

Development Management Officer Report Committee Application

Summary	
Application ID: LA04/2020/1783/F	Committee Meeting Date: 20 th April 2021
Proposal: Change of use and refurbishment of the ground floor and part of the first floor of a three storey building in the Conway Mill Complex to provide a new training gym with elevational changes.	Location: St John Bosco ABC Conway Mill 5-7 Conway Street Belfast
Referral Route: Application partly funded by Belfast City Council	
Recommendation: Approval Subject to Conditions	
Applicant Name and Address: Irish Amateur Boxing Association House of Sport 2a Upper Malone Road Belfast	Agent Name and Address: McLean & Forte Partnership 96 York Road Belfast BT15 3HF
<p>Executive Summary: The application seeks full planning permission for a change of use and refurbishment of the ground floor and part of the first floor of a three storey building in the Conway Mill Complex to provide a new training gym with elevation changes.</p> <p>The key issues to be considered are:</p> <ul style="list-style-type: none"> - Principle of Development & Acceptability of Proposed Use - Impact on listed building - Road Issues - Impact on the Surrounding Character - Contamination and Noise <p>It is considered that the proposed change of use and alterations will not adversely impact the character and appearance of the surrounding area and will not impact on surrounding neighbouring properties.</p> <p>No objections have been received.</p> <p>Consultees offered no objection to the proposal.</p> <p><u>Recommendation – approval subject to conditions</u> Having had regard to the extant development plan, the draft development plan, relevant planning policies, and other material considerations the proposed development on balance is considered to be acceptable.</p>	

	No relevant planning history on site.
4.0	Policy Framework
4.1	<p><u>Planning policy framework and guidance included:</u> Belfast Urban Area Plan 2001</p> <p>Draft Belfast Metropolitan Area Plan 2004 & 2015</p> <p>Following the recent Court of Appeal decision on BMAP, the extant development plan is now the BUAP. However, given the stage at which the Draft BMAP had reached pre-adoption through a period of independent examination, the policies within the Draft BMAP 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.</p> <p>SPPS for Northern Ireland Planning for a Sustainable Environment</p> <p>Planning Policy Statement 3: Access, Movement and Parking</p> <p>Planning Policy Statement 4: Planning and Economic Development</p> <p>Planning Policy Statement 6: Planning Archaeology and the Built Heritage</p>
5.0	Statutory Consultee Responses
	DfI Roads Service – No objection with condition NI Water – No objection
6.0	Non-Statutory Consultees Responses
	BCC Environmental Health – No objection with conditions Historic Environment Division – No objection
7.0	Representations
7.1	The application has been neighbour notified and advertised in the local press. No third party representations have been received.
8.0	Other Material Considerations
	None
9.0	Assessment
9.1	<p>The key issues to be considered are:</p> <ul style="list-style-type: none"> - Principle of Development & Acceptability of Proposed Use - Impact on listed building - Road Issues - Impact on the Surrounding Character - Contamination and Noise
9.2	<p><u>Principle of Development & Acceptability of Proposed Use</u></p> <p>The site is identified as white-land in the BUAP and zoned as an area of major existing employment/industry within the 2004 dBMAP and 2015 dBMAP. The SPPS advises that sustainable development should be granted for development that accords with the area plan and causes no harm to areas of acknowledged importance. Planning Policy PED 7 of PPS 4 requires that land zoned for Economic Development use is retained.</p>
9.3	The site is an outbuilding associated with a former Linen Spinning Mill, the principal Mill Building has been listed for its historic significance within the local and greater surrounding

