

# Development Management Report

<b>Summary</b>	
<b>Committee Date:</b> 27 <sup>th</sup> June 2024	
<b>Application ID:</b> LA04/2023/4613/F	
<b>Proposal:</b> Proposed building ranging between 5 - 10 storeys (20.60m - 42.35m) including offices (Class B1a), ground floor retail (Class A1), community and cultural (Class D1) and restaurant uses, and licensed restaurant at upper level with external terrace, rooftop plant area, landscaping, servicing, public realm improvements, and all associated site works.	<b>Location:</b> Lands west of Donegall Quay, east of Tomb Street, south of Corporation Square (opposite Belfast Harbour Office) and immediately north of the NCP Multi Storey Car Park, Belfast.
<b>Referral Route:</b> Application for Major development	
<b>Recommendation:</b> Approval subject to conditions and Section 76 planning agreement	
<b>Applicant Name and Address:</b>  Belfast Harbour Harbour Office Corporation Square Belfast BT1 3AL	<b>Agent Name and Address:</b>  Turley Hamilton House 3 Joy Street Belfast
<b>Executive Summary:</b>  <p>This application relates to land at “City Quays”, a commercial-led mixed use regeneration area within Belfast Harbour. The site is located to the rear of the multi-storey car park next to the M3 motorway. It is situated to the south side of Corporation Square, west of Donegall Quay and east of Tomb Street. The site is 0.45 ha, relatively flat and currently a surface level car park.</p> <p>The application seeks full planning permission for a 10 storey primarily Grade A office building. The proposal comprises office (Class B1a), retail, restaurant, community and cultural (Class D1) uses at ground floor; offices on the upper floors; seventh floor licenced restaurant with external terrace; rooftop plant area, landscaping, servicing, public realm improvements and associated site works. The total floor space of the building would be 23,288 sqm.</p> <p>The application follows a Pre-Application Discussion (PAD) process. However, the final design of the building had not been agreed in principle at the PAD stage and further amendments have been necessary following submission of the application.</p> <p>The key issues for consideration of the application are set out below.</p> <ul style="list-style-type: none"> <li>• Principle of the proposed uses</li> <li>• Design and placemaking</li> <li>• Impact on heritage assets</li> <li>• Impact on amenity</li> <li>• Climate change</li> <li>• Open space</li> <li>• Access and transport</li> <li>• Health impacts</li> </ul>	

- Environmental protection
- Flood risk and drainage
- Waste-water infrastructure
- Natural heritage
- Waste management
- Employability and Skills
- Section 76 planning agreement
- Pre-Application Community Consultation

The site is un-zoned “white land” in the BUAP 2001 and dBMAP 2015. It is within the City Centre of both versions of dBMAP 2015 where the proposed office and other town centre uses are acceptable in principle. The proposal would provide very high-quality Grade A office accommodation that would help to attract investment and support jobs in the city.

The Listed Belfast Harbour Office is located opposite the site. There are two further Listed Buildings to the west. It is considered that the design of the building would respect the setting of these Listed Buildings. DfC HED offers no objection to the proposal.

The building would be of a high-quality design and is targeting BREEAM Outstanding. The Senior Urban Design Officer offers no objection to the proposal.

The proposed building would be supported by generous levels of open space and would have very good access to City Quays Gardens, an area of new open space being constructed opposite the site to the north.

There are no objections from consultees other than from NI Water which has concerns about insufficient waste-water capacity. However, it is considered unreasonable to withhold planning permission on those grounds for the reasons specified in the main report.

A final consultation response is awaited from the BCC Waste Management team. It is expected that this will be reported to the Committee via Late items.

There have been no third-party objections.

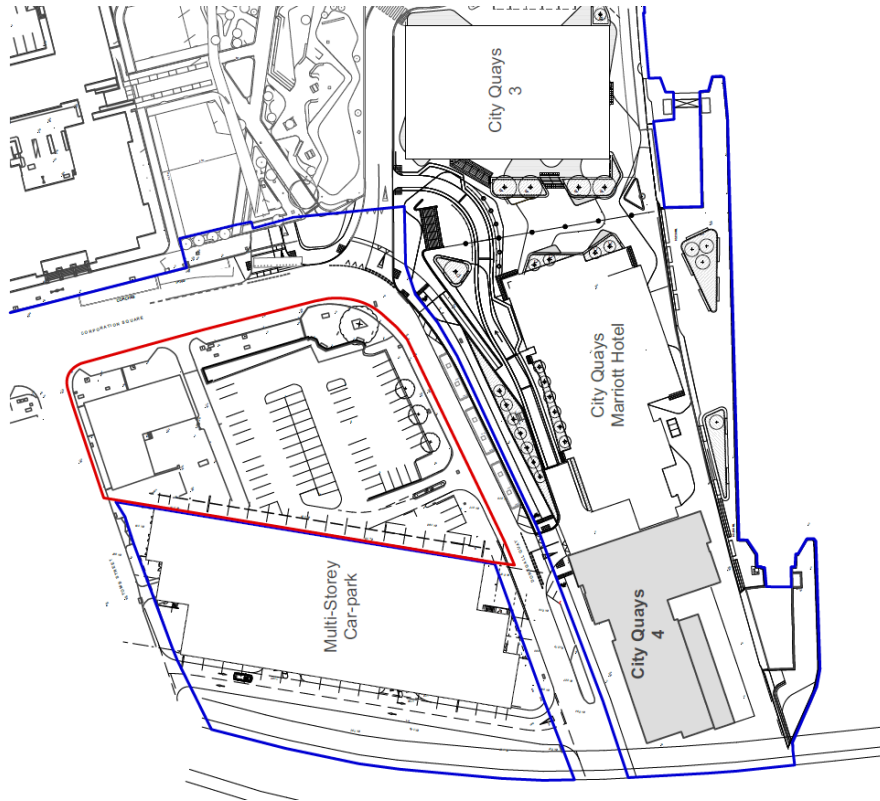
### **Recommendation**

Having regard to the Development Plan and material considerations, it is recommended that planning permission is granted subject to conditions and a Section 76 planning agreement.

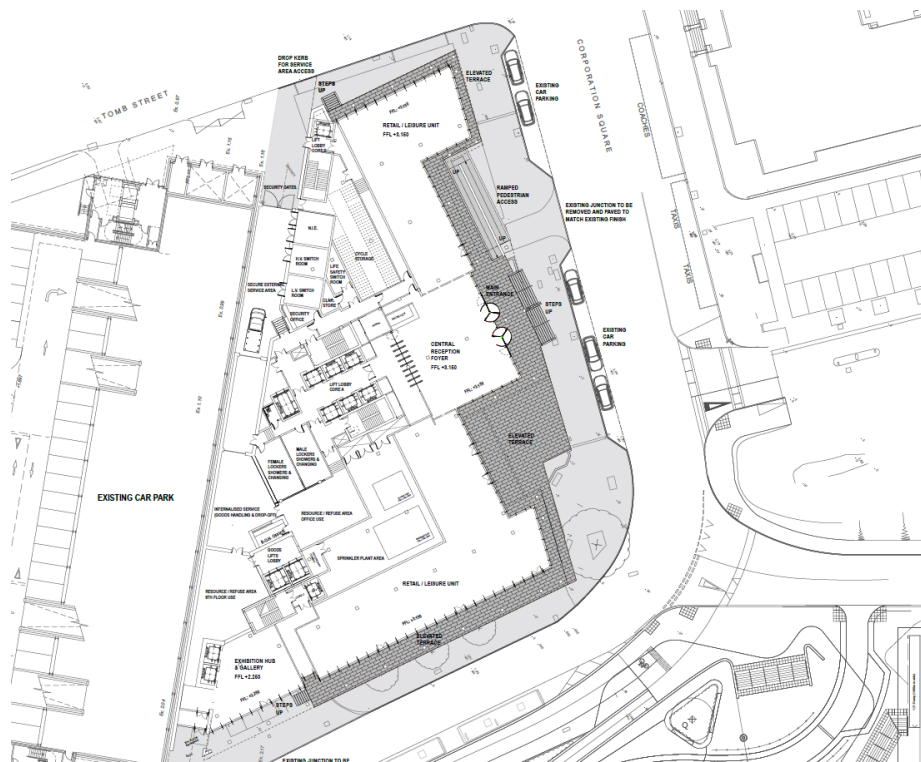
Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and Section 76 planning agreement and deal with any other issues that arise, including those raised in the final consultation response from BCC Waste Management team, provided that the issues are not substantive.

