

Development Management Report Committee Application

Development Management Report Addendum Report

Summary	
Committee Meeting Date: Tuesday 10 th December 2019	
Application ID: LA04/2018/2097/F	
Proposal: Change of use & refurbishment of Wilton House to provide 8 apartments including alterations to rear & side elevation of Wilton House and demolition of existing rear return & erection of new build 5 storey residential development to provide 23 dwellings (15 new build) including entrance lobby, courtyard, bin storage and new ramped access off College Square North. (Amended plans and description)	Location: Wilton House 5-6 College Square North, Belfast.
Referral Route: Director of Planning and Building Control	
Recommendation:	Refusal
Applicant Name and Address: Wilton Group Limited 677 Lisburn Road Belfast BT9 7GT	Agent Name and Address: Turley Hamilton House 3 Joy Street Belfast BT2 8LE
Referral Route: Major application	
Executive Summary The application was scheduled for October Planning Committee, following its deferral at September's meeting for a site visit, with no change of opinion from officers with the recommendation to refuse for reasons set out in the original report. Planning Committee agreed a further deferral at the October meeting, noting that the proposal involved an important Listed building on the at-risk register, to allow the applicant further time to engage with planning officers to see if the outstanding issues can be resolved.	
<u>Post October Committee</u> 16 th October 2019 – Officers contacted the agent, requesting that any proposed amendments are submitted within 14 days to keep the processing moving forward.	
25 th October 2019 – Architect forwarded sketch drawings of a potential alternative scheme to Planning Manager indicating a change in design approach and reduction of 2 units.	
30 th October 2019 – Agent submitted Transport Assessment Form (TAF) and Travel Plan for current scheme.	

31st October 2019 – Planning Manager advised the architect that the proposal remained unacceptable. It was advised that the new build element remained over-dominant; its form would “jar” with the Listed Building; the proposed roof terrace would be harmful to the street-scene; the proposal would be harmful to adjacent Listed Building and the Conservation Area; and other original concerns were not satisfactorily addressed.

31st October 2019 – the sketch drawings of the potential alternative scheme were informally forwarded to Historic Environment Division (HED).

8th November 2019 - HED advised the architect that the proposal remains unacceptable as it will have a negative impact on the Listed building.

18th November 2019 – Planning Manager emailed agent asking for their confirmation of how they wish to proceed in the light of the concerns about the potential alternative scheme.

21st November 2019 – agent confirms that the applicant will not be withdrawing the planning application. Refers to additional supporting information provided (Transport Assessment Form; Travel Plan; Service Management Plan; and correspondence regarding contaminated land).

The alternative scheme was not formally submitted by the applicant to the Council and so it should proceed to determine the application on the basis of the last formally submitted plans, dated 03 September 2019; and subsequent additional information provided by the applicant including an amended floor layout showing the proposed cycle parking arrangements.

DFI Roads and Environmental Health were re-consulted on the additional information.

- DFI Roads advises the following:
 - The Transport Assessment Form; Travel Plan; and Service Management Plan are acceptable;
 - The amended plans show 16 parking spaces (4 within Wilton House and 12 outside at the immediate front of the building on College Square North). The spaces within Wilton need to be re-annotated. There are sufficient bicycle spaces elsewhere;
 - The proposal still conflicts with Policy AMP7 of PPS3 in that the application fails to demonstrate adequate parking provision, including for disabled users.

Officers advise that the proposed bicycle parking arrangements are unacceptable. 12 of the 16 bicycle spaces are to be provided at the immediate front of Wilton House. This location would be detrimental to the setting of the Listed Building (a view from HED is also being sought). Moreover, the bicycles at the front are uncovered, would be open to the elements and would be less likely to be used because of residents' likely concerns about the security of their bicycles. Covered bicycle spaces should be provided within the building. That this is not provided as part of the scheme is clear indication that the proposal is overdevelopment of the site. The applicant has now provided an adequate Travel Plan, however, it is considered that satisfactory bicycle provision is necessary to off-set the fact that no on-site parking provision is to be provided.

- The Environmental Protection Unit's response is still outstanding and delegated authority is requested to amend the recommended refusal reasons depending on the outcome of their consultation response, relating to potentially contaminated land and dust assessment.

Recommendation

As outstanding issues have failed to be resolved, the proposal remains unacceptable. It is recommended that planning permission is refused for the reasons listed below. These refusal

reasons have been updated following the receipt of the further information and review. Officers' request delegated authority for the Director of Planning and Building Control to finalise wording of the refusal reasons.

Refusal reasons:

1. The proposed new build at the rear, by reason of its design, form and scale, would be over-dominant in relation to Wilton House and the adjacent terrace and would be detrimental to the street-scene. The proposal is contrary to paragraph 4.26 of the SPPS and Policy QD1 (a) of Planning Policy Statement 7: Quality Residential Environments and is unacceptable.
2. Insufficient evidence has been submitted detailing the current condition of the Listed building and survival of the historic fabric and how important features are to be conserved, reused and repaired. The proposal would therefore result in unacceptable harm to the Listed building's essential character through potential loss of historic fabric and elements of significance. The proposal is therefore contrary to Policies BH7 and BH8 of Planning Policy Statement 6: Planning, Archaeology and the Built Heritage and paragraphs 6.12 and 6.13 of the SPPS, and is unacceptable.
3. The proposed new build at the rear, by reason of its design, form and scale, would be over-dominant in relation to Wilton House and the adjacent terrace, to the detriment of the setting of the following Listed Buildings:
 - 5-6 College Square North HB26/50/102/A (Wilton House)
 - 7 College Square North HB26/50/102 B (Old Museum Building)
 - 9 College Square North HB26/50/102 C
 - 10 College Square North HB26/50/102 D
 - 11 College Square North HB26/50/102 E
 - 12 College square North HB26/50/102 F

Furthermore, by reason of its design, form and scale of the new build, the proposal would be detrimental to the character and appearance of the Conservation Area.

