

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 12 th April 2022	
Application ID: LA04/2021/0052/F	
Proposal: New shopfront to ground floor and change of use of first floor from retail to 3 no. 1 bedroom apartments	Location: 10-16 Castle Place Belfast BT1 1GB
Referral Route: Referred to Planning Committee as there is an objection from a statutory consultee – Northern Ireland Water (NIW)	
Recommendation: Approve	
Applicant Name and Address: Alterity Investments 4 Annadale Avenue Belfast BT7 3JH	Agent Name and Address: Insideout Architects 39 Station Road Bangor BT19 1EZ
<p>Executive Summary: Full planning permission is sought for a new shop frontage for a retail unit A2 (financial services) at ground floor level previously approved under LA04/2019/0405/F.</p> <p>It is also proposed to change the use of the first floor from Use Class A2 financial services, to residential use - 3No x 1 bedroom apartments .Bicycle storage and bin provision is located at ground floor level to the rear of the retail unit. Access to the apartment is from Castle Place.</p> <p>The site is located at 10-16 Castle Place in Belfast City Centre. It is situated in the City Centre Conservation Area and is part of 'Castle Buildings' (8-18 Castle Place), a 4-storey Grade B1 listed building.</p> <p>There is an associated listed building consent application LA04/2021/0051/LBC.</p> <p>Minimal intervention will be made to the fabric of the building. The first floors will be divided into 3No one-bedroom apartments. All 3No proposed apartments will have living room with an outlook over Castle Place. In this regard they all have an attractive outlook. The windows on the front elevation area all large and will provide adequate day/sunlight into each apartment. The ground floor shop front is to be replaced with a new aluminium shop front with sliding doors.</p> <p>It is considered that the design respects the listed building in terms of scale, height, massing and alignment. The works proposed make use of traditional and sympathetic building materials. The nature of the use proposed respects the character of the listed building and the conservation area.</p>	

The development involves the refurbishment of a city centre building with no external amenity space. Regard has to be given to the desirability of the renovation of the Listed Building and balanced against a shortfall in amenity space.

HED, BCC Conservation Officer, BCC Environmental Health no objection.

No third party objection received.

NIW have since requested a Wastewater Impact Assessment to be submitted directly to NIW to find a potential solution. It is considered on balance that the issue can be resolved by means of a negative condition to address this matter.

Having regard to the policy context and all material considerations, the proposal is considered on balance to be acceptable and planning permission is recommended for approval.

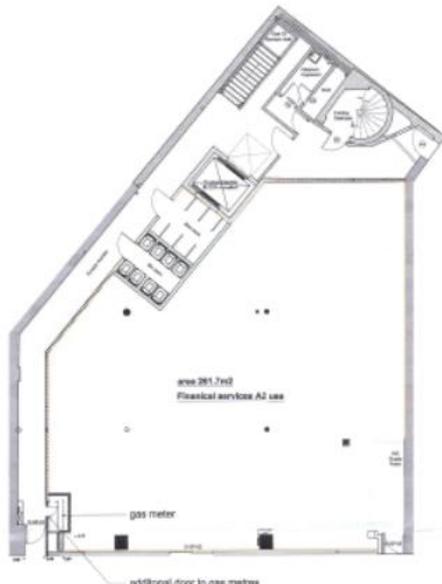
Recommendation – Approve Subject to Conditions

It is requested that the committee delegate authority to the Director of Planning and Building Control to finalise the wording of conditions.

