Received
Non Statutory	Env Health Belfast City Council	Substantive Response Received
Statutory	Historic Environment Division (HED)	Content
Representations:		
Letters of Support		1
Letters of Objection		3
Number of Support Petitions and signatures		No Petitions Received
Number of Petitions of Objection and signatures		No Petitions Received
Characteristics of the Site and Area		
1.0	Description of Proposed Development	
	A modern residential development of 39 apartments arranged in 3 blocks is proposed.	
1.1	The blocks (1no. 3 storey and 2no.blocks at 4 stories) are arranged around a central courtyard. Each block is accessed from the central courtyard via Dayton Street. The central courtyard will be enclosed to the south by a 2m courtyard wall constructed in brick to match the building facades; and the 3 apartment blocks to north, west and east. The court yard which provides amenity space will be grassed in part, with timber bench seating, decorative gravel, feature trees and raised planters.	
1.2	At ground floor level 10 apartments (9 x no. 1 bedroom & 1x no. 2 bedroom) are proposed. Each has individual enclosed amenity space. 8 have their individual accesses from Townsend and Greenland Street with the remaining 2 accessed from the central courtyard; all apartments on 1 st , 2 nd & 3 rd floors are accessed from the courtyard via open walkways. 1 st floor - 8 x 1 bedroom apartments 3 x 2 bedroom apartments – 11apts in total 2 nd floor – 8 x 1 bedroom apartments 3 x 2 bedroom apartments - 11 appts in total 3 rd floor – 4 x 1 bedroom apartments 3 x 2 bedroom apartments – 7 appts in total	
1.3	33 of 39 apartments have balconies, which either project, regress or are 'Juliet' style.	
1.4	A bin store and bicycle store are proposed at ground floor level.	
1.5	It is proposed that the development will be constructed in clay brick, in keeping with traditional 'Belfast brick', doors will be timber, selected areas will be clad in timber, windows and security fencing will be aluminium and uPVC.	
2.0	Description of Site	
2.1	The brown field site which has an area of 0.17ha is typically urban in character. It is flat and rectangular shaped. It is located at the northern end of Townsend Street near the	

2.2	<p>junction with Peters Hill and the Shankill Road. Divis Street is located at the opposite end of Townsend Street.</p> <p>The site is bounded by an empty lot to the north (see planning history), residential housing to the west, a listed church dated 1875 and school-house to the south and the Westlink to the east. There are a mix of house types nearby, with Victorian 2 storey red brick terraces marking the western boundary and more modern 1960s style housing stock nearby also.</p>
2.3	<p>The site is well served by Public transport, with frequent buses nearby travelling along Shankill Road and Translink' Great Victoria Street train station within walking distance. The site is located on the western edge of the city centre, potential residents could readily undertake a short walk to access city centre.</p>
Planning Assessment of Policy and other Material Considerations	
3.0 3.1	<p>Relevant Planning History</p> <p>Site</p> <ul style="list-style-type: none"> • Z/2007/0263/F – 40-50 Townsend Street. Proposed residential development of 57 no. apartments over 6 stories with parking on the ground floor. Permission granted 06.07.2007
3.2	<p>Surrounding context</p> <ul style="list-style-type: none"> • LA04/2015/0686/F 56 - 76 Townsend Street and 110 - 122 Peters Hill. Renewal of Z/2008/1418/F - Amended scheme. Erection of 2 blocks - 1 no. block consisting of 22 no. apartments. 1 no. block with office and community use. Permission granted 19.12.2018. (this site is adjacent to the north of this proposal)
4.0	Policy Framework
4.1	Regional Development Strategy 2035
4.2	Belfast Urban Area Plan
4.3	<p>Draft Belfast Metropolitan Area Plan 2015 dBMAP</p> <p>The site is located on white land as designated in dBMAP.</p>
4.4	SPPS – Strategic Planning Policy Statement for Northern Ireland
4.5	<p>Planning Policy Statement 3 – parking Access & Movement</p> <p>Planning Policy Statements 7- Quality Residential Environments</p> <p>Planning Policy Statement 6 – Planning Archaeology and Built Heritage.</p> <p>Planning Policy Statement 15 – Planning and Flood Risk</p>
5.0	Consultation Responses
5.1	<p>Dfl Rivers</p> <p>Dfl Rivers stated in their consultation response that 'a drainage assessment is required if an additional hard standing of 1000sqm or greater is proposed', they have assessed the Drainage Assessment submitted and are satisfied there is no flooding potential. They raise no objection to the proposal.</p>
5.2	Historic Environment Division (HED) DfC

