

## Committee Application

<b>Development Management Report</b>	
<b>Application ID:</b> LA04/2020/0844/F	<b>Date of Committee:</b> 18 January 2022
<b>Proposal:</b> Demolition of existing boundary wall; conversion of former schoolhouse to cafe and office space with new 1st floor mezzanine; and conversion of former warehouse and erection of extension to provide 8 no. apartments with associated cycle parking and bin storage area (Amended Drawings)	<b>Location:</b> Vacant Warehouse at Rathbone Street & former St Malachy's School at Sussex Place, Belfast
<b>Referral Route:</b> Councillor referral (Councillor Gormley) – detrimental impact on listed building and Conservation Area, substandard design, residential amenity concerns, lack of consultation, potential anti-social behaviour.	
<b>Recommendation: APPROVAL</b>	
<b>Applicant Name and Address:</b> Xafinity Pension Trustees Ltd SIPP - 102118 Scotia House Castle Business Park	<b>Agent Name and Address:</b> Turley Hamilton House 3 Joy Street Belfast
<p><b>Executive Summary:</b></p> <p>The proposal is for ‘Demolition of existing boundary wall; conversion of former schoolhouse to cafe and office space with new 1st floor mezzanine; and conversion of former warehouse and erection of extension to provide 8 no. apartments with associated cycle parking and bin storage area’.</p> <p>267 representations have been received in relation to this proposal. 265 objections (including from Councillors Gormley, Kelly and McKeown), 1 support letter and 1 non-committal representation have been received.</p> <p>The proposal relates to a mixture of uses including residential, office and café. The site is located within the designated City Centre and consequently, there is no objection in principle to any of the proposed uses in this location.</p> <p>The application site includes former St Malachy’s Primary School, a Grade B1 listed building (ref. HB26/30/024 B). The listing encompasses the old school building and an adjoining warehouse. There are also a number of listed buildings located within the immediate locality. These listed buildings and the location within the Linen Conservation Area contribute to the character of the site and the surrounding area. Historic Environment Division (HED) has provided comments on the proposal and is content that the proposal satisfies the tests of para 6.12 and 6.13 of the SPPS and Policies BH7, BH8 and BH11 of PPS 6.</p> <p>The Council’s Conservation Area officer (CAO) has provided comments on the proposal, advising no objection to the proposed change of use and welcoming the retention and re-use of the existing listed buildings. The CAO concludes that he has <i>‘no objections in principle, however concerns have been noted with suggested revisions’</i>. The concerns relate to the additional storey on the Joy Street elevation and the provision of dormers on the listed warehouse building. However, Members are advised that HED is the authority on Listed Buildings and they are content. In terms of the impact on</p>	

the Conservation Area, the proposed development on balance results in an enhancement of the appearance and character of the Linen conservation area, in accordance with the SPPS and Section 104 of the Planning Act.

It is considered that the design and layout of the proposed development will not create conflict with adjacent land uses. There would be some limited overlooking, natural light and outlook, however, these concerns are balanced against the inner city location of the site and the proposed renovation and re-use of an existing vacant listed building. On balance, it is considered that the amenity concerns will not give rise to an unacceptable adverse impact on existing or proposed occupiers.

In terms of the provision of amenity space, the proposed space falls below the standards set out in *Creating Places*. The agent advises that it is not feasible to provide an adequate amount of amenity space within the proposal. It is acknowledged that the application site is located within the City Centre and in relatively close proximity to the City Hall and Waterfront Hall / River Lagan. It is also recognised that there is limited opportunity to provide amenity space within the existing listed warehouse, where six of the apartments are proposed.

The proposed development supports walking, cycling and is within close proximity of public transport links and city centre amenities. In relation to the needs of people whose mobility is impaired, there is no lift access within the apartment building, however there is accessible accommodation provided to two ground floor apartments, the office and the café.

The application site is located within the coastal floodplain. The proposal involves the re-use of an existing building, consequently it can be considered an exception under policy FLD 1 of PPS 15. DFI Rivers Agency have provided comment on the submitted Flood Risk Assessment, advising of no objections.

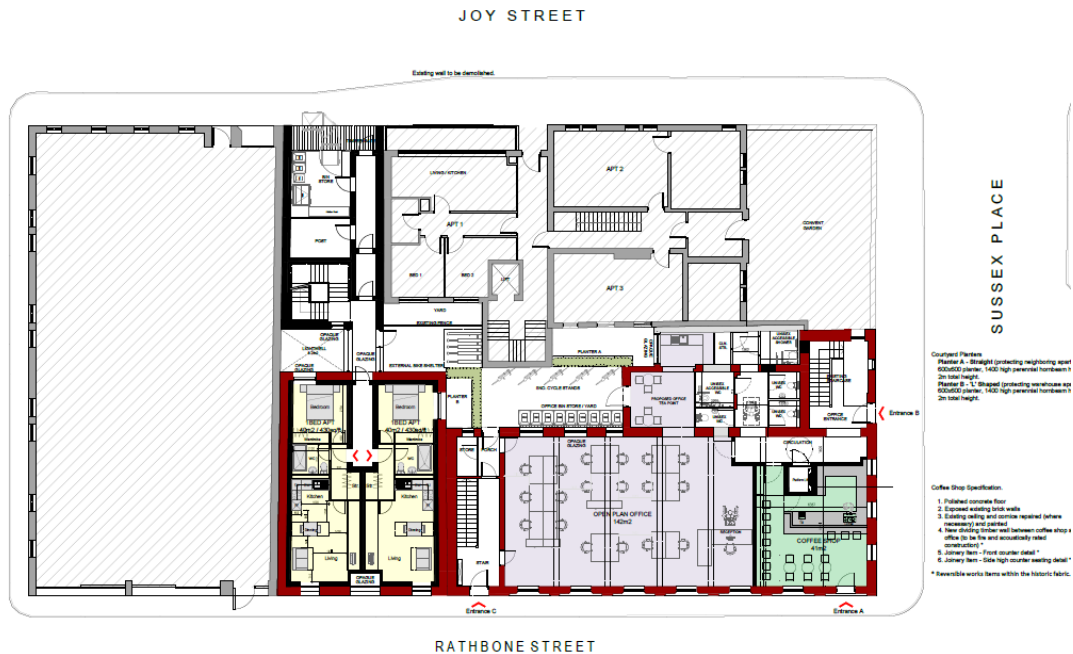
There are no concerns in relation to parking or sewage infrastructure.

On balance, it is considered that the proposed development is acceptable, having regard to the Development Plan and retained planning policy and other material considerations. Therefore, the recommendation is to grant planning permission, subject to conditions. It is recommended that the Director of Planning and Building Control uses her delegated authority to finalise the wording of the conditions.