# DRAWINGS AND IMAGERY

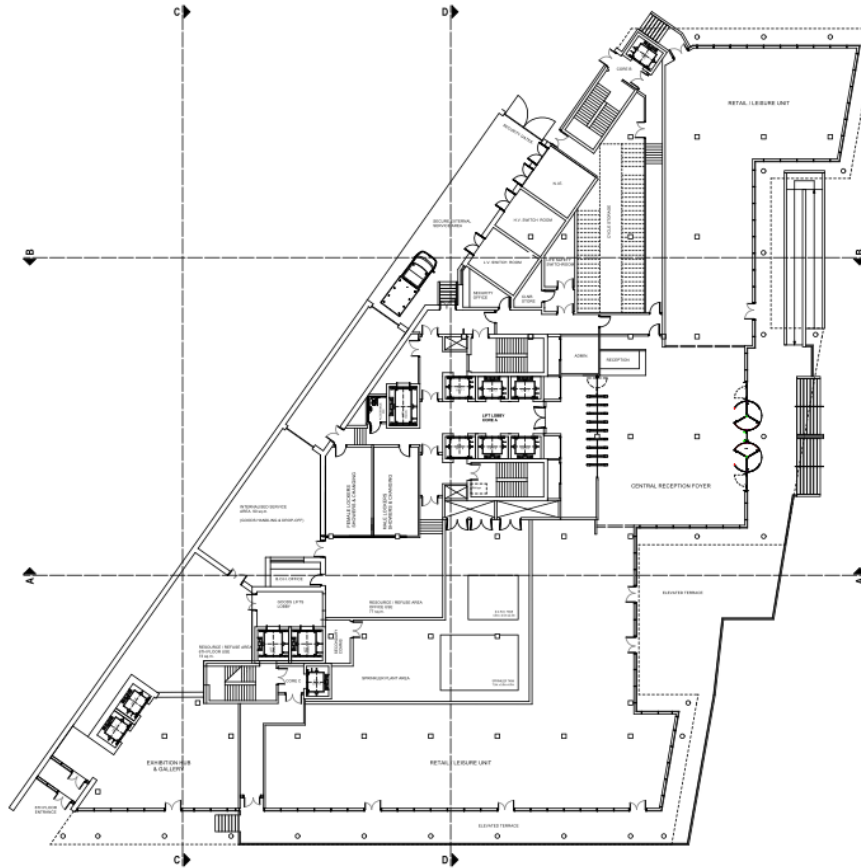
## Site Location Plan:



