

**Development Management Officer Report
Committee Application**

Summary	
Committee Meeting Date: Tuesday 11 February 2020	
Application ID: LA04/2019/2343/F	
Proposal: Demolition/removal of existing temporary building and erection of new two-storey Community Centre and Crèche	Location: Walkway Community Association 1-9 Finvoy Street and lands between 31 Upper Newtownards Road and Bloomfield Baptist Church Belfast BT5 5DH
Referral Route: Belfast City Council is the applicant	
Recommendation:	Approval
Applicant Name and Address: Belfast City Council 9 Adelaide 9-21 Adelaide Street Belfast BT2 8DJ	Agent Name and Address: Michael Whiteley Architects Parkway Studios Belmont Business Park 232-240 Belmont Road Belfast BT4 2AW
<p>Executive Summary: The application is for full planning permission for the proposed demolition/removal of existing temporary building and erection of new two-storey Community Centre and crèche (Both use Class D1).</p> <p>The key issues in the assessment of the proposed development include;</p> <ul style="list-style-type: none"> • Principle of development and use; • Proposed crèche use; • Height, scale, massing, layout and design; • Impact on the proposed Area of Townscape Character; • Visual Impact; • Impact on residential amenity of neighbours; • Parking provision and access; • Other environmental factors. <p>The applicant engaged in Pre- Application Discussion in 2019 and feedback was provided to the agent and applicant.</p> <p>The principle of a new community centre is acceptable and will provide a new centre for the local community and provide a new crèche facility to enable the relocation of an existing crèche on Newtownards Road to relocate to this building. Both uses are considered compatible with one another and with the adjacent existing uses surrounding the site.</p> <p>The proposal is considered to be sympathetic and complementary to the area, with the modern contemporary element of the proposal being located on the edge of the ATC whilst sitting comfortably with the surrounding properties. The Upper Newtownards Road portion of the building again whilst taking a contemporary design approach is of similar scale, form and finishes and respects the area in which it is located. It is considered that the proposal will not detrimentally impact on the character and appearance of the proposed Area of Townscape Character.</p> <p><u>Consultees</u> Rivers Agency and NIEA offer no objection.</p>	

Final Environmental Health response remains outstanding at the time of writing this report, however, they have raised no fundamental concerns. They are content in respect noise and lighting with odour and contaminated information submitted. Conditions can be applied as necessary

A Travel Plan requested by DFI Roads to be submitted by the applicant remains outstanding at the time of writing this report. The site is considered to be in a highly accessible, sustainable location. Upon receipt of the information DFI Roads will be re-consulted and conditions imposed if necessary.

No representations have been received.

The scheme will not result in unacceptable detrimental impact to residential amenity. In particular light, shadow and dominance to adjoining neighbour no.31 Upper Newtownards Road has been assessed and the scheme has been reduced and impacts are considered not to be significant. The visual amenity of the area or the proposed Area of Townscape Character will not be detrimentally impacted.

