

2nd ADDENDUM REPORT

Development Management Officer

Committee Meeting Date: 16th November 2021

Application ID: LA04/2020/1363/F

Proposal:

20 Apartments and 2 retail units with ancillary lobby space, refuse storage, bicycle storage and amenity space.

Location:

173 Newtownards Road and 1-5 Templemore Avenue
Belfast BT5 4FP

Referral Route: Application previously presented at June 2021 Planning Committee.

Recommendation: Approval

Applicant Name and Address:

Cornerstone Construction (NI) Ltd
385 Springfield Road
Belfast
BT12 7DG

Agent Name and Address:

CPS Planning Consultants
164 Lisburn Road
Belfast
BT9 6AL

1.0	Background
1.1	At its Planning Committee in June 2021, Committee resolved to refuse this planning application for the following reasons:
1.2	1: The proposal would result in in overdevelopment of the site and would be out of character with the area. The proposal is therefore contrary to the SPPS and Policy QD 1 Criteria a and b of PPS 7 –Quality Residential Developments, if permitted, it would result in an over dominant building which would result unacceptable damage to the local character due to the proposed height, scale, massing, density and overdevelopment of the site.
1.3	2: The proposal will impact on the setting of the listed buildings and as a result fails to comply with PPS 6 Policy BH 11 Development affecting the Setting of a Listed Building.
1.4	Following the Planning Committee meeting the applicant submitted amended plans reducing the height of the building and removing one residential unit and one retail unit.
1.5	This 2 nd Addendum Report should be read in conjunction with the previously published Case Officer Report and Late Items reports for the 18 th May 2021 Planning Committee and the 1 st Addendum Report to the 15 th June 2021 Committee, copies of which are appended.
1.6	This 2 nd Addendum Report considers the latest submission from the applicant which includes alterations to the ground floor layout, including the removal of one retail unit; the removal of one residential unit and reducing the height of the proposal from six storeys to five storeys.
2.0	Updated Consultation Responses
2.1	HED were consulted on the amended plans and now offer no objections to the revised proposal. The remaining consultees had previously offered no objections to the proposal.

3.0 Additional Representations

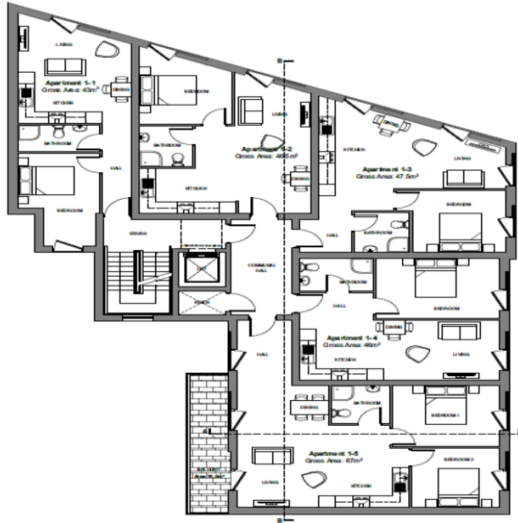
3.1 No additional representations were received following further neighbour notification. At the time of writing there were 682 signatures of support for the proposal. Should any further representations be received they will be reported to Members via the Late Items pack.

4.0 Assessment of Addendum and additional comments

4.1 The amended submission includes alterations to the ground floor layout to provide 2no. apartments, a reduction from 3no. to 2no. retail units. The proposal sees a reduction in height from 6 storeys to 5 storeys with a considerable set-back on the 5th floor.

4.2 HED had commented at the June Committee meeting that in their opinion the proposal was close to being acceptable and they considered that the removal of one floor and a setback would help alleviate their concerns. HED have commented on the amended design and have offered no objections to the proposal. Section 91 of the Planning Act (NI) 2011 requires that in considering whether to grant planning permission for development which affects a listed building or it's setting a council must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Under Section 91, it is considered that the proposal will not have an adverse impact on the setting of neighbouring listed buildings (churches) and that the setting is preserved. HED has considered the effects of the proposal on neighbouring listed buildings and considers the proposal satisfies the policy requirements of SPPS 6.12 and BH11 PPS6, subject to conditions. The proposal also complies with Policy QD 1 of PPS 7 and Paragraphs 4.25 and 4.26 relating to good design of the SPPS.