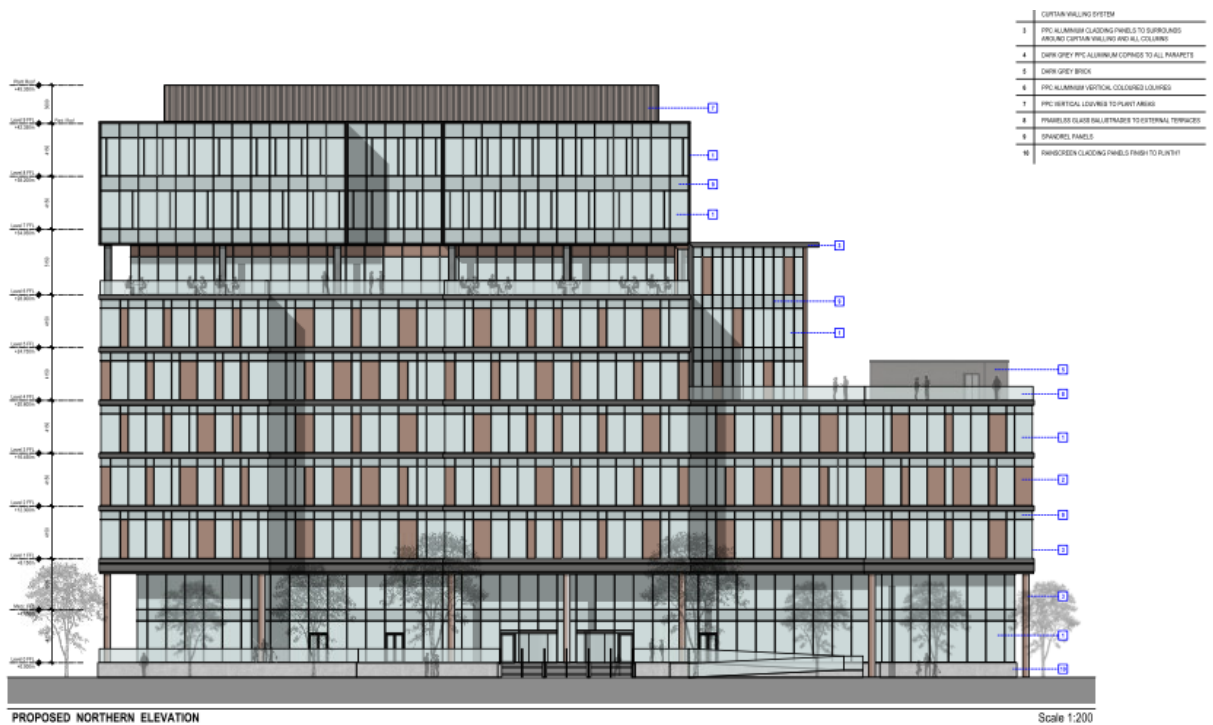
## Site Layout / Block Plan



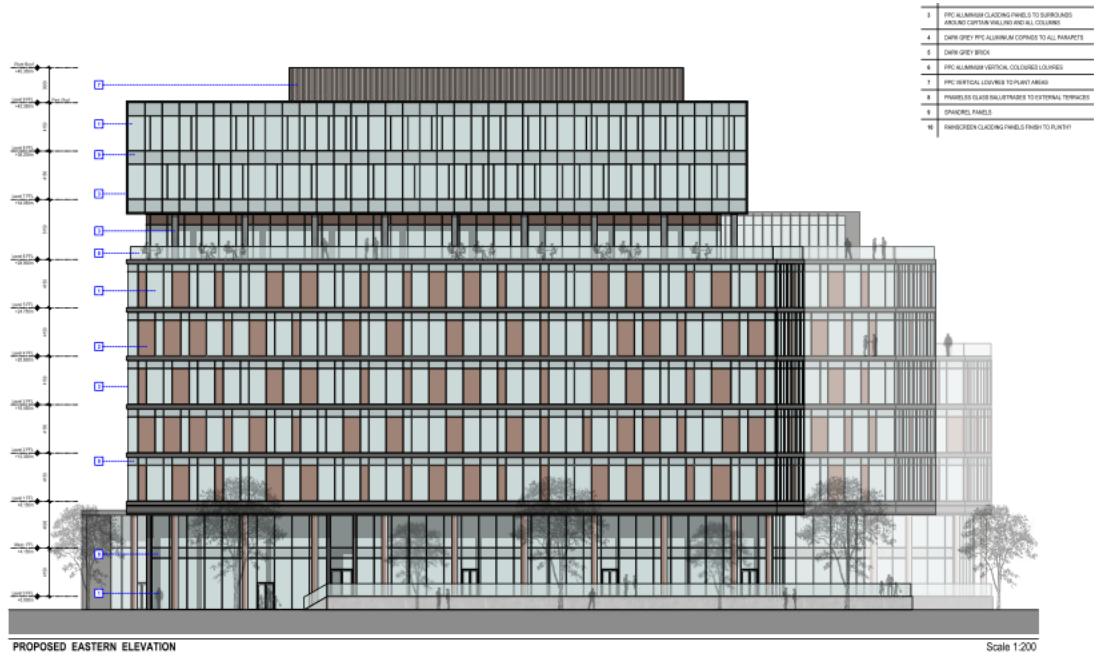
**Ground floor plan:**



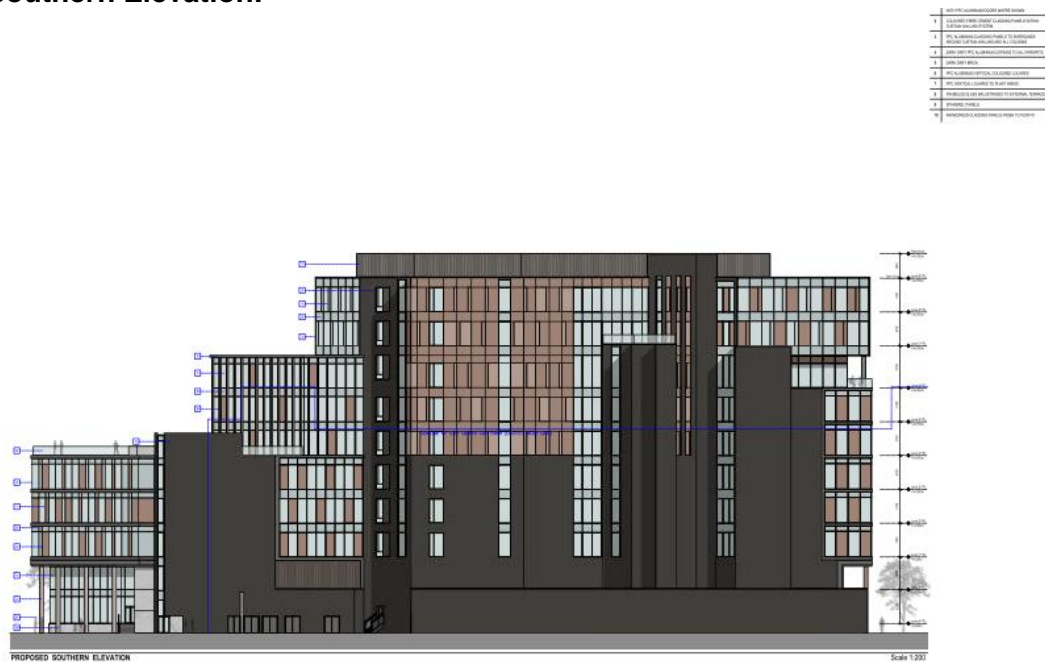
**Proposed Northern Elevation:**



## Proposed Eastern Elevation:



## Proposed Southern Elevation:



# Proposed Western Elevation:

- ELEVATION FINISHES KEY**
- 1 DARK GREY PVC ALUMINUM FRAMED CURTAIN WALLING WITH PVC ALUMINUM DOORS WHERE APPLICABLE
  - 2 GOLDEN PINE CLADDING CLADDING PANELS WITH COPPER WALLING SYSTEM
  - 3 PVC ALUMINUM CLADDING PANELS TO SUBROOFING PROVIDE COPPER WALLING SYSTEM CLADDING
  - 4 DARK GREY PVC ALUMINUM COPPOSITE WALL PANELS
  - 5 DARK GREY BRICK
  - 6 PVC ALUMINUM VERTICAL COLOURED LOUVER
  - 7 PVC VERTICAL LOUVER TO PLANT AREAS
  - 8 FINISH BY SLAB BALUSTRADE TO EXTERNAL TERRACES
  - 9 SPANDEK PANELS
  - 10 RAINSCREEN CLADDING PANELS TO RAINYD



PROPOSED WESTERN ELEVATION

Scale 1:200



# CGIS:





1.0	<p><b>Characteristics of the Site and Area</b></p>																								
1.1	<p>The site forms part of “City Quays” to the northern edge of the City Centre, Belfast Harbour. The area is currently mostly commercial in nature comprising offices, hotel and some limited retail, food and drink uses. In January 2024, the Committee granted planning permission for a 256 unit Build to Rent residential scheme.</p>																								
1.2	<p>The application site is located immediately north and behind the NCP Multi-Storey Car Park at City Quays. The site is situated to the south side of Corporation Square and opposite the Belfast Harbour Office (Grade A Listed). Also to the north is Cathedral Quays Gardens, an area of new open space currently under construction. To the west is Tomb Street and to the east is Donegall Quay.</p>																								
1.3	<p>The site is 0.45 hectares and relatively flat. It previously comprised 17-19 Corporation Square which was demolished. The site is currently used as a surface level car park.</p>																								
1.4	<p>There are several listed buildings close to the site, notably:</p> <ul style="list-style-type: none"> <li>• <b>Belfast Harbour Office</b> immediately opposite the site to the north – Grade A</li> <li>• <b>5-7 Corporation Square</b> (Wine Direct Merchants) on the south side of Corporation Square to the south – Grade B2</li> <li>• <b>Sinclair Seamen’s Presbyterian Church</b> on the north side of Corporation Square to the west – Grade B+</li> </ul>																								
	<p><b>Description of Proposed Development</b></p>																								
1.5	<p>The proposal is referred to as “City Quays 5”, being the latest phase of the City Quays redevelopment. City Quays 1, 2, 3 (offices), hotel and Multi-Storey Car Park (MSCP) have been constructed. City Quays 4 (residential) was approved by the Committee in January 2024.</p>																								
1.6	<p>The application seeks full planning permission for a 10 storey primarily Grade A office building. The proposal comprises office (Class B1a), retail, restaurant, community and cultural (Class D1) uses at ground floor; offices on the upper floors; seventh floor licenced restaurant with external terrace; rooftop plant area, landscaping, servicing, public realm improvements and associated site works.</p>																								
1.6	<p>The total floor space of the proposed building would be 23,288 sqm. The proposed internal floor space would be 20,522 sqm, broken down as follows:</p> <table border="1" data-bbox="339 1570 1102 1984"> <thead> <tr> <th><b>Floor level</b></th> <th><b>Gross floorspace</b></th> </tr> </thead> <tbody> <tr> <td>Ground floor</td> <td>2,305sqm</td> </tr> <tr> <td>Mezzanine</td> <td>2,058sqm</td> </tr> <tr> <td>First floor</td> <td>2,561sqm</td> </tr> <tr> <td>Second floor</td> <td>2,561sqm</td> </tr> <tr> <td>Third floor</td> <td>2,561sqm</td> </tr> <tr> <td>Fourth floor</td> <td>2,089sqm</td> </tr> <tr> <td>Fifth floor</td> <td>2,089sqm</td> </tr> <tr> <td>Sixth floor</td> <td>1,546sqm</td> </tr> <tr> <td>Seventh floor</td> <td>1,502sqm</td> </tr> <tr> <td>Eighth floor</td> <td>1,502sqm</td> </tr> <tr> <td><b>Total</b></td> <td><b>20,522sqm</b></td> </tr> </tbody> </table>	<b>Floor level</b>	<b>Gross floorspace</b>	Ground floor	2,305sqm	Mezzanine	2,058sqm	First floor	2,561sqm	Second floor	2,561sqm	Third floor	2,561sqm	Fourth floor	2,089sqm	Fifth floor	2,089sqm	Sixth floor	1,546sqm	Seventh floor	1,502sqm	Eighth floor	1,502sqm	<b>Total</b>	<b>20,522sqm</b>
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2.0	<p><b>RELEVANT PLANNING HISTORY</b></p> <p>2.1 <b>Z/2010/1006/O</b> – Proposed major mixed use development comprising offices; small scale retail and retail services; cafes/restaurants; a hotel; residential development and associated amenity space; basement, multi storey and surface level car parking; open space, service areas and related infrastructure improvements. Lands bounded by the River Lagan to the east Corporation Street to the west Dock Street and Corry Link to the north and the elevated M3 Cross Harbour Bridge/Motorway to the south City Quays Clarendon Dock Belfast.</p> <p>Permission granted on 22<sup>nd</sup> July 2014. Applications for reserved matters must be made by 21<sup>st</sup> July 2024. The permission must be begun by either 21<sup>st</sup> July 2026 or within 2 years of the date of approval of the last reserved matters.</p> <p>2.2 <b>Z/2013/0325/F</b> – Erection of office building, surface car parking and other associated works. (Verification Report Received). Vacant land at Clarendon Dock 35m southwest from 27 Albert Quay and 140m northwest of the Harbour Office.</p> <p>Permission granted on 13<sup>th</sup> September 2013.</p> <p>2.3 <b>Z/2013/1508/F</b> – 9 storey office block with coffee shop at ground floor. Surface car park, landscaping, and other associated works. Vacant land and car parking at the corner of Corporation Square and Donegall Quay Belfast BT1 3AJ.</p> <p>Permission granted on 17<sup>th</sup> October 2014.</p> <p>2.4 <b>LA04/2015/1423/RM</b> – Hotel (188 bedroom), access, landscaping and other associated site works. Land 70m north of the M3 Cross Harbour Bridge and bounded by the River Lagan to the East Clarendon Dock to the North and Donegall Quay Corporation Square and Clarendon Road to the West.</p> <p>Permission granted on 6<sup>th</sup> April 2016.</p>																																																

2.5	<p><b>LA04/2016/2656/RM</b> – Multi storey car park (907 spaces - maximum height of 33.2 metres), access road, alterations to existing car parking and road layouts and associated site works (clarified description). Land west of Donegall Quay north of the M3 Cross harbour Bridge east of Tomb Street and 50m south of Corporation Square.</p> <p>Permission granted on 19<sup>th</sup> June 2017.</p>
2.6	<p><b>LA04/2017/1090/RM</b> – Erection of 16 storey office accommodation (74metres maximum height) comprising 23,976 sq metres of gross floorspace associated access, public realm and other ancillary development. Lands approximately 100m north of M3 Cross Harbour Bridge and bounded by the River Lagan to the east Donegall Quay and Clarendon Dock to the north Corporation Square and Clarendon Quay to the west.</p> <p>Permission granted on 5<sup>th</sup> February 2019.</p>
2.7	<p><b>LA04/2022/0262/F</b> – Public realm improvement scheme to create formal gardens area including erection of 'gateway nest' and 'swinging seat' features and seating; artwork trail; lawn areas; shared pedestrian and access routes; public plazas; promenade along Clarendon Dock; improvements to and widening of footpaths at Corporation Square; extensions of taxi bays, relocation of Belfast Bike and bicycle shelters and stands, realignment of the road; and relocation of listed railings fronting Corporation Square. Surface level car park to east of Harbour Office and adjoining lands at Corporation Square and Clarendon Road Belfast BT1 3AL.</p> <p>Permission granted on 1<sup>st</sup> March 2023.</p>
2.8	<p><b>LA04/2023/2388/F</b> – Residential development comprising 256no. units, public realm, and associated access and site works. Lands immediately north of Cross Harbour Bridge, East of Donegall Quay and south of AC Marriott Hotel, City Quays, Belfast.</p> <p>Committee resolved to approve the application subject to completion of a Section 76 planning agreement at its 16<sup>th</sup> January 2024 meeting.</p>
3.0	<p><b>PLANNING POLICY</b></p> <p>3.1 <b>Development Plan – operational policies</b></p> <p><u>Belfast Local Development Plan, Plan Strategy 2035</u></p> <p>Policy SP1A – managing growth and supporting infrastructure delivery  Policy SP2 – sustainable development  Policy SP3 – improving health and wellbeing  Policy SP5 – positive placemaking  Policy SP6 – environmental resilience  Policy SP7 – connectivity</p> <p>Policy SD2 – Settlement Areas</p> <p>Policy DES1 – Principles of urban design  Policy DES2 – Masterplanning approach for major development  Policy DES3 – Tall buildings  Policy BH1 – Listed Buildings  Policy BH2 – Conservation Areas  Policy BH5 – Archaeology</p>