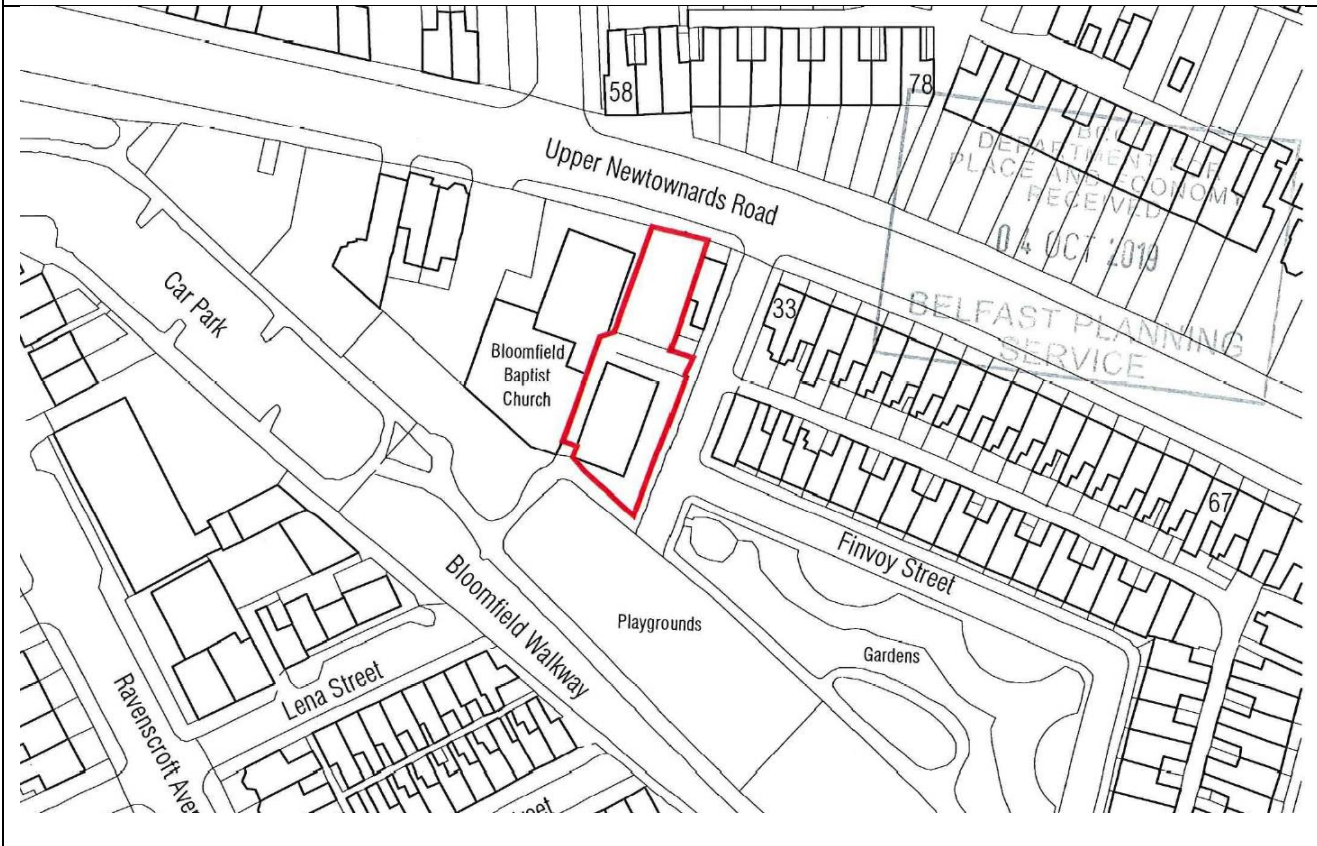
The proposal contributes to the implementation of the Belfast Agenda in respect of 'Living Here' and providing physical investment in this neighbour and social innovation in the community.

Recommendation

The application is recommended for approval subject to Conditions – delegated authority is requested to the Director of Planning and Building Control to finalise the wording of Conditions

Case Officer Report

Site Location Plan

**Consultations:**

Consultation Type	Consultee	Response
Statutory	NIEA	Content
Non-Statutory	Env Health Belfast City Council	Consultation reminder letter
Non-Statutory	Env Health Belfast City Council	Consultation reminder letter
Statutory	DFI Roads - Hydebank	Advice
Non-Statutory	Env Health Belfast City Council	Consultation reminder letter
Non-Statutory	Env Health Belfast City Council	Add Info Requested
Statutory	Historic Environment Division (HED)	Content
Statutory	Rivers Agency	Advice
Statutory	NIEA	Advice
Non-Statutory	Env Health Belfast City Council	Consultation reminder letter

Representations:

Letters of Support	None Received
Letters of Objection	None Received
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 The proposal is for full planning permission for proposed demolition/removal of existing temporary building and erection of new two-storey Community Centre and crèche (Land use Class D1).
2.0	Description of Site The site is located at the Walkway Community Centre, 1-9 Finvoy Street and encompasses land between no.31 Upper Newtownards Road, Belfast. Currently on the site is a two storey building of a temporary construction. This building is two storey, with a flat roof and finished in grey cladding. The site is bounded by existing 2m high paladin fencing and boundary wall walls varying in height from 1.75m to 2.7m. Access to the building is from Finvoy Street. The site gently slopes from the north to the south west and from the east to the north west. Parking is on street. The Upper Newtownards Road, an arterial route, runs along the northern boundary of the site. The area is characterised by two storey terrace dwellings along Finvoy Street and two and three storey terrace dwellings along the frontage of the Upper Newtownards Road. To the west of the site is the existing Bloomfield Baptist Church and associated church hall and to the south is the Comber Greenway and playground.
Planning Assessment of Policy and other Material Considerations	
3.0	Site History
3.1	LA04/2019/1428/PAD - New community centre to replace existing building. Facilities to include multi use rooms of various scales, break out coffee space, dedicated crèche facilities, centre admin + all associated ancillary spaces. A new community venue to accommodate current + future running programmes.
3.2	Z/2000/2878/F - Retention of permission for existing Community Centre – Granted
3.3	Z/2000/2324/F - Proposed extension at first floor level to provide additional accommodation to existing community centre – Granted
3.4	Z/1995/0295 - Erection of temporary community centre – Granted
4.0	Policy Framework
4.1	Belfast Urban Area Plan 2001
4.2	Draft Belfast Metropolitan Area Plan 2004
4.3	Draft Belfast Metropolitan Area Plan 2015
4.4	4.4.1 Strategic Planning Policy Statement for Northern Ireland (SPPS) 4.4.2 Planning Policy Statement 3: Access, Movement and Parking 4.4.3 Planning Policy Statement 15: Planning & Flood Risk
5.0	Statutory Consultees Responses
5.1	NIEA – Land, Soil and Air – No objection subject to conditions
5.2	NIEA – Drainage and Water – No objection and referred to standing advice

5.2	Rivers Agency – No objection
5.3	DRD Transport NI – No objection subject to conditions
6.0	Non-Statutory Consultees Responses
6.1	BCC Environmental Health – final response outstanding at time of writing of the report. EHO offer no objection in principle.
7.0	Representations
7.1	The application has been re-neighbour notified and re-advertised in the local press. No representations have been received at the time of writing this report.
8.0	Other Material Considerations
8.1	The adopted Belfast Urban Area Plan 2001 designates the site as;
8.3	Housing Action Area
8.4	Under the draft BMAP 2004 plan the site is proposed to be designated within;
8.2	An Area of Townscape Character – Hollywood Arches - BT 051
8.3	Under the draft BMAP 2015 plan the site is proposed to be designated within;
8.4	An Area of Townscape Character – Hollywood Arches - BT 034
8.5	DCAN 13: Crèches, Day Nurseries and Pre-School Play Groups
9.0	Assessment
9.1	The key issues in the assessment of the proposed development include; <ul style="list-style-type: none"> • Principle of development and use; • Proposed crèche use; • Height, scale, massing, layout and design; • Impact on the proposed Area of Townscape Character; • Visual Impact; • Impact on residential amenity of neighbours; • Parking provision and access; • Other environmental factors.
9.2	The Belfast Urban Area Plan 2001 (BUAP) is the statutory development plan for the area.
9.3	Section 45 (1) of the Planning Act (NI) 2011 requires regard to be had to the Development Plan, so far as material to the application and to any other material considerations. Section 6 (4) states that where regard is to be had to the Development Plan, the determination must be made in accordance with the Plan unless material considerations indicate otherwise.
9.4	Section 6 (3) of the Planning Act for Northern Ireland 2011 states; <i>'If to any extent a policy contained in a local development plan conflicts with another policy in that plan the conflict must be resolved in favour of the policy which</i>