ACCOMMODATION SCHEDULE	NO.
GROUND FLOOR	
Retail Unit 01 - 68m ² (7 10 Sq Ft)	1
Retail Unit 02 - 91m ² (9 10 Sq Ft)	1
Appt 0-1 - 1 Bed Apartment 40m ² (43 10 Sq Ft)	1
Appt 0-2 - 1 Bed Apartment 40m ² (43 10 Sq Ft)	1
FIRST FLOOR	
Appt 1-1 - 1 Bed Apartment 43m ² (46 2 Sq Ft)	1
Appt 1-2 - 1 Bed Apartment 46.5m ² (50 0 Sq Ft)	1
Appt 1-3 - 1 Bed Apartment 47.5m ² (51 1 Sq Ft)	1
Appt 1-4 - 1 Bed Apartment 46m ² (49 5 Sq Ft)	1
Appt 1-5 - 2 Bed Apartment 67m ² (72 1 Sq Ft)	1
SECOND FLOOR	
Appt 2-1 - 1 Bed Apartment 43m ² (46 2 Sq Ft)	1
Appt 2-2 - 1 Bed Apartment 46.5m ² (50 0 Sq Ft)	1
Appt 2-3 - 1 Bed Apartment 47.5m ² (51 1 Sq Ft)	1
Appt 2-4 - 1 Bed Apartment 46m ² (49 5 Sq Ft)	1
Appt 2-5 - 2 Bed Apartment 67m ² (72 1 Sq Ft)	1
THIRD FLOOR	
Appt 3-1 - 1 Bed Apartment 43m ² (46 2 Sq Ft)	1
Appt 3-2 - 1 Bed Apartment 46.5m ² (50 0 Sq Ft)	1
Appt 3-3 - 1 Bed Apartment 47.5m ² (51 1 Sq Ft)	1
Appt 3-4 - 1 Bed Apartment 46m ² (49 5 Sq Ft)	1
Appt 3-5 - 2 Bed Apartment 67m ² (72 1 Sq Ft)	1
FOURTH FLOOR	
Appt 4-1 - 1 Bed Apartment 43m ² (46 2 Sq Ft)	1
Appt 4-2 - 1 Bed Apartment 46m ² (49 5 Sq Ft)	1
Appt 4-3 - 1 Bed Apartment 40m ² (43 10 Sq Ft)	1
TOTALS	
1 Bedroom Apartments	17
2 Bedroom Apartments	3
TOTAL NO. OF APARTMENTS	20

PROPOSED FIRST FLOOR PLAN
Scale 1:100

- 4.3 The proposal retains the required amenity space and bin storage.
- 4.4 Whilst the space standards as set out in the aPPS7 does not strictly apply, all units meet the space standards and will have outlook onto the public street.
- 4.5 Officers view is that the amended proposals have overcome the reasons for refusal resolved by the Planning Committee at its June 2021 meeting and that the scheme is now considered acceptable.
- 4.6 **Recommendation**
It is recommended that planning permission is granted subject to conditions, with the final wording of conditions delegated to the Director of Planning and Building Control.

- 5.0 **Conditions**
 - 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: Prior to commencement of any development on site, a written specification and a physical sample panel shall be submitted to the Planning Authority for agreement and approval in writing. No external brickwork and/or render shall be constructed or applied unless in accordance with those agreed details.
Reason: In the interests of the character and appearance of the area and protection of nearby Listed Buildings.
 - 3: The development shall operate in accordance with the Service Management Plan.
Reason: In the interests of road safety and the convenience of road users.

4: The development shall operate in accordance with the approved Travel Plan.

Reason: To encourage alternative modes of transport to the private car.

5: The development shall not be occupied until secure and covered cycle parking facilities have been provided on the site. These facilities shall be permanently retained on the site.

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

6: Prior to installation of the windows and separating floor between ground floor retail and first floor residential, the applicant must submit to and have agreed in writing by the Planning Authority, a report detailing the noise mitigation measures to be installed within the development to address road traffic noise and potential noise transfer from ground floor retail units to first floor residential. The report, to be produced by a competent acoustic consultant, must be based on a representative road traffic noise survey and all activities/noise levels associated with retail use and demonstrate that the proposed sound reduction specifications of the windows and separating floor are sufficient to ensure that internal noise levels within the residential element of the proposed development do not exceed:

- 35 dB LAeq,16hrs at any time between 07:00hrs and 23:00hrs within any habitable room, if required with the windows closed and alternative means of acoustic ventilation provided.
- 30 dB LAeq,8hr at any time between the hours of 23:00hrs and 07:00hrs within any bedroom, if required with the windows closed and alternative means of acoustic ventilation provided.
- 45 dB L_{Amax} more than 10 times between 23:00hrs and 07:00hrs within any proposed bedrooms, if required with the windows closed and alternative means of ventilation provided.

Reason: Protection of human health and residential amenity.

7: Prior to occupation of the development, the noise mitigation measures, and alternative means of acoustic ventilation if required, as approved under condition 5 shall be installed as agreed with the Planning Authority and maintained thereafter.

Reason: Protection of human health and residential amenity.

8: 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.

9: In the event that any combustion plant, where the single or combined NO_x emission rate is more than 5mg/sec, is proposed to be installed in connection with the development, the

	<p>applicant must submit an Air Quality Impact Assessment to the Planning Authority for approval in writing.</p>
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	<p>Reason: Protection of human health.</p>
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1st ADDENDUM REPORT
Development Management Officer

Committee Meeting Date: Tuesday 15th June 2021

Application ID: LA04/2020/1363/F

<p>Proposal: 21 Apartments and 3 retail units with ancillary lobby space, refuse storage, bicycle storage and amenity space.</p>	<p>Location: 173 Newtownards Road Belfast BT14 1AB and nos 1-5 Templemore Avenue Belfast BT5 4FP</p>
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Referral Route: Representations are contrary to Officer’s recommendation.

