

Committee Report

Development Management Report

Date of Committee: 13th May 2025

Application ID: LA04/2024/1121/F & LA04/2024/1122/LBC

Proposal:

LA04/2024/1121/F - Vary of condition 6 of planning application : LA04/2020/0747/F to extend timing of works from 3 years to 5 to accommodate design changes to elevations and vary of condition 7 of planning application LA04/2020/0747/F to accommodate design changes to the roof.

LA04/2024/1121/LBC - Application for Listed Building Consent for the conversion of and alterations to King's Hall to accommodate Primary Health Care and Medical Diagnostic Centre, comprising amendments to extant Listed Building Consent reference LA04/2018/0048/LBC.

Location:

Royal Ulster Agricultural Society the Kings Hall, 488-516 Lisburn Road, Belfast, BT9 6GW

Referral Route: Section 54 application to vary of condition to previous major application. Associated LBC application included.

Recommendation: Approval

Applicant Name and Address:

KH (Balmoral) Developments Ltd
Crobane Enterprise Park
25 Hilltown Road
Newry
BT34 2LJ

Agent Name and Address:

Turley
Hamilton House
3 Joy Street
Belfast

Date Valid: 26th June 2024

Target Date: 22nd January 2025

Contact Officer: Ciara Reville, Principal Planning Officer

Executive Summary:

Planning approval was previously granted for Phase 1 of the King's Hall redevelopment under, Ref: LA04/2018/0040/F - Demolition of 29 Balmoral Avenue, demolition of existing non-listed building on site (including conference facility, showgrounds and stables). Refurbishment, creation of new floorspace and change of use from King's Hall venue to primary health care centre (including ancillary retailing and cafe). Erection of 2 storey side extension, repositioned access to Upper Lisburn Road, alterations to existing Balmoral Avenue access, internal access roads, public realm and landscaping, surface level car parks and associated site works including boundary treatments.

Planning approval LA04/2020/0747/F granted permission to vary condition 39 of application LA044/2018/0040/F to allow a reconfiguration of approved car parks for Phase 1 of the King's Hall redevelopment one of which is for a temporary car park, to facilitate further development on the site.

This application seeks planning permission to vary conditions 6 and 7 of LA04/2020/0747/F to amend the approved drawings to reflect design changes for the Kings Hall building and extend the

period for delivery of renovations to the external elevations, to match that of the roof renovation. The associated LA04/2024/1122/LBC is also considered alongside.

The key issues relevant to consideration of the application is:

- The principal of the alterations to the listed building from the previous approval;
- The time period for delivery of the renovations

HED and EHO offer no objections to the proposed variation.

- One objection has been received raising concern about the impact of visual nuisance and prolonged disrepair of the Kings Hall building on the amenity of the area.

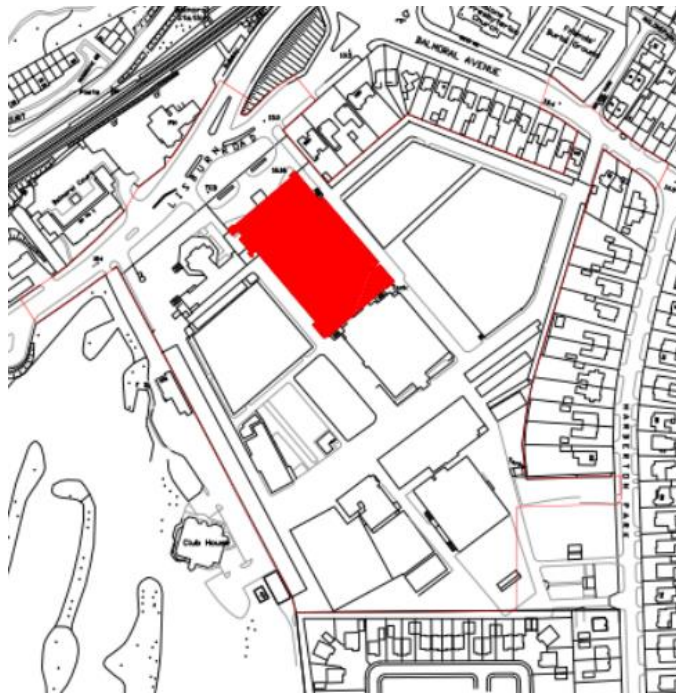
Recommendation

Having had regard to the development plan, relevant planning policies, and consultation responses it is considered that the variation of condition should be approved.