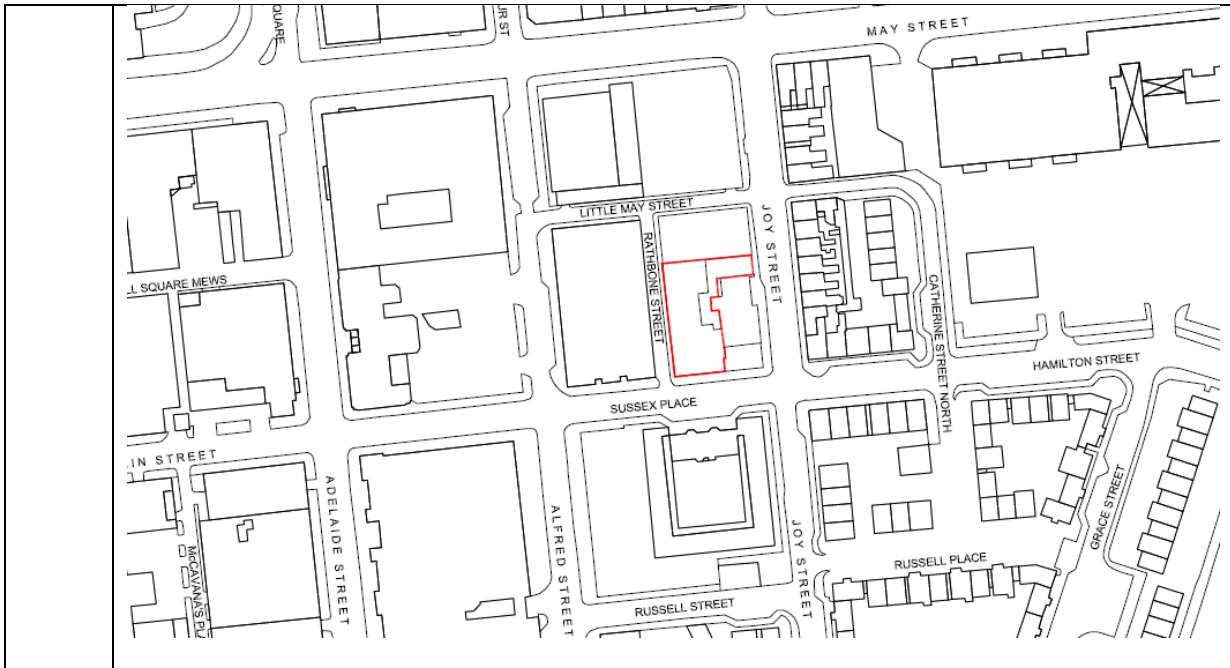
**Characteristics of the Site and Area**

**1.0 Description of Proposed Development**

- 1.1 The proposal is for 'Demolition of existing boundary wall; conversion of former schoolhouse to cafe and office space with new 1st floor mezzanine; and conversion of former warehouse and erection of extension to provide 8 no. apartments with associated cycle parking and bin storage area'.
- 1.2 The former school building will be converted to include a café on the ground floor, with access via Rathbone Street. The remainder of the ground and first floor will be converted to an office use. A new mezzanine level will be constructed on the first floor, providing additional office accommodation. A platform lift is provided to enable access to this floor. A modest meeting room is included within the existing bell tower. Access to the office will be via both Sussex Place and Rathbone Street.
- 1.3 The warehouse will be converted and extended to provide 8 no. residential apartments (6 no. 1 bed and 2 no. 2 bed apartments). Six of the apartments are located within the existing warehouse. Two flat roof dormers are proposed on the roof of the existing warehouse to provide additional bedrooms in the two top floor apartments. The proposed extension covers the space between the rear of the warehouse and the existing wall on Joy Street. Two 1 bed duplex apartments are proposed within this extension, in addition to a ground floor bin storage area and post room. The apartments are accessed via Joy Street.
- 1.4 Cycle storage for the apartments, office and café is located separately within the courtyard. Bin storage for the office and café is also located within the courtyard.



<p><b>2.0</b>      <b>Description of Site</b></p> <p>2.1</p> <p>2.2</p>	<p>The site is located within the urban development limits of Belfast, within the designated City Centre. There is currently a Grade B1 listed building located on the site, known as St Malachy's Primary school, encompassing the former school and adjoining warehouse). The building is a two storey red brick Venetian Gothic-styled former school building, with a bell tower facing Sussex Place. There is an adjoining three storey gable fronted red brick warehouse building that faces on to Rathbone Street. There is an existing courtyard at the rear of the school building / warehouse and. The courtyard is partially bound by an existing wall and the old convent and associated extension on the eastern side. Hamilton House bounds the courtyard on the northern side.</p> <p>The surrounding area is characterised by a mixture of uses, primarily residential in the form of terraced housing and apartments. There are also commercial uses nearby, such as offices and retail.</p>



### Planning Assessment of Policy and other Material Considerations

#### 3.0 Site History

- 3.1 Z/2007/0032/F - Conversion from school house to community/ cultural use with ancillary office space and associated alterations to include three two storey extensions to side of building and new vehicle access onto Joy Street – 1 Sussex Place, Belfast – Granted 20/3/08
- 3.2 Z/2007/0060/LB - Conversion from school house to community/ cultural use with ancillary office space and associated alterations to include three two storey extensions to side of building and new vehicle access onto Joy Street – 1 Sussex Place, Belfast – Granted 21/3/08
- 3.3 Z/1994/2578 - Demolition, alterations, and extension (Listed Building Consent) – St Malachy's Youth club, Sussex Place, Belfast – Granted

#### Surrounding area

- 3.4 LA04/2015/0224/F - Retention, conversion and extension of former convent house for 6 one-bedroom and 6 two-bedroom apartments (12 in total) - The former St. Malachy's Convent of Mercy, Sussex Place – Granted 18/5/16
- 3.5 LA04/2015/0648/LBC - Retention, conversion and extension of former convent house for 6 one-bedroom and 6 two-bedroom apartments (12 in total) - The former St. Malachy's Convent of Mercy, Sussex Place – Granted 18/5/16
- 3.6 Z/2009/0527/F - Conversion of former convent residence into serviced office accommodation, including 4-storey extension to rear – Sussex Place Convent – Granted 1/6/10
- 3.7 Z/2009/0519/LB - Conversion of former convent residence into serviced office accommodation, including 4-storey extension to rear – Sussex Place Convent – Granted 2/6/10