	<p>Policy EC1 – Delivering inclusive economic growth  Policy EC6 – Office development  Policy RET1 – Establishing a centre hierarchy</p> <p>Policy TRAN1 – Active travel – walking and cycling  Policy TRAN2 – Creating an accessible environment  Policy TRAN4 – Travel plan  Policy TRAN6 – Access to public roads  Policy TRAN8 – Car parking and servicing arrangements  Policy TRAN9 – Parking standards within areas of parking restraint</p> <p>Policy ENV1 – Environmental quality  Policy ENV2 – Mitigating environmental change  Policy ENV3 – Adapting to environmental change  Policy ENV4 – Flood Risk  Policy ENV5 – Sustainable drainage systems (SuDS)</p> <p>Policy HC1 – Promoting healthy communities  Policy GB1 – Green and blue infrastructure network  Policy OS3 - Ancillary open space  Policy TRE1 – Trees  Policy NH1 – Protection of natural heritage resources</p> <p>3.2 <u>Supplementary Planning Guidance</u></p> <p>Placemaking and Urban Design  Tall Buildings  Masterplanning approach for Major developments  Sustainable Urban Drainage Systems  Transportation</p> <p>3.3 <b>Development Plan – zoning, designations and proposals maps</b>  Belfast Urban Area Plan (2001) Belfast Urban Area Plan 2001  Draft Belfast Metropolitan Area Plan 2015 (v2004)  Draft Belfast Metropolitan Area Plan 2015 (v2014)</p> <p>3.4 <b>Regional Planning Policy</b>  Regional Development Strategy 2035 (RDS)  Strategic Planning Policy Statement for Northern Ireland (SPPS)</p> <p>3.5 <b>Other Material Considerations</b>  Developer Contribution Framework (2020)  <i>Belfast Agenda</i> (Community Plan)</p>
<p>4.0</p> <p>4.1</p>	<p><b>CONSULTATIONS AND REPRESENTATIONS</b></p> <p><u>Statutory Consultees</u></p> <p><b>DfI Roads</b> – No objection, advises conditions.</p> <p><b>DfC HED</b> – No objection, advises conditions.</p> <p><b>DfI Rivers</b> – No objection, advises conditions.</p> <p><b>DAERA</b> – No objection, advises conditions.</p>

<p>4.2</p>	<p><b>NI Water</b> – Objection on grounds of lack of waste-water capacity.</p> <p><u>Non-Statutory Consultees</u></p> <p><b>Planning Service Urban Design Officer</b> – No objection, advises conditions.</p> <p><b>BCC Environmental Health</b> – No objections, advises conditions.</p> <p><b>BCC Landscape and Development</b> – No objections, advises conditions.</p> <p><b>BCC Economic Development Unit</b> – advises that both Construction and Operational Employability and Skills Plans are required.</p> <p><b>BCC Waste Management team</b> – awaited.</p> <p><b>Shared Environmental Services (SES)</b> – No objections, advises conditions.</p> <p><u>Representations</u></p>
<p>4.3</p>	<p>The application has been advertised in the newspaper and neighbours notified.</p>
<p>4.4</p>	<p>No objections have been received.</p>
<p>5.0</p>	<p><b>PLANNING ASSESSMENT</b></p> <p><b>Main Issues</b></p> <p>5.1 The main issues relevant to consideration of the application are set out below.</p> <ul style="list-style-type: none"> <li>• Principle of the proposed uses</li> <li>• Design and placemaking</li> <li>• Impact on heritage assets</li> <li>• Impact on amenity</li> <li>• Climate change</li> <li>• Open space</li> <li>• Access and transport</li> <li>• Health impacts</li> <li>• Environmental protection</li> <li>• Flood risk and drainage</li> <li>• Waste-water infrastructure</li> <li>• Natural heritage</li> <li>• Waste management</li> <li>• Employability and Skills</li> <li>• Section 76 planning agreement</li> <li>• Pre-Application Community Consultation</li> </ul> <p><b>Development Plan Context</b></p> <p>5.2 Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.</p>

5.3	Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.
5.4	<p>The Belfast Local Development Plan (LDP) when fully completed will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 (“Departmental Development Plan”) remain part of the statutory local development plan until the Local Policies Plan is adopted.</p> <p><u>Operational Polices</u></p>
5.5	<p>The Plan Strategy contains a range of operational policies relevant to consideration of the application. These are listed above.</p> <p><u>Proposals Maps</u></p>
5.6	<p>Until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals maps is a matter for the decision maker. It is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.</p>
5.7	<p><b>Belfast Urban Area Plan 2001</b> – the site is un-zoned “white land”.</p>
5.8	<p><b>Belfast Metropolitan Area Plan 2015 (2004)</b> – the site is un-zoned “white land”. The site is within the City Centre.</p>
5.9	<p><b>Belfast Metropolitan Area Plan 2015 (v2014)</b> – the site is un-zoned “white land”. The site is within the City Centre.</p> <p><u>Principle of the proposed uses</u></p>
5.10	<p>The site is un-zoned “white land” in the BUAP 2001 and both versions of dBMAP 2015. It is within the City Centre in both versions of dBMAP 2015.</p> <p><i>Office use:</i></p>
5.11	<p>Policy EC6 states that planning permission will be granted for new office development within the City Centre. Policy EC1 supports business sectors with strong growth potential in Belfast. The proposal would provide high quality office accommodation for businesses. The proposal is considered consistent with Policies EC1 and EC6. This is a sustainable location for office development with very good access to public transport, shops and services, providing opportunity to reduce the need to travel by the private car. The proposal would make effective use of previously developed land and would see the redevelopment of an unattractive service level car park.</p>

	<p><i>Retail, restaurant uses and other uses:</i></p>
5.12	<p>In terms of the smaller scale retail, restaurant, cultural and community uses, these are “town centre” uses which Policy RET1 directs to the City Centre first. The proposal is therefore compliant with this policy. The ground retail, food and drink and others uses would help to activate the ground floor and add to the vibrancy of the scheme and broader City Quays development.</p>
	<p><i>Economic development:</i></p>
5.13	<p>The proposal is for a prestige Grade A office building with large open plan floor plates to cater for modern-day commercial requirements.</p>
5.14	<p>The application states that the proposal represents a circa £59 million capital investment by Belfast Harbour; an investment which would generate an anticipated £44m of Gross Value Added (GVA) over a five-year period. The applicant advise that the proposal has the potential to support near 2,000 jobs per annum, and £129m GVA per annum once fully utilised.</p>
5.15	<p>The proposal would add around £2.8m to the economy from a rates perspective.</p>
5.16	<p>The Council’s Economic Development Unit advises that Construction and Operational Employability and Skills Plans should be required to support inclusive growth. These planning obligations would be secured by means of a Section 76 planning agreement.</p>
5.17	<p>The factors listed above are material considerations that support the grant of planning permission.</p>
	<p><i>Outline masterplan approval:</i></p>
5.18	<p>There is an extant outline planning permission for redevelopment of the site and wider lands for a variety of uses including commercial and residential and small-scale retail, food and drink, albeit the period for submitting further applications for reserved matters ends on 21<sup>st</sup> July 2024. Much of the outline planning permission has already been implemented including City Quays 1, 2, 3, hotel and multi-storey car park. The outline permission is a material consideration, which establishes commercial uses on the site.</p>
5.19	<p>Having regard to the above factors, the proposed uses are acceptable in principle. The proposal accords with Policies EC1, EC6 and RET6 of the Plan Strategy, and relevant provisions of the SPPS.</p>
	<p><b><u>Design and placemaking</u></b></p>
5.20	<p>The proposal has been assessed against the SPPS, Creating Places and Policies SP5, DES1, DES2 and DES3 of the Plan Strategy. Policies SP5 and DES1 promote good placemaking, high quality design and the importance of proposals responding positively to local context addressing matters such as scale height, massing, proportions, rhythm, and materials avoiding any negative impact at street level. Policy DES2 advocates adopting a holistic approach to site layout that is mindful of adjacent development, while Policy DES3 relates to the assessment of tall buildings including any impact on the setting, character and appearance of listed buildings, conservation areas, ATCs, and historic monuments/gardens.</p>

