Addendum Development Management Officer Report Committee Application

Summary		
Committee Meeting Date: Tuesday 14th Sept 2021		
Application ID: LA04/2020/1360/F		
Proposal: Proposed demolition of existing church hall building and construction of 9.no apartments and 1no. retail unit. Referral Route: At the request of Cllr McKeown	Location: 491-495 Lisburn Road Belfast BT9 7EZ	
Recommendation:	Approval	
Applicant Name and Address: Kirk Bryson & Co Ltd c/o Osborne King The Metro Building 6-9 Donegall Square South Belfast	Agent Name and Address: Coogan and Co Architects Ltd1 Montgomery 122 Upper Lisburn Road Finaghy Belfast	

ADDENDUM REPORT

This full application was previously listed for Planning Committee on 17th August 2021. The application was deferred for a site visit to be undertaken to allow the Committee to acquaint itself with the location and to consider points of objection. Members should read this Addendum Report in conjunction with the original full detailed planning report attached below.

A site visit for elected members took place on Thursday 2nd September 2021.

Members familiarised themselves with the site and surroundings, assessed overlooking from proposed balconies and discussed parking provision within the street location and associated with neighbouring development.

By way of clarification the Planning History for the neighbouring site at 497-505 Lisburn Road is Planning approval reference Z/2007/0197/F which granted permission for four retail units, 10 apartments and basement car parking.

Additional Information

No new information has been submitted for further consideration; the original report remains unaltered with a recommendation to approve.

<u>Assessment</u>

The proposal has been considered and assessed in accordance with the relevant prevailing planning policies and development plan.

<u>Summary</u>

- The site visit by members has taken place.
- No new amendments or information has been received for further consideration and the recommendation remains unchanged.

In conclusion, the recommendation remains as set out in the case officer's report and this addendum.

Recommendation

The proposal is recommended for approval. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording.

Development Management Officer Report Committee Application

Summary		
Committee Meeting Date: Tuesday 17 August 2021		
Application ID: LA04/2020/1360/F		
Proposal:	Location:	
Proposed demolition of existing church hall	491-495 Lisburn Road	
building and construction of 9.no apartments	Belfast	
and 1no. retail unit.	BT9 7EZ	
Referral Route:		
Requested to be presented to the Planning Committee by elected member		

Recommendation: Approval Subject to Conditions

Applicant Name and Address:
Kirk Bryson & Co Ltd
c/o Osborne King
The Metro Building
6-9 Donegall Square South
Belfast

Agent Name and Address:
Coogan and Co Architects Ltd
122 Upper Lisburn Road
Finaghy
Belfast

Executive Summary:

The application seeks full planning permission for the demolition of the existing Church Hall on site and the replacement with nine apartments, one retail unit and associated site works

The key issues in the assessment of the proposed development include:

- Principle of re development and Use
- Scale, Design, Massing & Layout
- Impact on Surrounding Character, ATC
- Impact on Neighbouring Amenity
- Provision of internal and outdoor amenity
- Parking and traffic issues
- Water and Sewage
- Other Environmental Matters

A total of 8 letters of objection have been received following the initial and amended scheme. Seven of the letters are from two individuals and the other is from Cllr. Tracy Kelly supporting the comments from one of the objectors. Cllr. McKeown also made representations and requested that the application is brought before the Committee for the reasons set out in the objection letters. Six of the letters were received before the final amended scheme was notified. It is considered that some of the initial issues of concern have been resolved following amendments to the scheme.

The issues of concern expressed include:

- Inadequate Parking provision,
- Overlooking/dominance of neighbouring properties,
- Noise/smell from balconies resulting from talking/smoking
- Food waste additional bins to serve the development
- Density 10 apartments
- Need/economic impact need for an additional retail unit
- Design contrary to Area of Townscape Character

Response to the points raised are dealt with in the case officer report below.

The proposal is within the urban area and within the development limits of Belfast. The proposed uses of retail on the ground floor with residential above is compatible on the site and in the area and therefore the principle is acceptable providing the proposal is compliant with all relevant polices and material considerations.

The proposed design, scale, height, mass and appearance is on balance acceptable within the surrounding context. The proposed residential units are of a size and layout which are acceptable with all having access to amenity provision, a reduced standard of amenity is considered acceptable as the site sits in a highly accessible location close to local amenities including parks and a contribution will be made towards local park amenities.

The proposal has been amended during the processing both to ensure it will not result in an unacceptable impact in terms of dominance and overlooking on neighbouring terraces; and to ensure the design will sit more comfortably both on the Lisburn Road and the residential street. It is considered that the proposal will not have a significant detrimental impact on neighbouring residential amenity.