3.8	Z/2008/1823/LB – Demolition of listed wall – Site bounded by Rathbone Street, Little May Street, and Joy Street - Granted 24/2/09
3.9	Z/2007/0771/F - Erection of 4 storey office development with secure off road parking for 4 vehicles – Site bounded by Rathbone Street, Little May Street, & Joy Street Belfast - Granted 8/9/08
3.10	Z/2007/0621/DCA - Building on Rathbone Street - Demolition of entire building due to unsafe structural condition – Granted 8/9/20
<b>4.0</b>	<b>Policy Framework</b>
4.1	Belfast Urban Area Plan (BUAP)
4.2	Draft Belfast Metropolitan Plan 2015 (pre-inquiry) (dBMAP 2015 v2004) Draft Belfast Metropolitan Plan 2015 (post-inquiry) (dBMAP) 2015 v2014)
4.3	Strategic Planning Policy Statement (SPPS) PPS 2 Natural Heritage PPS 3 Access, Movement and Parking PPS 4 Planning and Economic Development PPS 6 Planning, Archaeology and the Built Heritage PPS 7 Quality Residential Environments PPS 7 Addendum - Safeguarding the character of established residential areas PPS 12 Housing in Settlements PPS 15 Planning and Flood Risk  Creating Places DCAN 4 Restaurants, Cafes and Fast food outlets Developer Contribution Framework
<b>5.0</b>	<b>Statutory Consultees Responses</b>
5.1	DFI Roads – No objection, subject to conditions
5.2	Historic Environment Division – No objection, subject to conditions
5.3	NI Water – No objection
<b>6.0</b>	<b>Non-Statutory Consultees Responses</b>
6.1	BCC Environmental Health – No objection, subject to conditions
6.2	Rivers Agency – No objection
6.3	BCC Conservation area officer - no objections in principle, however some issues noted
6.4	BCC Building Control – No objection
<b>7.0</b>	<b>Representations</b>

7.1	267 representations have been received in relation to this proposed development. These include 265 objections (including from Councillors Gormley, Kelly and McKeown), 1 support letter and 1 non-committal representation
7.2	<p>The objections are summarised below.</p> <p><b>Procedural</b></p> <ul style="list-style-type: none"> <li>• Lack of pre-application community consultation.</li> <li>• Issues with neighbour notification and the expiry dates for comments.</li> <li>• One objector has queried the extent of land ownership of the applicant.</li> <li>• The application has not been held to the same standards which was applied to the application for the adjacent Hamilton House. Proposal is poorly designed and does not meet the standards of materials and detailing insisted upon for the Hamilton house development.</li> </ul> <p><b>Built heritage / character</b></p> <ul style="list-style-type: none"> <li>• Proposal will have an adverse effect on the essential character and setting of 3no. listed buildings; the Rathbone Street warehouse, the former St Malachy's School, and the former St Malachy's Convent including its associated extension.</li> <li>• The existing listed building is a precious part of the community's built and cultural heritage. Proposal to convert the building into office space will damage its character and integrity.</li> <li>• Proposed removal of 2no. existing roof trusses from the warehouse to facilitate insertion of two dormers will adversely affect the original form of the building, resulting in removal of historic fabric which is integral to the character and style of the warehouse building typology.</li> <li>• Proposed apartments result in overdevelopment and would have an oppressive impact on the listed building. Proposal adversely affects the setting of the listed building.</li> <li>• Proposal will result in erosion of historic urban grain and impact the distinction between listed buildings.</li> <li>• Proposed apartments will block a historic view of the warehouse that has existed since its construction in 1869.</li> <li>• Proposed interventions will detrimentally change the inherent character, local distinctiveness and the setting of the listed buildings.</li> <li>• Proposed development is contrary to criteria (a) and (c) of Policy BH11 of PPS 6.</li> <li>• Proposed ridge height along the Joy Street elevation will harm the setting of the listed former convent building. The proposed height of the extension is higher than the ridge of St Malachy's School.</li> <li>• No rationale is provided regarding the replacement of historic wooden panelling to the former school building.</li> <li>• Proposal does not provide information on retention of historic doors, floor/ceiling joists, roof structure or floorboards.</li> <li>• Detrimental impact on the view and setting of the listed buildings.</li> <li>• Proposal does not demonstrate how it complies with policies BH 8 and 11 of PPS 6.</li> <li>• Proposed two storey extension on the school building interferes with the fabric of the building at No. 1 Sussex Place. The detail of how this extension will be constructed is not adequately clear from the submitted plans and elevations.</li> <li>• The two storey extension to the school building will reduce the dominance of the clock tower and will dilute the separation between the two buildings.</li> </ul>

	<ul style="list-style-type: none"> <li>• Proposed meeting room with the bell tower will likely result in removal of historic fabric and closing off of timber louvres.</li> <li>• The scheme lacks sufficient survey information and detail of the upper level(s) of the Bell Tower.</li> <li>• The dormers would be highly visible from many of the City Gate apartments and constitute an alien presence on the historic roofscape.</li> <li>• The dormers will break the historic ridge line and industrial form.</li> <li>• Hamilton House side elevation was designed to be seen and takes its design / material cues from the listed building.</li> <li>• Detrimental impact on heritage and character of the existing houses on Joy Street.</li> <li>• The gap between 1 Sussex Place and Hamilton House, as viewed from Joy Street provides an important visual break in the streetscape.</li> <li>• Dead frontage along Joy Street.</li> <li>• Detrimental impact on the existing community and character of the area.</li> <li>• Proposed extension is a storey too high.</li> <li>• Proposed infilling and consequential removal of the historic yard area is out of character with the surrounding pattern of development and constitutes over development. The infilling of this gap will also remove the visual relief between buildings.</li> <li>• Proposal not sympathetic to the characteristic built form of the area.</li> <li>• Proposal does not respect the characteristics of adjoining buildings in the area by way of its scale, form, massing and detailing.</li> <li>• Proposal does not protect important views in the area.</li> <li>• Proposal does not conform with guidance set out in Linen Conservation Area guide.</li> <li>• Conservation area plan makes no provision for cafes or retail spaces.</li> <li>• Proposal does not demonstrate how it complies with policy BH 12 of PPS 6.</li> <li>• Proposal detracts from the historic character of Joy Street, within the Linen Conservation Area.</li> <li>• Timber cladding on Joy Street ground floor elevation is an inappropriate material.</li> <li>• No evidence has been presented that the development proposals have been informed by a robust heritage understanding of the site.</li> <li>• Detrimental impact on the view and setting of the listed buildings.</li> <li>• Form, proportion and urban reading of the large 'picture window' on the main elevation is more referential to the adjacent office building.</li> <li>• The proposal does not include a Statement of Significance / Conservation Heritage Statement, as previously requested by the Conservation area officer. Design and Access Statements should "explain the potential impact on the 'heritage significance' of a listed building, describing why the change is required and what measures have been taken to sensitively manage this change."</li> <li>• The Burra Charter (2013) indicates that the significance of a place should be retained through the identification of an appropriate compatible use. The proposed café and office use dilutes these associations and is incongruous with the residential nature of this portion of Hamilton Street/Sussex Place.</li> <li>• Conservation Area Guide describes Alfred Street as being the boundary between large scale commercial buildings and smaller scale commercial buildings.</li> <li>• Height of the proposed development exceeds the height limit within the conservation area.</li> </ul>
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- Proposal breaks the established building line.

#### **Proposed office and café use**

- Concerns with viability of the proposed office.
- The site could be redeveloped for more creative uses in an inclusive, sustainable manner.
- Development of office space in a residential setting is contrary to stated council plans to increase city centre living.
- Introduction of a new inappropriate land use (coffee shop) into a transitional residential zone.
- Proposed office development is speculative in nature.
- The area is a designated 'protected city centre housing area', in accordance with dBMAP.
- dBMAP contains policies that protect the area and its housing stock from development that would undermine residential use.

