

# Development Management Committee Report

<b>Summary</b>	
<b>Application ID:</b> LA04/2018/2639/F and LA04/2018/2642/LBC	<b>Committee Meeting Date:</b> 2 <sup>nd</sup> July 2019
<b>Proposal:</b> Change to previously approved units 2-4 and 6-10 from 6 No. 1 bed apartments, 1No. 2 bedroom apartment and 1No. 2 bed townhouse (8No. total) to 2No. 1 bed apartments, 4no. 2 bed apartments and 1No. 2 bed townhouse (7No. total).	<b>Location:</b> Building 9 (Pavilion 4) Former Belvoir Park Hospital Hospital Road Belfast.
<b>Referral Route:</b> Objection from a Statutory Consultee	
<b>Recommendation:</b>	<b>Approval</b>
<b>Applicant Name and Address:</b> Belvoir Park LLP 14 Holywell Road London EC2A4JB	<b>Agent Name and Address:</b> Clyde Shanks Ltd 5 Oxford Street Belfast BT1 3LA
<p><b>Executive Summary:</b> The building the subject of these applications, is one of six redbrick former hospital pavilions. The pavilions benefit from two extant planning approvals, one for subdivision into townhouses and another for subdivision into townhouses and apartments. The current applications seek to enact some of the previous townhouse approval at either end of the pavilion, and create a revised apartment layout in the central block of Building 9 (Pavilion 4).</p> <p>The key issues in this case are:</p> <ul style="list-style-type: none"> <li>• The planning history on the site</li> <li>• The principle of conversion to residential use</li> <li>• Impact on listed buildings and the setting of listed building;</li> <li>• Impact on amenity;</li> <li>• Provision of public and private amenity space;</li> <li>• Traffic, movement and parking;</li> <li>• Human health</li> <li>• Other considerations</li> </ul> <p>No representations were received.</p> <p>Consultations were undertaken with DfI Roads Service, Historic Environment Division, NI Water and Environmental Health.</p> <p>NI Water and Environmental Health had no objections subject to conditions and informatives.</p> <p>DfI Roads have been consulted with the final layout and are expected to return conditions and informatives shortly.</p> <p>Historic Environment Division (HED) have responded to state that they view the proposal as contrary to PPS6 in its current form. Whilst they acknowledge the previous approval for townhouses which results in the historic entrance being used for one unit only, HED's view is that the proposal should be laid out so the main entrance is used communally by all the apartments</p>	

