

## **Extract of Minute – 10th December, 2019 relating to Wilton House**

### **(Reconsidered item) LA04/2018/2097/F & LA04/2018/2034/LBC – 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) at Wilton House 5-6 College Square North**

(The Chairperson advised the Committee that, as Alderman McCoubrey had not been present for the discussion on the application on 15th October, he could not take part in the vote on the item.)

The Committee was reminded that it had previously considered the application at its September meeting, where it had agreed to defer in order to undertake a site visit, and then again at its October meeting. The Principal Planning Officer explained that, at its meeting in October, the Committee had again agreed to defer consideration of the application, noting that the proposal involved an important Listed Building on the At Risk Register and to allow the applicant further time to engage with planning officers to see if the outstanding issues could be resolved.

The Members were advised that sketch drawings of a potential alternative scheme had been submitted to the Planning Manager in late October, indicating a change in design approach and with a reduction of two units. She reported that the architect had been advised that the proposal remained unacceptable as the new build element remained over-dominant, its form would jar with the Listed Building, the roof terrace would be harmful to the street-scene, it would be harmful to the adjacent Listed Building and the Conservation Area and that other concerns had not been satisfactorily addressed. She explained that HED had also been sent the sketch drawings and that it had advised the architect that the proposal remained unacceptable as it would have a negative impact on the Listed Building.

The Committee was advised that the alternative scheme had not formally been submitted by the applicant to the Council and that it would therefore proceed to determine the application based on the last formally submitted plans, dated September 2019, with additional information relating to an amended floor layout and cycle parking arrangements also being taken into consideration.

She explained that DFI Roads and Environmental Health had been re-consulted on the additional information and advised the Committee of the outstanding concerns which DFI had expressed in relation to Policy AMP7 of PPS3, in that the application failed to demonstrate adequate parking provision, including for disabled users.

The Members were also advised of concerns which officers had regarding the proposed open bicycle parking which was proposed to the front of Wilton House, which was thought to be detrimental to the setting of the listed building as well as concerns relating to the security of the bicycles.

The Principal Planning officer advised the Committee that, as detailed in the Late Items pack, Environmental Health had since provided a number of negative conditions to ensure that contaminated land and dust reports would be submitted to and approved by the Council prior to the commencement of development. She explained, therefore, that refusal reason seven in the report no longer applied.

However, for the remaining six reasons outlined within the Case officer's report, the application was recommended for refusal.

The Committee welcomed Mr P. Stinson, agent, Mr. H. McConnell, architect, and Mr. C. Toman, applicant, to the meeting. In addressing the refusal reasons as detailed within the Case officer's report, they advised the Committee that:

- weight should be afforded to the fact that the proposal would secure the future of a currently vacant Listed Building, which was on the At Risk register;
- the proposals were no longer considered contrary to the core planning principles of SPPS and that refusal reason 1 previously formed part of refusal reason 4 in previous officer reports – these related to the design, form and scale of the new build with the proposed massing no longer forming part of the refusal reasons;
- refusal reason 1 created no further barrier to approval if the Committee agreed that the design, form and scale met the policy tests for a listed building in a conversation area as set out in the new refusal reason 3;
- significant amendments had been made to the proposal since submission – focusing on improving the relationship between the new build and the existing building;
- HED accepted the principle of a separate new building on the site and considered that the separation distance went some way in achieving subservience and providing an acceptable relationship between old and new;
- in considering the acceptability of the design, the appearance of the existing rear return and the contribution it made to the character and appearance of the conservation area must weigh in the planning balance and that this received little consideration in the officer's report;
- an aspect in relation to the inadequate private amenity space was new to the reasons listed;
- in relation to public amenity space, the proposal was around 300 metres from the public grounds of the City Hall and that a park was close by on Durham Street;
- 80% of the units would face away from the Courtyard and that all units met the recommended internal space standards in Addendum PPS7, even though there was no such requirement for a city centre development;
- in relation to the listed building, they had agreed to retain the unique double stair format internally and not to include a lift; and
- they had reduced the height of the new building to the level of the eaves line of the existing building, and that the new block could not be seen from Donegall Square North.

In response to a Member's question regarding why sufficient evidence in relation to the current state of the Listed Building had not been forthcoming from the applicant, the architect advised the Committee that floorplans and elevations had been submitted, that they were more than happy to engage with HED on the finer details and that further information would be submitted when the principle of development was granted.

A further Member requested further information from the applicant in relation to the amenity space and on the lack of light in a certain number of the units. The agent reported that, in their resubmitted proposal, they had proposed a roof terrace but that planners had advised them that it would impact negatively upon the streetscape. In relation to the poor

levels of lighting which had been referenced, the architect advised the Members that angled windows would be used to maximise the amount of daylight entering the units.

In response to a further question regarding the proposed uncovered bicycle parking area, the developer advised the Committee that, as part of the Travel Plan, residents would be provided with a subscription to the Belfast Bike Scheme and that it was felt that most residents would prefer to store their bike in their apartments.

A Member stated that he felt that the proposal was acceptable. He outlined the following reasons as to why he felt that the officers' recommendations for a refusal of the application were not applicable:

- Refusal reason 1 – there was a difference in judgement between officers and Members, in that he felt that the proposed new build was not over dominant;
- Refusal reason 2 – the requirement for evidence as to the current condition of the Listed Building could be conditioned instead;
- Refusal reason 3 - there was a difference in judgement between officers and Members, as the Member felt the proposed new build to the rear was reasonably subservient;
- Refusal reason 4 – it was a vacant listed building in the city centre and that a compromise had to be made in relation to amenity space and that the developer had outlined nearby public amenity spaces;
- Refusal reason 5 – in that the windows would be angled to provide more natural daylight in the units; and
- Refusal reason 6 - bicycle parking would be provided within the apartments, as well as subscriptions for residents to the Belfast Bikes scheme.

### **Proposal**

Moved by Councillor Hussey,  
Seconded by Councillor Carson,

That the Committee agrees to grant approval to the application, in accordance with the aforementioned rebuttal for each refusal reason.

On a vote by show of hands, seven Members voted for the proposal and five against and it was accordingly declared carried.

The Committee was advised that, as there were objections from statutory consultees, the decision to approve the application would have to be referred to the Department for Infrastructure for its consideration.

The Divisional Solicitor explained that the Travel Plan and associated issues would usually be dealt with by way of a Section 76 Agreement.

Upon receiving advice from the Director of Planning and Building Control and the Divisional Solicitor, the Committee agreed to delegate the drawing up of conditions and the details of a Section 76 Agreement to the Director of Planning and Building Control, and that they could be considered when the application came back before the Committee, given that a Pre-Determination Hearing would be required.