#### **Proposed residential use**

- Protected city centre housing area designation overrides the definition of an established residential area in Annex E of PPS 7 Addendum.
- Proposed development is contrary to policies LC1 and LC2 of PPS 7 Addendum.
- Proposed density is significantly higher than the surrounding area.
- Proposed apartments do not comply with the space standards.

#### **Amenity**

- Concerns that the proposed apartments will be let on a short term / Air BnB basis, resulting in anti-social behaviour and detrimental amenity impacts.
- Detrimental impact on light and views of neighbouring residents.
- Proposal reduces natural light at nearby Hamilton House.
- Detrimental impact on health and wellbeing.
- Noise and disturbance during construction. Interruption to existing residents during a time when most people are working from home.
- Concerns raised regarding bin collection.
- Potential overlooking from dormers towards Hamilton House.
- Noise pollution.
- Detrimental impact on daylight for existing and proposed occupiers / residents. Proposed apartments reliance on light wells is unacceptable.
- Proposal includes internal bedrooms with no prospect.
- Proposed apartments are too small. Room sizes are inadequate.
- No lift provided within the apartment building.
- Food waste in the bins stores will attract vermin.
- Lack of amenity space for existing and potential new occupants.
- Proposal will result in environmental problems such as noise, nuisance and disturbance.
- Proposal will give rise to overlooking and impact detrimentally on privacy.
- Proposal will result in overshadowing and loss of daylight.
- Proposed yard area will be enclosed, therefore offering no opportunity for maintenance and likely resulting in litter build up.
- Bin storage area is inadequate and poorly designed.
- Proposed will result in general disturbance due to the intensification of uses, e.g., staff in service yard and external lighting etc.
- Insufficient outlook from proposed apartments.
- No direct access from the café to the bin store.

	<ul style="list-style-type: none"> <li>• No sectional drawings have been provided to examine the relationship between the proposed apartments and the existing City gate apartments.</li> <li>• Proposed ground floor bin store will result in bad smells on to the street and is detrimental to visual amenity.</li> <li>• Proposal will have a detrimental impact on daylight and sunlight within adjacent apartments at 1 Sussex Place.</li> <li>• Placement of 600 mm tall planters will not protect the amenity of nearby residents.</li> <li>• Cycle stands within the courtyard will increase activity in this area, resulting in further disturbance to existing residents at No. 1 Sussex Place.</li> <li>• Proposed coffee shop will result in noise, refuse and general disturbance.</li> </ul> <p><b>Traffic / Parking / Access</b></p> <ul style="list-style-type: none"> <li>• Detrimental impact on parking. Parking is already an issue for existing residents, which will be exacerbated by the proposed development.</li> <li>• Concerns that the proposal will result in traffic problems.</li> <li>• Proposed development does not meet the needs of disabled persons or people with prams / pushchairs.</li> <li>• No transport or traffic assessment has been submitted with the proposal.</li> </ul> <p><b>Other issues</b></p> <ul style="list-style-type: none"> <li>• Proposal results in a fire spread hazard.</li> <li>• Flood risk insurance for the ground floor apartments will be impossible to obtain.</li> <li>• Proposed development has appearance of short term let accommodation.</li> <li>• Proposal will result in an increase in short term let units, as the design , style and size of the apartments preclude the possibility of becoming permanent residences.</li> <li>• No financial viability statement has been submitted with the proposal.</li> <li>• No information on how the proposal meets requirements with regard to near-zero carbon or near-zero emission buildings.</li> <li>• There is no indication of location for renewable energy or recycling provision</li> <li>• Detrimental impact on property values.</li> </ul> <p>The non-committal representation raised the following issues:</p> <ul style="list-style-type: none"> <li>• A retail unit should be provided within the scheme.</li> <li>• Existing building should be preserved as much as possible.</li> <li>• Project could be a great addition to the area.</li> </ul> <p>The support letter stated that the proposal will bring new life to a beautiful building.</p>
<p><b>8.0</b></p>	<p><b>Assessment</b></p>
<p>8.1</p>	<p><u>Preliminary Matters</u>          Issues have been raised in relation to neighbour notification. The Council is content that neighbour notification has taken place, in accordance with Section 41 of the Planning Act (NI) 2011 and Article 8 of the Planning (General Development Procedure) Order (NI) 2015.</p>
<p>8.2</p>	<p>The proposed development is classified as a 'Local' development, in accordance with Regulation 2(2) of the Planning (Development Management) Regulations (NI) 2015. It is considered that prior engagement with the public and local communities</p>

	adds value to the planning process, however in the case of a 'local' development, there is no legal requirement on the applicant to engage with the public prior to submission of a planning application.
8.3	An objection has been received from a third party claiming that part of the site is not in the ownership of the applicant. The agent has confirmed that the application site is fully within the ownership of the applicant.
8.4	An objection has also been received stating that this planning application has not been held to the same standard as the grant of planning permission in relation to Hamilton House. The application referred to was approved under ref. Z/2007/0771/F by the Department of the Environment (DOE). All applications are considered on their own individual merits.
	<u>Development Plan context</u>
8.5	Section 45 (1) of the Planning Act (Northern Ireland) 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. The application site is located within Belfast City Centre. The adopted Belfast Metropolitan Area Plan 2015 (BMAP) has been quashed as a result of a judgement in the Court of Appeal delivered on 18th May 2017. As a consequence of this, the Belfast Urban Area Plan 2001 (BUAP) is now the statutory development plan for the area with dBMAP (both pre and post inquiry versions) remaining a material consideration.
8.6	The application site is located within Belfast City Centre in both the BUAP and dBMAP. The site is not zoned for a use within BUAP or draft BMAP, however the site is located within a 'Protected city centre housing area' as designated in dBMAP. The site is also located within the Linen Conservation Area.
	<u>SPPS</u>
8.7	The SPPS provides a regional framework of planning policy that will be taken account of in the preparation of Belfast City Council's Local Development Plan (LDP). At present, the LDP has not been adopted therefore transitional arrangements require the council to take account of the SPPS and existing planning policy documents, with the exception of PPS 1, 5 and 9.
8.8	Para 6.18 of the SPPS states that the guiding principle for managing development within a Conservation Area is to <i>'afford special regard to the desirability of enhancing its character or appearance where an opportunity to do so exists, or to preserve its character or appearance where an opportunity to enhance does not arise. Accordingly, there will be a general presumption against the grant of planning permission for development or conservation area consent for demolition of unlisted buildings, where proposals would conflict with this principle'</i> . This is consistent with Section 104 of the Planning Act (Northern Ireland) 2011 (The 2011 Act). Development proposals within the Conservation Officer should be sympathetic to the characteristic built form of the area, respect the character of adjoining buildings, not result in environmental problems, protect important views within, into and out of the area, protect trees and landscape features and conform with the guidance set out in the Conservation Area Design Guide.
8.9	With regard to listed buildings, the SPPS advises that development involving a change of use may be permitted, particularly where this will secure the ongoing viability and upkeep of the building. It is important that such development respects