The proposal is therefore contrary to Policies BH11 and BH12 of Planning Policy Statement 6: Planning, Archaeology and the Built Heritage and is unacceptable.

4. The proposed development would be served by inadequate private and communal amenity space and would provide inadequate living conditions for future occupants. The proposal is contrary to Policy QD1(c) of Planning Policy Statement 7: Quality Residential Environments and is unacceptable.
5. The proposed development would provide a highly unsatisfactory living environment for future occupants by reason of poor levels of light to the windows and rooms in the rear north facing elevation of Wilton House and south facing elevation of the new build at the rear, and in the inner courtyard. The proposal is contrary to Policy QD1 (h) of PPS7 and is unacceptable.
6. The proposal provides inadequate covered bicycle parking spaces in a suitable location to off-set the absence of on-street vehicle parking provision, contrary to Policy QD1(f) of Planning Policy Statement 7: Quality Residential Environments. Moreover, the application fails to demonstrate that adequate provision is made for disabled parking contrary to Policy AMP7 of Planning Policy Statement 3: Access, Movement and Parking.

7. Insufficient evidence has been submitted to satisfy Environmental Health that there will not be unacceptable harm to human health as a detailed Preliminary Risk Assessment has not been submitted. The proposal is therefore contrary paragraphs 4.3 and 4.5 of the Strategic Planning Policy Statement for Northern Ireland.

Addendum Report

Committee Meeting Date: 15 October 2019

Application ID: LA04/2018/2097/F & LA04/2018/2034LBC

Proposal:

Change of use & refurbishment of Wilton House to provide 8 apartments including alterations to rear & side elevation, demolition of existing rear return & erection of new build 5 storey residential development to provide 15 apartments (23 units in total) including entrance lobby, courtyard, bin storage and new ramped access off College Square North.

Location:

Wilton House
5-6 College Square North
Belfast.

Referral Route: Local Application – More than 14 units.

Recommendation: Refuse planning permission and associated listed building consent.

Applicant Name and Address:

Wilton Group Limited
677 Lisburn Road
Belfast
BT9 7GT

Agent Name and Address:

Turley
Hamilton House
3 Joy Street
Belfast
BT2 8LE

ADDENDUM REPORT

The application was previously listed for Planning Committee on 17 September 2019. The application was deferred by Members for a site visit, scheduled for 09 October 2019. Members should read this Addendum Report in conjunction with the original Development Management Report of September 2019, attached below. The Addendum report includes the Late items reported to the September meeting.

HED response to drawings received 03 September 2019

Prior to the previous planning committee meeting, HED made comment on drawings submitted to the Council on 03 September 2019.

Having reviewed the amended proposals (whereby the applicant removed proposed windows in east elevation of listed building) HED were satisfied that one of their suggestions had been taken on board, but were disappointed that not all of their suggestions were taken up. HED remain of the opinion that the footprint of the new build element remains dominant. HED suggested reducing the number of apartments in the new build by 2 or 3 units, and ask for 'better design quality in terms of articulation'. HED suggested a number of refusal reasons on the basis of the proposal failing to comply with policies BH7, BH8 and BH11. These refusal reasons have been taken on board. A full suite of proposed refusal reasons can be found at the end of this addendum report.

Briefing to Members sent Friday 13 September 2019 by the applicant's agent

A memo was circulated to all planning committee members prior to Septembers' committee meeting. A summary of its contents, including the applicant's rebuttal of refusal reasons, is provided below.

- The listed building is formally 'at risk' and the proposal would secure the buildings' future and bring it back into its historic residential use

Noted by Council

- Agent raised concern about time taken to deal with the PAD and planning application
immaterial to the acceptability of the proposal

- The proposal responds to stakeholder feedback: HED has accepted the principle of new building;

- the ridge height of the new building has been reduced to match the eaves of the Listed Wilton House

- the east elevation has been recessed to protect the setting of the listed building

- windows have been removed from the east elevation of Wilton House as requested by HED

- windows have also been removed from the east elevation of the new build to address officer concerns

- improvements have also been made to the windows on the north elevation in response to HED feedback

Officers confirm that the east elevation windows have been removed and this addresses refusal reason at para 10.3 of committee report 17 September 2019.

- The proposal will rejuvenate this at risk building and help address long standing lack of investment in this historic street

Acknowledged, but this would be achieved through a damaging and unacceptable scheme

- The proposal will remove a current magnet for anti-social behaviour

Noted but this does not overcome the planning concerns identified

- The proposal will promote city level and help support growing services and amenities in the area

Noted but this would not overcome the planning concerns identified

- Agents response to the recommended refusal reasons:

The SPPS is not an operational design policy although design is a material consideration

It is entirely appropriate to quote SPPS as well as policy QD1 of PPS7. Good design is a core aim of the SPPS.

- Concerns about impact on the Listed Building could be resolved through additional information

The Council must determine the application before it; the applicant has had ample opportunity to address concerns

- The windows have been removed from the east elevation of the Listed Building

Noted

- Policy BH10 of PPS6 only applies where a whole Listed Building is to be demolished. In addition, this information was not sought by officers

Policy BH10 relates to total demolition of a building or 'any significant part of it.

- The scale of the new building has been reduced, is an improvement over the existing structures at the rear and allows the Listed Building to be fully appreciated

Increasing private amenity space would impact on the viability of the scheme. The level of amenity provided is appropriate for this city centre location

The proposal provides no useable amenity space and is unacceptable.

- The scheme has been redesigned to address concerns about compatibility with the adjacent site
The city centre location of the site means that car provision is not required. Cycle parking within the courtyard or apartments could be conditioned

There is no space to adequately provide cycle parking facilities.

•Insufficient time has been given to provide further contaminated land information. This can be resolved by a planning condition

The applicant has been given sufficient time to provide additional land contamination information. Given the fundamental concerns about the proposal, it would be inappropriate to give any further time. Land contamination is a principle issue that must be resolved now, not by planning condition

A copy of historic maps of the site, ground floor plan and 3D visuals of the proposal have been provided by the agent.

