

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 17 May 2016	
Application ID: LA04/2015/1143/F	
Proposal: Proposed change of use application from commercial to residential to provide 6 No. 2 bed apartments including the demolition of existing 2 storey rear return to make way for new build 3 storey return with associative siteworks and retention of 2 No. in-curtilage car parking spaces	Location: 7 Wellington Park Belfast BT9 6DJ
Referral Route: More than 4 dwellings	
Recommendation:	Approval
Applicant Name and Address: SP Developments Ltd 96 High Street Belfast BT1 2BG	Agent Name and Address: MMAS Architects 2nd Floor New Mill Conway Mill 5-7 Conway Street Belfast BT13 2DE
Executive Summary: The application seeks the change of use of a vacant office building within the Malone Conservation area to 6 x 2 bed apartments. It involves the demolition of existing 2 storey rear return and its replacement with a 3 storey return. The proposal includes retention of 2 in-curtilage car parking spaces. The main issues to be considered in this case are: <ul style="list-style-type: none"> • Demolition of part of the existing building in the Conservation Area and the principle of change of use and extension at this location. • Provision of a quality residential environment by way of design, scale, density, layout, amenity space and parking, • Impact on adjacent residential amenity • The loss of the office use The proposal has been assessed against BMAP 2015 and relevant policies and guidance and complies with relevant policy and guidance. 2 representations have been received. The issues raised are: <ul style="list-style-type: none"> • that the number of apartments constitutes an over-intensification of use; • that the parking provision is inadequate and the proposed development would result in more parking pressure; 	

- that four of the apartments have no access to the rear of the property and that there is inadequate provision for bin storage, which they will have a detrimental effect on the streetscape and result in a reduction in residential amenity.
- that number 7 Wellington Park is not designated as being suitable in principle for flat conversion in Development Guidance Note (DGN) 4D;
- that provision of bin and bicycle storage to the front of the property will adversely impact on the streetscape.

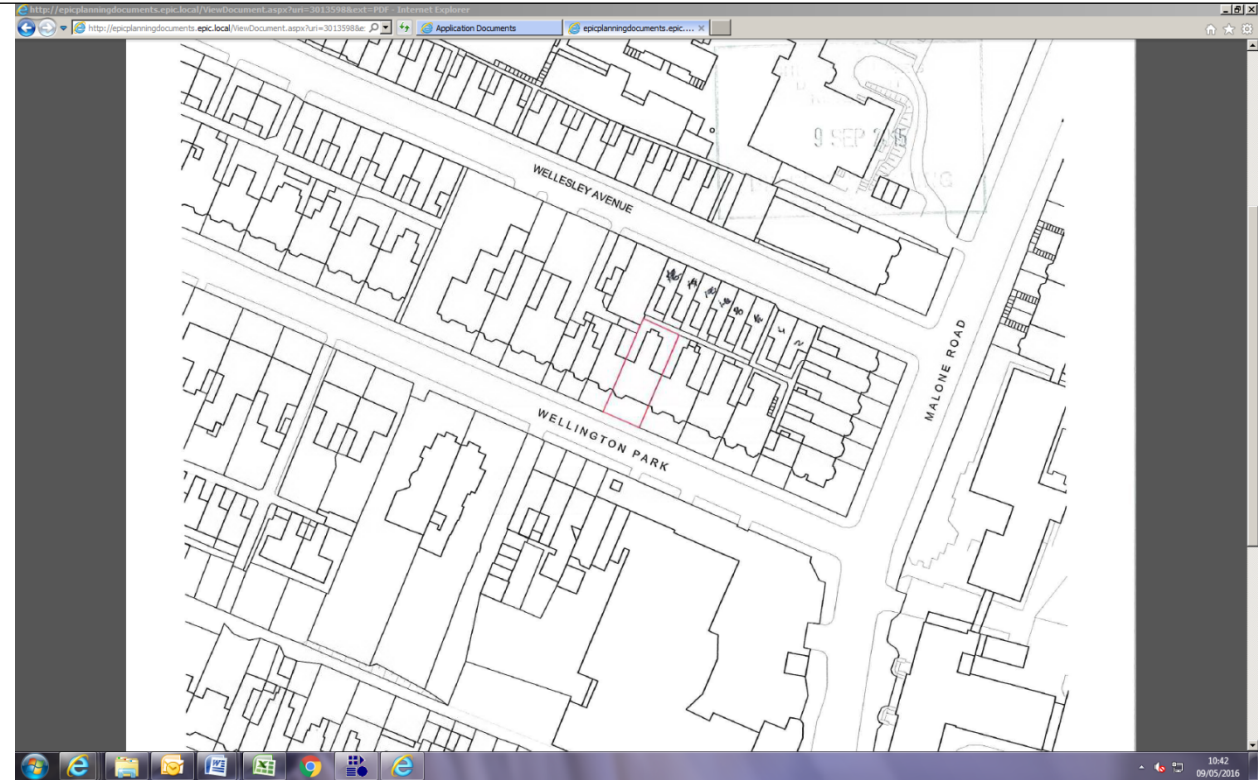
The issues are considered in the case officer report.