Signature(s):

Case Officer Report

Site Location Plan



Proposed Ground Floor Plan scale 1:100



Proposed First Floor Plan scale 1:100

Consultations:

Consultation Type	Consultee	Response
Non Statutory	Env Health Belfast City Council	No Objection Subject to Conditions
Non Statutory	BCC Conservation Officer	No Objection
Statutory	Historic Environment Division (HED)	No Objection Subject to Conditions

Statutory	NI Water - Multi Units East - Planning Consultations	Additional Information
Representations:		
Letters of Support	None Received	
Letters of Objection	None Received	
Number of Support Petitions and signatures	No Petitions Received	
Number of Petitions of Objection and signatures	No Petitions Received	

Characteristics of the Site and Area	
1.0	Description of Site
1.1	The site is located at 10-16 Castle Place in Belfast City Centre. It is situated in the City Centre Conservation Area and is part of 'Castle Buildings' (8-18 Castle Place), a 4-storey Grade B1 listed building.
2.0	Description of Proposed Development
2.1	Full planning permission is sought for a new shop frontage for a retail unit A2 (financial services) at ground floor level previously approved under LA04/2019/0405/F.
2.2	It is also proposed to change the use of the first floor from Use Class A2 financial services, to residential use - 3No x 1 bedroom apartments. Bicycle storage and bin provision is located at ground floor level to the rear of the retail unit. Access to the apartment is from Castle Place.
2.3	There is an associated listed building consent application LA04/2021/0051/LBC.
Planning Assessment of Policy and other Material Considerations	
3.0	Site History
	LA04/2019/0405/F & LA04/2019/0406/LBC - Change of use from existing retail unit and stores to financial services A2 use on ground and first floor and replacement shop front. Conversion of second and third floor to 6 apartments. – Permission Granted.
4.0	Policy Framework
4.1	Regional Development Strategy 2035
4.2	Strategic Planning Policy Statement (NI) 2035
4.3	Belfast Urban Area Plan 2001
	Draft Belfast Metropolitan Area Plan 2004 & 2015
	Following the Court of Appeal decision on BMAP, the extant development plan is now the BUAP 2001. However, given the stage at which the Draft BMAP had reached pre-adoption through a period of independent examination, Draft BMAP remains a material consideration in the determination of planning applications. The weight to be afforded is a matter of judgement for the decision maker in each particular case.
	4.3.1 Policy R1 – Retailing in City and Town Centres.
	4.3.2 Policy HOU3 - City and Town Centre Living
4.4	Draft Belfast Local Development Plan Draft Plan Strategy 2035
	The Belfast Local Development Plan Draft Plan Strategy 2035 will guide future planning application decision making to support the sustainable spatial growth of the city up to 2035. The draft Plan Strategy has been subject to examination by the Planning Appeals

	Commission and the Council has been provided with a copy of their Report, together with a Direction from DfI in relation to additional required steps before it can be considered adopted. Paragraph 1.10 states that a transitional period will operate until such times as a Council's Plan Strategy has been adopted. Accordingly, whilst the Draft Plan Strategy is now a material consideration it has limited weight until it is adopted and during the transitional period planning authorities will apply existing policy together with the SPPS.
4.5	Planning Policy Statement (PPS) 7 Quality Residential Environments
4.6	PPS6- Planning, Archaeology and the Built Heritage
4.7	PPS3- Parking Movement and Access
4.8	PPS 12: Housing in Settlements
4.9	Creating Places
5.0	Representations
5.1	The application has been neighbour notified and advertised in the local press - (Belfast telegraph and Daily Mirror) in February 2021. No comments have been received.
6.0	Assessment
6.1	The key issues in the assessment of the application are: Principle of Development Scale, Massing & Design Impact on the Listed Building & Conservation Area Traffic, Movement & Parking Infrastructure Capacity Other Environmental Matters <u>Principle of Development</u>
6.2	The site is within the development limit of Belfast as designated in both the BUAP and draft BMAPs. The building is listed and the site falls within the City Centre Conservation Area and the Primary Retail Core/Frontage in draft BMAP.
6.3	A ground floor retail use has been granted under the LA04/2019/0405/F. Active retail use will be therefore be present at ground floor in keeping with relevant policy and guidance.
6.4	It considered that the creation of 3no apartments above the approved retail use will increase the housing stock in the City Centre in line with relevant policy, guidance and the Belfast Agenda. It will also promote living over the shop.
6.5	In this regard, the principle of the change of use from Class A2 at this location to provide 3No apartments is considered to be appropriate subject to considered of other planning and environmental matters below. In addition, this specific proposal will secure the upkeep of the listed building which has been vacant for some time.
	<u>Scale, Massing & Design</u>
6.6	Policy QD 1 of PPS7 relates to Quality in New Residential Development. It states that planning permission will only be granted for new residential development where it is demonstrated that the proposal will create a quality and sustainable residential environment.

