

# Public Document Pack

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



Belfast  
City Council

16th January, 2020

## **MEETING OF PLANNING COMMITTEE**

Dear Alderman/Councillor,

The above-named Committee will meet in the Banqueting Hall - City Hall on Thursday, 23rd January, 2020 at 4.30 pm, for the transaction of the business noted below.

You are requested to attend.

Yours faithfully,

SUZANNE WYLIE

Chief Executive

## **AGENDA:**

1. **Routine Matters**
  - (a) Apologies
  - (b) Declarations of Interest
  
2. **Pre-Determination Hearing - LA04/2018/2470/O, LA04/2018/2464/F, LA04/2018/2445/LBC Mixed use regeneration and development of vacant surface level car park and refurbishment of existing listed Butchers building, including construction of new fixed use buildings (heights varying between 3-9 storeys comprising basement level car parking, ground floor retail/restaurant/coffee shop/workspace uses, with Grade A and SME offices above, provision of pedestrian accesses from Gresham and Winetavern Street; associated public realm, landscaping, associated plant, and all site and access works on vacant lands at existing level Carpark bounded by Winetavern Street Gresham Street and North Street, including 108 North Street and 1 Gresham Street** (Pages 1 - 52)



## PRE-DETERMINATION HEARING Development Management Officer Report

<b>Summary</b>	
<b>Application ID:</b> LA04/2018/2470/O, LA04/2018/2464/F, LA04/2018/2445/LBC	<b>Date of Committee:</b> Thursday 23 <sup>rd</sup> January 2020
<b>Proposals:</b> Mixed use regeneration and development of vacant surface level car park and refurbishment of existing listed Butchers building, with erection of new fixed use buildings (heights varying between 3-9 storeys). Proposal to comprise basement level car parking, ground floor retail/restaurant/coffee shop/workspace uses, with Grade A and SME offices above. Provision of new pedestrian accesses from Gresham and Winetavern Street; associated public realm, landscaping, associated plant, and all site and access works.	<b>Location:</b> Vacant lands at existing level Carpark bounded by Winetavern Street, Gresham Street and North Street including 108 North Street and 1 Gresham Street, Belfast.
<b>Referral Route: Major development</b>	
<b>Applicant Name and Address:</b> Bywater and Ashmour 46 James Street Marylebone London W1U 1EZ	<b>Agent Name and Address:</b> TSA Planning 20 May Street Belfast BT1 4NL
<p><b><u>Background</u></b></p> <p>This application was originally considered by the Planning Committee at its meeting on 11<sup>th</sup> June 2019. The Committee resolved to approve the application with conditions, delegated to the Director of Planning and Building Control to finalise the wording of conditions. Under the Planning (Notification of Applications) Direction 2017, it was also necessary to notify the Department for Infrastructure because the resolution to approve the application was contrary to the views of Department for Communities Historic Environment Division, a statutory consultee.</p> <p>On 6<sup>th</sup> December 2019, the Department for Infrastructure wrote to the Council to confirm that it does not consider it necessary for the application to be referred to it for determination. In such circumstances, Regulation 7(1) of the Planning (Development Management) Regulations (Northern Ireland) 2015 requires the Council to hold a pre-determination hearing to give the applicant and interested parties opportunity to appear before and be heard by a committee of the Council.</p> <p>The purpose of this report is to provide information for the Planning Committee to inform the pre-determination hearing in advance of the main meeting of the Planning Committee in order for the applicant and interested parties to be heard. The hearing will follow a similar format to the Planning Committee in that the officer will give an oral presentation of the applications and key issues. The applicant and interested parties will then have an opportunity to speak. The objective of the hearing will be to focus on the material planning considerations and explore these to facilitate the Planning Committee in making its determination on the application.</p>	

The original committee report, and for information purposes the accompanying Listed Building Consent and Full reports for works to the listed Butchers Building, of 11th June 2019 are appended to this report.

Department for Communities Historic Environment Division (HED) objected to the application. Their objections are set out in detail in the original committee report, appended. In summary, HED consider that the setting of the Listed Buildings in the vicinity of the site is affected adversely by the scale and massing of the new buildings.

Since the June Planning Committee meeting the Council has received no representations in relation to this application.

Following the pre-determination hearing, the planning application will be reconsidered and determined by the Planning Committee which will follow the hearing.

## Development Management Officer Report Committee Application

Summary	
<b>Committee Meeting Date: 11 June 2019</b>	
<b>Application ID: LA04/2018/2470/O</b>	
<p><b>Proposal:</b> Mixed use regeneration and development of vacant surface level car park and refurbishment of existing listed Butchers building, with erection of new fixed use buildings (heights varying between 3-9 storeys). Proposal to comprise basement level car parking, ground floor retail/restaurant/coffee shop/workspace uses, with Grade A and SME offices above. Provision of new pedestrian accesses from Gresham and Winetavern Street; associated public realm, landscaping, associated plant, and all site and access works.</p>	<p><b>Location:</b> Vacant lands at existing level Carpark bounded by Winetavern Street Gresham Street and North Street</p>
<b>Referral Route:</b> Major Application	
<b>Recommendation:</b> Approval	
<p><b>Applicant Name and Address:</b> Bywater and Ashmour 46 James Street Marylebone London W1U 1EZ</p>	<p><b>Agent Name and Address:</b> TSA Planning 20 May Street Belfast BT1 4NL</p>
<p><b>Executive Summary:</b> The application seeks outline planning permission for a mixed use regeneration and development of a surface level car park and refurbishment of existing listed 'Butchers' building, with erection of new fixed use buildings (heights varying between 3-9 storeys). Proposal to comprise basement level car parking, ground floor retail/restaurant/coffee shop/workspace uses, with Grade A and SME offices above. Provision of new pedestrian accesses from Gresham and Winetavern Street; associated public realm, landscaping, associated plant, and all site and access works.</p> <p>The key issues in the assessment of the proposed development include:</p> <ul style="list-style-type: none"> <li>- Principle of Development</li> <li>- Principle of Proposed Uses</li> <li>- Impact on Built Heritage</li> <li>- Scale, Massing and Design</li> <li>- Developer Contributions and Public Real Improvements</li> <li>- Impact on setting of nearby Conservation Areas</li> <li>- Traffic and Parking</li> <li>- Contaminated Land</li> <li>- Impact on Air Quality</li> </ul>	

- Impact on Amenity
- Drainage and Flooding
- Impact on Protected Sites
- Pre-application Community Consultation

The site lies within the northern part of the city centre, which is poorly defined in terms of land use and built form. The site is zoned as an opportunity site in the Draft Belfast Metropolitan Area Plan (Draft BMAP), and the proposal will renovate a listed three storey building and develop an adjoining surface level car park with a piece of high quality architecture that draws upon to the industrial heritage of the area, creating a well-defined public space and providing a landmark building on one of the main arterial routes into the city centre (North Street).

The mix of office, retail and workshops will add to the diversity of the city centre whilst bringing much needed regeneration of this area. The built form will be located on an expansive surface level car park thus creating a strong sense of place and defining a vacant space within what was a previously developed part of the city centre.

#### Consultees & Environmental Matters

**Environmental Health and DAERA Waste Management Unit** have requested further information in terms of ground investigation.

**DFC Historic Environment Division** – Objection

**DFI Roads** – No objection

**Rivers Agency** – No objection

**Belfast city Airport** – No objection

**Building Control** – No objection

No objections or third party representations have been received.

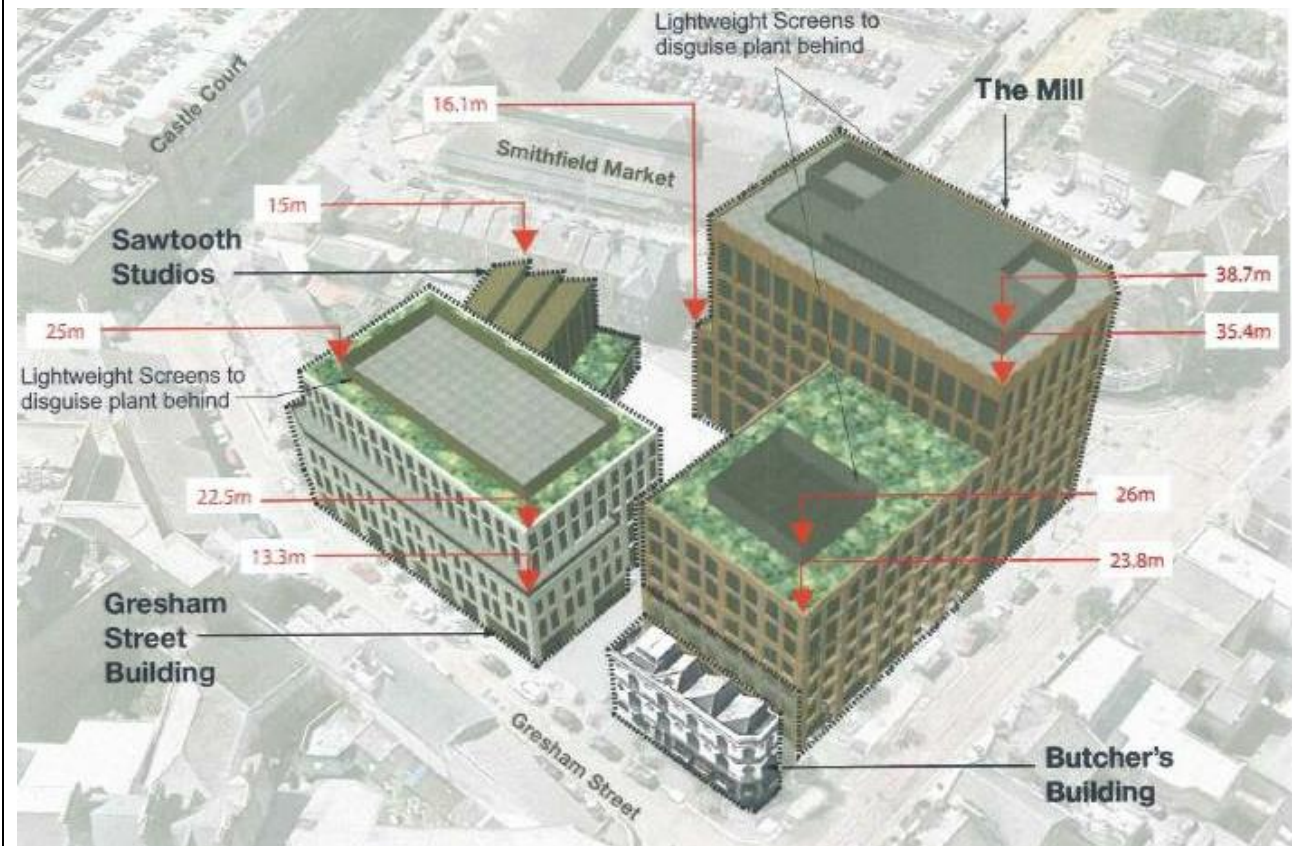
#### **Recommendation**

Having had regard to the extant development plan, the draft development plan, relevant planning policies, planning approvals in the area, economic benefits and other material considerations the proposed development is considered on balance acceptable.

It is recommended that delegated authority is given to the Director of Planning and Building Control to grant planning permission with conditions, including public realm improvements, details of which are to be submitted at reserved matters stage.

# Case Officer Report

## Site Location Plan



1.0	<b>Description of Proposed Development</b>
1.1	The proposal is for mixed use regeneration and development of vacant surface level car park and refurbishment of existing listed Butchers building, with erection of new fixed use buildings (heights varying between 3-9 storeys). Proposal to comprise basement level car parking, ground floor retail/restaurant/coffee shop/workspace uses, with Grade A and SME offices above. Provision of new pedestrian accesses from Gresham and Winetavern Street; associated public realm, landscaping, associated plant, and all site and access works. The proposal follows a perimeter block layout with three exposed elevations along Winetavern Street, North Street and Gresham Street, with the block abutting existing two and three storey terraces further south along both Winetavern Street and Gresham Street.
1.2	The site layout comprises two interlocked 'L' Blocks between which a central yard space is formed. This yard space is accessible from both Winetavern Street and Gresham Street, forming a continuous and permeable link through the block.
1.3	<p>The site layout plan provides indicative figures in terms of the proposed floor areas:</p> <ul style="list-style-type: none"> <li>- Gresham Street Building – 648 sqm Retail, food and beverage and 3,686 sqm of office space.</li> <li>- 'Mill Building' – 726 sqm Retail, food and beverage and 12,853 sqm of office space.</li> <li>- 'Butchers Building' – 120 sqm Retail, food and beverage and 318 sqm of office space (subject to parallel change of Use Application LA04/2018/2464/F).</li> <li>- 'Sawtooth Building' – 276 sqm workspace and 574 sqm of office space.</li> </ul> <p>Indicative building heights have also been shown:</p> <ul style="list-style-type: none"> <li>- North Street – 23.8m to shoulder of building (26m including plant)</li> <li>- Gresham Street – 13.3m to shoulder of building, 22.5 to roof (25m including plant)</li> <li>- Winetavern Street – 35.4m to shoulder of building, (38.7m including plant)</li> </ul>
2.0	<b>Description of Site</b>
2.1	The site is currently a surface level car park site. Established three storey listed 'Butchers Building' located in north-east corner of site (listed in April 2016 as a result of a Building Preservation Notice served by the Council).
2.2	<p>The following zonings apply to the site:</p> <ul style="list-style-type: none"> <li>- Belfast Urban Area Plan – The eastern part of the site is located within the Main Office Area.</li> <li>- Draft Belfast Metropolitan Area Plan (2004) – All but a small section of the North Street frontage located within a Development Opportunity Site (CC035), within the Main Office Area and Primary Retail Core. The site also lies within the 'Old City' Character Area CC012.</li> <li>- Draft Belfast Metropolitan Area Plan (2015) – Site located within a larger development opportunity site (CC016) and within the 'Old City' Character Area CC009.</li> </ul>
<b>Planning Assessment of Policy and other Material Considerations</b>	
3.0	<b>Planning History</b>
3.1	LA04/2018/2464/F – Alteration and extension of existing listed building including change of use from retail (all floors) to café/restaurant at ground floor and office at first and second floors with all associated site works. Decision: Current application