Consultees have no objections.

Recommendation is approval subject to conditions as set out in the case officer report.

Case Officer Report

Site Location Plan



Consultations:

Consultation Type	Consultee	Response
Non Statutory	Env Health Belfast City Council	Substantive Response Received
Statutory	NI Water - Multi Units East - Planning Consultations	Advice
Statutory	NI Transport - Hydebank	Advice
Statutory	NI Transport - Hydebank	Advice

Representations:

Letters of Support	None Received
Letters of Objection	2
Number of Support Petitions and signatures	No Petitions Received
Number of Petitions of Objection and signatures	No Petitions Received

1.0 Characteristics of the Site and Area

The existing property at 7 Wellington Park, is a three storey, three bay rendered building, with pitched slated roof. The door case has flanking pilasters, and capitals supporting a fascia with cornice over; this extends over a two storey canted bay window to the left hand side of the elevation and a slightly projecting, flat-fronted, single storey bay window to the right hand side. The latter has a parapet with strapped, circle insets. The two storey bay window has panelled inset between floors and is topped by a cornice. The piano Nobile / first floor is denoted by the larger, segmental headed windows with moulded surrounds and keystones – with cornices over.

Original doors, window frames, front lawns and boundaries have been lost. The original roof profile has been lost to an attic extension. To the rear is a two storey, return with single storey element. It was designed in 1877 by Robert Watt. The proposal falls within the Malone Conservation Area - Sub Area B: Eglantine / Wellesley / Wellington.

2.0 Planning Assessment of Policy and Other Material Considerations

2.1 Planning History: no specific planning history

2.2 Policy Framework

Belfast Metropolitan Area Plan 2015

Malone Conservation Area - Sub Area B: Eglantine / Wellesley / Wellington.

Strategic Planning Policy Statement for Northern Ireland (SPPS)

Good Design paras. 4.23 – 4.26

Planning Policy Statement (PPS) 3: Access, Movement and Parking

Policy AMP 1: Creating an Accessible Environment

Policy AMP 6: Transport Assessment

Planning Policy Statement 6: Planning, Archaeology and the Built Heritage

Policy BH 12: New development in a conservation area

Policy BH 14: Demolition in a conservation area

Planning Policy Statement (PPS) 7: Quality Residential Environments

Policy QD 1: Quality in New Residential Development

Planning Policy Statement 7 (PPS) Addendum: Safeguarding the Character of Established Residential Areas

Policy LC 1: Protecting Local Character, Environmental Quality and Residential Amenity

Planning Policy Statement (PPS) 12: Housing in Settlements

Planning Control Principle 2: Good Design

Policy HS 4: House Types and Size

Creating Places

Development Control Advice Notice 8: Housing in Existing Urban Areas

Development Control Advice Notice 15: Vehicular Access Standards Parking Standards

2.3 The site is located within Belfast's development limits as designated in Belfast Metropolitan Area Plan 2015. The site is located within a House in Multiple Occupancy (HMO) Policy Area as designated in the Houses in Multiple Occupancy Subject Plan for Belfast City Council Area 2015 (HMO Policy Area 2/09).