5.21	<p>The application follows a Pre-Application Discussion (PAD) process. However, the final design of the building had not been agreed in principle at the PAD stage and further amendments have been necessary following submission of the application.</p> <p><i>Scale, height and massing:</i></p>												
5.22	<p>The extant outline masterplan envisaged buildings ranging from 5 to 6 storeys on the site. The proposed building would be 10 storeys (48.5 metres to roof level). Having closely engaged with the applicant during the PAD and application process – including input from both the Senior Urban Design Officer and DfC HED – officers are content that the scale, height and massing of the proposed building are acceptable. The building would sit comfortably within its setting and would be consistent with the large scale and design of other buildings in City Quays, notably City Quays 1, 2, 3, hotel, multi-storey car park (MSCP) and the approved City Quays 4 (see table below).</p> <table border="1" data-bbox="338 696 1294 909"> <thead> <tr> <th>Building</th> <th>Height (metres)</th> </tr> </thead> <tbody> <tr> <td>City Quays 2</td> <td>38.1 m</td> </tr> <tr> <td>City Quays 3</td> <td>74.5 m</td> </tr> <tr> <td>City Quays 4</td> <td>75.8 m</td> </tr> <tr> <td><b>Proposed building (City Quays 5)</b></td> <td><b>48.5 m</b></td> </tr> <tr> <td>Obel</td> <td>82.3 m</td> </tr> </tbody> </table>	Building	Height (metres)	City Quays 2	38.1 m	City Quays 3	74.5 m	City Quays 4	75.8 m	<b>Proposed building (City Quays 5)</b>	<b>48.5 m</b>	Obel	82.3 m
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5.23	<p>Discussions with the Senior Urban Design Officer and DfC HED led to a number of design improvements, as summarised below.</p> <ul style="list-style-type: none"> <li>• The western section of the building fronting Corporation Square was reduced in height by one storey, resulting in a lower shoulder height which relates more sympathetically to the parapet height of the listed Harbour Office opposite.</li> <li>• A reduction in height of the setback component from 3 to 4 storeys (including upper 7F terrace) helped the upper portion of the building sit more comfortably in its context. The reduced height resulted in a more subservient appearance to this upper component and is further helped by the increased articulation which sees the introduction of a central setback section which picks up those setback elements across lower floors.</li> <li>• The upper floors were pushed further east away from the Harbour Office towards Donegall Quay which helped further accentuate both sections of the building whilst pushing the massing further away from the listed Harbour Office. While lowering the height of the western section by a floor does visually expose more of the setback massing above, this rooftop portion of the building visually exposed more of the setback massing above. The upper rooftop portion of the building has been designed as a lightweight and active amenity area that front and provides access to the roof terrace.</li> <li>• Changes were made to the design of the upper terrace at 7F level. This included the removal of the cross-bracing elements and their replacement with a more simplified setback column arrangement which helps to place increased emphasis on the seven-storey shoulder height.</li> </ul>												
5.24	<p>Having regard to the advice from the Senior Urban Design Officer, the scale, height and massing are considered to respond positively to the local context and character through architecture and urban form through addressing matters such as height, scale, massing, proportion, plot width, building lines, rhythm, roofscape and materials.</p>												

*Architectural treatment:*

5.25

The architectural language of the proposed building is consistent with the design language of the other new buildings in City Quays, although it would have a distinctive and appropriate character of its own. A number of improvements were made to the architectural treatment of the building to help it sit more comfortably within its context as well as mitigate its impact on the setting of Listed Buildings, notably the Listed Belfast Harbour Office opposite.

5.26

The redesign of the double height columns from a heavier rectilinear form to a slender circular profile has helped to reduce massing at the base of the building and in general gives the building a lighter look where it meets the ground along surrounding streets (see **Figure 1** below).



**Figure 1 Proposed base of building (view from Tomb Street)**



Previous proposal



Current proposal



Previous proposal



Current proposal

**Figure 2 Comparison of original and amended proposal**



5.27 The combination of the design changes to the plinth and column profile assists in “lightening” the base of the building; opening up views/sight lines to the Listed Belfast Harbour Office on the approach north along Tomb Street; turning east onto Corporation Square; and west from Donegall Quay (see **Figure 2** above).

5.28 The change to the columns from the previous darker/grey palette to a dark bronze tone allows the building to sit more comfortably within its context in relation to the Listed Belfast Harbour Office. These are show in the CGIs on the previous page.



**Figure 3: External terracing**

5.29 Amendments to the upper level along the western elevation have successfully broken up the earlier larger section of dark panelling by restricting the extent of the panelling and the introducing of additional glazing.

5.30 Additional fins and panelling to the double height glazed rooftop component along the western elevation add another level of interest and helps to balance glazing percentages required elsewhere on the building. Changes made to the recessed lighting associated with the 7F terrace (spot lighting replaced with strip lighting) has resulted in a more distinct visual separation of the upper two floors during the evening/night.

5.31 Additional changes have been welcomed to the reconfiguration of the extensive rear elevation of the building. Officers advised the applicant that the building would be read in the round given the exposed nature of its rear elevation and this aspect of the building also needed to be improved. The revisions include increased glazing and introduction of additional panelling to further articulate this elevation and introduce more of the materiality and tones from the two primary street elevations to create a more coherent elevation. Additional changes include the lightening of the colour tone of the rooftop plant screening to help reduce its visual impact. These changes are shown in **Figure 4** below.



**Figure 4: Rear of building**

- 5.32 Given the technical challenges faced by the internal floorplan arrangement, which does limit to a degree the extent of changes that can be made to the rear elevation (such as stair/lift cores, percentage of glazing across the buildings etc), the more recent changes are welcomed and considered an improvement over the initial composition.
- 5.33 The roof level plant has also been set back from the outer roof parapet line with an additional small setback achieved adjacent to the main cladding panel element to help define the roofline at this location.
- Active frontage:*
- 5.34 The proposal includes retail, leisure and community uses at ground floor to promote a diversity of land uses that provides active frontages which will ensure vibrancy throughout the day and night.
- 5.35 The introduction of a plinth and raised floor levels is unfortunate but necessitated as part of the flood risk mitigation given the location of the site close to the River Lagan. However, overall, the design of the base of the building serves to provide an accessible pedestrian friendly environment of a human scale through the provision of active frontages, high quality landscape treatment and local public realm enhancements at street level.
- Public realm:*
- 5.36 The proposal is considered to create an adaptable and well-connected public realm which ties in with the existing waterfront development at City Quays. The choice of materials compliments the character and setting of the City Quays buildings. The proposal incorporates various hard and soft landscaping features. The design incorporates recessed ground floors, and public realm to support the mix of uses within the scheme.
- 5.37 However, concerns were raised with regards to the public realm on the Tomb Street elevation. The applicant omitted the ground floor terrace which has eased a pinch-point at this location. In addition, the redesign of the double height columns from the previous rectilinear form to a slenderer circular profile helps to reduce massing at this location and in general gives the building a lighter look where it meets the ground. The building's footprint along both Corporation Square and Donegall Quay elevations has been pushed back by 1.0m to allow for deeper public realm.

	<p><i>Masterplanning:</i></p>
5.38	<p>The proposal is consistent with the extant outline masterplan approach and would see the further development and regeneration of City Quays. The proposal is considered to satisfy the main objectives of Policy DES2.</p>
	<p><i>Summary:</i></p>
5.39	<p>In conclusion, the scale, massing, height and design of the building are considered appropriate to its context within City Quays and surrounding area. The proposal is considered to accord with Policies DES1, DES2, DES3 and SPPS.</p>
	<p><b><u>Impact on the heritage assets</u></b></p>
	<p><i>Impact on historic buildings:</i></p>
5.40	<p>There are three Listed Buildings in close proximity to the site:</p> <ul style="list-style-type: none"> <li>• <b>Belfast Harbour Office</b> immediately opposite the site to the north (Grade A)</li> <li>• <b>Nos. 5-7 Corporation Square</b> (Wine Direct Merchants) to the west on the south side of Corporation Square (Grade B2)</li> <li>• <b>Sinclair Seamen’s Presbyterian Church</b> to the west on the north side of Corporation Square (Grade B+)</li> </ul>
5.41	<p>The Listed Building most affected by the proposed building is the Belfast Harbour Office immediately opposite. Whilst the proposed building would be significantly greater in height, scale and massing than the Harbour Office, the relationship is reflective of other larger recent buildings in City Quays including City Quays 1, 2, 3, hotel and 4 (the latter which the Council has resolved to grant planning permission). The existing built context is evidence that the Harbour Office and much larger scale buildings can successfully co-exist within City Quays with the Listed Building retaining pre-eminence.</p>
5.42	<p>Part of this success can be attributed to the deliberately contrasting architecture of the newer much larger scale City Quays buildings with the Belfast Harbour Office. The new buildings have a modern and lightweight design language which is distinct from the traditional period and heavier masonry design of the Harbour Office. The proposed building would continue these themes and would continue to pronounce the Listed Harbour Office as the “jewel in the crown” of the surrounding more modern buildings.</p>
5.43	<p>As demonstrated on plan form, the proposed building would be titled towards the Harbour Office, paying “deference” to the Listed Belfast Harbour Office. The colour palette of the cladding materials has also been adjusted following negotiations with the applicant so that it is subtly contrasting (previously the colour material was too similar in tone to the stone facing of the Harbour Office, which would have visually competed and drawn the eye away from the Listed Building).</p>
5.44	<p>Whilst the proposed building is much larger than the outline masterplan approval for this site, this is counter balanced by the non-development of the plot to the immediate east of the Harbour Office in the area which is now being developed as public open space (“City Quays Gardens”). City Quays Gardens is currently under construction and will serve the residential and commercial uses at City Quays as well as the wider city. Under the outline masterplan, the City Quays Gardens plot would have been developed as a new four storey commercial building. Whereas the provision of City Quays as an</p>

area of public open space will have a much more positive impact on the setting of the Belfast Harbour Offices. This is illustrated in the images overleaf.