	the essential character and architectural or historic interest of the building and its setting, and that features of special interest remain intact and unimpaired.
8.10	The SPPS also aims to promote more sustainable housing development within existing urban areas and places emphasis on increasing housing density within town and city centres. The SPPS advises that the use of greenfield land for housing should be reduced and more urban housing should be accommodated through the recycling of land and buildings. The SPPS also encourages balanced communities and good design.
8.11	The SPPS aims to promote economic development and facilitate job creation by ensuring provision of a generous supply of land suitable for economic development. The SPPS advises that proposals for Class B1 Business uses in city centres should be permitted.
	<u>Principle of development</u>
8.12	The proposed development relates to a mixture of uses including residential, office and café. The site is located within the designated City Centre and consequently, there is no objection in principle to any of the proposed uses.
8.13	The site is located within a 'Protected city centre housing area', as designated in dBMAP. Policy HOU 5 states that permission will not be granted for any development that results in a change of use from housing within such an area. The application site is not currently used for housing therefore the proposal does not conflict with this policy.
8.14	A development proposal for a Class B1 business use will be permitted in the city centre, therefore the proposed office is acceptable in principle.
8.15	Furthermore, in relation to the proposed cafe, the SPPS and DCAN 4 state that the preferable location for such a use is within a city / town centre.
	<u>Character / Conservation area</u>
8.16	The application site is located within the Linen Conservation Area. Throughout the 19th and 20th centuries, development in the area was founded upon a distinctive townscape based on the Georgian grid-iron street pattern, and it became an established location for public offices.
8.17	Significant developments in recent times have created a new townscape where new and older buildings sit comfortably together within the original historic grid network. The scale and massing of traditional Victorian and Edwardian buildings are continued in the more modern office blocks, whilst a contrast of heights, roofscapes and architectural style provide visual interest and variety to the streets.
8.18	The application site includes St Malachy's Primary School, a Grade B1 listed building (ref. HB26/30/024 B). The listing encompasses the old school building and an adjoining warehouse. Immediately to the east of the site lies St. Malachy's Convent, a grade B1 listed building (ref. HB26/30/024 A). Furthermore, there are a number of grade B2 listed buildings on the opposite side of Joy Street (ref. HB26/30/008 A – H). These listed buildings and the location with the Linen Conservation Area contribute to the character of the site and the surrounding area.
8.19	The Linen Conservation Area Design Guide (LCADG) specifically refers to the Joy Street / Hamilton Street Area, stating that the Department will encourage renovation and that redevelopment of sites in Joy Street should re-establish a street frontage of

	<p>an appropriate scale. It also states that a mixed use development including residential and small offices might be appropriate for the area.</p>
8.20	<p>The Council's Conservation Area officer (CAO) has provided comment on the proposed development, advising there is no objection to the proposed change of use and welcoming the retention and re-use of the existing listed buildings. The CAO concludes that he has <i>'no objections in principle, however concerns have been noted with suggested revisions.'</i></p>
8.21	<p>The CAO expresses concern regarding the provision of an additional storey on the Joy Street elevation, resulting in an increased massing, height, scale, and depth of the upper floors. The CAO acknowledges the set back of the upper floor, however, notes that it is still visible from the streetscape and thus breaches and exceeds the shoulder line of adjacent buildings. The CAO advised that this floor should be set back further to minimise visual impact. Furthermore, the CAO specifically mentioned the projecting element to the side at 5<sup>th</sup> floor level (located directly behind the building at No. 1 Sussex Place). The amended proposal results in the removal of this element as the stairwell has been relocated within the proposed building.</p>
8.22	<p>Notwithstanding the CAO's comments, it is considered that the proposal generally respects the existing shoulder height as the proposed third floor is line with the adjacent building at No. 1 Sussex Place albeit slightly higher than the adjacent Hamilton House. The main issue to consider therefore is the impact of the proposed 4<sup>th</sup> floor. The 4<sup>th</sup> floor extension is set back approximately 2.85 m overall from the Joy Street elevation (1.35 m from the 3<sup>rd</sup> floor parapet). The 4<sup>th</sup> floor also extends approximately 1.95 m above the 3<sup>rd</sup> floor parapet. The agent submitted a number of VU.CITY images in support of the proposed development. It is noted that the overall height of the proposed building is similar to the existing convent building at No. 1 Sussex Place and is lower than the adjacent Hamilton House. Although it is acknowledged that the 4<sup>th</sup> floor is visible from the streetscape, on balance, it is not considered that the addition of this storey detrimentally impacts on the character or appearance of the conservation area, which would be preserved.</p>
8.23	<p>The CAO also raised concerns about the introduction of dormer windows to the roofscape of the listed warehouse building, referring to the proposed dormers as large scale and insensitive and covering a significant proportion of roof area. The CAO acknowledges that public views of the dormers are limited and also defers to HED as the proposed dormers are located within the listed warehouse building. Paras 8.29 and 8.30 refer to the impact of the proposed development on the listed building, to which HED have no objection. Whilst it is acknowledged that the proposed dormers represent a departure from the traditional dormer arrangement, it is considered that the lack of public views and any objection from HED outweigh the concerns raised by the CAO.</p>
8.24	<p>Issues were raised regarding the inactive ground floor frontage along Joy Street. It is noted that the ground floor frontage consists of the apartment access and a vertical timber slat screen, behind which is the bin store. Inactive frontages are usually discouraged, particularly within a city centre context, however the overall width of the building on this elevation is 6 metres. The two neighbouring buildings include ground floor doors and windows, contributing to an active frontage. Given the relatively small width of the proposed building and the surrounding context, the ground floor design is considered acceptable.</p>
8.25	<p>The proposed development includes the renovation and re-use of listed buildings within the Linen Conservation Area. The new extension re-establishes a frontage on</p>