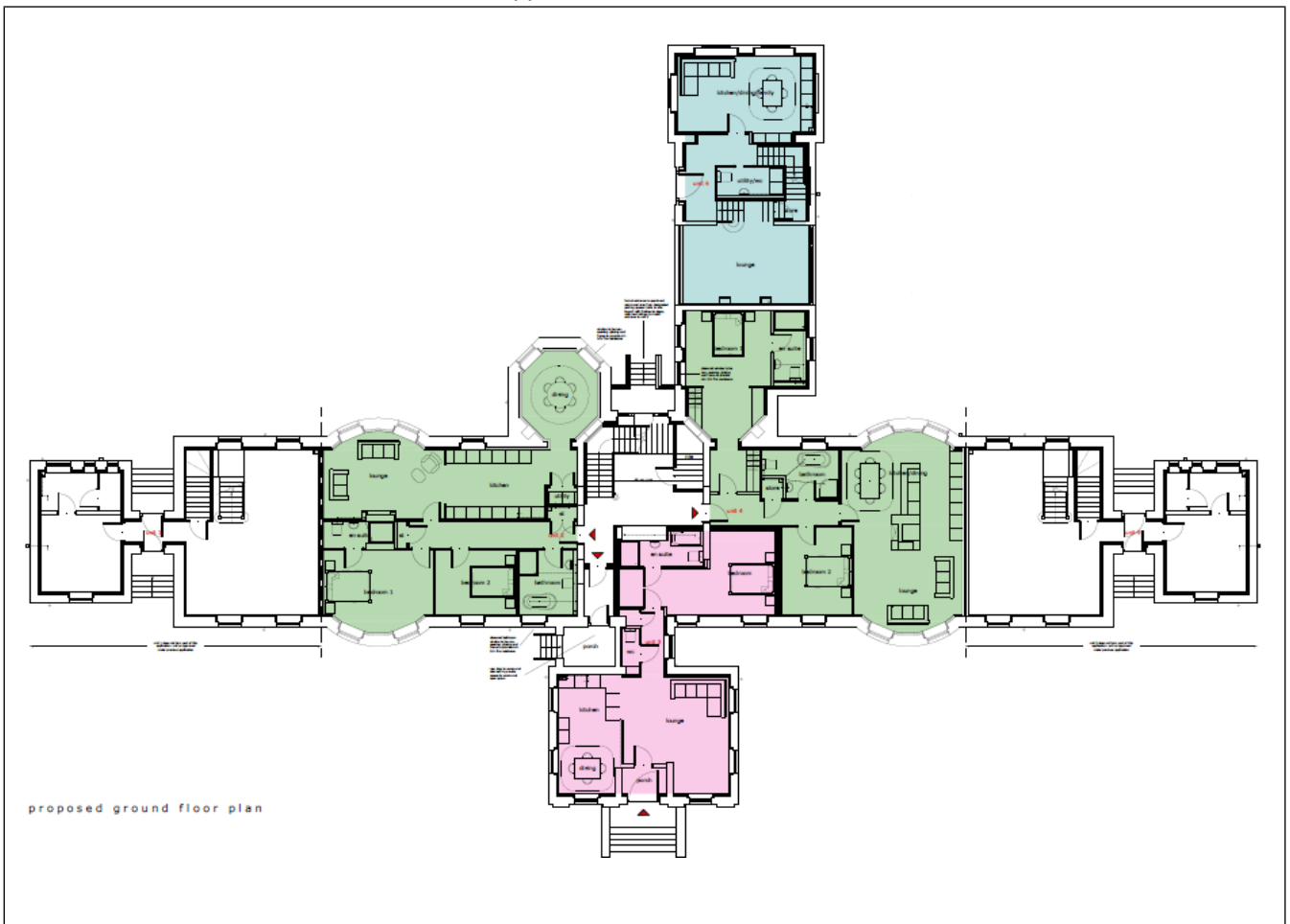
rather than being converted to a single apartment (as previously the case under planning permission Y/2009/0461/F).

Having had regard to the development plan, relevant planning policies and other material considerations, including the planning history, it is considered that given the extant approval for the main entrance to serve a single dwelling unit, the current proposal is considered acceptable. It is recommended that delegated authority is given to the Director of Planning and Building Control to grant planning permission and listed building consent with conditions subject to notification to the Department for Infrastructure (DfI).

## Case Officer Report

### Site Location Plan/Site Layout





**Characteristics of the Site and Area**

**1.0 Description of Proposed Development**

- 1.1 The building the subject of the current applications benefits from two previous planning approvals for the pavilion buildings on this former hospital site. One for their subdivision into townhouses and apartments (Y/2009/0461/F) and another for subdivision into townhouses (Y/2014/0401/F). The current applications seek to partly implement the previous townhouse approval at either end of the pavilion, and create apartments in the central area of the block.
- 1.2 The apartments will be accessed at two locations, a side entrance off the front elevation and a rear entrance. The traditional 'main' entrance to the pavilion building will serve a single, one-bedroom apartment.

**2.0 Description of Site and Area**

- 2.1 The site is located off Hospital Road in south-east Belfast within the former Belvoir Park Hospital site. The Historic Buildings Database describes the site as *“an extensive complex of Edwardian buildings in red brick and sandstone dressings of generally plain character but with some detailing in English Renaissance style”*.
- 2.2 The two-storey building in question comprises one of the six pavilions on site *“of symmetrical frontage, comprising a central gabled three-bay entrance block projecting in front of a long*