Sustainable Travel Measures

On 4th October 2019 the agent forwarded a letter setting out sustainable travel measures for the proposed development. The letter proposes that each residential unit will be provided with a public transport travel card for a year and a subscription to Belfast Bikes for a year also. DfI Roads has been consulted on these proposals and remain of the opinion that the proposal is unacceptable. Officers support DfI Road's position.

The requirement is for covered cycle parking to be provided within the development itself. The fact that there is no apparent space for a covered cycle parking is a clear indication that the proposal is over-development and inappropriate.

Amendment to recommended refusal reason

The following refusal was incorrectly included in Septembers' committee report. It has since been omitted because the amended plans remove the windows from the east elevation.

10.3 The proposal is further contrary to policy BH8 of PPS6 and policy QD1(b) of PPS7 in that new windows proposed in the east elevation are out of character with the host listed building Wilton House HB26/50/102A

Recommendation

It is recommended that planning permission is refused for the reasons listed below. Officers request delegated authority for the Director of Planning and Building Control to finalise wording of the refusal reasons.

1. The proposal is contrary to the core planning principles contained within the Strategic Planning Policy Statement and Policy QD1 of Planning Policy Statement 7 in that if approved the proposal would not support good design and positive place making or preserve and improve the built environment.

2. The proposal is contrary to Policy BH 7, and 8 of Planning Policy Statement 6 Planning, Archaeology and the Built Heritage and paragraphs 6.12 and 6.13 of the SPPS, in that, if approved would result in unacceptable harm to the listed building's essential character through loss of historic fabric and elements of significance and that insufficient evidence has been submitted detailing the current condition and survival of the historic fabric or of how it is to be conserved, reused and repaired.

3. The proposal is contrary to Policy BH 10 of Planning Policy Statement 6 Planning, Archaeology and the Built Heritage in that, insufficient information has been provided to address the condition of the building, the adequacy of efforts made to retain the building in use and the merits of alternative proposals for the site.

4. The proposal is contrary to Policy BH 11 and 12 of Planning Policy Statement 6 Planning, Archaeology and the Built Heritage and policy QD1(a) of PPS7 as the scale and massing of the new build element has an over bearing impact; and negatively affects the setting of the listed host

building Wilton House HB26/50/102/A, the city centre conservation area; and the following listed buildings

- Old Museum Building HB26/50/102 B
- 9 College Square North HB26/50/102 C
- 10 College Square North HB26/50/102 D
- 11 College Square North HB26/50/102 E
- 12 College square North HB26/50/102 F

5. The proposal is contrary to Policy QD1(c) of PPS7 in that the proposed development has an inadequate provision of amenity space.

6. The proposal is contrary to Policy QD1 (h) of PPS7 in that the design and layout will conflict with adjacent land uses, causing an unacceptable adverse impact on existing and proposed properties in terms of loss of light and overshadowing.

7. The proposal is contrary to Policy AMP3 of Planning Policy Statement 3 Access, Movement and Parking, in that an acceptable scheme has not been achieved through the provision of sufficient information in accordance with Article 3 (6) of the Planning (General Development Procedure) Order (NI) 2015.

8. The proposal is contrary to the SPPS in that insufficient evidence has been submitted to satisfy Environmental Health that there will not be unacceptable harm to human health as detailed Preliminary Risk Assessment has not been submitted in accordance with Article 3 (6) of the Planning (General Development Procedure) Order (NI) 2015.

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: Tuesday 17 September 2019	
Application ID: LA04/2018/2097/F & LA04/2018/2034/LBC	
Proposal: Change of use & refurbishment of Wilton House to provide 8 apartments including alterations to rear & side elevation, demolition of existing rear return & erection of new build 5 storey residential development to provide 15 apartments (23 units in total) including entrance lobby, courtyard, bin storage and new ramped access off College Square North.	Location: Wilton House 5-6 College Square North Belfast.
Referral Route: Local Application – More than 12 units with objections.	
Recommendation: Refuse planning permission and associated listed building consent.	
Applicant Name and Address: Wilton Group Limited 677 Lisburn Road Belfast BT9 7GT	Agent Name and Address: Turley Hamilton House 3 Joy Street Belfast BT2 8LE
<p>Executive Summary: This application relates to the change of use and refurbishment of Wilton House, a Category B2 four storey seven bay stucco end-terraced Georgian townhouse, to provide 8 apartments including alterations to rear & side elevation, demolition of existing rear return and erection of new build 5 storey residential development to provide 15 apartments (23 units in total).</p> <p>The main issues to be considered in this case are:</p> <ul style="list-style-type: none"> • The principle of residential use at this location; • The impact of the works on the special qualities of the listed building; • The impact of the development on the setting of adjacent listed buildings and surrounding conservation area; • The impact on the neighbouring amenity of the adjoining and surrounding residential and commercial properties and; • Impact on amenity of prospective residents • Other matters, including human health, traffic and parking and flooding. <p>The site is located within the City Centre fronting onto College Square North and forms part of a historic 1830s terrace on College Square the first planned square in Belfast. Whilst currently vacant and is a state of disrepair, the building was last used as offices.</p> <p>Consultees have raised objection to this proposal; Environmental Health – Detailed preliminary risk assessment outstanding; DFI Roads – TAF, Service Management Plan, bicycle parking, all outstanding. Historic Environment Division – Scheme is contrary to policy, Urban Design team BCC – Scheme unacceptable - gross over development of the site, contrary to planning policy; and</p>	

Conservation Officer - Scheme unacceptable – rear block dominant and should be visually subservient.

Third party representations - 4 representations have been received. The objections include representation from the Ulster Architectural and Heritage Society, and local owners/ occupiers.