2.4 The Council's guiding principle in determining planning applications is that the development should be permitted, having regard to the development plan and all other material considerations, unless the proposal will cause demonstrable harm to interests of acknowledged importance (SPPS, para 3.8).

2.5 Principle of residential development

The proposed development is located within the settlement development limit of Belfast, and is in adherence with Policy SETT 2 as it is sensitive to the size and character of the settlement in terms of scale, form, design and use of materials. The dominant land use within this area of the city is residential although there's a mixture of other uses within close proximity such as a hotel, bars and shops. The last use of the site was in an office capacity. The building is currently vacant but was last used as offices.

The proposed density is not significantly higher than that found in the established residential

area, as there is a mixture of densities present in the area. The pattern of development is in keeping with the overall character and environmental quality of the established residential area, and the scheme promotes a sustainable form of development by facilitating a high degree of integration with centres of employment, community services and public transport. There is no overriding reason why a residential use on the site is unacceptable.

An objector refers to Development Guidance Note (DGN) 4D. DGN's were supplementary guidance to the Belfast Urban Area Plan 2001 and became redundant with the publication of BMAP. The statutory plan BMAP has no policies or designations that preclude apartments at this location.

2.6 Principle of new extension

In considering works to a historic property basic conservation principles apply - maximum retention of fabric, minimum intervention and clarity. PPS 6 (para 7.8) states that extensions will only be acceptable where they are sensitive to the existing building, in keeping with the character and appearance of the area etc. Extensions should be subsidiary to the building, of an appropriate scale, use appropriate materials and should normally be located on the rear elevations. The proposal would lead to loss of the existing return and construction of a wider and longer return than the original. This would have eaves much higher than the eaves of the original dwelling. The rear return has been designed so as to allow retention of most existing rear windows. With the exception of the point about the original eaves height, the proposed return is subservient in scale - in terms of width and depth – the addition would be the same or less than the depth of the main building. The proposed form replicates the existing – proportion / solid to void, vertical emphasis windows, pitched roof etc and are considered acceptable. Part of the rear roof slope is proposed to be removed to accommodate a roof terrace. This will not result in loss of historic fabric in this case. The terrace area is of a dormer type scale and is considered acceptable.

2.7 Proposals for new development in a Conservation area are subject to the requirements of Policy BH 12 of PPS 6 and QD1 of PPS 7. To prevent erosion of character from inappropriate development, any new proposals in Conservation Areas should meet the following criteria;

(a) the development preserves or enhances the character and appearance of the area. The Conservation office has no objections to the proposal. Conversion to residential use will bring a vacant building back into use without altering the facade of the building. This will enhance the character of the area.

(b) The development is in sympathy with the characteristic built form of the area; the only change to the form of the building is to the rear. Limited views of this aspect are available to the public. The rear return is being demolished and replaced with an extension which is sympathetic to the building and surrounding character of the area.

(c) The scale, form, materials and detailing of the development respects the characteristics of adjoining buildings in the area; the materials on the extension will match those of the existing building and are complimentary to the character of the conservation area.

(d) The development does not result in environmental problems such as noise, nuisance or disturbance which would be detrimental to the particular character of the area; As stated above, the principle of residential use is acceptable and 6 apartments should not create anything more or less out of the ordinary for a proposal of this scale. EHO and Transport NI have no objections.

(e) The development conforms to the guidance set out in Malone conservation area guidance document. The proposal has been designed with these principles in mind. There are no major changes to the front facade of the building apart from the increase in roof height. The biggest change is the scale of the new extension to the rear and the addition of a roof space terrace. The design of the replacement extension and the increase in height of the roof is considered

acceptable.

2.8 Demolition

Under Article 105 of the Planning (NI) Act 2011, demolition control (conservation area consent) extends to removal of parts of buildings -

“(8) For the purposes of this section, any reference to demolition, in relation to a building to which this section applies, includes a reference to any structural alteration of that building where the alteration consists of demolishing part of the building.”