5.3	<p>HED initially objected to the 5 storey element of the proposed scheme, believing it would have a negative impact on the setting of 2 neighbouring listed buildings; the adjacent listed Presbyterian church; and the listed school house which sits to the rear of the church.</p> <p>The proposal was subsequently reduced to 4 stories on the Townsend Street elevation, HED are satisfied that policies requirements have been met subject to a number of conditions to ensure protection of the setting of local listed buildings.</p>
5.3	<p>NIWater NIW raise no concerns with the proposal. There is available capacity and the developer is advised to contact NIW prior to development commencement.</p>
5.4	<p>BCC Environmental Health Environmental health have no objection to the proposal subject to conditions relating to mitigation to ensure satisfactory internal noise levels are maintained and that dust during construction is controlled through a management plan.</p>
5.5	<p>DfI Roads DfI Roads have not responded as yet, however, DFI Roads were satisfied that an adjacent residential apartment development approved in December 2018 (part of LA04/2015/0686/F) which did not facilitate parking of cars within its curtilage did not prejudice road safety.</p>
5.6	<p>A travel plan has been submitted that indicates sufficient on-street parking provision is available particularly overnight. Access and readily available buses and taxis is one of the benefits of living so close to the city centre, and Translink' rail network is within walking distance. A covered bike stand with space for 25 bicycles is proposed in the courtyard. Belfast bike provision – docking stations close by.</p>
6.0	Representations
6.1	<p>The application has been neighbour notified on two occasions and advertised in the local press.</p>
6.2	<p>Prior to submission of the current scheme, 3 representations were made to the previous proposal which was 3, 4 & 5 stories. A 5 storey block was proposed on Townsend Street, 4 stories on Dayton Street and 3 stories on Greenland Street. 2 objections to the larger scheme and 1 letter of support was received. Reasons for objecting were:</p> <ul style="list-style-type: none"> •Over-shadowing and loss of light in classrooms of listed school house •Over-dominant impact on adjacent listed Church and Townsend Street •Loss of light of Greenland Street and over dominant impact of a 3 storey building with respect to 2 storey dwellings on Greenland Street.
6.3	<p>Cllr Brian Kingston wrote in support of the scheme.</p>
6.4	<p>Since the scheme was reduced, 1 objection has been received to the amended scheme (3 storey on Greenland Street and 4 storey on both Dayton Street and Townsend Street). Issues raised included:</p> <ul style="list-style-type: none"> •Loss of light at Greenland Street. <p>The matters raised are dealt with below</p>

7.0	Assessment
7.1	<p>Principle of Development</p> <p>The site is located on unzoned -white land as designated in the both BUAP and dBMAP. Therefore, using the land for residential purposes does not conflict with any designated land use within the development plan and the principle of residential at this location is acceptable providing it meets the relevant policy tests as set out in regional policy and other guidance. There is also a historic planning approval in 2007 for apartment development at this location.</p>
7.2	<p>Design</p> <p>Three blocks (1no. 3 storey and 2no.blocks at 4 stories) are arranged around a central courtyard. Each block is accessed from within the central courtyard via Dayton Street. Each unit is securely accessed by integral covered walkways. The central courtyard will be enclosed to the south by a 2m courtyard wall constructed in brick to match the building facades; and the 3 apartment blocks to north, west and east.</p> <p>7.3 The 3 storey block on Greenland Street of height 8.8m sits opposite 2 storey terrace houses with a height of 7.9m. The block is not over-dominant with regard to Greenland Street, there is a difference in height of just 0.9m between terrace houses and 3 story block at a separation distance of 12m.</p> <p>7.4 The 2no. 4 storey blocks are both 10.4m in height which is acceptable with regard to Townsend Street and Dayton Street elevations. Planning permission was granted in 2018 for a residential block on the corner site adjacent to this development. The height of the approved block which has not yet been built, is 12.4m. The listed Church is next to the proposed on Townsend has a maximum height of 24m, so building heights of the proposed are congruent acceptable.</p> <p>7.5 It is proposed that the development will be constructed in clay brick, in keeping with traditional 'Belfast brick' similar to terrace houses opposite the development on Greenland Street, doors will be timber, selected areas will be clad in timber, windows and security fencing will be aluminium and uPVC.</p> <p>7.6 The court yard which provides amenity space will be grassed in part, with timber bench seating, decorative gravel, feature trees and raised planters. It is also where bicycle storage is located. The design is indicative of its urban location with residents' safety at its core and is considered to be contextually appropriate.</p> <p>7.7 Height and Overshadowing</p> <p>A 3 storey block is proposed on Greenland Street at a height of 8.7m. This block is located directly to the east of a row of Victorian terrace properties with a separation distance of 12m. With the sun rising in the east, the newly proposed block will not cause significant overshadowing at the Greenland Street terrace.</p> <p>7.8 Plans submitted originally proposed that the block fronting onto Townsend Street would be 5 stories, this was reduced to 4 stories so as not to compromise views of the neighbouring listed buildings. Plans now show that both blocks, fronting onto Dayton Street and Townsend Street will both be a maximum of 11.5m in height.</p> <p>7.9 A shadow analysis has been undertaken to demonstrate how much sun light will reach the central courtyard amenity space, and to show any impacts to Greenland Street. From March through to January, the central courtyard will receive direct sunlight from late morning to early evening. Greenland Street will not be significantly impacted.</p>