Recommendation: Refusal

<p>Applicant Name and Address: Cornerstone Construction (NI) Ltd 385 Springfield Road Belfast BT12 7DG</p>	<p>Agent Name and Address: CPS Planning Consultants 164 Lisburn Road Belfast BT9 6AL</p>
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1.0	Background
1.1	This application was due to be considered by the Planning Committee on 18 th May 2021. The application was removed from the agenda and deferred so that members could gain an understanding of the site’s context. Members agreed that a Planning Committee site visit should take place. The Planning Committee site visit took place on 3 rd June 2021.
1.2	This Addendum Report should be read in conjunction with the previous case officer report and Late Items reports to the 18 th May 2021 Planning Committee, a copy of which are appended.
1.3	This Addendum Report considers the latest submission from the applicant which includes alterations to the ground floor layout, including the reduction in retail space; the provision of additional amenity space on the ground floor and in the form of private balconies to the rear of the 2 bed apartments and kitchens have been opened up in central apartments An area for a temporary local art installation has been depicted on the western elevation.
1.4	An additional petition of support with 128 signatures has also been received. This petition of support brings the combined total to 682 signatures. These representations are available to view on the NI Planning Portal and are summarised in this report. Any further representations will be reported to Members via the Late Items pack.
2.0	Updated Consultation Responses
2.1	It was considered that the additional information did not require further consultation with any of the consultees. As such the position of consultees remains unchanged from the original May 2021 committee report.

3.0	Additional Representations
3.1	An additional petition of support with 128 signatures for the proposal was submitted with an accompanying map which illustrated that the signatures were from the immediate area. This petition of support brings the combined total to 682 signatures. The petition sets out that the proposal will bring economic and community benefits to the area. These points have been previously raised and considered in the May 2021 Planning Committee report.
3.2	Officers welcome new development and in particular, to long vacant sites such as this one. Re-development can bring with it many benefits including regeneration and a visual upgrade to the area in addition to new homes. However, new development should be sensitive to the location and should bring the best of local tradition to the site. In this case the proposal fails to achieve this.
4.0	Assessment of Addendum and additional comments
4.1	<p>Layout & Amenity Space</p> <p>The latest submission includes alterations to the ground floor layout to provide additional amenity space with the relocation of the bin and cycle store. The applicant has reduced the area of floorspace for all three retail units on the ground floor. The bin store and cycle parking area have been repositioned so that they are incorporated within the building and are accessed via the entrance foyer. This results in an increase in the provision of amenity space for residents. None of the retail units open out into this amenity space. The ground floor amenity space provision measures approximately 80sqm. The layout also shows the provision of additional amenity space in the form of private balconies to the rear of the 2 bed apartments. the total amenity space provision within the development is 210 sqm which is an average of 10sqm per unit. This is an acceptable level of amenity space. There are no kitchen windows in the central apartments so they have now been opened up to create an open plan layout between the living space to increase natural light. As such it is considered that the second refusal reason cited in the May 2021 planning committee report and referring to the lack of quality amenity space can be removed.</p>
4.2	<p>Impact on the character and appearance of the area</p> <p>An area for a temporary local art installation has been depicted on the western elevation. This was incorporated within the design to overcome the Council's concerns relating to the exposed blank façade of the six storey western elevation which is entirely devoid of any openings and would be very prominent visually along the Newtownards Road when approaching from the city side of the road. It is considered that art features can improve the aesthetic appearance of a building. However, in this instance it does not overcome the concerns previously set out as does not address the scale of the gable and still represents overdevelopment of the site. It is considered that the overall height, scale and massing of the building would be over dominant and result in a clear imbalance along both Templemore Avenue and Newtownards Road.</p>
4.3	<p>Recommendation</p> <p>Officers are of the opinion that the recommendation remains unchanged.</p> <p>Reasons for Refusal</p> <p>1: The proposal would result in in overdevelopment of the site and would be out of character with the area. The proposal is therefore contrary to the SPPS and Policy QD 1 Criteria a and b of PPS 7 –Quality Residential Developments, if permitted, it would result in an over dominant building which would result unacceptable damage to the local</p>

4.4	<p>character due to the proposed height, scale, massing, density and overdevelopment of the site.</p> <p>2: The proposal will impact on the setting of the listed buildings and as a result fails to comply with PPS 6 Policy BH 11 Development affecting the Setting of a Listed Building.</p> <p>It is recommended that the Chief Executive, or her nominated officer, uses her delegated authority to finalise the wording of refusal reasons.</p>
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Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: Tuesday 18 th May 2021	
Application ID: LA04/2020/1363/F	
Proposal: 21 Apartments and 3 retail units with ancillary lobby space, refuse storage, bicycle storage and amenity space.	Location: 173 Newtownards Road Belfast BT14 1AB and nos 1-5 Templemore Avenue Belfast BT5 4FP
Referral Route: Representations are contrary to Officer's recommendation.	
Recommendation:	Refusal
Applicant Name and Address: Cornerstone Construction (NI) Ltd 385 Springfield Road Belfast BT12 7DG	Agent Name and Address: CPS Planning Consultants 164 Lisburn Road Belfast BT9 6AL
<p>Executive Summary: Planning permission is sought for the erection of 21 apartments and 3 retail units within a single building which ranges from 4 to 6 storeys in height.</p> <p>The site has an area of 0.04ha and is located within the development limits for Belfast in both the Belfast Urban Area Plan 2001 (BUAP); and the draft Belfast Metropolitan Plan 2015 (BMAP). The site is within a housing action area in the BUAP. The site falls within the draft Templemore Avenue ATC</p> <p>The main issues to be considered in this case are:</p> <ul style="list-style-type: none"> • The principle of the proposal at this location • Design, layout and impact on the character and appearance of the area • Impact on Residential Amenity • Impact on Built Heritage • Access, Parking, and Transport • Infrastructure Capacity • Impact on Human Health <p>The principle of the proposal is acceptable on the basis that the site is within the development limits in both the extant and draft plans (within BUAP and dBMAP 2004) and the proposed use is compatible in the area which is characterised as mixed use commercial and residential.</p> <p>It is considered that the proposal would result in overdevelopment of the site and would be out of character with the area. The proposal is therefore contrary to the SPPS and PPS 7 in that it would result in an overly dominant building that will cause unacceptable damage to the local character due to the height, scale, massing which results in overdevelopment of the site.</p> <p>The proposal is contrary to draft BMAP Arterial Route Policy AR02 where it states that building heights and massing should be appropriate to the scale of the street and shall generally be 2 to 3 storeys high.</p>	

