

## Committee Report

| Development Management Report  |  |
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| <b>Application ID:</b> LA04/2021/2779/F  | <b>Date of Committee:</b> Tuesday 15 <sup>th</sup> February 2022   |
| <b>Proposal:</b><br>Section 54 Application to vary Condition 7 of Planning Permission LA04/2019/2343/F (replacement new build community centre) to amend external facing and roofing materials   | <b>Location:</b><br>Walkway Community Association 1-9 Finvoy Street Belfast BT5 5DH.                       |
| <b>Referral Route:</b> Referral to the Planning Committee under Section 3.8.5 (c) – BCC is the applicant   |  |
| <b>Recommendation:</b>   | <b>Approval</b>  |
| <b>Applicant Name and Address:</b><br>Belfast City Council<br>Property and Projects Department<br>3rd Floor<br>9-12 Adelaide Street<br>Belfast<br>BT2 8DJ  | <b>Agent Name and Address:</b><br>Michael Whitley Architects<br>66 Bloomfield Avenue<br>Belfast<br>BT5 5AE |
| <p><b>Executive Summary:</b><br/>The proposal is a Section 54 Application to develop land without compliance with Condition 7 of Planning Permission LA04/2019/2343/F approved on 24<sup>th</sup> February 2020. The application LA04/2019/2343/F was for the, 'Proposed demolition/removal of existing temporary building and erection of new two-storey Community Centre and associated works.'</p> <p>Condition 7 of LA04/2019/2343/F reads, '<i>All external facing and roofing materials shall be implemented as specified on the approved plans</i>'. Reason: <i>In the interests of the Character and Appearance of the Area</i></p> <p>The change proposed is to omit the noted 'PPC Aluminium Cladding Panels - Metallic Beige/Grey' at the rear upper block of the centre and install a textured render system in an off-white colour instead.</p> <p>The key issues to be considered are:</p> <ul style="list-style-type: none"> <li>• Principle of Development</li> <li>• Impact on the character and appearance of the area</li> <li>• Design of the proposal</li> </ul> <p>The application was advertised in the local press and neighbour notified. No letters of representation have been received.</p> <p>The proposal complies with the design requirements of the SPPS and will respect and be sympathetic to the overall character of the draft ATC in line with the Addendum to PPS6</p> <p><b>Recommendation: - Approval</b><br/>Having regard to the development plan, relevant policy context and other material considerations, the proposal is considered acceptable and approval is recommended. This in effect would create a standalone permission which would be subject to the varied condition, (all other conditions as set out in the original decision (LA04/2019/2343/F) remain unaltered).</p> <p>It is recommended that delegated authority is given to the Director of Planning and Building Control to finalise the wording of the varied condition.</p> |  |

Case Officer Report

Site Location Plan





Approved Materials above under LA04/2019/2343/F.



Proposed Materials Above

| <b>Characteristics of the Site and Area</b>                            |  |
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| <b>1.0</b>   | <b>Description of Proposed Development</b>   |
| 1.1  | Section 54 Application to vary Condition 7 of Planning Permission LA04/2019/2343/F (replacement new build community centre) to amend external facing and roofing materials.  |
| 1.2  | The change proposed is to omit the noted 'PPC Aluminium Cladding Panels - Metallic Beige/Grey' at the rear upper block of the centre and install a textured render system in an off-white colour instead.  |
| <b>2.0</b>   | <b>Description of Site</b>   |
| 2.1  | The site is located at the Walkway Community Centre, 1-9 Finvoy Street and encompasses land between no.31 Upper Newtownards Road, Belfast. The site is currently under construction for the Two Storey Community Centre approved under reference LA04/2019/2343/F. Access to the building is from Finvoy Street. The site gently slopes from the north to the south west and from the east to the north west. Parking is on street. The Upper Newtownards Road, an arterial route, runs along the northern boundary of the site. The area is characterised by two storey terrace dwellings along Finvoy Street and two and three storey terrace dwellings along the frontage of the Upper Newtownards Road. To the west of the site is the existing Bloomfield Baptist Church and associated church hall and to the south is the Comber Greenway and playground. |
| 2.2  | The site is within the proposed Hollywood Arches Area of Townscape Character.  |
| <b>Planning Assessment of Policy and other Material Considerations</b> |  |
| <b>3.0</b>   | <b>Site History</b>  |
|  | LA04/2019/2343/F Demolition/removal of existing temporary building and erection of new two-storey Community Centre and Crèche – Permission Granted   |
|  | LA04/2020/1508/DC Discharge of condition no. 4 & 6 of application LA04/2019/2343/F (Cycle Parking) – Conditions discharged.  |
|  | LA04/2021/2896/A Building signage for Walkway Community Association in brushed stainless steel effect dibond aluminium composite – Under Consideration.  |
|  | LA04/2019/1428/PAD - New community centre to replace existing building. Facilities to include multi use rooms of various scales, break out coffee space, dedicated crèche facilities, centre admin + all associated ancillary spaces. A new community venue to accommodate current + future running programmes.  |
|  | Z/2000/2878/F - Retention of permission for existing Community Centre – Granted  |
|  | Z/2000/2324/F - Proposed extension at first floor level to provide additional accommodation to existing community centre – Granted   |
|  | Z/1995/0295 - Erection of temporary community centre – Granted   |
| <b>4.0</b>   | <b>Policy Framework</b>  |
| 4.1  | Belfast Urban Area Plan  |
| 4.2  | Draft Belfast Metropolitan Area Plan 2004, 2015  |