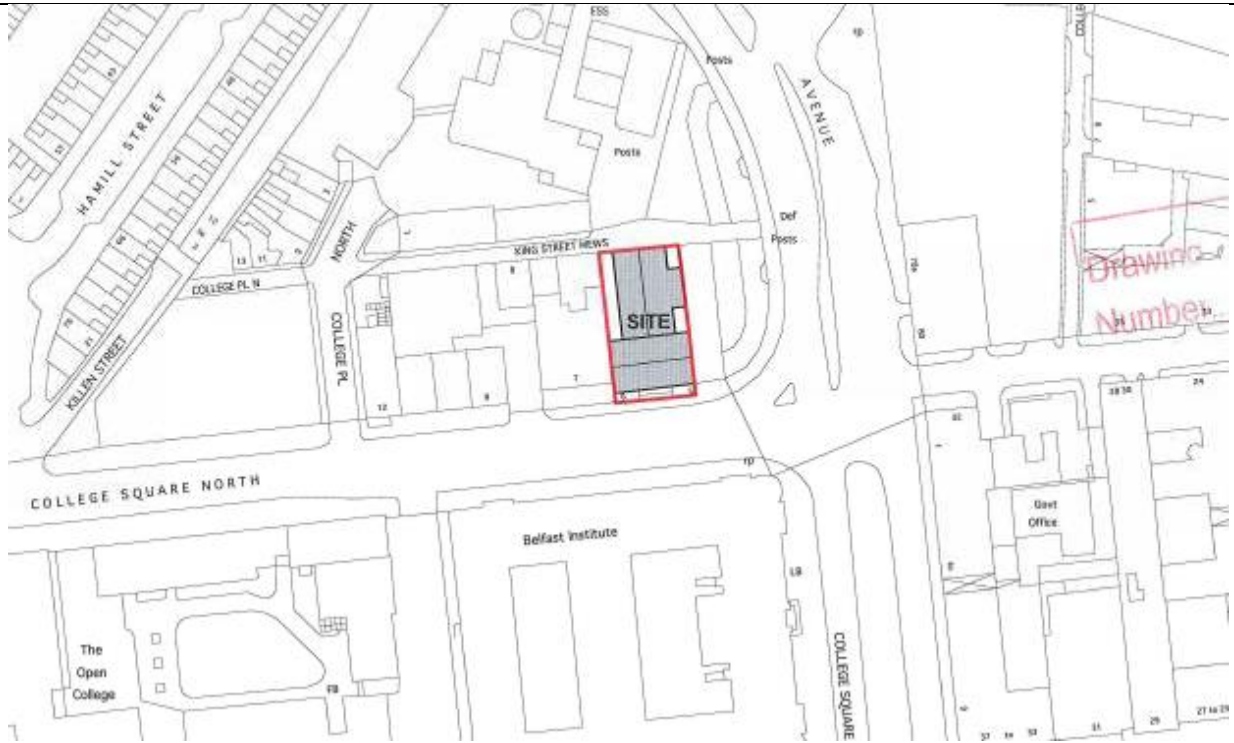
Having had regard to the development plan, relevant planning policies and other material considerations it is concluded that the proposal is contrary to the development plan and to regional planning policy in that the proposal if developed would cause significant demonstrable harm to the built heritage of Belfast City Centre and the Conservation Area. In terms of the scale, massing and design, the proposal is oversized, incongruous in the street scene and harmful to the setting of a listed building, listed terrace and the City Centre Conservation Area. Insufficient amenity space has been provided, the amount of day light and natural light for neighbours & potential residents is not acceptable; and the development provides a poor outlook for neighbours and potential residents. The applicant has also failed to submit sufficient information to address environmental concerns in respect of land contamination; and movement and parking.

Recommendation

The proposal is recommended for Refusal the reasons as set out in Paragraph 11.0. Officers request delegated authority to the Director of Planning and Building Control to finalise wording of the reasons for refusal

Case Officer Report

Site Location Plan



1.0

Characteristics of the Site and Area

Wilton House is a four storey seven bay stucco end-terraced Georgian townhouse, it is a Grade B2 listed building of special architectural merit and historic interest. Once in an affluent area of town, the building was residence to medics and members of the constabulary. It escaped with no damage after the Belfast Blitz; and after the Second World War was occupied by the Ulster Institute for the Deaf. This house is of note due to its scale and historic change as representing the development of this part of Belfast in the early 19th Century.

2.0

Description of Proposal

Originally the scheme submitted was to refurbish Wilton house by converting it to eight apartments, demolish existing rear return and build a 7 storey residential block providing an additional 19 dwelling units. The 7 storey rear return was 4m higher than Wilton House. The agent was advised that this was not acceptable and that the rear return had to be subservient to the host building.

Amended plans were submitted which now indicated a reduction of two stories. The overall height of the building to the rear sits below the ridge of Wilton House by 2m. The number of dwelling units was reduced from 27 (8 refurbished Wilton House +19 rear return) to 23 Units (8 refurbished Wilton House +15 rear return). At ground floor level there is an integral court yard which accommodates an external bin store.

No amenity space, parking spaces or bicycle stand has been provided.