Demolition consent has been applied for under LA04/2015/1207DCA.

It is considered that the existing rear return does not make a material contribution to the character of the Malone Conservation Area. The Council's Conservation officer considers that this portion of the existing building could be demolished without harm to the distinctive character of the Conservation Area. The principle of demolition of the rear return is therefore considered acceptable in terms of PPS 6 Policy BH 14 Demolition in a Conservation Area.

2.9 Policy QD 1

PPS7 sets out the Council's policies for achieving quality in new residential development. QD1 of the statement requires development to conform to all of the criteria stated (a-i).

(a) The proposed site shows a scheme which is sympathetic to the surrounding context. The proposal has respected the characteristic land form and the local townscape setting. The site is changing the use of an existing building which will be refurbished to accommodate a residential use. The massing and appearance of the buildings are considered to be in keeping with the character of the area even with the addition of a replacement rear extension which increases in size from the original design. Similar rear returns of this scale exist within the area.

The proposed site layout allows for sufficient amenity space in a high density area. bin storage has been provided to the rear and bicycle parking has been provided to the front which supports and will encourage a sustainable mode of transport for residents.

The apartments are served by communal entrances to the front and rear of the building, leading to internal lift and stair cores to provide ease of access to upper floors. The vehicular access is 4.8 metres wide. A 2.2 metre footpath exists to the front of the building to eliminate the potential conflict between pedestrian and vehicular traffic.

The existing building is set back from the edge of the public road to deliver a small level of defensible space for ground floor apartments. This creates a reveal for pedestrians walking along Wellington Park and in respect to cars emerging from the new development. Hedging along the part of the front boundary will offer screening of the cycle parking area.

The scale, form and finishes of the buildings have been designed to take account of the Conservation Area and the established built context in the Wellington Park area.

The new extension will be finished in red brick. The main building on the front facade has a render finish. However the majority of rear returns in the area are finished in red brick.

(b) There are no features of archaeological importance to be protected. The proposal conforms to the built heritage in the sense that the layout and design of the proposal is in keeping with the character of the area. The scale, form, materials and detailing of the development respects the

characteristics of adjoining buildings in the area. The scheme will not erode the character or amenity of the area and the proposal does not constitute over development.

(c) Amenity space for the proposed apartments is provided in the form of private rear yards on the ground floor with direct access to the alleyway. This will accommodate an enclosed bin storage area. The bin storage area is to the rear and as a result will not have an impact on the streetscape. This was a concerns raised by objectors but has been resolved following amendments. The rear yard will also offer separated amenity space along with the landscaped area to the front and the roof space terrace. 108m² of amenity space is provided across the site. This meets the requirements of a minimum of 10 to 30 square metres per apartment as stated within Creating Places.

(d) Private communal amenity space, car parking consisting of 2 in-curtilage spaces and bin storage is provided.

(e) Access points allow for the provision of walking and cycling into the site. Bicycle parking has been provided. The site is within walking distance to bus stops along the Lisburn Road and Malone Road.

(f) PPS 3: Policies AMP 1 and AMP 6: DRD Transport NI is the authoritative body on road safety and transport issues. Their consultation response dated 08.02.2016 stated they had no objection to the proposal and suggested conditions to be included should approval be granted. Parking is provided in accordance with the parking standards set out in Creating Places. TNI considered the objection letters and the issues relating to traffic/parking concerns and deemed that the proposal did not warrant a refusal.

(g) The proposed scheme will draw upon the best local traditions of form, materials and detailing with the use of red brick for the rear extension and a rear return which is of similar form to neighbouring properties.

(h) The design and layout will not create conflict with adjacent land uses and there is no unacceptable adverse effect on existing properties in terms of overlooking, loss of light and overshadowing. The windows have a similar fenestration to the original rear return and the additional floor and new windows to the rear of the extension will increase the window to wall ratio. Both buildings which flank the site are office buildings and the windows on the extension will look on to rear yards. Overlooking from the existing extension already exists. The new extension will not create an unacceptable adverse effect on existing properties.