6.7	As the proposal is for the conversion of part of an existing commercial building into residential apartments at first floor level - there will be no change to the character and topography of the surrounding context. With regard to impact on built heritage features affected by the proposal, see Listed Building Consent heading below.
6.8	Minimal intervention will be made to the fabric of the building. The first floors will be divided into 3No one-bedroom apartments. All 3No proposed apartments will have living room with an outlook over Castle Place. In this regard they all have an attractive outlook. The windows on the front elevation area all large and will provide adequate day/sunlight into each apartment.
6.9	The proposed 3 x 1 bedroom apartments will meet the minimum space standards. Apartment 7 measuring 66sqm, Apartment 8 measuring 84sqm and apartment 9 measuring 77sqm. Space standards set out in addendum to PPS7 recommends 55 sqm for 1 bedroom apartments, in this regard the size of each apartment is acceptable.
6.10	Access to the apartments is from Castle Street utilising an existing door and corridor. This will lead to a stair and lift which will be used to access all floors. This will accommodate access for all apartment residents. In terms of crime deterrence and personal safety of future occupiers, the access corridor to the first floor apartments is via the front entrance on Castle Place.
6.11	Amenity space for bin storage and bikes will be located on the ground floor off the main entrance hall.
6.12	With regard to the provision of private open space, the development involves the refurbishment of a city centre building with no external amenity space. 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. 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 building. Regard also has to be had to the desirability of the renovation of the Listed Building and balance against a shortfall in amenity space.
6.13	Consideration must also be given to PPS 12: Housing in Settlements, in particular, living above the shop, which brings many social and economic benefits and is a means of accommodating additional housing in city centre locations. The proposal is considered to comply with this policy in this respect.
6.14	The ground floor shop front is to be replaced with a new aluminium shop front with sliding doors which is considered to be appropriate. HED no objection to this addition.
6.15	Overall, the proposed development would not cause unacceptable harm to the local character, appearance and environmental quality of the area of the area in accordance with relevant policy and guidance.
6.16	<p><u>Impact on the Listed Building & Conservation Area</u></p> <p>The site is located in Belfast City Centre Conservation Area, it is also part of Grade B1 listed building - Castle Buildings.</p>