	Planning Assessment of Policy and Other Material Considerations
3.0	Policy Context
	Draft Belfast Metropolitan Area Plan 2015 (purported to be adopted) Draft Belfast Metropolitan Area Plan 2004 Belfast Urban Area Plan
	Regional Development Strategy 2035 Strategic Planning Policy Statement for NI <ul style="list-style-type: none"> • para 6.12 - Development proposals impacting on Setting of Listed Buildings; • para 6.13 - Change of Use, Extension or Alteration of a Listed Building. • para 6.18 - Development within a Designated Conservation Area; • para 6.19 - Interests of preserving or enhancing the character or appearance of a Conservation area. Planning Policy Statement (PPS) 6: Planning, Archaeology and the Built Heritage: <ul style="list-style-type: none"> • policy BH8-Extension or Alteration of a Listed Building • policy BH11 -Development affecting the Setting of a Listed Building; • policy BH12 - New Development in a Conservation Area. Planning Policy Statement (PPS) 7 – Quality Residential Environments <ul style="list-style-type: none"> • policy QD1 Quality in New Residential Development Planning Policy Statement (PPS) 3: Parking, Movement & Access Creating Places Planning Policy Statement (PPS) 15 – Planning and Flood Risk.
4.0	Relevant Planning History LA04/2018/0490/PAD - Wilton House, 5-6 College Square North, Belfast, Alterations to Wilton House, including the demolition of the rear return and erection of extension to provide 27 residential units LA04/2018/2034/LBC - Wilton House, 5-6 College Square North, Belfast, Change of use and refurbishment of existing Wilton House to provide 8 dwellings; demolition of existing rear return and repairs to external rear façade and new windows to eastern elevation; construction of ramped access to the front of Wilton House and internal alterations and repairs. LA04/2019/0605/O – 4 College Square North – 6 story office development (valid April 2019, under consideration) Z/2009/1123/LBC - Wilton House, 5 College Square North, Belfast, BT1 6AR Restoration of ground and 1st floor ceilings following removal of grid ceilings together with associated electrical enabling works, internal redecoration, minor roof repairs, repairs to staircase balustrading, minor damp proofing works and re-skimming of some artexed 2nd and 3rd floor ceilings. Permission granted 15.01.2010
5.0	Statutory Consultees Consultees have been consulted on a number of amendments in respect of this application. Design comments from HED, CO and UDO relate to the most recent set of drawings submitted, bearing Belfast City Council date stamp 3 rd September 2019. NIW – No objection. Department for Infrastructure – Roads Proposal unacceptable, insufficient evidence has been submitted. Outstanding documentation includes: - a transport assessment form, service management plan & cycle parking details. Rivers Agency – Pre Development Enquiry Information submitted 3 rd September – awaiting Rivers Agency Response

	<p>Department for Communities - Historic Environment Division Historic Buildings Unit, considers the proposals in their current form fail to satisfy SPPS paragraphs 6.12 & 6.13 and policies BH8 & BH11 of PPS6 Planning, Archaeology and the Built Heritage.</p>
6.0	<p>Non Statutory Consultees</p> <p>Environmental Health – Belfast City Council EHO require further information to be submitted to confirm that nearby land is not contaminated by way of a detailed Preliminary Risk Assessment (PRA). The PRA which has been submitted does not provide sufficient detail to show potential risk with regard to ground gas have been fully considered.</p> <p>Urban Design Officer – Belfast City Council Design unacceptable, visually dominate the listed building, contrary to policy.</p> <p>Conservation Officer – Belfast City Council Rear block should be visually subservient, inappropriate in terms of scale, massing & design.</p>
7.0	<p>Representations</p> <p>Neighbour Notification Checked – Yes</p> <ul style="list-style-type: none"> • 1 objection letter from Ulster Architectural Heritage, they are located in the same terrace, at 7 College Square North. • 1 objection letter from Past President of Belfast Natural History and Philosophical Society which owns and is located at Old Museum Building, 7 College Square North. • 1 letter of objection from Belfast Natural History and Philosophical Society. • 2 letters of objection on behalf of the owner of the adjacent site at 4 College Square North <p>Ulster Architectural Heritage (UAH) Old Museum Building, 7 College Square North</p> <ul style="list-style-type: none"> •UAH support reuse and restoration of the listed building, however the proposed redevelopment of the listed building is insensitive, inappropriate and neither subservient nor respectful to host listed building. •Insufficient detail has been submitted with regard to how renovation of the listed building is to be undertaken. Regard has not fully been given to the exterior, interior, the setting or historical value of the listed building, all of which are all equally important and should be equally considered. <p>Proper procedure has not been followed as a report defining the current condition of the listed building has not been submitted. This is required for ‘buildings at risk’. Wilton House is on the ‘buildings at risk’ register.</p> <ul style="list-style-type: none"> •The proposed separate rear return is unsympathetic to its setting. It is inappropriate in terms of height, scale, form, materials and detailing with regard to listed building Wilton House; the listed terrace in which it would sit and the City Centre Conservation Area. •All other existing rear returns and outbuildings on College Square North are subservient and sympathetic in scale and form to the important listed terrace. •Windows proposed for the gable end of Wilton House are entirely unsuitable in both proportion and location for a listed Georgian building. (Windows now removed from scheme)

	<p>Past President of the Belfast Natural History and Philosophical Society, 7 College Square North Size of rear return out of proportion and would dwarf the host listed building. Over shadow Old Museum Building next door Incongruous to the whole area</p> <p>President of the Belfast Natural History and Philosophical Society, 7 College Square North Height, scale not sympathetic to listed buildings Proposed windows not appropriate. (Windows now removed from proposal)</p> <p>GMR Architecture – Agent for development at 4 College Square North Proposed windows in the east elevation sit on the boundary with site, and ‘applied cornicing’ proposed is on 4 College Square North. (These windows have now been removed from proposal)</p>
<p>8.0</p> <p>8.1</p> <p>8.2</p> <p>8.3</p> <p>8.4</p> <p>8.5</p>	<p>Assessment</p> <p>Article 6 (4) of the Planning (Northern Ireland) Act states that in making any determination under the said act regard is to be had to the local development plan, and that the determination must be made in accordance with the plan unless material consideration indicate otherwise.</p> <p>Following the Court of Appeal decision on Belfast Metropolitan Area Plan, the extant development plan is now the Belfast Urban Area Plan. However, the Draft Belfast Metropolitan Area Plan (Draft BMAP) is a material consideration in the determination of planning applications. The weight to be afforded is a matter of judgement for the decision maker. The weight to be attached to policies in emerging plans will depend upon the stage of plan preparation or review, increasing as successive stages are reached.</p> <p>The site is located on ‘white land’ in the ‘city centre conservation area’, and within an area of archaeological potential in draft BMAP 2015. In the Belfast Urban Area Plan (BUAP) the site is located on unzoned whiteland within the development limits of Belfast.</p> <p>The main issues to be considered in this case are:</p> <ul style="list-style-type: none"> • The principle of residential use at this location; • The impact of demolition on the listed building; • The impact of the new building to the rear of and the alteration of the listed building; • The impact of the development on the setting of adjacent listed buildings and surrounding conservation area; • The impact on the neighbouring amenity of the adjoining and surrounding residential and commercial properties; and • The Impact on prospective residents • Other matters, including human health, traffic and parking and flooding. <p>Principle of residential Use The change of use from an office/community use to a residential use would normally be considered acceptable in this city centre context. However, given the proposal lies within a listed building BH 7, Change of Use of a Listed Building, states that permission for the change of use of a listed building will normally only be permitted where this secures its</p>