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|            | 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.  |
| 4.3        | Strategic Planning Policy Statement for Northern Ireland (SPPS)  |
| 4.4        | Addendum to Planning Policy Statement 6: Areas of Townscape Character  |
| <b>5.0</b> | <b>Statutory Consultees Responses</b><br>None  |
| <b>6.0</b> | <b>Non-Statutory Consultees Responses</b><br>None  |
| <b>7.0</b> | <b>Representations</b>   |
| 7.1        | The application was neighbour notified and advertised in the local press. No written representations have been received.   |
| <b>8.0</b> | <b>Other Material Considerations</b><br>None   |
| 8.1        | <b>Any other supplementary guidance</b><br>None  |
| <b>9.0</b> | <b>Assessment</b>  |
| 9.1        | The key issues to be considered are: <ul style="list-style-type: none"> <li>• Principle of development</li> <li>• Impact on the character and appearance of the area.</li> <li>• Design of the proposal</li> </ul>   |
| 9.2        | <u>Principle of development</u><br>The proposal is a Section 54 application to develop land without compliance with Condition 7 of Planning Permission LA04/2019/2343/F approved on 24 <sup>th</sup> February 2020.  |
| 9.3        | <i>'Condition 7 of LA04/2019/2343/F reads, 'All external facing and roofing materials shall be implemented as specified on the approved plans'</i><br><br><i>Reason: In the interests of the Character and Appearance of the Area'</i>   |
| 9.4        | The applicant seeks to amend the external facing and roofing materials by replacing the previously approved 'PPC Aluminium Cladding Panels' finished in a metallic beige/grey with a textured off-white render at the rear upper block of the centre of which the side elevation faces onto Finvoy Street and the rear elevation fronts onto the start of the Comber Greenway.   |
| 9.5        | It is considered the proposed textured off-white render will maintain a high quality finish to the Community Centre previously approved under the original Planning Permission.  |
| 9.6        | <u>Character and appearance of the Area</u><br>The proposed off-white render will replace the PPC Aluminium Cladding Panels finished in metallic beige/grey, on the side elevation facing onto Finvoy Street and the rear elevation which fronts onto the start of the Comber Greenway. The residential properties along Finvoy Street are finished with a mixture of white render and red brick, therefore the introduction of white render to the side and rear of the development will not appear out of context and will not detrimentally alter the character and appearance of the area. The |

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| <p>9.7</p> <p>9.8</p> <p>9.9</p>           | <p>proposed off-white render will also tie in with the materials approved under the original Planning Permission.</p> <p><u>Design</u></p> <p>The proposed finishes of the Community Centre include brick, render, blue/black slate effect tiles to the Upper Newtownards Road portion of the building with the link elements are to be finished in render. The rear upper block of the centre will now be finished with a textured off-white render rather than PCC Aluminium cladding panels as proposed under the Section 54 application.</p> <p>The proposed off-white render is considered to be sympathetic to the rest of the materials previously approved, as well as the surrounding context of the area. The proposed design and architectural treatment and materials are acceptable using red brick, render and slate which is characteristic of the area.</p> <p>The proposal complies with the design requirements of the SPPS and will respect and be sympathetic to the overall character of the draft ATC in line with the Addendum to PPS6.</p>  |
| <p><b>10.0</b></p> <p>10.1</p> <p>10.2</p> | <p><b>Summary of Recommendation</b></p> <p>Having regard to the development plan, relevant policy context and other material considerations, the proposal is considered acceptable and approval is recommended. This in effect would create a standalone permission which would be subject to the varied condition, (all other conditions as set out in the original decision (LA04/2019/2343/F) remain unaltered).</p> <p>It is recommended that delegated authority is given to the Director of Planning and Building Control to finalise the wording of the varied condition.</p>  |
| <p><b>11.0</b></p>                         | <p><b>Conditions</b></p> <ol style="list-style-type: none"> <li>1. If during the development works, new contamination or risks are encountered which have not previously been identified, works should cease and the Planning Authority shall be notified immediately. This new contamination shall be fully investigated in accordance with the Model Procedures for the Management of Land Contamination (CLR11) and/or the Land Contamination: Risk Management (LCRM) guidance, as applicable. In the event of unacceptable risks being identified, a remediation strategy shall be agreed with the Planning Authority in writing, and subsequently implemented and verified to its satisfaction. This strategy should be completed by competent persons in accordance with the Model Procedures for the Management of Land Contamination (CLR11) and/or Land Contamination: Risk Management (LCRM) guidance, as applicable. <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p> </li> <li>2. After completing the remediation works under Condition 1; and prior to occupation of the development, a verification report needs to be submitted in writing and agreed with the Planning Authority. This report should be completed by competent persons in accordance with the Model Procedures for the Management of Land Contamination (CLR11) and/or the Land Contamination: Risk Management (LCRM) guidance, as applicable. The verification report should present all the remediation and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and achieving the remedial objectives. <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p> </li> </ol> |