3.2	LA04/2018/2445/LBC - Internal and external alterations to existing building to facilitate a change of use and extension. Decision: Current Application
4.0	Policy Framework
4.1	Belfast Urban Area Plan 2001 Draft Belfast Metropolitan Area Plan 2015 (purported to be adopted_ Draft Belfast Metropolitan Area Plan 2004 Public Local Inquiry into Objections to the Belfast Metropolitan Area Plan 2015 Part 2 'Report on Belfast City Council Area'
4.2	Regional Development Strategy Strategic Planning Policy Statement for Northern Ireland Planning Policy Statement 2 – Natural Heritage Planning Policy Statement 3 - Access, Movement and Parking Planning Policy Statement 4 – Planning and Economic Development Policy Statement 6 - Planning, Archaeology and the Built Heritage Planning Policy Statement 13 – Transportation and Landuse Planning Policy Statement 15 – Planning and Flood Risk Development Control Advice Note 4 – Restaurants, Cafes and Fast Food Outlets
5.0	Statutory Consultees Historic Environment Division - Objection DFI Roads – Approval subject to conditions DAERA – Further information requested Rivers Agency – No objections Belfast City Airport – No objections Shared Environmental Services – No Objections
6.0	Non-Statutory Consultees Environmental Health BCC – Further information requested Urban Design Officer – No Objections
7.0	Representations No objections have been received.
8.0	Other Material Considerations The Belfast Agenda Inner North-West Masterplan
9.0	Assessment
9.1	The key issues in the assessment of the proposed development include: <ul style="list-style-type: none"> <li>- Principle of Development</li> <li>- Principle of Proposed Uses</li> <li>- Impact on Built Heritage</li> <li>- Scale, Massing and Design</li> <li>- Developer Contributions and Public Real Improvements</li> <li>- Impact on setting of nearby Conservation Areas</li> <li>- Traffic and Parking</li> <li>- Contaminated Land</li> <li>- Impact on Air Quality</li> <li>- Impact on Amenity</li> <li>- Drainage and Flooding</li> <li>- Impact on Protected Sites</li> <li>- Pre-application Community Consultation</li> </ul>
9.2	<b>Principle of Development</b> Following the recent Court of Appeal decision on Belfast Metropolitan Area Plan, the extant development plan is now the Belfast Urban Area Plan. However, given the stage at which the Draft Belfast Metropolitan Area Plan (Draft BMAP) had reached pre-

	<p>adoption through a period of independent examination, the policies within the Draft BMAP still carry weight and are a material consideration in the determination of planning applications. The weight to be afforded is a matter of judgement for the decision maker. 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.</p>
9.3	<p>Given the advanced stage that BMAP 2015 reached (i.e. pre-adoption following a period of independent examination), and that the only areas of contention were policies relating to Sprucefield Shopping Centre, BMAP 2015 is considered to hold significant weight.</p>
9.4	<p><i>Belfast Urban Area Plan (BUAP)</i> The site is located on unzoned whiteland within the development limits of Belfast. The eastern part of the site is located within the Main Office Area.</p>
9.5	<p><i>Draft BMAP (2004 and 2014 versions) designations</i> In the draft Belfast Metropolitan Area Plan 2015 (2014 version) the site lies within a Development Opportunity site (C0016) and within the Old City Character Area (CC009). In the 2004 version of Draft BMAP, the site is also located within a development opportunity site (CC035) and Old City Character Area (CC012).</p>
9.6	<p>Although no key site requirements are set out for the site within the 2014 draft BMAP as far as the development opportunity site is concerned, in the 2004 Plan one of the key site requirements is that ground floor uses shall only be retail.</p>
9.7	<p>Draft BMAP 2015 sets out a number of Urban Design Criteria for the Old City Character Area:</p> <ul style="list-style-type: none"> <li>- 'The density of development in the area shall be maintained and increased where appropriate, through high site coverage and high plot ratio';</li> <li>- <i>This is a brownfield development opportunity site and thus something of a blank canvas. The concept revolves around the creation of a public space bounded by landmark buildings, as opposed to covering the site. This promotes legibility and helps create a space, defining an area in terms of architecture and land uses where there is currently little in the way of a strong built character or sense of place.</i></li> <li>- 'Development proposals shall take account of the height of adjoining buildings';</li> <li>- <i>This shall be discussed further below under 'Scale, Massing and Design'. As stated above this is a development opportunity site. Given its expanse and location there is no reason as to why a high quality scheme with a strong conceptual approach, in this case based on the sites industrial heritage, should be 2/3 storeys to respect the immediate built form. Buildings step down in scale along the secondary streets to reflect the more domestic scale of development in these locations.</i></li> <li>- 'New development shall respect the established building line';</li> <li>- <i>All buildings front onto the footpath and respect the established building lines along North Street, Winetavern Street and Gresham Street.</i></li> <li>- 'Building heights shall be a minimum of 3 storeys and a maximum of 5 storeys with use of articulated roof forms reinforcing traditional character. Consistent cornice lines should be respected';</li> <li>- <i>Again this will be discussed further below. The detailed design will be subject for consideration at the reserved matter stage. In terms of the building heights the Gresham Street block is in keeping with the 5 storey requirement. The North</i></li> </ul>

	<p><i>Street block is slightly higher at 6 storeys, rising to 9 on Winetavern Street. This has been informed by a robust conceptual approach on what is a development opportunity site on a key arterial route into the city centre.</i></p> <ul style="list-style-type: none"> <li>- <i>'Development shall be fine grain in nature, and aim to reflect traditional plot widths. The façade of larger development proposals shall be broken up visually to reflect the scale of traditional units';</i></li> <li>- <i>Consideration has been given to breaking up the massing of the mill building to address the setting of the listed butchers building, which is welcomed. An attempt has also been made to break up the facades of those larger blocks through the articulation of bays to reflect the scale of surrounding traditional units. The building arrangement within the proposed layout takes cognisance of the general plot widths and urban grain of the surrounding area.</i></li> <li>- <i>'Within the area bounded by North Street, Millfield, Berry Street and Royal Avenue, comprehensive development proposals will be acceptable subject to an enhanced public realm and the creation of streets which reinstate the historic urban grain and secure east/west and north/south linkages, including links through Castlecourt'.</i></li> <li>- <i>The site layout results in two interlocked 'L' Blocks between which a central yard space is formed. This yard space is accessible from both Winetavern Street and Gresham Street, forming a continuous and permeable link through the block. It is also noted that both entrances to the yard would be flanked by one new building and one historic building, namely the three storey terrace (Nos. 5-23) in the case of Winetavern Street and the Butchers Building at Gresham Street. The proportions of both entrances pick up contextually on the old entries of Belfast with the yard space itself providing spill out space for proposed GF uses. The more domestic scale of the Sawtooth Studios, which aligns the southern edge of this central space, would allow for greater light penetration.</i></li> </ul> <p><b>Objections to Designations in Draft BMAP 2015</b></p> <p>9.8 <i>Retail</i>  There were some general objections to the extent of the Primary Retail Core designation. The PAC recommended that the Retail Core be reduced accordingly. This amendment does not affect the site and should the draft Plan 2004 be adopted it would remain in the Primary Retail Core. The presumption remains in favour of retail development.</p> <p>9.9 <i>Offices</i>  The PAC concluded in their report that there is no need for a Main Office Area in Belfast and that offices should be allowed throughout the defined City Centre. This does not affect the proposal in that it is located in the defined City Centre and as such the presumption remains in favour of office development at this location.</p> <p>9.10 <i>Character Areas</i>  There were both general and more specific objections raised in relation to the draft Character Areas. The PAC recommended no change to the Plan as a result of the general objections. In terms of the specific objections to the Old City Character Area, within which the site is located, they commented that the Department (DoE) were willing to amend the second bullet point (minimum height of 3 storeys and maximum of 5 storeys) to allow departure from specified heights in exceptional circumstances, where a design statement and visual impact assessment were submitted. The PAC recommended that under the 'Elsewhere' Key Site Requirements the following should be added:</p>
--	--

9.11	<p><i>‘Within the area bounded by North Street, Millfield, Berry Street and Royal Avenue, comprehensive development proposals will be acceptable subject to an enhanced public realm and the creation of streets which reinstate the historic urban grain and secure east/west and north/south linkages, including links through Castlecourt’.</i></p>
9.12	<p><b>Development Opportunity Sites</b>  In terms of the Development Opportunity Site designation relating to this application (CC035) the PAC recommended that Castle Court be removed on the basis of an objection. It was also recommended that the Key Site Requirement relating to retail development be removed as the site lies within the Primary Retail Core and that buildings along North Street are included within the Development Opportunity Site.</p>
9.13	<p><b>Prematurity to the emerging BMAP and Local Development Plan</b>  As a result of the aforementioned Judicial Review (para 9.2) the pre-adopted version of BMAP 2015 is an emerging plan. This has led to a scenario where Belfast now has two emerging Area Plans, the draft BMAP and the Draft Local Development Plan Strategy. In light of this any planning decision made at the moment has the potential to be premature to these two emerging plans.</p>
9.14	<p>For example such a course of action would be appropriate where development proposals, either individually or cumulatively:</p> <ul style="list-style-type: none"> <li>- would prejudice the ability of the emerging new or replacement development plan to achieve or retain general conformity with the RDS; or</li> <li>- would prejudice the outcome of the plan process by predetermining decisions that ought properly to be taken following full consideration of the relevant issues in the context of a public inquiry.</li> </ul>
9.15	<p>Where a plan is at the draft plan stage but no objections have been lodged to relevant proposals then considerable weight should be attached to those proposals because of the strong possibility that they will be adopted and replace those in the existing plan.</p>
9.16	<p>In terms of the emerging Local Development Plan the argument is more straight forward. Where an LDP is at the consultation stage with no early prospect of submission for examination, then refusal on prematurity grounds would be seldom justified.</p>
9.17	<p><b>Inner North West Masterplan</b>  The site sits within the heart of the Inner North West (INW) Masterplan area and would serve as a catalyst for future development. The INW Masterplan seeks to create a high quality built environment to foster a mixed use neighbourhood with both residential and employment uses.</p> <ul style="list-style-type: none"> <li>- The site layout as proposed largely conforms to the good practice place making principles and core objectives advocated within the INW Masterplan, which is welcomed.</li> <li>- The street hierarchies identified within the INW Masterplan are reinforced by the site layout in relation to the proposed built form and arrangement of land uses.</li> </ul>
9.18	<p><b>Principle of Proposed Uses</b>  <b>Office Use</b>  The main use within the proposed buildings is offices, which apart from the ground floor, occupy the entirety of the three blocks on Gresham Street, North Street and Winetavern Street. The thrust of the Strategic policy within the SPPS BUAP and the draft BMAPs is to direct office development towards the city centre, thus strengthening the city centre economy and ensuring accessible employment. The eastern part of the site is located within the ‘Main Office Area’ in the BUAP and the site lies within the defined City Centre</p>

	<p>in draft BMAP, and as such the presumption is in favour of office development at this location. The proposal is also consistent with Policy PED1 of PPS4, Planning and Economic Development.</p>
9.19	<p><i>Retail Use</i></p> <p>Similarly, the retail use in the ground floor units is very much in keeping with the SPPS and the thrust of the BUAP and Draft BMAP policies. One of the main objectives of the SPPS in terms of retail development is to 'secure a town centres first approach for the location of future retailing and other main town centre uses'. The site is located within not only the city centre but also the primary retail core, where retail use at ground floor level is actively encouraged. This will help create an active ground floor frontage onto Winetavern Street, North Street and Gresham Street, assist in the regeneration of this area and increase the vitality and viability of Belfast's city centre. In particular North Street will benefit significantly from the creation of a retail frontage given its high level of ground floor vacancies.</p>
9.20	<p><i>Restaurants and Cafes</i></p> <p>The indicative ground floor plan shows a number of units along Winetavern Street labelled Retail/ F&amp;B (Food and Beverage). The addition of cafes/ restaurants at ground floor level will enhance the diversity of the area and further ensure the active ground floor frontage. This use is obviously common within the city centre and its mix with retail units should ensure that any proliferation of cafes/ hot food units should not be so significant as to become a problem in terms of potential amenity issues. In terms of any potential impact on the amenity of the offices above, Environmental Health have not raised any significant objections, and it should be noted that this is an outline application and the detail, in terms of end user and specific cooking/ ventilation arrangements, would be the subject of further detailed consideration at reserved matters stage. This will be discussed in further detail below at paragraph 9.53.</p>
9.21	<p><b>Impact on Built Heritage</b></p> <p>The application impacts upon a listed building at 108 North Street &amp; 1 Gresham Street (Grade B1) and it is also in close proximity to and impacts on the setting of the following listed buildings, which are of special architectural and historic interest, protected by Section 80 of the Planning Act (NI) 2011:</p> <p>HB26/50/068 103-107 Royal Avenue &amp; 77-79 North Street, Belfast B1  HB26/50/184 76-88 Royal Avenue and 104 North Street, Belfast B1  HB26/50/186B 93-101 Royal Avenue, Belfast B2  HB26/50/317 156-164 North Street, Belfast B2  HB26/50/334 166-174 North Street, Belfast B2</p>
9.22	<p>DfC Historic Environment Division (HED) has considered the impact of the proposal on the listed buildings and on the basis of the information submitted to date state that it fails to satisfy the requirements of paragraphs 6.12 &amp; 6.13 of SPPS (NI) and polices BH7, BH8 and BH11 of PPS6. HED consider that the setting of the Listed Buildings in the vicinity of the site is affected adversely by the scale and massing of the new buildings.</p>
9.23	<p>Although the shoulder height of the North Street block has been reduced by the applicant, HED have stated that the effect of retaining the same number of floors on the nine storey block whilst reducing the overall height has impacted detrimentally on the overall composition and on the proportion of openings.</p>
9.24	<p>HED have acknowledged that the design concept, of the old mill buildings and reference to the city's historic fabric, is strong, however they have expressed concerns that the scaling up of these forms render the proposal incongruous within the setting of the listed</p>