	<p>upkeep and survival and the character and architectural or historic interest of the building would be preserved or enhanced. Proposals for a change of use should incorporate details of all intended alterations to the building and its curtilage to demonstrate their effect on its appearance, character and setting. The conversion of a listed building to a new use will therefore normally only be acceptable to the Council, where it safeguards the future interest of the building and any alterations proposed meet the criteria set out in Policy BH 8. The compliance of the proposal is therefore dependent on meeting the BH 8 policy test set out below.</p>
8.6	<p>Wilton House is on the 'Heritage at Risk NI' Register which is produced by Ulster Architectural Heritage UAH. UAH is supportive of the reuse and restoration of this building, only where policy is adhered to and the importance of the architectural and historical value of the building is maintained. HED indicate that the principle of restoration and reuse of this building is acceptable, so long as a heritage led approach is taken in line with policies BH7 & BH8 of PPS6.</p>
8.7	<p>Impact of the demolition, new building and alteration of the Listed Building and its setting and the setting of adjacent listed buildings</p> <p>BH8 states that consent will normally only be granted for the extension and or alteration of a listed building where all of the following criteria are met:</p> <p>(a) the essential character of the building and its setting are retained and its features of special interest remain intact and unimpaired;</p> <p>(b) the works proposed make use of traditional and/or sympathetic building materials and techniques which match or are in keeping with those found on the building; and</p> <p>(c) The architectural details (e.g. doors, gutters, windows) match or are in keeping with the building.</p>
8.8	<p>Policy BH 11 sets out the policy consideration for development affecting the setting of a listed building and states that the Council will not normally permit development which would adversely affect the setting of a listed building. Development proposals will normally only be considered appropriate where all the following criteria are met:</p> <p>(a) the detailed design respects the listed building in terms of scale, height, massing and alignment;</p> <p>(b) the works proposed make use of traditional or sympathetic building materials and techniques which respect those found on the building; and</p> <p>(c) The nature of the use proposed respects the character of the setting of the building.</p>
8.9	<p>The Department for Infrastructure Historic Environment Division (HED) is the statutory authority for Listed Buildings in Northern Ireland and have been consulted throughout the processing of this application and at the Pre Application Discussion Stage. Belfast City Council's urban design and conservation officers have also been consulted pre and during the application. All consultees have acknowledged that the principle of an extension in this location could be acceptable but that any extension must respect Wilton House itself as well as the adjacent listed buildings and the setting of the conservation area.</p>
8.10	<p>Historic Environment Division –Historic Buildings Unit (HBU) have been consulted on a number of occasions and object to the scheme.</p> <p>Key reasons for HED- HBU objections set out in their response of 16th August 2019 are;</p> <ul style="list-style-type: none"> - Drawings not clearly annotated, each drawing should be clearly labelled indicating historic fabric to be retained, Historic fabric to be removed, new interventions and construction.

	<ul style="list-style-type: none"> - Refurbishment negatively impacts both the listed building 'Wilton House' and the wider setting of the following listed buildings, Old museum building, 9-12 College Square North inclusive; College of technology, College Square East. - No information concerning the current condition of the listed building has been submitted. HED require detailed report recounting the current condition of the building and survival of - Historic fabric and details and how they are to be conserved. Legislation protects historic structures as a whole and applies to exterior, interior, setting and history equally. - More detailing required to indicate how subdivision into 8 apartments protects any history detailing that has survived such as panelling, doors, window encasements, plaster mouldings etc. - HED advises against the use of dry lining, which would effectively seal moisture into the walls - HED suggest a reduction of the scheme to a maximum of 4 stories is required to address above concerns. Just because the building is vulnerable does not mean overdevelopment is acceptable. <p>Furthermore HED state that;</p> <ul style="list-style-type: none"> - Proposals are not heritage led, design and access statement does not examine repairing and reuse of the listed building, and hence it is contrary to Policies BH7 & BH8 of PPS6. - •the level of intensification of rear return is not appropriate. The scale and massing is over bearing.
8.11	<p>Since this response issued, the agent submitted further drawings (3rd September 2019), with a minor change– a recess is now included in the north facing elevation which fronts onto King Street Mews. HED have been forwarded these drawings and commented that the applicant has taken on board one of HED suggestions, however, that the footprint of the new build remains dominant. The key objective is to achieve re-use of Wilton House, but HED remain unsatisfied with the dominant new build to the rear of the listed building and in this respect they have forwarded suggested refusal reasons.</p>
8.12	<p>Both the Urban Design Officer (UDO) and Conservation Officer (CO) comments generally concur with HED's view that the proposed new building to the rear of the listed building is out of keeping with the character of the area and with the listed building.</p>
8.13	<p>Design, Scale and Mass</p> <p>In summary the urban design officer has raised concerns with the following;</p> <ul style="list-style-type: none"> • The proposed new build would visually dominate the 4 storey listed building and read as an entirely separate structure and not a subservient extension • The proposal as it stands represents an overdevelopment of the site and one which does not read as a subservient addition to the host building and would have a detrimental impact on the character of the full terrace. • Lowering the floor level in the new build gives rise to new problems such as bin storage • Currently being located to the rear of an end terrace means that the new building will be visually prominent and open to key views along both College Avenue and College Square North. The proposal in his view would draw the eye disproportionately from the visual prominence of the heritage asset as illustrated in submitted visualisations • Insufficient provision of communal and private amenity space • Unsatisfactory level of outlook and natural daylight for apartments, particularly those overlooking the narrow Kings Street Mews to the north. The projecting

