

Public Document Pack

**Democratic Services Section
Legal and Civic Services Department
Belfast City Council
City Hall
Belfast
BT1 5GS**



**Belfast
City Council**

21st June, 2024

PLANNING COMMITTEE

Dear Alderman/Councillor,

The above-named Committee will meet in the Lavery Room - City Hall on Thursday, 27th June, 2024 at 5.00 pm, for the transaction of the business noted below.

You are requested to attend.

Yours faithfully,

John Walsh

Chief Executive

AGENDA:

1. Routine Matters

- (a) Apologies
- (b) Declarations of Interest

2. Miscellaneous Reports

- (a) Delegation of Local Applications with NIW Objections (Pages 1 - 6)
- (b) Confirmation of Listed Buildings - International Research Centre for Experimental Physics, including Railings, Retaining Walls, Queen's University, Belfast University Road Belfast (Pages 7 - 14)

3. Planning Applications previously considered

- (a) **LA04/2023/4153/F** - Conversion of an existing dwelling house to a 5 bed HMO dwelling house. No works to the exterior or elevation of the property. - 44 Ponsonby Avenue (Pages 15 - 26)

4. **New Planning Applications**

- (a) **LA04/2023/4613/F** - 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. - 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 (Pages 27 - 60)
- (b) **LA04/2024/0190/F** and **LA04/2024/0203/LBC** - Renewal of planning permission ref: LA04/2018/1991/F for the demolition of existing non listed buildings and redevelopment of site with 6-8 storey buildings to accommodate office led mixed use development comprising Class B1 (a) office, ancillary Class B2 industrial floorspace, active ground floor uses retail (A1), restaurants, cafes and bars (sui generis); basement parking and associated access and circulation. Proposals include the retention and restoration of the listed Seaver building comprising façade restoration; new roof and reintroduction of dormers, replacement windows and reinstatement of original entrance to southern façade. - Former Belfast Telegraph complex at 124-144 Royal Avenue and, 1-29 Little Donegall Street (Pages 61 - 110)
- (c) **LA04/2023/2557/F** - 260 no. dwellings, children's play area and other ancillary and associated works. - Lands East of Meadowhill, North of Glencolin Court, North and East of Glencolin Rise, East of Glencolin Grove, North and West of Glen Road Rise, and North of Glen Road Grove (Report to follow)
- (d) **LA04/2024/0438/F** - Section 54 application to vary condition 27 (parking, servicing and circulating), condition 28 (parking facilities), condition 29 (vehicular access) , condition 30 (cycle parking) and condition 31 (service management plan) of planning approval LA04/2019/2756/F (alterations to vacant Gaol wing (Wing A) to facilitate change of use to operational whiskey distillery with tourist centre. - A Wing, Crumlin Road Gaol 53-55 Crumlin Road (Pages 111 - 122)
- (e) **LA04/2024/0574/F** - Proposed temporary (up to 5 years) nursery and primary school, soft play area, access, parking, landscaping and ancillary site works - Land adjacent and east of No. 44 Montgomery Road (Report to follow)
- (f) **LA04/2023/4215/F** - Proposed 3no. residential apartments blocks (19no. Cat 1 Elderly apartments and 2no. Wheelchair apartments, 21 units in total) Associated car parking, site works and landscaping. - 141-147 Upper Dunmurry Lane (Report to follow)
- (g) **LA04/2024/0044/F** - Change of use from HMO to single dwelling and rear dormer (amended description). 17 Lower Courtyard, BT7 3LH (Pages 123 - 130)
- (h) **LA04/2023/4607/F** - Removal of existing temporary sectional buildings and construction of new three storey childcare building with external play area, associated landscaping and alterations to existing access. Parkmore Building, 284A Ormeau Road (Pages 131 - 144)

- (i) **LA04/2024/0819/F** - 47 Greystown Park (Single storey rear extension and front elevation changes to facilitate conversion of garage to playroom / home office (Pages 145 - 152)

5. **Restricted Items**

- (a) Draft Purpose Built and Managed Student Accommodation - Supplementary Planning Guidance (Pages 153 - 192)

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Subject:	Delegation of Local applications with NI Water objections
Date:	27 th June 2024
Reporting Officer(s):	Kate Bentley, Director of Planning and Building Control
Contact Officer(s):	Ed Baker, Planning Manager (Development Management) Ciara Reville, Principal Planning Officer

Restricted Reports	
Is this report restricted?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If Yes, when will the report become unrestricted?	
After Committee Decision	<input type="checkbox"/>
After Council Decision	<input type="checkbox"/>
Some time in the future	<input type="checkbox"/>
Never	<input type="checkbox"/>

Call-in	
Is the decision eligible for Call-in?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

1.0	Purpose of Report or Summary of Main Issues
1.1	The Planning Committee will recall that at its meetings on 27 June 2022, 15 November 2022 14 February 2023, 14 March 2023 18 April 2023, 15 August 2023 17 October 2023, 12 December 2023, 12 February 2024 19 March 2024 and 24 th May 2024, it agreed to delegate authority to the Director of Planning and Building Control the determination of a number of Local applications to which NI Water had objected.
1.2	The Council continues to receive objections from NIW to some Local applications. The purpose of this report is to seek the Committee's agreement to delegate to officers those Local planning applications to which NI Water has objected as set out at Appendix 1 .
1.3	For the avoidance of doubt, it is only those applications which would have been delegated to officers under the Scheme of Delegation were it not for the objection from NI Water which are proposed to be delegated. Therefore, any of the Local applications listed at Appendix 1 which it may later transpire require to be referred to the Committee for other reason/s (other than the NI Water objection) will be reported to the Committee to determine. Individual

	Members can also still request that the applications at Appendix 1 are referred to the Committee under paragraph 3.8.1 of the Scheme of Delegation.
2.0	Recommendation
2.1	That the Committee agrees to delegate to the Director of Planning and Building Control those Local planning applications to which NI Water has objected set out at Appendix 1 .
3.0	Main Report
	<u>Background</u>
3.1	The Committee will be aware from the Committee Workshop on 18 November 2021 that NI Water has objected to a significant number of Local applications on grounds of insufficient waste-water infrastructure capacity.
3.2	As advised at the Committee Workshop, officers have been engaging with NI Water to try to resolve those objections. Whilst progress is being made, and NI Water is actively considering a threshold for the scale and nature of development above which they would like to be consulted on future planning application, the objections to these Local applications remain.
	<u>Scheme of Delegation</u>
3.3	Members will be aware that the Council operates a Scheme of Delegation for Planning which identifies which matters are to be determined by the Committee and which are delegated to officers.
3.4	Paragraph 3.8.5 (f) of the Scheme of Delegation (January 2020) states that planning applications are not delegated where <i>'There is an objection from a statutory consultee and the recommendation of the Planning Officer is to approve.'</i> This means that those applications are required to be determined by the Planning Committee.
3.5	The Planning (General Permitted Development) Order (Northern Ireland) 2016 identifies NI Water as a statutory consultee <i>'...where a development proposal is likely to significantly impact upon the availability of suitable water and sewerage infrastructure to service development proposals.'</i>
3.6	This means that where NI Water has lodged an objection to a Local application and the officer recommendation is to approve, the application cannot be delegated and must be determined by the Committee.
3.7	Therefore, at those previous meetings, the Committee agreed to delegate Local applications, as appended to the respective reports, with NI Water objections to the Director of Planning and Building Control. This has avoided the potential need to report to date 218 applications individually to the Committee. To have reported all those applications to the Committee would have been logistically extremely difficult, costly and would have resulted in further delays for applicants.
	<u>Nature of NI Water objections</u>
3.8	NI Water has lodged objections to Local applications for one or both of the following reasons. <ul style="list-style-type: none"> a) There is insufficient capacity at the local Waste Water Treatment Plant to support the proposed development, and/or b) There is insufficient network capacity within existing Combined Storm Overflows to support the development, and/ or

	c) There is insufficient network capacity within the foul sewerage system and a Wastewater Impact Assessment is required.
3.9	In broad terms, NI Water is concerned that a lack of infrastructure capacity would give rise to risk of environmental harm including pollution, flooding and adverse impact on existing property. In some cases, NI Water is concerned that the application site may be hydrologically linked to Belfast Lough and may harm its water quality.
3.10	However, despite requests, NI Water has to date not provided robust evidence to support individual objections including demonstration of actual specific impacts resulting from individual proposals that stems from their broad concerns outlined above.
3.11	Importantly, allowance must be made for existing significant committed development across the city including extant planning permissions. It is highly unlikely that all such development, which includes unimplemented permissions for over 20,000 houses and significant levels of commercial floor space across the city, will come forward at once, if at all. In practical terms it would be unreasonable for the Council to withhold planning permission given the fall-back of the need to connect those developments to existing waste water infrastructure.
3.12	In the case of Waste Water Treatment capacity, NI Water advises that there will be increased capacity from July 2023, albeit this will not be sufficient to address long term waste water treatment plant infrastructure requirements.
3.13	The Council must be mindful that were it to refuse planning permission based on NI Water's concerns, it would need to provide robust evidence to the Planning Appeals Commission in the event that the applicant appeals the decision. In the absence of robust evidence, it would be unreasonable to refuse planning permission. NIW have in recent months added further detail to their responses but sufficient robust evidence has not been provided..
	<u>Habitats Regulations Assessment</u>
3.14	Officers have met with Shared Environmental Services (SES). 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, an environmentally protected Special Protection Area (SPA), RAMSAR and Special Area of Conservation (SAC). 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.
3.15	Whilst a precautionary approach applies to Habitats Regulations Assessment (HRA), SES confirms that the onus is on NIW to provide evidence of likely actual impacts, rather than hypothetical impacts. As 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 will consult SES and ask them to undertake a HRA Appropriate Assessment Screening to ascertain whether there would be a likely significant impact. This would also trigger statutory consultation with DAERA NI Environment Agency. The Planning Service will consult SES and DAERA on a case by case basis as required.
	<u>Local applications for which delegated authority is sought to determine</u>
3.16	The further Local applications to which NI Water has objected and which delegated authority is sought to determine are listed at Appendix 1 .

3.17	It should be noted that only those applications which would have been delegated to officers under the Scheme of Delegation were it not for the objection from NI Water are proposed to be delegated. Therefore, any of the Local applications listed at Appendix 1 which it transpires need to be referred to the Committee for other reason/s under the Scheme of Delegation will be reported to the Committee to determine. Individual Members can also still request that the applications at Appendix 1 are referred to the Committee under paragraph 3.8.1 of the Scheme of Delegation.
4.0	Financial & Resource Implications
4.1	The cost, time and resources involved in individually reporting all Local applications to which NI Water has objected to the Planning Committee would be considerable. It would also require several additional sittings of the Committee. The recommended approach set out in this report is considered to be a much more efficient use of resources.
5.0	Equality or Good Relations Implications / Rural Needs Assessment
5.1	No adverse impacts identified.
6.0	Appendices – Documents Attached
	Appendix 1 – List of Local applications which are proposed to be delegated to officers to determine.

Appendix 1 – Local applications with NIW objections (June 2024)

	DEA	REFERENCE	DATE RECEIVED	PROPOSED	ADDRESS
1	Botanic	LA04/2023/4143/F	05/10/2023	change of use from office space to tourist hostel accommodation at second floor level.	11 Botanic Avenue, Belfast, BT7 1JG
2	Botanic	LA04/2024/0473	15/03/2024	Development of 5no. apartments, including two & two and a half storey rear extension, alterations, landscaping and cycle parking.	7 Chlorine Gardens, Belfast, BT9 5DJ
3	Botanic	LA04/2024/0358/F	26/02/2024	Proposed change of use from Office (Use class B1) to Health Care Hub (incorporating use classes D1, A1 and A2), external alterations to the façade of the property and other ancillary site works	Park House, 87-91 Great Victoria Street, Belfast, BT2 7AG.
4		LA04/2024/0023/F	04/01/2024	Change of use from both indoor sports & recreation (no defined use class) and storage & distribution (use class B4) to light industrial (use class B2), including alterations to facade.	Unit 1-3, Apollo Space Centre, Apollo Road, Belfast, BT12 6HP
5	Titanic	LA04/2023/2877/F	14/03/2023	Proposed residential development to convert retail and residential unit into 3no apartments	155 Albertbridge Road, Ballymacarret, Belfast, BT5 4PS
6	Lisnasharragh	LA04/2024/0999/F	04/06/2024	Demolition of 4 No. garages and erection of 2 No.Semi-detached two 3 storey dwellings.	Lands between 14 and 16 Lancedean Road, Belfast, BT6 9QP
7	Oldpark	LA04/2024/0697/F	02/04/2024	Change of use of first floor vacant to 2 No self contained apartments with minor alterations	24-26 North Queen Street, Belfast, BT15 1ES
8	Court	LA04/2024/0140/O	30/01/2024	Demolition of existing band hall and erection of 4No, one bedroom apartments	31 Bootle Street, Belfast, BT13 3GR
9	Castle	LA04/2024/0243/F	12/02/2024	Refurbishment of the ground-floor retail unit, (including internal modifications to the rear return and the removal of the existing (ground-floor only) 'lean-to', to accomodate 3 No, residential apartments	263 Antrim Road, Belfast, BT15 2GZ
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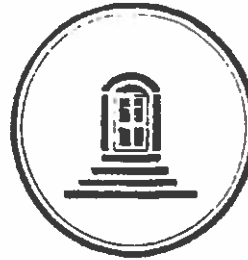


Subject:	Confirmation of Listing of various structures
Date:	Thursday, 27 th June 2024
Reporting Officer:	Dermot O'Kane, Ext 2293
Contact Officer:	Robert Kennedy, Ext 2294

Is this report restricted?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Is the decision eligible for Call-in?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

1.0	Purpose of Report or Summary of main Issues
1.1	<p>Committee was consulted in May on the proposed listing of</p> <ul style="list-style-type: none"> - International Research Centre for Experimental Physics, The Queen's University of Belfast, University Road, Belfast, BT7 1NN <p>Committee supported the listing.</p>
1.2	Correspondence has been received from the Historic Environment Division (HED) confirming that both buildings have been added to the list of buildings of special architectural or historic interest.
1.3	The correspondence received from HED is attached as an Appendix.

2.0	Recommendations
2.1	Committee is requested to: Note the confirmation of the listing of the building.
3.0	Main report
3.1	The Second Survey of all of Northern Ireland's building stock, is currently underway, to update and improve on the first List of buildings of special architectural or historic interest which began in 1974.
3.2	In considering whether to include a building as Listed, the Historic Environment Division (HED) takes into account the architectural and historic interest of a structure and is also given the power to consider: <ul style="list-style-type: none"> • any respect in which its exterior contributes to the architectural or historic interest of any group of buildings of which it forms part; and • the desirability of preserving, on the ground of its architectural or historic interest, any feature of the building which consists of a manmade object or structure fixed to the building or which forms a part of the land and which is comprised within the curtilage of the building.
3.3	Listing a property places certain responsibility on the owner. For example, a listed building has to be maintained in a way appropriate to its character and cannot be altered or demolished without prior approval.
3.4	<u>Financial & Resource Implications</u> None.
3.5	<u>Equality or Good Relations Implications</u> None
4.0	Appendices – Documents Attached
	APPENDIX 1: Correspondence from HED



**ONE HUNDRED EIGHTY-FOURTH ADDITION TO THE LIST OF BUILDINGS OF SPECIAL
ARCHITECTURAL OR HISTORIC INTEREST
IN THE BELFAST CITY COUNCIL**

Department for Communities
Causeway Exchange
1 – 7 Bedford Street
Town Parks
BELFAST
BT2 7EG

Dated: 10th June 2024

HISTORIC BUILDINGS LIST NUMBER: 4125

NOTE: Further additions to the list relating to this Council area may be issued at a future date.

SCHEDULE

184th ADDITION TO THE LIST OF BUILDINGS OF SPECIAL ARCHITECTURAL OR HISTORIC INTEREST IN THE BELFAST CITY COUNCIL

HB Ref. Number	OS Map Numbers 1:2,500 or 1:10,000	Irish Grid Ref.	Building	Date Listed	Grade	Description and Evaluation	Date of Erection
HB26/27/077	147/1	J3357 7257	International Research Centre for Experimental Physics, including railings and retaining walls, Queen's University Belfast University Road Belfast BT7 1NN		B2	<p>A large brick building in a modern style with neo-Georgian elements consisting of flat-roofed interlocking three-dimensional blocks of varying heights with a tall, canted entrance tower, constructed to the designs of John MacGeagh. The building was designed in 1955 and constructed between 1958 and 1962, during a period of rapid growth for the university and of increasing commitment to research and study in the discipline of physics. The involvement of physicists had been extremely significant in the Second World War as physics was seen to play a huge part in winning the war with British academic physicists making a significant contribution to the development of the atom bomb. Radar and radio, vital to wartime communications, also required physics trained personnel. A shortage of scientists, particularly physicists, was a concern in the mid-1950s, when it was proposed that Ulster could start training scientists and technicians to accelerate the nuclear power programme for the UK.</p> <p>The building was officially opened by The Queen Mother in April 1962. The building is of similar style and detailing to The Sir William Whitla Hall (HB26/27/067), also by John MacGeagh which opened in 1949 and is located on its West side. MacGeagh is remembered for 'thoroughness of design and attention to detail' and the neo-Georgian</p>	1940 - 1959

					<p>The building features a distinctive entrance tower with towers being a traditional feature of academic physics laboratories in the late 19th and early 20th centuries, the height facilitating experiments on pendula and freefalling bodies. The new building had several unique features specific to its function: delivery points equipped with cranes and hoists were to enable heavy equipment to be brought into the building. The building was designed to be easily decontaminated from radioactive dust, with three distinct systems of mechanical ventilation. Electricity was supplied through a dual system from different city mains in order to preserve a supply in the event of mains failure or repairs and because of the nature of the research work at the university, the floors were designed for heavy loads. Professor Emeléus commented that the building had been designed to be as versatile as possible and to have 'good mechanical stability and floor strength and good mechanical services'.</p> <p>The semi-circular cantilevered concrete staircase in the entrance tower is the main feature of interest internally and while there have been changes to the exterior such as the large infill courtyard extension to the rear and the loss of the majority of the original windows, the building retains the noted sculptural quality and original fabric and detailing, and importantly, massing. The Irish Builder refers to the successful marriage of new and old with the reference to the context of 'The new building sits comfortably and has been made to recede quietly, leaving the parent building still the dominant and central feature'.</p> <p>The building continues in use as the physics department of Queen's University with the remodelling in 2004-5 of a new International Research Centre for Experimental Physics (IRCEP) a testament to both the versatility that Professor Emeléus identified when it was built in 1962, and the harmonious quality of its architecture within the university setting. A prominent yet respectful mid-</p>	
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					<p>idiom in which he often designed. The Whitla Hall, designed with Edward Maufe is perhaps his most significant work, but he was also responsible for several other buildings at Queen's University including the School of Geology, and the main library tower (now remodelled), as well as more minor structures such as the tower and archway on the N side of the quadrangle. MacGeagh is also well-known as the designer of the north and south transepts of St Anne's cathedral and several noted churches and church halls.</p> <p>The building was part of a wider post-war regeneration of Belfast and the construction of the physics building, Transport House, the Electricity Board offices in Danesfort and several other substantial steel and concrete structures led the Belfast Telegraph to note that Belfast's 'war scars' were healing. The 75,000 square foot (original size) building was steel-framed and floors, roofs, foundations and retaining walls were of reinforced concrete. Wall infilling was of brick with a cavity construction, giving walls that are almost two feet in thickness with facing bricks all hand-made and sand-faced with Clipsham stone around door and window surrounds - similar to the palette of materials used for the Whitla Hall adjacent. The work was conducted under the supervision of the head of the physics department, Professor K G Emeléus and the Reader, Dr R H Sloane. Sloane's amendments are noted on drawings for the building and Sloane in particular is said to have exerted 'an enormous amount of effort persuading the architects of the needs of physicists and checking every detail of the work as it was performed'. The guidance of Emeléus and Sloane was acknowledged by John MacGeagh when the building was completed. The physics department's most illustrious student, John Stewart Bell (1928-1990) who graduated in Experimental Physics in 1948 is memorialised by the naming, after him, of a lecture theatre in the new physics building.</p>	
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						twentieth century building located within the grounds of the main campus of Queen's University, and a building of social and local interest.	
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Further information on these records can be accessed on the historic buildings database at www.communities-ni.gov.uk



PLANNING ACT (NORTHERN IRELAND) 2011

STATUTORY LIST OF BUILDINGS OF SPECIAL ARCHITECTURAL OR HISTORIC INTEREST

WHEREAS

1. by section 80 of the Planning Act (Northern Ireland) 2011 the Department for Communities(hereinafter called "the Department") is required to compile lists of buildings of special architectural or historic interest;
2. it appears to the Department that the buildings described in the attached Schedule are buildings of special architectural or historic interest;
3. the Department has consulted with the Historic Buildings Council and Belfast City Council.

NOW THEREFORE the Department in exercise of the powers conferred on it by section 80 of the Planning Act (Northern Ireland) 2011 and of every other power enabling it in that behalf hereby includes on the list of buildings of special architectural or historic interest the building/s set out in the attached schedule.

Dated: 10th June 2024



Senior Officer for the Department for Communities

NOTE: Subsection (7) of the said section 80 provides that the following shall be treated as part of the listed building:-

- a. any object or structure within the curtilage of the building and fixed to the building;
- b. any object or structure within the curtilage of the building which, although not fixed to the building, forms part of the land and has done so since before 1 October 1973.

ADDENDUM REPORT	
Application Ref: LA04/2023/4153/F	Committee Meeting Date: 27 th June 2024
Proposal: Conversion of an existing dwelling house to a 5 bed HMO dwelling house. No works to the exterior or elevation of the property.	Location: 44 Ponsonby Avenue, Belfast, BT15 2LS
Referral Route: Paragraph 3.8.1 of the Scheme of Delegation – request for the application to be reported to the Planning Committee by an Elected Member (Cllr Conor Maskey) and paragraph 3.8.7 (discretion of the Director).	
Recommendation:	Approval with conditions
Applicant Name and Address: Samuel McCammon 184 Newry Road Banbridge BT32 3NB	Agent Name and Address: Samuel McCammon 184 Newry Road Banbridge BT32 3NB
<p>Background:</p> <p>This application was due to be considered at the 18th June 2024 Planning Committee. However, the application was deferred for a Committee Site visit. The Committee Site visit is due to take place on Tuesday 25th June 2024.</p> <p>This report should be read in conjunction with the original Committee report, appended. The original report contained an error in the first paragraph of the executive summary and should read “5-bed HMO” and “44 Ponsonby Avenue”.</p> <p>Further clarification of space standards</p> <p>The kitchen of the proposed HMO would be 11.9 sqm against the minimum size standard of 7 sqm for 3 to 5 occupants (or 10 sqm for 6 to 10 occupants) in Appendix C of the Plan Strategy.</p> <p>The combined kitchen and living room floor space would be 24.2 sqm against the minimum standard of 11.5 sqm for 3 to 5 occupants (or 19.5 sqm for 6 to 10 occupants). The space standards in Appendix C are satisfied.</p> <p>Recommendation</p> <p>Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions.</p> <p>Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and deal with any other issues that arise, provided that they are not substantive.</p>	

Development Management Officer Report Committee Application

Summary	
Application Ref: LA04/2023/4153/F	Committee Meeting Date: 18th June 2024
Proposal: Conversion of an existing dwelling house to a 5 bed HMO dwelling house. No works to the exterior or elevation of the property.	Location: 44 Ponsonby Avenue, Belfast, BT15 2LS
Referral Route: Paragraph 3.8.1 of the Scheme of Delegation – request for the application to be reported to the Planning Committee by an Elected Member (Cllr Conor Maskey) and paragraph 3.8.7 (discretion of the Director)	
Recommendation:	Approval
Applicant Name and Address: Samuel McCammon 184 Newry Road Banbridge BT32 3NB	Agent Name and Address: Samuel McCammon 184 Newry Road Banbridge BT32 3NB
<p>Executive Summary: This application seeks full planning permission for Change of use from dwelling to 6-Bed House in Multiple Occupation (HMO). The site is No. 27 Ponsonby Avenue.</p> <p>The key issues are:</p> <ul style="list-style-type: none"> • The principle of an HMO at this location • Impact on the character and appearance of the Alexandra Park ATC • Impact on residential amenity • Traffic, Parking and Access • Waste and refuse collection • Other matters <p>18 objections have been received with the issues raised addressed within the main report.</p> <p>The application has been called in for the following reasons:</p> <ol style="list-style-type: none"> 1) The application may negatively affect parking and traffic in the street (and surrounding area) and; 2) The application may negatively impact amenity (regarding additional waste disposal units required at the properties) <p>The scheme is compliant with Policy HOU10 in that the 10% threshold for HMO's on Ponsonby Avenue has not yet been reached. Officers consider that the scheme will not be harmful in terms of traffic, parking, impact on amenity of the surrounding area or the Alexandra Park Area of Townscape Character.</p> <p>Recommendation Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and deal with any other issues that arise, provided that they are not substantive.</p>	

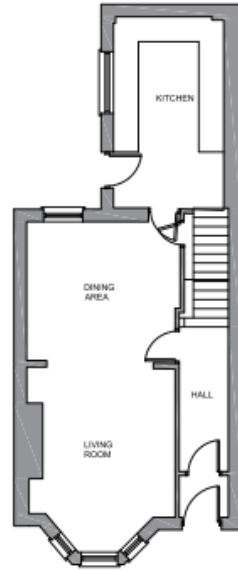
Officer Report

1.0

Drawings

1.1

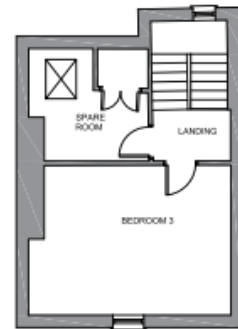
Existing Floor Plans



Existing Ground Floor

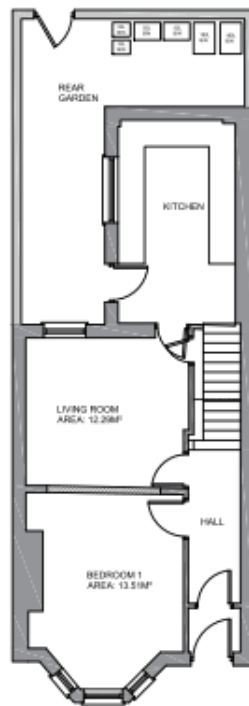
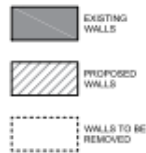


Existing First Floor



Existing Second Floor

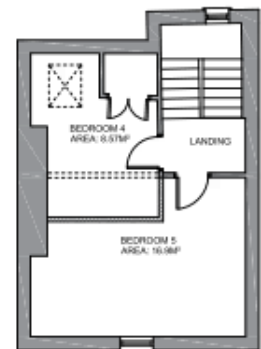
Proposed Floor Plans



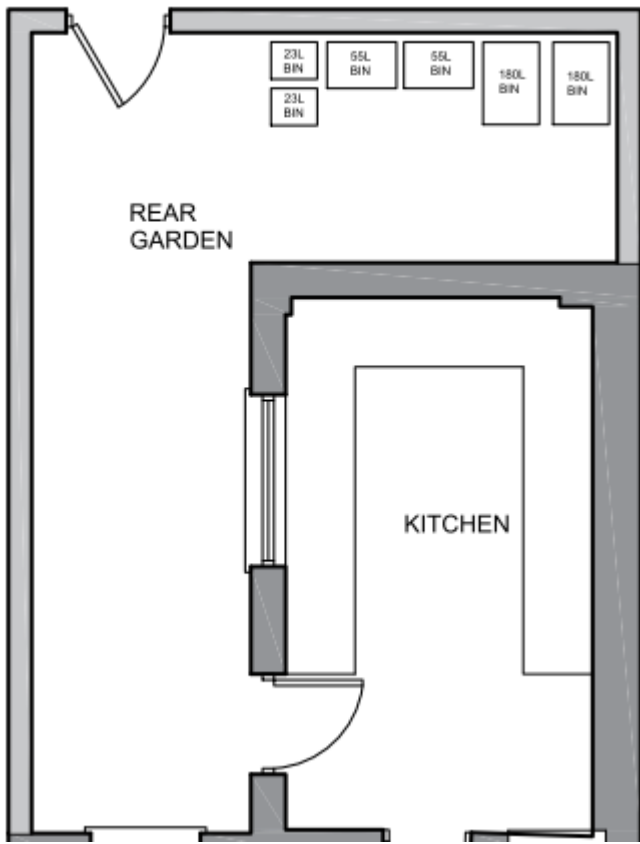
Proposed Ground Floor



Proposed First Floor



Proposed Second Floor

	<p>Bin storage and amenity</p>  <p>Please note that no external alterations are proposed and therefore elevations have not been provided.</p>
2.0	Characteristics of the Site and Area
2.1	The application site is located at 44 Ponsonby Avenue in the Newington area of North Belfast.
2.2	The building is a 2.5 storey terraced dwelling finished in red brick with a rendered bay window to the front. There is a small, enclosed amenity space to the front with pedestrian access. There is also a small amenity space to the rear which backs onto an alleyway.
2.3	The site does not fall within any of the existing HMO Policy Areas or Development Nodes; therefore the 10% threshold applies.
2.4	The site is in Draft Belfast Metropolitan Area Plan 2015 - Designation BT 030 Area of Townscape Character: Alexandra Park, Belfast.
3.0	Description of Proposal
3.1	The application is seeking full planning permission for change of use from a dwelling to 5 Bed House in Multiple Occupation. No works to the exterior or elevation of the property.

4.0	Planning Policy and Other Material Considerations
4.1	Development Plan – operational policies Belfast Local Development Plan, Plan Strategy 2035
4.2	Development Plan – zoning, designations and proposals maps Belfast Urban Area Plan (2001) BUAP Draft Belfast Metropolitan Area Plan 2015 (v2004) Draft Belfast Metropolitan Area Plan 2015 (v2014)
4.3	Regional Planning Policy Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)
4.4	Relevant Planning History There is no relevant planning history.
5.0	Consultations and Representations
5.1	Statutory Consultations DfI Roads – No objections
5.2	Non-Statutory Consultations N/A
5.3	<p>Representations</p> <p>The application has been advertised and neighbours notified. The Council has received 18 objections, issues raised are summarised as follows:</p> <ol style="list-style-type: none"> 1. Parking, traffic, road safety and enforcement 2. Waste and refuse collection 3. Anti-social behaviour/noise 4. Negatively impact on the character of the area 5. Anti-social behaviour <p>Issues 1-5 are covered in the main body of the report. Additional points are considered as follows:</p> <p>6. Precedent for further HMOs in the area - Each application is decided on its own merit. Officers consider that this scheme is compliant with policy considerations.</p> <p>7. Impact on the provision of family homes in the area - This HMO is for 5 bedrooms, the licensing process will determine how many persons the home can accommodate. HMO's can meet high demand for housing and the application site is located close to services and public transport. The policy considerations are dealt with in the main body of the report.</p> <p>8. The dwelling does not have the appropriate fire safety measures This would be an issue for building control and licensing to deal with if the application is approved.</p> <p>9. Loss of a sense of community, high turnover of tenants Planning policy seeks to provide balanced communities through the provision of a mix of housing along streets.</p>

	<p>10. The dwelling is not spacious enough to accommodate an HMO All 5 bedrooms and communal area comply with space standards as set out in pg. 319 of the Belfast LDP 2035.</p> <p>11. The consultation response from BCC Housing Team on LA04/2023/3319/F does not include No. 31 Ponsonby Avenue This issue has been resolved with the housing team. The initial response alluded to No. 37 Ponsonby Avenue, which was a typographical error and should have said No. 31.</p> <p>12. Noise from construction if approved There are no external alterations proposed as part of this scheme.</p> <p>13. Property is not located within an existing tourism cluster This policy (HOU 13) applies to short-term lets and not HMOs.</p> <p>14. Issues with sewerage There are no extra bathrooms proposed to what is existing. The dwelling will be connected to the main sewerage network as all properties on the street are.</p> <p>15. Over-occupation/anti-social behaviour Officers consider that the scheme complies with space standards and provides a suitable number of bedrooms. The HMO licensing scheme is in place to regulate HMOs. An anti-social behaviour plan will therefore be in place, and it is the landlord's responsibility to ensure compliance with licensing requirements. Tenants also have responsibilities to make sure the landlord can carry out their duties.</p> <p>The NIHMO Unit within BCC has developed a guide highlighting ways to tackle antisocial behaviour linked to their properties. The guide provides preventative measures that landlords can take to manage antisocial behaviour, highlights how to demonstrate compliance by record keeping and intervention, and details how to develop an antisocial behaviour plan. The HMO legislation in Northern Ireland has the potential to have a positive impact on the lives of those living in HMOs, the owners of HMOs, and the residents surrounding HMO properties.</p> <p>Some objections allude to noise emanating from the existing property. This would be outside the remit of planning as the dwelling has not received planning permission for an HMO. Any perceived noise coming from existing residents.</p>
6.0	PLANNING ASSESSMENT
6.1	<p>Development Plan Context 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> <p>6.1.1 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.</p> <p>6.1.2 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 remain part of the</p>

	<p>statutory local development plan ("Departmental Development Plan") until the Local Policies Plan is adopted.</p>
6.2	<p>Operational policies – the Plan Strategy contains a range of operational policies relevant to consideration of the application, which are set out in the following section of this report. The Plan Strategy replaces the operational policies previously provided by the Departmental Planning Policy Statements (PPSs). Those policies no longer have effect, irrespective of whether planning applications have been received before or after the adoption date (par. 1.11 of the Strategic Planning Policy Statement).</p>
6.3	<p>Proposals Maps – 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 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>
6.4	<p>The site is designated within the limits of Belfast under both Draft and adopted Belfast Metropolitan Area Plan 2015 - Designation BT 001 Development Limit: Belfast City. The site is white land under Belfast Urban Area Plan 2015.</p> <p>Operational Policies</p> <ul style="list-style-type: none"> • HOU10 – Housing Management Areas • BH3 – Areas of Townscape Character • RD1 – New Residential Developments • TRAN8 – Car Parking and Servicing Arrangements
6.5	<p>Key Issues</p> <ul style="list-style-type: none"> • The principle of an HMO at this location • Impact on the character and appearance of the Alexandra Park ATC • Impact on residential amenity • Traffic, Parking and Access • Waste and refuse collection
6.6	<p>The principle of an HMO at this location</p> <p>44 Ponsonby Avenue is not within a Housing Management Area (HMA) or HMO Development node, therefore Policy HOU 10 applies.</p> <p>Policy HOU10 states:</p> <p><i>'Outside of designated HMAs planning permission will only be granted for HMOs where the number of HMOs would not as a result exceed 10% of all dwelling units on that road or street. Where such a street is in excess of 600 metres in length, the 10% threshold will be calculated on the basis of existing residential units within 300 metres of either side of the proposal on that street.'</i></p> <p>According to the LPS Pointer Address database there are 48 domestic properties on Ponsonby Avenue. Following the methodology outlined above, the HMO Licence Register and Planning records show there are 2 HMOs on the street (Nos. 31 and 57). Taking account of the number of dwelling units within Ponsonby Avenue, two further HMOs would</p>

	<p>be permitted before the 10% threshold would be exceeded. Therefore, the principle of an HMO at this location is acceptable.</p>
6.7	<p>Impact on the character and appearance of the Alexandra Park ATC</p> <p>When considering the prevailing area, the proposed development in terms of scale, layout, design and materials must be in keeping with the site and its surrounding area. The character and appearance of the Alexandra Park ATC in this case would be preserved as the application is for change of use only and no external alterations to the property are proposed.</p> <p>The proposal is compatible with adjacent land uses. It would not harm the amenity of adjacent and nearby properties, including unacceptable overlooking, overshadowing, overbearing, loss of outlook or daylight. The policy context is set out in Policies HOU 10, BH3, RD1 & TRAN8 below which further address amenity.</p>
6.8	<p>Impact on residential amenity</p> <p>The proposal complies with the HMO space standards for a 5-bed HMO as set out within Belfast Local Development Plan: 2035, Appendix C, table C3. The kitchen and living room greatly exceed the space standards for a combined kitchen / living room. The proposal would provide a quality and sustainable residential environment.</p> <p>It is considered that there will be no adverse impact on the amenity of adjacent properties and the wider street. The HMO will further require to be licensed with BCC which mitigates amenity concerns by enforcing an anti-social behaviour plan and ensuring the HMO operator runs the property effectively. The property will be served by appropriate refuse storage which will be collected as normal.</p> <p>The property is a 2.5 storey dwelling and is an appropriate size to accommodate an HMO, comfortably providing accommodation for 5 people whilst still meeting the space standards.</p>
6.9	<p>Policy RD1</p> <p>Policy RD1 states that planning permission will be granted for new residential development where it is in accordance with general urban design policies and where it is demonstrated that the proposal:</p> <ul style="list-style-type: none"> a) <i>Will not create conflict with adjacent land uses, remaining in conformity with the character of any established residential areas – it is considered that the proposed use does not conflict with adjacent land uses.</i> The HMO licensing scheme also seeks to ensure that landlords are compliant with regulations, such as the number of occupants and sufficient bin storage. b) <i>Does not unduly affect the privacy or amenity of neighbouring residents, including overlooking, loss of light, overshadowing, dominance, noise or other disturbance – it is considered that the scheme will not give rise to any of the issues listed in criterion b. Overlooking, loss of light, overshadowing and dominance will not be changing from the current situation. Noise or other disturbance will be addressed by the anti-social behaviour plan which is a licensing requirement.</i> c) <i>Makes provision for, or is, accessible and convenient to public transport and walking and cycling infrastructure – the proposal is located 1 minute from the Antrim Road which has several bus stops and has good access to services and amenities. There is sufficient space for cycle parking to the front and rear.</i>

	<ul style="list-style-type: none"> d) <i>Provides appropriate open space</i> – the proposal maintains the current level of open space, and in addition, the area has good access to open space such as the Waterworks and Alexandra Park. e) <i>Keeps hard surfacing to a minimum</i> – no additional hard standing is proposed as part of this application. f) <i>Creates a quality and sustainable residential environment in accordance with the space standards set out in Appendix C</i> – as described, the proposal generally meets the requirements set out in the space standards and provides an appropriate amount of living space for the occupants of the 5 bedrooms. g) <i>Does not contain any units which are wholly in the rear of the property without direct, safe and secure access from the public street</i> – all units have safe and secure access from the front door of the dwelling. h) <i>Ensures that living rooms, kitchens and bedrooms have access to natural light</i> - all habitable rooms in the dwelling have access to natural light.
7.0	<p>Policy RD3</p> <p>Policy RD3 states that planning permission will be granted for conversion or change of use of existing buildings for residential use where all the criteria in policy RD1 and all the additional criteria below are met:</p> <ul style="list-style-type: none"> a) Any units are self-contained - Officers consider that this criterion is met. b) Adequate refuse storage space is provided within the curtilage of the site, large enough to allow for the separation of recyclable waste, and is designed to not be visible from the amenity space / public realm - Officers consider that this criterion is met. The property will provide appropriate refuse bins for general waste, recycling and food waste. c) The original property is greater than 150 square metres gross internal floorspace in the case of sub-division of an existing dwelling – No subdivision is occurring. d) Conversions above commercial premises do not prejudice the commercial functions of the business - This criterion is not relevant to this application.
7.1	<p>Traffic, Parking and Access</p> <p>Officers acknowledge the objections to parking. Whilst the various policy requirements seek to address need and protect residential amenity, the provision of car parking is not a requirement of this policy. Policy TRAN8 ‘Car parking and servicing arrangements’ states: ‘<i>Development proposals will be required to provide adequate provision for car parking and appropriate servicing arrangements</i>’. However, existing Regional Planning Policy and supplementary planning guidance, including the published ‘Parking Standards’, do not incorporate car parking as a requirement for HMO development. Furthermore, the site is in a sustainable location with metro services running alongside the site. In this context adequate provision is provided to meet TRAN8.</p> <p>Notwithstanding the above, the applicant conducted a parking survey to assess parking demand in the area, which DfI Roads were consulted on and have no objection to. Officers consider that the survey is acceptable in that it displays a sufficient level of parking in the vicinity of the site. The parking survey concludes that the scheme will not be detrimental to on-street parking in the prevailing area. DfI Roads were consulted with the parking survey and responded to state that they are content with its findings.</p>

7.2	<p>Objectors raised concerns regarding parking enforcement. The PSNI and DFI would be responsible for enforcing the Highways Act and parking regulations.</p> <p>Waste and Refuse Collection</p> <p>Objectors have alluded to previous issues with bin lorries getting down Ponsonby Avenue.</p> <p>Policy RD3 criterion B applies, it states that adequate refuse storage space must be provided within the curtilage of the site, large enough to allow for the separation of recyclable waste and is designed to not be visible from the amenity space / public realm.</p> <p>The adopted Waste Infrastructure Supplementary Planning Guidance (SPG) and Local Government Waste Storage Guide for NI set out typical weekly waste arisings for different types of development including HMOs. For an HMO, the typical weekly waste arising is 100L per bedroom plus 60L per dwelling. For the proposed 5-bed HMO this would equate to the typical production of 560L of waste per week. The total waste production is broken down into the following types of waste: 1. 35% general waste (collected fortnightly), 2. 55% recycling and 3. 10% food waste (both 2. and 3. collected weekly).</p> <p>The Council's Waste Management Unit has advised that the following waste containers would be required to serve the proposed HMO in line with the SPG and the Local Government Waste Storage Guide for NI.</p> <ol style="list-style-type: none"> 1. Black bins – 3 x black bins (3 x 180L) – sufficient for 2 weeks of general waste 2. Recycling – 2 x recycling packs (6 x 55L) – collected weekly 3. Food waste – 3 x food bins (3 x 23L) – collected weekly <p>Officers consider that this policy is complied with. The yard to the rear will continue to host the bins as before. The disposal of rubbish is the responsibility of tenants and the landlord.</p> <p>The requirement for black bins is only marginally above 2 which may be deemed acceptable, however there is sufficient space should 3 be required. The rear amenity space of the property is 19.38 sqm. The provision of 3 sets of bins would leave approximately 16.9sq m for amenity provision. The premises will therefore be served by the correct amount for a 5-bed HMO as set out in the Supplementary Planning Guidance whilst maintaining sufficient amenity space. Bin storage is also a licensing requirement and the Council's website states that <i>"during the period of the licence the licensee shall ensure that sufficient bins or other suitable receptacles are provided that are adequate for the requirements of each household occupying the HMO for the storage of refuse and litter pending their disposal in accordance with the Local Government Waste Storage Guide for Northern Ireland"</i>.</p>
8.0	Recommendation
8.1	Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions.
8.2	Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and deal with any other issues that arise provided that they are not substantive.

DRAFT CONDITIONS:

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.

DRAFT INFORMATIVES:

1. 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.
2. 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.
3. The grant of planning permission does not dispense with the need to obtain licenses, consents or permissions under other legislation or protocols. The requirement for other 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.

ANNEX

Date Valid	17/10/2023
Date First Advertised	27/10/2023
Date Last Advertised	27/10/2023
Details of Neighbour Notification (all addresses) 36 Ponsonby Avenue 40 Ponsonby Avenue 42 Ponsonby Avenue 46 Ponsonby Avenue 47 Ponsonby Avenue 49 Ponsonby Avenue 51 Ponsonby Avenue 53 Ponsonby Avenue 55 Ponsonby Avenue 57 Ponsonby Avenue 43 Newington Avenue 45 Newington Avenue	

Details of Neighbour Notification (all addresses)

36 Ponsonby Avenue
40 Ponsonby Avenue
42 Ponsonby Avenue
46 Ponsonby Avenue
47 Ponsonby Avenue
49 Ponsonby Avenue
51 Ponsonby Avenue
53 Ponsonby Avenue
55 Ponsonby Avenue
57 Ponsonby Avenue
43 Newington Avenue
45 Newington Avenue

47 Newington Avenue
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62 Newington Avenue
64 Newington Avenue
66 Newington Avenue
68 Newington Avenue
70 Newington Avenue
72 Newington Avenue

Development Management Report

Summary	
Committee Date: 27 th June 2024	
Application ID: LA04/2023/4613/F	
Proposal: 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.	Location: 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.
Referral Route: Application for Major development	
Recommendation: Approval subject to conditions and Section 76 planning agreement	
Applicant Name and Address: Belfast Harbour Harbour Office Corporation Square Belfast BT1 3AL	Agent Name and Address: Turley Hamilton House 3 Joy Street Belfast
<p>Executive Summary:</p> <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"> • Principle of the proposed uses • Design and placemaking • Impact on heritage assets • Impact on amenity • Climate change • Open space • Access and transport • Health impacts 	

- 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.

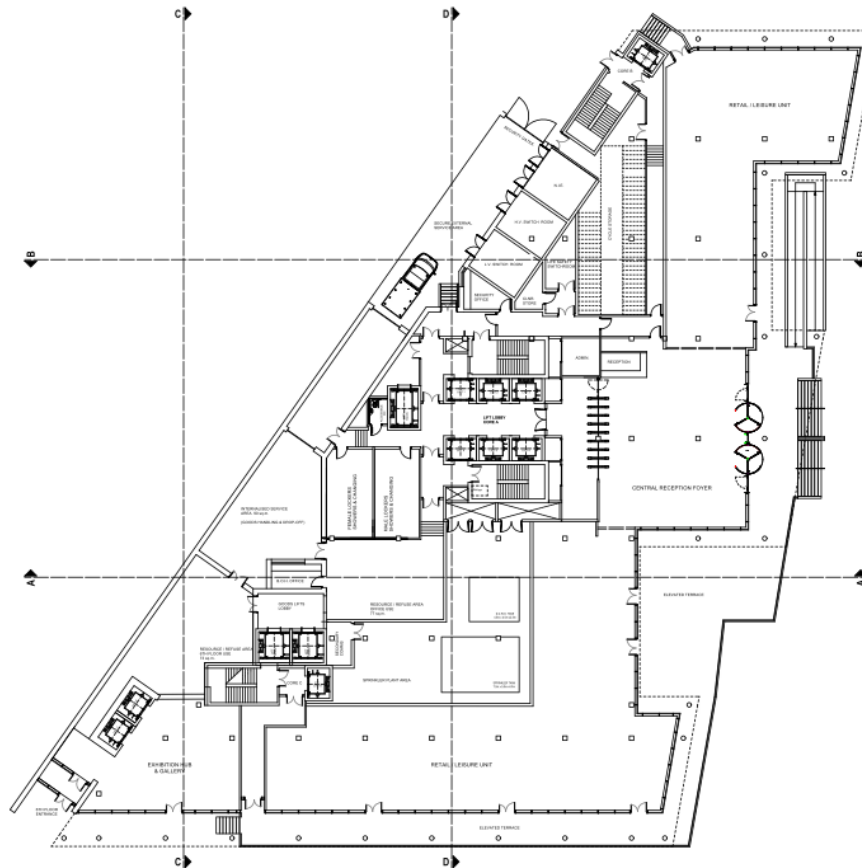
There have been no third-party objections.

Recommendation

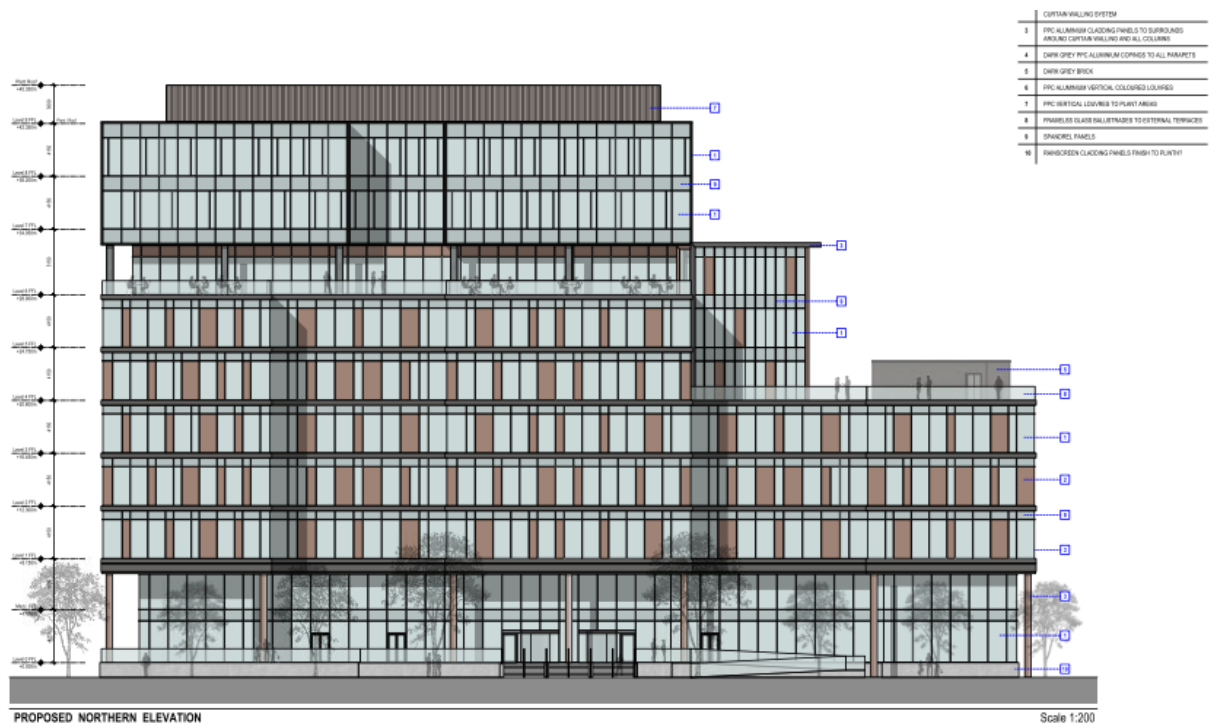
Having regard to the Development Plan and material considerations, it is recommended that planning permission is granted subject to conditions and a Section 76 planning agreement.

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.

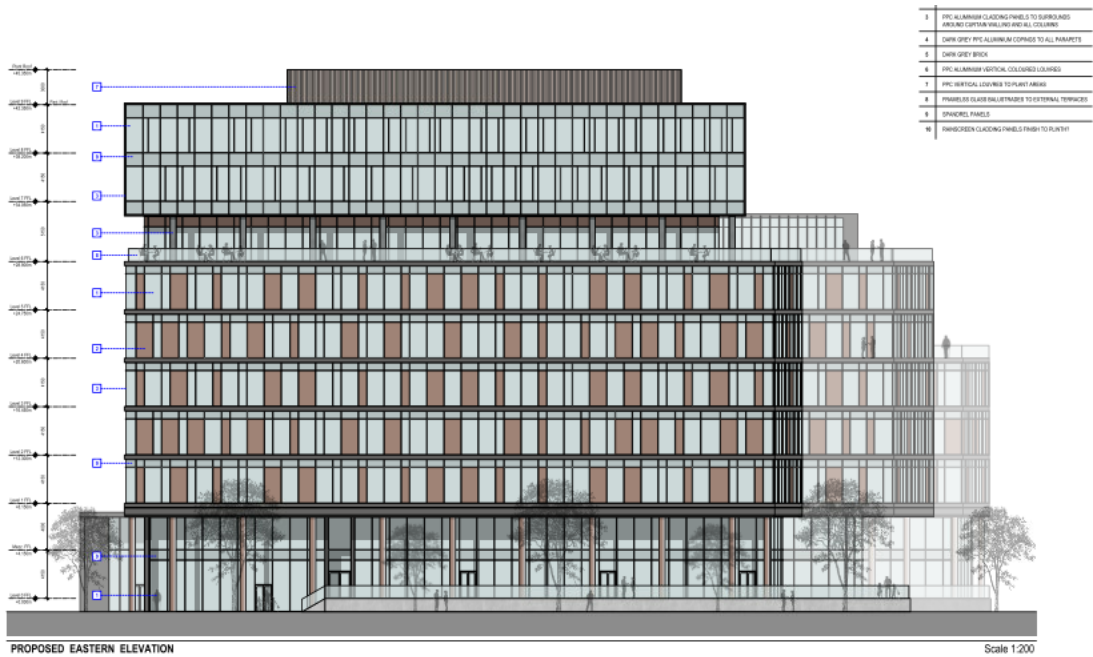
Ground floor plan:



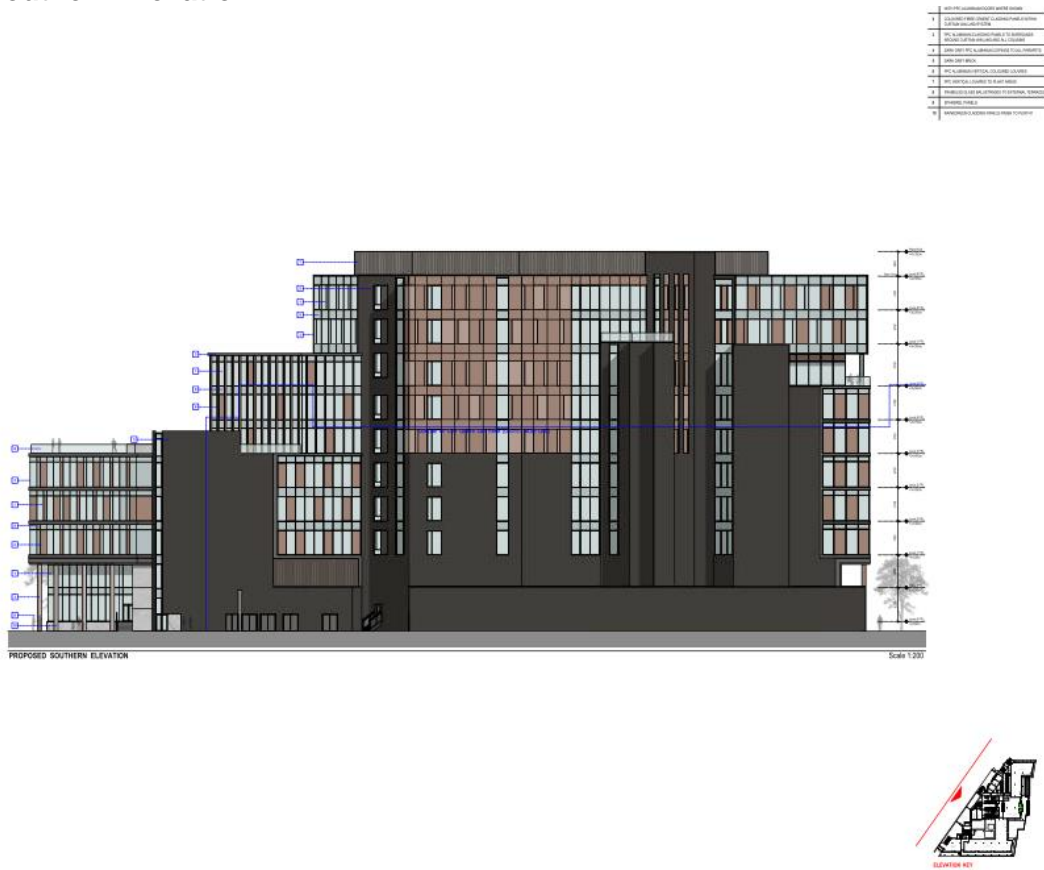
Proposed Northern Elevation:



Proposed Eastern Elevation:



Proposed Southern Elevation:



Proposed Western Elevation:



CGIS:





1.0	Characteristics of the Site and Area																								
1.1	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.																								
1.2	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.																								
1.3	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.																								
1.4	<p>There are several listed buildings close to the site, notably:</p> <ul style="list-style-type: none"> • Belfast Harbour Office immediately opposite the site to the north – Grade A • 5-7 Corporation Square (Wine Direct Merchants) on the south side of Corporation Square to the south – Grade B2 • Sinclair Seamen’s Presbyterian Church on the north side of Corporation Square to the west – Grade B+ <p>Description of Proposed Development</p>																								
1.5	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.																								
1.6	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.																								
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> <tr> <th>Floor level</th><th>Gross floorspace</th></tr> <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>Total</td><td>20,522sqm</td></tr> </table>	Floor level	Gross floorspace	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	Total	20,522sqm
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1.7	<p>The total floor space by use and by floor is set out below.</p> <table><tr><th>Floor level</th><th>Use</th><th>Gross external area</th></tr><tr><td>Ground floor</td><td>Office</td><td>1,693sqm</td></tr><tr><td></td><td>Leisure</td><td>293sqm</td></tr><tr><td></td><td>Retail/Leisure</td><td>1,123sqm</td></tr><tr><td>Mezzanine</td><td>Office</td><td>2,072sqm</td></tr><tr><td></td><td>Leisure</td><td>196sqm</td></tr><tr><td>First floor</td><td>Office</td><td>2,664sqm</td></tr><tr><td>Second floor</td><td>Office</td><td>2,664sqm</td></tr><tr><td>Third floor</td><td>Office</td><td>2,664sqm</td></tr><tr><td>Fourth floor</td><td>Office</td><td>2,225sqm</td></tr><tr><td>Fifth floor</td><td>Office</td><td>2,167sqm</td></tr><tr><td>Sixth floor</td><td>Leisure</td><td>1,811sqm</td></tr><tr><td>Seventh floor</td><td>Office</td><td>1,557sqm</td></tr><tr><td>Eighth floor</td><td>Office</td><td>1,557sqm</td></tr><tr><td>Ninth floor</td><td>Plant</td><td>662sqm</td></tr><tr><td>Total</td><td></td><td>23,288sqm</td></tr></table>	Floor level	Use	Gross external area	Ground floor	Office	1,693sqm		Leisure	293sqm		Retail/Leisure	1,123sqm	Mezzanine	Office	2,072sqm		Leisure	196sqm	First floor	Office	2,664sqm	Second floor	Office	2,664sqm	Third floor	Office	2,664sqm	Fourth floor	Office	2,225sqm	Fifth floor	Office	2,167sqm	Sixth floor	Leisure	1,811sqm	Seventh floor	Office	1,557sqm	Eighth floor	Office	1,557sqm	Ninth floor	Plant	662sqm	Total		23,288sqm
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Eighth floor	Office	1,557sqm																																															
Ninth floor	Plant	662sqm																																															
Total		23,288sqm																																															
2.0	RELEVANT PLANNING HISTORY																																																
2.1	<p>Z/2010/1006/O – 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 22nd July 2014. Applications for reserved matters must be made by 21st July 2024. The permission must be begun by either 21st July 2026 or within 2 years of the date of approval of the last reserved matters.</p>																																																
2.2	<p>Z/2013/0325/F – 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 13th September 2013.</p>																																																
2.3	<p>Z/2013/1508/F – 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 17th October 2014.</p>																																																
2.4	<p>LA04/2015/1423/RM – 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 6th April 2016.</p>																																																

2.5	<p>LA04/2016/2656/RM – 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 19th June 2017.</p>
2.6	<p>LA04/2017/1090/RM – 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 5th February 2019.</p>
2.7	<p>LA04/2022/0262/F – 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 1st March 2023.</p>
2.8	<p>LA04/2023/2388/F – 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 16th January 2024 meeting.</p>
3.0	PLANNING POLICY
3.1	<p>Development Plan – operational policies</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>
3.2	<p><u>Supplementary Planning Guidance</u></p> <p>Placemaking and Urban Design Tall Buildings Masterplanning approach for Major developments Sustainable Urban Drainage Systems Transportation</p>
3.3	<p>Development Plan – zoning, designations and proposals maps 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>
3.4	<p>Regional Planning Policy Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)</p>
3.5	<p>Other Material Considerations Developer Contribution Framework (2020) <i>Belfast Agenda</i> (Community Plan)</p>
4.0	CONSULTATIONS AND REPRESENTATIONS
4.1	<p><u>Statutory Consultees</u></p> <p>DfI Roads – No objection, advises conditions.</p> <p>DfC HED – No objection, advises conditions.</p> <p>DfI Rivers – No objection, advises conditions.</p> <p>DAERA – No objection, advises conditions.</p>

<p>4.2</p>	<p>NI Water – Objection on grounds of lack of waste-water capacity.</p> <p><u>Non-Statutory Consultees</u></p> <p>Planning Service Urban Design Officer – No objection, advises conditions.</p> <p>BCC Environmental Health – No objections, advises conditions.</p> <p>BCC Landscape and Development – No objections, advises conditions.</p> <p>BCC Economic Development Unit – advises that both Construction and Operational Employability and Skills Plans are required.</p> <p>BCC Waste Management team – awaited.</p> <p>Shared Environmental Services (SES) – No objections, advises conditions.</p> <p><u>Representations</u></p> <p>4.3 The application has been advertised in the newspaper and neighbours notified.</p> <p>4.4 No objections have been received.</p>
<p>5.0</p> <p>5.1</p> <p>5.2</p>	<p>PLANNING ASSESSMENT</p> <p>Main Issues</p> <p>The main issues relevant to consideration of the application are set out below.</p> <ul style="list-style-type: none"> • Principle of the proposed uses • Design and placemaking • Impact on heritage assets • Impact on amenity • Climate change • Open space • Access and transport • Health impacts • Environmental protection • Flood risk and drainage • Waste-water infrastructure • Natural heritage • Waste management • Employability and Skills • Section 76 planning agreement • Pre-Application Community Consultation <p>Development Plan Context</p> <p>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 Policies</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	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.
5.7	Belfast Urban Area Plan 2001 – the site is un-zoned “white land”.
5.8	Belfast Metropolitan Area Plan 2015 (2004) – the site is un-zoned “white land”. The site is within the City Centre.
5.9	Belfast Metropolitan Area Plan 2015 (v2014) – the site is un-zoned “white land”. The site is within the City Centre.
	<u>Principle of the proposed uses</u>
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> <p>5.12 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> <p>5.13 The proposal is for a prestige Grade A office building with large open plan floor plates to cater for modern-day commercial requirements.</p> <p>5.14 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> <p>5.15 The proposal would add around £2.8m to the economy from a rates perspective.</p> <p>5.16 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> <p>5.17 The factors listed above are material considerations that support the grant of planning permission.</p> <p><i>Outline masterplan approval:</i></p> <p>5.18 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 21st 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> <p>5.19 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><u>Design and placemaking</u></p> <p>5.20 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>
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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"> <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>Proposed building (City Quays 5)</td><td>48.5 m</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	Proposed building (City Quays 5)	48.5 m	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"> • 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. • 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. • 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. • 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. 												
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.
	 <p>The image is an aerial perspective rendering of a multi-story building complex. The central building features a prominent glass facade with a grid of windows. To its right, a larger, more solid white building is visible. The foreground shows a paved area with some greenery and a small plaza. The building's design includes various levels and terraces, some of which are highlighted with green landscaping. The overall scene is set in an urban environment with other buildings and streets visible in the background.</p>
	<p>Figure 3: External terracing</p>
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><u>Impact on the heritage assets</u></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"> • Belfast Harbour Office immediately opposite the site to the north (Grade A) • Nos. 5-7 Corporation Square (Wine Direct Merchants) to the west on the south side of Corporation Square (Grade B2) • Sinclair Seamen’s Presbyterian Church to the west on the north side of Corporation Square (Grade B+)
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>

5.45

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.

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.



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.
	<u>Impact on amenity</u>
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.
	<u>Climate change</u>
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><u>Open space</u></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"> • Terrace 1 (ground floor) – 425 sqm (9%) • Terrace 2 (fourth floor) – 405 sqm (9%) • Terrace 3 (sixth floor) – 490 sqm (11%) • Total open space – 1,320 sqm (29%)
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><u>Access and transport</u></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.
	<u>Health impacts</u>
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.
	<u>Environmental protection</u>
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.
	<u>Contaminated land</u>
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.

5.73	<p><u>Air quality</u></p> <p>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.</p>
5.74	<p><u>Noise and vibration</u></p> <p>Having reviewed the supporting documentation provided, Environmental Health has recommended conditions relating to noise to protect other neighbour receptors from adverse noise impact.</p>
5.75	<p>It is considered that the proposal accords with Policy ENV1.</p>
5.76	<p><u>Odour</u></p> <p>Environmental Health has recommended conditions relating to extraction and odour abatement systems and ventilation to ensure the protection of nearby amenity.</p>
5.77	<p>It is considered the proposal complies with Policy ENV1.</p>
5.78	<p><u>Flood risk and drainage</u></p> <p>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.</p>
5.79	<p><u>Waste-water infrastructure</u></p> <p>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.</p>
5.80	<p>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.</p>
5.81	<p><u>Natural heritage</u></p> <p>Policy NH1 relates to the protection of natural heritage resources.</p>

	<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><u>Waste management</u></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><u>Employability and Skills</u></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"> • creating access to employment opportunities • delivering training to upskill people • creation and delivery of apprenticeship opportunities • ring-fencing opportunities for under-represented groups • delivery of employability interventions • addressing barriers to employment and skills development • delivery of youth interventions <p><u>Section 76 planning agreement</u></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"> • Retention of Cathedral Gardens – 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 • Employability and Skills – the submission and implementation of both Construction and Operational Employability and Skills Plans,
5.94	<p>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> <p><u>Pre-Application Community Consultation</u></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.

5.98	<p>The applicant used the following methods of engagement:</p> <ul style="list-style-type: none"> • Distribution of an information leaflets • Hosted a public exhibition event with members • Issued a press notice • Developed and managed a consultation website.
5.99	<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>
5.100	<p>The PACC report is considered compliant with the legislative requirements.</p>
6.0	<p>Recommendation</p>
6.1	<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>
6.2	<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>
7.0	<p>DRAFT CONDITIONS</p> <ol style="list-style-type: none"> 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. 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. 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.

	<p>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.</p> <p>Reason: In the interests of the character and appearance of the area and setting of nearby Listed Buildings.</p> <p>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.</p> <p>Reason: To ensure that a quality residential environment is provided for occupants of the approved development.</p> <p>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.</p> <p>Reason: To ensure adequate provision of refuse and recycling storage in the interests of the amenities of the area.</p> <p>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.</p> <p>Reason: To ensure acceptable cycle facilities on the site and to encourage alternative modes of transport to the private car.</p> <p>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.</p> <p>Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.</p> <p>9. The development shall operate in accordance with the Service Management Plan uploaded onto the Public Planning Portal on 16th April 2024.</p> <p>Reason: In the interests of road safety and the convenience of road users.</p> <p>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.</p> <p>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.</p>
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	<p>Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.</p> <p>11. The development shall operate in accordance with the Travel Plan uploaded onto the Public Planning Portal on 7th February 2024.</p> <p>Reason: To encourage alternative modes of transport to the private car</p> <p>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.</p> <p>Reason: Protection of human health and local air quality.</p> <p>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.</p> <p>Reason: Protection of nearby amenity against adverse noise</p> <p>14. Deliveries and collections to and from the development hereby permitted shall not take place outside the hours of 07:00 and 23:00.</p> <p>Reason: Protection of nearby amenity against adverse noise.</p> <p>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.</p> <p>Reason: Protection of nearby amenity against adverse noise</p> <p>16. Prior to operation of the hereby permitted restaurants/café's (ground floor and 6th 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).</p> <p>The discharge outlet from the extract ventilation ducting shall terminate at a height not less than 1m above the main roof ridge height.</p> <p>The kitchen and odour abatement systems shall be retained in accordance with the requirements of this condition at all times.</p>
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	<p>Reason: Protection of nearby amenity.</p> <p>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.</p> <p>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.</p> <p>Reason: To ensure that any contamination within the site is appropriately dealt with, in the interests of human health.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>Reason: In the interests of natural heritage and ground water environment.</p> <p>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.</p> <p>Reason: In the interests of natural heritage and ground water environment.</p>
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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.

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.

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Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 27 th June 2024	
Application ID: LA04/2024/0190/F and LA04/2024/0203/LBC	
Proposal: LA04/2024/0190/F: Renewal of planning permission ref: LA04/2018/1991/F for the demolition of existing non listed buildings and redevelopment of site with 6-8 storey buildings to accommodate office led mixed use development comprising Class B1 (a) office, ancillary Class B2 industrial floorspace, active ground floor uses retail (A1), restaurants, cafes and bars (sui generis); basement parking and associated access and circulation. Proposals include the retention and restoration of the listed Seaver building comprising façade restoration; new roof and reintroduction of dormers, replacement windows and reinstatement of original entrance to southern façade. LA04/2024/0203/LBC: Demolition of attached structures, retention and restoration of the listed Seaver building comprising internal reconfiguration works, façade restoration of dormers, replacement windows and reinstatement of original entrance to southern façade.	Location: Former Belfast Telegraph complex at 124-144 Royal Avenue and, 1-29 Little Donegall Street, Belfast, BT1 1DN
Referral Route: The Council has an estate in the land, is joint applicant and the application is for Major development.	
Recommendation:	Approval with conditions
Applicant Name and Address: BeITel LLP c/o McAleer & Rushe 17-19 Dungannon Road Cookstown BT80 8LT	Agent Name and Address: Donna Lyle Turley Hamilton House 3 Joy Street Belfast BT2 8LE
Executive Summary: Planning permission was granted on 19 th February 2019 (LA04/2018/1991/F) for demolition of non-listed buildings, refurbishment and retention of the listed Seaver building and the erection of a 6-8 storey mixed-use office led mixed use development comprising Class B1 (a) office, ancillary Class B2 industrial floorspace, active ground floor uses retail (A1), restaurants, cafes and bars (sui generis); basement parking and associated access and circulation bounding Royal Avenue, Little Donegall Street and Donegall Street. A copy of the Committee report to the original application is appended.	

The current application is seeking the renewal of planning permission LA04/2018/1991/F and is accompanied by a new Listed Building Consent (LA04/2024/0203/LBC) as there is no legislative vehicle to renew Listed Building Consents.

When considering renewal applications, it is important that any material changes in circumstance that have occurred in the intervening period are fully considered. As such, the application has been accompanied where relevant by updated and additional documentation to reflect the new policies in the Belfast LDP Plan Strategy.

The site is located within the development limits of Belfast. The site is un-zoned “white land” within the BUAP 2001 and draft BMAP 2015. It also falls within the City Centre, the Scotch/Cathedral character area and the City Centre area of parking constraint in draft BMAP 2015. Part of the site comprises a Grade B2 Listed building within the same block.

The main issues to be considered are:

- Principle of the proposed uses
- Demolition of buildings
- Impact on the architectural and historic qualities of the Listed Building
- Impact on the character and appearance of the area
- Impact on traffic and travel
- Impact on residential amenity
- Flood risk and drainage
- Waste-water infrastructure
- Natural heritage
- Climate Change
- Health Impacts
- Public Realm
- Landscaping
- Employability and Skills
- Pre-Community Consultation

DfI Roads, Environmental Health, Historic Environment Division, NI Water, NIEA Regulation Unit, Shared Environmental Services and DfI Rivers have no objections and their responses are detailed in the main body of the report. DAERA NIEA (NED) has been reconsulted with updated bat surveys. Whilst this remains outstanding, it is anticipated that they will return a response with no objections and delegated authority is sought to deal with any issues that arise from its consultation response, provided that they are not substantive.

No objections have been received from third parties.

Having regard to the development plan, and other material considerations, the proposal is considered acceptable. It is recommended that full planning permission and Listed Building Consent are granted subject to conditions.

Delegated authority is requested for the Director of Planning and Building Control to deal with any other matters that arise, including the further consultation from DAERA NIEA (NED), provided that they are not substantive.

Case Officer Report

Site location plan:



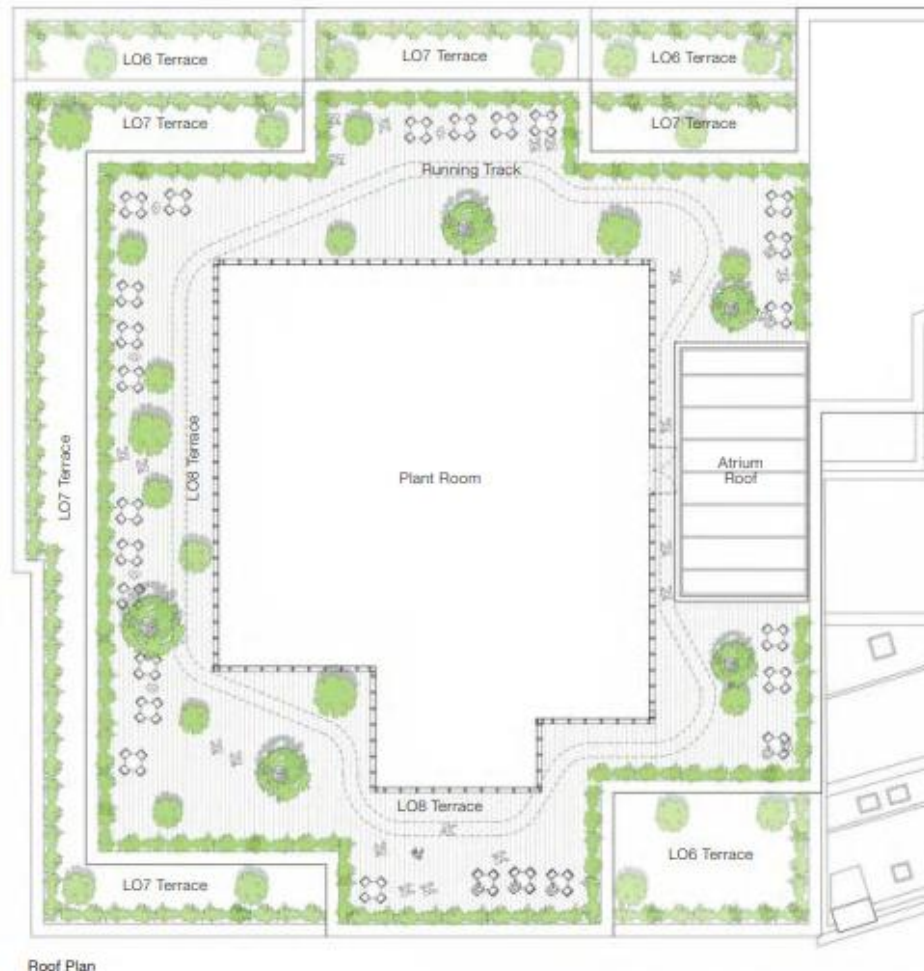
CGIs:







Roofscape and landscaping:



Characteristics of the Site and Area

1.0 Description of Proposed Development

- 1.1 This report relates to renewal of the previous planning application and a new application for Listed Building Consent.
- 1.2 The renewal application seeks to renew planning permission LA04/2018/1991/F for demolition of existing non-listed buildings and redevelopment of the site to accommodate a 6-8 storey office-led mixed-use development comprising Class B1 (a) office, ancillary Class B2 industrial floorspace, active ground floor uses retail (A1), restaurants, cafes and bars (sui generis); basement parking and associated access and circulation. The proposal includes the retention and restoration of the listed Seaver building comprising façade restoration, new roof and reintroduction of dormers, replacement windows and reinstatement of original entrance to southern façade.
- 1.3 The application for Listed Building Consent seeks demolition of attached structures, retention and restoration of the listed Seaver building comprising internal reconfiguration works, façade restoration of dormers, replacement windows and reinstatement of original entrance to southern façade.

2.0 Description of Site and Area

2.1

2.2	<p>The site is bounded by Royal Avenue, Donegall Street and Little Donegall Street and is adjacent to the Cathedral Conservation Area and proximate to the City Centre Conservation Area. The site comprises the Grade B2 Listed Seaver Building with its associated extensions as well as the more modern building on the corner of Royal Avenue and Donegall Street. The existing buildings vary from three to six storeys.</p> <p>The area is characterised by commercial, non-residential uses such as retail, office and the University of Ulster buildings. There are two notable Listed Buildings in the vicinity: the Frames Building and Central Library. There are a number of planning approvals in the vicinity including the University of Ulster Building and the Frames Building redevelopment.</p>
PLANNING POLICY AND OTHER MATERIAL CONSIDERATIONS	
3.0	Recent/Relevant Planning History
3.1	LA04/2024/0054/F - Former Print Hall, Ground Floor, 124-144 Royal Avenue - Change of use to conference centre facility with associated use as events/entertainment space – Permission Granted, 12.04.2024.
3.2	LA04/2022/0155/F - Ground floor print hall, 122-144 Royal Avenue - Extension of time for temporary change of use of and alterations of former printing hall to event space for a period of 18 months – Permission Granted, 30.08.2022
3.3	LA04/2021/2825/A - Former Belfast Telegraph Printworks, 124-132 Royal Avenue - Retention of mesh banner signage (19.1m by 9.84m) for a temporary period of 24months. Permission Refused, 15.04.2022.
3.4	LA04/2021/1586/A - Former Belfast Telegraph Printworks, 124-132 Royal Avenue - Proposed mesh banner signage (19.1m x 9.84m) for a temporary basis of 24months – Permission Refused, 10.11.2021.
3.5	LA04/2020/0662/A - Former Belfast Telegraph Printworks, 124-132 Royal Avenue - Mesh banner signage (19.1m X 9.84m) (temporary for 1 year) – Permission Granted, 27.08.2020.
3.6	LA04/2019/0878/F - Ground floor print hall, 122-144 Royal Avenue - Extension of time for temporary change of use of and alterations of former printing hall to event space for a period of 3 years - Permission Granted, 30.10.2019.
3.7	LA04/2018/1991/F - Former Belfast Telegraph complex at, 124-144 Royal Avenue and, 1-29 Little Donegall Street - Demolition of existing non listed buildings and redevelopment of site to accommodate office led mixed use development comprising Class B1 (a) office, ancillary Class B2 industrial floorspace, active ground floor uses retail (A1), restaurants, cafes and bars (sui generis); basement parking and associated access and circulation. Proposals include the retention and restoration of the listed Seaver building comprising facade restoration, new roof and reintroduction of dormers, replacement windows and reinstatement of original entrance to southern façade [amended scheme] - Permission Granted, 22.02.2019
3.8	LA04/2018/1968/LBC - Former Belfast Telegraph complex at, 124-144 Royal Avenue and, 1-29 Little Donegall Street - Demolition of attached structures, retention and restoration of the listed Seaver building comprising internal reconfiguration works, facade restoration of dormers, replacement windows and reinstatement of original entrance to southern façade - Permission Granted, 22.02.2019.
4.0	Policy Framework

4.1	Development Plan – operational policies
4.2	<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 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>
4.3	<p><u>Supplementary Planning Guidance</u></p> <p>Placemaking and Urban Design Tall Buildings Masterplanning approach for Major developments Sustainable Urban Drainage Systems Transportation</p>
4.4	<p>Development Plan – zoning, designations and proposals maps</p> <p>Belfast Urban Area Plan (2001) BUAP Draft Belfast Metropolitan Area Plan 2015 (v2004) Draft Belfast Metropolitan Area Plan 2015 (v2014)</p>

4.5	Regional Planning Policy Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)
4.6	Other Material Considerations Developer Contribution Framework (2020) <i>Belfast Agenda</i> (Community Plan)
5.0	Consultations
5.1	<u>Statutory Consultees</u> DfI Roads – no objection subject to conditions. DfC HED – no objection subject to conditions. DfI Rivers – no objection, the proposal is not within a flood plain. DAERA: Regulation Unit – no objection subject to conditions. DAERA NIEA: Natural Environment Division – outstanding at this time. NI Water – no objection subject to condition.
5.2	<u>Non-Statutory Consultees</u> Environmental Health – no objection subject to conditions. BCC Economic Development Unit – advises that a Construction Employability and Skills Plan are not required as the social value work is underpinned by the Council's programmes. Shared Environmental Services (SES) – no objection subject to conditions. LDP Environment Division – no objection subject to condition.
6.0	<u>Representations</u>
6.1	The applications have been advertised and neighbour notified. No third-party representations have been received.
7.0	<u>ASSESSMENT</u>
	Development Plan Context
7.1	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.
7.2	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.

7.3	<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 Policies</u></p> <p>Relevant operational policies in the Plan Strategy are listed at paragraph 4.2.</p>
7.4	<p><u>Proposals Maps</u></p> <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>
7.5	<p>Belfast Urban Area Plan 2001 – the site is un-zoned “white land” within the Development Limit and the City Centre.</p>
7.6	<p>Belfast Metropolitan Area Plan 2015 (2004) – the site is un-zoned “white land” within the Development Limit and the City Centre. The site is located to the west of the Cathedral Conservation Area and is within the Scotch/Cathedral Character Area where development proposals shall take account of the height of adjoining buildings with heights of 3-5 storeys.</p>
7.7	<p>It is also within the Belfast City Core Area of Parking Restraint.</p>
7.8	<p>Belfast Metropolitan Area Plan 2015 (v2014) – the site is un-zoned “white land” within the Development Limit and the City Centre. The site is located to the west of the Cathedral Conservation Area and is within the Scotch/Cathedral Character Area where development proposals shall take account of the height of adjoining buildings with heights of 3-5 storeys. It is also within the Belfast City Core Area of Parking Restraint.</p>
7.9	<p>According to the Department’s <i>Development Management Practice Note 4: Types of application</i>, as a general rule, applications to renew planning permission should be considered and only refused where:</p> <ul style="list-style-type: none"> a) there has been some material change in planning circumstances since the original permission was granted. In this case, the main change in circumstance is the adoption of the Belfast LDP Plan Strategy 2035 and application of its new policies. These are considered in detail in the main assessment; b) Continued failure to begin the development will contribute unacceptably to uncertainty about the future development in the area. In this case, the site is not of significant strategic importance and this is not considered to apply. c) The application is premature and still has reasonable time to run. This does not apply in this case with the application submitted just before expiry. <p>The main issues relevant to consideration of the application are.</p>

7.10	<ul style="list-style-type: none"> • Principle of the proposed uses • Demolition of buildings • Impact on the architectural and historic qualities of the Listed Building • Impact on the character and appearance of the area • Impact on traffic and travel • Impact on residential amenity • Flood risk and drainage • Waste-water infrastructure • Natural heritage • Climate Change • Health Impacts • Public Realm • Landscaping • Employability and Skills • Pre-Community Consultation <p><u>Principle of the proposed uses</u></p> <p>The site is within the urban development limit in the BUAP 2001 and development limit in both versions of dBMAP 2015. It is within the City Centre in both versions of dBMAP 2015.</p>
7.11	<p><i>Office use:</i></p> <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 including ICT. The proposal is consistent with these policies.</p>
7.12	<p>Office uses above ground floor are appropriate to the area and given the recent residential approvals nearby and the University development, the proposal would add a large office/daytime working element to the local land-use context that would support the vitality and viability of the City Centre.</p>
7.13	<p>This is a sustainable location for office development with excellent access to public transport, shops and services, providing opportunity to reduce the need to travel by the private car.</p>
7.14	<p><i>Retail/bar/restaurant uses:</i></p> <p>In terms of the proposed ground floor retail, bar/restaurant units, Policy RET1 directs such town centre uses to the City Centre first. The site is located within the City Centre where retail, food and drink are acceptable in principle. The proposed ground floor restaurant and bar units on to Royal Avenue, Donegall Street and Little Donegall Street would help activate the building at ground floor add to the vibrancy of the scheme and would enable local residents and workers to use the building after office hours.</p>
7.15	<p><i>Economic development:</i></p> <p>The proposed building is intended to deliver 21,600 sqm of Grade A office space in a single phase. The construction cost is estimated to be approximately £67m delivering around 400</p>

7.16	<p>construction jobs. The completed development would support an anticipated 1,800 jobs. It would increase footfall and spend in the City Centre. In these regards, the proposal would have a very positive economic impact.</p> <p>Having regard to the above factors, the proposed uses are welcomed in principle. The proposal accords with Policies EC1, EC6 and RET6 of the Plan Strategy, and relevant provisions of the SPPS.</p> <p><u>Demolition of buildings (excluding the Listed Seaver Building)</u></p> <p>Demolition of the non-original extensions to the listed building as well as the modern building on the corner of Royal Avenue and Donegall Street remains acceptable as they make no material contribution to the character and appearance of the area. The Listed Seaver Building is the key asset on the site. However, demolition will only be acceptable on the proviso that the replacement scheme is appropriate to the site and sensitive to the setting of the Listed Building.</p> <p>The replacement development is considered appropriate for the reasons set out in this report. DfC Historic Environment Division (HED) offers no objection to the proposal. The proposal is considered compliant with Policy BH1.</p> <p><u>Impact on the architectural and historic qualities of the Listed Seaver Building and its setting</u></p> <p>Policy BH1 details the criteria to be met when extending or altering a listed building, and when considering proposals that affect the setting of a Listed Building. The proposed building originally evolved through many design iterations and is considered to remain acceptable in terms of its impact on the Listed Building.</p> <p>The concept of the scheme is for an integrated redevelopment whereby the Listed Seaver Building would be bolstered on both sides by new-build offices and the back of the listed building would be an integral feature of the proposed arcade.</p> <p>The proposed use of restaurant/bar use on the ground floor and offices above are considered appropriate for the listed building and would bring the currently disused building back into use.</p> <p>The proposal features three dormers on the Listed Building along Royal Avenue and four along Library Street with a single dormer on the chamfered corner which reflects the original number and pattern of dormers on the building. The materials are proposed to be bronze coloured PCC metal framed windows with PPS glazed caps. The proposed dormer windows are considered sympathetic and contextual appropriate to the Listed Building.</p> <p>Materials on the adjoining new build portions of the development were negotiated to ensure they were high quality, appropriate and respectful to the listed building. Final details of the materials would be secured via condition to ensure samples can be examined on site.</p> <p>Internally, the rear wall of the Listed Seaver Building which abuts the new atrium was redesigned to incorporate the historic mullions design feature. The proposed internal alterations are considered acceptable.</p> <p>Policy BH1 also deals with development affecting the setting of a listed building and provides criteria against which proposals can be assessed. It is considered that the proposed new build elements, by reason of their scale, height, form and design, would respect the setting of the adjacent Listed Building and other Listed Buildings in the locality.</p>
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7.26	<p>DfC HED offers no objection to the proposal, both in respect of the proposed works to the Listed Building and the impact of the new building elements on its setting. It advises conditions to ensure retention/protection of cast iron structures and piers and also that all detailing/alterations/interventions are agreed in advance by the Council in consultation with HED. In addition, method statements are required.</p>
7.27	<p>It is considered that the proposal would respect the architectural and historic qualities of the Listed Building and its setting, and is compliant with Policy BH1 and relevant provisions of the SPPS.</p> <p><u>Impact on the character and appearance of the area</u></p>
7.28	<p>The proposal has been assessed against the SPPS, Creating Places and Policies SP5, DES1 and DES2 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, including any impact on the setting, character and appearance of listed buildings, conservation areas, ATCs, and historic monuments/gardens.</p>
7.29	<p>The proposed height and massing have taken their lead from key neighbouring and listed buildings such as the existing extension on Little Donegall Street, the Seaver Building, Frames Building, the Central Library and the new University building. The design and layout of the new-build elements are crucial in creating an architecturally interesting scheme whilst enhancing the primacy of the listed building in its immediate context. It is considered that the outcome has created a dynamic layout and elevational treatment which has the opportunity to become a city-centre exemplar.</p> <p><u>Royal Avenue</u></p>
7.30	<p>The Royal Avenue elevation is a key elevation onto the main thoroughfare to the adjacent Conservation Area, and the source of primary visibility of the listed building. In addition, it is this elevation that most noticeably must achieve coherence between its modern new-build and existing listed elements and contains the longest views.</p>
7.31	<p>The proposed Royal Avenue elevation is considered to respect the scale and setting of the listed building while reflecting two distinctive plot widths: a lower (23m high / 12m wide / 2 bay) six storey section and a taller (31m high / 17m wide / 3 bay) eight storey section, which marks and turns the corner of Royal Avenue and Donegall Street. The total of five bays contained in both sections of the new façade is also a nod historically towards the five bay arrangement contained within the former Victorian building that once stood on this site.</p>
7.32	<p>HED states under their original response that the <i>‘revised views supplied show the changed massing has mitigated the size of the new build beside the listed building’</i> as well as the impacts on the Central Library and Frames Building.</p> <p><u>Little Donegal Street/Library Street</u></p> <p>The Library Street/Little Donegall Street elevation also contains a meeting of old and new with the listed building abutting the new build element. Immediately adjacent to the listed</p>

7.33	building on this frontage is the entrance to the arcade. The use of red brick spandrels along Library Street/Little Donegall Street is considered an appropriate alternative design intervention in lieu of a cornice detail along this elevation.
7.34	<p>The existing, modern structures on the site are of considerable height and massing. Given the existing buildings on the site as well as the nearby University of Ulster buildings, the proposed height and massing are considered comparable and appropriate in the context.</p> <p><u>Donegall Street</u></p>
7.35	<p>The Donegall Street elevation is the only one of the three elevations which does not have an immediate context to the listed building. The design comprises of four distinct elements of varying heights but uniform horizontal cues and fenestration treatments. The bay widths are 4, 4, 6 and 6. The second element contains the corresponding arcade entrance to that of the Little Donegall Street entrance.</p>
7.36	<p>While the proposed shoulder heights along Donegall Avenue represent a marginal increase on existing, particularly at the junction with Royal Avenue, it is considered that the resultant elevation is a marked improvement over the existing arrangement and more reflective of historic plot widths in this area.</p>
7.37	<p>The increase in height at this busy junction is considered justified from an urban design viewpoint, given that historically streetscapes increased in height at corners with buildings forming corner marker statements. The proposed height is below that of the new University building on the opposite corner of Donegall Street and would provide a good quality backdrop building to Cathedral Gardens diagonally opposite.</p>
7.38	<p>The northern edge is fully setback from the front elevation of the building by around 16m (with some relocated to the basement area), which will assist in mitigating the visual impact at this level particularly in relation to public views from Cathedral Gardens diagonally opposite. A running track is also proposed around the full extent of the plant enclosure (circuit of around 130m), which is a welcomed.</p> <p><u>Impact on the setting of the adjacent Conservation Area</u></p>
7.39	<p>For the reasons stated, the design, scale and massing of the proposed building is considered appropriate. It is considered that the character and appearance of the adjacent Conservation Area would be preserved.</p>
7.40	<p>In summary, the proposal is considered to accord with Policies DES1, DES2, and BH2, and relevant provisions of the SPPS.</p> <p><u>Impact on traffic and travel:</u></p>
7.41	<p>A detailed Transport Statement was originally submitted which outlines the various transport options for end-users including rail and bus links, Belfast Bike hubs, nearby on-street car parking and pedestrian routes. A total of 28 no parking spaces and 128 no cycle parking spaces are proposed in the basement of the proposal. This level of parking is more than suffice given the central and sustainable location of the site which has good public transport links and access to existing city centre car parks. An acceptable travel plan has been provided to promote alternatives to car use.</p> <p>DFI Roads were consulted and have no objections, advising conditions.</p>
7.42	<p>The proposal is considered acceptable having regard to Policies TRAN1, TRAN2, TRAN4, TRAN6, TRAN 8 and TRAN 9, and relevant provisions of the SPPS.</p>

7.43	<p><u>Impact on residential amenity</u></p> <p>There would be no harmful overlooking, loss of outlook, daylight or sunlight to nearby properties. In these regards, the proposal is considered to satisfy Policies DES1 and DES2.</p>
7.44	<p><u>Environmental protection</u></p> <p>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.</p>
7.45	<p><u>Contaminated land</u></p> <p>Environmental Health is content subject to conditions regarding remediation and verification. DAERA NIEA: Regulation Unit are similarly content subject to condition. It is considered that the proposal accords with Policy ENV1.</p>
7.46	<p><u>Air quality</u></p> <p>The application is accompanied by an Air Quality Assessment, which concludes that the relevant thresholds would not be exceeded. Environmental Health notes further detail is required regarding boiler/heating specifications. Subject to a condition confirming the specification, it is considered that the proposal accords with Policy ENV1.</p>
7.47	<p><u>Noise and vibration</u></p> <p>In relation to construction noise, Environmental Health advises that a Construction Environmental Management Plan (CEMP) should be required by condition. A Noise Mitigation Strategy and Noise Verification Report area also required by condition. These conditions are recommended. It is considered that the proposal accords with Policy ENV1.</p>
7.48	<p><u>Odour</u></p> <p>Environmental Health is concerned that the proposed ground floor restaurant could have an adverse odour impact on existing and future sensitive receptors. Further details of kitchen extraction and odour abatement are therefore required, and these can be secured by condition. Subject to this condition, the proposal complies with Policy ENV1</p> <p>The conditions advised by Environmental Health and DAERA NIEA are recommended. The proposal is considered to accord with Policy ENV1 and the SPPS.</p>
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7.50	<p><u>Flood risk and drainage</u></p> <p>DfI Rivers advises that the site is not within a present day or climate change flood plain. Nor are there any watercourses within the site. It is satisfied with the proposed drainage proposals. Accordingly, it offers no objection and the proposal is considered to satisfy Policy ENV5.</p>
7.51	<p><u>Waste-water infrastructure</u></p>

7.52	<p>Policy SP1a requires that necessary infrastructure is in place to support new development. NI Water has been consulted and has no objections. Satisfactory waste-water infrastructure would be in place and the proposal is considered to satisfy Policy SP1a.</p> <p><u>Natural heritage</u></p> <p>Policy NH1 relates to the protection of natural heritage resources.</p> <p>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> <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> <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> <p>SES has advised following an appropriate assessment in accordance with the Regulations and having considered the nature, scale, timing, duration and location of the project, that the proposal would not have an adverse effect on the integrity of any European site, either alone or in combination with other plans or projects. SES advises that the conditions recommended by the DAERA NIEA Groundwater team are applied and these conditions are recommended.</p> <p>DAERA: NED has requested updated bat emergence/re-entry surveys due to the time lapse between the previous surveying and present. It is not anticipated that there will be an objection and delegated authority is sought to resolve a final response, provided that any issues raised are not substantive. Were DAERA: NED to object to the application, it would have to be reported back to the Planning Committee before a decision was made.</p> <p>Subject to a satisfactory further response from DAERA: NED, and the imposition of conditions, the proposal is considered compliant with Policy NH1, Policy ENV1 and the relevant provisions of the SPPS.</p> <p><u>Climate change</u></p> <p>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.</p> <p>Policy ENV2 sets out a presumption that the existing building stock will be retained and re-used for sustainability reasons. As set out previously, the existing buildings proposed to be</p>
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7.62	<p>demolished have no architectural merit and their removal and replacement with the proposed new build elements of the scheme would have a positive impact on the character and appearance of the area, economy and vitality and viability of the City Centre. Their demolition is therefore acceptable.</p> <p>The applicant has made a clear commitment to the reuse and recycling of waste materials where this is possible and this will be controlled by condition.</p>
7.63	<p>The proposal includes green/sustainable design measures to address climate change. Final details should be required by condition.</p>
7.64	<p>Policy ENV5 states that all built development shall include, where appropriate, SuDs measures to manage surface water effectively on site, to reduce surface water run-off and to ensure flooding is not increased elsewhere. The scheme proposes the use of hard SUDs but does not provide details as the roof- scape will not be designed in full until an end user is identified. A final landscaping plan including SuDs will be required by condition. It is considered Policy ENV5 is met.</p>
7.65	<p><u>Health impacts</u></p> <p>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.</p>
7.66	<p>The site is highly accessible and provides excellent opportunities for active travel, including walking and cycling, through excellent linkages with the city centre. Active travel will be further encouraged through the applicant's green travel plan. Good levels of open space/amenity space are proposed including outdoor terraces as well as a running track to promote exercise and wellbeing.</p>
7.67	<p>In terms of place making, the proposed building is considered to be of a high-quality design which would provide a pleasant working environment for employees and visitors, and well as enhancing the character and appearance of the area.</p>
7.68	<p>The proposal is considered to satisfy the requirements of Policy HC1.</p> <p><u>Public Realm</u></p>
7.69	<p>Public realm improvement works are proposed as part of this scheme, including enhancement of the footways bounding the site. This would help enhance the setting of the building and improve connectivity. The public realm enhancements proposed are welcomed, however, due to uncertainties at this time as to whether the works would receive the appropriate licenses from DfI Roads because of concerns about the cost of future maintenance, the requirement to complete these works is not subject to condition.</p>
7.70	<p><u>Landscaping</u></p> <p>A roof garden with running track is shown within the Design and Access Statement. A final roof plan with landscaping will be conditioned.</p> <p><u>Employability and Skills</u></p>

7.71	<p>The Council's Economic Development Unit assesses applications for Major development to ascertain the requirement for Employability and Skills interventions to promote inclusive growth. The Council as joint application is already committed to this approach and this would be dealt with outside the planning process as it is not possible for the Council to enter into a Section 76 planning agreement with itself.</p> <p><u>Pre-Community Consultation</u></p>
7.72	<p>For applications for Major development, there is a legislative requirement for applicants to consult the community in advance of submitting the application.</p>
7.73	<p>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. As there is no change to the proposal as originally granted and the application is for a renewal, the original PAN remains applicable.</p>
7.74	<p>The PAN (LA04/2018/0585/PAN) was submitted to the Council on 13th March 2018. Where pre-application community consultation has been required and a PAN has been submitted at least 12 weeks in advance of the application being submitted, the applicant must prepare a pre-application community consultation report to accompany the planning application.</p>
7.74	<p>The Pre-Community Consultation Report was submitted in support of the original application. It outlined the consultations undertaken and detailed the 35 responses and how these were taken into account. Members of the public were in support of the redevelopment including restoration of the Listed Seaver Building. Finer details such as the number of dormer windows and level of roof plant were reduced in response to feedback.</p>
7.75	<p>The Pre-Community Consultation Report demonstrated that the applicant had carried out their duty to consult the community in advance of submitting the application.</p>
8.0	Summary of Recommendation:
8.1	<p>Having regard to the development plan, and other material considerations, the proposal is considered acceptable. It is recommended that full planning permission and Listed Building Consent are granted subject to conditions.</p>
8.2	<p>Delegated authority is requested for the Director of Planning and Building Control to deal with any other matters that arise, including the further consultation from DAERA NIEA (NED), provided that they are not substantive.</p>
9.0	DRAFT CONDITIONS
9.1	<p>Full planning permission (LA04/2024/0190/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. Notwithstanding the submitted details, no external brick facing shall be constructed or applied unless in accordance with a schedule of external materials, details and

	<p>sample panels, which shall have first been constructed on site and approved in writing by the Council.</p> <p>The sample panels shall show the make, type, size, colour, bond, pointing, coursing, jointing, profile and texture of the external brick facing materials.</p> <p>The approved sample panels shall be retained on site and made available for inspection by the Council for the duration of the construction works.</p> <p>The works must be implemented and permanently retained in accordance with the details so approved.</p> <p>Reason: In the interests of the special architectural and historic qualities of the Listed Building.</p> <p>3. Notwithstanding the details submitted, the following elements of the approved scheme shall not be installed, implemented or carried out unless in accordance with further details which shall have been submitted to and approved in writing by the Council:</p> <ol style="list-style-type: none"> 1. Security grilles, gates or enclosures 2. Window louvres <p>The works shall be retained in accordance with the details so approved.</p> <p>Reason: In the interests of the special architectural and historic qualities of the Listed Building.</p> <p>4. No external facing, roofing or rainwater goods materials shall be applied unless in accordance with a) a written specification of the materials; and b) physical sample/s of the materials, details of which shall have been submitted to and approved in writing by the Council.</p> <p>The works shall be retained in accordance with the details so approved and the approved samples shall be retained on site and made available for inspection by the Council for the duration of the construction works.</p> <p>Reason: In the interests of the special architectural and historic qualities of the Listed Building.</p> <p>5. Notwithstanding the submitted details, the development hereby permitted shall not be occupied unless details of soft landscaping for all open spaces and terraces have been submitted to and approved in writing by the Council. The submitted details shall include specifications for any and all enclosures, screens, balconies, balustrades and planting.</p> <p>All works shall be carried out in accordance with the approved details thereafter.</p> <p>Reason: In the interests of the character and appearance of the area.</p> <p>6. The development hereby permitted shall not be occupied or become operational until the vehicular access across lowered kerbs, including visibility splays of 2.4 m x</p>
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43 m has been constructed. 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. Such splays shall be retained and kept clear thereafter at all times.

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

DFI Roads

7. The development hereby permitted shall not become operational until the basement parking areas has been constructed in accordance with the approved layout Drawing No. (00) P099, PROPOSED BASEMENT (B01) FLOOR PLAN published by the Belfast City Council Planning Office on 07 August 2018. 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.

8. Prior to occupation of the development hereby approved, a minimum of 128 No. cycle parking spaces and stands shall be provided and permanently retained for use by residents, staff and visitors to the development in Drawing No. (00) P099, PROPOSED "BASEMENT (B01) FLOOR PLAN published by the Belfast City Council Planning Office on 07 August 2018, The development hereby permitted shall operate in accordance with the approved ARUP Service Management Plan published by the Belfast City Council Planning Office on 09 August 2018.

Reason: In the Interests of road safety and the convenience of road users and to encourage the use of alternative modes of transport to the private car in accordance with the Transportation Principles.

9. The development hereby permitted shall operate in accordance with the approved Framework Travel Plan published by the Belfast City Council Planning Office on 09 August 2018. This shall include provision of the Translink Link 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.

Historic Environment Division

10. No development, works, site clearance, site preparation or demolition shall commence on site (other than that required to fulfil this conditions) unless the Implementation of a programme of archaeological work has been secured in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Council. No development works, site clearance, site preparation or demolition shall be carried out unless in accordance with the approved details.

Reason: To ensure that archaeological remains and features are preserved in situ. Approval is required upfront because archaeological remains and features could be damaged or permanently lost.

11. Access shall be afforded to the site at all reasonable times to any archaeologist nominated by the Department for Communities: Historic Environment Division to

	<p>observe the operations and to monitor the implementation of archaeological requirements.</p> <p>Reason: to monitor programmed works in order to ensure that identification, evaluation and appropriate recording of any archaeological remains, or any other specific work required by condition, or agreement is satisfactorily completed.</p> <p>12. No works shall commence on site unless a full schedule and specification of surviving original cast iron structure to be preserved, restored and retained and a method statement detailing its cleaning, repairs and fire protection have been submitted to and approved in writing by the Council. The works shall not be carried out unless in accordance with the approved details.</p> <p>Reason: In the interests of the special architectural and historic qualities of the Listed Building.</p> <p>13. Notwithstanding the submitted details, the following internal features shall not be installed, implemented or carried out unless in accordance with further details which shall have been submitted to and approved in writing by the Council:</p> <ul style="list-style-type: none"> • Junctions, internal and external, between the Listed Building and all new structures and fabric. • All alterations and interventions relating to the Listed Building. <p>Notwithstanding the submitted details, the following internal features shall not be installed, implemented or carried out unless in accordance with the following:</p> <ul style="list-style-type: none"> • Piers are to be left where any and all original walls have been removed. <p>The works shall not be carried out unless in accordance with the details so approved.</p> <p>Reason: In the interests of the special architectural and historic qualities of the Listed Building.</p> <p>14. No works shall commence on site unless a Detailed Method Statement for the following works or activities has been submitted to and agreed in writing by the Council for the:</p> <ul style="list-style-type: none"> • Demolition of surrounding Structures • All alterations and interventions relating to the Listed Building including internal demolitions. <p>The works and activities shall not be carried out unless in accordance with the approved Detailed Method Statement.</p> <p>Reason: To ensure that the development is not detrimental to the character, appearance or interest of the Listed Buildings. Approval is required upfront to safeguard original features of the building.</p> <p><u>Environmental Health</u></p>
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	<p>15. Prior to installation of glazing within each unit of the hereby approved development, the applicant must submit to the Council for review and approval in writing, a detailed noise mitigation strategy which includes the following information:</p> <ul style="list-style-type: none"> • A façade noise insulation specification including the noise reduction specification of glazing and alternative ventilation to be installed to the facades of all ground floor commercial premises; • A façade noise insulation specification including the noise reduction specification of glazing and alternative ventilation to be installed in upper floors; • The noise reduction specification of any proposed entrance doors to bars/restaurants on the ground floor; • Measures to be incorporated to the ground floor units to minimise music noise breakout associated with access / egress points from sui generis ground floor uses; • Confirmation of the location of any proposed ground floor external smoking and/or beer garden areas and physical and operational measures for managing noise in these external areas. <p>The noise mitigation strategy for each unit must demonstrate how the design, layout and structural insulation of the proposed ground floor uses will mitigate against noise breakout from patrons and music.</p> <p>Reason: Protection of amenity against adverse noise impact.</p> <p>16. Prior to occupation of the hereby permitted development, the applicant must submit to the Council, for review and approval in writing, a Noise Verification Report which demonstrates the following:</p> <ul style="list-style-type: none"> • Confirmation that structural façade and design mitigation measures as presented in the approved Noise Mitigation Strategies have been incorporated into the proposed development; • That the rating level (dBLAr) from the combined operation of rooftop plant and any additional plant located in other external locations does not exceed the existing daytime and night- time background noise level of 50dBLA90 and 45dBLA90 respectively when measured or determined in accordance with BS4142:2014; • That the rating level (dBLAr) from the operation of all combined basement and ground floor plant does exceed the existing daytime and night time background noise level of 50 dBLA90 and 45 dBLA90 when measured or determined in accordance with BS4142:2014. <p>Reason: Protection of amenity against adverse noise impact.</p> <p>17. No installation, fit-out, or operation of the hereby permitted restaurant/café units shall be permitted until details of the kitchen extraction and odour abatement has been submitted to and approved in writing by the Council. The details shall include:</p> <ul style="list-style-type: none"> • Identification of sensitive receptors within the proposed mixed use development; • Details of the types of food and cooking equipment to be used; • Risk scoring in line with the current EMAQ+ guidance document titled: • Control of Odour and Noise from Commercial Kitchen Exhaust Systems' to determine a suitable fit for purpose system at each unit; • Full specification details of proposed kitchen extraction and odour abatement system (filters and other technology to remove grease, smoke and odour);
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	<ul style="list-style-type: none"> • A drawing showing the location and height of the proposed kitchen extract ducting and termination point of the extract flue. <p>Reason: Protection of surrounding amenity and/or amenity of proposed development.</p> <p>18. The kitchen extraction and odour abatement systems for each of the hereby permitted café/restaurant units shall be installed in accordance with the approved details prior to commencement of use of the hereby permitted restaurants/café units and shall be operated at all times thereafter.</p> <p>Reason: Protection of surrounding amenity and/or amenity of proposed development.</p> <p>19. Prior to operation of the hereby approved development, the applicant must submit to the Council's Planning Service, for review and approval in writing, details of the heating system specification and confirmation that any combustion appliances meet a minimum emission standard of <40mg NOx/kWh as prescribed in the Envest July 2018 Air Quality Impact Assessment Report.</p> <p>Reason: Prevention of adverse air quality impacts</p> <p>20. Prior to commencement of demolition and / or construction works, the applicant must submit to the Council for review and approval in writing, a Construction Environmental Management Plan (CEMP). The CEMP should include a programme of works and must clearly demonstrate the mitigation measures to be put in place to ensure best practicable means (BPM) are followed which will minimise adverse impacts from vibration, noise and dust on nearby premises. The CEMP shall clearly identify good practice arrangements to be employed by the appointed Contractor regarding neighbour liaison and communication of various work phases.</p> <p>All construction thereafter must be in accordance with the approved CEMP.</p> <p>Reason: Prevention of adverse impacts on nearby premises.</p> <p>21. Throughout the demolition and construction phase, the dust mitigation measures outlined in the September 2018 Envest Construction Dust Impact Assessment Report must be implemented.</p> <p>Reason: Prevention of adverse impacts on nearby premises.</p> <p>22. No development shall commence on site (other than site clearance, enabling works or works to fulfil this condition), until an updated Quantitative Risk Assessment, and, if required, an updated Remediation Strategy, have been submitted to and approved in writing by the Council. The updated Quantitative Risk Assessment should specifically consider the basement area and any areas available for access following fuel storage tank removal. The updated Quantitative Risk Assessment shall follow current Environment Agency and CIRIA guidance and British Standards and must incorporate:</p> <ul style="list-style-type: none"> • A detailed site investigation in line with BS 10175:2011+A2:2017. Any ground gas investigations shall be conducted in line with BS 8576:2013 and BS 8485:2015+A1:2019. • A satisfactory assessment of the risks (including an updated Conceptual Site Model), conducted in line with current Environment Agency guidance. Risks
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	<p>associated with ground gases shall be assessed under the methodology outlined in BS8485:2015+A1:2019.</p> <p>Should the updated Quantitative Risk Assessment demonstrate that human health contaminant linkages exist on the site, then an updated Remediation Strategy shall be submitted to and approved in writing by the Council. The updated Remediation Strategy must demonstrate how the identified contaminant linkages are to be demonstrably broken and no longer pose a potential risk to human health. It must also detail how the proposed remedial works are to be verified.</p> <p>The development shall not be carried out unless in accordance with the approved Remediation Strategy.</p> <p>Reason: To ensure that any contamination within the site is appropriately dealt with, in the interests of human health.</p> <p>23. Prior to occupation or operation of the development, a Verification Report shall be submitted to and approved in writing by the Council. The Verification Report shall be completed by competent persons and be in accordance with current Environment Agency and CIRIA guidance and British Standards. It must demonstrate that the mitigation measures outlined in the agreed Remediation Strategy have been implemented, that they have broken the relevant contaminant linkages and that the site no longer poses a potential risk to human health.</p> <p>Reason: To demonstrate that the required remedial measures have been incorporated into the development, in the interests of human health.</p> <p>24. 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 current Environment Agency and CIRIA guidance and British Standards.</p> <p>Reason: To ensure that any contamination within the site is appropriately dealt with, in the interests of human health.</p> <p>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.</p> <p>Reason: To ensure that any contamination within the site is appropriately dealt with, in the interests of human health.</p> <p><u>NIEA</u></p>
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	<p>25. All fuel storage tanks (and associated infra-structure) must be fully decommissioned and removed in line with current Guidance for Pollution prevention (GPP 2 and GPP 27) and the quality of surrounding soils and groundwater verified. Should contamination be identified during this process, Conditions 2 and 3 will apply.</p> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p> <p>26. If during the development works, new contamination or risks are encountered which have not previously been identified, works should cease and the Planning Authority shall be notified immediately. 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 agreed with the Planning Authority in writing, and subsequently implemented and verified to its satisfaction.</p> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p> <p>27. After completing the remediation works under Condition 26; and prior to occupation of the development, a verification report needs to be submitted in writing and agreed with Planning Authority. This report should be completed by competent persons in accordance with the Land Contamination: Risk Management (LCRM) guidance available at https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks.</p> <p>The verification report should present all the remediation, waste management and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and wastes in achieving the remedial objectives.</p> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p> <p>28. In the event that piling is required, no development or piling work should commence on this site until a piling risk assessment, undertaken in full 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", has been submitted in writing and agreed with the Planning Authority. The methodology is available at: http://webarchive.nationalarchives.gov.uk/20140329082415/http://cdn.environment-agency.gov.uk/scho0501bitt-e-e.pdf.</p> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p> <p><u>Drainage</u></p> <p>29. 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 a surface water drainage scheme, which shall incorporate Sustainable Urban Drainage System (SUDS) principles, has been submitted to and approved in writing by the Council. The scheme shall include a programme for implementation of the works and proposals for future maintenance and management. The development shall not be carried out unless in accordance with the approved SUDS scheme, which shall be retained as such thereafter.</p>
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Reason: To ensure sustainable drainage of the development, having regard to Policy ENV4 of the Belfast LDP Plan Strategy 2035. Approval is required upfront because the design of the drainage is an integral part of the development and its acceptability.

Listed Building Consent (LA04/2024/0203/LBC)

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.

2. No works shall commence on site unless a full schedule and specification of surviving original cast iron structure to be preserved, restored and retained and a method statement detailing its cleaning, repairs and fire protection have been submitted to and approved in writing by the Council. The works shall not be carried out unless in accordance with the approved details.

Reason: In the interests of the special architectural and historic qualities of the Listed Building.

3. Notwithstanding the submitted details, the following internal features shall not be installed, implemented or carried out unless in accordance with further details which shall have been submitted to and approved in writing by the Council:

- Junctions, internal and external, between the Listed Building and all new structures and fabric.
- All alterations and interventions relating to the Listed Building.

Notwithstanding the submitted details, the following internal features shall not be installed, implemented or carried out unless in accordance with the following:

- Piers are to be left where any and all original walls have been removed.

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

Reason: In the interests of the special architectural and historic qualities of the Listed Building.

4. No works shall commence on site unless a Detailed Method Statement for the following works or activities has been submitted to and agreed in writing by the Council for the:

- Demolition of surrounding Structures
- All alterations and interventions relating to the Listed Building including internal demolitions.

The works and activities shall not be carried out unless in accordance with the approved Detailed Method Statement.

Reason: To ensure that the development is not detrimental to the character, appearance or interest of the Listed Buildings. Approval is required upfront to safeguard original features of the building.

ANNEX A

Date Valid	5th February 2024
Date First Advertised	1st March 2024
Date Last Advertised	N/A
Date of Neighbour Notification(s)	20th March 2024
Number of Neighbour Notifications	36 letters issued – full details available on planning portal under LA04/2024/0190/F.
Date of EIA Determination	N/A
ES Requested	No

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 19 February 2019	
Application ID: LA04/2018/1991/F and LA04/2018/1968/LBC	
Proposal: Demolition of existing non-listed buildings and redevelopment of site to accommodate office-led mixed-use development comprising Class B1 (a) office, ancillary Class B2 industrial floorspace, active ground floor uses retail (A1), restaurants, cafes and bars (sui generis); basement parking and associated access and circulation. Proposals include the retention and restoration of the listed Seaver building comprising façade restoration, new roof and reintroduction of dormers, replacement windows and reinstatement of original entrance to southern façade.	Location: Belfast Telegraph Complex 122-144 Royal Avenue Belfast BT1 1DN
Referral Route: Belfast City Council has an interest in the land/is the Applicant	
Recommendation:	Approval
Applicant Name and Address: BeITel LLP C/O McAleer and Rushe 17-19 Dungannon Road Cookstown BT80 8LT	Agent Name and Address: Turley Hamilton House 3 Joy Street Belfast BT2 8LE
Executive Summary: Planning permission is sought for demolition of non-listed buildings, refurbishment and retention of the listed Seaver building and the erection of a mix-use development bounding Royal Avenue, Little Donegall Street and Donegall Street at varying heights from 6-8 storeys. The predominant use on the ground floor will be commercial (cafes/bar/restaurant) including an arcade between Donegall and Little Donegall Streets. The floors above will be predominantly office use. The total floorspace created will be in the region of 31,500 square metres. The site is located within the development limits for Belfast. The site is unzoned whiteland within the draft BMAP 2015 and also falls within the City Centre limit, the Scotch/Cathedral character area and the city centre area of parking constraint under draft BMAP 2015. It includes a listed building which is the Belfast Telegraph building within the same block. The main issues to be considered are; <ul style="list-style-type: none"> - The principle of demolition of the non-listed buildings, - The principle of the height and design of the proposed new building, - The principle of restoration of the listed building, - The principle of the use of the proposal, - The impact on traffic and parking, 	

- Impact on the amenity of the area,
- Impact on human health and safety;
- The consideration of economic benefits
- The consideration of site drainage, and
- Consideration of developer contributions

The proposal has been assessed against the draft development plan (dBMAP 2015) and relevant regional planning policies. The proposal is considered to be compatible with the zoning of the site and compliant with regional policy.

No representations from the public have been received. Transport NI, Environmental Health, Historic Environment Division, Water Service, NIEA, Shared Environmental Services, Rivers Agency and Belfast City Airport were consulted and their responses are detailed in the main body of the report.

Recommendation

Having had regard to the development plan and other material considerations it is recommended that the application and listed building consent are approved subject to conditions. Delegated authority is requested to finalise the wording of conditions.

Site Location Plan / Visuals







1.0	<p>Description of Proposed Development</p> <p>Demolition of existing non-listed buildings and redevelopment of site to accommodate office-led mixed-use development comprising Class B1 (a) office, ancillary Class B2 industrial floorspace, active ground floor uses retail (A1), restaurants, cafes and bars (sui generis); basement parking and associated access and circulation. Proposals include the retention and restoration of the listed Seaver building comprising façade restoration, new roof and reintroduction of dormers, replacement windows and reinstatement of original entrance to southern façade.</p>
2.0	<p>Description of Site and Area</p> <p>The site is bounded by Royal Avenue, Donegall Street and Little Donegall Street and is adjacent to the Cathedral Conservation Area and proximate to the City Centre Conservation Area. At present the site comprises the Grade B2 listed Seaver Building with its associated extensions as well as the more modern building on the corner of Royal Avenue and Donegall Street. The existing buildings vary from three to six floors.</p> <p>The area is characterised by commercial, non-residential uses such as retail, office and the University of Ulster buildings. There are two notable listed buildings in the vicinity, the Frames Building and Central Library. There are a number of planning approvals in the vicinity including the University of Ulster Building and the Frames Building redevelopment.</p>
Planning Assessment of Policy and other Material Considerations	
3.0	<p>Z/2004/0303/F - 124-144 Royal Avenue, Belfast - Adjustments to existing roof to facilitate the installation of a new printing press – PERMISSION GRANTED – 17.05.2004</p> <p>LA04/2017/2209/F – Temporary change of use of former printing hall to event space for a period of 2 years including internal alterations and creation of two emergency exits onto Donegall Street. – TEMPORARY PERMISSION GRANTED – 29.11.2018</p>
4.0	Policy Framework
4.1	Regional Development Strategy 2035;
4.2	Belfast Urban Area Plan 2001; Draft Belfast Metropolitan Area Plan 2004 (draft BMAP) Belfast Metropolitan Area Plan (BMAP) 2015 (purported to be adopted);
4.3	Strategic Planning Policy Statement for NI (SPPS); and Planning Policy Statement 3 – PPS 3 - Access, Movement and Parking Planning Policy Statement 4 – PPS 4 - Planning and Economic Development Planning Policy Statement 6 – PPS 6 - Planning, Archaeology and the Built Environment Planning Policy Statement 13 – Transportation and Land Use Planning Policy Statement 15 – Planning and Flood Risk
5.0	<p>Representations:</p> <p>None received.</p>

6.0	Assessment
6.1	<p>Consultations: The following bodies were consulted as part of the processing of this application:</p> <ul style="list-style-type: none"> • TransportNI • Belfast City Council's Environment and Health Services Dept. • Historic Environment Division • Water NI • Rivers Agency • NIEA • Shared Environmental Services
6.1.1	Many of these consultees had been consulted as part of the Pre-application Discussion that was undertaken prior to the submission of the proposals.
6.1.2	Transport NI were consulted and are content. They recommended conditions and informatives.
6.1.3	HED have stated that the recently amended scheme is compliant with policy and they have provided negative conditions.
6.1.4	Environmental Health requested clarification on matters such as noise and contamination. This information was prepared and submitted and they have since recommended conditions and informatives.
6.1.5	Water NI were consulted and referred to a pre-development enquiry received in May 2018 and the information contained in their response to same. The applicant is therefore aware of the infrastructure requirements in terms of water and waste management.
6.1.6	Rivers Agency were consulted and requested clarification from NI Water regarding a new storm sewer. Following receipt of this clarification, there are no objections.
6.1.7	NIEA were consulted and recommended conditions and informatives regarding contamination. NED required further information regarding bats which was provided. The report confirmed that there are no bats roosting in the structure.
6.1.8	Shared Environmental Services were consulted and recommended an informative regarding the Natural Habitats Regulations.
6.2	Development Plan
6.2.1	Section 6 (4) of the Planning (Northern Ireland) 2011 Act states that in making any determination under the said Act, regard is to be had to the local development plan, and that the determination must be made in accordance with the plan unless material consideration indicate otherwise.
6.2.2	Following the recent Court of Appeal decision on Belfast Metropolitan Area Plan, the extant development plan is now the Belfast Urban Area Plan 2001. However, given the stage at which draft BMAP 2015 had reached pre-adoption through a period of independent examination, the policies within it

	still carry weight and are a material consideration in the determination of planning applications. The weight to be afforded is a matter of judgement for the decision maker. The weight to be attached to policies in emerging plans will depend upon the stage of plan preparation or review, increasing as successive stages are reached.
6.2.3	Given the advanced stage that draft BMAP 2015 reached (i.e. pre-adoption following a period of independent examination), and that the main areas of contention were policies relating to Sprucefield Shopping Centre, BMAP 2015 is considered to hold significant weight.
6.2.4	Draft Belfast Metropolitan Area Plan 2004 is also a material consideration.
6.2.5	The proposed development lies within the development limit for Belfast City Centre (CC001), within Scotch/Cathedral Character Area (CC010), and within the Belfast City Core Area of Parking Restraint (CC025).
6.3	Policy Context
6.3.1	Planning Policy Statement 3 – PPS 3 – Access, Movement and Parking outlines the requirements for developments. Transport NI were consulted and have no objection.
6.3.2	Planning Policy Statement 4 – PPS 4 – Planning and Economic Development contains a number of policies against which economic development proposals (including suis generis uses) can be assessed. Policy PED 9 outlines general criteria for economic development and Criteria (a), (b), (c), (e), (g), and (h) apply. Therefore the policy requires that it is compatible with surrounding land use, does not harm the amenity of nearby residents, does not adversely affect features of the natural or built heritage, and provides adequate and sustainable parking and access. There is no evidence that the proposal will contravene any of the criteria.
6.3.3	Planning Policy Statement 6 – PPS 6 – Planning, Archaeology and the Built Environment outlines policies relevant to protecting the built environment and as there is a listed building within the site, Policies BH8 and BH11 are relevant and are explored in the paragraphs below.
6.3.4	The core issues associated with the proposals were discussed in detail at Pre-Application Discussion (PAD) stage and are further outlined below.
6.4	Principle of the proposed uses and economic benefits:
6.4.1	Office uses above ground floor are appropriate to the context and given the recent residential approvals nearby and the University development, the proposal will add a large office/daytime working element to the local land-use context. Restaurants and bars in the ground floor are welcomed as they will ensure night-time vitality and will encourage local residents and workers to use the building after office hours.
6.4.2	Paragraphs 4.18 and 4.22 of the SPPS state that planning authorities should take a positive approach to appropriate economic development proposals and pro-actively support and enable growth generating activities. It further states that the environment is an asset for economic growth in its own right and planning authorities must balance the need to support job creation and economic growth with protecting and enhancing the quality of the natural and built heritage. In this case around 31,500 sq. m of office space (with some

	<p>retail and restaurant uses) will contribute to job creation and economic vitality locally. The proposal would therefore have a positive impact on the economy and this is an important material consideration.</p>
6.5	Principle of demolition of buildings (excluding Seaver Building) on the site:
6.5.1	Demolition of the non-original extensions to the listed building as well as the modern building on the corner of Royal Avenue and Donegall Street were considered and it was agreed that as the Seaver Building is the key asset on the site, demolition would be acceptable on the proviso that the replacement scheme was appropriate to the site and sensitive to the listed building.
6.5.2	The proposed demolitions remove modern buildings of minimal architectural value which do not contribute to the character of the immediate area or the value of the listed building and there is therefore no objection to their loss.
6.5.3	This is further reflected in the consultation response from Historic Environment Division (HED) dated 4 th February 2019.
6.6	Restoration of the listed Seaver Building
6.6.1	Policy BH8 of PP6 details the criteria to be met when extending or altering a listed building. The proposed building has evolved through many design iterations. The amended scheme seeks to sit alongside the Seaver building as an integral redevelopment whereby the Seaver Building will be bolstered on both sides by new-build offices and the back of the listed building will be an integral feature of the proposed arcade.
6.6.2	The proposed use of restaurant/bar on the ground floor and offices above are considered appropriate for the listed building as it will bring the currently disused building back into use.
6.6.3	Externally, the dormers were subject to much discussion throughout the PAD and planning application stage. The final solution which was agreeable to all consultees culminated in three dormers along Royal Avenue and four along Library Street with a single dormer on the chamfered corner which reflects the original number and pattern of dormers on the building. The materials are proposed to be bronze coloured PCC metal framed windows with PPS glazed caps.
6.6.4	Materials on the adjacent new build portions of the development were negotiated to ensure they were high quality, appropriate and respectful to the listed building. Detailing of these will be secured via negative condition to ensure samples can be examined on site.
6.6.5	Internally, the rear wall of the Seaver Building which abutted the new atrium was redesigned on request to incorporate the historic mullions as design feature.
6.6.6	HED have asked that conditions are placed on any approval which would ensure retention/protection of cast iron structures and piers and also that all detailing/alterations/interventions are agreed first with BCC/HED. In addition, method statements are required.

6.6.7	Officers agree that the proposal meets the criteria of Policy BH8 in that the essential qualities of the building and its setting are retained, the works use appropriate and sympathetic materials and that the detailing of doors, gutters, windows etc match or are in keeping with the building. These conditions are recommended.
6.7	Height and design of the proposed new build:
6.7.1	Policy BH11 of PPS deals with development affecting the setting of a listed building and provides criteria against which proposals can be assessed. Of key importance are the requirement for traditional and sympathetic materials and techniques which respect those found on the building. It also requires the detailed design of any proposal to respect the listed building in terms of scale, height, massing and alignment. The design of the new-build elements has required a collaborative relationship between the applicant and their architects and agent, key input from Historic Environment Division and planning officers including the Urban Design Officer. Amendments have been submitted which have dealt with areas of initial concern.
6.7.2	The height and massing has taken its lead from key neighbouring and listed buildings such as the existing extension on Little Donegall Street, the Seaver Building, Frames Building, the Central Library and the new university building. The design and layout of the new-build elements are crucial in creating an exciting and vibrant scheme whilst enhancing the primacy of the listed building in its immediate context. The outcome has created a dynamic layout and elevational treatment which has the opportunity to become a city-centre exemplar. The development as a whole will have three main elevations and each will be discussed in turn.
6.7.3	<u>Royal Avenue</u> The Royal Avenue elevation is key to the success of the development as it is the main thoroughfare to the adjacent conservation area, and the source of primary visibility of the listed building. In addition it is this elevation that most noticeably must achieve coherence between its modern new-build and existing listed elements and contains the longest views.
6.7.4	Different design proposals were developed for this portion of the site with height, massing and materiality being the key considerations. BCC in conjunction with HED had concerns that the new building was overpowering the listed building and that the height and massing as proposed created a monolithic presence. It was suggested that the façade be broken up and a step down to the listed building. As a result, the design was revisited and the frontage broken into two design elements: one of 6 no storeys/4 bays with more muted materials, and one of 8 storeys/6 bays with more vibrant spandrel panels and a double height window feature on the 7 th and 8 th storeys. A Level 06 setback adjacent to the listed building allows the listed building to take primacy and the height of this section of the new building sits around 8.0m below the taller eight storey corner section of the building and only around 2.0m above the height of the new dormers proposed on the listed building.
6.7.5	The proposed Royal Avenue elevation now respects the scale and setting of the listed building while reflecting two distinctive plot widths, a lower (23m high / 12m wide / 2 bay) six storey section and a taller (31m high / 17m wide / 3 bay) eight storey section, which marks and turns the corner of Royal Avenue and Donegall Street. The total of five bays contained in both sections of the

	new façade is also a nod historically towards the five bay arrangement contained within the former Victorian building that once stood on this site.
6.7.6	HED state that the “revised views supplied show the changed massing has mitigated the size of the new build beside the listed building” as well as the impacts on the Central Library and Frames Building.
6.7.7	<p><u>Little Donegal Street/Library Street</u></p> <p>The Library Street/Little Donegal Street elevation also contains a meeting of old and new with the listed building abutting the new build element. Immediately adjacent to the listed building on this frontage is the entrance to the arcade. HED and BCC initially expressed similar concerns to those regarding the Royal Avenue elevation in that the new build element was overpowering the listed building and floor to ceiling heights were not being reflected. Some changes were made to the visual horizontal cues, the height was reduced to 5 no storeys with setbacks on the 6th and 7th storeys. The use of red brick spandrels along Library Street/Little Donegal Street is considered an appropriate alternative design intervention in lieu of a cornice detail along this elevation.</p>
6.7.8	The existing, modern structures on the site are of considerable height and massing. Given the existing buildings on the site as well as the nearby University of Ulster building, the proposed height and massing is considered comparable and appropriate in the context.
6.7.9	<p><u>Donegall Street</u></p> <p>The Donegall Street elevation is the only one of the three which does not have an immediate context to the listed building. The design comprises of four distinct elements of varying heights but uniform horizontal cues and fenestration treatments. The bay widths are 4, 4, 6 and 6. The second element contains the corresponding arcade entrance to that of the Little Donegall Street entrance. Design amendments addressed initial concerns regarding the number of planes on upper levels and has sought to rationalise the setbacks.</p>
6.7.10	While the proposed shoulder heights along Donegall Avenue represent a marginal increase on existing, particularly at the junction with Royal Avenue, it is considered that the resultant elevation is a marked improvement over the existing arrangement and more reflective of historic plot widths in this area.
6.7.11	The increase in height at this busy junction is justified from an urban design viewpoint, given that historically streetscapes increased in height at corners with buildings forming corner marker statements. The proposed height is below that of the new University building on the opposite corner of Donegall Street and will provide a good quality backdrop building to Cathedral Gardens diagonally opposite.
6.7.12	Officers initially expressed concern with regards to the proposed L08 plant which was further reduced in response. The northern edge is now fully setback from the front elevation of the building by around 16m (with some relocated to the basement area), this will assist in mitigating the visual impact at this level particularly in relation to public views from Cathedral Gardens diagonally opposite. A running track is also proposed around the full extent of the plant enclosure (circuit of around 130m), which is a welcomed.

6.7.13	The proposal meets the requirements of Policy BH11 in that the height and massing have been amended to take cognisance of the listed building and the requirement for it to retain primacy in its setting. The nature of the proposal respects the setting of the listed building and the nature of the use is appropriate.
6.8	Materials
6.8.1	The new build is to be primarily faced in brick. Multiple bonds of facing brick are proposed along alternative bays and also for setbacks. This approach is welcomed as it helps to accentuate the vertical break-up of the street elevations whilst retaining a uniform approach at ground floor. The various brick tones and bonds reflect the materials of the listed building and there are common design elements throughout.
6.8.2	The Urban Design Officer expressed some concern with the introduction of 700mm high bronze coloured PPC metal extract louvres below ground floor windows where previously full glazing was proposed. He suggests that these need to be examined in further detail to fully explore the impact of and need for these panels.
6.8.3	He further suggests that appropriate conditions be attached that seek approval of all materials, requiring sample panels of proposed facing brick, red glazed brick, bronze coloured PPC window framing, bronze PPC spandrel panels, buff coloured concrete spandrel panels, PPC steel handrails, PPC metal panels to plant enclosure, bronze coloured PPC metal gates, bronze coloured PPC horizontal metal extract louvres and weather steel clad on-wall dormers (including PPC glazing caps) should be submitted and assessed on site where appropriate. As these finer details are key to achieving the overall vision for the scheme as presented in the drawings, it is considered that conditioning these matters is essential.
6.9	Arcade
6.9.1	Throughout the formal planning application this design ethos around the arcade has diluted considerably and despite requests from officers and consultees, the applicant has expressed that while an arcade remained integral to the proposal, it is now of a more domestic scale, will be closed at night and will be more ancillary to the building rather than a feature in its own right.
6.9.2	HED in their response of 4 th February 2019 similarly state that the arcade has not been expressed as a new street and that the previous concerns regarding this issue had not been addressed. The reduced concept of the arcade is a missed opportunity but on balance it is considered to be acceptable.
6.9.3	Discussion regarding the design of the entrance elements to the arcade has centred on high quality signage, lighting and glazing as well as detailing of any security enclosures. It was advised on a number of occasions that PSNI have communicated to BCC that recessed entrances should be avoided as these cause security issues for both landowners and law enforcement. The applicant was encouraged to ensure that any such enclosures should be of appropriate material and should not create recessed enclosures.
6.9.4	The final submission has however submitted proposals for recessed enclosures on both elevations. The Urban Design Officer states: "While I would have no objection in principle to the proposed bronze coloured PPC

	<p>steel hinges security gates, I would have concerns regarding the 2.2m recesses along both elevations which may prove difficult to manage in relation to potential anti-social behaviour. This issue has been raised with the applicant on a number of occasions in an effort to design out such spaces from the off-set so as to avoid any future 'defensive architecture' solutions being utilised as an afterthought."</p>
6.9.5	<p>The prevention of anti-social behaviour via design can be a material planning consideration and it is recommended that this design issue can be resolved by means of a planning condition to require submission of an alternative design solution.</p>
6.10	<p>Impact on traffic and travel:</p>
6.10.1	<p>A detailed Transport Statement was submitted which outlines the various transport options for end-users including rail and bus links, Belfast Bike hubs, nearby on-street car parking and pedestrian routes. A total of 28 no parking spaces and 128 no cycle parking spaces are proposed in the basement of the proposal.</p> <p>It is vital that all new developments in the city accommodate minimal car parking spaces whilst promoting sustainable methods of transportation.</p>
6.10.2	<p>DFI Roads were consulted and have no objections, and have provided conditions and informatives.</p>
6.11	<p>Impact on residential amenity:</p>
6.11.1	<p>In respect of potential noise, nuisance and disturbance from the intended use, following the submission of further reports regarding noise, the Environmental Health team are now content and advise conditions and informatives. These are recommended.</p>
6.12	<p>Impact on human health and safety:</p>
6.12.1	<p>Additional information regarding contamination was required and submitted to the Environmental Health team and NIEA. Both have advised that the information is acceptable and have advised conditions and informatives. These are recommended.</p>
6.13	<p>Archaeology</p>
6.13.1	<p>The application site is located within the Belfast Area of Archaeological Potential, designated to protect the above-ground and below-ground archaeological remains associated with early development of the settlement. Historic Environment Division: Historic Monuments Unit (HMU) have been consulted and considered the impacts of the proposal. HMU is content with the proposal, conditional on the agreement and implementation of a developer-funded programme of archaeological works. This is to identify and record any archaeological remains in advance of new construction, or to provide for their preservation <i>in situ</i>, as per Policy BH4 of PPS 6. Conditions are recommended accordingly.</p>
6.14	<p>Site Drainage</p>
6.14.1	<p>The proposal has been considered against Policy FLD 1 of the Revised PPS15 – 'Development in Fluvial (River) and Coastal Flood Plains'. The Flood Hazard Map (NI) indicates that the development is not within any river or coastal flood plains Rivers Agency advises no objection to the proposed development. The proposal is therefore considered acceptable in terms of flood risk.</p>

6.15	Public realm and connectivity
6.15.1	Public realm improvement works are proposed as part of this scheme. This includes enhancement of the footways bounding the site. This will help enhance the setting of the building and improve connectivity. Whilst the plans show indicative information with regards to public realm, it is recommended that a negatively worded "Grampian" condition is placed on any approval to ensure the finer details are agreed prior to commencement.
6.16	Pre-Community Consultation
6.16.1	For applications that fall within the major category as prescribed in the Development Management Regulations, Section 27 of the Planning Act (NI) 2011 places a statutory duty on applicants for planning permission to consult the community in advance of submitting an application. Section 27 also requires that a prospective applicant, prior to submitting a major application must give notice, known as a 'Proposal of Application Notice' (PAN) that an application for planning permission for the development is to be submitted. A PAN (LA04/2018/0585/PAN) was submitted to the Council on 13 th March 2018. Where pre-application community consultation has been required and a PAN has been submitted at least 12 weeks in advance of the application being submitted, the applicant must prepare a pre-application community consultation report to accompany the planning application.
6.16.2	A Pre Community Consultation Report has been submitted in support of this application. It outlined the consultations undertaken and detailed the 35 responses and how these were taken into account. Members of the public were in support of the redevelopment including restoration of the Seaver Building. Finer details such as the number of dormer windows and level of roof plant were reduced in response to feedback.
6.16.3	It is considered that the Pre-Community Consultation Report submitted has demonstrated that the applicant has carried out their duty under Section 27 of the Planning Act (NI) 2011 to consult the community in advance of submitting an application.
7.0	Summary of recommendation
7.1	Having regard to the policy context and other material considerations above, the proposal is considered acceptable. Delegated authority is sought for the Director of Planning and Building Control to grant planning permission and finalise the wording of the conditions.
8.0	Conditions (final wording to be delegated to the Director of Planning and Building Control)
	<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. Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011. 2. The development hereby approved shall not be occupied unless a detailed Noise Mitigation Strategy has been submitted to and approved in writing by the Council. The Noise Mitigation Strategy shall including the following information:

	<ul style="list-style-type: none"> -Façade noise insulation specification including the noise reduction specification of glazing and alternative ventilation to be installed to the facades of all ground floor commercial premises; -Façade noise insulation specification including the noise reduction specification of glazing and alternative ventilation to be installed in upper floors; -Noise reduction specification of any proposed entrance doors to bars/restaurants on the ground floor; -Measures to be incorporated to the ground floor units to minimise music noise breakout from access / egress points; -Confirmation of the location of any proposed ground floor external smoking areas and measures for managing noise in these external areas. <p>-The strategy must demonstrate how the design, layout and structural insulation of the proposed ground floor uses will mitigate against noise breakout from patrons and music.</p> <p>The development shall not be occupied unless the measures identified in the approved Noise Mitigation Strategy have been implemented in full.</p> <p>Reason: In the interest of human health and safety.</p> <p>3. The development hereby approved shall not be occupied unless a Noise Verification Report which demonstrates the following has been submitted to and approved in writing by the Council:</p> <ul style="list-style-type: none"> -Confirmation that structural façade and design mitigation measures as presented in the Noise Mitigation Strategy have been incorporated into the proposed development; -That the rating level (dBLAr) from the operation of all combined rooftop plant does not exceed the existing daytime and night- time background noise level of 50dBLA90 and 45dBLA90 respectively when measured or determined in accordance with BS4142:2014; -That the rating level (dBLAr) from the operation of all combined basement and ground floor plant does exceed the existing daytime and night time background noise level of 50 dBLA90 and 45 dBLA90 when measured or determined in accordance with BS4142:2014. <p>Reason: In the interest of human health and amenity.</p> <p>4. The development hereby approved shall not be commenced until details of the heating system specification and confirmation that any combustion appliances meet a minimum emission standard of <40mg NOx/kWh as prescribed in the Envest July 2018 Air Quality Impact Assessment Report has been submitted to and approved in writing by the Council:</p> <p>Reason: Prevention of adverse air quality impacts</p> <p>5. The development hereby approved shall not be commenced unless a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Council. The CEMP shall include a programme of works and must clearly demonstrate the mitigation measures to be put in place to minimise adverse impacts from</p>
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	<p>vibration, noise and dust on nearby premises. All demolition and construction must thereafter be implemented in accordance with the approved CEMP.</p> <p>Reason: Prevention of adverse impacts on nearby premises.</p> <p>6. Throughout any demolition and construction phase, the dust mitigation measures outlined in the September 2018 Envest Construction Dust Impact Assessment Report must be implemented.</p> <p>Reason: Prevention of adverse impacts on nearby premises</p> <p>7. Following demolition of necessary structures and prior to construction commencing, the applicant must submit to the Council an updated Generic Quantitative Risk Assessment (GQRA) and if required, an updated Remediation Strategy, for review and approval in writing. The area available for access following demolition of the necessary structures and tank removal must be considered via an updated risk assessment within the updated GQRA. Should unacceptable human health pollutant linkages be identified within the updated GQRA, an updated Remedial Strategy will be required which must outline the measures to be undertaken to ensure that on-site land and water contamination does not pose a potential risk to human health and that all identified pollution linkages will be demonstrably broken. This updated GQRA (and Remediation Strategy if required) must be submitted to and agreed in writing by the Council prior to further construction commencing on site. The updated GQRA must:</p> <ul style="list-style-type: none"> -Be site and development-specific and be in accordance with the Model Procedures for the Management of Land Contamination (CLR11). -Provide an updated risk assessment for the site based on the additional investigation undertaken following demolition of necessary structures. -Detail any other relevant site-specific issues such as USTs, ASTs and potable water supplies. <p>If required, the updated Remediation Strategy must:</p> <ul style="list-style-type: none"> -Be site and development-specific and be in accordance with the Model Procedures for the Management of Land Contamination (CLR11). -Detail all on and off-site human health pollutant linkages e.g. degraded soils, degraded perched groundwaters, ground-gas, etc. -Detail how all remedial measures are to be verified and determined to be sufficient for the protection of human health. <p>All construction thereafter must be in accordance with the approved updated GQRA (and approved updated Remediation Strategy if required).</p> <p>Reason: Protection of human health.</p> <p>8. The development hereby approved shall not be occupied unless an Environmental Verification Report has been submitted to and approved in writing by the Council. This report must demonstrate that all remedial measures outlined within the final Remediation Strategy have been implemented and that the site is now fit for its proposed end-use (commercial). It must also demonstrate that the identified pollutant linkages have been broken. The Verification Report must be in</p>
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	<p>accordance with current best practice and guidance as outlined by the Environment Agency.</p> <p>Reason: Protection of human health.</p> <p>9. The development hereby permitted shall not be occupied or become operational until the vehicular access across lowered kerbs, including visibility splays of 2.4 m x 43 m, has been constructed. 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. Such splays shall be retained and kept clear thereafter at all times.</p> <p>Reason: To ensure that adequate provision has been made for access.</p> <p>10. The development hereby permitted shall not become operational until the basement parking areas has been constructed in accordance with the approved layout Drawing No. (00)_P099, PROPOSED BASEMENT (B01) FLOOR PLAN published by the Belfast City Council Planning Office on 07 August 2018. No part of these hard surfaced areas shall be used for any purpose at any time than for the parking and movement of vehicles.</p> <p>Reason: To ensure that adequate provision has been made for parking and servicing.</p> <p>11. Prior to occupation of the development hereby approved, a minimum of 128 No. cycle parking spaces and stands shall be provided and permanently retained for use by residents, staff and visitors to the development in accordance with Drawing No. (00)_P099, PROPOSED BASEMENT (B01) FLOOR PLAN published by the Belfast City Council Planning Office on 07 August 2018.</p> <p>Reason: to encourage the use of alternative modes of transport for development users.</p> <p>12. The development hereby permitted shall operate in accordance with the approved ARUP Service Management Plan uploaded by the Belfast City Council Planning Office on 09 August 2018.</p> <p>Reason: In the interests of road safety and the convenience of road users.</p> <p>13. The development hereby permitted shall operate in accordance with the approved Framework Travel Plan published by the Belfast City Council Planning Office on 09 August 2018. This shall include provision of the Translink iLink Initiative and the Bike2Work Initiative or equivalent measures agreed by DfI Roads.</p> <p>Reason: To encourage the use of alternative modes of transport to the private car in accordance with the Transportation Principles.</p> <p>14. Notwithstanding the submitted details, no development shall commence on site unless full details of the public realm improvements to the footway bounding the site in the areas shown on Drawing Number 11B</p>
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	<p>received on 24 January 2019 have been submitted to and approved in writing by the Council. The details shall include:</p> <ol style="list-style-type: none"> 1. Surface materials; and 2. The design and provision of underground ducting. <p>The development shall not be occupied unless the public realm improvements have been carried out in accordance with the approved details.</p> <p>Reason: In the interests of the character and appearance of the Conservation Area, the setting of the Listed Building, and to enhance connectivity to and from the development.</p> <p>15. No development, works, site clearance, site preparation or demolition shall commence on site (other than that required to fulfil this conditions) unless the implementation of a programme of archaeological work has been secured in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the City Council. No development, works, site clearance, site preparation or demolition shall be carried out unless in accordance with the approved details.</p> <p>Reason: To ensure that archaeological remains and features are preserved in situ. Approval is required upfront because archaeological remains and features could be damaged or permanently lost.</p> <p>16. Access shall be afforded to the site at all reasonable times to any archaeologist nominated by the Department for Communities: Historic Environment Division to observe the operations and to monitor the implementation of archaeological requirements.</p> <p>Reason: To monitor programmed works in order to ensure that identification, evaluation and appropriate recording of any archaeological remains, or any other specific work required by condition, or agreement is satisfactorily completed.</p> <p>17. The works to the Listed Building hereby approved shall not be commenced unless a Method Statement and accompanying detailing has been submitted to and approved in writing by the Council. The submission must include:</p> <ul style="list-style-type: none"> - detailing of all interventions and alterations related to the Listed Building - detailing of junctions, internal and external, between the Listed Building and all new structures - detailing of all new structures and fabric introduced to the Listed Building - detailing of cleaning, repairs and fire protection to ensure all surviving original cast iron structure is preserved, restored and retained - detailing of cleaning, repairs and fire protection to ensure all surviving piers are left where any and all original walls have been removed - sample panels where required <p>The works shall not be carried out unless in accordance with the approved details.</p>
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	<p>Reason: To preserve the historic fabric, form and character of the Listed Building.</p> <p>18. Notwithstanding the submitted details, no external brick facing shall be constructed or applied unless in accordance with a schedule of external materials, details and sample panels, which shall have first been constructed on site and approved in writing by the City Council.</p> <p>The sample panels shall show the make, type, size, colour, bond, pointing, coursing, jointing, profile and texture of the external brick facing materials.</p> <p>The approved sample panels shall be retained on site and made available for inspection by the City Council for the duration of the construction works.</p> <p>The works must be implemented and permanently retained in accordance with the details so approved.</p> <p>Reason: In the interests of the special architectural and historic qualities of the Listed Building.</p> <p>19. Notwithstanding the details submitted, the following elements of the approved scheme shall not be installed, implemented or carried out unless in accordance with further details which shall have been submitted to and approved in writing by the City Council:</p> <ol style="list-style-type: none"> 1. Design and position of security grilles, gates or enclosures 2. Window louvres <p>The works shall not be carried out unless in accordance with the details so approved.</p> <p>Reason: In the interests of the special architectural and historic qualities of the Listed Building.</p> <p>20. No external facing, roofing or rainwater goods materials shall be applied unless in accordance with a) a written specification of the materials; and b) physical sample/s of the materials, details of which shall have been submitted to and approved in writing by the City Council.</p> <p>The approved samples shall be retained on site and made available for inspection by the City Council for the duration of the construction works.</p> <p>Reason: In the interests of the special architectural and historic qualities of the Listed Building.</p>
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ANNEX	
Date Valid	30th July 2018
Date First Advertised	17th August 2018
Date Last Advertised	23rd November 2018
Details of Neighbour Notification (all addresses) The Owner/Occupier, 10 Union Street,Belfast,Antrim,BT1 2JF, The Owner/Occupier, 10a ,Union Street,Belfast,Antrim,BT1 2JF, The Owner/Occupier, 12-14 ,Union Street,Belfast,Antrim,BT1 2JF, The Owner/Occupier, 129 Royal Avenue,Belfast,Antrim,BT1 1FG, The Owner/Occupier, 139-141 ,Royal Avenue,Belfast,Antrim,BT1 1FH, The Owner/Occupier, 1st Floor,133 Royal Avenue,Belfast,Antrim,BT1 1FG, The Owner/Occupier, 2-10 Metropol House,York Street,Belfast,Antrim,BT15 1AQ, Martin McCullough 31a, Little Donegall Street, Belfast, Antrim, Northern Ireland, BT1 2JD The Owner/Occupier, 35 Little Donegall Street,Belfast,Antrim,BT1 2JD, The Owner/Occupier, 3rd Floor Left,133 Royal Avenue,Belfast,Antrim,BT1 1FG, The Owner/Occupier, 3rd Floor Right,133 Royal Avenue,Belfast,Antrim,BT1 1FG, The Owner/Occupier, 4 Union Street,Belfast,Antrim,BT1 2JF, Matthew Reilly 51 Whitehall Parade Belfast Down The Owner/Occupier, 6-8 ,Union Street,Belfast,Antrim,BT1 2JF, The Owner/Occupier, 76-78 ,Donegall Street,Belfast,Antrim,BT1 2GU, The Owner/Occupier, 96 Donegall Street,Belfast,Antrim,BT1 2GW, The Owner/Occupier, Belfast Central Library,Kent Street,Belfast,Antrim,BT1 2JA, The Owner/Occupier, Belfast Central Training Ltd,98-102 ,Donegall Street,Belfast,Antrim,BT1 2GW, The Owner/Occupier, Belfast Education & Library Board,Central Library,Royal Avenue,Belfast,Antrim,BT1 1EA, The Owner/Occupier, City Hibernian Club,31a ,Little Donegall Street,Belfast,Antrim,BT1 2JD, The Owner/Occupier, Datura Enterprises,Office 4th Floor,141-143 ,Royal Avenue,Belfast,Antrim,BT1 1FH, The Owner/Occupier, Dcg Marketing,2nd Floor,98-102 ,Donegall Street,Belfast,Antrim,BT1 2GW,	

The Owner/Occupier,
 Donegall Street,Belfast,Antrim,,
 The Owner/Occupier,
 Federation Of Small Business,Office 1st Floor,141-143 ,Royal Avenue,Belfast,Antrim,BT1 1FH,
 The Owner/Occupier,
 Frames Complex,Offices 1st And Part 2nd Floor,2-14 ,Little Donegall Street,Belfast,Antrim,BT1 2JD,
 The Owner/Occupier,
 Ground & 1st Floors,95-97 ,Donegall Street,Belfast,Antrim,BT1 2AH,
 The Owner/Occupier,
 John Neil Partnership,Ground Floor,133 Royal Avenue,Belfast,Antrim,BT1 1FG,
 The Owner/Occupier,
 Kremlin Associates,96 Donegall Street,Belfast,Antrim,BT1 2GW,
 The Owner/Occupier,
 L Stanley Ltd,33 Little Donegall Street,Belfast,Antrim,BT1 2JD,
 The Owner/Occupier,
 Mcconnell Martin,95-97 ,Donegall Street,Belfast,Antrim,BT1 2AH,
 The Owner/Occupier,
 Office 3rd Floor,141-143 ,Royal Avenue,Belfast,Antrim,BT1 1FH,
 The Owner/Occupier,
 P J Mcneill & Co,2nd Floor,133 Royal Avenue,Belfast,Antrim,BT1 1FG,
 The Owner/Occupier,
 Paschal J O'Hare Solicitors,1stfloor,98-102 ,Donegall Street,Belfast,Antrim,BT1 2GW,
 The Owner/Occupier,
 Pipeworks,2-6 ,Union Street,Belfast,Antrim,BT1 2JF,
 The Owner/Occupier,
 Royal Mail,20 Donegall Quay,Belfast,Antrim,BT1 1AA,
 The Owner/Occupier,
 Stannifer Developments Ltd,95-97 ,Donegall Street,Belfast,Antrim,BT1 2FJ,
 The Owner/Occupier,
 University Of Ulster, 25-51 York Street, Belfast BT1 2NR

Date of Last Neighbour Notification	23rd November 2018
Date of EIA Determination	N/A
ES Requested	No

Planning History

Ref ID: Z/2012/0361/F

Proposal: New university campus in Belfast City Centre. Development of 3 no. new buildings (Block A, Block B and Block C) with total floor area (gross external) of 85736 sqm. The maximum height of the buildings is 12 storeys at corner of Frederick Street and York Street. The development will be characterised by 2 no. lantern features at the corners of York Street and Donegall Street and York Street and Great Patrick Street. Public realm improvements to York Lane and in proximity to university buildings. Demolition of existing footbridge and development of new footbridge over York Street. Minor works to the existing Block 82 external facades. (Further Environmental Information received)

Address: Metropole, Orpheus, Interpoint, York House, Playboard and Block 82, York Street / Frederick Street / Great Patrick Street, Belfast, BT15 1ED,

Decision: PG Decision Date: 20.05.2013

Ref ID: LA04/2017/2209/F

Proposal: Temporary change of use of former printing hall to event space for a period of 2 years including internal alterations and creation of two emergency exits onto Donegall Street.

Address: Ground floor print hall, 122-144 Royal Avenue, Belfast, BT1 1DN,

Decision: PG Decision Date: 30.11.2017

Ref ID: LA04/2018/0585/PAN

Proposal: Demolition and re-development of the site. Including offices, restaurants, cafés, bars, basement parking and related access

Address: Former Belfast Telegraph complex, 124-144 Royal Avenue, and 1-29 Donegall Street, Belfast, BT1 1DN,

Decision: PANACC

Ref ID: LA04/2017/2802/A

Proposal: Proposed mesh banner signage (19.1M X 9.84m) - temporary for 2 years

Address: Former Belfast Telegraph Printworks, 124-132 Royal Avenue, Belfast, BT1 1DN,

Decision: CG Decision Date: 15.03.2018

Ref ID: LA04/2015/0184/F

Proposal: Belfast Streets ahead-phase 3. Public realm/ environmental improvement project to improve streetscape and create flexible public spaces through the provision of high quality natural stone paving, street furniture, trees, lighting and soft landscaping. Stopping up of a section of Library Street to create Library Square. Stopping up of a section of Academy Street to extend Cathedral Gardens

Address: Royal Avenue, York Street (part), Frederick Street, Great Patrick Street (part), York Lane, Library Street (part), Little Donegall Street (part), Academy Street, Talbot Street, Curtis Street, Clarke's Lane, Exchange Street West & Cathedral G

Decision: PG Decision Date: 26.11.2015

Drawing No.s

01A, 11B, 12, 13B, 14A, 15A, 16A, 17A, 19A, 20A, 21A, 22A, 23A, 24A, 25A, 26A, 27A, 28A, 29A, 30A, 31A, 32A, 33, 34, 35, 36

Notification to Department (if relevant)

N/A

Development Management Officer Report Committee Application

Summary	
Application ID: LA04/2024/0438/F	Committee Meeting Date: 27 th June 2024
Proposal: Section 54 application to vary condition 27 (parking, servicing and circulating), condition 28 (parking facilities), condition 29 (vehicular access), condition 30 (cycle parking) and condition 31 (service management plan) of planning approval LA04/2019/2756/F (alterations to vacant Gaol wing (Wing A) to facilitate change of use to operational whiskey distillery with tourist centre.	Location: A Wing, Crumlin Road Gaol 53-55 Crumlin Road, Belfast, BT14 6ST
Referral Route: Major development (Section 54 application to vary a permission for Major development)	
Recommendation: Approval	
Applicant Name and Address: Belfast Distillery Company Ltd Mcconnell's Distillery Crumlin Road Gaol 53-55 Crumlin Road Belfast BT14 6ST	Agent Name and Address: Richard O'Toole O'Toole & Starkey Ltd 1st Floor River House 48-60 High Street Belfast
<p>Executive Summary:</p> <p>Planning approval LA04/2019/2756/F was granted 22 March 2021 for '<i>Alterations to vacant Gaol wing (Wing A) to facilitate change of use to operational whiskey distillery (including ground water abstraction, plant equipment and all associated works) with tourist centre, new car park, alterations to existing car park and associated site works. Tourist facilities to include guided tours, bar and restaurant/cafe.</i>'</p> <p>This application seeks to vary Condition 27, Condition 28, Condition 29, Condition 30 and Condition 31 of planning permission LA04/2019/2756/F under Section 54 of the Planning Act (Northern Ireland) 2011. Condition 27 is in relation to parking, servicing and circulating; Condition 28 - parking facilities; Condition 29 - vehicular access; Condition 30 - cycle parking; and Condition 31 - service management plan.</p> <p>An amended proposed site plan has been submitted to supersede the previously approved proposed site plan under planning application LA04/2019/2756/F. The decision notice under LA04/2019/2756/F approved drawing number 1730-01-100-03 but in the relevant conditions refers to it as Drawing No. 100-03 Rev D. The approved drawing number will hereby be referred to as drawing no. 100-03 Rev D. The new proposed site plan under the current application (drawing number 02, date published to Public Register: 3 April 2024) shows the changes being proposed to be amended in relation to Conditions 27, 28, 29 and 30.</p> <p>An amended Service Management Plan has been received to replace the Service Management Plan submitted under LA04/2019/2756/F.</p>	

In their consultation response on the 24 April 2024, DFI Roads offers no objection to the proposal to vary Condition numbers 27, 28, 29 and 30 to reference drawing 02 published on the Planning Portal 3 April 2024; and to vary Condition number 31 to reference the Service Management Plan published on the Planning Portal 11 June 2024.

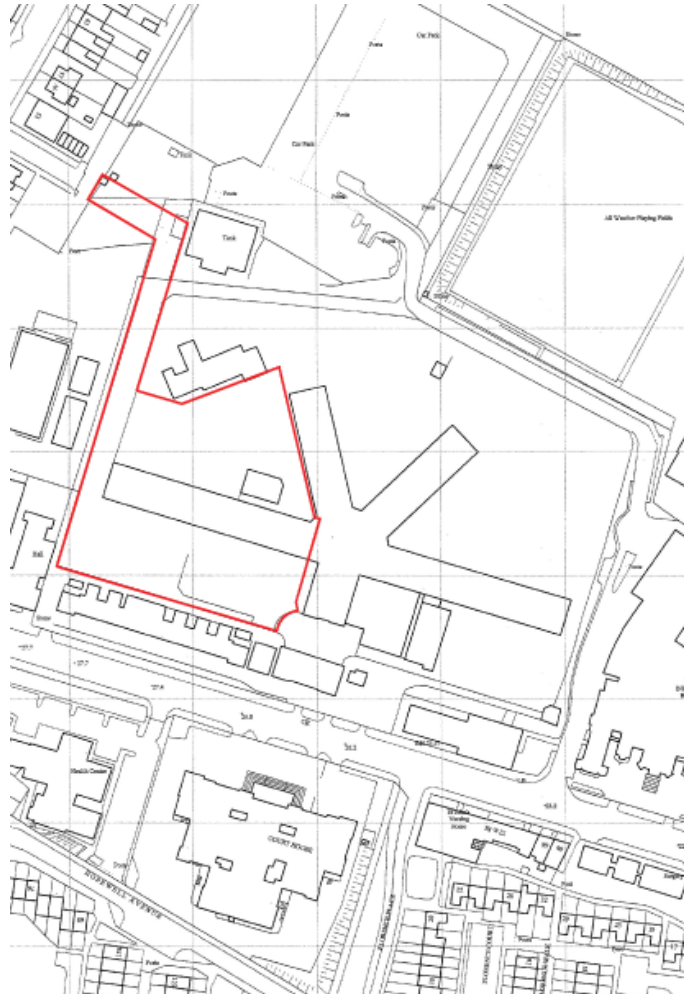
Having regard to the Development Plan and other material considerations, and in the planning balance, the proposed development is considered acceptable. It is recommended that planning permission is granted subject to conditions. Delegated authority is requested for the Director of Planning and Building Control to finalise the wording of conditions and deal with any other matters which may arise so long as they are not substantive.

Officer Report

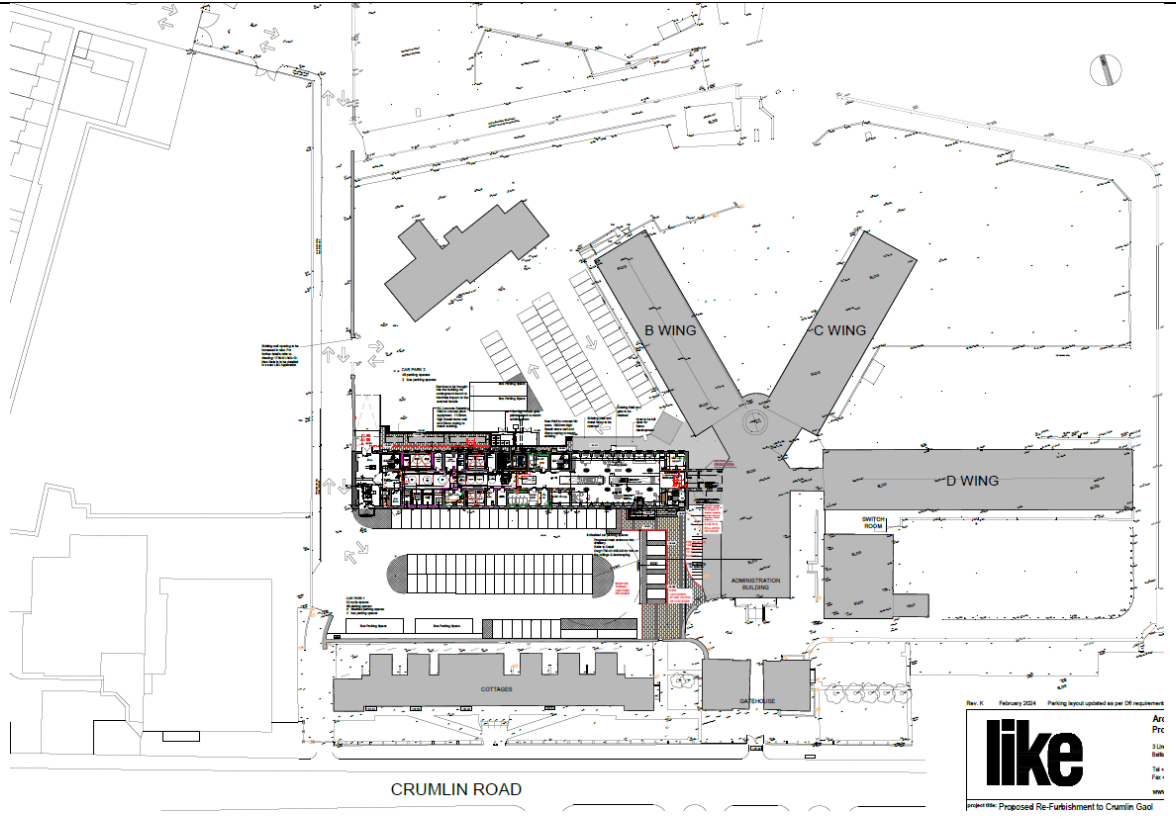
1.0

Drawings

Site Location Plan



Proposed Site Plan

	
2.0	Characteristics of the Site and Area
2.1	The application site is one of four 3 storey 'wings' of a decommissioned Victorian prison. This is a Grade 'A' Listed Building designed by Charles Lanyon and was constructed in the years between 1840 and 1859. The application site is for 'A Wing' in the western part of the prison complex. The building is constructed of basalt stone with sandstone detailing around openings and Bangor Blue slates covering the pitched roof.
2.2	One of the three other wings has been restored to its original Victorian state for use as a museum. The other two wings are currently closed and vacant. 'A Wing' is one of the larger wings in the prison. There is a car park within the curtilage of the site which is screened by the existing two storey staff cottages at the front of the prison, fronting the Crumlin Road. An area of hardstanding with car parking is also located to the north of the A Wing. The exterior of the prison building itself has been restored to its original condition.
2.3	The area is defined by a mix of commercial, residential and government buildings in a range of eclectic styles, designs and densities. The Mater Hospital is adjacent to the application site, bounding its east side, while the derelict remains of the Crumlin Road Court House is opposite. Girdwood Community Hub sits north of the Gaol Complex with a petrol station and a funeral parlour to the west. Residential dwellings on Cliftonpark Avenue sit to the west of the wider Gaol Complex with No's. 31 and 53 located adjacent to the existing vehicular access to the complex from Cliftonpark Avenue.
3.0	Description of Proposal
3.1	This application seeks to vary Condition 27, Condition 28, Condition 29, Condition 30 and Condition 31 of planning permission LA04/2019/2756/F under Section 54 of the Planning Act (Northern Ireland) 2011. Condition 27 is in relation to parking, servicing and circulating; Condition 28 - parking facilities; Condition 29 - vehicular access; Condition 30 - cycle parking; and Condition 31 - service management plan.

3.2	An amended proposed site plan has been submitted to supersede the previously approved proposed site plan (drawing number 100-03 Rev D) under planning application LA04/2019/2756/F. The new plan (drawing number 02, date published to Public Register: 3 April 2024) shows the changes being proposed to be amended in relation to Conditions 27, 28, 29 and 30.
3.3	An amended Service Management Plan has been received to replace the Service Management Plan submitted under LA04/2019/2756/F.
4.0	Planning Policy and Other Material Considerations
4.1	Development Plan – operational policies Belfast Local Development Plan, Plan Strategy 2035 <ul style="list-style-type: none"> • SP1 – Growth strategy • SP2 – Sustainable development • SP5 – Positive placemaking • SP7 – Connectivity • DES1 – Principles of urban design • DES2 – Masterplanning approach for major development • BH1 – Listed buildings • EC1 – Delivering inclusive economic growth • TLC1 – Supporting tourism leisure and cultural development • TRAN1 – Active travel – walking and cycling • TRAN2 – Creating an accessible environment • TRAN6 – Access to public roads • TRAN8 – Car parking and servicing arrangements • TRAN9 – Parking standards within areas of parking restraint • TRAN10 – Design of car parking
4.2	Development Plan – zoning, designations and proposals maps Belfast Urban Area Plan (2001) BUAP Draft Belfast Metropolitan Area Plan 2015 (v2004) Draft Belfast Metropolitan Area Plan 2015 (v2014)
4.3	Regional Planning Policy Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)
4.4	Other Policies Belfast Agenda
4.5	Relevant Planning History LA04/2024/0791/DC - Noise Verification Report (Under consideration) Other discharge of conditions applications for planning application LA04/2019/2756/F have been submitted for conditions 2, 3, 4, 11, 13, 14, 15, 16, 18, 19, 21 between 2021 and 2024 and all have been discharged. LA04/2020/1662/F Section of existing wall carefully dismantled and stored on site for possible reuse, existing post removed and rebuilt at the new end of stone wall. New sliding gate installed, with supporting framework. Granted 16 February 2021 LA04/2020/1663/LBC Section of existing wall carefully dismantled and stored on site for possible reuse, existing post removed and rebuilt at the new end of stone wall. New sliding gate installed, with supporting framework. Granted 16 February 2021

	<p>LA04/2019/2756/F Alterations to vacant Gaol wing (Wing A) to facilitate change of use to operational whiskey distillery (including ground water abstraction, plant equipment and all associated works) with tourist centre, new car park, alterations to existing car park and associated site works. Tourist facilities to include guided tours, bar and restaurant/cafe. Granted 31 March 2021</p> <p>LA04/2019/0863/LBC Proposed internal demolitions and alterations and external alterations to vacant 'A' Wing to facilitate plant equipment and associated works relating to whiskey distillery and visitors attraction. Granted 29 March 2021</p> <p>Z/2014/0728/F - Retention of temporary security hut (Amended description) – Granted. 19.09.2014</p> <p>Z/2012/1277/F - Alterations to vacant Gaol Wing (Wing A) to facilitate change of use to operational Whiskey Distillery (including ground water abstraction, plant equipment, and all associated works) with tourist/visitor's centre and associated car parking and site works. Tourist facilities to include guided tours, bar and restaurant/cafe. Granted 24 April 2013</p> <p>Z/2012/1274/LBC - Alterations to vacant Gaol wing (Wing A) to facilitate change of use to operational Whiskey Distillery (Including ground water abstraction, plant equipment and all associated works) with tourist/visitor's centre and associated car parking and site works. Tourist facilities to include guided tours, bar and restaurant/cafe. Granted 25 April 2013.</p> <p>Z/2014/0729/LBC - Retention of temporary security hut - Granted 19.09.2014</p> <p>Z/2010/1054/F - Demolition of existing wall and entrance gate and replacement with new wall, fence and gates, with proposed roadworks – Granted 23.02.2011</p> <p>Z/2010/0383/F - Refurbishment of gatehouse and main administration building to provide tourist and conference facilities, and associated offices – Granted – 10.08.2010</p> <p>Z/2009/1573/F - Demolition of an existing 5.0m wall and entrance gate and its replacement with a new wall with fencing on top (5.565m height) and realigned entrance gate, hydraulically operated and upgrading of external approach – Granted 01.03.2010</p> <p>Z/2009/1097/LB - Ground works and re-surfacing to external areas – Consent granted 25.09.2009</p> <p>Z/2009/1095/F - Construction of temporary security hut, re-alignment of rear entrance gate and opening of internal wall – Granted 29.09.2009</p> <p>Z/2009/1094/LB - Construction of temporary security hut, re-alignment of rear entrance gate and opening of internal wall – Consent granted 23.09.2009</p> <p>Z/2008/2265/LB- Construction of temporary office accommodation building (33x12m) to the North of "A" Wing to accommodate DSD staff during a refurbishment programme to the main listed structure – Consent granted 14.01.2009</p>
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	<p>Z/2008/2256/F - Construction of temporary office accommodation building (33x12m) to the North of "A" Wing to accommodate DSD staff during a refurbishment programme to the main listed structure. – Granted 14.01.2009</p> <p>Z/2006/0608/LB - Repair and restoration works to site façade – Granted 05.07.2006</p> <p>Z/2004/0202/CD - Demolition of part of the north east boundary wall and inner wall to provide vehicular access for construction traffic. Demolition of non-historic buildings within the curtilage of the Prison – Granted 15.03.2004</p>
5.0	Consultations and Representations
5.1	<p>Statutory Consultations Department for Infrastructure, Roads – no objections.</p>
5.2	<p>Non-Statutory Consultations None necessary.</p>
5.3	<p>Representations The application was advertised on 12th April 2024 and neighbour notified on the 4th May 2024. No representations have been received.</p>
6.0	PLANNING ASSESSMENT
6.1	<p><u>Development Plan Context</u> 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>
6.2	<p>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.</p>
6.3	<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 remain part of the statutory local development plan until the Local Policies Plan is adopted.</p>
6.4	<p>The proposal is considered to be in compliance with the Belfast Local Development Plan.</p>
6.5	<p>Operational Policies The Plan Strategy contains a range of operational policies relevant to consideration of the application. These are listed at paragraph 4.1.</p>
6.6	<p>Proposals Maps 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</p>

6.7	<p>development process, save for retail policies that relate to Sprucefield which remain contentious.</p> <p>Under the adopted BUAP 2001 the site is un-zoned white land. The site is located within the settlement development limit for Belfast as designated by both iterations of Draft Belfast Metropolitan Area Plan 2015 the 2004 and 2015 versions. The site is designated as land for mixed use in both iterations to draft BMAP - BT 009. The site is also located on Arterial Route AR 01/04 – Crumlin Road.</p> <p>ASSESSMENT</p> <p>Access and Parking</p>
6.8	<p>Condition 27 of permission LA04/2019/2756/F states: No retailing or other operation in or from any development hereby permitted shall commence until hard surfaced areas have been constructed and permanently marked in accordance with the approved drawing No. 100-03 Rev D, published on Planning Portal 10th April 2020, to provide adequate facilities for parking, servicing and circulating within the site. No part of these hard surfaced areas shall be used for any purpose at any time other than for the parking and movement of vehicles. Reason: To ensure that adequate provision has been made for parking, servicing and traffic circulation within the site.</p>
6.9	<p>The proposed amended wording of Condition 27 is: No retailing or other operation in or from any development hereby permitted shall commence until hard surfaced areas have been constructed and permanently marked in accordance with the approved drawing No. 02, published on Planning Portal 3rd April 2024, to provide adequate facilities for parking, servicing and circulating within the site. No part of these hard surfaced areas shall be used for any purpose at any time other than for the parking and movement of vehicles.</p>
6.10	<p>The variation of Condition 27 is to include amending the hard surfaced areas constructed and permanently marked. This is to facilitate the new carparking layout of car parks 1 and 2 in tandem with the new parking facilities which are detailed below. The variation of Condition 27 would only relate to the hard surfaced areas within the application site ensuring vehicular and pedestrian safety and access within the site.</p>
6.11	<p>Condition 28 of permission LA04/2019/2756/F states: The parking facilities detailed above shall be open for use during all hours of business. Reason: To ensure that adequate provision has been made for parking, servicing and traffic circulation within the site.</p>
6.12	<p>The proposed amended wording of Condition 28 is: The parking facilities detailed on approved Drawing No. 02, published on Planning Portal 3rd April 2024 shall be open for use during all hours of business.</p>
6.13	<p>The variation of Condition 28 is to amend the parking facilities within the site including cycle parking, car parking, disabled car parking and bus parking. Permission under LA04/2019/2756/F approved the following parking facilities within car park 1:</p> <ul style="list-style-type: none"> • Covered cycle parking: 20 spaces. • Car parking: 69 spaces • Disabled car parking: 8 spaces • Bus parking: 2 spaces
6.14	

6.15	<p>The proposed parking facilities within car park 1 include:</p> <ul style="list-style-type: none"> • Cycle parking: 32 spaces • Car parking: 69 spaces • Disabled car parking: 6 spaces • Bus parking: 2 spaces
6.16	<p>Permission under LA04/2019/2756/F approved the following parking facilities within car park 2:</p> <ul style="list-style-type: none"> • Car parking: 38 spaces
6.17	<p>The proposed parking facilities within car park 2 include:</p> <ul style="list-style-type: none"> • Car parking: 46 spaces • Bus parking: 2 spaces
6.18	<p>The variation of the Condition 28 is to reference the amended plan which details the parking facilities. Across the two car parks, the proposed parking facilities provide more cycle parking, car parking and bus parking. However, there will be 2 less disabled car parking spaces. Although reduced, 6 disabled parking spaces will remain, therefore satisfactory parking provision is in place for disabled car users.</p>
6.19	<p>Condition 29 of permission LA04/2019/2756/F states: The vehicular accesses within the gaol grounds, and, to the public road, including width and visibility, shall be constructed in accordance with Drawing No. 100-03 Rev D, published on Planning Portal 10th April 2020. Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.</p>
6.20	<p>The proposed amended wording of Condition 29 is: The vehicular accesses within the gaol grounds and to the public road, including width and visibility, shall be constructed in accordance with Drawing No. 02, published on Planning Portal 3rd April 2024.</p>
6.21	<p>The variation of Condition 29 is to amend the vehicular accesses. The proposed vehicular access to the site via the existing access from Cliftonpark Avenue is to remain. Under LA04/2019/2756/F a new car park located to the northern side of the A Wing was approved. This car park is to be reconfigured and sited in a different layout than the previous approval and will accommodate eight more car parking spaces and two additional bus parking spaces. Both the previous approval and the Section 54 application propose the re-configuration of spaces within the existing car park – labelled as car park 1, which is located between the existing staff cottages and the A Wing. This will accommodate more parking spaces.</p>
6.22	<p>Condition 30 of permission LA04/2019/2756/F states: Covered cycle parking shall be provided in accordance Drawing No. 100-03 Rev D, published on Planning Portal 10th April 2020. Reason: To ensure acceptable cycle parking on the site and to encourage alternative modes of transport to the private car.</p>
6.23	<p>The proposed amended wording of Condition 30 is: Cycle parking shall be provided in accordance Drawing No. 02, published on Planning Portal 3rd April 2024.</p> <p>The variation of Condition 30 is to amend the cycle parking on the site from being covered to not being covered. As referenced above, there will be 12 more cycle parking spaces under the new proposal in comparison with the LA04/2019/2756/F approval.</p>

6.24	Condition 31 of permission LA04/2019/2756/F states: The development hereby permitted shall operate in accordance with the Service Management Plan published on the Planning Portal 3rd April 2020. Reason: In the interests of road safety and the convenience of road users.
6.25	The proposed amended wording of Condition 31 is: The development hereby permitted shall operate in accordance with the Service Management Plan published on the Planning Portal 11th June 2024.
6.26	The Service Management Plan provides details on the following: <ul style="list-style-type: none"> • Description of development proposals. • Estimation of the number of service and delivery vehicles expected to frequent the development. • Proposed loading/ unloading arrangements. • An overview of the service routes to/ from the development. • Confirms management of the Plan.
6.27	The variation of Condition 31 is to amend the previously submitted Service Management Plan to an updated version including the details being amended in the new wording of the Conditions above and the new proposed site layout plan submitted (drawing number 02). In their response on the 24 th April 2024, Department for Infrastructure Roads offers no objections to the new Service Management Plan.
6.28	The site is located within the City Centre Fringe controlled parking zone in dBMAP. The proposal has been assessed under relevant policies in the Belfast Local Development Plan, Plan Strategy 2035, including: TRAN1 – Active travel – walking and cycling, TRAN2 – Creating an accessible environment, TRAN6 – Access to public roads, TRAN8 – Car parking and servicing arrangements, TRAN9 – Parking standards within areas of parking restraint, TRAN10 – Design of car parking.
6.29	It is considered that sufficient parking is provided within the site in car parks 1 and 2. The variation of Conditions 27, 28, 29 and 30 do not conflict with car parking provisions within Parking Standards.
6.30	The site is well placed in terms of accessibility to a range of alternative and sustainable modes of transport. It is located on an Arterial Route, with provision of cycle parking, access to public transport and is within walking distance to the city centre.
6.31	In their consultation response on the 24 April 2024, DFI Roads offers no objection to the proposal to vary Condition numbers 27, 28, 29 and 30 to reference drawing 02 published on the Planning Portal 3 April 2024; and to vary Condition number 31 to reference the Service Management Plan published on the Planning Portal 11 June 2024. Having had regard to the above and comments from DFI Roads it is considered that the scheme is acceptable and have no objections.
6.32	<p>Historic Environment</p> <p>Within the application site is Grade A Listed Building HB26/43/012 Crumlin Road Gaol, designed by Charles Lanyon and constructed in the years between 1840 and 1859. Since 1996 the listed building has been vacant. The original application (LA04/2019/2756/F) was linked to listed building consent LA04/2019/0863/LBC, approved 29 March 2021. HED offered no objections to these proposals subject to conditions including a number of pre-commencement conditions. Historic Monuments Division offered no objection to the original proposal subject to conditions in relation to the agreement and implementation of</p>

6.33	<p>a developer funded programme of archaeological works to identify and record and archaeological remains, in advance of new construction or to provide for their preservation in situ.</p> <p>The Historic Environment Division were not consulted on the current application given that the proposed changes to hard surfaced areas, parking facilities, vehicular accessed and cycle parking will have no impact on the existing character and architectural features of the existing listed building. The proposal is considered to comply with relevant parts of the SPPS and Local Development Plan, Plan Strategy 2035 including Policy BH1 – Listed buildings.</p>
7.0	Recommendation
7.1	Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of conditions.
7.2	The variation of conditions will create a new standalone planning permission and it will be necessary to repeat the conditions on the original permission.
<p>DRAFT CONDITIONS:</p> <p>All condition will require to be repeated.</p> <p>27. No retailing or other operation in or from any development hereby permitted shall commence until hard surfaced areas have been constructed and permanently marked in accordance with the approved drawing No. 02, published on Planning Portal 3rd April 2024, to provide adequate facilities for parking, servicing and circulating within the site. No part of these hard surfaced areas shall be used for any purpose at any time other than for the parking and movement of vehicles.</p> <p>Reason: To ensure that adequate provision has been made for parking, servicing and traffic circulation within the site.</p> <p>28. The parking facilities detailed on approved drawing Drawing No. 02, published on Planning Portal 3rd April 2024 shall be open for use during all hours of business.</p> <p>Reason: To ensure that adequate provision has been made for parking, servicing and traffic circulation within the site.</p> <p>29. The vehicular accesses within the gaol grounds and to the public road, including width and visibility, shall be constructed in accordance with Drawing No. 02, published on Planning Portal 3rd April 2024.</p> <p>Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.</p> <p>30. Cycle parking shall be provided in accordance Drawing No. 02, published on Planning Portal 3rd April 2024.</p> <p>Reason: To ensure acceptable cycle parking on the site and to encourage alternative modes of transport to the private car.</p> <p>31. The development hereby permitted shall operate in accordance with the Service Management Plan published on the Planning Portal 11th June 2024.</p> <p>Reason: In the interests of road safety and the convenience of road users.</p>	

INFORMATIVES:

- The developer should consider all consultees comments prior to commencing this proposal. All comments can be viewed on the planning portal quoting the application reference number.
- This permission is linked to Listed Building Consent LA04/2019/0863/LBC.
- This decision relates to the following approved drawing numbers: 01, 02.
- 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 the contact the Planning Service at Belfast City Council at planning@belfastcity.gov.uk.

ANNEX

Date Valid	01/03/2024
Date First Advertised	12/04/2024
Date Last Advertised	N/A



Details of Neighbour Notification (all addresses)


11 CLIFTONPARK AVENUE TOWN PARKS BELFAST BT14 6DQ
 13 CLIFTONPARK AVENUE TOWN PARKS BELFAST BT14 6DQ
 15 CLIFTONPARK AVENUE TOWN PARKS BELFAST BT14 6DQ
 17 CLIFTONPARK AVENUE TOWN PARKS BELFAST BT14 6DQ
 19 CLIFTONPARK AVENUE TOWN PARKS BELFAST BT14 6DQ
 2 LANDSCAPE TERRACE TOWN PARKS BELFAST BT14 6AD
 21 CLIFTONPARK AVENUE TOWN PARKS BELFAST BT14 6DQ
 23 CLIFTONPARK AVENUE TOWN PARKS BELFAST BT14 6DQ
 25 CLIFTONPARK AVENUE TOWN PARKS BELFAST BT14 6DQ
 27 CLIFTONPARK AVENUE TOWN PARKS BELFAST BT14 6DQ
 29 CLIFTONPARK AVENUE TOWN PARKS BELFAST BT14 6DQ
 31 CLIFTONPARK AVENUE TOWN PARKS BELFAST BT14 6DQ
 89 CRUMLIN ROAD TOWN PARKS BELFAST BT14 6AD
 9 CLIFTONPARK AVENUE TOWN PARKS BELFAST BT14 6DQ
 91 CRUMLIN ROAD TOWN PARKS BELFAST BT14 6AD
 93 CRUMLIN ROAD TOWN PARKS BELFAST BT14 6AD
 95 CRUMLIN ROAD TOWN PARKS BELFAST BT14 6AD
 ELIM CHURCH CLIFTONPARK AVENUE TOWN PARKS BELFAST BT14 6DQ
 FIRST FLOOR 91 CRUMLIN ROAD TOWN PARKS BELFAST BT14 6AD
 FLAT 1 53 CLIFTONPARK AVENUE TOWN PARKS BELFAST BT14 6DR
 FLAT 2 53 CLIFTONPARK AVENUE TOWN PARKS BELFAST BT14 6DR
 FLAT 3 53 CLIFTONPARK AVENUE TOWN PARKS BELFAST BT14 6DR
 FLAT 4 53 CLIFTONPARK AVENUE TOWN PARKS BELFAST BT14 6DR
 GROUND FLOOR 91 CRUMLIN ROAD TOWN PARKS BELFAST BT14 6AD
 MATER HOSPITAL CRUMLIN ROAD TOWN PARKS BELFAST BT14 6AD

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Development Management Officer Report Committee Application

Summary	
Application Ref: LA04/2024/0044/F	Committee Meeting Date: 27th June 2024
Proposal: Change of use from HMO to single dwelling and proposed rear dormer (amended description).	Location: 17 Lower Courtyard Belfast BT7 3LH
Referral Route: Request to be presented to Planning Committee by Elected Member (Cllr Donal Lyons)	
Recommendation:	Approval
Applicant Name and Address: Suzanne McFarlane 17 Lower Courtyard Belfast BT7 3LH	Agent Name and Address: Mervyn McNeill 30 Knowehead Road Broughshane Ballymena BT43 7LF
<p>Executive Summary: This proposal is for change of use from HMO to single dwelling and a rear dormer at 17 Lower Courtyard in South Belfast, off the Annadale Embankment.</p> <p>The key issues to be considered are:</p> <ul style="list-style-type: none"> • Principle of change of use back to single dwelling • Scale, Massing and Design of rear dormer • Impact on neighbouring amenity <p>The application was neighbour notified and advertised in the local press. 11 No. objections and 1 letter of support have been received and are detailed in the main body of the report.</p> <p>Recommendation: Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions, for a temporary five-year period.</p> <p>Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of conditions, and deal with any other matters that arise prior to issuing the decision, provided that they are not substantive.</p>	

Officer Report	
1.0	Drawings
1.1	<div><div>Site Location</div><div></div><div><div>Existing Elevations</div><div></div></div></div>

	<p>Proposed Elevations</p>  <p>REAR ELEVATION</p> <p>SIDE ELEVATION</p> <p>SIDE ELEVATION</p>
2.0	Characteristics of the Site and Area
2.1	<p>The site is located in Lower Courtyard, off the Annadale Embankment. The property is a registered HMO through a Certificate of Lawful Development, LA04/2019/2835/LDE, which provided evidence of 5 years of continuous use as an HMO. The site sits within a row of 6 town houses with balconies to the front elevation, finished in white render and red brick. The rear of the site backs onto the rear of townhouses in College Drive. The surrounding area is residential, comprising of modern townhouses.</p>
3.0	Description of Proposal
3.1	<p>Planning permission is sought for change of use from HMO (Sui Generis) back to the properties original use- a single dwelling (C1) and a proposed rear dormer. The proposed dormer will accommodate a bedroom and ensuite in the roofspace.</p>
4.0	Planning Policy and Other Material Considerations
4.1	<p>Development Plan – operational policies Belfast Local Development Plan, Plan Strategy 2035</p>
4.2	<p>Development Plan – zoning, designations and proposals maps Belfast Urban Area Plan (2001) BUAP Draft Belfast Metropolitan Area Plan 2015 (v2004) Draft Belfast Metropolitan Area Plan 2015 (v2014)</p>
4.3	<p>Regional Planning Policy Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)</p>
4.4	<p>Other Policies Developer Contribution Framework (BCC) Belfast Agenda Creating Places (DfI)</p>

4.5	Relevant Planning History N/A
5.0	Consultations and Representations
5.1	Statutory Consultations N/A
5.2	Non-Statutory Consultations N/A
5.3	<p>Representations</p> <p>The application has been advertised and neighbours notified. 11 objections and 1 letter of support were received.</p> <p>The objections are categorised as followed:</p> <ol style="list-style-type: none"> 1. The proposal is overbearing (affecting c80% of the roof area) and clearly fails the majority of these and other provisions contained within the legislation 2. Loss of privacy 3. The dormer is open to view from neighbouring properties, a parking area to the west and public footpath to the east of the row of houses. 4. Uniform building line, completely different type of roof, which would detract from the character of the area. 5. Noise <p>Issues 1-5 are considered in the main body of the report.</p> <ol style="list-style-type: none"> 6. Proposed Juliette balcony would have a strong potential to cause overlooking problems. <p>The Juliette balcony has been removed from the scheme.</p>
5.4	One letter of general support for the proposal as a whole has also been received.
6.0	PLANNING ASSESSMENT
6.1	<p>Development Plan Context</p> <p>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> <p>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.</p> <p>The Development Plan is the Belfast Local Development Plan, which replaces the Belfast Urban Area Plan 2001 as the statutory plan for the city. The Belfast LDP is in two parts: Part 1 is the Plan Strategy, which was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals map for Belfast and has yet to be published. For this reason, the assessment of this application still considers that the property is in an HMO Node, as designated under the HMO Subject Plan (2015) and will remain so until the LPP is adopted.</p>
6.2	Operational policies – the Plan Strategy contains a range of operational policies relevant to consideration of the application. These are listed in the report.

6.3	<p>Proposals Maps – 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>
6.4	<p>Assessment</p> <p>The key issues to be considered are:</p> <ul style="list-style-type: none"> • Change of use from HMO to single dwelling • Scale, Massing, Design • Impact on neighbouring amenity
6.5	<p>Change of use to single dwelling</p> <p>The property was established as an HMO by a Certificate of Lawful Use application (LA04/2019/2835/LDE). However, the property has not operated as an HMO for several years. The proposal represents a return from a HMO to a single family dwelling. Given the use is less intensive, and remains residential, the proposed change is considered acceptable in principle subject to the rest of the policy considerations below.</p>
6.6	<p>Scale, Massing & Design</p> <p>Policy RD2 of the Belfast LDP 2035 states that planning permission will be granted where the scale, massing, design and external materials of the proposal are appropriate to the built form and appearance of the existing property and will not detract from the character of an established residential area.</p> <p>The use of loft space can be used to provide additional living accommodation. It should be noted however that alterations or extensions to the roof profile of any building can be particularly sensitive as roofs make an important contribution to a buildings appearance and the overall character of the area. SPG. 2023 Residential Extensions and Alterations states that choosing a dormer roof type that mirrors the existing roof is a good way to ensure that the dormer appears in keeping with the original house.</p> <p>The proposed dormer is stepped down from the ridge of the dwelling by approximately 0.6 metres, stepped in from the eaves by approximately 0.5 metres and approximately 0.1 metres from the sides of the roof. The dormer would therefore be close to permitted development if the property was not an HMO.</p> <p>Paragraph 4.1.24 of the SPG states that where dormer windows or roof lights are open to public view, these can interfere with both the original design of the existing dwelling and cause a visual intrusion into the street scene. Careful consideration must therefore be given to the size, design and positioning of dormer windows and roof lights to ensure that they are sympathetic to the existing dwelling and its neighbouring properties. Whilst the dormer is wholly to the rear with no public views from the street, it is designed well in that the second-floor windows are aligned with the first-floor windows, creating a symmetrical design to the rear elevation. The dormer is finished in grey zinc roof panelling and PVC which is considered to match the design and materials of the existing roof.</p> <p>The dormer complies with policy RD2 in that the scale, massing design and external materials are suitable and the proposal does not represent an unacceptable impact to the character of the area.</p>

6.7	<p>Impact on Amenity</p> <p>A level of overlooking is common in urban areas such as this, however, the protection of privacy of neighbouring dwellings is an important element of the quality of a residential environment. Balconies, roof terraces, decking and dormer windows all have the potential to cause overlooking problems, due to their position and orientation, particularly from upper windows. Paragraph 4.3.11 of the SPG states that in the case of dormer windows, restricting the size of the window and setting it back from the eaves is usually an adequate solution that can protect neighbouring privacy.</p> <p>It is considered that the dormer is acceptable in that the size of windows has been kept to a minimum and they are stepped back from the eaves. It is therefore considered that the dormer will not exacerbate overlooking beyond what exists from first floor windows. The Juliette balcony was removed from the scheme in order to mitigate perceived overlooking.</p>
8.0	<p>Recommendation</p>
8.1	<p>Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions.</p>
8.2	<p>Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and deal with any other issues that arise provided that they are not substantive.</p>
<p>DRAFT CONDITIONS:</p> <ol style="list-style-type: none"> The development hereby permitted must be begun within five years from the date of this permission. <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p> <p>DRAFT INFORMATIVES:</p> <ol style="list-style-type: none"> 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 the contact the Planning Service at Belfast City Council at planning@belfastcity.gov.uk. 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. The grant of planning permission does not dispense with the need to obtain licenses, consents or permissions under other legislation or protocols. The requirement for other 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. 	

ANNEX	
Date Valid	08/01/2024
Date First Advertised	19/01/2024
Date Last Advertised	19/01/2024
Details of Neighbour Notification (all addresses)	
10 College Drive	
11 Lower Courtyard	
12 College Drive	
14 College Drive	
15 Lower Courtyard	
16 College Drive	
18 College Drive	
19 Lower Courtyard	
21 Lower Coutyard	
23 Lower Courtyard	
15 Lower Courtyard	
18 College Drive	
12 College Drive	
15 Lower Courtyard	

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Development Management Committee Report

Summary	
Application ID: LA04/2023/4607/F	Committee Date: 27 June 2024
Proposal: Removal of existing temporary sectional buildings and construction of new three storey childcare building with external play area, associated landscaping and alterations to existing access.	Location: Parkmore Building, 284A Ormeau Road, Ballynafoy, Belfast, BT7 2GB
Referral Route: Development partly funded by BCC	
Recommendation: Approval subject to conditions and Section 76 planning agreement	
Applicant Name and Address: Solas Special Needs 284a Ormeau Road Ballynafoy Ormeau Belfast BT7 2GB	Agent Name and Address: Paul McStay 388/390 Ravenhill Road Belfast BT6 0BA
<p>Executive Summary:</p> <p>This application relates to Lands at 284a Ormeau Road, Ballynafoy, Ormeau, Belfast, BT7 2GB. The application seeks full planning permission for Removal of existing temporary sectional buildings and construction of new three storey childcare building with external play area, associated landscaping and alterations to existing access.</p> <p>The key issues for consideration of the application are set out below.</p> <ul style="list-style-type: none"> • Principle of development in this location • Impact on open space • Access and transport • Environmental considerations • Flood risk and drainage • Waste-water infrastructure <p>The site is within the settlement limits and zoned “open space” within the BUAP and also within the draft Belfast Metropolitan Area Plan 2015 (v2004) and dBMAP (2014v)</p> <p>The height, scale and massing of the proposed building is considered acceptable within the wider character of the area that exhibits a variety of building heights and massing.</p> <p>The proposal would provide dedicated on-site parking to service the proposed building. This is considered acceptable given the highly sustainable location of the site.</p> <p>The application proposes to deliver a purpose-built building designed to meet the needs of children and young adults with special needs. The organisation, Solas, has been operating from the site since 2017 mainly from modular buildings.</p>	

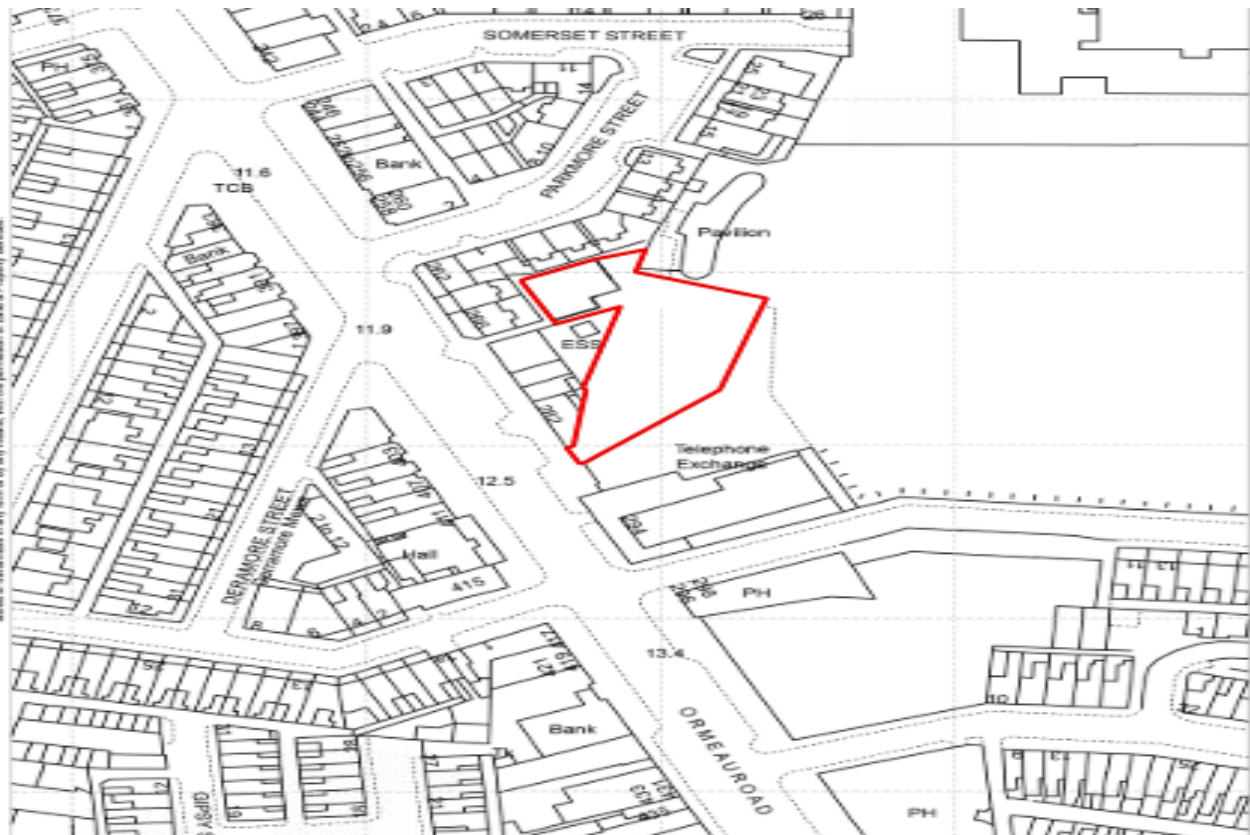
Planning Service has received 1 third party objection expressing concerns discussed within report below.

Recommendation

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

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

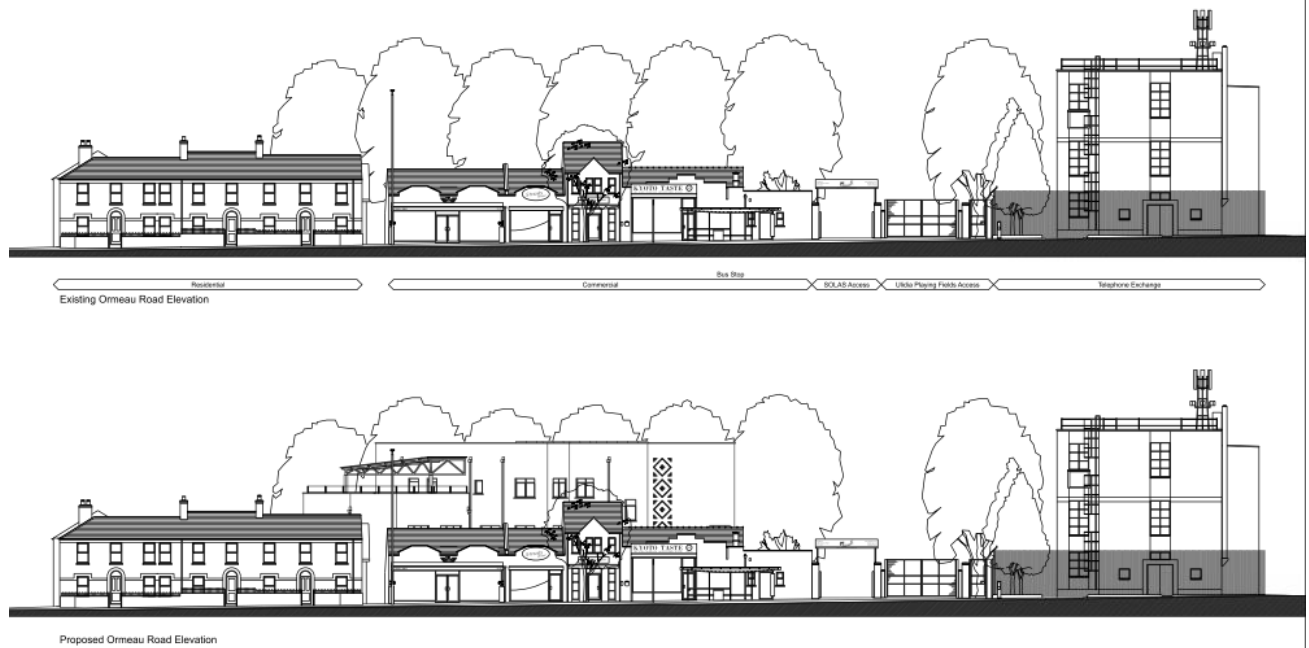
Site Location Plan:



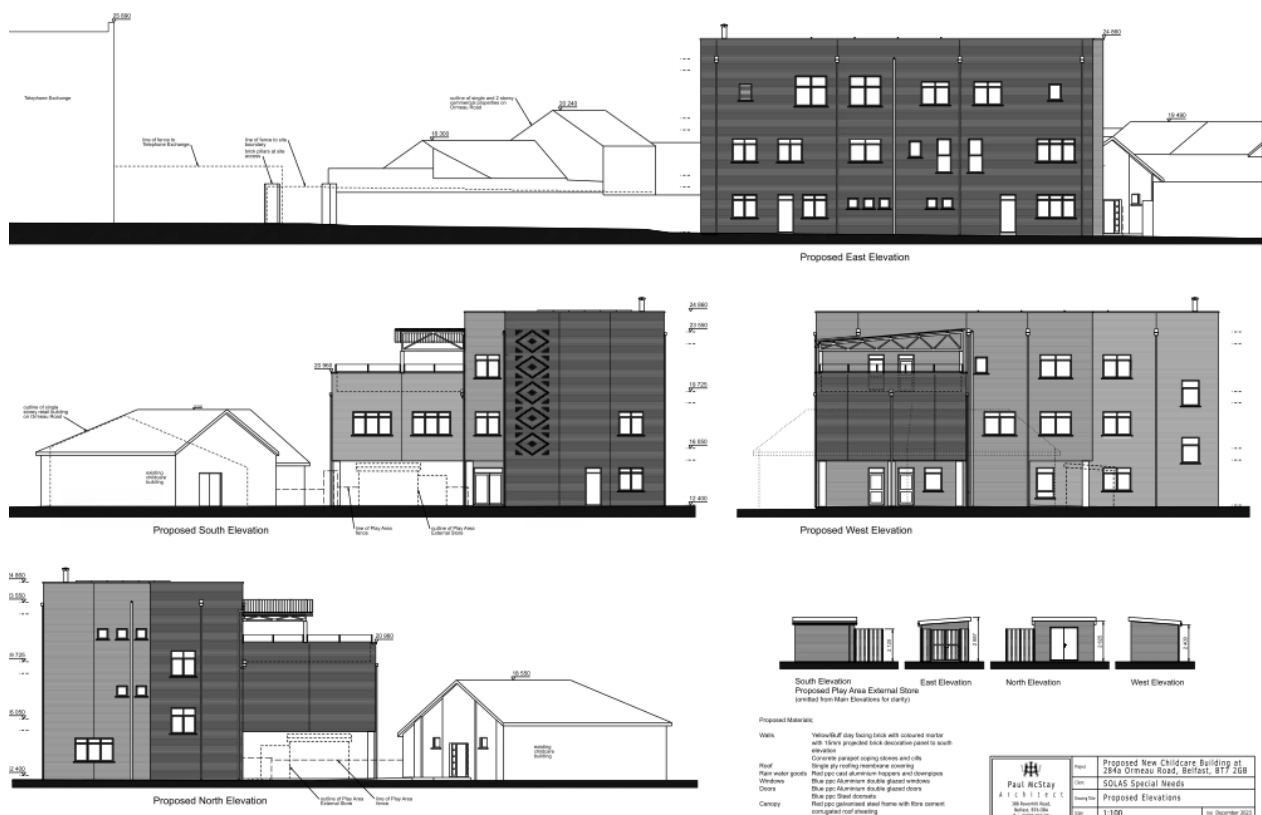
Site layout



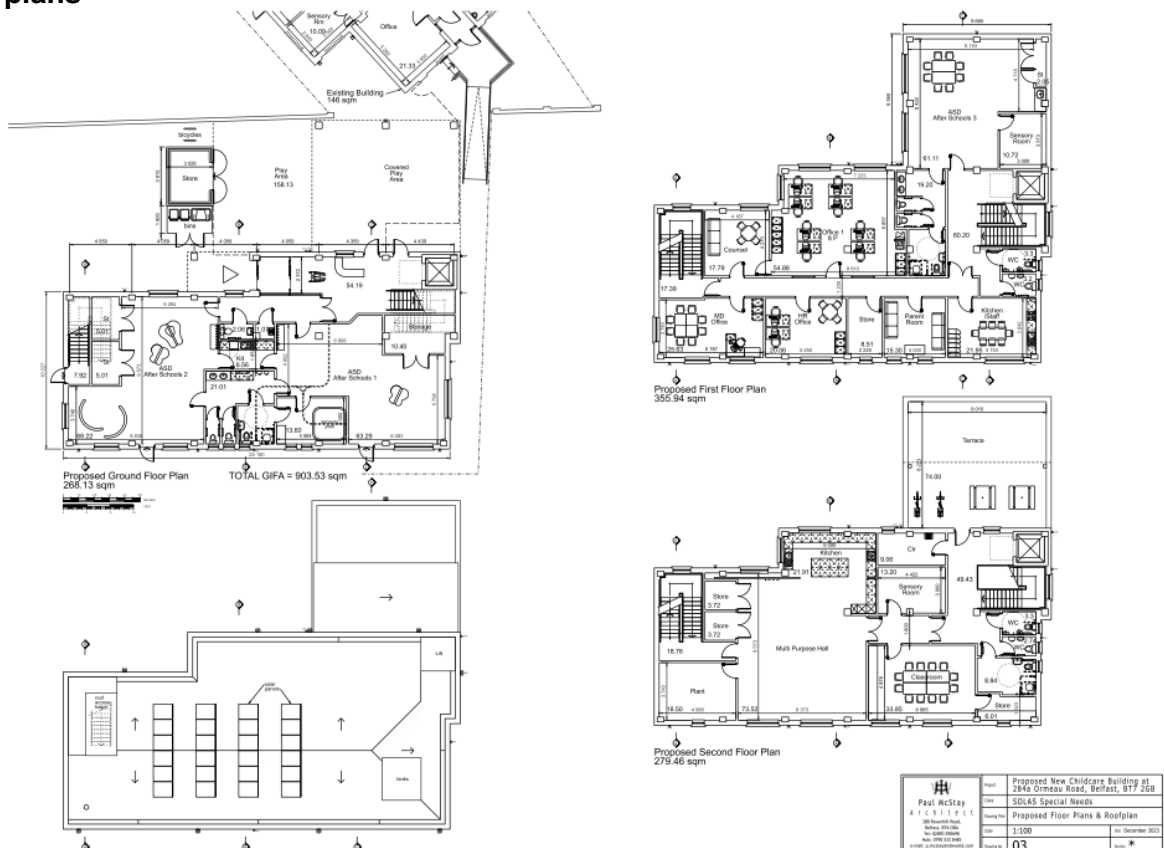
Street contextual plan



Elevations



floor plans



1.0	Characteristics of the Site and Area
1.1	The area is characterised by a mixture of uses, the Ormeau Road frontage being predominant commercial, entertainment, recreation, cultural and residential. To the south of the site is a three-storey telephone exchange building, to the west single and two storey commercial buildings; to the north is housing on Parkmore Street and facilities for Rosario football club and to the east is located Rosario football pitches.
1.2	The existing site is occupied by single storey modular buildings, a playground and a single storey building all used currently by the applicant. The remaining area is used for parking.
2.0	PLANNING HISTORY
2.1	LA04/2019/0612/PAD – Develop site as social housing scheme with omission of underground car park and reduced on site car parking provision. Site at 284a Ormeau Road Belfast BT7 2GB Application concluded.
2.2	LA04/2017/2086/F - 2 temporary Portakabin units, 2 steel shipping containers, polytunnel structure, children's play area and car parking (retrospective) - 284a Ormeau Road Belfast – Granted 26/3/18
3.0	PLANNING POLICY

3.1	<p>Development Plan – operational policies</p> <p><u>Belfast Local Development Plan, Plan Strategy 2035</u></p> <p>Policy CI1 – Community Infrastructure Policy TRAN6 – Access to public roads Policy TRAN8 – Car parking and servicing arrangements 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) Policy OS1 – Protection of open space Policy OS3 - Ancillary open space</p> <p>Development Plan – zoning, designations and proposals maps Belfast Urban Area Plan (2001) BUAP Draft Belfast Metropolitan Area Plan 2015 (v2004) Draft Belfast Metropolitan Area Plan 2015 (v2014)</p> <p>Regional Planning Policy Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)</p>
4.0	<p>CONSULTATIONS AND REPRESENTATIONS</p> <p>4.1 <u>Statutory Consultees</u> DfI Roads – no objection with conditions. NI Water – recommended refusal DfI Rivers – No objection with condition</p> <p><u>Non-Statutory Consultees</u> Environmental Health – waiting final response</p> <p><u>Representations</u> 4.2 The application has been advertised in the newspaper and neighbours notified.</p> <p>4.3 One objection received, comments posted on portal, letter raised concerns about the following: Loss of privacy Noise pollution – caused during the construction phase.</p> <p>4.4 Response: Lost of privacy will form part of the assessment below. Regarding noise pollution – inappropriate levels of noise either during or after construction, if considered a nuisance, can be controlled via noise abatement notices.</p>
5.0	<p>PLANNING ASSESSMENT</p> <p>Main Issues</p> <p>5.1 The main issues relevant to consideration of the application are set out below.</p> <ul style="list-style-type: none"> • Principle of development in this location

	<ul style="list-style-type: none"> • Impact on open space • Access and transport • Environmental considerations • Flood risk and drainage • Waste-water infrastructure
	<p>Development Plan Context</p>
5.2	<p>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	<p>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.</p>
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 remain part of the statutory local development plan until the Local Policies Plan is adopted.</p>
	<p><u>Operational Policies</u></p>
5.5	<p>The Plan Strategy contains a range of operational policies relevant to consideration of the application. These have been 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>
	<p>Belfast Urban Area Plan 2001 – open space.</p>
	<p>Belfast Metropolitan Area Plan 2015 (2004) – open space</p>
	<p>Belfast Metropolitan Area Plan 2015 (v2014) – open space</p>
	<p><u>Principle of development in this location</u></p>
5.7	<p>Policy CI1 of the Plan Strategy sets out the community infrastructure requirements for proposed development. The policy requires that the Council seeks to protect and provide development opportunities for community, health, leisure, nurseries and</p>

	educational facilities based on local need and in line with the projected population growth.
5.8	The policy states that planning permission will be granted for the provision of new and improved community infrastructure at appropriate and accessible locations within the urban area. The proposal should ensure that there is no unacceptable impact on residential amenity or other areas of acknowledged interest. It is also expected that the proposal will provide access for all, in pedestrians, cyclists and public transport. The policy also advises that where a proposal affects land specifically zoned for particular uses such proposals will only be considered where they do not prejudice the proper planning and sustainable development of the zoned land.
5.9	Regarding the impact on private amenity, officers are content that the proposal will not introduce significant levels of overlooking. The proposal will have two first floor office windows that will have views towards a dwelling at No. 266 Ormeau Road partly hindered by the existing single storey childcare building, and a second-floor kitchen window. The perception of overlooking will probably be greater than any actual overlooking having regard to the use of the rooms as office and kitchen space. However, consideration can be given to measures to mitigate the perception. It will be possible to condition the lower half of the windows to be fitted with obscure glazing to the subject rooms. The proposed windows are circa 25m from the boundary with No. 266. The design of the proposal and the location of the existing childcare building prevents any significant overlooking of any other residential dwelling.
5.10	The separation distance between the proposal and the neighbouring properties should be sufficient to prevent any significant overshadowing or dominance of the dwellings to the Ormeau Road or Parkmore Street. The location of the residential dwellings to the north-west of the proposal limits any potential to overshadow to the morning period.
5.11	The proposal being of three storeys in height (approx. 12.5 m to parapet) will have a greater impact on the surrounding character than the existing modular buildings that are concealed behind shops and housing fronting the Ormeau Road. The site is at a location where there is a distinct adjustment in building heights. The proposed building is located directly behind a row of predominately single storey commercial buildings. To the south of the site is located a telephone exchange of three storeys; beyond this is the Pavilion bar at three storeys and a modern apartment and retail complex of four storeys. Along the approach towards the city north of the site, the character is generally two storeys in height. Officers consider that the adjacent three and four storey buildings allow the proposal to sit comfortably within the surrounding character. The setback position of the proposed building allows the existing properties, fronting the Ormeau Road, to retain their own prominence on the road frontage.
5.12	The site is within land zoned as open space therefore the proposal has the potential to prejudice the land zoning; Policy OS1 is also applicable to this element of the proposal. In support of the application the applicant has submitted a statement of need supporting the development at this current location citing the location provides ease of access, that the service provides an important facility within the Belfast Health and Social Care Family Support Hubs and is adjacent to local facilities. The statement also expresses that Solas is one of the few community providers of disability services outside of special schools and that it is able to take advantage of the adjacent playing fields providing suitable outdoor space. It is also claimed that Solas has established good working relationships with local businesses that supports the service and raising awareness of disability issues.
5.13	

	<p>The specific site is/was an area of hard standing that served as a parking area for the adjacent football pitches and currently contains modular buildings in use by the applicant. Officers are content that the proposal will have no significant impact on the open space designation having regard to the site-specific needs of the applicant and the site being an area of hard standing and the greater part of the open space designation is the playing fields which will be unaffected by the proposal. The portion of the site in use by the applicant is staying the same, therefore there is no greater impact on the area of open space than existing.</p>
5.14	<p><u>Climate change</u></p> <p>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. The policy also expects that demolition is kept to a minimum and encourages, where feasible for existing buildings to be included within the development.</p>
5.15	<p>The proposal will not result in demolition but will result in the removal from site of the existing modular buildings, which can be repurposed for alternative use. The proposal is acceptable having regard to Policy ENV2.</p>
5.16	<p>Policy ENV3 states that planning permission will be granted for development that incorporates measures to adapt to environmental change. To this regard it is proposed that the building will have solar panels to the roof and consideration given to energy saving heating and lighting.</p>
5.17	<p>Policy ENV5 states that all built development shall include, where appropriate, SuDs measures to manage surface water effectively on site, to reduce surface water run-off and to ensure flooding is not increased elsewhere. The proposal being designed to meet the bespoke needs of the applicant on a confined site provides challenges for providing SuDS measures but given the site is already in hard-standing there is no increase in the level of hard surfaces within the site. The minor landscaping proposed due to the limitations of the site will be conditioned to ensure compliance with TRE1.</p>
5.18	<p><u>Access and transport</u></p> <p>The site is a highly accessible location within the city. It is within short walking and cycling distance of shops, services, leisure and has very good public transport links through access to bus routes. The proposal accords with Policy TRAN1.</p>
5.19	<p>Policy TRAN2 states that planning permission will be granted for development that is open to the public where it is designed to provide suitable access for all. The proposal provides acceptable vehicle and pedestrian access to the site.</p>
5.20	<p>Policy TRAN6 relates to access to public roads. The proposal has the potential for intensification of an existing access, DfI Roads Service was consulted on the proposal and offered no objection to the proposal subject to the inclusion of conditions. Officers accept that the proposed access arrangement is satisfactory to meet the needs of the development and will not inconvenience other road users.</p>
5.21	<p>Policy TRAN8 relates to the provision of adequate parking and servicing arrangements for a development. The proposal will have 10 car parking spaces provided (including 1 disabled space) and is capable of allowing manoeuvring of vehicles.</p>
5.22	

	<p>The proposal is considered acceptable having regard to Policies TRAN1, TRAN2, TRAN6 and TRAN 8</p>
5.23	<p><u>Health impacts</u></p> <p>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.</p>
5.24	<p>The site is highly accessible and provides excellent opportunities for active travel, including walking and cycling, through good linkages to shops, services and outdoor activities.</p>
5.25	<p><u>Environmental Health</u></p> <p>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 is currently being assessed by Environmental Health (EH) in terms of noise, air pollution, general amenity, ambient air quality, contaminated land, and other considerations. A Noise Impact Assessment and Contaminated Land Impact Assessment (Preliminary RA) have both been submitted in relation to the proposal and an open consultation is currently with EH to review same.</p>
5.26	<p><u>Air quality</u></p> <p>EH has reviewed the Air Quality Impact Assessment and the clarification report and find that both sufficiently demonstrate that future occupants of the development will not be exposed to air quality concentrations exceeding UK air quality objectives. EH is also satisfied in relation to potential dust impacts during construction subject to implementation of the proposed dust management measures.</p>
5.27	<p><u>Flood risk and drainage</u></p> <p>Policy ENV4 states that planning applications in flood risk areas must be accompanied by an assessment of the flood risk in the form of a Flood Risk Assessment (FRA). DfI Rivers Agency Flood Maps were consulted and showed the site to be not within a floodplain and free of surface water flooding.</p>
5.28	<p><u>Waste-water infrastructure</u></p> <p>NI Water has objected to the proposal on grounds of insufficient network capacity. It advises that existing public waste-water infrastructure cannot currently support the proposal without significant risk of environmental harm, potential pollution, flood risk and harm to local amenity. However, no clear evidence has been provided to demonstrate specific harm resulting from the development. Moreover, 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.</p>

5.29	<p>For these reasons, it would be unreasonable for the Council to refuse planning permission on these grounds and the proposal is acceptable having regard to Policy SP1A of the Plan Strategy.</p> <p>As the proposal would result in clear intensification of the use of the land, the Council has consulted Shared Environmental Services (SES) to assist its consideration of the Habitats Regulations. SES has advised that the proposal would not have an adverse effect on the integrity of any European site. DAERA has been consulted and is concerned that the sewage loading associated with the proposal has the potential to cause adverse environmental impact. Having regard to this advice, it is considered necessary to impose a condition to mitigate any likely significant effects on Belfast Lough. In this regard, the proposal is considered compliant with Policy NH1 of the of the Belfast Local Development Plan, Plan Strategy 2035 and paragraphs 6.176 and 6.177 of the Strategic Planning Policy Statement; and taking account of all relevant material considerations.</p>
<p>6.0</p> <p>6.1</p> <p>6.2</p>	<p>Recommendation</p> <p>The proposal will provide a community infrastructure development that satisfies a local need. The proposal offers bespoke permanent accommodation for the Solas organisation and an upgrade of the current facilities. It is considered that the proposal will have no significant impact on residential amenity or the character of the surrounding area. Whilst there are some concerns in relation to lack of SUDs measures, on balance, it is considered the proposal is acceptable and recommendation is that planning permission is granted.</p> <p>Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and deal with any other issues that arise, including those raised in the final consultation response from BCC Environmental Health, provided that the issues are not substantive.</p>
<p>7.0</p> <p>7.1</p> <p>7.2</p> <p>7.3</p>	<p>DRAFT CONDITIONS</p> <p>The development hereby permitted must be begun within five years from the date of this permission.</p> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p> <p>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.</p> <p>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.</p> <p>The development hereby permitted shall not be occupied until hard surfaced areas have been constructed within the site in accordance with the approved plan. This area shall not be used at any time for any purpose other than for parking and movement of vehicles in connection with the approved development.</p>

	Reason: To ensure that adequate provision has been made for parking and traffic circulation within the site.
7.4	<p>The vehicular access shall be provided in accordance with the approved plan, prior to the commencement of any other works or other development hereby permitted.</p> <p>Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.</p>
7.5	<p>The development shall not be occupied until secure and covered cycle parking facilities have been provided on the site. These facilities shall be permanently retained on the site.</p> <p>Reason: To ensure acceptable cycle parking on the site and to encourage alternative modes of transport to the private car.</p>
7.6	<p>The first-floor office windows and second floor kitchen and multi-purpose hall windows, shown on the western elevation, shall be installed with obscure glazing to the lower half of the glazed area prior to occupation of the building and permanently retained thereafter.</p> <p>Reason: To protect the private amenity of neighbouring residential dwellings.</p>
7.7	<p>The screening to the second-floor outdoor terrace, as detailed in approved plans, shall be installed prior to the occupation of the building, and permanently retained thereafter.</p> <p>Reason: To protect the amenity of neighbouring residential dwellings</p>
7.8	<p>No development (other than site clearance, site preparation, demolition and the formation of foundations and trenches) shall commence on site unless a hard and soft landscaping scheme has been submitted to and approved in writing by the Council. The scheme shall include details of all walls, fences, trees, hedgerows and other planting which are to be retained; details of all new walls, fences, other boundary treatment and finished ground levels; details of the hard surface treatment of open parts of the site which shall be permeable or drained to a permeable area; a planting specification to include [species, size, position and method of planting of all new trees and shrubs]; and a programme of implementation.</p> <p>All hard and/or soft landscaping works [delete if not appropriate] 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. Any existing or proposed trees or plants indicated on the approved plans 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. All hard and soft landscape areas and works shall be permanently retained in accordance with the approved details [delete if not appropriate].</p> <p>Reason: In the interests of the character and appearance of the area, and to promote sustainable drainage. Approval is required upfront because the landscaping is critical to the acceptability of the proposal.</p>

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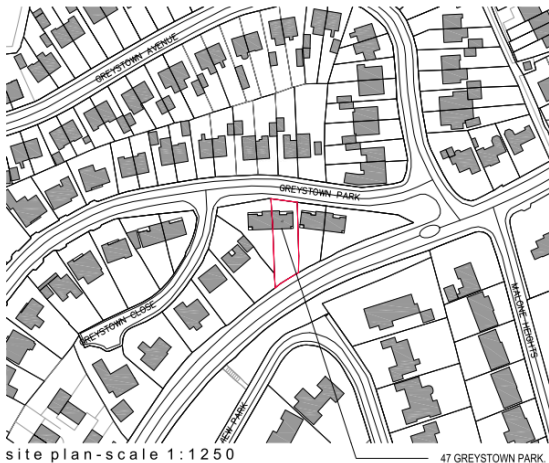
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Development Management Officer Report Committee Application

Development Management Officer Report	
Application ID: LA04/2024/0819/F	Committee Date: 27 th June 2024
Proposal: Single storey rear extension and front elevation changes to facilitate conversion of garage.	Location: 47 Greystown Park Belfast BT9 6UP
Applicant Name and Address: Collette McCann 47 Greystown Park Belfast BT9 6UP	Agent Name and Address: Christopher Curran 8 Blaris Drive Lisburn BT27 5FT
Referral Route: The application is referred under Section 3.8.5 (b) of the Scheme of Delegation.	
Recommendation: Approve	
<p>Executive Summary:</p> <p>The application seeks full planning permission for the construction of a single storey rear extension and conversion of existing attached garage, located at 47 Greystown Park.</p> <p>The key issues to be considered are:</p> <ul style="list-style-type: none"> • The scale, massing, and design of the proposal • The impact on the character and appearance of the surrounding area • Impact on amenity <p>Due to the minor nature of the proposal, no consultation was required, and there were no representations received from third parties including neighbours.</p> <p>Recommendation: Approval</p> <p>Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions.</p> <p>Delegated authority is requested for the Director of Planning and Building Control to deal with any issues that may arise post committee, as long as they are not substantive.</p>	

Case Officer Report

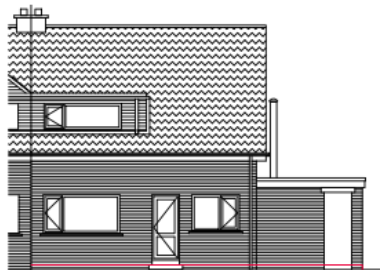
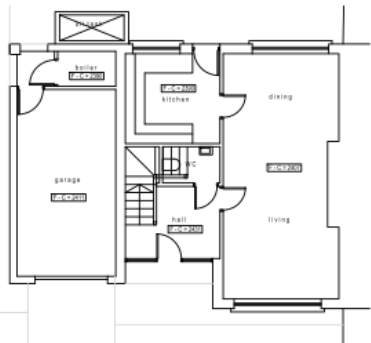
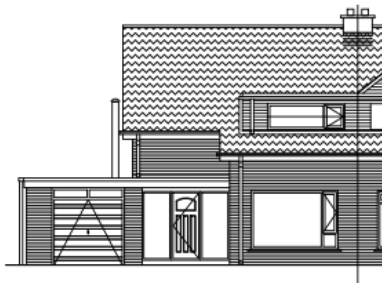
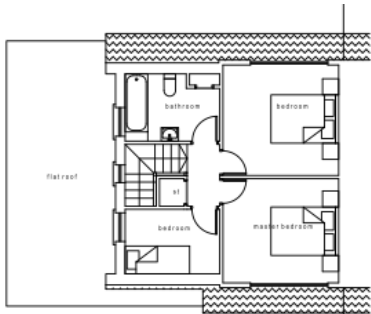
Site Location Plan:



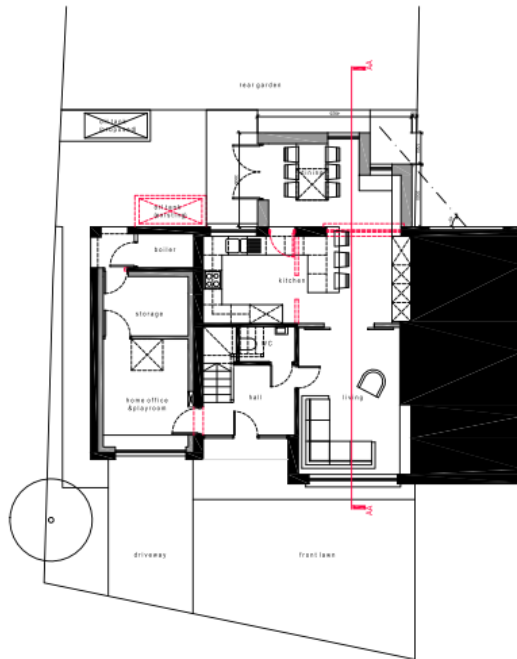
47 GREYSTOWN PARK,
SITE OUTLINED IN RED



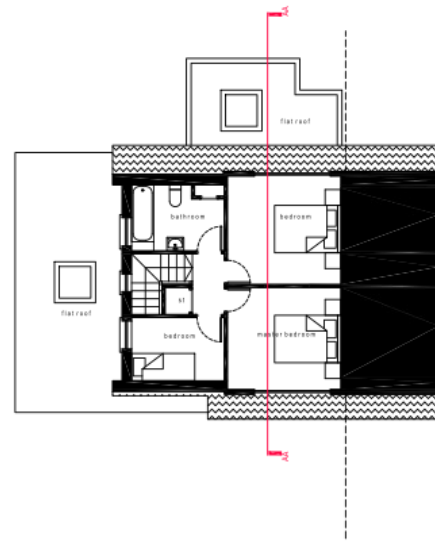
Existing Plans



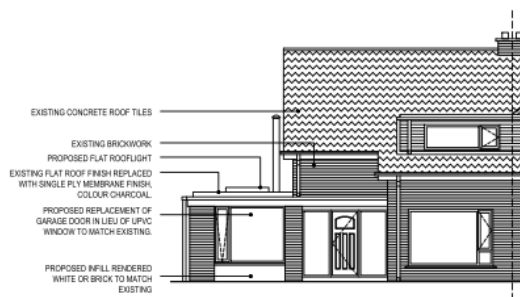
Proposed Plans



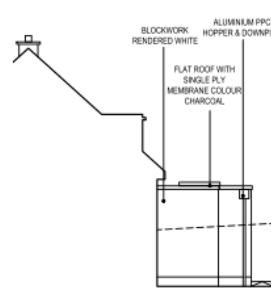
proposed ground floor plan



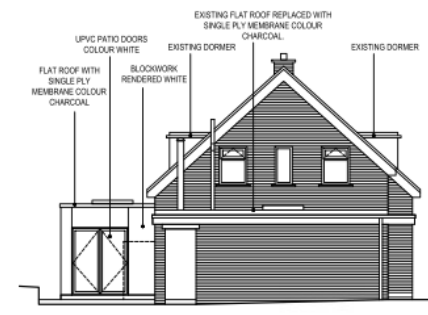
proposed first floor plan



north elevation(front)



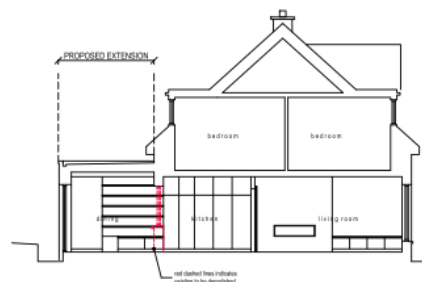
west elevation



east elevation



south elevation (rear)



proposed section AA

Characteristics of the Site and Area	
1.0	Description of Proposed Development
1.1	The proposal is seeking full planning permission for the construction of a single storey rear extension and conversion of existing attached garage.
2.0	Characteristics of Site and Area
2.1	The application site is located at 47 Greystown Park, Belfast. the property is a red brick two-storey semi-detached dwelling with an attached side garage. the front of the site has a single car driveway, small amount of hardstanding and a grassed area with plants amenity space.
2.2	The site is not situated within a conservation area or an area of townscape character.
2.3	The surrounding area consists of residential units with similar layouts and finishes to the application site.
Planning Assessment of Policy and other Material Considerations	
3.0	Site History
3.1	There is no recent planning history on the application site. However, in the surrounding area there have been planning approval for extensions and garage conversions, including: Z/2014/0447/F – 56 Greystown Park – Demolition of existing garage and replacement with single storey extension to side and rear – Permission Granted – 19/06/2014.
3.2	LA04/2016/2584/F – 14 Greystown Park - 1st Floor extension to rear of dwelling – Permission Granted – 27/03/2017.
3.3	LA04/2017/0972/F – 52 Greystown Park - Single storey rear extension with patio area, dormer / roof extension and elevation changes including ground floor window in side elevation – Permission Granted – 12/09/2017.
3.4	LA04/2019/2658/F – 12 Greystown Park - Proposed rear and side first floor extensions and single storey side and rear extension – Permission Granted – 10/01/2020.
3.5	LA04/2020/2488/F – 39 Greystown Park - Single storey extension to side and rear, first floor extension to front with new front porch on ground floor, changes to front elevation – Permission Granted – 14/01/2021.
4.0	Policy Framework
4.1	Development Plan – operational policies Belfast Local Development Plan, Plan Strategy 2035 Development Plan – zoning, designations and proposals maps Belfast Urban Area Plan (2001) BUAP

	<p>Draft Belfast Metropolitan Area Plan 2015 (v2004) Draft Belfast Metropolitan Area Plan 2015 (v2014)</p> <p>Regional Planning Policy Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)</p> <p>Other Policies Belfast Agenda</p>
5.0	<p>Statutory Consultations None required</p>
6.0	<p>Non-Statutory Consultations None required</p>
7.0	<p>Representations None received</p>
8.0	<p>Other Material Considerations None</p>
9.0	Assessment
9.1	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.
9.2	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.
9.3	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 remain part of the statutory local development plan until the Local Policies Plan is adopted.
9.4	The proposal is considered to be in compliance with the Belfast Local Development Plan.
9.5	<p>Assessment The key issues to be considered are:</p> <ul style="list-style-type: none"> • The scale, massing, and design of the proposal

	<ul style="list-style-type: none"> • The impact on the character and appearance of the surrounding area • Impact on amenity
9.6	<p><i>Scale, Massing, Design</i></p> <p>Policy RD2 of the Belfast Plan Strategy 2035 states that planning permission will be granted for extensions or alterations to an existing residential property where the scale, massing, design, and external materials of the proposal are appropriate to the built form and appearance of the existing property and will not detract from the character of an established residential area.</p>
9.7	<p>The SPG 2023 Residential Extensions and Alterations 4.1.1 states that extensions or alterations should not disrupt the balance of a property, particularly the front elevation, and should reinforce the existing form and proportions of the host building. To minimize visual impact, extensions should be subordinate to the existing property in terms of massing, height, and position. This means the height, width, and size of the extension should be smaller than the existing property, achieving appropriate scale, proportion, and balance. Ideally, the depth should not exceed the side elevation's depth, and the eaves should be no higher than those of the existing dwelling. In this proposal, the eaves are 0.36m lower than the original, and the extension's footprint is 13.38 sqm, which is 17% of the original 77.62 sqm house footprint. This makes the extension subordinate to the building. Additionally, the subordinate design ensures that the proposed rear extension is not visible from the front elevation or the road, thus having no impact on the streetscape.</p>
9.8	<p>The rear extension will feature blockwork rendered in white, a flat roof with a charcoal-coloured single ply membrane, and uPVC windows in white to match the existing buildings window finishes. The garage will have its flat roof replaced with a charcoal-coloured single ply membrane, and the existing garage door will be replaced with a uPVC window to again match the existing design. The proposed infill will be rendered in white or red brick to blend seamlessly with the existing materials. These chosen materials are deemed acceptable as they align with the built form and appearance of the existing property and are sympathetic to the character of the surrounding area.</p>
9.9	<p>Overall, it is considered that the rear extension is designed in a way that complements the host dwelling and is of an appropriate scale, massing, and design.</p>
9.10	<p><i>Impact on surrounding area</i></p> <p>The application site is situated within a residential area characterised predominantly by red brick buildings, with some properties featuring white render. Numerous adjacent buildings have also erected rear extensions.</p>
9.11	<p>As previously mentioned in point 9.8, the finishes for the rear extension and garage conversion are designed to integrate seamlessly with the site. They blend harmoniously with the host dwelling and are sympathetic to the surrounding streetscape and as such are deemed acceptable.</p>

9.12	<p><i>Impact on Neighbouring Amenity</i></p> <p>Paragraph 4.3.6. of the SPG 2023 Residential Extensions and Alterations states that extensions can cause problems for the enjoyment of a local area, particularly in neighbouring properties, through loss of privacy, dominance, and overshadowing/loss of light. The council consider that this extension will respect neighbouring amenity and the character of the area. The rear extension's side wall facing the shared boundary will have a solid finish, complying with SPG 4.1.20, which states that care must be taken to avoid overlooking and that side walls of extensions should be solid (except for conservatories). The two proposed windows will face rearward, and the proposed patio doors will be located on the East elevation, and as such will not compromise the privacy of No. 45 due to the existing boundary fence and established vegetation, nor of No. 49 due to the existing boundary treatment and the separation distance from the plot boundary. Additionally, the rear extension will be stepped back on the shared boundary to further minimise visual impact.</p>
9.13	<p>Dominance is not considered a concern, the shared boundary fence stands at 1.8 meters, while the rear extension will only extend 1.4 meters above this, further reducing any potential dominance.</p>
9.14	<p>The rear as the adjacent neighbours are located at a sufficient distance from the proposed works to prevent any overshadowing.</p> <p>The extension is designed in a manner which respects the amenity of neighbours being stepped back to meet the 45 degree angles test which reduces the impact with regard to overshadowing and loss of light.</p>
10.0	<p>Summary of Recommendation:</p> <p>Having regard to the policy context and other material considerations above, the proposal is considered acceptable and planning permission is recommended to be granted, subject to conditions.</p> <p>Delegated authority is requested for the Director of Planning and Building Control to deal with any issues that may arise post committee, as long as they are not substantive.</p>
11.0	<p>Draft Conditions</p> <p>1. The development hereby permitted must be begun within five years from the date of this permission.</p> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p>

ANNEX	
Date Valid	16.05.2024
Date First Advertised	24.05.2024
Date Last Advertised	N/A
Details of Neighbour Notification (all addresses) 45 GREYSTOWN PARK, BALLYFINAGHY, BELFAST, BT9 6UP 49 GREYSTOWN PARK, BALLYFINAGHY, BELFAST, BT9 6UP 66 GREYSTOWN PARK, BALLYFINAGHY, BELFAST, BT9 6UP 68 GREYSTOWN PARK, BALLYFINAGHY, BELFAST, BT9 6UP	

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