<p>7.10</p> <p>7.11</p> <p>7.12</p> <p>7.13</p>	<p>Residential Amenity - Apartment size, amenity space, outlook and overlooking</p> <p>Of the 39 apartments proposed, 29 have 1no. bedroom; and 10 have 2 no. bedrooms.</p> <p>Space standards set out in the addendum to PPS7 recommends the following:</p> <ul style="list-style-type: none"> • 1 bed room apartments should be a minimum of 40-50sqm, in this case each apartment ranges between 45-52 square metres. <p>and</p> <ul style="list-style-type: none"> • 2 bedroom apartments should be 60-70sqm. The 10no. 2 bedroom apartments are 60sqm which meets the minimum standard. <p>The apartments are small, but meet the minimum criteria.</p> <p>Amenity space</p> <p>With regard to amenity space, 10 apartments on the ground floor have enclosed individual amenity space to the front, which also creates an active frontage onto the street (7.5sqm).</p> <p>20 of the remaining 29 apartments have balconies and the remaining apartments have Juliet balconies. In addition, there is a landscaped central courtyard/amenity area measuring 580sqm. Giving a provision of 15sqm amenity space per/ apartment. Guidance sets out that each apartment should have a minimum of 10sqm of amenity space therefore, the scheme is acceptable in terms of the quantity and potential for quality amenity space provision.</p> <p>Overlooking</p> <p>The scheme has been well designed so that overlooking of neighbouring properties will not arise. The central amenity space will be overlooked to some degree, however landscaping should help maintain a degree of privacy. Some of the apartments are set back from the courtyard and don't overlook the courtyard and corner apartments overlook the streetscape. Internal separation distances approx. 27m between apartment blocks on Greenland Street and Townsend Street prevent overlooking.</p> <p>Outlook</p> <p>All apartments have an outlook onto the street and/or the central landscaped courtyard. Outlook for all apartments is acceptable.</p>
<p>7.14</p> <p>7.15</p>	<p>Access, movement, parking</p> <p>The proposal offers no provision for the parking of vehicles on site, however, a travel plan has been submitted that indicates sufficient on-street parking provision is available particularly overnight. This is the peak time for residential sites on the edge of the city centre. A 'live' travel plan has been submitted with this application, the developers intend to encourage residents to make use of public transport facilities in operation in the area, by displaying time tables etc. in communal spaces.</p> <p>Access and readily available buses and taxis is one of the benefits of living so close to the city centre, and Translink' rail network is within walking distance.</p> <p>A covered bike stand with space for 25 bicycles is proposed in the courtyard. Belfast bike provision – docking stations close by.</p>

7.16	<p>Impact on built heritage/listed building Historic Environment Division were consulted and are satisfied that the proposal will no longer impact the setting of the two listed buildings nearby, the Presbyterian church and the former school at 32 Townsend Street – Grade B+ and B1 respectively. At 5 stories, views of the church would have been impacted and loss of light in the school house would have resulted. Now that the apartment block has been reduced in height to 4 stories, HED are satisfied that the integrity of the listed buildings will be retained, subject to the imposition of a number of conditions relating to maximum height of the proposal and proposed materials.</p>
7.17	<p>Environmental Matters Drainage Due to the size and nature of the development, a drainage assessment was prepared and submitted to Rivers agency for their approval. DfI Rivers accepts the logic of the drainage assessment and are satisfied the site is unlikely to flood. The site does not lie in the flood plain, so flooding is unlikely at this location.</p> <p>Contamination 7.18 The Preliminary Risk Assessment of this brown field site identified pollutants that could possibly pose significant risk to future residents. Further contaminated land reports have been submitted and Environmental Health are satisfied that any potential contamination risks can be mitigated against. As such conditions will be imposed to insure the developer submits a full implementation plan, and that landscaped and hard surface areas will be capped.</p> <p>7.19 Noise Mitigation Being located adjacent to the West Link, noise levels at the site need to be considered. The developer was asked to submit a noise impact assessment. The report confirmed that the site was suitable for residential use so long as noise reducing sound insulation & further measures are incorporated. Window systems and ventilator units will also be conditioned to ensure standards are met.</p>
8.0	<p>Summary of Recommendation: Having regard to the policy context and other material considerations set out above, the proposal is considered acceptable and planning permission is recommended subject to conditions.</p>
9.0	<p>Conditions</p> <p>9.1 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.</p> <p>9.2 The maximum height of east facing apartment block shall not exceed the existing eaves on Townsend Street Presbyterian Church, i.e. 11.600m. The maximum height of west block shall be a minimum of 3m below the east block. Reason: To protect the character of the setting to the listed buildings and to ensure they remain the dominant focus as a result of any development in accordance with PPS6 BH11(a) and SPPS 6.12.</p> <p>9.3 The building shall be finished in the following materials: a. Railings, balcony guarding and handrail: mild steel, painted dark grey;</p>