	<p>nature of the new angled window in the south elevation of the new-build are contrived and are an indicator over development.</p> <ul style="list-style-type: none"> • More consideration should have been given to the proportions and hierarchy of window openings across the eastern and northern elevations of the new build with due regard given to the surrounding context • No provision has been made at ground floor level for bike provision in terms of safe and accessible bike storage, which would be expected given that the scheme has zero parking provision.
8.14	<p>Impact on Conservation Area</p> <p>The ridge height of the rear new build is 2.3m lower than Wilton House ridge height, however, the eaves of the new build are higher than the eaves of Wilton House. Despite a reduction of 2 stories, the new build block is not subservient to the listed building as required by PPS6 policy BH7, 8 & 11. This 5 storey building would visually dominate the four storey listed building and would read as a separate structure, not a subordinate extension. It would appear that undue weight has been given to the both the rooflines of John Bell house opposite and the new student accommodation on the opposite side of College Avenue as setting a precedent for proposed building heights. The listed building forms part of a terrace and it is in the context of the immediate listed terrace that the design should have been informed for any redevelopment of this site.</p>
8.15	<p>The Urban Design Officer and Conservation Officer have advised that the height and scale of the proposal remains excessive and dominant, breaching the established and overriding building height of the portion of the street within the Conservation Area. The proposal would read as visually incongruous within the townscape of the locality. The massing of the building is contextually inappropriate and out of character with the townscape. Accordingly, the proposal represents over development of the site which is contrary to PPS6 and would adversely impact on the Conservation Area.</p>
8.16	<p>Impact on amenity</p> <p>Paragraphs 4.11 and 4.12 of the SPPS set out that a wide range of environment and amenity considerations should be taken into account by planning authorities when managing development. These include noise and air quality. The planning system has a role to play in minimising potential adverse impacts, such as noise or light pollution on sensitive receptors by means of its influence on the location, layout and design of new development. The planning system can also positively contribute to improving air quality and minimising its harmful impacts. Additional strategic guidance on noise and air quality as material considerations in the planning process.</p>
8.17	<p>Open Space and Private Amenity</p> <p>For apartment development private communal amenity space is acceptable by provision of landscaped areas, courtyards or roof gardens of 10-30sqm for each apartment. In urban areas, the lower figure of 10sqm is more appropriate. This proposal offers no usable amenity space. The applicant may argue the shared courtyard is a useable communal amenity space, however this will be required as an external bin storage area, and is now dominated by 2 no. access ramps to manage levels; and the fact this space would be dark reduces the appeal of utilising this outdoor space. Insufficient provision of communal and private amenity space is proposed, the proposal fails to provide even minimum standards that would be expected and therefore fails to meet policy as set out in QD1 of PPS7.</p>
8.18	<p>Outlook and natural daylight</p> <p>The scheme results in an unsatisfactory level of outlook and natural daylight for apartments, particularly those overlooking the narrow Kings Street Mews to the north.</p>

	<p>PPS7 requires that residential development must ensure that acceptable levels of light are achieved and that outlook for potential residents should be considered. Care should be taken over the siting of new buildings, particularly when close to existing buildings/common boundaries as their proximity may result in an unacceptable over bearing impact despite other amenity requirements having been achieved.</p>
8.19	<p>The outlook of a large proportion of apartments within the new rear return would be onto the narrow Kings Mews, which runs to along the rear of the site. Kings Mews has no buildings fronting onto it, and basically serves as a rear service lane for the entire terrace and for the flour factory, resulting in a poor outlook.</p>
8.20	<p>The proposed rear return faces north. This has implications for the amount of sunlight/daylight it receives, being restricted by the four storey listed building behind it. The level of light reaching the 5 x 1 no. bedroomed apartments located in the NW corner of the rear return rely solely on windows in the northern elevation for light, this is particularly challenging for apartments on the lower floors. Furthermore the 1-bedroom apartment at ground floor level directly overlooks a hard surfaced strip between both buildings which is not ideal.</p>
8.21	<p>Windows which were proposed in the east elevation of Wilton House and the rear return in the first submission have been omitted as part of the most recent submission as they compromised the adjacent site. This implies that the level of light propose in Wilton house was not satisfactory in the first instance in that windows were initially proposed, and now they have been removed, light levels in the proposed apartments would be insufficient.</p>
8.22	<p>In the proposed new build rear return, apartments which face onto the courtyard would not benefit from much daylight; and no sunlight especially on the lower floors. 2no. windows provide light for each apartment. These windows are angled so as to prevent over-looking of the apartment opposite, which are separated by the courtyard by a width of 4m, this again represents over development.</p>
8.23	<p>The 'Old Museum Building' (Grade A listed) adjoins Wilton House to the west. A 5 storey block will significantly impact on the amount of daylight reaching the rear of this building. The proposal compromises sustainable development at a number of locations on College Square North.</p>
8.24	<p>Traffic, Movement and Parking</p> <p>With a central, city centre location potential residents may not have to rely on a car. However, the applicant has not demonstrated whether on street parking is available, where the nearest bus stops are located etc. No provision has been made for residents to securely store bicycles, this fails to address policies set out in PPS3 Movement, Parking and Access and Policy QD1(e &f) of PPS7.</p>
	<p><u>Environmental Matters</u></p>
8.25	<p>Contaminated Land</p> <p>Environmental Health were consulted on both the pre-application, the initial proposal, and responded with no objections subject to conditions. However, EH requested to be re-consulted when they became aware of potential ground contamination in the light of a neighbouring proposal. EH requested that a Preliminary Risk Assessment be submitted. This was submitted by the applicant on 24th May 2019. EH studied the PRA and are not satisfied that potential risks of ground gas have been fully considered. They have requested a further up to date risk assessment which has not been submitted to date of this report.</p>