	buildings. They have however stated that ' <i>The modern reinterpretation of these forms in terms of facade treatment is acceptable.....</i> '. They also note that the proposals address the historic environment around this site with respect to the plot widths but maintain their objection in terms of heights of proposed buildings.
9.25	HED have acknowledged that the lower 'Gresham Building' on Gresham Street with the three-storey plinth is more appropriate to the scale of the adjacent Listed Building and its surroundings and the design has articulated and broken up the massing such that it is more acceptable and the treatment of the façades relates better to the surrounding plot widths.
9.26	In terms of the impact of the built form immediately abutting the listed Butchers Building HED Historic Buildings advise that the proposed link to the west of the Listed Building complies, in principle, with policy because the majority of the west gable was abutted by a terrace that has since been demolished. The extension of the listed building and the proposed 'link' to the wider development of the site is the subject of parallel applications LA04/2018/2464/F and LA04/2018/2445/LBC. However HED feel that the 'link block' on North Street, the listed building extension subject to the above applications, is too narrow to allow sufficient space for the Listed Building.
9.27	It is acknowledged that a considerable built form is being introduced beside what is currently a very isolated listed structure. In many ways the existing setting can be viewed as somewhat negative, isolating the listed building whilst accentuating its narrow plan form.
9.28	As recognised by HED, the western gable of the building was previously abutted by a terrace, albeit of a much smaller scale. Having said this there is planning gain to be had by the re-introduction of a built form in this area adjacent to the listed building, and it is not unusual in a developing city to have a modern built form cheek to jowl with a traditional building. The issue here is that of scale, given that it is an outline application and lacks a significant level of detail in terms of design. As stated it has been acknowledged by HED that given the previous terraced row along North Street the principle of a built form at this location is acceptable.
9.29	In response to previous concerns about overall scale and massing the floor to ceiling heights throughout the entire scheme were reduced. This enabled a reduction in terms of overall height along North Street from 27.5m to 23.8m (shoulder height). This has reduced the impact on the listed building, although admittedly not significantly, but the reduction in overall massing will no doubt change how one experiences the listed building, particularly from street level along North Street. Following on from this an attempt has been made to architecturally acknowledge the adjacent listed building on north Street with the introduction of a step in the building between second and third floor levels which reflects the eaves height of the butchers building. Further work on the massing and architectural treatment of the nearside building will be required to ensure that an appropriate setting to the listed Butcher's Building is provided. This would be dealt with at reserved matters stage.
9.30	<b>Archaeology</b> The application site is located within the Belfast Area of Archaeological Potential (AAP), as defined within the Belfast Metropolitan Area Plan (BMAP) 2015. This AAP defines the historic core of the settlement of Belfast and aims to protect the above- and belowground archaeological remains.
9.31	The proposed development site is within an area of historic Belfast which underwent significant expansion and development between the seventeenth and nineteenth

	centuries. Thomas Phillips' 1685 map of Belfast shows the proposed development area in the latter part of the seventeenth century and highlights street frontages along North Street with garden plots to the rear. The mid-seventeenth century town defences, which took the form of a water-filled ditch and internal bank, are also clearly indicated in the vicinity of the proposed development area.
9.32	The proposed development area has potential to contain extensive and complex below ground archaeological remains of the historic settlement. Consequently, archaeological mitigation is required in advance of site works.
9.33	HED Historic Monuments (HED: HM) has considered the impacts of the proposal. HED: HM is content that the proposal satisfies PPS 6 policy requirements, subject to conditions for 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 in situ, as per Policy BH 4 of PPS 6. Historic Monuments Unit have requested that should planning permission be granted a number of conditions are attached to identify and record any archaeological remains in advance of new construction, or to provide for their preservation <i>in situ</i> , as stated below at 11.18-11.19.
	<b>Scale, Massing and Design</b>
9.34	With a proposal of this nature, a key issue is the overall scale and massing and how it relates to its context.
9.35	The Urban Design Officer has recognised that <i>'historically the site was subject to high plot coverage with continuous frontage along all three streets. The block arrangement as proposed generally picks up contextually on those plots in surrounding streets with the larger Mill block being a nod to the mill buildings of Belfast's industrial past'</i> , a conceptual approach welcomed by HED. To assume a low density/ low-rise scheme would be more appropriate or indeed viable, on what is a development opportunity site (as designated in draft BMAP) within Belfast's city centre, is somewhat unrealistic. The desire is to create a strong sense of place, on what is an expanse of land which provides ample opportunity to do so, providing a landmark building which acknowledges the industrial heritage of this part of the city.
9.36	
9.37	In terms of the layout and the hierarchy of built form, with the longest elevation on North Street, and the tallest element sited at the junction of North Street and Winetavern Street. The Urban Design Officer states that <i>'This would seem appropriate and reflect the primacy of North Street (over both Winetavern Street and Gresham Street) and the role it plays as an arterial route/gateway to the city'</i> . There is a notable stepping down from this larger 'landmark' element to the more domestic scale of the terrace along Winetavern Street. This has been achieved by a five storey drop in built form adjacent to the established three storey terrace, its gable end located approximately 11m from the edge of the building. Similarly this stepping down of scale on the more domestically scaled secondary streets is evident on Winetavern Street with a five storey building, of which the top two floors are set back, ensuring a shoulder height very much in keeping with the existing streetscape. The transition from the taller (9 storey) corner element on North Street to the three storey listed 'Butchers Building' has also been achieved by a considerable reduction in height. This is acknowledged by the Urban Design Officer who observes that the proposed 'Mill Building' has <i>'been treated as two distinct components in an effort to break up the massing and bridge the scale/height differential between the listed Butchers Building and the taller corner element'</i> . The proposed Sawtooth Studios, although located internally within the site and arguably having less of an impact on the streetscape, do provide an appropriate transition in scale from the larger blocks to the north and the existing domestically scaled fabric to the south.

	<p>As far as the detailed design is concerned, the indicative elevations and visuals have shown a desire to break up the facades of the larger blocks through articulation of bays to reflect the scale of surrounding traditional units. The specific detailing of the façade design, including materials, will be considered further at Reserved Matters stage.</p>
9.38	<p>Specifically in relation to the overall massing concerns have been raised throughout the application process around the extent of the proposed rooftop plant on each of the three main buildings. Of particular concern is the tallest part of the ‘Mill Building’ on Winetavern Street, where the indicative elevations show a plant enclosure approximately 3m high occupying most of the roof-top. This increases the massing of the building significantly, on what is already a substantial built form. As a result this aspect of the proposal should not form part of the approval and should be considered further at Reserved Matters stage when the plant will be designed with the proposed end use in mind. Outline approval should be conditioned so that the shoulder height of the buildings should be no higher than indicated on the drawing, excluding plant.</p>
9.39	<p><b>Developer Contributions and Public Real Improvements</b></p> <p>In this instance developer contributions are to be sought in the form of public realm improvements in the vicinity of the site. These will enhance the proposal whilst providing much needed public realm in this part of the city centre. As this is an outline application no details of the public realm improvements have been provided, nor are they necessary at this stage. These details will be conditioned to form part of the Reserved Matters application, with their delivery required prior to occupation of the development. This condition is detailed below at 11.6.</p>
9.40	<p>The proposal also includes the creation of a ‘Central Yard’, surrounded by the proposed built form and dissected by a pedestrian link which will run east to west from Gresham Street through to Winetavern Street.</p>
9.41	<p>The Urban Design Officer has analysed historic maps and plans and states that <i>‘the site has historically been subject to high plot coverage with a continuous frontage along all three streets. Successive redevelopment has seen a degree of open space being provided centrally within the block, which culminated in the provision of a bus station during the early 1900’s serving the busy North Street arterial route’</i>.</p>
9.42	<p>The Urban Design Officer goes on to say <i>‘It is also noted that both entrances to the yard would be flanked by one new building and one historic building, namely the three storey terrace (Nos. 5-23) in the case of Winetavern Street and the Butchers Building at Gresham Street. The proportions of both entrances pick up contextually on the old entries of Belfast with the yard space itself providing spill out space for proposed GF uses. The more domestic scale of the Sawtooth Studios, which aligns the southern edge of this central space, would allow for greater light penetration’</i>.</p>
9.43	<p><b>Impact on setting of nearby Conservation Areas</b></p> <p>The proposal has been assessed against Policy BH 12 of PPS6 which states that development proposals for new buildings..... which impact on the setting of a conservation area, will only be permitted where important views within, into and out of the area are protected.</p>
9.44	<p>The north-east corner of the site is located approximately 20m from the north-western boundary of the City Centre Conservation Area and 50m from the southern boundary of the Cathedral Conservation Area, both of which meet at the end of Royal Avenue close to the landmark Bank of Ireland Building.</p>



9.45	<p>The extent of the City Centre Conservation Area tapers off to a point north of THE Castle Court Building and to the west of the junction of Royal Avenue and North Street. The western side of the conservation area on the northward approach to the junction of North Street/ Royal Avenue is very much defined by the modern Castle Court Building and given the location of the site in relation to this movement out of the conservation area the new build should not be visually interlinked with ones views from within the conservation area when travelling north towards the Bank of Ireland.</p>
9.46	<p>In terms of the approach towards both the conservation areas the main views in affected by the proposal would be from the north-west along North Street. These views however are limited in that the only buildings within the City Centre Conservation Area and Cathedral Conservations Areas visible from this approach are the Sinclair House Building and 103-107 Royal Avenue on Royal Avenue/ North Street junction. It is also worth noting that the modern flat roof buildings along the northern side of North Street characterise the immediate approach to the conservation areas and introducing a high quality building of traditional finishes and proportions, albeit of significant scale, should not be of detriment to this approach from North Street to Royal Avenue.</p>
9.47	<p>In terms of the impact on views from with the Conservation Areas, these will be limited given the distance from the edge of the Conservation Areas and the high built from to the edge of these areas. Arguably the only views of the site will be from the junction of North Street and Royal Avenue towards the site which falls just within the City Centre Conservation Area. Given the peripheral nature of what will be a fleeting view there will be no significant impact on how one experiences the conservation area.</p>
9.48	<p><b>Traffic and Parking</b></p> <p>The proposal includes a level of basement parking, as indicated on the 'Outline Basement Plan'. This shows a total of 25 spaces and includes a bicycle storage parking area. DFI Roads have reviewed all supporting documentation and have offered no objections to the proposal, recommending a number of planning conditions be attached should permission be granted. These are detailed below at 11.7-11.10.</p>
9.49	<p><b>Impact on amenity</b></p> <p>The introduction of a substantial built form such as that proposed will inevitably have an impact on properties lying within the vicinity of the site. Having said this only one of the adjacent properties, not within the applicant's control, has a residential use. This property is located at the northern end of the established three storey terraced block which fronts onto Winetavern Street. This block has a mix of uses at ground floor, with some of the units abandoned. The Confectionary shop immediately behind the proposed 'sawtooth building' having a residential unit above. Although the main bulk of the 'sawtooth building' has an indicative ridge height of 15m the building drops significantly to the rear of said property with a flat roof indicative ridge height of approximately 4.5m. Although some loss of light as a result of the buildings proximity to the property will be inevitable, the orientation and the reduction in the height immediately behind the property should mean that any impact on amenity will not be significant.</p>
9.50	<p>Elsewhere, separation distances from proposed built form onto street frontage properties on North Street (20m) and Winetavern Street (15m) should be sufficient in terms of avoiding any unduly significant over dominance. On Gresham Street, where the separation distances are lowest given a street width of 12m, the shoulder height of three storeys with a two storey setback should ensure there is no loss of amenity to the properties to the eastern side of the street. It should be added that this is a vacant inner city site which would normally be occupied by substantial buildings with a continuous and uninterrupted street frontage.</p>

9.51	<p><i>Odour</i></p> <p>It is noted that the current proposals include restaurant and café uses. The drawings submitted include a number of units marked retail /F&amp;B. Subsequently there is the potential to affect the amenity of the proposed office units above, and to a lesser extent neighbouring premises.</p>
9.52	<p>Environmental Health Department has acknowledged that no details have been provided on the exact location of the proposed restaurants and coffee shops and the drawings submitted do not include details of the location and height of discharge of the proposed kitchen extractor flues. However, these are details that would normally be submitted at Reserved Matter stage, would include the location of the restaurants and coffee shops and the location and height of discharge of the proposed commercial kitchen extractor flue(s). Subsequently a condition should be attached to any approval ensuring the submission of these details and the implementation of the approved odour extraction system prior to occupation of the building. This condition is detailed below at 11.15.</p>
9.53	<p><i>Noise</i></p> <p>The Environmental Health Department has reviewed the RPS Noise &amp; Vibration Assessment "Mixed use Development, Wine tavern Street, Belfast.</p>
9.54	<p>The assessment focused primarily on the potential noise and vibration impact associated with the construction activities and the potential plant /equipment noise impacts associated with the operation of the proposed development.</p>
9.55	<p>Noise monitoring was conducted in the vicinity of the proposed development site.</p>
9.56	<p><i>Construction Phase</i></p> <p>Predicted worst case noise levels at a range of the nearest noise sensitive properties as a result of the proposed development indicate that there is potential for significant noise impacts at the nearest noise sensitive properties if suitable mitigation measures are not put in place. The report recommends that a temporary noise barrier should be fixed at ground level at the boundary of the site. The exact location of this noise barrier will be included in a detailed construction plan for the site. Furthermore the report advised that the construction plan should include a range of measures aimed at reducing the potential noise impacts on the nearest receptors to the proposed development.</p>
9.57	<p>In view of the size of the proposed development as well as the built-up location of the site, Environmental Health Department has recommended that a condition is attached, detailed below at 11.16, requiring the submission of a Construction Management Plan.</p>
9.58	<p><i>Plant Noise</i></p> <p>From the drawings submitted It is noted that the proposal includes substantial roof top plant. Given that this is an outline application no detail of the location of plant and equipment associated with the ground floor uses are included. The Noise Impact Assessment reports that the precise details on the location or exact specification of plant/equipment are unknown and it is not therefore possible to assess any potential impacts from such plant/equipment. The report has determined the appropriate noise threshold limits for plant and equipment at the nearest noise sensitive properties. The report concludes that a more detailed acoustic modelling of plant/equipment will be conducted at the detailed design stage when the exact location and specification of the various items of plant/equipment are known. Based on the information submitted Environmental Health have suggested that a condition is attached should permission be granted, as detailed below at 11.17.</p>

9.59	The report has not included the potential noise impact associated with service deliveries and collections. Environmental Health have subsequently requested that a condition is attached to any approval limiting times of service collection and delivery. This condition is detailed below at 11.22.
9.60	<p><b>Contamination</b></p> <p>DAERA and Environmental Health Service has reviewed the RPS report entitled “Preliminary Risk Assessment mixed use development, Winetavern Street Belfast” report number 1br111/Oct 2018.</p>
9.61	The report has identified a number of on site and off site potential sources of contamination. These include the historic onsite use as a bus depot, and potential made ground organic matter below the site and the off-site sources include textile and foundry. Other historic sources of contamination were identified.
9.62	The conceptual model has not considered all the pollutant pathways associated with poor quality made ground below the site. The report has however identified a potential gas risk associated with made ground and highly organic soils and that this requires further investigation. It should be noted that there are limitations in terms of the active uses on the site, both the existing car park and ‘Butchers Building’, which ultimately have inhibited further investigative works. With this being an outline application the opportunity exists to carry out further investigations prior to the submission of a Reserved Matters application. These further investigations will then inform a remediation Strategy, if required.
9.63	Section 9.2 of the RPS report outlines the further site investigation proposed which includes soil analysis and ground water monitoring. Again, given that this is an outline application, this is something which can be further assessed at Reserved Matter stage. Environmental Health Department have stated that Ground Gas monitoring has not been included within the proposed site investigation.
9.64	With respect to the soil analysis it is noted that asbestos has not been included within the sweep of chemical analysis proposed. Environmental Health Department have also sought clarification as to why asbestos has not been considered as a contaminant of concern.
9.65	Similarly DAERA have acknowledged the that the Preliminary Risk Assessment identifies the requirements for site investigation and further risk assessment for the potential on-site land contamination risks, however no intrusive site investigations have been undertaken in support of this application.
9.66	Given the levels of uncertainty expressed by Environmental Health Department and DAERA, and bearing in mind this is an outline application, a condition is attached to ensure that an updated Preliminary Risk Assessment is submitted at Reserved Matters stage, with a Phase 2 Quantitative Risk Assessment to be submitted based on these further preliminary investigations. Such a condition is outlined below at 11.11.
9.67	<p><b>Impact on Air Quality</b></p> <p>Environmental Health Service has received and reviewed the RPS: Air Quality Impact Assessment, Winetavern Street, Belfast (October 2018).</p>
9.68	The consultant has undertaken a detailed dispersion model using CERC ADMS Roads to assess the existing air quality situation in the vicinity of the site and to assess the impact of the proposed development on local air quality. The consultant has assessed the predicted impact of the proposed development on human health in terms of nitrogen dioxide and particulate matter using background data from Lombard Street AURN site.