	<i>rectangular block which extends to each side in the form of two six-bay wings, each one joined by short single-bay links to single-bay hipped end block”.</i>
<b>Planning Assessment of Policy and other Material Considerations</b>	
<b>3.0</b>	<b>Site History</b>
3.1	Outline permission for 310 dwellings was approved in 2009 for the wider site and there have been a number of subsequent planning applications for individual phases. Phases 1 and 2 have been built including the conversion of two of the six pavilions into townhouses. Phase 3 is nearing completion on site and there is a live application for Phase 4 proposing redevelopment of the administration block, gate lodges, West House and new build apartments for the laundry portion of the site including the mortuary.
3.2	The building in question benefits from two previous wider planning approvals for the site, one for subdivision into townhouses and apartments (Y/2009/0461/F) and another for division into townhouses only (Y/2014/0401/F). Both applications are extant and therefore carry significant weight in the planning assessment.
3.3	See Annex below for full details of history.
<b>4.0</b>	<b>Policy Framework</b>
4.1	Belfast Urban Area Plan 2001 (BUAP) Belfast Metropolitan Area Plan 2015 (Draft BMAP 2015) – version purported to be adopted Draft Belfast Metropolitan Plan 2004
4.2	Regional Development Strategy Strategic Planning Policy Statement for Northern Ireland Planning Policy Statement 3 - Access, Movement and Parking Planning Policy Statement 6 - Planning, Archaeology and the Built Heritage Planning Policy Statement 7- Quality Residential Environments Planning Policy Statement 13 - Transportation and Land Use
<b>5.0</b>	<b>Other material considerations</b>
	Living Places (DoE) Planning and Place Advice Note: Purpose Built Managed Student Accommodation (BCC) Creating Places (DoE) DCAN 8: Housing in Existing Urban Areas
<b>6.0</b>	<b>Statutory Consultees</b>
	<b>DFI Roads</b> – all issues resolved except for cycle parking, it is anticipated that conditions and informatives will be provided shortly <b>NIW</b> – Advice provided <b>Historic Environment Division</b> – Objection
<b>7.0</b>	<b>Non-Statutory Consultees</b>
	<b>Environmental Health BCC</b> – conditions and informatives provided
<b>8.0</b>	<b>Representations</b>
	None received.

<b>9.0</b>	<b><u>ASSESSMENT</u></b>
<b>9.1</b> 9.1.1  9.1.2  9.1.3  9.1.4  9.1.5	<b><u>Development Plan</u></b> Section 6 (4) of the Planning (Northern Ireland) 2011 Act states that in making any determination under the said Act, regard is to be had to the local development plan, and that the determination must be made in accordance with the plan unless material consideration indicate otherwise.  Following the recent Court of Appeal decision on Belfast Metropolitan Area Plan, the extant development plan is now the Belfast Urban Area Plan 2001. However, given the stage at which draft BMAP 2015 had reached pre-adoption through a period of independent examination, the policies within it 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. The weight to be attached to policies in emerging plans will depend upon the stage of plan preparation or review, increasing as successive stages are reached.  Given the advanced stage that draft BMAP 2015 reached (i.e. pre-adoption following a period of independent examination), and that the main areas of contention were policies relating to Sprucefield Shopping Centre, BMAP 2015 (as purported to be adopted) is considered to hold significant weight.  The proposed development lies within the following designations: <ul style="list-style-type: none"> <li>- Belfast Metropolitan Development Limit (MCH01)</li> <li>- Committed Housing Site (development ongoing/not started) (MCH 03/04)</li> </ul> The site contains or abuts the following designations: <ul style="list-style-type: none"> <li>- Listed building curtilage</li> <li>- Archaeological site and monument</li> <li>- Area of Outstanding Natural Beauty</li> </ul>
<b>9.2</b>  9.2.1  9.2.2  9.2.3	<b><u>The principle of conversion of the former hospital building</u></b>  The building in question benefits from two previous wider planning approvals for the site, one for division into 6 no townhouses (Y/2014/0401/F) and another for division into townhouses and apartments (Y/2009/0461/F). Both are extant as the earlier permission was commenced and the later permission does not expire until December 2020.  The wider site has been established as residential following the closing of the hospital and subsequent planning approvals. There are six Edwardian pavilions on the site, five of which are Grade B listed. The sixth unlisted pavilion and the first of the listed pavilions have been converted to townhouses under the 2009 permission. The buildings were transected vertically with additional doorways on the front elevation.  The site is zoned as committed housing in the draft BMAP and the use is therefore fully compliant with this zoning.
<b>9.3</b> 9.3.1	<b><u>The impact of the proposal on the listed building</u></b> Policy BH7 of Planning Policy Statement 6 (PPS6) relates to change of use of a listed building. It states that proposals should incorporate details of all intended alterations to the building and its curtilage to demonstrate their effect on its appearance, character and setting. As the conversion to residential use has been established, the main policy consideration for this application falls under Policy BH8 of PPS 6.