6.17	It is considered that the design respects the listed building in terms of scale, height, massing and alignment. The works proposed make use of traditional and sympathetic building materials. The nature of the use proposed respects the character of the listed building.
6.18	HED (Historic Buildings) is content in principle with development at this site. HED is content with both this application and accompanying listed building application LA04/2021/0051/LBC.
6.19	This proposal has been assessed under SPPS 6.13 (Change of Use, Extension or Alteration of a Listed Building) of the Strategic Planning Policy Statement for Northern Ireland (SPPS): Planning for Sustainable Development and Policies BH 7 (Change of Use of a Listed Building) and BH8 (Extension or Alteration of a Listed Building) of the Department's Planning Policy Statement 6: Planning, Archaeology and the Built Heritage. HED (Historic Buildings) is cognisant of previous permissions LA04/2019/0406/LBC and LA04/2019/0405/F and that much of the interior has been altered over time with much historic fabric lost.
6.20	HED are content with the proposed scheme in that the proposed shop front at ground floor level is in keeping with the listed building; and that the building facade at ground floor and first floor level is also acceptable and does not negatively impact the listed building. HED have recommended a number of conditions to be imposed regarding materials to be used for the proposed shop front and to ensure architectural details are in keeping with the building. HED are satisfied the proposal is in keeping with policies BH7 & BH8 set in in PPS6.
6.21	The Conservation Officer is satisfied that the scheme will not negatively impact the conservation area in line with requirements detailed in legislation, relevant policy, and guidance.
	<p><u>Traffic, Movement & Parking</u></p> <p>6.22 With respect to Policy AMP1 creating an accessible environment within PPS 3 the proposal is accessible from street level and has a lift in both retail and residential parts of the building.</p> <p>6.23 DFI Roads was consulted on the previous application LA04/2019/0405/F for residential development within the town centre at 10-16 Castle Place and raised no objection to the proposal.</p> <p>6.24 This scheme is in keeping with sustainable transportation principles set out in the SPPS NI (para 6.297), regional strategic objectives - promoting sustainable patterns of development which reduce the need for motorised transport, encourages active travel, and facilitate travel by public transport in preference to the private car.</p>
	<p><u>Infrastructure Capacity</u></p> <p>6.25 NIW have commented that waste water treatment capacity is not available for the proposed development.</p> <p>6.26 Evidence has been submitted from the agent which indicates that projected water usage and volume sewage generated by the proposed development. For 3No apartments this anticipated to be a total of 1350 litres per day.</p>

6.27	For the approved financial services use based on a staffing level of 20 and 200 visitors daily over 2 No floors (as approved under LA04/2019/0405/F) levels are calculated at 4000 litres per day.
6.28	It has been therefore been demonstrated that the proposed 3No apartments will generate less water than the approved Class A2 Use on these premises. It is considered the modest scale of the proposed presents a significantly like for like proposal (or lesser) which will not exacerbate the impact on the wastewater system to a such an unacceptable level.
6.29	These details were submitted to NIW. NIW have since requested a Wastewater Impact Assessment to be submitted directly to NIW to find a potential solution. It is considered on balance that the issue can be resolved by means of a negative condition to address this matter.
6.30	<u>Other Environmental Considerations</u> The proposed redevelopment will not bring forward any environmental concerns particularly in terms or noise, odour, air quality or contamination and as such the proposal will not have a detrimental impact on human health. Environmental Health required further details regarding insulation and noise which has since been submitted.
6.31	Environmental Health have considered the proposals in terms of noise, air pollution, general amenity, ambient air quality, contaminated land and other considerations and have no objections to the proposal. The proposed development will not cause a potential impact on the health of the future occupants.
6.32	Having regard to the policy context and other material considerations above, the proposal is considered acceptable and planning permission is recommended subject to conditions.
7.0	Summary of Recommendation: Approval Subject to Conditions
	<p>Conditions: 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.</p> <p>Materials to be as follows:</p> <p>a) Flashings shall be lead, non-machine tool cut installed fully in accordance with Lead Sheet Association's current recommendations and shall protrude no more than 50mm into the fabric of the listed building with down-stand a minimum of 150mm and flat roof overhang drip nomore than 75mm in height.</p> <p>b) Cladding (Ground Floor) shall be as per point 3 below</p> <p>c) The new ground floor doors to the shop front shall be aluminium, powder coated, graphite grey with slim profile double glazing.</p> <p>d) New windows to ground floor shopfront shall be aluminium, with slim profile double glazing, powder coated, graphite grey;</p> <p>Reason : To ensure the essential character of the building and its setting are retained and its features of special interest remain intact and unimpaired; and to ensure that the materials used are of appropriate quality in the interests of maintaining the character</p>

and appearance of the listed building and to ensure the architectural details match or are in keeping with the building.

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;

Reason : To ensure the essential character of the building and its setting are retained and its features of special interest remain intact and unimpaired; and to ensure that the materials used are of appropriate quality in the interests of maintaining the character and appearance of the listed building and to ensure the architectural details match or are in keeping with the building.

Cladding Tiles: Prior to the commencement of any works to the ground floor façade of the listed building, samples of the proposed tiles shall be submitted to and agreed in writing by Belfast City Council Planning in consultation with Historic Environment Division. The works shall thereafter be carried out solely in accordance with the approved details. A sample shall be retained on site until the project is complete;

Reason: To ensure the essential character of the building and its setting are retained and its features of special interest remain intact and unimpaired; and to ensure that the materials used are of appropriate quality in the interests of maintaining the character and appearance of the listed building and to ensure the architectural details match or are in keeping with the building.

Faience: Any faience proposed to repaired areas of stall riser shall be submitted to and agreed in writing by Belfast City Council Planning in consultation with Historic Environment Division. The works shall thereafter be carried out solely in accordance with the approved details. A sample shall be retained on site until the project is complete;

Reason : To ensure the essential character of the building and its setting are retained and its features of special interest remain intact and unimpaired; and to ensure that the materials used are of appropriate quality in the interests of maintaining the character and appearance of the listed building and to ensure the architectural details match or are in keeping with the building.

Lathe and Plaster:

a) HED shall be notified if any original lathe and plaster walls and ceilings are discovered;

b) A Method statement for retaining and refurbishing any original lathe and plaster ceilings discovered shall be submitted to and agreed in writing by Belfast City Council Planning in consultation with Historic Environment Division;

Reason : To ensure the essential character of the building and its setting are retained and its features of special interest remain intact and unimpaired; and to ensure that the materials used are of appropriate quality in the interests of maintaining the character and appearance of the listed building and to ensure the architectural details match or are in keeping with the building.

Drylining: Shall be limited to existing lined wall areas only. Specification and details for any proposed drylining to existing lined wall areas shall be submitted to and agreed in writing by Belfast City Council Planning in consultation with Historic Environment Division;

Reason : To ensure the essential character of the building and its setting are retained and its features of special interest remain intact and unimpaired; and to ensure that the materials used are of appropriate quality in the interests of maintaining the character

and appearance of the listed building and to ensure the architectural details match or are in keeping with the building.

Walls: New internal walls shall be reversible stud partition type;

Reason: To ensure the essential character of the building and its setting are retained and its features of special interest remain intact and unimpaired; and to ensure that the materials used are of appropriate quality in the interests of maintaining the character and appearance of the listed building and to ensure the architectural details match or are in keeping with the building.

Door Schedule: A door schedule showing all internal and external doors shall be submitted to and agreed in writing with HED (Historic Buildings) and the council prior to works commencing on site;

Reason: To ensure the essential character of the building and its setting are retained and its features of special interest remain intact and unimpaired; and to ensure that the materials used are of appropriate quality in the interests of maintaining the character and appearance of the listed building and to ensure the architectural details match or are in keeping with the building.

Original timber spiral stair to be retained in entirety – all elements including the single balustrade, turned balusters and newels;

Reason: To ensure the essential character of the building and its setting are retained and its features of special interest remain intact and unimpaired; and to ensure that the materials used are of appropriate quality in the interests of maintaining the character and appearance of the listed building and to ensure the architectural details match or are in keeping with the building.

Internally hidden UPVC SVPs shall not damage historic fabric;

Reason: To ensure the essential character of the building and its setting are retained and its features of special interest remain intact and unimpaired; and to ensure that the materials used are of appropriate quality in the interests of maintaining the character and appearance of the listed building and to ensure the architectural details match or are in keeping with the building.

New vent cowls shall be restricted to flat roof areas only;

Reason: To ensure the essential character of the building and its setting are retained and its features of special interest remain intact and unimpaired; and to ensure that the materials used are of appropriate quality in the interests of maintaining the character and appearance of the listed building and to ensure the architectural details match or are in keeping with the building.

