

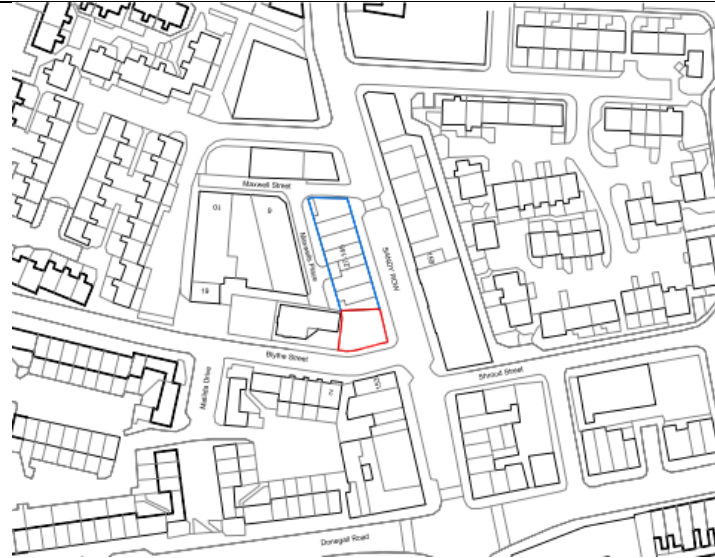
Case Officer Report

Development Management Report Committee Application

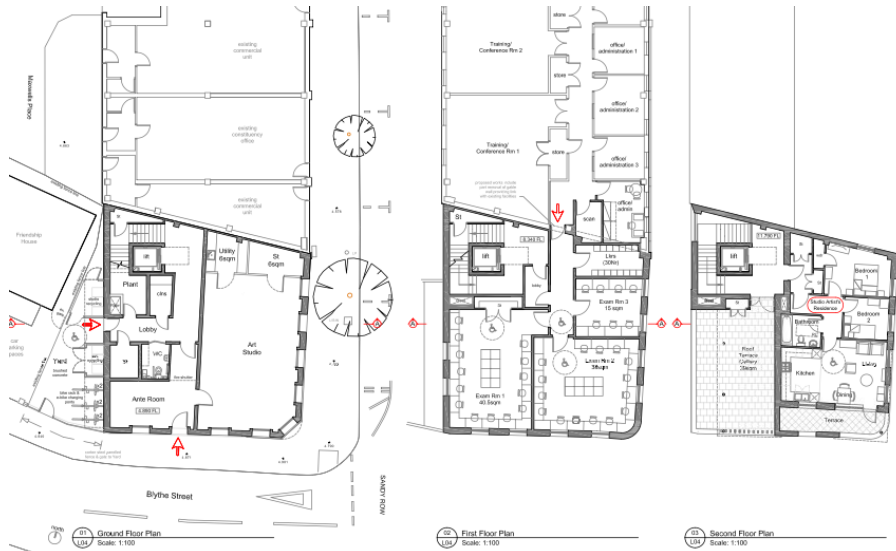
Summary

Application ID: LA04/2023/3547/F	Date of Committee: 12 th December 2023
Proposal: Three storey side extension to existing Community Building to provide, Artist's Studio, Gallery Space, Digital Hub on ground and 1st floor and apartment to provide Artist's Residence on 2nd floor.	Location: 149-151, Sandy Row, Belfast, BT12 5ET
Referral Route: Referral to the Planning Committee under section 3.8.5 (d) of the Scheme of Delegation	
Recommendation:	Approve
Applicant Name and Address: Neil McCartan Design Hub 5D The Square Hillsborough BT26 6AG	Agent Name and Address: Neil McCartan 22a Lisburn Street Hillsborough
Executive Summary: The site is located at 149-151 Sandy Row. The site is a rectangular plot of vacant land on a corner site fronting both Sandy Row and Blythe Street. The proposal forms a side extension to the existing neighbouring two storey terrace and will link to the existing first floor community use. The proposal is located in the city centre on whiteland within dBMAP (v2004 and 2014). The key issues to be considered are: <ul style="list-style-type: none">• Principle of the Development• Scale, Massing and Design• Impact on Neighbouring Amenity• Parking• Environmental Policies• NI Water The proposed location for the community use is considered appropriate within the city centre and will regenerate a vacant brownfield site, the proposal will bring substantial community benefits to the surrounding area. The surrounding area contains a mix of dwellings and large apartment blocks and given the sustainable location the apartment on the second floor use is considered acceptable. The scale, massing and design of the extension is considered sympathetic to the surrounding area. The high quality design and materials on the corner site responds positively to the streetscape and provides a focal point. Two letters of support were received from Councillor Tracey Kelly and Edwin Poots MLA citing the benefits of the community use and regeneration of the vacant site. Environmental Health, DFI Roads, Northern Ireland Environment Agency and Shared Environmental Services had no objections. NI Water objected stating a lack of wastewater capacity and this has been addressed within the report.	