All consultees, DFI Roads, Environmental Health, Urban Design Officer, NIW and Rivers Agency offer no objection to the proposal.

Section 76 Agreement

- The development proposed falls short in terms of private and shared amenity and therefore the developer will provide a contribution to local public amenity to offset this reduction.
- The development does not provide parking, DFI Roads are satisfied that sufficient on-street parking is available and have requested green travel measures in the form of travel cards, that each of the apartments is supplied with a travel card funded for 3 years to encourage the uptake in the use of public transport.

The developer has agreed to enter into a Section 76 agreement to secure these measures.

Recommendation

Having had regard to the extant development plan, the draft development plan, relevant planning policies, and all other material considerations the proposed development is considered on balance to be acceptable.

It is recommended that delegated authority is given to Director of Planning and Building Control to finalise the wording of conditions.

Case Officer Report Site Location Plan ΕT ZEET REET st Nicholas **Characteristics of the Site and Area** 1.0 **Description of Proposed Development** Full planning permission is sought for the proposed demolition of existing church hall 1.1 building and construction of 9.no apartments and 1no. retail unit. 2.0 **Description of Site.** 2.1 The site is an existing Church Building of no particular design merits, being constructed with a mono pitched roof and constructed with red, yellow, and brown brickwork. The building occupies a corner plot at the Lisburn Road, a busy commercial frontage, and Rathcool Street a residential street of two storey terrace dwellings. The site sits opposite to the Lisburn Road Police Station and adjoins a single storey high row of

commercial/retail units. To the opposite corner of Rathcool Street is a modern four storey

Planning Assessment of Policy and other Material Considerations

building consisting of ground floor retail and apartments above.

3.0 Planning History

	LA04/2020/1359/F - Proposed change of use from existing church hall to a restaurant	
	(includes demolition of existing mezzanine level)	
	(morados dementer or oxioning mozzarimo level)	
4.0	Policy Framework	
4.1	Planning policy framework and guidance included:	
	- Belfast Urban Area Plan (BUAP)	
	- Draft Belfast Metropolitan Area Plan (dBMAP) 2004	
	The extant development plan is the BUAP. However, given the stage at which the Draft	
	BMAP has reached pre-adoption through a period of independent examination, the	
	policies within the Draft BMAP still carry weight and are a material consideration in the	
	determination of planning applications. The weight to be afforded is a matter of judgement	
	for the decision maker.	
	Strategic Planning Policy Statement for NI (SPPS)	
	- Planning Policy Statement 3 (PPS 3) Access, Movement & Parking	
	- Addendum to Planning Policy Statement 6 Areas of Townscape Character	
	- Planning Policy Statement 7 Quality Residential Environments	
	- Addendum to Planning Policy Statement & Safeguarding the Character of	
	Established Residential Areas	
	- Planning Policy Statement 12 Housing in Settlements	
	- Development Control Advise Note 8	
	- Creating Places Achieving Quality in Residential Developments	
	- Belfast Agenda	
5.0	Statutory Consultee Responses	
	Rivers Agency – no objection	
	NI Water – no objection	
	Dfl Roads Service – no objection	
6.0	Non-Statutory Consultees Responses	
	BCC Environmental Health – no objection	
	BCC Urban Design Officer	
7.0	Representations	
7.1	The proposal was advertised in the local press and 17 neighbouring properties notified, to	
	date the Council has received 8 letters objecting from two neighbouring residents and o	
	from Cllr. Tracy Kelly who is supporting one of the objecting neighbours. Cllr. McKeown	
	also requested that the application is brought before the Committee supporting the	
	objection reasons.	
7.2	Issues raised include:	
1.2		
	Inadequate Parking provision, Overlanding deminance of pointh bouring preparties.	
	Overlooking/dominance of neighbouring properties, Naise (see all force halossi is a resulting force talling (see all in a force talling).	
	Noise/smell from balconies resulting from talking/smoking	
	Food waste - additional bins to serve the development	
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7.3	Design contrary to Area of Townscape Character	
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- property. Officers are of the opinion that the separation distance and normal outdoor environmental conditions would prevent by products of smoking from affecting neighbouring properties.
- The objector referred to waste and refers to addition bin storage/collection being a concern. Officers consider that sufficient space has been provided on site for the storage of waste containers. It is proposed that the waste capacity requirement calculated at 730Lts will require 1 euro-bin and one wheelie bin providing 840Lts will be collected on a two weekly bases. Dry recyclable waste need is calculated at 570Lts method of storage and collection will be 10no. 55Lts boxes and 1no. 240Lts Blue wheelie bin a total provision of 790Lts to be collect on a weekly basis. Organic waste needs are calculated at 104Lts weekly, the provision for storage being is 1no. 140Lts brown bin for weekly collection. Officers opinion is sufficient waste storage is supplied and the number of bins and collection periods will not result in a significant impact on the surrounding area.
- All other matters including ATC considered below in report.