	<p>the Joy Street elevation, as per the LCADG. Overall, it is considered that the proposed development results in an enhancement of the appearance and character of the Linen conservation area, in accordance with the SPPS and Section 104 of the Planning Act.</p>
8.26	<p><u>Residential density</u></p> <p>The area of the application site is approximately 640 sq m, however the residential element measures approximately 215 sq m. Based on this, the residential density of the proposal equates to approximately 372 units / Ha. The Citygate apartments on the opposite side of Rathbone Street have a residential density of approximately 428 units / Ha, which is higher than the proposed development. The apartments within the listed convent building at No. 1 Sussex Place have a density of approximately 360 units / Ha, similar to the proposed development (albeit slightly lower). In contrast, the existing terraced dwellings on Joy Street and Catherine Street North on the opposite block (to the west) have a density of approximately 120 units / Ha. In any event, density alone is not reason to refuse planning permission – it would have to be borne of some other land-use planning concern.</p>
8.27	<p>With regard to PPS 7 Addendum (Safeguarding the character of established residential areas), the application site does not fit the criteria of an established residential area, as defined in Annex E of the document. The policy states ‘In recognition of the desirability of promoting increased density housing in appropriate locations, Policy LC 1 will <u>not apply to designated city centres</u>’ [emphasis]. Notwithstanding this, the proposed density is considered to be acceptable given the nearby apartment developments at Citygate and No. 1 Sussex Place.</p>
8.28	<p><u>Impact on listed buildings</u></p> <p>As noted in para 8.19, the application site includes St Malachy’s Primary School, a Grade B1 listed building (ref. HB26/30/024 B). The listing encompasses the old school building and an adjoining warehouse. Immediately to the east of the site lies St. Malachy’s Convent, a Grade B1 listed building (ref. HB26/30/024 A). Furthermore, there are a number of Grade B2 listed buildings on the opposite side of Joy Street (ref. HB26/30/008 A – H).</p>
8.29	<p>Historic Environment Division (HED) has provided comments on the proposal and are content that the proposal passes the tests of para 6.12 and 6.13 of the SPPS and Policies BH7, BH8 and BH11 of PPS 6. It is noted that HED have not raised any objections to the proposal throughout the application process. HED have advised that planning permission should be subject to conditions including:</p> <ul style="list-style-type: none"> <li>- Recording of the listed building.</li> <li>- Materials and techniques to match existing.</li> <li>- Original historic features will not be removed unless specified in the drawings.</li> <li>- Any missing joinery to be reinstated.</li> <li>- All ceiling works to be carried out from above, with historic flooring carefully lifted, stored and set aside for reinstatement.</li> <li>- Original timber windows and doors shall be retained and repaired like for like.</li> <li>- Evidence should be submitted to Council if any historic window or door is found to be beyond repair or fit for its intended use.</li> <li>- New joinery work shall match the materials, dimensions and profiles of the existing historic joinery work.</li> <li>- No vents, extracts, or plumbing or pipes, other than rainwater goods, shall be fixed on the external face of the building.</li> </ul>

	<ul style="list-style-type: none"> <li>- Proposed location and internal installation of all new service runs (water and gas pipes, electric cables etc.) shall be agreed with the Council prior to works commencing on site.</li> <li>- Detailed drawings of the proposed new mezzanine level shall be submitted to and agreed with the Council prior to works commencing.</li> </ul>
8.30	<p><u>Residential amenity</u></p> <p>The immediate surrounding uses are primarily residential; however, the relatively small scale of the proposed café and office developments alleviates concerns that a conflict may arise. Furthermore, an existing office development is located immediately to the north of the proposal. It is considered that the design and layout will not create conflict with adjacent land uses.</p>
8.31	<p>PPS 7 advises that proposals should not have an unacceptable adverse effect on existing or proposed properties in terms of residential amenity.</p>
8.32	<p>The proposal introduces a mix of uses to the application site. Issues have been raised by objectors with regard to overlooking from the proposed residential and office elements. The proposal includes the conversion of the old warehouse building to six apartments, including provision of dormers on the roof. The windows of the warehouse building are located opposite the existing apartment complex at Citygate. Rathbone Street is a narrow street separating the two buildings, resulting in a limited separation distance of approximately 6.7 m. Notwithstanding this, the floor levels of each building are slightly offset so windows are not positioned directly opposite. Within a city centre context, it is always possible that views may be achievable to and from residential development. Furthermore, the proposed 6 apartments secure the re-use of a listed building, which has been vacant for a considerable length of time. Whilst views will be achievable to and from the proposed development, it is not considered that this will be unacceptably harmful.</p>
8.33	<p>The proposal also includes 3 bedrooms directly beside a lightwell. The bedrooms include an opaque glazed window, however given the location of the windows, it is unlikely that any significant views will be achievable from the internal corridor or other windows. It is therefore recommended that these windows should utilise transparent glazing. Issues were also raised regarding overlooking from the proposed dormer bedrooms, however this has been addressed appropriately with the provision of opaque glazing in the east facing windows. The windows facing Citygate are located approximately 12.5 metres away from the adjacent apartments. Given the city centre context, this is considered acceptable.</p>
8.34	<p>The proposed development also includes an infill building along Joy Street, where two duplex apartments are proposed. The opposite side of Joy Street is defined by residential development, approximately 14 metres away. The apartments have front facing windows over two levels with the upper apartment (3<sup>rd</sup>/4<sup>th</sup> floor level) also having two roof terraces. This arrangement is a typical street relationship and is not considered unusual in an urban context and would not give rise to an unacceptable degree of overlooking.</p>
8.35	<p>The proposed offices are located within the existing school building, with three floors of accommodation (one at mezzanine level). A similar relationship to the warehouse building exists with the Citygate apartments on the western side. Objectors have raised potential overlooking across the courtyard towards the existing residential apartments within the old Convent building located to the east. The ground floor windows have relatively high sill levels which will reduce overlooking somewhat, as occupants are only able to see out to the courtyard while</p>

	<p>standing. A planter is proposed in the courtyard (2 m total height) which will help to screen the residential apartments. This is considered a more appropriate screen than the previously proposed timber fence as it will provide a more attractive outlook for the neighbouring residents. The submitted Service management plan states that these planters will be trimmed and maintained on regular occasions to ensure they do not grow excessively. Furthermore, it also confirms that staff within the office will not be permitted to access the yard area and smoking will be prohibited within the development. It is anticipated that compliance with the submitted service management plan would be conditioned in the event of approval.</p>
8.36	<p>The objection letters raised issues regarding potential shadow and loss of light as a result of the proposal. It is noted that one of the objectors commissioned his own daylight study, which concluded that the proposed development could cause significant harm to the daylight enjoyed by the occupants of the adjacent residential development at No. 1 Sussex Place. Further to this, amendments were made to the proposal to relocate the stairwell within the proposed building thus reducing the impact on the neighbouring development. Following submission of the amended scheme, the agent submitted a 'daylight and sunlight' study in support of the proposal. The study assesses the impact of the proposal on the windows of the adjacent residential development. The windows already face into an existing courtyard and consequently, the windows on the ground floor, first and second floor already suffer from poor light levels. The study concludes that the proposed development will not result in an unacceptable adverse impact on the neighbouring properties in terms of loss of light or sunlight impact. Furthermore, it is not considered that the proposal will result in an unacceptable adverse impact on any other neighbouring properties in terms of light or shadow.</p>
8.37	<p>There are some concerns regarding natural light and shadow within the proposed apartments within the listed warehouse building. The proposal utilises the existing window openings which offer limited levels of daylight. Lightwells are proposed in an effort to introduce additional light to the apartments. Equally, these concerns also relate to the outlook for potential occupants. The use of transparent glazing in the bedroom window, as suggested at para 8.34, will result in a modest improvement for occupants. The concerns regarding lack of natural light are somewhat offset by the proposed conversion and re-use of a vacant listed building.</p>
8.38	<p>The agent advised that ventilation will be supplied to the residential units via standalone systems which will not require any external plant or equipment. Furthermore, in relation to the proposed café, the agent has confirmed that no food will be prepared on site and therefore no extraction or ventilation equipment is proposed. Consequently, BCC Environmental Health (EHO) have no objections in relation to noise or odour, subject to conditions.</p>
8.39	<p><u>Space standards</u> As noted in para 8.28, Policy LC1 does not apply to this proposed development. Although the policy does not apply, it is noted that the 6 apartments located within the existing warehouse do not meet the standards. The one bedroom (2P1B) units on the ground and first floors measure between approximately 40 – 41 sqm, whilst the duplex apartments (4P2B) on the second floor measure approximately 54 sqm. The two proposed apartments within the extension are in excess of the minimum space standards.</p>



