

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 16 May 2017	
Application ID: LA04/2015/0685/F	
Proposal: Alteration, extension (additional floor) and change of use to existing listed building to provide 30 No. student apartments	Location: Sinclair House 89-101 Royal Avenue Belfast BT1 1FE
Referral Route: Application for 30No Student Apartments	
Recommendation:	Approval – Subject to Conditions
Applicant Name and Address: Cathedral Living Group Ltd 70-74 Donegall Street Belfast BT1 2GW	Agent Name and Address: Robinson McIlwaine LLP 84-94 Great Patrick Street Belfast BT1 2LU
<p>Executive Summary:</p> <p>Full planning permission is sought for a change of use from office to student apartments on the upper floors (4 in total) with a proposed roof top extension to provide student accommodation with roof terrace. Alterations also include restoration to the façade, replacement of windows and refurbishment of entrances to the building. A total of 30 student apartments are proposed.</p> <p>Sinclair House is a Grade B+ Listed Building occupying a prominent site at the north end of Royal Avenue. An application for listed building consent has also been submitted alongside this full application (LA04/2015/0684/LBC).</p> <p>The site is located with Belfast City Centre and within the City Centre Conservation Area.</p> <p>The key issues in the assessment of this proposed development include:</p> <ul style="list-style-type: none"> - Principle of development at this site for student accommodation - Impact on listed building - Impact on conservation area character - Design, Character, Appearance of Area and Amenity <p>Consultees including Historic Environment Division and the Conservation Area Officer have no objection to the proposal subject to conditions.</p> <p>2 letters of objection have been received from the Ulster Architectural Heritage Society.</p> <p>It is considered that the proposed alterations, extension and refurbishment will enhance the appearance of the existing building which in turn will make a positive contribution to the character of the Conservation Area at this location and ensure the restoration of this Grade B+ listed building.</p> <p>A further 30 No student apartments at this location is not considered to significantly add to the overall provision in the city centre to cause an oversupply.</p>	

Having had regard to the development plan, relevant planning policies and other material considerations it is concluded that the proposal complies with the development plan, regional planning policy and other material considerations.

Recommendation

Approval with conditions and informatives as set out below.

Case Officer Report

Site Location Plan



Characteristics of the Site and Area

1.0 Description of Proposed Development

1.1 Full planning permission is sought for a change of use from office to student apartments on the upper floors (4 in total) with a proposed roof top extension to provide student accommodation with roof terrace. Alterations also include restoration to the façade, replacement of windows and refurbishment of entrances to the building. A total of 30 student apartments are proposed.

1.2 An application for listed building consent has also been submitted alongside this full application (LA04/2015/0684/LBC).

2.0 Description of Site

2.1 Sinclair House is a Grade B+ listed five storey building within the city centre occupying a corner plot at the junction of Royal Avenue and North Street. Sinclair House is one of the few buildings in Belfast that is finished in an Art Deco style. The building has a prominent façade finished in a cream colour with a vertical emphasis created by fluted columns

	<p>between the second and fourth floors. At roof level the building has a parapet wall in a zig zag styling, a modernistic clock forms a prominent feature on the parapet. As the building progresses into Royal Avenue there is a distinct change in styling the building taking on a horizontal emphasis achieved through window styling. This section of the building drops down to four storeys with pilasters and Greek style capitals and an ornate parapet wall.</p>
2.2	The ground floor of the building is currently occupied by a supermarket and a coffee shop/café.
2.3	The site is located within the City Centre Conservation Area, the Old City Character Area (CC 009) and the Primary Retail Core and Frontage (CC 005 & CC 006).
Planning Assessment of Policy and other Material Considerations	
3.0	Relevant Planning History
	LA04/2015/0684/LBC – Associated listed building consent application
4.0	Policy Framework
4.1	<p>BMAP 2015 City Centre Conservation Area Old City Character Area (CC 009) Primary Retail Core (CC 005) Primary Retail Frontage (CC 006) Policy TRAN 1 Parking Standards within Areas of Parking Restraint</p>
4.2	<p>Strategic Planning Policy Statement (SPPS) Planning Policy Statement 7 (PPS 7) Quality Residential Development Planning Policy Statement 6 (PPS 6) Archaeology & Built Heritage Planning Policy Statement 3 (PPS 3) Access, Movement & Parking HMO Subject Plan 2015 Purpose Built Managed Student Accommodation in Belfast – Supplementary Planning Guidance</p>
5.0	Statutory Consultee Responses
	<p>Transport NI (TNI) – No objection subject to conditions NI Water (NIW) – No objection</p>
6.0	Non Statutory Consultees Responses
	<p>Historic Environment Division (HED) – No objection subject to conditions BCC Environmental Health Services – Further Information Requested BCC Conservation Area Officer – No objection in principle BCC Building Control – Further Information Requested</p>
7.0	Representations
7.1	The application has been advertised in the local press and neighbours notified. 2No letters of objection have been received from the Ulster Architectural Heritage Society raising the following points: The proposal fails to complies with PPS 6 namely, BH 7 Change of use of a Listed Building; BH 8 Extension and Alteration of a Listed Building; and, BH 12 New Development in a Conservation Area.
8.0	Other Material Considerations
	Belfast City Centre Conservation Area Guide