	<i>is contained in the last development plan document to be adopted or, as the case may be, approved’.</i>
9.5	The Draft Belfast Metropolitan Plan is a material consideration
9.6	The adopted Belfast Urban Area Plan 2001 designates the site within a Housing Action Area.
	<u>Principle of development and use</u>
9.7	The principle of the development is considered acceptable at this location, the existing use as a community centre will be retained and enhanced alongside provision for a new crèche.
9.8	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. It is considered that this proposal will not result in demonstrable harm to nearby residents or the environmental quality of the area.
	<u>Proposed Crèche Use</u>
9.9	The proposal includes the relocation of an existing crèche TLC Daycare which, currently operates from 395-405 Newtownards Road. The proposal will provide crèche accommodation for 16 children and 6 staff as per the P1D form submitted by the applicant. A total floor space of 56m ² will be for the proposed crèche. The proposed scale and numbers of proposed children and staff is considered to be acceptable and of a level that will not result in unacceptable noise, nuisance or disturbance to nearby residential properties and is a use that is a compatible use alongside the community centre.
	<u>Height, scale, massing, layout and design</u>
9.10	The proposal comprises a two storey building which will replace the existing two storey building with a link to a two storey element fronting onto the Upper Newtownards Road. The link is to be single storey with a two storey link corridor located parallel to the north western boundary of the site.
9.11	The proposed building has been reduced, to address Planning Service concerns in relation to the potential impact of the development on the neighbouring residential property at no. 31 Upper Newtownards Road.
9.12	<ul style="list-style-type: none"> • The height of the single storey link element has been reduced by 0.75m to 3.5m to address concern regarding dominance of the proposed building on the residential neighbour; • The north eastern portion of the building to the rear of no.31 Upper Newtownards Road has been taken back by 1m to increase the separation distance between the proposed building and no.31; • The entrance foyer has been taken back 0.3m to increase the separation distance between the proposed building and no.31 Upper Newtownards Road; • The first floor void above the entrance foyer has been removed; • The height of the proposed roof line along the north eastern portion of the building has been reduced by 0.5m.
9.13	The proposed building is to have a ridge height of 9.9m in line with that of the existing dwelling at no.31 Upper Newtownards Road with pitched roof and a mono pitched element taking cues from the existing dwelling and the Bloomfield Baptist Church. The link elements of the building consists of a two storey element 7m in height and a single storey element 3.5m in height, both of which are to be flat roofed with parapet wall. The rear

	<p>element of the building is two storey and with a ridge height 11.2m from finished floor level. This is an increase of 4.6m from the building currently in situ on the site.</p>
9.14	<p>The proposed finishes include brick, render, blue/black slate effect tiles to the Upper Newtownards Road portion of the building with the link elements are to be finished in render. The rear Finvoy Street element of the building is to be of a more contemporary modern form finished in PCC Aluminium curtain walling and cladding panels in metallic beige/grey and a spandrel panel in the same metallic beige/grey.</p>
9.15	<p>The architectural approach is modern yet sympathetic to its context, taking its design from the architecture in the context of the area. The proposed design and architectural treatment and materials are acceptable using red brick, render and slate which is characteristic of the area.</p>
9.16	<p>The upper Newtownards Road boundary is to be a brick wall and piers with railings in between. The Finvoy Street boundary is to be a 2.1m high rendered wall with railings, which will provide access to a small courtyard leading to the entrance to the community centre. Covered secure bicycle parking for 6 bicycles is proposed, within this courtyard, however no details for this structure have been provided. However, this can be dealt with prior to the commencement of works through the attachment of a negative condition.</p>
9.17	<p><u>Impact on the proposed Area of Townscape Character</u> The Holywood Arches ATC designation BT 051 is contained in the Belfast Metropolitan Area Plan 2015 (BMAP) (2004 version). The plan remains in draft as a consequence of a Court of Appeal judgement and the BUAP, despite its vintage, as already referred to above, operates as the LDP for the area. The draft BMAP, published in 2004 and 2015, is a material consideration in the determination of planning applications.</p>
9.18	<p>Draft BMAP proposes that the site is contained within the proposed Holywood Arches Area of Townscape Character BT 051. Policy ATC2 of APPS6 states that development proposals will only be permitted in an ATC where the development maintains or enhances its overall character and respects the built form of the area. The policy applies in respect of designated ATCs, but makes no reference to proposed ATCs. From the wording of the policy it is considered that Policy ATC 2 does not apply in respect to development proposals within proposed ATCs. This is as per planning appeal decision 2017/A0219. However the paragraph 6.21 of the Strategic Planning Policy Statement for Northern Ireland (SPPS) and policy UE 3 – Areas of Townscape Character and Areas of Village Character of draft BMAP applies.</p>
9.19	<p>Paragraph 6.21 of the Strategic Planning Policy Statement for Northern Ireland (SPPS) states that new development which maintains or enhances the overall character of the area and respect the built form should be permitted. It is considered that the proposal complies with para.6.21 of the SPPS. Policy UE 3 sets out key design criteria for proposals within ATCs. Designation BT 051 states that one of the key features of the Holywood Arches Area of Townscape Character is the terraced houses on the Upper Newtownards Road.</p>
9.20	<p>It is considered the proposal complies with the Key Design Criteria as set out in Policy UE 3 in that the height does not exceed 3 storeys (criterion 1B), the size, plot ratio and footprint to open space is acceptable for the use that is proposed and is compatible with the character and appearance of the immediate neighbourhood (criterion 2B), the proposal maintains the existing building line along the Upper Newtownards Road (criterion 2C), no removal or trees or soft landscaping is proposed (criterion 3A), the proposal maintains the form and layout of existing buildings and incorporates detailing and finishes in keeping with the area (criterion 4a), the main two storey element located to the rear of the front portion at Upper Newtownards Road, while it is not an extension it does not exceed two storey in height (criterion 5A).</p>