8.26	<p>Drainage</p> <p>A Drainage assessment was submitted on 24th July 2019. DfI Rivers requested a Pre Development Enquiry response from NIW, & attenuation size and calculations based on discharge rate which was submitted on 3rd September. This information has been forwarded to DfI Rivers for comment. We await their formal response.</p>
9.0	<p>Summary of Recommendation:</p> <p>The proposal is considered contrary to the development plan and other material considerations in particular to the core planning principles contained in the Strategic Planning Policy Statement, PPS 6 and PPS 7 in that the proposal would cause significant harm to the built heritage of Belfast City Centre and the Conservation Area and to the amenity of existing neighbours, and future occupiers within and adjacent to the proposed development.</p> <p>The application is recommended for refusal for the reasons set out below.</p>
10.0	<p>Reasons for Refusal</p> <p>10.1 The proposal is considered contrary to the core planning principles contained within the Strategic Planning Policy Statement in that if approved the proposal would not support good design and positive place making or preserve and improve the built environment.</p> <p>10.2 The proposal is contrary to Policy BH 7, and 8 of Planning Policy Statement 6 Planning, Archaeology and the Built Heritage and paragraphs 6.12 and 6.13 of the SPPS, in that, if approved would result in unacceptable harm to the listed building's essential character through loss of historic fabric and elements of significance and that insufficient evidence has been submitted detailing the current condition and survival of the historic fabric or of how it is to be conserved, reused and repaired.</p> <p>10.3 The proposal is further contrary to policy BH8 of PPS6 and policy QD1(b) of PPS7 in that new windows proposed in the east elevation are out of character with the host listed building Wilton House HB26/50/102A.</p> <p>10.4 The proposal is contrary to Policy BH 10 of Planning Policy Statement 6 Planning, Archaeology and the Built Heritage in that, insufficient information has been provided to address the condition of the building, the adequacy of efforts made to retain the building in use and the merits of alternative proposals for the site.</p> <p>10.5 The proposal is contrary to Policy BH 11 and 12 of Planning Policy Statement 6 Planning, Archaeology and the Built Heritage and policy QD1(a) of PPS7 as the scale and massing of the new build element has an over bearing impact; and negatively affects the setting of the listed host building Wilton House HB26/50/102/A, the city centre conservation area; and the following listed buildings</p> <ul style="list-style-type: none"> •Old Museum Building HB26/50/102 B •9 College Square North HB26/50/102 C •10 College Square North HB26/50/102 D •11 College Square North HB26/50/102 E •12 College square North HB26/50/102 F <p>10.6 The proposal is contrary to policy QD1(c) of PPS7 in that the proposed development has an inadequate provision of amenity space.</p>

10.7	The proposal is contrary to policy QD1 (h) in that the design and layout will conflict with adjacent land uses, causing an unacceptable adverse impact on existing and proposed properties in terms of loss of light and overshadowing.
10.8	The proposal is contrary to Policy AMP3 of Planning Policy Statement 3 Access, Movement and Parking, in that an acceptable scheme has not been achieved through the provision of sufficient information in accordance with Article 3 (6) of the Planning (General Development Procedure) Order (NI) 2015.
10.9	The proposal is contrary to the SPPS in that insufficient evidence has been submitted to satisfy Environmental Health that there will not be unacceptable harm to human health as detailed Preliminary Risk Assessment has not been submitted in accordance with Article 3 (6) of the Planning (General Development Procedure) Order (NI) 2015.

ANNEX	
Date Valid	10th August 2018
Date First Advertised	31st August 2018
Date Last Advertised	24 th May 2019
Details of Neighbour Notification (all addresses) 1b ,College Square East,Belfast,Antrim,BT1 6DZ, 7 OLD MUSEUM ARTS CENTRE, COLLEGE SQUARE NORTH, BELFAST, ANTRIM, Northern Ireland, BT1 6AR All Owner/Occupier, 1-175, John Bell House,College Square East,Belfast,Antrim,BT1 6DJ, Belfast Natural History and Philosophical Society,The Old Museum Building,7 College Square North,Belfast,BT1 6AR King Street Mews,Belfast,Antrim,BT1 6AQ, Replay Productions Ltd,Old Museum Arts Centre,7 College Square North,Belfast,Antrim,BT1 6AR, Ulster Architectural Heritage,Old Museum Building,7 College Square North,Belfast,BT1 6AR Ulster Association Of Youth Drama,Old Museum Arts Centre,7 College Square North,Belfast,Antrim,BT1 6AR,	
Date of Last Neighbour Notification	22 Feb 2019
Date of EIA Determination	N/A
ES Requested	N/A
Drawings 01 Site Location Map A3 02 Site Block Plan as Existing A3 03 Existing Plans A3 04 Existing Elevations A3 05 Context Elevations Existing A3 06 Site Block Plan as Proposed A3 021 Conservation Drawing - Wilton House Plans A3 022 Conservation Drawing - Elevations A3 07A Proposed Ground Floor Plan A3 08A Proposed Levels 01-03 Floor Plans A3 Representations from Elected Members	09A Proposed Level 04 Floor Plan A3 10A Proposed Level 05 Floor Plan A3 11A Level 07 Roof Plan A3 13A Proposed East Elevation A3 14A Proposed New build South Elevation A3 15A Proposed Courtyard East Elevation A3 16A Proposed North Elevation A3 18A Proposed Context Elevations A3 19A Proposed Section AA A3 20A Proposed Section BB A3 - Paul Maskey MP has sought an update on application status only - Cllr Carson has sought an update on application status only