9.0	Assessment
9.1	<p>The key issues in the assessment of this proposed development include:</p> <ul style="list-style-type: none"> - Principle of development at this site for student accommodation - Impact on listed building - Impact on conservation area character - Design, Character, Appearance of Area and Amenity
	<p><u>Principle of development at this site for student accommodation</u></p>
9.2	The site is located within the development limits of BMAP 2015, the presumption is therefore in favour of development subject to relevant planning and environmental considerations.
9.3	The proposal is for the creation of 30 student residential apartments, the composition of which comprises the conversion of first to fourth floors and the construction of an additional fifth floor. The first to third floors consists of 5no twin room units and 1no triple room unit with additional shared space for laundry facilities, cycle and bin storage. The fourth floor consists of 3no. twin units, 1no. triple unit, 1no. quad unit and 1no. studio flat. The new addition fifth floor consists of 2no. twin units, 1no. quad unit and 2no. studio flats.
	<p><u>Houses of Multiple Occupancy (HMO)</u></p>
9.4	The site falls outside of any of the city centre HMO nodes as designated within the HMO subject plan as such policies relating to designated HMO policy areas and nodes do not apply.
9.5	Policy HMO 5 relates to HMO development outside designated policy areas and nodes. However, this policy is not applicable to this proposal, being designed to restrict HMO development in existing residential areas by protecting these areas and promoting balanced communities.
9.6	Policy HMO 6 is also excluded as the proposal involves the change of use of houses and flats to HMO use.
9.7	Policy HMO 7 sets out 5 criteria which must be met in order for a proposal to be acceptable. This proposal is for student apartments but is not sufficiently large, i.e. over 50 units, to be considered nor is it purpose built, being a change of use of an existing commercial building. However, consideration must be given to the thrust of HMO policy in assessing this proposal in conjunction with other policy considerations.
9.8	A number of criteria are detailed under Policy HMO 7. Given that the proposal involves a change use of a listed building which is a unique situation it is accepted that the proposal cannot physically meet all of the criteria listed under this policy for example ensuring adequate landscape provision and amenity space. In considering this application regard must be given to the benefits of ensuring that a listed building within the conservation will be restored and future proofed, which is a material consideration in the overall assessment of this application.
9.9	Policy HS1 of PPS 12 living over the shop states that the principle of residential use above a retail unit is acceptable and will be granted subject to the acceptability of the design, scale, materials employed and a suitable living accommodation created with adequate refuse storage provision. The policy also allows for a flexible approach to be taken regarding parking provision, given the city centre location and its accessibility to public transport infrastructure parking is not considered to be an issue.
	<p><u>The Change of Use of and Extension and Alteration of the Listed Building</u></p>
9.10	Historic Environment Division (HED) is the statutory authority for Listed Buildings in Northern Ireland and have been consulted throughout the processing of this application. An