The proposed amenity provision is inadequate and inappropriate and is therefore contrary to the SPPS and PPS 7 in that the development would, if permitted create undesirable living conditions for prospective residents due to inadequate provision of quality amenity space.

The proposal will impact on the setting of the listed buildings and as a result fails to comply with PPS 6 Development affecting the Setting of a Listed Building.

In terms of prospective residents, all dwelling units are proposed to be built to a size not less than those set out Policy LC1 providing adequate space however, in some apartments the living accommodation will be poor as there are no windows provided to kitchens. And the only amenity space provided is a fourth-floor terrace.

It is also considered that the separation distances proposed will not significantly impact on existing residential amenity by way of overlooking, dominance, loss of light or overshadowing.

A total of eleven representations and a petition of support with 554 signatures have been received. Representations have been received from the wider East Belfast area and further afield including Craigavon. Signatures from the petition of support are primarily from the immediate area. The points raised include the following:

- the proposal will help to regenerate the area and that the scale of the building should be approved as it is a gateway building on a brownfield site and will enhance the appearance of a derelict site.
- comments of support also refer to the applicants, Cornerstone Ltd and the high standard of their work
- the proposal will enhance the appearance of a derelict site
- community, employment and commercial benefits
- housing provision,
- the design will offer style which will add interest to the architectural character of the area

In respect of the impact on parking and traffic, DfI Roads has no objections Rivers require additional information. HED (Historic Buildings) have objected to the proposal. NI Water and Environmental Health have considered the proposal and offered no objections.

The agent was made aware of the design concerns and was advised that BCC Planning would be recommending refusal in line with our ten Operating Principles. The agent did not amend the scheme but submitted a rebuttal to the issues raised by the consultees.

Having regard to the Development Plan and all other relevant material considerations, the proposal is considered unacceptable and refusal is recommended for the reasons set out in the case officer report below. It is requested that delegated authority is given to the Strategic Director of Place and Economy to finalise the refusal reasons.



Visual

Characteristics of the Site and Area	
1.0	<p>Description of Proposed Development 21apartments and 3 retail units with ancillary lobby space, refuse storage, bicycle storage and amenity space.</p>
2.0	<p>Description of Site The site is located at the junction of Newtownards and Templemore Avenue, encompassing what was no.173 Newtownards Road & 1-5 Templemore Avenue. The site is approximately 0.04Ha in size and is located on a main arterial route into the city centre. The site is located within the development limits of Belfast. Much of the site is vacant apart from 2no. small retail units to the southern area of the site. The existing retail units are a mix of render and brick materials. The vacant part of the site is overgrown with shrubs, vegetation, and trees. The surrounding area is characterised primarily as residential within the immediate area, with ecclesiastical, educational, and retail land uses are also within walking distance. The site is within walking distance of the retail area of Newtownards Road and Belfast City Centre. Most dwellings within close proximity to the site are mainly finished in red brick.</p>
Planning Assessment of Policy and other Material Considerations	

3.0	<p>Site History</p> <p>Planning Reference No: Z/2005/2089/F Proposal: Erection of 2no. ground retail units and 12 no. apartments above on floors 1-3 Address: 173-175 Newtownards Road & 1 Templemore Avenue, Belfast, BT5 4FP Decision: Permission Granted 20.09.2006</p> <p>Planning Reference No: Z/2007/2789/F Proposal: Demolition of existing units and erection of four-storey building to contain 20 no. apartments. Address: 177-187 Newtownards Road, Ballymacarret, Belfast, BT04 1AF Decision: Permission Granted 16.10.2008</p> <p>Planning Reference No: Z/2009/0112/F Proposal: Amendment to Planning Approval ref: Z/2007/2789/F consisting of 16 No. 1 bed apartments being replaced with 15 No. 2 bed apartments. 4 no. 1 bed apartments to remain as approved. Additional Plant Room. (Amended description) Address: 177-187 Newtownards Road, Belfast. BT4 1AD Decision: Permission Granted</p>
4.0	<p>Policy Framework</p>
4.1	<p>Belfast Urban Area Plan 2001 Draft Belfast Metropolitan Area Plan 2004 Draft Belfast Metropolitan Area Plan 2015 (Following the recent Court of Appeal decision on BMAP, the extant development plan is now the BUAP. However, given the stage at which the Draft BMAP had 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) Policy SETT 2 Development within the Metropolitan Development Limits and Settlement Development Limits.</p>
4.2	<p>Strategic Planning Policy Statement (SPPS) PPS 3: Access, Movement and Parking PPS 6: Planning, Archaeology, and the Built Heritage PPS 7: Quality Residential Developments PPS 12: Housing in Settlements PPS 15: Planning and Flood Risk Creating Places Development Control Advice Note 8 – Housing in Existing Urban Areas</p>
5.0	<p>Consultations:</p> <p>5.1 Statutory Consultee Responses DFI Roads – No objection subject to conditions NI Water - No objections Rivers - Further information is required. A PDE response from NIW consenting to discharge to their system and attenuation size and calculations based on the discharge rate stipulated in the PDE response letter in order to fully assess the submitted drainage assessment.</p>