8.0 Other Material Considerations

DCAN 15 Vehicular Access Standards

DOE Parking Standards

9.0 Assessment

- 9.1 The key issues to consider in the assessment of this application are as follows:
 - Principle of re development and Use
 - Scale, Design, Massing & Layout
 - Impact on Surrounding Character, ATC
 - Impact on Neighbouring Amenity
 - Provision of internal and outdoor amenity
 - Parking and traffic issues
 - Water and Sewage
 - Other Environmental Matters

9.2 Principle of Development

The site is located within the settlement limits for the city within BUAP and the 2004 and 2015 dBMAP. The site is further designated within the Lisburn Road draft Area of Townscape Character (ATC). It is also shown to be adjacent to an existing commercial frontage and on an arterial route. The area is mixed use with commercial frontage with living above the shop a common feature and terraced residential streets run behind. The SPPS sets out that planning permission ought to be granted for sustainable development that accords with the Local Development Plan and causes no harm to areas of acknowledged importance. There is no policy to the contrary therefore, in principle redevelopment of this site for retail and residential is a considered compatible and acceptable.

9.3 Scale, Design and Massing:

In terms of the scale, of the proposal, it is for a four-storey apartment and retail development consisting of nine apartments and one retail unit. The proposed development is to occupy a corner plot at the junction of the Lisburn Road and Rathcool Street. The location is considered to have the benefit of allowing a larger and higher scale building to be accommodated, giving a strong presence to the frontage. The proposal will be paired with an existing apartment and retail development on the opposite street corner of similar scale, massing, dimensions and styling. The neighbouring apartment block at no

505 Lisburn Road provides a context for the scale, design and massing and proportions for this scheme. The use of a mixed palette of materials prevents the building from having a monolithic appearance. Whilst the building is larger than the existing and its immediate neighbours the appearance of dominance is reduced as the proposal, given its design will have differing heights to the roof, the levels being 7.0m at the rear to Rathcool Street and stepping up to 12.65m when fronting the Lisburn Road and a roof mono-pitched canopy of 13m.

- The Lisburn Road frontage will have an overall roof height that is the same as that found at 505 Lisburn Road. The proposal will be approximately 19.3m from front to back along the Rathcool Street frontage, the same proportion as to be found at 505 Lisburn Road. The proposal in terms of height and massing along Rathcool Street will reflect that found within the street.
- 9.5 The remainder of the terrace is single storey at 489 Lisburn Road whilst the proposed relationship is not comfortable as it will result in a 3 storey height difference, the area has other examples of height changes for example no 465 Lisburn Road and junction of Adelaide Avenue which is 2.0m higher than the proposal. The frontage of Lisburn road has been in somewhat of a transition for a number of years which is evidenced by single and two storey terraced frontage being replaced by larger scale buildings.
- 9.6 Design amendments to the proposal have been received and have reduced the impact of the proposal on the neighbouring terrace in terms of dominance with heights of the development being reduced to reflect those of the neighbouring terrace. The height of apartments adjacent to Rathcoole Street terrace being 7.13m approximately 0.65 below the ridge height of the terrace.

Surrounding Character ATC

- The site is located within a draft ATC as designated within the dBMAP. Whilst in draft the policies within the addendum to PPS 6 do not apply. However, it has been established through planning appeals that the character of the draft ATC remains a material consideration when assessing both demolition and development. Demolition of buildings that make a positive contribution is a material consideration and any replacement should not result in a negative impact. The proposal calls for the demolition of the existing modern building that is considered by officers to be of no historic merit, the building being modern and a utility building designed as a Church Hall with no particular design features of note and makes no significant contribution within the surrounding context.
- The proposed retail and apartment development have been designed to take design clues from the surrounding built environment. Although some surrounding designs are questionable, they are nonetheless the elements that make up the draft ATC. Officers considered that the proposal will not significantly impact on the surrounding character which is dominated by commercial and residential uses; commercial to the road frontage and residential to the streets leading from the frontage.