	<p>The consultant has stated within the air quality assessment that changes in road vehicle emissions were the most important consideration during the operational phase of the development. Modelled results have demonstrated that the impact of additional transport emissions associated with the development will not be significant in terms of nitrogen dioxide and particulate matter concentrations. In addition, the modelling data indicates that none of the local sensitive receptors will experience breaches of the nitrogen dioxide and particulate matter air quality objectives.</p>
9.69	<p>However, the submitted assessment has not considered the impact of combustion sources on the nearest relevant receptors. The consultant has stated that at this stage further details of the proposed heating systems are not defined. However they do state that the heat generation will be via gas boilers. Therefore Environmental health have requested that a condition is added, should outline permission be granted, as detailed at 11.14 below.</p>
9.70	<p>Furthermore, the consultant has identified the potential for dust emissions associated with the development. The consultant has indicated that with the implementation of suitable mitigation measures, the potential for dust impact will be much reduced. However, as the site was categorised as <i>High Risk</i> in accordance with the <i>Guidance on the assessment of dust from demolition and construction IAQM</i>, Environmental health Department has requested that the mitigation measures as outlined in section 1.5 of the RPS report are adopted into a Dust Management Plan prepared for the development. This should be incorporated into the condition Construction Management Plan</p>
9.71	<p><b>Drainage and Flooding</b></p> <p>The Strategic Flood Map (NI) indicates that the development <b>does not</b> lie within the 1 in 100 year fluvial or 1 in 200 year coastal flood plain. Hence DfI Rivers would have no specific reason to object to the proposed development from a drainage or flood risk perspective.</p> <p>Due to the size and nature of the development as well the development being partially within a predicted flooded area according to Flood Maps NI, FLD3 of PPS15 applies. As this is an outline application and Rivers Agency have no objections from a drainage perspective a Drainage assessment can be conditioned, should outline planning permission be granted. This condition is detailed below at 11.20.</p>
9.72	<p><b>Impact on Protected Sites</b></p> <p>The potential impact of this proposal on Special Protection Areas, Special Areas of Conservation and Ramsar sites has been assessed in accordance with the requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended). The proposal would not be likely to have a significant effect on the features of any European site.</p>
9.73	<p>DAERA Natural Environment Division has considered the impacts of the proposal on designated sites and other natural heritage interests and, on the basis of the information provided, has no concerns.</p>
9.74	<p>Shared Environmental Services have stated that should any land or ground water contamination is found during the intrusive ground investigation at Reserved Matters stage, SES should be re-consulted in order to assess potential impacts of this on any designated European Site.</p>
9.75	<p><b>Pre-application Community Consultation</b></p> <p>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</p>

<p>9.76</p> <p>9.77</p> <p>9.78</p> <p>9.79</p>	<p>duty on applicant for planning permission to consult the community in advance of submitting an application.</p> <p>Section 27 also requires that a prospective applicant, prior to submitting a major applications 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 (LA04/2018/1671/PAN) was submitted to the Council on 28<sup>th</sup> June 2018.</p> <p>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> <p>A Pre Application Community Consultation Report has been submitted in support of this application. The Report has confirmed the following:</p> <ul style="list-style-type: none"> <li>- A public exhibition was also held at the listed 'Butchers Building' on four separate days in September 2018 with staggered start and finish times ensuring that it was fully accessible to a wide range of groups and demographics.</li> <li>- Events were advertised in the Belfast Telegraph and Irish News on 20<sup>th</sup> August 2018.</li> <li>- 1000 leaflets were distributed to business and residential properties on 35 streets in the surrounding area including Donegall Street, Royal Avenue, Peters Hill, Clifton Street and Trinity Street. Information on the flyers included details of the community consultation exhibition.</li> <li>- Over a three month period meetings were held between the development team and elected representatives from North Belfast assembly Constituency and North Belfast Westminster Constituency.</li> <li>- In summary the pre-application community consultation process involved a large number of groups including North Belfast MLAs, stakeholder, community and business groups.</li> <li>- An estimated 200 people attended the public exhibition and 42 comment cards were completed. 40 people commented positively and 2 were unsure.</li> <li>- In response to concerns raised during and after the public consultation the development team have provided evidence to answer any questions and contacted the consultees accordingly.</li> </ul> <p>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.</p>
<p>10.0</p> <p>10.1</p>	<p>Summary of Recommendation:</p> <p>It is recommended that outline planning permission be granted subject to conditions on the basis that:</p>

10.2	<ul style="list-style-type: none"> <li>- Largely vacant brownfield site (in terms of built form), designated in Draft BMAP as a development opportunity site.</li> <li>- It has been demonstrated through the indicative floor plans, elevations, 3 dimensional plans and supporting information, that the principle of the proposed uses at this location is acceptable. The proposal will develop a surface level car park in an area of the city centre predominantly characterised by surface level car parks, vacant ground floor units and general dereliction and disrepair. The improvement in the physical environment with the introduction of a high quality mixed use scheme, accompanied by public realm improvements within the vicinity of the site, is welcomed and follows the thrust of strategic planning policy by directing office and retail uses towards the city centre, whilst enhancing the diversity and viability of Belfast's City Centre and providing accessible services and jobs.</li> <li>- The mixed of uses proposed, including cafes, retail and workshop units at ground floor level and offices on the floor above, is entirely appropriate to the city centre location.</li> <li>- The use of a perimeter block arrangement as outlined on the submitted site layout, is welcomed.</li> <li>- The density of development within the site has been increased through a higher site coverage, which is welcomed.</li> <li>- The building arrangement within the proposed layout takes cognisance of the general plot widths and urban grain of the surrounding area, which is welcomed.</li> <li>- Siting the taller element at the junction of North Street and Winetavern Street reflects the hierarchy of this junction and that portion of the site where consideration could be given to an uplift in height. It is considered that definitive heights pertaining to the various buildings proposed will be dealt with as reserved matters.</li> <li>- Buildings step down in scale along the secondary streets to reflect the more domestic scale of development in these locations, which is welcomed.</li> <li>- Consideration has been given to breaking up the massing of the mill building to address the setting of the listed butchers building, which is welcomed.</li> <li>- An attempt has also been made to break up the facades of those larger blocks through the articulation of bays to reflect the scale of surrounding traditional units.</li> </ul> <p>It is recommended that delegated authority is given to the Director of Planning and Building Control to grant planning permission subject to the finalisation of conditions.</p>
11.0 11.1  11.2	<p>Conditions</p> <p>Application for approval of the reserved matters shall be made to the Council within 3 years of the date on which this permission is granted and the development, hereby permitted, shall be begun by whichever is the later of the following dates:-</p> <ul style="list-style-type: none"> <li>i. the expiration of 5 years from the date of this permission; or</li> <li>ii. the expiration of 2 years from the date of approval of the last of the reserved matters to be approved.</li> </ul> <p>Reason: As required by Section 62 of the Planning Act (Northern Ireland) 2011.</p> <p>Approval of the details of the siting, design and external appearance of the buildings, the means of access thereto and the landscaping of the site (hereinafter called "the reserved matters"), shall be obtained from the Council, in writing, before any development is commenced.</p> <p>Reason: This is outline permission only and these matters have been reserved for the subsequent approval of the Council.</p>

11.3	<p>Full particulars, detailed plans and sections of the reserved matters required in Conditions 01 and 02 shall be submitted in writing to the Council and shall be carried out as approved.</p>
	<p>Reason: To enable the Council to consider in detail the proposed development of the site.</p>
11.4	<p>The reserved matters shall include the following:-</p> <p>Siting; the two dimensional location of buildings within the site.</p> <p>Design; the two dimensional internal arrangement of buildings and uses and the floor space devoted to such uses, the three dimensional form of the buildings and the relationship with their surroundings including height, massing, number of storeys, general external appearance and suitability for the display of advertisements.</p> <p>External appearance of the Buildings; the colour, texture and type of facing materials to be used for external walls and roofs.</p> <p>Means of Access; the location and two dimensional design of vehicular and pedestrian access to the site from the surroundings and also the circulation, car parking, facilities for the loading and unloading of vehicles and access to individual buildings within the site.</p> <p>Landscaping; the use of the site not covered by building(s) and the treatment thereof including the planting of trees, hedges, shrubs, grass, the laying of hard surface areas, the formation of banks, terraces or other earthworks and associated retaining walls, screening by fencing, walls or other means of enclosure and the provisions of other amenity features.</p> <p>Reason: To enable the Council to consider in detail the proposed development of the site.</p>
11.5	<p>The shoulder heights of the buildings, excluding proposed rooftop plant, shall be no higher than the indicative levels shown on stamped approved plan Nos 02/B and 16/B, date stamped 15<sup>th</sup> April 2019.</p> <p>Reason: To ensure the built form is in keeping with the conceptual approach outlined in the supporting documentation.</p>
11.6	<p>At Reserved Matters stage full details of public realm improvements within the red line of the site shall be submitted to the Council. These details shall include all proposed planting, details of street furniture, materials and finishes and any means of enclosure. The public realm improvement works shall be completed in accordance with the approved details prior to occupation of the development hereby approved.</p> <p>Reason: In the interests of visual amenity and to ensure the provision of a high quality of public realm.</p>
11.7	<p>At Reserved Matters Stage parking and servicing shall be shown.</p> <p>Reason: To ensure the provision of adequate parking facilities to meet the needs of the development and in the interests of road safety and the convenience of road users.</p>

11.8	<p>The development shall not be occupied unless details of street lighting 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.</p> <p>Reason: In the interests of road safety and the convenience of road users.</p>
11.9	<p>The development shall not be occupied unless a Travel Plan has been submitted to and approved in writing by the Council. The Plan shall include provision of the Translink iLink Initiative and the Bike2Work Initiative or equivalent measures to encourage sustainable travel by staff and visitors, to be agreed by DfI Roads.</p> <p>The development shall not be carried out unless in accordance with the approved Travel Plan.</p> <p>Reason: To encourage the use of alternative modes of transport to the private car in accordance with the Transportation Principles.</p>
11.10	<p>The development shall not be occupied unless a Service Management Plan has been submitted to and approved in writing by the Council. The development shall not be carried out unless in accordance with the approved Service Management Plan.</p> <p>Reason: In the interests of road safety and traffic progression.</p>
11.11	<p>Notwithstanding the submitted details, no development shall be undertaken unless a Revised Preliminary Risk Assessment (often referred to as a Phase I) has been submitted to, and approved in writing by the Council. This should include a full description of the site and its surroundings, a determination of the history of the site and its surroundings, identification of the current and past land uses and a Preliminary Conceptual Site Model outlining all potential Source-Pathway-Receptor pollutant linkages.</p> <p>Should the Revised Preliminary Risk Assessment demonstrate that potential pollutant linkages exist on the site then a Quantitative Risk Assessment (often referred to as a Phase II) that addresses these issues should be submitted to the Council at Reserved Matter stage. This must incorporate:</p> <ul style="list-style-type: none"> <li>- A detailed site investigation in line with British Standards BS10175:2011. Any ground gas investigations should be conducted in line with BS8485;</li> <li>- A satisfactory assessment of the risks (including a Revised Conceptual Site Model) associated with any contamination present, conducted in line with current Defra and Environment Agency guidance; and the revised soil quality standards – LQM/CIEH S4ULs for Human Health Risk Assessment. In addition, risks associated with ground gases should be assessed under the methodology outlined in CIRIA C665;</li> <li>- Based on the outcome of this risk assessment, a Remediation Strategy (often referred to as a Phase III) may be required. If found to be necessary, this Strategy must demonstrate how the identified pollutant linkages are to be demonstrably broken and no longer pose a potential risk to human health.</li> </ul> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p>
11.12	<p>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</p>



	<p>with the Model Procedures for the Management of Land Contamination (CLR11). 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>
11.13	<p>After completing the remediation works under Condition 11.11; 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 Model Procedures for the Management of Land Contamination (CLR11).</p> <p>The verification report should present all the remediation and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and achieving the remedial objectives.</p> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p>
11.14	<p>Prior to the installation of the combustion system(s) within the proposed development details of the proposed heating systems must be provided and an additional air quality report must be submitted to the Planning Authority for review and written approval. This report must include details of the specification(s) of the heating systems, the number of units proposed, their exact location and emission points/ vent locations. The report must demonstrate that the cumulative impact of the boiler emissions and the traffic emissions will not have an adverse impact on air quality.</p> <p>Reasons: Protection of adverse air quality impacts.</p>
11.15	<p>At Reserved Matters stage odour abatement details shall be submitted to the Council for approval. Prior to the operation of the development hereby approved, a proprietary odour abatement system shall be installed in accordance with the approved details, and shall be retained in accordance with these plans. The installed odour extraction and ventilation system must be cleaned and maintained to the satisfaction of Belfast City Council thereafter.</p> <p>Reason: In the interests of amenity.</p>
11.16	<p>No development shall be carried out unless a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Council. The CEMP must pay due regard to the mitigation measures recommended in the RPS noise and vibration assessment(October 2018) and the RPS Air Quality Impact Assessment (Oct 2018) and to the current BS 5228: Noise and Vibration Control on Construction and Open Sites and should include a programme of works and must clearly outline the mitigation measures to be put in place to minimise adverse impacts from vibration, noise and dust on nearby premises, the proposed noise and vibration monitoring methods, and evidence of community liaison.</p> <p>The demolition and construction works shall not be carried out unless in accordance with the approved construction Environmental Management Plan (CEMP)</p> <p>Reason: Protection of amenity of neighbouring premises.</p>

11.17	<p>No part of the development shall be occupied unless a Noise Verification Report has been submitted to and approved in writing by the Council. The Noise Verification Report shall demonstrate the following:</p> <ul style="list-style-type: none"> <li>▪ That the rating level (dBL<sub>Ar</sub>) from the operation of all combined roof top plant does not exceed the existing daytime and night- time background noise level of 52dBL<sub>A90</sub> and 47dBL<sub>A90</sub> respectively when measured or determined in accordance with BS4142:2014;</li> <li>▪ That the rating level (dBL<sub>Ar</sub>) from the operation of all combined non roof top plant associated with the ground floor uses and electrical substation does not exceed the existing daytime and night- time background noise level of 52dBL<sub>A90</sub> and 47dBL<sub>A90</sub> respectively when measured or determined in accordance with BS4142:2014;</li> </ul> <p>Reason: Protection of Residential Amenity</p>
11.18	<p>No site works of any nature or development shall take place until a programme of archaeological work (POW) has been prepared by a qualified archaeologist, submitted by the applicant and approved in writing by the Council in consultation with Historic Environment Division, Department for Communities. The POW shall provide for:</p> <ul style="list-style-type: none"> <li>- The identification and evaluation of archaeological remains within the site;</li> <li>- Mitigation of the impacts of development through licensed excavation recording or by preservation of remains in-situ;</li> <li>- Post-excavation analysis sufficient to prepare an archaeological report, to publication standard if necessary; and</li> <li>- Preparation of the digital, documentary and material archive for deposition.</li> </ul> <p>The works shall not be carried out unless in accordance with the approved POW.</p> <p>Reason: to ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded.</p>
11.19	<p>A programme of post-excavation analysis, preparation of an archaeological report dissemination of results and preparation of the excavation archive shall be undertaken in accordance with the programme of archaeological work approved under condition 11.18. These measures shall be implemented and a final archaeological report shall be submitted to the Council within 12 months of the completion of archaeological site works, or as otherwise agreed in writing with the Council.</p> <p>Reason: To ensure that the results of archaeological works are appropriately analysed and disseminated and the excavation archive is prepared to a suitable standard for deposition.</p>
11.20	<p>At Reserved Matters Stage a drainage assessment shall be submitted to the Council. The assessment shall indicate proposed surface water runoff.</p> <p>Reason: To ensure satisfactory drainage to the site.</p>
11.21	<p>No development or piling work should commence on this site until a piling risk assessment has been submitted in writing and agreed with the Planning Authority. Piling risk assessments should be undertaken in accordance with the methodology contained within the Environment Agency document on "Piling and Penetrative Ground Improvement Methods on Land Affected by</p>

11.22	<p>Contamination: Guidance on Pollution Prevention” available at <a href="http://publications.environment-agency.gov.uk/PDF/SCHO0501BITT-E-E.pdf">http://publications.environment-agency.gov.uk/PDF/SCHO0501BITT-E-E.pdf</a>.</p> <p>The development shall not be carried out unless in accordance with the details so approved.</p> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p>
11.23	<p>No service collection or deliveries shall be carried out from the development hereby approved between 11pm and 7am.</p> <p>Reason: In the interests of amenity.</p>
12.0	<p>Notification to Department (if relevant) Yes. Objection from a statutory consultee – Historic Environment Division</p>
13.0	<p>Representations from elected members: None received</p>
<p>Neighbour Notification Checked <span style="float: right;">Yes</span></p>	
<p>Signature(s)</p>	
<p>Date:</p>	

<b>ANNEX</b>	
<b>Date Valid</b>	8th October 2018
<b>Date First Advertised</b>	2nd November 2018
<b>Date Last Advertised</b>	2nd November 2018
<p><b>Details of Neighbour Notification</b> (all addresses)</p> <p>1 Smithfield Square North,Belfast,Antrim,BT1 1FN,  1/2 Price Carpets,103 North Street,Belfast,Antrim,BT1 1ND,  10-14 ,Gresham Street,Belfast,Antrim,BT1 1JN,  101 North Street,Belfast,Antrim,BT1 1ND,  107 North Street,Belfast,Antrim,BT1 1ND,  110 North Street,Belfast,Antrim,BT1 1LE,  111 North Street,Belfast,Antrim,BT1 1ND,  112 North Street,Belfast,Antrim,BT1 1LE,  113 North Street,Belfast,Antrim,BT1 1ND,  116 North Street,Belfast,Antrim,BT1 1LE,  118 North Street,Belfast,Antrim,BT1 1LE,  12 Gresham Street,Belfast,Antrim,BT1 1JN,  138 North Street,Belfast,Antrim,BT1 1LE,  13a Winetavern Street,Belfast,Antrim,BT1 1JQ,  140 North Street,Belfast,Antrim,BT1 1LE,  150-152 ,North Street,Belfast,Antrim,BT1 1LF,  151 North Street,Belfast,Antrim,BT1 1NE,  156 North Street,Belfast,Antrim,BT1 1LF,  16 Gresham Street,Belfast,Antrim,BT1 1JN,  160 North Street,Belfast,Antrim,BT1 1LF,  162 North Street,Belfast,Antrim,BT1 1LF,  164 North Street,Belfast,Antrim,BT1 1LF,  1st Floor,160 North Street,Belfast,Antrim,BT1 1LF,  21 Samuel Street,Belfast,Antrim,,  21 Winetavern Street,Belfast,Antrim,BT1 1JQ,  22 Gresham Street,Belfast,Antrim,BT1 1JN,  23 Samuel Street,Belfast,Antrim,,  24 Gresham Street,Belfast,Antrim,BT1 1JN,  26a Gresham Street,Belfast,Antrim,BT1 1JN,  28 Gresham Street,Belfast,Antrim,BT1 1JN,  29 Gresham Street,Belfast,Antrim,BT1 1JL,  30 Gresham Street,Belfast,Antrim,BT1 1JN,  31-33 ,Gresham Street,Belfast,Antrim,BT1 1JL,  32 Gresham Street,Belfast,Antrim,BT1 1JN,  33 Gresham Street,Belfast,Antrim,BT1 1JL,  35-37 ,Gresham Street,Belfast,Antrim,BT1 1JL,  39 Gresham Street,Belfast,Antrim,BT1 1JL,  4-8 ,Gresham Street,Belfast,Antrim,BT1 1JN,  47 Winetavern Street,Belfast,Antrim,BT1 1JQ,  7 Winetavern Street,Belfast,Antrim,BT1 1JQ,  75 North Street,Belfast,Antrim,BT1 1NB,  9 Winetavern Street,Belfast,Antrim,BT1 1JQ,  93-101 ,Royal Avenue,Belfast,Antrim,BT1 1DL,</p>	

95 North Street,Belfast,Antrim,BT1 1ND,  
 95-101 ,Royal Avenue,Belfast,Antrim,BT1 1FE,  
 97 North Street,Belfast,Antrim,BT1 1ND,  
 97a North Street,Belfast,Antrim,BT1 1ND,  
 99 North Street,Belfast,Antrim,BT1 1ND,  
 99 North Street,Belfast,Antrim,BT1 1ND,  
 Alattins,Unit 1-4,The Haymarket,84 Royal Avenue,Belfast,Antrim,BT1 1DJ,  
 Andrew Crowe,108 North Street,Belfast,Antrim,BT1 1LE,  
 Angela Torley Clothes Shop,5 Winetavern Street,Belfast,Antrim,BT1 1JQ,  
 Arcade Books,39 Gresham Street,Belfast,Antrim,BT1 1JL,  
 Arthur Mcalea,Unit 22 ,Smithfield Market,Belfast,Antrim,BT1 1JE,  
 Aylean Teskey,23 Smithfield Market,Belfast,Antrim,BT1 1JE,  
 Bannons,75 North Street,Belfast,Antrim,BT1 1NL,  
 Belfast City Centre Management,95-101 ,Royal Avenue,Belfast,Antrim,BT1 1FE,  
 Belfast City Council Unit 4 ,Smithfield Market,Belfast,Antrim,BT1 1JE,  
 Belfast City Management, 89-101 Sinclair House,Royal Avenue,Belfast,Antrim,BT1 1FE,  
 Belfast City Of Trade & Commerce,95-101 ,Royal Avenue,Belfast,Antrim,BT1 1FE,  
 Belfast Coffee Shop,107 Royal Avenue,Belfast,Antrim,BT1 1FF,  
 Bigg Life Arts Centre,93 North Street,Belfast,Antrim,BT1 1ND,  
 Bigger & Strahan Solicitors,4th Floor,89-101 Sinclair House,Royal Avenue,Belfast,Antrim,BT1 1EX,  
 Blt (Bakery & Sandwich Bar),104-106 ,North Street,Belfast,Antrim,BT1 1LE,  
 Boxing Equipment,Unit 3 ,Smithfield Market,Belfast,Antrim,BT1 1JE,  
 C M Saddlery,Unit 7 ,Smithfield Market,Belfast,Antrim,BT1 1JE,  
 Cash A Cheque,86 Royal Avenue,Belfast,Antrim,BT1 1DJ,  
 Chameleon Hair Design,Unit 8 ,Smithfield Market,Belfast,Antrim,BT1 1JE,  
 Cheque Cash Point Ltd,86 Royal Avenue,Belfast,Antrim,BT1 1DJ,  
 Cheque Cashpoint Ltd,86 Royal Avenue,Belfast,Antrim,BT1 1DJ,  
 Church Street,Belfast,Antrim,,  
 City Flooring Centre,121 North Street,Belfast,Antrim,BT1 1ND,  
 City Flooring Centre,129 North Street,Belfast,Antrim,BT1 1ND,  
 Clarke Design,Unit 29 ,Smithfield Market,Belfast,Antrim,BT1 1JE,  
 Computer Store,Unit 8,The Haymarket,84 Royal Avenue,Belfast,Antrim,BT1 1DJ,  
 Cutting Crew,11 Winetavern Street,Belfast,Antrim,BT1 1JQ,  
 Diamond & Skillen, 89-101 Sinclair House,Royal Avenue,Belfast,Antrim,BT1 1FE,  
 Discount Computers, Unit 35 ,Smithfield Market,Belfast,Antrim,BT1 1JE,  
 E & G Stores,93 North Street,Belfast,Antrim,BT1 1ND,  
 Empire Furnishing Co Ltd,145-147 ,North Street,Belfast,Antrim,BT1 1NE,  
 First Choice Selection Services Ltd,89-101 Sinclair House,Royal Avenue,Belfast,Antrim,BT1 1FE,  
 First Floor Suite 1,Sinclair House,89 Royal Avenue,Belfast,Antrim,BT1 1FE,  
 First Trust Bank,91 Royal Avenue,Belfast,Antrim,BT1 1FE,  
 Fit Stop,2 Smithfield Square North,Belfast,Antrim,BT1 1DD,  
 Floods,Unit 2 ,Smithfield Market,Belfast,Antrim,BT1 1JE,  
 Gaby,34 Gresham Street,Belfast,Antrim,BT1 1JN,  
 Gerard Mckeown Shoe Repair,Unit 7,The Haymarket,84 Royal Avenue,Belfast,Antrim,BT1 1DJ,  
 Gigis Hair,Salon Ground Floor,115-119 ,North Street,Belfast,Antrim,BT1 1ND,  
 Gresham Tapes,25 Gresham Street,Belfast,Antrim,BT1 1JL,  
 Gresham Tattoo Studio,A,25 Gresham Street,Belfast,Antrim,BT1 1JL,  
 House Of Healing,13 Winetavern Street,Belfast,Antrim,BT1 1JQ,  
 Impact: Martial Arts Supplies,Unit 39 ,Smithfield Market,Belfast,Antrim,BT1 1JE,  
 Impluse Comics,Unit 21 ,Smithfield Market,Belfast,Antrim,BT1 1JE,  
 Ink Castle Tattoo Studio,Ground Floor,131-133 ,North Street,Belfast,Antrim,BT1 1NE,  
 J&M Buy&Sell,Unit 20 ,Smithfield Market,Belfast,Antrim,BT1 1JE,  
 Kavanaghs,36 Gresham Street,Belfast,Antrim,BT1 1JN,

Kinky Afro European. For Braids & Extensions,Unit 13,The Haymarket,84 Royal Avenue,Belfast,Antrim,BT1 1DJ,  
 Kinky Afro,Unit 10,The Haymarket,84 Royal Avenue,Belfast,Antrim,BT1 1DJ,  
 Lagan Finance,Office 1st Floor,71 North Street,Belfast,Antrim,BT1 1NB,  
 Lee Millar Ltd,158 North Street,Belfast,Antrim,BT1 1LF,  
 Lee Millar,158 North Street,Belfast,Antrim,BT1 1LF,  
 Life Cycles,Units 36-37 ,Smithfield Market,Belfast,Antrim,BT1 1JE,  
 Macelhatton & Co,1st & 2nd Floor,131-133 ,North Street,Belfast,Antrim,BT1 1NE,  
 Mannequin, Unit 38 ,Smithfield Market,Belfast,Antrim,BT1 1JE,  
 Mccann Army & Navy Stores,Unit 34 ,Smithfield Market,Belfast,Antrim,BT1 1JE,  
 Mccann Army & Navy Stores,Unit 9-10 ,Smithfield Market,Belfast,Antrim,BT1 1JQ,  
 Miss Behavin Ltd,2-8 ,Gresham Street,Belfast,Antrim,BT1 1JN,  
 Misstique,27 Gresham Street,Belfast,Antrim,BT1 1JL,  
 More O'Ferrall,1,151 North Street,Belfast,Antrim,BT1 1NE,  
 N I Toy Soldier Museum,Unit 19 ,Smithfield Market,Belfast,Antrim,BT1 1JE,  
 N.T.N Signs,129 North Street,Belfast,Antrim,BT1 1ND,  
 Ncm Credit Insurance Ltd,Office 2nd Floor,71 North Street,Belfast,Antrim,BT1 1NB,  
 Nigel Greeves,1st Floor,89-101 Sinclair House,Royal Avenue,Belfast,Antrim,BT1 1FE,  
 Nobletts Of North Street,118 North Street,Belfast,Antrim,BT1 1LE,  
 Offices (1st Floor),26a ,Gresham Street,Belfast,Antrim,BT1 1JN,  
 Opportunity Youth,6-10 ,Winetavern Street,Belfast,Antrim,BT1 1JQ,  
 Oxfam,1st Floor,115-119 ,North Street,Belfast,Antrim,BT1 1ND,  
 Patrick V Giffen,1,16a ,Gresham Street,Belfast,Antrim,BT1 1JN,  
 Perfection Turkish Barbers,88 Royal Avenue,Belfast,Antrim,BT1 1DJ,  
 Premier Meats,Unit 16 ,Smithfield Market,Belfast,Antrim,BT1 1JE,  
 Premier Records,3-5 ,Smithfield Square North,Belfast,Antrim,BT1 1FN,  
 Pretty Petal,Unit 9,The Haymarket,84 Royal Avenue,Belfast,Antrim,BT1 1DJ,  
 Richer Sounds,7 Smithfield Square North,Belfast,Antrim,BT1 1FN,  
 Second Floor,105 Royal Avenue,Belfast,Antrim,BT1 1FF,  
 Sharman Enterprises,1 Smithfield,Belfast,Antrim,BT1 1JE,  
 Smithfield Buy And Sell Centre,Units 26-27 ,Smithfield Market,Belfast,Antrim,BT1 1JE,  
 Smithfield Carpets,Unit 32 ,Smithfield Market,Belfast,Antrim,BT1 1JE,  
 Smithfield Lock & Key,19 Winetavern Street,Belfast,Antrim,BT1 1JQ,  
 Smithfield Pet Stores,22 Gresham Street,Belfast,Antrim,BT1 1JN,  
 Spencers Moviemarket,Unit 28 ,Smithfield Market,Belfast,Antrim,BT1 1JE,  
 Strawberry Field,Unit 13 ,Smithfield Market,Belfast,Antrim,BT1 1JE,  
 Switched On Pc,Unit 5 ,Smithfield Market,Belfast,Antrim,BT1 1JQ,  
 Talisman,47 Winetavern Street,Belfast,Antrim,BT1 1JQ,  
 The Alambra,114 North Street,Belfast,Antrim,BT1 1LE,  
 The Gresham Bookshop,Unit 1,2 Gresham Street,Belfast,Antrim,BT1 1JN,  
 The Modellers Nook,17 Winetavern Street,Belfast,Antrim,BT1 1JQ,  
 The Money Shop,103 Royal Avenue,Belfast,Antrim,BT1 1FF,  
 The Money Shop,107 Royal Avenue,Belfast,Antrim,BT1 1FF,  
 The Pancake House,Unit 11/12,The Haymarket,84 Royal Avenue,Belfast,Antrim,BT1 1DJ,  
 The Sewing Box,Unit 24 ,Smithfield Market,Belfast,Antrim,BT1 1JE,  
 The Sewing Box,Unit 25 ,Smithfield Market,Belfast,Antrim,BT1 1JE,  
 The Sweet Shop,23 Winetavern Street,Belfast,Antrim,BT1 1JQ,  
 The Treasure Chest,Unit 15 ,Smithfield Market,Belfast,Antrim,BT1 1JE,  
 The Trophy Shop,109 North Street,Belfast,Antrim,BT1 1ND,  
 Trading Places,Units 30-31 ,Smithfield Market,Belfast,Antrim,BT1 1JE,  
 Unit 1 ,Smithfield Market,Belfast,Antrim,BT1 1JE,  
 Unit 12 ,Smithfield Market,Belfast,Antrim,BT1 1JE,  
 Unit 17 ,Smithfield Market,Belfast,Antrim,BT1 1JE,  
 Volume One Bookshop,Unit 16,The Haymarket,84 Royal Avenue,Belfast,Antrim,BT1 1DJ,  
 William Hill Bookmakers,8-10 ,Winetavern Street,Belfast,Antrim,BT1 1JQ,

<b>Date of Last Neighbour Notification</b>	24th October 2018
<b>Date of EIA Determination</b>	15 <sup>th</sup> August 2018
<b>ES Requested</b>	No
<b>Drawing Numbers and Title</b> 01, 02/B, 16/B	
<b>Notification to Department (if relevant)</b>  Date of Notification to Department: Response of Department:	

## Development Management Officer Report Committee Application

<b>Summary</b>	
<b>Committee Meeting Date: 11 June 2019</b>	
<b>Application ID:</b>	LA04/2018/2445/LBC
<b>Proposal:</b> Internal and external alterations to existing building to facilitate a change of use and extension.	<b>Location:</b> Former Butchers Building 108 North Street and 1 Gresham Street Belfast and adjacent lands to the North-West.
<b>Referral Route:</b> Linked to Major application (LA04/2018/2470/O)	
<b>Recommendation:</b> Approval	
<b>Applicant Name and Address:</b> Bywater and Ashmour 46 James Street Marylebone London W1U 1EZ	<b>Agent Name and Address:</b> TSA Planning 20 May Street Belfast BT1 4NL
<p><b>Executive Summary:</b> The application seeks Listed Building consent for the internal and external alterations and extension of existing listed 'Butchers' building including change of use from retail (all floors) to café/restaurant at ground floor and office at first and second floors with all associated site works.</p> <p>The key issues in the assessment of the proposed development include:</p> <ul style="list-style-type: none"> <li>- Impact on Listed Building.</li> </ul> <p>The site lies within the northern part of the city centre, which is arguably the most poorly defined in terms of land use and built form, characterised by dereliction and inactive ground floor frontages. The change of use to café at ground floor and office above will create a mix of uses entirely suitable for this city centre location and will contribute to an active ground floor frontage which this area is very much in need of.</p> <p>HED have welcomed the re-use of the listed building and have no objections in terms of the principle of extending the building. The extension will provide a lightweight built link to a 6 storey block on North Street, part of the wider redevelopment proposal for the site subject to outline planning application LA04/2018/2470/O.</p> <p>However Historic Environment Division have objected in relation to the width of the proposal on the basis that it is too narrow to provide a suitable built buffer onto the proposed adjoining block to the immediate west (subject to parallel outline application LA04/2018/2470/O for wider redevelopment of adjoining car park). The predominantly glazed link, with a strong vertical emphasis will appear almost akin to the width of a traditional alleyway and create a lightweight contemporary link between the listed 'Butchers Building' and the traditionally styled new build, which has been modelled on an old mill building. The extension in itself, given its lightweight and passive architectural style, should not harm the character of the listed building, which previously had an adjoining terrace of equal or greater height and of a more solid built form. Further information has been submitted in an attempt to address HED concerns, HED have yet to comment on this information. However given that the width of the extension has remained unaltered it is not likely that this aspect of their objection will change.</p> <p><u>Consultees</u> <b>DFC Historic Environment Division</b> – Await response. Likely to maintain their objection.</p>	



**Recommendation**

Having had regard to the extant development plan, the draft development plan, relevant planning policies, planning approvals in the area, economic benefits and other material considerations the proposed development is considered on balance acceptable.

Given the proposed extension is linked to a larger redevelopment scheme, it is essential that both the proposed extension, and the adjoining scheme (LA04/2018/2470/O) are delivered in tandem. This will be secured via condition.

It is recommended that delegated authority is given to the Director of Planning and Building Control to grant Listed Building Consent with conditions subject to notification to the Department for Infrastructure (Dfi).

**Signature(s):**

Case Officer Report

Site Location Plan



1.0	Description of Proposed Development
1.1	Alteration and extension of existing listed building to facilitate proposed change of use (LA04/2018/2464/F) and provision of 120 sqm food and beverage space and 318 sqm of office space.
2.0	Description of Site
2.1	Established three storey traditional building located to immediate north-east of surface level car park.
2.2	

2.2	<p>A three-storey Mannerist-style, former Gas Showrooms, previously one of a terrace, now the only block remaining. Rectangular on plan, one-bay wide along North Street with chamfered corner bay and four bays wide along Gresham Street. Three partially hipped slate roofs over each linear bay; roof of southern-most bay has been levelled and a square-plan, timber frame and glazed addition added.</p> <p>North-east proportion of ground floor is characterized by five openings, including canted entrance bay, each having polished granite columns on either side, carrying the cornice above. Shop window to ground floor and modern glazed entrance door to chamfered corner. East elevation has four regularly arranged windows across upper floors, except for single oculus to far left of first floor. Ground floor is asymmetrical with three shop windows to right-side; left-side contains a timber door. South elevation is one bay wide with a single window to first floor. West elevation is largely roughcast brick with some smooth render and paint to upper right-side and is completely blank as it was previously abutted by adjoining building.</p> <p>The following zonings apply to the site:</p> <ul style="list-style-type: none"> <li>- Belfast Urban Area Plan – Within Main Office Area</li> <li>- Draft Belfast Metropolitan Area Plan (2004) – Within the Main Office Area and Primary Retail Core. The site also lies within the ‘Old City’ Character Area CC012.</li> <li>- Draft Belfast Metropolitan Area Plan (2015) – Site located within a larger development opportunity site (CC016) and within the ‘Old City’ Character Area CC009.</li> </ul>
<p>Planning Assessment of Policy and other Material Considerations</p>	
3.0 3.1  3.2	<p>3.0 Planning History</p> <p>3.1 LA04/2018/2470/O Proposal: Mixed use regeneration and development of vacant surface level car park and refurbishment of existing listed Butchers building, with erection of new fixed use buildings (heights varying between 3-9 storeys). Proposal to comprise basement level car parking, ground floor retail/restaurant/coffee shop/workspace uses, with Grade A and SME offices above. Provision of new pedestrian accesses from Gresham and Winetavern Street; associated public realm, landscaping, associated plant, and all site and access works.</p> <p>Address: Vacant lands at existing, level Carpark bounded by, Winetavern Street, Gresham Street and, North Street, including 108 North Street and 1 Gresham Street, Belfast.</p> <p>Decision: Current application</p> <p>3.2 LA04/2018/2464/F Proposal: Alteration and extension of existing listed building including change of use from retail (all floors) to café/restaurant at ground floor and office at first and second floors with all associated site works.</p> <p>Address: Former Butchers Building, 108 North Street and, 1 Gresham Street, Belfast, and adjacent lands to the North-West.</p> <p>Decision: Current application</p>
4.0	<p>4.0 Policy Framework</p>
4.1	<p>4.1 Belfast Urban area Plan 2001 Draft Belfast Metropolitan Area Plan 2015 Draft Belfast Local Development Plan Strategy (Draft LDP) Public Local Inquiry into Objections to the Belfast Metropolitan Area Plan 2015 Part 2 ‘Report on Belfast City Council Area’</p>

4.2	Regional Development Strategy (RDS) 2035 Strategic Planning Policy Statement for Northern Ireland Policy Statement 6 - Planning, Archaeology and the Built Heritage
4.3	Section 91(2) of the Planning Act (Northern Ireland) 2011 requires that the City Council, when making its decision, must have special regard to the desirability of preserving the [Listed] building or its setting or any features of special architectural or historic interest which it possesses.
5.0	Statutory Consultees Historic Environment Division - Objection
6.0	Non-Statutory Consultees
7.0	Representations No public objections have been received.
8.0	Other Material Considerations The Belfast Agenda
9.0	Assessment
9.1	The key issues in the assessment of the proposed development include: <ul style="list-style-type: none"> <li>- Impact on Listed Building</li> </ul>
	<b>Impact on Listed Building</b>
9.2	The proposal has been assessed against the Strategic Policy Planning Statement for Northern Ireland (SPPS): Planning for Sustainable Development, specifically paragraphs: <ul style="list-style-type: none"> <li>- 6.12 Development proposals impacting on Setting of Listed Buildings;</li> <li>- 6.13 Change of Use, Extension or Alteration of a Listed Building;</li> </ul> Planning Policy Statement 6: Planning, Archaeology and the Built Heritage, specifically policies: <ul style="list-style-type: none"> <li>- BH 7 (Change of Use of a Listed Building)</li> <li>- BH 8 (Extension or Alteration of a Listed Building); and</li> <li>- BH 11 (Development affecting the Setting of a Listed Building).</li> </ul>
9.3	The proposal has been assessed against Policy BH 8 which deals with Extensions or Alterations of a Listed Building and also paragraphs 6.12-6.15 of the SPPS. Historic Environment Division have advised that the proposed alterations to the listed building itself appear to comply with policy because the majority of the west gable was abutted by a terrace that has since been demolished. They have however raised concerns regarding the relationship with the proposed redevelopment of the adjoining site (subject to LA04/2018/2470/O), in particular in relation to the width of the proposed extension. They have advised that <i>'Given that this scheme is associated with a much larger scale development, a 6m wide building of same height as the former butcher's shop is requested to respect the listed building'</i> .
9.4	However it is important to look at the proposal as a standalone extension to the listed building, which is the subject of this planning application. Although it will inevitably be read with the adjoining built form the extension in itself must be considered in terms of its scale, massing and design.
9.5	However it is important to look at the proposal as a standalone extension to the listed building. Although it will inevitably be read with the adjoining built form the extension in itself must be considered in terms of its scale, massing and design. It is worth pointing out that the existing setting can be viewed as somewhat negative, with the listed building appearing isolated, which in turn accentuates its narrow plan form.

<p>9.6</p> <p>9.7</p> <p>9.8</p>	<p>HED have noted the revised design of the proposed extension, from solid form to glazing and recognise the references to the historic fabric and detailing of the Listed Building and agree that the style is acceptable. The simplistic design of the extension, heavily glazed with its nod to the more traditional vertical emphasis of the Butchers Building, ensures that it will be subservient to the strong character of the listed building and will ensure it retains its integrity and dominance. The extension also serves to increase the presence of the listed building, currently isolated, whilst at the same time separating it from its proposed neighbouring buildings (LA04/2018/2470/O), providing a suitable buffer from the larger building and integrating it into the new street frontage along North Street and Gresham Street. Given the proposal is intrinsically linked to this larger redevelopment scheme, it is essential that both are delivered in tandem (should outline permission be granted), particularly given the lack of detail on the exposed western elevation of the extension. To ensure this comprehensive redevelopment of the site a condition will be attached, as detailed below at 11.2. Alternatively, should outline permission not be granted, delegated authority is requested to agree details of the gable elevation of the proposed extension, in consultation with Historic Environment Division.</p> <p>The proposed extension, adding a bay to the North Street elevation, is a crucial part of establishing the integrity of the listed building as part of the new urban block, stepping up to 6 storeys and then 9 storeys on the North Street Winetavern Street corner.</p> <p>Further detailed and supporting information has been submitted in an attempt to address HED's concerns. However given their strong stance in relation to the width of the proposed extension it is likely that that they will retain their objection.</p>
<p>10.0</p> <p>10.1</p> <p>10.2</p> <p>10.3</p>	<p><b>Summary of Recommendation:</b></p> <p>The proposal will facilitate the change of use of the former 'Butchers' building to provide a café at ground floor level and offices above.</p> <p>The proposed extension is appropriate to the scale of the Butchers Building and will assist in the enhancement of its setting, which at the moment sees it isolated in the corner of a surface level car park. The width and design of the extension, with a lightweight glazed structure will ensure that the listed building retains its primacy and dominance, whilst also providing a buffer between the proposed redevelopment scheme (LA04/2018/2470/O), stepping up to a 6 storey building on North Street.</p> <p>It is recommended that delegated authority is given to the Director of Planning and Building Control to grant Listed Building Consent with conditions subject to notification to the Department for Infrastructure (DfI).</p>
<p>11.0</p> <p>11.1</p> <p>11.2</p>	<p>Conditions</p> <p>The works hereby permitted shall be begun not later than the expiration of 5 years beginning with the date on which this consent is granted.</p> <p>Reason: As required by Section 94 of the Planning Act (Northern Ireland) 2011.</p> <p>The extension hereby approved shall not be constructed unless a contract has been signed for the redevelopment of the adjoining site in accordance with outline planning permission LA04/2018/2470/O.</p> <p>Reason: To ensure the comprehensive development of the site and in the interests of visual amenity.</p> <p>Informatives</p> <p>This consent shall be read in conjunction with the planning approval LA04/2018/2464/F.</p>

12.0	Notification to Department (if relevant) Yes. Objection from a statutory consultee – Historic Environment Division
13.0	Representations from elected members: None received
Neighbour Notification Checked <span style="float: right;">N/A</span>	
Signature(s)	
Date:	

<b>ANNEX</b>	
<b>Date Valid</b>	8th October 2018
<b>Date First Advertised</b>	26th October 2018
<b>Date Last Advertised</b>	26th October 2018
<b>Date of Last Neighbour Notification</b>	N/A
<b>Date of EIA Determination</b>	<b>N/A</b>
<b>ES Requested</b>	N/A
<b>Drawing Numbers and Title</b> 09/B – Ground Floor 10/B – First Floor 11/B – Second Floor 12/A – Roof 13/B – Elevations 14/B – Sections 15/A – ‘Connection’ Details 16/A - Repairs	
<b>Notification to Department</b> Yes. Objection from a statutory consultee – Historic Environment Division	

**Development Management Officer Report  
Committee Application**

<b>Summary</b>	
<b>Committee Meeting Date: 11 June 2019</b>	
<b>Application ID:</b> LA04/2018/2464/F	
<b>Proposal:</b> Alteration and extension of existing listed building including change of use from retail (all floors) to café/restaurant at ground floor and office at first and second floors with all associated site works.	<b>Location:</b> Former Butchers Building 108 North Street and 1 Gresham Street Belfast and adjacent lands to the North West.
<b>Referral Route:</b> Linked to major application LA04/2018/2470/O	
<b>Recommendation:</b>	<b>Approval</b>
<b>Applicant Name and Address:</b> Bywater and Ashmour 46 James Street Marylebone London W1U 1EZ	<b>Agent Name and Address:</b> TSA Planning 20 May Street Belfast BT1 4NL
<p><b>Executive Summary: Executive Summary:</b> The application seeks planning permission for the alteration and extension of existing listed building including change of use from retail (all floors) to café/restaurant at ground floor and office at first and second floors with all associated site works. The proposed extension is approximately 3.25m wide and 12.2m high.</p> <p>The key issues in the assessment of the proposed development include:</p> <ul style="list-style-type: none"> <li>- Principle of change of use to café and offices</li> <li>- Impact on Built Heritage</li> <li>- Scale, Massing and Design</li> <li>- Traffic and Parking</li> <li>- Contamination</li> <li>- Other Environmental Issues</li> </ul> <p>The site lies within the northern part of the city centre, poorly defined in terms of land use and built form, characterised by dereliction and inactive ground floor frontages. The change of use to café at ground floor and office above will create a mix of uses entirely suitable for this city centre location and will contribute to an active ground floor frontage which this area is very much in need of. The extension will provide a lightweight built link to a 6 storey block on North Street, part of the wider redevelopment proposal for the site subject to outline planning application LA04/2018/2470/O. Historic Environment Division has objected in relation to the width of the proposal on the basis that it is too narrow to provide a suitable built buffer onto the proposed adjoining block to the immediate west (subject to parallel outline application LA04/2018/2470/O for wider redevelopment of adjoining car park). However the predominantly glazed link, with a strong vertical emphasis will appear similar to the width of a traditional alleyway and create a lightweight contemporary link between the listed 'Butchers Building' and the traditionally styled new build, which has been modelled on an old mill building. The extension in itself, given its lightweight and passive</p>	



architectural style, should not harm the character of the listed building, which previously had an adjoining terrace of equal or greater height and of a more solid built form. Further information has been submitted in an attempt to address HED concerns, HED have yet to comment on this information. However given that the width of the extension has remained unaltered it is not likely that this aspect of their objection will change.

Consultees & Environmental Matters

**Environmental Health** – Further information requested

**DFC Historic Environment Division** – Await response. Likely to object

**DFI Roads** – No objection

**NI Water** – No Objections

**Recommendation**

Having had regard to the extant development plan, the draft development plan, relevant planning policies, planning approvals in the area, economic benefits and other material considerations the proposed development is considered on balance acceptable.

Given the proposal is linked to a larger redevelopment scheme, it is essential that both the proposed extension, and the adjoining scheme (LA04/2018/2470/O) are delivered in tandem. This will be secured via condition. Alternatively, should outline permission for the wider site not be granted, delegated authority is requested to agree details of the gable elevation of the proposed extension, in consultation with Historic Environment Division.

It is recommended that delegated authority is given to the Director of Planning and Building Control to grant planning permission with conditions subject to notification to the Department for Infrastructure (DfI).

Site Location Plan



1.0	Description of Proposed Development
1.1	Alteration and extension of existing listed building including change of use from retail (all floors) to café/restaurant at ground floor and office at first and second floors with all associated site works.
1.2	

	The proposed extension is approximately 3.2m wide and 12.2m high with a flat roof. It will result in a building with approximately 120 sqm of café/ restaurant space and approximately 318 sqm of office space.
2.0 2.1	<p>Description of Site</p> <p>Established three storey traditional building. Western part of site falls within existing surface level car park.</p> <p>The following zonings apply to the site:</p> <ul style="list-style-type: none"> <li>- Belfast Urban Area Plan – Located within Main Office Area</li> <li>- Draft Belfast Metropolitan Area Plan (2004) –</li> <li>- Draft Belfast Metropolitan Area Plan (2015) – Site located within a larger development opportunity site (CC016)</li> </ul>
<b>Planning Assessment of Policy and other Material Considerations</b>	
3.0 3.1	<p>Planning History</p> <p>LA04/2018/2470/O</p> <p>Proposal: Mixed use regeneration and development of vacant surface level car park and refurbishment of existing listed Butchers building, with erection of new fixed use buildings (heights varying between 3-9 storeys). Proposal to comprise basement level car parking, ground floor retail/restaurant/coffee shop/workspace uses, with Grade A and SME offices above. Provision of new pedestrian accesses from Gresham and Winetavern Street; associated public realm, landscaping, associated plant, and all site and access works. Address: Vacant lands at existing, level Carpark bounded by, Winetavern Street, Gresham Street and, North Street, including, 108 North Street and, 1 Gresham Street, Belfast.</p> <p>Decision: Current application</p>
3.2	<p>LA04/2018/2445/LBC</p> <p>Proposal: Internal and external alterations to existing building to facilitate a change of use and extension.</p> <p>Address: Former Butchers Building, 108 North Street and, 1 Gresham Street, Belfast, and adjacent lands to the North-West.</p> <p>Decision: Current application</p>
4.0	Policy Framework
4.1	<p>Belfast Urban Area Plan 2001</p> <p>Draft Belfast Metropolitan Area Plan 2015</p> <p>Public Local Inquiry into Objections to the Belfast Metropolitan Area Plan 2015 Part 2 'Report on Belfast City Council Area'</p>
4.2	<p>Regional Development Strategy</p> <p>Strategic Planning Policy Statement for Northern Ireland</p> <p>Planning Policy Statement 3 - Access, Movement and Parking</p> <p>Planning Policy Statement 4 – Planning and Economic Development</p> <p>Policy Statement 6 - Planning, Archaeology and the Built Heritage</p> <p>Planning Policy Statement 13 – Transportation and Land use</p> <p>Development Control Advice Note 4 - Restaurants, Cafes and Fast Food Outlets</p>
5.0	<p>Statutory Consultees</p> <p>Historic Environment Division – Await Response. Objection anticipated</p> <p>DFI Roads – Approval subject to conditions</p> <p>NI Water – No objection</p>
6.0	<p>Non-Statutory Consultees</p> <p>Environmental Health BCC – Further information requested</p>

7.0	<p>Representations No public objections have been received.</p>
8.0	<p>Other Material Considerations The Belfast Agenda Inner North West (INW) Masterplan</p>
9.0	<p>Assessment</p>
9.1	<p>The key issues in the assessment of the proposed development include:</p> <ul style="list-style-type: none"> <li>- Principle of change of use from café to offices</li> <li>- Proposed Extension and Impact on Built Heritage</li> <li>- Traffic and Parking</li> <li>- Impact on Amenity</li> <li>- Contaminated Land</li> <li>- Other Environmental Issues</li> </ul>
9.2	<p>Following the recent Court of Appeal decision on Belfast Metropolitan Area Plan, the extant development plan is now the Belfast Urban Area Plan. However, given the stage at which the Draft Belfast Metropolitan Area Plan (Draft BMAP) had reached pre-adoption through a period of independent examination, the policies within the Draft BMAP still carry weight and are a material consideration in the determination of planning applications. The weight to be afforded is a matter of judgement for the decision maker. 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.</p>
9.3	<p>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.</p>
9.4	<p>Given the advanced stage that BMAP 2015 reached (i.e. pre-adoption following a period of independent examination), and that the only areas of contention were policies relating to Sprucefield Shopping Centre, BMAP 2015 is considered to hold significant weight.</p>
	<p><b>Belfast Urban Area Plan (BUAP)</b></p>
9.5	<p>The site is located on unzoned whiteland within the development limits of Belfast. The eastern part of the site is located within the Main Office Area.</p>
	<p><b>Draft BMAP (2004 and 2014 versions) designations</b></p>
9.6	<p>In the draft Belfast Metropolitan Area Plan 2015 (2014 version) the site lies within a Development Opportunity site (C0016) and within the Old City Character Area (CC009). In the 2004 version of Draft BMAP, the site is also located within a development opportunity site (CC035) and Old City Character Area (CC012).</p>
9.7	<p>Although no key site requirements are set out for the site within the 2014 draft BMAP as far as the development opportunity site is concerned, in the 2004 Plan one of the key site requirements is that ground floor uses shall only be retail.</p>
9.8	<p>Draft BMAP 2015 sets out a number of Urban Design Criteria for the Old City Character Area:</p> <ul style="list-style-type: none"> <li>- The density of development in the area shall be maintained and increased where appropriate, through high site coverage and high plot ratio;</li> <li>- <i>The extension is in keeping with the scale and depth of the existing Butchers Building.</i></li> <li>- Development proposals shall take account of the height of adjoining buildings;</li> <li>- <i>The proposed extension is the same height as the existing Butchers Building.</i></li> </ul>

	<ul style="list-style-type: none"> <li>- New development shall respect the established building line;</li> <li>- <i>The proposed extension sits flush with the established building line of the Butchers Building along North Street.</i></li>   <li>- Building heights shall be a minimum of 3 storeys and a maximum of 5 storeys with use of articulated roof forms reinforcing traditional character. Consistent cornice lines should be respected;</li> <li>- <i>At three storeys the height of the extension is in keeping with the three storey minimum.</i></li>   <li>- Development shall be fine grain in nature, and aim to reflect traditional plot widths. The façade of larger development proposals shall be broken up visually to reflect the scale of traditional units;</li> <li>- <i>The introduction of a more contemporary interpretation of the established proportions and verticality helps break up the North Street façade, particularly when viewed alongside the proposed block on the wider redevelopment scheme (LA04/2018/2470/O). The width of the extension reflects the grain of the surrounding area.</i></li>   <li>- Within the area bounded by North Street, Millfield, Berry Street and Royal Avenue, comprehensive development proposals will be acceptable subject to an enhanced public realm and the creation of streets which reinstate the historic urban grain and secure east/west and north/south linkages, including links through Castlecourt.</li> <li>- <i>This is not relevant to this proposal as such but to the associated redevelopment scheme (LA04/2018/2470/O), and will be discussed further under the consideration of that application.</i></li> </ul>
9.9	<p><b>Objections to Designations in Draft BMAP 2015</b></p> <p><i>Offices</i></p> <p>The PAC concluded in their report that there is no need for a Main Office Area in Belfast and that offices should be allowed throughout the defined City Centre. This does not affect the proposal in that it is located in the defined City Centre and as such the presumption remains in favour of office development at this location.</p>
9.10	<p><i>Character Areas</i></p> <p>There were both general and more specific objections raised in relation to the draft Character Areas. The PAC recommended no change to the Plan as a result of the general objections. In terms of the specific objections to the Old City Character Area, within which the site is located, they commented that the Department (DoE) were willing to amend the second bullet point (minimum height of 3 storeys and maximum of 5 storeys) to allow departure from specified heights in exceptional circumstances, where a design statement and visual impact assessment were submitted. The PAC recommended that under the 'Elsewhere' Key Site Requirements the following should be added:</p>
9.11	<p><i>'Within the area bounded by North Street, Millfield, Berry Street and Royal Avenue, comprehensive development proposals will be acceptable subject to an enhanced public realm and the creation of streets which reinstate the historic urban grain and secure east/west and north/south linkages, including links through Castlecourt'.</i></p>
9.12	<p><i>As discussed this does not affect this proposal as such and will be examined under the associated Outline application for the redevelopment of the adjoining car park.</i></p>
9.13	<p><i>Development Opportunity Sites</i></p>

	<p>In terms of the Development Opportunity Site designation relating to this application (CC035) the PAC recommended that Castle Court be removed on the basis of an objection. It was also recommended that the Key Site Requirement relating to retail development be removed as the site lies within the Primary Retail Core and that buildings along North Street are included within the Development Opportunity Site.</p>
9.14	<p><b>Draft Belfast Local Development Plan Strategy (Draft LDP)</b></p> <p>The recently published draft Belfast Local Development Plan Strategy does not include site specific requirements and is currently subject to public consultation. Accordingly, little weight can be attributed to its policies, as they may be subject to revision following consultation and independent examination.</p>
9.15	<p><b>Prematurity to the emerging BMAP and Local Development Plan</b></p> <p>As a result of the aforementioned Judicial Review (para 9.2) the pre-adopted version of BMAP 2015 is an emerging plan. As a result Belfast now has two emerging Area Plans, the draft BMAP and the Draft Local Development Plan Strategy. In light of this any planning decision made at the moment has the potential to be premature to these two emerging plans.</p>
9.16	<p>For example such a course of action would be appropriate where development proposals, either individually or cumulatively:</p> <ul style="list-style-type: none"> <li>- would prejudice the ability of the emerging new or replacement development plan to achieve or retain general conformity with the RDS; or</li> <li>- would prejudice the outcome of the plan process by predetermining decisions that ought properly to be taken following full consideration of the relevant issues in the context of a public inquiry.</li> </ul>
9.17	<p>Where a plan is at the draft plan stage but no objections have been lodged to relevant proposals then considerable weight should be attached to those proposals because of the strong possibility that they will be adopted and replace those in the existing plan.</p>
9.18	<p>In terms of the emerging Local Development Plan the argument is more straight forward. Where an LDP is at the consultation stage with no early prospect of submission for examination, then refusal on prematurity grounds would be seldom justified.</p>
9.19	<p><b>Inner North West Masterplan</b></p> <p>The site sits within the heart of the Inner North West (INW) Masterplan area and with the accompanying Outline proposal (LA04/2018/2470/O) for the wider redevelopment of the adjoining surface level car park, would serve as a catalyst for future development. The INW Masterplan seeks to create a high quality built environment to foster a mixed use neighbourhood with both residential and employment uses.</p>
9.20	<p><b>Principle of Café and Office Uses</b></p> <p><i>Office Use</i></p> <p>The main use within the building is offices, which occupy the first and second floors. The thrust of the Strategic policy within the SPPS BUAP and the draft BMAPs is to direct office development towards the city centre, thus strengthening the city centre economy and ensuring accessible employment. The eastern part of the wider site, within which the 'Butchers Building' is located, lies within the 'Main Office Area' in the BUAP and the site lies within the defined City Centre in draft BMAP, and as such the presumption is in favour of office development at this location. The proposal is also consistent with Policy PED1 of PPS4, Planning and Economic Development.</p>

9.21	<p><i>Restaurants and Cafes</i></p> <p>The proposed cafe/ restaurant at ground floor level will enhance the diversity of the area and further ensure the active ground floor frontage. This use is obviously common within the city centre and its mix with retail units should ensure that any proliferation of cafes/ hot food units should not be so significant as to become a problem in terms of potential amenity issues. In terms of any potential impact on the amenity of the offices above, Environmental Health have not raised any significant objections, and it should be noted that this is an outline application and the detail, in terms of end user and specific cooking/ ventilation arrangements,.</p>
9.22	<p><b>Proposed Extension and Impact on Built Heritage</b></p> <p>The proposal has been assessed against the Strategic Policy Planning Statement for Northern Ireland (SPPS): Planning for Sustainable Development, specifically paragraphs:</p> <ul style="list-style-type: none"> <li>- 6.12 Development proposals impacting on Setting of Listed Buildings;</li> <li>- 6.13 Change of Use, Extension or Alteration of a Listed Building;</li> </ul> <p>Planning Policy Statement 6: Planning, Archaeology and the Built Heritage, specifically policies:</p> <ul style="list-style-type: none"> <li>- BH 7 (Change of Use of a Listed Building)</li> <li>- BH 8 (Extension or Alteration of a Listed Building); and</li> <li>- BH 11 (Development affecting the Setting of a Listed Building).</li> </ul>
9.23	<p>Historic Environment Division have advised that the proposed alterations to the listed building itself appear to comply with policy because the majority of the west gable was abutted by a terrace that has since been demolished, and in principle welcome the re-use of the listed building. They have however raised concerns in relation to the proposals link with the proposed redevelopment of the adjoining site (subject to LA04/2018/2470/O), in particular in relation to the width of the extension. They have advised that <i>'Given that this scheme is associated with a much larger scale development, a 6m wide building of same height as the former butcher's shop is requested to respect the listed building'</i>.</p>
9.24	<p>However it is important to look at the proposal as a standalone extension to the listed building. Although it will inevitably be read with the adjoining built form the extension in itself must be considered in terms of its scale, massing and design. It is worth pointing out that the existing setting can be viewed as somewhat negative, with the listed building appearing isolated, which in turn accentuates its narrow plan form.</p>
9.25	<p>HED have noted the revised design of the proposed extension, from solid form to glazing and recognise the references to the historic fabric and detailing of the Listed Building and agree that the style is acceptable. The simplistic design of the extension, heavily glazed with its nod to the more traditional vertical emphasis of the Butchers Building, ensures that it will be subservient to the strong character of the listed building and will ensure it retains its integrity and dominance. The extension also serves to increase the presence of the listed building, currently isolated, whilst at the same time separating it from its proposed neighbouring buildings (LA04/2018/2470/O), providing a suitable buffer from the larger building and integrating it into the new street frontage along North Street and Gresham Street. Given the proposal is intrinsically linked to this larger redevelopment scheme, it is essential that both are delivered in tandem (should outline permission be granted), particularly given the lack of detail on the exposed western elevation of the extension. To ensure this comprehensive redevelopment of the site a condition will be attached, as detailed below at 11.11. Alternatively, should outline permission not be granted, delegated authority is requested to agree details of the gable elevation of the proposed extension, in consultation with Historic Environment Division.</p>

9.26	The proposed extension, adding a bay to the North Street elevation, is a crucial part of establishing the integrity of the listed building as part of the new urban block, stepping up to 6 storeys and then 9 storeys on the North Street Winetavern Street corner.
9.27	Further detailed and supporting information has been submitted in an attempt to address HED's concerns. However given their view in relation to the width of the proposed extension it is likely that that they will retain their objection.
	<b>Archaeology</b>
9.28	HED Historic Monuments (HED: HM) has considered the impacts of the proposal. HED: HM is content that the proposal satisfies PPS 6 policy requirements, subject to conditions for 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 in situ, as per Policy BH 4 of PPS 6. The conditions are detailed below at 11.9 and 11.10.
	<b>Traffic and Parking</b>
9.29	A Travel Plan and Service Management Plan have been submitted in support of the application. DFI Roads have reviewed all supporting documentation and have offered no objections to the proposal, recommending a number of planning conditions be attached should permission be granted. These are detailed below at 11.2-11.3.
	<b>Impact on Amenity</b>
	<i>Odour</i>
9.30	As the proposal includes a café/restaurant use to the ground floor with offices above, Environmental Health Department has concerns regarding the potential impact of odours associated with this proposal on the offices.
9.31	Details include a low level ventilation louvre below the proposed offices. It is unclear if this ventilation louvre is associated with the kitchen extraction flue. If this is the proposed discharge point for the kitchen extractor flue details of the proposed odour abatement technology are required. Environmental Health would normally expect a higher level odour abatement technology employed where low level extraction is proposed and have requested that details are provided of the location and height of discharge of the proposed kitchen extractor flues. A condition will be attached should approval be granted to ensure these details are submitted to the Council for approval prior to commencement of development, as detailed below at 11.8.
	<b>Contamination</b>
9.32	Environmental Health (EH) Service has commented that the proposed development is located in close proximity to land use types that would have the potential to contaminate land and pose a risk to human health (Printing works, textile works)). Furthermore EH would have concerns that made ground of unknown quality is present on the site.
9.33	Subsequently there exists the possibility that this land may present a risk to human health if the development proceeds without proper consideration of these risks. EH has requested that the applicant submits a Contaminated Land Risk Assessment that addresses these concerns in full. Given the presence of a building on part of the site and an existing surface level car park on part of the site, a condition should be added, should approval be granted, that a suitable Contaminated Land Risk Assessment is submitted prior to commencement of development. This condition is detailed below at 11.4.
	<b>Other Environmental Issues</b>
9.34	Environmental Health has queried if a substantial combustion system is proposed. If so please provide details of the proposed plant. Given the end user is not known at this



	stage, these details would be subject to a condition, that should it be required, the details would be submitted for approval by the Council prior to commencement of development. Such a condition is detailed below at 11.7.
10.0	<b>Summary of Recommendation:</b>
10.1	The mixed of uses – café/ restaurant at ground floor and offices above is appropriate to the city centre location and will encourage an active ground floor frontage whilst the office space above complies with strategic planning policy which directs new offices to the city centre.
10.2	The proposed extension is appropriate to the scale of the Butchers Building and will assist in the enhancement of its setting, which at the moment sees it isolated in the corner of a surface level car park. The width and design of the extension, with a lightweight glazed structure will ensure that the listed building retains its primacy and dominance, whilst also providing a buffer between the proposed redevelopment scheme (LA04/2018/2470/O), stepping up to a 6 storey building on North Street.
11.0	<b>Conditions</b>
11.1	As required by Section 61 of the Planning Act (Northern Ireland) 2011, the development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.  Reason: Time Limit.
11.2	The development hereby permitted shall operate in accordance with the approved Travel Plan within Appendix D of the Transport Assessment Form bearing the Belfast City Council Planning Office date stamp 03 December 2018. This must be made available as a standalone document to any tenants and must include provision of the Translink iLink Initiative and the Bike2Work Initiative or equivalent measures to encourage sustainable travel by staff and visitors, to be agreed by DfI Roads.  Reason: To encourage the use of alternative modes of transport to the private car in accordance with the Transportation Principles.
11.3	The development hereby permitted shall operate in accordance with the approved Service Management Plan within Appendix E of the Transport Assessment Form bearing the Belfast City Council Planning Office date stamp 03 December 2018. This must be made available as a standalone document to any tenants.  Reason: In the interests of road safety and traffic progression.
11.4	No development shall be undertaken unless a Preliminary Risk Assessment (often referred to as a Phase I) has been submitted to, and approved in writing by the Council. This should include a full description of the site and its surroundings, a determination of the history of the site and its surroundings, identification of the current and past land uses and a Preliminary Conceptual Site Model outlining all potential Source-Pathway-Receptor pollutant linkages.  Should the Revised Preliminary Risk Assessment demonstrate that potential pollutant linkages exist on the site then a Quantitative Risk Assessment (often referred to as a Phase II) that addresses these issues should be submitted to the Council, and approved, prior to commencement of development. This must incorporate:  - A detailed site investigation in line with British Standards BS10175:2011. Any ground gas investigations should be conducted in line with BS8485;

11.5	<ul style="list-style-type: none"> <li>- A satisfactory assessment of the risks (including a Revised Conceptual Site Model) associated with any contamination present, conducted in line with current Defra and Environment Agency guidance; and the revised soil quality standards – LQM/CIEH S4ULs for Human Health Risk Assessment. In addition, risks associated with ground gases should be assessed under the methodology outlined in CIRIA C665;</li> <li>- Based on the outcome of this risk assessment, a Remediation Strategy (often referred to as a Phase III) may be required. If found to be necessary, this Strategy must demonstrate how the identified pollutant linkages are to be demonstrably broken and no longer pose a potential risk to human health.</li> </ul> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p>
	<p>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 Model Procedures for the Management of Land Contamination (CLR11). 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>
11.6	<p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p> <p>After completing the remediation works under Condition 11.4; and prior to occupation of the development, a verification report shall be submitted in writing and agreed with Planning Authority. This report should be completed by competent persons in accordance with the Model Procedures for the Management of Land Contamination (CLR11). The verification report should present all the remediation and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and achieving the remedial objectives.</p>
11.7	<p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p> <p>Prior to the installation of the combustion system within the proposed development details of the proposed heating systems must be provided and an additional air quality report must be submitted to the Council for review and written approval. This report must include details of the specification(s) of the heating systems, the number of units proposed, their exact location and emission points/ vent locations. The report must demonstrate that the cumulative impact of the boiler emissions and the traffic emissions will not have an adverse impact on air quality.</p>
11.8	<p>Reasons: Protection of adverse air quality impacts.</p> <p>Prior to commencement of development odour abatement details shall be submitted to the Council for approval. Prior to the operation of the development hereby approved, a proprietary odour abatement system shall be installed in accordance with the approved details, and shall be retained in accordance with these plans. The installed odour extraction and ventilation system must be cleaned and maintained to the satisfaction of Belfast City Council thereafter.</p>
11.9	<p>Reason: In the interests of amenity.</p> <p>No site works of any nature or development shall take place until a programme of archaeological work has been implemented, in accordance with a written scheme and</p>

11.10	<p>programme prepared by a qualified archaeologist, submitted by the applicant and approved by the Department. The programme should provide for the identification and evaluation of archaeological remains within the site, for mitigation of the impacts of development, through excavation recording or by preservation of remains, and for preparation of an archaeological report.</p> <p>Reason: To ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded.</p> <p>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>
11.11	<p>The extension hereby approved shall not be constructed unless a contract has been signed for the redevelopment of the adjoining site in accordance with outline planning permission LA04/2018/2470/O.</p> <p>Reason: To ensure the comprehensive development of the site and in the interests of visual amenity.</p>
12.0	<p>Notification to Department (if relevant) Yes. Objection from a statutory consultee – Historic Environment Division</p>
13.0	<p>Representations from elected members: None received</p>
<p>Neighbour Notification Checked <span style="float: right;">Yes</span></p> <p>Signature(s)</p> <p>Date:</p>	

<b>ANNEX</b>	
<b>Date Valid</b>	8th October 2018
<b>Date First Advertised</b>	2nd November 2018
<b>Date Last Advertised</b>	2nd November 2018
<b>Details of Neighbour Notification</b> (all addresses) 1/2 Price Carpets,103 North Street,Belfast,Antrim,BT1 1ND, 10-14 Gresham Street,Belfast,Antrim,BT1 1JN, 101 North Street,Belfast,Antrim,BT1 1ND, 107 North Street,Belfast,Antrim,BT1 1ND, 110 North Street,Belfast,Antrim,BT1 1LE, 112 North Street,Belfast,Antrim,BT1 1LE, 116 North Street,Belfast,Antrim,BT1 1LE, 118 North Street,Belfast,Antrim,BT1 1LE, 138 North Street,Belfast,Antrim,BT1 1LE, 16 Gresham Street,Belfast,Antrim,BT1 1JN, 4-8 Gresham Street,Belfast,Antrim,BT1 1JN, 95 North Street,Belfast,Antrim,BT1 1ND, 97 North Street,Belfast,Antrim,BT1 1ND, 97a ,North Street,Belfast,Antrim,BT1 1ND, 99 North Street,Belfast,Antrim,BT1 1ND, 99 North Street,Belfast,Antrim,BT1 1ND, Andrew Crowe,108 North Street,Belfast,Antrim,BT1 1LE, Bigg Life Arts Centre,93 North Street,Belfast,Antrim,BT1 1ND, E & G Stores,93 North Street,Belfast,Antrim,BT1 1ND, Gerard Mckeown Shoe Repair,Unit 7,The Haymarket,84 Royal Avenue,Belfast,Antrim,BT1 1DJ, Gresham Tapes,25 Gresham Street,Belfast,Antrim,BT1 1JL, Gresham Tattoo Studio,A,25 Gresham Street,Belfast,Antrim,BT1 1JL, Nobletts Of North Street,118 North Street,Belfast,Antrim,BT1 1LE, The Alambra,114 North Street,Belfast,Antrim,BT1 1LE, The Gresham Bookshop,Unit 1,2 Gresham Street,Belfast,Antrim,BT1 1JN,	
<b>Date of Last Neighbour Notification</b>	26th October 2018
<b>Date of EIA Determination</b>	N/A
<b>ES Requested</b>	No
<b>Drawing Numbers</b> 09/B, 10/B, 11/B, 12/B, 13/B, 14/B, 15/A, 16/A, 17/A, 18	

**Notification to Department (if relevant) – Yes. Objection from Statutory consultee (Historic Environment Division)**

This page is intentionally left blank