	<p>area. The Mill buildings and the associated outbuildings are shown within the draft Development Plan 2004 to be zoned for economic use and within the dBMAP 2015 as land zoned for existing employment. The relevant policy (PED 7) of PPS 4 states that development that would result in the loss of land or buildings zoned for economic development would not be permitted unless the land has been substantially developed for alternative uses. The Mill Building is currently in use by up to 65 different community uses and small enterprises; a local museum is also housed within the adjoining outbuilding to the proposed site.</p>
9.4	<p>In addition, the boxing club is one of the existing community uses already established within the principal Mill Building, the proposal being to remove the club from this principal Mill Building to an adjoining outbuilding.</p>
9.5	<p>It is considered that the proposal to relocate the boxing club is acceptable within the context of the extant Development Plan (BUAP) which indicates the site is identified as white land and therefore is suitable for appropriate development. The site is zoned within the draft Development Plan (dBMAP 2004) as a major area of existing employment/industry and also within dBMAP 2015 as an area of existing employment. The thrust of policy PED 7 is to protect such land from inappropriate development. However, PED 7 acknowledges that if land has been substantially developed for alternative uses this must be considered. On balance, it is considered the proposed development is acceptable in policy terms, given the number of alternative uses already established in the building.</p>
9.6	<p>In addition, the boxing club is already housed within the overall site and it is considered that its proposed relocation to another vacant building within the site will not result in any greater loss of potential employment space within the overall site. The boxing club will have a total floor space of 270sqm - 195sqm at the ground floor and 75sqm at the first floor level.</p>
9.7	<p>For the reasons detailed above the principle and acceptability to the boxing club at this location is considered on balance to be acceptable.</p>
9.8	<p><u>Impact on listed building</u> HED Historic Buildings considered the proposal satisfies paragraph 6.12 of the SPPS and Policy BH 11 of PPS6. Based on the scale and location of the development, as it is minor alterations to an existing structure, HED Historic Buildings considers that the application poses no greater demonstrable harm on the setting of the listed buildings.</p>
9.9	<p><u>Road Issues</u> DfI no objection subject to the inclusion of a planning condition for provision of covered cycle parking to encourage alternative transport modes to the private car. The proposal is considered to comply with PPS3.</p>
9.10	<p><u>Impact on Surrounding Character</u> The proposal includes minimal changes to the façade of the building; the changes proposed relate to upgrading of existing doorways and steps to the front façade also the addition of first floor windows on the front façade and alterations to the existing side windows. All the proposed changes will have an outlook onto the existing yard of the complex and will have minimal impact on the wider surrounding character.</p>
9.11	<p><u>Contamination and Noise</u> A contamination report and a noise report were submitted. Environmental Health offered no objection to the proposal subject to conditions.</p>

9.12	<p>It was noted that the nearest residential dwellings is circa 22m from the proposed site with an existing warehouse building situated between the site and the dwellings. An hours of operation condition is recommended to ensure the protection of residential amenity.</p> <p><u>Conclusion</u> The proposal is considered to be acceptable, it will provide community infrastructure making use of an existing building on site. The proposal will not negatively impact on the surrounding character or on neighbouring amenity.</p>
10.0	<p>Summary of Recommendation: Approval Subject to Conditions</p>
10.1	<p>Having regard for the policy context and the considerations above, the proposal is deemed on balance, acceptable.</p> <p>Summary of Recommendation: Approval</p>
11.0	<p>Conditions and Informatives</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 shall not become operational until provision has been made for two weather protected cycle parking spaces. These facilities shall be permanently retained.</p> <p>Reason: To encourage alternative transport modes to the private car.</p> <p>Prior to the operation of the proposed gym, the recommendations to reduce noise impact as outlined in the F.R Mark & Associates report titled Noise Impact Assessment for St John Bosco Amateur Boxing Club, Conway Mill.5-7 Conway Street, Belfast, dated January 2021 shall be implemented.</p> <p>The combined rating level (dB LAr, T) of all plant and equipment associated with the proposed development must not exceed 33 dBLAeq,15 min at the facade of the nearest noise sensitive receptor as presented in the F.R Mark & Associates report titled Noise Impact Assessment for St John Bosco Amateur Boxing Club, Conway Mill.5-7 Conway Street, Belfast. Dated January 2021 and in accordance with British Standard BS 4142:2014 A1:2019 Methods for rating and assessing industrial and commercial sound.</p> <p>Reason: The protection of residential amenity</p> <p>The proposed gym must not operate beyond 07:00hrs to 23:00 hrs Monday to Friday and 08:00 hrs to 23:00 hrs Saturday and Sunday.</p> <p>Reason: The protection of residential amenity</p> <p>If during the development works, new contamination or risks are encountered which have not previously been identified, works shall cease and the Planning Authority shall be notified immediately. This new contamination shall be fully investigated in accordance with best practice. In the event of unacceptable risks being identified, a Remediation Strategy and subsequent Verification Report shall be agreed with the Planning Authority in writing, prior to the development being occupied. If required, the Verification Report shall be completed by competent persons in accordance with best practice and must demonstrate that the remediation measures have been implemented and that the site is now fit for end-use.</p>

Reason: Protection of human health.

Informative

The developer is strongly advised consider all consultees comments prior to commencing this proposal. All relevant comments from Consultees can be viewed on the planning portal NI quoting application reference number.

The drawing refs referred to above correspond with those drawings submitted to the Authority in respect of this application and published to the Planning Portal NI on: 16/09/2020 Drawing Nos 01, 02, 04 & 05

ANNEX

Date Valid	13 th January 2021
Date First Advertised	29th January 2021
Date Last Advertised	
Elected representative Interest: None	
Neighbours notified & Advertised : 8 Neighbours	
Date of Last Neighbour Notification	30 th September 2020
Date of EIA Determination	N/A
ES Requested	No
Drawing Numbers and Title 01 – Site Location Plan 02 – Block Plan 03 – Existing Plans 04 – Existing & Proposed Elevations 05 – Proposed Plans	
Notification to Department (if relevant) Date of Notification to Department: N/A Response of Department:	