Impact on neighbouring amenity:

The proposed site is within a mixed area of residential and commercial land uses, the proposal is to replace an existing single storey mono pitched roofed hall with a multi-storey apartment block. The introduction of this increased scale and massing of a new apartment block introduces new impacts on the surrounding neighbouring land uses. The original design of the proposal, which included ten apartments, was considered to have a negative impact on the neighbouring terrace dwelling (Rathcool Street) in terms of dominance and shadowing. The design was amended in response to these concerns resulting in the rear section of the building being stepped back and stepped down to lessen the impact on the

terrace. It was considered important that this element of the development should take reference from the ridge height of the terrace. The result of these changes was a reduction in dominance and potential over shadowing of the nearest neighbouring terrace dwelling. It also resulted in a reduction in the number of apartments by one reducing the scheme to nine apartments overall. The final design also includes obscure glazed windows to the rear elevation to protect the rear amenity space of the terrace, these windows being either secondary windows to habitable rooms or serving stairwells therefore resulting in no loss of amenity to the future occupiers.

Officers also sought changes to the bin storage area, bringing it within the confines of the site and away from the gable of the neighbouring terrace.

Impact on surrounding context:

9.11 The proposal is for a modern designed apartment block finished in a variety of materials including traditional red brick, stone, and zinc cladding. These materials are reflective of the surrounding area as demonstrated at the existing apartment block to the opposite corner of Rathcool Street. The red brick is the traditional material for the surrounding area and the proposed elevations will be primarily finished in brick. The height of the proposal can be seen to be reflective of the other apartments that are located along this section of the Lisburn Road.

As part of the design a section of the ground floor area is proposed as retail/commercial use, the Lisburn Road frontage is heavily used for retail and commercial uses and therefore this element of the proposal will sit comfortably with and is compatible in this location on an Arterial Route.

Layout

9.10

9.14

9.12 Whilst the addendum to PPS7 does not apply to arterial routes. The internal space provided to each unit, is designed to comply with the space standards The one-bedroom units arranging from 39sqm to 50sqm and the two-bedroom units being 60sqm, the published space standards setting out for a one bedroom unit 35/40sqm and for a two bedroom unit 60/65sqm. The internal space provision and layout is acceptable. The layouts are such that each unit will have sufficient light and a quality living environment.

Amenity Space

9.13 The amenity space provision for the apartments is 59sqm and consists mainly of balconies which have an outlook onto the Lisburn Road and Rathcool Street. Balconies by their nature can result in an element of overlooking of neighbouring properties especially in locations where there are height differences between buildings. The outlook from the balconies towards the Lisburn Road will be of a busy thoroughfare, commercial outlets, and a Police station beyond. Officers consider there to be no significant overlooking concerns with this element of the proposal. The Rathcoole Street outlook will be towards the relatively new apartment block on the opposite street corner, which relies on bay windows and Juliette balconies to several units for amenity. The outlook onto the remaining area of the Rathcool Street is towards the front of the dwellings forming the street. It is considered that the street fronting aspect of these dwellings ensures there will not be no significant overlooking of the private amenity enjoyed by the existing residents.

Seven of the nine apartments will have a balcony for outdoor amenity space, the balconies range from 3sqm to 7sqm of space. Three units will have access to the terrace outdoor space of 19sqm, 4.4sqm and 3.4sqm. In total therefore, there is a shortfall of 41sqm amenity provided which should be at least 100sqm (10sqm per unit). The applicant has offered to make a contribution towards the amenities at the local park. The details of the

developer contribution / works will be finalised in conjunction with BCC Parks Department and finalised by the Director of Planning and Building Control and delegated authority is requested from Committee.

In addition it is considered the shortfall in external amenity space can be overcome to a great extent by the site's location on a busy thoroughfare which offers a high level of outdoor amenity such as coffee shops, bars and restaurants along with ease of access to a public park which is within 200m of the site.

Parking and traffic issues:

There is no parking provided with the scheme. Dfl Roads Service have assessed the parking survey and travel plans submitted with the proposal; they are content that there is sufficient on-street parking available. The building is designed with an acceptable cycle parking area for 8 number bikes that meets Dfl standards. It is also proposed within the residential travel plan that each of the apartments is supplied with a travel card funded for 3 years to encourage the uptake in the use of public transport. It is considered that the provision of on-street parking, cycle parking and resident travel cards that the proposal has no outstanding travel and parking issues.