9.3.2	<p>Policy BH8 of PPS 6 pertains to extensions or alterations to a listed building. The previous approvals established the subdivision for both apartments and houses. The subdivision to apartments retained the original main entrance as a communal entrance to the 6 apartments within the central portion of the pavilion building. The subdivision as townhouses (as implemented in Pavilions 1 and 2) uses the main entrance as the entrance to a single townhouse with additional front doors inserted in the front elevation to provide access to individual townhouses.</p>
9.3.3	<p>Historic Environment Division (HED) were consulted and responded to request that the applicant redesign the proposal to allow the main entrance to remain as a communal entrance (as per the previous apartment scheme). Their view is that although they had no objection to the entrance being used for a single unit in the previous townhouse scheme that was because the use as townhouses rendered it impossible to do otherwise. For apartments however, they state that the layout as proposed would have <i>“a detrimental and adverse impact on the historic plan form and essential character of the listed building”</i>. HED goes on to state that <i>“the main entrance and entrance hall, are the only remaining internal areas that reflect the essential character of the listed building and demonstrate the historical understanding through the built form”</i>.</p>
9.3.4	<p>Para 6.13 of the Strategic Planning Policy Statement (SPPS) states that development involving a change of use/works/extension/alteration to a listed building must respect the essential character and architectural or historic interest of the building. Features of special interest should remain intact and unimpaired and proposals should be based on a clear understanding of the importance of the building. HED’s position is that the proposal in its current form is contrary to Para 6.13.</p>
9.3.5	<p>HED is a statutory consultee with a specific remit in relation listed buildings, whereas the Council as the local planning authority must assess the application having regard to all material considerations, including the planning history and weigh up all the necessary considerations. As there is an extant approval which permits the main entrance to be used by a single unit within a development of several units, and the proposal results in less interventions on the front elevation in terms of additional front doors and gardens, the Council view is that the proposal would, on balance, be acceptable in planning terms.</p>
9.3.6	<p>Notwithstanding the consultation response provided by HED, conditions similar to those in the previous approvals have been suggested to HED to ensure appropriate control over materials. Delegated authority is requested to resolve the final wording of these conditions.</p>
<b>9.4</b>	<p><b><u>Amenity of future occupants and nearby properties</u></b></p>
9.4.1	<p><b>PPS 7- Quality Residential Environments</b>  Policy QD1 states that planning permission will be granted for new residential development only where it is demonstrated that it will create a quality and sustainable residential environment.</p>
9.4.2	<p>It is considered that:</p> <ul style="list-style-type: none"> <li>(a) The development respects the surrounding context in terms of layout, scale, massing and design</li> <li>(b) Historic Monuments Division advised that the proposal is unlikely to impact the adjacent scheduled monument. The impact on the listed building is considered under Section 9.3.</li> <li>(c) Adequate provision of public open space has been provided along with appropriate parking</li> <li>(d) N/A</li> </ul>

	<p>(e) &amp; (f) The development relies appropriately on sustainable methods of transport such as cycling, walking and public transport whilst providing adequate parking</p> <p>(g) The development draws on best local traditions of materials and detailing</p> <p>(h) The design and layout will not create conflict with adjacent land uses and there will be no unacceptable overlooking, loss of light, overshadowing, noise or disturbance</p> <p>(i) N/A</p> <p>The development has therefore been assessed against QD1 and found to be acceptable.</p>
<p><b>9.5</b></p>	<p><b><u>Traffic, Movement and Parking</u></b></p>
<p>9.5.1</p>	<p>Dfl Roads requested a Parking Statement which was submitted alongside amended plans to address queries regarding cycle parking.</p>
<p>9.5.2</p>	<p>A final response has not yet been received from Dfl Roads however it is anticipated that conditions and informatives will be provided and delegated authority is sought for the Director of Planning and Building Control to resolve the final wording of conditions.</p>
<p><b>9.6</b></p>	<p><b><u>Contaminated Land</u></b></p>
<p>9.6.1</p>	<p>The applicant submitted an RSK Preliminary Risk Assessment and Remedial Strategy Report were submitted in support of the application. Environmental Health were consulted and has no objections subject to conditions.</p>
<p><b>9.7</b></p>	<p><b><u>Noise/Air Quality</u></b></p>
<p>9.7.1</p>	<p>Neither noise nor air quality assessments were required due to the minor nature of the proposal coupled with the established planning history.</p>
<p><b>9.8</b></p>	<p><b><u>Statutory Consultation</u></b></p>
<p>9.8.1</p>	<p>The revised scheme was first advertised on 30<sup>th</sup> November 2018 and neighbours/objectors notified on 13<sup>th</sup> December 2018.</p>
<p><b>10.0</b></p>	<p><b>Summary of Recommendation:</b></p>
<p>10.1</p>	<p>Having regard to the policy context and other material considerations above, the proposal is considered acceptable and approval and consent is recommended subject to conditions. Delegated authority it sought to resolve the final wording of conditions. Should members resolve to grant planning permission then the application will need to be referred to the Department for Infrastructure given the objection from Historic Environment Division.</p>



<p><b>11.0</b></p> <p>11.1</p> <p>11.2</p> <p>11.3</p> <p>11.4</p>	<p><b>Conditions</b></p> <p><b>Conditions - LA04/2018/2639/F</b></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 development hereby permitted shall not be occupied unless a verification report has been submitted to and approved by the Council. The report shall demonstrate that the development has incorporated the design details and measures outlined in the RPS Remedial Strategy Report. Belvoir Park Hospital Rev. 0 (Final). IBR0628/PRA/October 2014. They shall be implemented to the satisfaction of the Council.</p> <p>The Verification Report shall demonstrate the successful completion of the remediation works and that the site is now fit for the proposed end-use (Residential with Plant Uptake). It must demonstrate that the identified potential pollutant linkages are effectively broken.</p> <p>The Verification Report shall be in accordance with current best practice and guidance as outlined by the Environment Agency. In particular, this Verification Report must demonstrate that:</p> <ul style="list-style-type: none"> <li>a) Soils in the vicinity of TPH contamination Hotspots have been removed and verification soil sampling undertaken in line with industry best practice.</li> <li>b) Garden/Landscaped areas are encapsulated by a clean cover system incorporating a 200 mm capillary break (granular material) overlain by 500 mm of soil demonstrably suitable for the intended end use. (Residential with plant uptake)</li> <li>c) All remaining areas are covered with hard standing.</li> </ul> <p>Reason: Protection of human health.</p> <p>If during the development works, new contamination and risks are encountered which have not previously been identified, works shall cease and the Council 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 current best practice. A written report detailing the nature of this contamination and its management must be submitted to the Council for approval. In the event of unacceptable risks being identified, a remediation strategy shall be agreed with the Council in writing, and subsequently implemented and verified to its satisfaction.</p> <p>Reason: Protection of human health.</p> <p><b>Conditions - LA04/2018/2642/LBC</b></p> <p>The works hereby permitted shall be begun not later than the expiration of 5 years beginning with the date on which this consent is granted.</p> <p>Reason: As required by Section 94 of the Planning Act (Northern Ireland) 2011</p>
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<b>12.0</b>	<b>Representations from Elected Representatives</b> (if relevant) N/A
<b>13.0</b>	<b>Referral to Dfl</b> (if relevant) Referral to Dfl will be necessary due to the objection from HED.

<b>ANNEX</b>	
<b>Date Valid</b>	12th November 2018
<b>Date First Advertised</b>	30th November 2018
<b>Date Last Advertised</b>	
<p>The Owner/Occupier, 1 Ishbel Mews, Belfast, BT8 8FZ The Owner/Occupier, 2 Haddo Crescent, Belfast, Down, BT8 8FX The Owner/Occupier, 4 Haddo Crescent, Belfast, Down, BT8 8FX</p>	
<b>Date of Last Neighbour Notification</b>	13th December 2018
<b>Date of EIA Determination</b>	N/A
<b>ES Requested</b>	No
<p><b>Planning History</b></p> <p>Ref ID: LA04/2018/2178/F Proposal: Change of house type to plots 1 and 2, Phase 3b as approved under planning approval LA04/2016/2650/f Address: Phase 3b Belvoir Park Hospital Road, Belfast, Decision: PG Decision Date: 30.10.2018</p> <p>Ref ID: LA04/2016/1543/RM Proposal: Phase 3 reserved matters application site clearance and decontamination including demolition of unlisted former nurses homes and ancillary buildings (numbers 23 to 27 and 30) and enabling engineering works, erection of 8 semi-detached and 24 detached (32 total) dwellings, extension of service road from phase 1, landscaping and any other associated works. Address: Belvoir Park Hospital, Hospital Road, Belfast, BT8 8JP, Decision: PG Decision Date: 27.01.2017</p> <p>Ref ID: LA04/2015/0539/F Proposal: Application to vary condition 6 of Y/2009/0462/O to state: None of the residential units in any phase hereby approved shall be occupied until the works to restore the listed and retained building(s) within that phase have been completed in accordance with the plans approved under Y/2009/0461/F or Y/2014/0401/F relevant to the phase in question and written confirmation has been obtained from the Council (Amended Description) Address: Belvoir Park, Hospital Road, Belfast, Decision: PG Decision Date: 20.06.2017</p>	

Ref ID: LA04/2016/2650/F

Proposal: Erection of 5no dwellings and associated car parking (amended scheme)

Address: Belvoir Park Hospital, Hospital Road, Belfast,

Decision: PG

Decision Date: 12.12.2017

Ref ID: Y/2014/0186/F

Proposal: Application under Article 28 - variation of conditions 5, 6 and 7 of outline planning permission Y/2009/0462/O to permit a revised programme of works facilitating asbestos removal, demolition of non-retained structures and repair and restoration of retained buildings.

Address: Belvoir Park Hospital, Hospital Road, Belfast, BT8 8JP.,

Decision: WITHDR

Decision Date: 10.07.2014

Ref ID: Y/2009/0461/F

Proposal: Change of use plus alteration and extension of existing hospital buildings (existing Class C3 use) and other works to facilitate provision of 110 dwellings including removal of all non-original structures, additions and other accretions to existing listed and non-listed structures which will include the western extension to the former Administration Building and partial removal of external covered walkway.

Address: Belvoir Park Hospital, Hospital Road, Belfast, BT8 8JP

Decision:

Decision Date: 24.11.2011

Ref ID: Y/2009/0464/LB

Proposal: Alterations and extensions to existing buildings and other works within the curtilage of listed structures to facilitate conversion of same to provide 110 dwellings. Proposals include removal of all non-original structures, additions and other accretions to listed and non-listed structures which will include the western extension to the former Administration building and partial removal of external covered walkway.

Address: Belvoir Park Hospital , Hospital Road, Belfast BT8 8JP

Decision:

Decision Date: 25.11.2011

Ref ID: Y/2009/0462/O

Proposal: Site for residential development of 310 dwellings consisting of new build and conversion of existing buildings. To include retention of all listed structures and removal of all non-listed structures, site clearance and associated works. Retention of existing vehicular access point off Hospital Road, plus provision of new vehicular access off Hospital Road.

Address: Belvoir Park Hospital, Hospital Road, Belfast, BT08 8JP.

Decision: 12.10.2011

Decision Date: 23.11.2011

Ref ID: Y/2014/0401/F

Proposal: Phase 2 development involving: Restoration of listed and unlisted pavilions through change of use and conversion from hospital wards to dwellings, including internal sub-division of buildings, removal of non-original features, amendment to external envelope to allow new doorways, minor extension, new external steps, railings and walls; removal of glazing to and partial retention of existing covered walkway, amendment to existing car parking areas and existing internal driveways; erection of 9 no. new build dwellings comprising 2 detached, 2 pairs

of semi-detached and 3 town houses; amendment to access onto Hospital Road approved under Y/2009/0462/O and landscaping to external areas.

Address: Belvoir Park Hospital, Hospital Road, Belfast, BT8 8JP,

Decision: PG

Decision Date: 10.12.2015

Ref ID: Y/2014/0390/LBC

Proposal: Phase 2 works to listed pavilion buildings and covered walkway involving:1.

Restoration of listed pavilions through conversion from hospital wards to dwellings, including internal sub-division of buildings, removal of non-original features, amendment to external envelope to allow new doorways, minor extension, new external steps, railings and walls; and 2. removal of repair and partial reinstatement (without glazing) of existing covered walkway

Address: Belvoir Park Hospital, Hospital Road, Belfast, BT8 8JP,

Decision: CG

Decision Date: 07.01.2016

Ref ID: Y/2014/0223/RM

Proposal: Phase 1 Reserve matters application-decontamination and demolition of buildings 20-27,30 and 12 (excluding observation pavilion), erection of 15 detached and 12 semi-detached (27 total) dwellings, construction of service road from hospital road access (approved under Y/2009/0462/O) and landscaping associated with the development (Amended Plans)

Address: Belvoir Park Hospital, Hospital Road, Belfast, BT8 8JP,

Decision: PG

Decision Date: 06.02.2015