(I) The site is defined by the existing building along a public road and enclosed by appropriate walls to the rear. Access to the development will be secured. This will ensure that the development is designed to deter crime and promote personal safety.

To conclude the proposal complies with the criteria set out under PPS7.

2.10 PPS 12:

Planning control principle 2 – Good Design: All new development should demonstrate a high quality of design, layout and landscaping. The proposal complies with relevant policy and guidance in PPS12. The proposal allows for an increase in density of housing without town cramming. The design of the development are of an acceptable form and scale and are in character with the area which has predominantly 2 to 3 storey terraced dwelling in HMO and apartment usage.

2.11 Creating Places:

The proposal complies with relevant policies in Creating Places. Sufficient amenity space will be provided. There is provision for access for bins to the rear of the development. Parking will be provided in curtilage.

2.13 Addendum to PPS7:

Policy LC1 – Protecting local character, environmental quality and residential amenity

- The proposed density is not significantly higher than that found in the locality
- Pattern of development is in keeping with overall character and environmental quality
- Dwelling unit is built to size in accordance with housing associations space standards

2.14 Space standards:

The proposal complies with Policy LC1 in that the proposed density is not significantly higher than that found in the established residential area. The pattern of development is in keeping with the overall character and environmental quality of the established residential area. The units meet the space standards requirements for a 2 bedroom apartments. The proposals are all greater than the required 50-60m² standard illustrated in annex A of PPS 7 (addendum).

3.0 The proposal is in accordance with prevailing local and regional planning policy and that the density of development is consistent with the established built context of the local area. The scale, form and finishes of the buildings have been designed to take account of the Conservation area and the established built context of the area. Adequate provision has been made for amenity space and car parking to serve the apartments. The proposed development will provide a sympathetic redevelopment of the site and will restore the facade of the building. The buildings are designed and arranged to minimise any adverse impact on the amenity of neighbouring properties. The proposed development will serve to enhance the streetscape of Wellington Park.

3.1 All statutory consultees are satisfied that the proposed development is in accordance with their guidelines and prevailing policy. Having regard to the policy context above, the proposal is considered acceptable, and planning permission is recommended.

Neighbour Notification Checked: Yes

Summary of Recommendation: Approval subject to conditions

Conditions

1. As required by Section 61 of the Planning Act (Northern Ireland) 2011, the development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

Reason: Time Limit.

2. The development hereby permitted shall not be occupied until the vehicular access has been constructed in accordance with Drawing No.02A bearing the date stamp Planning Service Received 10 December 2015.

Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.

3. The development hereby permitted shall not be occupied until hard surfaced areas have been constructed in accordance with Drawing No.02A bearing the date stamp Planning Office Received 10th December 2015, to provide adequate facilities for parking within the site. No part of these hard surfaced areas shall be used for any purpose at any time other than for the parking and movement of vehicles.

Reason: To ensure that adequate provision has been made for parking within the site.

4. The development hereby permitted shall not be occupied until cycle parking has been provided and permanently retained in accordance with approved drawing No. 02A bearing date stamp Planning Office Received 10th December 2015 and drawing No.4 bearing date stamp Planning Office Received 09th September 2015.

Reason: To ensure that adequate provision has been made for cycle parking and to encourage and promote alternatives modes of transport.

Notification to the Department:

Yes (Demolition in a Conservation Area

Representations from Elected Representatives:

None

ANNEX	
Date Valid	9th September 2015
Date First Advertised	23rd October 2015
Date Last Advertised	8th April 2016
<p>Details of Neighbour Notification (all addresses)</p> <p>The Owner/Occupier, 10 Wellington Park, Malone Lower, Belfast, Antrim, BT9 6DJ, Conor Doyle 105, Malone Avenue, Belfast, Antrim, Northern Ireland, BT9 6EQ The Owner/Occupier, 12 Wellesley Avenue, Malone Lower, Belfast, Antrim, BT9 6DG, The Owner/Occupier, 14 Wellesley Avenue, Malone Lower, Belfast, Antrim, BT9 6DG, The Owner/Occupier, 16A Wellesley Avenue, Malone Lower, Belfast, Antrim, BT9 6DG, The Owner/Occupier, 7 Wellington Park, Malone Lower, Belfast, Antrim, BT9 6DJ, James Bradley 7, Wellington Park Terrace, Belfast, Antrim, Northern Ireland, BT9 6DR The Owner/Occupier, 8 Wellington Park, Malone Lower, Belfast, Antrim, BT9 6DJ, The Owner/Occupier, 9 Wellington Park, Malone Lower, Belfast, Antrim, BT9 6DJ, The Owner/Occupier, Flat 1, 16 Wellesley Avenue, Malone Lower, Belfast, Antrim, BT9 6DG, The Owner/Occupier, Flat 1, 5 Wellington Park, Malone Lower, Belfast, Antrim, BT9 6DJ, The Owner/Occupier, Flat 1, 8 Wellington Park, Malone Lower, Belfast, Antrim, BT9 6DJ, The Owner/Occupier, Flat 2, 16 Wellesley Avenue, Malone Lower, Belfast, Antrim, BT9 6DG, The Owner/Occupier, Flat 2, 5 Wellington Park, Malone Lower, Belfast, Antrim, BT9 6DJ, The Owner/Occupier, Flat 2, 8 Wellington Park, Malone Lower, Belfast, Antrim, BT9 6DJ, The Owner/Occupier, Flat 3, 16 Wellesley Avenue, Malone Lower, Belfast, Antrim, BT9 6DG, The Owner/Occupier, Flat 3, 5 Wellington Park, Malone Lower, Belfast, Antrim, BT9 6DJ, The Owner/Occupier, Flat 3, 8 Wellington Park, Malone Lower, Belfast, Antrim, BT9 6DJ, The Owner/Occupier, Flat 4, 5 Wellington Park, Malone Lower, Belfast, Antrim, BT9 6DJ, The Owner/Occupier, Flat 5, 5 Wellington Park, Malone Lower, Belfast, Antrim, BT9 6DJ, The Owner/Occupier, Flat 6, 5 Wellington Park, Malone Lower, Belfast, Antrim, BT9 6DJ,</p>	

Date of Last Neighbour Notification	7th January 2016
Date of EIA Determination	
ES Requested	No
Planning History	
<p>Ref ID: Z/2013/0409/LDE Proposal: Use of 4no apartments as HMOs Address: 16a Wellesley Avenue, Belfast, BT9 6DG, Decision: PG Decision Date:</p>	
<p>Ref ID: Z/1980/1225 Proposal: CONVERSION OF GARDEN INTO CAR PARK Address: 7 WELLINGTON PARK, BT9 Decision: Decision Date:</p>	
<p>Ref ID: Z/2006/0714/F Proposal: Provision of a pavement crossing and levelling of existing raised paved area in front of building Address: 9 Wellington Park, Malone Lower, Belfast, BT09 6DJ Decision: Decision Date: 22.06.2006</p>	
<p>Ref ID: Z/1980/0008 Proposal: ALTERATIONS TO FRONT OF OFFICES Address: 9 WELLINGTON PARK Decision: Decision Date:</p>	
<p>Ref ID: Z/1974/0765 Proposal: CONVERSION TO BANK TRAINING SCHOOL Address: 16A WELLESLEY AVENUE, BT9 Decision: Decision Date:</p>	
<p>Ref ID: LA04/2015/1143/F Proposal: Proposed change of use application from commercial to residential to provide 6 No. 2 bed apartments including the demolition of existing 2 storey rear return to make way for new build 3 storey return with associative siteworks and retention of 2 No. in-curtilage car parking spaces Address: 7 Wellington Park, Belfast, BT9 6DJ, Decision: Decision Date:</p>	

Drawing Numbers and Title

01, 02B, 03, 04A, 05A, 06A, 07

Notification to Department (if relevant)

Date of Notification to Department:

Response of Department: