

Public Document Pack

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



**Belfast
City Council**

7th June, 2022

MEETING OF THE PLANNING COMMITTEE

Dear Alderman/Councillor,

The above-named Committee will meet in a Hybrid format, both via Microsoft Teams and in the Council Chamber, on Tuesday, 14th June, 2022 at 5.00 pm, for the transaction of the business noted below.

You are requested to attend.

Yours faithfully,

John Walsh

Chief Executive

AGENDA:

1. Routine Matters

- (a) Apologies
- (b) Minutes (Pages 1 - 22)
- (c) Declarations of Interest

2. Committee Site Visit

- (a) Request for a Pre-Emptive Site Visit - 16th June 2022

LA04/2022/0535/F & LA04/2022/0468/DCA - Physical development - re-cladding of the exterior of the building, creation of a new access point to the upper floors and central core on Castle Arcade, demolition of bridge link over Castle Arcade and erection of a new oversail section at the junction of Castle Lane and Castle Arcade. Change of use - partial change of use of upper floors from storage and back of house facilities to a mixed use of Assembly and Leisure (class D2) and a sui-generis multifaceted leisure use combined with the sale of food and drink for the consumption on the premises.

Reconfiguration of existing ground floor storage, associated public realm improvements and ancillary development. Net reduction in gross floorspace of approximately 331 sqm. Partial demolition of existing facade treatment on Castle Lane, Castle Arcade and Cornmarket, demolition of existing internal staircases and internal walls and demolition of bridge link over Castle Arcade, at 13-25 Castle Lane; Castle Arcade and 3-9 Cornmarket.

3. **Planning Appeals Notified** (Pages 23 - 24)
4. **Planning Decisions Issued** (Pages 25 - 52)
5. **Proposed Abandonments** (Pages 53 - 56)
6. **Planning Applications**
 - (a) (Reconsidered Item) LA04/2020/1959/F - New parkland (Section 2 Forthmeadow Community Greenway) - foot and cycle pathways, lighting columns, new entrances and street furniture on site including vacant land bounded by the Forthriver Industrial Park in the east Springfield Road to the South and Paisley Park & West Circular Road & Crescent to the West. Area also includes links through the Forthriver
 - (b) (Reconsidered Item) LA04/2020/1666/F - Demolition of existing two storey building and erection of an office development with heights of 9-14 storeys with landscaping, parking, and associated development. At Lands at 102-127 Grosvenor Road and adjoining the Westlink/Grosvenor Road junction (Pages 57 - 80)
 - (c) (Reconsidered Item) LA04/2019/0775/F - 18 dwellings to include revision of site layout of previous approval Z/2007/1401/F at sites 2-8 (7 dwellings) and additional 11 No. dwellings, including landscaping, access via Hampton Park and other associated site works on lands approximately 50m to the north of 35 Hampton Park and approximately 30m to the west of 60 Hampton Park, Galwally
 - (d) (Reconsidered Item) LA04/2022/0275/F - Awning attached to existing façade at 26 University Avenue (Pages 81 - 90)
 - (e) (Reconsidered Item) LA04/2022/0276/F - Awning attached to existing façade at 27 University Avenue (Pages 91 - 100)
 - (f) (Reconsidered Item) LA04/2022/0277/F - Awning attached to existing façade at 65-67 University Avenue (Pages 101 - 110)
 - (g) (Reconsidered Item) LA04/2022/0138/F - Awning attached to existing façade at 1 Rugby Avenue (Pages 111 - 120)
 - (h) LA04/2021/0859/F - Retention of 21-23 Victoria Street and 41-51 Waring Street, Belfast with minor alterations to facades and erection of a 3 storey extension to the buildings to facilitate a 164 bedroom hotel with ground floor bar/restaurant, meeting rooms and fitness centre, back of house facilities, 7th floor bar, and public realm improvements
 - (i) LA04/2021/2440/F & LA04/2021/2439/DCA - Demolition of existing dwelling and garage to allow for the erection of a new semi-detached dwelling and two apartments at 362 Lisburn Road (Pages 121 - 142)
 - (j) LA04/2022/0207/F - Change of use from Church halls to offices at Townsend Street Presbyterian Church, 32 Townsend Street (Pages 143 - 158)

7. **Restricted Item**

- (a) Update on Planning Portal replacement IT system

This page is intentionally left blank

Planning Committee

Tuesday, 17th May, 2022

HYBRID MEETING OF THE PLANNING COMMITTEE

Members present: Councillor Carson (Chairperson);
The High Sheriff, Councillor Hussey;
Councillors Garrett, Groogan, Hanvey,
Hutchinson, T. Kelly, Maskey, Murphy,
O'Hara, Spratt and Whyte.

In attendance: Ms. K. Bentley, Director of Planning and Building Control;
Mr. E. Baker, Planning Manager (Development Management);
Mr. K. Sutherland, Planning Manager (Policy);
Ms. N. Largey, Divisional Solicitor;
Ms. C. Donnelly, Democratic Services Officer; and
Mrs. L. McLornan, Democratic Services Officer.

Apologies

Apologies for inability to attend were reported from Councillors Collins and McMullan.

Minutes

The minutes of the meetings of 12th and 14th April were taken as read and signed as correct. It was reported that those minutes had been adopted by the Council at its meeting on 9th May, subject to the omission of those matters in respect of which the Council had delegated its powers to the Committee.

Declarations of Interest

Councillor Spratt declared an interest in item 5a, LA04/2020/0559/F & LA04/2020/0562/DCA - 24 Malone Park, in that he had previously engaged with residents regarding the site. He left the meeting for the duration of the item.

Committee Site Visits

The Committee noted that a site visit had taken place in respect of the below applications on 27th April, 2022:

- LA04/2020/0559/F - Renovation and single storey rear extension to dwelling, construction of a new detached garage and new entrance gates and pillars at 24 Malone Park; and
- LA04/2020/0562/DCA - Demolition of rear extension (partly single storey, partly one and a half storey) and existing shed and summerhouse at 24 Malone Park.

**Meeting of Planning Committee,
Tuesday, 15th May, 2022**

Planning Appeals Notified

The Committee noted the receipt of correspondence in respect of a number of planning appeals which had been submitted to the Planning Appeals Commission, together with the outcomes of a range of hearings which had been considered by the Commission.

Planning Decisions Issued

The Committee noted a list of decisions which had been taken under the delegated authority of the Director of Planning and Building Control, together with all other planning decisions which had been issued by the Planning Department between 2nd April and 9th May 2022.

Proposed Abandonment

Land at Parkgate Avenue

The Committee was advised that correspondence had been received from DFI Roads, advising that Apex Housing Association proposed to abandon land at Parkgate Avenue in order to facilitate redevelopment in the area.

The Committee noted the information.

Miscellaneous Items

**Request to hold a Special Meeting
in June 2022 - verbal update**

The Planning Manager (Development Management) advised the Committee that there were a number of applications which might not be ready for the monthly meeting in June but which would need to be progressed before the July recess period.

The Committee agreed to hold a Special meeting in late June, if required.

Restricted Item

The information contained in the report associated with the following item is restricted in accordance with Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014.

Resolved – That the Committee agrees to exclude the members of the Press and public from the Committee meeting during discussion of the item as, due to the nature of the item, there would be a disclosure of exempt information as described in Section 42(4) and Section 6 of the Local Government Act (NI) 2014.

**Meeting of Planning Committee,
Tuesday, 15th May, 2022**

**LDP - Update on the proposed Modifications,
Consultation and Engagement**

The Director of Planning and Building Control provided the Committee with an update in respect of the final detail of the proposed consultation arrangements, the modifications documents and the results of the ongoing engagement with DfI in relation to the Local Development Plan.

The Committee noted the contents of the report and appendices, including the details of the proposed modifications documentation, consultation arrangements and ongoing DfI engagement.

Planning Applications

**THE COMMITTEE DEALT WITH THE FOLLOWING ITEMS IN PURSUANCE OF THE
POWERS DELEGATED TO IT BY THE COUNCIL UNDER STANDING ORDER 37(e)**

**(Reconsidered Item) LA04/2020/0559/F &
LA04/2020/0562/DCA - Renovation and single
storey rear extension to dwelling, construction
of a new detached garage and new entrance
gates and pillars at 24 Malone Park**

(Councillor Spratt, having declared an interest, left the meeting for the duration of this item)

The Planning Manager explained that the application for full planning permission had previously been listed for consideration by the Committee on 15th February and 14th April. The application had, however, been withdrawn from the meeting of 15th February meeting to allow officers time to consider a speaking note provided on behalf of the objector at 26 Malone Park. It was then deferred by the Committee at the 14th April meeting to allow it to undertake a site visit.

The Planning Manager outlined the details of the application to the Committee.

The site was a 2.5 storey semi-detached residential home finished in red brick on a large plot. The dwelling contained an existing two storey rear return. There was parking to the side elevation and extensive gardens forming the front, side and rear elevations. The surrounding area was residential and comprised large semi-detached and detached properties within large plots. The site was within the Malone/Adelaide Park Conservation Area.

The proposed single storey rear extension measured 11.95metres in length with a height of 5.75metres. When the proposed demolition was taken into account, he explained that the existing rear return of the property would be increased in length by 4.95metres. The proposed garage measured 9.5metres x 6.35metres with a height of 4.49metres. The proposed pillars measured a height of 2.02metres with the gates a height of 1.8metres.

**Meeting of Planning Committee,
Tuesday, 15th May, 2022**

The key issues which had been considered during the assessment of the application included:

- character and appearance;
- design;
- impact on amenity;
- impact on Conservation Area; and
- objections.

The Members were advised that the proposal was considered to be in compliance with the relevant legislation, policy and guides. The proposed extension, garage and gates/pillars were deemed to be of an acceptable scale and massing to not detract from the character and appearance of the surrounding area. The proposed footprint of the extension and garage were deemed to be within the 1.5 times limit as set out in the Adelaide/Malone Park Conservation Guide.

The Conservation Officer had been consulted and objected to the proposed ibex fencing. The Committee noted that that had been amended and removed from the drawings.

The Committee was advised that eight objections and two letters of support were received and were addressed within the report.

The Planning Manager outlined that the application had been withdrawn by officers from the meeting of 15th February, to allow officers time to consider correspondence from an objector.

He explained that it was alleged that the officers' analysis of the application was misconceived and, in short, that the garage, which was described as an outbuilding in the original Committee report, should not have been included in calculating the amount of permitted building coverage. He explained that officers did not necessarily accept that was the case, for the reasons set out in the original report. Notwithstanding that position, the original report had also assessed the application by excluding the garage.

The objector also alleged that officers had failed to explain that the Guide was underpinned by the statutory duty in Section 104 (11) of the 2011 Act. However, the Planning Manager outlined to the Committee that paragraph 9.35 of the original report advised that that duty was reflected within paragraph 6.18 of the SPPS and BH12 of PPS6, both of which were discussed in the original report.

The Planning Manager reported that officers were of the view that the proposed extension and garage presented a modest development which was sympathetic to both the existing site and the surrounding area, which contained both larger extensions and garages. The rationale behind the provision within the Guide was to allow landscape to remain dominant by the reference to the relationship between the proposed building mass and gardens. While the permissible building coverage would be exceeded in that calculation, in officers' opinion, it remained the case that the landscaping would still remain dominant. The proposed building coverage would make up 17% of the site.

The Committee was advised that it was considered that the proposal would preserve the character of the site and the wider Conservation Area. As set out in the original report, the

**Meeting of Planning Committee,
Tuesday, 15th May, 2022**

proposed extension almost mirrored the extension of the neighbouring semi-detached property and therefore brought an element of symmetry to the rear of the dwellings. The garage had been set behind the building line of the existing dwelling and a sufficient distance from the dwelling to ensure that views of the dwelling were not impacted.

The Planning Manager explained that regard had been given to the other guidance in the same section of the Adelaide/Malone Park Conservation Guide. It was considered that the extension had been designed as an integral part of the original dwelling. Officers felt that the extension and alterations would not detract from the character of the Conservation Area. The proposal would not give rise to unsatisfactory proportions, or seriously infringe on the setting, and would not be overbearing in relation to the form of the original building.

The Committee was advised that large garages to the side elevations were part of the character of the surrounding area. Most notably in the immediate surrounding area, garages in similar locations had been approved at 20, 21, 22 and 26 Malone Park. The proposed pillars and gates to the front of the property were considered sympathetic, the design of the pillars was of a high standard and the railings would allow views of the dwelling to be retained.

The Planning Manager explained that it was considered that the proposal complied with Section 104(11) of the 2011 Act in that the proposal would preserve the character or appearance of the Conservation Area where an opportunity for enhancing its character or appearance did not arise. By its nature, the proposal for an extension and the garage would give a limited opportunity for enhancement of the Conservation Area. However, given the considerations provided in the addendum and the main reports, it was considered that the proposal would preserve the character and appearance of the Conservation Area.

He added that a further objection had been received from the Malone Park Residents Association and which had been considered in the addendum report which was submitted to the April meeting.

The Committee's attention was drawn to the Late Items pack, whereby correspondence had been received from an objector, requesting confirmation as to which plans had been taken into account to reach the recommendation to approve the application. The objector also queried whether officers had had regard to further detailed Building Control plans and stated that it was unclear from the 1947 Building Control Plan whether the original garage had been accurately depicted. The objector also stated that the 1.5 times guidance had been applied by officers in different scenarios which was an unsatisfactory approach. It stated that officers' repeated attempts to count a non-dwelling garage in a manner that made a contrived calculation was contrary to the evidence of the location plan, to the policy and double counted the garage, allowing the very incremental development that the Court of Appeal had warned about.

The Committee was advised that officers had liaised with Building Control to check the existence and availability of any relevant drawings which might have reflected the original footprint. The assessment has been based on the earliest drawings which concurred with the OSNI historical maps. The Members were also advised that the 1947 Building Control map showed the proposed summer house, which was not built, but also the projection to the east side of the house. The resolution of the maps was such that an assessment of the projection could not accurately be made. The Committee was advised that the Council reference map

**Meeting of Planning Committee,
Tuesday, 15th May, 2022**

(1937) and Building Control application (1947) showed a garage in a similar location as to the side projection shown in the OSNI historical maps. It could therefore be reasonably deduced that the side extension shown was a garage. The 1947 Building Control Application contained a scaled block plan showing the dimensions of the garage and officers had no reason to doubt the accuracy of that plan.

While officers were of the opinion that the original garage was included in the definition of the term dwelling, an assessment had also been provided that excluded the garage from the calculation. In both cases, officers had found that the proposal was acceptable for the reasons stated in the Committee report.

The Planning Manager also referred to an additional representation in support of the application, which had been reported to the Committee in the Late items pack to the meeting on 14th April 2022.

The Chairperson welcomed Councillor Lyons to the meeting. He advised that he objected to the application for the following reasons:

- the planning policies regarding the Conservation Areas had been drafted and agreed to protect the shared interests, both immediate in the wider area, such as environmental protections and the wider eco system;
- when you deviated from the protective policies, that could lead to a diminution or loss of protections;
- planning policy states that, when managing development within a Conservation Area, there was a general presumption against the granting of permission for the demolition of unlisted buildings where proposals were in conflict with that principle; and
- there was a general presumption that the policy should only be relaxed in exceptional circumstances and that the application did not meet that.

The Chairperson thanked Councillor Lyons for his contribution.

He then welcomed Councillor McAteer to the meeting. She advised that she also objected to the application for the following reasons:

- the Malone Park Residents Association wished to protect and conserve the built heritage of the Park;
- the Association was charged with the maintenance and management of the public areas such as the verges, footpaths and trees, as well as the preservation of the character of the Malone Conservation Area;
- Malone Park was a special and unique place with many individually designed residences with mature landscapes and a tree-lined avenue, producing the distinctive townscape character which was worthy of the utmost protection;
- the Conservation Area provided the Park with statutory protection to ensure that the character of the area was maintained; and

**Meeting of Planning Committee,
Tuesday, 15th May, 2022**

- the residents were particularly concerned that if the current application was permitted, which they believed to be over and above the 1.5 times the original size, it would set a worrying precedent.

The Chairperson thanked Councillor McAteer for her contribution.

The Chairperson advised the Committee that Mr. S. Beattie QC and Mr. M. Worthington, who represented the Malone Park Residents' Association, were in attendance to object to the application.

Mr. Beattie QC advised the Committee that:

- the policy in relation to ratio was extremely clear as it stated that "In no circumstances should building coverage be more than one and a half times that of the original dwelling";
- the officers' own presentation illustrated that it was a separate garage, and not a dwelling, as shown in the 1937 and 1947 maps;
- further, that the applicant was relying on a 1907 valuation of the property, which included "a rear yard, stables and stores" which did not make it a dwelling either;
- page 23 of the policy required that the landscaping be protected and preserved and that officers had not paid heed to that;
- whilst the officers had referred to Article 104 of the Planning Act, they had not referred to Article 104 part 7, whereby it was clear from the application that the boundary for the Conservation Area had gone, subsumed into two dwellings, one of which sat outside the Conservation Area and the boundary had indisputably changed;
- the Court of Appeal case on the policy had made abundantly clear that the reasonable lawful approach to the policy must be taken into account and that there must be a guard against incremental accretion of building development;
- the floorspace calculation of the original building, carried out by officers and the applicant, was different but that the Committee should be mindful that the policy clearly stated that there should be no incremental accretion of built development, that it was in fact a separate garage and not part of the original dwelling; and
- the reference to PPS6 was a red herring as the PPS did not in any way displace the planning policy or the Conservation Area guidance.

Mr. Worthington advised the Committee that the Malone Park Residents' Association felt that:

- the Park was under significant development pressure on a scale which had not been seen in quite some time and that the application represented a pivotal point in time for the Conservation Area;
- there were a number of applications for which the decision in this application would be critical;

**Meeting of Planning Committee,
Tuesday, 15th May, 2022**

- its approval would allow for the incremental increase in larger developments which would negatively impact on the relationship of buildings and landscape and which, when combined, would decimate the character and appearance of the area;
- its approval would pave the way for the death of the Conservation Area;
- the design guide was absolute, stating the words “in no circumstances”; and
- building coverage related to all of the buildings proposed and the original dwelling related only to the original dwelling as it was originally built, in the late 1800s.

A Member asked the representatives whether the garage was built as part of the original buildings on the site and, if it was, did it, in their view, constitute part of the original dwelling. Together, Mr. Beattie and Mr. Worthington advised the Committee that the 1907 map showed a blurred drawing. The 1937 and 1947 maps showed a clearly separated building and that it could not be said with any certainty that it was original to the site. He outlined that officers had consistently said that it was a garage and that the applicant had stated that it was stables, rear yard or stores. He explained that he found that it was therefore hard to accept as original, as the maps showed that the building was either not there at all or was separate. They did not accept that it was a “dwelling”.

The Chairperson thanked Mr. Beattie and Mr. Worthington for their contributions.

He advised the Committee that Mr. W. Orbinson QC, Mr. D. Stelfox (Architect) and Mr. L. Brown (neighbour) were in attendance on behalf of the agent and applicant.

Mr. Orbinson QC advised the Committee that:

- the Court of Appeal had said, in its Gilligan judgement, that policy was not mandatory, that the Council was free to override or depart from any part of it if it considered it justified and that the Council was entitled to attribute such weight as it thought fit to any consideration;
- that was entirely consistent with what the Court of Appeal had said in Stewart, whereby planning policies did not have to be slavishly followed;
- the Court of Appeal, in Gilligan, did not say anything about the meaning of the term “original dwelling” in the Guide, nor say that that meaning was limited to the dwelling-house itself and excluded ancillary outbuildings dating back to the time the dwelling was built;
- the objector was wrong to say that including the outbuildings had opened up the same precedent that the Court of Appeal had warned against;
- as the Nelson decision had confirmed, the Guide must be interpreted by reference to its intended purpose and that the ratio’s purpose was to allow the landscape to remain dominant as compared to building mass. Original outbuildings were, of course, part of the established relationship between building mass and gardens, as what would be the logic in the Guide intending to exclude original outbuildings in order to respect and retain the established relationship between building mass and gardens. That would, in fact, fundamentally distort the relationship;

**Meeting of Planning Committee,
Tuesday, 15th May, 2022**

- the Guide itself used the words “dwelling”, “buildings” and “property” interchangeably to refer to historic built form, with no intent to distinguish between the living part of a house and ancillary outbuildings. It referred to refusing extension proposals which were “considered overbearing in relation to the form of the original buildings”, plural, which was not consistent with the notion that the only original built form that mattered was the house itself;
- nothing prohibited garages from being separate from the main house;
- the Moore judgement by the English Court of Appeal had held that converting the outbuildings of a house to holiday units involved a change of use from a single dwelling-house to use as two or more dwelling-houses, so the English Court of Appeal plainly treated the outbuildings as part of the dwelling;
- in Creighton, the PAC included a garage within the ratio;
- as the Planning officers had advised within their report, the Council could lawfully grant permission even if the Committee felt that the 1.5x ratio had been exceeded. Paragraph 7.12 of PPS 6 stated that, while the planning authority would attach ‘great weight’ to the need for proposals for new development to accord with the specific guidance drawn up for each particular Conservation Area, it was entitled to depart from guidance where material considerations indicated otherwise;
- the officers had agreed that the proposal was modest and sympathetic both to the site and to the surrounding area and, with 17% building coverage, would allow landscaping to remain dominant; and
- the proposal’s design would in fact enhance the character of the Conservation Area, in large part because the extension almost mirrored the extension of the neighbouring semi-detached property and therefore brought an element of symmetry to the rear of the dwellings.

Mr. Stelfox advised the Committee that he was an accredited conservation architect and that both planning officers and the Conservation Officer had agreed that the proposal was entirely in keeping with the Conservation Area.

Mr. Brown explained that he lived in the adjoining semi-detached property to the application site and that he was supportive of it. He outlined that it was a modest refurbishment and extension, which closely mirrored the design of his property.

Councillor Groogan sought clarity on what constituted the original dwelling.

Mr. Stelfox advised the Committee that, as part of his submission to the application, the Council’s valuation books had first described the site as “house and offices”. He explained that offices was the term used for ancillary accommodation such as outbuildings, stores, sculleries and larders and were included as part of the original dwelling.

The Planning Manager clarified a number of points to the Committee that the Guide did not specifically define what a dwelling was. From the maps available from the early 1900s, officers believed that it was reasonable to deduce that that the garage was part of the original dwelling. Notwithstanding, if the Committee was to take a more precautionary approach, it could take the view that the garage was not part of the original dwelling and that the ratio was

**Meeting of Planning Committee,
Tuesday, 15th May, 2022**

therefore in excess of the 1.5 permitted. He outlined that the statutory test in Section 104 which placed a duty on enhancement of the Conservation Area where an opportunity arose and preservation of the Conservation Area where such an opportunity did not arise. In that case, the advice from officers was that the proposal, by its nature, did not provide opportunity for enhancement and so the key question was whether the character and appearance of the Conservation Area would be preserved. If the Committee took the view that planning permission should be refused then it would need to evidence harm and why the Conservation Area would not be preserved. Having regard to the Malone Park Conservation Area guidance, the Committee needed to ask itself if the landscape would remain dominant as a result of the approval of the application and whether the ratio of building mass to landscaping would remain respected. He explained that officers believed that the landscaping would remain dominant and that the application would not upset the balance.

The Chairperson put the officer's recommendation to approve the application and to grant delegated authority to the Director of Planning and Building Control to finalise the wording of the conditions to the Committee.

On a vote, eight Members voted for the recommendation, two against and one no vote and it was accordingly declared carried.

LA04/2020/0426/F - Proposed re-construction of petrol station and ancillary retail until including the replacement of fuel tanks, pumps and canopy alterations. Alteration to roof of hot food take away, compactor and provision of an EV charging facility at 228-232 Stewartstown Road

The Committee was advised that an email had been received, on 16th May, from Mr. G. Magee, Quantum Law Solicitors Ltd. advising that, given the short notice of when the application was added to the Committee agenda, Counsel Robert McCausland was unable to attend the meeting. Mr. Magee had requested that the application be deferred to allow a short period of time for them to prepare a summary of objections. The Committee did not accede to the request to defer and agreed to consider the application before it.

The Committee was advised that the application was previously approved by the Planning Committee at its meeting on 20th April 2021. The Principal Planning officer explained that that decision had been subject to a judicial review, which was ultimately conceded by officers upon counsel's advice. The grounds of challenge in the judicial review application had alleged, inter alia, that the Council had failed to take into account material considerations, and that the decision was flawed for the following reasons:

1. the report had failed to bring to the attention of the Planning Committee various correspondence;
2. the report had misled the Committee as to DFI's final consultation position;
3. the failure to conduct a Transport Assessment;
4. the consultation with DFI Roads had been inadequate;
5. failure to deal with the issue of inadequate parking provision; and

**Meeting of Planning Committee,
Tuesday, 15th May, 2022**

6. that the Committee had failed to scrutinise and enquire into the planning application before making its decision.

The Principal Planning officer advised the Members that, essentially, the issue in question had related to parking provision at the site. DfI Roads had initially objected to the application on the basis of insufficient parking and had requested a whole suite of information from the applicant. The information was not provided and, whilst DfI had subsequently indicated that they considered the application a significantly like for like replacement, it did not formally withdraw its initial objection or request for information. The judicial review was conceded on the basis that the case officer's report had inadvertently failed to accurately present DfI Roads' position on the planning application which had led the Committee into error.

Further to the quashing of the original decision, the Committee was advised that officers had reconsidered the proposed development.

The Principal Planning officer outlined the details of the application to the Committee.

The Members were advised that a Transport Statement, prepared by Karen McShane Transport Consultant, had been submitted by the applicant following the decision of the court.

The Principal Planning officer outlined that the Council had reconsulted with all previous consultees and re-notified all neighbours and objectors, as per statutory requirements. Further to comments from consultees and review by the case officer, further additional information was submitted, including proposed floor plans and proposed site drainage layout.

The Members were advised that one additional objection had been received, querying what plans were under consideration. The Principal Planning officer outlined that drawing numbers were confirmed and superseded following the objection. She explained that further consultation and neighbour notification had also taken place following the comments.

The Committee was advised that a Transport Statement Rebuttal had been submitted, prepared by Systra Ltd on behalf of an objector, Fernmount Trading (NI) Ltd. That document cited a number of concerns, including that:

- a vast majority of customers would travel by car. It was unlikely that customers would walk or use public transport;
- effective parking on the site was currently limited and due to existing constraints, there was no opportunity to increase the number of spaces;
- the proposed parking layout was not a realistic representation of what could be achieved, as many of the spaces were not accessible or, if occupied, would create bottlenecks and an unsafe environment for customers walking to and from their vehicles;
- the existing PFS forecourt was already congested and unsafe, leading to vehicles queuing on the Stewartstown Road;
- any increase in vehicle movements associated with the proposed development would have a detrimental impact on road safety;
- the proposed development was contrary to Policies AMP 1, AMP 7 and AMP 9 of PPS 3.

**Meeting of Planning Committee,
Tuesday, 15th May, 2022**

The Committee was advised that DFI Roads had responded to the Council's consultation request on 27th January 2022, offering no objections to the proposal. However, the Council had re-consulted DFI Roads on 5th April, requesting further comments and an explanation as to why previously requested information from their response of 9th September 2020 was no longer necessary.

The Principal Planning officer explained that a further response from DFI Roads was received on 10th May 2022. In conclusion, DFI Roads had advised that it maintained its position of previous consultation response of 27th January 2022, in that no objections were offered. They advised that the information requested in their response of 9th September 2020 did not take account what weight should have been given to the extant planning permission and that the previous request for information was no longer appropriate.

In relation to site drainage, NIEA Water Management Unit (WMU) had provided comment on the proposed development and had requested a full site drainage plan to enable assessment of the impact of the proposal on the surface water environment. WMU had provided a specific list of information to be included within the site drainage plan and also enquired if vehicle washing was due to take place on the site.

In response, the agent provided Drawing No. 8 – Proposed site drainage plan. WMU had been consulted further and it had advised that, whilst it had no objection in principle, it had requested further details. As WMU had no objection in principle, it was requested that delegated authority be given to officers to deal with the outstanding matter. If WMU changed its view and/or any water management issues cannot be resolved, the application would be returned to Committee for further consideration.

The Members' attention was drawn to the Late Items pack, whereby it was noted that there were two other current applications under consideration in relation to the application site:

- LA04/2021/2212/F – Retrospective permission single storey temporary shop facility; and
- LA04/2021/2211/A - Shop signage and advertising boards to temporary shop.

A new drawing had also been received from the agent, Drawing No. 09 – Existing Site layout (car parking). The site layout showed the existing parking layout (pre fire). The layout showed 24 parking spaces within the application site.

The Chairperson welcomed Mr. J. Scally, Carlin Planning, who was speaking on behalf of Fernmount Trading and Sharp NI Ltd., the owners of Beckett's bar, which was directly adjacent to the site and who were objecting to the application. He advised the Committee that:

- they had consistently objected to the proposed scheme during the previous and current period;
- the previous decision had resulted in a Judicial Review of the Planning Committee's decision to approve, at significant expense to the objectors;
- the JR had been successful;

**Meeting of Planning Committee,
Tuesday, 15th May, 2022**

- the objectors remained concerned that DFI Roads' position was not being accurately portrayed to the Committee;
- the objectors felt that their concerns were not being taken seriously by neither the Council nor by DFI Roads, which was evident in the conflicting consultation responses from DFI Roads over the determination period;
- the increase in floorspace had been misrepresented at the first Committee meeting;
- DFI Roads' position remained misinformed and confused – in its response of 9th September 2020 it stated that it had not taken on board the weight of the extant planning permission in that the developer could rebuild exactly what had been on site previously. That argument was fundamentally flawed, as the shop had been demolished after a fire in 2017 and the new application needed to consider the current circumstances;
- the objectors believed that the redevelopment of the unit, with a significantly larger unit, did not justify its approval, especially given that the parking arrangements had been substandard in the first place;
- they requested clarity on how many car parking spaces were being provided, as it was not clear from the report;
- in April 2022, an updated site plan had been uploaded onto the Portal, indicating an increase to the parking spaces – it was apparent that DFI Roads had not seen or commented on the latest parking layout, which was a serious concern given that it had previously stated that, if the site was to accommodate any more parking, it would have a negative impact on the safe manoeuvring of pedestrians and vehicles;
- the Glider route operated along the Stewartstown Road and no on-street parking was permitted along the Glider route;
- no consideration had been given to overflow parking in adjacent businesses, which was a material consideration;
- a Transport Statement Rebuttal had been submitted on behalf of the objector, prepared by Systra Ltd – which provided photographic evidence of the congestion on site, prior to the new retail unit becoming operational. It also showed a clear knock-on impact to pedestrian and highway safety, contrary to policy AMP 2;
- Systra Ltd had also raised fundamental concerns with the layout whereby 38 car parking spaces were proposed on site and nor did it meet the required design standards; and
- the proposals were contrary to policies AMP 1, AMP 7, AMP 9 and AMP 2.

The Chairperson then welcomed Ms. K. McShane, Transport Consultant for the applicant, and Ms. M. O'Loan, solicitor, to the meeting.

Together they advised the Committee that:

- the photographs submitted by Systra Ltd showed the temporary building which was currently on site and that it was important to note that the unit was located where a number of additional parking spaces would ordinarily be and, as a result, there was currently much less parking than what would be provided under the current application or, indeed, what was there previously;

**Meeting of Planning Committee,
Tuesday, 15th May, 2022**

- DFI Roads had given detailed consideration to the proposal and had concluded that there wasn't a safety concern;
- the planning history of the site should be given significant weight;
- the proposal constituted a modest increase in floorspace from what had been on the site before the fire; and
- DFI Roads had been re-consulted and that it was content that it had, in fact, considered the most updated parking layout and that it had no road safety concerns and no amenity issues.

The Chairperson invited Mr. Scally to address any factual inaccuracies which he felt needed addressed.

Mr Scally advised the Committee that he had referenced 17 car parking spaces with 6 additional spaces at the petrol pumps, and that that was the situation before the fire and not what was on site currently. He added that a 45% increase in the retail floorspace was not a modest increase. He reiterated that he believed that DFI Roads had not commented on the latest site plan, revision 4B.

The Principal Planning officer clarified to the Committee that DFI Roads had stated in its consultation response that the petrol filling station did not require permission and that that was incorrect. However, what it had referred to was that there was a consistent planning history on the site with 24 parking spaces prior to the fire and that it had concentrated on the additionality of the 88 square metres and that it would require the additional 6 spaces which could be found in the surrounding area. She advised the Committee that the 17 car parking spaces which Mr Scally had referred to was referenced within the old report, which had been included within the reports pack for background information.

The Divisional Solicitor clarified that, if the Committee was to approve the application, delegated authority should also be given to the Director of Planning and Building Control in relation to the previously raised water management issue.

The Committee approved the application and granted delegated authority to the Director of Planning and Building Control to finalise the wording of the conditions and to address the water management issue.

LA04/2021/2893/F - 12 no. storey Purpose Built Managed Student Accommodation (PBMSA), with additional use of accommodation by further or higher education institutions outside term time, comprising 774 beds with shared sports and recreation facilities (amendment to previous permission LA04/2016/1252/F PBMSA (774 beds). Maximum height of 12 storeys and varied by LA04/2017/2112/F Variation of condition 7 of LA04/2016/1252/F) on Site bounded by Little York Street, Great George's Street and Nelson Street

The Principal Planning officer outlined the details of the application to the Committee.

He drew the Members' attention to the Late Items pack, whereby a late objection had been received. The objection had stated that the proposal failed to address need. However,

**Meeting of Planning Committee,
Tuesday, 15th May, 2022**

the Planning officer explained that the principle of the development had been firmly established through the earlier planning permissions. The objection also referred to Building Control and fire safety issues which were not planning matters. Amenity issues were also raised and had been addressed within the Case officer's report.

The key issues which had been considered during the assessment of the proposed development included the:

- principle of redevelopment;
- principle of Student Accommodation;
- principle of proposed 'out of term' accommodation;
- principle of a Leisure Complex at the location;
- scale, massing and design;
- open space provision;
- traffic and parking;
- impact on amenity;
- noise;
- drainage and flooding;
- waste management;
- pre-application community consultation; and
- developer contributions.