8.40	<p><u>Amenity space</u></p> <p>No communal amenity space is proposed within the development. Furthermore, only one of the proposed apartments includes private amenity space (approximately 10 sq m within the proposed duplex on the 3<sup>rd</sup> / 4<sup>th</sup> floor), resulting in an average amenity space of 1.25 sq m per apartment. The proposed amenity space therefore falls below the standards as set out in Creating Places, which recommends that open space provision should range from a minimum of 10 sq m per unit to around 30 sq m per unit. Para 5.20 of Creating Places states that the appropriate level should be determined by having regard to the context of the development and advises that development in inner urban locations will tend towards the lower figure. The agent advises that it is not feasible to provide this amount of amenity space within the proposal. It is acknowledged that the application site is located within the city centre and in relatively close proximity to the City Hall (4 minutes walk) and Waterfront Hall / River Lagan (7 minutes walk). It is also recognised that there is limited opportunity to provide amenity space within the existing listed warehouse, where 6 of the apartments are proposed. Regard also has to be had to the desirability of the renovation of the Listed Building.</p>
8.41	<p><u>Building control</u></p> <p>Following objections in relation to potential fire hazards, bin storage and access for disabled persons, BCC Building Control (BCC BC) were consulted on the proposal. A service management plan has also been submitted explaining the plans for refuse storage and management within the development. BCC BC confirmed that the applicant has sufficient development opportunity to comply with the Building Regulations (NI) 2012.</p>
8.42	<p><u>Access / Parking</u></p> <p>The proposed development does not include in-curtilage parking, however this is considered acceptable in a highly accessible location well served by public transport. The proposal includes provision of cycle parking. DFI Roads have provided comment on the proposed development, advising of no objections, subject to conditions.</p>
8.43	<p><u>Movement pattern / local facilities</u></p> <p>The proposed development supports walking, cycling and is within close proximity of public transport links and city centre amenities. There are concerns in relation to the needs of people whose mobility is impaired as there is no lift access within the apartment building. However, two of the proposed apartments are located on the ground floor with level access from the street. Furthermore, the office and café are both fully accessible, with a platform lift proposed to enable access to all floors of the old school building. As stated in para 8.42, BCC BC are content with the plans in relation to access for disabled persons.</p>
8.44	<p><u>Drainage / Sewage infrastructure</u></p> <p>NI Water (NIW) have confirmed that there is available wastewater treatment capacity to facilitate the proposed development.</p>
8.45	<p><u>Flooding</u></p> <p>The application site is located within the coastal floodplain. The proposal involves the re-use of an existing building, consequently it can be considered an exception under policy FLD 1 of PPS 15. A Flood Risk Assessment (FRA) was submitted in support of the proposal. Following consultation with DFI Rivers Agency, they advise that they accept the logic of the FRA and have no reasons to disagree with its conclusions.</p>

8.46	<p>DFI Rivers Agency state that they cannot comment on the acceptability of the emergency access / evacuation and flood management plan. Section 5.3 of the FRA states that a Flood evacuation management plan (FEMP) should be undertaken post decision. As the Planning Committee has been previously advised, this is a matter for the management of the premises.</p>
8.47	<p><u>Other issues</u></p> <p>Objections have raised the issue of constructing a building immediately neighbouring Hamilton House, resulting in the blocking up of 9 no. existing windows on the side elevation of Hamilton House. Three of the windows are within an existing stairwell, whilst the other six windows are located within existing office floors. These windows are located on the first, second and third floors approximately 2.4 metres and 4.5 metres away from the Joy Street elevation. The Joy Street elevation includes a curtain walling glazing system between the first and second floor, with a large picture window at third floor level. Consequently, the construction of the proposed building will not have an unacceptable adverse impact in terms of amenity, in particular, loss of light. Within an urban context, it would be considered likely that windows on a side elevation adjacent to an existing 'gap' site may be impacted by future development. It is not considered that the presence of gable windows should stymie the potential to develop an adjacent site.</p>
9.0	<p><b>Summary of Recommendation: Approval subject to conditions</b></p>
9.1	<p>On balance, it is considered that the proposed development is acceptable, having regard to the Development Plan and retained planning policy and other material considerations. Therefore, the recommendation is to grant planning permission, subject to conditions. It is recommended that the Director of Planning and Building Control uses her delegated authority to finalise the wording of the conditions.</p>
10.0	<p><b>Conditions</b></p>
10.1	<p>The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.</p> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p>
10.2	<p>The development shall not become operational until weather protected cycle parking has been fully provided in accordance with the approved plans. These facilities shall be permanently retained.</p> <p>REASON: To ensure acceptable cycle parking facilities on the site and to encourage alternative modes of transport to the private car.</p>
10.3	<p>Prior to occupation, all redundant accesses from the site to the public road shall be permanently closed off and the footpath reinstated.</p> <p>REASON: In order to minimise the number of access points on to the public road in the interests of road safety and the convenience of road users.</p>
10.4	<p>The development shall operate in accordance with the Service Management Plan uploaded to the Planning portal on 17th September 2021.</p> <p>REASON: In the interests of road safety, the convenience of road users and to protect amenity.</p>