9.21	The proposal is considered to be sympathetic and complementary to the area, with the modern contemporary element of the proposal being located on the edge of the ATC whilst taking its design from the surrounding properties to the Upper Newtownards Road portion of the building being of similar scale, form and finishes and respecting the area in which it is located and therefore, it is considered the proposal complies with policy UE3 of draft BMAP.
9.22	<p><u>Visual Impact</u></p> <p>In respect of visual impact of the proposed building, it is considered that the building can be integrated successfully in to the urban landscape in which it is proposed without detrimentally impacting, on the visual amenity of the area. Following the receipt of amendments it is considered to be of an acceptable scale, design and finish to ensure it will not detrimentally impact on the visual amenity of the area nor the Comber Greenway or the residential area in which it is located directly adjacent to the site.</p>
9.23	<p><u>Impact on neighbours</u></p> <p>Whilst it is acknowledged that the proposed community centre will impact on the adjacent residential dwelling at no.31 Upper Newtownards Road, in terms of overshadowing, this is not considered to be of an unacceptable level to result in a significant impact to residential amenity of the dwellings occupants. The nature and irregular shape of the site wrapping around the north western (side) and south eastern (rear) boundaries of no.31 Upper Newtownards Road, means it is inevitable that any form of development on this site will impact to a degree on the residential property at no.31 Upper Newtownards Road. However, the applicant has taken steps and has reduced the proposal to address Planning Service's concerns to ensure no unacceptable impact to no. 31 Upper Newtownards Road and without losing the overall proposed functionality of the new community centre development.</p>
9.24	In terms of overlooking the increased separation distances and layout of the proposed building ensures that no unacceptable overlooking shall result to the occupants of no.31 Upper Newtownards Road.
9.25	In respect of the adjacent Bloomfield Baptist Church and its associated Church Hall, the development will impact the church on one side, its eastern side, in the mornings however, it is considered that the proposal will not impact on the users of the Church to an unacceptable extent. On balance the two uses combined serve the local community and may benefit mutually from the uplift in the facilities provided by the new community centre.
9.26	No representations from nearby residential properties have been received at the time of writing of this report. The application has been re-neighbour notified and re-advertised. In the event of any late representations being received these will be dealt with as late items.
9.27	<p><u>Parking provision and access</u></p> <p>DFI Roads were consulted and requested the submission of an outline Travel Plan, including the role of a Travel Coordinator and a parking survey. This information was awaiting submission at the time of this report and on receipt will be forwarded to DFI Roads for re-consultation. The proposal is located on an arterial route with easy access to public transport including the Glider. It is assumed that the catchment for the community centre will be from the immediate area in which it is located or within close proximity to the site and therefore it is considered to be a sustainable location. Provision of secure covered cycle storage for 6no. bicycles, promoting the use of a sustainable mode of travel is also included.</p>
9.28	<p><u>Other environmental factors</u></p> <p>Rivers Agency were consulted and have no objection to the proposal. NIEA Land, Soil and Air and Drainage and Water have no objection subject to conditions. Environmental Health</p>