Environmental issues:

9.17 BCC Environmental Health was consulted on the proposal, following seeking additional information on points around contamination, air quality, noise management they indicate that there are no significant environmental issues with the proposal. Environmental Health has offered conditions for the control of several the above points relating to contamination should any additional contaminants be found during construction works, internal and external noise control and the control of dust during construction. Taking account of Environmental Health comments, it is considered there are no significant environment issues regarding the proposal.

Water and sewage:

9.18 NI Water was consulted their response indicates that there are no significant issues with the proposal in terms of water and sewage requirements. NIW in their response to consultation provided a copy of the Pre-Development Enquiry that the developer had agreed with NIW regarding water and sewage connections.

It is for the developer and NIW to finalise an acceptable solution to any outstanding water supply/sewage connections issues and given this is a developed site these connections already exist within the site and its surroundings. It is considered that the proposal will not have any significant impact on the water/sewage network once agreement is achieved between the developer and NIW.

Section 76 Agreement

9.20

9.19

- The development proposed falls short in terms of private and shared amenity and therefore the developer will provide a contribution to local public amenity to offset this reduction. The applicant has offered to make a contribution and or works towards the amenities at a local park. The details of the developer contribution / works will be finalised in conjunction with BCC Parks Department and by the Director of Planning and Building Control with delegated authority requested from Committee.
- The development does not provide parking, DFI Roads are satisfied that sufficient on-street parking is available and have requested green travel measures in the

form of travel cards, that each of the apartments is supplied with a travel card funded for 3 years to encourage the uptake in the use of public transport.

The developer has agreed to enter into a Section 76 Agreement under the Act to secure these measures.

10.0 Summary of Recommendation: Approval Subject to Conditions

- The proposal will provide a retail/commercial on the ground floor and nine apartments above within the urban area which is compatible in the context and in principle is acceptable. The site location provides excellent access to commercial/retail outlets, public parks, places of entertainment and ease of access to public transport. The proposal will not have a significant detrimental impact on the neighbouring amenity and the scale, height, mass and appearance are on balance acceptable in the context.
- Approval is recommended subject to Conditions and a Section 76 Agreement to provide Green Travel measures and a contribution to local public open space.
- 10.3 It is requested that the final wording of conditions and the agreement under Section 76 is delegated to the Director of Planning and Building Control.

11.0 Conditions and Informatives

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. Covered cycle parking shall be provided in accordance with Ground Floor Plan published on the Planning Portal 27th May 2021.

Reason: To ensure acceptable cycle parking on the site and to encourage alternative modes of transport to the private car.

3. The Residential Travel Plan, published on the Planning Portal 23rd October 2020, shall be implemented on completion of the development.

Reason: To encourage the use of alternative modes of transport to the private car in accordance with the Transportation Principles.

4. Prior to occupation of the development, the alternative means of acoustically attenuated ventilation systems to habitable rooms shall be selected in accordance with the recommendations contained within the RPS Memo re: LA04/2020/1360/F, dated: 05/3/2021, so that each acoustically attenuated ventilation system achieves the required sound reduction performance (dB Ctr), or greater, in accordance with Table 1 of that memo when installed.

Reason: In the interests of residential amenity

5. The glass balustrades to development balconies and terraces shall be installed in accordance with elevation drawings Nos 10B and 12B and shall meet the acoustic

specification as detailed in Section 2.4 of the RPS Memo re: LA04/2020/1360/F, dated: 05/3/2021.

Reason: In the interests of residential amenity

 A Dust Management Plan should be prepared in accordance to Guidance on the Assessment of Dust from Demolition and Construction (Institute of Air Quality Management, 2014) and implemented during either demolition or construction works on the site.

Reason: The protection of human health and residential amenity.

7. If during the development works, new contamination or risks are encountered which have not previously been identified, works shall cease and the Planning Authority shall be notified immediately. This new contamination shall be fully investigated in accordance with best practice. In the event of unacceptable risks being identified, a Remediation Strategy and subsequent Verification Report shall be agreed with the Planning Authority in writing, prior to the development being occupied. If required, the Verification Report shall be completed by competent persons in accordance with best practice and must demonstrate that the remediation measures have been implemented and that the site is now fit for end-use.

Reason: Protection of human health.

ANNEX		
Date Valid	22 nd July 2020	
Date First Advertised	31 st July 2020	
Date Last Advertised		
Elected representative Interest:		
Cllr Tracy Kelly		
Cllr Gary McKeown Neighbours notified & Advertised:		
17 Neighbours		
Date of Last Neighbour Notification	9 th June 2021	
Date of EIA Determination		
ES Requested	No	
Drawing Numbers and Title		
Notification to Department (if relevant)		
Date of Notification to Department: N/A Response of Department:		