5.45

**Figure 5** below shows the outline masterplan approval for a building on the City Quays Gardens plot. In comparison, **Figure 6** shows the completed City Quays Gardens. **Figure 7** shows the proposed view from Donegall Quay. **Figure 8** shows the view from the junction from Corporate Square and Corporation Street, depicting the proposed building in the context of the three most affected Listed Buildings: the Belfast Harbour Office, 5-7 Corporation Square and Presbyterian Church.



LOCAL URBAN CONTEXT - VIEW 12 - NORTH WEST TOWARDS CLARENDON DOCK  
Yellow Massing Illustrates Outline Approval of CQ6 Office Development - Now City Quays Gardens

**Figure 5: VU.CITY model showing the outline masterplan approval on the City Quays Garden plot**



**Figure 6: CGI showing the completed City Quays Gardens**



**Figure 7: CGI showing the proposed building and completed City Quays Gardens**



**Figure 8: Junction of Corporation Street and Corporation Square with view of three Listed Buildings**

5.46

In conclusion, it is considered that the proposed building would have a positive effect on the setting of the Listed Buildings over and above the current situation with the present outlook over an unattractive surface level car park and rear of the MSCP.

	<i>Impact on archaeology:</i>
5.47	The site is located within an Area of Archaeological Potential. DfC HED advises that the site is particularly associated with the earliest phases of industrial ship-building in Belfast and contains assets of regional and local importance. It offers no objection subject to a condition requiring the implementation of a programme of archaeological works. DfC HED strongly advises that archaeological mitigation, especially in the vicinity of the former Old Lime Kiln Dock, is conducted at the earliest opportunity.
	<i>Summary:</i>
5.48	Following design amendments, DfC HED offers no objection to the proposal in terms of the potential to impact on the setting of historic buildings. It also offers no objection in relation to impacts on archaeology. DfC HED advises conditions requiring final approval of the external materials and a programme of archaeological works. These conditions are recommended.
5.49	It is considered that the proposal accords with Policies BH1 and BH5, and relevant provisions of the SPPS.
	<b><u>Impact on amenity</u></b>
5.50	The VU.CITY model shows that the proposed building would have limited impact on sunlight, daylight and shadowing to City Quays Gardens to the north.
5.51	The Belfast Harbour Office to the north, hotel to the east and premises to the west including the Gnostic bar and kitchen are commercial buildings and the proposal would not have a significant impact on their amenity or operation.
5.52	The Council has resolved to approve City Quays 4, a residential tower to the south east. The VU.CITY model shows that the proposal would have no little discernible impact on sunlight, daylight and shadowing to the City Quays 4 development.
5.53	In conclusion, it is considered that the proposed building would not result in harmful impact on adjacent land-uses by way of overlooking, loss of outlook, daylight or sunlight, shadowing or other impacts. In these regards, the proposal is considered compliant with Policies DES1 and DES2, and relevant provisions of the SPPS.
	<b><u>Climate change</u></b>
5.54	Policy ENV2 states that planning permission will be granted for development that incorporates measures to mitigate environmental change and reduce greenhouse gases by promoting sustainable patterns of development. Policy ENV3 states that planning permission will be granted for development that incorporates measures to adapt to environmental change.
5.55	The proposed building is targeting BREEAM Outstanding, which would exceed the policy requirements. A condition is recommended to ensure that that the building is constructed to at least BREEAM Excellent rating.
5.56	Policy ENV5 states that all built development shall include, where appropriate, SuDs measures to manage surface water effectively on site, reduce surface water run-off and ensure flooding is not increased elsewhere. Similar to other parts of City Quays, the scheme proposes no on-site storm water attenuation given that discharge is to the River Lagan. The space constraints on the site are the primary reason for no provision of

	<p>SuDs. The existing hard SuDs in the form of an underground attenuation tank associated with the City Quays MSCP will be retained as part of the development. On balance, in view of the technical limitations and other favourable sustainability credentials of the scheme, the approach is considered acceptable.</p>
5.57	<p>The proposal is considered to satisfy Policies ENV2, ENV3 and ENV5, and relevant provisions of the SPPS.</p>
	<p><b><u>Open space</u></b></p>
5.58	<p>Policy OS3 requires that all new development proposals make appropriate provision for open space, including hard and soft landscaped areas and outdoor amenity areas, to serve the needs of the development. The precise amount, location, type and design of such provision will be negotiated with applicants taking account of the specific characteristics of the development, the site and its context and having regard to a) the normal expectation will be at least 10% of the total site area; and b) complementary and ancillary equipment and facilities, including for active or passive enjoyment of residents or occupiers, should be incorporated into the design of the development.</p>
5.59	<p>The proposed building incorporates open space in the form of three external terrace areas at ground, fourth and sixth floors. These include:</p> <ul style="list-style-type: none"> <li>• Terrace 1 (ground floor) – 425 sqm (9%)</li> <li>• Terrace 2 (fourth floor) – 405 sqm (9%)</li> <li>• Terrace 3 (sixth floor) – 490 sqm (11%)</li> <li>• <b>Total open space – 1,320 sqm (29%)</b></li> </ul>
5.60	<p>The site area is 0.45 ha which means that the total open space equates to 29% of the site, exceeding the requirements of Policy OS3.</p>
5.61	<p>In addition, the proposal incorporates enhanced public realm surrounding the building. The site is located immediately adjacent the open space at the new Cathedral Gardens and is very close to the quayside pedestrian and cycle route.</p>
5.62	<p>Having regard to these factors, the proposal would be supported by and have access to ample open space and amenity space. The proposal complies with Policy OS3.</p>
	<p><b><u>Access and transport</u></b></p>
5.63	<p>The site is a highly accessible location within the City Centre. It is within short walking and cycling distance of the city centre core and its shops, services, leisure and other amenities. The site is close to the national cycling network. It has very good public transport links through access to buses and rail. Provision is made for sheltered and secure cycle parking for 110 bicycles, shower and locker facilities within the building at ground floor. The proposal accords with Policy TRAN1.</p>
5.64	<p>The application is supported by a travel plan, which would be administered by a travel plan coordinator, to promote more sustainable modes of transport to the building, including public transport, cycling and walking. Implementation of the travel plan would be controlled by planning condition. The proposal accords with Policy TRAN4.</p>

5.65	No dedicated in-curtilage general parking is proposed and this is considered acceptable in view of the sustainable location of the site within the City Centre and its immediate proximity to the large multi-storey car park (MSCP) next to the site to the south. The MSCP provides 907 spaces across 17 parking levels, including 45 dedicated disabled spaces. The applicant confirms that the operator of the car park (NCP) offers “season tickets”, with annual spaces costing £1,200. The 45 disabled parking spaces can be used on a short-term basis or leased annually. It is understood that none of the disabled spaces are currently leased. The proposal accords with Policy TRAN8.
5.66	Servicing would be from the rear of the building off Tomb Street. The application is supported by an acceptable Service Management Plan (SMP).
5.67	DfI Roads offers no objection to the proposal and advises conditions. The proposal is considered to accord with Policies TRAN1, TRAN4, TRAN6, TRAN 8 and TRAN 9.
	<b><u>Health impacts</u></b>
5.68	Policy HC1 seeks to ensure that all new developments maximise opportunities to promote healthy and active lifestyles. New developments should be designed, constructed and managed in ways that improve health and promote healthy lifestyles. This will include supporting active travel options, improving accessibility to local service centres, reducing the use of private car travel, adequate provision of public open space, leisure and recreation facilities, high quality design and promoting balanced communities and sustainable neighbourhoods.
5.69	The site is very accessible and provides excellent opportunities for active travel, including walking and cycling, through good linkages with the city centre and waterfront. Active travel would be further encouraged through the travel plan proposed as part of the application. The site is opposite City Quays Gardens, a sizeable quality area of new open space as well as the amenities along the riverside and within the city centre core. The proposal provides ample open space within the development in the form of three terraces area. The proposed building would be of a high-quality design which would provide a modern and attractive working environment for workers. There are a variety of uses within the building including restaurant, food and to drink which would add vitality to the building and wider area.
5.70	The proposal is considered to satisfy the requirements of Policy HC1.
	<b><u>Environmental protection</u></b>
5.71	Policy ENV1 states that planning permission will be granted for development that will maintain and, where possible, enhance environmental quality, and protects communities from materially harmful development. The proposed development has been assessed by Environmental Health in terms of contaminated land, air quality, noise and odour impacts.
	<b><u>Contaminated land</u></b>
5.72	The contaminated land reports provided with the application conclude that no remediation is required. Environmental Health therefore advises that a condition is required ensuring that any contamination within the site is dealt with appropriately. The proposal is considered to accord with Policy ENV1.