The Principal Planning officer reported that the principle of Managed Student Accommodation had been established on the site through the extant approval LA04/2016/1252/F. The scale and massing of the scheme were virtually identical with the extant permission, with the main difference being the introduction of an internally located, purpose-built leisure facility located where the external courtyards were previously approved. The overall level of amenity provision was slightly less than previously approved, however, that was outweighed by the quality of the recreational facilities on offer, and the elevated roof terrace which would experience less overshadowing than the approved courtyard. Although located adjacent to the existing student accommodation block, given the orientation of the buildings, it was not anticipated that the internal leisure complex would impact significantly on amenity or enjoyment of the outdoor spaces, in what were already enclosed, north facing courtyards.

The Committee was advised that the design, although altered, retained the character of the previous approval, with finishes in keeping with the area and adjacent buildings. The site was ideally located to serve both Queen's University and the newly constructed Ulster University complex.

The Principal Planning officer advised the Committee that DFI Roads, DAERA and Environmental Health had been consulted and were content with the proposals, subject to conditions. Rivers Agency, Belfast City Airport, Building Control and Shared Environmental Services had no objections to the proposals. The Divisional solicitor reminded the Members that a late objection had been received, as highlighted within the Late Items pack.

He outlined that, if the Committee was to approve the application, officers recommended that it would be subject to conditions and a Section 76 Planning Agreement to secure the management of the student accommodation, controlling the use as out-of-term

**Meeting of Planning Committee,
Tuesday, 15th May, 2022**

accommodation, controlling the use of the proposed leisure facilities and to secure community apprenticeships.

The Chairperson welcomed Mr. P. Stinson (agent), Mr. N. Howells (on behalf of the applicant) and Mr. S. Deans (project architect) to the meeting.

Mr. Stinson advised the Committee that:

- the proposals involved the repurposing of the extant permission to include the development of an integrated, high quality recreational facility which would support the prospective residents of the building and the wider student community associated with Ulster University's new campus;
- it represented an additional investment of £5m in the project;
- they had worked with the planning officers through the pre- application discussion process to develop the proposals which had enabled the application to be brought before the Committee in 5 months, supporting their ambition to have the new spaces open in 2024;
- the building would be operated and managed by Student Roost, which had been operating in Belfast since 2018. It currently managed 1634 bed spaces in the city. It had a proven track record for providing high quality, managed accommodation to support students across the UK;
- the proposals had no increase in the number of student beds that were granted by the Council in 2017;
- the proposed recreational facility was centrally located and was an integral part of the building. It would deliver an active and attractive area of high quality external amenity space, allowing for informal recreation;
- the internal facilities included a multi-purpose sports hall, a wellness room, a multi activity space as well as a gym and workout space;
- the recreational facilities had been designed in consultation with the Head of Sport for Ulster University and the University's Student Life Director. It addressed their need for a dedicated space for their student population and their 78 affiliate sports clubs;
- it fitted within the University's Active Campus strategy which, at its core, was the vision for students to be 'More Active More Often';
- the external space had been refined, following feedback from planning officers, to ensure that it sat sympathetically within the courtyard space;
- a dedicated internal amenity space was also included for use solely by the student residents of the building;
- the proposed development had been noted to offer 1980square metres of internal and external communal space, in so far as it related to the student accommodation portion of the development and suggested a shortfall of 160square metres from the previous permission. The average space per unit provided in the previous permission also fell below the level identified in Creating Places. However, the shared recreational facility was intrinsically linked to the student accommodation and each resident would have access to the spaces created, providing 1400square metres of space; and
- finally, the proposals included the use of the accommodation for patrons associated with further and higher education facilities outside of term time,

**Meeting of Planning Committee,
Tuesday, 15th May, 2022**

delivering accommodation that would cater specifically for the needs of the university when, for example, catering for sports teams attending university events, external lecture series or conferencing at the new campus, therefore adding to the vitality of the area and providing year round activity.

A Member suggested that the sports facilities should be open for use by the wider community. Mr. Stinson confirmed to the Committee that the sports facilities were for use solely by patrons associated with further and higher education and that there were other facilities in close proximity of the site for public use.

A further Member suggested that a workshop could perhaps take place on the wider issue of the scale of student housing in that area of the city in the context of place-making.

After discussion, the Committee approved the application and granted delegated authority to the Director of Planning and Building Control to finalise the wording of the conditions and the Section 76 Planning Agreement.

LA04/2021/2811/F - Application under section 54 of the Planning Act (NI) in respect of planning permission LA04/2016/1276/F (community centre and associated site works) to vary condition No.6 (seeking to remove requirement for archaeological works set out in the approved programme of works to be implemented prior to commencement of any site works or development) on Corner site between Mayo Street and Mayo Link off Lanark Way Shankill Road Belfast

The Committee was advised that the Section 54 planning application sought to vary condition 6 of planning permission LA04/2016/1276/F to amend the trigger point for the implementation of archaeological works in accordance with an approved programme of works at the site.

The Department for Communities' Historic Environment Division (HED) had been consulted. The Members were advised that HED was the key body in relation to the matter and had responded with no objection to the proposed change to condition 6, subject to revised wording in respect of ensuring that archaeological remains within the application site would be properly identified and protected or appropriately recorded.

The Committee was advised that the granting of a Section 54 application to vary conditions would create a new standalone planning permission and, therefore, should permission be granted, the other original conditions should be repeated as appropriate.

The Committee approved the application and granted delegated authority to the Director of Planning and Building Control to finalise the wording of the conditions.

**Meeting of Planning Committee,
Tuesday, 15th May, 2022**

LA04/2021/1769/F - Environmental improvements to include rationalisation of 3 car spaces in the courtyard car park to provide multiple seating opportunities; table tennis; a new surface level pedestrian linkage between FinTrU buildings and ancillary development. Existing service plant structures to be consolidated and 'wrapped' in matte black charred timber with a flat Sedum Green Roof System fitted to span the new section of storage created to include 14 bike racks, 2 Electric Vehicle (EV) charging points and additional landscaping at FinTrU House, Gasworks

The Committee was advised that the application was before it as the Council had an interest in the land.

The application sought permission for environmental improvements and the reconfiguration of car parking space, which would result in the loss of three spaces. A new pedestrian pathway was proposed, the re-cladding of the service plant area, provision of a cycle storage area, provision of two electric charge points, seating, planter boxes and a table tennis area were also proposed.

The main issues which had been considered were:

- the principle of development;
- impact on surrounding character;
- impact on environmental issues;
- impact on Parking and Road safety; and
- impact on an adjacent listed building

The application had been neighbour notified and advertised in the local press and no third-party comments were received.

BCC Environmental Health Service, Historic Environment Division (HED) and DFI Roads had been consulted and were content with the proposal subject to planning conditions.

The proposal had been assessed against and was considered to comply with the SPSS, BUAP, Draft BMAP (both versions) and PPS3.

The Committee approved the application and granted delegated authority to the Director of Planning and Building Control to finalise the wording of the conditions.

LA04/2021/2577/F - Detached modular temporary classroom and toilet unit to the south of the existing community facility. Existing southern fenced boundary moved due south by 8.5 metres at Gael-Ionard Mhic Goill 4 Whiterock Close

The Committee was apprised of the application which sought full planning permission for a modular temporary classroom unit to the south of the existing community facility. The unit

**Meeting of Planning Committee,
Tuesday, 15th May, 2022**

would have a footprint of 12metres by 6metres. The Members were advised that it would be 3.1metres in height, with a flat roof. The existing southern fenced boundary would be moved south by 8.5metres to accommodate the unit.

DFI Roads, NI Electricity and BCC Environmental Health had been consulted and had offered no objections to the proposal.

The Committee approved the application.

**LA04/2021/2726/F - 5 Panel printed Art
installation at 2 Midland Close**

The Committee was advised that the application was before it as the installation was subject to Council funding.

The Members were advised that the proposal sought permission for the installation of 5 printed panels measuring 2.4m x 1.2m. The proposal formed part of a Business Cluster Support Project and was an Ulster-Scots themed project. The panels were proposed to incorporate photographs and text to explain important Ulster-Scots with local connections, including the Mulholland's of York Street Mill; Thomas Gallaher's tobacco factory; motorbike pioneer, Rex McCandless, whose business was on the Limestone Road; and famous local artists John Luke and James Humbert Craig.

The Principal Planning officer outlined the key issues which had been considered during the assessment of the application included the impact on amenity and general characteristics of the area and the impact on public safety.

The site was located on the boundary wall of 2 Midland Close, located off the Antrim Road. The area was predominantly residential in nature.

The proposal had been assessed against the Strategic Planning Policy Statement for Northern Ireland (SPPS), Belfast Urban Area Plan 2001 (BUAP) and the Draft Metropolitan Area Plan 2015 (BMAP).

The Committee was advised that the proposed panels were considered unacceptable as they did not respect amenity when assessed in the context of the general characteristics of the locality. The panels, if approved, given to their extent and position would not result in good design as outlined in the SPPS, and would be out of place in this residential setting. The panels cumulatively would result in clutter when read together and with the existing poster panel located on the gable wall of 2 Midland Close.

The scale, intrusive nature and cumulative effect of the proposed panels were considered unacceptable in this predominantly residential area. The proposal was therefore recommended for refusal.

The Committee refused the application and granted delegated authority to the Director of Planning and Building Control to finalise the refusal reasons.

**Meeting of Planning Committee,
Tuesday, 15th May, 2022**

**LA04/2021/2727/F - 1 Panel printed Art
installation at Frydays Café, 98 York Road**

The Committee was advised that the application was before it as the installation was subject to Council funding.

The Committee was advised that the proposal sought permission for the installation of 1 printed panel measuring 2.4m x 1.2m. The proposal was part of a Business Cluster Support Project and was an Ulster-Scots themed project. The panels were proposed to incorporate photographs and text to explain the relationship of soda/ potato farls and their key role in the Ulster Fry.

The site was located on the gable wall of 98 York Road. The area was mixed use in nature.

The Members were advised that the proposal had been assessed against the Strategic Planning Policy Statement for Northern Ireland (SPPS), Belfast Urban Area Plan 2001 (BUAP) and the Draft Metropolitan Area Plan 2015 (BMAP).

The Committee approved the application for a temporary period of three years and granted delegated to the Director of Planning and Building Control to finalise the wording of the conditions.

**LA04/2021/2728/F - 2 Panel printed Art
installation at Winefair, 142 North Queen Street**

The Committee was advised that the application was before it as the installation was subject to Council funding.

The Principal Planning officer explained that the proposal sought permission for the installation of 2 printed panels measuring 2.4m x 1.2m. The proposal was part of a Business Cluster Support Project and was an Ulster-Scots themed project. The panels were proposed to incorporate photographs and text to explain the role of Ulster-Scots in whiskey distilling in Belfast and also the invention of Belfast ginger ale and brown lemonade.

The members were advised that the panels were located on the gable wall and boundary wall of 142 North Queen Street and the area was mixed use in nature.

The proposal had been assessed against the Strategic Planning Policy Statement for Northern Ireland (SPPS), Belfast Urban Area Plan 2001 (BUAP) and the Draft Metropolitan Area Plan 2015 (BMAP).

The Committee approved the application for a temporary period of three years and granted delegated to the Director of Planning and Building Control to finalise the wording of the conditions.

**Meeting of Planning Committee,
Tuesday, 15th May, 2022**

**LA04/2021/2730/F - 2 Panel printed Art installation
at Second Time Around Charity Shop, 46 Parkmount Street**

The Committee was advised that the application was before it as the installation was subject to Council funding.

The Principal Planning officer explained that the proposal sought permission for the installation of 2 printed panels measuring 2.4m x 1.2m, located on the side and rear wall of the premises. The proposal was part of a Business Cluster Support Project and was an Ulster-Scots themed project. The panels were proposed to incorporate photographs and text to explain the role of Ulster-Scots in philanthropy, such as the foundation of the Belfast Charitable Society and the role of an American Ulster-Scots descent, General Ambrose Burnside.

The host building was commercial in nature and was located within a predominantly residential area.

The Members were advised that the proposal had been assessed against the Strategic Planning Policy Statement for Northern Ireland (SPPS), Belfast Urban Area Plan 2001 (BUAP) and the Draft Metropolitan Area Plan 2015 (BMAP).

The Committee approved the application for a temporary period of three years and granted delegated to the Director of Planning and Building Control to finalise the wording of the conditions

LA04/2022/0275/F - Awning attached to existing façade at 26 University Avenue;

LA04/2022/0138/F - Awning attached to existing façade at 1 Rugby Avenue;

**LA04/2022/0276/F - Awning attached to existing façade at 27 University Avenue;
and**

LA04/2022/0277/F - Awning attached to existing façade at 65-67 University Avenue

The Principal Planning officer outlined that the applications were in front of the Committee as the awnings were subject to Council funding.

A Member queried when BMAP had been quashed and requested that the items be deferred for further information for clarity in respect of the Area of Townscape Character (ATC) and Policy PPS6.

Moved by Councillor Groogan
Seconded by Councillor O'Hara and

Resolved – that the following four applications, which were located within the same area of the city, be deferred and that a report be submitted to a subsequent meeting regarding the Areas of Townscape Character (ATC), how PPS6 is applied and when precisely BMAP was quashed:

**Meeting of Planning Committee,
Tuesday, 15th May, 2022**

- LA04/2022/0275/F - Awning attached to existing façade at 26 University Avenue;
- LA04/2022/0138/F - Awning attached to existing façade at 1 Rugby Avenue;
- LA04/2022/0276/F - Awning attached to existing façade at 27 University Avenue; and
- LA04/2022/0277/F - Awning attached to existing façade at 65-67 University Avenue

LA04/2021/2794/F - Awning attached to existing façade at 2 Lock Keepers Inn

The Committee was advised that the application was before it as the awning was subject to Council funding.

The Committee was advised that the application site was situated at the Lock Keepers Inn at Lagan Valley Regional Park. The site fell within the designations for an Area of Outstanding Natural Beauty (AONB), Archaeological site and Monument, listed Building Curtilage and Regional Park Node.

The Members noted that the proposed application for a retractable awning cover on a removable supporting frame was considered by officers to be minor changes to the existing façade. The proposal was in close proximity to Lock-Keepers House (Grade B1) and Lock and Bridge Milltown Road (Grade B1) which were of special architectural and historic importance and were protected by section 80 of the Planning Act 2011. The Committee was advised that the proposal would not negatively impact the Listed Building and Lock and its setting in accordance with PPS6, the SPPS and Section 91 of the Planning Act 2011.

DFI Roads had been consulted and had no objections and Historic Environment Division (HED) had no objections with conditions.

No third party representations had been received.

The Committee approved the application and granted delegated authority to the Director of Planning and Building Control to finalise the wording of the conditions.

Chairperson

PLANNING COMMITTEE – 14 JUNE 2022

APPEALS NOTIFIED

COUNCIL: BELFAST

ITEM NO 1 PAC REF: 202/A0030

PLANNING REF: LA04/2021/2608/F

APPLICANT: Michael and Barbara Egan

LOCATION: 9 Ravenhill Park, Belfast, BT6 0DE

PROPOSAL: Single storey side extension to the east containing ensuites and single storey rear extension containing living, bedroom and ensuite

PROCEDURE:

ITEM NO 2 PAC REF: 2022/A0038

PLANNING REF: LA04/2021/2415/A

APPLICANT: Hurree

LOCATION: Unit 6, Channel Wharf, 21 Old Channel Road, Belfast

PROPOSAL: Sign 1: Sign on south elevation to M3 motorway

PROCEDURE:

ITEM NO 3 PAC REF: 2022/A0039

PLANNING REF: LA04/2021/1682/F

APPLICANT: CK Hutchison Networks (UK) Ltd

LOCATION: A small area of existing footpath (adopted) located off Ardoyne Road site situated close to one of the entrances of the Everton complex 39 Ardoyne Road, Belfast

PROPOSAL: Proposed installation of a 15m high telecoms street pole c/w wraparound cabinet, with integrated antenna and 3 No additional equipment cabinets and ancillary equipment

PROCEDURE:

PLANNING COMMITTEE – 14 JUNE 2022

APPEALS NOTIFIED (CONTINUED)

ITEM NO	4	PAC REF:	2022/E0006
PLANNING REF:	LA04/2022/0274/LDE		
APPLICANT:	Mr Conor Rooney		
LOCATION:	Old Pump House, 8/8A Balmoral Park, Belfast, BT10 0QD		
PROPOSAL:	Building used as storage, with the hardstanding area to front as a parking area for vehicles		
PROCEDURE:			

APPEAL DECISIONS NOTIFIED

ITEM NO	1	PAC REF:	2021/A0050
PLANNING REF:	LA04/2020/2136/F		
RESULT OF APPEAL:	ALLOWED		
APPLICANT:	Mr James Taylor		
LOCATION:	24 Deramore Gardens, Belfast		
PROPOSAL:	Rear and side extension to dwelling, retrospective		

ITEM NO	2	PAC REF:	2020/E0046
PLANNING REF:	EN/2020/0252 and LA04/2016/0321/F		
RESULT OF APPEAL:	NO VALID APPEAL		
APPLICANT:	Mr Austin Reid		
LOCATION:	To the front of 8-10 Eglantine Avenue, Belfast		
PROPOSAL:	Demolition of retaining structure to the front of 8-10 Eglantine Avenue; the creation of retaining wall and creation of unauthorised bin recesses		

Decisions issued between 10 May and 9 June 2022

Reference Number	DEA Description	Location	Proposal	Application Status
LA04/2020/1667/F	Black Mountain	Adjacent to existing bus shelter 10m south of 107 - 111 Andersonstown Road at junction with Slemish Way Belfast BT11 9BU	Phase 8 monopole C/W wrapround cabinet at base and associated ancillary works.	PERMISSION REFUSED
LA04/2020/2162/F	Titanic	Grass verge of road traffic island approx. 50m East of No.5 Ravenhill Road Ballymacarret Belfast BT6 8DN.	Relocation and replacement of existing 15m street pole with a new 20m street pole with integrated antenna plus new additional ground based equipment cabinets and all associated ancillary equipment.	PERMISSION GRANTED
LA04/2020/2228/F	Titanic	131 Ravenhill Road Belfast BT6 8DR.	Retail unit on ground floor (58.2 M2) and change of use from offices on first and second floor to residential use (one unit) on first and second floor (76M2) (Retrospective) with no changes externally.	PERMISSION GRANTED
LA04/2020/2573/DC	Oldpark	Lands at and surrounding St Gemma's School and the Flax Centre - Ardoyne Avenue Belfast	Discharge of condition no. 7 of LA04/2019/2153/F	CONDITION NOT DISCHARGED

Reference Number	DEA Description	Location	Proposal	Application Status
LA04/2021/0394/F	Balmoral	Balmoral Bowling Club Belvoir Drive Belfast Co. Down BT8 7DT.	Erection of floodlights (10m high) and ancillary equipment. Installation of scoreboard & water sprinkler system. Replacement paths & fittings around bowling green.	PERMISSION GRANTED
LA04/2021/0777/F	Botanic	Pavement on Ann Street adjacent to Musgrave Police Station Belfast BT1 4JE	Proposed installation of an 15.m phase 8 monopole c/w wrap around cabinet at base and associated ancillary works (Amended description)	PERMISSION REFUSED
LA04/2021/1274/F	Botanic	48 Deramore Drive Belfast BT9 5JS.	2 storey side and rear extension. Replacement of garage. Elevational changes with juliet balcony to the rear and associated works.	PERMISSION GRANTED
LA04/2021/1350/F	Court	Springfield substation currently accessed via main entrance to Belfast Metropolitan College E3 Campus 398 Springfield Road Belfast BT12 7DU.	Single storey building to house 6.6KV switchboard & 2No. new 33/6.6KV low noise transformers. Construction of new access from the junction of Elswick Street and Forfar Street	PERMISSION GRANTED

Reference Number	DEA Description	Location	Proposal	Application Status
LA04/2021/1393/F	Botanic	14 Lower Crescent Belfast BT7 1NR	Demolition of internal walls and floors, with partial retention of existing facades. Extension and alteration of existing ground and first floor to provide additional office space and integrated bin and cycle storage. Extension and alteration to provide 2 No. apartments at second floor level with provision of roof top amenity space (Amended description and drawings)	PERMISSION REFUSED
LA04/2021/1703/F	Botanic	Bankmore Square 14 Dublin Road Belfast BT2 7HN	Temporary erection (for 2 years) of shipping containers to form an outdoor public house, food and retail market with associated covered canopies, seating and bounsaary treatments. (Change of Description)	PERMISSION GRANTED

Reference Number	DEA Description	Location	Proposal	Application Status
LA04/2021/1769/F	Botanic	FinTrU House 1 Cromac Avenue The Gasworks Belfast BT7 2JA.	Environmental improvements to include rationalisation of 3 no. car spaces in the courtyard car park to provide multiple seating opportunities; table tennis; a new surface level pedestrian linkage between FinTrU buildings and ancillary development. The existing service plant structures will be consolidated and 'wrapped' in matte black charred timber with a flat Sedum Green Roof System fitted to span the new section of storage created. This storage will encompass a bike rack to park 14 no. bikes Two new Electric Vehicle (EV) charging points will be introduced and additional landscaping to supplement existing beds.	PERMISSION GRANTED
LA04/2021/1822/DCA	Balmoral	9 Cranmore Park Malone Lower Belfast BT9 6JF.	Proposed demolition of single storey garage to side, partial demolition of rear return and number of windows openings.	PERMISSION GRANTED
LA04/2021/1834/F	Balmoral	9 Cranmore Park Malone Lower Belfast BT9 6JF	single storey side and rear extension, patio area, first floor rear extension with juliet balcony	PERMISSION GRANTED

Reference Number	DEA Description	Location	Proposal	Application Status
LA04/2021/1836/F	Lisnasharragh	On the Public Footpath Approximately 25m South-East of the Entrance to Loop Studios 468-472 Castlereagh Road Belfast BT5 6RG	Proposed Installation of a 20m High Telecoms Streetpole c/w Wraparound Cabinet, with Integrated Antenna, and 3no. additional Equipment Cabinets and Ancillary Equipment.	PERMISSION GRANTED
LA04/2021/1856/DC	Balmoral	Newforge Country Club 18b Newforge Lane Belfast BT9 5NW	Discharge of Condition 8, 9, 13 & 14 placed on the decision notice for Z/2014/1768/F, and Conditions 3, 4, 5, 6 & 9 placed on the decision notice for LA04/2015/0266/F.	CONDITION NOT DISCHARGED
LA04/2021/1904/DC	Collin	Former Visteon Factory Blacks Road Belfast	Discharge of conditions nos 20 and 23 of planning approval Z/2013/1434/f	CONDITION DISCHARGED
LA04/2021/1952/F	Balmoral	51 Bawnmore Road Belfast BT9 6LB	Proposed rear single storey extension	PERMISSION GRANTED
LA04/2021/2135/LBC	Ormiston	St Marks Church Holywood Road Sydenham Belfast BT4 2DR	Removal of 3no. Antennas, 2no. Cabinets and Ancillary Development.Installation of 3no. Antennas, 1no. Cabinet and Ancillary Development.	PERMISSION GRANTED

Reference Number	DEA Description	Location	Proposal	Application Status
LA04/2021/2143/F	Balmoral	9 Lakeside Drive Belfast BT10 0NU.	Two storey side extension. Single storey rear/side extension. Elevational changes including solar panels and associated works including relocation/alterations to driveway.	PERMISSION GRANTED
LA04/2021/2153/F	Ormiston	5 Tweskard Park Belfast BT4 2JY	Two storey side and single storey rear extension, first floor porch to front, alteration to roof structure with an increased roof height to accomodate a third floor with rear dormer, elevational changes. (amended plans and description)	PERMISSION GRANTED
LA04/2021/2199/NMC	Titanic	Land East of Queen's Road North of Public Records Office of Northern Ireland and South of Belfast Metropolitan College Queen's Island Belfast.	Non material change Z/2013/0931/F.	NON MATERIAL CHANGE GRANTED
LA04/2021/2276/LDE	Balmoral	32 Upper Malone Road Belfast	Z/2013/0784/F being Residential development of 4no. townhouses plus associated site works (change of house type to plots 1-4 previous approval Z/2009/0603/F	APPLICATION REQUIRED
LA04/2021/2307/F	Titanic	265 Woodstock Road Belfast BT6 8PR	The property is currently a vacant office space. The proposed application is to convert the property into a 5 bedroom HMO	PERMISSION GRANTED

Reference Number	DEA Description	Location	Proposal	Application Status
LA04/2021/2386/F	Black Mountain	Site adjacent to 44 North Link Belfast BT11 8HW.	Proposed 2 storey detached dwelling.	PERMISSION GRANTED
LA04/2021/2422/LBC	Botanic	54 University Street Belfast BT7 1HB	First and second floor extension to rear return above existing single storey extension, no change to number of apartments or layout at the front of the property as approved under LA04/2019/0155/F	PERMISSION GRANTED
LA04/2021/2433/F	Botanic	54 University Street Belfast BT7 1HB.	First and second floor extension to rear return above existing single storey extension, no change to number of apartments or layout at the front of the property as approved under LA04/2019/0155/F	PERMISSION GRANTED
LA04/2021/2449/F	Balmoral	140/142 Stockmans Lane Belfast BT9 7JE.	Internal link between buildings & change of use from offices to additional office and reception accommodation for established veterinary practice. Includes removal of dividing hedge between front parking areas to allow incurtilage turning for existing vehicle drop off and construction of new front wall as anti-dazzle measure.	PERMISSION GRANTED

Reference Number	DEA Description	Location	Proposal	Application Status
LA04/2021/2473/DCA	Balmoral	2 Cranmore Gardens Belfast BT9 6JL	Internal and external alterations creating opening to back wall, removal of internal walls in rear extension, blocking up of existing openings on back side elevation with creation of new windows, with single storey rear extension to provide additional living accommodation.	PERMISSION GRANTED
LA04/2021/2477/DC	Botanic	Lands at 155 171-177 Lisburn Road and 16 Ashley Avenue Belfast	Discharge of condition no.17 - LA04/2018/0832/F	CONDITION DISCHARGED
LA04/2021/2484/F	Balmoral	1 Harberton Drive Belfast BT9 6PE	Single storey side and rear extension, existing conservatory demolished. (Amended Description)	PERMISSION GRANTED
LA04/2021/2499/NMC	Botanic	37 Lucerne Parade Belfast BT9 5FT.	Non material change LA04/2020/1333/F.	NON MATERIAL CHANGE GRANTED
LA04/2021/2530/F	Balmoral	2 Cranmore Gardens Belfast BT9 6JL.	Internal and external alterations including render to existing rear and side return and single storey rear extension.	PERMISSION GRANTED
LA04/2021/2549/F	Court	27 Distillery Street Belfast BT12 5BJ	Side extension for storage for domestic purposes.(Amended Scheme).	PERMISSION GRANTED

Reference Number	DEA Description	Location	Proposal	Application Status
LA04/2021/2577/F	Black Mountain	Gael-Ionard Mhic Goill 4 Whiterock Close Belfast BT12 7RJ.	Detached modular temporary classroom and toilet unit to the south of the existing community facility. Existing southern fenced boundary moved due south by 8.5 metres.	PERMISSION GRANTED
LA04/2021/2587/F	Black Mountain	Ground Floor 394 & 394a Falls Road Belfast BT12 6DH.	Change of Use of Existing Premises to Funeral Undertakers Business.	PERMISSION GRANTED
LA04/2021/2588/F	Lisnasharragh	4 Downshire Road Belfast BT6 9JL.	Two storey side and rear extension (amended description)	PERMISSION GRANTED
LA04/2021/2597/F	Botanic	1 Euterpe Street Belfast BT12 5PS.	Retrospective application for single storey rear extension and rear dormer (Amended Plans).	PERMISSION GRANTED
LA04/2021/2609/F	Collin	Lands to the rear of 1-39b (odds) and adjacent to 57+59 Mount Eagles Drive Dunmurry.	Proposed 3No. detached 2 storey dwellings with attached garages including amenity space, landscaping and all other site and access works.	PERMISSION GRANTED
LA04/2021/2636/F	Oldpark	192 Deerpark Road Belfast BT14 7PY.	Single storey rear extension	PERMISSION GRANTED
LA04/2021/2656/F	Collin	Urban Fire Unit W1 & W2 The Dairy Farm Centre Belfast BT17 0AW.	Retrospective change of use from office to kitchen, restaurant and take away facility	PERMISSION GRANTED

Reference Number	DEA Description	Location	Proposal	Application Status
LA04/2021/2683/DCA	Balmoral	51 Bawnmore Road Belfast BT9 6LB.	Removal of rear wall / roof to facilitate extension	PERMISSION GRANTED
LA04/2021/2705/F	Court	182-188 Cambrai Street Belfast BT13 3JH	Application under Section 54 of the Planning Act (Northern Ireland) 2011 to seek variation of Condition 2 of LA04/2018/1769/F (which regulates the waste type which can be accepted at the facility) to include an additional waste - EWC code 20 03 01 ? Mixed municipal waste.	PERMISSION GRANTED
LA04/2021/2716/F	Ormiston	1 Bristow Drive Belfast BT5 7QU.	Alterations to attic with rear dormer, first floor side extension and external alterations. (Amended Scheme)	PERMISSION GRANTED
LA04/2021/2720/DCA	Balmoral	1 Harberton Drive Belfast.	Conservatory demolished and part demolition of rear wall to facilitate single storey extension. Window blocked up new side opening.	PERMISSION GRANTED
LA04/2021/2721/F	Castle	MRCB Paints 93 York Road Belfast BT15 3GY.	Alterations to existing paint retail unit including extension of showroom into existing ground floor store; refurbishment of front facade including new aluminium doors, windows, canopy and new flat cladding.	PERMISSION GRANTED

Reference Number	DEA Description	Location	Proposal	Application Status
LA04/2021/2726/F	Castle	2 Midland Close Belfast BT15 1FX.	Art installation of 5no. printed panel measuring 2440mm x 1220mm.	PERMISSION REFUSED
LA04/2021/2727/F	Castle	Frydays Cafe 98 York Road Belfast BT15 3HF.	Art installation of 1no. printed panel measuring 2440mm x 1220mm.	PERMISSION GRANTED
LA04/2021/2728/F	Castle	Winefair 142 North Queen Street Belfast BT15 1HQ.	Art installation of 2no. printed panel measuring 2440mm x 1220mm.	PERMISSION GRANTED
LA04/2021/2730/F	Castle	Second Time Around Charity Shop 46 Parkmount Street Belfast BT15 3DX.	Art installation of 2no. printed panel measuring 2440mm x 1220mm.	PERMISSION GRANTED
LA04/2021/2731/A	Botanic	Unit 2 Queens Arcade Belfast BT1 5FE	Illuminated signage to existing fascia panel comprising of individual letters, illuminated signage above main entrance door comprising of individual letters fixed to a metal back panel and externally applied vinyl's to arches of existing windows.	PERMISSION GRANTED

Reference Number	DEA Description	Location	Proposal	Application Status
LA04/2021/2748/F	Ormiston	19 Hawthornden Road Belfast BT4 3JU	Alteration of and existing shared entrance to (1) re-green, (2) conserve built heritage (3) enhance privacy/home security and (4) improve/maintain access.(AMENDED P1 FORM AND PLANS)	PERMISSION GRANTED
LA04/2021/2779/F	Titanic	Walkway Community Association 1-9 Finvoy Street Belfast BT5 5DH.	Section 54 Application to vary Condition 7 of Planning Permission LA04/2019/2343/F (replacement new build community centre) to amend external facing and roofing materials	PERMISSION GRANTED
LA04/2021/2781/DC	Ormiston	Ormiston House 51A Hawthornden Road Belfast BT4 3JW.	Discharge of condition 2 LA04/2019/1631/F.	CONDITION DISCHARGED
LA04/2021/2788/F	Castle	Musgrave Marketplace 1-15 Dargan Crescent Duncrue Road Belfast BT3 9HJ.	Change of use of cash and carry wholesale warehouse (Class B4) to general retail sales (Class A1) comprising 194sqm of floorspace. Change of use of general retail sales (Class A1) to cash and carry wholesale warehouse (Class B4) comprising 141sqm of floorspace. (Relocation of existing retail sales area approved under application references LA04/2017/2293/F & LA04/2019/1656/F within the cash and carry wholesale warehouse and an extension of retail sales area by 53sqm floorspace).	PERMISSION GRANTED

Reference Number	DEA Description	Location	Proposal	Application Status
LA04/2021/2794/F	Balmoral	The Lock Keepers Inn 2 Lock Keeper Lane Ballynavally Belfast BT8 7XT.	Provision of retractable awning cover on removeable supporting frame to provide protection to patrons from inclement weather.	PERMISSION GRANTED
LA04/2021/2804/F	Titanic	Land adjacent to Connswater Community Centre Ballymacarrett Walkway Severn Street Belfast BT4 1SX	Installation of a 9m x 2.5m Shipping Container to Serve as a Storage Facility for Bikes, Project Equipment and Materials.	PERMISSION GRANTED
LA04/2021/2821/F	Ormiston	539 Upper Newtownards Road Belfast BT4 3LN.	Single storey rear extension including garage and retaining wall. (Part Retrospective)	PERMISSION GRANTED
LA04/2021/2835/F	Black Mountain	27 Glenhill Park Belfast BT11 8GA.	Single and two storey side and rear extension with external changes and demolition of existing garage. (Amended Plans)	PERMISSION GRANTED
LA04/2021/2841/F	Botanic	55 Delhi Street Belfast BT7 3AL.	Extension to existing House in Multiple Occupation and construction of rear dormer.	PERMISSION GRANTED
LA04/2021/2848/F	Oldpark	561 Oldpark Road Belfast BT14 6QW.	Retrospective application for a second floor rear extension, rear domer and gable window.	PERMISSION GRANTED
LA04/2021/2852/F	Titanic	13 Dundela Avenue Belfast BT4 3BQ.	Single storey rear extension to replace existing rear return and insertion of 1No. new side window.	PERMISSION GRANTED

Reference Number	DEA Description	Location	Proposal	Application Status
LA04/2021/2887/LDE	Collin	154 Upper Dunmurry Lane Dunmurry Belfast BT17 0HE	Sandwich bar with ancillary hot food carry out, located on ground floor of stand alone unit/building.	PERMITTED DEVELOPMENT
LA04/2021/2889/F	Titanic	Adjacent and north of 69 Ravenhill Road Belfast BT6 8DQ	1no light industrial/storage and distribution building with ancillary trade counter	PERMISSION GRANTED
LA04/2021/2894/F	Black Mountain	O'Donnell's GAC 43 Whiterock Road Belfast BT12 7PF	Proposed retention of timber fence.	PERMISSION GRANTED
LA04/2022/0029/RM	Ormiston	237 Lower Braniel Road Belfast BT5 7NQ	Reserved Matters application (Part) for Outline approval LA04/2021/0728/O for the erection of 2 dwellings with 1 garage and all other associated site works.	PERMISSION GRANTED
LA04/2022/0044/DC	Titanic	Avoneil Leisure Centre Avoneil Road Belfast BT5 4SF	Discharge of condition no.5 - LA04/2019/2971/F relating to noise	CONDITION DISCHARGED
LA04/2022/0045/LDE	Botanic	Flat 6 (F) first and attic floor levels 12 Ashley Avenue Belfast BT9 7BT	House in multiple occupation (HMO)	PERMITTED DEVELOPMENT
LA04/2022/0052/DC	Oldpark	Lands at surrounding St Gemma's School and the Flax Centre Ardoyne Avenue Belfast.	Discharge of condition no.s 4,6 & 7 - LA04/2019/2153/F	CONDITION DISCHARGED

Reference Number	DEA Description	Location	Proposal	Application Status
LA04/2022/0148/F	Oldpark	147 Cliftonville Road Belfast BT14 6JR.	Two storey extension to rear and external changes.	PERMISSION GRANTED
LA04/2022/0187/F	Balmoral	76 Edenderry Village Belfast Co. Down BT8 8LQ.	Proposed demolition of existing single storey and loft conversion with three storey rear extension and associated works.	PERMISSION REFUSED
LA04/2022/0189/F	Oldpark	The Blue House 50-56 Benview Park Belfast BT14 8HU.	Alterations & refurbishment of existing building including replacement roof, windows, doors and internal reconfiguration.	PERMISSION GRANTED
LA04/2022/0230/LBC	Botanic	41 Rugby Road Belfast BT7 1PT	Replacement of existing conservatory with new first floor extension, conversion of enclosed courtyard to internal space and associated works	PERMISSION GRANTED
LA04/2022/0239/F	Black Mountain	7 Riverdale Park South Belfast BT11 9DB.	Single storey rear extension	PERMISSION GRANTED
LA04/2022/0246/LDE	Botanic	44 Carmel Street Belfast BT7 1QE	House in multiple occupancy (HMO)	PERMITTED DEVELOPMENT
LA04/2022/0247/F	Balmoral	26 Maryville Park Belfast BT9 6LN.	Proposed two storey rear and side extension (amended plans and description)	PERMISSION GRANTED

Reference Number	DEA Description	Location	Proposal	Application Status
LA04/2022/0248/F	Lisnasharragh	32 Beechgrove Drive Belfast BT6 0NW.	Single storey side and rear extension with adjoining workshop. Detached garden room to rear. Landscaping to front and rear of property, including change of boundary treatment at public footpath level, introducing a new pedestrian access and increasing width for vehicle access.	PERMISSION GRANTED
LA04/2022/0274/LDE	Balmoral	Old Pump House 8/8A Balmoral Park Belfast BT10 0QD.	Building used as storage, with the hardstanding area to front as a parking area for vehicles.	APPLICATION REQUIRED
LA04/2022/0282/DC	Titanic	Former Park Avenue Hotel 158 Holywood Road Belfast BT4 1PB.	Discharge of condition 14 LA04/2021/0493/F relating to drainage assessment	CONDITION NOT DISCHARGED
LA04/2022/0285/DC	Oldpark	Marrowbone Millennium Park Oldpark Road Belfast BT14 6QS.	Discharge of condition 12 LA04/2020/1593/F relating to piling risk assesment	CONDITION DISCHARGED
LA04/2022/0299/LDP	Titanic	220-230 Holywood Road Belfast BT4 1PD.	Amalgamation of shop and hot food unit and associated internal alternations. No external changes.	PERMITTED DEVELOPMENT
LA04/2022/0317/LDE	Botanic	23 Stranmillis Gardens Belfast BT9 5AS.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMENT

Reference Number	DEA Description	Location	Proposal	Application Status
LA04/2022/0326/F	Balmoral	52 Harberton Park Belfast BT9 6TT	Proposed single storey and two storey rear extension. Side extension to existing garage and conversion of it to a habitable room. Dormer window to rear. Two first floor windows to side elevation.	PERMISSION GRANTED
LA04/2022/0335/F	Lisnasharragh	180 Upper Knockbreda Road Belfast BT6 0NB	Proposed single storey rear/side extension and minor internal alterations.	PERMISSION GRANTED
LA04/2022/0336/LDE	Botanic	Flat 2 17 Cromwell Road Belfast BT7 1JW	House in multiple occupation (HMO)	PERMITTED DEVELOPMENT
LA04/2022/0348/F	Balmoral	30 Dub Lane Belfast BT9 5NB.	2-storey extension to rear of existing detached dwelling (including demolition of existing single-storey return and sun room).	PERMISSION GRANTED
LA04/2022/0363/DCA	Balmoral	26 Maryville Park Belfast BT9 6LN.	Existing rear single storey extension.	PERMISSION GRANTED
LA04/2022/0383/F	Botanic	41 Rugby Road Belfast BT7 1PT.	Replacement of existing first floor rear conservatory with new flat roof and conversion of enclosed courtyard to internal space.	PERMISSION GRANTED
LA04/2022/0398/LDE	Botanic	5 Dunluce Avenue Belfast BT9 7AW.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMENT

Reference Number	DEA Description	Location	Proposal	Application Status
LA04/2022/0401/DC	Titanic	12 Parkgate Avenue and lands adjacent to and North East of The Arches Centre North of no.2 Parkgate Avenue and adjacent to and South West of the Connswater River.	Discharge of condition 17 LA04/2020/1377/F.	CONDITION DISCHARGED
LA04/2022/0415/F	Balmoral	22 Orpen Road Finaghy Belfast BT10 0BP	Demolish existing rear return and replace with single storey side and rear extension with internal alterations.	PERMISSION GRANTED
LA04/2022/0417/F	Castle	65 North Circular Road Belfast BT15 5FE	Alterations and single storey extension to rear of dwelling	PERMISSION GRANTED
LA04/2022/0418/F	Black Mountain	161 Lenadoon Avenue Belfast BT11 9HG	Single storey side extension, comprising ground floor bedroom, shower room and living room.	PERMISSION GRANTED
LA04/2022/0423/LDE	Botanic	Flat 1 86 Fitzroy Avenue Belfast BT7 1HX.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMENT
LA04/2022/0426/LDE	Botanic	Flat 3 86 Fitzroy Avenue Belfast BT7 1HX.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMENT

Reference Number	DEA Description	Location	Proposal	Application Status
LA04/2022/0441/F	Ormiston	12 Knockburn Park Belfast BT5 7AY.	Single storey extension to rear and side of existing dwelling, integrated Garage; minor internal alterations; removal of 2no. windows and 1no. new window to North East elevation 1no. new roof window	PERMISSION GRANTED
LA04/2022/0446/F	Balmoral	24 Stockmans Way Belfast BT9 7ET.	Extension to existing office building to provide improved welfare facilities for employees.	PERMISSION GRANTED
LA04/2022/0455/F	Lisnasharragh	34 Rossmore Avenue Belfast BT7 3HB.	Ground floor single storey infill extensions to rear; extension to rear return to create third floor; with internal alterations.(amended description)	PERMISSION GRANTED
LA04/2022/0459/LBC	Botanic	Unit 2B Queens Arcade Belfast BT1 5FE.	4no. new internally illuminated signs consisting of 20mm black, powder coated, arched back panel with 2no. having Single 5mm white acrylic letters painted black at cutting edges and 2no. having 5mm white acrylic logo painted black at cutting edge, fixed to existing arches within the existing internal mall windows. 1no. new projecting sign consisting of a 400mm diameter, circular sign with Mont Blanc black and white logo, internally illuminated. Located within existing fascia panel above new entrance door within mall.	PERMISSION GRANTED

Reference Number	DEA Description	Location	Proposal	Application Status
LA04/2022/0460/A	Botanic	Unit 2B Queens Arcade Belfast BT1 5FE.	4no. new internally illuminated signs consisting of 20mm black, powder coated, arched back panel with 2no. having Single 5mm white acrylic letters painted black at cutting edges and 2no. having 5mm white acrylic logo painted black at cutting edge, fixed to existing arches within the existing internal mall windows. 1no. new projecting sign consisting of a 400mm diameter, circular sign with Mont Blanc black and white logo, internally illuminated. Located within existing fascia panel above new entrance door within mall.	PERMISSION GRANTED
LA04/2022/0483/F	Court	1 Cluain Mor Park Belfast BT12 7UB.	Proposed attic conversion including new rear dormer roof extension to provide additional bedroom.	PERMISSION GRANTED
LA04/2022/0485/F	Lisnasharragh	18 St Johns Park Belfast BT7 3JF.	Single storey rear extension to ground floor & amendments to utility/store.	PERMISSION GRANTED
LA04/2022/0488/F	Ormiston	55 Belmont Church Road Belfast BT4 3FF.	Replacement single-storey infill extension, with internal alterations.	PERMISSION GRANTED
LA04/2022/0498/F	Balmoral	47 Diamond Gardens Belfast BT10 0HE.	Single storey side extension.	PERMISSION GRANTED

Reference Number	DEA Description	Location	Proposal	Application Status
LA04/2022/0515/DC	Titanic	Thompson Dock Pump House and Car Park of Northern Ireland Science Park (Innovation Centre) Queens Road Belfast BT3 9DT.	Discharge of condition 5 LA04/2021/1778/F.	CONDITION DISCHARGED
LA04/2022/0516/DC	Titanic	Thompson Dock Pump House and Car Park of Northern Ireland Science Park (Innovation Centre) Queens Road Belfast BT3 9DT.	Discharge of condition 5 LA04/2021/1779/LBC.	CONDITION DISCHARGED
LA04/2022/0518/DC	Oldpark	Marrowbone Millennium Park Oldpark Road Belfast BT14 6QS.	Discharge of condition 20 LA04/2020/1593/F relating to private streets determination.	CONDITION NOT DISCHARGED
LA04/2022/0519/DC	Oldpark	Marrowbone Millennium Park Oldpark Road Belfast BT14 6QS.	Discharge of condition 21 LA04/2020/1593/F relating to retaining walls	CONDITION NOT DISCHARGED
LA04/2022/0526/F	Ormiston	12 Castlehill Drive Belfast BT4 3GS	Two storey side infill extension. External changes including new roof to existing conservatory and vehicular access widened.	PERMISSION GRANTED

Reference Number	DEA Description	Location	Proposal	Application Status
LA04/2022/0531/DC	Balmoral	31 Finaghy Road North Belfast BT10 0JA.	Discharge of condition 3 LA04/2015/0813/F.	CONDITION NOT DISCHARGED
LA04/2022/0549/F	Castle	Ground Floor 38-42 Hill Street Belfast BT1 2LB.	Change of use from restaurant to off license with alterations to facade.	PERMISSION GRANTED
LA04/2022/0551/DCA	Castle	Ground Floor 38-42 Hill Street Belfast BT1 2LB.	Hill Street elevation: Removal of existing roller shutter and existing windows. Poet's Courtyard elevation: removal in part of existing rendered blockwork masonry to form X2 new openings. Donegall Place Street elevation: removal of existing rendered studwork.	PERMISSION GRANTED
LA04/2022/0563/F	Black Mountain	90 Bingnian Drive Belfast.	Single storey rear extension. External changes and ramped access to front with landscaping works.	PERMISSION GRANTED
LA04/2022/0575/F	Lisnasharragh	2 Knockbracken Park Belfast BT6 0HL.	Roofspace conversion to dwelling with change from hipped roof to gable end and rear dormer window.	PERMISSION GRANTED
LA04/2022/0583/F	Balmoral	80 Edenderry Village Belfast BT8 8LQ.	First floor rear extension.	PERMISSION GRANTED

Reference Number	DEA Description	Location	Proposal	Application Status
LA04/2022/0584/F	Ormiston	94 Earlswood Road Belfast BT4 3DZ.	Single storey extension to side and rear with canopy. Single storey store extension to side. Cladding of existing roof dormers and fenestration changes.	PERMISSION GRANTED
LA04/2022/0590/F	Castle	12 Westland Gardens Belfast BT14 6NF.	Demolition of existing single storey return and construction of new single storey rear extension.	PERMISSION GRANTED
LA04/2022/0591/F	Titanic	We Are Vertigo (T13 Building) Queens Road Belfast BT3 9DT.	Proposed external alterations to include re-cladding, rooflights, and new glazed entrance facade (no change to floorspace).	PERMISSION GRANTED
LA04/2022/0605/LBC	Botanic	Riddel's Warehouse 88-91 Ann Street Belfast.	Repairs to timber roof structure, upgrade to thermal performance and renewal of roof coverings and gutter linings.	PERMISSION GRANTED
LA04/2022/0611/DC	Castle	776-778 Shore Road and 4-6 Grays Lane Greencastle Belfast BT15 4HT.	Discharge of condition 9 LA04/2020/0027/F.	CONDITION DISCHARGED
LA04/2022/0618/F	Lisnasharragh	14 Broughton Park Belfast BT6 0BD	Single storey rear extension to kitchen, and single storey side extension to create utility and WC	PERMISSION GRANTED
LA04/2022/0619/DC	Botanic	10-16 Castle Place Belfast BT1 1GB.	Discharge of conditions 6 & 7 LA04/2019/0405/F.	CONDITION DISCHARGED

Reference Number	DEA Description	Location	Proposal	Application Status
LA04/2022/0629/F	Black Mountain	St Joseph's Church Hannahstown 23 Hannahstown Hill Belfast BT17 0LT	Proposed New Stone Boundary Wall to Replace Existing Fence	PERMISSION GRANTED
LA04/2022/0632/LBC	Botanic	Unit 2 Queens Arcade Belfast BT1 5FE	The proposal consists of the erection of 2no. new illuminated signs, 1no. to the existing fascia and 1no. above the entrance door of Unit 2 facade to Donegall Place. Also proposed, are externally applied vinyls to the arches of the existing windows, both to Donegall Place and the Arcade.	PERMISSION GRANTED
LA04/2022/0634/F	Ormiston	84 Old Hollywood Road Belfast BT4 2HP	Single storey and two storey rear extension with external changes and patio.	PERMISSION GRANTED
LA04/2022/0647/F	Balmoral	4 Harberton Lane Belfast BT9 6WQ	Single storey extension to side and rear. Roofspace conversion with rooflights.	PERMISSION GRANTED
LA04/2022/0650/LBC	Botanic	Former Church 159-161 Donegall Pass Belfast BT7 1DT.	Like for like replacement of roof timbers with salvaged natural slate roof covering.(part retrospective)	PERMISSION GRANTED
LA04/2022/0669/DCA	Balmoral	52 Harberton Park Belfast BT9 6TT.	Demolition of single storey rear utility room.	PERMISSION GRANTED
LA04/2022/0695/NMC	Botanic	Lands bounded by Little Victoria Street Bruce Street and Holmes Street Belfast.	Non material change LA04/2021/2242/F.	NON MATERIAL CHANGE GRANTED

Reference Number	DEA Description	Location	Proposal	Application Status
LA04/2022/0701/DC	Court	Plots No.1-18 only Lands adjacent to and north and east of 105 Hopewell Crescent north of 50-74 Hopewell Crescent west of 1-21 Hopewell Square and south of Hopewell Avenue.	Discharge of condition 2,3,5,6 and 7 LA04/2019/2306/F.	CONDITION DISCHARGED
LA04/2022/0702/DC	Oldpark	Land bounded by Library Street Stephen Street and Kent Street Belfast BT1 2JJ.	Discharge of conditions 1 & 2 of planning appeal Ref 2016/A0044 (Planning Ref: LA04/2015/0676/F).	CONDITION DISCHARGED
LA04/2022/0704/F	Castle	8 Bellevue Drive Newtownabbey BT36 7QE.	Single storey rear and side extension.	PERMISSION GRANTED
LA04/2022/0705/F	Balmoral	16 Old Coach Gardens Belfast BT9 5PQ.	Single storey front and rear extension to dwelling, new detached store to front and elevational changes.	PERMISSION GRANTED
LA04/2022/0733/F	Oldpark	8 Clifton Crescent Belfast BT14 6LF	Conversion of existing residential property into a house of multiple occupation.	PERMISSION GRANTED
LA04/2022/0756/F	Oldpark	53 Cliftondene Crescent Belfast BT14 7PE.	Proposed roof space conversion with 1 rooflight to front and 3 to rear. New second floor gable window.	PERMISSION GRANTED
LA04/2022/0789/CONTPC	Balmoral	The White Lodge 1 Malone Court Belfast. BT9 6PA.	Works to 11 trees.	WORKS TO TREES IN CA - AGREED

Reference Number	DEA Description	Location	Proposal	Application Status
LA04/2022/0800/CONTPC	Botanic	5a Windsor Park North Belfast BT9 6FD.	Works to 1 tree.	WORKS TO TREES IN CA - AGREED
LA04/2022/0836/DC	Collin	76 Summerhill Drive Twinbrook BT17 0RE	Discharge of condition 5 - LA04/2019/2676/F	CONDITION DISCHARGED
LA04/2022/0855/LDE	Botanic	1 Marlborough Park Belfast BT9 6XS	Certificate of lawfulness - existing use as medical or health services (Class D1a)	PERMITTED DEVELOPMENT
LA04/2022/0856/LDE	Botanic	Flat 2 7 Rugby Avenue Belfast BT7 1RD	Existing House in Multiple Occupancy (HMO) use	PERMITTED DEVELOPMENT
LA04/2022/0873/CONTPC	Balmoral	61 Balmoral Avenue Belfast BT9 6NX.	Works to 1 tree.	WORKS TO TREES IN CA - AGREED
LA04/2022/0896/PAN	Botanic	Havelock House Ormeau Road Belfast BT7 1EB	Demolition of existing buildings, construction of residential apartment development and associated works	PROPOSAL OF APPLICATION NOTICE IS ACCEPTABLE
LA04/2022/0918/CONTPC	Botanic	22 Adelaide Park Belfast BT9 6FX.	Works to 2 trees.	WORKS TO TREES IN CA - AGREED
LA04/2022/0969/CONTPC	Botanic	22 Adelaide Park Belfast BT9 6FX.	Works to 7 trees.	WORKS TO TREES IN CA - AGREED

Reference Number	DEA Description	Location	Proposal	Application Status
LA04/2022/1032/CONTPC	Botanic	No 4 and 20 Cadogan Park Belfast BT9 6HG.	Works to 2 trees.	WORKS TO TREES IN CA - AGREED
LA04/2022/1036/CONTPC	Balmoral	31 Finaghy Road North Belfast BT10 0JA.	Works to 1 tree.	WORKS TO TREES IN CA - AGREED
LA04/2022/1037/CONTPC	Castle	Dominican College Fortwilliam North Belfast 38 Fortwilliam Park Belfast BT15 4AQ.	Works to 8 to 11 trees.	WORKS TO TREES IN CA - AGREED

This page is intentionally left blank



Belfast Planning Service
Belfast City Council
Cecil Ward Building
4-10 Linenhall Street
BELFAST
BT2 8BP

Annexe 7, Block 2
Castle Buildings
Stormont Estate
Upper Newtownards Road
BELFAST
BT4 3SQ

Telephone: 0300 200 7899

Textphone number: 028 9054 0022

Being Dealt With By: Patrick Keery

Email: patrick.keery@infrastructure-ni.gov.uk

Direct Line: 02890 522109

Your Ref:

Our Ref: MD2/Z/03/1079

Date: 17 May 2022

Dear Sir/ Madam,

**ROADS (NI) ORDER 1993
PROPOSED ABANDONMENT AT CHARLOTTE STREET, BELFAST.**

Department for Infrastructure Roads is proposing to abandon the land shown on the attached map.

The abandonment is necessary to remove public rights of way over land no longer owned by the Department.

Please let me have your comments on the above proposal.

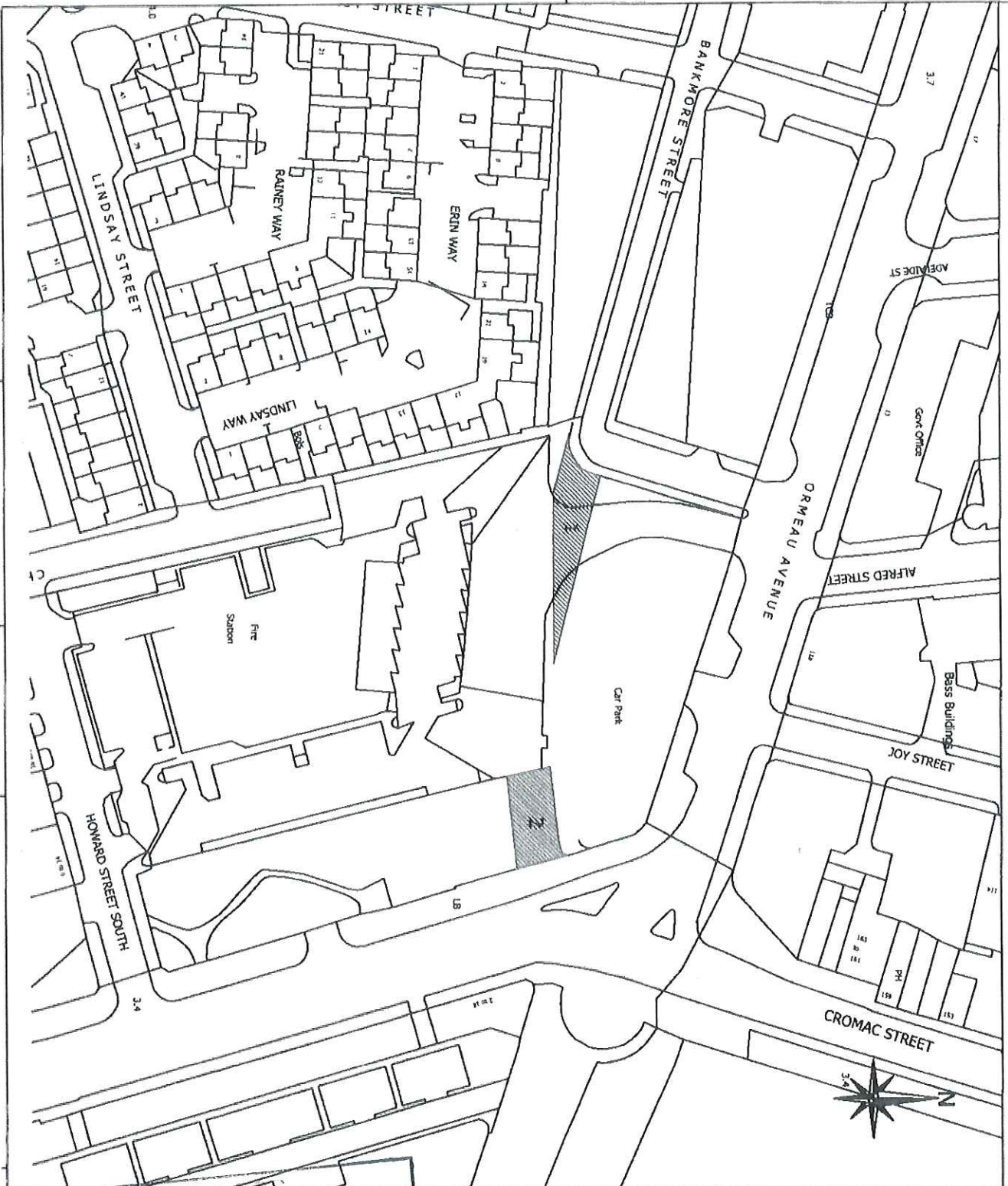
If I do not receive your reply I shall assume you have no objection and will proceed accordingly.

Yours faithfully

Patrick Keery
Lands Section

ENCS





Notes:
 1. Based upon the Ordnance Survey of Northern Ireland 1:1000 Scale Map with the Permission of the Controller and Chief Executive
 2. Crown Copyright
 3. All rights reserved
 4. Copyright and may be used to produce a map or other publication

Area
 Plot 1 = 253.015 Sq.m.
 Plot 2 = 206.616 Sq.m.

Map Ref :- 14701NEZ

NO.	PERSON	DATE

Abandonment of Lands

Charlotte Street Car Park

FILE NO.	DESIGNED	SC	DATE
			06/02/2011
DRAWN	CHECKED	INIT	DATE
			00/00/00
TRACED	APPROVED	INIT	DATE
			00/00/00

Dwg. No. 0

Scale 1:1250

RECEIVED
 27 MAR 2011
 BELFAST PLANNING SERVICE
 Eastern Division
 Annex 7
 Castle Buildings
 Stormont Estate
 Belfast BT9 3JQ
 Telephone: 028 9025 3000



Belfast Planning Service
Belfast City Council
Cecil Ward Building
4-10 Linenhall Street
BELFAST
BT2 8BP

Annexe 7, Block 2
Castle Buildings
Stormont Estate
Upper Newtownards Road
BELFAST
BT4 3SQ

Telephone: 0300 200 7899

Textphone number: 028 9054 0022

Being Dealt With By: Patrick Keery

Email: patrick.keery@infrastructure-ni.gov.uk

Direct Line: 02890 522109

Your Ref:

Our Ref: MD2/Z/03/1077

Date: 17 May 2022

Dear Sir/Madam,

ROADS (NI) ORDER 1993

PROPOSED ABANDONMENT AT LITTLE VICTORIA STREET, BELFAST.

Department for Infrastructure Roads is proposing to abandon the land shown on the attached map.

The abandonment is necessary to remove public rights of way over land no longer owned by the Department.

Please let me have your comments on the above proposal.

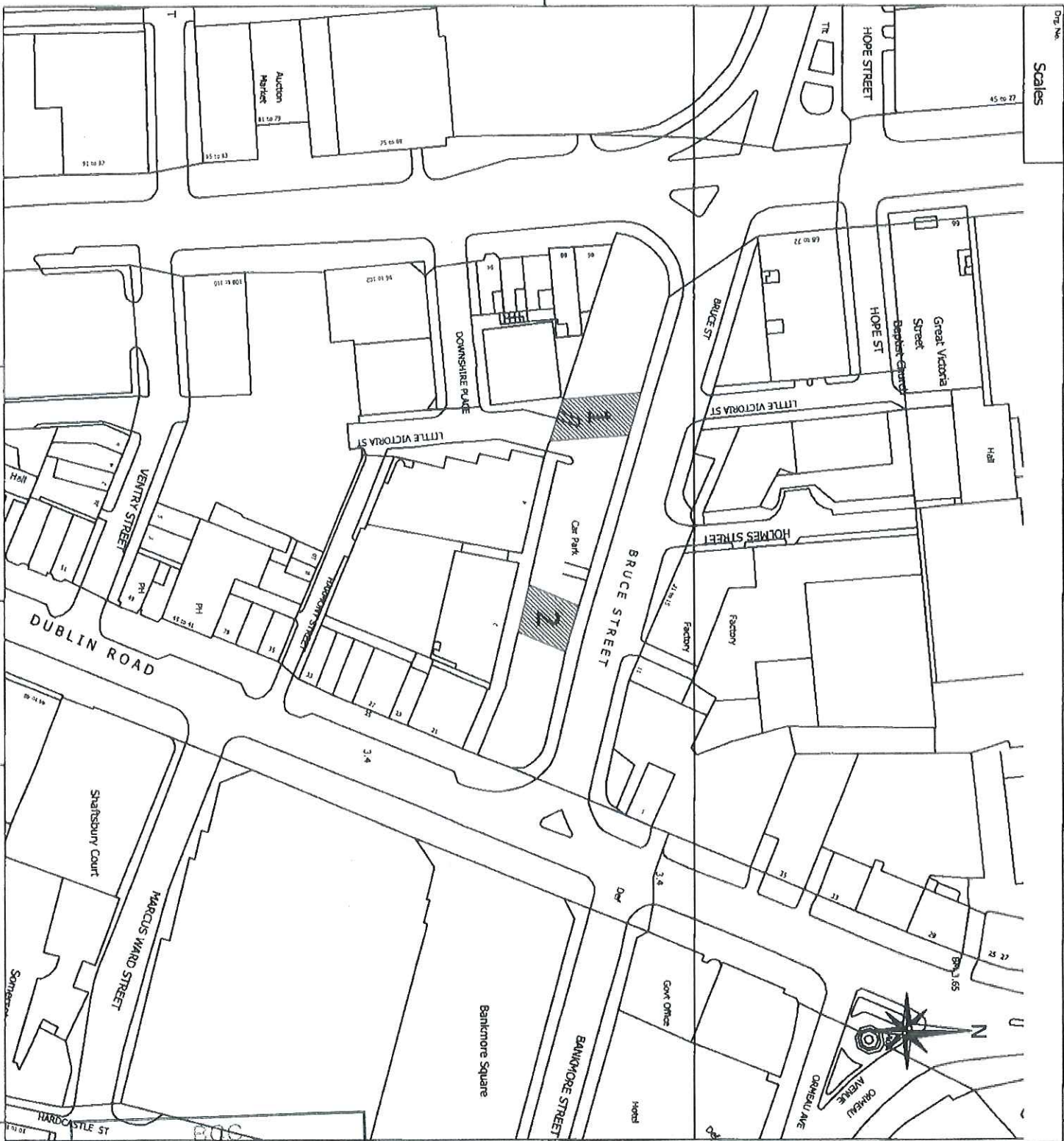
If I do not receive your reply I shall assume you have no objection and will proceed accordingly.

Kind Regards,

Patrick Keery
Lands Section

ENCS





Dwg No. Scales

Notes:
 1. Based upon the Ordnance Survey of Northern Ireland 1:62,500 scale map with the permission of the Controller of the Survey of Northern Ireland.
 2. Crown Copyright.
 3. Unauthorised reproduction, including copying, is prohibited and may lead to prosecution or civil proceedings.

Area =
 Plot 1 - 177.691 Sq.m.
 Plot 2 - 137.184 Sq.m.

Map Ref :- 13013SEE3 & 14701NE1

NO.	REVISION	DATE

Abandonment of Lands

Little Victoria Street Car Park, Belfast

FILE NO.	DESIGNED	SC	DATE
			11/07/2019
DRAWN	CHECKED	INIT	DATE
			00/00/00
TRACED	APPROVED	INIT	DATE
			00/00/00

Dwg No. 0

Scale 1:1250

RECEIVED
 27 MAY 2022
 BELFAST PLANNING SERVICE

Eastern Division
 Castle Buildings
 Stormont Estate
 Belfast BT4 3SQ
 Telephone: 028 9025 3000

ADDENDUM REPORT	
Committee Meeting Date: Tuesday 14 June 2022	
Application ID: LA04/2020/1666/F	
Proposal: Demolition of existing two storey building and erection of an office development with heights of 9-14 storeys with landscaping, parking, and associated development.	Location: Lands at 102-127 Grosvenor Road and adjoining the Westlink/Grosvenor Road Junction, Belfast BT12 4GH.
Referral Route:	Major Application
Recommendation:	Approval subject to S76 agreement.
Applicant Name and Address: Ossian Holdings Ltd 46a Dungannon Enterprise Centre 2 Coalisland Road Dungannon BT71 6JT	Agent Name and Address: Gravis Planning 1 Pavilions Office Park Kinnegar Drive Holywood BT18 9JQ
<p>Background:</p> <p>This application for planning permission was considered by the Planning Committee in March 2021. The original case officer report is attached as Annex 1. The Committee accepted the officer recommendation to grant planning permission with delegated authority given to the Director of Planning and Building Control to finalise the wording of conditions and the Section 76 Planning Agreement.</p> <p>Due to the length of time taken to finalise the Section 76 Agreement following the Committee meeting in March 2021, the Planning Service reconsulted NI Water and they responded on 3rd June 2021 and advised that there is insufficient Waste Water Treatment Capacity available at present for the proposed development. The response states:</p> <p><i>'Belfast WWTW no longer has headroom capacity to serve this proposal. However, initial improvement works currently under construction at Belfast WWTW, once completed, together with base maintenance of the activated sludge process of the existing works, will result in providing some additional capacity in advance of the major phased upgrade of Belfast WWTW.'</i></p> <p>In a further response dated 2nd June 2022 they advised that:</p> <p><i>'Our only requirement is that this proposal shall not be occupied before 1 July 2023, which is the date when additional treatment capacity will be available as a result of completion of initial phase of upgrade work at Belfast WWTW. The developer has already confirmed to NI Water that this condition would be acceptable as this proposal will not be completed until after this date.'</i></p> <p>The application is being brought back to Committee to highlight this change of position, that NI Water are now citing WWTW capacity objections.</p>	

Officers consider that this condition is not required given that the Section 76 is yet to be finalised and the improvements to the WWTW are expected by July 2023 and should provide increased capacity by the time that this development is completed.

Recommendation:

The officer recommendation remains to approve planning permission subject to the planning conditions and Section 76 planning agreement as set out in the original Development Management report.

Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of conditions and the Section 76 planning agreement.

Annex 1: Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: Tuesday 16 March 2021	
Application ID: LA04/2020/1666/F	
Proposal: Demolition of existing two storey building and erection of an office development with heights of 9-14 storeys with landscaping, parking, and associated development.	Location: Lands at 102-127 Grosvenor Road and adjoining the Westlink/Grosvenor Road Junction, Belfast BT12 4GH.
Referral Route: Major Application	
Recommendation:	Approval
Applicant Name and Address: Ossian Holdings Ltd 46a Dungannon Enterprise Centre 2 Coalisland Road Dungannon BT71 6JT	Agent Name and Address: Clyde Shanks Ltd 2nd Floor 7 Exchange Place Belfast BT1 2NA
Executive Summary: This application seeks the demolition of a 2-storey redbrick building used by a plumbing and heating supplies company on the Grosvenor Road and erection of an office building ranging from 9 - 14 storeys with associated cycle storage The main issues to be considered in this case are; <ul style="list-style-type: none"> • The principle of offices at this location • The principle of demolition of the existing building • The consideration of economic benefits • The impact on built heritage • The scale, height, massing and design • The impact on traffic and parking • The impact on amenity • The consideration of site drainage • The impact on human health • The consideration of developer contributions <p>The site is located within Belfast City Centre, City Centre Area of Parking Restraint, the Great Victoria Street Character Area and the Main Office Area. The application site is also located within a City Centre Gateway and Development Opportunity Site.</p> <p>DfI Roads, EHO, NIEA, Rivers Agency, HED and NIW were all consulted in addition to the Urban Design Officer, Economic Development Team and the City Regeneration and Development Team within BCC. Their responses are detailed in the main body of the report.</p>	

There are two previous approvals for offices on the site – approved in 2011 (Z/2005/1236/O) and 2015 (Z/2014/0997/O) which are now expired.

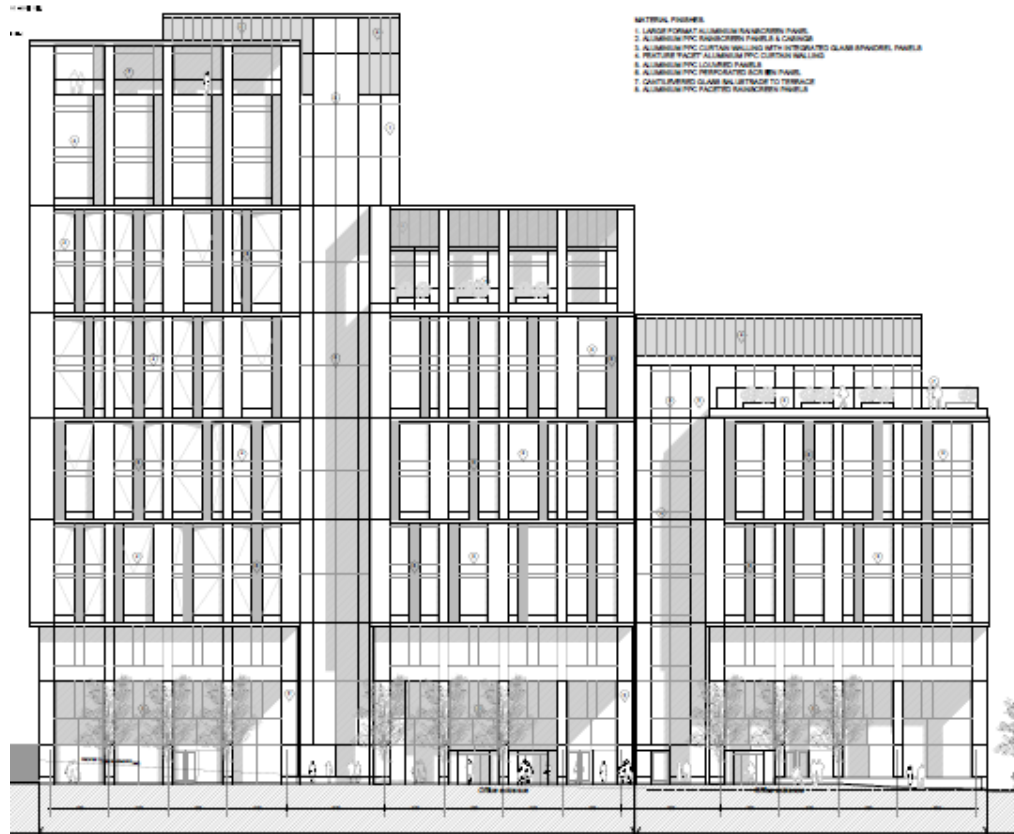
No objections have been received.

The proposal will generate an estimated 115 direct construction jobs, and it is estimated that 2500 employees will attend the building once operational.

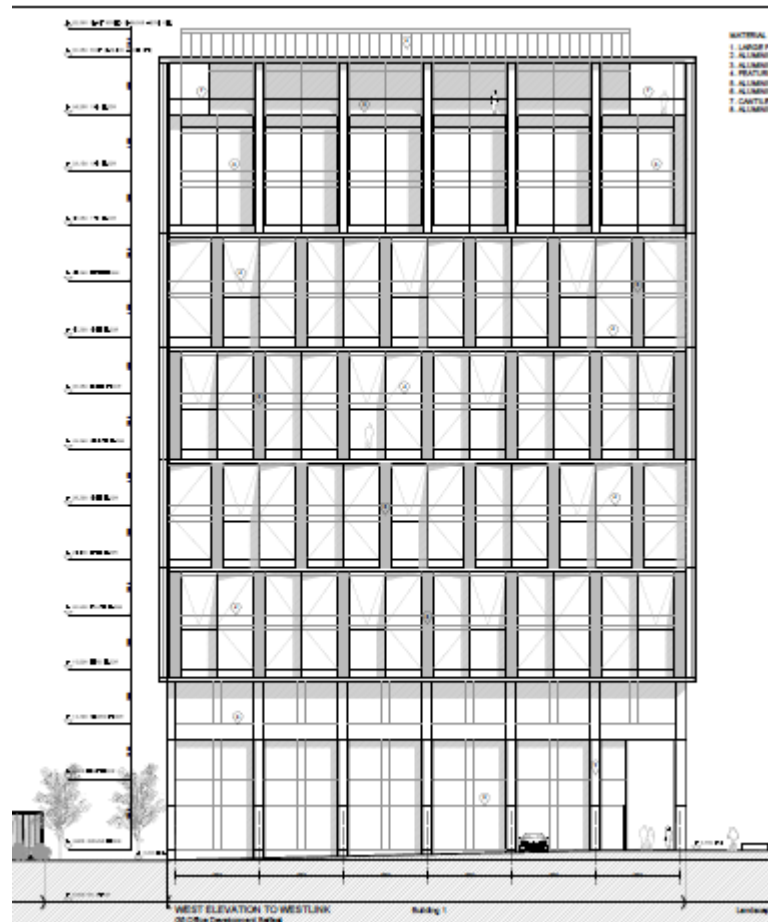
Having regard to the Development Plan, prevailing policy, all of the submitted information and reports and consultee responses, it is considered that the proposed scheme, on balance, is acceptable.

It is recommended that planning permission is granted subject to conditions, as set out in the report, and that delegated authority is given to the Director of Planning and Building Control to finalise the wording of conditions and enter into the Section 76 planning agreement.

Grosvenor Road elevation



Westlink elevation



Grosvenor Road elevation (CGI)



Westlink elevation (CGI)



Characteristics of the Site and Area	
1.0	Description of Proposed Development
1.1	The proposed scheme comprises one building, its form is essentially made up of a series of stepped components, a taller 14 storey element located at the western end of the site closest to the Westlink, an intermediary 11 storey element within which the main ground floor primary entrance is located and finally a lower 9 storey component on the eastern edge of the site which aligns with the adjacent Stanley Street.
1.2	The proposal includes two single-storey bike stores as well as landscaping and parking.
1.3	It should be noted that the building has been designed to allow for a phased approach whereby initially, the tallest two elements are completed with a pocket park and associated landscaping. Alternatively, all three elements can be constructed simultaneously.
2.0	Description of Site and Area
2.1	The site is located on Grosvenor Road, Belfast. There is a two storey plumbing shop ('Plumbing Trade Supplies') on the site currently. The existing building is finished in red brick and has a flat roof. The front boundary (south) is defined by a 1m high red brick wall matching the finishes of the building. On top of the brick wall is a 1.5m high metal fence with intermittent brick pillars. This boundary abuts the Grosvenor Road. The western side boundary which abuts the Westlink is defined by metal fencing. To the north of the site is vacant ground which is currently being used as a car park. There are offices beyond this. There is car parking within the site for the existing plumbing business. At present the site benefits from direct access off Grosvenor Road with secondary access provided to the rear off Wilson Street.
2.2	The area is characterised by mixed use and includes the police station adjacent to the site, retail warehouses and offices. The area to the east beyond Durham Street includes retail, offices, hotels, bars and restaurants. The area to west beyond the Westlink is predominantly residential in use with some retail, bars and the Royal Victoria Hospital located further along the Grosvenor Road. The Grosvenor Road Police Station, a 4-5 storey building, is located to the east of the site while the proposed Transport Hub, a major project of regional significance, is located due south on the opposite side of the Grosvenor Road. Further east along Grosvenor Road lies the ten storey Fitzwilliam Hotel at its junction with Great Victoria Street.
Planning Assessment of Policy and other Material Considerations	
3.0	Site History
3.1	<p>Ref ID: LA04/2017/1388/F</p> <p>Proposal: New integrated public transport interchange comprising; station concourse, 26 bus stands, 8 railway platforms, bus maintenance and parking, track and signalling enhancements, bus access bridge, cycle and taxi provision, car parking, new public square, public realm improvements, highway improvements, infrastructure improvements, temporary structures for bus operations during construction and temporary site construction compounds.</p> <p>Address: Lands: To the East of The Westlink (A12); South Of (Nos.127-9) And Including Grosvenor Road; At Intersection of Grosvenor Road and Stanley Street; At the Intersection of Durham Street and Grosvenor Road; At the Intersection of Fisherwick Place</p> <p>Decision: Permission Granted</p> <p>Decision Date: 29.03.2017</p>

	<p>Ref ID: Z/2014/0997/O Proposal: Demolition of existing building and erection of new class B1 gateway office development and associated site works. Address: 102-127 Grosvenor Road and lands adjoining the Westlink/Grosvenor Road Junction Belfast BT12 4GH, Decision: Permission Granted Decision Date: 09.07.2015</p> <p>Ref ID: Z/2005/1236/O Proposal: Demolition of existing building and erection of new Class B1 gateway office development and associated site works. Address: 102-127 Grosvenor Road and lands adjoining the Westlink/Grosvenor Road junction, Belfast, BT12 4GH Decision: Permission Granted Decision Date: 05.08.2011</p>
4.0	Policy Framework
4.1	Belfast Urban Area Plan 2001 (BUAP) Draft Belfast Metropolitan Area Plan 2015 (Draft BMAP 2015) Draft Belfast Metropolitan Plan 2004 Developer Contribution Framework (2020)
4.2	Regional Development Strategy Strategic Planning Policy Statement for Northern Ireland Planning Policy Statement 3 - Access, Movement and Parking Planning Policy Statement 4 – Planning and Economic Development Planning Policy Statement 6 - Planning, Archaeology and the Built Heritage Planning Policy Statement 15 (Revised) - Planning and Flood Risk
5.0	Statutory Consultees DfI Roads – no objection subject to conditions and informatives Rivers Agency – no objection subject to condition NIEA Historic Buildings Unit – content with further information provided NIEA Historic Monuments Unit – no objection NIEA Natural Environment Division – no objection conditions and informatives NIEA Water Management Unit – no objections, standing advice provided NIEA Land, Soil, and Air – no objection subject to conditions and informatives NIW – No objections.
6.0	Non-Statutory Consultees Environmental Health BCC – no objection subject to conditions and informatives BCC Urban Design Officer – content that the redesign now addresses the previous concerns regarding long range views and continuity of design on all key elevations City Regeneration and Development Team BCC – no objection Economic Unit – No objection subject to Section 76 clause PSNI – No objections Tree officer – No objections Landscape Planning and Development Team – no objections
7.0	Representations
7.1	No representations have been received.
8.0	ASSESSMENT

8.1	<u>Development Plan</u>
8.1.1	Section 45 (1) of the Planning Act (NI) 2011 requires regard to be had to the Development Plan, so far as material to the application and to any other material considerations. Section 6 (4) of the Planning (Northern Ireland) 2011 Act states that in making any determination under the said Act, regard is to be had to the local development plan, and that the determination must be made in accordance with the plan unless material consideration indicate otherwise.
8.1.2	Following the Court of Appeal decision on Belfast Metropolitan Area Plan in May 2017, the extant development plan is now the Belfast Urban Area Plan 2001. However, given the stage at which draft BMAP 2015 had reached pre-adoption through a period of independent examination, the policies within it still carry weight and are a material consideration in the determination of planning applications. The weight to be afforded is a matter of judgement for the decision maker. The weight to be attached to policies in emerging plans will depend upon the stage of plan preparation or review, increasing as successive stages are reached.
8.1.3	Given the advanced stage that draft BMAP 2015 reached (i.e. pre-adoption following a period of independent examination), and that the main areas of contention were policies relating to Sprucefield Shopping Centre, dBMAP 2015 is considered to hold significant weight.
8.1.4	The proposed development lies within the development limit for Belfast City Centre (CC001), within the Main Office Area (CC009), within the Belfast City Core Area of Parking Restraint (CC102) and within the Great Victoria Street Character Area (CC015). In addition the proposal is located within a City Centre Gateway and Development Opportunity Site (CC058).
8.1.5	The draft BMAP 2015 identifies for information the extent of the City Centre Gateway and also specifies Character Area Designations including urban design criteria related to the massing, alignment and scale of buildings. In their report on the Public Local Enquiry into Objections to the BMAP 2015 the Planning Appeals Commission (PAC) explored a number of general objections to all Character Areas and in particular to specific design criteria. The PAC concluded that in general the design criteria were merited and basic expectations of responsive urban design within a City Centre context. No changes were recommended to any of the relevant designations listed in Para 8.1.4.
8.1.6	The Urban Design Criteria relating to this character area states that the density of development in the area shall be increased through high site coverage and high plot ratio. It also indicates that proposals shall take account of the height of adjoining buildings and that any building which faces onto Grosvenor Road shall be a minimum of 5 and maximum of 10 storeys. In addition it states that the maximum height on the junction of Grosvenor Road at BT Telephone Exchange should be 15 storeys.
8.1.7	A building of 48.4m and 12 storeys was approved under Z/2014/0997/O. This permission has now expired however remains a material consideration. Whilst the proposed building is 14 storeys (varying heights from 31m – 62m) and exceeds the 10 storey maximum referred to in the dBMAP Urban Design criteria, on balance this height is considered acceptable given the nature of the site as a Gateway, Development Opportunity Site and the material consideration of previous approval.
8.2	<u>The principle of offices at this location</u>

8.2.1	The site is located within the settlement limits of draft BMAP 2015. The presumption is therefore in favour of development subject to the planning considerations discussed below. In terms of the proposed office use, the site is within a prime city centre location and proposes approximately 24,954 sqm of Grade B1a office space. It has been assessed against Policy OF1 of Volume 1 of draft BMAP 2015. The policy states that planning permission will be granted for office development within Classes A2 and B1 of the Planning (Use Classes) Order within Belfast City Centre. The proposal therefore complies with this policy.
8.2.2	The proposal has been assessed under Policy PED1 of Planning Policy Statement 4: Planning and Economic Development (PPS4). Policy PED1 states that a development proposal for a Class B1 business use will be permitted in a city or town centre (having regard to any specified provisions of a development plan). Accordingly, the proposal satisfies the requirements of this policy.
8.2.3	The proposed use sits comfortably with the site's prime city centre location and proximity to the proposed Transport Hub (approved LA04/2017/1338/F).
8.3	<u>The principle of demolition of the existing building</u>
8.3.1	The current site is not located within the curtilage of a listed building or a Conservation Area/ Area of Townscape Character. As such, demolition consent is not required to remove the existing building.
8.3.2	The existing building is not listed and is of no architectural or historic interest and indeed the principle of demolition has twice been established under previous permissions.
8.4	<u>The impact of the proposal on nearby Listed Buildings</u>
8.4.1	Policy BH11 of Planning Policy Statement 6 (PPS6) relates to development affecting the setting of a listed building. There are a number of listed buildings/structures of special architectural and historic interest, protected under Section 80 of the Planning Act (NI) 2011 in the immediate vicinity These are: <ul style="list-style-type: none"> • HB26/29/017 Former Tobacco Works, Linfield Rd Grade B+ • HB26/33/103A St Peter's Cathedral, St Peter's Sq N Grade A • HB26/50/023 Royal Belfast Academical Institute, College Sq E Grade B+ • HB26/50/025 Christchurch Centre of Excellence, College Sq N Grade B1 • HB26/50/116 Former Health Centre, 89 Durham St Grade B2 • HB26/50/303A-D Former warehouses at 4,5 & 6 Murray St & 13-17 Grosvenor Rd
8.4.2	Historic Environment Division were consulted in relation to the proposal. Their initial response requested further 3D images to assess the impact on the historic skyline of the wider context. These were provided and HED advised that they were largely content with the information provided however the explanatory note states " <i>HED therefore requests that, if the council is minded to approve this proposal, further consideration is given to articulation of the tallest element. The quality and modulation illustrated on the elevations facing Grosvenor Road, the Westlink & the North should be matched on Stanley Street so that it contributes 360° to the city's skyline.</i> "
8.4.3	The Urban Design Officer and Case Officer were in agreement with this matter and several meetings were held to discuss the finer details of design articulation. An amended scheme was submitted and all officers were in agreement that this matter was fully addressed. HED advised that they are content with the revised drawings and information.
8.5	<u>Archaeology</u>

8.5.1	Historic Environment Division: Historic Monuments Unit (HMU) have been consulted and considered the impacts of the proposal. HMU is content that the proposal is satisfactory to SPPS and PPS 6 requirements.
8.6	<u>Scale, Massing, Height and Design</u>
8.6.1	There was a previous Pre-Application Discussion (PAD) for this office scheme on this site. Written feedback was provided regarding key aspects of the scheme and amendments were requested and the current scheme follows extensive negotiations with officers.
8.6.2	The subject location is one which officers consider can accommodate considerable height. The zonings of development opportunity site and gateway site lend themselves to higher height. As stated in para 1.8.7, the previous approval (Z/2014/0997/O) permitted a height of 48m.
8.6.3	The Urban Design Officer notes that the site is <i>“currently underutilised by an uninspiring two storey building that does little in the way of presenting itself to this key route”</i> and that the proposed <i>“use of the stepped form helps to introduce a level of hierarchy to the various components of the building which at one end culminates in the taller 14 storey feature block of civic scale at the prominent exposed nodal location of the site and at the other a more subdued nine storey block that relates more sympathetically to the scale of buildings already present further along the Grosvenor Road”</i> . He further acknowledges that the <i>“architectural intent is one of elegance and appropriate proportions which employs a simple yet high quality palette of materials”</i> and concludes that the scale, height and massing is <i>“appropriate and commensurate to the site and its surrounding context”</i> .
8.7	<u>Detailed design</u>
8.7.1	During PAD discussions, a number of key themes were established which included the importance of public realm, the intricacies of phasing and the importance of design detailing.
8.7.2	The Urban Design Officer summarises the material palette as <i>“primarily aluminium PPC curtain walling with integrated glass spandrel panels alongside aluminium PPC rainscreen panels and feature ‘facet’ aluminium PPC curtain walling”</i> including <i>“vertical sections of aluminium PPC louvred panels which effectively break up large sections of glazing and aluminium PPC perforated screen panels at upper levels”</i> .
8.7.3	A constant feature of discussions was the importance of the building working hard to succeed on all four elevations, crucial to its distinct gateway location and visibility from several key vistas. A number of design meetings were held to ensure that positive features of the Grosvenor Road elevation were extended proportionately to all three elements of the building, and even more crucially on all three main elevations. The Urban Design Officer notes <i>“considering this building in the round was a key consideration highlighted by the Council early on in this process due to the exposed nature of the building and the long range views to which its western and northern elevations will be exposed”</i> . As a result of feedback from officers and from Historic Environment Division, an amended scheme was sought which addressed these design details. The further articulation of elevational treatments have included <i>“deeper recessing to the uppermost levels of glazing and associated plant screen in an effort to expose around 1000mm of the returned column casings”</i> , horizontal bandings and spandrel and louvre panels to achieve a consistency of design and treatment.
8.7.4	As outlined in para 1.3, the building has been designed to allow flexibility in terms of phasing and construction. The applicant seeks approval through this scheme to build the first two elements (14 and 11 storeys respectively) as Phase 1 with the last 9 storey element constructed as Phase 2. This would allow for a large single building, or a phased approach with two distinct buildings which would read as a single building.

8.7.5	<p>The Urban Design Officer notes that the <i>“Council did highlight early on in the process the need for the partially constructed scheme to be able to stand on its own merit both from a functional and visual viewpoint in the event that the larger component (Building 1) was constructed and there was a delay in bringing forward the remaining component (Building 2)”</i>. As such, it was communicated that the eastern elevation and associated landscaping would need to be acceptable in its own right should Phase 2 be delayed or indeed, never occur. Whilst the agent outlined the challenges of creating a visually interesting interim elevation which would need to be constructed in a way so as not to prejudice the construction of Phase 2, officers entered robust discussions referring to exemplars of ways to achieve visual interest despite the party wall and absence of window openings.</p>
8.7.6	<p>The Urban Design Officer describes the submitted amendments as including <i>“the introduction of a primary grid of vertical aluminium column casings to the elevation, which has been broken up by feature horizontal profiles with inserted panels glazed where possible. Remaining insert panels along this elevation are now finished in vertical PPC aluminium rainscreen to match the material specification on other elevations. Further articulation has been introduced by way of folds to the aluminium panels to create a faceting that picks up on a similar theme utilised within glazing within the taller building component.”</i> A further amendment along Stanley Street includes a <i>“panel of feature faceted metal cladding has been introduced to mid floors in the same format (within the primary column casings) to mirror the window assembly at upper levels”</i>.</p>
8.7.7	<p>The elevational treatment of the cycle store structures has also been considered carefully and <i>“now includes the same feature PPC aluminium cladding used elsewhere on the main building in an effort to provide a visual link, which is a subtle yet welcomed design response”</i>. In addition, both buildings include green rooves which is welcomed due to views from upper floors of the development.</p>
8.7.8	<p>Ground floor animation was an important consideration due to the prominent location and arterial route. The Urban Design Officer notes the potential of the development to <i>“read and function as a seamless extension to natural desire lines emanating from the Transport Hub area as they extend northwards across the Grosvenor Road and along Stanley Street”</i> and he notes that <i>“careful consideration has been applied to the building to ensure adequate levels of GF animation and activation during both phases of development”</i>.</p>
8.8	<p><u>Landscape and Public Realm</u></p>
8.8.1	<p>Amendments to the scheme have seen a reduction in the overall footprint which lends generously to the extent of public realm, civic space and landscaping.</p>
8.8.2	<p>The proposal includes a generous area of civic space to the front of the development both within the private site and onto the public realm of the Grosvenor Road. It also includes a pocket park to be constructed adjacent to Phase 1 and this will ensure that should the development be phased or indeed the third element is never built, that the long-term visual impact and will be mitigated. The City Centre Regeneration Team welcomed this as a solution to the phasing approach also.</p>
8.8.3	<p>The Landscape Planning and Development team were consulted and requested an LVIA (Landscape Visual Impact Assessment) to ensure townscape and visual effects would not be significant. This was provided and the team confirmed that the impacts of the development <i>“can be successfully absorbed in the character and views of this part of Belfast City”</i>.</p>
8.8.4	<p>The Tree Officer was also consulted and noted that the planting and long-term landscape management and maintenance plan are both acceptable.</p>

8.9 8.9.1	<p><u>Traffic, Movement and Parking</u></p> <p>The proposal has been assessed against PPS 3 and PPS13. In assessing the proposal DfI Roads considered the Transport Assessment Form and a Travel Plan.</p> <p>The submitted Travel Plan outlines the sustainable location of the proposal within an area of parking restraint and discusses the opportunities for public transport, access by bicycle and on foot as well as the strategic aim of reducing private car use.</p> <p>DfI Roads have no objections subject to conditions regarding cycle parking and compliance with the Service Management Plan and Travel Plan which includes green measures.</p>
8.10 8.10.1	<p><u>Contaminated Land</u></p> <p>The application is supported by a Generic Quantitative Risk Assessment (GQRA) which was found to be acceptable by Environmental Health and NIEA. Conditions were provided by both in response to the GQRA. When the amended scheme was submitted, an updated GQRA was also submitted. Both Environmental Health and NIEA were consulted and have no objections subject to conditions.</p>
8.11 8.11.1	<p><u>Noise and Vibration</u></p> <p>Outline Construction Environmental Management Plan (oCEMP) was submitted in support of the application. Further information was requested by BCC: EH with regards to air quality. Following submission of this information, BCC: EH has no objections and has provided an informative with regards to industry standards during construction.</p>
8.11.2	<p>NIEA have also requested a condition to require the submission of a Piling Method Statement.</p>
8.12 8.12.1	<p><u>Site Drainage and Flooding</u></p> <p>The proposal has been considered against Policy FLD 1 of the Revised PPS15 – ‘Development in Fluvial (River) and Coastal Flood Plains’. The Flood Hazard Map (NI) indicates that the development is not within any river or coastal flood plains Rivers Agency advises no objection to the proposed development. An addendum FRA and Schedule 6 consent were provided and there were no objections raised by Rivers Agency subject to a condition that prior to the commencement of any of the approved development on site, written confirmation from NIW must be provided stating that they will adopt a drainage network that will attenuate the 1 in 100 year storm event.</p>
8.13 8.13.1	<p><u>The impact on the amenity of adjacent land users</u></p> <p>It is considered that the proposal would not result in any unacceptable overlooking, loss of light, overshadowing, loss of outlook or other harmful impacts on adjacent land users.</p>
8.13.2	<p>The PSNI were consulted and confirmed that they were aware of the proposal and had no further comment to make.</p>
8.14	<p><u>Air Quality</u></p>

8.14.1	An Outline Construction Environmental Management Plan (oCEMP) was submitted in support of the application as well as an Air Quality Assessment. Further information was requested by BCC: EH with regards to air quality. Following submission of this information, BCC: EH has no objections and has provided an informative with regards to industry standards during construction.
8.15	<u>Pre-Community Consultation</u>
8.15.1	For applications that fall within the major category as prescribed in the Development Management Regulations, Section 27 of the Planning Act (NI) 2011 places a statutory duty on applicants for planning permission to consult the community in advance of submitting an application.
8.15.2	Section 27 also requires that a prospective applicant, prior to submitting a major application must give notice, known as a 'Proposal of Application Notice' (PAN) that an application for planning permission for the development is to be submitted. LA04/2019/2581/PAN was submitted to the Council on 1 st November 2019 and was deemed to be acceptable on 19 th November 2019.
8.15.3	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 (PACC) to accompany the planning application. A PACC Report has been submitted in support of this application which includes details of the public event, email consultations and newspaper advertising. No responses were received and there was no attendance at the public event.
8.16	<u>Developer Contributions</u>
8.16.1	Para 5.69 of the SPPS states that "Planning authorities can require developers to bear the costs of work required to facilitate their development proposals".
8.16.2	The Developer Contributions Framework published by Belfast City Council in January 2020 sets out the circumstances whereby mitigation or management of the impacts of new development is required.
8.16.3	In this case the applicant is providing a developer contribution in the form of public realm improvements along the site frontage of Grosvenor Road. In addition the applicant has volunteered to provide a Belfast Bike dock – this is welcomed by the Council however it is not required to mitigate the proposal and as such has not been included in the Section 76. Transport travel cards will also be provided. These will be dealt with by planning condition.
8.17.4	The Economic Unit assessed the information provided by the applicant and have requested that a Section 76 clause regarding employability and skills be included. This clause will require an employability and skills plan to be submitted to the Council to detail mitigations and interventions that will be put in place to ensure the viability of the development relating to employability and skills.
8.17.5	The City Regeneration and Development Team welcome the proposal and noted that public realm proposals would be welcomed. These have been agreed with the applicant and a condition for further details is provided at Para 8.8.
8.17	<u>Economic Principles and impacts of the Proposal</u>
8.17.1	Paragraphs 4.18 and 4.22 of the SPPS state that planning authorities should take a positive approach to appropriate economic development proposals and pro-actively support and enable growth generating activities.
8.17.2	

8.17.3	The application was supported by an Employability and Skills Assessment (ESA) which was considered by the Council's Economic Development team. The ESA estimates that the proposal will generate 115 direct construction jobs. Once operational, it is envisaged that 2,500 people will be employed on the site through the creation of Grade-A Office space.
8.17.4	As detailed in Para 8.13.4, a clause will be included in the Section 76 to ensure the viability of the development relating to employability and skills.
8.18 8.18.1	City Regeneration and Development Team note that <i>"the proposal for office space will help to deliver the goals of both BCCRIS and the Belfast Agenda which has a target to create 1.5million sq. ft. of Grade A office accommodation by 2021 and an additional 46,000 jobs by 2035."</i>
8.18.2	<u>Conclusion</u> The proposal will have a positive impact on the character and appearance of the area, landscape, traffic, surrounding land-uses and wider environment. It is considered that the proposal would result in wider economic benefits and job creation opportunities.
	Having regard to the Development Plan and relevant material considerations, including the previous planning permission for a tall office building on the site, the proposal is considered acceptable and planning permission is recommended subject to conditions and the applicant entering into a Section 76 Planning Agreement.
10.0	Summary of Recommendation:
10.1	It is recommended to grant conditional planning permission subject conditions and a Section 76 planning agreement. It is requested that delegated authority is given to the Director of Planning and Building Control to finalise the wording of conditions and complete the Section 76, subject to no other material issue being raised by third parties.
11.0	Conditions (final wording to be delegated to the Director of Planning and Building Control)
11.1	The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission. Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.
11.2	The development hereby approved shall not become operational unless an updated Risk Assessment has been submitted to and approved in writing by the Council. The Risk Assessment must demonstrate that the additional sampling and analysis outlined in the WYG Environment and Planning (Northern Ireland) Ltd letter regarding 'Proposed Office Development at 102- 127 Grosvenor Road, Belfast LA04/2020/1666/F – Response to BCC Environmental Health Queries' (dated 7th December 2020, Ref A116123/Dec 2020), have been completed. This additional sampling shall inform an updated Risk Assessment which must incorporate a satisfactory assessment of all risks conducted in line with current Environment Agency guidance. In the event that contaminant linkages are identified within the updated Risk Assessment, the remedial measures outlined in the WYG letter must be satisfactorily implemented on the site and verified prior to its occupation. In the event that remedial measures are required, prior to operation of any phase of the development, the applicant shall provide to and have agreed in writing by the Planning Authority, a Verification Report. This report must demonstrate that the remediation measures outlined in the WYG Environment and Planning (Northern Ireland) Ltd letter

	<p>regarding 'Proposed Office Development at 102-127 Grosvenor Road, Belfast LA04/2020/1666/F – Response to BCC Environmental Health Queries' (dated 7th December 2020, Ref A116123/Dec 2020), have been implemented. The Verification Report shall demonstrate the successful completion of remediation works and that the site is now fit for end-use. It must demonstrate that the identified potential pollutant linkages are effectively broken. The Verification Report shall be in accordance with Environment Agency guidance. In required, this Verification Report must demonstrate that:</p> <ul style="list-style-type: none"> • A minimum 250mm capping layer has been emplaced in all landscaped areas, formed from material that is demonstrably suitable for use (residential without plant uptake). <p>Reason: Protection of human health.</p>
11.3	<p>If during the development works, new contamination or risks are encountered which have not previously been identified, works shall cease and the Council shall be notified immediately. This new contamination shall be fully investigated in accordance with best practice. In the event of unacceptable risks being identified, a Remediation Strategy and subsequent Verification Report shall be agreed with the Council in writing, prior to the development being occupied. If required, the Verification Report shall be completed by competent persons in accordance with best practice and must demonstrate that the remediation measures have been implemented and that the site is now fit for end-use.</p> <p>Reason: Protection of human health.</p>
11.4	<p>The flue termination point of any combustion plant to serve the development hereby permitted shall be installed at a height and location to maximise dispersion and shall not terminate within any external terrace area accessible by future users of the development. The individual or combined NOx emission rate for the proposed gas boilers installed at the hereby permitted development shall not exceed 5mg/sec unless the applicant submits an Air Quality Impact Assessment to the Planning Authority for approval in writing.</p> <p>Reason: Protection of human health.</p>
11.5	<p>Dust management measures, as prescribed within the Outline Construction Management Plan, 102-127 Grosvenor Road, Belfast (AECOM, July 2020) shall be implemented throughout the duration of the construction phase of the development.</p> <p>Reason: Protection of human health.</p>
11.6	<p>Following demolition and site clearance, no construction of the development hereby permitted shall proceed unless a detailed Piling Method Statement has been provided to and agreed in writing with the Council. The Method Statement shall adhere to the recommendations contained in the WYG Pile Risk Assessment report ref: A116123 dated January 2020. The Statement must detail how pile construction will be undertaken and all mitigation measures proposed to ensure no unacceptable risk to receptors. All construction thereafter must be in accordance with the approved Method Statement.</p> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p>
11.7	<p>No commencement of the development hereby permitted shall proceed unless details to demonstrate tank decommissioning in line with current best practice as set out in WYG letter report reference A116123, dated 17 June 2020 have been provided to and agreed in writing with the Council. The quality of soils and groundwater in the immediate area shall be verified and where residual Contamination is identified an updated quantitative risk assessment must be submitted to the Council for agreement prior to development commencement. Where unacceptable risks are identified a remedial strategy shall be</p>

	<p>developed detailing mitigation measures to be implemented for submission to, and agreement with, the Council prior to the development proceeding.</p> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p>
11.8	<p>If during the development works, new contamination and risks are encountered which has not previously been identified, works must cease and the Council shall be notified immediately. This new contamination shall be fully investigated in accordance with the Land Contamination: Risk Management (LCRM) guidance available at: https://www.gov.uk/guidance/land-contaminationhow-to-manage-the-risks. In the event of unacceptable risks being identified, a remediation strategy shall be agreed with the Council in writing and subsequently implemented to its satisfaction.</p> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p>
11.9	<p>After completing any remediation works required under Conditions 11.6-11.8, and prior to occupation of the development, a verification report must be submitted to and agreed in writing with the Council. This report must be completed by competent persons in accordance with the Land Contamination: Risk Management (LCRM) guidance available at: https://www.gov.uk/guidance/land-contaminationhow-to-manage-the-risks. The verification report shall 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>
11.10	<p>The development hereby permitted shall not become operational unless hard surfaced area have been constructed in accordance with the approved layout Drawing No. 05C 'Site Plan (Building 1 Only)' published by the Belfast City Council Planning Office on 5 March 2021 to provide adequate facilities for access to the site. All hard surfaced areas must be permanently retained in accordance with the approved plans.</p> <p>Reason: To ensure that provision has been made for safe access.</p>
11.11	<p>The development hereby permitted shall not become operational unless hard surfaced area have been constructed in accordance with the approved layout Drawing No. 05C 'Site Plan (Building 1 Only)' published by the Belfast City Council Planning Office on 5 March 2021 to provide adequate facilities for parking, servicing and circulating within the site. This shall include 2 No. dedicated disabled parking spaces, 6 No. dedicated car parking spaces with Electric Vehicle charging points and 19 No. car parking spaces for general use by staff and visitors to the development. All parking arrangements as detailed above must be retained permanently in accordance with the approved plans.</p> <p>Reason: To ensure that adequate provision has been made for parking and servicing.</p>
11.12	<p>The development hereby permitted shall not become operational unless 196 No. secure cycle parking spaces are provided and permanently retained for use by staff and 6 No. cycle parking spaces shall be provided and be permanently retained close to the main accesses of the proposed development for use by visitors to the development.</p> <p>Reason: to encourage the use of alternative modes of transport for development users.</p>
11.13	<p>The development hereby permitted shall permanently operate in accordance with the Travel Plan Framework published by the Belfast City Council Planning Office on 07 September 2019. The Travel Plan will be provided to the Site Operator and any commercial tenants as a separate document. The Site Operator and any commercial</p>

	<p>tenants will provide their employees with access to the Translink iLink Initiative and the Bike2Work Initiative or equivalent measures agreed by DfI Roads.</p> <p>Reason: To encourage the use of alternative modes of transport to the private car in accordance with the Transportation Principles.</p>
11.14	<p>The development hereby permitted shall operate permanently in accordance with the Service Management Plan published by Belfast City Council Planning Office on 07 September 2019.</p> <p>Reason: in the interests of road safety and the convenience of road users.</p>
11.15	<p>Notwithstanding the submitted details, no external brick-facing or door/window reveals shall be constructed or applied unless in accordance with a schedule of external materials and sample panels, which shall first have been constructed on site and agreed in writing by the Council.</p> <ul style="list-style-type: none"> -The sample panels shall show the make, type, size, colour, bond, pointing, coursing, jointing, profile and texture of the external brick facing materials -The approved sample panels shall be retained on site and made available for inspection by the Council for the duration of the construction works. <p>The works must be implemented and permanently retained in accordance with the details so approved.</p> <p>Reason: To ensure the material finish and detailing is appropriate to the locale.</p>
11.16	<p>Notwithstanding the submitted details, no development shall commence on site unless full details of the public realm improvements to the footway bounding the site in the areas shown on Drawings No 25A or 26A published by the Council on 8th February 2021 have been submitted to and approved in writing by the Council. The details shall include:</p> <ol style="list-style-type: none"> 1. Surface materials; and 2. The design and provision of underground ducting. <p>The development shall not be occupied unless the public realm improvements have been carried out in accordance with the approved details.</p> <p>Reason: In the interests of the amenity of future occupants and to enhance connectivity to and from the development.</p>
11.17	<p>Should development be completed in two phases, all hard and soft landscaping works including planting shall be carried out in accordance with the approved details on the Landscape Phase 1 Plan, Drawing Number 25A, published by the Council on 8th February 2021. The works shall be carried out prior to the operation of the development and be retained until such time as the construction of the second phase of the building is commenced unless otherwise agreed in writing by the Council.</p> <p>Reason: In the interests of the character and appearance of the area.</p>
11.18	<p>Should the development be completed in a single phase or once the second phase is constructed, all hard and soft landscaping works including planting shall be carried out in accordance with the approved details on the Landscape Phase 2 Plan, Drawing Number 26A, published by the Council on 8th February 2021. The works shall be carried out prior to the operation of the development and permanently retained unless otherwise agreed in writing by the Council.</p> <p>Reason: In the interests of the character and appearance of the area.</p>
11.19	<p>The development hereby approved shall not become operational unless all boundary</p>

	<p>treatments have been carried out in accordance with the approved details and all boundary treatments shall be permanently retained thereafter.</p> <p>Reason: In the interests of the character and appearance of the area.</p>
11.20	<p>Any new trees or plants that are dying, removed or becoming seriously damaged within five years of being planted shall be replaced in the next planting season with others of a similar size and species unless the Council gives written consent to any variation.</p> <p>Reason: In the interest of visual amenity and to ensure the provision, establishment and maintenance of a high standard of landscape.</p>
11.21	<p>All soft landscaping shall be managed and maintained in accordance with the Park Hood 'Landscape Management and Maintenance Plan' dated January 2021 / Project No. 6767 and published by the Council on 5th February 2021.</p> <p>Reason: In the interest of visual amenity and to ensure the provision, establishment and maintenance of a high standard of landscape.</p>
11.22	<p>No construction of the development hereby permitted shall commence unless written confirmation from NIW stating that they will adopt a drainage network that will attenuate the 1 in 100 year storm event, has been submitted to and agreed by the Council.</p> <p>Reason: To safeguard against flood risk to the development and elsewhere.</p>

ANNEX	
Date Valid	1st September 2020
Date First Advertised	11th September 2020
Date Last Advertised	
Details of Neighbour Notification (all addresses) The Owner/Occupier: 10 Devonshire Close,Belfast,Antrim,BT12 4JS 10 Devonshire Place,Belfast,Antrim,BT12 4NP 105 Grosvenor Road,Belfast,Antrim,BT12 4GL 105 Grosvenor Road,Belfast,Antrim,BT12 4GL 10a ,Albert Street,Citylink Business Park,Belfast,Antrim,BT12 4HQ 10a ,Albert Street,Citylink Business Park,Belfast,Antrim,BT12 4HQ 11 Devonshire Close,Belfast,Antrim,BT12 4JS 11 Devonshire Street,Belfast,Antrim,BT12 4JA 12 Devonshire Close,Belfast,Antrim,BT12 4JS 12 Devonshire Place,Belfast,Antrim,BT12 4NP 12 Devonshire Street,Belfast,Antrim,BT12 4JA 13 Devonshire Close,Belfast,Antrim,BT12 4JS 13 Devonshire Street,Belfast,Antrim,BT12 4JA 14 Devonshire Street,Belfast,Antrim,BT12 4JA 15 Devonshire Close,Belfast,Antrim,BT12 4JS 15 Devonshire Street,Belfast,Antrim,BT12 4JA 17 Devonshire Close,Belfast,Antrim,BT12 4JS 17 Devonshire Street,Belfast,Antrim,BT12 4JA 19 Devonshire Street,Belfast,Antrim,BT12 4JA 2 Devonshire Way,Belfast,Antrim,BT12 4JL 21 Devonshire Street,Belfast,Antrim,BT12 4JA 23 Devonshire Street,Belfast,Antrim,BT12 4JA 4 Devonshire Way,Belfast,Antrim,BT12 4JL 5 Devonshire Street,Belfast,Antrim,BT12 4JA 6 Devonshire Way,Belfast,Antrim,BT12 4JL 7 Devonshire Place,Belfast,Antrim,BT12 4NP 7 Devonshire Street,Belfast,Antrim,BT12 4JA 8a ,Albert Street,Citylink Business Park,Belfast,Antrim,BT12 4HQ 9 Devonshire Place,Belfast,Antrim,BT12 4NP 9 Devonshire Street,Belfast,Antrim,BT12 4JA 90-92 ,Grosvenor Road,Belfast,Antrim,BT12 5AX 90-92 ,Grosvenor Road,Belfast,Antrim,BT12 5AX 90-92 Building 1,Grosvenor Road,Belfast,Antrim,BT12 5AX 90-92 Building 1,Grosvenor Road,Belfast,Antrim,BT12 5AX Unit 1,90-92 Building 1,Grosvenor Road,Belfast,Antrim,BT12 5AX Unit 10,90-92 Building 1,Grosvenor Road,Belfast,Antrim,BT12 5AX Unit 11,90-92 Building 1,Grosvenor Road,Belfast,Antrim,BT12 5AX Unit 12,90-92 Building 1,Grosvenor Road,Belfast,Antrim,BT12 5AX Unit 13,90-92 Building 1,Grosvenor Road,Belfast,Antrim,BT12 5AX Unit 14,90-92 Building 1,Grosvenor Road,Belfast,Antrim,BT12 5AX Unit 15,8 Albert Street,Citylink Business Park,Belfast,Antrim,BT12 4HQ Unit 15,90-92 Building 1,Grosvenor Road,Belfast,Antrim,BT12 5AX Unit 17,8 Albert Street,Citylink Business Park,Belfast,Antrim,BT12 4HQ	

Unit 20,90-92 Building 1,Grosvenor Road,Belfast,Antrim,BT12 5AX
 Unit 3,90-92 Building 1,Grosvenor Road,Belfast,Antrim,BT12 5AX
 Unit 4,90-92 Building 1,Grosvenor Road,Belfast,Antrim,BT12 5AX
 Unit 5,90-92 Building 1,Grosvenor Road,Belfast,Antrim,BT12 5AX
 Unit 5a,10a ,Albert Street,Citylink Business Park,Belfast,Antrim,BT12 4HQ
 Unit 7,90-92 Building 1,Grosvenor Road,Belfast,Antrim,BT12 5AX
 Unit 8,90-92 Building 1,Grosvenor Road,Belfast,Antrim,BT12 5AX
 Unit 9,90-92 Building 1,Grosvenor Road,Belfast,Antrim,BT12 5AX
 Unit A,8 Albert Street,Citylink Business Park,Belfast,Antrim,BT12 4HQ
 Unit B 1st & 2nd Floor,8 Albert Street,Citylink Business Park,Belfast,Antrim,BT12 4HQ
 Unit B,8 Albert Street,Citylink Business Park,Belfast,Antrim,BT12 4HQ
 Unit B,8 Albert Street,Citylink Business Park,Belfast,Antrim,BT12 4HQ
 Unit C,8 Albert Street,Citylink Business Park,Belfast,Antrim,BT12 4HQ

Date of Last Neighbour Notification	30th September 2020
--	---------------------

Date of EIA Determination	26 th February 2021
----------------------------------	--------------------------------

ES Requested	No
---------------------	----

Planning History

Ref ID: LA04/2019/2581/PAN

Proposal: Redevelopment to comprise offices, associated parking and landscaping

Address: Lands at 102-127 Grosvenor Road and lands adjoining the Westlink/Grosvenor Road junction, Belfast,

Decision: PAN Acceptable

Decision Date: 19.11.2019

Ref ID: LA04/2017/1388/F

Proposal: New integrated public transport interchange comprising; station concourse, 26 bus stands, 8 railway platforms, bus maintenance and parking, track and signalling enhancements, bus access bridge, cycle and taxi provision, car parking, new public square, public realm improvements, highway improvements, infrastructure improvements, temporary structures for bus operations during construction and temporary site construction compounds.

Address: Lands: To the East of The Westlink (A12); South Of (Nos.127-9) And Including Grosvenor Road; At Intersection of Grosvenor Road and Stanley Street; At the Intersection of Durham Street and Grosvenor Road; At the Intersection of Fisherwick PI

Decision: Permission Granted

Decision Date: 29.03.2017

Ref ID: Z/2014/0997/O

Proposal: Demolition of existing building and erection of new class B1 gateway office development and associated site works.

Address: 102-127 Grosvenor Road and lands adjoining the Westlink/Grosvenor Road Junction Belfast BT12 4GH,

Decision: Permission Granted

Decision Date: 09.07.2015

Ref ID: LA04/2015/0817/F

Proposal: Construction of a new vehicular entrance to existing car parking area

Address: Site adjacent to and West of 107-127 Grosvenor Road, Belfast, Bt12 4GT,

Decision: Permission Granted

Decision Date: 19.02.2016

Ref ID: Z/2005/1236/O

Proposal: Demolition of existing building and erection of new Class B1 gateway office development and associated site works.

Address: 102-127 Grosvenor Road and lands adjoining the Westlink/Grosvenor Road junction, Belfast, BT12 4GH

Decision: Permission Granted

Decision Date: 05.08.2011

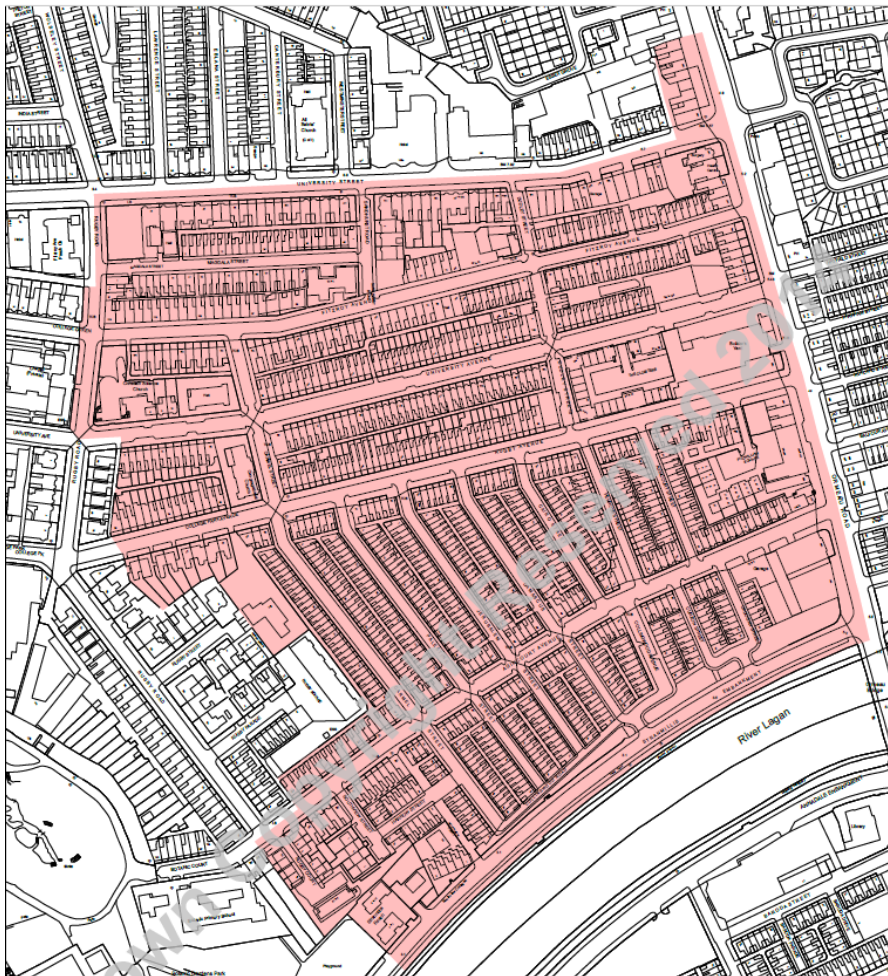
This page is intentionally left blank

Development Management Officer Report Committee Application

Addendum Report	
Committee Meeting Date: Tuesday 14 th June 2022	
Application ID: LA04/2022/0275/F	
Proposal: Awning installed to facade existing building. (Amended Scheme)	Location: M&M Property Services 26 University Avenue Belfast BT7 1GY.
Referral Route: Referral to the Planning Committee under Section 3.8.5 (d) Subject to council funding.	
Recommendation: Approval subject to conditions	
Applicant Name and Address: M& M Property Services 26 University Avenue Belfast BT7 1GY	Agent Name and Address: OGU Architects Flax Art Studios Havelock House Belfast
<p><u>Addendum Report</u></p> <p>This full application was presented to Planning Committee on Tuesday 17th May 2022 and was deferred to allow members of the Committee to seek clarification of the Area of Townscape Character (ATC) between the BUAP and draft BMAPs.</p> <p>Members should read this Addendum Report in conjunction with the original full detailed planning report attached below.</p> <p>The proposed site is outside the adopted ATC under the BUAP 2001. The map of the ATC has been attached below. The arrow points to the proposed property site in relation to the adopted ATC.</p>	



Under draft BMAP 2004 and 2015, the site is within a proposed ATC. The map below shows the extended area of the ATC under dBMAP.



Within adopted ATC's, Planning Policy Statement 6 Addendum is applicable. However, PPS6 Addendum is not applicable to proposed ATC's as confirmed by the Planning Appeals Commission. However, regardless of this, the impact of the proposal on the overall character of the proposed ATC can still be objectively assessed in the context of the surrounding built form. The impact of the proposal has been assessed in relation to the character of the area including the proposed ATC and is considered acceptable. The proposal is for a minor awning to the front door which does not negatively impact the existing property or surrounding built form. The character of the area including the draft ATC would be maintained.

Recommendation - Approval

As per the full case officer report, the case officer recommendation is unchanged, it is considered that the proposed development complies with the relevant policy therefore recommendation is to approve.

It is recommended that planning permission is granted with delegated power given to the Director of Planning and Building Control to finalise conditions.

Committee Report

Development Management Report	
Application ID: LA04/2022/0275/F	Date of Committee: Tuesday 17 th May 2022
Proposal: Victorian Style Canopy localised over entrance doorway.	Location: M&M Property Services, 26 University Avenue, Belfast, BT7 1GY.
Referral Route: Referral to the Planning Committee under Section 3.8.5 (d) Subject to council funding.	
Recommendation:	Approval
Applicant Name and Address: M&M Property Services 26 University Avenue Belfast BT7 1GY.	Agent Name and Address: OGU Architects Flax Art Studios Havelock House Belfast BT7 1EB
Executive Summary: The proposal is for a Victorian Style Canopy installed over entrance of doorway at Ground Floor Office Space. (Amended Scheme) Area Plan The proposed site is situated on University Avenue and falls outside the adopted Holyland Area of Townscape Character. The key issues to be considered are: <ul style="list-style-type: none"> Design / Impact on character and appearance Amenity Public Safety The amended plans uploaded to the planning portal on the 03/05/2022 have reduced the size and design of the awning to address concerns of anti-social behaviour and being out of character with the existing building and in a residential area. The proposal will not negatively impact the amenity of neighbouring properties and will not prejudice public safety. The amended proposed scheme is considered acceptable. DFI Roads was consulted and had no objections. No representations have been received. Having had regard to the development plan, relevant planning policies, and other material considerations, it is determined that the proposal should be approved.	

Recommendation - Approve subject to conditions

It is recommended that the application is approved, and it is requested that delegated authority be given to the Director of Planning and Building Control to finalise the wording of conditions

Case Officer Report

Site Location Plan



Existing Elevation



Existing South Facing Elevation

Proposed Elevation

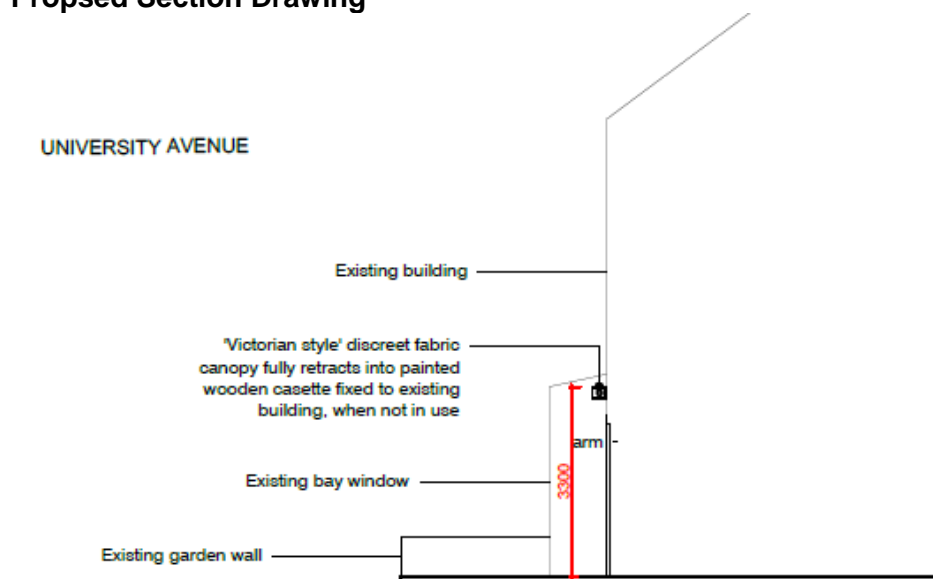
'Victorian style' discreet fabric canopy
localised over entrance doorway -
painted wooden cassette and powder
coated arms fixed back to building above
doorway and between bay windows

CARMEL
STREET

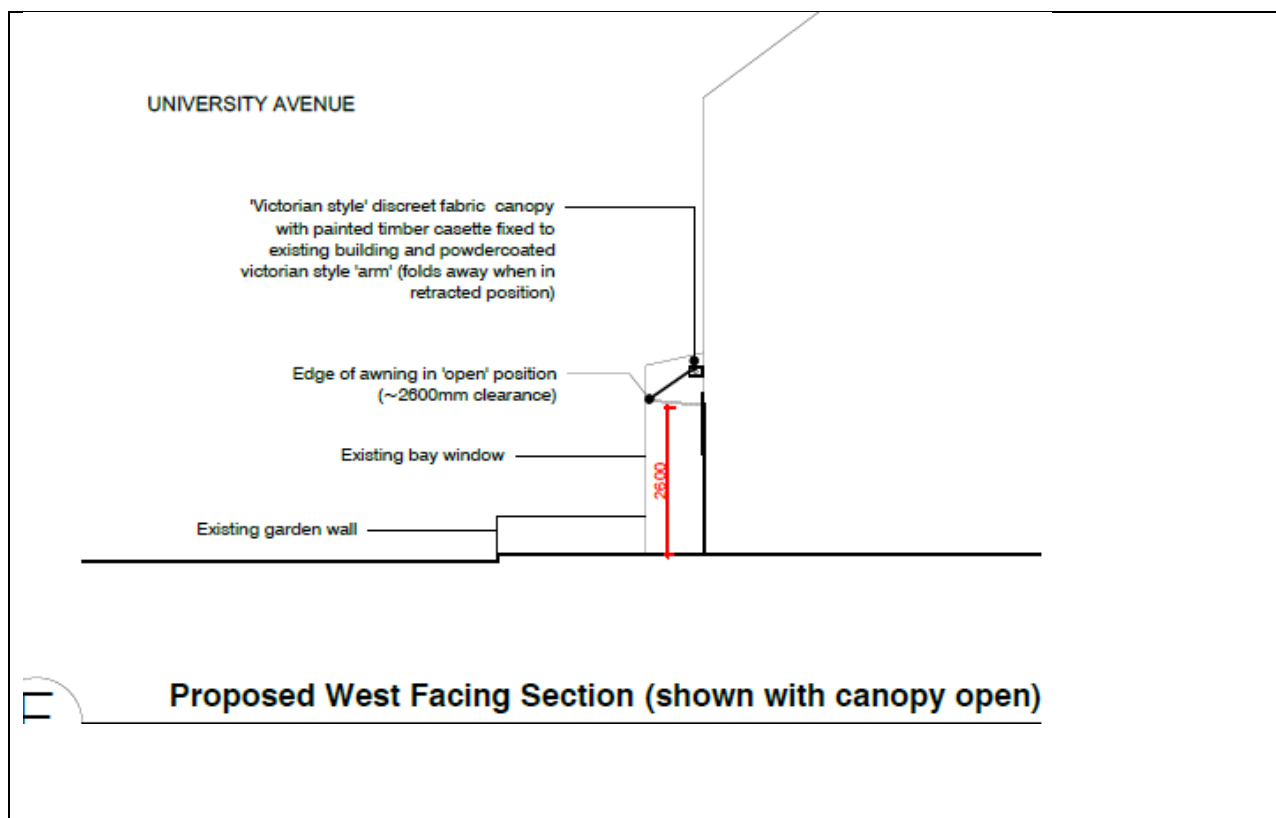


Proposed South Facing Elevation

Proposed Section Drawing



Proposed West Facing Section (shown with canopy retracted)



Characteristics of the Site and Area	
1.0	<p>Description of Proposed Development</p> <p>'Victorian Style' fabric Canopy with painted timber cassette fixed to first storey of existing building and powder coated Victorian style arm.</p> <p>The application is for a fabric awning at the south facing front elevation of the property. The application site is a two and half storey corner site which is currently occupied as Office Space. The canopy will extend 1.6m once in open position with a 2.6m height clearance. The canopy will be fixed between the bay window and the doorway. The awning when not in use will be retracted into timber frame cassette fixed to the fascia at a height of 3.3m. The timber cassette projection measures approximately 0.20m in the closed position.</p>
2.0	<p>Description of Site</p>

	<p>The site is located on University Avenue at the corner with Carmel Street. The application site is currently used as office space. The character of the area is mostly traditional red-brick terrace buildings with two and a half stories. The surrounding area is mostly residential dwellings. The corner site to the left of the proposed site location is City Church hall at 12-24 University Avenue, the use of awnings have been established by a bakery at the City Church Hall. The awning use has been established at this site since 2008. There is no planning permission attached to this structure.</p>
Planning Assessment of Policy and other Material Considerations	
3.0	<p>Site History</p> <p>Z/2007/0073/F – 26 University Avenue- Part change of use to ground floor of existing HMO to accommodate property manager ancillary office and alterations. PERMISSION GRANTED- 24.05.2007.</p> <p>Z/2011/0245/CA – 26 University Avenue- Banner advertisement- ENFORCEMENT CASE CLOSED</p> <p>Z/2009/0178CA – 26 University Avenue – Change of Use- ENFORCEMENT CASE CLOSED</p>
4.0	Policy Framework
4.1	Belfast Urban Area Plan 2001
4.2	Draft Belfast Metropolitan Area Plan 2004
4.3	<p>Draft Belfast Metropolitan Area Plan 2015</p> <p>Following the recent Court of Appeal decision on BMAP, the extant development plan is now the BUAP. However, given the stage at which the Draft BMAP had reached pre-adoption through a period of independent examination, the policies within the Draft BMAP still carry weight and are a material consideration in the determination of planning applications. The weight to be afforded is a matter of judgement for the decision maker.</p>
4.4	<p>Belfast Local Development Plan Draft Plan Strategy 2035</p> <p>The Belfast Local Development Plan Draft Plan Strategy 2035 will guide future planning application decision making to support the sustainable spatial growth of the city up to 2035. The draft Plan Strategy has been subject to examination by the Planning Appeals Commission and the Council has been provided with a copy of their Report, together with a Direction from the Department for Infrastructure in relation to additional required steps before it can be adopted. Paragraph 1.10 of the Strategic Planning Policy Statement (SPPS) states that a transitional period will operate until such times as a Council's Plan Strategy has been adopted. Accordingly, whilst the Draft Plan Strategy is now a material consideration it has limited weight until it is adopted and during this transitional period existing policies will be applied including the SPPS and relevant PPSs.</p>
4.5	Strategic Planning Policy Statement for Northern Ireland (SPPS)
5.0	<p>Statutory Consultees Responses</p> <p>DFI Roads- No objections.</p>

6.0	Non-Statutory Consultees Responses None
7.0	Representations
	No representations were received.
8.0	Other Material Considerations None
8.1	Any other supplementary guidance None
9.0	Assessment
9.1	The proposal is considered to be in compliance with the development plan.
9.2	<p>Assessment</p> <p>The key issues to be considered are:</p> <ul style="list-style-type: none"> • Design / Impact on Character and Appearance • Amenity • Public Safety <p>It is considered that the proposal is in compliance with SPPS in that the proposed development will not cause demonstrable harm to interest of acknowledged importance which are considered below.</p> <p>Design / Impact on Character and Appearance</p> <p>The proposal is considered to be in compliance with paragraphs 4.23 - 4.30 within the SPPS which seeks to ensure good design. The reduction of size and change of design proposed in the amended scheme are considered to not negatively alter the front of the existing building.</p> <p>Amenity</p> <p>Paragraphs 4.11 – 4.12 of the SPPS set out the considerations to safeguard residential and work environs. It is deemed that this proposal would not result in demonstrable harm to the residential amenity of neighbours. The reduction in size of the canopy will only provide shelter at the entrance door of the office space. The proposal will not block light or cause over dominance in the area.</p> <p>The canopy is not considered to negatively impact the amenity of neighbouring properties due to the reduced size of the amended scheme. The canopy will extend approximately 1m and the height of the awning will be 3m.</p> <p>Public Safety</p> <p>There will be no issue of reduced sight lines for traffic in the area and pedestrian movement will not be affected. The canopy fully extended will be at the height of 2.6m. This is in-line with height clearance levels.</p>
9.3	Having regard for the policy context and the considerations above, the proposal is deemed acceptable.

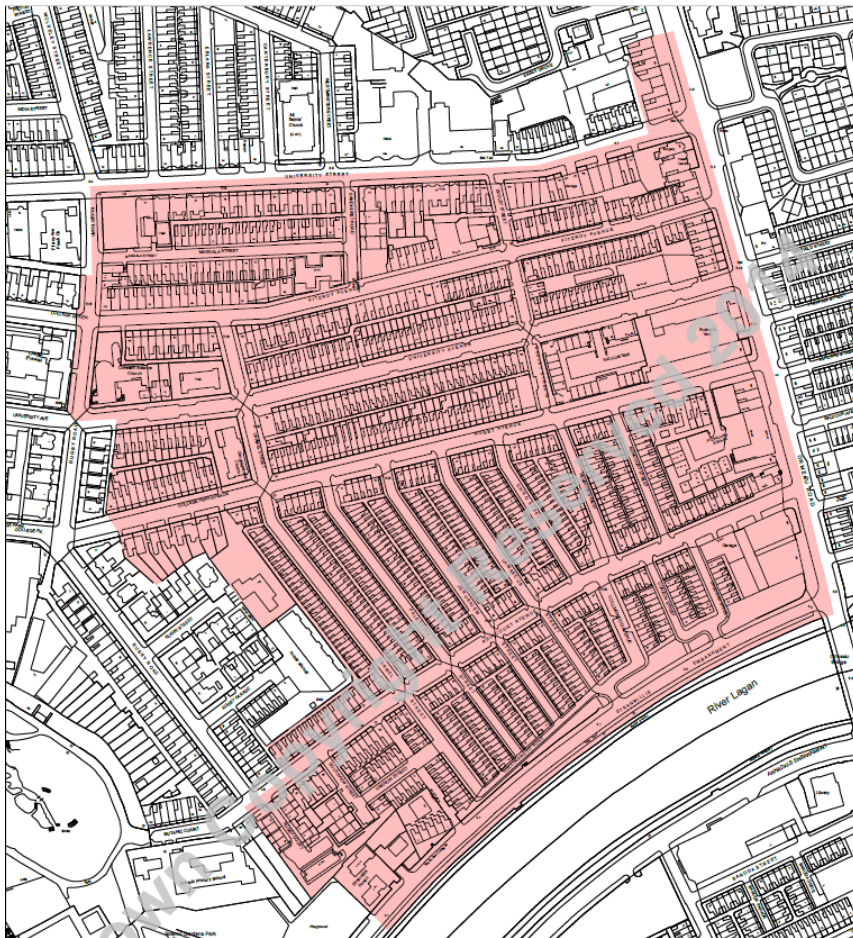
10.0	Summary of Recommendation: Approval
11.0	<p>Conditions</p> <p>1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.</p> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p> <p>Informatives</p> <p>1. The drawing refs referred to above correspond with those drawings submitted to the Authority in respect of this application and published to the Planning Portal NI on: 01/03/2022; 01, 02 & 02A (Published to the Planning Portal NI ON 03/05/2022)</p>
Notification to Department (if relevant): No	
Representations from Elected members: None	

Development Management Officer Report Committee Application

Addendum Report	
Committee Meeting Date: Tuesday 14 th June 2022	
Application ID: LA04/2022/0276/F	
Proposal: Awning installed to facade existing building.	Location: SPAR University Avenue 27 University Avenue Belfast BT7 1GX.
Referral Route: Referral to the Planning Committee under Section 3.8.5 (d) Subject to council funding.	
Recommendation: Approval subject to conditions	
Applicant Name and Address: SPAR University Avenue 27 University Avenue Belfast BT7 1GX.	Agent Name and Address: OGU Architects Flax Art Studios Havelock House Belfast
<p><u>Addendum Report</u></p> <p>This full application was presented to Planning Committee on Tuesday 17th May 2022 and was deferred to allow members of the Committee to seek clarification of the Area of Townscape Character (ATC) between the BUAP and draft BMAPs.</p> <p>Members should read this Addendum Report in conjunction with the original full detailed planning report attached below.</p> <p>The proposed site is outside the adopted ATC under the BUAP 2001. The map of the ATC has been attached below. The arrow points to the proposed property site in relation to the adopted ATC.</p>	



Under draft BMAP 2004 and 2015, the site is within a proposed ATC. The map below shows the extended area of the ATC under BMAP.



Within adopted ATC's, Planning Policy Statement 6 Addendum is applicable. However, PPS6 Addendum is not applicable to proposed ATC's as confirmed by the Planning Appeals Commission. However, regardless of this the impact of the proposal on the overall character of the proposed ATC can still be objectively assessed in the context of the surrounding built form. The impact of the proposal has been assessed in relation to the character of the area including the proposed ATC and is considered acceptable. The proposal is for an awning is within an area of commercial and residential use. The awning does not negatively impact the surrounding built form. The character of the area including the draft ATC would be maintained.

Recommendation - Approval

As per the full case officer report, the case officer recommendation is unchanged, it is considered that the proposed development complies with the relevant policy therefore recommendation is to approve.

It is recommended that planning permission is granted with delegated power given to the Director of Planning and Building Control to finalise conditions.

Committee Report

Development Management Report	
Application ID: LA04/2022/0276/F	Date of Committee: Tuesday 17 th May 2022
Proposal: Retractable awning installed to fascia of existing building.	Location: SPAR University Avenue, 27 University Avenue, Belfast, BT7 1GX.
Referral Route: Referral to the Planning Committee under Section 3.8.5 (d) Subject to council funding.	
Recommendation:	Approval
Applicant Name and Address: Spar University Avenue 27 University Avenue Belfast BT7 1GX	Agent Name and Address: OGU Architects Flax Art Studios Havelock House Belfast BT7 1EB
Executive Summary: The proposal is a mounted retractable awning installed to fascia of a retail unit. Area Plan The proposed site is situated on University Avenue and falls outside the adopted Holyland Area of Townscape Character. The key issues to be considered are: <ul style="list-style-type: none"> Design / Impact on character and appearance Amenity Public Safety The proposed awning and materials are considered in keeping with the existing ground floor commercial unit of the building. The proposal will not negatively impact the amenity of neighbouring properties and will not prejudice public safety. DFI Roads were consulted and had no objections. No representations have been received. Having had regard to the development plan, relevant planning policies, and other material considerations, it is determined that the proposal should be approved. Recommendation - Approve subject to conditions It is recommended that the application is approved, and it is requested that delegated authority be given to the Director of Planning and Building Control to finalise the wording of conditions	

Case Officer Report

Site Location Plan



Location Plan

Existing Elevation



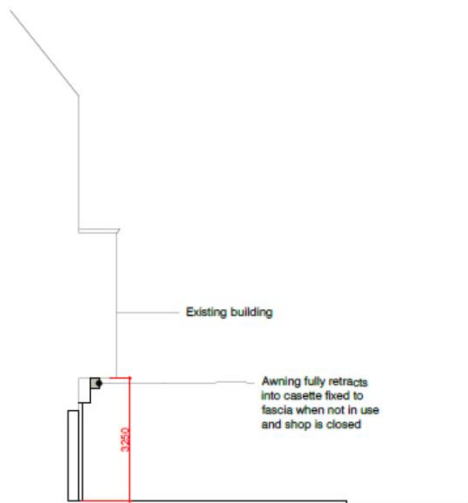
Existing North Facing Elevation

Proposed Elevation



D

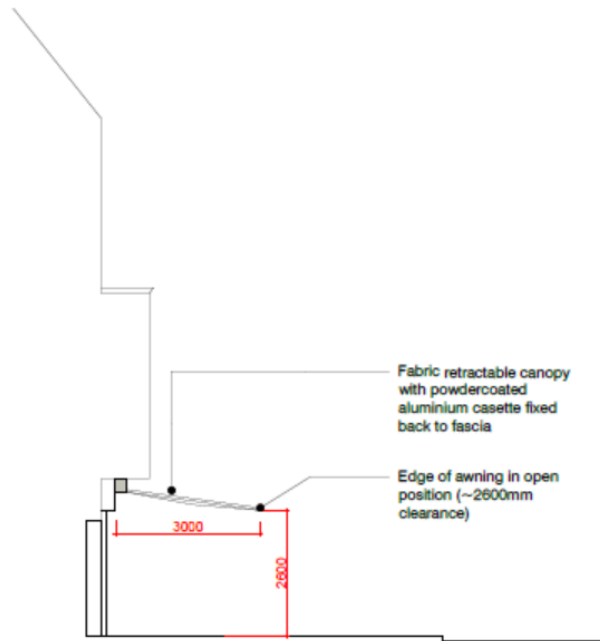
Proposed North Facing Elevation



E

Proposed West Facing Section (shown with awning retracted)

Scale 1:100@A1/ 1:200@A3



Proposed West Facing Section (shown with awning open)

Characteristics of the Site and Area

1.0 Description of Proposed Development

Awning attached to Fascia of existing building.

The application is for a mechanical awning at the north facing front elevation of the property. The application site is a three-storey corner site which is currently occupied by a retail unit. It will project to bottom fascia board, from a height of approximately 2.6m when in open position. The awning when not in use will be retracted into a cassette fixed to the fascia, from a height of 3.25m. The cassette will be powder coated aluminium with waterproof fabric.

2.0 Description of Site

The site is located on University Avenue at the corner with Carmel Street. The application site is currently used as a retail unit by Spar. The retail unit has existing street furniture outside the front of the shop. The character of the area is mostly traditional red-brick terrace buildings with two and a half stories. The surrounding area is mostly residential dwellings with a small mix of commercial properties located on University Avenue.

Planning Assessment of Policy and other Material Considerations

3.0 Site History

	LA04/2019/1029/CA – 27 University Avenue - Street sign and seating- Enforcement Case Closed- 24.08.2021.
4.0	Policy Framework
4.1	Belfast Urban Area Plan 2001
4.2	Draft Belfast Metropolitan Area Plan 2004
4.3	<p>Draft Belfast Metropolitan Area Plan 2015</p> <p>Following the recent Court of Appeal decision on BMAP, the extant development plan is now the BUAP. However, given the stage at which the Draft BMAP had reached pre-adoption through a period of independent examination, the policies within the Draft BMAP still carry weight and are a material consideration in the determination of planning applications. The weight to be afforded is a matter of judgement for the decision maker.</p>
4.4	<p>Belfast Local Development Plan Draft Plan Strategy 2035</p> <p>The Belfast Local Development Plan Draft Plan Strategy 2035 will guide future planning application decision making to support the sustainable spatial growth of the city up to 2035. The draft Plan Strategy has been subject to examination by the Planning Appeals Commission and the Council has been provided with a copy of their Report, together with a Direction from the Department for Infrastructure in relation to additional required steps before it can be adopted. Paragraph 1.10 of the Strategic Planning Policy Statement (SPPS) states that a transitional period will operate until such times as a Council's Plan Strategy has been adopted. Accordingly, whilst the Draft Plan Strategy is now a material consideration it has limited weight until it is adopted and during this transitional period existing policies will be applied including the SPPS and relevant PPSs.</p>
4.5	Strategic Planning Policy Statement for Northern Ireland (SPPS)
5.0	Statutory Consultees Responses DFI Roads- No objections with conditions
6.0	Non Statutory Consultees Responses None
7.0	Representations
	No representations were received.
8.0	Other Material Considerations None
8.1	Any other supplementary guidance None
9.0	Assessment
9.1	The proposal is considered to be in compliance with the development plan.
9.2	<p>Assessment</p> <p>The key issues to be considered are:</p> <ul style="list-style-type: none"> • Design / Impact on Character and Appearance • Amenity • Public Safety

	<p>It is considered that the proposal is in compliance with SPPS in that the proposed development will not cause demonstrable harm to interest of acknowledged importance which are considered below.</p> <p>Design / Impact on Character and Appearance</p> <p>The proposal is considered to be in compliance with paragraphs 4.23 - 4.30 within the SPPS which seeks to ensure good design. The proposed awning and materials are considered in keeping with the front of the existing building.</p> <p>Amenity</p> <p>Paragraphs 4.11 – 4.12 of the SPPS set out the considerations to safeguard residential and work environs. It is deemed that this proposal would not result in demonstrable harm to the residential amenity of neighbours. The awning will provide shelter from the weather for customers and passers-by. The proposal will not block light or cause over dominance in the area.</p> <p>The awning is not considered to negatively impact the amenity of neighbouring properties. There is already existing moveable seating outside the shop. To diminish the impact to neighbouring properties the awning will only be in open position during the operational hours of the business which closes at 11pm each day. This is to discourage any gathering of people late at night and potential anti-social behaviour. The awning will extend approximately 3m and the height of the awning will be 2.6m. This will be in-line with minimum clearance levels.</p> <p>Public Safety</p> <p>There will be no issue of reduced sight lines for traffic in the area and pedestrian movement will not be affected. DFI Roads were consulted and had no concerns, subject to conditions.</p>
9.3	Having regard for the policy context and the considerations above, the proposal is deemed acceptable.
10.0	Summary of Recommendation: Approval
11.0	<p>Conditions</p> <ol style="list-style-type: none"> 1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission. Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011. 2. The proposed awning shall be erected in accordance with Drawing No. 02, published on the planning portal 1st March 2022, Reason: In the interests of public safety. 3. Any street furniture located within the extents of the proposed awning shall be relocated to the satisfaction of the relevant authority, at the applicant's expense. Reason: In the interests of public safety

	<p>4. The awning hereby approved shall only remain open during the operational hours of business for the premises and shall be fully retracted at the end of each working day (by 11:00pm each night).</p> <p>Reason: In the interests of the visual amenity of the area.</p> <p>Informatives</p> <p>1. The drawing refs referred to above correspond with those drawings submitted to the Authority in respect of this application and published to the Planning Portal NI on: 01/03/2022, drawing nos. 01,02, 04/05/2022, drawing no 03.</p>

Notification to Department (if relevant): No

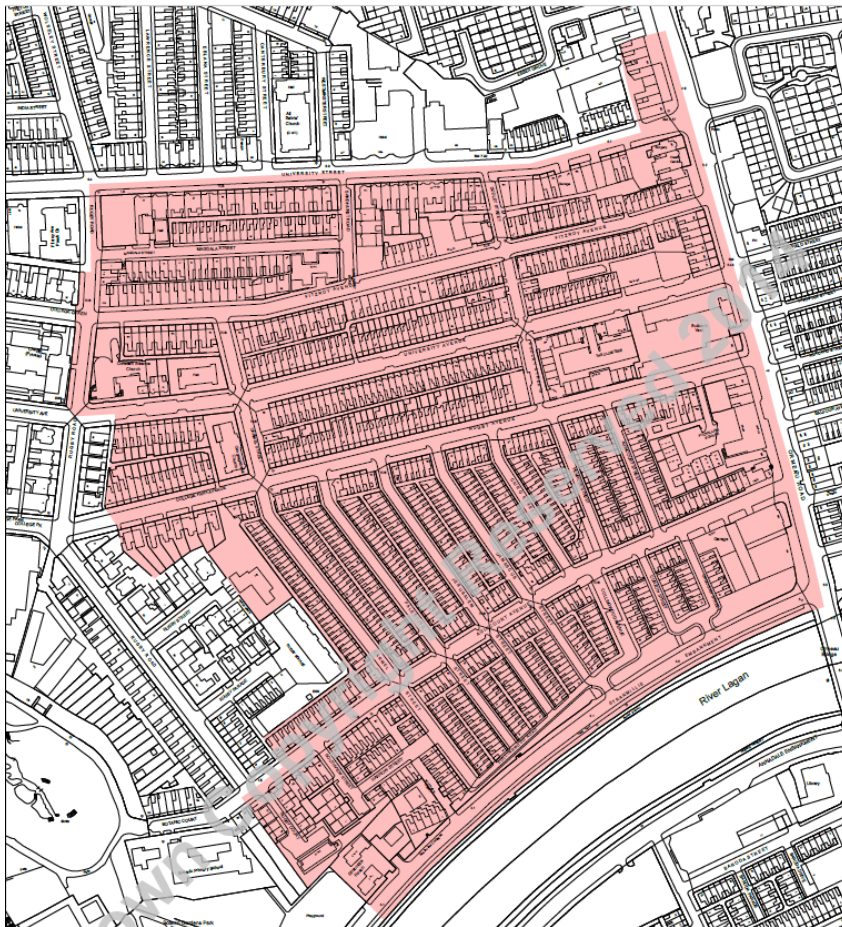
Representations from Elected members: None

Development Management Officer Report Committee Application

Addendum Report	
Committee Meeting Date: Tuesday 14 th June 2022	
Application ID: LA04/2022/0276/F	
Proposal: Awning installed to facade existing building.	Location: Bo Tree Kitchen 65-67 University Avenue Belfast BT7 1GX.
Referral Route: Referral to the Planning Committee under Section 3.8.5 (d) Subject to council funding.	
Recommendation: Approval subject to conditions	
Applicant Name and Address: Bo Tree Kitchen 65-67 University Avenue Belfast BT7 1GX.	Agent Name and Address: OGU Architects Flax Art Studios Havelock House Belfast
<p><u>Addendum Report</u></p> <p>This full application was presented to Planning Committee on Tuesday 17th May 2022 and was deferred to allow members of the Committee to seek clarification of the Area of Townscape Character (ATC) between the BUAP and draft BMAPs.</p> <p>Members should read this Addendum Report in conjunction with the original full detailed planning report attached below.</p> <p>The proposed site is outside the adopted ATC under the BUAP 2001. The map of the ATC has been attached below. The arrow points to the proposed property site in relation to the adopted ATC.</p>	



Under draft BMAP 2004 and 2015, the site would be within the ATC. The map below shows the extended area of the ATC under BMAP.



Within adopted ATC's, Planning Policy Statement 6 Addendum is applicable. However, PPS6 Addendum is not applicable to proposed draft ATC's as confirmed by the Planning Appeals Commission. However regardless of this, the impact of the proposal on the overall character of the proposed ATC can still be objectively assessed in the context of the surrounding built form. The impact of the proposal has been assessed in relation to the character of the area including the proposed ATC and is considered acceptable. The proposal is for an awning is within an area of commercial and residential use. The awning does not negatively impact the surrounding built form. The character of the area including the draft ATC would be maintained.

Recommendation - Approval

As per the full case officer report, the case officer recommendation is unchanged, it is considered that the proposed development complies with the relevant policy therefore recommendation is to approve.

It is recommended that planning permission is granted with delegated power given to the Director of Planning and Building Control to finalise conditions.

Committee Report

Development Management Report	
Application ID: LA04/2022/0277/F	Date of Committee: Tuesday 17 th May 2022
Proposal: Retractable awning installed to fascia of existing building.	Location: Bo Tree Kitchen, 65-67 University Avenue, Belfast, BT7 1GX.
Referral Route: Referral to the Planning Committee under Section 3.8.5 (d) Subject to council funding.	
Recommendation:	Approval
Applicant Name and Address: Bo Tree Kitchen 65-67 University Avenue Belfast BT7 1GX	Agent Name and Address: OGU Architects Flax Art Studios Havelock House Belfast BT7 1EB
Executive Summary: The proposal is a mounted retractable awning installed to fascia of a restaurant. Area Plan The proposed site is situated on University Avenue and falls outside the adopted Holyland Area of Townscape Character. The key issues to be considered are: <ul style="list-style-type: none"> Design / Impact on character and appearance Amenity Public Safety The proposed awning and materials are considered in keeping of the existing ground floor commercial unit of the building. The proposal will not negatively impact the amenity of neighbouring properties and will not prejudice public safety. DFI Roads were consulted and had no objections. No representations have been received. Having had regard to the development plan, relevant planning policies, and other material considerations, it is determined that the proposal should be approved. Recommendation - Approve subject to conditions It is recommended that the application is approved and it is requested that delegated authority be given to the Director of Planning and Building Control to finalise the wording of conditions	

Case Officer Report

Site Location Plan



Existing Elevation



Proposed Elevation





F

Proposed West Facing Elevation (shown with awning retracted)



F

Proposed West Facing Elevation (shown with awning opened)

Scale 1:100@A1/ 1:200@A3

Characteristics of the Site and Area	
1.0	<p>Description of Proposed Development Awning attached to Fascia of existing building</p> <p>The application is for a mechanical awning at the north facing front elevation of the property. The application site is a two and a half corner site which is currently occupied by a restaurant. It will project below fascia board, from a height of approximately 2.6m. The awning when not in use will be retracted into a cassette fixed to the fascia, from a height of 3.6m. The cassette will be powder coated aluminium with waterproof fabric.</p>
2.0	<p>Description of Site</p> <p>The site is located on University Avenue at the corner with Carmel Street. The application site is currently used as a restaurant by Bo Tree Kitchen. The character of the area is mostly traditional red-brick terrace buildings with two and a half stories. The surrounding area is mostly residential dwellings with a small mix of commercial properties located on University Avenue.</p>
Planning Assessment of Policy and other Material Considerations	
3.0	<p>Site History</p> <p>LA04/2016/0042/F – Vary condition 1 (opening time to be changed from 11.00 to 07.30) – Permission Granted 23.02.2016</p> <p>Z/2011/0404/A - Shop signage to front and gable elevations- Permission Granted 29.12.2021.</p> <p>Z/2009/0034/F (Appeal reference 2009/A0257) –65-67 University Avenue - Change of use of ground floor retail to restaurant and take away – Allowed at appeal 30.09.2010</p>
4.0	Policy Framework
4.1	Belfast Urban Area Plan 2001
4.2	Draft Belfast Metropolitan Area Plan 2004
4.3	<p>Draft Belfast Metropolitan Area Plan 2015</p> <p>Following the recent Court of Appeal decision on BMAP, the extant development plan is now the BUAP. However, given the stage at which the Draft BMAP had reached pre-adoption through a period of independent examination, the policies within the Draft BMAP still carry weight and are a material consideration in the determination of planning applications. The weight to be afforded is a matter of judgement for the decision maker.</p>
4.4	<p>Belfast Local Development Plan Draft Plan Strategy 2035</p> <p>The Belfast Local Development Plan Draft Plan Strategy 2035 will guide future planning application decision making to support the sustainable spatial growth of the city up to 2035. The draft Plan Strategy has been subject to examination by the Planning Appeals Commission and the Council has been provided with a copy of their Report, together with a Direction from the Department for Infrastructure in relation to additional required steps before it can be adopted. Paragraph 1.10 of the Strategic Planning Policy</p>

	Statement (SPPS) states that a transitional period will operate until such times as a Council's Plan Strategy has been adopted. Accordingly, whilst the Draft Plan Strategy is now a material consideration it has limited weight until it is adopted and during this transitional period existing policies will be applied including the SPPS and relevant PPSs.
4.5	Strategic Planning Policy Statement for Northern Ireland (SPPS)
5.0	Statutory Consultees Responses DFI Roads- No objections
6.0	Non-Statutory Consultees Responses None
7.0	Representations
	No representations were received.
8.0	Other Material Considerations None
8.1	Any other supplementary guidance None
9.0	Assessment
9.1	The proposal is considered to be in compliance with the development plan.
9.2	<p>Assessment</p> <p>The key issues to be considered are:</p> <ul style="list-style-type: none"> • Design / Impact on Character and Appearance • Amenity • Public Safety <p>It is considered that the proposal is in compliance with SPPS in that the proposed development will not cause demonstrable harm to interest of acknowledged importance which are considered below.</p> <p>Design / Impact on Character and Appearance</p> <p>The proposal is considered to be in compliance with paragraphs 4.23 - 4.30 within the SPPS which seeks to ensure good design. The proposed awning and materials are considered in keeping with the front of the existing building.</p> <p>Amenity</p> <p>Paragraphs 4.11 – 4.12 of the SPPS set out the considerations to safeguard residential and work environs. It is deemed that this proposal would not result in demonstrable harm to the residential amenity of neighbours. The awning will provide shelter from the weather for customers and passers-by. The proposal will not block light or cause over dominance in the area.</p> <p>The awning is not considered to negatively impact the amenity of neighbouring properties. To diminish the impact to neighbouring properties and to ensure no late night gathering of people, the awning will only be in open position during the operational hours</p>

	<p>of the business. The opening hours of the premises are restricted via planning condition and are required to close by 10pm.</p> <p>Public Safety There will be no issue of reduced sight lines for traffic in the area and pedestrian movement will not be affected. DFI Roads were consulted and had no concerns.</p>
9.3	Having regard for the policy context and the considerations above, the proposal is deemed acceptable.
10.0	Summary of Recommendation: Approval
11.0	<p>Conditions</p> <ol style="list-style-type: none"> 1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission. Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011. 2. The awning hereby approved shall only remain open during the operational hours of business for the premises and shall be fully retracted at the end of each working day (by 10pm). Reason: In the interests of the visual amenity of the area. <p>Informatives</p> <ol style="list-style-type: none"> 1. The drawing refs referred to above correspond with those drawings submitted to the Authority in respect of this application and published to the Planning Portal NI on: 01/03/2022, drawing nos. 01,02, 04/05/2022, drawing no 03.
Notification to Department (if relevant): No	
Representations from Elected members: None	

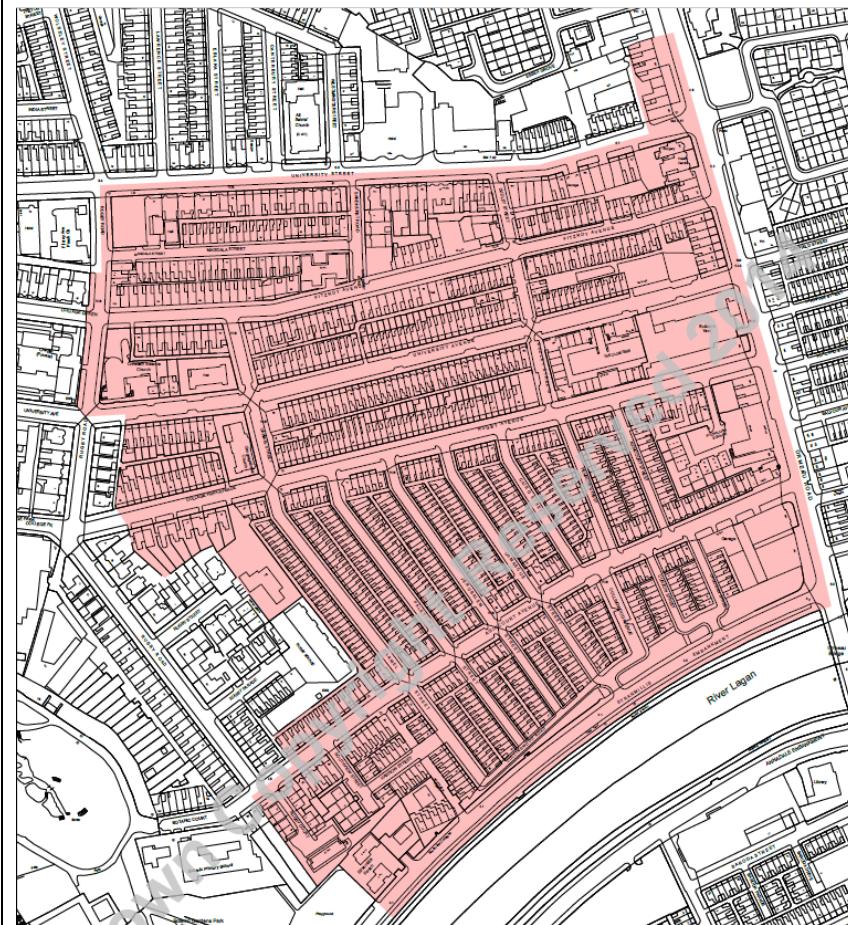
This page is intentionally left blank

Development Management Officer Report Committee Application

Addendum Report	
Committee Meeting Date: Tuesday 14 th June 2022	
Application ID: LA04/2022/0138/F	
Proposal: New awning to front facade. (Amended Scheme)	Location: Ground Floor Office 1 Rugby Avenue Belfast BT7 1RD.
Referral Route: Referral to the Planning Committee under Section 3.8.5 (d) Subject to council funding.	
Recommendation: Approval subject to conditions	
Applicant Name and Address: Boyle Properties 1 Rugby Avenue Belfast BT7 1RD	Agent Name and Address:
<p><u>Addendum Report</u></p> <p>This full application was presented to Planning Committee on Tuesday 17th May 2022 and was deferred to allow members of the Committee to seek clarification of the Area of Townscape Character (ATC) within the BUAP and draft BMAPs.</p> <p>Members should read this Addendum Report in conjunction with the original full detailed planning report attached below.</p> <p>The proposed site is outside the adopted ATC under the BUAP 2001. The map of the ATC has been attached below. The arrow points to the proposed property site in relation to the adopted ATC.</p>	



Under draft BMAP 2004 and 2015, the proposed site would be considered as within the proposed ATC. The map below shows the extended area of the ATC under dBMAP.



Within adopted ATC's, Planning Policy Statement 6 Addendum is applicable. However, PPS6 Addendum is not applicable to proposed ATC's as confirmed by the Planning Appeals Commission. However, regardless this, the impact of the proposal is considered in respect of the prevailing character and on the overall character of the proposed ATC which can still be objectively assessed in the context of the surrounding built form.

The impact of the proposal has been assessed in relation to the character of the area including the proposed ATC and is considered acceptable. The rear property line is adjacent to the adopted ATC. The proposal is for a minor awning to the front door which does not negatively impact the existing property or surrounding built form. The character of the area including the draft ATC would be maintained.

Recommendation - Approval

As per the full case officer report, the case officer recommendation is unchanged, it is considered that the proposed development complies with the relevant policy therefore recommendation is to approve.

It is recommended that planning permission is granted with delegated power given to the Director of Planning and Building Control to finalise conditions.

Committee Report

Development Management Report	
Application ID: LA04/2022/0138/F	Date of Committee: Tuesday 17 th May 2022
Proposal: Victorian Style Canopy localised over entrance doorway.	Location: Ground Floor Office, 1 Rugby Avenue, Belfast, BT7 1RD.
Referral Route: Referral to the Planning Committee under Section 3.8.5 (d) Subject to council funding.	
Recommendation:	Approval
Applicant Name and Address: Boyle Properties, 1 Rugby Avenue, Belfast, BT7 1RD	Agent Name and Address:
<p>Executive Summary:</p> <p>The proposal is for a Victorian Style Canopy installed over entrance of doorway at Ground Floor Office Space.</p> <p>Area Plan</p> <p>The proposed site is situated on Rugby Avenue and falls outside the adopted Holyland Area of Townscape Character.</p> <p>The key issues to be considered are:</p> <ul style="list-style-type: none"> Design / Impact on character and appearance Amenity Public Safety <p>The amended plans uploaded to the planning portal on the 03/05/2022 have reduced the size and design of the awning to address concerns of anti-social behaviour and being out of character with the existing building and in a residential area. The proposal will not negatively impact the amenity of neighbouring properties and will not prejudice public safety. The amended proposed scheme is considered acceptable.</p> <p>DFI Roads were consulted and had no objections.</p> <p>Two objections have been received, raising concern over anti-social behaviour, noise and safety as well the awning not being in keeping with the residential area. These matters have been addressed in the report.</p> <p>Having had regard to the development plan, relevant planning policies, and other material considerations, it is determined that the proposal should be approved.</p> <p>Recommendation - Approve subject to conditions</p>	

It is recommended that the application is approved, and it is requested that delegated authority be given to the Director of Planning and Building Control to finalise the wording of conditions

Case Officer Report

Site Location Plan



Existing Elevation



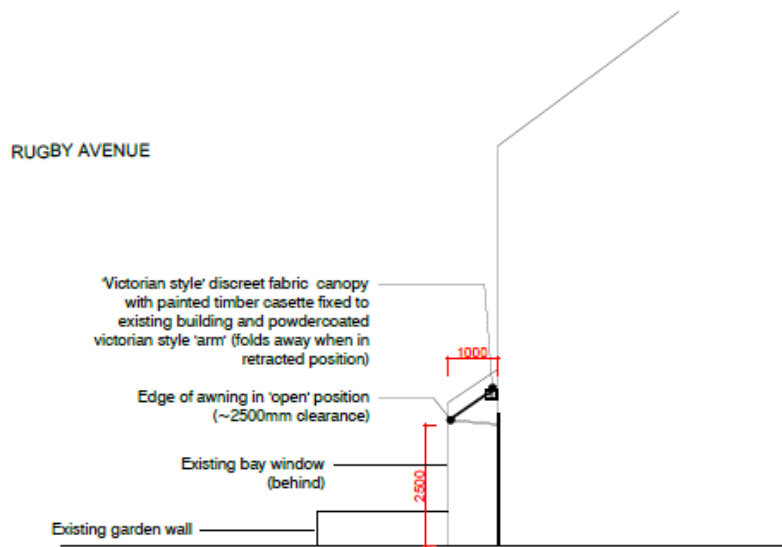
Existing North Facing Elevation

Proposed Elevation

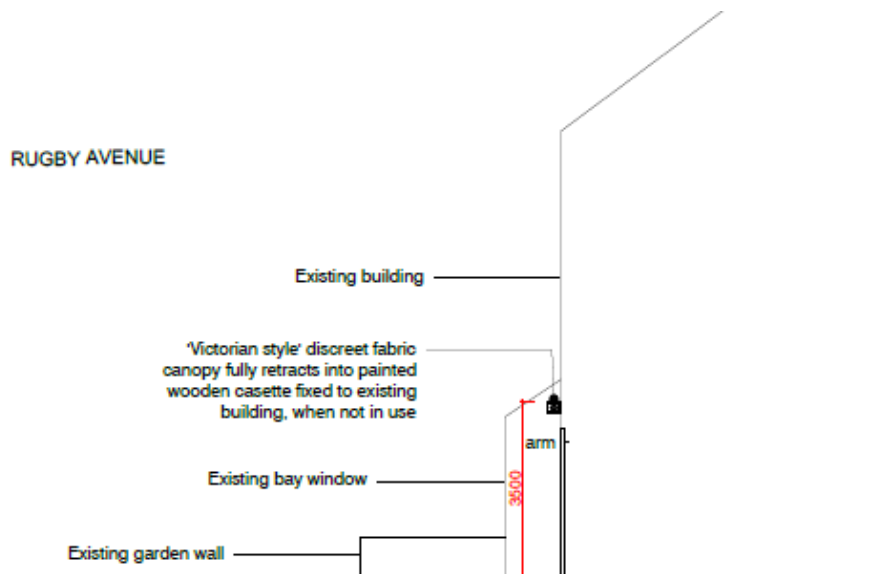


Proposed North Facing Elevation

Proposed Section Drawing



Proposed East Facing Section (shown with canopy open)



Proposed East Facing Section (shown with canopy retracted)

Characteristics of the Site and Area	
1.0	<p>Description of Proposed Development</p> <p>'Victorian Style' fabric Canopy with painted timber cassette fixed to first storey of existing building and powder coated Victorian style arm.</p> <p>The application is for a fabric awning at the east facing front elevation of the property. The application site is a two and half storey corner site which is currently occupied as an estate agents on the ground floor with apartments on the upper floors. The canopy will extend 1m once in open position with a 2.5m height clearance. The awning when not in use will be retracted into timber frame cassette fixed to the fascia at a height of 3.5m. The timber cassette measures approximately 0.21m in the closed position.</p>
2.0	<p>Description of Site</p> <p>The site is located on Rugby Avenue at the corner with Carmel Street. The application site is currently used as office space. The character of the area is mostly traditional red-brick terrace buildings with two and a half stories. The surrounding area is mostly residential dwellings.</p>
Planning Assessment of Policy and other Material Considerations	
3.0	<p>Site History</p> <p>Z/2008/2442/F- 1 Rugby Avenue- Change of use from offices to apartments on 1st and 2nd floor (one-bedroom apartments) with alterations to rear return and side of terrace (Amended Scheme). Permission Granted- 16.11.2009</p> <p>LA04/2017/1762/F – 1 Rugby Avenue - Change of use from first and second floor offices to 2 No. flats including 3 storey rear extension, replacement single storey bays and elevation changes (amended scheme) Permission Granted</p> <p>LA04/2019/0202/CA- 1 Rugby Avenue- Unauthorised sign advertising a business – Enforcement Closed.</p>
4.0	Policy Framework
4.1	Belfast Urban Area Plan 2001
4.2	Draft Belfast Metropolitan Area Plan 2004
4.3	<p>Draft Belfast Metropolitan Area Plan 2015</p> <p>Following the recent Court of Appeal decision on BMAP, the extant development plan is now the BUAP. However, given the stage at which the Draft BMAP had reached pre-adoption through a period of independent examination, the policies within the Draft BMAP still carry weight and are a material consideration in the determination of planning applications. The weight to be afforded is a matter of judgement for the decision maker.</p>
4.4	Belfast Local Development Plan Draft Plan Strategy 2035

	The Belfast Local Development Plan Draft Plan Strategy 2035 will guide future planning application decision making to support the sustainable spatial growth of the city up to 2035. The draft Plan Strategy has been subject to examination by the Planning Appeals Commission and the Council has been provided with a copy of their Report, together with a Direction from the Department for Infrastructure in relation to additional required steps before it can be adopted. Paragraph 1.10 of the Strategic Planning Policy Statement (SPPS) states that a transitional period will operate until such times as a Council's Plan Strategy has been adopted. Accordingly, whilst the Draft Plan Strategy is now a material consideration it has limited weight until it is adopted and during this transitional period existing policies will be applied including the SPPS and relevant PPSs.
4.5	Strategic Planning Policy Statement for Northern Ireland (SPPS)
5.0	Statutory Consultees Responses DFI Roads- No objections.
6.0	Non Statutory Consultees Responses None
7.0	Representations The application was neighbour notified and advertised in the local press. The planning service received two letters of objection. The objectors have concerns in respect to: <ul style="list-style-type: none"> - Anti-social Behaviour, noise and safety concerns. - The application is not in-keeping with the residential area. <u>Officer Response</u> These are addressed below.
8.0	Other Material Considerations None
8.1	Any other supplementary guidance None
9.0	Assessment
9.1	The proposal is considered to be in compliance with the development plan.
9.2	Assessment The key issues to be considered are: <ul style="list-style-type: none"> • Design / Impact on Character and Appearance • Amenity • Public Safety It is considered that the proposal is in compliance with SPPS in that the proposed development will not cause demonstrable harm to interest of acknowledged importance which are considered below. Design / Impact on Character and Appearance

	<p>The proposal is considered to be in compliance with paragraphs 4.23 - 4.30 within the SPPS which seeks to ensure good design. The reduction of size and change of design proposed in the amended scheme are considered to not negatively alter the front of the existing building.</p> <p>Amenity</p> <p>Paragraphs 4.11 – 4.12 of the SPPS set out the considerations to safeguard residential and work environs. It is deemed that this proposal would not result in demonstrable harm to the residential amenity of neighbours. The proposal will not block light or cause over dominance in the area. The reduction in size of the canopy will only provide shelter over the door entrance of the office space.</p> <p>The canopy is not considered to negatively impact the amenity of neighbouring properties. The amended scheme has reduced the size of the awning to cover just the doorway entrance, this will discourage any gathering of people and potential anti-social behaviour. The canopy will extend approximately 1m and the height of the awning will be 3m.</p> <p>Public Safety</p> <p>There will be no issue of reduced sight lines for traffic in the area and pedestrian movement will not be affected. The canopy fully extended will be at the height of 2.5m. This is in-line with height clearance levels.</p>
9.3	Having regard for the policy context and the considerations above, the proposal is deemed acceptable.
10.0	Summary of Recommendation: Approval
11.0	<p>Conditions</p> <p>1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.</p> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p> <p>Informatives</p> <p>1. The drawing refs referred to above correspond with those drawings submitted to the Authority in respect of this application and published to the Planning Portal NI on: 03/02/2022, drawing nos: 01, 02 & 03A (03A published to the Planning Portal NI on 03/05/2022)</p>
Notification to Department (if relevant): No	
Representations from Elected members: None	

Committee Report

Development Management Report	
Application ID: LA04/2021/2440/F	Date of Committee: 14 th June 2022
Proposal: Proposed demolition of existing dwelling and garage to allow for the erection of a new semi-detached dwelling and two apartments.	Location: 362 Lisburn Road Belfast BT9 5GL
Referral Route: Referred to under section 3.8.2 (i) of the scheme of delegation as the proposal involves the full demolition of the main building in a conservation area	
Recommendation:	Refusal
Applicant Name and Address: Mr Gerald Murray 362 Lisburn Road Belfast BT9 5GL	Agent Name and Address: Tom Wilson Planning 160 Tirnascope Road Richhill Armagh BT63 5WG
<p>Executive Summary:</p> <p>The site is located at No 364 Lisburn Road. The dwelling is a two storey, white render property with a pitched roof. The dwelling contains a bay window to the front elevation and a two storey rear return with a single storey rear lean to. The dwelling contains hardstanding to the front providing in curtilage parking and a garden to the rear.</p> <p>The site fronts onto the Lisburn Road. Neighbouring the site is a former bank building which is B1 listed. The site sits within the Malone Conservation Area, Sub-Area A Lisburn Road.</p> <p>A consent application for full demolition of the dwelling and garage is associated with this full application – LA04/2021/2439/DCA</p> <p>The key issues to be considered are:</p> <ul style="list-style-type: none"> • The principle of the demolition and redevelopment • Layout, Scale, Massing and Design • Impact on Neighbouring Listed Building • Impact on Neighbouring Amenity • Parking Layout • Infrastructure Capacity <p>The dwelling is considered to make a positive contribution to the Malone Conservation Area. No exceptional circumstances have been presented that would outweigh the general presumption against the demolition of the dwelling. The proposed replacement scheme would negatively impact the character and appearance of the Conservation Area.</p> <p>The Conservation Officer objects to the proposal. The proposal is considered contrary to PPS6, the SPPS and would conflict with the guiding principle to afford special regard to the desirability of enhancing its character and appearance where an opportunity to do exists, or to preserve its character and appearance where an opportunity does not arise as set out in Section 104 of the Planning Act (NI) 2011.</p> <p>The demolition and the replacement scheme is also considered to have an unacceptable impact on the setting of the neighbouring listed building. The design, scale, massing, height and alignment of the proposal will detract from the listed building. HED have also objected to the application on this</p>	

basis. Accordingly, the proposal is considered contrary to PPS6, the SPPS and having regard to Section 91 of the Planning Act 2011.

The proposed replacement scheme of a semi-detached dwelling and two apartments would not preserve the character of the surrounding area by way of design, scale, form and layout resulting in overdevelopment contrary to Policy QD1 of PPS7.

The proposed dwelling would have an adverse impact to the dwelling to the rear at no. 3 Cranmore Gardens by way of overlooking. The proposal would also fail to provide adequate amenity space for future occupiers of the proposed dwelling.

DFI Roads, Trees Officer and NIW have all requested further information. Rivers Agency and Environmental Health offered no objection.

Two objections were received, which are considered in the main body of the report.

Recommendation - Refusal

Having regard to the policy context and other material considerations, the proposal is considered unacceptable, and refusal of planning permission is recommended for the reasons set out below.

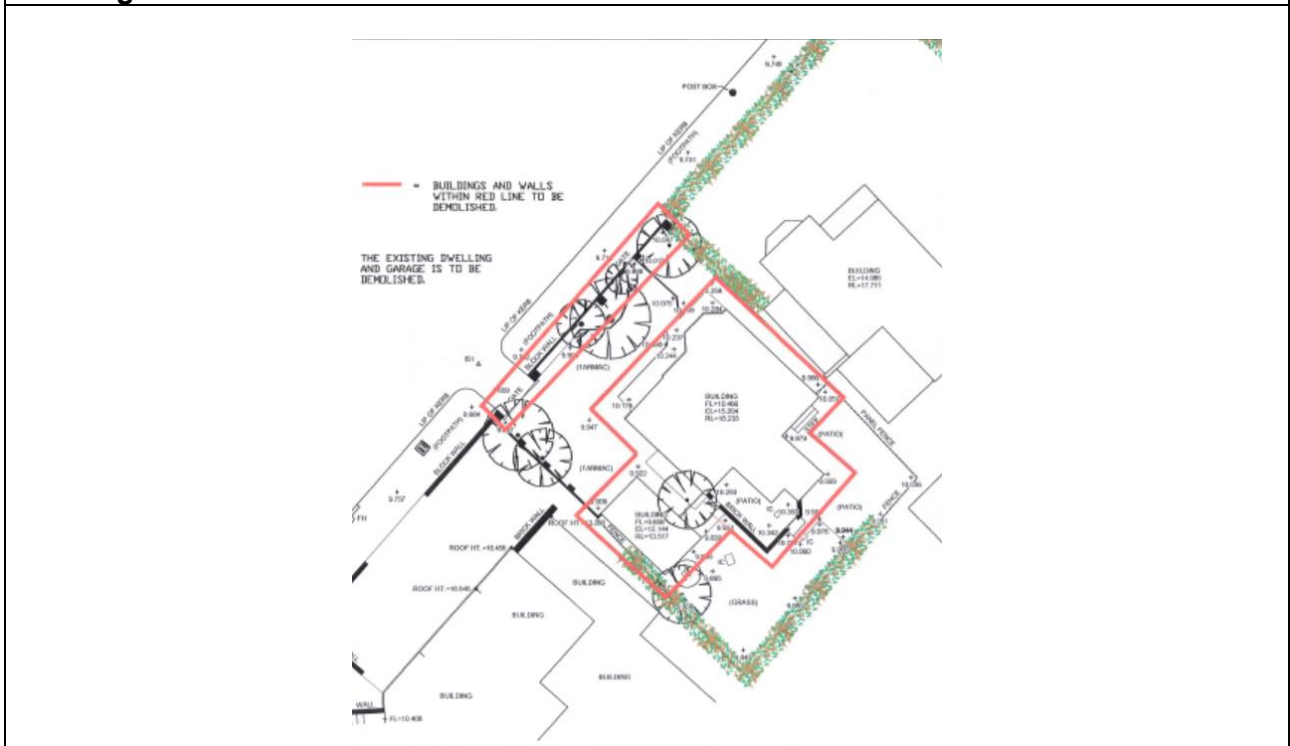
Delegated authority is sought for the Director of Planning and Building Control to finalise the final wording of reasons for refusal subject to no new substantive planning issues being raised by third parties.

Case Officer Report

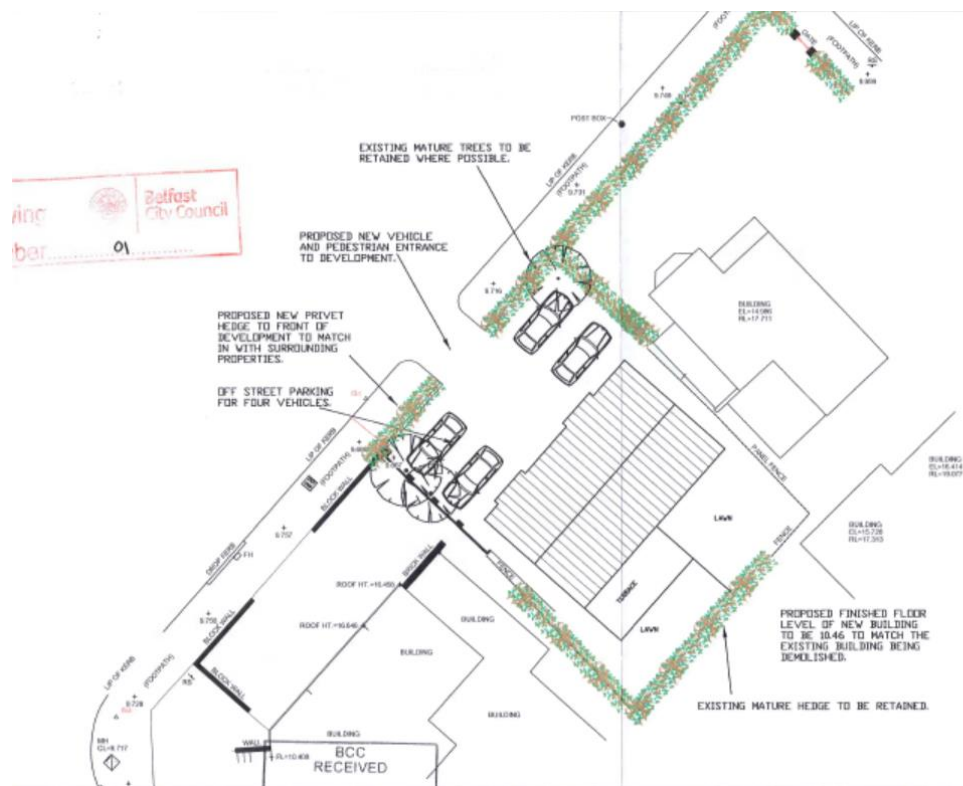
Site Location Plan



Existing Block Plan



Proposed Block Plan



Existing Front Elevation



Proposed Replacement Elevations and Floor Plans



Characteristics of the Site and Area

1.0 Description of Proposed Development

- 1.1 Proposed demolition of the existing dwelling and garage to allow for the erection of a new semi-detached dwelling and two apartments.

2.0 Description of Site

- 2.1 The site is located at No 364 Lisburn Road. The dwelling is a two storey, white render property with a pitched roof. The dwelling contains a bay window to the front elevation and a two storey rear return with a single storey rear lean to. The dwelling contains hardstanding to the front providing in curtilage parking and a garden to the rear.
- 2.2 The property is of a vaguely, diluted Arts and Craft idioms characteristic of suburban dwellings of the Edwardian period, though the later date / period may be read through the larger horizontal emphasis windows reflecting that were facilitated by stronger lintels, the porch and the flat canopy above first floor window.
- 2.3 The site fronts the Lisburn Road which is a mixed-use area with residential, retail, cafes and restaurants within close proximity to the site. To the rear of the site is primarily residential with detached and semi-detached properties. Neighbouring the site is a former bank building which is listed.
- 2.4 The site sits within the Malone Conservation Area, Sub-Area A Lisburn Road.

Planning Assessment of Policy and other Material Considerations	
3.0	Site History Z/2008/2260/F, 362 Lisburn Road, Malone Lower, Belfast, BT09 6GL, Change of use from house to medical surgery with internal alterations and provision of car parking spaces. PERMISSION GRANTED. 14.08.2009. Z/2003/0035/F, 362 Lisburn Road, Belfast, BT9 6GL, Extension to dwelling, PERMISSION GRANTED, 15.05.2003.
4.0	Policy Framework / Guidance
4.1	Belfast Urban Area Plan 2001
4.2	Draft Belfast Metropolitan Area Plan 2004, 2015
4.3	Strategic Planning Policy Statement for Northern Ireland (SPPS)
4.4	Planning Policy Statement 3: Access, Movement and Parking
4.5	Planning Policy Statement 6: Planning, Archaeology and The Built Heritage
4.6	Planning Policy Statement 7: Quality Residential Environments
4.7	Planning Policy 12: Housing in Settlements
4.8	Development Control Advice Note 8: Housing in Urban Areas
5.10	A Design Guide for the Malone Conservation Area
5.0	Statutory Consultees Responses DFI Roads- Requested Additional Information DFI Rivers- No objection NI Water- Objects
6.0	Non-Statutory Consultees Responses Conservation Officer- Objects Environmental Health- No objection Historic Environment Division - Objects
7.0	Representations Two objections were received and are summarised as follows: <ul style="list-style-type: none"> Increased stress on sewerage and services. Impact on the historic townscape character Impact on privacy and sunlight to 3 Cranmore Gardens and 2 Bawnmore Road. Representations are dealt with in the main body of this report.
8.0	Other Material Considerations
8.1	Creating Places
9.0	Assessment
9.1	The key issues in the assessment of this application are as follows: <ul style="list-style-type: none"> The principle of demolition and redevelopment in Malone Conservation Area Layout, Scale, Massing and Design Impact on the neighbouring Listed Building

	<ul style="list-style-type: none"> - Impact on amenity - Access, Movement and Parking - NIW – Infrastructure Capacity
9.2	<p>Section 45 (1) of the Planning Act (Northern Ireland) 2011 requires regard to be had to the Development Plan, so far as material to the application and to any other material considerations. Section 6(4) states that where regard is to be had to the Development Plan, the determination must be made in accordance with the Plan unless material considerations indicate otherwise. As a consequence of this, the Belfast Urban Area Plan 2001 (BUAP) is now the statutory development plan for the area with dBMAP 2015 remaining a material consideration. Given the advanced stage at which dBMAP 2015 (v2014) pre-adoption including modification following the Planning Appeals Commission's report on the Examination in Public, it is considered that it holds significant weight, save for retail policies relating to Sprucefield, Lisburn, which remain contentious.</p>
9.3	<p>The Belfast Local Development Plan Draft Plan Strategy 2035 will guide future planning application decision making to support the sustainable spatial growth of the city up to 2035. The draft Plan Strategy has been subject to examination by the Planning Appeals Commission and the Council has been provided with a copy of their Report, together with a Direction from the Department for Infrastructure in relation to additional required steps before it can be adopted. Paragraph 1.10 of the Strategic Planning Policy Statement (SPPS) states that a transitional period will operate until such times as a Council's Plan Strategy has been adopted. Accordingly, whilst the Draft Plan Strategy is now a material consideration it has limited weight until it is adopted and during this transitional period existing policies will be applied including the SPPS and relevant PPSs.</p>
9.4	<p>With regards to development in Conservation Areas, Section 104(11) states that special regard must be had to the desirability of;</p> <p>(a)preserving the character or appearance of that area in cases where an opportunity for enhancing its character or appearance does not arise;</p> <p>(b)enhancing the character or appearance of that area in cases where an opportunity to do so does arise</p> <p>Paragraph 6.18 of the SPPS states as follows:</p>
9.5	<p>'In managing development within a designated Conservation Area, the guiding principle is to afford special regard to the desirability of enhancing its character or appearance where an opportunity to do so exists, or to preserve its character or appearance where an opportunity to enhance does not arise. Accordingly, there will be a general presumption against the grant of planning permission for development or conservation area consent for demolition of unlisted buildings, where proposals would conflict with this principle. This general presumption should only be relaxed in exceptional circumstances where it is considered to be outweighed by other material considerations grounded in the public interest. In the interests of protecting the setting of designated Conservation Areas, new development in proximity needs to be carefully managed so as to ensure it respects its overall character and appearance. Important views in and out of the Conservation Area should be retained.'</p>
9.6	<p>Within regards to development within the setting of a Listed Building, Section 91 (2) states In considering whether to grant planning permission for development which affects a listed</p>

	<p>building or its setting, and in considering whether to grant listed building consent for any works, a council or, as the case may be, the Department must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.</p> <p><u>The Principle of Demolition and Redevelopment in Malone Conservation Area</u></p>
9.7	<p>The existing dwelling is a two storey, two bay dwelling faced in render with pitched, slated roof (with decorative ridge tiles). The slightly projecting left bay contains a canted bay window to the ground floor, to the right a first floor window that breaks the eaves below a flat canopy, and an 'in antis' ground floor below wide, segmental arch. Ridge chimneys create a broken roof silhouette. A gabled return occurs to the rear. The property is of a vaguely, diluted Arts and Craft idioms characteristic of suburban dwellings of the Edwardian period, though the later date / period may be read through the larger horizontal emphasis windows reflecting that were facilitated by stronger lintels, the porch and the flat canopy above first floor window.</p>
9.8	<p>Policy BH 14 of PPS 6 states that demolition will normally only be permitted in a conservation area where the building makes no material contribution to the character or appearance of the area. The Conservation Officer has been consulted and states that the property is an integral part of the townscape, allowing the architectural evolution and the historical progression of the area to be read. The dwelling is considered to make a contribution to the historic character by partly ascribing the historic development in the area. The dwelling is one of nine detached residential properties constructed during the Edwardian years (1907-1916) as recognised in paragraph 4.2.17 of the Design Guide for the Malone Conservation Area. The design of no. 360 Lisburn Road which is seemingly of a later date is based upon the design of no. 362. It is therefore considered that the dwelling makes a positive contribution to the architectural and historic interest/ character and appearance of the area. The Conservation Officer considers that the existing building makes a significant, positive contribution to the character and appearance / architectural and historic interest of the Conservation Area. The existing building has an historic authenticity in terms of fabric, materials and reflect the craftsmanship of the era.</p>
9.9	<p>As stated in the SPPS, there is a general presumption against the demolition of unlisted buildings within a conservation area. This general presumption should only be relaxed in exceptional circumstances where it is considered to be outweighed by other material considerations grounded in the public interest. A similar approach is taken in BH 14 of PPS6 and advises that in assessing such proposals for demolition regard will be had to the same broad criteria outlined for the demolition of listed buildings in paragraph 6.25 of PPS 6 and Policy BH 10. Policy BH 10 states that there needs to be exceptional reasons as to why the building cannot be retained in its original or a reasonably modified form. Paragraph 6.25 sets out the factors to be considered in relation to total demolition.</p>
9.10	<p>Factor (a) considers the condition of the building, the cost of repairing and maintaining it in relation to its importance and to the value derived from its continued use. A structural survey report (visual assessment only) has been submitted detailing the condition of the dwelling, whilst the building is in need of repair, the issues identified in the structural report are typical issues associated with older buildings. In addition, the report does not state that the building cannot be retained or demonstrate that the building isn't capable of refurbishment. The cost of repairing and maintaining the dwelling was requested but has not been submitted due to the dwelling being in current occupation.</p>
9.11	<p>Factor (b) is the adequacy of efforts made to retain the building in use. The building is currently in use and occupied, therefore there is no argument to be made in this respect.</p>

	<p>The agent states that to secure the long term use of the building and bring it to modern standards, the extent of the works required would mean the external fabric of the building would be new and no longer historic. The submitted structural report was based on a visual assessment only and does not take a retention / minimum loss of historic fabric approach and justification / evidence for the extent of the works has not been included.</p>
9.12	<p>Factor (c) is the merits of alternative proposals for the site. The proposed replacement scheme is assessed further in this report and the modern design is deemed to not be sympathetic and would harm the character and appearance of the conservation area. The proposal seeks an intensification of the existing use on site and would not bring substantial community benefits.</p>
9.13	<p>The Conservation Officer was consulted and objected to the proposal. The Conservation Officer stated that the contribution of the proposed development to the character and appearance of the Conservation Area will not be equal to or greater than the existing buildings; the proposed development would result in harm to the Conservation Area. In conclusion the proposal has an adverse impact on Malone Conservation Area.</p>
9.14	<p>In addition, HED have also recognised the importance of the existing building to the character and appearance of the conservation area. It has been deemed that the dwelling makes a positive contribution to the architectural and historic interest/ character and appearance and there are no exceptional circumstances which would set aside the presumption in favour of retention. The principle of demolition and redevelopment of the site is considered unacceptable and contrary to Policies BH 10 and BH 14 of PPS 6.</p> <p><u>Layout, Scale, Massing and Design</u></p>
9.15	<p>The proposal is for a semi-detached dwelling and two apartments. The proposed building is to be red brick with a pitched roof. There is a single storey rear extension which serves the ground floor apartment and contains a raised terrace area for the 1st floor apartment. The building contains dormer windows to the front and rear elevation. The proposed footprint of the building is 128sq metres with the existing dwelling at 84sq metres. The proposal is also higher than the existing dwelling at 9.82m compared to 7.82m.</p>
9.16	<p>The proposed building is considered contrary to Policy QD1 of PPS7 and BH12 of PPS 6. The development will not preserve the character and appearance of the area. It has been established that the existing dwelling makes a positive contribution to the area. The proposed replacement building is of a modern design which is stark and devoid of modulation and detailing. As a result it reads as a later modernist block from a non-historic, later housing context. When read with the surrounding residential development of Victorian/Edwardian suburban context as well as the Listed Building neighbouring the site, it is clear that the proposed building is not sympathetic with the surrounding area.</p>
9.17	<p>The scale, massing and form of the building is increased when compared to the existing dwelling. The increase in height/ massing is of concern given the modest height of the neighbouring listed building as well as the dwelling at no. 360 Lisburn Road. The proposed height / scale will be uncharacteristic in the streetscape at this point and be dominant within the context. This is emphasised further by its oversized dormers and unbalanced solid to void ratio. No contextual street scene elevations have been submitted to assess this impact further.</p>
9.18	<p>The proposal will be set back in order to allow an area of hardstanding to the front of the proposal. The block plan shows an area sufficient for 4 cars and a centralised access to the site. The large area of hardstanding is indicative of overdevelopment which does not respect the surrounding Conservation Area. It is not uncommon for parking to the front of</p>

	<p>dwellings in the surrounding area however these are typically single dwellings, the proposal comprises 3 units and therefore the front of the building will be dominated by parking and hardstanding.</p>
9.19	<p>The proposed area of parking to the front will remove three existing trees. The trees contribute to the Conservation Area and the removal of which to allow an area of parking demonstrate a further impact on the conservation area by overdevelopment of the site. The Tree Officer stated that <i>'existing healthy trees should be retained within the site and the proposal designed to accommodate and integrate the trees into the development with adequate distances between trees and any proposal to promote enjoyable amenity.'</i> The Tree Officer requested further information such as a landscape plan. However, given the principle is unacceptable the additional information has not been formally requested.</p> <p><u>Impact on the neighbouring Listed Building</u></p>
9.20	<p>The proposed building neighbours the listed former bank building at no. 364 Lisburn Road (HB26 18 223). It is considered the proposal is contrary to Policy BH 11 of PPS 6 in that the proposed development would adversely affect the setting of the listed building. HED have objected to the proposal. The existing dwelling has been determined to make a positive contribution to the Conservation Area by way of its historic character, also contributing significantly to the setting of the listed building and its loss would be detrimental to this setting. Furthermore, the proposed replacement modern building will subsequently be at odds with its immediate context including the listed building. It is considered that the increase in height of 2m and overall scale / massing does not respect the former bank building and has the potential to dominate views of the listed building. The design and massing will compete with the listed building for focus such as the large dormer windows and over-sized openings leading to an imbalance in solid to void ratio. The proposed siting and alignment of the proposed replacement building has changed which encroaches further into the setting of the listed building with a potential to adversely impact it further. There is a lack of contextual information to carry out a full comprehensive assessment of the proposal and the impact on the setting of the listed building.</p>
9.21	<p>Section 91 (2) states that the Department must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. As stated in paragraph 9.18 the proposed demolition and replacement scheme will not respect the listed building by way of scale, massing and design.</p> <p><u>Impact on amenity</u></p>
9.22	<p>The main block of the proposed building is located approximately 6.5m from the rear boundary. The proposal will form a single block with a small rear extension. The main block of the existing building is located 7.9m from the rear boundary. The existing dwelling is broken up with a two storey rear return which aids in ensuring the dwelling does not dominate or significantly overlook neighbouring gardens. The increased height of the proposed building means the 1st and 2nd floor bedroom windows of the semi-detached dwelling and the 2nd floor bedroom window of the apartment will directly overlook the neighbouring garden at No. 3 Cranmore Gardens. Paragraph 7.16 of Creating Places states where the development abuts the private garden areas of existing properties, a separation distance greater than 20m will generally be appropriate to minimise overlooking, with a minimum of around 10m between the rear of new houses and the common boundary. The separation is below the minimum and does not provide adequate mitigation to minimise overlooking such as the use of high level windows. Whilst the existing relationship is below the recommended separation distance, the proposal is</p>

	<p>bringing the main block of the building closer and introducing additional overlooking from a higher level with 2nd floor bedroom windows which will significantly exacerbate overlooking when compared to the existing dwelling. An objection was received from 3 Cranmore Gardens citing concerns of overlooking. An objection was also received from 2 Bawnmore Road but the rear garden is not directly to the rear of the site and therefore overlooking is not considered to be a concern.</p>
9.23	<p>Each unit contains a level of proposed private amenity space. The semi-detached dwelling contains a 46sq m rear garden, the ground floor apartment contains a 33sq m rear garden and the 1st floor apartment contains a 20sq m terrace. Creating Places states that an average space standard for developments should be 70sq m or more and an average of 40sq m or less is unacceptable. Given the proposal is for a semi-detached family sized dwelling it is expected that the private amenity space should meet the 70sq m limit. The surrounding Conservation Area contains sizeable rear gardens and therefore the proposed amenity space for the semi-detached dwelling is considered out of character with the surrounding area and would negatively impact prospective residents contrary to Policy QD1 of PPS7.</p>
	<p><u>Access, Movement and Parking</u></p>
9.24	<p>DFI Roads were consulted and requested further information in relation to the access and parking, given the principle has been deemed unacceptable, this information has not been requested. In this regard, insufficient information has been submitted to satisfy the requirements of PPS3.</p>
	<p><u>NI Water</u></p>
9.25	<p>NI Water were consulted and objected to the application as sufficient waste water treatment capacity is not available at present for the proposed development. NI Water stated that an impact assessment would be required but this has not been requested given the principle of the application is considered unacceptable.</p>
9.26	<p>Having regard to the policy context and other material considerations above, the proposal is considered unacceptable and it is recommended to refuse this application.</p>
10.0	<p>Summary of Recommendation: Refuse</p>
11.0	<p>Reasons for Refusal</p> <ol style="list-style-type: none"> 1. The demolition of the existing dwelling is considered contrary to the SPPS and Policy BH 14 of Planning Policy Statement 6: Planning, Archaeology and The Built Heritage and the Design Guide for Malone Conservation Area in that the existing dwelling is deemed to make a positive contribution to the character and appearance of the Malone Conservation Area and no exceptional reasons has been demonstrated, which in the judgement of Belfast City Council, justifies its demolition. 2. The proposal is considered contrary to the SPPS and Policy BH 12 of the Planning Policy Statement 6: Planning, Archaeology and The Built Heritage and Design Guide for Malone Conservation Area in that the design, scale, form and detailing of the proposed building if approved, would negatively harm the character and appearance of Malone Conservation Area thus failing to preserve the character and appearance of the Conservation Area.

	<p>3. The proposal is contrary to the SPPS and Policy BH 12 of Planning Policy Statement 6: Planning, Archaeology and The Built Heritage in that the site lies within Malone Conversation Area and the development would, if permitted, detract from its character and appearance as it would result in the removal of existing trees.</p> <p>4. The proposal is considered contrary to the SPPS and Policy BH 11 of the Planning Policy Statement 6: Planning, Archaeology in that the design, scale, form and detailing of the proposed building if approved, would negatively harm the setting of the neighbouring listed building at 366 Lisburn Road</p> <p>5. The proposed development is contrary to the SPPS and Policy QD1 of Planning Policy Statement 7: Quality Residential Environments, and associated guidance in that it would if permitted, result in over development of the host site through inappropriate layout, scale, massing, form and design which would detrimentally impact the character of the surrounding area.</p> <p>6. The proposed development is contrary to Policy QD 1 of Planning Policy Statement 7: Quality Residential Environments and associated guidance in that it would if permitted result in an unacceptable adverse impact to neighbouring amenity by way of overlooking.</p> <p>7. The proposed development is contrary to Policy QD 1 of the Planning Policy Statement 7: Quality Residential Environments and associated guidance in that it would if permitted result in an unacceptable adverse impact to prospective residents with inadequate private amenity space.</p> <p>8. The policy is considered contrary to Policy AMP 2 of Planning Policy Statement 3: Access, Movement and Parking in that the applicant has failed to submit sufficient information to provide an acceptable parking layout.</p> <p>9. The proposal is contrary to the SPPS paragraph 4.12 as the applicant has failed to demonstrate adequate sewage infrastructure is available to serve the development and an approval for housing without this infrastructure may have an adverse environmental impact.</p>
--	---

ANNEX	
Valid	4 th October 2021
Date First Advertised	17 th December 2021
Date Last Advertised	17 th December 2021
Details of Neighbour Notification (all addresses)	
1 Cranmore Gardens,Belfast,Antrim,BT9 6JL Apt 1, 641 Lisburn Road,Malone Lower,Belfast,Antrim,BT9 7GT 2 Bawnmore Road,Belfast,Antrim,BT9 6LA 623b ,Lisburn Road,Malone Lower,Belfast,Antrim,BT9 7GT Apt 2,641 Lisburn Road,Malone Lower,Belfast,Antrim,BT9 6AA 3 Cranmore Gardens,Belfast,Antrim,BT9 6JL 360 Lisburn Road,Malone Lower,Belfast,Antrim,BT9 6GL 364 Lisburn Road,Malone Lower,Belfast,Antrim,BT9 6GL 607f ,Lisburn Road,Malone Lower,Belfast,Antrim,BT9 7GT 607g ,Lisburn Road,Malone Lower,Belfast,Antrim,BT9 7GT	

609a ,Lisburn Road,Malone Lower,Belfast,Antrim,BT9 7GT 609b ,Lisburn Road,Malone Lower,Belfast,Antrim,BT9 7GT 609c ,Lisburn Road,Malone Lower,Belfast,Antrim,BT9 7GT 609d ,Lisburn Road,Malone Lower,Belfast,Antrim,BT9 7GT 609e ,Lisburn Road,Malone Lower,Belfast,Antrim,BT9 7GT 627a ,Lisburn Road,Malone Lower,Belfast,Antrim,BT9 7GT 635a ,Lisburn Road,Malone Lower,Belfast,Antrim,BT9 7GT 639 Lisburn Road,Malone Lower,Belfast,Antrim,BT9 7GT 641 Lisburn Road,Malone Lower,Belfast,Antrim,BT9 7GT 643 Lisburn Road,Malone Lower,Belfast,Antrim,BT9 7GT 645 Lisburn Road,Malone Lower,Belfast,Antrim,BT9 7GT 647 Lisburn Road,Malone Lower,Belfast,Antrim,BT9 7GT 649 Lisburn Road,Malone Lower,Belfast,Antrim,BT9 7GT 659 Lisburn Road,Malone Lower,Belfast,Antrim,BT9 7GT 667a ,Lisburn Road,Malone Lower,Belfast,Antrim,BT9 7GT	
Date of Last Neighbour Notification	12 th January 2022
Notification to Department (if relevant) – No – However if the application was being approved, the Department would be required to be notified.	
Elected Representatives: None	

This page is intentionally left blank

Committee Report

Development Management Report	
Application ID: LA04/2021/2439/DCA	Date of Committee: 14 th June 2022
Proposal: The complete dwelling, garage and front wall at back of footpath are to be demolished.	Location: 362 Lisburn Road Belfast BT9 5GL
Referral Route: Referred to under section 3.8.2 (i) of the scheme of delegation as the proposal involves the demolition of the main building in a conservation area	
Recommendation:	Refusal
Applicant Name and Address: Mr Gerald Murray 362 Lisburn Road Belfast BT9 5GL	Agent Name and Address: Tom Wilson Planning 160 Tirnascope Road Richhill Armagh BT63 5WG
<p>Executive Summary:</p> <p>The site is located at 364 Lisburn Road. The dwelling is a two storey, white render property with a pitched roof. The dwelling contains a bay window to the front elevation and a two storey rear return with a single storey rear lean to. The dwelling contains hardstanding to the front providing in curtilage parking and a garden to the rear.</p> <p>The site fronts the Lisburn Road which of mixed use with residential, retail, cafes and restaurants within close proximity to the site. To the rear of the site is primarily residential with detached and semi-detached properties. Neighbouring the site is a former bank building which is listed.</p> <p>The site sits within the Malone Conservation Area, Sub-Area A Lisburn Road.</p> <p>The key issues to be considered are:</p> <ul style="list-style-type: none"> The principle of the demolition of the dwelling in the Conservation Area <p>The principle of the demolition of the dwelling is considered contrary to policy. The dwelling is considered to make a positive contribution to the Malone Conservation Area. No exceptional circumstances have been presented that would outweigh the general presumption against the demolition of the dwelling. The proposed replacement scheme would negatively impact the character and appearance of the conservation area. The proposal is therefore contrary to PPS6, the SPPS and would conflict with the guiding principle to afford special regard to the desirability of enhancing its character and appearance where an opportunity to do exists, or to preserve its character and appearance where an opportunity does not arise as set out in Section 104 of the Planning Act (NI) 2011.</p> <p>The Conservation Officer was consulted and objected to the proposal. Historic Environment Division (HED) have also recognised the importance of the existing building to the character and appearance of the conservation area.</p> <p>No objections were received for the demolition consent.</p> <p>Recommendation - Refusal</p>	

Having regard to the policy context and other material considerations, the proposal is considered unacceptable, and refusal of planning permission is recommended for the reasons set out below. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of reasons for refusal subject to no new substantive planning issues being raised by third parties.

Site Location Plan

[illegible]

Existing Front Elevation



Characteristics of the Site and Area	
1.0	Description of Proposed Development
1.1	Proposed demolition of existing dwelling and garage to allow for the erection of a new semi-detached dwelling and two apartments.
2.0	Description of Site
2.1	The site is located at No 364 Lisburn Road. The dwelling is a two storey, white render property with a pitched roof. The dwelling contains a bay window to the front elevation and a two storey rear return with a single storey rear lean to. The dwelling contains hardstanding to the front providing in curtilage parking and a garden to the rear. The property is of a vaguely, diluted Arts and Craft idioms characteristic of suburban dwellings of the Edwardian period, though the later date / period may be read through the larger horizontal emphasis windows reflecting that were facilitated by stronger lintels, the porch and the flat canopy above first floor window.
2.2	The site fronts the Lisburn Road which is a mixed-use area with residential, retail, cafes and restaurants within close proximity to the site. To the rear of the site is primarily residential with detached and semi-detached properties. Neighbouring the site is a former bank building which is listed. The site sits within the Malone Conservation Area, Sub-Area A Lisburn Road.
Planning Assessment of Policy and other Material Considerations	
3.0	Site History Z/2008/2260/F, 362 Lisburn Road, Malone Lower, Belfast, BT09 6GL, Change of use from house to medical surgery with internal alterations and provision of car parking spaces. PERMISSION GRANTED. 14.08.2009. Z/2003/0035/F, 362 Lisburn Road, Belfast, BT9 6GL, Extension to dwelling, PERMISSION GRANTED, 15.05.2003.
4.0	Policy Framework
4.1	Belfast Urban Area Plan 2001
4.2	Draft Belfast Metropolitan Area Plan 2004, 2015
4.3	Strategic Planning Policy Statement for Northern Ireland (SPPS)
4.4	Planning Policy Statement 6: Planning, Archaeology and The Built Heritage
4.5	A Design Guide for the Malone Conservation Area
5.0	Statutory Consultees Responses None
6.0	Non-Statutory Consultees Responses Conservation Officer- Objects
7.0	Representations
	No objections were received.
8.0	Other Material Considerations None

9.0	Assessment
9.1	Section 45 (1) of the Planning Act (Northern Ireland) 2011 requires regard to be had to the Development Plan, so far as material to the application and to any other material considerations. Section 6(4) states that where regard is to be had to the Development Plan, the determination must be made in accordance with the Plan unless material considerations indicate otherwise. As a consequence of this, the Belfast Urban Area Plan 2001 (BUAP) is now the statutory development plan for the area with dBMAP 2015 remaining a material consideration. Given the advanced stage at which dBMAP 2015 (v2014) pre-adoption including modification following the Planning Appeals Commission's report on the Examination in Public, it is considered that it holds significant weight, save for retail policies relating to Sprucefield, Lisburn, which remain contentious.
9.2	The Belfast Local Development Plan Draft Plan Strategy 2035 will guide future planning application decision making to support the sustainable spatial growth of the city up to 2035. The draft Plan Strategy has been subject to examination by the Planning Appeals Commission and the Council has been provided with a copy of their Report, together with a Direction from the Department for Infrastructure in relation to additional required steps before it can be adopted. Paragraph 1.10 of the Strategic Planning Policy Statement (SPPS) states that a transitional period will operate until such times as a Council's Plan Strategy has been adopted. Accordingly, whilst the Draft Plan Strategy is now a material consideration it has limited weight until it is adopted and during this transitional period existing policies will be applied including the SPPS and relevant PPSs.
9.3	With regards to development in Conservation Areas, Section 104(11) states that special regard must be had to the desirability of; <p>(a)preserving the character or appearance of that area in cases where an opportunity for enhancing its character or appearance does not arise;</p> <p>(b)enhancing the character or appearance of that area in cases where an opportunity to do so does arise</p>
9.4	Paragraph 6.18 of the SPPS states as follows: <p>'In managing development within a designated Conservation Area the guiding principle is to afford special regard to the desirability of enhancing its character or appearance where an opportunity to do so exists, or to preserve its character or appearance where an opportunity to enhance does not arise. Accordingly, there will be a general presumption against the grant of planning permission for development or conservation area consent for demolition of unlisted buildings, where proposals would conflict with this principle. This general presumption should only be relaxed in exceptional circumstances where it is considered to be outweighed by other material considerations grounded in the public interest. In the interests of protecting the setting of designated Conservation Areas, new development in proximity needs to be carefully managed so as to ensure it respects its overall character and appearance. Important views in and out of the Conservation Area should be retained.'</p> <p><u>The Principle of Demolition in the Conservation Area</u></p>
9.5	The existing dwelling is a two storey, two bay dwelling faced in render with pitched, slated roof (with decorative ridge tiles). The slightly projecting left bay contains a canted bay window to the ground floor, to the right a first floor window that breaks the eaves below a flat canopy, and an 'in antis' ground floor below wide, segmental arch. Ridge chimneys create a broken roof silhouette. A gabled return occurs to the rear. The property is of a vaguely, diluted Arts and Craft idioms characteristic of suburban dwellings of the

	Edwardian period, though the later date / period may be read through the larger horizontal emphasis windows reflecting that were facilitated by stronger lintels, the porch and the flat canopy above first floor window.
9.6	Policy BH 14 of PPS 6 states that demolition will normally only be permitted in a Conservation Area where the building makes no material contribution to the character or appearance of the area. The Conservation Officer has been consulted and states that the property is an integral part of the townscape, allowing the architectural evolution and the historical progression of the area to be read. The dwelling is considered to make a contribution to the historic character by partly ascribing the historic development in the area. The dwelling is one of nine detached residential properties constructed during the Edwardian years (1907-1916) as recognised in paragraph 4.2.17 of the Design Guide for the Malone Conservation Area. The design of No. 360 Lisburn Road which is seemingly of a later date is based upon the design of No. 362. It is therefore considered that the dwelling makes a positive contribution to the architectural and historic interest/ character and appearance.
9.7	As stated in the SPPS there is a general consumption against the demolition of unlisted buildings within a Conservation Area. This general presumption should only be relaxed in exceptional circumstances where it is considered to be outweighed by other material considerations grounded in the public interest. A similar approach is taken in BH 14 of PPS 6 and advises that in assessing such proposals for demolition regard will be had to the same broad criteria outlined for the demolition of listed buildings in paragraph 6.25 of PPS 6 and Policy BH 10. Policy BH 10 states that there needs to be exceptional reasons as to why the building cannot be retained in its original or a reasonably modified form. Paragraph 6.25 sets out the factors to be considered in the total demolition of a listed building.
9.8	Factor (a) considers the condition of the building, the cost of repairing and maintaining it in relation to its importance and to the value derived from its continued use. A structural survey report (visual assessment only) has been submitted detailing the condition of the dwelling, whilst the building is in need of repair, the issues identified in the structural report are typical issues associated with older buildings. In addition, the report does not state that the building cannot be retained or demonstrate that the building isn't capable of refurbishment. The cost of repairing and maintaining the dwelling was requested but has not been submitted due to the dwelling being in current occupation.
9.9	Factor (b) is the adequacy of efforts made to retain the building in use. The building is currently in use and occupied, therefore there is no argument to be made in this respect. The agent states that to secure the long term use of the building and bring it to modern standards, the extent of the works required would mean the external fabric of the building would be new and no longer historic. The submitted structural report was based on a visual assessment only and does not take a retention / minimum loss of historic fabric approach and justification / evidence for the extent of the works has not been included.
9.10	Factor (c) is the merits of alternative proposals for the site. The proposed scheme is assessed in the associated full report planning reference LA04/2021/2440/F. In summary it is considered that the modern design is deemed to not be sympathetic and harm the character and appearance of the conservation area. The proposal seeks an intensification of the existing use on site and would not bring substantial community benefits.
9.11	The Conservation Officer was consulted and objected to the proposal. HED have also recognised the importance of the existing building to the character and appearance of the conservation area. It has been deemed that the dwelling makes a positive contribution to the architectural and historic interest/ character and appearance and there are no

	exceptional circumstances which would grant the demolition of the dwelling. The principle of demolition and redevelopment of the site is considered unacceptable and contrary to Policy BH 14 of PPS 6.
10.0	Summary of Recommendation: Refuse
11.0	Reasons for Refusal The demolition of the existing dwelling is considered contrary to the SPPS and Policy BH 14 of Planning Policy Statement 6: Planning, Archaeology and The Built Heritage and the Design Guide for Malone Conservation Area in that the existing dwelling is deemed to make a positive contribution to the character and appearance of the Malone Conservation Area and no exceptional reasons has been demonstrated, which in the judgement of Belfast City Council, justifies its demolition.

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: Tuesday 14th June 2022	
Application ID: LA04/2022/0207/F	
Proposal: Proposed change of use from D1 use class (church halls) to B1(a) use class (offices) including ancillary storage (Amended Description)	Location: The Old School House, Townsend Street Presbyterian Church, 32 Townsend Street, Belfast
Referral Route: Planning Service recommendation to approve is contrary to a statutory consultee's recommendation - Northern Ireland Water (NIW) recommend refusal	
Recommendation: Approval	
Applicant Name and Address: Townsend Street Presbyterian Church 32 Townsend Street Belfast BT13 2ES	Agent Name and Address: Whittaker & Watt Architects 379 Antrim Road Newtownabbey BT36 5EB
<p>Executive Summary:</p> <p>The proposal is for a change of use of listed building -The Old School House, which currently has use class D1 community. It is in use as a church hall associated with Townsend Street Presbyterian Church – which is also a listed building. The Old Schoolhouse is situated to the rear of the church. It is proposed the building is used for office space- use class - B1(a). The building is to be used as the administrative offices of the Ulster Orchestra.</p> <p>The building has 3no. floors. The ground floor includes offices, file storage, meeting room and other ancillary facilities, whilst the first floor contains open plan office space, training room and a breakout area. No office accommodation is included on the second floor. Occasionally the Ulster Orchestra will use the space to meet prior to rehearsal, which currently happens within the adjacent Church.</p> <p>Historic Environment Division raise no objection to the proposal.</p> <p>The application is brought to Committee as Northern Ireland Water object to the proposal as there is insufficient capacity at the wastewater treatment works. The applicant has submitted calculations which indicate there will be a reduction in the amount of water usage as a result of the 'change of use'. Officers consider that there would be no significant impact on the infrastructure from this development relative to its current use.</p> <p>There are no other objections to the proposed development.</p>	

The proposal is in keeping with development plan designations and with all other planning policy. The proposal complies with the SPPS -'listed buildings' (paragraph 6.13) and accords with policy BH7 of PPS6.

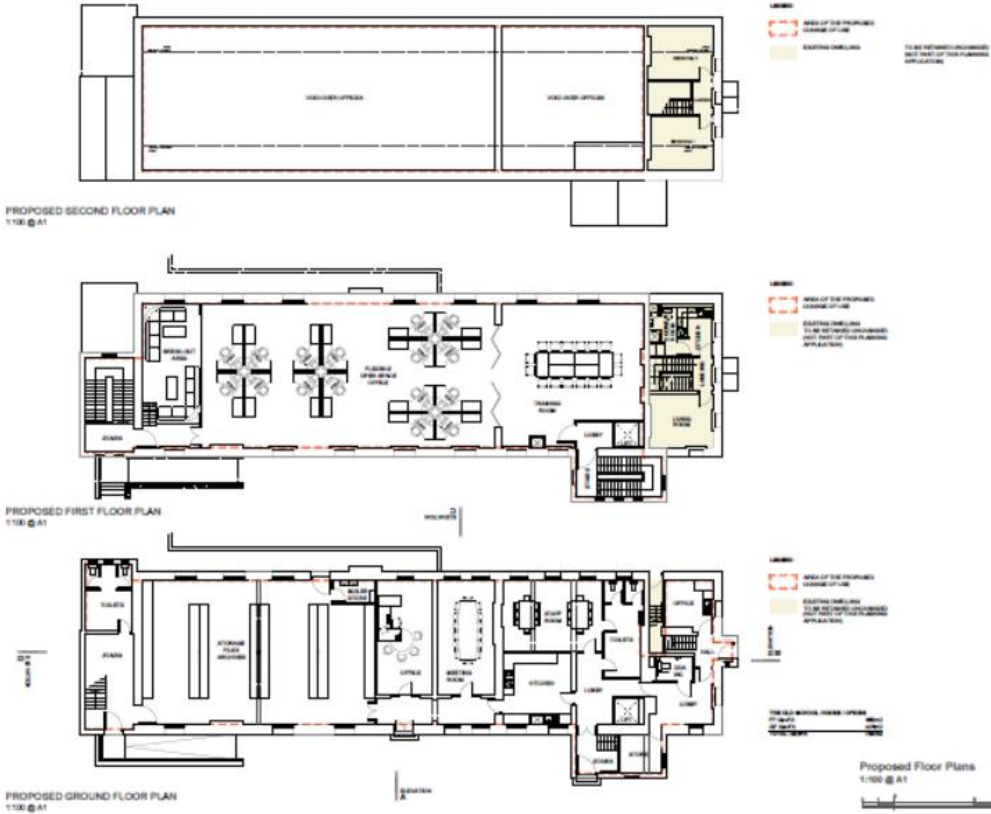
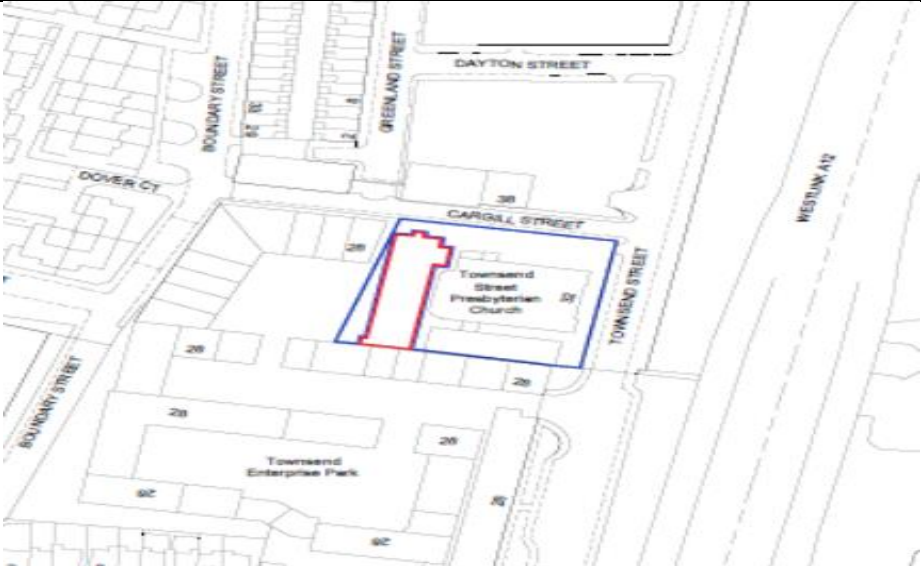
There is an application for 'Listed Building Consent' associated with this application (LA04/2022/0208/LBC).

Recommendation

Approval subject to Conditions with delegated authority sought for the Director of Planning and Building Control to finalise the wording of Conditions.

Case Officer Report

Site Location Plan



Consultations:

Consultation Type	Consultee	Response
Statutory	Historic Environment Division (HED)	Content
Statutory	DFI Roads - Hydebank	Content
Statutory	NI Water - Single Units East - Planning Consultations	Advice
Non Statutory	Env Health Belfast City Council	Substantive Response Received
Non Statutory	Env Health Belfast City Council	
Statutory	Historic Environment Division (HED)	Content
Statutory	NI Water - Single Units East - Planning Consultations	
Non Statutory	Env Health Belfast City Council	Content
Representations:		
Letters of Support	None Received	
Letters of Objection	None Received	
Number of Support Petitions and signatures	No Petitions Received	
Number of Petitions of Objection and signatures	No Petitions Received	
Characteristics of the Site and Area		
1.0	Description of Proposed Development It is proposed to change the use of the 3 storey listed building - Old School House from church hall (Class D1) (Planning (use classes) Order 2015) to office (Class B1a - use class order 2015) including ancillary storage. The proposal description has been amended to include reference to the ancillary file storage room on the ground floor. The ground floor includes offices, file storage, meeting room and other ancillary facilities, whilst the first floor contains open plan office space, training room and a breakout area. No office accommodation is included on the second floor. It is anticipated the office will be occupied by the Ulster Orchestra administration team. The Ulster Orchestra intend to use the Church for rehearsing. The orchestra will gather in the space at ground floor level on occasion, prior to rehearsing in the adjacent Church. It is considered that orchestral rehearsal is ancillary to main church use, hence planning permission is not required with regard to using the Church for orchestra rehearsals. There is an associated application for Listed Building Consent running concurrently with this Full application – Planning reference number LA04/2022/0208/LBC.	
2.0	Description of Site The site is a church hall located to the rear of Townsend Street Presbyterian Church at no.32 Townsend Street. Both the church and church hall are listed buildings. The church hall is a three storey detached hall, built in 1876-78 as a school, lecture hall and sexton's house. The church which it sits behind is also listed.	

Townsend Street runs from Peters Hill to Falls Road. It is developed on the west side only. The Westlink is located east of Townsend Street. The inner city urban area is characterised by a mix of high density residential terrace housing, commercial uses and car parking.



Planning Assessment of Policy and other Material Considerations

3.0	<p>Site History LA04/2021/0638/LBC - Presbyterian Church, 32 Townsend Street, Belfast, BT13 2ES, Replace the Existing Wall between Townsend Enterprise Park and Townsend Presbyterian Church with Security Railings as a Temporary Measure for a Period of 5 Years Approved 16.07.2021. Z/2010/1234/F - Townsend Street Presbyterian Church, 32 Townsend Street, Belfast, BT13 2ES. Proposed new external ramps for level access, internal accessible toilet and lift facility. Approved 05.07.2011 Z/2010/1241/LBC Townsend Presbyterian Church, 32 Townsend Street, Belfast, Bt13 2ES. Provision for accessible entrances and facilities including external ramps and new accessible toilet and lift internally. Approved 05.07.2011</p>
4.0	Policy Framework
4.1	Belfast Urban Area Plan (BUAP) 2001
4.2	<p>Draft Belfast Metropolitan Area Plan (dBMAP) 2004 & 2015 The extant development plan is the BUAP 2001. However, given the stage at which the Draft BMAP has reached pre-adoption through a period of independent examination, Draft BMAP remains a material consideration in the determination of planning applications. The weight to be afforded is a matter of judgement for the decision maker in each particular case.</p>
4.3	<p>Belfast Local Development Plan Draft Plan Strategy 2035 The Belfast Local Development Plan Draft Plan Strategy 2035 will guide future planning application decision making to support the sustainable spatial growth of the city up to 2035. The draft Plan Strategy has been subject to examination by the Planning Appeals Commission and the Council has been provided with a copy of their Report, together with a Direction from DfI in relation to additional required steps before it can be considered adopted. Paragraph 1.10 states that a transitional period will operate until such times as a Council's Plan Strategy has been adopted. Accordingly, whilst the Draft Plan Strategy is</p>

	now a material consideration it has limited weight until it is adopted and during the transitional period planning authorities will apply existing policy together with the SPPS
4.4	<p>Strategic Planning Policy Statement (NI) (SPPS)</p> <p>The provisions of the SPPS apply to the whole of Northern Ireland and are material to all decisions on individual planning applications and appeals. The SPPS will eventually supersede all PPSs once the Plan Strategy of the Local development Plan is adopted by local Councils. Until such times as a council adopts their Plan Strategy, existing policies (PPSs) will continue to apply alongside the SPPS. Where there is conflict between the SPPS and existing policies, this will be resolved in favour of the SPPS.</p>
4.5	<p>Planning Policy Statements 6 – Planning Archaeology and the Built Heritage.</p> <p>Policy BH7 – Change of use of Listed Buildings</p> <p>The Department will normally permit the change of use of a listed building where this secures its upkeep and survival and the character and architectural or historic interest of the building would be preserved or enhanced. Proposals for a change of use should incorporate details of all intended alterations to the building and its curtilage to demonstrate their effect on its appearance, character and setting.</p>
5.0	Statutory Consultees Responses
5.1	DfI Roads- offer no objection to this proposal.
5.2	DfC Historic Environment Division (HED) -HED considered the effects of the proposal on the listed building and is content that the proposal is in keeping with planning policy subject to conditions
5.3	Northern Ireland Water (NIW) has recommended refusal, stating that there is insufficient capacity for wastewater treatment to service the proposed development.
6.0	Non Statutory Consultees Responses
6.1	BCC Environmental Health has examined the plans and considered the proposed development in terms of noise, air pollution, general amenity, ambient. EH raised no objection to the proposal.
7.0	Representations
7.1	The application has been neighbour notified and advertised in the local press. No representations or objection has been received.
9.0	Assessment
9.1	<p>Principle of Development</p> <p>The site is located on white land in the BUAP 2001 and dBMAP 2004 & adopted version of BMAP 2015 (subsequently declared unlawful). The principle of change of use from church hall to office is acceptable with regard to the extant development plan and in consideration of the requirements of PPS6.</p>
9.2	Assessment
9.3	<p>Suitability of site and building for 'Proposed Office Use'</p> <p>The proposed change of use of the 'Old School House' will secure the ongoing viability and upkeep of the listed building. There are no changes proposed to the internal layout of the building. The internal fabric will not be altered. As such the change of use respects the essential character and historic and architectural interest of the building; and features of</p>

special interest remain intact and unimpaired- The proposed office use in keeping with policy set out in the SPPS at paragraph 6.13.

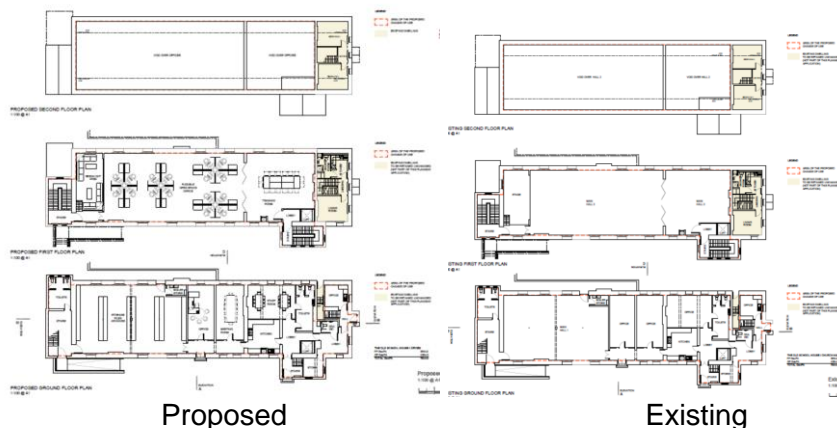
Historic Environment Division are keen to see listed buildings being utilised. When old buildings remain empty over time they degrade and fall into states of disrepair. The likelihood of survival of an old building improves with occupation, and so the key to the survival and upkeep of a listed building is to keep it in active use.

While the most appropriate use of an historic building is often that for which it was designed, new compatible uses should be found for historic buildings where they can no longer reasonably be expected to serve their original use.

Using the upper floors as office space requires no building works/alteration to the building- the space will be re-decorated and furniture will be imported. The ground floor space is to be used for storage and occasionally an area where orchestra members can gather prior to rehearsals in adjacent Church. HED are content that the use of the building is compatible with its fabric, in line with policy BH7 (change of use of listed buildings) of PPS6.

HED is content that the existing plan form of the building will be retained and consider that the architectural and historic interest of the building will be preserved. HED notes that the accompanying design and access statement states that 'The proposed change of use does not include any interior or exterior interventions to the character and / or building fabric of the building' and assessment for this change of use application is on the basis of the information submitted

The principle of change of use is considered acceptable by HED.



9.4 **Impact on character of the area and residential amenity**

There is no change to the exterior of the building, the appearance of the site will not change. The onsite car parking is located along the northern façade of the church and provides 12 car parking spaces including 1 disabled accessible space. There is available on street parking to the front of the church and the site is well served by public transport – including the Glider – which runs along the Falls road close to this building.

The proposed office use is not expected to generate an increase of people attending the building daily. There is on-street parking availability to facilitate any overflow. Residential properties nearby are located to the north west at Greenland Street and Boundary Street. These residents will not be impacted by any overflow parking, as visitors or staff would be inclined to park close to the office/church on Townsend Street. The character of the area

will not change and there will be no impact on residential amenity as a result of this change of use.

9.5 Northern Ireland Water (NIW)

Northern Ireland Water (NIW) has recommended refusal, stating that there is insufficient capacity for waste water treatment to service the proposed development.

NIW state that the P1 form indicates an increase in staff and persons attending the premises daily, meaning extra discharge to the network. Question 25 of the originally submitted P1 form indicated an increase of 14 persons daily, 12 employees and 2 'others attending'.

Average No. of persons attending premises daily	Existing	Expected increase	Total
Employees	5	12	17
Others Attending*	2	2	4
Total	7	14	21

* Others attending include visitors, customers, diners, spectators, pupils etc.

These figures have since been amended and now indicate a reduction in the number of people attending the premises.

Average No. of persons attending premises daily	Existing	Expected increase	Total
Employees	5	12	17
Others Attending*	25	-21	4
Total	30	-9	21

* Others attending include visitors, customers, diners, spectators, pupils etc.

Furthermore, the agent has forwarded an assessment of the existing and proposed sewage generated in accordance with British Waters Code of Practice: Flows and Loads; it confirms that the proposed change of use will not cause any increase in the volume of sewage generated within the site.

Existing use (church halls):

• Staff	5 x 100 l/s/day =	500 l/s/day
• Visitors	25 x 100 l/s/day =	2500 l/s/day
• Total		3000 l/s/day

Proposed use (offices):

• Staff	17 x 100 l/s/day =	1700 l/s/day
• Visitors	4 x 100 l/s/day =	400 l/s/day
• Total		2100 l/s/day

It is stated that the proposed change of use will result in a reduction of 900 l/s/day of daily sewage effluent volume discharged to the sewage system.

NIW has been reconsulted with the above figures – they continue to object to the proposal due to concerns that there is insufficient capacity at the Waste Water Treatment Works (WWTW).

	Following submission of the additional information from the agent, it is considered that there would be no significant impact on existing infrastructure from this development relative to its current use.
9.6	Having regard to the policy context and other material considerations above, the proposal is considered acceptable and planning permission is recommended subject to conditions.
10	Summary of Recommendation: Planning Approval is recommended subject to conditions stated below.
11	<p>Conditions</p> <p>1 The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission. Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p> <p>2 No new plumbing, pipes, soil-stacks, flues, vents or ductwork shall be fixed on the external faces of the building other than those shown on the drawings hereby approved. Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 80 of The Planning Act (NI) 2011.</p> <p>3 No new grilles, security alarms, lighting, security or other cameras or other fixtures shall be mounted on the external faces of the building other than those shown on the drawings hereby approved. Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 80 of The Planning Act (NI) 2011.</p> <p>4 All new external and internal works and finishes and works of making good to the retained fabric, shall match the existing original work adjacent in respect of methods, detailed execution and finished appearance unless otherwise approved in writing by the Council, in conjunction with HED. Detailed finishes schedules and samples are required for approval on any changes proposed. Reason: to ensure that the materials used are of appropriate quality in the interests of maintaining the character and appearance of the listed building and the setting of the listed building</p> <p>Informatives The applicant's attention is drawn to the consultation responses received by the Council in respect of this application. The responses can be viewed at https://www.planningni.gov.uk/index/tools/public-access-info.htm</p> <p>The drawings referenced in this decision notice above are the site location map and those proposed drawings numbered 01, 02, 04 published to the Planning Portal NI 04/02/2022.</p>

ANNEX	
Date Valid	19th January 2022

Date First Advertised	18th February 2022
Date Last Advertised	
Details of Neighbour Notification (all addresses) The Owner/Occupier, 38 Townsend Street,Belfast,Antrim,BT13 2ES The Owner/Occupier, Townsend Enterprise Park,28 Townsend Street,Belfast,Antrim,BT13 2EJ The Owner/Occupier, Unit 14,Townsend Enterprise Park,28 Townsend Street,Belfast,Antrim,BT13 2ES The Owner/Occupier, Unit 14,Townsend Enterprise Park,28 Townsend Street,Belfast,Antrim,BT13 2ES The Owner/Occupier, Unit 14,Townsend Enterprise Park,28 Townsend Street,Belfast,Antrim,BT13 2ES The Owner/Occupier, Unit 14,Townsend Enterprise Park,28 Townsend Street,Belfast,Antrim,BT13 2ES The Owner/Occupier, Unit 15,Townsend Enterprise Park,28 Townsend Street,Belfast,Antrim,BT13 2ES The Owner/Occupier, Unit 15,Townsend Enterprise Park,28 Townsend Street,Belfast,Antrim,BT13 2ES The Owner/Occupier, Unit 16,Townsend Enterprise Park,28 Townsend Street,Belfast,Antrim,BT13 2ES The Owner/Occupier, Unit 16,Townsend Enterprise Park,28 Townsend Street,Belfast,Antrim,BT13 2ES The Owner/Occupier, Unit 17,Townsend Enterprise Park,28 Townsend Street,Belfast,Antrim,BT13 2ES The Owner/Occupier, Unit 18,Townsend Enterprise Park,28 Townsend Street,Belfast,Antrim,BT13 2ES The Owner/Occupier, Unit 18,Townsend Enterprise Park,28 Townsend Street,Belfast,Antrim,BT13 2ES The Owner/Occupier, Unit 19,Townsend Enterprise Park,28 Townsend Street,Belfast,Antrim,BT13 2ES The Owner/Occupier, Unit 20,Townsend Enterprise Park,28 Townsend Street,Belfast,Antrim,BT13 2ES The Owner/Occupier, Unit 21,Townsend Enterprise Park,28 Townsend Street,Belfast,Antrim,BT13 2ES The Owner/Occupier, Unit 21,Townsend Enterprise Park,28 Townsend Street,Belfast,Antrim,BT13 2ES The Owner/Occupier, Unit 23,Townsend Enterprise Park,28 Townsend Street,Belfast,Antrim,BT13 2ES The Owner/Occupier, Unit 24,Townsend Enterprise Park,28 Townsend Street,Belfast,Antrim,BT13 2ES The Owner/Occupier, Unit 26,Townsend Enterprise Park,28 Townsend Street,Belfast,Antrim,BT13 2ES The Owner/Occupier, Unit 27,Townsend Enterprise Park,28 Townsend Street,Belfast,Antrim,BT13 2ES The Owner/Occupier, Unit 28,Townsend Enterprise Park,28 Townsend Street,Belfast,Antrim,BT13 2ES The Owner/Occupier, 	

Unit 29, Townsend Enterprise Park, 28 Townsend Street, Belfast, Antrim, BT13 2EJ
The Owner/Occupier,
Unit 29, Townsend Enterprise Park, 28 Townsend Street, Belfast, Antrim, BT13 2ES
The Owner/Occupier,
Unit 30, Townsend Business Park, 28 Townsend Street, Belfast, Antrim, BT13 2ES
The Owner/Occupier,
Unit 31, Townsend Enterprise Park, 28 Townsend Street, Belfast, Antrim, BT13 2ES
The Owner/Occupier,
Unit 31, Townsend Enterprise Park, 28 Townsend Street, Belfast, Antrim, BT13 2ES
The Owner/Occupier,
Unit 31, Townsend Enterprise Park, 28 Townsend Street, Belfast, Antrim, BT13 2ES
The Owner/Occupier,
Unit 33, Townsend Business Park, 28 Townsend Street, Belfast, Antrim, BT13 2ES
The Owner/Occupier,
Unit 34, Townsend Business Park, 28 Townsend Street, Belfast, Antrim, BT13 2ES
The Owner/Occupier,
Unit 35, Townsend Enterprise Park, 28 Townsend Street, Belfast, Antrim, BT13 2ES
The Owner/Occupier,
Unit 5a, Townsend Enterprise Park, 28 Townsend Street, Belfast, Antrim, BT13 2ES
The Owner/Occupier,
Unit 5a, Townsend Enterprise Park, 28 Townsend Street, Belfast, Antrim, BT13 2ES
The Owner/Occupier,
Unit 5b, Townsend Enterprise Park, 28 Townsend Street, Belfast, Antrim, BT13 2ES
The Owner/Occupier,
Unit 5b, Townsend Enterprise Park, 28 Townsend Street, Belfast, Antrim, BT13 2ES
The Owner/Occupier,
Unit 5c, Townsend Enterprise Park, 28 Townsend Street, Belfast, Antrim, BT13 2ES
The Owner/Occupier,
Unit 6, Townsend Enterprise Park, 28 Townsend Street, Belfast, Antrim, BT13 2ES
The Owner/Occupier,
Unit 6, Townsend Enterprise Park, 28 Townsend Street, Belfast, Antrim, BT13 2ES
The Owner/Occupier,
Unit 7, Townsend Enterprise Park, 28 Townsend Street, Belfast, Antrim, BT13 2ES
The Owner/Occupier,
Unit 8, Townsend Enterprise Park, 28 Townsend Street, Belfast, Antrim, BT13 2ES
The Owner/Occupier,
Unit 8, Townsend Enterprise Park, 28 Townsend Street, Belfast, Antrim, BT13 2ES
The Owner/Occupier,
Unit 9, Townsend Enterprise Park, 28 Townsend Street, Belfast, Antrim, BT13 2ES
The Owner/Occupier,
Unit 9, Townsend Enterprise Park, 28 Townsend Street, Belfast, Antrim, BT13 2ES
The Owner/Occupier,
Unit 9a, Townsend Enterprise Park, 28 Townsend Street, Belfast, Antrim, BT13 2ES
The Owner/Occupier,
Units 23 & 24, Townsend Enterprise Park, 28 Townsend Street, Belfast, Antrim, BT13 2ES
The Owner/Occupier,
Units 25 & 26, Townsend Enterprise Park, 28 Townsend Street, Belfast, Antrim, BT13 2ES

Date of Last Neighbour Notification

23rd February 2022

Date of EIA Determination	
ES Requested	No
Planning History <p>Ref ID: LA04/2021/0638/LBC Proposal: Replace the Existing Wall between Townsend Enterprise Park and Townsend Presbyterian Church with Security Railings as a Temporary Measure for a Period of 5 Years Address: Presbyterian Church, 32 Townsend Street, Belfast, BT13 2ES, Decision: CG Decision Date: 16.07.2021</p> <p>Ref ID: LA04/2022/0208/LBC Proposal: Change of use from D1 use class (Church Halls) to B1(a) use class (offices). Address: The Old School House, Townsend Street, Presbyterian Church, 32 Townsend Street, Belfast, BT13 2ES., Decision: Decision Date:</p> <p>Ref ID: LA04/2022/0207/F Proposal: Proposed change of use from D1 use class (church halls) to B1(a) use class (offices). Address: The Old School House, Townsend Street, Presbyterian Church, 32 Townsend Street, Belfast, BT13 2ES., Decision: Decision Date:</p> <p>Ref ID: Z/1985/0776 Proposal: ERECTION OF BOILER HOUSE Address: 32 TOWNSEND STREET Decision: Decision Date:</p> <p>Ref ID: Z/2003/1245/F Proposal: Replacement of defective roof covering. Address: Townsend Street Presbyterian Church, Townsend Street, Belfast, BT13 2ES Decision: Decision Date: 21.07.2003</p> <p>Ref ID: Z/2010/1241/LBC Proposal: Provision for accessible entrances and facilities including external ramps and new accessible toilet and lift internally. Address: Townsend Presbyterian Church, 32 Townsend Street, Belfast, Bt13 2ES.,</p>	

Decision:

Decision Date: 05.07.2011

Ref ID: Z/2010/1234/F

Proposal: Proposed new external ramps for level access, internal accessible toilet and lift facility.

Address: Townsend Street Presbyterian Church, 32 Townsend Street, Belfast, BT13 2ES,

Decision:

Decision Date: 05.07.2011

Summary of Consultee Responses

Drawing Numbers and Title

Drawing No.
Type:
Status: Submitted

Drawing No.
Type:
Status: Submitted

Drawing No.
Type:
Status: Submitted

Drawing No.
Type:
Status: Submitted

Drawing No.
Type:
Status: Submitted

Drawing No.
Type:
Status: Submitted

Drawing No.
Type:
Status: Submitted

Drawing No.
Type:
Status: Submitted

Drawing No.
Type:
Status: Submitted

Drawing No.
Type:
Status: Submitted

Drawing No.
Type:
Status: Submitted

Drawing No.
Type:
Status: Submitted

Drawing No.
Type:

Status: Submitted

Drawing No.

Type:

Status: Submitted

Drawing No.

Type:

Status: Submitted

Drawing No.

Type:

Status: Submitted

Notification to Department (if relevant)

Date of Notification to Department:

Response of Department:

This page is intentionally left blank