	<p>b. Windows, glazed doors and rainwater goods: ppc aluminium, dark grey; c. Walls: natural clay brick, red. To be agreed prior to any construction commencing on site Reason: to ensure the materials proposed are sympathetic or in keeping with those on the listed building in accordance with PPS6 BH11 (b).</p>
9.4	<p>A dust management plan for the site development shall be submitted for approval by the Council prior to commencement of construction to ensure dust mitigation measures are in place. Reason: Protection of amenity</p>
9.5	<p>The sound insulation of all the residential units shall include the implementation of the noise and vibration mitigation measures outlined in the Noise Assessment by Irwin Carr Limited Noise Assessment Townsend Street, Belfast Ref. RP001 2018156 (Townsend St Belfast Housing) dated 15 February 2019. Reason: In the interests of residential amenity</p>
9.6	<p>The entire window system (including frames, seals etc.) and ventilator units to the residential units shall be so installed so as to ensure that internal noise levels within any proposed residential unit shall:</p> <ul style="list-style-type: none"> •Not exceed 35 dB LAeq,16hrs at any time between 07:00hrs and 23:00hrs within any habitable room, with the windows closed and alternative means of acoustic ventilation provided in accordance with current building control requirements; •Not exceed 30 dB LAeq,8hr at any time between the hours of 23:00hrs and 07:00hrs within any bedroom, with the windows closed and alternative means of acoustic ventilation provided in accordance with current building control requirements; •Not exceed 45 dB LAm_{ax} more than 10 times between 23:00hrs and 07:00hrs within any proposed bedrooms with the windows closed and alternative means of ventilation provided in accordance with current building control requirements; <p>Reason: Protection of amenity</p>
9.7	<p>Contamination - a full implementation plan should be submitted to Belfast City Council for approval, prior to commencement of remediation. Reason: In the interest of human health</p>
9.8	<p>Prior to the occupation of the development, a verification report shall submitted to the Belfast Planning Service, for approval. This report must demonstrate that the remedial measures as outlined in the Section 8.0 of the Bluehouse Development Ltd. Proposed residential development, 40 - 42 Townsend street, Belfast P260 Contaminated Land Assessment: Combined Phase 1 PRA and Phase 2 GQRA and Remediation Strategy 11 May 2018 Report No. P260; and as specified in the Implementation Plan as required in condition 7 above have been implemented.</p>
9.9	<p>The Verification Report shall demonstrate the successful completion of remediation works and that the site is now fit for end use. It must demonstrate that the identified contaminant-pathway-target linkages are effectively broken. The Verification Report should be in accordance with current best practice and guidance as outlined by the Environment Agency. In particular the Verification report must demonstrate that:</p> <ul style="list-style-type: none"> a. Soils in the vicinity of the contamination hotspots have been removed and verification soil sampling undertaken in line with industry best practice.

<p>9.10</p>	<p>b. Garden and landscaped areas are encapsulated by a clean cover system incorporating a minimum 200mm granular layer at the base, with a 400mm of topsoil above. (Residential with plant uptake) c. All remaining areas are covered with hard standing. Reason: Protection of human health.</p> <p>If during the development works, new contamination and risks are encountered which have not previously been identified, works should cease and the Council be notified immediately. This new contamination shall be fully investigated in accordance with the Model Procedures for the Management of Land Contamination (CLR11) and current best practice. A written report detailing the nature of this contamination and its management must be submitted to the Council for approval. In the event of unacceptable risks being identified, a remediation strategy shall be agreed with the Council in writing, and subsequently implemented and verified to its satisfaction.</p> <p>Reason: Protection of human health.</p>
--------------------	---

--	--

Notification to Department (if relevant)

Representations from Elected members:

Cllr Brian Kingston wrote in support of the scheme