5.2	HED – object to the application – rebuttal information from the applicant was reconsulted and HED response will be reported to members in late items
5.3	Non-Statutory Consultee Responses Environmental Health – No objections
6.0	Representations The application has been neighbour notified and advertised in the local press. No objections have been received.
6.1	A letter of petition in support of the proposal was signed by 544 people. Eleven letters of support have also been received.
6.2	This includes a letter of support from Councillor George Dorrian DUP outlining that the proposal will help to regenerate the area and that the scale of the building should be approved as it is a gateway building on a brownfield site and will enhance the appearance of a derelict site.
6.3	Comments of support also refer to the applicants, Cornerstone Ltd and the high standard of their work, how the proposal will enhance the appearance of a derelict site, community benefits, employment and commercial benefits, housing provision, the design will offer style which will add interest to the architectural character of the area and how the design is consistent with the character of the area. the issues listed above will form part of the officer’s consideration.
7.0	Assessment
7.1	The key issues in the assessment of the proposal are as follows: <ul style="list-style-type: none"> • The principle of the proposal at this location • Design, layout and impact on the character and appearance of the area • Impact on Residential Amenity • Impact on Built Heritage • Access, Parking, and Transport • Infrastructure Capacity • Impact on Human Health
7.2	The principle of the proposal at this location The application site is within a housing action area within the development limit of the Belfast Urban Area Plan. Policy BH3 encourages new housing to stimulate urban renewal, recognising how new housing is crucial to the rejuvenation of older parts of the built-up area. Policy L3 applies as the site is located on an arterial route. It encourages the upgrade and appearance of frontages on main arterial routes through infill development and rehabilitation.
7.3	Within dBMAP the application site is located along an Arterial route and is within an Area of Townscape Character and Commercial Area within the development limit of Belfast City. Policy SETT 3 from draft BMAP sets out that appropriate housing development, along with retail and office uses will facilitate the regeneration of arterial routes. The description of lands to facilitate an increase in housing within the existing urban footprint will provide the opportunity to increase the support for services provided in local areas. The surrounding area is predominantly mixed use with residential and retail clearly forming part of this character. Whilst the proposal is in a shopping/commercial area it is not within a commercial node as per draft BMAP zoning. However, the retail units on the ground floor would offer additional services to

7.4	<p>the wider neighbourhood and complement the commercial offerings in the area. As the site needs regeneration, it is considered that the proposed redevelopment of the site for housing and retail are acceptable in principle.</p>
7.5	<p>Impact on the character and appearance of the area The proposed development has been assessed against the SPPS and Policy QD1 of PPS7. The proposed development comprises of a single building with 3 no. small retail units at ground floor totalling 254m² gross floor area and 21 no. apartments over 5 floors above. There will be 18 no. 1 bed apartments and 3 no. 2 bed apartments.</p>
7.6	<p>The façade will use facing brick to emulate the finishes on surrounding dwellings and buildings with the introduction of vertical metal cladding and infill cladding panels in an attempt to break the massing of the proposal. The materials are considered to be acceptable.</p>
7.7	<p>The building occupies the corner of Templemore Avenue and Newtownards Road. The building fronting onto the Newtownards Road is 6 storeys with a ridge height of 19m. The Templemore Avenue elevation steps down from 6 storeys to 4 storeys with heights ranging from 19m to 13m. The top floor of the building is slightly stepped back of the building onto the street.</p>
7.8	<p>Draft BMAP Arterial Route Policy AR02 states that building height and massing should be appropriate to the scale of the street and shall generally be 2 to 3 storey high which is significantly lower than the proposal. The height of the proposal is clearly contrary to draft BMAP which is a material consideration.</p>
7.9	<p>When viewing the proposal against Templemore Avenue from the Newtownards Road; it steps down in an attempt to respect the predominantly residential scale and nature of the street. The submitted planning and design and access statements have argued that the proposal fits comfortably within the context of the street and wider neighbourhood. It states that <i>“the proposed building is higher than the adjoining buildings, however it is located within an established area where there is a number of similar height / taller buildings, most of which are as tall, or taller than the current proposal.”</i> There is an absence of evidence to support this statement. Reference is also made to the height of the old college building on Tower Street stating that the size of this is much taller than the proposal. No reference has been made to the actual height of neighbouring buildings and the former College building is set at a distance to the site and is typical of an institutional building. The justification in terms of the height, scale and massing appears to be based on a historic approval for Z/2009/0112/F (16 apartments) which was a 5-storey building adjacent to the site. The applicant has claimed that the foundations for this proposal are complete and as a result this is an extant site with permission to construct 5 storeys.</p>
7.10	
7.11	<p>Reference is also made to nearby tall church spires, a large technical building (Tower Street) and the Skainos Centre in justifying the height of the proposal. The church buildings are very different in terms of functionality and design. The Skainos centre doesn't read within the context of the site and the same can be said for the Tower Street college building which is set back significantly from the proposed site.</p>
7.12	