10.5	<p>The development shall operate in accordance with the Travel Plan uploaded to the Planning portal on 26th May 2020.</p>
	<p>REASON: To encourage alternative modes of transport to the private car.</p>
10.6	<p>No external plant or equipment shall be installed in association with the hereby permitted development without prior written approval from the Council.</p>
	<p>Reason: Protection of residential amenity.</p>
10.7	<p>No cooking of food shall be undertaken within the hereby permitted cafe unit without prior written approval from the Council.</p>
	<p>Reason: Protection of residential amenity.</p>
10.8	<p>Prior to works commencing on site, the applicant/agent shall provide to Council a room by room photographic survey of the listed building. Photographs shall be dated, numbered and cross referenced to a key plan. The survey report shall be annotated to highlight the features within each space, i.e. original historic decorative or functional features to floors, walls and ceilings including plaster type (lath and plaster). No works shall commence until the details have been approved in writing by the Council.</p>
	<p>Reason: To ensure HED (Historic Buildings) have an appropriate record in order to safeguard the special architectural or historic interest of the listed building.</p>
10.9	<p>With regard to the hereby approved works to the listed building:</p> <ul style="list-style-type: none"> <li>a. Natural Welsh slates/Bangor blue slates shall be retained and repaired in the first instance.</li> <li>b. New roof slates shall be Natural Welsh slate or reclaimed natural slate to match the adjacent work to replicate the original colour, size, gauge and coursing pattern except where otherwise shown on the approved drawings.</li> <li>c. Lead flashing shall be replaced to achieve a like for like visual character as per existing.</li> <li>d. Brickwork, sandstone window heads and sills shall be retained and repaired in the first instance. Lime mortars appropriate for the location and use (ratio mix, thickness, application method etc.) shall be used for re-pointing.</li> <li>e. New brickwork, sandstone window heads and sills shall be made good to match the adjacent work with regard to the methods used and to material, colour, texture and profile, except where otherwise shown on the approved drawings.</li> <li>f. Existing render shall be retained. Any repairs to be carried out using a lime render appropriate for the location and use (ratio mix, thickness, application method etc.).</li> <li>g. Repair and cleaning to the stonework, shall be carried out in accordance with Drawing No's 29, 30 and 31 uploaded to the Planning Portal on 26th May 2020.</li> </ul>
	<p>Reason: In order to retain the character and appearance of the special architectural or historic interest of this listed building and its setting.</p>
10.10	<p>With regard to the hereby approved works to the listed building:</p> <ul style="list-style-type: none"> <li>a. Internal or external original historic decorative or functional features shall not be removed or altered unless expressly specified in the approved drawings; for</li> </ul>

	<p>example, staircases and associated elements, lath and plaster to ceilings and walls, cornices, mouldings, joinery etc.</p> <p>b. Any missing joinery to be reinstated and shall match the historic profiles like for like, utilising traditional and sympathetic building materials and techniques; for example, to staircases, skirtings, cornices, architraves, wainscoting, window panelling and doors.</p> <p>c. Retained features shall be fully protected during the course of any works on site.</p> <p>d. To achieve fire rated ceilings all works shall be carried out from above (historic ceilings to remain unaltered). Historic flooring to be carefully lifted, stored and set aside for reinstatement.</p>
10.11	<p>Reason: In order to retain the character and appearance of the special architectural or historic interest of this listed building and its setting.</p> <p>With regard to the hereby approved works to the listed building:</p> <p>a. Original single glazed timber windows shall be retained, repaired like for like and finished with an opaque paint.</p> <p>b. Details regarding evidence found if any historic window is found to be beyond repair or unfit for its intended use shall be submitted to and agreed in writing with the Council prior to works commencing on site.</p> <p>c. New dormer windows to warehouse section, shall be standing seam metal cladding - dark grey, with powder coated aluminium framed windows - dark grey.</p> <p>d. Translucent film to inside of glazing shall be reversible.</p>
10.12	<p>Reason: In order to retain the character and appearance of the special architectural or historic interest of this listed building and its setting.</p> <p>With regard to the hereby approved works to the listed building:</p> <p>a. Original timber doors (internal and external) shall be retained, painted and repaired like for like.</p> <p>b. Details regarding evidence found if any historic door is found to be beyond repair or fit for its intended use shall be submitted to and agreed in writing with the Council prior to works commencing on site.</p>
10.13	<p>Reason: In order to retain the character and appearance of the special architectural or historic interest of this listed building and its setting.</p> <p>Any new joinery work shall match the materials, dimensions and profiles of the existing historic joinery work, except where otherwise specified on the approved drawings.</p>
10.14	<p>Reason: In order to retain the character and appearance of the special architectural or historic interest of this listed building and its setting.</p> <p>All external joinery work shall be painted timber.</p> <p>Reason: In order to retain the character and appearance of the special architectural or historic interest of this listed building and its setting.</p>

10.15	<p>With regard to the hereby approved works to the listed building:</p> <ul style="list-style-type: none"> <li>a. No vents, extracts, or plumbing or pipes, other than rainwater goods, shall be fixed on the external face of the building, unless shown on the approved drawings.</li> <li>b. New rainwater goods and SVPs shall be painted cast metal</li> <li>c. Final location of external vents shall be submitted to and agreed in writing with the Council prior to works commencing on site.</li> <li>d. Details regarding the proposed location and internal installation of all new service runs (soil vents, drainage stacks, water and gas pipes, electric cables etc.) shall be submitted to and agreed in writing with the Council prior to works commencing on site.</li> </ul> <p>Reason: In order to retain the character and appearance of the special architectural or historic interest of this listed building and its setting.</p>
10.16	<p>Prior to works commencing on site, extensive detailed drawings in regard to the proposed new mezzanine level shall be submitted to and agreed in writing with the Council.</p> <p>Reason: In order to retain the character and appearance of the special architectural or historic interest of this listed building and its setting.</p>
10.17	<p>With regard to the hereby approved extension to the listed building, the finishes shall be:</p> <ul style="list-style-type: none"> <li>- Red Brick standard bond</li> <li>- Red Brick soldier bond</li> <li>- Timber framed windows - painted dark grey</li> <li>- Timber head detail - painted dark grey</li> <li>- Standing seam metal cladding - dark grey</li> <li>- Aluminium glazing, powder coated - dark grey</li> <li>- Entrance details - vertical timber slat screen - painted dark grey</li> <li>- Render - painted white</li> </ul> <p>Reason: To ensure that the development is not detrimental to the character, appearance of the special architectural or historic interest of this listed building and its setting.</p>
10.18	<p>The bedroom windows marked with an X on Drawing No. 23B uploaded to the Planning Portal on 12th May 2021 shall be finished in transparent glass, shall be permanently retained, and in the event of breakage shall be replaced with obscure glass within four weeks to the satisfaction of Belfast City Council.</p> <p>Reason: In the interests of amenity.</p>
10.19	<p>In accordance with the recommendations of the submitted Flood Risk Assessment uploaded to the Planning portal on 26th May 2020, a Flood evacuation management plan shall be submitted to and agreed with the Council prior to the occupation of the hereby approved development. The development shall be managed in accordance with the Flood evacuation plan at all times.</p> <p>Reason: To effectively manage flood risk.</p>

10.20	<p>Prior to the occupation of the development, Planters A and B shall be provided in accordance with the approved details on Drawing No. 41D uploaded to the Planning Portal on 30<sup>th</sup> September 2021 and Drawing No. 44 uploaded to the Planning Portal on 28<sup>th</sup> October 2020 and permanently be retained. Any plants indicated on the approved scheme which die, are removed or become seriously damaged, diseased or dying shall be replaced within 28 days.</p> <p>Reason: Protection of residential amenity.</p>
<b>Notification to Department (if relevant)</b>	
<b>Representations from Elected members:</b>  <b>Cllr John Gormley, Cllr Tracy Kelly, Cllr Gary McKeown (all objecting)</b>	