3. The Travel Plan published on the Planning Portal 11<sup>th</sup> February 2020 for application LA04/2019/2343/F shall be implemented on completion of the Development.

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

4. Prior to the operation of the development hereby permitted, covered cycle parking shall be provided in accordance with Drawing No. 05A published to the Planning Portal on 29<sup>th</sup> January 2020 for Application LA04/2019/2343/F.

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

5. All external facing and roofing materials shall be implemented as specified on the drawing no 02 uploaded to the planning portal on 7<sup>th</sup> January 2022.

Reason: In the interests of the Character and Appearance of the Area.

6. The Plant and Equipment associated with the development hereby permitted, shall be selected, design and installed so as to achieve a combined rating level (LAr) no greater than 51dB LAr daytime and 41dB LAr night time when measured or determined at the façade of the nearest noise sensitive premises. Measurements shall be in accordance with BS4142:2014+A1:2019.

Reason: To protect human health and the amenity of nearby premises.

7. A proprietary odour abatement system shall be installed to suppress and disperse odours created from operations within the kitchen. The outlet from any extract ventilation shall terminate at a height of not less than 1 metre above the eaves height of the building. The outlet shall be position away from surrounding premises and in a position to achieve maximum dispersion of possible odours.

Reason: Protection of human Health.

**Informatives:**

1. The developer should consider all consultees comments prior to commencing this proposal. All comments can be viewed on the Planning Portal quoting the application reference number.
2. The drawing refs referred to above correspond with those drawings submitted to the Authority in respect of this application and published to the Planning Portal NI on 07/01/2022 Drawings 01, 02 & 03

| <b>ANNEX</b>  |                   |
|---|-------------------|
| <b>Date Valid</b>   | 7th October 2021  |
| <b>Date First Advertised</b>  | 21st January 2022 |
| <b>Date Last Advertised</b>   |                   |
| <b>Details of Neighbour Notification</b> (all addresses)<br>The Owner/Occupier,<br>2 Finvoy Street,Belfast,Down,BT5 5DH<br>The Owner/Occupier,<br>31 Upper Newtownards Road,Belfast,Down,BT4 3HT<br>The Owner/Occupier,<br>33 Upper Newtownards Road,Belfast,Down,BT4 3HT<br>The Owner/Occupier,<br>34 Grampian Avenue,Ballyhackamore,Belfast,Down,BT4 3AB<br>The Owner/Occupier,<br>4 Finvoy Street,Belfast,Down,BT5 5DH<br>The Owner/Occupier,<br>58 Upper Newtownards Road,Belfast,Down,BT4 3EN<br>The Owner/Occupier,<br>60 Upper Newtownards Road,Belfast,Down,BT4 3EN<br>The Owner/Occupier,<br>62 Upper Newtownards Road,Belfast,Down,BT4 3EN<br>The Owner/Occupier,<br>64 Upper Newtownards Road,Belfast,Down,BT4 3EN<br>The Owner/Occupier,<br>66 Upper Newtownards Road,Belfast,Down,BT4 3EN<br>The Owner/Occupier,<br>68 Upper Newtownards Road,Belfast,Down,BT4 3EN<br>The Owner/Occupier,<br>Bloomfield Baptist Church,Upper Newtownards Road,Belfast,Down,BT4 3HT<br>The Owner/Occupier,<br>Flat 1,66 Upper Newtownards Road,Belfast,Down,BT4 3EN<br>The Owner/Occupier,<br>Flat 2,66 Upper Newtownards Road,Belfast,Down,BT4 3EN<br>The Owner/Occupier,<br>Flat 3,66 Upper Newtownards Road,Belfast,Down,BT4 3EN |                   |
| <b>Date of Last Neighbour Notification</b>  | 19th January 2022 |
| <b>Date of EIA Determination</b>  | N/A               |
| <b>ES Requested</b>   | N/A               |
| <b>Drawing Numbers and Title</b>  |                   |
| 01,02,03  |                   |

**Notification to Department (if relevant) N/A**

Date of Notification to Department:

Response of Department:

**Elected Representatives: No**