	<p>application for listed building consent has also been submitted alongside this full application (LA04/2015/0684/LBC). HED have offered no objections to this application subject to conditions stating that the application complies with BH7, BH8 and BH11 of PPS6. The change of use of the listed building is considered to preserve and enhance the building for future use and the roof top extension and alterations proposed are to retain the character of and remain in keeping with the listed building.</p>
	<p><u>Impact on the Character and Appearance of the City Centre Conservation Area</u></p>
9.11	<p>As the application site lies within the Conservation Area the Conservation Area Officer (CAO) was consulted. The CAO raised no objection in principle to the proposal and regards the alterations and extensions as an enhancement to the conservation area at this location.</p>
9.12	<p>The proposal consists of the conversion of the upper floors of a commercial building to provide student accommodation. This is largely informed by the existing window openings which will remain unaltered. At roof level an additional floor and roof terrace is proposed. This will involve removing the existing structures at roof level and create a new roof profile comprising pre-patinated copper shingles. The existing stair, landings and lift will provide the access to the new student apartments and will be restored to their original condition.</p>
9.13	<p>It is considered that the proposal will enhance the conservation area and ensure the restoration of this Grade B+ listed building. The surrounding commercial area contains a mixture of land uses and building styles. The most significant change to the host building will be the construction of the new roof profile. The Art Deco clock will remain the dominant skyline feature of the building when viewed from North Street.</p>
9.14	<p>The proposal has raised concerns from the Ulster Architectural Heritage Society. They consider it to be inappropriate and will impact on the Conservation Area. However, as detailed above Historical Environment Division and BCC Conservation Area Officer consider it to be an acceptable design.</p>
9.15	<p>Having had regard to PPS6 the proposed changes to Sinclair House will improve and enhance the character and appearance of the area at this location.</p>
9.16	<p><u>Design, Character, Appearance of Area and Amenity</u></p> <p>Policy QD 1 of PPS 7 states that planning permission will be granted for new residential development where it is demonstrated that it will create a quality and sustainable residential environment. It also states that permission will not be granted for development within established residential areas where it would result in unacceptable damage to the local character, environmental quality or residential amenity of these areas.</p>
9.17	<p>The site is designated in BMAP as being within the city centre conservation area, the retail core and retail frontage and the old city character area. The proposal, for change of use and the additional floor level will not contravene any of the design criteria for this area.</p>
9.18	<p>The proposal is not considered to have an adverse impact on the character of the host building and the surrounding area, it is considered to be an acceptable form of development and is considered to comply with relevant policies of PPS 7 and designations within BMAP.</p>
9.19	<p>The proposal given city centre location will not impact on surrounding residential amenity. Each of the units are considered to provide sufficient residential space for the occupiers and will have an adequate outlook from each unit onto the surrounding public realm.</p>
9.20	<p>The accommodation provided generally exceeds the standards set out by the NIHE for</p>

9.21	<p>HMOs. The bedrooms of each unit is shown to range from the smallest 9sqm to 20sqm, the standard stated by NIHE is 6.5sqm.</p>
9.22	<p>No outdoor communal garden space has been provided that would meet public guidance however, given the city centre location and the proposal involves alterations and extension to and change of use a listed building this is a unique situation.</p>
	<p>Environmental Health Services accessed the proposal on terms of noise pollution and has verbally confirmed no objection in principle. However, final comments have not been received at the time of finalising this report. It is therefore proposed to put the final conditions forward as a late item or to delegate the final wording of the conditions to the Director of Planning and Place post committee.</p>
	<p><u>Belfast City Council's Purpose Built Managed Student Accommodation Supplementary Guide</u></p>
9.23	<p><i>Acceptable location</i> The proposal is considered to be acceptable, it is within a short distance to the new Ulster University city centre campus and transport links to QUB. The site is within the commercial district of the city centre and will not impinge on city centre housing.</p>
9.24	<p><i>Design, open space & parking</i> The design of the proposal is considered to be acceptable the new roof structure, the main physical change to the building, has been considered to be acceptable in terms of styling and materials. The proposed works will also include cleaning and repair of the exterior of the building which will make a contribution to the surrounding environment and the protection of the listed building for future generations.</p>
9.25	
9.26	<p>The provision of open space does not form part of this application but given the city centre location significant amounts of public open space are in close proximity to the site.</p>
9.27	<p>Similarly the proposal does not include parking provision but the location is serviced by a high provision of public transport; TNI was consulted on a submitted travel assessment plan for the proposal and was content to approve subject to conditions.</p>
9.28	<p>As previously stated the space standards are above those recommended by NIHE for HMO accommodation.</p>
9.29	<p>BCC Building Control it was considered that the proposed management of waste and recycling was considered to be acceptable in principle. However, final comments have not been received at the time of finalising this report.</p>
9.30	<p><i>Impact and Scale</i> The site is not within a designated existing city centre housing area, it is within the retail core and retail frontage however given the development is at the upper floors it will not impact on the retail designations. The site is also within the city centre conservation area and the host building is listed therefore the presumption is in favour of retaining the building. The building is to be retained and the new use will contribute to its upkeep. This area of Belfast has suffered by a lack of upper floor uses in recent years which is evident by significant amounts of vegetation grow from stringcourses, parapets and guttering the proposed use should contribute to the maintenance of the upper floors.</p>
	<p>The use of the site for student accommodation will not significantly impact on the surrounding area and land uses given the limited numbers of occupiers, its city centre location being is free of family homes and the agreed management plan for the proposal.</p>