New services shall integrate into the existing building without proliferation of voids through historic fabric or new service ducts etc;

Reason: To ensure the essential character of the building and its setting are retained and its features of special interest remain intact and unimpaired; and to ensure that the materials used are of appropriate quality in the interests of maintaining the character and appearance of the listed building and to ensure the architectural details match or are in keeping with the building.

Prior to the installation, details of the proposed glazing specification to the first floor habitable rooms must be submitted to Belfast City Council for review and approval in writing. This information must include evidence that the sound reduction performance of the proposed glazing is in line with the recommendations of the Layde Consulting Noise Impact Assessment dated December 2020 report number P467/1.

Reason: Protection of Residential Amenity

Prior to the occupation of the hereby permitted development the approved façade acoustic glazing and acoustically attenuated mechanical ventilation system must be installed in such a manner so as to ensure the internal noise levels within the habitable rooms do not exceed the internal noise targets as specified in BS8233:2014 and ProPG (2017) with the windows closed and alternative means of ventilation provided in accordance with building control requirements.

Reason: Protection of Residential Amenity

The Separating floor/ceiling between the first floor apartments and the ground floor retail units must provide a sound reduction of 54DnTw as detailed in the Layde Consulting clarification letter dated 12 April 2021 ref P467/2.

Prior to occupation of the hereby permitted development, the developer shall verify that the approved acoustic glazing and alternative means of ventilation have been installed by way of a written declaration from the supplier (s) and installation contractor(s) and that the separating floor/ceiling between the first floor apartments and ground floor retail units is constructed of concrete providing a sound reduction of 54DnTW as specified in the Layde Consulting letter of clarification dated 12 April 2021 or equivalent.

Reason: Protection of Residential Amenity

No development shall commence on site until details of wastewater treatment assessment to serve the proposal have been submitted to and approved in writing with NIW and verification of that agreement is provided in writing to the Council. The development shall not be carried out unless in accordance with the approved details.

Reason: To ensure appropriate infrastructure is in place to serve the development.

Informatives

All private rented properties must comply with the above legislation including the statutory fitness standard <https://www.communities-ni.gov.uk/minimum-fitness-standards> , which is enforced by Belfast City Council's Environmental Health Service. For further information on these requirements please contact the EHS on 02890270428 or refer to their website <http://www.belfastcity.gov.uk/buildingcontrol-environment/housing/housing-about.aspx>

The applicant's attention is drawn to the consultation responses received by the Council in respect of this application. The responses can be viewed at <https://www.planningni.gov.uk/index/tools/public-access-info.htm>

The drawings referenced in this decision notice above are the site location map and those proposed drawings published to the Planning Portal NI 07/09/21 & 11/10/21.

Notification to Department (if relevant)

Representations from Elected members:

ANNEX	
Date Valid	18th December 2020
Date First Advertised	5th February 2021
Date Last Advertised	
Details of Neighbour Notification (all addresses) The Owner/Occupier, 10-16 ,Castle Place,Belfast,Antrim,BT1 1GB The Owner/Occupier, 18 Castle Place,Belfast,Antrim,BT1 1GB The Owner/Occupier, 18-22 ,Castle Place,Belfast,Antrim,BT1 1GB The Owner/Occupier, 2 Castle Place,Belfast,Antrim,BT1 1GB The Owner/Occupier, 2 Castle Place,Belfast,Antrim,BT1 1GB The Owner/Occupier, 33 Castle Place,Belfast,Antrim,BT1 1GA The Owner/Occupier, 8 Castle Place,Belfast,Antrim,BT1 1GB The Owner/Occupier, Office (2nd Floor),1-9 ,Castle Arcade,Belfast,Antrim,BT1 5DF The Owner/Occupier, Office (3rd Floor),1-9 ,Castle Arcade,Belfast,Antrim,BT1 5DF	
Date of Last Neighbour Notification	16th August 2021
Date of EIA Determination	
ES Requested	Yes /No
Drawing Numbers and Title	
Notification to Department (if relevant) Date of Notification to Department: Response of Department:	