	<p>Whilst the proposal respects the building line within its context it fails to adequately explain how the scale, height and massing of the proposal will fit into the streetscape and in particular how it will read and impact on Templemore Avenue and Newtownards Road which in this area consists mainly of two and three storey properties. The design of the proposed six storey development creates a dominant bulk and mass along Newtownards Road and Templemore Avenue where the immediate area is predominantly characterised by low rise buildings. this is an indication of overdevelopment of the site.</p>
7.13	<p>There are existing terraced, semi-detached and apartment buildings in the area. Whilst the site is close to some commercial units it should be noted that the residential character of the area is predominantly characterised by low density dwellings. The height, scale and massing of the proposal is out of character with the area.</p>
7.14	<p>As set out previously the proposal is at odds with the heights set out in draft BMAP. The proposal will also have a detrimental impact on the setting of listed buildings as set out under the 'Impact on Built Heritage' section. The proposal would result in in overdevelopment of the site and would be out of character with the area. The proposal is therefore contrary to the SPPS and Policy QD 1 Criteria (a) and (b) of PPS 7 –Quality Residential Developments, if permitted, it would result in unacceptable damage to the local character due to the height, scale, massing and overdevelopment of the site.</p>
7.15	<p>The site falls within the draft Templemore Avenue Area of Townscape Character (Ref BT 074). Whilst the PAC have determined that PPS 6: Policy ATC 2 New Development in an ATC doesn't apply the character of the area is an important material consideration. This section of Templemore Avenue is defined by single storey, flat roofed retail units and the vacant site of the proposed. Whilst a suitably designed development would enhance the appearance of a derelict site it is considered that the proposed development will not maintain the existing character of the Templemore Avenue area which is shaped by Victorian and Edwardian terraced housing. Whilst the existing site doesn't contribute to the special features of this area a 6-storey building with the proposed scale, height and massing would be at odds with the 2/3 storey domestic scale character of the street. The building will read as an over dominant block more akin to city centre development within the draft ATC when viewed looking from south to north along Templemore Avenue.</p>
7.16	<p>The scale, height, massing, layout and design of any new residential building will need to take account of the immediate surroundings in order to create a contextually appropriate and visually integrated scheme. The height of the proposed building would significantly exceed the height of the neighbouring buildings. The proposal would be visually dominate from views along the Newtownards Road and Templemore Avenue. The exposed blank façade of the predominantly six storey western elevation is entirely devoid of any openings and would be very prominent visually along the Newtownards Road when approaching from the city side of the road. The applicant stated that some community artwork could occupy this gable, but no details were provided. In any case, the proposal represents overdevelopment of the site. It is considered that the overall height, scale and massing of the building would be over dominant and result in a clear imbalance along both Templemore Avenue and Newtownards Road.</p>

7.17	<p>Layout & Amenity Space</p> <p>The part 6/4 storey building will comprise of a single building comprising a total of 21 apartments (comprising of 18No. 1 bed and 3 No. 2bed). The central apartment units fail to provide kitchen windows to the units as they are entirely internal. The ground floor consists of 3 No. retail units comprising a total of 223m2 retail space fronting onto Templemore Avenue and Newtownards Road. There is no in curtilage car parking. Cycle parking is located on the ground floor and accessed from the entrance foyer off Templemore Avenue. Access points to the apartments and bin storage are also accessed from this entrance. Each apartment will have outlook onto a public street. The bin storage area is in a rear corner of the ground floor courtyard. This will be shared by residents and the commercial tenants. An external terraced area is located on the fourth floor and is accessible via the lift and stairwell for all residents. There is no private amenity for residents.</p>
7.18	<p>The proposed development has been assessed against the SPPS, Policy QD 1 of PPS7 and Creating Places. The proposed development incorporates a ground floor courtyard (73sqm) which is accessed by the entrance foyer and from the rear door of the retail units. This area will be occupied by a covered bin store (19.5sqm), cycle parking, benches and a bicycle stand. As it is accessed by the retail units, it will essentially operate as a service yard and is likely to provide limited amenity for residents themselves.</p>
7.19	<p>The 4th floor external roof space terrace is accessible but not readily for the majority of residents. Overall, the total amenity (including the ground floor service yard) provision equates to approximately 140sqm, with an average of 6.66 sqm of amenity provision per unit. It is considered that the scheme fails to provide a quality amount of amenity provision for the 21 apartments. The applicant acknowledged the shortfall of amenity space within their planning statement. They argue that is acceptable due to the built-up environment of the area and its proximity to large areas of public open space, including Pitt Park, Connswater Greenway, Victoria Park and King George playing fields. Pitt Park is located within a few minutes' walk from the site. It is considered that the shortfall in amenity provision is yet another indication of overdevelopment of the site. As such the proposed amenity provision is inadequate and inappropriate and is therefore contrary to the SPPS and Policy QD1 of Planning Policy Statement 7 in that the development would, if permitted create undesirable living conditions for prospective residents due to inadequate provision of quality amenity space.</p>
7.20	<p>Apartment Sizes</p> <p>All units are built to a size not less than those set out in Policy LC1 Protecting Local Character, Environmental Quality ad Residential Amenity (addendum to PPS 7: Safeguarding the character of established residential areas).</p>
7.21	<p>Active Frontage</p> <p>Good place making involves the creation of developments which fully activate streets, contributing to creating a welcoming and safe environment for all intended users and the neighbouring residents. The retail units front onto the street which assist in the proposal creating active frontage along both the Templemore Avenue and Newtownards Road increasing surveillance which is compliant with the good design principles of the SPPS and PPS 7 Policy QD 1 criteria 9 in that this aspect of the proposal helps to deter crime and promote personal safety.</p>