<p>9.31</p> <p>9.32</p>	<p><i>Appropriate Management Plan</i> A Management Plan has been submitted with the proposal and is considered to contain sufficient details regarding the management and control of the building operations and those using the accommodation. A planning condition is recommended to ensure implementation of the management plan.</p> <p><i>Need</i> Belfast: A Learning City - A framework for student housing and purpose built student accommodation revealed that in the year 2012/13 there were 43,638 students and 4000 managed beds. Figures contained within the Council's Planning Service revealed that a further 5595 beds have been approved. It is considered that a further 30 beds will not result in an oversupply within the city.</p>
<p>10.0</p>	<p>Summary of Recommendation: Approval</p>
<p>10.1</p>	<p>Having regard to the policy context and other material considerations above, the proposal is considered to be acceptable and planning permission is recommended for approval subject to conditions.</p>
<p>11.0</p>	<p>Conditions</p>
	<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> <p>The double glazed units must be slim 12mm overall thickness. The spacer of the double glazed units must be black and not silver.</p> <p>Reason: In order to safeguard the special architectural and historical interest of the listed building.</p> <p>The new roof lantern over the stairs must be formed in powder coated aluminium.</p> <p>Reason: In order to safeguard the special architectural and historical interest of the listed building.</p> <p>No work shall commence on the cladding of the new roof structure until a sample of the pre-painted copper cladding to be used has been submitted to and agreed in writing with the Council in conjunction with HED.</p> <p>Reason: To ensure that the materials used are appropriate quality in the interest of maintaining the character and appearance of the listed building and the setting of the listed building within the conservation area.</p> <p>Prior to occupation of the proposed development, the submitted Management Plan shall be operated in perpetuity.</p> <p>Reason: To ensure effective and ongoing management of the student apartments.</p> <p>The development hereby permitted shall not be occupied until the associated cycle storage</p>

areas have been constructed in accordance with the approved layout Drawings No. 27 '1423-PL25, 'Proposed 1st Floor Plan Rev. A', No. 28 '1423-PL26, 'Proposed 2nd Floor Plan Rev. A' and No. 29 '1423-PL27, 'Proposed 1st Floor Plan Rev. A' and bearing Belfast City Council Planning Office date stamp 09 august 2016 to provide adequate facilities for cycle parking. No part of these storage areas shall be used for any purpose at any time than for the parking of cycles.

Reason: To ensure that adequate provision has been made for sustainable parking.

Waste collection for the development hereby permitted shall operate in accordance with Appendix 4 Item 4.3 of the approved Management Plan bearing Belfast City Council Planning Office date stamp 09 December 2015.

Reason: In the interests of road safety and the convenience of road users.

Signature (s)

Date:

ANNEX

Date Valid	30th June 2015
Date First Advertised	7th August 2015
Date Last Advertised	24th December 2015
Details of Neighbour Notification (all addresses) Ulster Architectural Heritage Society 66, Donegall Pass, Belfast, Antrim, Northern Ireland, BT7 1BU The Owner/Occupier, 68-70,Royal Avenue,Town Parks,Belfast,Antrim,BT1 1DJ, The Owner/Occupier, 71 North Street,Town Parks,Belfast,Antrim,BT1 1NB, The Owner/Occupier, 71 North Street,Town Parks,Belfast,Antrim,BT1 1NB, The Owner/Occupier, 72-74,Royal Avenue,Town Parks,Belfast,Antrim,BT1 1DJ, The Owner/Occupier, 75 North Street,Town Parks,Belfast,Antrim,BT1 1NB, The Owner/Occupier, 76 Royal Avenue,Town Parks,Belfast,Antrim,BT1 1DJ, The Owner/Occupier, 78 Royal Avenue,Town Parks,Belfast,Antrim,BT1 1DJ, The Owner/Occupier, 80 Royal Avenue,Town Parks,Belfast,Antrim,BT1 1DJ, The Owner/Occupier, 80-90,North Street,Town Parks,Belfast,Antrim,BT1 1LD, The Owner/Occupier, 85-87,Royal Avenue,Town Parks,Belfast,Antrim,BT1 1FE, The Owner/Occupier, 85-87,Royal Avenue,Town Parks,Belfast,Antrim,BT1 1FE, The Owner/Occupier, 91 Royal Avenue,Town Parks,Belfast,Antrim,BT1 1FE, The Owner/Occupier, 95-101,Royal Avenue,Town Parks,Belfast,Antrim,BT1 1FE, The Owner/Occupier, St. Annes Court,59 North Street,Town Parks,Belfast,Antrim,BT1 1NB, The Owner/Occupier, St. Annes Court,59 North Street,Town Parks,Belfast,Antrim,BT1 1NB, The Owner/Occupier, The Haymarket,84 Royal Avenue,Town Parks,Belfast,Antrim,BT1 1DJ,	
Date of Last Neighbour Notification	19th August 2015
Date of EIA Determination	N/A

ES Requested	No
Drawing Numbers	
Notification to Department (if relevant) Date of Notification to Department: N/A Response of Department: N/A	