	<u>Air quality</u>
5.73	The application is accompanied by an Air Quality Assessment, which concludes that the relevant thresholds would not be exceeded. Environmental Health notes that a range of plant rooms and a generator are proposed as part of the scheme. It therefore advises a condition to require a further Air Quality Assessment should centralised combustion sources be proposed. Subject to this condition, it is considered that the proposal accords with Policy ENV1.
	<u>Noise and vibration</u>
5.74	Having reviewed the supporting documentation provided, Environmental Health has recommended conditions relating to noise to protect other neighbour receptors from adverse noise impact.
5.75	It is considered that the proposal accords with Policy ENV1.
	<u>Odour</u>
5.76	Environmental Health has recommended conditions relating to extraction and odour abatement systems and ventilation to ensure the protection of nearby amenity.
5.77	It is considered the proposal complies with Policy ENV1.
	<b><u>Flood risk and drainage</u></b>
5.78	DfI Rivers acknowledges that this application has been deemed an exception with regards to the 1 in 200-year climate change coastal flood plain, as set out under the 'Exceptions to development within floodplains' within the Planning and Flood Risk SPG. Further to this, it is satisfied by the logic of the submitted Flood Risk assessment and has no reason to disagree with its conclusions. Accordingly, it offers no objection to the proposal. The proposal is considered to satisfy Policy ENV5.
	<b><u>Waste-water infrastructure</u></b>
5.79	Policy SP1a requires that necessary infrastructure is in place to support new development. NI Water has objected to the proposal on grounds of insufficient network capacity. It states that there are significant risks to the environment and detrimental impact on existing properties. NI Water advises that the applicant consult directly with NI Water on this issue.
5.80	NI Water has a duty to connect committed development across the city to its waste-water infrastructure. Such development, which includes significant levels of residential and commercial floor space across the city, will not all come forward at once and some may not come forward at all. Moreover, NI Water has not provided direct evidence of expected harm that would result from the development. A condition is recommended that requires details of foul and surface water drainage to be agreed. For these reasons, it would be unreasonable to refuse planning permission on these grounds and the proposal is considered acceptable having regard to Policy SP1A of the Plan Strategy.
	<b><u>Natural heritage</u></b>
5.81	Policy NH1 relates to the protection of natural heritage resources.

	<p>NI Water has objected to the application on grounds of insufficient network capacity and has cited concerns about environmental pollution. Particular regard should be had to potential pollution of Belfast Lough – an environmentally protected Special Protection Area (SPA), RAMSAR and Special Area of Conservation (SAC) – should the site and lough be hydrologically linked.</p>
5.82	<p>Belfast City 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. 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>
5.83	<p>Whilst a precautionary approach applies to Habitats Regulations Assessment (HRA), SES confirms that the onus is on NI Water to provide evidence of likely actual impacts, rather than hypothetical impacts. As the Competent Authority, the Council may take its own objective view on whether a proposal is likely to have a significant effect on water quality of the Lough. However, having regard to the precautionary approach, where there is clear intensification, the Council may need to consult SES and ask them to undertake a HRA Appropriate Assessment Screening to ascertain whether there would be a likely significant impact. This also triggers statutory consultation with DAERA NI Environment Agency.</p>
5.84	<p>In this case, it is considered that there would be clear intensification of the existing use of the site. Accordingly, it has been necessary to consult DAERA and SES. DAERA has advised that it is content subject to conditions. These conditions include submission and approval of a Final Construction Environmental Management Plan (CEMP), approval of details of foul and surface water drainage and those relating to contaminated land.</p>
5.85	<p>SES has been consulted following DAERA's response and advises that 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. It has recommended conditions relating to a Final CEMP, mammal mitigation zone prior to any piling, approval of details of foul drainage and the conditions recommended by the DAERA Ground Water team.</p>
5.86	<p>The conditions advised by DAERA and SES are recommended.</p>
5.87	<p>Subject to the imposition of these conditions, the proposal is considered compliant with Policy NH1, Policy ENV1 and the relevant provisions of the SPPS.</p>
	<p><b><u>Waste management</u></b></p>
5.88	<p>The application is supported by a Waste Management Plan. The proposed plans show a 77 sqm resource/refuse area at ground floor. The Council's Waste Management team is being consulted on the proposed waste management arrangements. Delegated authority is sought to deal with any issues that arise from the final consultation with the Waste Management team, provided that they are not substantive.</p>

	<p><b><u>Employability and Skills</u></b></p>
5.89	The <i>Developer Contribution Framework</i> requires proposals for Major development to contribute towards Employability and Skills where necessary.
5.90	The Council’s Economic Development Unit advises that in view of the scale of the development and current skills shortages, employability and skills related Developer Contributions are required in relation to both the construction and operational phases. This would support inclusive growth.
5.91	Accordingly, officers advise that Construction and Operational Employability and Skills Plans are required to be submitted and implemented. These planning obligations should be secured by way of a Section 76 planning agreement.
5.92	<p>Typical interventions in the Employability and Skills Plan may include:</p> <ul style="list-style-type: none"> <li>• creating access to employment opportunities</li> <li>• delivering training to upskill people</li> <li>• creation and delivery of apprenticeship opportunities</li> <li>• ring-fencing opportunities for under-represented groups</li> <li>• delivery of employability interventions</li> <li>• addressing barriers to employment and skills development</li> <li>• delivery of youth interventions</li> </ul>
	<p><b><u>Section 76 planning agreement</u></b></p>
5.93	<p>The following planning obligation are considered necessary to make the development acceptable. These should be secured by way of a Section 76 planning agreement.</p> <ul style="list-style-type: none"> <li>• <b>Retention of Cathedral Gardens</b> – that Cathedral Gardens is completed and retained as open space. This will prevent its future development and help safeguard the setting of the Listed Belfast Harbour Office; and</li> <li>• <b>Employability and Skills</b> – the submission and implementation of both Construction and Operational Employability and Skills Plans,</li> </ul>
5.94	A draft Section 76 planning agreement is currently being drafted without prejudice and will need to be finalised in a timely manner before planning permission is granted.
	<p><b><u>Pre-Application Community Consultation</u></b></p>
5.95	For applications for Major development, there is a legislative requirement for applicants to consult the community in advance of submitting the application.
5.96	Applicants are required to submit to the council a ‘Proposal of Application Notice’ (PAN) in advance of making the application, which sets out the proposals for the pre-community consultation. A PAN was submitted in August 2023 (LA04/2023/3819/PAN) and confirmed by the Council to be acceptable.
5.97	The applicant is further required to prepare a Pre-Application Community Consultation report (PACC) to accompany the planning application. A PACC Report was submitted with the application, which describes the engagement process and feedback received.

<p>5.98</p> <p>5.99</p> <p>5.100</p>	<p>The applicant used the following methods of engagement:</p> <ul style="list-style-type: none"> <li>• Distribution of an information leaflets</li> <li>• Hosted a public exhibition event with members</li> <li>• Issued a press notice</li> <li>• Developed and managed a consultation website.</li> </ul> <p>There were 39 responses received to the survey questions via the online form on the website. 69% of respondents welcomed the proposals for City Quays 5 and 60% supported the design. Matters surrounding public transport and active travel were raised which have been adequately addressed within the assessment of this report. The applicant states that they reviewed all feedback and gave full consideration to these matters in bringing forward the submission of the planning application. The overall height of the building was reduced following the consultation process.</p> <p>The PACC report is considered compliant with the legislative requirements.</p>
<p><b>6.0</b></p> <p>6.1</p> <p>6.2</p>	<p><b>Recommendation</b></p> <p>Having regard to the Development Plan and material considerations, it is recommended that planning permission is granted subject to conditions and a Section 76 planning agreement.</p> <p>Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and Section 76 planning agreement and deal with any other issues that arise, including those raised in the final consultation responses from the BCC Waste Management team, provided that the issues are not substantive.</p>
<p><b>7.0</b></p>	<p><b>DRAFT CONDITIONS</b></p> <ol style="list-style-type: none"> <li>1. The development hereby permitted must be begun within five years from the date of this permission. Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</li> <li>2. No external brickwork, cladding materials or other facing materials shall be constructed or applied unless in accordance with a written specification and a physical sample panel, details of which shall have first been submitted to and approved in writing by the Council.  The sample panel shall be provided on site and made available for inspection by the Council for the duration of the construction works.  The sample panel shall show the make, type, size, colour, bond, pointing, coursing, jointing, profile and texture of the external brick, cladding and other facing materials.  Reason: In the interests of the character and appearance of the area and setting of nearby Listed Buildings.</li> <li>3. Within one year of the occupation, evidence that the building has been constructed to at least BREEAM Excellent standard, or equivalent, shall be submitted in writing to the Council. Reason: To ensure that the development mitigates and adapts to climate change.</li> </ol>

4. All hard landscaping and public realm works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development unless otherwise agreed in writing by the Council. All hard landscape works shall be permanently retained in accordance with the approved details.