Site Location Plan



Proposed Floor Plans



Proposed Elevations



Characteristics of the Site and Area	
1.0	Description of Proposed Development Three storey side extension to existing Community Building to provide, Artist's Studio, Gallery Space, Digital Hub on ground and 1st floor and apartment to provide Artist's Residence on 2nd floor.
2.0	Description of Site The site is located at 149-151 Sandy Row. The site is a rectangular plot of vacant land on a corner site fronting both Sandy Row and Blythe Street. The proposal forms a side extension to the existing neighbouring two storey terrace and will link to the existing first floor community use. The surrounding area is characterised as mixed use with retail, offices and fast food takeaways situated along Sandy Row while to the rear of the site along Blythe Street is residential. Within the surrounding area buildings are typically two storey terraces of mixed with no conformity of materials with higher apartment buildings and warehouses in the wider area.
Planning Assessment of Policy and other Material Considerations	
3.0	Site History Application Number: Z/2007/1129/F, 149-151 Sandy Row, Construction of two ground floor retail units and six apartments above, Permission Granted.
4.0	Policy Framework
4.1	Belfast Urban Area Plan 2001
4.2	Development Plan – operational policies Belfast Local Development Plan, Plan Strategy 2035 The following policies in the Plan Strategy are relevant to consideration of the application: SP2 Sustainable Development DES1 Principles of Urban Design CI 1 Community Infrastructure RD 1 New Residential Developments HOU 7 Adaptable and Accessible Accommodation TRAN 8 Car Parking and Servicing Arrangements ENV 1 Environmental Quality ENV 2 Mitigating Environmental Change ENV3 Adapting to Environmental Change ENV 5 Sustainable Drainage Systems (SuDS) Development Plan – zoning, designations, and proposals maps Belfast Urban Area Plan (2001) BUAP Draft Belfast Metropolitan Area Plan 2015 (v2004) Draft Belfast Metropolitan Area Plan 2015 (v2014) Regional Planning Policy Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS) Other material considerations None
4.3	Strategic Planning Policy Statement for Northern Ireland (SPPS)
5.0	Statutory Consultees Responses DFI Roads- No objection

6.0	<p>Non Statutory Consultees Responses NI Water- Objects NIEA- Refers to Standing Advice SES- No objections with conditions Environmental Health- No objections with conditions</p>
7.0	<p>Representations The application was advertised on the 25th August 2023 and neighbour notified on 7th September.</p> <p>Two letters of support were received from Tracy Kelly and Edwin Poots.</p>
8.0	<p>Other Material Considerations None</p>
9.0	<p>Assessment</p>
9.1	<p>The proposal is considered to be in compliance with the Development Plan.</p>
9.2	<p>Assessment The key issues to be considered are:</p> <ul style="list-style-type: none"> • Principle of the Development • Scale, Massing and Design • Impact on Neighbouring Amenity • Parking • Environmental Policies • NI Water
9.3	<p>Principle of the Development The proposal is comprised of a three storey extension to the existing terrace. The proposal will link to the existing community use on the first floor of the neighbouring terrace. The proposal contains an art studio at the ground floor, exam rooms and offices on the first floor and a 2 bedroom apartment on the second floor with a roof terrace described as an artist's residence.</p>
9.4	<p>The proposed community use is to be assessed under Policy CI1 of the Belfast LDP Plan Strategy. The policy states that planning permission will be granted for the provision of new and improved community infrastructure at appropriate and accessible locations within the urban area. The proposed location is considered appropriate within the city centre and given the mixed use within the surrounding area. The location is considered accessible within close proximity to the Donegal Road which is an arterial route. The proposal will extend an existing community use and redevelop a vacant plot of land bringing with it substantial community benefits.</p>
9.5	<p>The proposal contains a second floor apartment described as an artist's residence. The surrounding area contains a mix of dwellings and large apartment blocks and given the sustainable location the apartment above the community use is considered acceptable. The proposed layout includes two bedrooms which complies with space standards and an open plan kitchen/living area which have an appropriate outlook onto the street. The proposal includes a terrace which provides sufficient amenity space and appropriate bin storage and cycle parking is provided to the rear of the building. The apartment includes a separate entrance to the community use but remains to have access to the public street. The proposed apartment is deemed to comply with policy RD1.</p>
9.6	<p>In addition the apartment has been designed in a flexible way to ensure that it adaptable throughout all stages in life. The proposal includes a sheltered main entrance, living and kitchen space at entrance level and a bathroom on the same floor as the main bedroom designed to provide an accessible shower if required. The proposal therefore complies with Policy HOU 7.</p>