7.22	<p>Density</p> <p>The surrounding area is defined by a mixture of medium and high-density housing, retail, ecclesiastical, community and education buildings. The proposed density of development would be higher than that within the local area. However, given its location along an arterial route, its proximity to the city centre and its location on a derelict site it is considered that a medium to high density development if well designed is possible at this location.</p>
7.23	<p>Impact on Residential Amenity</p> <p>The layout/aspect of the proposed building is such that there will be no significant overlooking into neighbouring properties. In addition, there is sufficient separation to existing neighbouring properties to ensure that dominance and overshadowing will not occur to an unacceptable degree. The proposal occupies a corner site with low density residential on the opposite side of the site along the Newtownards road (25m from closest residential property) and Templemore Avenue. This is adequate separation distance to ensure that the residential amenity of this property or neighbours are not adversely affected. The applicant submitted a shadow analysis assessment which supports that the proposal will not create any adverse impact on neighbouring properties through overshadowing. The design of the proposal will not have a significant detrimental impact on dwellings within the area.</p>
7.24	<p>The proposal will not create conflict with adjacent land uses and there is no unacceptable adverse effect on existing or proposed properties in terms of overlooking, loss of light, overshadowing, noise or other disturbance and as such will not have a detrimental impact on residential amenity.</p>
7.25	<p>Impact on Built Heritage</p> <p>HED (Historic Monuments) has assessed the application and based on the information provided is content that the proposal is satisfactory to SPPS and PPS 6 archaeological policy requirements.</p> <p>HED (Historic Buildings) has considered the impacts of the proposal on the listed buildings and on the basis of the information provided, advises that the proposal will have an adverse impact on listed buildings.</p>
7.26	<p>HED comments are made in relation to the requirements of the Strategic Planning Policy Statement for Northern Ireland (SPPS) para(s) 6.12 and 6.13 and of Planning Policy Statement 6: Planning, Archaeology and the Built Heritage Policy BH11 (Development affecting the Setting of a Listed Building). The application site is in close proximity to / impacts upon a number of listed buildings which is of special architectural or historic interest and is protected by Section 80 of the Planning Act (NI) 2011. The list below includes listed buildings deemed to be impacted by this application:</p> <ul style="list-style-type: none"> HB26 07 002 St Patricks Church of Ireland Grade B1 HB26 08 006 Westbourne Presbyterian Church Grade B1 HB26 08 007 St Matthew's Roman Catholic Church Grade B+ HB26 08 012 Megain Memorial Church of the Nazarene Grade B
7.27	<p>Historic Environment Division (HED), Historic Buildings, consider that the proposal, notably the development block fronting onto the Newtownards Road, fails to respect the listed buildings, including the historic character, in terms of scale, height and massing of the local environs. HED (Historic Buildings) consider the proposal misses</p>

<p>7.28</p> <p>7.29</p> <p>7.30</p> <p>7.31</p>	<p>an opportunity to reinforce the historic scale and character of the area, retaining the listed buildings as the focal point within a setting of relatively low scale and height (generally 2-3 storey) surrounding terraces. Such an approach would retain and underpin the distinctive character and creating a positive local historic identity to continue to be read for future generations - a key driver of the Local Development Plan process.</p> <p>As highlighted by HED the proposed six storey building is on a prominent site with listed buildings in close proximity to it. The location is therefore historically sensitive, and it is important that any new development seeks to integrate harmoniously into this setting. At six floors in height, the proposed development is considerably greater in scale than its surrounds urban context. As such it is considered that the proposal will impact on the setting of the listed buildings, particularly on the two closest listed buildings (St Patricks Church of Ireland Grade B1 and Westbourne Presbyterian Church Grade B1) and as a result fails to comply with Policy BH 11 Development affecting the Setting of a Listed Building.</p> <p>Access, parking, and transport Due to its location, the proposal is will be well served by public transport and will be easily accessed by foot and by bicycle. The site is well served by public transport along the Newtownards Road and is within easy walking distance of bus stops. These are serviced by both Metro and Ulsterbus services. These provide a frequent service between Belfast City Centre and east along the Newtownards Road. The site is within reasonable walking distance of the Titanic Quarter Rail Halt. From here, rail services are available to the entire rail network across Ireland. There will be no car parking provided within the curtilage of the site. A centrally located cycle store will be provided within the ground floor of the development and this will be lit and covered. The applicant submitted a travel plan as part of the application. The Travel Plan has shown that there are several measures, which could be used to encourage residents to travel to/from the development by an alternative method of transport other than the private car. DFI Roads offered no objections to the proposal subject to conditions.</p> <p>Infrastructure Capacity The Flood Hazard Map (NI) indicates that the development does not lie within the 1 in 100 year fluvial or 1 in 200-year coastal flood plain. DFI Rivers have reviewed the drainage assessment and have commented that they require a PDE response from NIW consenting to discharge to their system and attenuation size and calculations based on the discharge rate stipulated in the PDE response letter in order to fully assess the submitted drainage assessment. NI Water have no objection to the proposal. Given the scale and nature of development proposed, it is not considered that proposed development would have a significant impact on existing infrastructure and as such, there are no issues of principle. In addition, connections to the water and foul sewer system are covered by separate legislation.</p> <p>Impact on Human Health The proposal will not result in an unacceptable impact in terms of noise, air quality or contamination issues. Environmental Health has no objection subject to conditions.</p>
<p>8.0</p>	<p>Conclusion Having regard to the Development Plan and all other relevant material considerations, the proposal is considered unacceptable and refusal is recommended for the reasons</p>