9.29	<p>and NIEA requested the submission of a Generic Quantitative Risk Assessment (GQRA). Environmental Health and NIEA were re-consulted and NIEA have responded with no objection subject to conditions. Environmental Health's response was outstanding at the time of writing this report.</p> <p><u>Recommendation</u> The proposal is considerable to be acceptable subject to conditions. The proposal will provide a new and improved community centre and crèche for the wider community benefit without unacceptable detrimentally impact to the residential amenity of its neighbours, the visual amenity of the area or the proposed Area of Townscape Character.</p>
9.31	<p>The proposal contributes to the implementation of the Belfast Agenda in respect of 'Living Here' and providing physical investment in this neighbour and social innovation in the community.</p>
9.34	<p>Having regard to the policy context and other material considerations above, the proposal is considered acceptable and planning permission is recommended. Delegated authority is sought for the final wording of conditions from the Director of Planning and Building Control.</p>
10.0	<p>Summary of Recommendation: Approval subject to final responses from consultees and conditions.</p>
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. If during the development works, new contamination or risks are encountered which have not previously been identified, works should cease and the Planning Authority shall be notified immediately. This new contamination shall be fully investigated in accordance with the Model Procedures for the Management of Land Contamination (CLR11) and/or the Land Contamination: Risk Management (LCRM) guidance, as applicable. In the event of unacceptable risks being identified, a remediation strategy shall be agreed with the Planning Authority in writing, and subsequently implemented and verified to its satisfaction. This strategy should be completed by competent persons in accordance with the Model Procedures for the Management of Land Contamination (CLR11) and/or Land Contamination: Risk Management (LCRM) guidance, as applicable. Reason: Protection of environmental receptors to ensure the site is suitable for use. 3. After completing the remediation works under Condition 11; and prior to occupation of the development, a verification report needs to be submitted in writing and agreed with the Planning Authority. This report should be completed by competent persons in accordance with the Model Procedures for the Management of Land Contamination (CLR11) and/or the Land Contamination: Risk Management (LCRM) guidance, as applicable. The verification report should present all the remediation and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and achieving the remedial objectives. Reason: Protection of environmental receptors to ensure the site is suitable for use.

	<p>4. Prior to the commencement of construction, the applicant shall submit to and have agreed in writing by the Planning Service, details of the secure covered bicycle storage.</p> <p>Reason: To protect residential amenity.</p>
<p>Notification to Department (if relevant)</p> <p>N/A</p>	
<p>Representations from Elected members:</p> <p>N/A</p>	

ANNEX	
Date Valid	29th October 2019
Date First Advertised	22nd November 2019
Date Last Advertised	7th February 2020
Details of Neighbour Notification (all addresses)	
2 Finvoy Street,Belfast,Down,BT5 5DH	
31 Upper Newtownards Road,Belfast,Down,BT4 3HT	
33 Upper Newtownards Road,Belfast,Down,BT4 3HT	
4 Finvoy Street,Belfast,Down,BT5 5DH	
60 – 68 Upper Newtownards Road,Belfast,Down,BT4 3EN	
Bloomfield Baptist Church,Upper Newtownards Road,Belfast,Down,BT4 3HT	
Flats 1-3,66 Upper Newtownards Road,Belfast,Down,BT4 3EN	
Date of Last Neighbour Notification	3rd February 2020
Date of EIA Determination	N/A
ES Requested	No
Drawing Numbers and Title	
Drawing No's. 01 -02A-09A	