Reason: In the interests of the character and appearance of the area and setting of nearby Listed Buildings.

5. The development hereby approved shall not be occupied until the external terraces have been provided in accordance with the approved plans. The amenity areas shall be retained in accordance with the approved plans at all times.

Reason: To ensure that a quality residential environment is provided for occupants of the approved development.

6. The development shall not be occupied until the refuse and recycling storage area have been provided in accordance with the approved plans and shall thereafter be retained as such at all times.

Reason: To ensure adequate provision of refuse and recycling storage in the interests of the amenities of the area.

7. The development shall not become operational until the internal cycle parking store, showers and locker areas have been provided in accordance with the approved plans and shall thereafter be retained as such at all times.

Reason: To ensure acceptable cycle facilities on the site and to encourage alternative modes of transport to the private car.

8. The access gradient shall not exceed 4% (1 in 25) over the first 10m outside the road boundary. Where the vehicular access crosses a footway or verge, the access gradient shall be between 4% (1 in 25) maximum and 2.5% (1 in 40) minimum and shall be formed so that there is no abrupt change of slope along the footway.

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

9. The development shall operate in accordance with the Service Management Plan uploaded onto the Public Planning Portal on 16<sup>th</sup> April 2024.

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

10. The vehicular access, including visibility splays and any forward sight distance, shall be provided in accordance with the Drawing Number 28, prior to the occupation of any other works or other development hereby permitted.

The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250 mm above the level of the adjoining carriageway before the development hereby permitted (is commenced/occupied/ becomes operational) and such splays shall be retained and kept clear thereafter.

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

11. The development shall operate in accordance with the Travel Plan uploaded onto the Public Planning Portal on 7<sup>th</sup> February 2024.

Reason: To encourage alternative modes of transport to the private car

12. In the event that any centralised combustion sources (boilers, CHP, generator or biomass) are proposed and there is a risk of impact at relevant receptor locations as per the criteria detailed within the Environmental Protection UK and Institute of Air Quality Management, Land-use Planning & Development Control: Planning For Air Quality (January 2017), details of these shall be submitted to and approved in writing by the Council. Where the Air Quality Impact Assessment indicates exceedances of air quality objectives, appropriate mitigation measures shall be presented. The development shall not be carried out unless in accordance with the approved details.

Reason: Protection of human health and local air quality.

13. The plant and equipment associated with the development hereby permitted shall be designed to ensure a combined rating level (LAr) no greater than the Background Sound Level, LA90, during the daytime and night-time when measured and/or determined at the nearest noise sensitive premises. All measurements and calculations must be conducted in line with the methodology outlined in BS4142:2014+A1 2019 Methods for rating and assessing industrial and commercial sound.

Reason: Protection of nearby amenity against adverse noise

14. Deliveries and collections to and from the development hereby permitted shall not take place outside the hours of 07:00 and 23:00.

Reason: Protection of nearby amenity against adverse noise.

15. Background music on the external terrace shall not exceed a music noise level of 62 dBLAeq,5minutes when measured at a distance of 1m from the speakers in accordance with section 2.2.3, of the Irwin Carr Ltd Letter dated: 22nd April 2024, Planning reference LA04/2023/4613/F.

Reason: Protection of nearby amenity against adverse noise

16. Prior to operation of the hereby permitted restaurants/cafés (ground floor and 6<sup>th</sup> floor), kitchen extraction and odour abatement systems capable of achieving a high level of odour control shall be installed to suppress and disperse cooking odours as recommended in the Irwin Carr Odour Impact Assessment, dated 1 May 2024, reference: RP002AQ 2023173 and in accordance with advice within the current EMAQ+ 'Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems' (updated in May 2022).

The discharge outlet from the extract ventilation ducting shall terminate at a height not less than 1m above the main roof ridge height.

The kitchen and odour abatement systems shall be retained in accordance with the requirements of this condition at all times.

Reason: Protection of nearby amenity.

17. If during the carrying out of the development, new contamination is encountered that has not previously been identified, all related development works shall cease, and the Council shall be notified immediately in writing. No further related development works shall proceed until this new contamination has been fully investigated in accordance with Environment Agency and CIRIA guidance and British Standards.

In the event of unacceptable human health risks being identified, a Remediation Strategy shall be submitted to and agreed in writing by the Council. The Remediation Strategy shall be implemented and subsequently a Verification Report shall be submitted to and agreed in writing by the Council prior to the development being occupied or operated. The Verification Report shall be completed by competent persons and demonstrate the successful completion of the remediation works and that the site is now fit for end-use. The Verification Report shall be in accordance with current Environment Agency and CIRIA guidance and British standards.

Reason: To ensure that any contamination within the site is appropriately dealt with, in the interests of human health.

18. Notwithstanding the submitted details, 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.

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.

19. No development shall commence on site unless a Final Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Council. Mitigation should be based on the Outline Construction Environmental Management Plan (RSK, December 2023). It should also include details of a Marine Mammal Observer. The development shall not be carried out unless in accordance with the approved CEMP.

Reason: In the interests of natural heritage and ground water environment.

20. No development shall commence on site unless details of arrangements for the protection of marine mammals during the construction process, in particular piling, have been submitted to and approved in writing by the Council. The details shall include identification of a Mammal Mitigation Zone, arrangements for its monitoring and mitigation were marine mammals to be encountered during piling and construction. The development shall not be carried out unless in accordance with the approved details.

Reason: In the interests of natural heritage and ground water environment.

21. No development shall commence on site unless evidence demonstrating risks to groundwater and other environmental receptors due to on-site contamination of the ground and groundwater have been effectively assessed has been submitted to and approved in writing by the Council.

This evidence shall include:

- Groundwater quality monitoring data and a detailed quantitative risk assessment to investigate the risks to groundwater from soil contamination identified at borehole WS03;
- If unacceptable risks to groundwater are identified provision of remedial criteria as soil and groundwater concentrations that would not pose a risk to receptors. The remedial criteria are required to be derived through quantitative risk assessment based on the conceptual site model.

If unacceptable risks to receptors are identified a remediation strategy will be required to address those risks.

The development shall not be carried out unless in accordance with the approved details.

Reason: In the interests of protecting environmental receptors.

22. No development shall commence on site unless a detailed remediation strategy to address all unacceptable risks to environmental receptors identified under [Condition 21] has been submitted to and approved in writing by the Council. The remediation strategy shall identify all unacceptable risks on the site, the remedial objectives/criteria and the measures which are proposed to mitigate them (including maps/plans showing the remediation design, implementation plan detailing timetable of works, remedial criteria, monitoring program, etc).

The development shall not be occupied until the approved remediation strategy has been implemented and written verification of such has been submitted to and approved in writing by the Council.

Reason: In the interests of protecting environmental receptors.

23. If during construction, new contamination or risks are encountered which have not previously been identified, works shall cease and the Council shall be notified immediately in writing. This new contamination shall be fully investigated in accordance with the Land Contamination: Risk Management (LCRM) guidance available at <https://www.gov.uk/guidance/landcontamination-how-to-manage-the-risks>. In the event of unacceptable risks being identified, a remediation strategy shall be submitted to and approved in writing by the Council. The development shall not be occupied until the approved remediation strategy has been implemented and written verification of such has been submitted to and approved in writing by the Council.

Reason: In the interests of protecting environmental receptors.



**DRAFT INFORMATIVES**

**NOT04 Section 76 planning agreement**

This planning permission is subject to a planning agreement under Section 76 of the Planning Act (Northern Ireland) 2011, which secures the following obligations:

- Construction and Operational Employability and Skills Plans;
- Construction and retention of City Quays Gardens as open space.

**NOT02 Compliance with planning permission**

Please make sure that you carry out the development in accordance with the approved plans and any planning conditions listed above. Failure to do so will mean that the proposal is unauthorised and liable for investigation by the Council's Planning Enforcement team. If you would like advice about how to comply with the planning permission, you are advised to contact the Planning Service at Belfast City Council at [planning@belfastcity.gov.uk](mailto:planning@belfastcity.gov.uk).

**NOT03 Discharge of condition(s)**

This planning permission includes condition(s) which require further details to be submitted to and approved by the Council. Please read the condition(s) carefully so that you know when this information needs to be provided and approved. It could take a minimum of 8 weeks for the Council to approve the details, assuming that they are satisfactory, and sometimes longer depending on the complexity of the condition. You should allow for this when planning the timeline of your project.

**NOT05 Non-planning requirements**

The grant of planning permission does not dispense with the need to obtain licenses, authorisations may have been identified by consultees in their response to the application and can be accessed on the Northern Ireland Planning Portal website. The responses from consultees may also include other general advice for the benefit of the applicant or developer, consents or permissions under other legislation or protocols.