Delegated authority is sought for the Director of Planning and Building Control to finalise the conditions and deal with any other matters which may arise so long as they are not substantive.

Case Officer Report

Site Location Plan and Site Layout



Characteristics of the Site and Area

1.0 Description of Proposed Development

1.1 The application seeks planning permission for a variation of condition 6 and 7 of LA04/2020/0747/F.

2.2 Condition 6 of LA04/2020/0747/F states:

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| 2.3 | <p>Within 3 years of the occupation of any part of the development, the external works to the elevations of the King's Hall – 1) south western elevation facing Balmoral Golf Club, 2) south eastern elevation facing Harberton park and 3) north eastern elevation facing Balmoral Avenue identified on drawing Nos. 21b and 22b, shall be completed in accordance with the approved details</p> <p>The application requests to vary the wording of this to (changes in red): Within 5 years of the occupation of any part of the development, the external works to the elevations of the King's Hall – 1) south western elevation facing Balmoral Golf Club, 2) south eastern elevation facing Harberton park and 3) north eastern elevation facing Balmoral Avenue identified on drawing Nos. 21c and 22c, shall be completed in accordance with the approved details.</p> <p>Condition 7 of LA04/2020/0747/F states: Within 5 years of the occupation of any part of the development, the external works to the roof of the King's Hall identified on drawing Nos. 20a, 21b, 22b, 23b, 24b and the associated internal structure shall be completed in accordance with the approved details.</p> <p>The application requests to vary the wording of this to (changes in red): Within 5 years of the occupation of any part of the development, the external works to the roof of the King's Hall identified on drawing Nos. 20b, 21c, 22c, 23c, 24c and the associated internal structure shall be completed in accordance with the approved details.</p> |
| 2.0 2.1 | <p>Description of Site</p> <p>The site includes the King's Hall complex located off the Lisburn Road. Work is ongoing and the subsequent planning permission (LA04/2018/0040/F) has been implemented via the creation of accesses and road upgrades, the extension to the Kings Hall and renovations to the Lisburn Road elevation of the Kings Hall.</p> |
| Planning Assessment of Policy and other Material Considerations | |
| 3.0 3.1 | <p>Site History</p> <p>LA04/2018/0040/F - Demolition of 29 Balmoral Avenue, demolition of existing non-listed building on site (including conference facility, showgrounds and stables). Refurbishment, creation of new floorspace and change of use from King's Hall venue to primary health care centre (including ancillary retailing and café). Erection of 2 storey side extension, repositioned access to Upper Lisburn Road, alterations to existing Balmoral Avenue access, internal access roads, public realm and landscaping, surface level car parks and associated site works including boundary treatments. Amended plans and further information received. Approved 16/04/2019</p> <p>LA04/2020/0747/F – Application under section 54 of the Planning Act (NI) 2011 in respect of planning approval LA04/2018/0040/F seeking to vary condition No. 39 to amend the approved layout Drawing No.38 Road layout geometry and levels Phase 1 to reflect the amended layout. Approved 29/08/2020</p> |
| 4.0 | Policy Framework |
| 4.1 | Belfast Urban Area Plan 2001 |
| 4.2 | <p>Draft Belfast Metropolitan Area Plan 2015 (v2004 and v2014)</p> <p>Following the recent Court of Appeal decision on BMAP, the extant development plan is now the BUAP. DBMAP (both v2004 and v2014 versions) is a material consideration. The weight to be afforded to dBMAP is a matter of judgement for the decision maker. Given its advanced stage in the Development Plan process, it is considered that dBMAP (v2014) carries significant weight.</p> |

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| 4.3 | <p>Belfast Local Development Plan Draft Plan Strategy</p> <p>The Belfast Local Development Plan Draft Plan Strategy 2035 will guide future planning application decision making to support the sustainable spatial growth of the city up to 2035. The draft Plan Strategy has been subject to examination by the Planning Appeals Commission and the Council has been provided with a copy of their Report, together with a Direction from DfI in relation to additional required steps before it can be considered adopted. Paragraph 1.10 of the SPPS states that a transitional period will operate until such times as a Council's Plan Strategy has been adopted. Accordingly, whilst the Draft Plan Strategy is now a material consideration it has limited weight until it is adopted and during the transitional period planning authorities will apply existing policy together with the SPPS.</p> |
| 4.4 | Strategic Planning Policy Statement for Northern Ireland (SPPS) |
| 4.5 | <p>Policy BH1 – Listed Buildings</p> <p>Policy DES 1 – Principles of urban design.</p> <p>ENV 1- Environmental Quality</p> |
| 5.0 | <p>Statutory Consultees Responses</p> <p>Historic Environment Division - Content</p> |
| 6.0 | <p>Non Statutory Consultees Responses</p> <p>Environmental Health- Content with recommended conditions.</p> |
| 7.0 | Representations for LA04/2024/1121/F |
| 7.1 | The application was advertised on the 19th July 2024 and neighbour notified on the 7 th November 2024. |
| 7.2 | <p>1 objection was received. This is summarised below.</p> <ul style="list-style-type: none"> Visual Nuisance and Prolonged Disrepair of the Kings Hall building has already remained in a state of partial renovation and disrepair for an extended period, which detracts from the visual amenity of the area. Extending the renovation period would be detrimental. <p>Case officer response; The extension of time frames for completed works is considered acceptable. Reasons have been provided such as external changes and alterations to the roof, therefore an extension for completion would be considered appropriate.</p> |
| 9.0 | Assessment |
| 9.1 | <p>Principle of development</p> <p>The principle of development has already been established through the previous approved application LA04/2018/0040/F. It is considered that the proposal is in compliance with the SPPS in that the proposed development will not cause demonstrable harm to interests of acknowledged importance which are considered below.</p> |
| 9.2 | <p>The applicant in a statement accompanying the application has set out the reasons for the variations as follows:</p> <p>“Condition 6 currently requires that within 3 years of the occupation of any part of the development, the external works to the elevations of the King’s Hall (with exception of the Lisburn Road elevation, to be delivered within 1 year), must be completed. Condition 7</p> |

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| | <p>requires the external works to the roof to be completed within 5 years of occupation. The development was first occupied in August 2021, and as such, the external elevations must be completed in August 2024 as per the current condition wording. This application seeks to vary Condition 6 to amend the period for completion of the external elevations from 3 years to 5 years. There are two reasons for this. Firstly, the developer has sought a suitable operator for the Kings Hall. An operator has now been identified, who require some design changes to the external elevations and the roof. It will not be possible to secure planning permission for these changes and then implement the works by August 2024. The developer has not yet completed all of the works in order to avoid renovation works which may then need to be replaced to meet operator requirements. Now that new operator requirements are known and designed, the developer will be in a position to implement the renovation works. Secondly, works to renovate the roof would likely cause some level of damage to the external elevations. From a practical construction point of view, works to the remaining elevations and the roof should be delivered in tandem, to: - Limit noise and other disturbance during construction; and - Avoid duplication of work, and subsequently, waste.”</p> |
| 9.3 | <p>The applications were submitted in June 2024 prior to the August 2024 condition expiry and the work is now proposed to be completed by August 2026. Officers have no reason to dispute the requirement of the applicants and consider it reasonable in principle to agree to vary these conditions.</p> |
| 9.4 | <p>Impact on the character and appearance of the Listed Building The drawings to be updated under the application consists of minor alterations to the external and internal areas of the existing permission. An associated LBC application (ref: LA04/2024/1122/LBC) has been submitted to which the alterations have been assessed against policy BH1.</p> |
| 9.5 | <p>The existing curved form of the roof structure will remain as is, faithfully following the line of the arches to express these externally. To echo the original form of the roof, a new central section will be added as a new structure inserted on top of the arches to recreate the top element of the original stepped profile.</p> |
| 9.6 | <p>This element will alter the side profiles, to be more in line with the original concept, addressing the skyline between the gable ends and will introduce light down into the building’s interior to the central atrium.</p> |
| 9.7 | <p>There will be a number of plant spaces located on the roof, both in open ‘wells’, (concealing the plant in order that it does not project above the curve of the roof) and covered with a step, in a dormer arrangement, allowing for vertical louvers to encourage air flow into the spaces.</p> |
| 9.8 | <p>There are to be new window openings made to facilitate Ground and First Floor accommodation and these will follow the rhythm and proportions of the windows below.</p> |
| 9.9 | <p>HED have been consulted and have concluded that they have no objection to the variation of conditions or the proposed alterations under the listed building consent. Therefore, the proposal is in compliant with Policy BH1 and DES1.</p> |
| 9.10 | <p>Impact on amenity against adverse noise from the associated plant Given the relocation of plant any addition to plant noise is a material consideration. Environmental Health have considered the NIA and concluded that they are content with the proposal subject to conditions.</p> <p>The proposal is therefore compliant with Policy DES 1 and ENV 1.</p> |

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| 9.11 | <p>Preapplication Community Consultation</p> <p>Given that this variation of condition is to a previously approved major application, the applicant can rely on the pre-application community consultation that was submitted alongside application LA04/2018/0040/F.</p> |
| 9.6 | <p>Having regard for the policy context and the considerations above, the proposal is deemed acceptable.</p> |
| 10.0 | <p>Summary of Recommendation:</p> |
| 10.1 | <p>Having regard to BCC LDP Plan Strategy and other material considerations, the proposal is considered acceptable and approval of planning permission is recommended. This will create a standalone permission and as such all conditions from planning approval LA04/2020/0747/F must be replicated on any decision notice, albeit with conditions 6 and 7 amended.</p> <p>Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of conditions subject to no new substantive planning issues being raised by consultees and third parties.</p> |
| 11.0 | <p>DRAFT Conditions LA04/2024/1121/F:</p> <ol style="list-style-type: none"> 1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission. <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p> <ol style="list-style-type: none"> 2. Prior to the date of first occupation, the developer shall confirm in writing the date of first occupation of any part of the development to the Council. <p>Reason: To enable the Council to monitor the sequencing and timing of the proposed development.</p> <ol style="list-style-type: none"> 3. Prior to the occupation of any part of the development, the demolition works to the building attached and adjacent to the listed King's Hall as shown on Drawing No. 04b, shall be completed in accordance with the details hereby approved and required by conditions 21 and 22. <p>Reason: In the interests of the orderly development of the site.</p> <ol style="list-style-type: none"> 4. Prior to commencement of the development, the applicant shall submit details of public realm improvements along the Lisburn Road frontage as highlighted in yellow on Drawing No. 36b which shall be agreed in writing with the Council and shall be carried out as agreed, prior to the occupation of the King's Hall or within 1 year of the occupation of any part of the development. The development shall be carried out in accordance with the approved details under discharge of condition application LA04/2019/2433/DC. <p>Reason: In the interests of the orderly development of the site and to secure enhancement of the setting of the listed building.</p> <ol style="list-style-type: none"> 5. Within 1 year of the occupation of any part of the development, the external works to the north western (Lisburn Road) elevation of the King's Hall identified on drawing Nos. 22b and 45 shall be completed in accordance with the approved details. <p>Reason: In the interests of the orderly development of the site and to secure the restoration of the listed building.</p> |

6. Within 5 years of the occupation of any part of the development, the external works to the elevations of the King's Hall - 1) south western elevation facing Balmoral Golf Club, 2) south eastern elevation facing Harberton Park and 3) north eastern elevation facing Balmoral Avenue identified on drawing Nos. 21c and 22c, shall be completed in accordance with the approved details.

Reason: In the interests of the orderly development of the site and to secure the restoration of the listed building.

7. Within 5 years of the occupation of any part of the development, the external works to the roof of the King's Hall identified on drawing Nos. 20b, 21c, 22c, 23c, 24c and the associated internal structure shall be completed in accordance with the approved details.

Reason: In the interests of the orderly development of the site and to secure the restoration of the listed building.

8. Prior to commencement of development the applicant shall submit a landscape management plan which shall include long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas. The landscape management plan shall be agreed in writing by the Council and shall be carried out as approved in accordance with the approved details. The development shall be carried out in accordance with the approved details under discharge of condition application LA04/2019/1562/DC.

Reason: To ensure the proper management of the landscaped areas in the interests of visual amenity.

9. Prior to commencement of development on any part of the site, a planting scheme shall be submitted to and agreed in writing with the Council in conjunction with Historic Environment Division and all work shall conform to the approved details. The works shall be carried out within 12 months of the occupation of any part of the development hereby approved unless otherwise agreed in writing by the Council. Any trees or plants indicated on the approved scheme which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size, details of which shall have first been submitted to and approved in writing by the Council. The development shall be carried out in accordance with the approved details under discharge of condition application LA04/2019/2434/DC.

Reason: In the interests of the character and appearance of the area and to ensure that new planting is appropriate and of an acceptable quality.

10. The demolition of the stables and the retention, repair and rendering of the rear wall of the stables shall be carried out in accordance with the methodology statement received on 15 August 2018 and Drawing No. 41 received on 23 March 2018.

Reason: To protect the amenity of neighbouring residential properties.

11. Prior to commencement of demolition the applicant shall submit a Demolition Management Plan (DMP) to be agreed in writing with the Council. The DMP shall identify proposed controls and mitigation measures to control dust, noise, vibration and other nuisance during the demolition/construction phase and shall demonstrate how the implementation of the appropriate measures will mitigate

adverse impacts of the development. The DMP shall be carried out as approved. The development shall be carried out in accordance with the approved details under discharge of condition application LA04/2019/2670/DC.

Reason: In the interests of amenity.

12. Prior to commencement of development the applicant shall submit a Construction Management Plan (CMP) to be agreed in writing with the Council. The CMP shall identify proposed controls and mitigation measures to control dust, noise, vibration and other nuisance during the demolition/construction phase and shall demonstrate how the implementation of the appropriate measures will mitigate adverse impacts of the development. The CMP shall be carried out as approved. The development shall be carried out in accordance with the approved details under discharge of condition application LA04/2019/2762/DC.

Reason: In the interests of amenity.

13. Prior to the operation of the King's Hall Primary Health Care Centre building, the applicant shall provide to the Council documented evidence that any installed lift shaft pit(s) have been lined with a damp proof membrane and any new service entry points or piled penetrations have been sealed.

Reason: Protection of human health.

14. If, during the development works, new contamination or perceived risk to the water environment is encountered which have not previously been identified, works should 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). In the event of unacceptable risks being identified, a remediation strategy shall be submitted and agreed in writing by the Council, and subsequently implemented and verified in accordance with condition 13 to its satisfaction.

Reason: Protection of human health and environmental receptors to ensure the site is suitable for end use.

15. No piling work should commence on this site until a piling risk assessment has been submitted and agreed in writing with the Council. This condition only applies if a piling foundation is being used at the site. Piling risk assessments should be undertaken in accordance with the methodology contained within the Environment Agency document on 'Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention' available at <http://publications.environmentagency.gov.uk/PDF/SCHO0501BITT-E-E.pdf>.

Reason: Protection of environmental receptors to ensure the site is suitable for use.

17. Prior to commencement of works a 'Plan of Work' for the management of site asbestos containing materials (ACM) shall be prepared by a suitably competent person, submitted to and agreed in writing by the Council. This Plan of Work shall include details of the work and the actions to control risk and prevent harm. The Plan of Work must include the following:

- nature and expected duration of the work
- number of persons involved
- address and location of where work is to be carried out
- method for picking asbestos

- methods use to prevent, control and reduce exposure to asbestos
- air monitoring
- arrangement for disposal of asbestos waste
- type of equipment including personal protective equipment and
- work on site with asbestos containing materials must not take place unless a copy of this Plan of Work is readily available on site.

The development shall be carried out in accordance with the approved details under discharge of condition application LA04/2019/1244/DC.

Reason: Protection of human health and ensure the development site is suitable for use.

18. Prior to commencement of the use of the cafe, details of the odour abatement system shall be submitted and agreed in writing with the Council should the cafe use hereby approved propose to cook/serve hot food. The odour abatement system shall be installed prior to commencement of the use and shall be maintained thereafter in accordance with the manufacturer's instructions.

Reason: Protection of amenity.

19. The Rating Level (dB LAr) of sound from all combined building services plant/equipment associated with the development shall not exceed the background sound level at the nearest sound sensitive premises (during the daytime and night time periods) when measured and determined in accordance with assessment methodology outlined in BS4142:2014 - Methods for rating and assessing industrial and commercial sound. The representative background sound level shall be taken as that measured and presented by Irwin Carr in table 3 of their Noise Impact Assessment for King's Hall Phase 1 dated 28 February 2018, report reference RP001 201606. Noise measurements shall be monitored at an appropriate location at the site boundary and corrected to establish the noise levels at the nearest sound sensitive premises. A Rating Level (dB LAr) indicative of 'low adverse impact' shall be maintained thereafter.

Reason: Protection of residential amenity.

20. No later than 6 weeks prior to commencement of works to the listed King's Hall, access to the site and buildings shall be afforded to HED to record areas that are the subject of demolitions. Access shall be agreed in writing with the Council prior to commencement. The development shall be carried out in accordance with the approved details under discharge of condition application LA04/2019/1114/DC.

Reason: To ensure that there is a complete record of the historic fabric.

21. No works to the listed King's Hall shall commence until a Level 2 survey as defined by Historic England's 'Understanding Historic Buildings A Guide to Good Recording Practice' of the King's Hall - including the extensions proposed for demolition has been submitted to and agreed in writing with the Council in conjunction with Historic Environment Division. The development shall be carried out in accordance with the approved details under discharge of condition application LA04/2019/1114/DC.

Reason: To ensure that there is a complete record of the historic fabric.

22. No demolition shall take place on site until a demolition method statement, detailing how the demolitions will be carried out to, and around, the listed building without adversely affecting the structural stability of the remaining historic fabric

and without damaging the historic fabric proposed for retention, has been submitted to and agreed in writing with the Council in conjunction with Historic Environment Division. All work shall conform to the agreed method statement.

Reason: To ensure that protection and survival of the remaining historic fabric.

23. No works to the external elevations of the listed King's Hall other than repairs or demolitions, shall commence until samples of all new elements and finish materials for the walls, windows and external doors including colours/materials of all proposed finishes for the Listed King's Hall have been submitted to and agreed in writing with the Council in conjunction with Historic Environment Division. All work shall conform to the agreed samples.

The samples must include the following:

- 1) windows and doors (external)
- 2) secondary glazing system
- 3) louvres on side elevations

Reason: To ensure the protection and survival of the remaining historic fabric and to ensure that new work is appropriate and of an acceptable quality.

24. No works to the roof of the listed King's Hall shall commence until samples of all new elements and finish materials for the roof, including colours and materials have been submitted to and agreed in writing with the Council in conjunction with Historic Environment Division. All work shall conform to the agreed samples.

Reason: To ensure the protection and survival of the remaining historic fabric and to ensure that new work is appropriate and of an acceptable quality.

25. No works to the interior of the listed King's Hall other than soft strip or approved demolitions shall commence until samples of all new elements and finish materials for the wall, windows, doors and ceilings including colours and materials of all proposed finishes for the interior of the King's Hall have been submitted to and agreed in writing with the Council in conjunction with Historic Environment Division. All work shall conform to the agreed samples. The samples must include:

- 1) windows and doors (internal)
- 2) internal joinery
- 3) floor finishes
- 4) ceiling finishes

Reason: To ensure the protection and survival of the remaining historic fabric and to ensure that new work is appropriate and of an acceptable quality.

26. No works to the interior of the listed King's Hall, other than soft strip or approved demolitions, shall commence until details of the new stairs proposed for the listed King's Hall have been submitted to and agreed in writing with the Council in conjunction with Historic Environment Division. All work shall conform to the agreed drawings.

Reason: To ensure that new work is appropriate and of an acceptable quality.

27. No works to the exterior elevations of the King's Hall, other than approved demolition works or repairs, shall commence until details, at an appropriate scale, of the new covering/finish to the arches have been submitted to and agreed in

writing with the Council in conjunction with Historic Environment Division. All work shall conform to the agreed drawings.

Reason: To ensure that new work is appropriate and of an acceptable quality.

28. No works to the exterior of the King's Hall, other than approved demolition works or repairs, shall commence until the colour of the new covering/finish to the arches have been submitted to and agreed in writing with the Council in conjunction with Historic Environment Division and all work shall conform to the agreed colour.

Reason: To ensure that new work is appropriate and of an acceptable quality.

29. No works to the front elevation of the King's Hall, other than approved demolition works or repairs shall commence until details, at an appropriate scale, of the new canopy have been submitted to and agreed in writing with the Council in conjunction with Historic Environment Division and all work shall conform to the agreed drawings. Drawings to include copies of the original drawings as stated in the application documents.

Reason: To ensure that new work is appropriate and of an acceptable quality.

30. Construction of the 2 storey extension development shall not commence until details of the external materials and finishes have been submitted and agreed in writing with the Council in conjunction with Historic Environment Division. All work shall conform to the agreed drawings. The development shall be carried out in accordance with the approved details under discharge of condition application LA04/2019/2787/DC.

Reason: To ensure that new work is appropriate and of an acceptable quality.

31. No work shall commence on the 2 storey extension development until details, at an appropriate scale, of the new link have been submitted to and agreed in writing with the Council in conjunction with Historic Environment Division. All work shall conform to the agreed drawings. The development shall be carried out in accordance with the approved details under discharge of condition application LA04/2019/1998/DC.

Reason: To ensure that new work is appropriate and of an acceptable quality.

32. No work shall commence on the Lisburn Road access to the King's Hall until details to describe fully the new steps, ramps and walling to the front of the King's Hall have been submitted to and agreed in writing with the Council in conjunction with Historic Environment Division. All work shall conform to the agreed drawings. The development shall be carried out in accordance with the approved details under discharge of condition application LA04/2019/0447/DC.

Reason: To ensure that new work is appropriate and of an acceptable quality.

33. No hard landscaping shall commence on any part of the site until samples of all hard landscaping finish materials have been submitted to and agreed in writing with the Council in conjunction with Historic Environment Division. All work shall conform to the agreed samples.

Reason: To ensure that new work is appropriate and of an acceptable quality.

34. No part of the development hereby permitted shall become operational until the signalisation, lane re-alignment and remarking of the junction of the King's Hall Redevelopment and the Lisburn Road and of the revised access onto Balmoral Avenue, including visibility splays and any forward sight distance, have been constructed to the satisfaction of DfI - Roads. This will be generally in accordance with the approved layout. Drawing Nos. 39, 'Phase 1 Lisburn Road Junction Levels and Geometry' published by Belfast City Council Planning Office on 01 February 2018 and 40, 'Phase 1 Balmoral Avenue Road Junction Levels and Geometry' published by Belfast City Council Planning Office on 01 February 2018. 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 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.

35. No works on the adopted road network to provide the above access to the development shall commence until full details of the engineering for the signalisation, lane re-alignment and remarking of the junction of the King's Hall redevelopment and the Lisburn Road and of the revised access onto Balmoral Avenue have been submitted to and approved by the Council in conjunction with the Department For Infrastructure. All works shall comply with the requirements of the Design Manual for Roads and Bridges and all other relevant standards and technical guidance, including approval of the necessary Departures/ Relaxations from standard and Road Safety Audit, these being generally in accordance with Drawing Nos. 39, 'Phase 1 Lisburn Road Junction Levels and Geometry' published by Belfast City Council Planning Office on 01 February 2018 and 40, 'Phase 1 Balmoral Avenue Road Junction Levels and Geometry' published by Belfast City Council Planning Office on 01 February 2018 All works shall be completed to the satisfaction of the Department for Infrastructure.

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

36. The signalised junction shall be maintained by the operator of the site for a period of 10 years from the commencement of operations of the signals.

Reason: To ensure the cost of operations are borne by the applicant during initial operations.

37. The Private Streets (Northern Ireland) Order 1980. The Department for Infrastructure hereby determines that the width, position and arrangement of the street, and the land to be registered as being comprised in the streets, shall be as indicated on Drawing '15-031-P-105 Rev B, King's Hall - Balmoral Avenue Access Land Proposed for Adoption' published by Belfast City Council Planning Office on 21 December 2018 and bearing the Department for Infrastructure - Roads date stamp 29 January 2019 and '15-031-P-104 Rev B, King's Hall - Exit Lisburn Road Land Proposed for Adoption' published by Belfast City Council Planning Office on 21 December 2018 and bearing the Department for Infrastructure - Roads date stamp 29 January 2019. The Department hereby attaches to the determination a requirement under Article 3(4A) of the above Order that such works shall be carried out in accordance with an agreement under Article 3 (4C).

Reason: To ensure there is a safe and convenient road system within the development and to comply with the provisions of the Private Streets (Northern Ireland) Order 1980.

38. The development hereby permitted shall not become operational until hard surfaced areas have been constructed in accordance with the approved layout Drawing No. 8687-760P3, 'Road Layout Geometry and Levels Phase 1(Revised)' published by Belfast City Council Planning Office on 30th April 2020 to provide 20 No. disabled parking spaces, 41 No. spaces reserved for essential staff, 302 No. public parking spaces and adequate facilities for servicing and circulating within the site. No part of these hard surfaced areas shall be used for any purpose at any time than for the parking and movement of vehicles.

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

39. There shall be no vehicular through route between the Lisburn Road access and the Balmoral Avenue access except to permit servicing. The access is to be controlled by a permanent barrier under 24 hour control.

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

40. A minimum of 12 No. secure cycle parking stands shall be provided and permanently retained close to the accesses to the proposed development for use by staff and visitors to the development.

Reason: to encourage the use of alternative modes of transport for development users.

41. Any existing street furniture or landscaping obscuring visibility or located within the proposed vehicular accesses shall, after obtaining permission from the appropriate authority, be removed, relocated or adjusted at the applicant's expense.

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

42. The development hereby permitted shall operate in accordance with the approved Travel Plan published by the Belfast City Council Planning Office on 05 February 2018. This shall include provision of the Translink iLink Initiative and the Bike2Work Initiative or equivalent measures agreed by DfI Roads.

Reason: To encourage the use of alternative modes of transport to the private car in accordance with the Transportation Principles.

43. The development hereby permitted shall operate in accordance with the approved Service Management Report published by the Belfast City Council Planning Office on 05 February 2018.

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

44. Prior to the installation of plant along the northeast elevation of plot 1 a noise assessment shall be submitted for review and approval by the planning authority. The noise assessment shall demonstrate that the noise rating level ($dB_{LA,T}$) from the operation of all proposed plant at plots 1 and 2 and include the cumulative impact of plant at all plots, ensuring it will not exceed the representative background sound level ($dB_{LA90,T}$) during the day and at night at nearby sensitive receptors. The assessment shall be conducted in accordance with BS4142:2014+A1:2019 '*Methods for rating and assessing industrial and commercial sound*'. The assessment shall also include evidence to clearly

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| | <p>demonstrate that there will be no tonal impact associated with lower frequency elements of the plant.</p> <p>Reason: Protection of residential amenity.</p> <p>45. All plant and equipment associated with the hereby approved development shall be installed as approved and be maintained thereafter.</p> <p>Reason: Protection of residential amenity.</p> <p>DRAFT Conditions LA04/2024/1122/LBC:</p> <p>1. Prior to commencement of relevant works provide a detailed section at 1:20 scale be approved in writing by the Council through the SW wall indicating roof build-up, eaves, windows/cills, internal /external finishes and detail at the base of the building illustrating how it connects with the external landscaping.</p> <p>Reason: to ensure that the materials used are of appropriate quality in the interests of maintaining the character and appearance of the listed building.</p> <p>2. Rainwater downpipes shall be cast metal to match existing.</p> <p>Reason: to ensure that the materials used are of appropriate quality in the interests of maintaining the character and appearance of the listed building.</p> <p>3. No new plumbing, pipes, soil-stacks, flues, vents, ductwork, lighting, security cameras or mechanical and electrical services of any description shall be fixed on the external faces of the building other than those shown on the drawings hereby approved.</p> <p>Reason: to ensure that the materials used are of appropriate quality in the interests of maintaining the character and appearance of the listed building.</p> |
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| ANNEX | |
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| Date Valid | LA04/2024/1121/F – 26/06/24 LA04/2024/1122/LBC – 26/06/24 |
| Date First Advertised | LA04/2024/1121/F – 18/07/24 LA04/2024/1122/LBC – 18/07/24 |
| Date Last Advertised | LA04/2024/1121/F – 18/07/24 LA04/2024/1122/LBC – 18/07/24 |
| Date of Last Neighbour Notification | LA04/2024/1121/F – 07/11/24 |
| Date of EIA Determination | N/A |
| ES Requested | No |