	set out in the case officer report below. It is requested that delegated authority is given to the Strategic Director of Place and Economy to finalise the refusal reasons.
9.0	Reasons for Refusal:
9.1	The proposal would result in in overdevelopment of the site and would be out of character with the area. The proposal is therefore contrary to the SPPS and Policy QD 1 Criteria a and b of PPS 7 –Quality Residential Developments, if permitted, it would result in an over dominant building which would result unacceptable damage to the local character due to the proposed height, scale, massing, density and overdevelopment of the site.
9.2	The proposed amenity provision is inadequate and inappropriate and is therefore contrary to the SPPS and PPS 7 Policy QD1 of Planning Policy Statement 7 criteria (c) in that the development would, if permitted create undesirable living conditions for prospective residents due to inadequate provision of quality private and communal amenity space and internal layout.
9.3	The proposal will impact on the setting of the listed buildings and as a result fails to comply with PPS 6 Policy BH 11 Development affecting the Setting of a Listed Building.

ANNEX	
Date Valid	17th July 2020
Date First Advertised	31st July 2020
Date Last Advertised	
Details of Neighbour Notification (all addresses)	
1 Abetta Parade Belfast Down The Owner/Occupier, 1 Templemore Avenue,Belfast,Down,BT5 4FP 14c Stockmans Lane Belfast The Owner/Occupier, 171 Newtownards Road,Belfast,Down,BT4 1AB The Owner/Occupier, 173 Newtownards Road,Belfast,Down,BT4 1AB 2 Kensington Court Craigavon Down 23 Orangefield Green Belfast Down 239 Newtownards Road Belfast Down 239 Newtownards Road Belfast Down The Owner/Occupier, 4 Saunders Close,Belfast,Down,BT4 1EJ 42 Cabin Hill Park Belfast Down	

5 Oval Court Belfast Down
The Owner/Occupier,
5 Saunders Close,Belfast,Down,BT4 1EJ
The Owner/Occupier,
5 Templemore Avenue,Belfast,Down,BT5 4FP
The Owner/Occupier,
7 Templemore Avenue,Belfast,Down,BT5 4FP
The Owner/Occupier,
Belfast Metropolitan College,Tower Street,Belfast,Down,BT5 4FH
George Dorrian
DUP Councillor,Titanic DEA
The Owner/Occupier,
Flat 1,2 Templemore Avenue,Belfast,Down,BT5 4FT
Megain Memorial Church Of The Nazarene Newtownards Road Belfast

Representations from Elected Representatives:

Cllr Dorrian in support

Date of Last Neighbour Notification	3/8/20
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Date of EIA Determination	
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ES Requested	No
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Drawing Numbers and Title

Notification to Department (if relevant)

Date of Notification to Department:

Response of Department:

– 18 May 2021

Application	Issues Raised	Action
<p>LA04/2020/1363/F-173 Newtownards Road, Belfast, BT14 1AB and nos 1-5 Templemore Avenue, Belfast-21 apartments and 3 retail units</p>	<ul style="list-style-type: none">• Additional representations in support of the proposal received from the following. <p>MLA Andy Allen Councillor Adam Newton Councillor Sonia Copeland Councillor John Kyle David Gavaghan Carole Howard Robert Johnston Amy Hofmann Simon Hamilton, Belfast Chamber</p> <p>Comments were in support of the proposal citing positive regeneration benefits, provision of mixed tenure housing, revitalising a derelict site, provision of social housing, wider community social and economic benefits, increased density and the proposal supports the goals of the Belfast Agenda.</p> <p>Email received from agent on 17th May requesting that members defer the application to allow for the submission of additional information/amended plans relating to an internal layout of kitchens and further provision of amenity space.</p> <p>HED provided a response today 18th May 2021 reiterating their position. HED commented that the proposal has an adverse impact on the listed buildings when assessed under paragraph 6.12 (setting) of Strategic Policy Planning Statement for Northern Ireland and policy BH 11 (Development affecting the Setting of a Listed Building) of the Department's Planning Policy Statement 6: Planning, Archaeology and the Built Heritage.</p>	<p>Members to note. Comments of su previous support letters and are al assessed within the Case officer r the exception of social housing. TH been no indication within the propo suggest that the proposal is for so housing.</p> <p>Members to note. If these two mat resolved, the fundamental concern associated with the proposal in res scale, height and mass remain.</p> <p>Members to note that HED's positi unchanged.</p>