9.7	<p>Scale, Massing and Design</p> <p>The proposal is a three storey extension with a flat roof of a modern design. The extension contains a taller element adjoining the neighbouring building before being set down towards the junction of Sandy Row and Blythe Street. The materials include corten steel panels and red brick. The surrounding area is mainly comprised of two storey buildings with a single storey building neighbouring the building to the rear. The wider area contains taller buildings such as the warehouses to the rear and apartment buildings at the junction of Sandy Row and Donegall Road. While the building is taller than those in the surrounding area the use of the flat roof ensures the height and massing remains sympathetic and will not appear out of place. The design is of a high quality and given the corner site location the proposed extension will be a focal point within the streetscape and responds positively to the surrounding area. The proposal accords with Urban Design principles contained within policy DES1 of the Plan Strategy.</p>
9.8	<p>Impact on Residential Amenity.</p> <p>The proposal is within close proximity of terrace dwellings on Blythe Street, the proposed scale and massing is appropriate and will not cause undue overshadowing or overlooking. The proposed apartment contains a terrace which will be subject to a high degree of traffic noise from Sandy Row. Given the lack of opportunity to provide amenity space elsewhere within the scheme the terrace is welcome and will provide amenity value despite the location. Environmental Health were consulted and had no objections to the scheme with conditions.</p>
9.9	<p>Parking</p> <p>The proposal is within the city centre in a sustainable location and contains on street parking to the front. DFI Roads were consulted and had no objections.</p>
9.10	<p>Environmental Policies</p> <p>The proposal incorporates a number of measures to adapt to environmental change in order to support sustainable development such as the orientation of the building to ensure solar gain as well as utilising solar panels on the roof.</p>
9.11	<p>NI Water</p> <p>NI Water were consulted and state that waste water treatment capacity is not available for the proposed development.</p>
9.12	<p>The Council is the Competent Authority under the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) for undertaking an Appropriate Assessment where a proposal is likely to have a significant environmental effect on Belfast Lough, an environmentally protected Special Protection Area (SPA), RAMSAR and Special Area of Conservation (SAC). Water quality of the lough is a key consideration. The Habitats Regulations are framed in such a way that it is not only the impacts of individual development proposals that need to be considered, but also “in combination” impacts with other development.</p>
9.13	<p>A precautionary approach applies when applying the HRA Regulations. The onus is on NIW to provide evidence of likely actual impacts, rather than hypothetical impacts. In this case, NIW has not provided specific evidence to demonstrate that the proposal would likely have a significant environmental effect on Belfast Lough, but more general concerns that the site may be hydrologically linked to the lough and may harm its water quality. There is no direct evidence that this would be the case. Nevertheless, given the current use of the site and the scale and nature of the proposal, it is considered that the proposal could clear intensification of the use of the site and demand on drainage infrastructure. SES and DAERA have therefore been consulted. DAERA referred to standing advice while SES advises the project would not have an adverse effect on the integrity of any European site either alone or in combination with other plans or projects.</p>

<p>10.0</p>	<p>Summary of Recommendation:</p> <p>It is recommended that planning permission be granted. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of conditions, and deal with any other matters that arise prior to issuing the decision, provided that they are not substantive.</p>
<p>11.0</p>	<p>Draft Conditions</p> <p>1. The development hereby permitted must be begun within five years from the date of this permission.</p> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p> <p>2. No development shall commence on site (other than site clearance, site preparation, demolition and the formation of foundations and trenches) unless details of foul and surface water drainage, including a programme for implementation of these works, have been submitted to and approved in writing by the Council. The development shall not be carried out unless in accordance with the approved details, which shall be retained as such thereafter.</p> <p>Reason: To ensure appropriate foul and surface water drainage of the site. Approval is required upfront because the design of the drainage is an integral part of the development and its acceptability.</p> <p>3. Prior to construction of the hereby permitted development, the applicant shall submit to and have agreed in writing by the Planning Authority, confirmation of the sound reduction specification (in terms of dBRtra) for the windows of habitable rooms to the proposed apartment as well as the sound reduction specification of alternative means of ventilation (such as acoustically attenuated vents) to address road traffic noise. The report, to be produced by a competent acoustic consultant, must be based on a representative road traffic noise survey and demonstrate that the proposed sound reduction specifications of the façade/structural elements are sufficient to ensure that internal noise levels do not exceed:</p> <ul style="list-style-type: none"> • 35 dB LAeq,16hrs at any time between 07:00hrs and 23:00hrs within any habitable room, if required with the windows closed and alternative means of acoustic ventilation provided. • 30 dB LAeq,8hr at any time between the hours of 23:00hrs and 07:00hrs within any bedroom, if required with the windows closed and alternative means of acoustic ventilation provided. • 45 dB LAmx more than 10 times between 23:00hrs and 07:00hrs within any proposed bedrooms if required with the windows closed and alternative means of ventilation provided. <p>Reason: Protection of human health and residential amenity.</p> <p>4. Prior to occupation of the development, the noise mitigation measures and alternative means of acoustic ventilation, if required, as approved under condition 3 shall be installed as agreed in writing with the Planning Authority and maintained thereafter.</p> <p>Reason: Protection against adverse noise impact.</p> <p>5. The development hereby permitted shall not become operational until weather protected cycle parking has been fully provided in accordance with the approved plans.</p>

	<p>Reason: To ensure acceptable cycle parking facilities on the site and to encourage alternative modes of transport to the private car.</p> <p>6. All redundant accesses from the site to the public road shall be permanently closed off and the footpath reinstated to the satisfaction of the Department for Infrastructure.</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>
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Notification to Department (if relevant) N/A	
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